



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
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/~~executed~~
9/18/92

REGULAR MEETING

WEDNESDAY, SEPTEMBER 9, 1992

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

Excused: Lloyd Powless, Julie Barton

Others: Pat Moore, Lois Powless, Bobbi Webster, Alan King, Ted Christjohn, Laird-Attorney for ORTEK, Loretta Webster, David Powless, Mark A. Powless, Attorney Gerald L. Hill, Patty Hoeft, Ernie Stevens, Jr., Cornelius, Pearl McLester

Prayer: Richard G. Hill

I. CALL TO ORDER

II. APPROVAL OF AGENDA

ADDITIONS:

1. Sign Off Authority - Legislative Support - Amelia Cornelius
2. Sign Off Authority - BIA Litigation Support - Amelia Cornelius
3. Irene Moore Painting - Amelia Cornelius
4. C. F. O. Position - Amelia Cornelius
5. Report on Oneida Day at Prange's - October 10, 1992 - Mike Metoxen/Sandy Ninham
6. THRIL Approval for L. Metoxen (\$5,000) - Bernice Elm
7. NCAI Survey - Fee Land - Loretta V. Metoxen
8. Rauscher & Pierce - Cash Management - Loretta V. Metoxen
9. Resolution on Retirement for Business Committee - Loretta V. Metoxen

Motion by Shirley Hill to adopt agenda as amended, seconded by Mark Powless motion carried unanimously.

III. NEW EMPLOYEES:

IV. MINUTES TO BE APPROVED:

V TABLED UNFINISHED BUSINESS:

1. Lease with Utility Department - Chris Doxtator
2. Memorandum of Agreement - Oneida Business Committee/Trust Committee

Remains on table.

VI. REPORTS

1. HOTEL - 1st Wednesday of Month
ORTEK - 2nd Wednesday of Month - Dave Powless
GAMING - 3rd Wednesday of Month
HOUSING - 4th Wednesday of Month

REPORT ON ORTEK - DAVID POWLESS

Forced reduction on staff. These positions will not be rehired. Some staff released related to performance. Some positions will not be refilled. New positions will be started, David said they are in compliance with storage of chemical and hazardous wastes.

Termination - 5 Oneidas, they should be eligible for unemployment. David Powless will check to find out for sure and let Lloyd know.

Loretta Webster - Buyout issue: This includes a \$300,000 loan. Possibly re-negotiate the terms.

- March - letter of intent to buyout was submitted.
- Waiting for SBA approval
- SBA wants waiver of sovereignty from immunity for OEI
- Waiting for Letter of Credit from Tribe
- Waiting for Tribe to amend OEI Charter

Other options: OEI to obtain financing for cash flow problems.

Alternative for Tribe/Business Committee to make decision.

- Not waive sovereign immunity
- Not do Letter of Credit
- Not to provide loan

Steve Van Dyke wants to dissolve partnership. Irreconciliation of issue can be cause for dissolution.

Benefits to Buy Out now would be more advantageous at this time due to the cash flow problems to lower the price.

Russell Metoxen excused at 9:45 a.m.

Discussion on buyout issue and options. Action will not happen until Business Committee develops plan to move forward.

- Need internal audit completed
- Need market survey completed
- Need to develop strategy

OEI supports move of David Powless to the Bureau of Indian Affairs.

2. HUMAN RESOURCES DEPARTMENT

EMPLOYEE RECOGNITION:

A) Approval Requested for:

B) Hiring Information: FOR INFORMATION ONLY. . .

1. Patricia Archiquette (O)- Executive Secretary-Social Services
2. Joe Danforth (O)- Carpenter Foreman-Public Works
3. Tonja Adams (O) -Green Bay Student Advocate
Rafael Alicea (O) -West De Pere Student Advocate
4. Mary Jacques (N) -School Librarian-Tribal School
5. Margaret Lortiz (N) - Chapter I Coordinator-Tribal School
6. Kathleen Hughes (O) - Assistant Gaming Manager-Gaming
7. Lorna Christjohn (O) - Records Management Technician-Records
Management Department
8. Jodi Stevens (O) - Switchboard/Mail Clerk-Norbert Hill Center
9. Celene Elm (O) - Housing Administrator - Community
Development
10. Melanie Firgens (I), Victoria Reed (O), Brenda Skenandore
(O), June Wommack (O) - Early Childhood Teacher Assistants
(4) - Headstart
11. Philip Grelecki (N), Ralinda Ninham (N) - Accounting Clerk
(2) - Accounting Department
12. George Powless (O), Robert Tucker (O) - Recreational
Specialist (2) - Recreation

Question on whether Kathy Hughes will be resigning as Gaming Commission member and Airport Hotel Corporation?

Motion by Loretta V. Metoxen to send a letter to Z. Ron Skenandore requesting the status of Kathy Hughes on the Gaming Commission and the Airport Hotel Corporation, with a written report back to the Business Committee by next week (September 19, 1992), seconded by Shirley Hill, motion carried unanimously.

Concern of turn overs for Home School Coordinators at West De Pere. Are some of the reasons for pay or attitude of school, follow up with Grace Wills.

C) Transfers/Promotions/Reassignments

1. Lawrence Murphy (N) reassigned to Housekeeper in the Anna John Nursing Home
2. Patricia Bins (O) transferred to position of General Accountant in Accounting Department
3. Julie Lewins (N) reassigned to position of Accountant-Programs in the Accounting Department
4. Tribal School Reassignments:
Elizabeth Timmins (N) from 4th to 2nd
Lori J. Rabas (N) from 5th to 6th
Yvette M. Peguero (O) from 6th to 7th
Susan Hartlep (N) from 8th to 6th
Edward Delgado (O) from 2nd to 4th
Anthony J. King (O) from 7th to 8th

3. TRAVEL REPORTS (NONE SCHEDULED)

4. OTHER REPORTS

5. REPORTS FROM PREVIOUS MEETINGS

VII. NEW BUSINESS

1. RESOLUTIONS

2. BINGO PASS REQUESTS

- A. Northwest Wisconsin Cruisers Club (15)
- B. RETRO: Shakopee Tribal Council (7)

Motion by Shirley Hill to approve both bingo pass requests, seconded by Amelia Cornelius, motion carried unanimously.

3. REQUESTS

- A. Forest County Potawatomi Request - James Crawford

1. NCAI needs your help with the Art Auction we are having. We are looking for donations of Indian Arts & Crafts. If you would like to make a donation please send them to the NCAI office in Washington D.C.

Motion by Amelia Cornelius to refer this item to Sandy Ninham in Advertising & Promotions for donation, seconded by Deborah Doxtator, motion carried unanimously.

2. In our effort to reduce the debt of NCAI, I am asking each member tribe from the Minneapolis area to make a \$2500 Contribution to help NCAI reduce its debt. If you are unable to do this please send all checks to me at P. O. box 340, Crandon, WI 54520. Make checks out to NCAI and I will make a presentation of all monies at the annual conference.
3. Next I am also requesting any help you can give to me to help off set my tribes cost for NCAI. A \$2,000 request for each member tribe was requested some months ago. If you can help, please make checks payable to the Forest County Potawatomi with a note specifying that it go for the Area Vice Presidents travel. Any help will be appreciated.
4. If any tribe would like to sponsor a coffee break at the annual conference please contact NCAI office at 202-546-9404 for more information
5. NCAI is also looking to provide a \$1000 scholarship for MISS NCAI. Any contribution can be sent to the NCAI office.

Motion by Amelia Cornelius to refer requests #2,3,4,5 to F & A, seconded by Shirley Hill, motion carried unanimously.

6. Plans for the MID-year Conference are being made. I would like to have any volunteers to please step forward to help organize it. I would like to have a meeting of all volunteers on September 21, 1992 at 1:00 p.m. at the Potawatomi Tribal Hall. If you can come, please call me to confirm your attendance.

Motion by Deborah Doxtator to approve travel for Loretta on 9-21-92 to attend the NCAI Mid Year Conference, no second, motion fails. Previous action of one month ago approved Loretta's travel.

B. Lummi Indian Business Council - Deborah Doxtator

Self-Governance Demonstration Project Workshop September 22-24, 1992 in San Diego, California

Motion by Shirley Hill to authorize Lloyd Powless to attend along with Chris Johns, he should also get the General Managers approval to attend, seconded by Deborah Doxtator, motion carried unanimously.

C. General Tribal Council Meeting-September 14, 1992 - Deborah Doxtator

Trust enrollment Office will be providing historical aspects of a per capita payment with recommendations to General Tribal Council.

Motion by Deborah Doxtator to have the General Manager begin conducting an analysis and study on increase in minimum wage and comprehensive analysis of the impact of an increase with minimum wage, seconded by Shirley Hill,

Business Committee recommends that HRD conduct analysis and report to January General Tribal Council

Motion by Loretta V. Metoxen to amend the main motion to have the General Manager request that the Human Resources Department prepare a status report on the minimum wage and this report be presented at the General Tribal Council meeting on September 14, seconded by Deborah Doxtator, motion carried unanimously.

MAIN MOTION CARRIED.

D. Kiowa Tribe of Oklahoma Request - Victor R. Palmer

This is a request to solicit Tribal assistance in defeating the Nickles Amendment NO. 2893 to Bill H. B. 5503, Department of Interior and Related Agencies Appropriations Act, Fiscal year 1993. The reason for this amendment is very complicated but the bottom line is our Congressional people have been misled and to fully apprised of the situation. This action by Congress would establish a precedent in using tribal trust funds without the consent and approval of tribal members. The Kiowa people have not approved or consented to this proposed Amendment to spend their trust funds.

On behalf of the Kiowa Tribe and as the Vice Chairman of the Kiowa Tribe, I am requesting your Business Committee/Council to act upon a resolution showing your non-support of the proposed Nickles Amendment. The amendment is not necessary as the three tribes have several alternatives for resolving the financial problems at the Native Sun Water Park. Senator Nickles has lost contact with grass roots people and is not attuned to Indian concerns.

Motion by Loretta Metoxen that Chairman Rick Hill contact the Chairman and Vice Chairman of the Kiowa and the other two tribes to obtain more information, seconded by Deborah Doxtator, motion carried unanimously.

E. The Navajo Nation Request - Peterson Zah
The Navajo Nation has extended an invitation to the Clinton-Gore Campaign to visit during the 46th Annual Navajo Nation Fair.

Motion by Deborah Doxtator to request NCAI to have Clinton-Gore to attend the NCAI Annual Meeting, seconded by Loretta V. Metoxen, motion carried unanimously.

F. Request from Bureau of Indian Affairs - Earl J. Barlow

The purpose of the request is to request authorization to release certain Geographic Information Systems (GIS) data which are kept for your lands at the Geographic Data Service Center in Golden, Colorado. We propose the release of data which describes the road network to the engineering firm Martell and Associates of Kansas City, Missouri.

Motion by Shirley Hill to approve the request and to develop a resolution to release GIS information, seconded by Loretta V. metoxen, motion carried unanimously.

Motion by Shirley Hill to request a status report from the Planning Department on the roads within the Oneida Reservation, seconded by Deborah Doxtator, motion carried unanimously.

G. Resolution Committee Meeting and 30 Day Notice - Amelia Cornelius

Motion by Amelia Cornelius to refer this item to the Government LOC for recommendation, seconded by Deborah Doxtator, motion carried, Shirley Hill abstained.

H. The Story of the Oneida Indian - Roger Sommers

No Action. Amelia will write him a letter of explanation.

I. Legislative Fiscal Bureau/Art Zimmerman - Lloyd Powless

Defer until Lloyd is present.

J. Board Appointments - Rick Hill

Deleted per Marsha Danforth request

K. F & A Recommendations of September 2, 1992 - Marsha Danforth

1. a) Bus for Oneida Singers to Washington, D. C. for Ecumenical Conference during NCAI Conference: Julie Barton moved to refer back to the General Manager for clarification on costs of bus and lodging and whether or not there will be two buses. Mark N. Powless seconded, Motion carried unanimously.

Bus for Oneida Singers was previously approved by Business Committee and paid for.

Request an update from Bobbi Webster on Coordination of buses.

Motion by Loretta Metoxen to request through the General Manager a status report on the bus or buses to NCAI, ASAP, (next Meeting 9-18-92), seconded by Shirley Hill, motion carried unanimously.

- b) Request for donation - Washoe Tribe of Nevada and California: Mark N. Powless moved to donate \$500.00 to Washoe Tribe. No second. Motion dies. Julie Barton moved to refer back to F&A after October 1, 1992 and after donation policy is developed. Mark N. Powless seconded. Motion carried unanimously. Julie Barton moved to request Kathy King to discuss donations policies with Area managers and directors for recommendations to Finance LOC. Mark N. Powless seconded, motion carried unanimously.

Motion by Deborah Doxtator to deny motion to refer back to F & A after October 1, 1992 and after donation policy is developed, seconded by Amelia Cornelius, motion carried unanimously.

Deborah Doxtator withdraws motion, second agrees.

Motion by Deborah Doxtator to have General Manager investigate with the Printing Department on amount of services to Printing by this Tribe and see if an in-kind service can be requested, seconded by Amelia Cornelius, motion carried unanimously.

Motion by Shirley Hill to approve of Kathy King discussing donation policies with Area Managers and Directors for recommendations to Finance LOC, seconded by Deborah Doxtator, motion carried unanimously.

2. Equipment Purchase - Oneida Printing Enterprise: Requesting approval to purchase typesetting equipment. Total cost of purchase is \$15,590.00. Mark N. Powless moved to approve. Julie Barton seconded. Motion carried unanimously.

Funds are in the budget under capital expenditures

Motion by Deborah Doxtator to approve purchase, seconded by Shirley Hill, motion carried unanimously.

3. Membership dues - Green Bay Area Chamber of Commerce: Total cost of Annual dues are \$3,049.00. Julie Barton moved to renew membership contingent on active participation by a Business Committee member and or an Area Manager or delegate. Mark N. Powless seconded. Motion carried unanimously.

Motion by Deborah Doxtator to approve membership renewal, no support Motion fails.

Deborah Doxtator stated that her and Rick Hill will be more active in the Chamber of Commerce.

Motion by Shirley Hill to defer for a meeting on strategy, seconded by Deborah

Doxtator, motion carried unanimously.

4. Oneida Land Claims Commission requests to pay for History of Oneida Land Claims class at Mt. Senario for three persons at \$537.00 per person. Julie Barton moved to approve and to expense to 1993 budget. Mark N. Powless seconded. Motion carried unanimously. Julie Barton moved to request a waiver by the Business Committee to waive the requirement of work-related courses until new Personnel Policies & Procedures are passed. This does not wave other current requirements of a passing "C" grade, and supervisor's approval for taking the course and that employees file a career plan at the Career Center. Mark N. Powless seconded. Motion carried unanimously. Mark N. Powless moved to approve transfer of funds from the insurance premium line to mortgage payments for Westwind Store, Julie Barton seconded, motion carried unanimously.

1. Motion by Deborah Doxtator to approve request to pay for History of Oneida Land Claims class at Mt. Senario for three persons at \$537.00 per person, seconded by Shirley Hill, motion carried, Loretta Metoxen abstained.

2. Motion by Deborah Doxtator to approve requesting a waiver by the Business Committee to waive the requirement of work-related courses until new Personnel Policies & Procedures are passed. This does not waive other current requirements of a passing "C" grade, and supervisor's approval for taking the course and that employees file a career plan at the Career Center, that the General Manager send written communication to Area Managers/Directors explaining this waiver and the impact, seconded by Shirley Hill, motion carried unanimously.

3. Motion by Shirley Hill to approve transfer of funds from the insurance premium line to mortgage payments for Westwind Store, seconded by Deborah Doxtator, motion carried unanimously.

4. CONTRACTS/AGREEMENTS

A. FYI - Environmental Careers Organization

NO ACTION NECESSARY.

5. TRAVEL REQUESTS

A. Request is from the Appeals Commission to have (4) members from the Appeals Commission to attend the Tribal Court Judges Training: Decision Making, September 14-16, 1992, Las Vegas, Nevada:

Motion by Deborah Doxtator to deny request due to lack of overall training/travel plan being submitted as previously requested, seconded by Shirley Hill, motion carried unanimously.

6. VACATION REQUESTS (NONE SCHEDULED)

VIII. OTHER

ADDITIONS:

1. Sign Off Authority - Legislative Support - Amelia Cornelius
2. Sign Off Authority - BIA Litigation Support - Amelia Cornelius

Motion by Deborah Doxtator to allow officers to have sign off authority, seconded

by Loretta V. Metoxen, motion carried unanimously.

3. Irene Moore Painting - Amelia Cornelius

Motion by Loretta V. Metoxen to approve, seconded by Shirley Hill, Loretta Metoxen withdraws motion, second agrees.

There is a painting at the IMAC, however it is hanging up.

Motion by Loretta V. Metoxen that the Secretary come forward with a contract for Mary Lemieux for consideration by Business Committee, seconded by Shirley Hill, motion carried unanimously.

Discussion held concerning whether bids should be sent out, there may be other artists interested in doing the painting. Shirley Hill stated that there should be portraits of all previous Chairmen on display in the conference room.

4. C. F. O. Position - Amelia Cornelius

Deferred until Amelia is present.

5. Report on Oneida Day at Prange's - October 10, 1992 - Mike Metoxen/Sandy Ninham

Deferred until Monday Morning briefing.

6. THRIL Approval for L. Metoxen (\$5,000) - Bernice Elm

Deferred until next week.

7. NCAI Survey - Fee Land - Loretta V. Metoxen

Motion by Loretta V. Metoxen to refer this request to the Land Office for completion, seconded by Deborah Doxtator, motion carried unanimously.

8. Rauscher & Pierce - Cash Management - Loretta V. Metoxen

1. Turn the management of cash assets over to Standard Asset Management. They work for only .1% annually, and Jeff has a good deal of experience in managing this type of cash. In addition he has experience working with banks, so he will be an additional asset in your negotiations with the banks.

Motion by Deborah Doxtator to meet with Kathy King at briefing on Monday, seconded by Mark Powless, motion carried, Loretta Metoxen abstained.

2. The LOC of Finance, Jeff, and myself need to begin coordinating efforts to negotiate with the local banks. I envision that the cash and STFI pools will help the Tribe cultivate the kind of relationship locally that will be needed when you eventually finance the expansion of the Casino.

Motion by Deborah Doxtator to defer to briefing on Monday, seconded by Shirley Hill, motion carried. Also invite Artley Skenandore to attend.

9. Resolution on Retirement for Business Committee - Loretta Y. Metoxen

Motion by Deborah Doxtator to refer to Finance LOC for review and recommendations, seconded by Mark Powless, motion carried unanimously

Pearl McLester commended Rick Hill on his speech at the NICOA conference, she stated that the elderly enjoyed talking with him and were impressed with our Tribe and their efforts.

IX. EXECUTIVE SESSION

12:30 OUT OF SESSION:

1. Request from D. Danforth

Motion by Loretta V. Metoxen to rescind all actions pertaining to this matter of the August 26th meeting and refer the matter of Plumbing and Carpenters Emergency Temporary Personnel to the General Manager and the Human Resources Department for resolution and a plan within one week (September 18, 1992), seconded by Mark Powless, motion carried unanimously.

Motion by Shirley Hill that the General Manager and the Human Resources Department Manager analyze and bring back a report on all Emergency Temporary positions with an equitable resolution within one week (September 18, 1992), seconded by Mark Powless, motion carried unanimously.

Motion by Shirley Hill that the General Manager and Human Resources Department and other staff designated by the General Manager review and modify the bonding requirements and bring back a recommendation with costs analysis for premium within two weeks (September 23, 1992), seconded by Mark Powless, motion carried unanimously.

Motion by Deborah Doxtator to have a special meeting with Gerald L. Hill and Mark A. Powless regarding the following Para-Legal Advocate functions:

- How are verbal requests dealt with
- How are written requests dealt with
- What criteria determines which requests are advocated
- Are there time frames adhered to in responding to requests
- How are employees referred to continue their grievance? Are they shown the policies and procedures (i.e., supervisor, Manager, General Manager, Personnel Commission)

X. RECESS/ADJOURN

Meeting recessed at 1:00 p.m.

Respectfully Submitted


Amelia Cornelius, Tribal Secretary
Oneida Business Committee


Pat Moore, Recording Secretary