

# 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 REGULAR MEETING JUNE 10, 1998 BUSINESS COMMITTEE CONFERENCE ROOM

**PRESENT:** Deborah Doxtator - Chair, Gary Jordan - Vice Chair, Julie Barton - Secretary, Kathy Hughes-Treasurer, Ernie Stevens, Jr., Sandra Ninham, Shirley Hill, Tina Danforth, Leland Danforth - Council Members

**EXCUSED:**

**OTHERS PRESENT:** L. Meyer, Mary White, Warren Skenandore, Don White, C. Sanders, Chris Johns, Shane Anton, Mary Jo Nash, Conrad King, Kitty Melchert, Dottie Krull, Corina Williams, Danette Woodmansee, Dr. Carol, Tim Melchert, Nancy Cook, Dorothy Skenandore, Debbie Danforth, Judi Skenandore, Deanna Bauman, Alan Cornelius, Jeff Carlson, Margie Mehojah, Mary Stevens, Pearl McLester, Wayne Metoxen, MWATA, Mary Adams, Lloyd Powless, Debbie Cottrell, Leyne Orosco, Mary Greendeer, Linda Danforth, C. Metoxen, Kevin Moore, Dan Metoxen, Daniel King

**OPENING:** Buddy Powless

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

**II. OATH OF OFFICE - Administered by Sandra Ninham**

**Oneida Child Protective Board:**

**-Mary Jo Nash-PRESENT**

**Oneida Personnel Commission:**

**-Tim Melchert-PRESENT**

### **III. APPROVAL OF AGENDA**

#### **A. ADDITIONS:**

**MOVE EXECUTIVE SESSION OLD BUSINESS NUMBER 1 TO REQUEST NUMBER 7.**

8. Julie Barton RE: Oneida Housing Authority Vacancy
9. Julie Barton RE: Special Business Committee meeting to complete GTC action requirements of the ITF recommendations

#### **B. DELETIONS:**

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

### **IV. MINUTES TO BE APPROVED:**

**Regular Business Committee Minutes of June 3, 1998.**

Page 7 of 13, Number 6: Correct date is May 19, 1998 Not April 18, 1998  
Page 12 of 13 Executive Session New Business # 1, Motion Addresses The White Corn Test Marketing, not the approval of formation of LLC with Seymour Canning

**APPROVED AS CORRECTED**

### **V. TABLED BUSINESS:**

1. Chris Johns RE: Resolution and SOE regarding Oneida for Protection of Management of Archaeological, cultural and Historic resources.

**Except from the June 3, 1998 Business Committee Meeting: MOTION BY SHIRLEY HILL TO TABLE THIS ITEM FOR SUBMISSION OF HARD COPY, SECONDED BY TINA DANFORTH. MOTION CARRIED UNANIMOUSLY.**

**Response Submitted.**

**MOTION BY KATHY HUGHES TO TAKE THIS ITEM FROM THE TABLE, SECONDED BY TINA DANFORTH. MOTION CARRIED UNANIMOUSLY.**

**MOTION BY KATHY HUGHES TO ADOPT RESOLUTION 6-10-98-A, SECONDED BY LELAND DANFORTH. MOTION CARRIED UNANIMOUSLY.**

2. Shirley Hill RE: Accepting the action of the ONCOA Board regarding the naming of the Elderly Services Complex.

**Excerpt from the June 3, 1998 Business Committee Meeting: MOTION BY SHIRLEY HILL TO TABLE THIS ITEM BECAUSE OF THE CONFLICT FOUND IN THE APRIL 18, 1998 MINUTES, SECONDED BY SANDRA NINHAM. MOTION CARRIED UNANIMOUSLY.**

**MOTION BY JULIE BARTON TO REMOVE THIS ITEM FROM THE TABLE, SECONDED BY TINA DANFORTH. MOTION CARRIED UNANIMOUSLY.**

**MOTION BY SHIRLEY HILL TO SEND THE RESOLUTION TO THE LOC FOR A STATEMENT OF EFFECT AND THAT THE REMAINDER OF THIS ITEM STAY ON THE TABLE DUE TO THE CONFLICT IN THE ONCOA MINUTES HAVE NOT BEEN CLEARED UP YET, SECONDED BY SANDRA NINHAM. ERNIE STEVENS, JR. ABSTAINED. MOTION CARRIED.**

3. Oneida Housing Authority RE: Approval of Oneida Housing Authority Budget.

**Excerpt from the June 3, 1998 Business Committee Meeting: MOTION BY SHIRLEY HILL TO TABLE THIS ITEM FOR ONE WEEK FOR REVIEW, SECONDED BY TINA DANFORTH. MOTION CARRIED UNANIMOUSLY.**

**MOTION BY KATHY HUGHES TO TAKE THIS ITEM FROM THE TABLE, SECONDED BY ERNIE STEVENS, JR. MOTION CARRIED UNANIMOUSLY.**

**MOTION BY SHIRLEY HILL TO DIRECT THE TASK FORCE ALONG WITH THE INTERIM HOUSING DIRECTOR TO MEET AND GO OVER THIS PLAN, BACK IN TWO WEEK, SECONDED BY SANDRA NINHAM. ERNIE STEVENS, JR ABSTAINED. MOTION CARRIED.**

**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 - Frieda Clary**
- E. ONCOA - 4th Wednesday of the Month - Clifford Doxtator**
- F. ONEIDA GAMING COMMISSION - (QUARTERLY: JAN/APR/JULY/OCT) 2nd Wednesday of the Month - Jeff Metoxen**
- G. ONEIDA AIRPORT BUSINESS DEVELOPMENT BOARD: (QUARTERLY: JAN/APR/JULY/OCT) 2nd Wednesday of the Month - Gary Metoxen**
- H. TRAVEL REPORTS**
- I. FOLLOW UP REPORTS/BC DIRECTIVES FROM PREVIOUS MEETINGS**
  - 1. Ken Webster/OHA RE: Comprehensive Plan for the Three Sisters Community Facility - CIP Project # 97-407.**

**Excerpt from the April 29, 1998 Business Committee Meeting: MOTION BY GARY JORDAN TO DIRECT THE ONEIDA HOUSING AUTHORITY TO COME UP WITH A COMPREHENSIVE PLAN TO ADMINISTER THIS SITE AFTER CONSTRUCTION DUE BACK IN THIRTY DAYS, SECONDED BY LELAND DANFORTH. MOTION CARRIED UNANIMOUSLY.**

**Response Due June 10, 1998.**

**MOTION BY KATHY HUGHES TO SCHEDULE A SPECIAL BUSINESS**

**COMMITTEE MEETING WITH THE HOUSING BOARD TO OCCUR THIS WEEK OR AS SOON AS POSSIBLE ON THIS ITEM, SECONDED BY SANDRA NINHAM. MOTION CARRIED UNANIMOUSLY.**

2. Artley Skenandore RE: Needs analysis on the Random/Mandatory Drug Testing Policy.

**Excerpt from the February 4, 1998 Business Committee Meeting: MOTION BY KATHY HUGHES TO ACCEPT THE REPORT AND REFER IT BACK TO GENERAL MANAGER TO CONDUCT A NEEDS ANALYSIS AND REPORT BACK WITHIN 90 DAYS TO THE LOC, SECONDED BY SANDRA NINHAM. MOTION CARRIED UNANIMOUSLY.**

**Response Due June 10, 1998.**

**MOTION BY SHIRLEY HILL TO DEFER THIS ITEM FOR ONE WEEK, SECONDED BY KATHY HUGHES. MOTION CARRIED UNANIMOUSLY.**

- 3 Ernie Stevens, Jr./Gerald L. Hill RE: Research of Margaret King - Francour request for reimbursement for school and school related expenses.

**Excerpt from the April 15, 1998 Business Committee Meeting: MOTION BY SHIRLEY HILL TO REFER THIS ITEM TO ERNIE STEVENS, JR. FOR RESEARCH BACK IN THREE WEEKS, SECONDED BY GARY JORDAN. TINA DANFORTH OPPOSED. MOTION CARRIED.**

**Response Due May 6, 1998**

**Excerpt from the May 13, 1998 Business Committee Meeting: MOTION BY GARY JORDAN TO APPROVE A TWO WEEK EXTENSION, SECONDED BY LELAND DANFORTH. MOTION CARRIED UNANIMOUSLY.**

**Response Due May 27, 1998**

**Excerpt from the May 27, 1998 Business Committee Meeting: MOTION BY SHIRLEY HILL TO SEND THIS ITEM TO THE LAW OFFICE FOR A LEGAL OPINION WITH A RESPONSE BACK IN TWO WEEKS, SECONDED BY SANDRA NINHAM. MOTION CARRIED UNANIMOUSLY.**

**Response Due June 10, 1998**

**MOTION BY SHIRLEY HILL TO APPROVE A ONE WEEK EXTENSION, SECONDED BY SANDRA NINHAM. TINA DANFORTH OPPOSED. MOTION CARRIED.**

4. Artley Skenandore

RE: Day Care Space need Resolved.

**Excerpt from the May 27, 1998 Business Committee Meeting: MOTION BY JULIE BARTON TO ACCEPT THE REPORT AND REFER THIS ITEM TO THE GENERAL MANAGER FOR RESOLUTION BACK IN TWO WEEKS, SECONDED BY SHIRLEY HILL. MOTION CARRIED UNANIMOUSLY.**

**Response Due June 10, 1998**

**MOTION BY SHIRLEY HILL TO HAVE A WRITTEN REPORT BACK IN ONE WEEK, SECONDED BY SANDRA NINHAM. MOTION CARRIED UNANIMOUSLY.**

The Chair arrived at 9:35 a.m. to chair the meeting.

## **VII. NEW BUSINESS**

### **A. RESOLUTIONS**

### **B. REQUESTS**

1. Cristina Danforth

RE: Requesting formal approval of the following liaison assignments: Oneida Nation Electronics: Kathy Hughes and Seven Generation Corporation: Tina Danforth.

**MOTION BY SANDRA NINHAM TO APPROVE THE LIAISON ASSIGNMENTS OF KATHY HUGHES TO THE ONEIDA NATION ELECTRONICS AND TINA DANFORTH TO THE SEVEN GENERATION CORPORATION, SECONDED BY JULIE BARTON. TINA DANFORTH, KATHY HUGHES ABSTAINED. MOTION CARRIED.**

2. Julie Barton

RE: Scheduling a General Tribal Council Meeting for Saturday, July 11, 1998 Re: The

Arena Petition.

**MOTION BY SHIRLEY HILL TO APPROVE JULY 11, 1998 AS THE GTC DATE FOR THE ARENA PROJECT PETITION, SECONDED BY GARY JORDAN. JULIE BARTON, LELAND DANFORTH, ERNIE STEVENS, JR. OPPOSED. MOTION CARRIED.**

For the record, Ernie Stevens, Jr. stated he was opposed to the date, not having the meeting itself.

3. Julie Barton RE: Board recommendation to the Oneida Utilities Commission.

**MOTION BY KATHY HUGHES TO APPROVE THE RECOMMENDATION OF ROGER BOETTCHER TO THE ONEIDA UTILITIES COMMISSION, SECONDED BY SHIRLEY HILL. MOTION CARRIED UNANIMOUSLY.**

4. Stephanie DeCorah RE: Pardon.

**MOTION BY KATHY HUGHES TO APPROVE THE PARDON FOR LESTER HARMS, III, RESOLUTION 6-10-98-B, SECONDED BY JULIE BARTON. SHIRLEY HILL ABSTAINED. MOTION CARRIED.**

5. Julie Barton RE: Revision of BC Agenda.

**MOTION BY SHIRLEY HILL TO APPROVE THE EXTENSION OF THE BUSINESS COMMITTEE AGENDA FORMAT, SECONDED BY SANDRA NINHAM. MOTION CARRIED UNANIMOUSLY.**

7. Deborah Doxtator RE: Arena & Convention Center Cooperation Agreement.

Moved from Executive Session

**MOTION BY GARY JORDAN TO TABLE THIS ITEM TO THE JULY 11, 1998 GTC MEETING, SECONDED BY TINA DANFORTH. ERNIE STEVENS, JR., KATHY HUGHES OPPOSED. MOTION CARRIED.**

For the Record, Kathy Hughes opposed because she felt that as a committee member she was responsible for making decisions subject to GTC review which we also agreed to do on July 11th.

For the Record, Deborah Doxtator stated that the committee discussed this on Monday and we all agreed that we would approve the agreement and recommend it for approval to GTC. She felt as the governing body, they had a responsibility to make that type of recommendation to the constituents that they represented. She felt that recommendation should have been made to GTC that this agreement be approved because of the benefits that it does provide to the nation.

For the Record, Tina Danforth stated: In reviewing numerous documents and records (approved BC minutes, resolutions, Oneida Hotel Board Report on proposal of Arena and Convention Center, the Room Tax Law and the proposed Arena and Convention Center Cooperation Agreement), I am declaring my opposition to approving the proposed Arena and Convention Center Cooperation Agreement in its entirety. The following is a brief synopsis of events which occurred regarding the Arena project and Oneida Room Tax issues:

**3/7/97 Minutes from Special Business Committee meeting re: Room Tax Increase:**

Motion by Gary Jordan to adopt the Comfort Resolution 3-7-97-A in regards to voluntary room tax contributions for purposes of an arena /convention center and forward the resolution for GTC review at the semi-annual GTC meeting in July. Seconded by Julie Barton. Shirley Hill, Tina Danforth opposed.

Motion by Julie Barton to direct the General Manager and the Gaming General Manager and the Hotel Board to bring back an analysis of the financial impact and benefits this decision would make, and that it be prepared and submitted for the GTC meeting for July with a deadline date of mid-May. Seconded by Gary Jordan. Tina Danforth abstained.

**3/7/97-A Resolution re: MECCA Tax Rate (excerpt):**

First Resolve: The recommendations of MECCA regarding the construction of a new arena and convention center and plan of financing therefore is hereby received and will be the subject of further study, review and consideration of staff and this body

Second Resolve: That the General Manager and chief counsel is hereby directed to prepare the necessary ordinance increasing the room tax to a rate of 8% and to present such ordinance to this body for further consideration

Third Resolve: That the ordinance shall be drafted such that the amendment to the room tax to 8% shall be subject to i) other local governments increasing its room tax to a rate of 8% and ii) the increases in room taxes of all local governments shall be effective on like dates.

**4-2-97-B Resolution re: Imposing a Three Percent Room Tax (excerpt)(adopted on six month emergency basis):**

Second Resolve: That the additional tax shall be paid to the Oneida Tribe of Indians of Wisconsin to be placed in an identified account within the General Treasury of the Oneida Tribe for the specific purpose of participation in the proposed convention center expansion project.

Final Resolve: That this three percent tax shall be imposed from the fourteenth day of April, 1997 and to continue until such time as directed otherwise, by adoption of a Room Tax Law, or until emergency authority lapses.

**9-17-97 Room Tax Law adopted**

**9-24-97 Motion to rescind the motion of 9-17-97 regarding the Room Tax Law Ordinance  
Motion to approve the revisions to the room tax law ordinance**

**Oneida Room Tax Law -Approved by the Business Committee on September 24, 1997 (Revised)(excerpt):**

**Article I-Purpose and Policy**

1-1. It is the purpose of this law to impose a tax, either as the primary taxing government or through concurrent jurisdiction, upon transient occupancy in any hotel or motel within the exterior boundaries of the Oneida reservation....and to provide a means for the collection thereof.

1-2. It is the policy of this law to clarify jurisdictional sovereignty and to *generate revenue for the Oneida Nation* (emphasis added).

**Article III- Definitions**

**Tax Collector.** "Tax Collector" means the office with the delegated responsibility to collect the taxes imposed by law, to deposit those taxes in the general treasury of the Oneida Tribe of Indians of Wisconsin, and to develop regulations and forms to assist in implementing and enforcing this law.

**Article IV-Tax Imposed**

4-3. This tax shall be imposed as set out herein, provided that in no case shall the amount paid in taxes be less than eight percent. The Oneida Tribe recognizes the concurrent jurisdiction of other local governments within the exterior boundaries of the Reservation of the Oneida Tribe....

**Resolution 3-18-98-A re: Releasing the Three Percent Room Tax Revenue (excerpt):**

Last Resolve: that the Oneida Business Committee hereby releases the room tax revenues currently being deposited in an identified account within the General Treasury of the Oneida Tribe of Indians of Wisconsin pursuant to Business Committee resolution 4-2-97-B to the Village of Ashwaubenon for all past, current, and future fiscal obligations incurred by the Oneida Tribe of Indians of Wisconsin through its participation in MECCA, until such time the Oneida Tribe of Indians of Wisconsin becomes a party to a cooperation agreement with other entities involved in MECCA.

Based on several motions and adoptions passed by the OBC, I am obliged to remind everyone that this tax revenue is to be deposited in the General Treasury and that such revenue is only to be obligated/allocated with approval of the GTC regardless of which year it is budgeted. This is based on a GTC motion regarding FY 97 budget meeting on December 7, 1996 (*see Note at end of document*).

The current room tax agreement cannot supersede the Oneida Room Tax Law in that it requires us to waive sovereign immunity which "shall be absolute and unconditional". This agreement also waives Tribal jurisdiction which also "shall be absolute and unconditional"(page 15). This is also stated in the Sovereign Immunity Provision attached to the agreement. There is no specific time line for the termination of the agreement such as the 30 year term of the proposed bond issue. It is open ended until all payments of the current bond and any additional bonds are made (page 21).

The Oneida Room Tax Law is a law that shall take precedence and supersede any current agreement and resolutions. The Oneida Room Tax Law negated the emergency adopted resolution 4-2-97B and is being used to adopt 3-18-98-A. This is not binding for that reason. I do not believe it is appropriate to allow the Arena tax agreement or any future hotel agreements to supersede Oneida law, Oneida sovereignty and Oneida jurisdiction.

I do feel that myself and other BC members have not been afforded the opportunity to study, review or deliberate on the Financial Plan of the Arena and Convention Center. In addition, I believe that a competing convention

center would be a detriment to the Radisson, whereas, an arena would compliment our business. I feel we have more at stake than the other municipalities as the Tribe has an actual financial interest in our hotel as the owner, to which we owe a fiduciary duty to see that it continues to generate revenues for the well being of our members. If the Arena/Convention Center proposal were not twofold (all or nothing), I would have a different perspective (although I would still question the waivers previously mentioned). Furthermore, I am also concerned that we are willing to make a 30 year commitment to MECCA when the state binds us with a 5 year compact renewal process.

I would rather see us further our efforts to pursue MECCA for the opportunity for Oneida to purchase the property contiguous to our gaming operation. I truly believe and support that the GTC be afforded the opportunity to vote on the Arena and Convention Center agreement and the financial obligations that are being proposed to the Business Committee. Our oath and our constitution should always guide us with the input of the GTC on such matters of significance.

*Note: A correction was made on page 3 second paragraph: the actual date of which the Direct Report Budget Resolution was passed was December 7, 1996 and not April 19, 1997 as indicated on original version.*

For the record, Ernie Stevens, Jr. stated we've been working on this for two years and I think there's even a couple of good points in what she said. I think it's up to our General Tribal Council members to make that decision. I encourage you to begin to educate them. But as a body we have been working on this for two years in detail and I think this body needs to bring it to the membership. I look forward to them voting on that on July 11th.

8. Julie Barton RE: Oneida Housing Authority Vacancy

**MOTION BY SHIRLEY HILL TO APPROVE THE RESIGNATION OF FRIEDA CLARY AND THE REPOSTING OF ONEIDA HOUSING AUTHORITY BOARD, SECONDED BY SANDRA NINHAM. MOTION CARRIED UNANIMOUSLY.**

9. Julie Barton RE: Business Committee Special Meeting regarding completion of GTC Action Requirements of the ITF Recommendations

**MOTION BY SHIRLEY HILL TO APPROVE JULY 1, 1998 AS A SPECIAL BUSINESS COMMITTEE MEETING FOR COMPLETION OF THE GTC ACTON REQUIREMENTS OF THE ITF RECOMMENDATION, SECONDED BY GARY JORDAN. MOTION CARRIED UNANIMOUSLY.**

**C. CONTRACTS/AGREEMENTS**

**D. TRAVEL REQUESTS**

1. Neil Cornelius

RE: Las Vegas, NV - Game Tech 98 - June  
23-26, 1998.

**MOTION BY KATHY HUGHES TO TABLE THIS ITEM FOR BACK UP  
INFORMATION, SECONDED BY SHIRLEY HILL. MOTION CARRIED  
UNANIMOUSLY.**

2. Neil Cornelius

RE: Albuquerque, NM - NIGA.  
August 2-5, 1998

**MOTION BY KATHY HUGHES TO TABLE THIS ITEM FOR BACK UP  
INFORMATION, SECONDED BY SANDRA NINHAM. MOTION CARRIED  
UNANIMOUSLY.**

**E. VACATIONS**

**VIII. FINANCE COMMITTEE**

**IX. AUDIT COMMITTEE REPORT**

**X. LEGISLATIVE OPERATING COMMITTEE**

1. FOR APPROVAL: Regular LOC Meeting Minutes of May 14, 1998.

**MOTION BY GARY JORDAN TO APPROVE THE REGULAR LOC MEETING  
MINUTES OF MAY 14, 1998, SECONDED BY TINA DANFORTH. MOTION CARRIED  
UNANIMOUSLY.**

2. FOR APPROVAL: Rescheduled LOC Meeting Minutes of Friday April  
18, 1998.

**MOTION BY GARY JORDAN TO APPROVE THE RESCHEDULED LOC MEETING  
MINUTES OF FRIDAY, APRIL 18, 1998, SECONDED BY KATHY HUGHES. MOTION  
CARRIED UNANIMOUSLY.**

3. FOR APPROVAL: Special LOC Meeting Minutes of Thursday May 15,  
1998 Re: Proposed Restoration Plan.

**MOTION BY JULIE BARTON TO ACCEPT THE SPECIAL LOC MEETING MINUTES  
OF THURSDAY MAY 15, 1998 REGARDING PROPOSED RESTORATION PLAN,  
SECONDED BY GARY JORDAN. MOTION CARRIED UNANIMOUSLY.**

4. FOR APPROVAL: Request for a Public Hearing date of July 17, 1998  
To be scheduled for the Investigative  
(Administration) Leave Policy.

**MOTION BY GARY JORDAN TO APPROVE THE PUBLIC HEARING DATE OF JULY 17, 1998 TO BE SCHEDULED FOR THE INVESTIGATIVE (ADMINISTRATION) LEAVE POLICY, SECONDED BY SANDRA NINHAM. MOTION CARRIED UNANIMOUSLY.**

5. FOR APPROVAL: Conflict of Interest Resolution (9-28-90-A)  
Amendment.

**MOTION BY LELAND DANFORTH TO ADOPT RESOLUTION 6-10-98-C, SECONDED BY TINA DANFORTH. MOTION CARRIED UNANIMOUSLY.**

For the Record, Shirley Hill stated the amendment was for the pharmacist and other professionals in regard to conflict of interest.

6. FOR APPROVAL: Request for a Public Hearing date of July 23, 1998  
regarding the Oneida Nation Law enforcement  
Ordinance.

**MOTION BY GARY JORDAN TO APPROVE THE PUBLIC HEARING DATE OF JULY 23, 1998 REGARDING THE ONEIDA NATION LAW ENFORCEMENT ORDINANCE, SECONDED BY JULIE BARTON. MOTION CARRIED UNANIMOUSLY.**

7. FOR APPROVAL: Resolution and Statement of Effect regarding Rider  
I.

**MOTION BY JULIE BARTON TO ADOPT RESOLUTION 6-10-98-D AND STATEMENT OF EFFECT, SECONDED BY KATHY HUGHES. MOTION CARRIED UNANIMOUSLY.**

8. FOR APPROVAL: Oneida Constitutional Review Committee (CRC)  
By-Laws for Discussion and Status.

**MOTION BY GARY JORDAN TO DEFER THIS ITEM TO THE NEXT AVAILABLE BUSINESS COMMITTEE CAUCUS OR PLANNING MEETING, SECONDED BY KATHY HUGHES. MOTION CARRIED UNANIMOUSLY.**

9 FOR APPROVAL: Oneida Nation Commission on Aging (ONCOA)  
By-laws.

**MOTION BY LELAND DANFORTH TO APPROVE THE ONEIDA NATION COMMISSION ON AGING BY-LAWS, SECONDED BY TINA DANFORTH. MOTION CARRIED UNANIMOUSLY.**

10. FOR APPROVAL: Resolution for Interim Lead Program to be adopted on a Emergency basis and request for a Public Hearing date of July 30, 1998.

**MOTION BY GARY JORDAN TO DEFER THIS ITEM FOR TWO WEEKS, SECONDED BY SANDRA NINHAM. MOTION CARRIED UNANIMOUSLY.**

FOR APPROVAL: Tribal Allocation Plan and forward to the BIA

**MOTION BY GARY JORDAN TO TABLE THIS ITEM UNTIL SUBMISSION OF A RESOLUTION, SECONDED BY TINA DANFORTH. MOTION CARRIED UNANIMOUSLY.**

12. FYI: Reschedule Half Fair Rental.

**MOTION BY JULIE BARTON TO ACCEPT THE DATE OF JUNE 23, 1998 AT 2:00 P.M. AND TO SCHEDULE A FOLLOW-UP MEETING FOR INTERESTED PARTIES, SECONDED BY ERNIE STEVENS, JR. MOTION CARRIED UNANIMOUSLY.**

#### **XI. TREASURERS REPORT**

**MOTION BY GARY JORDAN TO DIRECT THE CHIEF FINANCIAL OFFICER TO PROVIDE A LIST OF THOSE DEPARTMENTS WHICH ARE CURRENTLY OVERSPENT, BACK IN TWO WEEKS, SECONDED BY SANDRA NINHAM. MOTION CARRIED UNANIMOUSLY.**

Re: Construction:

**MOTION BY GARY JORDAN TO DIRECT THE GENERAL MANAGER TO BRING CONSTRUCTION IN COMPLIANCE WITH THE CONSTRAINTS OF THE CONTINUING BUDGET RESOLUTION I.E. 75% SPENDING LEVEL OR JUSTIFY WHY NOT IN COMPLIANCE (BOTH ADMINISTRATIVELY AND WITH RESPECT TO MANAGER/EMPLOYEE RATIO), BACK IN TWO WEEKS, SECONDED BY SHIRLEY HILL. MOTION CARRIED UNANIMOUSLY.**

Re: Farm:

**MOTION BY JULIE BARTON TO HAVE THE GENERAL MANAGER EXPLAIN WHY THE VARIANCE IN SALES PROJECTIONS ARE \$761,850 LESS THAN THEIR ACTUAL BUDGET, BACK IN TWO WEEKS, SECONDED BY SANDRA NINHAM. SHIRLEY HILL ABSTAINED. MOTION CARRIED.**

Re: Printing:

**MOTION BY LELAND DANFORTH TO DIRECT THE GENERAL MANAGER TO BRING A PLAN BACK TO THE BUSINESS COMMITTEE TO EITHER DIVEST, INVEST OR MAKE A CENTRAL COPY PROGRAM FOR THE TRIBE AND/OR ANY OTHER RECOMMENDATIONS, BACK IN TWO WEEKS, SECONDED BY TINA DANFORTH. MOTION CARRIED UNANIMOUSLY.**

Re: Health Expansion Fund:

**MOTION BY SHIRLEY HILL TO DIRECT THE GENERAL MANAGER PROVIDE AN ANALYSIS TO EXPLAIN WHY THE HEALTH EXPANSION FUND IS OVERSPENT BY \$898,458 AND WHAT IS CLIENT BREAKDOWN OF TRIBAL, NON-TRIBAL, INSURANCE-TRIBAL AND INSURANCE-NON-TRIBAL PATIENTS AND THEIR IMPACT ON THIRD PARTY BILLING, BACK IN TWO WEEKS, SECONDED BY SANDRA NINHAM. MOTION CARRIED UNANIMOUSLY.**

Re: Woodland Supply:

**MOTION BY SHIRLEY HILL TO DIRECT THE GENERAL MANAGER TO BRING BACK A PLAN TO THE BUSINESS COMMITTEE TO EITHER DIVEST, CENTRALIZE OR BRING FORWARD ANY OTHER RECOMMENDATIONS AS IT PERTAINS TO THIS PROGRAM, BACK IN TWO WEEKS, SECONDED BY LELAND DANFORTH. MOTION CARRIED UNANIMOUSLY.**

Re: Gaming:

Motion to acknowledge the Gaming employees for their positive impact to the budget to date i.e. their increase in sales and reduction in expenses.

**MOTION BY JULIE BARTON TO ASSIGN GARY JORDAN TO DO A PUBLIC RELATIONS ON THIS ITEM, SECONDED BY SHIRLEY HILL. GARY JORDAN ABSTAINED. MOTION CARRIED.**

**MOTION BY JULIE BARTON TO ACCEPT THE TREASURER'S REPORT AND THAT IT BE A CONSISTENT AGENDA ITEM EVERY FOURTH WEDNESDAY OF THE MONTH, SECONDED BY GARY JORDAN. MOTION CARRIED**

**UNANIMOUSLY.**

**MOTION BY GARY JORDAN TO RECESS FOR TEN MINUTES, SECONDED BY LELAND DANFORTH. MOTION CARRIED UNANIMOUSLY.**

**TRIBAL GENERAL MANAGER**

**XIII. GAMING GENERAL MANAGER**

**ATTORNEY BRIEF**

**ONEIDA BUSINESS COMMITTEE CAUCUS**

**ONEIDA BUSINESS COMMITTEE PLANNING**

**OFFICERS MEETING**

**XVIII. EXECUTIVE SESSION**

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

**B. OLD BUSINESS**

1 Deborah Doxtator

RE: Arena & Convention Center  
Cooperation Agreement.

**Excerpt from the May 27, 1998 Business Committee Meeting: MOTION BY JULIE BARTON TO TABLE THIS ITEM FOR TWO WEEKS FOR FURTHER REVIEW. MOTION CARRIED UNANIMOUSLY.**

**Response Due June 10, 1998.**

**MOVED TO REQUEST NUMBER 7.**

2. Artley Skenandore

RE: MOA from Department of Corrections  
Written Report

**Excerpt from the June 3, 1998 Business Committee Meeting: MOTION BY SHIRLEY HILL TO ACCEPT THE VERBAL REPORT FROM DON WHITE AND TO DIRECT THE GENERAL MANAGER TO SUBMIT A FOLLOW-UP WRITTEN REPORT IN**

**ONE WEEK, SECONDED BY TO HAVE HIM FOLLOW UP IN ONE WEEK, SECONDED BY TINA DANFORTH. LELAND DANFORTH ABSTAINED. MOTION CARRIED.**

**Response Due June 10, 1998**

**MOTION BY SHIRLEY HILL TO REQUEST A WRITTEN REPORT AND ALSO REQUIRE THE IMPLEMENTATION , SECONDED BY SANDRA NINHAM. MOTION CARRIED UNANIMOUSLY.**

3. Deborah Doxtator RE: TAS

**Excerpt from the April 22, 1998 Business Committee Meeting: MOTION BY KATHY HUGHES TO DIRECT THE GENERAL MANAGER TO GATHER DATA AND COST ASSOCIATED WITH TAS TO BE COORDINATED WITH ENVIRONMENTAL AND PLANNING DEPARTMENTS, AND TO DIRECT THE CHAIR TO COORDINATE WITH THE GENERAL MANAGER, LAW OFFICES AND THE BUSINESS COMMITTEE TO BRING BACK A FULL REPORT TO THE BUSINESS COMMITTEE, BACK IN 30 DAYS, SECONDED BY JULIE BARTON. MOTION CARRIED UNANIMOUSLY.**

**Response Due June 3, 1998.**

**Excerpt from the June 3, 1998 Business Committee Meeting: MOTION BY SANDRA NINHAM TO APPROVE A ONE WEEK EXTENSION, SECONDED BY SHIRLEY HILL. LELAND DANFORTH ABSTAINED. MOTION CARRIED.**

**Response Due June 10, 1998**

**MOTION BY LELAND DANFORTH TO ACCEPT THE CURRENT STATUS REPORT AND APPROVE A TWO WEEK DEFERRAL, SECONDED BY GARY JORDAN. TINA DANFORTH ABSTAINED. MOTION CARRIED.**

4. Kathy Hughes, Gary Jordan RE: Gaming General Manager  
Ernie Stevens, Jr. Contract.

**Excerpt from the May 13, 1998 Business Committee Meeting: MOTION BY TINA DANFORTH TO AGREE TO REFER THIS ITEM TO THE NEGOTIATION TEAM FOR PERFORMANCE CRITERIA BACK IN TWO WEEKS, SECONDED BY JULIE BARTON. GARY JORDAN ABSTAINED. MOTION CARRIED.**

**Response Due May 27, 1998**

**Excerpt from the May 27, 1998 Business Committee Meeting: MOTION BY SANDRA NINHAM TO APPROVE A TWO WEEK EXTENSION, SECONDED BY JULIE BARTON. GARY JORDAN, KATHY HUGHES, ERNIE STEVENS, JR. ABSTAINED. MOTION CARRIED.**

**Response Due June 10, 1998.**

**Response submitted**

**MOTION BY LELAND DANFORTH TO APPROVE THE RECOMMENDATIONS OF THE SUB COMMITTEE, SECONDED BY SANDRA NINHAM. TINA DANFORTH ABSTAINED. MOTION CARRIED.**

For the Record, Tina Danforth abstained because she was not present for the discussion on sub committee recommendations.

5. Skenandore & Associates RE: Legal Opinion on Due Process rights of individuals grieving Boards, Committee and Commissions

**Excerpt from the June 3, 1998 Business Committee Meeting: MOTION BY SHIRLEY HILL TO HAVE A LEGAL OPINION FROM SKENANDORE AND ASSOCIATES FOR DUE PROCESS RIGHTS OF INDIVIDUALS GRIEVING BOARDS, COMMITTEES AND COMMISSIONS, BACK IN ONE WEEK, SECONDED BY JULIE BARTON. MOTION CARRIED UNANIMOUSLY.**

**Response Due June 10, 1998**

**MOTION BY SHIRLEY HILL TO APPROVE A ONE WEEK EXTENSION, SECONDED BY LELAND DANFORTH. MOTION CARRIED UNANIMOUSLY.**

6. Shirley Hill RE: Attorney Contract - Sharon House

**Excerpt from the June 10, 1998 Business Committee Meeting: MOTION BY SANDRA NINHAM TO REFER THIS ITEM TO SHIRLEY HILL TO BRING BACK IN ONE WEEK, SECONDED BY JULIE BARTON. SHIRLEY HILL, LELAND DANFORTH ABSTAINED. MOTION CARRIED.**

**Response Due June 10, 1998**

**MOTION BY SANDRA NINHAM TO APPROVAL OF THE ATTORNEY SHARON HOUSE CONTRACT WITH THE INCLUSION OF THE COMPLETION OF THE REGULATORY HANDBOOK FOR THE COMMISSION AND ALSO THE DEVELOPMENT OF LAW FOR THE ESTABLISHMENT OF THE GAMING COMMISSION , SECONDED BY TINA DANFORTH. MOTION CARRIED UNANIMOUSLY.**

**C. NEW BUSINESS**

1 Patricia Brzezinski RE: Litigation Update.

**MOTION BY SHIRLEY HILL TO APPROVE THE PROPOSED SETTLEMENT OFFER AND THE WAIVER OF THE \$171.33 FEE, SECONDED BY KATHY HUGHES. MOTION CARRIED UNANIMOUSLY.**

2. Michael Lokensgard RE: Wash-n-Go.

**FOR INFORMATION ONLY**

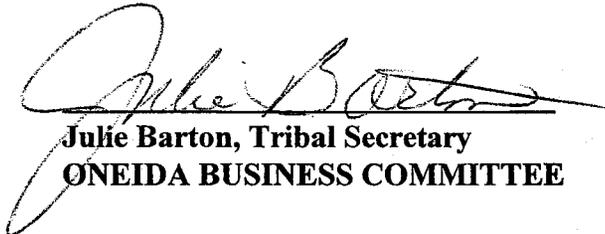
3. Deborah Doxtator RE: Request to participate in Interagency Program on Economic Development.

**MOTION BY LELAND DANFORTH TO APPROVE THE TREASURER'S PARTICIPATION IN THE INTERAGENCY PROGRAM ON ECONOMIC DEVELOPMENT, SECONDED BY SHIRLEY HILL. MOTION CARRIED UNANIMOUSLY.**

**XVIII. RECESS/ADJOURN**

**MOTION BY LELAND DANFORTH TO RECESS, SECONDED BY GARY JORDAN. MOTION CARRIED UNANIMOUSLY.**

**MINUTES APPROVED AS PRESENTED/CORRECTED ON June 24, 1998 .**

  
**Julie Barton, Tribal Secretary**  
**ONEIDA BUSINESS COMMITTEE**