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.

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

ONEIDA BUSINESS COMMITTEE
REGULAR MEETING
OCTOBER 29, 1997
BUSINESS COMMITTEE CONFERENCE ROOM

PRESENT: Gary Jordan - Vice Chair, Julie Barton - Secretary, Kathy Hughes-Treasurer, Sandra Ninham, Shirley Hill, Tina Danforth, Leland Danforth - Council Members

EXCUSED: Deborah Doxtator - Chair, Ernie Stevens, Jr - Council Member

OTHERS PRESENT: David Skenandore, Erv Thompson, Shane Anton, Bette Gould, Randy Jordan, Kitty Melchert, Rochelle Powless, Heidi Frechette, Kathleen Bourin, Karen Cornelius, Henrietta Oudenhoven, C. King, Daniel King, Chris Doxtator, Jim Martin, Beth Bahara, Mary Adams, David Webster, K. Metoxen, Tony Benson, Jr. Patricia Brzezinski, Brandon Cooper, Manny Ash, Own Somers, Dottie Krull

OPENING: Leander Danforth

I. CALL TO ORDER BY GARY JORDAN AT 9:00 A.M.

II. OATH OF OFFICE

Oneida Appeals Commission - Administered by Shirley Hill

-David Webster- PRESENT

III. APPROVAL OF AGENDA

A. ADDITIONS:

TO TRAVEL REPORTS:
TO REQUESTS:

9. Beth Bashara RE: The Arts Program is seeking outside sponsors for our Premiere Concert Series.

TO TRAVEL REQUEST:


TO EXECUTIVE SESSION NEW BUSINESS:

5. Kathy Hughes RE: Attorney Contract

B. DELETIONS:

MOTION BY KATHY HUGHES TO APPROVE THE AGENDA, SECONDED BY SHIRLEY HILL. MOTION CARRIED UNANIMOUSLY.

IV. MINUTES TO BE APPROVED:


CORRECT NAME UNDER OPENING - APPROVED AS CORRECTED
V. TABLED BUSINESS:

VI. REPORTS

A. HOTEL CORPORATION - (QUARTERLY: NOVEMBER/FEBRUARY/MAY/AUGUST) 2nd Wednesday of the Month - Pat Lassila

B. APPEALS COMMISSION - (JAN 10/APR 10/JULY 10/OCT 9) 2nd Wednesday of the Month - Stan Webster

C. ONEIDA TRIBAL SCHOOL BOARD - 3rd Wednesday of the Month - Debbie Danforth

D. HOUSING AUTHORITY - 4th Wednesday of the Month - Evelyn Elm

E. ONCOA - 4th Wednesday of the Month - Clifford Doxtator

Report Submitted.

MOTION BY JULIE BARTON TO ACCEPT THE ONCOA REPORT, SECONDED BY KATHY HUGHES. MOTION CARRIED UNANIMOUSLY.

F. ONEIDA GAMING COMMISSION - (QUARTERLY: JAN/APR/JULY/OCT) 2nd Wednesday of the Month - Rochelle Powless

Excerpt from the October 15, 1997 Business Committee Meeting: MOTION BY SHIRLEY HILL TO APPROVE DEFERRING THE ONEIDA GAMING COMMISSION REPORT UNTIL OCTOBER 22, 1997, SECONDED BY GARY JORDAN. MOTION CARRIED UNANIMOUSLY.

MOTION BY SHIRLEY HILL TO ACCEPT THE GAMING COMMISSION REPORT, SECONDED BY LELAND DANFORTH. MOTION CARRIED UNANIMOUSLY.

G. ONEIDA AIRPORT BUSINESS DEVELOPMENT BOARD: (QUARTERLY: JAN/APR/JULY/OCT) 2nd Wednesday of the Month - Gary Metoxen

H. TRAVEL REPORTS
MOTION BY SANDRA NINHAM TO APPROVE THE TRAVEL REPORT, SECONDED BY JULIE BARTON. LELAND DANFORTH ABSTAINED. MOTION CARRIED.

I. FOLLOW UP REPORTS/BC DIRECTIVES FROM PREVIOUS MEETINGS

LOC RE: O.S.B.D.C. Review By-Laws

Excerpt from the October 8, 1997 Business Committee Meeting: MOTION BY SANDRA NINHAM THAT THE BY-LAWS BE FORWARDED TO LOC FOR REVIEW TO BE BROUGHT BACK IN THREE WEEKS, SECONDED BY GARY JORDAN. MOTION CARRIED UNANIMOUSLY.

Response Due October 29, 1997.

MOTION BY TINA DANFORTH TO DEFER THIS ITEM FOR ONE WEEK, SECONDED BY JULIE BARTON. MOTION CARRIED UNANIMOUSLY.

2 Shirley Hill RE: Summit

Excerpt from the October 8, 1997 Business Committee Meeting: MOTION BY GARY JORDAN TO DIRECT SHIRLEY HILL TO COORDINATE THIS SUMMIT WITH THE CULTURAL ADVISORS AND LOC TO COME UP WITH A DATE AND PLAN IN TWO WEEKS, SECONDED BY SANDRA NINHAM. MOTION CARRIED UNANIMOUSLY.

Response Due October 22, 1997.

MOTION BY TINA DANFORTH TO ACCEPT THE VERBAL STATUS REPORT SECONDED BY SANDRA NINHAM. SHIRLEY HILL ABSTAINED. MOTION CARRIED.

3 Gerald L. Hill RE: Refer Easement rights on Wis. Central Ltd. Railroad to the Law Dept. RE: Closure of the railroad and transfer of Railroad to Rails to Trails program (per announcement by Oneida Planning).

Excerpt from the September 3, 1997 Business Committee Meeting: MOTION BY JULIE BARTON TO REFER THIS ITEM TO CHIEF COUNSEL WITH A REPORT BACK IN THIRTY DAYS, SECONDED BY SHIRLEY HILL. MOTION CARRIED UNANIMOUSLY.

Response Due October 15, 1997
Excerpt from the October 15, 1997 Business Committee Meeting: MOTION BY SHIRLEY HILL TO APPROVE A TWO WEEK EXTENSION, SECONDED BY SANDRA NINHAM. MOTION CARRIED UNANIMOUSLY.

Response Due October 29, 1997.

MOTION BY KATHY HUGHES TO REFER THIS ITEM TO THE ATTORNEY BRIEFING AGENDA, SECONDED BY SANDRA NINHAM. MOTION CARRIED UNANIMOUSLY.

VII. NEW BUSINESS

A. RESOLUTIONS

1. Patricia Brezezinski RE: First Amendment to the Infrastructure Development Agreement between Oneida/Ashwaubenon.

MOTION BY TINA DANFORTH TO DEFER UNTIL PATRICIA BREZEZINSKI ARRIVED, SECONDED BY LELAND DANFORTH. MOTION CARRIED UNANIMOUSLY.

MOTION BY LELAND DANFORTH TO APPROVE THE FIRST AMENDMENT TO THE INFRASTRUCTURE DEVELOPMENT AGREEMENT BETWEEN ONEIDA/ASHWAUBENON AND ADOPT RESOLUTION 10-29-97-A, SECONDED BY KATHY HUGHES. MOTION CARRIED UNANIMOUSLY.

B. REQUESTS

1. Ernie Stevens, Jr. RE: Exchange assignment of Gaming Commission Liaison to Shirley Hill.

MOTION BY LELAND DANFORTH TO APPROVE THE EXCHANGE LIAISON ASSIGNMENTS, SECONDED BY SANDRA NINHAM. MOTION CARRIED UNANIMOUSLY.

2. Deborah Doxtator RE: (3) Board recommendations to the Anna John Nursing Home Commission and (1) Board recommendation to the Utilities
MOTION BY SHIRLEY HILL TO APPROVE THE RECOMMENDATION OF MICHELLE HILL, DELLORA CORNELIUS AND ELLA D. SAUER TO THE ANNA JOHN NURSING HOME COMMISSION AND THE RECOMMENDATION OF NOEL CLEVEN TO THE ONEIDA UTILITIES COMMISSION, SECONDED BY LEeland DANFORTH. TINA DANFORTH ABSTAINED. MOTION CARRIED.

Kelly Stevens
RE: Approval of the Memorandum of Agreement between Oneida Probation/Parole and Pardons Program.

MOTION BY SHIRLEY HILL TO APPROVE A ONE WEEK EXTENSION, SECONDED BY SANDRA NINHAM. MOTION CARRIED UNANIMOUSLY.

4. Bette Gould
RE: Returning Assets of the Oneida Construction Corporation back to the tribe total: $7,051.98.

MOTION BY SHIRLEY HILL TO ACCEPT THE ASSETS AND CLOSE OUT THE ACCOUNTS AND RESPONSIBILITIES OF THE BOARD MEMBERS INCLUDING THE SECRETARY TREASURER, SECONDED BY TINA DANFORTH. MOTION CARRIED UNANIMOUSLY.

MOTION BY SHIRLEY HILL TO SUPPORT THE DISSOLUTION OF THE ONEIDA CONSTRUCTION CORPORATION AND REFER TO LEGAL TO DEVELOP THE PROPER DISSOLUTION DOCUMENTS, SECONDED BY KATHY HUGHES. MOTION CARRIED UNANIMOUSLY.

5 Chris Doxtator
Re: 1/2 Fair Rental Lease Fee.

1 Land Commission Minutes 10-13-97

MOTION BY TO KATHY HUGHES ACCEPT THE LAND COMMISSION MINUTES OF 10-13-97, SECONDED BY SHIRLEY HILL. MOTION CARRIED UNANIMOUSLY.
Addendum A:


Cancellation of Leases - MELINDA DANFORTH - RESOLUTION 10-29-97-R

Modification of Leases - PATRICIA HARMS - RESOLUTION 10-29-97-S, MICHAEL KING AND JOAN LARock - RESOLUTION 10-29-97-T, GARY MELCHERT - RESOLUTION 10-29-97-U

For Approval - DIANA METOXEN - RESOLUTION 10-29-97-V, GENEVIEVE E. ZAYAS - RESOLUTION 10-29-97-W

For review and approval - CAROL SANDBERG - LEASE BARN ON FF FOR ONE YEAR FOR HORSES.

MOTION BY SHIRLEY HILL TO APPROVE ADDENDUM A, SECONDED BY LELAND DANFORTH. TINA DANFORTH ABSTAINED. MOTION CARRIED.

Resolution re: 1/2 Fair Rental Fees

MOTION BY SHIRLEY HILL THAT A STATEMENT OF EFFECT COME BACK IN ONE WEEK FOR THE 1/2 FAIR RENTAL LEASE FEES, SECONDED BY TINA DANFORTH. MOTION CARRIED UNANIMOUSLY.

6. Julie Barton RE: Resignation letter from Oneida Nation Arts Board and approval to post vacant position.

MOTION BY KATHY HUGHES TO ACCEPT THE RESIGNATION OF SARARESA
BEGAY AND APPROVE THE POSTING OF THE VACANT POSITION FOR THE ONEIDA NATION ARTS BOARD, SECONDED BY LELAND DANFORTH. JULIE BARTON ABSTAINED. MOTION CARRIED.


MOTION BY SHIRLEY HILL TO REFER THIS ITEM TO EXECUTIVE SESSION, SECONDED BY LELAND DANFORTH. MOTION CARRIED UNANIMOUSLY.


MOTION BY SHIRLEY HILL TO TABLE THIS ITEM FOR DISCUSSION WITH THE BUSINESS COMMITTEE TO WEIGH THE PROS AND CONS, SECONDED BY SANDRA NINHAM. MOTION CARRIED UNANIMOUSLY.

9. Beth Bashara RE: The Arts Program is seeking outside sponsors for our Premiere Concert Series.

MOTION BY KATHY HUGHES TO APPROVE THE ARTS PROGRAM SEEKING OUTSIDE SPONSORSHIP FOR THE PREMIERE CONCERT SERIES, SECONDED BY LELAND DANFORTH. MOTION CARRIED UNANIMOUSLY.

C. CONTRACTS/AGREEMENTS


MOTION BY KATHY HUGHES TO APPROVE THE RESTATE FOR THIRD PARTY BILLING REVENUE COLLECTION CONTRACT, SECONDED BY SHIRLEY HILL. MOTION CARRIED UNANIMOUSLY.

D. TRAVEL REQUESTS
Gerald L. Hill

RE: Request to attend the N.C.A.I. Convention in Sante Fe, New Mexico - November 16-21, 1997.

2. Cristina Danforth


MOTION BY SANDRA NINHAM TO APPROVE THE TRAVEL REQUEST FOR GERALD L. HILL AND TINA DANFORTH, SECONDED BY LELAND DANFORTH. SHIRLEY HILL OPPOSED. TINA DANFORTH ABSTAINED. MOTION CARRIED.

2. Ernie Stevens, Jr.

RE: Request to attend the National Indian Education Association in Tacoma, Washington - November 2-5, 1997.

MOTION BY KATHY HUGHES TO APPROVE THE TRAVEL REQUEST, SECONDED BY LELAND DANFORTH. TINA DANFORTH ABSTAINED. MOTION CARRIED.

E. VACATIONS

VIII. FINANCE COMMITTEE

IX. AUDIT COMMITTEE REPORT

X. LEGISLATIVE OPERATING COMMITTEE

1. FOR APPROVAL: Regular LOC Meeting Minutes of Thursday, October 9, 1997

MOTION BY KATHY HUGHES TO APPROVE THE LOC MEETING MINUTES OF OCTOBER 9, 1997, SECONDED BY SANDRA NINHAM. MOTION CARRIED UNANIMOUSLY.

FOR APPROVAL: Public Hearing Minutes for the Hunting, Fishing and Trapping law of Thursday, October 9, 1997
MOTION BY KATHY HUGHES TO APPROVE THE PUBLIC HEARING MINUTES OF OCTOBER 9, 1997 REGARDING HUNTING, FISHING AND TRAPPING LAW, SECONDED BY TINA DANFORTH. MOTION CARRIED UNANIMOUSLY.

FOR APPROVAL: Approval of Election Law

MOTION BY KATHY HUGHES TO SUBMIT TO GTC FOR APPROVAL, SECONDED BY JULIE BARTON AND TO ADOPT THE ELECTION LAW RESOLUTION 10-29-97-X, TINA DANFORTH ABSTAINED. MOTION CARRIED.

4. FOR APPROVAL: ONVAC board by-laws

MOTION BY KATHY HUGHES TO APPROVE THE ONVAC BOARD BY-LAWS, SECONDED BY LELAND DANFORTH. MOTION CARRIED UNANIMOUSLY.

MOTION BY SHIRLEY HILL TO RECESS FOR TEN MINUTES, SECONDED BY JULIE BARTON. MOTION CARRIED UNANIMOUSLY.

XI. EXECUTIVE SESSION

A. ONEIDA LAND CLAIMS - 1st Wednesday of the Month - Patty Hoeft

B. OLD BUSINESS


Excerpt from the August 20, 1997 Business Committee Meeting: MOTION BY SHIRLEY HILL THAT THE TREASURER AND CFO SUBMIT A REPORT ON THE CAPITAL VENTURES FUND WITHIN TWO WEEKS, SECONDED BY SANDRA NINHAM. MOTION CARRIED UNANIMOUSLY.

Response Due September 3, 1997.

Excerpt from the September 17, 1997 Business Committee Meeting: MOTION BY SANDRA NINHAM TO DEFER THIS ITEM FOR TWO WEEKS, SECONDED BY ERNIE STEVENS, JR. KATHY HUGHES ABSTAINED. MOTION CARRIED.

Response Due October 1, 1997.

Excerpt from the October 1, 1997 Business Committee Meeting: MOTION BY SANDRA NINHAM TO EXTEND THIS ITEM FOR ONE WEEK, SECONDED BY SHIRLEY HILL. MOTION CARRIED UNANIMOUSLY.

Response Due October 8, 1997.
Excerpt from the October 8, 1997 Business Committee Meeting: MOTION BY GARY JORDAN TO APPROVE A ONE WEEK EXTENSION, SECONDED BY ERNIE STEVENS, JR. MOTION CARRIED UNANIMOUSLY.

Response Due October 15, 1997.

Excerpt from the October 15, 1997 Business Committee Meeting: MOTION BY SHIRLEY HILL TO APPROVE DEFERRING THIS ITEM FOR ONE WEEK, SECONDED BY GARY JORDAN. MOTION CARRIED UNANIMOUSLY.

Response Due October 29, 1997.

MOTION BY LELAND DANFORTH TO ACCEPT THE WRITTEN REPORT AND AUTHORIZE THE CFO TO ALLOCATE LOANS ON HOTEL AT $2.8 MILLION AND AIRDIGM AT $15 MILLION, SECONDED BY TINA DANFORTH. MOTION CARRIED UNANIMOUSLY.


Excerpt from the October 15, 1997 Business Committee Meeting: MOTION BY GARY JORDAN TO DIRECT THE TREASURER TO FOLLOW UP WITH CHIEF COUNSEL AND THE GENERAL MANAGER WITH A REPORT BACK IN TWO WEEKS, SECONDED BY SANDRA NINHAM. KATHY HUGHES ABSTAINED. MOTION CARRIED.

Response Due October 29, 1997.

NO STATUS REPORT


Excerpt from the October 8, 1997 Business Committee Meeting: MOTION BY SANDRA NINHAM TO ACCEPT THE REPORT AND THAT THIS ITEM REMAIN ON THE AGENDA FOR ON-GOING UPDATES, SECONDED BY SHIRLEY HILL. MOTION CARRIED UNANIMOUSLY.

NO UPDATE

4. Kathy Hughes RE: BearClaw Contract

Excerpt from the October 15, 1997 Business Committee Meeting: MOTION BY GARY JORDAN TO TABLE THIS ITEM FOR ONE WEEK, SECONDED BY SANDRA NINHAM. KATHY HUGHES ABSTAINED. MOTION CARRIED.

Response Due October 29, 1997.
MOTION BY KATHY HUGHES TO APPROVE THE CONTRACT WITHOUT ADDITIONAL EXPENSES OTHER THAN THE MONTHLY RETAINER AT $10,000.00 WITH QUARTERLY REPORTS TO THE BUSINESS COMMITTEE REGARDING PROGRESS OF DELIVERABLES, SECONDED BY SANDRA NINHAM. MOTION CARRIED UNANIMOUSLY.

5    Jo Swamp  RE: Samurai Ltd.

Weekly Up-date.

MOTION BY KATHY HUGHES TO DIRECT CHIEF COUNSEL TO SEND A LETTER OF REQUEST TO SUMARIA FOR AN EXTENSION OF THE PRESENT PROPOSAL WITHIN 24 HOURS, SECONDED BY JULIE BARTON. MOTION CARRIED UNANIMOUSLY.

C. NEW BUSINESS

Patricia Brezezinski  RE: On-going Litigation Matter.

MOTION BY TINA DANFORTH TO ACCEPT THIS AS FOR INFORMATION ONLY, SECONDED BY SHIRLEY HILL. MOTION CARRIED UNANIMOUSLY.

2    Ernie Stevens, Jr.  RE: Gaming.

MOTION BY LELAND DANFORTH TO APPROVE AND DIRECT THE PRESENT SUB COMMITTEE TO APPROVE THE AMENDMENT AND SCHEDULE A DATE AND TIME TO REVIEW THE EVALUATION WITH THE GAMING GENERAL MANAGER AND HAVE THIS COMPLETED WITHIN 30 DAYS, SECONDED BY SHIRLEY HILL. MOTION CARRIED UNANIMOUSLY.

3    Kathy Hughes  RE: Scholarship Program.

MOTION BY JULIE BARTON TO DEFER TO KATHY HUGHES TO CONSULT WITH THE EDUCATION DEPARTMENT TO PUT THEIR STATEMENTS IN WRITING TO THE INDIVIDUAL WHO MADE THE REQUEST AND THAT THE BUSINESS COMMITTEE IS NOT AUTHORIZED TO HANDLE SUCH REQUEST, SECONDED BY SANDRA NINHAM. MOTION CARRIED UNANIMOUSLY.
MOTION BY LELAND DANFORTH TO ADOPT RESOLUTION 10-29-97-Y PROVIDING FOR AUTHORIZATION AND APPROVAL FOR THE FINANCING COMPONENT FROM THE PROCEEDS OF THE $6,140,000.00 BOND ISSUE, SERIES A 1994 AND AUTHORIZE THE CHAIR AND THE SECRETARY TO SIGN ALL THE NECESSARY DOCUMENTS NECESSARY TO ACCOMPLISH THE CHANGE IN SCOPE OF THE PROJECT FROM THE PROPOSED SECONDED DAY CARE CENTER FACILITY TO THE ONEIDA POLICE STATION, SECONDED BY SHIRLEY HILL. VOICE VOTE, JULIE BARTON - SUPPORT, TINA DANFORTH - ABSTAIN, LELAND DANFORTH-SUPPORT, KATHY HUGHES -SUPPORT, SANDRA NINHAM-SUPPORT, SHIRLEY HILL-SUPPORT, DEBORAH DOXTATOR AND ERNIE STEVENS, JR - ABSENT. MOTION CARRIED.

b Attorney Contract Request regarding Bond Issue

MOTION BY KATHY HUGHES TO AUTHORIZE SKENANDORE AND ASSOCIATES TO ENGAGE BEST, BEST AND KRIEGER AS SPECIAL COUNSEL AT A COST NOT TO EXCEED $27,000.00 AND MICHEAL MCCALL AS BOND COUNSEL AT A COST NOT TO EXCEED $6,000.00, SECONDED BY SANDRA NINHAM. TINA DANFORTH ABSTAINED. MOTION CARRIED.

5 Kathy Hughes RE: Attorney Contract

MOTION BY TINA DANFORTH TO APPROVE THE ATTORNEY CONTRACT FOR JO DEEN B. LOWE, SECONDED BY LELAND DANFORTH. MOTION CARRIED UNANIMOUSLY.

MOTION BY SHIRLEY HILL TO DIRECT THE GENERAL MANAGER TO REVIEW ANY RESTRICTIONS OR CONDITIONS WITHIN THAT GRANT AND PURSUE ANY AMENDMENTS OR EXTENSIONS, SECONDED BY JULIE BARTON. MOTION CARRIED UNANIMOUSLY.

MOTION BY SANDRA NINHAM THAT A STATUS REPORT ON THE REPLACEMENT HOMES AND THE GRANT OF $325,000.00 BE PUT ON THE NEXT GENERAL MANAGER BI-WEEKLY, SECONDED BY JULIE BARTON. MOTION CARRIED UNANIMOUSLY.

MOTION BY TINA DANFORTH TO RECESS FOR FIVE MINUTES, SECONDED BY KATHY HUGHES. MOTION CARRIED UNANIMOUSLY.
XIII. RECESS/ADJOURN - 3:25 P.M.

MOTION BY LELAND DANFORTH TO RECESS, SECONDED BY TINA DANFORTH. MOTION CARRIED UNANIMOUSLY.

MINUTES APPROVED AS PRESENTED/CORRECTED ON November 5, 1997.

Julie Barton, Tribal Secretary
ONEIDA BUSINESS COMMITTEE