



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

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Oneida, WI 54155



Approved As
Read/Commented
5-20-92



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

REGULAR MEETING

THURSDAY, MAY 7, 1992

Present: Deborah Doxtator-Vice Chairperson, Loretta V. Metoxen-Treasurer, Amelia Cornelius-Secretary, Lloyd Powless, Russell Metoxen, Julie Barton, Mark Powless, Shirley Hill-Council Members

Excused: Rick Hill-Chairman, Washington - Gaming Testimony

Others: Judy Cornelius, Leland Danforth, Z. Ron Skenandore, Leann Doxtator, Pearl McLester, Cheryl Skolaski, Mary Edna Greendeer, Margaret Francour, Lee McLester, Bobbi Webster, Gary Jordan, Pam Ninham, Mark A. Powless, Bernie Cornelius, Arlene Elm, Sarah Plummer, Ernie Stevens, Sr., Larry Barton, Mary Dodge, Pat Moore, Matt Greely.

PRAYER:

I. CALL TO ORDER

OATH OF OFFICE:

A. APPEALS COMMISSION (4) POSITIONS

Leanne Skenandore-Doxtator
Carole Liggins
Bernie Cornelius
Leland "Putski" Danforth

B. LAND CLAIMS COMMISSION (2) POSITIONS

Lloyd Schuyler
Judy Cornelius

Oath of Office administered by Amelia Cornelius.

II APPROVAL OF AGENDA

1. Drug Free Policy & Conflict of Interest Form - Julie Barton
2. F & A Recommendations - Marsha Danforth
3. Amendment to Sanitary District Ordinance/User's Fee - Sarah Plummer
4. Bingo Pass Request: Anna John Nursing Home - (45) - Linn Cornelius
5. Community Program Board - Lloyd E. Powless
6. Water Tower - Amelia Cornelius
7. ORTEK Buyout - Amelia Cornelius
8. Land Claims Commission Memo - Marj Stevens
9. Budget Hearing - Deborah Doxtator

10. Conflict of Interest - Shirley Hill
Commerce Manager Posting
11. Indian Country Leasing Fax - Loretta V. Metoxen
12. Tina Danforth Request - Tina Danforth

Motion by Shirley Hill to adopt agenda with changes, seconded by Julie Barton, motion carried unanimously.

III. NEW EMPLOYEES: (NONE SCHEDULED)

IV. MINUTES TO BE APPROVED:

V. TABLED UNFINISHED BUSINESS: (PLEASE PULL YOUR ITEMS FROM LAST WEEK'S PACKET)

1. Audit Committee - Julie Barton - Executive Session
2. Garnishment Ordinance - Gerald L. Hill - Defer to next week
3. LOC Finance - Julie Barton

Motion by Amelia Cornelius to take LOC Finance Cmte from table, seconded by Russell Metoxen, motion carried unanimously.

LOC Minutes - April 24, 1992

1. Bond Issue-Amelia Cornelius: Mark N. Powless moved to have Ernie Stevens, Sr., represent the Finance LOC on the sub-committee regarding this bond issue. Lynn VandenLangenberg seconded. Motion Carried.

Previous action - April 30 minutes

2. Gaming Policies & Procedures for service contracts and capitol expenditure purchasing:

No action.

3. FOR INFORMATION: Financial Resource Association-Mark D. Booth: Ernie Stevens Sr., suggested having Art Skenandore work on this. Ernie Stevens, Sr., moved to refer this to the Economic Development department for their recommendation, from an Economic Development point of view. Mark N. Powless, seconded.

- 4 Timelines for the '93 budget process: Julie Barton suggested this be assigned to Loretta V. Metoxen to be brought back in 3 weeks.

NO ACTION

5. Business Committee member be appointed to monitor the Business Committee budget: Mark N. Powless moved to appoint Julie Barton to monitor the Business Committee budget. Ernie Stevens, Sr., seconded.

Motion by Loretta V. Metoxen to approve action, seconded by Shirley Hill motion carried unanimously.

6. FOR INFORMATION: Investment Manager background check and D&B's: Jim Danforth

is doing the background checks and Lynn has the D&B's. Arvin will be the third party reviewer. His comments will be sent back to the Business Committee.

Comments from Arvin have not been received by the Business Committee, as yet.

- 7 FOR INFORMATION: Bob Post would like to meet with the Finance LOC to present his comments on the Investment Plan. The committee has agreed to meet with Mr. Post at the next LOC meeting on May 8, 1992 at 1:30 p.m.

No Action.

VI. REPORTS

1. HOTEL - Kathy Hughes - 1st Wednesday of Month
- ORTEK - David Powless - 2nd Wednesday of Month
- GAMING - Bobbi Webster - 3rd Wednesday of Month
- HOUSING - Arlyce Paulson - 4th Wednesday of Month

Motion by Loretta V. Metoxen that the schedule be adhered to, with written reports on a regular basis, seconded by Shirley Hill, motion carried unanimously.

2. HUMAN RESOURCES DEPARTMENT

- A) Approval Requested for:
- B) Hiring Information: FOR INFORMATION ONLY. . .
 1. Marilyn Clark Mindimoye - Elder Abuse Prevention Team Leader
- Social Services
- C) Transfers/Promotions/Reassignments
 1. Sally A. Doxtator reassigned to Electronic Gaming Technician
 2. Keith M. Beechtree reassigned to Electronic Gaming Technician
 3. Bingo Workers title reassignment to positions of Sales/Pay Out Cashier: Christine A. Brunette; Delphina E. Wheelock; Richard Lopez, Jr.; Karen R. Torres; Stephanie L. Skenandore; Diane L. Everetts; Cecilia M. Cornelius; Donna M. Kurowski; Troy J. Hill; Lorena M. Metoxen; Ricky L. Hill; Roy K. Smith

Discussion on separation of titles and positions within Gaming.

3. TRAVEL REPORTS- (NONE SCHEDULED)

4. OTHER REPORTS

VII. NEW BUSINESS

1. RESOLUTIONS

- A. Oneida Headstart Program Grant - Sherry King

WHEREAS, the Oneida Tribe as stated in its goal, has determined the health, education and well-being of Oneida children and their families to be a priority, and

WHEREAS, the Oneida Tribe has supported the concept and establishment of the Oneida Headstart program to address the needs of children, and

WHEREAS, the Oneida Tribe recognizes the valuable contribution made by Headstart staff to our children, families, and community, and

WHEREAS, the Department of Health and Human Services has made grant funds available to address on-going training needs, required training, new maintenance costs, improvements to the urban Headstart Center to meet codes, address the discrepancy of salaries for tribal teacher aide positions and cost of living adjustments for the entire staff for the period retroactive from December 1, 1991 to November 30, 1992.

NOW THEREFORE BE IT RESOLVED, That the Oneida Tribe of Indians of Wisconsin, authorize and submit this grant application to the Department of Health and Human Services, for the purpose of obtaining funding for needed costs of the Oneida Headstart Program.

Motion by Amelia Cornelius to adopt resolution, seconded by Shirley Hill, motion carried unanimously.

2. REQUESTS

A. Brothertown Indian Nation - June Ezold
Deferred until they get here.

Motion by Loretta V. Metoxen to adopt Resolution 5-7-92-B, seconded by Lloyd E. Powless, motion carried.

WHEREAS, the Brothertown Indian Nation is a tribe of American Indians residing in the State of Wisconsin; and

WHEREAS, the Brothertown Tribe has existed as a culturally distinct, politically independent Indian tribe since time immemorial to the present day; and

WHEREAS, the Brothertown Tribe is governed by a Tribal Council acting in accordance with the Articles of Constitution and Bylaws of the Brothertown Indian Nation of Wisconsin, amended May 21, 1988; and

WHEREAS, the United States established a government to government relationship with the Brothertown Tribe in the Treaty of 1794 (7 Stat. 24) (confirming the state Treaty of Fort Schuyler of 1788), the Treaty of 1831 (7 Stat. 342), the Treaty of 1831 (7 Stat. 346), the Treaty of 1832 (7 Stat. 405), and the Treaty of 1838 (7 Stat. 550); and

WHEREAS under current federal Indian Law, the trust responsibility concomitant with government to government relations continues until congress expressly and unambiguously terminates it; and

WHEREAS the United States Congress has never expressly terminated its government to government relationship with the Brothertown Tribe, and

WHEREAS, the Brothertown Tribe is not currently accorded the same rights and benefits of other federally recognized tribes, now

THEREFORE BE IT RESOLVED that the Brothertown Tribe requests treatment as a federally recognized tribe with the same rights and responsibilities enjoyed by other federally recognized Indian tribes sharing government to government

relations with the United States, and

BE IT FURTHER RESOLVED that the Brothertown Tribe requests that the Area Director Bureau of Indian Affairs (BIA) Minneapolis Area Office work with the Tribe to develop a determination of needs and a recommended budget to be forwarded to the Department of the Interior's Assistant Secretary for Indian Affairs in accordance with 25 C.F.R. 83.11(c).

Amelia Cornelius abstained, state for record that concern for degree of blood quantum is not identified.

B. Request for Letter of Support - Amos Christjohn

Motion by Loretta V. Metoxen to approve letter for submission, seconded by Russell Metoxen, motion carried

Motion by Lloyd Powless to amend motion to refer to Francis Skenandore & Associates for information, seconded by Loretta V. Metoxen, motion carried.

MAIN MOTION CARRIED.

Discussion concerning legal costs. Deborah Doxtator advised that Amos will be responsible for any legal costs incurred.

We cannot reimburse Amos as Tribe, but the IRS will have to reimburse him directly.

C. Analysis of the Economic Impact of the Oneida Gaming Operations
- A Proposal - Jim Murray

Motion by Julie Barton that ECDC review and make a recommendation to Business Committee, seconded by Shirley Hill,

Julie Barton withdrew motion, second agrees.

Motion by Julie Barton that this be assigned to Kathy King to assign someone to do a comprehensive study, seconded by Shirley Hill, motion carried unanimously.

D. Norbert Hill Center Parking - Amelia Cornelius

Motion by Amelia Cornelius to refer to General Manager and Planning Department for review of parking situation at the Norbert Hill Center, and that General Manager should notify Public Safety Department and all constituents that parking regulations will be enforced.

E. Judy Cornelius Request

Judy Cornelius would like to make a recommendation that anyone that turns in a petition are treated in a fair manner.

Motion by Julie Barton that this matter be turned over to Election Committee/Donna Richmond, Chairman and that they develop this as part of the Election Ordinance, seconded by Loretta V. Metoxen, motion carried unanimously.

- F. Prairie Island Tribal Council request for Rick Hill to attend Dinner in his honor.

Motion by Amelia Cornelius that Rick Hill should attend this function, seconded by Shirley Hill, motion carried unanimously.

Discussion held concerning the need to Honor our Tribal Chairman at a local level.

Motion by Shirley Hill that Sandra Ninham of Advertising & Promotions work on having a local Dinner to Honor Chairman and others who receive national recognition, seconded by Amelia Cornelius, motion carried unanimously.

- G. Mid-Year Conference of the NCAI Executive Council - June 11-13-, 1992 in Spokane, Washington

Motion by Amelia Cornelius to send Rick Hill, if available, seconded by Russell Metoxen, motion carried unanimously.

- H. NCCI Check Cashing - Bobbi Webster

Motion by Amelia Cornelius to approve contract contingent upon 3rd party review of background checks, seconded by Lloyd E. Powless, motion carried unanimously.

- I. Bingo Pass Request-Friday Night Swinger Bowling League - (15) Jackie Danforth

Motion by Shirley Hill to approve passes, seconded by Loretta V. Metoxen, motion carried unanimously.

3. CONTRACTS/AGREEMENTS

- A. Proposal Agreement - Miller Engineering

Motion by Lloyd Powless to table until Jackie is present, seconded by Shirley Hill, motion carried unanimously.

five minute break for Business Committee members to get additional material for agenda.

Anna John invited Business Committee to the Anna John Nursing Home for Nursing Home week activities.

Tina Danforth informed Business Committee about frozen chicken available. Referred to Lloyd Powless to follow up with John Beauchamp.

4. TRAVEL REQUESTS

5. VACATION REQUESTS

VIII OTHER

1. Drug Free Policy & Conflict of Interest Form - Julie Barton

Motion by Lloyd Powless that General Manager set up meeting with employees to discuss the Drug Free & Conflict of Interest Forms, seconded by Russell Metoxen, motion carried unanimously.

2. F & A Recommendations - Marsha Danforth

1. Supplemental Head Start Proposal-Mary Ellen Hayes

Previously approved.

2. Proposed Expansion Highway 54 One Stop-Larry Barton/Art Skenandore:

Motion by Shirley Hill to approve concept of Highway 54 One Stop expansion of the Gaming Facility, seconded by Lloyd Powless, motion carried.

Shirley Hill moved to amend contract contingent upon Attorney approval, review of State of Wisconsin Building Codes, seconded by Lloyd Powless, motion carried

MAIN MOTION CARRIED, Russell Metoxen opposed, Julie Barton abstained.

Rationale for: The building will be there until the road is rerouted. Funds obtained from the facility can be used for future construction of school, etc.

3 Water Tower Financing-Sarah Plummer

Defer to later.

4. Equipment Purchase for Printing.

In budget modification.

5. Vehicle Purchase-Bruce A. Danforth

In budget modification.

6. Equipment Purchase for Accounting/Purchasing-Bob Niemela

In budget modification.

7 Oneida/Fort Howard Settlement: Francis Skenandore

In budget modification.

8. Adult Recreation-Lynn VandenLangeneberg

NO ACTION TAKEN.

9. Lacrosse Equipment Purchase-Dan Ninham

NO ACTION TAKEN.

10. Request for financial assistance-Gladys & Keith Danforth

NO ACTION TAKEN

11. Request for contribution-Mike Lowry

12. Vietnam Era Veterans Inter-Tribal Association-Ted Christjohn

3. Amendment to Sanitary District Ordinance/User's Fee - Sarah Plummer

Motion by Julie Barton to approve by Resolution C, seconded by Lloyd Powless, motion carried unanimously.

4 Bingo Pass Request: Anna John Nursing Home - (45) - Linn Cornelius

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

5 Community Program Board - Lloyd E. Powless

Motion by Amelia Cornelius to approve recommendation of George Kamps to board, seconded by Shirley Hill, motion carried unanimously.

6. Water Tower - Amelia Cornelius

It was recommended by Lloyd Powless that Sarah Plummer contact McMahon to contact Phenix Fabricators in regard to changing the tank to 150,000 gallons rather than the 250,000 gallon tank. The additional \$72,500 is not available according to Lynn at this time. There is about \$22,500 available from the Cora House Site and some money available from the Investment & Development budget of approximately \$40,000 +. The Fire Protection Grant for 1992 has not been written in the amount of \$11,000 that could be used for this Tower.

Motion by Lloyd Powless to approve and submit a proposal to the Town of Oneida and Hobart for a 3-way split of the cost of \$72,500, seconded by Loretta V. Metoxen, motion carried unanimously.

Mark A. Powless requested a public apology from Oneida & Hobart Township and Brown and Outagamie Counties for what they have done to the Tribe in regard to the lawsuit which they participated in.

Shirley Hill requested that Sarah Plummer submit the matrix on Water & Sewer construction for Business Committee before the next BC meeting, May 14, 1992

7 ORTEK Buyout - Amelia Cornelius

Motion by Lloyd Powless to approve to proceed for ORTEK buyout with the following contingencies: (a) Accounts Receivable, (b) Debt retirement; (c) Special meeting on Expansion; (d) Audit review; (e) Loan rather than grant w/schedule & terms of payback; (f) Divident increase w/minimum base; (g) Review of MGA on 80/20 split; (h) Review of salary structure (i) Review of key employee contracts; and that Art Skenandore work with Attorney on development of the proposal by May 15, 1992, seconded by Loretta V. Metoxen, motion carried unanimously.

8. Land Claims Commission Memo - Marj Stevens

Motion by Amelia Cornelius to have Attorney Skenandore provide written recommendations in regard to George Shattuck involvement in the New York Land Claims, seconded by Lloyd Powless, motion carried unanimously.

Motion by Lloyd Powless to have the Chairman select the two Business Committee members to remain on the Land Claims Commission, seconded by Shirley Hill, motion carried unanimously.

9. Budget Hearing - Deborah Doxtator

Motion by Amelia Cornelius to approve Loretta Metoxen to travel to the Hearings, seconded by Julie Barton, motion carried unanimously.

10 Commerce Manager Posting - Shirley Hill

Motion by Amelia Cornelius to defer to General Manager for report seconded by Russell Metoxen, motion carried, Shirley Hill opposed.

11 Indian Country Leasing Fax - Loretta V. Metoxen

Indian Country Leasing Letter of April 2 1992

Motion by Loretta Metoxen to send letter to ICL that the Business Committee has established a committee that is responsible for expansion of Oneida Tribal Gaming, seconded by Amelia Cornelius, motion carried unanimously.

12 Madison Legislation Update by Deborah Doxtator

13 FICA reimbursement for present and previous Business Committee members for erroneously tax to elected BC members prior to 1987

Referred to Kathy King for a report on Monday.

14. ORCOA Contract

Motion by Amelia Cornelius to designate Mark N. Powless to follow up on the ORCOA contract for Mary Edna Greendeer and Rev. Moffet for NICOA conference, seconded by Lloyd E. Powless, motion carried unanimously.

Motion by Lloyd Powless that the BC did not find any illegal action on the part of the letter sent by Judy Cornelius, seconded by Mark N. Powless, motion carried. Two opposed: Shirley Hill, Loretta V. Metoxen.

Loretta Metoxen stated that we did not address the action

Shirley Hill moved to send letter to Attorney Skenandore for clarification in response to Cornelius letter, seconded by Julie Barton, motion carried unanimously.

15 Tina Danforth Request - Tina Danforth

Previously taken care of. Lloyd Powless will work with Tina Danforth, John Beauchamp and Building & Grounds for the delivery of and storage of the chicken

IX. EXECUTIVE SESSION

1. Audit Committee Report, April 23 Meeting

Motion by Amelia Cornelius that Kathy King, General Manager direct Dave Cluckey to replace ICL software & computer system at Gaming and to begin replacement ASAP with Completion within 60 days, seconded by Shirley Hill, motion carried unanimously.

Motion by Shirley Hill to accelerate the negotiation process for the on-line system, seconded by Julie Barton, motion carried unanimously.

2 BO FAIN LEASE

Chris Doxtator recommends that the BIA Solicitor review the contract. The Audit Committee Chairman will ask for an Attorney opinion on the definition of "Accounting Review" in the contract.

Motion by Loretta V. Metoxen to approve recommendation, seconded by Mark Powless, motion carried unanimously.

3 SCOPE OF WORK AND RFP FOR AUDIT ON GAMING

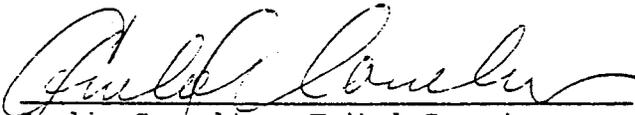
Motion by Amelia Cornelius to approve, seconded by Lloyd Powless, motion carried unanimously.

X. RECESS/ADJOURN

Motion to recess, seconded and carried.

Meeting recessed at 12:15 p.m.

Respectfully Submitted,



Amelia Cornelius, Tribal Secretary
Oneida Business Committee