

Oneida Tribe of Indians of Wisconsin



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

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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.

**SPECIAL
BUSINESS COMMITTEE MEETING
TUESDAY, FEBRUARY 7, 1996
Norbert Hill Center, 2nd Floor Conference Room
Re: ANNUAL MEETING**

PRESENT: Loretta V. Metoxen Vice-Chair, Julie Barton- Secretary, Gary Jordan, Shirley Hill, Sandra Ninham, Ernie Stevens, Jr., Russell Metoxen-Council Members

OTHERS: Mary Dodge, Warren Skenandore, Prudence Doxtator, Marjorie E. Stevens, Raeann Skenandore, Molly Pastorino, Frank Doxtator, Wilbert Rentmeester, Mary E. Greendeer, Winifred Skenandore, Gwenevere Skenandore, Rose Lipher, Pearl Webster, Brian A. Doxtator, Roberta Kinzhuma, Thelma McLester, Cherly Sholaski, Wanda Webster, Pearl McLester

EXCUSED: Deborah Doxtator-Chair, Kathy Hughes- Treasurer

MEETING CALLED TO ORDER AT: 3:00 p.m. by Loretta V. Metoxen

The Vice-chair stated in the absence of General Tribal Council, the Business Committee had the duty to act on these items, discussion will be from whomever cared to discuss on the matters. Due to a lack of a GTC Quorum of January 22, 1996, the Business Committee will be addressing the following agenda from the GTC Annual Meeting Book of January 6, 1996:

ONCOA Report - Special Meeting with Oneida Business Committee - January 16, 1996

The Vice-Chair read the meeting minutes from that meeting of January 16, 1996:

Present: Franklin Doxtator, Warren Skenandore, Pearl McLester, Emerson John, Mary Dodge, Winnefred Skenandore, Prudy Doxtator, Debbie Doxtator, Loretta Metoxen, Sandra Ninham, Shirley Hill, Gary Jordan, Kathy Hughes, Julie Barton, Ernie Stevens, Jr. Pearl House, Marj Stevens, Ron John, Ron McLester, Wendell McLester, Trish Farmer, Art Skenandore, Gwen Skenandore, Brandon Cooper.

Excused: Margaret Skenandore Not available: Hugh Danforth

Special meeting with Oneida Business Committee regarding proposed plan for elderly apartments in place of current CBRF planning.

Special Business Committee Meeting re: Annual Meeting of January 6, 1996

Discussion was held regarding elderly services in relation to elderly apartments, special housing needs of elders, and expanded services. A consensus was requested to be reported to General Tribal Council on January 22, 1996. As final agreement, the ONCOA Board took action as follows:

Franklin Doxtator made a motion to go with the proposed plan for elderly apartments, but to set a three (3) year time line to complete the CBRF; to have funding available in the '97 budget process and include codes that will be developed by the Oneida Tribe to assure that the CBRF will not need to be State regulated. Emerson John seconded. Motion carried.

It is further understood that the Community Development Housing Department will be completing seventeen (17) replacement homes and forty (40) home improvement projects in '96, specifically for elders, which was option B on the Budget Analysis presentation material.

The Vice-Chair stated that was the action taken and reported during the budget and accepted as part of the Budget presentation which was approved by General Tribal Council. There are a number of pack-up information in terms of the Oneida Elder Survey taken, Marge Stevens was the leader in that survey and was present at that meeting to explain, that covered the report.

Discussion:

Mary Greendeer asked if the Memorandum of Agreement that was made between the Elderly and GTC in 1990 that was signed by Rick Hill and Lee McLester was rescinded before all this action was taken, what did they do with that, or could they just push that aside?

The Vice-Chair stated her understanding was that the MOA was for Community Based Residential Facility specific and they're still working on the CBRF in the future, but they weren't working on it right now. They couldn't push anything aside, but that addressed the CBRF only, this had been approved for apartments.

Mary Greendeer asked if they could push an MOA aside in order to accomplish someone else's idea. The community wanted to know what happened to the original thing they voted on for the CBRF.

The Vice-Chair stated the community had voted on it again through the budget and recommendations that were made by the Commission on Aging, the Business Committee and Department of Development. All those recommendations were consolidated and this is the action as a result of those recommendations.

Mary Greendeer asked if it was the duty of the Business Committee to erase that MOA to start clean on this other, or would it be left out there, some people didn't understand that, wasn't something being done through the professional people (Business Committee).

The Vice-Chair stated it had not been addressed through the Business Committee at this time

Mary Dodge thought they should understand the original architects were holding this up in court, therefore nothing could really be done, it was recommended that we put CBRF exactly as it was on hold until the court settled. In the meantime, that was on hold and they were going ahead with the apartments and housing for the elderly. She asked Mary Greendeer if she understood that.

The Vice-Chair stated under the MOA at this time, they are dealing with the Commission on Aging and the Special meeting as a result of meeting with the Business Committee.

Ernie Stevens, Sr. stated the MOA approach worked well in getting two bodies to come to an understanding on how thing would be done and thought that the Vice-Chair might consider that the ONCOA Board and themselves might set

up a similar thing, just because things went wrong, didn't mean the MOA was good. Considering that Frank made the motion and other things were said, it would help our Division and departments in how we did things as well. Maybe it was a good idea to clear it out and set up an agreement as it related to how they would do this.

The Vice-Chair asked if he meant another MOA, to which he replied "yes, clearing it out and making a new one right to the occasion instead of leaving something hanging, it contributed to understanding".

The Vice-Chair suggested that it was something the Commission on Aging and the Development Department could work with, both entities get together to recommend something to the Business Committee for action.

Brian Doxtator wanted clarification how the architect firm could hold property rights over structure that traditionally belonged to our ancestors. He wanted them to be brought to court, it was degrading that they said they had property rights. He didn't know if this was the time for it.

Shirley Hill commented on the MOA, Article 3, Item 2 of the MOA which stated the Tribal attorney should be designated as the legal representative of the tribe regarding this MOA, a tribal attorney shall assist the Commission and Committee of any amendments that may be required during the project period. According to this MOA, they would have to go back through legal and have them assist in what we should do in regard to amending or dissolution of this MOA.

The Vice-Chair stated this discussion was good, many parties here had an interest, but they needed to stay on target to get through the agenda.

Ernie Stevens, Sr. said it was his understanding that they could proceed at this point, and explained the history, based on the copy right issue, the architect used that in an attempt to hold the project up knowing full well that it was a nuisance value, if that had gone to court, the architect could have lost and possibly paid the money back to us, but what he utilized was nuisance value that would hold us up, in order to cut down on the inconvenience, we'd have to deal with him. He knew that council had discussed with him the fact that they better stop getting cute because if we beat them, they'd have to pay us the money back. They knew that.

The Vice-Chair stated the chronological order was that they did design the building, that they were paid for their design, they wanted more then what was originally intended and that we are not now using their design.

Ernie Stevens, Sr. stated that it was written into the contract that was our property and stipulated that the plans belonged to us.

The Vice-Chair stated that in holding us up, it was intended that the project would cost us more money and that was what we didn't want it to do. We wanted to have the services and facility for the elders, so we took a different tangent that was recommended to everyone.

Nancy Pastorino stating in looking at the CIP page and wanted to know if that could be discussed here.

The Vice-Chair replied that they need to stick to the Commission on Aging report and explained that they needed to stick to the agenda and recommended that they not forget their questions and get them answered, for now, they needed to stick to the Commission on Aging report.

MOTION BY JULIE BARTON TO ACCEPT THE REPORT OF THE JANUARY 16, 1996 SPECIAL MEETING BETWEEN THE ONEIDA BUSINESS COMMITTEE, ONCOA AND THE DEVELOPMENT DIVISION WITH THE SPECIFIC RECOMMENDATIONS TO PROCEED WITH THE PLAN FOR THE ELDERLY APARTMENTS, ASSURE THAT THE CBRF WOULD NOT BE STATE REGULATED, AND TO COMPLETE THE 17 REPLACEMENT HOMES AND THE 40 HOME IMPROVEMENT PROJECTS IN 1996

SPECIFICALLY FOR THE ELDERS, SECONDED BY SHIRLEY HILL.

Discussion:

Gwenevere Skenandore asked if that meant the apartments would be started in 1997, the money would be available in 1997.

The Vice-Chair stated the apartments would begin as soon as they could break ground.

Nancy Pastorino asked if what was built was just going to sit there.

The Vice-Chair clarified that the footings would be part of the new structure.

Vote on the motion:

MOTION BY JULIE BARTON TO ACCEPT THE REPORT OF THE JANUARY 16, 1996 SPECIAL MEETING BETWEEN THE ONEIDA BUSINESS COMMITTEE, ONCOA AND THE DEVELOPMENT DIVISION WITH THE SPECIFIC RECOMMENDATIONS TO PROCEED WITH THE PLAN FOR THE ELDERLY APARTMENTS, ASSURE THAT THE CBRF WOULD NOT BE STATE REGULATED, AND TO COMPLETE THE 17 REPLACEMENT HOMES AND THE 40 HOME IMPROVEMENT PROJECTS IN 1996 SPECIFICALLY FOR THE ELDERS, SECONDED BY SHIRLEY HILL. MOTION CARRIED.

Item III. - OLD BUSINESS, Section F-H

F. Business Committee Report

1. Oneida Business Committee Job Descriptions
2. Constitutional Review Committee Recommendations
3. Attorney Opinion
4. Business Committee Recommendations

Discussion:

Mary Dodge stated the Constitutional Review Committee's recommendation on having minimal qualification for candidates, pointing out that was always the case since 1936, why did they even need to discuss that.

Julie Barton clarified that the General Tribal Council directed that qualifications for the Business Committee be directed to the Constitution Committee, and that this was a follow-up to that directive.

Mary Enda Greendeer stated she came here to ask a question as a result of a GTC in 1990 when the duties of the Business Committee was on that agenda. It stated in the qualifications that they could not have committed a felony while on the Business Committee, it wasn't stated in this book for the annual meeting, January 1996 and asked why that wasn't carried through. She wanted to know if that was going to be put in only when your on the Business Committee or before you could qualify to sit on the Business Committee. She didn't think that resolution had been rescinded since it was adopted in 1990.

The Vice-Chair stated that if she could bring in a quote and things on that, she would look that up, her understanding was that those qualifications would be in the Election Ordinance. To her knowledge it was not included in the Election Ordinance.

Mary Enda Greendeer replied that there was a whole packet on the duties and responsibilities of the Business Committee, it was number 11 under the Council Members, stating "could not have committed a felony while on the Council." Her question was why wasn't it before you get on the Council.

Brian Doxtator stated he didn't believe that was passed, it would have meant amending the Constitution. He didn't remember if it was tabled, but he didn't think it was passed for that reason.

The Vice-Chair stated she knew that the Election Ordinance didn't address persons who may have had a felony.

Brian Doxtator stated in regard to those qualifications, the major one's that they wanted to take out, was that you had to live in the community when running for the position, they wanted to lower the age to 18 to participate as a GTC voting member, in essence they would also be allowed to run for an elected position, that you had to be a natural born citizen, with an ideal of citizenship as a blood quantum issue. Many people were in fear that true Oneida's would not be in our elected positions anymore if we were to start adopting and so forth. They spoke of these as qualifications that were under discussion.

Nancy Pastorino wanted Brian Doxtator to define "true" Oneida, natural born citizen of Oneida.

The Vice-Chair stated she saw it as him meaning as natural born vs. naturalized, ie. someone adopted into the tribe. She recommended to the Business Committee to accept the reports starting on page 154-169 regarding qualifications for Oneida Business Committee members.

The Vice-Chair clarified that there was no quorum at the previously scheduled continuation of the Annual GTC Meeting and that GTC did not vote at this special meeting but they had every opportunity to address every issue. The announcement stated earlier stated "Due to a lack of a quorum, the Business Committee would address the following agenda". That has been the usual procedure for a long time.

Gary Jordan asked if they approved these reports, they'd be approving them as written, to which she replied "yes".

MOTION BY GARY JORDAN TO ACCEPT THE REPORTS WITH ADDENDUMS TO PAGE 155, "EXPENSES SHALL NOT EXCEED FIFTY PERCENT OF THE BUSINESS COMMITTEE MEMBER'S SALARY", HE WOULD LIKE TO SEE THAT CHANGED TO THIRTY PERCENT, IN REVIEWING THE REPORTS, IF YOU HAD TO SET A MEANS OR AVERAGE, YOU'D SEE THAT ON THE AVERAGE THEY DIDN'T GO ABOVE \$15,000 AND THOUGHT THIRTY PERCENT WAS APPROPRIATE.

ON PAGE 158 HE'D LIKE TO SEE IN HIS MOTION AN ADDENDUM MADE TO ITEM 9" FINANCE AND APPROPRIATION COMMITTEE" TO READ "FINANCE COMMITTEE".

ON PAGE 163 HE'D LIKE TO MAKE ADDITIONS SO THAT THERE WOULD BE EQUITY IN TASKS AS COUNCIL MEMBER, HE'D LIKE NUMBER 11 TO READ "COUNCIL MEMBERS WOULD EQUALLY SHARE THEIR RESPONSIBILITY IN PROACTIVELY PROTECTING THE ONEIDA TRIBE FROM ADVERSE LOCAL, STATE AND FEDERAL LEGISLATION THAT IMPEDES ON OUR OPERATIONS AND/OR SOVEREIGNTY. SECONDED BY SANDRA NINHAM.

Discussion:

Shirley Hill stated on page 155 regarding fifty percent of the Business Committee's salary, she wanted to know if that would hinder the actions that many council members would have to take in regard to travel, ie. lobbying, she thought that council members would have discretion to limit themselves at fifty percent and under.

Gary Jordan commented that if you're over that limit, a special request with the Finance Committee to appropriate more money to your budget expense line item as a council member and bring it forward to the Business Committee for specific additional action and approval.

Shirley Hill asked if there was a set budget, who would that be done, where would the money come from?

Gary Jordan stated that they make an exception to that and that would be finalized by GTC in the final six month report.

Russell Metoxen was concerned, asking, where they accepting the reports, approving the reports or amending the reports. He asked how did GTC approve this, would we bring it back?

The Vice-Chair stated "No, we were acting instead".

Julie Barton stated that the GTC directive was to note the job description qualifications in the Constitution itself and recommended they accept the recommendations of the attorney, Business Committee and Constitution Review Committee and that modifications be done in a separate motion because this related to the constitution itself, placing job descriptions specifically in the Constitution which was the directive of GTC. The addendums to the job descriptions, which could be amended, deleted in any form at this point, did not relate to the Constitution.

Ernie Stevens, Sr. wanted to clarify in particular, the Treasurer's duties. He took issue with the job description on the basis that there are constitutional issues involved, at least two GTC resolutions passed related to this, which he'd take up at another time, he reminded the Business Committee, even acting in place of GTC, in order to give the Treasurer some of the duties we had here, they'd have to over ride at least one law and at least one resolution. In General Council, he was going to challenge the right of the Treasurer to even handle the budget, he didn't want to do that now.

He pointed out to the Business Committee that when they passed something that counters a GTC resolution, they'd have to over ride it by beating it by 2/3rd. So you can't give the Treasurer duties she did not have according to the law, there was even Constitutional parts to this, he suggested they take this to Legal Council. He was bringing it up because he didn't want to hear later on that GTC established the Treasurer's duties, whether the Business Committee was acting for them or not. They'd have to set up a notice and override 2-25-82, and the Administrative Procedures Act to give her those powers. He didn't want to challenge or argue it now, he was just saying, that's the law.

The Vice-Chair stated on page 158, it stated Duties of the Treasurer where approved by GTC on July 30, 1990. If they have been inappropriate, they have been inappropriate since that time.

Ernie Stevens, Sr. stated you couldn't just pass a resolution with something outstanding, you had to over ride the standing resolution.

The Vice-Chair stated she understood that, what she was stating was that there was a chronology to this, she understood the 1982 resolution predates this GTC action of July 30, 1990, so she took that under advisement.

Ernie Stevens, Sr. also pointed out the Administrative Procedures Act was passed in 1991.

GARY JORDAN WITHDREW HIS MOTION.

MOTION BY GARY JORDAN TO ACCEPT THE CONSTITUTIONAL REVIEW COMMITTEE REPORT AND THE CHIEF COUNCIL'S REPORT, SECONDED BY RUSSELL METOXEN.

Discussion:

Mark Powless stated in regard to Gary Jordan's motion, he was trying to understand the rationale and wanted clarification indicated under the position descriptions as it related to the Council Members position where he had added a number 11, was he withdrawing that now and asked Gary Jordan a question on his comment "an equal share of responsibility by the Business Committee" and wanted him to expand on that in terms of his rationale.

Gary Jordan replied the rationale succinctly on that issue was that some of them got burnt out dealing with specific issues and lobbying the assembly and congress, say, five to seven times in a four month period. The people we had to work and deal with at a federal level show a lot of disrespect, it was disheartening to sit and talk with those people and try and draw upon them some type of empathy. He had hoped with that clause, that everyone would take their share, physically, mentally and monetarily.

Mark Powless asked if he was saying what he'd encountered right now at this point, he didn't want to put any words in his mouth trying to understand what he was saying, was that the responsibility that the Council's taken on is not being shared by the entire Council and that it's only certain members of the Council that are taking on all the responsibilities?

Gary Jordan replied he couldn't subjectively make that statement, he'd have to look at all the travel reports and hours involved in lobbying. Some of the lobbying could be done through phone calls and memorandums.

Mark Powless said he was thinking in terms of the concerns Gary had, perhaps there was a better way to deal with it rather than deal with it the way he was proposing to deal with it, that was why he asked for the rationale.

Julie Barton stated this might help and she read a motion made at a GTC meeting of July 11, 1994: the motion was by Carol Liggins stating the revised Business Committee qualifications for the officers be directed to the Constitution Review Committee to review and redraft and be included in the Constitution, seconded by Celene Elm. The motion was carried.

The issue as she understood it, was to revise them and put them in the Constitution itself. That was their concern, once it got into the Constitution, it was fixed, once the Constitution was amended or changed should not be subject to changing times which were occurring rapidly within our community and tribal affairs. That's why they brought it back with recommendations, and asked the Business Committee to have a recommendation as well as an attorney's. Everyone was stating it shouldn't be placed in the Constitution, that was the final recommendation. They could have all the job descriptions, there where concerns of changing some of the duties and responsibilities, and recommended if there were any, that they place it back on the July GTC meeting with the recommendations and that they be again, approved by GTC as they had been in 1990, many things have changed in the last six years. These job description are subject to change, the Constitution itself was not subject to change unless it went through the lengthy process of every tribal members information.

Vote on the motion to accept the report:

MOTION BY GARY JORDAN TO ACCEPT THE CONSTITUTIONAL REVIEW COMMITTEE REPORT AND THE CHIEF COUNCIL'S REPORT, SECONDED BY RUSSELL METOXEN. MOTION CARRIED.

G. Resolution on Trust\ Enrollment Separation- Ernie Stevens, Jr.

Ernie Stevens, Jr. stated that he wouldn't be addressing this item as he no longer served as Chair of the Trust Committee. Lois Strong was currently the chair, he knew as briefly as he could state it, he knew that on the Trust Committee side, Raeann Skenandore as a staff person with a sub-committee with the Trust\Enrollment Committee, had worked diligently on that and they're prepared to bring recommendations to the Trust Committee and as a result, to the Business Committee from that stand point. He didn't know the status from the Enrollment side, it was possible that Cherly

Skolaski could give an update on that. The Chair of the Trust Committee was not present, but the vice-chair was, he respectively yield to those elected members of that body and staff.

The Vice -Chair asked who would address this?

Barbara Cornelius asked as a member of the Trust Committee, they would like GTC to pass this resolution which stated that the Trust and Enrollment Committee's responsibilities have grown so much that they recommend having a Trust Committee and an Enrollment Committee. In the final Now Therefore Be It Resolved, the dates needed to be change from January 1996 to July 1996 and the day of February 28, 1996 to July 7, 1996. They would request that they approve this resolution:

Resolution on Trust\Enrollment Separation

- WHEREAS, the Oneida Tribe of Indians of Wisconsin is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States, and
- WHEREAS, the Oneida General Tribal Council is the governing body of the Oneida Tribe of Indians of Wisconsin, and
- WHEREAS, the Oneida General Tribal Council has delegated all authority to conduct the affairs of the funds held in trust by the Oneida Tribe of Indians of Wisconsin to the Oneida Trust Committee, pursuant to the Emigrant Indian Trust of 1977, Oneida General Tribal Council Resolution 1-8-77-C, and
- WHEREAS, the Oneida Trust Committee has been designated as the fiduciary of a number of other tribal funds, including the 1994 Minor Per Capita Trust, and also serves as monitor of funds held on behalf of the Oneida Tribe of Indians of Wisconsin by the Bureau of Indian Affairs within the Department of the Interior of the United States, and
- WHEREAS, the Oneida Trust Committee, as delegated by the Oneida General Tribal Council Resolution 6-2-84-A, has also acted as the authority responsible for management of the official rolls of the Oneida Tribe of Indians of Wisconsin and for all other aspects of enrollment and has performed in this capacity continuously since 1977, and
- WHEREAS, The Oneida Tribe of Indians of Wisconsin within the last four years has experienced a period of rapid growth, during which the responsibilities of every facet of tribal operations has increased at an exponential rate, and
- WHEREAS, the expertise required for all tribal operations, including the enrollment and trust functions carried out by the Oneida Trust\Enrollment Committee has become increasingly complex, requiring specialized training for personnel employed in each of these fields as well as the fiduciaries ultimately responsible, and
- WHEREAS, the present allocation of authority over both the trust and enrollment functions has become too tremendous for the proper provision of services to the General Tribal Council Oneida Tribe of Indians of Wisconsin, and
- WHEREAS, the Oneida Trust Committee and the Oneida Business Committee have met and made a determination that it is in the best interest of the Oneida Tribe to divide the trust and enrollment functions that are currently under the authority of the Oneida Trust Committee,

NOW THEREFORE BE IT RESOLVED: That the General Tribal Council finds that it is in the best interest of the Oneida Tribe of Indians of Wisconsin that the Oneida Trust Committee separate the functions of trust and enrollment currently within this scope of authority, and

BE IT FURTHER RESOLVED: That the Oneida Trust Committee and the Oneida Business Committee appoint a Task Force to devise a plan for this division of responsibilities and to draft the documents necessary for such changes, and

BE IT FINALLY RESOLVED: That the Oneida Trust Committee and the Oneida Business Committee shall present this plan and the documents necessary to implement the plan to the General Tribal Council at the semi-annual meeting in July of 1996 or at a special meeting called for that specific purpose on or before July 7, 1996.

MOTION BY GARY JORDAN TO ADOPT SPECIAL RESOLUTION 2-07-96-A WITH THE AMENDMENTS, SECONDED BY SHIRLEY HILL. MOTION CARRIED.

Julie Barton commented on the section which stated that the Business Committee appoint a task force to devise a plan and asked if a task force was now functioning for some of this transition.

(?) Stated that two task force had already been created. Originally, the Business Committee was included in that task force, but since attendance was a problem, we narrowed it down, right now on the Trust side, there was herself, Christopher Powless, Aurene Martin, on the Enrollment side, it was Cherly Skolaski, Lois Strong and Aurene Martin.

Julie Barton asked the Business Committee if they would like to assign this separation and the transition plan to this committee for the record, or was it already on record?

The Vice-Chair suggested that the item for appointing the task force to devise this plan be put on the Business Committee Agenda.

MOTION BY GARY JORDAN THAT THE ITEM OF THIS RESOLUTION STATING THAT THE BUSINESS COMMITTEE APPOINT A TASK FORCE TO DEVISE A PLAN BE PUT ON THE REGULAR BUSINESS COMMITTEE AGENDA, SECONDED SANDRA NINHAM. MOTION CARRIED.

Nancy Pastorino asked about interest paid to minor trust accounts.

The Vice-Chair stated she could obtain the plan from the Trust office, the answer to her question was yes, interest was accumulated, she then went on to the Gaming Monitoring Committee Report, it was her understanding that the Gaming Monitoring Committee had requested a special GTC meeting to give this report and asked Mary Enda if that was correct. So they didn't need to get into that section today.

Julie Barton suggested that a specific motion be made to that effect.

Shirley Hill stated that a specific motion had already been made at the regular Business Committee meeting.

The Vice-Chair understood it to mean that Julie wanted to get it off the GTC agenda, so a motion would be in order to address item H 1-4 at the Special GTC meeting scheduled for February 26, 1996.

MOTION BY RUSSELL METOXEN THAT GTC ITEM H.1-4 WOULD BE ADDRESSED AT THE SPECIAL GTC MEETING SCHEDULED FOR FEBRUARY 26, 1996, SECONDED BY SANDRA NINHAM.

Discussion:

Mark Powless said in terms of information, reports and recommendations, etc. would that information be provided prior to the GTC meeting?

The Vice-Chair stated that was her understanding and asked Mary Enda Greendeer if that would be provided to which she responded yes.

Vote on the motion:

MOTION BY RUSSELL METOXEN THAT GTC ITEM H.1-4 WOULD BE ADDRESSED AT THE SPECIAL GTC MEETING SCHEDULED FOR FEBRUARY 26, 1996, SECONDED BY SANDRA NINHAM. SHIRLEY HILL ABSTAINED. MOTION CARRIED.

Item IV - New Business, Section A-B

- A. General Tribal Council- Legislative Operating Committee**
1. General Tribal Council Meeting Policy
 2. Resolution with Statement of Effect
 3. Business Committee Recommendation

Discussion:

Brian Doxtator strongly recommended to the Business Committee that this item be tabled or moved to July's GTC meeting. He had serious concerns with procedures and policies for GTC that would be passed by the Business Committee whereas, GTC would come upon it and say they never saw, passed or voted on it. He also had problems with the Policy itself.

Mary Dodge would like to see the title changed to the Oneida Nation General Council.

MOTION BY GARY JORDAN TO TABLE UNTIL JULY 1996 GENERAL TRIBAL COUNCIL MEETING, SECONDED BY SHIRLEY HILL. MOTION CARRIED.

MOTION BY SHIRLEY HILL TO SEND IV. NEW BUSINESS , ITEM A TO THE VOTING MEMBERSHIP TO GET INPUT AS SOON AS POSSIBLE, AND THAT THE PROCESS BE ADMINISTERED BY THE LEGISLATIVE OPERATING COMMITTEE, AND THAT THE CHAIR PROVIDE A COVER LETTER STATING EXPLANATIONS AND EXPECTATIONS AND THAT COMMENTS NEEDED TO BE RETURNED NO LATER THEN THE END OF MAY SO THAT IT WOULD MEET THE MAILING DATE FOR THE JULY GTC MEETING, SECONDED BY JULIE BARTON.

Discussion:

Sandra Ninham commented to Brian that they had public hearings on this policy and that if it was sent back to LOC, they're going to probably conduct more public hearings, would he suggest maybe community meetings held on the weekend for more community input, we did have the public hearings and we've worked on it along time, it's being tabled again, she encouraged him to get people to make comments on this so it could be done right this time.

Chaz Wheelock spoke of points that were submitted at the previous public hearing meeting, he had made points that he didn't see stated, he wondered if those could be resubmitted back to the LOC. The public hearing that he attended, what was submitted was a rather dramatic change from the way business was done now in regard to exchanging information. Specifics had been mentioned at the public hearing. He would like to resubmit them and felt that it was

the responsibility of LOC to distribute that rather than it be upon his shoulders to do that, unless they have them screened out to not be legitimate, if so, he wouldn't waste anyone's time. Then he'd do it on his own, he felt it was an issue back to the structure to distribute those comments from the public hearing.

Shirley Hill stated the process was that they went to the attorneys office for inclusion or consideration, then back to LOC, then back to the Business Committee or GTC for approval. But the packets of material, not in this case, but in some cases, packets were very thick in some cases and she didn't know how that would be distributed.

Chaz Wheelock stated that was one of the points, the distribution of information to the GTC, they needed to get into the larger reform, not only how GTC was structured, but also how we had meetings and discuss issues about changing how we function. He wanted to resubmit those points of GTC reform and have LOC distribute that as he understood the motion, would that be the process?

(?) replied yes.

Vote on the motion:

MOTION BY SHIRLEY HILL TO SEND IV. NEW BUSINESS , ITEM A TO THE VOTING MEMBERSHIP TO GET INPUT AS SOON AS POSSIBLE, AND THAT THE PROCESS BE ADMINISTERED BY THE LEGISLATIVE OPERATING COMMITTEE, AND THAT THE CHAIR PROVIDE A COVER LETTER STATING EXPLANATIONS AND EXPECTATIONS AND THAT COMMENTS NEEDED TO BE RETURNED NO LATER THEN THE END OF MAY SO THAT IT WOULD MEET THE MAILING DATE FOR THE JULY GTC MEETING, SECONDED BY JULIE BARTON. MOTION CARRIED.

- B. Resolution Regarding Enactment of a Referendum Ballot System- Matt Powless**
1. Resolution with Statement of Effect
 2. Business Committee Recommendations

MOTION BY GARY JORDAN TO REFER THIS ITEM TO THE LEGISLATIVE OPERATING COMMITTEE FOR FURTHER DEVELOPMENT AND INPUT WITH RECOMMENDATIONS , SECONDED BY SHIRLEY HILL.

Discussion:

Brian Doxtator agreed the idea was an excellent one, the Oneida Constitution already stated 50 signatures were needed to call a meeting, right now you needed 75 present to vote, he seen this as unconstitutional because it stated 200. He agreed that we needed more people involved in GTC, a special interest group of 75 could do per capita or housing for the other end. The lawyers had stated they seen no legal issue with adopting this resolution, yet he seen legal issue with the Constitution, he thought it shouldn't be passed and made reference to the GTC February 24th meeting scheduled which had a referendum ballot also. Couldn't the report be accepted and referred to the February 24th meeting?

Julie Barton stated the reason she supported deferring this to the Election Board and Legislative Operating Committee, was because there are no policies or procedures to hold a referendum, there's nothing to prevent us from having one. This motion made by Gary didn't apply what Brian spoke about because his motion was not adopting this resolution, it was to send it to other bodies to develop the policies and procedures.

Gary Jordan stated it should be followed up with GTC somehow and the motion should read with the comments made:

MOTION TO REFER TO THE LEGISLATIVE OPERATING COMMITTEE FOR FURTHER DEVELOPMENT WITH RECOMMENDATIONS FROM THE ELECTION BOARD AND THE CONSTITUTION REVIEW COMMITTEE AND BROUGHT BACK FOR THE JULY GTC 1996 MEETING, SECONDED BY SHIRLEY HILL. MOTION CARRIED.

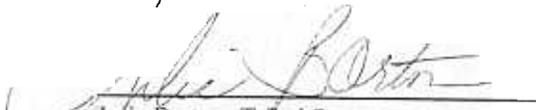
The Vice-Chair asked if there was any other business that needed to be addressed by the Business Committee on behalf of the GTC at this time. If none, a motion to adjourn would be in order.

RECESS\ADJOURN

MOTION BY JULIE BARTON TO RECESS, SECONDED BY SHIRLEY HILL. MOTION CARRIED.

MEETING ADJOURNED AT 4:25 P.M.

RESPECTIVELY SUBMITTED


Julie Barton, Tribal Secretary
ONEIDA BUSINESS COMMITTEE

Approved as presented\corrected on _____