



Oneidas bringing several hundred bags of corn to Washington's starving army at Valley Forge, after the colonists had consistently refused to aid them

Oneida Tribe of Indians of Wisconsin

Post Office Box 365

Phone: 869-2214

Oneida, WI 54155



UGWA DEMOLUM YATEHE
Because of the help of this Oneida Chief in cementing a friendship between the six nations and the Colony of Pennsylvania a new nation the United States was made possible

Approved As
Read Corrected
4-8-92

REGULAR MEETING

WEDNESDAY, MARCH 25, 1992

Present: Rick Hill-Chairman, Loretta V. Metoxen-Treasurer, Amelia Cornelius-Secretary, Lloyd Powless, Russell Metoxen, Julie Barton, Mark Powless, Shirley Hill-Council Members

Excused: Deborah Doxtator-Vice Chairperson-Vacation

Others: Wendell McLester, Z. Ron Skenandore, Tom Oudenhoven, Mary Edna Greendeer, Bob Green, Jim Green, Cliff Cornelius, Bobbi Webster, Pat Cornelius, Pat Moore, Chris Doxtator, Ernie Stevens, Sr., Sonny King, Chas Wheelock, Mark A. Powless, Judy Cornelius, Dorothy Powless, Alan King, Pearl McLester, Mary Dodge, Alma Webster, Louise King, Dawn Bain, Ron Peterson

PRAYER: Mark N. Powless

I. CALL TO ORDER

II. APPROVAL OF AGENDA

DELETIONS:

1. Consultant Agreement - Mary Edna Greendeer - Wendell McLester

ADDITIONS:

1. Board Vacancies - Rick Hill
2. Letter to Daniel Inouye - Rick Hill
3. Toby Roth's Working Partners Breakfast - Rick Hill
4. Pluralism, Separatism, and Indian Tribal Sovereignty, Aspen, Colorado, June 20-26, 1992
5. Bingo Pass Requests
 1. JOBS Training Program (20)
 2. Great Law Steering Committee (20)
6. Travel Report - Gerald L. Hill, Francis R. Skenandore, Debbie Doxtator-March 18-19, 1992, Washington, DC, Senate Select Committee Hearings
7. Travel Report - Julie Barton
8. Wisconsin Winnebago Request for Job Descriptions-Gaming
9. Gaming Policies & Procedures for Service Contracts and Capital Expenditure Purchasing - Louise King

10. Department of Natural Resources - Rick Hill
11. Phillipson Property to be discussed after Land Committee Minutes

Motion by Mark N. Powless to approve agenda with deletions and additions, seconded by Shirley Hill, motion carried unanimously.

III. NEW EMPLOYEES:

Martin J. Antone, Loren Moore, Oscary Schuyler, Tonya L. Webster, Dan Melchert, Madeline K. Williamson, Daryl L. Hennigar, Bruce A. Smith, Burton J. Skenandore, Richard L. Smith, Lori Thomas, Orville E. Summers, Dennis J. King, Joseph E. Reed, Sr., Jake Satterlee, William B. Stevens, Constance L. Doxtator, Stacie Danforth, Susan K. Christenson, Julie A. King, Bernard F. Cornelius, Marjorie Funmaker.

IV. MINUTES TO BE APPROVED:

V. TABLED UNFINISHED BUSINESS:

VI. REPORTS

1. HUMAN RESOURCES DEPARTMENT

A) Approval Requested for:

1. Status Change for Lead Housekeeper/Custodian

Motion by Mark N. Powless to approve, seconded by Julie Barton, motion carried unanimously.

B) Hiring Information: FOR INFORMATION ONLY. . .

1. Marjorie Funmaker - Economic Support Specialist - Income Maintenance
2. Harriet Reiter - Benefits Coordinator
3. Madeline Williamson - Computer Programmer
4. Tonya Webster - Photographer/Reporter
5. Joseph Reed, Sr., Dennis King, Burton Skenandore, Orville Summers, Beverly Denny and Roger Gruska - Custodian III
6. Bingo List: Karen Antone, Byron Miller, Angela Doxtator, Collette Stevens, Julie Stevens, Candace Jourdan, Kelly Skenandore, Lynn King, Malphais Smith, Jr., Tracey Hill, Curtiss Jordan, Diane J. Skenandore

C) Transfers/Promotions/Reassignments

1. William B. Stevens reassigned to Head Groundskeeper, Dept. of Public Works
2. Michelle Metoxen reassigned to Instant Tickets/Video/Slot Supervisor
3. Bernard Cornelius reassigned to position of Instant Tickets/Video/Slot Supervisor

2. TRAVEL REPORTS

3. OTHER REPORTS

VII. NEW BUSINESS

1. RESOLUTIONS

2. REQUESTS

A. BINGO PASS REQUESTS

1. ORCOA (20)
2. JOBS Training Program (20)
3. Great Law Steering Committee (20)

Motion by Loretta V. Metoxen to approve all Bingo pass requests including the ones that have been added to agenda, seconded by Russell Metoxen, motion carried unanimously.

B. EPA Tribal Meeting - Deborah Doxtator

No action, already taken care of.

C. Approval of actions of Land Committee on March 16, 1992 - Chris Doxtator

1. Approve Pat Harms modification of lease.

Motion by Loretta V. Metoxen to approve, seconded by Shirley Hill, motion carried unanimously. Resolution 3-25-92-A.

2. Approve to extend Raymond and Connie Fox Sub-Lease agreement for two (2) years.

Motion by Amelia Cornelius to approve and adopt Resolution, seconded by Russell Metoxen, motion carried unanimously.

3. Approve Resolution 3-25-92-B for Helen and Peggy Webster residential lease. (Half Fair Rental Lease).

Motion by Russell Metoxen to approve and adopt Resolution, seconded by Shirley Hill, motion carried unanimously.

4. Approve Resolution 3-25-92-C for Clarence Skenandore agricultural lease.

Motion by Russell Metoxen to approve and adopt Resolution, seconded by Shirley Hill, motion carried unanimously.

5. To approve the establishment of an interest bearing account for property taxes.

Motion by Julie Barton to approve and have Treasurer and Chris Doxtator look into this matter regarding the account, seconded by Mark N. Powless, motion carried unanimously.

6. To approve easement to the Phase I Sewer and Water Project at Dexter Drive for grinder pump and force main.

Motion by Shirley Hill to approve, seconded by Mark N. Powless, motion carried unanimously.

7 Approve Resolution 3-25-92-D putting land into trust.

Motion by Loretta V. Metoxen to adopt Resolution and have Chris Doxtator prepare letter for Chairman's signature to the Bureau of Indian Affairs, Ashland, and Minneapolis Area Offices, that Oneida be a priority for processing lands in trust at Ashland office, due to Oneida Tribal efforts of lobbying, seconded by Shirley Hill, motion carried unanimously.

8. Approve Resolution for increase of land acquisition funds \$6,000,000 for FY 92-93.

Motion by Loretta V. Metoxen to defer until next week, seconded by Julie Barton, motion carried unanimously.

9. Phillipson Property

RECOMMENDATIONS:

1. The Highway 54 commercial development proceed subject to the approval of a development plan and the usual public hearings and approvals.
2. The Phillipson site development should proceed subject to the usual requirements for approvals including public hearings and budgets, etc. The development would be monitored by the Environmental, and Conservation Departments.
3. The borders of an unprotected wildlife and habitat sanctuary, including wetlands and woodlands should be defined by the Environmental Board and Land Committee through the development of an Integrated Resource Management Plan.
4. The proposed options for the new Highway 172 Interstate System should be confined to South of the railroad tracks in order to protect the proposed wildlife and wetland sanctuary.
5. The Planning Department and Environmental Board, in cooperation with the Sportmen's Club, should prepare a master or comprehensive plan for the entire area, including National forest area, lakes, ponds, picnic grounds, etc., for consideration and approval.
6. A strong consideration should be placed on land acquisition Northwest of Seminary Road and Highway 54, including the properties to Olson Road and the LaMere property.
7. The Environmental Board should be reorganized with more Conservation input and the cooperation and assistance of the Sportmen's Club should be encouraged.
8. All Tribal guidelines should include language providing that any time that wetlands, trees, and other natural resources are used for any development purpose that they must be replaced in-kind.

Motion by Shirley Hill to approve all 8 recommendations, with a final

recommendation of a plan within 60 days (May 20, 1992), seconded by Loretta V. Metoxen, motion carried unanimously.

D. Federal Budgets for Head Start Programs - Loretta V. Metoxen

Motion by Loretta V. Metoxen to have Lobbyist follow up on request of Pamela Ninham, seconded by Shirley Hill, motion carried unanimously.

Request Mark N. Powless to take information to Washington, D.C. with him.

E Land Claims Commission Meeting of March 20, 1992 - Marj Stevens

Approval needed regarding the draft letter to Lujan with proposed changes and the letter be placed on the Business Committee agenda for the March 25, 1992, meeting.

Motion by Loretta V. Metoxen to recommend to send with Chairman's signature and to include Stockbridge Munsee, if they want to be included, seconded by Julie Barton, motion carried unanimously.

3. CONTRACTS/AGREEMENTS (FOR INFORMATION ONLY)

A. Mary Edna Greendeer - Wendell McLester - ~~DELETED FROM AGENDA~~
PER WENDELL'S REQUEST, WILL BE ON NEXT WEEK.

B. Powered Marketing - Pat Cornelius

Discussion on Farm.

4. TRAVEL REQUESTS

A. Retro - Julie Barton, Madison, WI - March 11, 1992

Motion by Shirley Hill to approve retro travel, seconded by Russell Metoxen, motion carried, Julie Barton abstained.

B. Amelia Cornelius - Oshkosh, WI - April 7-8, 1992

Motion by Lloyd E. Powless to approve, seconded by Shirley Hill, motion carried unanimously.

5. VACATION REQUESTS

A. Louise King - April 13-17, 1992
Louise King - July 1, 2, 3, and 6, 1992

Motion by Shirley Hill to defer to Gaming Commission, seconded by Julie Barton motion carried unanimously.

B. Amelia Cornelius - April 3, 1992

Motion by Shirley Hill to approve vacation, seconded by Russell Metoxen, motion carried unanimously.

VIII. OTHER

ADDITIONS:

1. Board Vacancies - Rick Hill
1. Personnel Commission, 6 vacancies: Carmen M. Pasquale, Eric R. Krawczyk, Ted B. white
- 2 Oneida Environmental, Inc, 2 vacancies: Loretta R. Webster
3. Environmental Resource Board, 2 vacancies: Randall C. parker
4. Land Committee, 2 vacancies: David G. King, Fred Muscavitch

Motion by Loretta V. Metoxen to approve recommendations with change of Fred Muscavitch and David King to Land Committee, seconded by Lloyd E. Powless, motion carried unanimously.

- 2 Letter to Daniel Inouye - Rick Hill

Motion by Julie Barton to approve letter once date is verified for meeting and fax out today, seconded by Loretta V. Metoxen, motion carried unanimously.

3. Toby Roth's Working Partners Breakfast - Rick Hill

Motion by Loretta V. Metoxen that Chairman should attend and one other Business Committee member to attend, seconded by Julie Barton, motion carried, Amelia Cornelius abstained as she is not sure if there is enough funds in OPAC account

4. Pluralism, Separatism, and Indian Tribal Sovereignty, Aspen Colorado, June 20-26, 1992

Loretta V. Metoxen requested to attend

Motion by Julie Barton to approve Loretta V. Metoxen to attend and that she prepare an agenda for this meeting, NO SECOND, MOTION DIES.

Recommend reviewing the information and for reconsideration next week.

- 5 Bingo Pass Requests
 1. JOBS Training Program (20)
 2. Great Law Steering Committee (20)

Approved previously

- 6 Travel Report - Gerald L. Hill, Francis R. Skenandore, Debbie Doxtator--March 18-19, 1992, Washington DC, Senate Select Committee Hearings

Gerald L. Hill not present, deferred until he is available.

Gerald L. Hill present.

Testimony should focus on not opening IGRA. Focus on Oneida self-regulation

Motion by Amelia Cornelius to accept report seconded by Russell Metoxen motion carried unanimously.

7 Travel Report - Julie Barton

Motion by Amelia Cornelius to approve Julie Barton's report, seconded by Lloyd E. Powless, motion carried, Julie Barton abstained.

Update by Rick Hill on action in Legislature.

8 Wisconsin Winnebago Request for Job Descriptions-Gaming

Motion by Julie Barton to refer to Z. Ron and Louise King for a recommendation, seconded by Amelia Cornelius, motion carried unanimously.

9. Gaming Policies & Procedures for Service Contracts and Capital Expenditure Purchasing - Louise King

Motion by Shirley Hill to defer to Finance LOC and Gaming Commission, seconded by Julie Barton, motion carried unanimously.

Recommend that someone from the Gaming Commission and Gaming Management be appointed to the Finance LOC.

10. Department of Natural Resources - Rick Hill

Letter in regard to sucker fishing at Pamperin Park and DNR enforcing fishing regulations.

Tom Oudenhoven: Request Oneidas to come this Saturday to Pamperin Park.

DNR is attempting to change Reservation boundary. Meeting tonight at 6:00 p.m. in auditorium in regard to fishing in regard to Tribal Water Rights. Ernie Stevens, Sr., recommends hiring a consultant in regard to Tribal Water Rights.

Attorney Gerald L. Hill: Believes there is no immediate damage to fish of any species. Need to have boundary issue in regard to requesting a formal opinion from Attorney General. Enough legal questions raised up that Tribe does not recognize DNR opinion. This is a Treaty Right as it pertains to Water Rights. Under 1821-22 Treaty, Tribe has rights on 7.4 million acres. Tribe needs more time to do research. Any confrontation may take place in next two weeks.

Attorney Hill recommends:

1. Gather any research done on boundary by Campisi or Horseman
2. Obtain information from Marine Project on species of fish.

DNR is provoking Tribe with their unilateral letter stating no fishing and is forcing Tribe into Litigation.

DNR 1) Will post area

2) Warnings will be given for 1st offense

3) Citations will be given after second warning

Motion by Lloyd E. Powless that Attorney Gerald L. Hill prepare for Litigation on issue of Hunting and Fishing Rights based on 1821-22 Treaty and 1838 Treaty, and to include a joint meeting with Menominee Legislature on this issue, seconded by Amelia Cornelius, motion carried unanimously.

11. Phillipson Property was discussed after Land Committee Minutes
DISCUSSED PREVIOUSLY.

12 Judy Cornelius Request

Concern for Tribal investments and the process of hiring of a money manager.

Bob Christjohn: Has the Investment Committee been changed by the General Tribal Council? Purchasing Policy allows for Indian preferences and allows for 5% above the lowest bid. He was not aware of a bid process for money manager and should be allowed to bid.

He believes there is a large pool of funds in the banks and probably getting only 5% interest. He believes he can get about 9% interest. This is costing the Tribe money. He would like to be a part of earning money for the Tribe.

Russell Metoxen expressed concern for involvement of Joe Gable. Do we need a consultant? Money managers could be responsible to Controller or Treasurer.

Loretta Metoxen responded that the consulting contract of Joe Gable was to develop a new policy. Business Committee has been defining a new structure for handling investments to remove the Investment Committee and to develop the Finance LOC to handle investments.

Business Committee took action to transfer funds from Shearson Lehman

Business Committee question does the Tribe have an Investment Committee? Loretta Metoxen response is that it is in process of change.

Business Committee: Does Tribe still follow Indian Preference?

Bob has broker's license and he would like the opportunity to bid on money manager.

Motion by Lloyd Powless to allow Bob Christjohn, under procurement policy, to bid on money manager position for investments, seconded by Amelia Cornelius, motion carried unanimously.

Julie Barton asked if the Tribe ever made 9% on investments?

Harold Grimes - High of 36%, last year 10+%, reason for fluctuation, there has been little continuity and communication. He started in 1985. There were 3 periods of not being able to make changes.

Question on commission - His is lowest rate because he has discounted to the Tribe of 30%. Tribe could have done better with continuity and has been above S & P rates.

Question about involvement of company to make gloves Grimes was not involved.

Tribe invested into Lifetime Limited Partnership of \$35,000. Company exists and is functioning.

Lynn VandenLangenberg is uncomfortable with Joe Gable being in possible conflict of interest in reviewing selecting process, and monitoring the money manager.

Bob Christjohn nor Harold Grimes are not impinging character or integrity of Joe Gable.

Alan King statement on procurement manual is that Tribal members have to force Tribe to use Indian preference.

Lloyd Powless would like to contact Mary Doxtator to bid also.

Loretta V. Metoxen will follow up with getting RFP to Bob Christjohn and Mary Doxtator.

Lloyd E. Powless request revised budget modification at Treasurer's report. No new contract has been made with Joe Gable.

Harold Grimes stated Investment Program will not be productive without continuity or communication.

IX. EXECUTIVE SESSION

X. RECESS/ADJOURN

Motion to recess seconded and carried. Meeting recessed at 12:00 Noon.

Respectfully submitted,



Amelia Cornelius, Tribal Secretary
Oneida Business Committee