

Oneida Tribe of Indians of Wisconsin

Post Office Box 365



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

Phone: (414) 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.

ONEIDA BUSINESS COMMITTEE MEETING REGULAR MEETING - OCTOBER 12, 1994 - 10:00 A.M. BUSINESS COMMITTEE CONFERENCE ROOM

Present: Loretta V. Metoxen-Vice Chairwoman, Julie Barton-Secretary, Kathy Hughes-Treasurer, Russell Metoxen, Ernie Stevens, Jr., Gary Jordan, Shirley Hill, Sandra Ninham-Council Members

Excused: Deborah Doxtator-Chairwoman

Others: Janice Decorah, Karen Cornelius, Samantha Greendeer, Kevin Moore, Nancy Pastorino, Ernie Stevens, Sr., Attorney Gerald L. Hill, Judy Cornelius, Roberta Kinzhuma, Nori Damrow, Lloyd Powless, Lee McLester, Wendell McLester, Warren Skenandore, Roberta Kinzhuma, Marsha Danforth, Celene Elm, Jeanette Fish, Pearl McLester, Mary Metoxen, Arlene Elm, Carol M. Robelia, Franklin Doxtator, Winnifred Skenandore, Mary Dodge, Ken W. Webster, Terry L. Powless, Pete Powless, Darlene Neconish, Mary Greendeer, Art Skenandore, Simon Decoteau, Vickie Cornelius, Mark A. Powless, Sharon House, Jeff metoxen, Cathy Metoxen, Richard Ackley.

(EXECUTIVE SESSION WITH THE ELDERLY & WENDELL MCLESTER)

OPENING: Wendell McLester

I. CALL TO ORDER: 10:21 A.M.; LORETTA METOXEN
EMPLOYEE RECOGNITION BY SANDRA NINHAM - Deferred until employee is present.

II. APPROVAL OF AGENDA

- A. Additions to Executive Session:**
1. Emergency Request from Attorney Gerald L. Hill
 2. Request from Gaming Monitoring Committee

MOTION BY KATHY HUGHES TO APPROVE THE REGULAR BUSINESS COMMITTEE MEETING AGENDA OF OCTOBER 12, 1994, SECONDED BY RUSSELL METOXEN, OPPOSED BY ERNIE STEVENS, JR., ABSTAINED BY SANDRA NINHAM, MOTION CARRIED.

FOR THE RECORD: Ernie Stevens, Jr. opposed his position because additions to the agenda should not be accepted.

NEW EMPLOYEES

MINUTES TO BE APPROVED:

1. October 5, 1994 - Regular-Stand approved as corrected

Shirley Hill noted that on page 3 of 13, there was a motion by Kathy Hughes and seconded by Kathy Hughes; this needs to be clarified. The Tribal Secretary will clarify by reviewing the tapes.

Leanne Doxtator requested clarification of the project approval for the Oneida Police Department and the Nursing Home/Health Care Facility.

In regards to page 3, section g. of the minutes which states "to authorize a six month extension" Julie Barton requested approval to adopt the new resolution as opposed to authorizing the extension.

Kathy Hughes approved to amend the minutes from "to authorize" to "adopt the resolution."

V. TABLED BUSINESS:

- A. Request on resolution to approve the Comprehensive Housing Plan (tabled from the 9/21/94 mtg)
- B. Report from General Manager on information regarding the proposed employee blood donor tribal resolution
- C. Request from Executive Session Regarding Gaming Manger Job Position (tabled from the 10/5/94 mtg) - **Will be addressed in Executive Session.**

Shirley Hill suggested that a meeting of the Business Committee, Gaming Commission and the Gaming Monitoring Committee to be held for further discussion regarding the position of the Gaming General Manager.

Kathy Hughes suggested to discuss the job description in Executive Session today.

Mary Edna Greendeer noted that the Gaming Monitoring Committee is not at fault for the non-compliance of the General Tribal Council charge to develop the job description for the Gaming General Manager which was to be posted by October 8, 1994.

VI. REPORTS

1. **HOTEL - 1st Wednesday of Month - Pat Lassila**
APPEALS COMMISSION - (QUARTERLY: JAN/APR/JULY/OCT) - ATTACHED
2nd Wednesday of Month - Carole Liggins
WIGA REPORTS-2nd Wed. of Month (QUARTERLY: JAN/APR/JULY/OCT) - Gary Jordan

**MOTION BY SHIRLEY HILL TO DEFER THE WIGA REPORT UNTIL OCTOBER 30, 1994,
SECONDED BY RUSSELL METOXEN, ABSTAINED BY KATHY HUGHES AND GARY JORDAN,
MOTION CARRIED.**

ONEIDA TRIBAL SCHOOL BOARD - 3rd Wed. of Month - Ron Hill
HOUSING - 4th Wed. of Month - Evelyn Elm
ORCOA - 4th Wed. of Month - Warren Skenandore

MOTION BY KATHY HUGHES TO REQUEST THAT THE APPEALS COMMISSION FURNISH

THEIR ATTORNEY CONTRACTS TO THE TRIBE'S GENERAL COUNSEL FOR REVIEW AND RECOMMENDATION AND TO FORWARD TO THE BUSINESS COMMITTEE FOR APPROVAL, SECONDED BY SHIRLEY HILL, MOTION CARRIED UNANIMOUSLY.

MOTION BY ERNIE STEVENS, JR. TO APPROVE THE APPEALS COMMISSION REPORT, SECONDED BY KATHY HUGHES,

MOTION BY ERNIE STEVENS, JR. TO RESCIND PRIOR MOTION AND TO TABLE THE APPEALS COMMISSION REPORT, SECONDED BY GARY JORDAN, MOTION CARRIED UNANIMOUSLY.

2. HUMAN RESOURCES DEPARTMENT

A) Employee Recognition

B) Approval Requested for

C) Hiring information: FOR INFORMATION ONLY. . . (SEE ATTACHED LIST)

Debbie Skenandore (O)-Custodial III, Shawna Rockweel (I)-Teacher Aide/OTS; Pauline Centers (O)-Teacher Aide/OTS; Eli Webster (O)-Teacher Aide/OTS; Sandra Klakowicz (NI)-Teacher Aide/OTS; Barbara Shiffer (NI)-Teacher Aide/OTS; Cindi Zemlik (NI)-Teacher Aide/OTS; Nicole Daniels (O)-Teacher Aide/OTS; Lisa Metoxen (O)-Teacher Aide/OTS; James Boncher (O)-Cashier Clerk/Retail; Karen Wurth (I)-Administrative Assistant/Land Management; Wendy Lanouette (I)-Office Manager/Planning Department; Kimberly Kiser (O)-Policies & Procedures Developer/Coordinator-Oneida Construction Corporation; Donald Charnon (O)-Salesperson/Promotions Dept; Karen Treml (N)-Speech/Language Pathologist/Headstart; Barbara Kendell (N)-Medical Receptionist; Christine Funmaker (I)-Chemical Dependency Supervisor; Tim Headrick (N), Roland Couture (I), Peter Pelky (O)-Security Technicians; Patrick Srenaski (NI), Cheryl Vermeulen (NI), Wanda Matuszewski (NI)-Programmer/MIS Department; Lisa Williams (SO)-Mail Clerk-Development Division; Mari Kriescher (N)-Child Care Teacher; Joanne Peters (O)-Classroom Teacher; Mary Motquin (N)-Child Care Services Clerk; Brian Slattery (N), Richard Brzezinski (I)-Recreational Specialist; Shawn Danforth (O), Kelly Danforth (O)-Child Care Teacher/Trainee; April King (O)-Surveillance Officer/Security

D) TRANSFERS/PROMOTIONS/REASSIGNMENTS

E) Limited Term Employees (for Information Only)

MOTION BY SHIRLEY HILL THAT THE GAMING HUMAN RESOURCES DEPARTMENT ALSO PROVIDE ALL TRANSFERS, PROMOTIONS AND REASSIGNMENTS IN THE HUMAN RESOURCES REPORT TO THE BUSINESS COMMITTEE, SECONDED BY GARY JORDAN, MOTION CARRIED UNANIMOUSLY.

3. TRAVEL REPORTS

4. FOLLOW UP REPORTS/BC DIRECTIVES FROM PREVIOUS MEETINGS

5. LEGISLATIVE OPERATING COMMITTEE MINUTES

1. For Approval: LOC Meeting minutes of September 29, 1994

MOTION BY KATHY HUGHES TO APPROVE THE LOC MEETING MINUTES OF SEPTEMBER 29, 1994, SECONDED BY SANDRA NINHAM, MOTION CARRIED UNANIMOUSLY.

2. For Information: LOC Planning and Prioritization Meeting Minutes of September 28, 1994

3. For Information: Public Hearing Minutes of the Minority Business Preference Law (2) 9/30/94
4. For Information: Public Hearing Minutes of the Child Care Policies and Procedures held on 9/29/94
5. FOR APPROVAL: Statements of Effect for the following resolutions A-J

A. WHEREAS, in the past, funds have been approved by the Oneida General Tribal Council which are intended to help Oneida Tribal members, and

WHEREAS, many times the tribal members are not informed that these funds exist or what the guidelines are, as was the case with the Catastrophic and Illness funds. \$300,000. was budgeted for FY 1994, and only \$40,241.11 was used by July 31, 1994. and

WHEREAS, all Oneida Tribal members have the right to know about the benefits that are available both on and off the Oneida Reservation,

NOW THEREFORE BE IT RESOLVED that each year a book shall be mailed to each household of members of the Oneida Tribe which give the guidelines for benefits both on and off the Oneida Reservation. This book shall give the name of the fund the amount budgeted and local and 800 phone, addresses and FAX number, and the person to contact.

BE IT FURTHER RESOLVED that guidelines must be developed within two months from the time the funding is approved. The guidelines must be included in the book,

BE IT FURTHER RESOLVED that this book shall include information such as the plans to assist Oneida Tribal members to purchase homes or remodel homes and all other benefits.

BE IT FINALLY RESOLVED that this shall be a separate book from the reports, and that this book shall be updated annually. It shall be the duty of the Business Committee to research the funding to put this into effect, and to delegate the department that will be responsible. When Tribal members requests are turned down, they must be informed of the reason. They shall be informed and counicled of how to meet the guidelines.

Statement of Effect Conclusion:

"This resolution has no illegal aspects that would bar its implementation. However, it possibly could be more quickly implemented if brought before the Oneida Business Committee for implementation."

MOTION BY SANDRA NINHAM TO ADOPT RESOLUTION 10-12-94-A, SECONDED BY KATHY HUGHES,

NOTE: Statement of Effects should clarify if spelling errors and format are in need of change prior to approval/adoption.

AMENDMENT #1: MOTION BY KATHY HUGHES TO AMEND THE MAIN MOTION TO CLARIFY THAT THIS IS A RESOLUTION BEING ENDORSED BY THE RECOMMENDATION OF THE LEGISLATIVE OPERATING COMMITTEE FOR APPROVAL BY THE BUSINESS COMMITTEE AND NOT TO BE TAKEN FORWARD OTHER THAN THE NORMAL REVIEW PROCESS BY THE GENERAL TRIBAL COUNCIL, SECONDED BY SANDRA NINHAM, ABSTAINED BY SHIRLEY HILL, AMENDMENT CARRIED.

MAIN MOTION CARRIED UNANIMOUSLY.

B. WHEREAS, there are many Oneida Tribal members through out the country who have high prescription cost and who have a low income, and therefore are struggling under a heavy burden,

NOW THEREFORE BE IT RESOLVED that the Oneida Tribe shall include funds in the 1995 budget to do a feasibility study to provide Health Insurance to Oneida Tribal members that will cover prescription drugs at no cost to the Tribal membership. This study must be completed and reported before 1996. It shall be the responsibility of the Business Committee to designate funds and delegate the department that will carry this out. This coverage would include co-payment. Pilot program options shall be offered for consideration for 1996 or sooner.

Statement of Effect Conclusion:

"There are no legal bars to implementation of this resolution. However, clarification of who the studies group is to be and removal of the mandated pilot program would make this a more workable resolution."

MOTION BY RUSSELL METOXEN TO REFER A STUDY OF ALTERNATIVES TO FULL PAYMENT ON PRESCRIPTION COSTS TO FINANCE PLANNING FOR BUDGET IMPLICATIONS, SECONDED BY JULIE BARTON, MOTION CARRIED UNANIMOUSLY.

C. WHEREAS, the program that is located in the area of Southeastern Wisconsin is for the Oneida Tribal membership who reside in the area, and

WHEREAS, these Tribal members are the people who are affected by how the program is carried out, and

WHEREAS, the Tribal members who reside in the Milwaukee area know who they feel will act in their best interest,

NOW THEREFORE BE IT RESOLVED that the Oneida Tribal members who reside in the Southeastern Wisconsin shall have the right to nominate and elect the people who shall serve on the board. They shall also have the right to vote on the services which will be requested from the General Tribal Council in Oneida.

BE IT FURTHER RESOLVED that the elected Board shall participate in the hiring process of the staff who work in the Milwaukee office, and shall have similar duties as the Oneida Tribal School board. The elected Board shall select the choice of the two top applicants.

Statement of Effect Conclusion:

"There are no legal bars to this being placed before the General Tribal Council and being enacted. However, because of the recent actions taken by the Oneida Business Committee and the Oneida General Tribal Council, it is not recommended that this be adopted. An alternative resolution is attached which will implement a monitoring and review for a period of one year to verify that appropriate benefits are being received by the Milwaukee area Tribal Members and to recommend any changes that may be necessary."

General Tribal Council
Resolution # GTC-_____

WHEREAS, there are concerns by Tribal members in the Milwaukee area that program benefits be received proportionately and in a timely manner through the newly created Oneida Social Services, Southeast Wisconsin Program, and

WHEREAS, these concerns are based on the history of the former entity "OISSEW" and its no longer being in

existence,

NOW THEREFORE BE IT RESOLVED, that the Compliance Division, or its representative, monitor the program benefits for a period of one year, to bring back recommendations for the fullest possible implementation of all benefits, and that reporting should be done to the Program Director and the Board of this Program.

MOTION BY KATHY HUGHES TO REFER THE RESOLUTION TO DIRECT THAT TRIBAL MEMBERS IN MILWAUKEE AREA ELECT PERSONS ON BOARD AND PARTICIPATE IN HIRING PROCESS TO THE LEGISLATIVE OPERATING COMMITTEE FOR APPLICABILITY OF THE ELECTION ORDINANCE AND THE ADMINISTRATIVE PROCEDURES ACT, SECONDED BY ERNIE STEVENS, JR., MOTION CARRIED UNANIMOUSLY.

D. WHEREAS, there are many Oneida Tribal members who would like to relocate to the Oneida, WI area, but can not cover the cost of relocating, and

WHEREAS, the Oneida Tribe can afford to help Tribal members to relocate to Oneida.

NOW THEREFORE BE IT RESOLVED that the Oneida Tribe shall develop an account to offer financial assistance to Oneidas who wish to relocate to Oneida. This shall be in addition to the fund to relocate newly hired employees. There should be income guidelines.

BE IT FURTHER RESOLVED that the Business Committee shall research funds and designate and delegate the department that will be responsible to carry this out.

BE IT FURTHER RESOLVED that this will be for enrolled members of the Oneida Tribe of Wisconsin.

Statement of Effect Conclusion:

"There are no legal issues barring the adoption of this resolution. However, the program for relocation is already available to persons who will become Tribal employees or employees of other businesses. Therefore, it is recommended that the intent of the resolution be clarified prior to adoption."

MOTION BY RUSSELL METOXEN TO REFER THE RESOLUTION TO COVER RELOCATION COSTS FOR TRIBAL MEMBERS WHO ARE NOT EMPLOYEES OF THE TRIBE TO FINANCE PLANNING AND THE GENERAL MANAGER FOR CLARIFICATION FROM THE AUTHOR AS STATED IN THE STATEMENT OF EFFECT AS TO THE INTENTION, SECONDED BY JULIE BARTON,

AMENDMENT #1: MOTION BY GARY JORDAN TO AMEND THE MAIN MOTION THAT THE RESOLUTION BE REFERRED BACK TO THE LEGISLATIVE OPERATING COMMITTEE SO IT MAY FOLLOW THE CORRECT PROCESS TO SEEK INPUT AND FURTHER DEVELOPMENT, SECONDED BY JULIE BARTON FOR DISCUSSION, ABSTAINED BY KATHY HUGHES, AMENDMENT CARRIED.

MAIN MOTION CARRIED UNANIMOUSLY.

E. WHEREAS, it is difficult for Oneida Tribal members who reside out of Brown and Outagamie counties to attend General Tribal Council meetings after work, when the meetings are held during the week,

NOW THEREFORE BE IT RESOLVED that General Tribal Council meetings that impact on Oneida Tribal members who reside outside of Brown and Outagamie counties shall be held on Saturday at 1:00 P.M.

Meetings shall not be canceled for personal events that take place in Oneida.

Statement of Effect Conclusion:

"There are constitutional elements which bar the implementation of this resolution. The resolution would need clarification prior to adoption to remove those unconstitutional aspects."

MOTION BY KATHY HUGHES TO ACCEPT THE RECOMMENDATIONS AS STATED IN THE STATEMENT OF EFFECT AND FOR SHIRLEY HILL TO BE RESPONSIBLE TO DRAFT A LETTER TO THE AUTHOR EXPLAINING THE ACTION TAKEN, SECONDED BY GARY JORDAN, MOTION CARRIED UNANIMOUSLY.

F. WHEREAS, The Oneida Tribal has concern for all of it's members, and

WHEREAS, There is a special need for concern for Oneida Tribal members who are mentally handicapped.

NOW THEREFORE BE IT RESOLVED, that the Tribe shall budget funds in the 1995 fiscal year to conduct a survey to ascertain if there is a need for a group home for Oneida Tribal members who have to struggle through the heart break of mental illness.

BE IT FURTHER RESOLVED, that the Oneida Business Committee shall assign the funding from the Tribe's profits, and the person who shall be in charge of this survey.

BE IT FURTHER RESOLVED, that the findings of the survey shall be reported to the General Tribal Council and if there is need, action shall be taken to provide the service.

Statement of Effect Conclusion:

"It is inappropriate to place this on a second General Tribal Council Agenda when it remains on another. Further, since it is not a Tabled item, it cannot be considered to be taken off the table at any future meeting."

G. WHEREAS, the Oneida Tribe has great concern for it's children's education. and

WHEREAS, the Oneida Tribe has realized abundant financial gain from it's gaming enterprises, and

WHEREAS, The Oneida Tribe is now in a position to use it's financial gain to help it's children with innovative assistance.

NOW THEREFORE BE IT RESOLVED, that the Oneida Tribe shall develop video tapes that Oneida students may purchase at cost to help them to review math and science formulas in their homes.

BE IT FURTHER RESOLVED that the video tapes shall first be tested by students who have a difficult time with these courses, to make sure that the formulas are demonstrated as clearly as possible.

BE IT FURTHER RESOLVED, that the educational video tapes shall also be available to be checked out of the library, for families who can not afford to purchase the tapes.

BE IT FURTHER RESOLVED, that the Oneida Tribe shall subsidize the process if necessary.

BE IT FURTHER RESOLVED that the Tribe shall produce video tapes that the Oneida Tribal members can purchase which deals with Oneida history and make them available to the Oneida Tribal members at cost.

BE IT FURTHER RESOLVED that the Oneida Business Committee shall assign funds and the Oneida superintendent of schools shall be in charge of this project.

BE IT FURTHER RESOLVED, that these tapes shall be made available within two months after the budget has been approved by the General Tribal Council.

BE IT FURTHER RESOLVED, that a committee of volunteers shall work with the person in charge to develop and approve the plan.

Statement of Effect Conclusion:

"It is inappropriate to place this on a second General Tribal Council Agenda when it remains on another. Further, since it is not a Tabled item, it cannot be considered to be taken off the table at any future meeting."

MOTION BY KATHY HUGHES TO ACCEPT RECOMMENDATION IN THE STATEMENT OF EFFECT FOR RESOLUTIONS F. AND G. AND FOR SHIRLEY HILL TO BE RESPONSIBLE TO DRAFT A LETTER TO THE AUTHOR EXPLAINING ACTION TAKEN, SECONDED BY ERNIE STEVENS, JR., ABSTAINED BY SHIRLEY HILL, MOTION CARRIED.

H. WHEREAS, funds were approved in the 1994 Oneida Tribal budget for life insurance for all Oneida Tribal members, and

WHEREAS these funds were not used in the 1994 fiscal year,

NOW BE IT RESOLVED, that these funds shall be retroactive to Oct. 1993. These funds shall be paid to the estate of the Oneida Tribal members who died since the 1994 budget was approved.

Statement of Effect Conclusion:

"There are no funds or budgets for 'life insurance' for all Tribal members. Therefore, there appears to be no action taken by this resolution. If this is regarding the proposed "Burial Fund," then this resolution is unclear and would need to be corrected to address this fund."

MOTION BY ERNIE STEVENS, JR. TO ACCEPT THE RECOMMENDATION OF THE LEGISLATIVE OPERATING COMMITTEE THROUGH THE STATEMENT OF EFFECT AND FOR KATHY HUGHES TO BE RESPONSIBLE TO WRITE A LETTER TO THE AUTHOR ON THE STATUS OF THE BURIAL FUND, SECONDED BY RUSSELL METOXEN, MOTION CARRIED UNANIMOUSLY.

I. WHEREAS, from time to time, it becomes necessary to clarify the official policies of the Oneida Tribe on issues important to the tribal membership, and

WHEREAS, the Tribe considers home building for the tribal membership utilizing the skills of our own members to be a first priority, and

NOW THEREFORE BE IT RESOLVED: That the attached policy known as the "Home Building and Construction Policy of ~~1992~~ 1994" is hereby adopted and ordered to be promulgated and published.

BE IT FURTHER RESOLVED: That the Housing Development Department ~~is authorized to establish a Comprehensive Housing Plan~~ has established the "1994 Comprehensive Housing Plan" based on an inventory of present housing needs. *The 1994 Comprehensive Housing Plan was completed on September 16, 1994.*

BE IT FINALLY RESOLVED: ~~That the inventory and needs shall be identified through personal interviews and hearings with the Tribal membership. That the Oneida Business Committee hereby adopts the "1994 Comprehensive Housing Plan."~~

After a tribal hearing, the Housing Development Department was formed to begin to address the housing needs on the reservation. The department began with a tribal census. This data base has allowed the Housing Development Department to assemble the following "1994 Comprehensive Housing Plan." We recommend that the Business Committee adopts the "1994 Comprehensive Housing Plan." Because it will aid in reaching the Nation's housing goals by providing housing strategies and plans for the next ten years.

Statement of Effect Conclusion:

"This policy has no legal defects barring its implementation. It is not in the nature of a law or regulation needing a Public Hearing. However, it could be better organized to more clearly represent its intent."

MOTION BY GARY JORDAN TO DEFER ACTION ON THE RESOLUTION REGARDING THE COMPREHENSIVE HOUSING PLAN UNTIL AFTER THE SPECIAL MEETING OF OCTOBER 19, 1994, SECONDED BY ERNIE STEVENS, JR., MOTION CARRIED UNANIMOUSLY.

J WHEREAS, the Oneida Tribe has determined that the overall goal of the Oneida Nation is to protect, maintain and improve the standard of living and the environment in which the Oneida people live, and

WHEREAS, the Oneida Tribe also states that as part of the mission of the 7th Generation Commitment, the Oneida Tribe is committed to providing "for the quality of life where the people come together for the common good", and

WHEREAS, it is known that there is no artificial substitute for blood, therefore the American Red Cross must collect blood from volunteer blood donors, and

WHEREAS, it has been determined that there is a great need for our Native American people to come together for the good of giving blood for the purpose of satisfying the need for close matches in racial or ethnic grouping, and

WHEREAS, studies have shown that people will give blood if it is convenient for them and if their friends or coworkers are giving.

THEREFORE BE IT RESOLVED: that the Oneida Tribe of Indians of Wisconsin will hereby host a year - long blood drive in which those Tribal employees who give blood at least four (4) times within that year will incur eight hours of vacation time which may be accumulated.

Statement of Effect Conclusion:

"While the need for Blood Donors is well documented, how this resolution will be carried out is not.

Therefore, I would suggest the following changes:

1. Designate an entity or person to carry this through (possibly the Health Center, Fitness Center or Communications)
2. Alternative award instead of vacation time:
 - a. 1st Donation
 - b. 2nd Donation
 - c. Etc....."

MOTION BY KATHY HUGHES TO TABLE THE RESOLUTION REGARDING THE BLOOD DONOR DRIVE UNTIL THE GENERAL MANAGER BRINGS BACK A REPORT, SECONDED BY JULIE BARTON, MOTION CARRIED UNANIMOUSLY.

- 6. FINANCE PLANNING AND/OR FINANCE & APPROPRIATIONS RECOMMENDATIONS- None Submitted

VII NEW BUSINESS

RESOLUTIONS

- 1. Resolution regarding NCAI Delegate

WHEREAS, the oneida Tribe of Indians of Wisconsin wishes to become a member Tribe in good standing of the National Congress of American Indians; and

WHEREAS, the Oneida Tribe of Indians of Wisconsin meets all requirements for Tribal Membership pursuant to Article II, Section 1, b of the Constitution of the National Congress of American Indians; and

NOW THEREFORE BE IT RESOLVED: that the Oneida Business Committee, which is the official governing body of the above named Tribe, hereby authorizes _____ who is the principal official of the Oneida Tribe, to take the necessary action to renew the Tribe's membership in NCAI; and

BE IT FURTHER RESOLVED: that tribal funds in the amount of \$1,000.00 based on the Tribal Membership dues schedule of the NCAI By-Laws (Article II, Section 1, 6) authorized to be paid for such Tribal Membership in NCAI; and

BE IT FURTHER RESOLVED, that based on the tribal citizenry of 11,900 persons, the Tribe shall have 180 votes, in accordance with Article IV, Section 3 of the NCAI Constitution; and

BE IT FURTHER RESOLVED: that pursuant to Article V, Section 2 of the NCAI Constitution the Tribe designates the following named person(s) as Delegate and Alternate Delegate(s), and instructs them to become individual member(s) in good standing in order to fulfill their responsibilities as Official Delegates to the national Congress of American Indians 51st Annual Mid Year Convention and Executive Council Meeting.

Delegate: Deborah J. Doxtator - Chairwoman

Signature: _____

Delegate: Loretta V. Metoxen - Vice Chairwoman

Signature: _____

Alternate: Ernie Stevens, Jr. - Council Member

Signature: _____

MOTION BY JULIE BARTON TO ADOPT RESOLUTION ^{10-12-94 A} (10-12-94-B) WHICH RESCINDS RESOLUTION 09-7-94-C, SECONDED BY KATHY HUGHES, ABSTAINED BY ERNIE STEVENS, JR. AND SHIRLEY HILL, MOTION CARRIED.

FOR THE RECORD: Ernie Stevens, Jr. stated that no set protocol exists nor is there a by-law within the NCAI that dictates this. At this time we are establishing a position of the Tribe and he is in support of that. Ernie is also under the understanding that he is to remain the liaison which is not to be confused with the delegate.

2. BINGO PASS REQUESTS

- A. Booster Club (20) - Joylyn Cornelius

MOTION BY SHIRLEY HILL TO APPROVE BINGO PASS REQUEST FOR THE BOOSTER CLUB, SECONDED BY SANDRA NINHAM, MOTION CARRIED UNANIMOUSLY.

3. REQUESTS

- A. Tenant Issues Committee Report

This meeting was called per Oneida Business Committee directive, to respond to concerns and issues regarding vandalism and loitering problems in the Oneida Community. The next meeting is on October 20, 1994 at 8:30 a.m. in the Business Committee Conference Room. We will meet to discuss goals and plans to present at the Tenant Association Meeting on November 3, 1994.

MOTION BY JULIE BARTON TO APPROVE THE TENANT ISSUE COMMITTEE REPORT AS PRESENTED BY RUSSELL METOXEN AND THE NEXT MEETING OF OCTOBER 20, 1994 OF THE TENANT ISSUES COMMITTEE MEETING IS TO INCLUDE PARTICIPANTS FROM THE SOCIAL SERVICES DEPARTMENT AND AN ELDERLY REPRESENTATIVE AND TO NOTIFY HOUSING TENANTS OF THE MEETING DATES AND TO DEVELOP AN IMPLEMENTATION PLAN AT THE OCTOBER 23RD BI-WEEKLY MEETINGS AND TO BRING BACK MONTHLY REPORTS, THE NEXT REPORT TO BE DUE ON NOVEMBER 16, 1994, SECONDED BY SHIRLEY HILL, ABSTAINED BY RUSSELL METOXEN, MOTION CARRIED.

- B. Statement of Effect regarding Independent Contractor Policy

This resolution amends the Independent Contractor Policy to allow Entertainment Contracts entered into through the Communications Department, Special Events, to be exempted from the Policy.

WHEREAS, the Independent Contractor Policy adopted and approved by the Oneida Business Committee is a valuable tool for hiring Independent Contractors on a standardized basis, and

WHEREAS, contracts made and entered into between the Oneida Nation and entertainers through the Oneida Communications-Special Events Department are complicated and not subject to great change by all artists and their agents, and

WHEREAS, the Oneida Communications-Special Events Department will be unable to contract with entertainers if this policy continues to include these types of contracts and therefore requests an exception similar to that granted to construction contracts, and

WHEREAS, the Oneida communications-Special Events Department will continue to monitor and use STANDARD ENTERTAINMENT CONTRACTS closely monitored by the Tribal Attorney's Office for compliance with necessary protections for the Oneida Nation.

NOW THEREFORE BE IT RESOLVED: that the Oneida Business Committee hereby authorizes the use of non-standard contracts approved as Form IC-1 in the Independent Contractor Policy, and

BE IT FURTHER RESOLVED: that this exception shall be created by placement of the following clause in the policy for a six month period under the emergency rule set out in the Administrative Procedures Act--§2-4. This policy does not apply to construction contracts or entertainment contracts arranged through the Oneida Communications-Special Events Department.

MOTION BY SHIRLEY HILL THAT AMENDMENTS TO THE INDEPENDENT CONTRACTOR POLICY NOT BE CONSIDERED IN REGARD TO INDIVIDUAL CONTRACTS UNTIL SUCH TIME THAT THE POLICY IS AMENDED, SECONDED BY KATHY HUGHES, ABSTAINED BY GARY JORDAN, MOTION CARRIED.

MOTION BY KATHY HUGHES TO APPROVE THE REQUEST AND TO REFER TO THE GENERAL MANAGER, SECONDED BY RUSSELL METOXEN, MOTION CARRIED UNANIMOUSLY.

C. Request from Samantha Greendeer

Samantha Greendeer is offering a recommendation to hold the weekly Business Committee Agenda Review Meetings on the morning of the day preceding the meeting. Currently the afternoon meetings run until after 4:00 p.m. and this provides for no time to clarify questionable aspects of the meeting material.

MOTION BY SHIRLEY HILL TO DEFER THE REQUEST FROM SAMANTHA GREENDEER TO THE PROCESS OF SCHEDULING WHICH IS BEING UPDATED BY KATHY HUGHES AND JANICE DECORAH, SECONDED BY SANDRA NINHAM, ABSTAINED BY KATHY HUGHES, MOTION CARRIED.

D. Request from Paul Smith

Paul is requesting to make a presentation to the Business Committee as to historical/traditional process of judiciary in dealing with acts against/towards other community/nations members.

MOTION BY KATHY HUGHES TO REFER THE REQUEST FROM PAUL SMITH TO SHIRLEY HILL FOR REVIEW BY THE JURISDICTIONAL COMMITTEE, SECONDED BY GARY JORDAN, MOTION CARRIED UNANIMOUSLY.

MOTION BY ERNIE STEVENS, JR. TO REFER FURTHER DISCUSSION TO EXECUTIVE SESSION AT 3:30 P.M. TODAY, SECONDED BY JULIE BARTON, MOTION CARRIED UNANIMOUSLY.

E. Request regarding Senate Majority Leader Mike Ellis - Sandra Ninham - Deferred to Travel Requests

Sandra Ninham is requesting someone to attend the fundraiser for Senate Majority Leader Mike Ellis on Friday, October 14, 1994 in Milwaukee, Wi. The Oneida Political Conduit has already sent a \$300 contribution to this campaign.

F. Request regarding the Food Distribution Program - Nori Damrow

The request is to transfer already appropriated \$240,000 to an active CIP account. Funds will be used for programming and final definition of scope of work and design the remainder will be transferred to construction activities.

MOTION BY KATHY HUGHES TO REFER THE REQUEST REGARDING THE FOOD DISTRIBUTION PROGRAM TO THE GENERAL MANAGER FOR APPROPRIATE PAPER WORK

TO INCLUDE A COST BREAKDOWN OF THE REQUEST, SECONDED BY ERNIE STEVENS, JR., MOTION CARRIED UNANIMOUSLY.

G. Request regarding the Gaming Monitoring Committee - Kathy Hughes - Referred to Executive Session.

Members of the Gaming Monitoring Committee are meeting on a regular daily basis. According to the resolution adopted by General Tribal Council they were to meet a minimum of 1 time every two weeks. In addition, all action relates to a committee based activity and not individuals. Therefore reimbursement/stipends should be based on the activity of the committee as a whole which if done in accordance with all other committees is documented by minutes from duly called meetings.

I do not recall a discussion at General Tribal Council that would lead me to believe this committee would be putting in time commensurate with that of a full time employee. The approval of by-laws was an attempt to provide some structure to guide this Committee's activities. Because of the continued excessive time being utilized by individuals to carry out General Tribal Council action which is not documented by committee meeting minutes, I am recommending the Business Committee take action to limit this committee to no more than eight (8) hours of meeting time per week. This is more than double what GTC authorized for a minimum and therefore should be adequate. If it is not, I am sure they will correct us in January when the report is given.

H. Request to transfer funds - Wilbert Rentmeester

Mr. Rentmeester is requesting approval to transfer funds from the Fiscal Year 1994 Capital Project Business Park Infrastructure. Request \$880,000. This is the balance of funds for this phase.

MOTION BY KATHY HUGHES TO APPROVE THE REQUEST TO TRANSFER FUNDS OF \$880,000. TO THE BUSINESS PARK INFRASTRUCTURE, SECONDED BY SHIRLEY HILL, MOTION CARRIED UNANIMOUSLY.

I. Request regarding the CIP project approval - Vickie Cornelius

Vickie is requesting approval of the CIP project and funds to get through the programming/planning phase.

MOTION BY KATHY HUGHES TO REFER THE REQUEST REGARDING THE CIP PROJECT APPROVAL TO THE GENERAL MANAGER FOR A BUDGET BREAKDOWN, SECONDED BY JULIE BARTON, MOTION CARRIED UNANIMOUSLY.

J. RETRO APPROVAL regarding GLITC - Deborah Doxtator

Memorandum of Agreement, Great Lakes Inter-Tribal Council and Senior Center.

The parties agree to abide by the attached basic provisions and Senior Companion Program Guidelines, which become part of this agreement. The Volunteer Station Representative, in coordination with the Sponsor, shall be directly responsible for volunteer recruitment, orientation and supervision. The Volunteer Station Representative who will serve as liaison with the Sponsor is: Roberta Kinzhuma. This agreement may be amended with thirty days notice for a major alteration of terms and immediately for a minor change by either of the parties. Consider this Memorandum of Understanding to be in effect January 1, 1994 through December 31, 1994.

A. SPONSOR'S OBLIGATIONS

1. Place 10 Senior Companions to serve 50 older persons with exceptional needs for a period of 20 hours per week with approval of the SCP Project Director in accord with SCP guidelines.
2. Recruit, interview, enroll and refer volunteers in the project in coordination with the Site Supervisor.
3. Provide orientation to volunteer station staff prior to placement of volunteers and at other times as appropriate.
4. Refer volunteers to the volunteer station for individual assignment.
5. Furnish residual accident and liability insurance coverage as required by SCP project guidelines.
6. Retain full responsibility for the management and fiscal control of the project.
7. Provide travel reimbursement of \$.18 per mile for transportation of all SCP volunteers to and from the volunteer station, or to and from the clients' home.
8. Arrange physical examinations for all Senior companions, initially prior to assignment and annually thereafter.
9. Within the limits of available resources and project policy, insure volunteers are provided or receive assistance with the cost of a meal taken during the service schedule.
10. Specify activities to be performed by the volunteers under the direction of the volunteer station in cooperation with the SCP staff.
11. Provide in-service training for volunteers at least once a month for four hours.
12. Insure a written Letter of Agreement is signed authorizing service in home by the Senior Companion and specifying volunteer activities to be performed.
13. In cooperation with the project Advisory Council, arrange for appeal procedures to resolve problems arising between the volunteer, the station and/or the sponsor.

B. VOLUNTEER STATION'S OBLIGATIONS

1. If additional funding is available, a Site Coordinator may be designated to serve as liaison with the Station representative and the project. Name of SCP Coordinator: Arlene Elm.
2. Provide supervision of volunteers on assignment in coordination with the sponsor.
3. Provide Senior Companions with assignments which utilize their skills and training.
4. Assist Sponsor in the coordination of volunteer assignments, orientation, in-service instruction and other project-related activities. Periodically, review each client's continued need for a Senior Companion and to recommend phase-out or reassignment of a Senior Companion as necessary.
5. Have the right to request the sponsor to reassign a volunteer.
6. Provide for adequate health and safety protection of volunteers.
7. Collect and validate appropriate volunteer reports for submission to the Sponsor.
8. In consultation with the sponsor, make investigations and reports regarding accidents and injuries involving volunteers.
9. Obtain a written Letter of Agreement prior to assignment of Senior Companions in homes of clients served, specifying volunteer activities to be performed. This Letter of Agreement will be signed by the Volunteer Station Representative and/or Coordinator and the person to be served in the home or his/her legal representatives.
10. Provide cash and inkind contribution(s) in support of the Project.

MOTION BY KATHY HUGHES TO APPROVE THE MEMORANDUM OF AGREEMENT BETWEEN THE GREAT LAKES INTER-TRIBAL COUNCIL AND THE SENIOR CENTER, SECONDED BY ERNIE STEVENS, JR., MOTION CARRIED UNANIMOUSLY.

K. Request from Planning Department - Leanne Doxtator

Request is regarding the necessary approvals for the new Oneida Health Center, Anna John Nursing Home, and the new Oneida Police Department.

Discussion of planning of tribal facilities.

MOTION BY JULIE BARTON TO HOLD A SPECIAL MEETING OF THE BUSINESS COMMITTEE, HEALTH BOARD, ANNA JOHN NURSING HOME BOARD, THE RESPECTIVE ADMINISTRATORS AND PLANNING DEPARTMENT IN REGARD TO THE ANNA JOHN NURSING HOME NEEDS TO BE HELD WITHIN THIRTY (30) DAYS, SECONDED BY KATHY HUGHES, MOTION CARRIED UNANIMOUSLY.

MOTION BY KATHY HUGHES TO AUTHORIZE THE TRANSFER OF FUNDS FOR THE PLANNING OF THE HEALTH CARE FACILITY, SECONDED BY ERNIE STEVENS, JR. MOTION CARRIED UNANIMOUSLY.

4. CONTRACTS/AGREEMENTS

FOR INFORMATION:

- A. Family Service Association of Brown County - Bob Fresen
- B. Jane Morrow - Debra Danforth
- C. Victoria Goff - Ronald Baba
- D. Toni Damkoehler - Ronald Baba
- E. David Damkoehler - Ronald Baba
- F. Jeffrey Benzow - Ronald Baba
- G. Rita Janaky - Bruce King

MOTION BY ERNIE STEVENS, JR. FOR KATHY HUGHES TO REQUEST THE CHIEF FINANCIAL OFFICER TO PUT THE CONTRACT FOR RITA JANAKY IN PROPER FORM, SECONDED BY SHIRLEY HILL, ABSTAINED BY KATHY HUGHES, MOTION CARRIED.

FOR APPROVAL:

- H. Extension on Contracts from Land Claims Office (3) Marsh & Associates; Sawchuk, Brown Associates; Terri L. Tronstein

MOTION BY SANDRA NINHAM TO DEFER THE EXTENSION OF CONTRACTS FROM THE LAND CLAIMS(3) MARSH AND ASSOCIATES; SAWCHUK, BROWN ASSOCIATES; TERRI L. TRONSTEIN UNTIL THE END OF THE MONTH (OCTOBER 26, 1994), SECONDED BY RUSSELL METOXEN, MOTION CARRIED.

- I. Grant Thornton - Kathy Hughes

MOTION BY SHIRLEY HILL TO APPROVE THE GRANT THORNTON CONTRACT AMENDMENTS, SECONDED BY ERNIE STEVENS, JR., MOTION CARRIED UNANIMOUSLY.

5. TRAVEL REQUESTS

- A. Loretta Metoxen: October 28-29, 1994 to Rapid City, S.D.
RE: Veterans Symposium

MOTION BY ERNIE STEVENS, JR. TO APPROVE THE TRAVEL REQUEST FOR LORETTA METOXEN FROM OCTOBER 28-29, 1994 TO RAPID CITY, SOUTH DAKOTA REGARDING VETERANS SYMPOSIUM, SECONDED BY SANDRA NINHAM, ABSTAINED BY SHIRLEY HILL, MOTION CARRIED.

- B. Sandra Ninham and Loretta Metoxen: November 16-19, 1994 to Albuquerque, NM
RE: Coalition for Indian Education

MOTION BY ERNIE STEVENS, JR. TO APPROVE THE TRAVEL REQUEST FOR SANDRA NINHAM AND LORETTA METOXEN FROM NOVEMBER 16-19, 1994 TO ALBUQUERQUE, NM REGARDING THE COALITION FOR INDIAN EDUCATION, SECONDED BY SHIRLEY HILL, SHIRLEY HILL WITHDRAWS SECOND, SECONDED BY KATHY HUGHES, ABSTAINED BY SANDRA NINHAM AND SHIRLEY HILL, MOTION CARRIED.

C. Sandra Ninham: October 15-19, 1994 to St. Paul, Minnesota
RE: National Indian Education Association - **Request Deleted**

D. Russell Metoxen: October 24 - 27, 1994 to Tempe, Arizona
RE: Indian Land Consolidation Symposium

MOTION BY SHIRLEY HILL TO APPROVE THE TRAVEL REQUEST FOR RUSSELL METOXEN FROM OCTOBER 24 - 27, 1994 TO TEMPE, ARIZONA REGARDING THE INDIAN LAND CONSOLIDATION SYMPOSIUM, SECONDED BY SANDRA NINHAM, ABSTAINED BY RUSSELL METOXEN, MOTION CARRIED.

E. Loretta Metoxen and Gary Jordan: Regarding the Fundraiser for Senate Majority Leader Mike Ellis on Friday, October 14, 1994 in Milwaukee, WI

MOTION BY ERNIE STEVENS, JR. TO APPROVE TRAVEL FOR LORETTA METOXEN AND GARY JORDAN TO ATTEND THE FUNDRAISER FOR SENATE MAJORITY LEADER MIKE ELLIS ON OCTOBER 14, 1994 IN MILWAUKEE, WI, SECONDED BY SANDRA NINHAM, ABSTAINED BY SHIRLEY HILL, MOTION CARRIED UNANIMOUSLY.

MOTION BY ERNIE STEVENS, JR. TO RECESS UNTIL 1:30 P.M., SECONDED BY SHIRLEY HILL, MOTION CARRIED UNANIMOUSLY.

ITEM F. UNDER EXECUTIVE SESSION IS DELETED PER REQUEST OF ATTORNEY GERALD L. HILL.

MEETING RECESSED: 12:00 P.M.

6. VACATION REQUESTS

VIII. OTHER

IX. EXECUTIVE SESSION

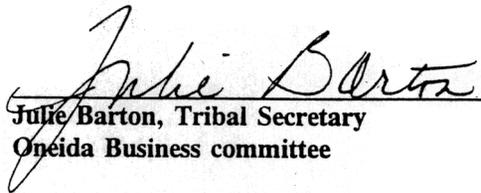
Minutes from the Executive Session can be obtained through the Tribal Secretary.

X. RECESS/ADJOURN

MOTION BY SANDRA NINHAM TO RECESS, SECONDED BY JULIE BARTON, MOTION CARRIED UNANIMOUSLY.

MEETING ADJOURNED: 4:45 P.M. - LORETTA METOXEN

Respectfully submitted,



Julie Barton, Tribal Secretary
Oneida Business committee

Minutes prepared and typed by:

Samantha Greendeer

Approved as corrected on **OCTOBER 26, 1994**