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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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 possble.

BC Meeting Materials <u>February 11, 2015</u>

Open Session

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the following 156 pages are the Open Session meeting materials presented at a meeting duly called, noticed and held on the 11th day of FEBRUARY, 2015.

Lisa Summers, Tribal Secretary
Oneida Business Committee

Oneida Business Committee

Regular Meeting
9 a.m. Wednesday, Feb. 11, 2015
BC Conference Room, 2nd floor, Norbert Hill Center

Agenda

To get a copy of the agenda, go to: http://oneida-nsn.gov/

I. Call to Order and Roll Call

II. Opening

III. Adopt the agenda

IV. Oaths of Office

A. Pardon and Forgiveness Screening Committee – Jeanette Ninham

B. Oneida Pow Wow Committee – Jeremy King

V. Minutes

A. Approve January 28, 2015 regular meeting minutes

VI. Resolutions

A. Adopt resolution titled Budget Initiative Resolution for Fiscal Years 2016, 2017, and 2018
Sponsor: Trish King, Tribal Treasurer

B. Adopt resolution titled Indian Child Welfare Act Policy
Sponsor: Jo Anne House, Chief Counsel

VII. Appointments

A. Rescind motion to appoint to Patricia Powless to the Oneida Personnel Commission
Sponsor: Lisa Summers, Tribal Secretary

B. Appoint Shawn Skenandore to the Environmental Resource Board
Sponsor: Tina Danforth, Tribal Chairwoman

VIII. Continuing Resolution Reports

A. Retail Enterprise – December exceptions to 09-24-14-A
Sponsor: Michele Doxtator, Retail Area Profit Manager

B. Internal Services Division continuing resolution close out report
Sponsor: Joanie Buckley, Division Director/ISD

C. ONCOA continuing resolution close out report
Liaison: Melinda J. Danforth, Tribal Vice-Chairwoman

D. ONVAC continuing resolution close out report
Liaison: Jennifer Webster, Councilwoman

E. Oneida Child Protective Board continuing resolution close out report
Liaison: Lisa Summers, Tribal Secretary

F. Oneida Family Court continuing resolution close out report
Liaison: Robert J. Collins, Family Court Judge

G. Environmental Resource Board continuing resolution close out report
Liaison: Tehassi Hill, Council Member

H. Internal Audit continuing resolution close out report
Liaison: Tehassi Hill, Council Member

I. Environmental, Health, and Safety Division continuing resolution close out report
Liaison: Pat Pelky, EHSD & DOLM Division Director

J. Comprehensive Health Division continuing resolution close out report
Liaison: Dr. Ravi Vir, Medical Director/Debra J. Danforth, Operations Director

IX. Standing Committees

A. Legislative Operating Committee
Sponsor: Councilman Brandon Stevens, Chairman

1. **Accept Legislative Operating Committee meeting minutes of January 21, 2015**

2. **Accept Legislative Operating Committee priority list**

B. Finance Committee
Sponsor: Tribal Treasurer Trish King, Chairwoman

1. **Approve Finance Committee meeting minutes of February 2, 2015**

C. Community Development Planning Committee ***(No Requested Action)***

D. Quality of Life ***(No Requested Action)***

X. General Tribal Council

A. Petitioner Gina Powless: To create a support system of paralegals, advocates and attorneys to assist and advocate for Oneida enrolled Tribal Members that are engaged in any case with Oneida Judiciary.
Sponsor: Lisa Summers, Tribal Secretary
Excerpt from January 14, 2015: *Motion by Jennifer Webster to accept the legal analysis; seconded by Fawn Billie. Motion carried unanimously.*
Excerpt from December 10, 2014: *Motion by Tehassi Hill to accept the update as FYI, seconded by Fawn Billie. Motion carried unanimously.*
Excerpt from November 26, 2014: *Motion by Jenny Webster to accept legislative analysis and to accept financial analysis status report as FYI, seconded by Lisa Summers. Motion carried unanimously.*
Excerpt from October 8, 2014: *Motion by Lisa Summers to direct the Law, Finance and Legislative Reference Offices submit the requested analyses to the Tribal Secretary's office within 45 days, and that a progress report be submitted in 30 days.*

B. Petitioner Yvonne Metivier: Raise employee salaries 99 cents for those under $65,000 and no layoffs
Sponsor: Lisa Summers, Tribal Secretary
Excerpt from January 28, 2015: *Motion by Tehassi Hill to accept the legal and legislative analyses and the status update from Finance, seconded by Fawn Billie. Motion carried unanimously.*
Excerpt from December 10, 2014: *Motion by Lisa Summers to accept the verified petition submitted by Yvonne Metivier, to send the petition to the Law, Finance and Legislative Reference offices to begin work on the appropriate analyses, and that a progress report be submitted in 30 days, seconded by Jenny Webster. Motion carried unanimously.*

C. Petitioner Madelyn Genskow: Request Saturday meeting to address 4 resolutions
Sponsor: Lisa Summers, Tribal Secretary
Excerpt from January 28, 2015: *Motion by Tehassi Hill to accept the status update from the Legislative Reference Office, seconded by Jennifer Webster. Motion carried unanimously.*
Excerpt from December 10, 2014: *Motion by Lisa Summers to accept the verified petition submitted by Madelyn Genskow, to send the petition to the Law, Finance and Legislative Reference offices to begin work on the appropriate analyses, and that a progress report be submitted in 30 days, seconded by Jenny Webster. Motion carried unanimously.*

D. Schedule a special GTC meeting on March 28, 2015
Sponsor: Lisa Summers, Tribal Secretary

XI. Unfinished Business *(No Requested Action)*

XII. Tabled Business *(No Requested Action)*

XIII. New Business

A. Approve Outagamie County Health & Human Services Contract #2014-1480
Sponsor: Joanie Buckley, Division Director/Internal Services

B. Approve proposed Health Risk Assessment schedule for 2015
Sponsor: Larry Barton, Chief Financial Officer

C. Approve payment of Judiciary luncheon quote #Q021315
Sponsor: Tina Danforth, Tribal Chairwoman

XIV. Travel

A. <u>Travel Reports</u>

1. **Approve travel report for Councilwoman Fawn Billie – Franklin Covey Training Presentation – Chicago, IL December 1-2, 2014**
   Sponsor: Fawn Billie, Councilwoman

2. **Approve travel report for Councilwoman Jennifer Webster – ACF, et al v. Green Bay Renewable Energy, et al Hearing – Chicago, IL, October 8, 2014**
   Sponsor: Jennifer Webster, Councilwoman

3. **Approve travel report for Councilwoman Jennifer Webster – Treaty of Canandaigua Anniversary – Washington D.C November 9-11, 2014**
   Sponsor: Jennifer Webster, Councilwoman

4. **Approve travel report for Councilwoman Jennifer Webster – Bemidji Area ITU Meeting – Harris, MI, November 19-21, 2014**
   Sponsor: Jennifer Webster, Councilwoman

B. Travel Requests ***(No Requested Action)***

XV. Reports *(This section of the agenda is scheduled to begin at 1:30 p.m.)*

A. Operational Reports

1. **Governmental Services Division report – Don White, Division Director/GSD**

2. **Human Resources Department report – Geraldine Danforth, Area Manager/HRD**

B. Corporate Reports ***(No Requested Action)***

C. Boards Committees and Commissions

1. **Oneida Police Commission** – Bernard John-Stevens, President
   Liaison: Lisa Summers, Tribal Secretary
   Excerpt from January 28, 2015: (1) *Motion by Fawn Billie to halt any and all stipends to the Oneida Police Commission until the delinquent reports are submitted to the Business Committee and accepted by the Business Committee, seconded by Jennifer Webster. Motion carried unanimously.* ***(2)*** *Motion by Jennifer Webster to direct the Tribal Secretary Lisa Summers, liaison to the Oneida Police Commission, to notify the Oneida Police Commission of their delinquent report and ask that the report is submitted for the next Business Committee agenda, seconded by Lisa Summers. Motion carried unanimously.*

2. **Oneida Child Protective Board** – Lois Strong, Chairwoman
   Liaison: Lisa Summers, Tribal Secretary
   Excerpt from January 28, 2015: (1) *Motion by Lisa Summers to halt any and all stipends to the Oneida Child Protective Board until the delinquent report is submitted to the Business Committee and accepted by the Business Committee, seconded by Jennifer Webster. Motion carried unanimously.* ***(2)*** *Motion by Lisa Summers to direct the Tribal Secretary, liaison to the Oneida Child Protective Board, to notify the Oneida Child Protective Board of their delinquent report and ask that the report is submitted for the next Business Committee agenda, seconded by Fawn Billie. Motion carried unanimously.*
   Excerpt from January 14, 2015: *Motion by Lisa Summers to defer the Oneida Child Protective Board report to the next regular Business Committee meeting, seconded by Jennifer Webster. Motion carried unanimously.*

3. **Oneida Election Board** – Michele Doxtator, Chairwoman
   Liaison: Melinda J. Danforth, Tribal Vice-Chairwoman

4. **Oneida Gaming Commission** – Mark A. Powless Sr., Chairman
   Liaison: Brandon Stevens, Councilman

5. **Oneida Nation Commission on Aging** – Wesley Martin Jr., Chairman
   Liaison: Melinda J. Danforth, Tribal Vice-Chairwoman

XVI. Executive Session

A. Executive Session meeting minutes of February 10, 2015 ***(No Requested Action)***

B. Reports

1. **Oneida Seven Generations Corporation** – Gene Keluche, Sagestone Management LLC

2. **Chief Counsel report** – Jo Anne House, Chief Counsel

3. **Officers' report** – Melinda J. Danforth, Tribal Vice-Chairwoman ***(No Requested Action)***

C. Audit Committee ***(No Requested Action)***

D. Unfinished Business ***(No Requested Action)***

E. Tabled Business ***(No Requested Action)***

F. New Business

1. **Discussion regarding acreage in Brown County**
   Sponsor: Melinda J. Danforth, Tribal Chairwoman

2. **Defer Personnel Matter to the OBC Officers for investigation**
   Sponsor: Lisa Summers, Tribal Secretary

3. **Approve Attorney Contract #2015-0084**
   Sponsor: Jo Anne House, Chief Counsel

4. **Family Care Implementation**
   Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

5. **Review Tribal Member Complaint Re: Oneida Community Health Center**
   Sponsor: Tina Danforth, Tribal Chairwoman

6. **Discussion regarding Emergency Management Director position**
   Sponsor: Lisa Summers, Tribal Secretary

XVII. Adjourn

Posted on the Tribe's official website, www.oneida-nsn.gov, at 4:00 p.m. Friday, February 6, 2015, pursuant to the Open Records and Open Meetings Law, section 7.17-1. For additional information, please call the Business Committee Support Office at (920) 869-4364.

The meeting packet of the open session materials for this meeting is available to Tribal members by going to the Members-Only section of the Tribe's official website at: www.oneida-nsn.gov/MembersOnly

For information about this meeting, please call the Business Committee Support Office at (920) 869-4364 or (800) 236-2214.

Oneida Business Committee Meeting
Agenda Request Form

1. Meeting Date Requested: 02 / 11 / 15

2. Nature of request

Session: ☒ Open ☐ Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

Agenda Header (choose one):

Agenda item title (see instructions):

Oath of Office for the Pardon and Forgiveness Screening Committee

Action requested (choose one)

☐ Information only

☒ Action - please describe:

Administer Oath of Office to Jeanette Ninham

3. Justification

Why BC action is required (see instructions):

Comprehensive Police Governing Boards, Committees and Commissions requirement Article VI. Appointed Positions 6-3.

4. Supporting Materials

Instructions

☒ Memo of explanation with required information (see instructions)

☐ Report ☐ Resolution ☐ Contract (check the box below if signature required)

☐ Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1. 3.
2. 4.

☐ Business Committee signature required

5. Submission Authorization

Authorized sponsor (choose one): Lisa Summers, Tribal Secretary

Requestor (if different from above):

Name, Title / Dept. or Tribal Member

Additional signature (as needed):

Name, Title / Dept.

Additional signature (as needed):

Name, Title / Dept.

1) Save a copy of this form in a pdf format.
2) Email this form and all supporting materials to: BC_Agenda_Requests@oneidanation.org

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

Memorandum

To: Lisa Summers, Tribal Secretary

From: Kathleen M. Metoxen, Executive Tribal Clerk

Date: February 2, 2015

Subject: Oath of Office for Pardon and Forgiveness Screening Committee

The posting was in the December 11, 2014 issue of the Kalihwisaks for (4) four vacancies on the Pardon and Forgiveness Screening Committee for a 3 year term with the deadline of December 5, 2014. There were 3 applicants for the (4) four vacancies on the Pardon and Forgiveness Screening Committee. The appointment was made on the January 14th BC Agenda. This is being reschedule from the January 28, 2015 BC meeting because Jeanette Archiquette-Ninham couldn't make it.

Oneida Business Committee Meeting
Agenda Request Form

1. Meeting Date Requested: 02 / 11 / 15

2. Nature of request

Session: ☒ Open ☐ Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

Agenda Header (choose one):

Agenda item title (see instructions):

Oath of Office for the Oneida Pow Wow Committee

Action requested (choose one)

☐ Information only

☒ Action - please describe:

Administer Oath of Office to Jeremy King

3. Justification

Why BC action is required (see instructions):

Comprehensive Police Governing Boards, Committees and Commissions requirement Article VI. Appointed Positions 6-3.

4. Supporting Materials

Instructions

☒ Memo of explanation with required information (see instructions)

☐ Report ☐ Resolution ☐ Contract (check the box below if signature required)

☐ Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1. 3.
2. 4.

☐ Business Committee signature required

5. Submission Authorization

Authorized sponsor (choose one): Lisa Summers, Tribal Secretary

Requestor (if different from above):

Name, Title / Dept. or Tribal Member

Additional signature (as needed):

Name, Title / Dept.

Additional signature (as needed):

Name, Title / Dept.

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Memorandum

To: Lisa Summers, Tribal Secretary

From: Kathleen M. Metoxen, Executive Tribal Clerk

Date: February 2, 2015

Subject: Oath of Office for Oneida Pow Wow Committee

The posting was in the December 11, 2014 issue of the Kalihwisaks for (3) three vacancies on the Oneida Pow Wow Committee for a 3 year term with the deadline of December 26, 2014. There were 3 applicants for the (3) three vacancies on the Oneida Pow Wow Committee. The appointment was made on the January 14th BC Agenda. This is being rescheduled from the January 28, 2015 BC meeting because Jeremy King couldn't make it.

Oneida Business Committee Meeting
Agenda Request Form

1. Meeting Date Requested: 02 / 11 / 15

2. Nature of request

Session: ☒ Open ☐ Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

Agenda Header (choose one): New Business/Request

Agenda item title (see instructions):

Approve January 28, 2015 regular meeting minutes

Action requested (choose one)

☐ Information only

☒ Action - please describe:

Approve January 28, 2015 regular meeting minutes

3. Justification

Why BC action is required (see instructions):

4. Supporting Materials

Instructions

☐ Memo of explanation with required information (see instructions)

☐ Report ☐ Resolution ☐ Contract (check the box below if signature required)

☒ Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1. January 28, 2015 regular meeting minutes
2.
3.
4.

☐ Business Committee signature required

5. Submission Authorization

Authorized sponsor (choose one): Lisa Summers, Tribal Secretary

Requestor (if different from above):

Name, Title / Dept. or Tribal Member

Additional signature (as needed):

Name, Title / Dept.

Additional signature (as needed):

Name, Title / Dept.

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Oneida Business Committee

Regular Meeting
9 a.m. Wednesday, Jan. 28, 2015
BC Conference Room, 2nd floor, Norbert Hill Center

Minutes – DRAFT

Present: Chairwoman Tina Danforth, Vice-Chairwoman Melinda J. Danforth, Treasurer Trish King, Secretary Lisa Summers, Council members Fawn Billie, Tehassi Hill, Jennifer Webster;
Not Present: Council member Brandon Stevens;
Arrived at: ;
Others present: Brad Graham, Bill Graham, Eric Krawczyk, Ravinder Vir, Debbie Danforth, Pat Powless, Jon Giguere, Debby Schoengarth, Nathalie Benton, Nathan Smith, Pre Leverence, Carol Elm, Tonya Webster, Rosa Laster, Matt J. Denny Sr, Mickey Petitjean, Barbara Metoxen, Nathan Ness, Leonard Webster, Doris Yelk-Wilberg, Lee Thomas, James Flores, Lyle Metoxen, Joanie Buckley, Tracy Smith, Doreen Perrote, Sandra Reveles, Tonya L., Lisa Skenandore, Daryle Metoxen, Mike Finn, RaLinda Ninham-Lamberies, Larae Gower, Carole Liggins, Tim Ninham, Gerald L. Hill, John Breuninger, Lloyd Powless, Gina Buenrostro

I. Call to Order and Roll Call by Chairwoman Tina Danforth at 8:58 a.m.

II. Opening by Councilman Tehassi Hill

A. Recognition for Retirement of Deborah Schoengarth – Jon Giguere, Lab Supervisor/Lab
Recognition by Debra J. Danforth of Deborah Schoengarth's retirement after 17 years working in the Oneida Health Center's lab

B. Special Recognition for Years of Service – Geraldine Danforth, HRD Area Manager
Special Recognition by Matthew J. Denny Sr. of Daniel Jourdan (25 years of service), Richard Cluckey (30 years of service), and Ellen King (30 years of service) who were not present; Special Recognition by Mickey Petitjean of Daryle Metoxen for 25 years of service; Special Recognition by Priscilla Leverence of Barbara Metoxen for 30 years of service; Special Recognition by Melinda J. Danforth of Bruce Danforth for 30 years of service; Special Recognition by Lee Thomas of Doris Yelk-Wilberg for 35 years of service.

III. Adopt the agenda
Motion by Lisa Summers to adopt the agenda with three changes (to correct date in IX.C.1. Accept Community Development Planning Committee meeting notes of December 4, 2015 to "December 4, 2014"; to correct date in XVI.C.2. Accept Audit Committee regular meeting minutes of December 11, 2015 to "December 11, 2014"; to correct date in XVI.C.3. Accept Audit Committee special meeting minutes of December 30, 2015 to "December 30, 2014"), seconded by Melinda J. Danforth. Motion carried unanimously:

Ayes:	Trish King, Lisa Summers, Fawn Billie, Melinda J. Danforth, Tehassi Hill, Jennifer Webster
Not Present:	Brandon Stevens

IV. Oaths of Office administered by Secretary Lisa Summers

DRAFT

A. Oneida Public Safety Pension Board – Sergeant Ron King Jr, Sergeant Nathan Ness, Police School Liaison Officer Lyle Metoxen, and K-9 Officer Leonard Webster

B. Oneida Nation Veterans Affair Committee – Nathan Smith

C. Anna John Resident Centered Care Community Board – Tracy Smith and Carol Elm

D. Oneida Pow Wow Committee – Rosa Laster, Tonya Webster, and Jeremy King *(Jeremy King not present)*

E. Southeastern Oneida Tribal Services Advisory Board – Christina Cottrell (via polycom), Linda Langen (via polycom) and James Flores

F. Oneida Personnel Commission – Patricia Powless

Oneida Personnel Commission by-laws allow for two (2) employees from the Gaming Division. Due to Patricia Powless's recent employment with Gaming, she is ineligible to take the oath for the Oneida Personnel Commission and the vacancy will be reposted.

G. Oneida Library Board – Kitty Melchert and Bridget John

H. Pardon and Forgiveness Screening Committee – Nathalie Benton, Patricia Powless, and Jeanette Ninham *(Jeanette Ninham not present)*

V. Minutes

A. Approve January 14, 2015 regular meeting minutes

Motion by Melinda J. Danforth to approve January 14, 2015 regular meeting minutes, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Melinda J. Danforth, Tehassi Hill, Jennifer Webster

Not Present: Brandon Stevens

VI. Resolutions

A. Adopt resolution Temporary Assistance for Needy Families (TANF)

Sponsor: Joanie Buckley, Division Director/Internal Services

Motion by Lisa Summers to adopt resolution 01-28-15-A Temporary Assistance for Needy Families (TANF), seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Melinda J. Danforth, Tehassi Hill, Jennifer Webster

Not Present: Brandon Stevens

B. Adopt resolution Oneida Tribe of Indians of Wisconsin 2015-2016 Transportation Improvement Plan

Sponsor: Troy Parr, Asst. Div. Dir./Devel. & Bruce Danforth, Asst. Div. Dir. Devel. Oper.

Motion by Jennifer Webster to adopt resolution 01-28-15-B Oneida Tribe of Indians of Wisconsin 2015-2016 Transportation Improvement Plan, seconded by Tehassi Hill. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Melinda J. Danforth, Tehassi Hill, Jennifer Webster

Not Present: Brandon Stevens

DRAFT

VII. Appointments *(No Requested Action)*

VIII. Continuing Resolution Reports

A. Continuing Resolution Close out reports and recommendations

Sponsor: Lisa Summers, Tribal Secretary

Motion by Melinda J. Danforth to direct the Tribal Secretary to issue a memorandum to our Direct Reports, Non-Divisional areas including the Judiciary, and all Boards, Committees and Commissions to submit final close out reports to the February 11, 2015, regular Business Committee meeting agenda to include the operation impacts of the continuing resolution, any information pertaining to the exceptions that were made and any recommendations moving forward on how to improve the continuing resolution process, seconded by Lisa Summers. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Melinda J. Danforth, Tehassi Hill, Jennifer Webster

Not Present: Brandon Stevens

IX. Standing Committees

A. Legislative Operating Committee

Sponsor: Councilman Brandon Stevens, Chairman

1. Accept Legislative Operating Committee meeting minutes of December 3, 2014

Motion by Fawn Billie to accept the Legislating Operating Committee meeting minutes of December 3, 2014, seconded by Tehassi Hill. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Melinda J. Danforth, Tehassi Hill, Jennifer Webster

Not Present: Brandon Stevens

2. Accept Legislative Operating Committee meeting minutes of December 17, 2014

Motion by Tehassi Hill to accept the Legislating Operating Committee meeting minutes of December 17, 2014, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Melinda J. Danforth, Tehassi Hill, Jennifer Webster

Not Present: Brandon Stevens

3. Accept Legislative Operating Committee meeting minutes of January 15, 2015

Motion by Tehassi Hill to accept the Legislating Operating Committee meeting minutes of January 15, 2015, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Melinda J. Danforth, Tehassi Hill, Jennifer Webster

Not Present: Brandon Stevens

B. Finance Committee

Sponsor: Tribal Treasurer Trish King, Chairwoman

1. Approve Finance Committee meeting minutes of January 19, 2015

Motion by Trish King to approve the Finance Committee meeting minutes of January 19, 2015, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Melinda J. Danforth, Tehassi Hill, Jennifer Webster

Not Present: Brandon Stevens

C. Community Development Planning Committee

Sponsor: Tribal Vice-Chairwoman Melinda J. Danforth, Chairwoman

1. Accept Community Development Planning Committee meeting notes of December 4, 2014

DRAFT

Motion by Fawn Billie to accept the Community Development Planning Committee meeting notes of December 4, 2014, seconded by Tehassi Hill. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Melinda J. Danforth, Tehassi Hill, Jennifer Webster
Not Present: Brandon Stevens

2. Accept Community Development Planning Committee meeting notes of January 7, 2015

Motion by Jennifer Webster to accept the Community Development Planning Committee meeting notes of January 7, 2015, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Melinda J. Danforth, Tehassi Hill, Jennifer Webster
Not Present: Brandon Stevens

D. Quality of Life ***(No Requested Action)***

X. General Tribal Council

A. Petitioner Madelyn Genskow: Request Saturday meeting to address 4 resolutions

Sponsor: Lisa Summers, Tribal Secretary

Excerpt from December 10, 2014: *Motion by Lisa Summers to accept the verified petition submitted by Madelyn Genskow, to send the petition to the Law, Finance and Legislative Reference offices to begin work on the appropriate analyses, and that a progress report be submitted in 30 days, seconded by Jenny Webster. Motion carried unanimously.*

Motion by Tehassi Hill to accept the status update from the Legislative Reference Office, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Melinda J. Danforth, Tehassi Hill, Jennifer Webster
Not Present: Brandon Stevens

B. Petitioner Yvonne Metivier: Raise employee salaries 99 cents for those under $65,000 and no layoffs

Sponsor: Lisa Summers, Tribal Secretary

Excerpt from December 10, 2014: *Motion by Lisa Summers to accept the verified petition submitted by Yvonne Metivier, to send the petition to the Law, Finance and Legislative Reference offices to begin work on the appropriate analyses, and that a progress report be submitted in 30 days, seconded by Jenny Webster. Motion carried unanimously.*

Motion by Tehassi Hill to accept the legal and legislative analyses and the status update from Finance, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Melinda J. Danforth, Tehassi Hill, Jennifer Webster
Not Present: Brandon Stevens

XI. Unfinished Business

A. Approve Oneida Business Committee and Oneida Trust/Enrollment Committee Memorandum of Agreement

Sponsor: Brandon Stevens, Councilman

Excerpt from December 10, 2014: *Motion by Lisa Summers to defer the Memorandum of Agreement to the Joint Business and Trust/Enrollment Committee meeting scheduled for December 16, 2014, and for the agreement to come back when it is finalized, seconded by Fawn Billie. Motion carried unanimously.*

Motion by Fawn Billie to approve Oneida Business Committee and Oneida Trust/Enrollment Committee Memorandum of Agreement, seconded by Trish King. Motion carried with one abstention:

Ayes: Trish King, Lisa Summers, Fawn Billie, Melinda J. Danforth, Tehassi Hill
Abstained: Jennifer Webster

DRAFT

Not Present: Brandon Stevens

XII. Tabled Business *(No Requested Action)*

XIII. New Business

A. Approve School Board vacancy reposting

Sponsor: Fawn Billie, Councilwoman

Motion by Fawn Billie to approve School Board (Parent Position) vacancy reposting, seconded by Tehassi Hill. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Melinda J. Danforth, Tehassi Hill, Jennifer Webster

Not Present: Brandon Stevens

B. Accept report on Purchase and Distribution of Packer Play-Off Tickets

Sponsor: Tina Danforth, Tribal Chairwoman

Motion by Melinda J. Danforth to decline the report as the report has several in accuracies and discrepancies and to deem the purchase of the six (6) packer tickets on the Chairwoman's credit card as unauthorized, seconded by Lisa Summers. Motion carried with one abstention:

Ayes: Trish King, Lisa Summers, Fawn Billie, Melinda J. Danforth, Tehassi Hill

Abstained: Jennifer Webster

Not Present: Brandon Stevens

For the record: Lisa Summers stated I appreciate you putting the chronology of events together from your perspective. However, I do need to agree with the Vice-Chairwoman at this time. The way that you have this laid out, while the components are accurate, the order in which things occurred were not necessarily accurate. I think Melinda did a good of recapping. I guess from my perspective and the Officers' perspective, what had actually occurred and I know that we've had the additional communication. I am very disappointed that the email that I originally sent out to the whole Committee, framing out our conversation in the Officers' meeting and asking for their input and feedback, wasn't included in the other emails that you used for back up materials. So for the record, I would like that email also included so that it's noted that I followed up with the part that I was supposed to do on behalf of the Committee and behalf of the Officers: to request the information and for us to drive consensus. This is where I also want to take the opportunity to say that while we disagree with our perception of how things occurred, I think for myself what was disappointing about the way this decision happened, was that, for me, it violated almost every single one of our agreements that we came to together. There's a big poster of them over here to my left which talks about: how we are going to support the decisions of the team; that we are going to leave our titles at the door; that we're working on a level playing field; that we're delivering the mail to the right address, meaning that we're going to the source when we need to; we're going to assume the best in one another; we're going to check our attitudes at the door; we're going to stay focused on issues, not people; we're not going to take our decisions personally; and we're going to maintain our core values. Especially our agreement that we had to make major decisions by consensus, for me, I felt that was also violated. I just need to put it out there. I think we just have very different understanding of what occurred and I'm looking for us to try to move forward in the best way possible. One of the things that we've been committed to as a Committee is accountability. I believe that accountability needs to start with us because if we don't have it here at this table, we can't expect it from anybody else in the operations.

DRAFT

For the record: Tina Danforth stated the motion that was voted on deems that my report was inaccurate. It was reported to the best of my knowledge and so, I disagree with that motion being on the record. As far as the unauthorized purchase, I acted within my understanding of what occurred at the Officers' meeting; it was a verbal discussion. I also acted within my authority as Chairwoman to execute that acquisition, as precedent has been set to that effect. Also for the record, I will be taking this item to General Tribal Council for further discussion because I don't know what other appeal rights I have. GTC is my supervisor.

For the record: Melinda J. Danforth stated in response to Jacob's statement: Mrs. Mary Graves, who is the Chairwoman's Assistant, had been cc'd on all the emails, just as we have been proceeding with, in the future we will include you as well. I agree with you that if there are 66 missing Packer tickets that that also needs to be looked into however that information just got brought to our attention today as you mentioned it. I think it's only fair to let the Business Committee review the 300+ page information report that we received over the last couple of days and also request that report come forward to the Business Committee. I also have questions about not only where did the tickets go (Thornberry, Hotel Corporation, Gaming, Retail) but I want to know how they used them.

Motion by Lisa Summers to identify the six (6) play-off tickets will be paid for from the Business Committee's Special Projects budget, so the expense can be reconciled timely, so there will be no personal liability for the purchase, seconded by Jennifer Webster. Motion carried with two opposed by a roll call vote:

Ayes: Trish King, Lisa Summers, Fawn Billie, Jennifer Webster
Opposed: Melinda J. Danforth, Tehassi Hill
Not Present: Brandon Stevens

Motion by Jennifer Webster to cancel corporate credit cards for the Business Committee, seconded by Lisa Summers. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Melinda J. Danforth, Tehassi Hill, Jennifer Webster
Not Present: Brandon Stevens

Motion by Lisa Summers for the Tribal Chairwoman's office to follow up on the distribution of all tickets associated with the Packers Contract and provide a formal report to the Business Committee, seconded by Melinda J. Danforth. Motion withdrawn.

Motion by Lisa Summers to direct Chair's office to bring a comprehensive report to the Oneida Business Committee regarding the performance of the Packers Contract, including a presentation to General Tribal Council for the July 2015 Semi-Annual meeting, with the information we are able to disclose in accordance with the contract, seconded by Melinda J. Danforth. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Melinda J. Danforth, Tehassi Hill, Jennifer Webster
Not Present: Brandon Stevens

XIV. Travel

A. Travel Reports *(No Requested Action)*

B. Travel Requests

1. Ratify e-poll: Business Committee – MBK Community Challenge National Convening – Washington D.C, January 28, 2015

Sponsor: Brandon Stevens, Councilman

Motion by Melinda J. Danforth to ratify the e-poll for Councilman Stevens and Councilwoman Billie – MBK Community Challenge National Convening – Washington D.C, January 28, 2015, seconded by Tehassi Hill. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Melinda J. Danforth, Tehassi Hill, Jennifer Webster
Not Present: Brandon Stevens

2. Gaming – NIGA Tradeshow & Convention – San Diego, CA, March 29-April 3, 2015
Sponsor: Louise Cornelius, Gaming General Manager

Motion by Jennifer Webster to approve three (3) Gaming employees and two (2) Business Committee members, identified by the Business Committee as Chairwoman Tina Danforth and Councilwoman Jennifer Webster, to attend NIGA Tradeshow & Convention – San Diego, CA, March 29-April 3, 2015, seconded by Tehassi Hill. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Melinda J. Danforth, Tehassi Hill, Jennifer Webster
Not Present: Brandon Stevens

XV. Reports *(This section of the agenda is scheduled to begin at 1:30 p.m.)*

Called to order at 1:28 p.m. by Chairwoman Tina Danforth.

Vice-Chairwoman Melinda J. Danforth, Council members Tehassi Hill and Brandon Stevens are not present.

A. Operational Reports ***(No Requested Action)***

B. Corporate Reports ***(No Requested Action)***

C. Boards Committees and Commissions

1. Oneida Police Commission – Bernard John-Stevens, President ***(No Reports Submitted)***
Liaison: Lisa Summers, Tribal Secretary

i. FY-2014 4th quarter report
Excerpt from January 14, 2015: *Motion by Lisa Summers to defer the Oneida Police Commission report to the next regular Business Committee meeting, seconded by Jennifer Webster. Motion carried unanimously.*[1]

ii. FY-2015 1st quarter report

Motion by Fawn Billie to halt any and all stipends to the Oneida Police Commission until the delinquent reports are submitted to the Business Committee and accepted by the Business Committee, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Jennifer Webster
Not Present: Melinda J. Danforth, Tehassi Hill, Brandon Stevens

Motion by Jennifer Webster to direct the Tribal Secretary Lisa Summers, liaison to the Oneida Police Commission, to notify the Oneida Police Commission of their delinquent report and ask that the report is submitted for the next Business Committee agenda, seconded by Lisa Summers. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Jennifer Webster
Not Present: Melinda J. Danforth, Tehassi Hill, Brandon Stevens

2. Oneida Arts Board – Nic Reynolds, Chairman
Liaison: Jennifer Webster, Councilwoman
Excerpt from January 14, 2015: *Motion by Lisa Summers to defer the Oneida Arts Board report to the next regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously.*

[1] Following this meeting, the Tribal Secretary's Office was informed that the Oneida Police Commission's FY-2014 4th quarter report was previously submitted. After review, the Tribal Secretary confirmed that the report was submitted and accepted at the October 22, 2014, regular Business Committee meeting and determined that the error occurred due to ambiguity of the FY-2014 reporting schedule.

DRAFT

Motion by Jennifer Webster to accept the Oneida Arts Board report, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Jennifer Webster
Not Present: Melinda J. Danforth, Tehassi Hill, Brandon Stevens

Councilman Tehassi Hill arrives at 1:31 p.m.

3. **Anna John Resident Centered Care Community Board** – Carol Elm, Chairwoman
   Liaison: Melinda J. Danforth, Tribal Vice-Chairwoman
   Excerpt from January 14, 2015: *Motion by Lisa Summers to defer the Anna John Resident Centered Care Community Board report to the next regular Business Committee meeting, seconded by Jennifer Webster. Motion carried unanimously*.

Motion by Lisa Summers to accept the Anna John Resident Centered Care Community Board report, seconded by Tehassi Hill. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Tehassi Hill, Jennifer Webster
Not Present: Melinda J. Danforth, Brandon Stevens

4. **Oneida Child Protective Board –** Lois Strong, Chairwoman ***(No Report Submitted)***
   Liaison: Lisa Summers, Tribal Secretary
   Excerpt from January 14, 2015: *Motion by Lisa Summers to defer the Oneida Child Protective Board report to the next regular Business Committee meeting, seconded by Jennifer Webster. Motion carried unanimously.*

Motion by Lisa Summers to halt any and all stipends to the Oneida Child Protective Board until the delinquent report is submitted to the Business Committee and accepted by the Business Committee, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Tehassi Hill, Jennifer Webster
Not Present: Melinda J. Danforth, Brandon Stevens

Motion by Lisa Summers to direct the Tribal Secretary, liaison to the Oneida Child Protective Board, to notify the Oneida Child Protective Board of their delinquent report and ask that the report is submitted for the next Business Committee agenda, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Tehassi Hill, Jennifer Webster
Not Present: Melinda J. Danforth, Brandon Stevens

5. **Personnel Commission –** Susan Daniels, Chairwoman
   Liaison: Lisa Summers, Tribal Secretary

Motion by Tehassi Hill to accept the Personnel Commission report, seconded by Lisa Summers. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Tehassi Hill, Jennifer Webster
Not Present: Melinda J. Danforth, Brandon Stevens

Motion by Lisa Summers to direct the Tribal Secretary, liaison to the Oneida Personnel Commission, to continue to work with the Personnel Commission on the representation issues and provide a follow up to the Business Committee in 60 days, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Tehassi Hill, Jennifer Webster
Not Present: Melinda J. Danforth, Brandon Stevens

6. **Pow Wow Committee –** Lloyd Powless, Chairman
   Liaison: Fawn Billie, Councilwoman

Motion by Jennifer Webster to accept the Pow Wow Committee report, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Tehassi Hill, Jennifer Webster
Not Present: Melinda J. Danforth, Brandon Stevens

7. **Southeastern Oneida Tribal Services Advisory Board –** Dan Schiller, Chairman
   Liaison: Tina Danforth, Tribal Chairwoman

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Motion by Jennifer Webster to accept the Southeastern Oneida Tribal Services Advisory Board report, seconded by Lisa Summers. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Tehassi Hill, Jennifer Webster
Not Present: Melinda J. Danforth, Brandon Stevens

8. Oneida Veterans Affairs Committee – Michael Hill, Chairman
Liaison: Jennifer Webster, Councilwoman

Motion by Jennifer Webster to accept the Oneida Veterans Affairs Committee report, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Tehassi Hill, Jennifer Webster
Not Present: Melinda J. Danforth, Brandon Stevens

XVI. Executive Session

A. Executive Session meeting minutes of January 27, 2015

Present: Vice-Chairwoman Melinda J. Danforth, Treasurer Trish King, Secretary Lisa Summers, Council members Fawn Billie, Tehassi Hill, Jennifer Webster;
Not Present: Council member Brandon Stevens;
Arrived At: Chairwoman Tina Danforth 10:15 a.m.;
Others Present: Chad Fuss, Louise Cornelius, Jo Anne House, Ralinda Ninham-Lambries, David Emmerson;

1. Call to order by Vice-Chairwoman Melinda J. Danforth at 9:00 a.m.

2. Adopt the agenda

Motion by Fawn Billie to adopt the agenda as presented, seconded by Lisa Summers. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Tehassi Hill, Jennifer Webster

3. Executive discussion

Motion by Lisa Summers to go into executive session at 9:01 a.m., seconded by Tehassi Hill. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Tehassi Hill, Jennifer Webster

Chairwoman Tina Danforth arrives at 10:15 a.m. and assumes responsibilities of the Chair.

4. Adjourn

Motion by Lisa Summers to come out of executive session and adjourn at 12:07 p.m., seconded by Fawn Billie. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Melinda J. Danforth, Tehassi Hill, Jennifer Webster

B. Reports

Treasurer Trish King departs at 11:28 a.m.

1. Gaming General Manager report – Louise Cornelius, Gaming General Manager

Motion by Melinda J. Danforth to accept the Gaming General Manager report, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Melinda J. Danforth, Tehassi Hill, Jennifer Webster
Not Present: Brandon Stevens

Motion by Melinda J. Danforth to defer the parental leave issue to the next Business Committee work meeting, seconded by Lisa Summers. Motion carried unanimously:

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Ayes: Trish King, Lisa Summers, Fawn Billie, Melinda J. Danforth, Tehassi Hill, Jennifer Webster
Not Present: Brandon Stevens

2. Chief Counsel report – Jo Anne House, Chief Counsel
Motion by Jennifer Webster to accept the Chief Counsel report, seconded by Fawn Billie. Motion carried unanimously:
Ayes: Trish King, Lisa Summers, Fawn Billie, Melinda J. Danforth, Tehassi Hill, Jennifer Webster
Not Present: Brandon Stevens

3. Intergovernmental Affairs and Communications – Nathan King, Legislative Affairs Director
Motion by Jennifer Webster to accept the Intergovernmental Affairs and Communications report, seconded by Tehassi Hill. Motion carried unanimously:
Ayes: Trish King, Lisa Summers, Fawn Billie, Melinda J. Danforth, Tehassi Hill, Jennifer Webster
Not Present: Brandon Stevens

4. Officers' report – Melinda J. Danforth, Tribal Vice-Chairwoman ***(No Requested Action)***

Tribal Treasurer Trish King returns at 11:31 a.m.

C. <u>Audit Committee</u>
Sponsor: Councilman Tehassi Hill, Chairman

1. Lift the Confidentiality of five (5) Audits: Title 31 Audit, Table Games Audit, Gaming Contracts Audit, Drop Count Audit, and Surveillance Audit
Motion by Tehassi Hill to lift the Confidentiality of five (5) Audits: Title 31 Audit, Table Games Audit, Gaming Contracts Audit, Drop Count Audit, and Surveillance Audit, seconded by Lisa Summers. Motion carried unanimously:
Ayes: Trish King, Lisa Summers, Fawn Billie, Melinda J. Danforth, Tehassi Hill, Jennifer Webster
Not Present: Brandon Stevens

2. Accept Audit Committee regular meeting minutes of December 11, 2014
Motion by Tehassi Hill to accept the Audit Committee regular meeting minutes of December 11, 2014, seconded by Melinda J. Danforth. Motion carried unanimously:
Ayes: Trish King, Lisa Summers, Fawn Billie, Melinda J. Danforth, Tehassi Hill, Jennifer Webster
Not Present: Brandon Stevens

3. Accept Audit Committee special meeting minutes of December 30, 2014
Motion by Melinda J. Danforth to accept the Audit Committee special meeting minutes of December 30, 2014, seconded by Tehassi Hill. Motion carried unanimously:
Ayes: Trish King, Lisa Summers, Fawn Billie, Melinda J. Danforth, Tehassi Hill, Jennifer Webster
Not Present: Brandon Stevens

4. Approve the Card Games Audit and Poker Rules of Play Audit and lift the confidentiality requirement allowing Tribal Members to view the audit
Motion by Tehassi Hill to approve the Card Games Audit and Poker Rules of Play Audit and lift the confidentiality requirement allowing Tribal Members to view the audit, seconded by Fawn Billie. Motion carried unanimously:
Ayes: Trish King, Lisa Summers, Fawn Billie, Melinda J. Danforth, Tehassi Hill, Jennifer Webster
Not Present: Brandon Stevens

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5. **Approve the Cage Vault Audit and lift the confidentiality requirement allowing Tribal Members to view the audit**

Motion by Tehassi Hill to approve the Cage Vault Audit and lift the confidentiality requirement allowing Tribal Members to view the audit, seconded by Lisa Summers. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Melinda J. Danforth, Tehassi Hill, Jennifer Webster
Not Present: Brandon Stevens

6. **Approve the Player Tracking Compliance Audit and lift the confidentiality requirement allowing Tribal Members to view the audit**

Motion by Tehassi Hill to approve the Player Tracking Compliance Audit and lift the confidentiality requirement allowing Tribal Members to view the audit, seconded by Lisa Summers. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Melinda J. Danforth, Tehassi Hill, Jennifer Webster
Not Present: Brandon Stevens

7. **Approve the Blackjack Rules of Play Audit and lift the confidentiality requirement allowing Tribal Members to view the audit**

Motion by Tehassi Hill to approve the Blackjack Rules of Play Audit and lift the confidentiality requirement allowing Tribal Members to view the audit, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Melinda J. Danforth, Tehassi Hill, Jennifer Webster
Not Present: Brandon Stevens

D. <u>Unfinished Business</u> ***(No Requested Action)***

E. <u>Tabled Business</u> ***(No Requested Action)***

F. <u>New Business</u>

1. **Approve Attorney Contract #2014-1491**

Sponsor: Gerald L. Hill, Chief Appellate Judge and Denice E. Beans, Chief Trial Judge

Motion by Lisa Summers to approve the attorney contract for Paul Stenzel #2014-1491, seconded by Trish King. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Melinda J. Danforth, Tehassi Hill, Jennifer Webster
Not Present: Brandon Stevens

2. **Review Tribal Member Complaint Re: Child Protective Board**

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

Motion by Lisa Summers to request a meeting with the Child Protective Board on the identified issues, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Melinda J. Danforth, Tehassi Hill, Jennifer Webster
Not Present: Brandon Stevens

Motion by Lisa Summers to direct the Law Office to create a policy statement and to request the Legislative Operating Committee consider the Children's Code a priority, seconded by Tehassi Hill. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Melinda J. Danforth, Tehassi Hill, Jennifer Webster
Not Present: Brandon Stevens

Motion by Lisa Summers to deny the financial request, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Melinda J. Danforth, Tehassi Hill, Jennifer Webster

DRAFT

Not Present: Brandon Stevens

Motion by Lisa Summers to request the Law Office submit a formal response to the complainants on behalf of the Business Committee, seconded by Tehassi Hill. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Melinda J. Danforth, Tehassi Hill, Jennifer Webster
Not Present: Brandon Stevens

Motion by Melinda J. Danforth to recess at 11:41 a.m. and return at 1:30 p.m., seconded by Trish King. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Melinda J. Danforth, Tehassi Hill, Jennifer Webster
Not Present: Brandon Stevens

XVII. Adjourn

Motion by Lisa Summers to adjourn at 2:05 p.m., seconded by Trish King. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Tehassi Hill, Jennifer Webster
Not Present: Melinda J. Danforth, Brandon Stevens

Minutes prepared by Lisa Liggins, Executive Assistant
Minutes approved as presented/corrected on _____.

_____
Lisa Summers, Tribal Secretary
ONEIDA BUSINESS COMMITTEE

DRAFT

Oneida Business Committee Meeting
Agenda Request Form

1. Meeting Date Requested: 02 / 11 / 15

2. Nature of request

Session: ☒ Open ☐ Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

Agenda Header (choose one): Resolution

Agenda item title (see instructions):

Budget Initiative

Action requested (choose one)

☐ Information only

☒ Action - please describe:

To adopt the Budget Initiative Resolution for Fiscal Years 2016, 2017, and 2018.

3. Justification

Why BC action is required (see instructions):

This will set out the over-arching policy goals guiding the Oneida Business Committee's budget decisions and the Oneida Tribe's priorities for the next three years.

4. Supporting Materials Memo and Resolution will be a handout

Instructions

☒ Memo of explanation with required information (see instructions)

☐ Report ☒ Resolution ☐ Contract (check the box below if signature required)

☐ Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1. 3.

2. 4.

☐ Business Committee signature required

5. Submission Authorization

Authorized sponsor (choose one): Trish King, Tribal Treasurer

Requestor (if different from above): _____

Name, Title / Dept. or Tribal Member

Additional signature (as needed): _____

Name, Title / Dept.

Additional signature (as needed): _____

Name, Title / Dept.

1) Save a copy of this form in a pdf format.
2) Email this form and all supporting materials to: BC_Agenda_Requests@oneidanation.org

Oneida Business Committee Meeting
Agenda Request Form

1. Meeting Date Requested: 02 / 11 / 15

2. Nature of request

Session: ☒ Open ☐ Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

Agenda Header (choose one): Resolution

Agenda item title (see instructions):

Indian Child Welfare Act Policy Resolution

Action requested (choose one)

☐ Information only

☒ Action - please describe:

Approve and adopt the Resolution.

3. Justification

Why BC action is required (see instructions):

It is a BC Resolution requiring their adoption.

4. Supporting Materials

Instructions

☐ Memo of explanation with required information (see instructions)

☐ Report ☒ Resolution ☐ Contract (check the box below if signature required)

☐ Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1. Statement of Effect
2.
3.
4.

☐ Business Committee signature required

5. Submission Authorization

Authorized sponsor (choose one): Jo Ann House, Chief Counsel

Requestor (if different from above): _____
Name, Title / Dept. or Tribal Member

Additional signature (as needed): _____
Name, Title / Dept.

Additional signature (as needed): _____
Name, Title / Dept.

1) Save a copy of this form in a pdf format.
2) Email this form and all supporting materials to: BC_Agenda_Requests@oneidanation.org

Oneida Tribe of Indians of Wisconsin
Legislative Reference Office

Lynn A. Franzmeier, Staff Attorney
Taniquelle J. Thurner, Legislative Analyst
Candice E. Skenandore, Legislative Analyst

P.O. Box 365
Oneida, WI 54155
(920) 869-4376
(800) 236-2214
https://oneida-nsn.gov/Laws

Statement of Effect
Indian Child Welfare Act Policy

Summary

This Resolution sets forth a policy statement of the Tribe pertaining to the Indian Child Welfare Act. The policy statement: (1) declares the best interests of the child shall be paramount in each case, even if this results in the placement preferences of the Indian Child Welfare Act not being followed; (2) defines what "best interests of the child" means; and (3) pursuant to the holding of the United States Supreme Court in Adoptive Couple vs. Baby Girl (12-399), outlines when the Tribe will refrain from intervening in a voluntary termination of parental rights case. The Resolution requires all who work with Indian Child Welfare Cases, including the Oneida Child Protective Board, Social Services Department, and Law Office to adhere to the policy statement. Finally, the Resolution states the Tribe will follow and adhere to Federal Law and Court opinions which interpret Federal Law.

Submitted by: Lynn A. Franzmeier, Staff Attorney, Legislative Reference Office

Analysis from Legislative Reference Office

On September 25, 1981, the Oneida Business Committee adopted Resolution BC-9-25-81, Oneida Child Protective Board Ordinance, and delegated the Tribe's powers under the Indian Child Welfare Act to the Oneida Child Protective Board. In addition, Resolution BC-5-24-84-C, recognized that the Oneida Child Protective Board was established to protect the best interests of children and to promote the stability and security of Indian tribes and families. However, these Resolutions did not set forth any policy of the Tribe to guide the Oneida Child Protective Board on how to proceed when hearing cases.

Since the establishment of the Oneida Child Protective Board and recognition of its responsibilities, the United States Supreme Court (Court), has held in Adoptive Couple vs. Baby Girl (12-399) that:

> 25 U.S.C. § 1912(f), which bars involuntary termination of a parent's rights in the absence of a heightened showing that serious harm to the Indian child is likely to result from the parent's "continued custody" of the child, does not apply when … the relevant parent never had custody of the child.

In the same case, the Court further held that the adoption placement preferences of 25 U.S.C. § 1915(a) are inapplicable in cases where no alternative party has formally sought to adopt the child. That section states:

> In any adoptive placement of an Indian child under State law, a preference shall be given, in the absence of good cause to the contrary, to a placement with
> (1) a member of the child's extended family;
> (2) other members of the Indian child's tribe; or

(3) other Indian families.

Based on the holdings from this case, this Resolution sets forth the following policy statement of the Tribe as it pertains to the Indian Child Welfare Act to provide direction to the Oneida Child Protective Board, Indian Child Welfare Workers, and the Oneida Law Office:

1) The best interests of the child shall be paramount in each case, even if this creates a choice not to follow the placement preferences within the Indian Child Welfare Act.
2) Best interests of the child shall be defined as placement decisions that are made with the ultimate goal of fostering and encouraging the child's happiness, security, mental health, and emotional development including maintaining a close and loving relationship with both parents as much as possible, while also maintaining a cultural attachment if possible.
3) For cases where the parent(s) are voluntarily terminating their parental rights, if no family or other native home is available for adoptive placement, the Tribe shall not seek to intervene in that adoption proceeding pursuant to the holding in Adoptive Couple vs. Baby Girl as referenced above.

This Resolution requires all those who work with Indian Child Welfare Cases, including the Oneida Child Protective Board, the Social Services Department, and the Law Office to follow the policy statement. In addition, the Resolution also states that the Tribe will continue to follow and adhere to Federal Law and Court opinions that interpret Federal Law.

Conclusion

This Resolution does not conflict with any Tribal laws.

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.

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 possble.

BC Resolution _____
Indian Child Welfare Act Policy

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 of America; and

WHEREAS, the Oneida General Tribal Council is the duly recognized governing body of the Oneida Tribe of Indians of Wisconsin; and

WHEREAS, the Oneida Business Committee has been delegated the authority of Article IV, Section I of the Oneida Constitution by the Oneida General Tribal Council; and

WHEREAS, the Oneida Business Committee on September 25, 1981 passed Resolution # BC-9-25-81which is entitled "Oneida Child Protective Board Ordinance"; and

WHEREAS, the September 25, 1981 resolution delegated the powers conferred upon the Tribe by the Congress of the United States under the Indian Child Welfare Act to the Oneida Child Protective Board; and

WHEREAS, the September 25, 1981 resolution, does not set forth the policy of the Oneida Tribe of Indians of Wisconsin to provide direction to the Oneida Child Protective Board for how the Board should approach such cases; and

WHEREAS, the Oneida Business Committee previously recognized in Resolution #BC-5-24-84-C that it took "steps to protect the best interests of children and to promote the stability and security of Indian tribes and families by establishing the Oneida Child Protective Board; and

WHEREAS, the recent United States Supreme Court in Adoptive Couple vs. Baby Girl (12-399), which was a voluntary termination of parental rights and adoption case, held that §1912(f) of the ICWA does not apply where the Indian parent never had custody of the Indian child, and that §1915(a)'s adoption-placement preferences are inapplicable in cases where no alternative party has formally sought to adopt the child.

WHEREAS, the Oneida Business Committee finds that it is necessary to establish a policy statement to provide direction to the Oneida Child Protective Board, Indian Child Welfare Workers, and the Oneida Law Office.

NOW THEREFORE BE IT RESOLVED, the Oneida Business Committee hereby sets forth the following as the Policy statement of the Oneida Tribe of Indians of Wisconsin as it pertains to the Indian Child Welfare Act:

1) The best interests of the child shall be paramount in each case, even if this creates a choice not to follow the placement preferences within the Indian Child Welfare Act.

2) Best interests of the child shall be defined as placement decisions that are made with the ultimate goal of fostering and encouraging the child's happiness, security, mental health, and emotional development including maintaining a close and loving relationship with both parents as much as possible, while also maintaining a cultural attachment if possible.

3) For cases where the parent(s) are voluntarily terminating their parental rights, if no family or other native home is available for adoptive placement, the Tribe shall not seek to intervene in that adoption proceeding pursuant to the holding in Adoptive Couple vs. Baby Girl as referenced above.

NOW THEREFORE BE IT FURTHER RESOLVED, all those who work with Indian Child Welfare Cases, including the Oneida Child Protective Board, the Social Services Department, and the Law Office shall be bound by and required to follow the above policy statement.

NOW THEREFORE BE IT FINALLY RESOLVED, that the Tribe shall continue to follow and adhere to Federal Law and Court opinions which interpret Federal Law.

Oneida Business Committee Meeting
Agenda Request Form

1. Meeting Date Requested: 02 / 11 / 15

2. Nature of request

Session: ☒ Open ☐ Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

Agenda Header (choose one):

Agenda item title (see instructions):

Oneida Personnel Commission vacancy

Action requested (choose one)

☐ Information only

☒ Action - please describe:

Rescind your motion from January 14, 2015 BC meeting

3. Justification

Why BC action is required (see instructions):

4. Supporting Materials

Instructions

☒ Memo of explanation with required information (see instructions)

☐ Report ☐ Resolution ☐ Contract (check the box below if signature required)

☐ Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1. 3.
2. 4.

☐ Business Committee signature required

5. Submission Authorization

Authorized sponsor (choose one): Lisa Summers, Tribal Secretary

Requestor (if different from above):

Name, Title / Dept. or Tribal Member

Additional signature (as needed):

Name, Title / Dept.

Additional signature (as needed):

Name, Title / Dept.

1) Save a copy of this form in a pdf format.
2) Email this form and all supporting materials to: BC_Agenda_Requests@oneidanation.org

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

Memorandum

To: Lisa Summers, Tribal Secretary

From: Kathleen M. Metoxen, Executive Tribal Clerk

Date: February 3, 2015

Subject: Oneida Personnel Commission Vacancy

This memo is to let you know what happened with the Oneida Personnel Commission vacancy. I had put it in the November 13, 2014 issue with the deadline of December 5, 2014 to finish the term until 7/27/16. I got 5 applications and gave the application to Chairwoman Tina Danforth for her recommendation on the December 8, 2014. She put her recommendation on the January 14, 2015 Business Committee agenda meeting.

At the meeting of January 14, 2015 there was a motion to appoint Patricia Powless to the Oneida Personnel Commission. On the January 28, 2015 Business Committee meeting there motion made that in the Oneida Personnel Commission by-laws that allow two (2) employees from the Gaming Division. Due to Patricia Powless's recent employment with Gaming, she is ineligible to take the oath for the Oneida Personnel Commission and that the vacancy be reposted.

My request is for the Business Committee to rescind their motion from the January 14, 2014 Business Committee meeting.

Oneida Business Committee Meeting
Agenda Request Form

1. **Meeting Date Requested:** 02 / 11 / 15

2. **Nature of request**

Session: ☒ Open ☐ Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

Agenda Header (choose one): New Business/Request

Agenda item title (see instructions):

Environmental Resource Board Appointment

Action requested (choose one)

☐ Information only

☒ Action - please describe:

BC approval to appoint Shawn Skenandore to the Environmental Resource Board

3. **Justification**

Why BC action is required (see instructions):

According to the Comprehensive Policy Governing Boards, Committees and Commissions, Article VI. Appointed Positions, c. "forward choice of applicants to all Council members prior to appointment."

4. **Supporting Materials**

Instructions

☒ Memo of explanation with required information (see instructions)

☐ Report ☐ Resolution ☐ Contract (check the box below if signature required)

☐ Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1. 3.

2. 4.

☐ Business Committee signature required

5. **Submission Authorization**

Authorized sponsor (choose one): Cristina Danforth, Tribal Chairwoman

Requestor (if different from above): _____
Name, Title / Dept. or Tribal Member

Additional signature (as needed): _____
Name, Title / Dept.

Additional signature (as needed): _____
Name, Title / Dept.

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Oneida Tribe of Indians of Wisconsin
BUSINESS COMMITTEE

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

MEMORANDUM

TO: Oneida Business Committee

FROM: Chairwoman Tina Danforth

DATE: January 28, 2015

RE: Environmental Resource Board

There were three (3) applicants for one (1) vacancy on the Environmental Resource Board. The applicants were Shawn Skenandore, Nicole Steeber, and Kitty Melchert.

The candidate is qualified to serve. In accordance with Article VI., Section 6-2(c) of the Comprehensive Policy Governing Boards, Committees and Commissions, I recommend Shawn Skenandore be appointed to serve on the Environmental Resource Board.

Thank You.

Oneida Business Committee Meeting
Agenda Request Form

1. Meeting Date Requested: 02 / 11 / 15

2. Nature of request

Session: ☒ Open ☐ Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

Agenda Header (choose one): Report

Agenda item title (see instructions):

Continuing Resolution Reports

Action requested (choose one)

☐ Information only

☒ Action - please describe:

Approve Report

3. Justification

Why BC action is required (see instructions):

Reporting of any expenditures are outlined in Continuing Resolution 09-27-14-A.

4. Supporting Materials

Instructions

☒ Memo of explanation with required information (see instructions)

☐ Report ☐ Resolution ☐ Contract (check the box below if signature required)

☐ Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1. December Exception to Resolution 09-27-14-A
2.
3.
4.

☐ Business Committee signature required

5. Submission Authorization

Authorized sponsor (choose one): Michele Doxtator, Division Director/Retail

Requestor (if different from above):

Name, Title / Dept. or Tribal Member

Additional signature (as needed):

Name, Title / Dept.

Additional signature (as needed):

Name, Title / Dept.

1) Save a copy of this form in a pdf format.
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Oneida Tribe of Indians of Wisconsin – Oneida Retail Enterprise

Interoffice

MEMORANDUM

[redacted]

To: Oneida Business Committee
From: Michele Doxtator, Retail Area Profit Manager
Date: January 23, 2015
Subject: December Exception to Resolution 09-24-14-A

The external and internal Operational Expenses for each of the Retail Enterprise's business units were reviewed to assure compliance with the Continuing Resolution 09-27-14-A.

For the month of December the Operating Expenses (personnel costs not included) were $184,370 compared to the FY14 December budget of $281,727 a difference of $97,357.

The following Business Units were in compliance with the 25% reduction in expenses as required in the Continuing Resolution 09-27-14-A.

Oneida Retail Administration
Oneida One Stop Westwind
Oneida One Stop Packerland
Oneida Smokeshop Casino
Oneida Smokeshop Isbell
Oneida Market

The following Business Units were not in compliance with the 25% reduction in expenses as required in the Continuing Resolution 09-27-14-A.

Oneida One Stop 54
Oneida One Stop E&EE
Oneida Casino Travel Center
Oneida One Stop Larsen
Oneida Smokeshop Bingo

Operational Expenses

A summary of the findings by individual business units are in the tables below, expenses that are not in compliance of Continuing Resolution 09-27-14-A are highlighted in **RED**:

Retail Administration – December is within the required 25% reduction of FY14 Budget.

Administration	FY15 Actual	FY14 Budget	25% of FY14 Budget	Variance from FY14 Budget
External Expenses	$2,374	$3,259	$2,444	$70
Internal Expenses	$364	$750	$563	$199
Total	$2,431	$4,009	$3,007	$269

Westwind - December is within the required 25% reduction of FY14 Budget.

Westwind	FY15 Actual	FY14 Budget	25% of FY14 Budget	Variance from FY14 Budget
External Expenses	$29,565	$50,285	$37,714	$8,149
Internal Expenses	$1,466	$2,762	$2,072	$606
Total	$31,261	$53,047	$39,785	$8,754

54 –December Internal expenses were more than the 25% reduction of the FY 14 budget by $351, due to:

Occupancy overspent by $531, the lease rate was amended in FY15

54	FY15 Actual	FY14 Budget	25% of FY14 Budget	Variance from FY14 Budget
External Expenses	$10,769	$22,154	$16,616	$5,847
Internal Expenses	**$1,546**	$1,594	$1,196	**($351)**
Total	$14,549	$23,748	$17,811	$5,496

EEE – December Internal expenses were more than the 25% reduction of the FY 14 budget by $158, due to:

Occupancy overspent by $497, the lease rate was amended in FY15

E&EE	FY15 Actual	FY14 Budget	25% of FY14 Budget	Variance from FY14 Budget
External Expenses	$11,008	$18,590	$13,943	$2,935
Internal Expenses	**$1,141**	$1,311	$983	**($158)**
Total	$12,611	$19,901	$14,926	$2,777

Oneida Casino Travel Center – December Internal Expenses were more than the 25% reduction of the FY14 Budget by $2,988 due to the following:

Promotions overspent by $1,745
Occupancy rates is the same as previous year $4,750 per month
Utilities overspent by $716

Travel Center	FY15 Actual	FY14 Budget	25% of FY14 Budget	Variance from FY14 Budget
External Expenses	**$23,122**	$26,846	$20,135	**($2,988)**
Internal Expenses	$25	$569	$427	$402
Total	**$19,973**	$27,415	$20,561	**($2,586)**

Packerland - December is within the required 25% reduction of FY14 Budget.

Packerland	FY15 Actual	FY14 Budget	25% of FY14 Budget	Variance from FY14 Budget
External Expenses	$28,482	$46,802	$35,102	$6,080
Internal Expenses	$490	$5,038	$3,779	$3,289
Total	$31,114	$51,840	$38,880	$9,368

Larsen – December Internal Expenses were more than the 25% reduction of the FY14 Budget by $6,725 due to the following:

Occupancy overspent by $7,049. The lease rate was amended to include repayment of the purchase of the land plus property taxes. The Budget for FY15 reflects the correct amount.

Larsen	FY15 Actual	FY14 Budget	25% of FY14 Budget	Variance from FY14 Budget
External Expenses	$28,483	$38,264	$28,698	$215
Internal Expenses	**$21,423**	$19,598	$14,699	**($6,725)**
Total	**$49,906**	$57,862	$43,397	**($6,510)**

Casino - December is within the required 25% reduction of FY14 Budget.

Casino	FY15 Actual	FY14 Budget	25% of FY14 Budget	Variance from FY14 Budget
External Expenses	$3,560	$7,455	$5,591	$2,031
Internal Expenses	$1,024	$1,460	$1,095	$71
Total	$5,227	$8,915	$6,686	$2,102

Bingo - December is within the required 25% reduction of FY14 Budget.

Bingo	FY15 Actual	FY14 Budget	25% of FY14 Budget	Variance from FY14 Budget
External Expenses	**$6,668**	$5,367	$4,025	**($2,643)**
Internal Expenses	**$621**	$705	$529	**($92)**
Total	**$3,132**	$6,072	$4,554	**($2,735)**

Isbell - December is within the required 25% reduction of FY14 Budget.

Isbell	FY15 Actual	FY14 Budget	25% of FY14 Budget	Variance from FY14 Budget
External Expenses	$8,521	$19,108	$14,331	$5,810
Internal Expenses	$2,092	$3,039	$2,279	$187
Total	$10,613	$22,147	$16,610	$5,997

Oneida Market - December is within the required 25% reduction of FY14 Budget.

Oneida Market	FY15 Actual	FY14 Budget	25% of FY14 Budget	Variance from FY14 Budget
External Expenses	$1,546	$6,728	$5,046	$3,500
Internal Expenses	$80	$763	$573	$492
Total	$3,078	$7,491	$5,618	$3,992

Hiring Freeze

Oneida Retail work force is based on seasonal business/operating needs. During the winter months there are a reduced number of employees required to staff all of the stores based on business needs. There are 105 Oneida Retail Employees: Eighty Five (85) Associates and Senior Associates; Eleven (11) Location Managers, Assistant Location Managers and Supervisors; and nine (9) Retail Administration Employees. No additional employees were hired in December.

Planning Note: Oneida Retail begins hiring for the summer season in March/April to have enough trained staff to cover the daily shifts and vacation requests.

Overtime

A total of 31 hours were paid out in overtime for the month of December for a cost of $544.00 (does not include fringe). The total payroll for the month of December for Retail was $286,223 compared to prior year of $302,642.

Should you have any questions on the information provided please contact me at your earliest convenience at 496-7301 or mdoxtat3@oneidanation.org

Oneida Business Committee Meeting
Agenda Request Form

1. **Meeting Date Requested:** 2 / 11 / 15

2. **Nature of request**

Session: ☒ Open ☐ Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

Agenda Header (choose one): Follow Up

Agenda item title (see instructions):

Continuing Resolution Close out reports and recommendations

Action requested (choose one)

☒ Information only

☐ Action - please describe:

3. **Justification**

Why BC action is required (see instructions):

Motion by Melinda J. Danforth to direct the Tribal Secretary to issue a memorandum to Direct Reports, Non-Divisional areas including the Judiciary, and all Boards, Committees and Commissions to submit final close out reports to the February 11, 2015, regular Business Committee meeting, etc., etc.

4. **Supporting Materials** Instructions

☒ Memo of explanation with required information (see instructions)

☒ Report ☐ Resolution ☐ Contract (check the box below if signature required)

☐ Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1. ISD Area reports w/recommendations (8)
2.
3.
4.

☐ Business Committee signature required

5. **Submission Authorization**

2/2/15

Authorized sponsor (choose one): Joanie Buckley, Division Director/Internal Services

Requestor (if different from above):

Name, Title / Dept. or Tribal Member

Additional signature (as needed):

Name, Title / Dept.

Additional signature (as needed):

Name, Title / Dept.

1) Save a copy of this form in a pdf format.
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Oneida Tribe of Indians of Wisconsin
Internal Services Division - Administration Office

Memo

To: Oneida Business Committee

From: Joanie Buckley

Date: February 3, 2015

Re: Continuous Resolution Follow-up

First, it is refreshing to hear a request for feedback and follow up on the Continuing Resolution as a mechanism for process improvement and engagement. It supports the intent of this Business Committee to communicate. This Division has included each department's response, for more detail on the request.

The Continuing Resolution may have supported the short-term need to reduce expenses in relations to current and projected revenues. The long term effect may be more detrimental unless we, collaboratively, can develop a better understanding of the true operational pressures, and the changes that could align the organization to be mission/market/value-driven. The need for continuous improvement, and aligning, should be at the forefront. As the cost constraints continue, whether through a continuous resolution or through a reduction in the budget, the real impact is on its people.

The effect on the staff can have long term detriment. The pressures on staff by controlling the overtime, by restricting replacement for departed staff, and by not having the appropriate talent in house for transfers that can ease the pressures, place a burden on the staff. The directives diminish morale, place a tremendous pressure on staff through increased workloads, drive up absenteeism, and questions their own value to the organization.

Did it crippling the organization in the short term? No. *Can the C.R. be sustained for a long period of time?* No. *Does it cause pressure on the operation and its people?* Yes. *Does it force an adjustment in the quality and standards of services delivered?* Yes. *Is it consistent with best of class practices?* No. *Does it impede the business unit from meeting their objectives?* Probably.

One of the primary questions presented on the C.R. was the interpretation *across the board*, without really considering the operational differences. For example, the determination for exceptions for "revenue

generating, health, or regulatory" rather than working the direct reports to support the intent. This approach lends to question *the worth* of other areas that contribute to the operation. What determines the worth of a gaming staff over the MIS support staff for the operation? Or can an internal audit staff be considered regulatory vs. a security MIS support staff of the depth of 1? Or could a position for the Kali be hired as revenue-generating (from advertising)? No. It's not on the list! While the intent is admirable, the approach (coupled with a reduction of budget for FY15) may have been crucial for the staff in some areas of operation. We need to continue to be unified in better explaining the whys; and promoting the value of our people.

Another area that could be better addressed is the category of "travel". How do we continue to promote the ability to gather new and better ideas and approaches that can enhance the operation? It is better to address the root cause if there is misuse of travel, or excessive spending, without communicating the potential cost savings of staff travel. We have had opportunities to expand some initiatives, and to learn from others. The intent of maximizing grant dollars for services should always be a consideration. However, to place pressure on those with grants to reallocate, or to advise the agency that we are constricted due to a C.R. may not always be perceived well. It made us request exceptions from the granting agency to reallocate the funds to another area; and to air our budgetary challenges. However, the C.R. did give us the opportunity to file, with tremendous justification, the exception for grant funds.

Lastly, the C.R. did not consider the activities that were in the midst of being developed, relating to consultants, or sponsorships. It determined across the board, rather than determining across needs. It questions those departments and divisions working in a responsible and good manner.

It forced us in some departments to re-evaluate the value of some activities. And it helped to weather the financial downturn storm. We hope that we have learned to forecast a bit better and to put measures in place that would prevent us from taking this step again. We hope that we can share true cash flows so that we can all learn of the impact; and that we are assessing true benchmarks for performance. And if we need to go through this exercise again, we hope that there will be more dialogue up front on the alignment.

We will continue to work on operational improvements and value-based service delivery, with a clear understanding that the budget is OUR budget (all of ours), and that it is our responsibility to maximize resources – moving toward sustainability.

EMPLOYEE ADVOCACY DEPARTMENT
SKENANDOAH COMPLEX
909 Packerland Drive
Green Bay, WI 54303
920-496-5318 920-496-7940 (fax)

February 3, 2015

RECEIVED
FEB 03
INTERNAL SERVICES
ENTERPRISE DIVISION

Joanie Buckley, Division Director
Internal Services Division
Skenandoah Complex
Green Bay, WI 54303

RE: CR effects

Joanie,
The Employee Advocacy Department has not experienced any negative effects from the Continuing Resolution.

Our focus on personnel matters allows us to resolve the majority of employment-related disputes prior to escalating to the Personnel Commission. This is a cost-saving measure and efficiency measure that aligns with the direction of developing a positive organizational culture.

Passage of the pending Judiciary Support System could necessitate additional staff and training.

Let me know if you need additional information.

Rena

Cost Constraint Impacts & Recommendations

➔ Impacts to Grants Office:

The impacts on the Grants Office operations were very minimal and we were able to continue with little or no issues pertaining to our job requirements and duties. The amount of grant applications went down due to programs being told not to apply or being afraid of losing positions and or program dollars should they get a grant. The feeling was that if they would get a grant that would help offset their costs, once that grant was over, they would lose that same amount and/or positions from their budgets.

➔ Other Issues:

However, programs that had grants had major impacts due to the cost constraints within their operations. They were not allowed to hire grant funded positions within a grant, thereby delaying the grant program activities. They had a very hard time spending down their grant dollars for supplies/equipment provided for by the grant due to the strict purchasing constraints as well. The reasoning given was that "grants are costing the tribe money". This was ambiguous in the fact that it was not true. Yes, the tribe must "cover" the cost of a grant until the money can be reimbursed through monthly drawdowns. However, a federal grant works backwards in a sense. The federal government does NOT award a grant unless they have the money for drawdowns. An organization does not get funded unless the money is readily available. Therefore, should the government have a sequestration, such as it did, the granting agency still has the money to provide to grantees. We actually had a granting agencies come out to talk to our Budget people during the Sequestration to explain this. They said that the money is there "in the bank" as the term was used, and programs will not lose a grant once it is funded. We were told several times that we must spend down our grant dollars to avoid losing the funding; funding that provides much needed services to our membership and community.

Another issue is that the IHS, BIE, BIA, Self-Governance "grants" or allocations are also "in the bank"...and actually in our own banks accounts. We get the money up front for these types of grant allocations and it sits in the bank until a drawdown is done; we then make money off the interest it gains as it sits. Yes, again the tribe must "front" the costs for these areas, however a monthly drawdown is done and it is transferred from one bank account to another to reimburse ourselves basically. We can do additional drawdowns instead of just once a month, however this would mean additional staff is needed to accomplish this in a timely manner.

➔ Recommendations:

I would recommend an initial meeting with Grants and Accounting prior to setting limitations to discuss all possibilities rather than just including grants programs and services in all cost constraints overall. The Oneida Tribe has been getting grants for years, and they have helped many members to better their lives tremendously as well as provide much needed services that they would not be provided otherwise. To just stop spending does not solve the problem, we would need different cost constraint policies for grant dollars vs. basic budgeted operational spending.

Oneida Tribe of Indians of Wisconsin

Post Office Box 365

Phone: (920) 869-2214

Oneida, Wi 54155

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

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 possble.

To: Oneida Business Committee
From: Dawn Walschinski, Kalihwisaks Managing Editor
Date: January 30, 2015
Re: Continuing Resolution Impacts on the Kalihwisaks

The Kalihwisaks has experienced some impacts as a result of the Continuing Resolution on the Tribe's budget. The most immediate impact was a delay in hiring a new Photographer/Reporter to replace Travis Cottrell who transferred to Gaming late last year.

Another impact was the suspension of spending on Capital Expenditures. The Kalihwisaks requested $18,000 to replace aging iMac computers. In that time, an older Mac Pro crashed and most recently Senior Photographer/Reporter Nate Wisneski's iMac crashed. MIS is attempting to repair it, but if the hard drive is damaged, then that will be the end of that iMac, leaving us short a work station should we hire soon. We are working with MIS to purchase new iMacs, however if we had been able to do so back in October we would have been able to avoid these disruptions.

A final impact was the reduction of our office supply budget which we use to buy cameras, lens and other accessories along with traditional office supplies. Cameras don't rise to the expense of a capital expenditure, but they're still pretty pricy. The Kalihwisaks could stand to replace two older digital cameras and perhaps invest in a higher end video camera, but that will have to wait.

Yaw^ko

Dawn Walschinski
Kalihwisaks Managing Editor
920-496-7318
dwalschi@oneidanation.org

MAIL CENTER

Elimination/reduction of Resources (staff, funding, etc.)

- Elimination of Mail Center Supervisor position, and not filling Mail Clerk positon.

NEGATIVE IMPACTS:

- Inability to keep up with USPS information on price changes, procedure changes, etc.
- Loss of possible savings to organization.
  - Having other employee's filling in not knowing the appropriate postage to use on a piece of mail causing to mail at a hirer price or being returned for more postage.
- Inability to train employee's filling in due to lack of time and knowledge of postal regulations.
- Data entry needs not being kept up or being done incorrectly.
  - These reports are needed to track accurate mailing cost on a monthly basis.
- Increase in absenteeism, low morale of employee's.
- Inability to meet all mailing deadlines.
  - Had to push back a couple mailings a day or two.
- Taking printing staff away from duties they need to complete.
  - Having staff work extra hours to cover own position, then send them home early on Friday when 40 hours are in.
- No mail staff available in mail room during the day to answer any questions or take phone calls. Not always able to respond to customers on a timely basis.
- Not able to deliver daily to all areas. This is a concern for some areas.
- Manager spending too much time in mail area to keep up on mail concerns.

POSITIVE IMPACTS:

- More employees cross trained from printing to the mail center.
- Moved tabber to production floor.
  - Printing staff able to do the tabbing freeing up time for the mail staff.
  - Less chance of injury in the small space available to work on mailings.
- Evaluation of routes
  - Only doing one route in morning and one in afternoon, more efficient.
    - Savings on gas, vehicle repairs, etc.
    - Less time for employee to be out of office
- BC keeping deadlines for GTC mailings
- Gaming is help out with daily mail pick up.

RECEIVED
FEB 02
INTERNAL SERVICES
ENTERPRISE DIVISION

RECEIVED
FEB 02
INTERNAL SERVICES
ENTERPRISE DIVISION

MIS Personnel Impact

1. Business Systems Analyst (BSA) – Health Information Systems (HIS) position
    - The position has been open since November 2014
    - The processes to fill the position were well underway with posting, screening and interviews scheduled when the process was suspended due to cost containment.
    - Hiring rules associated with the CR will prevent any hiring until 04/07/2015.
    - IT resources supporting the OCHD have been reduced from six to three over the past 12 months due to cost containment and the CR.
    - The impact of the staff reductions has been delays to projects that were active and planned, e.g., Patient Portal, e-Signature, GE Centricity upgrade, etc. In addition response to day-to-day activities associated with work orders and trouble tickets has increased.

2. Customer Support Center Specialist I (CSCI) position
    - The position opening is due to the unexpected passing of a member of our team. The position has been open since October 2014.
    - Efforts to fill the position were underway when the process was suspended due to cost containment.
    - Hiring rules associated with the CR will prevent any hiring until 04/07/2015.
    - The open position required coverage adjustments and a reduction of 7.5 hours of onsite coverage/week.
    - The man hours available per week to provide onsite coverage dropped from 240 to 200.
    - The CSC team continues to handle approximately 110 calls per day.

3. Desktop Support Specialist I (DTSI) – Gaming position
    - The position is open due to an employee resignation (01/23/2014)
    - The process to fill the position has begun however hiring rules associated with the CR will prevent any hiring until 04/07/2015.
    - As of this writing it is too early to report actual impact but it is reasonable to expect delays associated with customer requests and support
    - The remaining staff workload will increase

4. Security Analyst positon
    - The position is open due to an employee resignation (02/06/2014)
    - The process to fill the position has begun however hiring rules associated with the CR will prevent any hiring until 04/07/2015.
    - As of this writing it is too early to report actual impact.
    - A formal transition process underway with the intent to provide continued security for the organization's information assets
    - The remaining staff workload will increase

MIS Financial Impact

The following is the summary of budget reductions associated with the 12% reduction request:
» A reduction of $611,090 in the enterprise capex
» A reduction of $245,000 in the Technology Set-aside
» A reduction of $180,035 in the MIS operating budget

Financial Impact Summary

1. Reduced the planned phone systems targeted for Food Distribution & Veterans
    - The reductions include changes to the features and capacity

2. Eliminated the following projects
    - Unified Communication project -
    - File Integrity/Monitoring project (OCHD & Retail) -

3. Reduced the following infrastructure/lifecycle projects
    - Fiber initiatives – Deferred expansion of the Tribe's fiber backbone
    - Desktop Lifecycle – Reduced the amount of devices scheduled for replacement
    - Printer Lifecycle – Reduced the amount of devices scheduled for replacement

Positive/Negative Outcomes

1. The MIS department has long embraced continuous improvement philosophies. The issues associated with cost containment reinforced the value and importance of those philosophies.
2. The negative aspects of the cost containment are numerous with a number of them listed above. The most significant impact has been on the staff. Issues associated with team morale, increased stress and the erosion of trust in the organization.

Suggestions for Improvement

1. Goal alignment – Resource commitments should be commensurate with the organization's goals.
2. Develop budget allocation methods that reflect the organization's priorities and abandon "one size fits all" mentalities.

ONEIDA NATION OF WISCONSIN
Oneida Community Integrated Food Systems (OCIFS)
P.O. Box 365
Oneida, WI 54155

February 3, 2015

Joanie Buckley, Division Director
Internal Services Division
Skenandoah Complex
Green Bay, WI 54303

Re: CR effects

Joanie,
The Oneida Community Integrated Food Systems (OCIFS) area has not experienced any major negative effects from the Continuing Resolution.

Our focus remains on educating the Oneida people about the relationship between health and the food they eat. We strive to bring a health food system to the Oneida Tribe and decrease the incidents of diabetes and obesity through education and healthy food alternatives.

The Continuing Resolution did prohibit us from going after certain grants because some of them required a dollar match, and there were some collaboration that could have been expounded upon if travel had been permitted. However, there have been no lasting negative effects of said resolution.

Please let me know if you need additional information.

Bill Ver Voort
OCIFS Coordinator

RECEIVED
FEB 02
INTERNAL SERVICES
ENTERPRISE DIVISION

PRINTING

Elimination/reduction of Resources (staff, funding, etc.)

- Elimination of one Customer Service Representative position

NEGATIVE IMPACTS:

- Longer turnaround time for customer jobs.
  - Not able to turn around estimates and jobs with only one CSR on a timely basis.
    - Priority of jobs: GTC, BC, Gaming, Retail
- No longer providing additional service to customer (one stop shop)
  - Not assisting with promotional items or items not in the scope of printing.
- Some customers not happy with not being able to meet their turnaround time requested. They mentioned going outside the tribe for their work being done.
- Not able to take the appropriate time with each customer's jobs, rushing to process causing errors to be made or not catching errors for the customer we normally would have.
  - Additional cost to redo jobs.
- Cross training other staff to do estimating and processing of jobs has caused some issues.
  - Incorrect pricing of jobs.
  - Job tickets not filled out correctly, causing errors, time.
  - Incorrect stock being ordered.
  - Incorrect information being put in estimating software.
- We have problems with our pricing software without a customer service rep. has caused even less time to try to keep up accurate pricing in software program.
  - Inconsistent pricing
  - Time spent figuring out why
- When present customer service rep. is off or out it causes more stress on other staff to cover. Estimate and jobs need to process daily to get processed on time for the customer. Especially GTC and Gaming jobs.
- Estimating and re-estimating for customers because they can only spend so much in one months' time.
  - Take more time on our part
  - Cost customer more for less of a quantity
- Low employee morale.

POSITIVE IMPACTS:

- Other printing staff learning to estimate and process jobs.
- BC working with Printing to keep deadline for GTC mailings
- Took unsafe vehicle off the road
- Gaming is working with us on picking up large deliveries for them.

Continuing Resolution Impact Report

Department: Tourism

I believe that it was widely understood that cost containment was needed at the time due to fluctuation of revenues from Gaming and Retail, however the Tribe overall still needs to run a business. Business decisions need to be decided and set without the hold up of the programs/services side of the budget.

Issues:

1. When the cost containment listing came out, there was no discussion with a large majority the departments nor evaluating cash flow needs. There was no evaluating that if a program/service really needed to do A and is willing to give up B and C, then those details would be worked out instead it was, "Sorry, it's on the list." I think people are tired and just don't want to jump through hoops, so we do nothing.

2. Tourism has eliminated one position through cost containment/budget simply due to the additional hoops, paperwork and time. The ultimate effect is that the Tribe does save money immediately, a portion of the duties have been spread around. However, the system of processing the paperwork and trying to stay on top of the multitude of contracts is not efficient. In the learning curve of the AS400 system and then myself being a paper pusher, there is less time for innovation and the inefficiency over time doesn't save money.

3. Travel Example – above I listed that we really needed to do A. "A" was attending the Boomers in Groups Conference in November 2014. This was a big deal due to the fact that the Green Bay Convention and Visitors Bureau put up $30,000 bid fee for this conference to be held in 2015 at Oneida's Radisson Hotel. The GB CVB did this because they understand the value of a bus groups coming to Green Bay and how important it is to get tour operators here to see this community first hand. Oneida is the only tribe in town and we have this incredible unique opportunity.

   The effect was that our organization only held BC meetings every 2 weeks, when it should have been every week to have purchasing discussions...that was frustrating. We did need to plan better not knowing the rigid Tuesday deadline. The other issue it left Oneida open to have only White representatives, not Natives to talk about Oneida..although we paraded our dancers in during the closing luncheon. The ironic twist is that we were ready to give other project to try and advance revenue generation because we felt so strongly about it.

   Last summer we were planning on our employee going when this came up w/ the CVB/Radisson, then not, then going, then no let's just ask for dancers, it just felt like a big cluster. Same held true for Chicago Adventures in Travel, we asked the GB CVB to pay for his hotel room because we didn't think anything but per diem would pass. It is just embarrassing the way we must look to Green Bay in general.

4. Donations & Sponsorships – To date we are sitting on requests from non-profit organizations. Trending has Tourism roughly supporting $25K annually for request. None of these sponsorships are large in nature, the largest being $2500...most below $1000. We try to hit all areas, vets, kids, people with disabilities, homeless, etc. Tourism and the BC are the last 2 groups to do community sponsorships because non-profits would hit up several areas, each not knowing the other gave. If there is cost containment in place then Finance and the BC shouldn't forward requests to Tourism.....just tell the requestors no and stop passing the buck. The Budget Packet talks about the "Oneida Brand", but we are not portraying a good corporate giving steward.

   Examples:
   Bellin Health 2,800 Brown Cty. Employees – gave $883,000 in 2014
   Green Bay Packers - $259 million operating - $600,000 to 223 groups
   Oneida Tourism - $25,000

5. Joint Marketing – Sponsorships – Joint Marketing needs to figure out their sponsorships a year in advance.
   a. Example: Locker Room Live Show needs a decision no later than May 2015 for August 2015. The Packer season doesn't wait on Oneida to figure things out, and if this is our only state wide show, then we can't pass on this opportunity.
   b. Events that happen at the Radisson Hotel, for example Big Brothers and Sisters; they need to know in the event that we do not sponsor then they can move their venue. Oneida only makes back ½ the $10K sponsorship but it is also a calling card for more affluent participants, provide people to the facility in November and our children use this service.
   c. The total budget is $88K, there is no room for opportunities that arise during the year.

RECEIVED
FEB 02
INTERNAL SERVICES
ENTERPRISE DIVISION

Tsyunhehkwa Impacted by OBC Budget Continuing Resolution
February 02, 2015 Jeff Metoxen, Director Tsyunhehkwa

Delay and Restrictions on filling the Sub Relief Ag Worker positon required current staff to shift work load and a week to cover weekend chores that are completed by Sub Relief Ag Worker. We had to monitor a 40 hour week within a 7 day work week, and keep the hours at 40 or less. The change in working hours changed our processes in covering work programs at the Ag site, such as the processing of the White Corn, Following up with the Beef & Poultry projects and other normal areas we work during this time of the season. We also use the Sub Relief in case of Vacation & Personal (Sick) days, holidays and unforeseen events.

Delay and restriction of filling the Cannery Worker Position requires work load to be distributed by the Cannery Worker and Supervisor. We had to closely monitor a 40 hour week and keep them at 40 or less. The change in working hours changed our processes in covering work programs at the Cannery, such as the processing of the White Corn and other products. Following up with the product projects and other normal areas we work during this time of the season. We also use the Cannery Worker to help with staffing issues in case of Vacation & Personal (Sick) days, holidays and unforeseen events.

We are currently reviewing our program's services to prepare for any reductions and/or elimination. Primarily we are looking at our Poultry Service Egg Layers & Broilers, Grass Fed Beef project, Tilling Service for numbers allowed, may require enrolled members only, and to reduce garden size. Currently average is about 80 gardens a year. Limit community Members in using Cannery for Food Processing & Preservation services. Currently appointment is required, may have to set a permanent schedule. Projected impact is a vast reduction in services provided by Program of Ag & Cannery, vast reduction in Food Processed Products & Varieties with reduction in supplies and purchase lines. Reduction in poultry options for revenue generation of Eggs and Broiler sales to community. We will have a reduction in hours of operations for both Ag & Cannery due to limited staff and resources. Morale continues to be low with concerns of future of program, and impact of services and products provided. It is difficult to review future growth when reductions keep taking place and budgets reduce all areas for making and processing products and services for community.

A positive note is that this action has forced us to continuously review our program in all areas and review for positive impacts and to make reductions in areas when we have to. Not just do something because we have been doing it. We have worked on a worst case scenario of what products and services do we keep when we have to cut, not just to give up. I took all budgets reductions and controls from the perspective of keeping all positons intact, move and share workloads.

I would recommend obtaining a report from all areas if they had to reduce what would that be like? What services will be cut and estimated impact. I still say look at this control without touching a position for impact. Where can the workloads, services and equipment be shared so service reduction opens a positon/s for other projects or to finally complete them and move on to the next one.

Oneida Business Committee Meeting
Agenda Request Form

1. Meeting Date Requested: 02 / 11 / 15

2. Nature of request

Session: ☒ Open ☐ Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

Agenda Header (choose one): Report

Agenda item title (see instructions):

ONCOA - Final Close Out Report on BC-09-24-14-A Continuing Resolution

Action requested (choose one)

☒ Information only

☐ Action - please describe:

3. Justification

Why BC action is required (see instructions):

4. Supporting Materials

Instructions

☐ Memo of explanation with required information (see instructions)

☒ Report ☐ Resolution ☐ Contract (check the box below if signature required)

☐ Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1. 3.

2. 4.

☐ Business Committee signature required

5. Submission Authorization

Authorized sponsor (choose one): Melinda J. Danforth, Tribal Vice Chairwoman

Requestor (if different from above): Lois Strong ONCOA Coordinator

Name, Title / Dept. or Tribal Member

Additional signature (as needed):

Name, Title / Dept.

Additional signature (as needed):

Name, Title / Dept.

1) Save a copy of this form in a pdf format.
2) Email this form and all supporting materials to: BC_Agenda_Requests@oneidanation.org

From: Lois Strong
Sent: Thursday, February 05, 2015 11:17 AM
To: Lisa M. Summers
Cc: Lisa A. Liggins; Arlie Doxtator; Carol Elm (carolleahelm@gmail.com); Charlene E. Cornelius (charleneecornelius@gmail.com); Lois Strong; Lois Strong (loismstrong@gmail.com); Marlene Summers (msummers1947@gmail.com); MaryAnn Kruckeberg (gmakrucke@gmail.com); Rochelle A. Powless (rochelle.powless@gmail.com); Shirley Barber (shirleybarber2@gmail.com); Wesley Martin
Subject: BC-09-24-14-A Continuiing Resolution -- Final Close Out Report for ONCOA

ONCOA - Final Close Out Report on BC-09-24-14-A Continuing Resolution

Operation Impacts of the Continuing Resolution

- ONCOA was able to comply with restrictions of the Continuing Resolution.
- Local travel to attend training with costs covered by a grant took longer to approve.
- The Continuing Resolution may have had negative impact on the progress of Elder Village due to such restrictions as Capital Improvement Projects and Capital Expenditures. ONCOA has been collaborating with Oneida Housing and Oneida Planning for several years to complete this Elder Village housing project of 8-10 cottages.

Information Pertaining to the Exceptions That Were Made

- No exception to report.

Recommendations to Improve the Continuing Resolution Process

- Eliminate the need for a Continuing Resolution by securing an approved budget prior to the new fiscal year.
- Identify core services and make approval process for these areas less complicated so there is less interruption in services.

Lois Strong, MSW
ONCOA Coordinator
Work: 920-869-2448
Cell: 920-819-3614
lstrong@oneidanation.org

Oneida Business Committee Meeting
Agenda Request Form

1. Meeting Date Requested: 02 / 11 / 15

2. Nature of request

Session: ☒ Open ☐ Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

Agenda Header (choose one): Report

Agenda item title (see instructions):

ONVAC - Close Out of Continuing Resolution Reporting

Action requested (choose one)

☒ Information only

☐ Action - please describe:

3. Justification

Why BC action is required (see instructions):

4. Supporting Materials

Instructions

☐ Memo of explanation with required information (see instructions)

☒ Report ☐ Resolution ☐ Contract (check the box below if signature required)

☐ Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1. 3.

2. 4.

☐ Business Committee signature required

5. Submission Authorization

Authorized sponsor (choose one): Jenny Webster, Council Member

Requestor (if different from above): John Breuninger, ONVAC Secretary

Name, Title / Dept. or Tribal Member

Additional signature (as needed):

Name, Title / Dept.

Additional signature (as needed):

Name, Title / Dept.

1) Save a copy of this form in a pdf format.
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ONEIDA NATION VETERANS AFFAIRS COMMITTEE

Mike Hill, Chairman
James Martin, Vice-Chairman
John Breuninger, Secretary
Arthur Cornelius, Member
Gerald Cornelius, Member
Kenneth House, Member
Loretta V. Metoxen, Member
Nathan Smith, Member
Carol Silva, Member

on<yote>a=ka
P O Box 365,
Oneida WI 54155

VSO DEPARTMENT
Kerry Metoxen, Veterans Director
Carolyn Miller, Benefits Specialist
Jennifer Webster, Liaison
Fawn Billie, Alternate

MEMORANDUM

TO: SECRETARY, ONEIDA TRIBE OF INDIANS OF WISCONSIN

FROM: SECRETARY, ONVAC

DATE: FEBRUARY 4, 2015

RE: CLOSE OUT OF CONTINUING RESOLUTION REPORTING

As was reported to the Oneida Business Committee within the Fiscal Year 2015, First Quarterly Report (January 28, 2015), "the ONVAC, as directed, remains under the OBC's Continuing Resolution and Cost Constraints Resolutions." Therefore, we have no issues to report and/or any exceptions, which have affected our Committee's work up to this date.

Regarding any recommendations on how to improve the CR Process, we currently have no thoughts and/or ideas at this point in time. However, I'd like to take this opportunity to commend the OBC on the process and communications presented to the tribally funded business units, boards, committees and commissions on the current fiscal year 2015 continuing resolution. The directions were quite clear and succinct, thereby making interpretations unquestionable and easy to follow.

Thank you for the opportunity to respond to this inquiry.

Oneida Business Committee Meeting
Agenda Request Form

1. Meeting Date Requested: 02 / 11 / 15

2. Nature of request

Session: ☒ Open ☐ Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

Agenda Header (choose one): Report

Agenda item title (see instructions):

OCPB - Close Out of Continuing Resolution Reporting

Action requested (choose one)

☒ Information only

☐ Action - please describe:

3. Justification

Why BC action is required (see instructions):

4. Supporting Materials

Instructions

☐ Memo of explanation with required information (see instructions)

☒ Report ☐ Resolution ☐ Contract (check the box below if signature required)

☐ Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1. 3.

2. 4.

☐ Business Committee signature required

5. Submission Authorization

Authorized sponsor (choose one): Lisa Summers, Tribal Secretary

Requestor (if different from above): Lois Strong, OCPB Chairwoman

Name, Title / Dept. or Tribal Member

Additional signature (as needed):

Name, Title / Dept.

Additional signature (as needed):

Name, Title / Dept.

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From:	Lois Strong
To:	Lisa M. Summers
Cc:	Lisa A. Liggins; "landerson001@new.rr.com"; Carol Silva; Jeanette L. Ninham; Wesley Martin; Dale F. Powless; Twylite E. Moore
Subject:	Final Close Out Report for OCPB - BC-09-24-14- Resolution
Date:	Thursday, February 05, 2015 3:46:56 PM

OCPB – Final Close Out Report on BC-09-24-14-A Continuing Resolution

Operation Impacts of the Continuing Resolution

- OCPB was able to comply with the restrictions of the Continuing Resolution

Information Pertaining to the Exceptions That Were Made

- No exceptions to report

Recommendations to Improve the Continuing Resolution Process

- One solution is to have GTC approved budget in a timely manner before the new fiscal year.

Lois Strong, MSW
OCPB Chairwoman
Work: 920-869-2448
Cell: 920-819-3614
lstrong@oneidanation.org

Oneida Business Committee Meeting
Agenda Request Form

1. Meeting Date Requested: 02 / 11 / 15

2. Nature of request

Session: ☒ Open ☐ Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

Agenda Header (choose one): Report

Agenda item title (see instructions):

Family Court Continuing Resolution Close Out Report

Action requested (choose one)

☒ Information only

☐ Action - please describe:

3. Justification

Why BC action is required (see instructions):

4. Supporting Materials

Instructions

☐ Memo of explanation with required information (see instructions)

☒ Report ☐ Resolution ☐ Contract (check the box below if signature required)

☐ Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1. 3.

2. 4.

☐ Business Committee signature required

5. Submission Authorization

Authorized sponsor (choose one):

Requestor (if different from above): Robert J. Collins II, Family Court Judge

Name, Title / Dept. or Tribal Member

Additional signature (as needed):

Name, Title / Dept.

Additional signature (as needed):

Name, Title / Dept.

1) Save a copy of this form in a pdf format.
2) Email this form and all supporting materials to: BC_Agenda_Requests@oneidanation.org

To: Lisa Summers, Tribal Secretary
From: Rob Collins, Family Court Judge
Date: February 5, 2015
Re: Close Out of Continuing Resolution Reporting

Report

1. Operational Expenses.

The Family Court attempted to keep expenses limited to those services that are required by law during the continuing resolution (i.e. guardians ad litem, translators, pro tem judges, etc.).

2. Employment Levels.

During the continuing resolution, the Family Court operated at the current employment level of two employees.

3. Elimination of Travel

The only travel that occurred during the continuing resolution was related to continuing education requirements necessary for the Family Court Judge to maintain a law license. Online training was sought first; however, there were no programs comparable to the Through the Eyes of a Child Conference in the Wisconsin Dells (12.0 CLE credits). The costs associated with this conference were: conference fee ($125), hotel ($140 for two nights), per diem, and travel.

The Family Court Clerk attended the Wisconsin Tribal Clerk's Association meeting in January by telephone, which eliminated travel costs.

In conclusion, I believe that the continuing resolution process was effective in addressing spending. While there were some areas of spending that are beyond my control, such as the appointment of guardians ad litem, I feel that process made me consider the financial impact of the Family Court operations. If there are any similar future continuing resolutions, I would respectfully request that there be an option to add positions under certain circumstances. Specifically, when the Children's Code is ready to be passed, a conversation will have to be had regarding the addition of a second Family Court Judge and Clerk.

Thank you for your time and consideration.

Robert J. Collins II
Family Court Judge

Oneida Business Committee Meeting
Agenda Request Form

1. Meeting Date Requested: 02 / 11 / 15

2. Nature of request

Session: ☒ Open ☐ Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

Agenda Header (choose one): BCC Report

Agenda item title (see instructions):

ERB - close out report

Action requested (choose one)

☒ Information only

☐ Action - please describe:

3. Justification

Why BC action is required (see instructions):

Response to request from Tribal Secretary's office on February 3

4. Supporting Materials Instructions

☐ Memo of explanation with required information (see instructions)

☒ Report ☐ Resolution ☐ Contract (check the box below if signature required)

☐ Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1. 3.
2. 4.

☐ Business Committee signature required

5. Submission Authorization

Authorized sponsor (choose one): Tehassi Hill, Council Member

Requestor (if different from above): Laura Manthe, Director, ERB

Name, Title / Dept. or Tribal Member

Additional signature (as needed):

Name, Title / Dept.

Additional signature (as needed):

Name, Title / Dept.

1) Save a copy of this form in a pdf format.
2) Email this form and all supporting materials to: BC_Agenda_Requests@oneidanation.org

Close Out of Continuing Resolution Reporting – 2/5/15

The Environmental Resource Board

A) The Operation Impacts of the Continuing Resolution

Overall, there hasn't yet been enough time to assess the impacts to ERB operations from the continuing resolution. As noted in our December reporting, the loss of staff time is a risk to the success of administering our projects and to community outreach. Our Project Manager Chad Wilson is now currently working 60% of the time on Business Committee duties and projects. For the rest of FY15 the loss/reduction of his professional services will be to projects such as: planning for community events; completion of the Safe Routes to School grant for community pathway; implementation of ERB responsibilities for Public Use of Tribal Lands law, the Oneida Hunting, Fishing, & Trapping Law, the Domestic Animal Ordinance, and other laws; participation on interdepartmental teams; reviewing potential grants; and other such ERB activities. However, ERB staff will strive hard as always to perform duties despite these challenges for the current fiscal year. We will document the impacts that do occur.

B) Any information pertaining to exceptions that were made

N/A

C) Recommendations moving forward on improving the continuing resolution process

The ERB looks forward to further collaboration/discussion regarding the continuing resolution process. Despite being shorthanded currently, the ERB staff and ERB members will still emphasize timeliness of duties, communication, and quality of services provided, as well as maintain strategic focus and collaborations. ERB staff prides itself on being responsive and transparent in their activities under the direction of the board.

Oneida Business Committee Meeting
Agenda Request Form

1. **Meeting Date Requested:** 2 / 11 / 15

2. **Nature of request**

Session: ☒ Open ☐ Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

Agenda Header (choose one): BCC Report

Agenda item title (see instructions):

Final Close out report of Impacts of Resolution BC 09-24-14-A for Audit Committee & Internal Audit

Action requested (choose one)

☐ Information only

☒ Action - please describe:

Motion to accept the final close out report of impacts of resolution BC 09-24-14-A for Audit Committee and Internal Audit

3. **Justification**

Why BC action is required (see instructions):

BC directive

4. **Supporting Materials** Instructions

☐ Memo of explanation with required information (see instructions)

☒ Report ☐ Resolution ☐ Contract (check the box below if signature required)

☐ Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1. 3.
2. 4.

☐ Business Committee signature required

5. **Submission Authorization**

Authorized sponsor (choose one): Tehassi Hill, Council Member

Requestor (if different from above): Donna Christensen, Internal Audit Manager

Name, Title / Dept. or Tribal Member

Additional signature (as needed): Donna L Christensen, Manager / Internal Audit

Name, Title / Dept.

Additional signature (as needed):

Name, Title / Dept.

1) Save a copy of this form in a pdf format.
2) Email this form and all supporting materials to: BC_Agenda_Requests@oneidanation.org

Oneida Tribe of Indians of Wisconsin

Internal Audit Department

PO BOX 365
ONEIDA WI 54155-0365

Telephone: 920-869-4359
1-800-236-2214

MEMORANDUM

TO: Oneida Business Committee

FROM: Donna Christensen, Internal Audit Manager DJC

DATE: February 6, 2015

SUBJECT: Final Close out report of Impacts of Resolution BC-09-24-14-A

The Internal Audit Department has been understaffed at the professional staff level since Spring of 2014 and at the Management level since Fall of 2014. This has created significant budget savings for the Tribe, but has caused a significant negative impact on both the volume of projects started and completed, as well as the value of the audit service to the Tribe and the quality of training afforded new audit staff.

There has been little impact to other aspects of the department, either positive or negative, due to the cyclical nature of most expenses.

cc: Audit Committee

Oneida Business Committee Meeting
Agenda Request Form

1. Meeting Date Requested: 2 / 11 / 15

2. Nature of request

Session: ☒ Open ☐ Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

Agenda Header (choose one): Report

Agenda item title (see instructions):

Environmental, Health, and Safety Continuing Resolution Close Out Report

Action requested (choose one)

☒ Information only

☐ Action - please describe:

3. Justification

Why BC action is required (see instructions):

Request from OBC to submit final close out report.

4. Supporting Materials

Instructions

☐ Memo of explanation with required information (see instructions)

☒ Report ☐ Resolution ☐ Contract (check the box below if signature required)

☐ Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1. 3.

2. 4.

☐ Business Committee signature required

5. Submission Authorization

Authorized sponsor (choose one): Patrick Pelky, Division Director/EHS

Requestor (if different from above): _____

Name, Title / Dept. or Tribal Member

Additional signature (as needed): _____

Name, Title / Dept.

Additional signature (as needed): _____

Name, Title / Dept.

1) Save a copy of this form in a pdf format.
2) Email this form and all supporting materials to: BC_Agenda_Requests@oneidanation.org

Oneida Tribe *of* Indians *of* Wisconsin

Environmental, Health & Safety Division

Little Bear Development Office
PO Box 365
N7332 Water Circle Place
Oneida, WI 54155
Phone (920) 869-4591
FAX (920) 869-1610

Conservation Field Office
PO Box 365
N8047 County Road U
Oneida, WI 54155
Phone (920) 869-1450
FAX (920) 869-2743

TO: Oneida Business Committee
FROM: Pat Pelky, EHSD & DOLM Director
RE: Close Out of Continuing Resolution Report
DATE: February 5, 2015

BACKGROUND

On February 3, 2015, the OBC requested that all direct reports, non-divisional areas, and all boards, committees, and commissions submit a final close out report regarding the impacts of the continuing resolution. We appreciate the opportunity to provide feedback and recommendations regarding impacts to both EH&SD and DOLM operations.

OPERATIONAL IMPACTS

- **Purchases delayed**
  - **EPA Grant: Information Exchange Program –** contract for vendor to develop a tool to streamline environmental data gathering. Delayed.
  - **BIA Invasive Species Grant** - High visibility safety outerwear, used by Environmental Technicians to remove invasive plants in the winter. Delayed

- **Outside funded travel that was delayed**
  - EPA-Tribal Science Council
  - Wisconsin Tribal Conservation Advisory Council
  - Tribal Waste and Response Assistance Program Steering Committee
  - BIA Invited travel to present

- **Salary freeze**
  - **Grants –** grant requests include minimal salary increases that we are not allowed to give due to cost containments.

  - **General –** EHSD & DOLM have met every budget by consolidating duties, asking staff to do more with additional responsibilities, and not filling vacant positions.

    Cost containment prevents us from increasing salaries to recognize additional responsibilities and duties, years of service, excellence, cost of living, market adjustments, or title adjustments. It has become increasingly difficult to recognize

and reward employees in this budget environment.

EXCEPTIONS MADE

- **none**

RECCOMMENDATIONS MOVING FORWARD FROM EH7SD & DOLM TEAMS

- **Grants** – EHSD has made efforts to increase the percentage of our budget that is grant funded. Under our various grants we fund: staff, purchases for the entire division, training for grant funded staff, other EHSD staff, and other Oneida departments, and travel for other staff.

- **Cost containment continuing resolutions** – we need the flexibility and freedom to manage these grants funds to spend instead of tribal contribution.

- **Staff Recognition** – we are in year six of salary freezes. This threatens our ability to maintain quality staff with years of education and experience. Comparable staffs in other governments have higher salaries and pension plans. Within the last three months, staffs from other Wisconsin tribes have left- as a direct result of salaries and benefits. Staffs are asked to do more while losing financial ground and benefits. In addition, several changes to the organization were made without input from staff;
    - **Examples**
        - Salary freeze
        - Loss of a personal day
        - Increased insurance costs
        - No trade back for cash program
        - Cap on accrued time off
        - Photographs added to Outlook
        - Drug Policy

HOW TO IMPROVE THE CONTINUING RESOLUTION POROCESS IN THE FUTURE

- **Recognize and respect staff**

- **Allow grant spending**

- **Allow managers to manage** – Managers are hired to manage.

Oneida Business Committee Meeting
Agenda Request Form

1. Meeting Date Requested: 2 / 11 / 15

2. Nature of request

Session: ☒ Open ☐ Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

Agenda Header (choose one): Report

Agenda item title (see instructions):

Comprehensive Health Division Close-out report

Action requested (choose one)

☒ Information only

☐ Action - please describe:

3. Justification

Why BC action is required (see instructions):

BC request for close out report.

4. Supporting Materials

Instructions

☐ Memo of explanation with required information (see instructions)

☒ Report ☐ Resolution ☐ Contract (check the box below if signature required)

☐ Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1. 3.

2. 4.

☐ Business Committee signature required

5. Submission Authorization

Authorized sponsor (choose one): Melinda J. Danforth, Tribal Vice Chairwoman

Requestor (if different from above): Dr. Ravi Vir, Medical Director/Debra J Danforth, Operations Director

Name, Title / Dept. or Tribal Member

Additional signature (as needed):

Name, Title / Dept.

Additional signature (as needed):

Name, Title / Dept.

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2) Email this form and all supporting materials to: BC_Agenda_Requests@oneidanation.org

Memorandum

To: Oneida Business Committee
From: Debbie Danforth RN, BSN, Operations
Ravinder Vir, MD, MPH, Medical Director
Division Directors
Oneida Comprehensive Health Division
Date: February 5, 2015
Re: **Close Out of Continuing Resolution Reporting**

Operational Impacts to the Division:
The Operational Impacts were mostly in the reporting process specifically related to the Overtime Reporting. This was a very tedious process which involved taking the information that was already provided from Time and Attendance and having to formulate the data into an Excel spreadsheet. This was a time consuming process when the data was already available from reports generated.

It is our opinion that the intent of the continuing resolution to empower the Division Directors to manage their respective areas was not adhered to as it was worded in the resolution. There was some confusion as we were given direction in the hiring process that we could not make the decision to move forward with the filling of positions and needed BC approval, then when we took the request forward to the BC, we were asked why we were bringing this to the BC for approval as it wasn't necessary.

The organizational inertia and bureaucracy resulted in critical decisions including hiring, contracts, maintenance/improvement projects, etc. to be placed on hold. This resulted in short term cost savings; however, the long term costs to the organization remain undetermined at this time and the low staff/management morale would be impossible to quantify in dollars.
We suggest that in the future, the continuing resolution as it was worded be implemented in letter and spirit. This will lead our organization forward in the path of becoming more accountable. After all as defined by a wise individual: Accountability + Empowerment =High Performance

Overtime for the Division for first quarter FY 2015:

623 hours of overtime for the Division total at a cost of **$9447.07** which was budgeted.

Justification: The majority of the OT (**567.99 hours)** occurred within the AJRCCC for staff covering additional shifts and for increased patient acuity which requires additional staffing. The AJRCCC management utilized internal staff as much as possible to avoid use of Agency staffing. The remainder of the OT **(55.01hours)** occurred throughout the rest of the Division which was 99.9 % directly related to patient care. The areas impacted were
Behavioral Health at **31.25 hours**
Pharmacy at **8.25 hours**
Medical Clinic Nursing at **4.25 hours**
Medical Records at **1.75 hours**
Optical at **3.50 hours**
Dental at **.50 hours**
Health Promotion at **1.0 hours**
Community Health Nursing at **.50 hours**
Contract Health at **4.25 hours**
X-ray at **.25 hours**

TRAVEL:

Medical: Exception based upon Health and Regulatory requirements

PA Conference for 2 Physician Assistants
Total Cost: $1738.38
Destination: Stevens Point, WI
Approved due to contractual obligations within each providers contract for Continuing Education units required to maintain licensure.

Electronic Medical Record Training-1 Nursing Supervisor
Total Cost: $2575.20
Destination: Palm Desert, CA
BC approval obtained for training related to Electronic Medical Record only offered once per year.

Nurse Practitioner-CME's 11/12- 11/14
$731.00
Madison, WI
Approved due to contractual obligations and licensure requirement

Behavioral Health: Exception based upon Health and Regulatory requirements

10th Annual Mental Health and Substance Abuse Conference for 3 Counselors
Dates: October 28-29, 2014
Destination: Wisconsin Dell, WI
Total Cost: $1801.50
Approved due to Education units required to maintain licensure

Substance Abuse Training -Three part Series started prior to October 1, 2014 for one Counselor

Dates: October 20-22, 2014
Destination: Madison, WI
Total Cost: **$698.00**
Everything had already been paid for and this process was started prior to October 1 however it was a series and we needed to divide them up because of fiscal year. The registration fee was paid and the hotel room was paid and tribal vehicle was utilized for travel. Cancelation had to be completed within 3 days or we would not get any reimbursement of the conference cost.

Substance Abuse Training - 1 Counselor
Dates: December 08, 2014
Destination: Appleton, WI
Total Cost: **$241.87**

Substance Abuse Training - 1 Counselor
Dates: October 22, 2014
Destination: Appleton, WI
Total Cost: **$199.99**

Electronic Medical Record Training-1 Behavioral Health Supervisor
Total Cost: $2575.20
Destination: Palm Desert, CA
BC approval obtained for training related to Electronic Medical Record only offered once per year.

Attending Training on Substance Abuse: Effective Models for Treatment
11/20/2014
$165.00
MADISON, WI
Approval based upon licensure requirements

Attending Training on Dialectical Behavior
11/3/2014
$229.98
APPLETON, WI
Approval based upon licensure requirements

Attending Training on Substance Abuse
11/19 -21/2014
$220.00
MADISON, WI
Approval based upon licensure requirements

Physical Therapy:

McKenzie MDT Part B -CEUs for 1 Physical Therapy Assistant approved due to contractual obligations and licensure requirement
Date: 12/11/14
Destination: Chicago, IL
Total Cost: $1156.05

WTPA – CEUs for Physical Therapist approved due to contractual obligations and licensure requirement
Date: 10/22/14
Destination: Madison WI
Total Cost: $964.00

AJRCCC:

Forward Health Training required for Nursing Home reimbursement for 1 Financial Coordinator
Destination: Wisconsin Dells, WI
Date: 10/21/14
Total Cost: $206.50

Administration:
Health Information Specialist-Serves on the Tribal Net Advisory Board
11/10-11/13
$ 1547.71
Las Vegas, NV
Tribal Net 15

Public Health Officer (approved prior to cost containment, employee took it directly to the CFO)
142nd Annual APHA (American Public Health Association) Meeting & Expo
11/14- 11/20
$2,793.50
New Orleans, LA

Total cost of approved travel for Cost Containment Period: $15050.38

The following was denied due to the Continuing Resolution:
Contract Health-$326.00-Denied due to training available via Webinar
$176.50- Outreach for SEOTS-Service performed via Conf. call

Nursing-$2880.12-Denied due to cost containment more than 3 travelers

Total cost of denied travel for Cost Containment Period: $3382.62

Total of $111,326 in expenses through various requisitions during the Cost Containment Period. This does not include expenses through Open Purchase orders during this period. The Division did not exceed the 75% of the budget for FY 2014.

Oneida Business Committee Meeting
Agenda Request Form

1. Meeting Date Requested: 02 / 11 / 15

2. Nature of request

Session: ☒ Open ☐ Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

Agenda Header (choose one): Legislative Operating Committee

Agenda item title (see instructions):

Accept LOC Meeting Minutes of January 21, 2015

Action requested (choose one)

☐ Information only

☒ Action - please describe:

Accept LOC Meeting Minutes of January 21, 2015

3. Justification

Why BC action is required (see instructions):

4. Supporting Materials

Instructions

☐ Memo of explanation with required information (see instructions)

☐ Report ☐ Resolution ☐ Contract (check the box below if signature required)

☒ Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1. Minutes
2.
3.
4.

☐ Business Committee signature required

5. Submission Authorization

Authorized sponsor (choose one): Brandon Stevens, Council Member

Requestor (if different from above):

Name, Title / Dept. or Tribal Member

Additional signature (as needed):

Name, Title / Dept.

Additional signature (as needed):

Name, Title / Dept.

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Oneida Tribe of Indians of Wisconsin

Legislative Reference Office
P.O. Box 365
Oneida, WI 54155
(920) 869-4376
(800) 236-2214
http://oneida-nsn.gov/LOC

Committee Members
Brandon Stevens, Chairperson
Tehassi Hill, Vice Chairperson
Fawn Billie, Councilmember
Jennifer Webster, Councilmember

LEGISLATIVE OPERATING COMMITTEE MEETING MINUTES

Business Committee Conference Room-2nd Floor Norbert Hill Center
January 21, 2015 9:00 a.m.

PRESENT: Jennifer Webster, Fawn Billie, Tehassi Hill, Brandon Stevens
OTHERS PRESENT: Candice Skenandore, Danelle Wilson, Taniquelle Thurner, Matt Denny, Fawn Cottrell, Jacob Metoxen, Rae Skenandore, Lynn Franzmeier

I. Call To Order and Approval of the Agenda

Brandon Stevens called the January 21, 2015 Legislative Operating Committee meeting to order at 9:00 a.m.

Motion by Fawn Billie to approve the agenda; seconded by Tehassi Hill. Motion carried unanimously.

II. Minutes to be approved

1. **January 15, 2015 LOC Meeting Minutes**
   Motion by Jennifer Webster to approve the January 15, 2015 LOC Meeting Minutes; seconded by Fawn Billie. Motion carried unanimously.

III. Current Business

1. **Marriage Law Amendments** *(01:08-02:18)*
   Motion by Jennifer Webster to defer the Marriage Law Amendments for a legislative analysis and fiscal impact statement; seconded by Fawn Billie. Motion carried unanimously.

2. **Motor Vehicle Law Amendments** *(02:20-07:50)*
   Motion by Jennifer Webster to approve the public meeting date of February 19, 2015 regarding the Motor Vehicle Law Amendments; seconded by Fawn Billie. Motion carried unanimously.

3. **Vehicle Driver Certification and Fleet Management** *(07:51-31:22)*
   Motion by Jennifer Webster to forward the Vehicle Driver Certification and Fleet Management to a February 19, 2015 public meeting; seconded by Tehassi Hill. Motion carried unanimously.

IV. New Submissions

1. **Petition: Raise Employee Salaries 99 Cents** *(31:27-33:20)*

Motion by Tehassi Hill to add the Petition: Raise Employee Salaries 99 Cents to the active files list; seconded by Jennifer Webster. Motion carried unanimously.

Motion by Fawn Billie to forward the Petition: Raise Employee Salaries 99 Cents analysis to the Oneida Business Committee for consideration; seconded by Jennifer Webster. Motion carried unanimously.

2. **Petition: Budget Cuts, Swimming Lessons, GTC Directives & Home Repairs for Elders** *(33:21-35:31)*
   Motion by Jennifer Webster to add the Petition: Budget Cuts, Swimming Lessons, GTC Directives & Home Repair for Elders to the active files list; seconded by Tehassi Hill. Motion carried unanimously.

   Motion by Tehassi Hill to forward the memorandum updating the Oneida Business Committee on the progress regarding Petition: Budget Cuts, Swimming Lessons, GTC Directives & Home Repairs for Elders analysis; seconded by Fawn Billie. Motion carried unanimously.

3. **Hunting, Fishing and Trapping Law Amendments** *(35:33-36:19)*
   Motion by Tehassi Hill to add the Hunting, Fishing and Trapping Law Amendments to the active files list; seconded by Fawn Billie. Motion carried unanimously.

   Note: Tehassi Hill will be the sponsor.

V. Additions

None

VI. Administrative Updates

1. **Furlough Policy and Rules of Appellate Procedures Amendments Public Meeting Date E-poll** *(36:24-37:10)*
   Motion by Jennifer Webster to ratify the Furlough Policy and Rules of Appellate Procedures Amendments Public Meeting Date E-poll; seconded by Tehassi Hill. Motion carried unanimously.

VII. Executive Session

VIII. Recess/Adjourn

Motion by Jennifer Webster to adjourn the January 21, 2015 Legislative Operating Committee meeting at 9:38 a.m.; seconded by Fawn Billie. Motion carried unanimously.

Oneida Business Committee Meeting
Agenda Request Form

1. Meeting Date Requested: 02 / 11 / 15

2. Nature of request

Session: ☒ Open ☐ Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

Agenda Header (choose one): Legislative Operating Committee

Agenda item title (see instructions):

LOC Priority List

Action requested (choose one)

☒ Information only

☐ Action - please describe:

Accept LOC priority list as fyi, provide feedback regarding additional priorities, if necessary.

3. Justification

Why BC action is required (see instructions):

4. Supporting Materials

Instructions

☒ Memo of explanation with required information (see instructions)

☒ Report ☐ Resolution ☐ Contract (check the box below if signature required)

☐ Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1. 3.

2. 4.

☐ Business Committee signature required

5. Submission Authorization

Authorized sponsor (choose one): Brandon Stevens, Council Member

Requestor (if different from above):

Name, Title / Dept. or Tribal Member

Additional signature (as needed):

Name, Title / Dept.

Additional signature (as needed):

Name, Title / Dept.

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Committee Members
Brandon Stevens, Chairperson
Tehassi Hill, Vice Chairperson
Fawn Billie, Councilmember
Jennifer Webster, Councilmember

Memorandum

TO: Oneida Business Committee
FROM: Brandon Stevens, LOC Chairperson BS
DATE: February 4, 2015
RE: LOC Priorities

The Legislative Operating Committee (LOC) held a work meeting on January 15, 2015, in order to discuss their legislative priorities. On February 4, 2015, the LOC approved the attached priority list for forwarding to the Oneida Business Committee (OBC) to give the OBC the opportunity to review the list and to provide feedback and/or direction on the legislative priorities of the LOC. Along with directives from the General Tribal Council and the Oneida Business Committee, the LOC has identified the following legislation that it will consider a priority:

- BC Sanctions and Penalties
- Budget Management and Control Law
- Children's Code
- Code of Ethics Law Amendments
- Employment Law
- Removal Law Amendments

The LOC requests that the Oneida Business Committee review the Active Files List contained within the attached document and suggest any changes or additions to the LOC Priority List.

It should be noted that because an item is not a priority does not mean that it will be ignored. The LOC will continue to work on all items on the active files list; however, the identified legislation will take first priority.

Attachment

LOC Priority List

GTC DIRECTIVES

Petition: Budget Cuts, Swimming Lessons, GTC Directives and Home Repairs for Elders
Next Steps: Analyses submitted, waiting for GTC consideration

Petition: Child Care Department Consumer Complaint Policy
Next Steps: A work meeting is scheduled for February 23, 2015

Petition: Dialysis Center Development
Next Steps: Analysis submitted, waiting for GTC consideration

Petition: Judiciary Support System
Next Steps: Analysis submitted, waiting for GTC consideration

Petition: Raise Employee Salaries 99 Cents
Next Steps: Analysis submitted, waiting for GTC consideration

OBC DIRECTIVES

Comprehensive Policy Governing Boards, Committees and Commissions Amendments
Next Steps: Begin making amendments to the Policy

Furlough Policy
Next Steps: Public meeting held on February 5, 2015; consider comments and either make changes or forward to OBC for consideration

Higher Education
Next Steps: Continue drafting a Law that incorporates provisions of the Higher Education Student Handbook yet gives the Higher Education Office flexibility to operate

LOC PRIORITIES

BC Sanctions and Penalties
Next Steps: Research how this item affects the Code of Ethics, Removal Law and Comprehensive Policy Governing Boards, Committees and Commissions and decide to either combine this item with one or more of the mentioned legislation or continue to work on this item separately

Budget Management and Control Law
Next Steps: Continue to draft the Law

Children's Code
Next Steps: An outline is being created regarding what a Children's Code would encompass and then a meeting will be scheduled with the interested parties to provide the Finance Department with the information they need to determine what the potential fiscal impact of this legislation would be.

LOC Priority List

Code of Ethics Law Amendments

Next Steps: Continue making amendments to the Law

Employment Law

Next Steps: Review proposed draft and either continue work on the draft or create a new draft

Removal Law Amendments

Next Steps: Continue making amendments to the Law

ACTIVE FILES LIST

Agriculture Law

Summary: Consider legislation that would enable the Tribe to identify agricultural products that can be grown on the Reservation, including industrial hemp, in order to exercise the Tribe's sovereignty and pursue economic diversification.

Next Steps: Begin working on a draft, continue conducting monthly work meetings

Audit Committee Bylaws

Summary: Review the Audit Committee Charter and consider changing the charter to bylaws

Next Steps: Begin work on this item

Audit Law Amendments

Summary: The Audit Committee requested establishing a standard requirement for correcting high risk findings. The Committee also requested that the OBC clarify roles and responsibilities related to Audit issue interpretations and resolutions, including: who is the primary authority to determine whether audit issues are pursued or closed, who can enforce the need for management action and what process should be adopted to achieve results so past audits can be resolved and closed.

Next Steps: Review proposed draft and either continue work on the draft or create a new draft

Capping Damages and Awards from the Judicial System

Summary: Develop legislation that would cap damages and awards that can be rendered by the Judicial System

Next Steps: Review proposed draft and either continue work on the draft or create a new draft

Election Law Amendments

Summary: Amend the Law to prohibit Tribal members from running for more than one seat per election and serving on more than one board, committee or commission; add enforcement provisions for campaign violations; streamline the role of Election Board, require a Milwaukee polling site; add provisions regarding election observations and clarify the referendum process.

Next Steps: The sponsor and the LRO are continuing to work on the draft.

LOC Priority List

Employee Advocacy Law

Summary: Develop a new Law that formally codifies the rules and requirements for Tribal employees who wish to serve as an advocate for other Tribal employees who are challenging disciplinary action.

Next Steps: Review proposed draft and either continue work on the draft or create a new draft

Environmental, Health and Safety Law

Summary: Develop a new Law that enables the Environmental, Health and Safety Department (EHSD) to protect land, water, air, people and safety on the Reservation. EHSD shall have the authority to protect the Reservation, promote public health & safety and do business on the Reservation as well as perform duties such as creating rules in implementing this Law.

Next Steps: The sponsor is reviewing the proposed draft and will determine whether it is ready to move forward for an analysis or if changes should be made

Family Court Amendments: Bench Warrants

Summary: Amendments to the Family Court to explicitly include bench warrant authority.

Next Steps: Waiting on input for implementation from the appropriate departments

Fitness For Duty Policy

Summary: Develop a policy that allows supervisors to send employees for an assessment when it is believed that an employee presents a health and/or safety hazard to themselves, others or the Tribe.

Next Steps: Review proposed draft and either continue work on the draft or create a new draft

GTC Meetings Law

Summary: Develop a new law to govern the scheduling and conducting of GTC meetings, including: a standard agenda format and a code of conduct for those in attendance; outlining the duties of those preparing and assisting with GTC meetings, and establishing how petitions would be processed.

Next Steps: Review proposed draft and either continue work on the draft or create a new draft

Guardianship Law

Summary: Develop a Guardianship Law for minor children because the Child Custody, Placement and Visitation Law permits a third party (i.e. a non-parent) to petition for custody of a minor child, but does not address third-party guardianships.

Next Steps: Review proposed draft and either continue work on the draft or create a new draft

Hunting, Fishing and Trapping Law Amendments

Summary: Streamline the Law and separate policy making and management decisions from the Law to avoid yearly/bi-yearly updates to the Law.

Next Steps: Review amendments to the Law that were submitted by ERB and Conservation.

LOC Priority List

Investigative Leave Policy Amendments

Summary: Because of a decision made the Oneida Appeals Commission it was requested that the section of the Policy which prohibits the use of investigative leave when a complaint is filed be deleted. In addition, the time period of the investigation should be reduced from 30 days to 15 days.

Next Steps: Begin making amendments to the Policy

Law Enforcement Ordinance Amendments: Conservation Officers

Summary: In order to avoid confusion when it comes to issuing fines, OPD and the Law Office are asking that the Ordinance clarify that Conservation Wardens are not sworn police officers.

Next Steps: Begin making amendments to the Ordinance

Leasing Law

Summary: Develop a new law would allow the Tribe to approve surface leases at their discretion, instead of the Secretary of Interior, so long as the Secretary of Interior has approved Tribal surface lease regulations.

Next Steps: LOC considered the draft and analysis on February 4, 2015.

Marriage Law Amendments

Summary: Because the same-sex marriage ban was ruled unconstitutional in Wisconsin, this Law is being amended to recognize marriages conducted legally in Wisconsin, including same-sex marriages.

Next Steps: A proposed draft is complete and a legislative analysis and fiscal impact statement are being developed.

Membership Ordinance

Summary: Trust/Enrollment Department requested amendments to the Ordinance to include an individual's New York Oneida blood and Oneida of the Thames blood when determining blood quantum for Tribal membership.

Next Steps: Wait until the Sustain Oneida initiative gathers information and the Trust/Enrollment Department decides how to proceed

Motor Vehicle Law Amendments

Summary: Licensing Department proposed amendments to the Law to update the Law and remove the registration prices so they can be changed without having to amend the Law.

Next Steps: A public meeting is scheduled for February 19, 2015

Pow-wow Committee Bylaws

Summary: The Pow-wow Committee has requested additions to the Committee bylaws which address qualifications for serving on the committee.

Next Steps: Waiting for clarification and approval from Pow-wow Committee on the proposed bylaws

LOC Priority List

Rulemaking Law

Summary: Develop a new Law in order to have a consistent process for Tribal agencies that have been granted rulemaking authority under Tribal laws to adopt of administrative rules.

Next Steps: Develop the Law

Rules of Appellate Procedure Amendments

Summary: The Judiciary requested that amendments be made to the Rules to improve the process.

Next Steps: A public meeting was held on February 5, 2015, the LOC will review comments and either make changes or forward to the OBC for consideration

Tribal Hearing Bodies

Summary: This was a request for the LRO to conduct research on Tribal Boards, Committees and Commissions to find out which are also hearing bodies and where the hearing body authority comes from.

Next Steps: Decide how to proceed

Tribally-Owned Business Organization Code

Summary: Because the Tribe has several Tribally-owned entities, a proposal seeks the adoption of a Tribal corporation's code.

Next Steps: Develop the Code

Vehicle Driver Certification and Fleet Management

Summary: Risk Management requests a new Law to govern employee/Tribal official use of vehicles while on Tribal business and replace the current Vehicle Driver Certification Policy and Fleet Management Policy.

Next Steps: A public meeting is scheduled for February 19, 2015

Whistleblower Law

Summary: Develop a new Law that will replace the Employee Protection Law which would provide a more comprehensive avenue for complaints to be processed in a confidential manner.

Next Steps: Review proposed draft and either continue work on the draft or create a new draft

Workplace Violence Policy

Summary: Develop a new Policy that provides guidance to Tribal employees to maintain an environment at and within the Tribe's property and events that is free of violence and the threats of violence.

Next Steps: Develop the Policy

Oneida Business Committee Meeting
Agenda Request Form

1. Meeting Date Requested: 02 / 11 / 15

2. Nature of request

Session: ☒ Open ☐ Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

Agenda Header (choose one): Finance Committee

Agenda item title (see instructions):

FC Meeting Minutes of 02/02/15 & FC E-Poll Approving Minutes

Action requested (choose one)

☐ Information only

☒ Action - please describe:

OBC Approval of minutes

3. Justification

Why BC action is required (see instructions):

The Finance Committee is Standing Committee of the OBC

4. Supporting Materials

Instructions

☐ Memo of explanation with required information (see instructions)

☐ Report ☐ Resolution ☐ Contract (check the box below if signature required)

☒ Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1. FC Meeting Minutes of 02/02/15
2. FC E-Poll Approving 02/02/15 Minutes
3.
4.

☐ Business Committee signature required

5. Submission Authorization

Authorized sponsor (choose one): Trish King, Tribal Treasurer

Requestor (if different from above): _____
Name, Title / Dept. or Tribal Member

Additional signature (as needed): _____
Name, Title / Dept.

Additional signature (as needed): _____
Name, Title / Dept.

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Oneida Tribe of Indians of Wisconsin

Finance Administration Office
Phone: 920- 869-4325
FAO@oneidanation.org

MEMORANDUM

TO: Finance Committee

CC: Business Committee

FR: Denise Vigue, Executive Assistant

DT: February 2, 2015

RE: **E-Poll Results of: FC Meeting Minutes of February 2, 2015**

An E-Poll vote of the Finance Committee was conducted to approve the February 2, 2015 Finance Committee meeting minutes. The results of the completed E-Poll are as follows:

E-POLL RESULTS:

There was a Majority 5 YES votes from Larry Barton, Jennifer Webster, Patrick Stensloff, Wesley Martin, Jr. and Fawn Billie to approve the February 2, 2015 Finance Committee Meeting Minutes.

The minutes will be placed on the next BC agenda of February 11, 2015 for approval and the next Finance Committee agenda of February 16, 2015 to accept this E-Poll action.

YawΛko

ONEIDA FINANCE COMMITTEE

February 2, 2015

Business Committee Executive Conference Room

REGULAR MEETING MINUTES

Members Present:

Trish King, Treasurer/FC Chair
Jenny Webster, BC Council Member
Patrick Stensloff, Purchasing Director
Larry Barton, CFO/FC Vice-Chair
Fawn Billie, BC Council Member
Wesley Martin, Jr., Community Elder Member

Members Excused: Chad Fuss, Gaming GM

Others Present: Paul Witek, Nathan King and Denise Vigue, FC Recording Secretary

I. **Call to Order:** The Finance Committee meeting was called to order by the FC Chair at 10:00 a.m.

II. **Approval of the Agenda:** Motion by Fawn Billie to approve the February 2, 2015 Finance Committee agenda. Seconded by Jennifer Webster. Motion carried unanimously.

III. **Approval of the Minutes:**

1. **January 19, 2015 (Approved via E-Poll on 1/19/15):**

Motion by Patrick Stensloff to ratify the E-poll action of Jan 19, 2015 approving the Finance Committee meeting minutes of Jan. 19, 2015. Seconded by Wesley Martin, Jr. Motion carried unanimously.

IV. **Tabled Business:** No tabled business

V. **Capital Expenditures:** No requests submitted

VI. **SEOTS Community Center Project:**

1. **Triad Construction, Inc. – Change Order #1**
Paul Witek, Project Manager – Engineering

Paul Witek was present to explain details of the change order including itemized listing of repairs and additions such as custom window that needed repair, additional window installed, doors put in; these were all items that were identified when they first assessed building. There was discussion of additional items such as fixtures and room contents not originally identified and funding source; Paul is in the process of completing a request for additional funding for these FF & E and construction costs that he will be bringing to the OBC, he is working with CFO and Purchasing on request and to identify source of funding and itemized costs.

Motion by Larry Barton to approve change order #1 in the amount of $16,931.66 for constructions costs from Triad Construction, Inc for work on the SEOTS Community Center Project. Seconded by Jennifer Webster. Motion carried unanimously.

2. **Triad Construction, Inc. – Pay Draw #2**
Paul Witek, Project Manager – Engineering

There was discussion of the allocated amount for this project; pay draw is for work identified and completed; payment through bond funds.

Motion by Wesley Martin, Jr. to approve application for payment, draw #2 in the amount of $108,374.38 for constructions costs from Triad Construction, Inc on the SEOTS Community Center Project. Seconded by Jennifer Webster. Motion carried unanimously.

VII. New Business:

1. External Donation Requests – Discussion
Patricia King, Treasurer

There was a discussion regarding how to move forward with donation requests; Larry Barton provided a brief historical overview of how external giving was provided; in the past few years with diminished dollars concentration was on Oneida Community, local churches, longhouse and vets groups. After discussion there was consensus donation requests can be placed on the FC agenda for review and that information provided today can be accepted as FYI.

Motion by Jennifer Webster to accept all the information as FYI. Seconded by Wesley Martin, Jr. Motion carried unanimously.

VIII. Executive Session: No requests submitted

IX. Community Fund:

1. Green Bay Elite Cheer fees for daughter (JM)

Motion by Jennifer Webster to approve from the Community Fund the Green Bay Elite Cheer fees for the daughter of the requestor in the amount of $500.00. Seconded by Larry Barton. Motion carried unanimously.

2. YMCA Gym/Swim class fees for daughter (YYZS)

Motion by Larry Barton to approve from the Community Fund the YMCA gym and swim class fees for daughter of requestor (YYZS) in the amount of $450.00. Seconded by Jennifer Webster. Motion carried unanimously.

3. YMCA Gym/Dance class fees for daughter (YMZS)

Motion by Wesley Martin Jr. to approve from the Community Fund the YMCA gym and dance class fees for daughter of requestor (YMZS) in the amount of $450.00. Seconded by Fawn Billie. Motion carried unanimously.

4. YMCA Gym/Swim class fees for daughter (YCZS)

Motion by Jennifer Webster to approve from the Community Fund the YMCA gym and swim class fees for daughter of requestor (YCZS) in the amount of $450.00. Seconded by Wesley Martin, Jr. Motion carried unanimously.

X. Follow Up:

1. RPM Advertising – Contract Extension Addendum
Brenda Buckley, Gaming Marketing

No one present to provide follow up information, the FC had several questions pertaining to if there was included in agreement a limited waiver of sovereign immunity, and an updated legal review of this addendum; also there was discussion of this already being approved at both FC and OBC levels and this is follow up.

Motion by Larry Barton to defer until Gaming Marketing can be present and to specifically answer the limited waiver of sovereign immunity and updated legal review. Seconded by Wesley Martin, Jr. Motion carried unanimously.

XI. Thank you and/or FYI:

1. FYI – Outagamie County Service Agreement
Paula King-Dessart, OBC Office Manager

Nathan King was present and provided a handout that further explains services within this agreement and to explain much of the agreement is about mitigation of land into trust; he also

explained good working relationship with jurisdictional provisions, not specified but still being worked out. There was a general discussion of current tax model used and in the future looking to combine Outagamie County and Town of Oneida into one agreement.

Motion by Larry Barton to accept as FYI the government to government FY2015 service agreement payment with Outagamie County in the amount of $149,850.00. Seconded by Fawn Billie. Motion carried unanimously.

2. FYI – Multimedia Games (1) The Texan HDX
Dave Emerson, Gaming Slots Director

Motion by Fawn Billie to accept as FYI the no purchase lease game from Multimedia Games (1) The Texan HDX. Seconded by Larry Barton. Motion carried unanimously.

XII. Adjourn: Motion by Jennifer Webster to adjourn. Seconded by Larry Barton. Motion carried unanimously. Meeting ended at 11:00 a.m. The next Finance Committee meeting is scheduled for Monday, February 16, 2015 at 10:00 a.m. in the BC-Executive Conference Room.

Minutes taken and transcribed by:
Denise Vigue, Executive Assistant in Finance
& Finance Committee Recording Secretary

Finance Committee E-Poll Minutes Approval Date: __February 2, 2015____

Oneida Business Committee FC Minutes Approval Date: _____

X. GENERAL TRIBAL COUNCIL

A. **Petitioner Gina Powless: To create a support system of paralegals, advocates and attorneys to assist and advocate for Oneida enrolled Tribal Members that are engaged in any case with Oneida Judiciary**
   Sponsor: Lisa Summers, Tribal Secretary

B. **Petitioner Yvonne Metivier: Raise employee salaries 99 cents for those under $65,000 and no layoffs**
   Sponsor: Lisa Summers, Tribal Secretary

C. **Petitioner Madelyn Genskow: Request Saturday meeting to address four resolutions**
   Sponsor: Lisa Summers, Tribal Secretary

D. **Schedule a special GTC meeting on March 28, 2015**
   Sponsor: Lisa Summers, Tribal Secretary

These agenda items contain information for Tribal Members only. Please visit the Business Committee Support Office on the second floor of the Norbert Hill Center with Tribal I.D. to obtain full packet materials. Materials may also be obtained after logging into the Tribal Members only portal at https://oneida-nsn.gov/members-only/gtc-portal/bc-meeting-materials-for-members-only/

For any questions, please call the Business Committee Support Office at (920)869-4364 or send an email to TribalSecretary@oneidanation.org. Thank you.

RECEIVED
JAN 15
SERVICES

Oneida Business Committee Meeting
Agenda Request Form

Deadlines | Instructions

1. **Meeting Date Requested:** ~~01 / 28 / 15~~ 02/11/2015

2. **Nature of request**

Session: ☒ Open ☐ Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list below:

Agenda Header (choose one): New Business/Request

Agenda item title (see instructions):

Outagamie County S85.21 Specialized Transportation Contract

Action requested (choose one)

☐ Information only

☒ Action - please describe:

Approval to sign and submit the contract to Outagamie County Department of Health and Human Services.

3. **Justification**

Why BC action is required (see instructions):

Per Legal Review, this contract requires Business Committee approval prior to execution.

4. **Supporting Materials** Instructions

☐ Memo of explanation with required information (see instructions)

☐ Report ☐ Resolution ☒ Contract (check the box below if signature required)

☐ Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1. 3.
2. 4.

☒ Business Committee signature required

5. **Submission Authorization**

Authorized sponsor (choose one): Joanie Buckley, Division Director 1/15/14

Requestor (if different from above): Cheryl Stevens, Director, Grants Office Cheryl Stevens

Name, Title / Dept. or Tribal Member

Additional signature (as needed):

Name, Title / Dept.

Additional signature (as needed):

Name, Title / Dept.

A copy of this document can be saved in a pdf format. Please e:mail this form and all supporting materials to BC_Agenda_Requests@oneidanation.org. Save and e:mail

Lisa A. Liggins

From: BC_Agenda_Requests
To: Marsha J. Danforth
Subject: RE: Outagamie County Specialized services

From: Marsha J. Danforth
Sent: Monday, January 26, 2015 2:11 PM
To: BC_Agenda_Requests
Cc: Cheryl R. Stevens; Joanie L. Buckley; Linda A. Torres; Donald R. White; Joyce A. Hoes; Susan M. House; Tina R. Pospychala; Florence M. Petri; Barbara J. Dickson
Subject: FW: Outagamie County Specialized services

Hello All,

This Purchase of Services Contract is the result of a grant application that was submitted by the Elder Services Department to the Outagamie County Department of Health and Human Services in April, 2013. The current contract is a continuation of that first grant application. The amount funded is $3,600 with a 20% match in the amount of $720, which has been approved in the program's budget.

At the Agenda Review the following questions came up:

1. How does this contract relate to the Outagamie County Service Agreement, if at all?

   The S85.21 Specialized Transportation Grant Contract will provide transit services to customers (Oneida Elders) through the period of the grant, which is January 1, 2015 – December 31, 2015. We believe this does not relate in any way to the Outagamie County Service Agreement, because this is grant funding specifically for Elders, and not the community at large.

2. Should this be in open session? Some BC member felt it should be in exec, but please demonstrate reason it was submitted as an open session item.

   This contract does not prohibit disclosure of the content to third parties, nor does it disclose any unreasonable invasion of personal privacy. Therefore, this contract would not to be placed in Executive Session. However, that decision would have to be made by the Business Committee.

3. Is there a deadline this is needed by?

   The original deadline for returning this document to the funding agency was December 26, 2014. However due to the amount of time to get this through the process, the funding agency was contact and they graciously extended the deadline. Their response was to get the document back to them as soon as possible.

4. Is this a budgeted expenditure?

   This is a grant and the 20% match for this will be coming out of the Elder Services Senior Citizen's budget.

A Legal Review was completed on this contract by the Oneida Law Office on December 22, 2014. That review states this contract "Requires Business Committee approval prior to execution, pursuant to a waiver of Sovereign Immunity." In keeping with the process, we have requested to have this contract placed on the BC Meeting Agenda for approval.

I just wanted to provide a little more clarification on the questions posed. I hope this will aid in getting this contract placed on the next BC Meeting Agenda.

Please let me know if you require any further information regarding this issue.

Thank you,

Marsha Danforth
Grant Development Specialist
Oneida Grants Office
PH: 920-496-7328
FAX: 920-496-7494
Email: mdanfor4@oneidanation.org

ONEIDA LAW OFFICE

CONFIDENTIAL: ATTORNEY/CLIENT WORK PRODUCT

TO: Joyce A. Hoes
Elder Services

FROM: Kelly M. McAndrews, Staff Attorney Kelly

DATE: December 22, 2014

RE: Outagamie County Health & Human Services

Use this number on future correspondence:

2014-1480

Purchasing Department Use
_____ **Contract Approved**
_____ **Contract Not Approved**
(see attached explanation)

If you have any questions or comments regarding this review, please call 869-4327.

The attached agreement, contract, policy and/or guaranty has been reviewed by the Oneida Law Office for legal content only. Please note the following:

This contract may be impacted by Resolution #BC-09-24-2014-A entitled Continuing Resolution for FY 2015. This contract should be reviewed for compliance with this resolution prior to signing.

Note: you will need to contact the Agency to let them know the document will not be available until after December 26, 2014 if you are not able to obtain BC approval by then.

✓ Requires Business Committee approval prior to execution, pursuant to a waiver of Sovereign Immunity.

1.) Article 2, indicates DHS ch. 12 (Wis. Admin. Code) shall be complied with. DHS 12.05 contains a sanction section for entities committing certain caregiver background violations. Although the agreement language '[T]he Provider shall comply with the provisions of HSF 12. . ." is not an explicit waiver of Sovereign Immunity, it may be construed as a waiver. Additionally, Sec. 2.2 contains an agreement to allow personnel files to be audited to ensure compliance.
2.) Article 5 mentions a "formal written grievance procedure" approved by the licensing or certification authority, this process is again mentioned in Art 10 (individual has a right to an administrative hearing concerning eligibility). This does not appear an explicit waiver of sovereign immunity, but it may be.
3.) Article 15- Liquidated Damages (Sec. 15.2) appears to contain a waiver of sovereign immunity.
4.) Article 20 indicates the Provider (Tribe) may appeal decisions of the Purchaser (County) in accordance with the terms and conditions of the contract and Chapter 68, Wis. Stats. This subjects the Tribe to the State's administrative procedure and appears a waiver, at least limited, of sovereign immunity.

Verification for agreement compliance should be made, prior to signing, regarding:
1.) Insurance Compliance, Article 12, (with the State)
2.) Surety Bond, Sec. 17.3.2 (with Risk Management)
3.) Internal Audit/ Finance regarding Appendix A, "Schedule of Reserves"

Purchase of Services Contract

Purchaser and Provider Information

Purchaser:	
Organization Name	Outagamie County Department of Health and Human Services
Address	410 South Walnut Street, Appleton, WI 54911
Name of contact person	Mr. Tom Stratton
Telephone	(920) 832 – 5469
Fax	(920) 832 – 5478
E-mail	strattt@co.outagamie.wi.us
Provider:	
Organization Name	**Oneida Tribe of Indians of Wisconsin**
Address	2907 S Overland Rd Oneida WI 54155
Name of contact person	Florence Petri
Telephone	
Fax	
E-mail	
Provider's fiscal year end:	
Provider's Employer Identification Number:	

Contract Information

Contract Number:	44-15-417
Services to be provided: [detail is in "Services to be Provided" section]	
Contract period:	January 1, 2015 – December 31, 2015
Maximum payment under this contract:	$ 3,600.00

Summary of Contract Provisions

Provision	Comments
Article 1 Audit	*Audit requirement.* ___ Agency-wide _√_ Program ___ Agreed-upon procedures ___ Audit is waived
Article 2 Caregiver Background Checks	*Applicable?* ___ No _√_ Yes
Article 3 Civil Rights Compliance Plan	Provider has **more** than **50 employees and** will receive more than **$50,000** in funding from all government contracts? _√_ No (Provider attach Letter of Assurance along with Appendices A-H to the contract) ___ Yes (Provider attach Letter of Assurance along with Appendices A-H to the contract - Civil Rights Compliance Plan to be completed and available upon request
Article 4 Client Funds	*Client funds* ___ Provider prohibited from handling client funds ___ Provider allowed to handle client funds (Purchaser attach requirements for handling client funds to contract) _√_ Not relevant
Article 5 Client Rights and Grievances	
Article 6 Conditions of the Parties Obligations	
Article 7 Confidentiality	
Article 8 Conflict of Interest	
Article 9 Debarment and Suspension	

Article 10 Eligibility

Determining eligibility

√ Purchaser determines eligibility
___ Provider determines eligibility (Purchaser attach eligibility requirements to contract)
___ No eligibility requirement

Article 11 Health Insurance Portability and Accountability Act of 1996 "HIPAA" Applicability

Business Associate?

√ No
___ Yes (Purchaser attach "Business Associate Agreement" to contract and Provider sign)

PHI?

√ No
___ Yes (Purchaser attach "Agreement on Provider Use of PHI" to contract and Provider sign)

Electronic Billing?

√ No
___ Yes (Purchaser attach "Trading Partner Agreement and Companion Guides" to contract and Provider sign)

Article 12 Indemnity and Insurance

√ Provider to attach Certificate of active Insurance to contract and provide copies upon renewal of policies.

	Coverage	Limit
√	1. Worker's Compensation	Statutory
	2. Comprehensive General Liability	$ 1,000,000 BI $ 1,000,000 PD
	3. Auto Liability	$ 1,000,000 CSL
	4. Professional Liability	$1,000,000 Each Occurrence
	5. Umbrella or Excess Liability	$ 1,000,000 per claim
___	Malpractice/Professional Liability	$1,000,000 per Occurrence $3,000,000 Aggregate

___ Commercial Crime Insurance Including third party theft (see Appendix F)

Article 13 Independent Contractor

Article 14 License, Certification, and Staffing

License or certification required?

√ No
___ Yes (Provider attach copy of license/ certification and most recent inspection report to contract)

Article 15 Liquidated Damages

Liquidated damages provision applies?
_√_ No
___ Yes, damage amount is agreed-upon

Article 16 Matching, Level of Effort, and Earmarking

Matching, level of effort and earmarking requirements:
___ No matching, level of effort, or earmarking requirements
_√_ Matching requirements (Purchaser attach matching requirements to contract)
___ Level of effort requirements (Purchaser attach level of effort requirements to contract)
___ Earmarking requirement (Purchaser attach earmarking requirements to contract)

Article 17 Payment and Allowable Costs

Basis of payment
___ Reimbursement of allowable costs
___ Unit-times-unit-price with limited profit or reserves
_√_ Unit-times-unit-price (pure fee for service)

Who bills clients and third parties?
_√_ Purchaser makes billings
___ Provider makes billings (Purchaser attach billing requirements to contract)

Advances allowed?
_√_ No
___ Yes

Surety bond required?
_√_ No
___ Yes (Provider attach bond to contract)

Article 18 Records

Article 19 Reporting

See Article 19 for a summary of the reporting requirements under this contract

Article 20 Resolution of Disputes

Article 21 Revision or Termination of this Contract

Article 22 Services to be Provided

Article 23 Special Provisions for High Risk Contract

High risk contract?
_√_ No
___ Yes (Summarize special provisions here)

Attachments

√	Exhibit I	Oneida Tribe of Indians of WI
____	Appendix I	CBRF & AFH
____	Appendix II	Vocational
____	Appendix IV	Expectations - CYF
____	Appendix V	Expectations – YFS
____	Appendix V	Expectations – MH
√	Appendix A	Audit/Reserves
____	Appendix B	Inter County Agreement
____	Appendix C	Comprehensive Community Service(CCS)
____	Appendix D	Children's Long Term Support (CLTS)
____	Appendix E-1	Program Evaluation – CBRF/AFH
____	Appendix E-2	Program Evaluation – Vocational
____	Appendix F	Corporate Guardian Requirements
____	Appendix H	HIPPA Business Associate
____	Appendix M	Nutrition Program
____	Appendix M-1	Home Delivered Meal Procedures
____	Appendix P	Psychiatrist Services/Position Description
____	Appendix T	Expectations of TCM use
____	Exhibit A	Budget/Rates

Signatures

This contract becomes null and void if the time between the Purchaser's authorized representative signature and the Provider's authorized representative signature on this contract exceeds sixty days.

For Purchaser

Typed Name Rosemary V. Davis
Title Director

Signature _____

Date 11/24/14

Contract approved as to form:

Typed Name Joseph P Guidote, Jr.
Title Outagamie County Corporation Counsel

Signature _____

Date 12/4/14

For Provider

Typed Name Florence Petri
Title

Signature _____

Date _____

Article 1 Audit

The Purchaser will arrange and pay for an agreed-upon procedures engagement that will meet the audit requirements of s. 46.036 for this contract. This provision does not absolve the Provider from needing to meet any federal audit requirements that may be applicable or any audit requirements of other contracts.

Article 2 Caregiver Background Checks

The Purchaser and the Provider agree that the protection of the clients served under this contract is paramount to the intent of this contract. In order to protect the clients served, the Provider shall comply with the provisions of HFS 12, Wis. Admin. Code (online at http://www.legis.wisconsin.gov/rsb/code/index.html)

Section 2.1 Background checks
The Provider shall conduct caregiver background checks at its own expense of all employees assigned to do work for the Purchaser under this contract if such employee has actual, direct contact with the clients of the Purchaser. The Provider shall retain in its Personnel Files all pertinent information, to include a Background Information Disclosure Form and/or search results from the Department of Justice, the Department of Health and Family Services, and the Department of Regulation and Licensing, as well as out of state records, tribal court proceedings and military records, if applicable.

After the initial background check, the Provider must conduct a new caregiver background search every four years, or at any time within that period when the Provider has reason to believe a new check should be obtained.

Section 2.2 Records
The Provider shall maintain the results of background checks on its own premises for at least the duration of the contract. The Purchaser may audit the Provider's personnel files to assure compliance with the State of Wisconsin Caregiver Background Check Manual (online at http://www.dhfs.wisconsin.gov/caregiver/publications/CgvrProgMan.htm).

Section 2.3 Assignment of staff
The Provider shall not assign any individual to conduct work under this contract who does not meet the requirement of this law.

Section 2.4 Notification to Purchaser
The Provider shall notify the Purchaser in writing and sent via registered mail within one business day if an employee has been charged with or convicted of any crime specified in HFS 12.07(2) (online at http://www.legis.wisconsin.gov/rsb/code/index.html).

Article 3 Civil Rights Compliance Plan

Provider shall comply with the requirements of the current Civil Rights Compliance (CRC) Plan, which is online at http://www.dhs.wisconsin.gov/civilrights/CRC/index.htm.

All contracted providers must develop and attach a Letter of Assurance, along with Appendices A-H, to this contract.

Providers that have more than fifty (50) employees and receive more than fifty thousand dollars ($50,000) must also develop a Civil Rights Compliance Plan that is available upon request.

Article 4 Client Funds

When managing client funds, the Provider shall:

a. Allow the client to use his or her own money as he or she wishes, unless the Purchaser specifically authorizes the Provider to withhold funds.

b. Develop written policies and procedures for handling client funds.

c. Develop a budget for each client and have the client or guardian sign it.

d. Segregate the duties of people handling client funds so that the same person does not authorize payments and reconcile accounts.

e. Maintain written records of client funds.

f. Provide each client with a monthly accounting for his or her funds, with a copy to the Purchaser, due 30 days after the end of the month.

g. Maintain client funds in a separate, interest bearing account.

h. Reconcile each client's account on at least a quarterly basis.

i. Keep all records of client accounts for at least three years.

j. Obtain bonds for all staff who handle client funds.

k. Conduct background checks on all staff that handle client funds.

Article 5 Client Rights and Grievances

The Provider shall have a formal written grievance procedure that is approved by the licensing or certification authority, if applicable, and the Purchaser. The Provider shall, prior to or at the time of admission to the Program, provide oral and written notification to each client of his or her rights and the grievance procedure. The Provider shall post the client rights and the grievance procedure in an area readily available to clients and staff of the program.

At least once a year, or more frequently when requested by the Purchaser, the Provider shall give the Purchaser a written summary report of all grievances that have been filed with the Program by clients or their guardians since the period covered by the previous summary report and of the resolution of each grievance. The Provider shall deliver the annual summary report to the Purchaser in person or via registered mail within 30 days of the end of the contract period.

Additional summary reports requested by the Purchaser shall be due within 10 days of the Purchaser's request for the reports. All reports shall be delivered to the Purchaser in person or via registered mail.

Article 6 Conditions of the Parties' Obligations

Section 6.1 Contingency
This contract is contingent upon authorization of laws of the state of Wisconsin, United States and Tribal law, and any material amendment or repeal of the same affecting relevant funding or authority shall serve to terminate this Agreement, except as further agreed to by the parties hereto.

Section 6.2 Powers and Duties
Nothing contained in this contract shall be construed to supersede the lawful powers or duties of either party.

Section 6.3 Items Comprising the Contract
It is understood and agreed that the entire contract between the parties is contained herein, except for those matters incorporated herein by reference, and that this Agreement supersedes all oral agreements and negotiations between the parties relating to the subject matter thereof.

Article 7 Confidentiality

Section 7.1 Client confidentiality
The Provider shall not use or disclose any information concerning eligible clients who receive services from Provider for any purpose not connected with the administration of Provider's or Purchaser's responsibilities under this contract, except with the informed, written consent of the eligible client or the client's legal guardian.

Section 7.2 Contract not confidential
Except for documents identifying specific clients, the contract and all related documents are not confidential.

Article 8 Conflict of Interest

The Provider shall ensure the establishment of safeguards to prevent employees, consultants, or members of the board from using their positions for purposes that are, or give the appearance of being, motivated by a desire for private gain for themselves or others, such as those with whom they have family, business, or other ties.

Article 9 Debarment and Suspension

The Provider certifies through signing this contract that neither the Provider nor any of its principals are debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in federal assistance programs by any federal department or agency. In addition, the Provider shall notify the Purchaser within five business days in writing and sent by registered mail if the Provider or its principals receive a designation from the federal government that they are debarred, suspended, proposed for debarment, or declared ineligible by a federal agency. The Purchaser may consider suspension or debarment to be cause for implementing high risk contract provisions under Article 23 "Special conditions for high risk contract" or for revising or terminating the contract under Article 21 "Revision or termination of the contract."

Article 10 Eligibility

The Provider shall provide services only to individuals who are eligible for services. The Provider and Purchaser agree that the eligibility of individuals to receive the services to be purchased under this Agreement from the Provider will be determined by the Purchaser.

An individual has a right to an administrative hearing concerning eligibility and the Purchaser shall inform individuals of this right. The Provider shall provide clients with information concerning their eligibility and how to appeal actions affecting their rights.

Article 11 Health Insurance Portability and Accountability Act of 1996 "HIPAA" Applicability

Section 11.1 General Applicability
The Provider agrees to comply with the federal regulations implementing the Health Insurance Portability and Accountability Act of 1996 (HIPAA) to the extent those regulations apply to the services the Provider provides or purchases with funds provided under this contract.

Section 11.2 Business Associate Agreement
In addition, certain functions included in this agreement are covered by HIPAA rules. As such the Purchaser must comply with all provisions of the law and has determined that Provider is a "Business Associate" within the context of the law. As a result, the Purchaser requires Provider to sign and return with this contract the Business Associate Agreement, which will be included and made part of this agreement.

Section 11.3 Agreement on Provider Use of PHI
In providing certain administrative services the Purchaser is a business associate of [name the covered entity] under HIPAA and must comply with an agreement on its use of protected health information (PHI). Consistent with that agreement, the Provider agrees to comply with the same restrictions and conditions on PHI that apply to the Purchaser. These restrictions apply to PHI received by the Provider from the Purchaser and to PHI created or received by the Provider on behalf of the Purchaser. The restrictions and conditions are appended to this contract in the form of an Agreement on Provider Use of PHI.

Section 11.4 Billing and Collection Procedures
Purchaser and Provider must conduct any electronic health care administrative transactions covered

by the Health Insurance Portability and Accountability Act consistent with the Electronic Transactions and Code Sets Rule. Provider agrees to conduct any such electronic transactions according to the Trading Partner Agreement and any associated Companion Guides appended to this contract.

Article 12 Indemnity and Insurance

Section 12.1 Indemnity
The Provider agrees that it will at all times during the existence of this Contract indemnify the Purchaser against any and all loss, damages, and costs or expenses which the Purchaser may sustain, incur, or be required to pay including those arising from death, personal injury, or property loss resulting from participating in or receiving the care and services furnished by the Provider under this Agreement. However, the provisions of this paragraph shall not apply to liabilities, losses, charges, costs, or expenses caused by the Purchaser.

Section 12.2 Insurance
The Provider agrees that, in order to protect itself as well as the Purchaser under the indemnity provision set forth in the above paragraph, the Provider will at all times during the terms of this Contract keep in force a liability insurance policy issued by a company authorized to do business in the State of Wisconsin and licensed by the Office of the Commissioner of Insurance. The types of insurance coverage and minimum amounts shall be as follows:

Coverage	Limit
1. Worker's Compensation	Statutory
2. Comprehensive General Liability	$1,000,000 BI / $1,000,000 PD
3. Auto Liability	$ 1,000,000 CSL
4. Professional Liability	$1,000,000 Each Occurrence
5. Umbrella or Excess Liability	$ 1,000,000 per claim

Malpractice/Professional Liability $1,000,000 per Occurrence / $3,000,000 Aggregate

Commercial Crime Insurance Including third party theft (see Appendix F)

Provider acknowledges that its indemnification liability to Purchaser is not limited by the limits of this insurance coverage.

Upon signing this Contract, Provider will furnish Purchaser with a "Certificate of Insurance" verifying the existence of such insurance and upon renewal. In the event of any action, suit, or proceedings against Purchaser upon any matter indemnified against, Provider shall notify the Purchaser by registered mail within five business days.

Article 14 License, Certification, and Staffing

Section 14.1 License and Certification
The Provider shall meet state and federal service standards and applicable state licensure and certification requirements as expressed by state and federal rules and regulations applicable to the services covered by this contract. The Provider shall attach copies of its license or certification document and the most recent licensing or certification report concerning the Provider to this contract

when returning the signed contract to the Purchaser. During the contract period, the Provider shall also send the Purchaser copies of any licensing inspection reports within 5 business days of receipt of such reports.

Section 14.2 Staffing
The Provider shall ensure that staff providing services are properly supervised and trained and that they meet all of the applicable licensing and certification requirements.

Article 15 Liquidated Damages

Section 15.1 Noncompliance Resulting in Liquidated Damages
The parties agree that any delays or failures by the Provider to perform under this contract, as specified below, may result in damage to the Purchaser. The parties further agree that the amount of damage would be difficult to calculate. The Provider shall not be charged with liquidated damages when the delay or failure arises out of causes beyond the control and without the fault or negligence of the Provider.

Section 15.2 Payment of Liquidated Damages
Amounts due the Purchaser as liquidated damages may be deducted by the Purchaser from any money payable to Provider under this contract, or the Purchaser may bill the Provider as a separate item and the Provider shall immediately make payments on such bills.

If the delay or failure causes the Purchaser to terminate this contract in whole or in part, the Provider remains liable for liquidated damages until the time the Purchaser may reasonably obtain performance of similar services.

Article 16 Matching, Level of Effort and Earmarking

The Provider agrees to match the 85.21 grant pursuant to current rules and requirements of the Wisconsin Department of Transportation 85.21 grant to Counties. Current match requirements are 20% which is specified in Exhibit 1 of this contract.

Article 17 Payment and Allowable costs

Section 17.1 Amount paid under contract
The maximum payment under this contract is $ 3,600.00 Actual total payment will be based upon the amount of service authorized by the Purchaser and the amount of service performed by Provider. It is understood and agreed by all parties that the Purchaser assumes no obligation to purchase from the Provider any minimum amount of services as defined in the terms of this contract.
Section 17.2 Basis for payments
Payments for services covered by this contract shall be made on a unit-times-unit-price basis and in accordance with the "order of payment" requirements for the funding program, less client fees and other collections made by the Provider for services covered by this contract.

Section 17.2.1 Units and prices - The units and prices for each service purchased from the Provider are included in the following table:

Target Group	SPC	Service	Expected Units	Rate (a)	unit (b)	Total per service (c) a x b
01/57/58 /31	107	Specialized Transportation and Escort		$300.00	month	$3,600.00*
			Contract total (sum of column c)			$ 3,600.00

*** Requires Tribal match of 20% ($720.00) during the grant period.**

The Purchaser shall determine the type of services provided and the number of units of services provided for each client. Units and prices may be re-negotiated. The Purchaser will not reimburse the Provider for any unit of service not previously authorized by the Purchaser.

Section 17.2.2 Client fees and third party collections
The Purchaser is responsible for all billing and collection for amounts due from clients and third parties. The Provider shall not collect any funds from clients or from third parties.

Section 17.3 Advance and surety bond

Section 17.3.1 Payment of the advance - As soon as possible after the contract is signed by both parties, the Purchaser shall make an advance to the Provider in the amount of 1/12th of the maximum dollar amount to be paid under this contract.

OR

Section 17.3.1 Payment of the advance – The Purchaser shall make an advance payment in each of the first three months. Each payment will be in the amount of 1/12th of the maximum dollar amount to be paid under this contract.

Section 17.3.2 Surety bond - The Provider shall supply a Surety Bond. The Surety Bond must be for an amount at least equal to the amount of the advance payment and must accompany the signed contract that is returned to the Purchaser. The insurer issuing the surety bond must be licensed to conduct surety business in Wisconsin. The insurer shall use a bond form acceptable to the Purchaser.

Section 17.3.3 Recoupment of the advance - The advance will be recouped during the last three months of the contract period, or when payments made under the contract equal or exceed seventy-five percent of the contract amount. A final cash adjustment will be done after reconciliation of the Contract amounts to actual final reported expenses.

Section 17.4 Reporting for payment
Each month, the Provider shall report the units of service provided during the month. All information reported to the Purchaser shall be supported by the Provider's records. The report is due to the Purchaser on the 10th day following the end of the report month. If the Provider's report is complete and timely, the expected payment date is the 30th day following the end of the report month. (See Article 18 "Records" and Article 19 "Reporting.")

Section 17.5 Payment in excess of earned amount
The Provider shall return to Purchaser any funds paid in excess of the amount earned under this contract within 90 days of the end of the contract period. If the Provider fails to return funds paid in excess of the amount earned, the Purchaser may recover the excess payment from subsequent payments made to the Provider or through other collection means.

Section 17.6 Reserves - If an amount is calculated as being held in reserve for Outagamie County, per the agencies Reserve Supplemental Schedule, that amount shall specifically be held for Outagamie County, and it shall not be used to offset losses from any other entity other than a loss generated by Outagamie County's proportionate share of future year's operations. If Outagamie County does not conduct business with the agency in the next calendar year, the amount calculated as a reserve for Outagamie County shall be carried forward until such time as Outagamie County continues operations with the agency or requests the reserve be returned.

Article 18 Records

Section 18.1 Maintenance of records
The Provider shall maintain and retain such records and financial statements as required by state and federal laws, rules, and regulations.

Section 18.2 Access to records
The Provider shall permit appropriate representatives of the Purchaser to have timely access to the Provider's records and financial statements as necessary to review the Provider's compliance with contract requirements for the use of the funding.

Article 19 Reporting

The Provider shall comply with the reporting requirements of Purchaser. All reports shall be in writing and, when applicable, in the format specified by the Purchaser. All reports shall be supported by the Provider's records (See Article 18 "Records"). All reports shall be hand-delivered to the Purchaser or sent to the Purchaser via mail at the address listed in this contract.

The following reports are required:

Monthly
- N/A

Annually
- N/A

As needed
- N/A

Article 20 Resolution of Disputes

The Provider may appeal decisions of the Purchaser in accordance with the terms and conditions of the contract and Chapter 68, Wis. Stats.

Article 21 Revision or Termination of this Contract

Section 21.1 Cause for revision or termination of this contract
Failure to comply with any part of this contract may be considered cause for revision or termination of this contract.

Section 21.2 Revision of this contract
Either party may initiate revision of this contract. Both parties must agree to revision of this contract by an amendment signed by their authorized representatives.

Section 21.3 Termination of this contract
Either party may terminate this contract by a 30-day written notice to the other party.

Upon termination, the Purchaser's liability shall be limited to the costs incurred by the Provider up to the date of termination. If the Purchaser terminates the contract for reasons other than non-performance by the Provider, the Purchaser may compensate the Provider for its actual allowable costs in an amount determined by mutual agreement of both parties. If the Purchaser terminates the contract for the Provider's breach, the Provider may be liable for any additional costs the Purchaser incurs for replacement services.

Article 22 Services to be Provided

Section 22.1 Description of services
For each eligible client referred by the Purchaser, the Provider agrees to provide the following services: Adult Family Home.

Section 22.2 Developing Individual Service Plans
The Provider shall develop an Individual Service Plan for each client within 30 days following the date the Purchaser referred the client to the Provider. The Provider shall: (a) ensure that the Individual Service Plan complies with applicable standards; and (b) promptly submit the plan upon completion to the Purchaser for review and approval. The Provider agrees to work with the Purchaser as necessary when the Provider is developing an Individual Service Plan.

The Provider agrees to work with the Purchaser when the Purchaser is developing the Purchaser's Individual Service Plan.

Section 22.3 Implementing Individual Service Plans
The Provider shall provide the services specified in this Article and in the Provider's Individual Service Plan for each client, as authorized by the Purchaser. In providing services, the Provider shall:

a. Transfer a client from one category of care or service to another only with the approval of the Purchaser (s. 46.036(4) (d) Wis. Stats.).

b. Coordinate with other service Providers as necessary to achieve the client's goals as identified in the Purchaser's and Providers Individual Service Plans;

c. Obtain services from another party only with prior written approval from the Purchaser. If the

Provider obtains services for any part of this Agreement from another party, the Provider is responsible for fulfillment of the terms of the contract.

Section 22.4 Other Program Requirements
In providing required services under this contract, the Provider shall comply with the following program requirements: [*list the requirements*]

- or –

In providing required services under this contract, the Provider shall comply with the requirements described in [*reference the comment that lists the required activities that the Provider must perform or the prohibited activities*].

Section 22.5 Inability to provide quality or quantity of services
The Provider shall notify the Purchaser in writing and delivered in person or by registered mail whenever it is unable to provide the required quality or quantity of services. Upon such notification, the Purchaser and Provider shall determine whether such inability will require a revision or termination of this contract. (See Article 21 "Revision or termination of the contract.")

Section 22.6 Documentation of quality and quantity of services
The Provider shall retain all documentation necessary to adequately demonstrate the time, duration, location, scope, quality, and effectiveness of services rendered under the contract. The Purchaser reserves the right to not pay for units of services reported by the Provider that are not supported by documentation required under this contract.

Section 22.7 Assessing performance in delivery of services
The Purchaser retains sole authority to determine whether the Provider's performance under the contract is adequate. The Provider agrees to the following:

a. The Provider shall allow the Purchaser's care manager and contracting staff to visit the Provider's facility or work site at any time for the purposes of ensuring that services are being provided as specified in the Plan of Care and the contract.

b. Upon request by the Purchaser or its designee, the Provider shall make available to the Purchaser all documentation necessary to adequately assess Provider performance.

c. The Provider will cooperate with the Purchaser in its efforts to implement the Purchaser's quality improvement and quality assurance program.

d. The Provider shall develop and implement a process for assessing client satisfaction with services provided. The Provider shall report in a timely manner the results of its client satisfaction assessment effort to the Purchaser. The Purchaser reserves the right to review and approve the Provider's client satisfaction assessment process, and to require the Provider to submit a corrective action plan to address concerns identified in the review.

e. The Provider shall cooperate with the Purchaser in implementing the Purchaser's program for assessing client satisfaction with services. The Purchaser reserves the right to require the Provider to submit a corrective action plan to address concerns identified in the review.

f. The Provider shall submit all performance and other program reports listed below:

N/A

Article 23 Special Provisions for High Risk Contract

During the course of the contract, the Purchaser may determine that this contract is high risk as a result of evaluating the Provider's performance or other factors. Determination of high risk status could result in Purchaser unilaterally implementing the following changes:

a. Modifying the payment method to a cost reimbursement basis;

b. Withholding authority to proceed to the next phase until receipt of evidence of acceptable performance within a given funding period;

c. Requiring additional, more detailed financial reports;

d. Performing additional project monitoring;

e. Requiring the Provider to obtain technical or management assistance;

f. Establishing additional prior approvals; or

g. Other conditions that the Purchaser considers appropriate considering the circumstances.

The Provider may appeal these changes under Article 20 "Resolution of disputes," or it may request renegotiation of the contract or give notice of termination of the contract under Article 21 "Revision or termination of the contract."

Exhibit I

Oneida Tribe of Indians of Wisconsin

Outagamie County Department of Health and Human Services (OCDHHS) will provide) funding to the Oneida Tribe of Indians of Wisconsin to assist in the operation of the Oneida Elder Services Elder Transportation Program.

Funding for this service comes from an 85.21 allocation provided to OCDHHS by the Wisconsin Department of Transportation (DOT) for the provision of transportation services to individuals identified as elderly and for people with Physical or Developmental Disabilities or Persistent Mental Illness. The Oneida Tribe of Indians of Wisconsin defines elderly for purposes of this service as age 55 and above.

The Oneida Tribe of Indians of Wisconsin will provide the following services under this agreement:

- Operate a system to dispatch transit services to customers. A system of monitoring timeliness of pick up and drop off shall be maintained through the period of the grant to ensure program effectiveness.

- Agrees to provide necessary training to drivers as they deem appropriate to successfully and safely operate the service. The Oneida Tribe of Indians of Wisconsin agrees to submit to OCDHHS the current a training syllabus within 30 days of the start of funding. Any changes in training procedure should be forwarded to OCDHHS prior to implementation.

- Insure that Criminal and Caregiver Background checks are completed on all staff employed by the program or volunteers involved in the program that have contact with consumers. Background checks shall be updated at minimum every 4 years. Background checks should be maintained in the files of each employee/volunteer for a period of at least seven (7) years from the end in their volunteer services.

- The Oneida Tribe of Indians of Wisconsin must meet required insurance provisions of the contract.

- The Oneida Tribe of Indians of Wisconsin will insure that all vehicles used in the operation of this program will be maintained in a safe operating condition. A check list will be utilized to document the condition of the vehicles ventilation system, seat belts, brakes, lights (including turn signals, headlights, brakes, back-up lights, dashboard lights, Hazard light systems etc) tire pressure and tire wear (minimum of 1/8" tread depth).

- Funding of the contract will begin effective January 1, 2015. OCDHHS will provide $3,600 in 85.21 funding to the Oneida Tribe of Indians of Wisconsin. The Oneida Tribe of Indians of Wisconsin will provide a 20% match to the grant pursuant to the rules and regulations of the 85.21 program to the amount of $720 to claim the entire grant figure ($3,600 + $720 = $4,320).

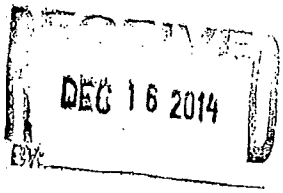
- Payment for service will occur in the month following the provision of service.

- Billings for services provided shall not exceed the amount of $360.00 per month including match requirements. The Oneida Tribe of Indians of Wisconsin shall bill OCDHHS the gross cost for the service for each month, including the amount paid from the required 20% match sources, and the net amount to be paid from the 85.21 allocations. Match funds will come from sources other than consumer fares or contributions to the program. Source of the match funds shall be listed on each bill.

- The Oneida Tribe of Indians of Wisconsin will provide OCDHHS monthly statistics on rides provided to residents of the Outagamie County Side of the Oneida Nations geographic boundaries pursuant to the requirements of the Wisconsin DOT 85.21 program. OCDHHS will provide the vendor a spread sheet to record mandated data elements of the program that meets DOT 85.21 program standards. The Oneida Tribe of Indians of Wisconsin agrees to record required data elements on a monthly basis and submit these statistics with the bill for services. Failure to submit the required statistics with the bill will result in delay in payment until the required statistics are received.

- The Oneida Tribe of Indians agrees to meet any changes in statistical reporting requirements established by the Wisconsin Department of Transportation during the terms of this agreement retroactive to the date of implementation if changes in reporting requirements should occur.

- It is understood that this agreement is in place through December 31 2015. Funding is contingent on Outagamie County receiving the full 85.21 program grant from the Wisconsin Department of Transportation. Changes in the status of the grant may require renegotiations of this agreement. Loss of 85.21 funding to Outagamie County would result in termination of this agreement on the date that program funding is ended.



APPENDIX A

Additional Audit Information

- For those non-profit providers with rate-based services, the following additional items must be adhered to:
  - A "SCHEDULE OF RESERVES" or "RESERVE SUPPLEMENTAL SCHEDULE" must be included in the audit report. The schedule (as illustrated in the PAAG) should be fully completed with all applicable columns and rows completed. In addition, separate columns should be included when applicable for the addition of interest to the prior year reserves held and a separate column for the use/expenses of prior period reserves that were expensed in the current year.
  - All uses/expenses of prior year reserves must be approved in writing by Outagamie County prior to the expense by the provider.
  - Once the audit of the provider is complete and based upon the Reserve Schedule, an amount is calculated as "amount due purchaser", that amount shall be returned to Outagamie County promptly.
  - Interest must be accrued on all prior year reserves held and the interest shall accumulate to the County's reserve.
  - All reserves being held for programs that are closed or no longer operating shall be returned to Outagamie County promptly after the close or end of the program.
  - If Outagamie County ceases to contract with a provider in a given year, all reserves must be returned to Outagamie County promptly after the close of the fiscal year of the provider in which the County last contracted.

- For all for-profit providers, the following additional items must be adhered to:
  - A calculation of the "Allowable Profit" must be included in the audit report.
  - Once the audit of the provider is complete and based upon the Allowable Profit Calculation, an amount is calculated as due the County, that amount shall be returned to Outagamie County promptly

Client#: 36303 ONEITRI

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 02/28/2014

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Meadowbrook, Inc.
Southfield Commercial Agency
26255 American Drive
Southfield, MI 48034-6112

CONTACT NAME:
PHONE (A/C, No, Ext): 248 358-1100 FAX (A/C, No): 2483581614
E-MAIL ADDRESS:

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A: Hudson Insurance Company	
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	
INSURER F:	

INSURED
Oneida Tribe of Indians of WI
PO Box 365
Oneida, WI 54155

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY	X		NACL0056605	02/28/2014	02/28/2015	EACH OCCURRENCE	$10,000,000
	X COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence)	$500,000
	CLAIMS-MADE / OCCUR						MED EXP (Any one person)	$
							PERSONAL & ADV INJURY	$
							GENERAL AGGREGATE	$12,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER: POLICY / PRO-JECT / LOC						PRODUCTS - COMP/OP AGG	$10,000,000
								$
A	AUTOMOBILE LIABILITY	X		NACL0056605	02/28/2014	02/28/2015	COMBINED SINGLE LIMIT (Ea accident)	$10,000,000
	X ANY AUTO						BODILY INJURY (Per person)	$
	ALL OWNED AUTOS / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	X HIRED AUTOS / X NON-OWNED AUTOS						PROPERTY DAMAGE (Per accident)	$
								$
	UMBRELLA LIAB / OCCUR						EACH OCCURRENCE	$
	EXCESS LIAB / CLAIMS-MADE						AGGREGATE	$
	DED / RETENTION $							$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			NAA0003914	02/28/2014	02/28/2015	WC STATUTORY LIMITS / X / OTHER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N: N	N/A					E.L. EACH ACCIDENT	$5,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$5,000,000
							E.L. DISEASE - POLICY LIMIT	$5,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
Excess Workers Compensation: $10M specific excess limit, $500K SIR applies to policy.
RE: Oneida Elderly Transportation services to residents of Outamagie County for calendar year 2014.
Outagamie County, Vally Transit, the City of Appleton, their boards, officers, and representatives are listed as additional insureds.

CERTIFICATE HOLDER

Outagamie County Department of Health and Human Services
Attn: Tom Stratton
410 S Walnut St
Appleton, WI 54911

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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Oneida Business Committee Meeting
Agenda Request Form

1. Meeting Date Requested: 02 / 11 / 15

2. Nature of request

Session: ☒ Open ☐ Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

Agenda Header (choose one): New Business/Request

Agenda item title (see instructions):

HRA Schedule for 2015

Action requested (choose one)

☐ Information only

☒ Action - please describe:

Formal approval from the BC of the HRA schedule for 2015

3. Justification

Why BC action is required (see instructions):

BC approval for communication of expectations to employees with health insurance

4. Supporting Materials

Instructions

☒ Memo of explanation with required information (see instructions)

☐ Report ☐ Resolution ☐ Contract (check the box below if signature required)

☒ Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1. HRA Schedule for 2015
2.
3.
4.

☐ Business Committee signature required

5. Submission Authorization

Authorized sponsor (choose one): Larry Barton, Chief Financial Officer

Requestor (if different from above): _____
Name, Title / Dept. or Tribal Member

Additional signature (as needed): _____
Name, Title / Dept.

Additional signature (as needed): _____
Name, Title / Dept.

1) Save a copy of this form in a pdf format.
2) Email this form and all supporting materials to: BC_Agenda_Requests@oneidanation.org

Oneida Tribe of Indians of Wisconsin
FINANCE ADMINISTRATION
N7210 Seminary Road
P.O. Box 365
Oneida, WI 54155
Phone: 920- 869-4325
FAO@oneidanation.org

MEMORANDUM

TO: ONEIDA BUSINESS COMMITTEE
FR: Larry Barton, Chief Financial Officer LB
DT: February 2, 2015
RE: Health Risk Assessment Calendar

Attached is the proposed Health Risk Assessment Schedule for 2015. It is vital that the Business Committee endorse by formal action the Calendar outlining specific dates for the identified activities and corresponding date(s). The required activities outlined are necessary to implement this important Wellness initiative.

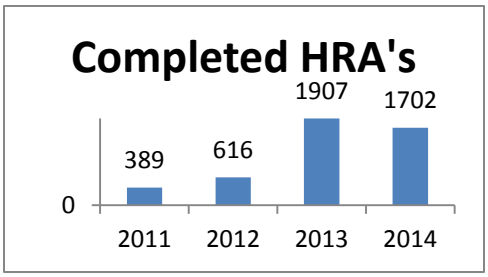
Please formally adopt this schedule for the purpose of communication of the expectations of employees, in meeting the required deadlines. This effort is essential in controlling escalating Health Insurance costs and related premiums.

If you have any questions please contact me at extension 4491. Thank you for your consideration of this important matter.

2015 Annual Health Risk Assessment

Summary

A health risk assessment (HRA) is the foundation of any successful wellness program. Offered annually to covered employees & their spouses since 2011. This is an Oneida Employee Group Plan program that has no association with the OCHC.



What is it?

A free, confidential, annual health screening used to identify risk factors.

How does it help?

Households will be mailed individualized reports & a guidebook to assist in understanding their results. Participants are encouraged to share the information with their physician. Employee Health Nursing (EHN) also provides follow-up coaching/assistance to support lifestyle changes.

What's RAS?

Reasonable Alternative Standard (RAS) are a comprehensive list of activities. Employees who have taken the HRA may earn their way to a discounted premium rate by participating in approved activities. **In 2014, 298 employees participated in the RAS program and 237 completed it to achieve the maximum rate reduction.**

2015 HRA Rollout Schedule

	MARCH	APRIL	MAY	JUNE	JULY	AUG	SEPT
Communication	Kick off	Reminder	Reminder	Reminder	Urgent Reminder		
Appointments		427	346	442	412	420	390
Incentives for completed HRA		Raffle $25 GC to 25	Raffle $20 GC to 25	Raffle $15 GC to 25			
Scheduling					7-15 deadline	Appointments by availability only	

Notes to schedule

Communication

- Home mailings (Pulse)
- Communicator & Gaming Gazette
- HR Benefits Home Page
- Self-Serve
- (A-Z) E-mail
- Targeted E-Mails
- Home mailing sign-up reminders

Appointments – 2,700 participants & spouses, 2910 appointments available (2,647 EHN office +263 onsite)

Contingency Plan – Outside of this schedule, HRA's can only be obtained at the employees' expense ($65.00) Location TBD in 2016.

2015 HRA scores – Do not impact your 2015 premium rates. However, the non-participation default rate in 2016 is 25%

Oneida Business Committee Meeting
Agenda Request Form

1. **Meeting Date Requested:** 02 / 11 / 15

2. **Nature of request**

Session: ☒ Open ☐ Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

Agenda Header (choose one): New Business/Request

Agenda item title (see instructions):

Judiciary Request

Action requested (choose one)

☐ Information only

☒ Action - please describe:

BC to act on the request for $658.00 for the Oneida Judiciary Committee Lunch scheduled for 02/13/15.

3. **Justification**

Why BC action is required (see instructions):

BC action is required for exceptions. This event was not budgeted for.

4. **Supporting Materials** Instructions

☒ Memo of explanation with required information (see instructions)

☐ Report ☐ Resolution ☐ Contract (check the box below if signature required)

☐ Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1. 3.
2. 4.

☐ Business Committee signature required

5. **Submission Authorization**

Authorized sponsor (choose one): Cristina Danforth, Tribal Chairwoman

Requestor (if different from above): _____
Name, Title / Dept. or Tribal Member

Additional signature (as needed): _____
Name, Title / Dept.

Additional signature (as needed): _____
Name, Title / Dept.

1) Save a copy of this form in a pdf format.
2) Email this form and all supporting materials to: BC_Agenda_Requests@oneidanation.org

Oneida Judiciary
Memorandum

To: Tina Danforth, Tribal Chairwoman, Oneida Business Committee
From: Chief Appellate Judge G. Hill and Chief Trial Judge D. Beans
Date: February 6, 2015
Re: Appreciation and Farewell Luncheon to OTJS Judicial Officers

This is to share with you the new Judiciary's intent to communicate our sincerest appreciation to our predecessors from the OTJS and Appeals Commission for their historical efforts as well as their generous assistance to us during the Transition period.

The Judicial Officers have been great and unselfish mentors to us, as new judges. They have shared the experiences and guiding documents which have been invaluable to a remarkably smooth transition. They have assisted us in training to take on our responsibilities and allowing us to observe their court sessions and in their networking with other Tribal judges through the Wisconsin Tribal Judges Association.

Our request for your assistance in honoring the Judicial Officers for the invaluable assistance in helping us achieve a smooth transition will be deeply appreciated. Because Chairwoman Danforth and Councilwoman J. Webster have served as former Appeals Commissioners, as well as the Councilpersons who have work for so long in establishing this new Institution of our government the Judiciary felt that you would also like to join us in the honoring.

We determined that a short luncheon, between 11:30 a.m. and 1:30 p.m. to minimize demands on everyone's time.

When meeting with Chairwoman Danforth on this matter, we provided two quotes from Thornberry Creek and the Radisson as to the cost for the luncheon proposed. The Judiciary budget does not provide for this cost which is the reason we are asking the assistance of the OBC.

Thank you for considering this request.

4470 N. Pine Tree Road
Oneida, WI 54155
(920) 434-7501

Date of Quote: January 23rd, 2015 — Quote #Q021315

Oneida Judiciary Committee Lunch
Attn: Denise Beans

Date of Event: Friday, February 13th, 2015

Description	Amount
35-Sandwich Display Buffet @ $13.99 per person	$489.65
Assortment of sandwiches to include: King of Club,	
Turkey Salad Wraps, Salami & Provolone on French Bread,	
Spicy Avocado Turkey on a Croissant	
Italian Pasta Salad-Fruit Display-Vegetable Display	
Assorted bars & cookies-coffee-tea-soda	
Food Total	$489.65
20% service charge	$97.93
Subtotal	$587.58
10% tribal discount on original food total	($48.97)
(PO must be in place prior to date to receive discount)	
Inclusive Food Total	$538.61
Room Rental Fee	$100.00
Tax Exempt ES12576	
Inclusive Quote Total	$638.61
Thank You.....	

Prepared By: Donella J. Walters — 1/23/15

Catering, Banquet & Sales Manager — Date

Thornberry Creek at Oneida Representative

Radisson Hotel & Conference Center

2040 Airport Drive Green Bay, WI USA 54313
Phone: (920) 494-7300 - Fax: (920) 429-2394

Check#: 85,762
Page: 1 of 1
Created: 1/22/2015

Account: Oneida Judiciary **Post As:** Oneida Judiciary **Address:** Oneida, WI 54155	**Event Date:** Wednesday, February 11, 2015 **Contact:** Denise Beans **Phone:** 920-496-5372 **Fax:** **On-Site:**
Master Account #: **Method of Payment:** **PO #:**	**Tax Exempt:** **Tax Exempt #:** **CC #:**

Quantity	Food	Price	Amount
30	Premade Assorted Subs	14.00 Per person	420.00
		Subtotal:	420.00
		Tribal 10 % Discount:	42.00
		New Subtotal:	378.00
		Service Charge %: 20.00	75.60
		Tax %: 0.00	0.00
		Total:	453.60

Room Rental		Price	Amount
Room: Turtle Room	**Function:** LMTG	35.00	35.00
		Subtotal:	35.00
		Room Rental Tax %: 0.00	0.00
		Total:	35.00

Grand Total:	488.60
Balance Due:	488.60

$658. at Thunderbird

Feb 13th

ESTIMATE ONLY

Client Signature

Date

DOC Init._____

Radisson Hotel & Conference Center

2040 Airport Drive Green Bay, WI USA 54313
Phone: (920) 494-7300 Fax:(920) 429-2394

BEO #: 85762
Page 1 of 1
Printed: 1/22/2015

Draft

Banquet Event Order

Banquets

Account: Oneida Judiciary **Post As:** Oneida Judiciary **Address:** Oneida, WI 54155	**Event Date:** Wednesday, February 11, 2015 **Contact:** Denise Beans **Phone:** 920-496-5372 **Fax:** **On-Site Contact:** **On-Site Phone:**
Master Account #: **Method of Payment:** **Deposit:**	**PO #:** **Tax Exempt:** **Tax Exempt #:** **Catering Src:** Leslie Rotter

Time	EXP	GTD	Function	Room	Set-up	Rental
11:30 AM - 1:30 PM	30		Lunch Meeting	Turtle Room	BRDS	$ 35.00

Room Setup

Room: Turtle Room **Function:** LMTG

Round tables of 8, set for lunch, vip group
Podium

Buffet table inside the room

Audio Visual

For Audio/Visual needs please contact
PM Productions
Patrick Metoxen (920) 492-9692 or
patjmetox@yahoo.com

Other/Billing Instructions

Menu

Room: Turtle Room **Function:** LMTG

Premade Assorted Subs

Serve: 11:30 AM to 1:30 PM

Turkey & Swiss Sub with Lettuce & Tomato
Italian Sub with Ham, Genoa Bologna, Provolone, Lettuce & Tomato
Ham & Cheddar Sub with Lettuce & Tomato
Pasta Salad
Vinaigrette Dressing
Butter
Mayonnaise
Mustard
Pickle Spears
Potato Chips
Served with freshly brewed Starbucks Regular and Decaf Coffee, Tazo Hot Tea, and Iced Tea

30 people @ $14.00 Per person

Beverage

** Guaranteed guest count must be confirmed 5 business days prior to the event. Group will be charged for this guarantee or the actual guests served, whichever is greater.* RADISSON POLICY DOESN'T ALLOW TO GO CONTAINERS ON BANQUET FOOD*.* (++) denotes a 20% service charge on all catered functions. In addition, the State of Wisconsin requires that the sales tax be charged on all food, beverage and service. * All meeting room assignments are subject to change. **DAY OF EVENT ROOM SET UP CHANGES:A $1.50 PER GUEST FEE WILL BE ASSESSED FOR ANY ROOM SETS CHANGED FROM THAT WHICH IS CONTRACTED.** Hotel is not responsible for loss or damage, no matter how caused, to any property brought into the facility.*

Organization Authorized Signature

Hotel Representative Signature

Date

Date

Oneida Business Committee Meeting
Agenda Request Form

1. **Meeting Date Requested:** 1 / 28 / 15

2. **Nature of request**

Session: ☒ Open ☐ Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

Agenda Header (choose one): Travel Report

Agenda item title (see instructions):

Councilwoman Fawn Billie travel report for chicago, IL 12/1-2/14

Action requested (choose one)

☐ Information only

☒ Action - please describe:

Request to approve travel report

3. **Justification**

Why BC action is required (see instructions):

to approve travel report

4. **Supporting Materials**

Instructions

☐ Memo of explanation with required information (see instructions)

☒ Report ☐ Resolution ☐ Contract (check the box below if signature required)

☐ Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1. Travel Report 12/1-2/2014
2.
3.
4.

☐ Business Committee signature required

5. **Submission Authorization**

Authorized sponsor (choose one): Fawn Billie, Council Member

Requestor (if different from above): _____
Name, Title / Dept. or Tribal Member

Additional signature (as needed): _____
Name, Title / Dept.

Additional signature (as needed): _____
Name, Title / Dept.

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Oneida Tribe of Indians of Wisconsin
BUSINESS COMMITTEE

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

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

Memorandum

To: Oneida Business Committee

From: Councilwoman Fawn Billie

Date: Jan 16, 2015

Subject: Travel Report to Chicago, IL

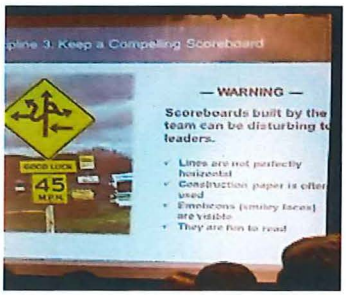
I was invited to attend The Four Disciplines of Execution conference on Dec 2, 2014. The purpose of the trip was based on our transition training, Highly Effective Managers. Our organization has trainers for our staff on how to implement positive energy in the workplace. However, Franklin Covey will not certify the trainers. Trainers cannot drive execution. Through years of research and experience with thousands of organization, departments, teams, etc that the only way to create accountability and drive execution practices in an organization is to certify the leadership. Trainers do not drive execution, leaders do.

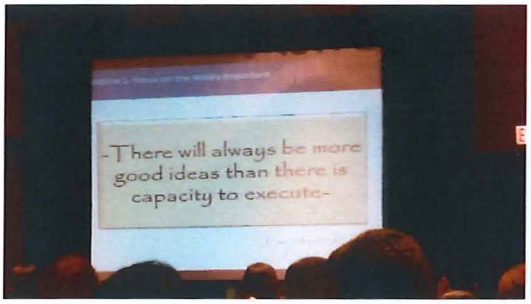
Some highlights that interested me were issues that happen on this floor can be related to the book. Chris McChesney was the keynote and author of the book. He spoke highly of the 4 Disciplines of Execution is simple, repeatable and a proven formula for executing WIG (wildly important goals) and how to work in the whirlwind of day-to-day chaos. We are working so hard to reach our own goals. However, there are all these engine lights going on around our head. (this and that need to get done) Then we get side-tracked. Our goals and whirlwind fight each other causing the feeling at the end of the week, "I didn't get anything done feeling." The Four Disciplines are:

- Focusing on the Wildly Important
- Acting on Lead Measures
- Keeping a Compelling Scoreboard
- Creating a Cadence of Accountability

I highly recommend that our Business Committee team read the book that was given out at the beginning of our transition, "The 4 Disciplines of Execution" by Chris McChesney. After Mr. McChesney's conference, a few leaders were chosen to sit down and have a luncheon with him. He asked each one of us how this pertains to our work environment. I mentioned that this is a great opportunity for our managers, directors and the Business Committee to carry out these leadership skills for in order to change the culture of the work environment.

Requested Action: Motion to approve Councilwoman Fawn Billie's travel report to Chicago, IL Dec 2, 2014.





Oneida Business Committee Meeting
Agenda Request Form

1. Meeting Date Requested: 02 / 11 / 15

2. Nature of request

Session: ☒ Open ☐ Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

Agenda Header (choose one): Travel Report

Agenda item title (see instructions):

Approve travel report for Councilwoman Jennifer Webster – ACF, et al v. Green Bay Renewable Energy,

Action requested (choose one)

☐ Information only

☒ Action - please describe:

Requesting approval of travel report ACF, et al v. Green Bay Renewable Energy, et al Hearing- Chicago, IL, October 08, 2014.

3. Justification

Why BC action is required (see instructions):

Per Travel Policy

4. Supporting Materials

Instructions

☐ Memo of explanation with required information (see instructions)

☐ Report ☐ Resolution ☐ Contract (check the box below if signature required)

☒ Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1. Travel report will be a hand out
2.
3.
4.

☐ Business Committee signature required

5. Submission Authorization

Authorized sponsor (choose one): Jenny Webster, Council Member

Requestor (if different from above): _____
Name, Title / Dept. or Tribal Member

Additional signature (as needed): _____
Name, Title / Dept.

Additional signature (as needed): _____
Name, Title / Dept.

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Oneida Business Committee Meeting
Agenda Request Form

1. Meeting Date Requested: 02 / 11 / 15

2. Nature of request

Session: ☒ Open ☐ Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

Agenda Header (choose one): Travel Report

Agenda item title (see instructions):

Approve travel report for Councilwoman Jennifer Webster – Treaty of Canandaigua Anniversary – Wash

Action requested (choose one)

☐ Information only

☒ Action - please describe:

Approve travel report for Councilwoman Jennifer Webster - Treaty of Canandaigua Anniversary - Washington D.C November 9-11, 2014

3. Justification

Why BC action is required (see instructions):

Per Travel Policy

4. Supporting Materials

Instructions

☐ Memo of explanation with required information (see instructions)

☐ Report ☐ Resolution ☐ Contract (check the box below if signature required)

☒ Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

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Name, Title / Dept. or Tribal Member

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Oneida Business Committee Meeting
Agenda Request Form

1. Meeting Date Requested: 02 / 11 / 15

2. Nature of request

Session: ☒ Open ☐ Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

Agenda Header (choose one): Travel Report

Agenda item title (see instructions):

Approve travel report for Councilwoman Jennifer Webster – Bemidji Area ITU Meeting – Harris, MI, Nov

Action requested (choose one)

☐ Information only

☒ Action - please describe:

Approve travel report for Councilwoman Jennifer Webster - Bemidji Area ITU Meeting - Harris, MI, November 19-21, 2014

3. Justification

Why BC action is required (see instructions):

Per Travel Policy

4. Supporting Materials

Instructions

☐ Memo of explanation with required information (see instructions)

☐ Report ☐ Resolution ☐ Contract (check the box below if signature required)

☒ Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1. Travel Report will be a hand out
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3.
4.

☐ Business Committee signature required

5. Submission Authorization

Authorized sponsor (choose one): Jenny Webster, Council Member

Requestor (if different from above): _____
Name, Title / Dept. or Tribal Member

Additional signature (as needed): _____
Name, Title / Dept.

Additional signature (as needed): _____
Name, Title / Dept.

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Business Committee Meeting
9:00 a.m. Feb. 11, 2015
Thank you for printing clearly

Bradley Graham
Bill Graham
Gerald W Jordan
Laura Martha
Jeremy King
Dianne McLester-Heim
Marsha Danforth
Mary Cornelissen
Jeanette Ninham
Florence Petri
Joyce Hor
[illegible]
Gene Schubert
Michelle Mays
[illegible]
R. Skenandore
Geraldine Danforth
PAUL WITEK
MARK PINLESS
Arlie Doxtator

Sandra Reveles
Tonya Lauret
Luis Strong
Michele Doxtator
MARK Parlee