



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 Tribe of Indians of Wisconsin

BUSINESS COMMITTEE



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.

P.O. Box 365 • Oneida, WI 54155
Telephone: 920-869-4364 • Fax: 920-869-4040

ONEIDA BUSINESS COMMITTEE

REGULAR MEETING

SEPTEMBER 29, 2004

BUSINESS COMMITTEE CONFERENCE ROOM

PRESENT: Tina Danforth - Chair, Kathy Hughes - Vice Chair, Julie Barton - Secretary, Mercie Danforth - Treasurer, Paul Ninham, Vince DelaRosa, Brian Doxtator and Trish King - Council Members

EXCUSED: Curtis Danforth, Council Member

OTHERS PRESENT: Bev Anderson, Kitty Melchert, Diane Jourdan, Mike O'Donnell, Dottie Krull, Marsha Danforth, Peril Huff, Racquel Hill, Erv Thompson, Gina Buenrostro and Jim Martin.

OPENING PRAYER: Brian Doxtator

SPECIAL RECOGNITIONS: Recognition of Vince DelaRosa for Years of Service administered by Tina Danforth

I. CALL TO ORDER BY TINA DANFORTH AT 9:00 A.M.

II. OATH OF OFFICE - Administered by Trish King

Tribal School Board Parent Position

Raeann Skenandore - Administered by Julie Barton on September 13, 2004

Oneida Environmental Resource Board

Patricia L. Skenandore - Administered by Julie Barton on September 13, 2004

Oneida Child Care Parent Advisory Committee

Jeanette L. Archiquette - Ninham - NOT PRESENT

Oneida Child Protective Board

Beverly Anderson - PRESENT

Sandra Skenadore - Administered by Julie Barton on September 13, 2004

Lois Strong - Administered by Mercie Danforth on September 13, 2004

III. APPROVAL OF AGENDA

A. ADDITIONS:

TO NEW BUSINESS, REQUESTS:

- 8 Neil Cornelius (Curtis Danforth, Sponsor) RE: Alcohol Sales at Mason Street Casino
9. Pat Cornelius (Julie Barton, Sponsor) RE: Crop Insurance Policy
10. Julie Barton/Mercie Danforth RE: FY 2005 GTC Budget Meeting

TO EXECUTIVE SESSION, NEW BUSINESS:

2. Mercie Danforth RE: Year End Closing Adjustments
3. Deanna Bauman (Julie Barton, Sponsor) RE: McKesson Automated Prescription Systems

B. DELETIONS:

C. MOVES:

FROM NEW BUSINESS, REQUESTS TO THE BUSINESS COMMITTEE PLANNING MEETING OF SEPTEMBER 14, 2004:

5. John Bauman/Pat Wood (Julie Barton, Sponsor) RE: CIP Project #23-007 - Family Fitness Center Elevator Addition

FROM NEW BUSINESS, REQUESTS TO THE BUSINESS COMMITTEE AGENDA OF OCTOBER 6, 2004:

8. Julie Barton

RE: Oneida Personnel Commission
Recommendations

MOTION BY JULIE BARTON TO APPROVE THE AGENDA, SECONDED BY PAUL NINHAM. MOTION CARRIED UNANIMOUSLY.

IV. MINUTES TO BE APPROVED:

Regular Business Committee Meeting Minutes of September 8, 2004

Page 1 of 10 change the spelling of Suan Daniels to Susan Daniels

Page 9 of 10 change the spelling of Trisk to Trish

Page 9 of 10 under Legislative Affairs Update delete the word "from" from item #1, line 2.

MOTION BY BRIAN DOXTATOR TO APPROVE THE MINUTES WITH NOTED CHANGES, SECONDED BY TRISH KING. MOTION CARRIED UNANIMOUSLY.

Special Business Committee Meeting Minutes of September 10, 2004

MOTION BY PAUL NINHAM TO APPROVE THE MINUTES OF SEPTEMBER 10, 2004, SECONDED BY BRIAN DOXTATOR. MOTION CARRIED UNANIMOUSLY.

V. TABLED BUSINESS:

VI. REPORTS

N. TRAVEL REPORTS

1. Kathy Hughes

RE: Terry Virden Meeting, Minneapolis,
MN - August 30, 2004

MOTION BY PAUL NINHAM TO APPROVE THE TRAVEL REPORT, SECONDED BY MERCIE DANFORTH. KATHY HUGHES ABSTAINED. FOR: JULIE BARTON, VINCE DELAROSA, BRIAN DOXTATOR AND TRISH KING. MOTION CARRIED.

2. Tina Danforth

RE: MAST Quarterly Meeting, Grand
Portage, MN - August 18-19, 2004 and
National Republican Convention, New York
City, NY - August 30 - September 3, 2004

MOTION BY KATHY HUGHES TO APPROVE THE TRAVEL REPORT, SECONDED BY PAUL NINHAM. MOTION CARRIED UNANIMOUSLY.

O. FOLLOW UP REPORTS/BC DIRECTIVES FROM PREVIOUS MEETINGS

VII. NEW BUSINESS

A. RESOLUTIONS

Marsha Danforth (Julie Barton, Sponsor) RE: FY 2005 Recycling Grant

MOTION BY BRIAN DOXTATOR TO ADOPT RESOLUTION 9-29-04-A FOR THE FY 2005 RECYCLING GRANT IN THE AMOUNT OF \$57,678.00, SECONDED BY JULIE BARTON. MOTION CARRIED UNANIMOUSLY.

B. REQUESTS

1. Julie Barton RE: Re-post nine (9) vacancies for the Oneida Hall of Fame Selection Committee

MOTION BY PAUL NINHAM TO RE-POST NINE VACANCIES FOR THE ONEIDA HALL OF FAME SELECTION COMMITTEE, SECONDED BY VINCE DELAROSA. MOTION CARRIED UNANIMOUSLY.

2. Julie Barton RE: Re-post one (1) vacancy for the Southeast Oneida Tribal Services Advisory Board (SEOTS)

MOTION BY KATHY HUGHES TO RE-POST ONE VACANCY FOR THE SOUTHEAST ONEIDA TRIBAL SERVICES ADVISORY BOARD, SECONDED BY BRIAN DOXTATOR. MOTION CARRIED UNANIMOUSLY.

3. Julie Barton RE: Post one (1) vacancy for the Oneida Cemetery Board & accept Resignation

MOTION BY BRIAN DOXTATOR TO APPROVE POSTING ONE VACANCY FOR THE ONEIDA CEMETERY BOARD AND ACCEPT THE RESIGNATION OF SUSAN DANIELS, SECONDED BY PAUL NINHAM. MOTION CARRIED UNANIMOUSLY.

4. Julie Barton RE: Post one (1) vacancy for the Oneida Arts Board

MOTION BY MERCIE DANFORTH TO POST ONE VACANCY FOR THE ONEIDA ARTS BOARD, SECONDED BY VINCE DELAROSA. MOTION CARRIED

UNANIMOUSLY.

5 Tina Danforth

RE: 2004-2006 Special Committee on State
- Tribal Relations

MOTION BY JULIE BARTON TO RESCIND THE BUSINESS COMMITTEE ACTION OF APRIL 14, 2004 APPOINTING TANA AGUIRRE AND TO ADOPT RESOLUTION 9-29-04-B, APPOINTING VINCE DELAROSA TO THE 2004-2006 SPECIAL COMMITTEE ON STATE TRIBAL RELATIONS, SECONDED BY TRISH KING. FOR: MERCIE DANFORTH, KATHY HUGHES, BRIAN DOXTATOR, AND PAUL NINHAM. VINCE DELAROSA ABSTAINED. MOTION CARRIED.

6. Paul Ninham

RE: Operational Agreement between the
Oneida Sustainable Resource Advisory
Council (OSRAC) and the Natural Resource
Conservation Source(NRCS)

MOTION BY KATHY HUGHES TO APPROVE THE OPERATIONAL AGREEMENT BETWEEN THE ONEIDA SUSTAINABLE RESOURCE ADVISORY COUNCIL (OSRAC) AND THE NATURAL RESOURCE CONSERVATION SOURCE (NRCS), SECONDED BY VINCE DELAROSA. MOTION CARRIED UNANIMOUSLY.

7. Gerald Doxtator (Curtis Danforth, Sponsor) RE: Oneida Adolescent Treatment Center

MOTION BY KATHY HUGHES TO DENY THE REQUEST TO REVERSE MANAGEMENT'S DECISION TO TERMINATE THE ONEIDA ADOLESCENT TREATMENT CENTER AND DEFER THIS ISSUE TO THE BUSINESS COMMITTEE PLANNING AGENDA OF NOVEMBER 9, 2004 FOR LONG TERM ANALYSIS AND RECOMMENDATIONS BY THE GENERAL MANAGER, SECONDED BY MERCIE DANFORTH. MOTION CARRIED UNANIMOUSLY.

8. Neil Cornelius (Curtis Danforth, Sponsor) RE: Alcohol Sales at Mason Street Casino Application

MOTION BY BRIAN DOXTATOR TO DEFER THIS ITEM TO THE OCTOBER 6, 2004 BUSINESS COMMITTEE MEETING, SECONDED BY PAUL NINHAM. MOTION CARRIED UNANIMOUSLY.

9. Pat Cornelius (Julie Barton, Sponsor)

RE: Crop Insurance Policy

MOTION BY VINCE DELAROSA TO APPROVE THE CROP INSURANCE POLICY AGREEMENT, SECONDED BY BRIAN DOXTATOR. MOTION CARRIED UNANIMOUSLY.

10. Julie Barton/Mercie Danforth

RE: FY 2005 GTC Budget Meeting

MOTION BY KATHY HUGHES TO SCHEDULE A SPECIAL BUSINESS COMMITTEE MEETING FOR OCTOBER 20, 2004 AT 3:00 P.M, WITH THE SECRETARY PUTTING OUT NOTICES, SECONDED BY PAUL NINHAM. FOR: TRISH KING, VINCE DELAROSA, MERCIE DANFORTH, JULIE BARTON. BRIAN DOXTATOR OPPOSED. MOTION CARRIED.

MOTION BY JULIE BARTON TO ADOPT THE CONTINUING BUDGET RESOLUTION 9-29-04-C, SECONDED BY VINCE DELAROSA. MOTION CARRIED UNANIMOUSLY.

C. TRAVEL REQUESTS

1. Tina Danforth

RE: OCIFS Native Food Summit,
Milwaukee, Wi - September 9-11, 2004
(Retro approval)

MOTION BY BRIAN DOXTATOR TO RETRO APPROVE THE TRAVEL REQUEST, SECONDED BY MERCIE DANFORTH. MOTION CARRIED UNANIMOUSLY.

D. VACATION REQUESTS

Paul Ninham

RE: October 25-29, 2004

MOTION BY BRIAN DOXTATOR TO ACCEPT AS FYI, SECONDED BY JULIE BARTON. FOR: TRISH KING, VINCE DELAROSA, KATHY HUGHES, MERCIE DANFORTH. PAUL NINHAM ABSTAINED. MOTION CARRIED.

FINANCE COMMITTEE

LEGISLATIVE OPERATING COMMITTEE

1. For Approval

RE: Legislative Operating Committee
Meeting Minutes of July 19, 2004

MOTION BY JULIE BARTON TO ACCEPT THE MINUTES OF JULY 19, 2004, SECONDED BY PAUL NINHAM. MOTION CARRIED UNANIMOUSLY.

2. For Approval

RE: Resolution adopting Computer
Resources Ordinance

MOTION BY VINCE DELAROSA TO ADOPT RESOLUTION 9-29-04-D, COMPUTER RESOURCES ORDINANCE, SECONDED BY PAUL NINHAM. FOR: TRISH KING, BRIAN DOXTATOR, KATHY HUGHES. MERCIÉ DANFORTH OPPOSED. JULIE BARTON ABSTAINED. MOTION CARRIED.

For the Record, Mercie Danforth couldn't support line 87 because it gives authorization for anyone to give out passwords.

MOTION BY BRIAN DOXTATOR TO AMEND THE MOTION THAT LINE 73, PAGE 15, BE CHANGED FROM 200 TO 50, SECONDED BY KATHY HUGHES. MOTION CARRIED UNANIMOUSLY.

MOTION BY VINCE DELAROSA TO DIRECT THE GENERAL MANAGER TO BRING BACK POLICIES REGARDING MIS COMPUTER MONITORING PROCEDURES BACK IN 30 DAYS, SECONDED BY KATHY HUGHES. MOTION CARRIED UNANIMOUSLY.

MOTION BY BRIAN DOXTATOR TO AMEND THE MOTION TO DIRECT THE GENERAL MANAGER, GAMING GENERAL MANAGER AND PAULA KING DESSART TO FOLLOW UP WITH ALL HRD PROCESSES REGARDING THE COMPUTER RESOURCE ORDINANCE, SECONDED BY PAUL NINHAM. MOTION CARRIED UNANIMOUSLY.

X. LEGISLATIVE AFFAIRS UPDATE

1. Thank you letter from Congressman Jim Oberstar - FYI

MOTION BY MERCIÉ DANFORTH TO ACCEPT AS FYI, SECONDED BY KATHY HUGHES. MOTION CARRIED UNANIMOUSLY.

2. Legislative Overview

MOTION BY VINCE DELAROSA TO APPROVE AS FYI , SECONDED BY BRIAN DOXTATOR. MOTION CARRIED UNANIMOUSLY.

XI. TREASURERS REPORT- Mercie Danforth

ONEIDA BUSINESS COMMITTEE PLANNING

JOINT GENERAL MANAGER MEETING

MOTION BY BRIAN DOXTATOR TO APPROVE THE SEPTEMBER 7, 2004 JOINT GENERAL MANAGER'S MEETING, SECONDED BY PAUL NINHAM. MOTION CARRIED UNANIMOUSLY.

XIV. EXECUTIVE SESSION

A. TABLED BUSINESS

B. OLD BUSINESS

Mercie Danforth

RE: 29 & 32 Project

Excerpt from September 8, 2004: MOTION BY CURTIS DANFORTH TO DEFER TO THE SEPTEMBER 22, 2004 BUSINESS COMMITTEE MEETING, SECONDED BY BRIAN DOXTATOR. MOTION CARRIED UNANIMOUSLY.

Response due September 22, 2004

MOTION BY BRIAN DOXTATOR TO REQUEST THE LAND COMMISSION TO HOLD A SPECIAL MEETING TO DEAL WITH THE LEASE FOR THE 29/32 PROJECT BY OCTOBER 4TH WITH A REPORT ON THE BUSINESS COMMITTEE AGENDA OF OCTOBER 6, 2004, SECONDED BY TRISH KING. FOR: PAUL NINHAM, MERCIE DANFORTH, JULIE BARTON. CURTIS DANFORTH ABSTAINED. MOTION CARRIED.

2. Mercie Danforth

RE: Investment Opportunity

Excerpt from September 8, 2004: MOTION BY PAUL NINHAM TO DEFER TO THE SEPTEMBER 22, 2004 BUSINESS COMMITTEE MEETING, SECONDED BY BRIAN DOXTATOR. MOTION CARRIED UNANIMOUSLY.

Response due September 22, 2004

MOTION BY PAUL NINHAM TO TABLE THIS ITEM, SECONDED BY BRIAN DOXTATOR. FOR: TRISH KING, MERCIE DANFORTH, JULIE BARTON. CURTIS DANFORTH ABSTAINED. MOTION CARRIED.

C. NEW BUSINESS

1 Trish King

RE: Amendments to Bay Bank By-Laws
Recommendation

MOTION BY BRIAN DOXTATOR TO ACCEPT THE RECOMMENDATIONS OF THE SIX (6) AMENDMENTS; 1. SPECIAL MEETINGS, 2. NOTICE OF MEETINGS, 3. ELECTION AND TENURE, 4. QUALIFICATIONS, 5. COMPENSATION AND 6. FAILURE TO QUALIFY, AND FORWARD THE SIX (6) AMENDMENTS TO A "SHARE HOLDERS" MEETING WITH A DATE ESTABLISHED THROUGH THE TRIBAL SECRETARY'S OFFICE. I FURTHER MOTION TO DIRECT COUNCILWOMAN KING TO COOPERATE EFFORTS WITH THE TRIBAL SECRETARY AND CHIEF FINANCIAL OFFICER TO ESTABLISH THE AGENDA, SECONDED BY MERCIE DANFORTH. FOR: TRISH KING, PAUL NINHAM, JULIE BARTON. CURTIS DANFORTH ABSTAINED. MOTION CARRIED.

2 Mercie Danforth

RE: Year End Closing Adjustments

Self Funded Health Insurance Fund Unit

MOTION BY JULIE BARTON TO APPROVE THE TREASURER'S RECOMMENDATION TO ALLOCATE TWO POINT FIVE MILLION INTO THE SELF-FUNDED INSURANCE AND IT'S ALLOCATION AGAINST ALL BUSINESS UNITS WITH EMPLOYEES, SECONDED BY BRIAN DOXTATOR. FOR: PAUL NINHAM, TRISH KING, MERCIE DANFORTH. CURTIS DANFORTH ABSTAINED. MOTION CARRIED.

Land Acquisition Fund

MOTION BY BRIAN DOXTATOR TO TAKE ONE POINT TWO MILLION FROM THE DEBT OBLIGATION LINE ITEM IN THE APPROVED FY04 BUDGET TO FUND ONE MILLION FOR LAND ACQUISITION, SECONDED BY TRISH KING. FOR: PAUL NINHAM, MERCIE DANFORTH, JULIE BARTON. CURTIS DANFORTH ABSTAINED. MOTION CARRIED.

Debt Obligation

MOTION BY BRIAN DOXTATOR TO AUTHORIZE A PRINCIPAL PAYMENT OF TWO MILLION DOLLARS TOWARD DEBT OBLIGATIONS, SECONDED BY PAUL NINHAM. FOR: TRISH KING, MERCIE DANFORTH, JULIE BARTON. CURTIS DANFORTH ABSTAINED. MOTION CARRIED.

Loans

MOTION BY BRIAN DOXTATOR TO APPROVE THE RECOMMENDATION TO TAKE TEN MILLION FOR THE STATE COMPACT FEE AND THREE MILLION FOR CIP PROJECTS, SECONDED BY PAUL NINHAM. FOR: TRISH KING, MERCIE DANFORTH, JULIE BARTON. CURTIS DANFORTH ABSTAINED. MOTION CARRIED.

O.N.E. Travel Expenses

MOTION BY BRIAN DOXTATOR TO APPROVE \$1,075.00 O.N.E. TRAVEL EXPENSES FROM THE O.N.E. ESCROW, AND TO DIRECT CHIEF COUNSEL TO TAKE CARE OF THE O.N.E.'S LEGAL EXPENSES OF \$32,557.00 FOR FY04, SECONDED BY TRISH KING. FOR: PAUL NINHAM, MERCIE DANFORTH, JULIE BARTON. CURTIS DANFORTH ABSTAINED. MOTION CARRIED.

MOTION BY BRIAN DOXTATOR TO ADD THE MCKESSON AUTOMATED PRESCRIPTION SYSTEMS TO THE AGENDA, SECONDED BY PAUL NINHAM. MOTION CARRIED UNANIMOUSLY.

For the record, Brian Doxtator stated he was approving this addition begrudgingly.

3 Deanna Bauman (Julie Barton, Sponsor) RE: McKesson Automated Prescription Systems

MOTION BY JULIE BARTON TO APPROVE THE WAIVER OF SOVEREIGN IMMUNITY UNDER TERMS OF FEDERAL SUPPLY SCHEDULE FOR THE PURCHASE OF A ROBOT FROM MCKESSON AUTOMATED PRESCRIPTION SYSTEMS, INC. IN THE AMOUNT OF \$200,000.00, SECONDED BY PAUL NINHAM. MOTION CARRIED UNANIMOUSLY.

D. ATTORNEY BRIEF

1 Linda S. Dallas v. Oneida Gaming Commission

MOTION BY BRIAN DOXTATOR TO DIRECT CHIEF COUNSEL TO FOLLOW UP WITH THE SUIT AS RECOMMENDED, SECONDED BY JULIE BARTON. MOTION CARRIED UNANIMOUSLY.

2 Agricultural land assessment response letter - FYI

MOTION BY BRIAN DOXTATOR TO AUTHORIZE CHIEF COUNSEL TO COORDINATE EFFORTS WITH THE GENERAL MANAGER IN REGARDS TO

ATTACHMENT C, SECONDED BY TRISH KING. MOTION CARRIED.

- 3 Attorney Contracts for Charlene Smith, Arlinda Locklear/Patton Boggs, Francis Skenandore and Jack Campisi, Attorney William Cornelius

MOTION BY BRIAN DOXTATOR TO TABLE THE CHARLENE SMITH CONTRACT, SECONDED BY JULIE BARTON. MOTION CARRIED UNANIMOUSLY.

MOTION BY JULIE BARTON TO APPROVE A CONTRACT EXTENSION OF THREE YEARS FOR ATTORNEY ARLINDA LOCKLEAR, SECONDED BY BRIAN DOXTATOR. MOTION CARRIED UNANIMOUSLY.

MOTION BY PAUL NINHAM TO APPROVE A ONE YEAR CONTRACT EXTENSION FOR ATTORNEY FRANCIS SKENANDORE, SECONDED BY BRIAN DOXTATOR. MOTION CARRIED UNANIMOUSLY.

MOTION BY PAUL NINHAM TO APPROVE A ONE YEAR CONTRACT EXTENSION FOR JACK CAMPISI, SECONDED BY BRIAN DOXTATOR. MOTION CARRIED UNANIMOUSLY.

MOTION BY BRIAN DOXTATOR TO RETRO APPROVE THE ATTORNEY CONTRACT OF WILLIAM CORNELIUS RETRO TO SEPTEMBER 13, 2004 AND TO DIRECT THE CHAIR TO INFORM THE CHIEF JUDICIAL OFFICER ON THE EMPLOYEE HANDBOOK VIOLATION REGARDING THE CONTRACT AND THE PROCESS FOR SUBMITTING CONTRACTS, SECONDED BY PAUL NINHAM. MOTION CARRIED UNANIMOUSLY.

4. Notification to Social Security Administration of Per Capita Payment

MOTION BY BRIAN DOXTATOR TO DENY THE REQUEST AND DIRECT THE LAW OFFICE TO VERBALLY CONTACT THEM AND FOLLOW UP WITH A MEMO, SECONDED BY PAUL NINHAM. MOTION CARRIED UNANIMOUSLY.

- 5 Oneida Enterprise Development Authority (OEDA) Discussion

MOTION BY JULIE BARTON TO DEFER THIS ITEM TO THE VICE CHAIR FOR FOLLOW-UP, SECONDED BY BRIAN DOXTATOR. MOTION CARRIED UNANIMOUSLY.

MOTION BY BRIAN DOXTATOR TO AMEND THE MOTION TO DEFER THIS ITEM TO THE NOVEMBER BUSINESS COMMITTEE PLANNING AGENDA FOR FOLLOW-UP, SECONDED BY TRISH KING. MOTION CARRIED UNANIMOUSLY.

6. Worldwide Casino Consultant, Inc.

MOTION BY BRIAN DOXTATOR TO DEFER THIS ITEM TO PAUL NINHAM FOR FOLLOW-UP WITH AN UPDATE AT THE OCTOBER 6, 2004 BUSINESS COMMITTEE MEETING IF NECESSARY, SECONDED BY MERCIE DANFORTH. MOTION CARRIED UNANIMOUSLY.

E. LEGISLATIVE AFFAIRS UPDATE

F. AUDIT COMMITTEE

1 Regular Audit Committee Meeting Minutes of June 24, 2004

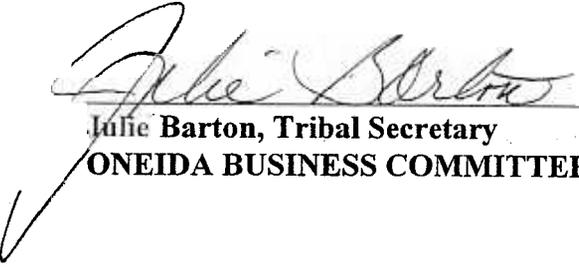
MOTION BY JULIE BARTON TO APPROVE THE AUDIT COMMITTEE MINUTES OF JUNE 24, 2004, SECONDED BY PAUL NINHAM. MOTION CARRIED UNANIMOUSLY.

G. LAND CLAIMS/NEW YORK PROJECT UPDATES (3:00 P.M. WEEKLY)

XIV. RECESS/ADJOURN

MOTION BY BRIAN DOXTATOR TO ADJOURN, SECONDED BY MERCIE DANFORTH. MOTION CARRIED UNANIMOUSLY.

MINUTES APPROVED AS CORRECTED ON October 20, 2004 .


Julie Barton, Tribal Secretary
ONEIDA BUSINESS COMMITTEE