

Oneida Tribe of Indians of Wisconsin

Post Office Box 365

Phone: 869-2214

Oneida, WI 54155



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



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
3-17-93

REGULAR MEETING

WEDNESDAY, MARCH 3, 1993

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

Excused: Loretta V. Metoxen, Julie Barton - Travel

Others: Oneida Veterans, Judy Cornelius, Bernie Cornelius, Marj Stevens, Trish Farmer, Ted Christjohn, Attorney Gerald L. Hill, Roberta Kinzhuma, Nancy Powless, Bruce King, Donna Richmond, Ernie Stevens, Sr., Randy Jourdan, Larry Barton, Chris Doxtator, Artley Skenandore, Sherri King, Z. Ron Skenandore, Marianne Close, Dawn Thomas, Vera Wilson, Sarah Plummer, Mark A. Powless, Dale Powless, Cheryl Vandenberg, John Mueller, Leann Doxtator, Bobbi Webster

I. CALL TO ORDER OATH OF OFFICE

1. Kathleen King - Top Management Advisory Board
2. Roberta Kinzhuma - Oneida Gaming Commission

II. APPROVAL OF AGENDA

ADDITIONS:

1. Federal Issues being worked on by Scott Dacey and Rana Altenburg - Amelia Cornelius
2. Business Committee Move - Amelia Cornelius
3. Sponsorship for Golf for Kids Tournament - Trish Farmer
4. Travel Request: Gerald L. Hill/March 18 & 19, 1993, Washington, DC - NIGA Meeting
5. Travel Request: Rick Hill - March 7-8, 1993, Minneapolis, MN to meet with Senator Inouye
6. Donations for Attorney Jim Doyle - Amelia Cornelius
7. F & A. Recommendations - Paula King
8. Veterans to Arizona - Ted christjohn
9. Plaque from the Homeless Shelter
10. Auditors letter confirmation for 3rd party run of background checks
11. Terry Skarda
12. DPI Elections

Motion by Russell Metoxen to approve agenda with additions, seconded by Mark Powless, motion carried unanimously.

Awards received by Oneida Veterans: 1) Traveling Trophy - Leon White, Emroy Stevens, Robert Webster, Ted Christjohn; 2) Outstanding Color Guard and Navajo Medal for Servicemen.

Motion by Lloyd Powless that Mark Powless look into the issue of Vets House and that the Tribe develop it's own Veterans Medallion, seconded by Shirley Hill, motion carried unanimously.

Shirley Hill presented a Corporate Award to the Oneida Tribe from the AmerIndian Center for support of the Homeless.

Recognition of Shirley Hill for starting the AmerIndian Center by Attorney Hill

NEW EMPLOYEES: Introduced by Victrietta Hensley

Wayne Penass, Colleen Wilson, Kenneth Cornelius, Jerome Munson, Michael Jourdan, Saleda Byerly, William Tyler, Mary Deviley, Mari Gruel, Jill Turner, Theresa Holloway, Barbara Mielke, Lu Ann King, Martin Antone, Debra Spees, Tim McCarroll, Erma Danforth, Allan W. Laes, Pauline Jourdan, Nadine Escamea, Aurelia Wheelock, Marianne Graves, Shelly Williams, Lori Eiting

MINUTES TO BE APPROVED: (PLEASE BRING YOUR MINUTES WITH YOU)

1. February 19, 1993 - Regular - Approved as written
2. February 22, 1993 - Continuation - Approved as written
3. February 24, 1993 - Regular - Deferred to Executive Session

V. TABLED UNFINISHED BUSINESS:

1. Report on Emergency Temporary Employees - Barbara J. Schuman - Report Attached

Motion by Lloyd Powless to take Item No. 1 from the table, seconded by Shirley Hill, motion carried unanimously.

Motion by Mark Powless to approve the Comprehensive Report submitted by Human Resources Department and request that the Emergency/Temp Policy be on the agenda for approval Wednesday, March 10, 1993, seconded by Russell Metoxen, motion carried unanimously.

2. Report from Finance LOC regarding endowments, trust resolution clarification
3. Lease of Equipment for the new Casino Project - Sharon House Cornelius
4. Judith Lemke Contract - Sherry King - Report Attached

Motion by Lloyd Powless to take Item No. 4 from the table, seconded by Amelia Cornelius, motion carried unanimously.

Motion by Amelia Cornelius to approve contract for Judith Lemke, seconded by Mark Powless, motion carried, Shirley Hill opposed. Shirley Hill feels we need to support tribal entrepreneurship.

5. Security Position Contracts for Gaming-Vern Doxtator - Attached

Motion by Lloyd Powless to take Item No. 5 from the table, seconded by Shirley Hill, motion carried unanimously.

Motion by Lloyd Powless to approve the contract format contingent upon Attorney review, seconded by Russell Metoxen, motion carried unanimously.

Actual contracts still need to come before the Business Committee for information or approval.

Request Vern Doxtator to submit written report as per the minutes of February 19, 1993.

6. BIA FY 1993 - Add-on Budget Allocation

Motion by Lloyd Powless to take Item No. 6 from the table, seconded by Deborah Doxtator, motion carried unanimously.

Motion by Amelia Cornelius to have the Interim General Managers make recommendations for next week (3-10-93), seconded by Russell Metoxen, motion carried unanimously.

Motion by Lloyd Powless to refer meeting with Chris Johns to briefing on Monday, seconded Russell Metoxen, motion carried unanimously.

7 Position Paper on the American Indian Religious Freedom Act - Mark A. Powless

Motion by Lloyd Powless to take Item No. 7 from the table, seconded by Deborah Doxtator, motion carried unanimously.

WHEREAS, the cultural and spiritual survival of Native American people is closely tied to the continuation, preservation and well-being of our tribal religious traditions, and

WHEREAS, the right to worship is a fundamental human right that most Americans take for granted, and

WHEREAS, in Lying v. Northwest Indian Cemetery Protective Association, and in Employment Division, Dept. of Human Resources v. Smith, the Supreme Court ruled that the First Amendment does not protect traditional Native American sacred sites from destruction (Lying), or the peyote religion of the Native American Church (Smith), and

WHEREAS, the American Indian Religious Freedom Act has not prevented the Federal Government from unnecessarily engaging in activities which impair or disturb Native American religious practices on federal lands.

NOW THEREFORE BE IT RESOLVED, that the Oneida Tribe urges Congress to enact legislation that will protect Native American religions and basic religious freedom, similar to that recently circulated to tribal leaders by Senator Inouye

BE IT FURTHER RESOLVED that the Oneida Tribe petitions Congress to immediately hold hearings on legislative proposals that have been developed to protect Native American religious freedom, with the goal of passing legislation by the end of 1993.

Motion by Shirley Hill to adopt Resolution 3-3-93-A, seconded by Deborah Doxtator, motion carried unanimously.

Motion by Amelia Cornelius to approve written testimony, seconded by Deborah Doxtator, motion carried unanimously.

Recommend sending statement and resolution to Federal legislators.

8. Creation of additional positions of three (3) Computer Support Specialist in the MIS Department - HRD

Motion by Amelia Cornelius to take Item No. 8 from table, seconded by Mark Powless, motion carried unanimously.

Motion by Lloyd Powless to approve positions, seconded by Mark Powless, motion carried, Shirley Hill opposed because original recommendations from previous minutes have not been followed.

VI. REPORTS

1. HOTEL - 1st Wednesday of Month - Kathy Hughes
ORTEK - 2nd Wednesday of Month
GAMING - 3rd Wednesday of Month
HOUSING - 4th Wednesday of Month
2. HUMAN RESOURCES DEPARTMENT
EMPLOYEE RECOGNITION:
A) Approval Requested for:
 1. Creation of position of Construction Manager for Commerce Division
 2. Creation of position of Operations Manager for Oneida Development Center

Motion by Shirley Hill to table, no second

Motion by Amelia Cornelius to approve Construction Manager position for Commerce Division and hold the Operations Manager for Oneida Development Center position until after the reorganization plan is approved, seconded by Mark Powless, motion carried, Lloyd Powless opposed.

- B) Hiring Information: FOR INFORMATION ONLY. . .
 1. Jacqueline Metoxen (O) - Human Resources Assistant
 2. Debra Spees (I) - Grants Compliance Office for OTS
 3. Martin Antone - (O) - Sergeant/Oneida Police Dept.
 4. LuAnn King - (O) - Secretary/Receptionist - Social Services
 5. Erma Danforth (O); Aurelia Wheelock (O) - Food Service Worker
 6. Robert Aros (I); Pauline Jourdan (O) - Assistant Cooks
 7. Ruth Kerker (O) - Custodial Supervisor

8. Michelle Miller (O); Jill Turner (N); Theresa Halloway (N); Mari Gruel (N); Mary Deviley (N) - Infant Toddler Child Care Teacher-Three Sisters Center

C) Transfers/Promotions/Reassignments

3. TRAVEL REPORTS
4. OTHER REPORTS
5. REPORTS FROM PREVIOUS MEETINGS

VII. NEW BUSINESS

1. RESOLUTIONS

- A. Priority List for transportation construction funding - Chas F. Wheelock

WHEREAS, eligibility for funding under ISTEA requires the submission of a "Priority List" of transportation projects to the Bureau of Indian Affairs, and

WHEREAS, the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991, Public Law 102-240, has provided funding to the Bureau of Indian Affairs for the purpose of Transportation Planning on the Indian Reservations, and

WHEREAS, the Oneida Tribe of Indians has the expertise required to successfully administer the required transportation planning on the Oneida Reservation,

NOW THEREFORE BE IT RESOLVED: that the Oneida Business Committee hereby adopts the attached "Priority List" as required by the Bureau of Indian Affairs for purposes of transportation construction funding.

Motion by Lloyd Powless to adopt Resolution 3-3-93-B with Priority List, seconded by Deborah Doxtator, motion carried unanimously.

2. BINGO PASS REQUESTS

- A. Oneida Health Center - (4)
- B. NWTC-ORTEK Food & Environmental Lab Technicians - (20)

Motion by Russell Metoxen to approve both bingo pass requests, seconded by Deborah Doxtator, motion carried unanimously.

3. REQUESTS

- A. Regular Land Acquisition Minutes of February 22, 1993 - Bernice Elm
 1. Approve the Acquisition Reports for November, December and January: Pat Cornelius made a motion to approve November and December acquisition reports with the exceptions of items pending listed in memorandum dated February 19, 1993 to Controller and to have the Land Office Management to send copies of memorandum to Treasurer and Chief Financial Officer; and to strongly encourage acquisition reports be made available for Land Committee on time, seconded by Sonny King, passed unanimously, motion carried.

Motion by Russell Metoxen to approve Land Committee's recommendation, seconded by Lloyd Powless, motion carried, Deborah Doxtator abstained.

Purchasing Existing Homes within the Reservation boundaries
Report: A report was submitted to the Land Acquisition Committee requesting approval for the Land Office to start purchasing existing homes and to resell just the homes to tribal members. Pat Cornelius made a motion to have the Land Office start immediately to make offers to purchase existing homes contingent upon the Land Committee's approval and each home is not to exceed \$100,000, seconded by Sonny King, passed unanimously, motion carried.

Motion by Mark Powless to approve Land Committee's action, seconded by Russell Metoxen, motion carried unanimously.

Motion by Lloyd Powless to amend the motion to approve with review for next weeks Business Committee meeting, seconded by Deborah Doxtator, motion carried unanimously.

Send available properties to negotiations: Property #4: Pat Cornelius made a motion to send to negotiations, seconded by Vera Wilson, passed unanimously, motion carried. Property Analyst will have order inspection, appraisal and best use plan for the property.

Property #9: Pat Cornelius made a motion to send to negotiations, seconded by Vera Wilson, passed unanimously, motion carried.

Property #10: Pat Cornelius made a motion to send Resolution on trust property and to check if there is an easement for access to the property, seconded by Vera Wilson, passed unanimously, motion carried.

Motion by Lloyd Powless to approve sending #4, 9, and 10 to negotiations, seconded by Lloyd Powless, motion carried, Deborah Doxtator abstained.

B. Board Vacancies Recommendations - Marsha Danforth

- 1) Oneida Environmental, Inc. (4) vacancies: Recommend, Robert Christjohn, Gary G. Metoxen and Don Hill

Motion by Russell Metoxen to approve recommendation, seconded by Lloyd Powless, motion carried unanimously.

- 2) Utilities Commission, (1) Vacancy: Recommend Patricia Farmer

Motion by Amelia Cornelius to approve recommendation, seconded by Shirley Hill, motion carried unanimously.

Lloyd powless requested to swear in Trish at the Utilities meeting.

- 3) Personnel Commission, (2) Vacancies: Recommend, Victoria L. Johnson and Rose Tipler

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

- C. Payment for Norbert Hill Center Treatment Plant Demolition - Larry Barton

Concern for payment from Utilities Commission in a timely basis - Sarah Plummer stated she will work with the Accounting Department to process a hand check on next Wednesday after approval for payment by the Utilities Commission.

Concern for Indian Preference on contracts: Indian preference clause in the Procurement Policy is being reviewed by Art Skenandore and Deanna Bauman.

Concern for Private Entrepreneur Program.

- D. Request for Communications Department to be designated as the Coordinator for the NCAI Mid-Year Conference - Bobbi Webster

Motion by Amelia Cornelius to approve request that the Communications Department be designated as the Coordinator for the NCAI Mid-Year Conference, seconded by Lloyd Powless, motion carried unanimously.

- E. Casino Construction Status Report - Ernie Stevens, Sr.

Motion by Amelia Cornelius to approve the Business Certification Application form, seconded by Shirley Hill, motion carried unanimously.

- F. Request to serve on Steering Committee for the Working Partners Breakfast on April 23 (Request is for Rick Hill) from Congressman Toby Roth

Motion by Amelia Cornelius to approve Mark N. Powless to serve on the Working Partners Steering Committee, seconded by Lloyd Powless, motion carried unanimously.

- G. Request for General Tribal Council Meeting - Judy Cornelius

Motion by Lloyd Powless to have Art Skenandore convene a meeting of the following: Amelia Cornelius, Shirley Hill, Attorney Gerald L. Hill, Human Resources Department, Gaming HRD, Mark A. Powless and Judy Cornelius meet and bring back a recommendation on employee rights, seconded by Russell Metoxen, motion carried, Amelia Cornelius and Shirley Hill abstained. (by April 7, 1993).

- H. Task Force on Business Trades - Loretta V. Metoxen

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

I. Donation Policy - Bruce King/Loretta V. Metoxen

Motion by Lloyd Powless to accept the policy and defer to next week's meeting for review and approval, seconded by Amelia Cornelius, motion carried unanimously.

J. Dissolving of Construction Committee - Shirley Hill

Need the Construction Committee for oversight responsibility of construction.

Motion by Amelia Cornelius to refer to the Community Development LOC for recommendation, seconded by Deborah Doxtator, motion carried, Lloyd Powless and Shirley Hill abstained.

K. Request to reactivate the Oneida-Menominee Task Force - Mark N. Powless

Motion by Mark Powless to activate the Oneida-Menominee Task Force and to include Stockbridge, seconded by Amelia Cornelius, motion carried unanimously.

GOALS OF THE TASK FORCE.

- Develop model of joint relationships for:
- economic diversity
- joint ventures
- similar legislative concerns and efforts

L. Semi Annual Meeting GTC - Amelia Cornelius

Motion by Shirley Hill to have Lloyd Powless and Amelia Cornelius develop recommendations on the January General Tribal Council agenda, seconded by Deborah Doxtator, motion carried, Amelia Cornelius and Lloyd Powless abstained.

M For Information Only: Food Service Follow-Up - Bob Niemela

Motion by Shirley Hill that there be an analysis of Food Purchasing Plan and a satisfaction survey, and that the survey results be brought back to the Business Committee for information in two weeks (March 24, 1993), seconded by Deborah Doxtator, motion carried unanimously.

4. CONTRACTS/AGREEMENTS

5. TRAVEL REQUESTS

- A. Retro Approval: Lloyd E. Powless: March 1, 1993 - League of Women Voters Panel

Motion by Amelia Cornelius to approve retro travel, seconded by Deborah Doxtator, motion carried, Lloyd Powless abstained.

- B. Rick Hill: Washington DC - Request/Invitation for meeting on March 19th from Daniel Inouye

Motion by Amelia Cornelius to approve all travel requests for Rick Hill including the March 9 & 10th meeting in Washington, DC with the Secretary of the Interior, seconded by Deborah Doxtator, motion carried unanimously.

- C. Lloyd Powless: March 11-12, 1993, Green Lake, WI WI Rural Dev. Council Interim Steering Committee

Motion by Deborah Doxtator to approve travel for Lloyd, seconded by Shirley Hill motion carried unanimously.

- D. Rick Hill: March 18, Washington DC - NIGA Executive board Meeting

Previously approved by Amelia Cornelius

- E. Rick Hill: April 19-21, 1993 - Phoenix, Arizona (NIGA Annual Meeting)

Previously approved by Amelia Cornelius

Motion by Amelia Cornelius to approve travel for Deborah Doxtator to Madison on March 9, 1993, seconded by Shirley Hill, motion carried, Deborah Doxtator abstained.

6. VACATION REQUESTS

- A. Lloyd Powless: March 8, 1993

Motion by Russell Metoxen to approve vacation request for Lloyd Powless, seconded by Amelia Cornelius, motion carried, Lloyd Powless abstained.

Motion by Amelia Cornelius to approve Mark Powless and Deanna Baumann to attend the Indian Health Care Conference March 15 & 16th in Washington, D.C., seconded by Shirley Hill, motion carried, Mark Powless abstained.

VIII. OTHER ADDITIONS:

1. Federal Issues being worked on by Scott Dacey and Rana Altenburg - Amelia Cornelius

Amelia Cornelius will communicate with Scott on response, Lloyd Powless will place on Attorney Agenda the remaining update.

2. Business Committee Move - Amelia Cornelius

Motion by Lloyd Powless to stay with the original plan, NO SECOND.

Motion by Lloyd Powless to accept the recommendations for revised move, seconded by Mark Powless, motion carried unanimously.

3. Sponsorship for Golf for Kids Tournament - Trish Farmer

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

4. Travel Request: Gerald L. Hill/March 18 & 19, 1993, Washington, DC - NIGA Meeting

Motion by Russell Metoxen to approve travel for Attorney Hill, seconded by Amelia Cornelius, motion carried, Deborah Doxtator opposed, usually two attorneys attend.

5. Travel Request: Rick Hill - March 7-8, 1993, Minneapolis, MN to meet with Senator Inouye - Trip was cancelled - NO ACTION TAKEN.
6. Donations for Attorney Jim Doyle - Amelia Cornelius

Motion by Mark Powless to refer to the PAC Committee, seconded by Shirley Hill, motion carried unanimously.

7. F & A. Recommendations - Paula King

1. Bruce Danforth brought forth his proposal for the fleet purchase of vehicles as follows: Human Services- 1 Van; Recreation - 1 Van; Plumbing-1 Truck; DPW-2 Trucks; Conservation-1 Truck

In addition the Oneida Public Transit Program is applying for funds to purchase a bus for \$39,600. The total cost for the bus is \$49,500, with the remaining \$9,900 to be identified. If funding is approved, the Tribe needs to give assurance that the local share of funding for this project from the Tribe is available.

Dennis Danforth requested an additional purchase of a truck for the Wells & Septic Program for \$21,400. Mark N. Powless moved to approve the fleet purchase to include the purchase of the bus for the Transit Program with the savings from Bruce Danforth's program being applied to cover local share needed to the bus purchase, Shirley Hill seconded, motion carried.

Motion by Amelia Cornelius to refer to Art Skenandore and Deanna until next week, seconded by Deborah Doxtator, (3 for, 3 opposed, Chairman votes to oppose, motion fails.

Motion by Lloyd Polwess to approve, no second

Motion by Amelia Cornelius to table, seconded by Deborah Doxtator, motion carried, Mark Powless and Shirley Hill opposed.

2. IMAC Renovation - Keller Structures - Kathy Hughes: Request is for IMAC to include: Upgrade of electrical system, replacement of ceiling, installation of sprinkler system, upgrade of bathroom facilities, painting, etc. Cost is \$1,295,718. Gaming has a budget of \$475,000. Shirley Hill moved to table this item until a plan is in place for the use of the temporary casino with the plan to be submitted back to F & A, Mark seconded, motion carried.

NO ACTION TAKEN.

8. Veterans to Arizona - Ted christjohn

Acted upon previously.

9. Plaque from the Homeless Shelter

Taken care of previously.

Motion by Lloyd Powless to take the Fleet Purchase Plan from the table, seconded by Deborah Doxtator, motion carried unanimously.

Motion by Lloyd Powless to approve the Fleet Purchase Plan, seconded by Deborah Doxtator, motion carried unanimously.

10. Auditors letter confirmation for 3rd party run of background checks

Motion by Shirley Hill that Chairman/Vice Chairman send letters on behalf of the Auditors for background checks to verify security checks, NO SECOND, MOTION FAILS.

Communication to Gaming Commission and Legislative Bureau for open discussion, inquiries that need to be addressed regarding security background checks.

Motion by Lloyd Powless to have Russell Metoxen, Arvin Prebelski, Attorney Gerald L. Hill, Bobbi Webster and Jim Danforth address the needs of internal communication of auditor's office for third party security background checks, this matter to be completed in two weeks (March 24, 1993), seconded by Amelia Cornelius, motion carried, Russell Metoxen abstained.

12. DPI & State Elections

Lloyd Powless recommends that the Business Committee develop a position on candidates that the Tribe supports.

Lloyd Powless recommends that the Tribe develop a State of Tribe position and present to the Brown County Board.

Motion by Lloyd Powless to recess until 1:30 p.m. seconded by Russell Metoxen, motion carried unanimously.

MEETING RECONVENED AT 1:45 P.M.

PRESENT: Rick Hill, Deborah Doxtator, Amelia Cornelius, Russell Metoxen, Lloyd Polwess, Shirley Hill, Mark Powless

OTHERS: Attorney Gerald L. Hill, Attorney Sharon House, Chris Doxtator, Marj Stevens

IX. EXECUTIVE SESSION

- A. Request for Executive Session - Shirley Hill
- B. February 24, 1993 - Regular meeting minutes

OUT OF SESSION:

Chairman referred the Item A. to Shirley Hill to get the parties together to attempt to resolve the issue of J. Jourdan.

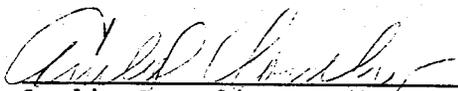
Motion by Amelia Cornelius to approve the minutes of February 24, 1993 and to table the Land Claims portion of the minutes (February 3, 1993, February 10, 1993 and Resolution 2-24-93-B), seconded by Deborah Doxtator, motion carried unanimously.

Motion by Amelia Cornelius to approve the neutral position on the Wisconsin Constitutional Amendments, seconded by Deborah Doxtator, motion carried unanimously.

X. RECESS/ADJOURN

Meeting recessed at 4:15 p.m

Respectfully Submitted,



Amelia Cornelius, Tribal Secretary
Oneida Business Committee