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 Meeting Materials <u>February 25, 2015</u>

Open Session

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the following 154 pages are the Open Session meeting materials presented at a meeting duly called, noticed and held on the 25th day of FEBRUARY, 2015.

Lisa Summers, Tribal Secretary
Oneida Business Committee

Oneida Business Committee

Regular Meeting
9 a.m. Wednesday, Feb. 25, 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 – Gene Redhail, Evangeline Danforth, Eric Boulanger, and Lyle Metoxen

V. Minutes

A. Approve February 11, 2015 regular meeting minutes

VI. Resolutions

A. Adopt resolution titled Indian Child Welfare Act Policy ***(No Update Submitted)***
Sponsor: Jo Anne House, Chief Counsel
Excerpt from February 11, 2015: *Motion by Lisa Summers to defer the resolution titled Indian Child Welfare Act Policy to the next regular Business Committee meeting, seconded by Jennifer Webster. Motion carried unanimously.*

B. Adopt resolution titled Administration for Children and Families – Administration for Native Americans, Native American Language Preservation and Maintenance/Esther Martinez Immersion
Sponsor: Don White, Division Director/GSD

C. Adopt resolution titled Administrative Procedures Act Amendments Emergency Adoption
Sponsor: Councilman Brandon Steven, LOC Chairman

D. Adopt resolution titled Adoption of Amendments to the following to remove references to the Oneida Appeals Commission pursuant to GTC Resolution 07-01-13-A: Attorney Contract Policy, Condominium Ordinance, Emergency Management and Homeland Security, Employee Protection Policy, Local Land Use Regulation Reimbursement Policy, Notary Act, Oneida Election Law, Oneida Food Service Code, Oneida Nation Law Enforcement Ordinance, Oneida Vendor Licensing, Real Property Law, Social Media Policy, Tattooing and Body Piercing Law and Tribal Environmental Response
Sponsor: Councilman Brandon Steven, LOC Chairman

VII. Appointments

A. Appoint Shawn Skenandore to the Environmental Resource Board
Sponsor: Tina Danforth, Tribal Chairwoman
Excerpt from February 11, 2015: *Motion by Lisa Summers to defer this to the next regular Business Committee meeting and have ERB bring back their information on how they can come up some solutions to the training aspect, seconded by Brandon Stevens. Motion carried unanimously.*

B. Appoint Daniel King, Safety Coordinator, to the Department of Energy – Nuclear Energy Tribal Working Group
Sponsor: Pat Pelky, Division Director/EH&S

C. Appoint Gene Redhail, Evangeline Danforth, Eric Boulanger, and Lyle Metoxen to the Pardon and Forgiveness Screening Committee
Sponsor: Tina Danforth, Tribal Chairwoman

VIII. Continuing Resolution Reports

A. Environmental, Health, and Safety Division continuing resolution closeout report
Sponsor: Pat Pelky, Division Director/EH&S
Excerpt from February 11, 2015: *Motion by Lisa Summers to defer the Environmental, Health, and Safety Division continuing resolution close out report to the next regular Business Committee meeting so we can have a representative from EH&S present, seconded by Melinda J. Danforth. Motion carried unanimously*.

B. Comprehensive Health Division continuing resolution closeout report
Sponsor: Dr. Ravi Vir, Division Director/Medical & Debra J. Danforth, Division Director/Comp. Health
Excerpt from February 11, 2015: *Motion by Lisa Summers to defer the Comprehensive Health Division continuing resolution close out report to the next regular business committee meeting so we can have a representative from Comp. Health present, seconded by Jennifer Webster. Motion carried unanimously*.

C. Trust/Enrollment Committee continuing resolution closeout report
Liaison: Brandon Stevens, Councilman

D. Organization Development continuing resolution closeout report
Sponsor: Melanie Burkhart, Organization Development Supervisor

E. Human Resources Department continuing resolution closeout report
Sponsor: Geraldine Danforth, Area Manager/HRD

F. Personnel Commission continuing resolution closeout report
Liaison: Lisa Summers, Tribal Secretary

G. Retail Enterprise continuing resolution closeout report
Sponsor: Michele Doxtator, Retail Area Profit Manager

IX. Standing Committees

A. <u>Legislative Operating Committee</u>
Sponsor: Councilman Brandon Stevens, Chairman
1. **Accept Legislative Operating Committee meeting minutes of February 4, 2015**

B. <u>Finance Committee</u>
1. **Ratify e-poll: Approval of Secretarial Election item in the Feb.16, 2015 Finance Committee minutes**
   Sponsor: Lisa Summers, Tribal Secretary

2. **Approve Finance Committee meeting minutes of February 16, 2015**
   Sponsor: Tribal Treasurer Trish King, Chairwoman

C. **Community Development Planning Committee**
   Sponsor: Tribal Vice-Chairwoman Melinda J. Danforth, Chairwoman
   1. **Accept Community Development Planning Committee meeting notes of February 5, 2015**

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

X. General Tribal Council

A. **Petitioner Madelyn Genskow: Request Special GTC meeting to address 6 resolutions**
   Sponsor: Lisa Summers, Tribal Secretary

B. **Approve meeting materials for March 28, 2015 special GTC meeting**
   Sponsor: Lisa Summers, Tribal Secretary

XI. Unfinished Business *(No Requested Action)*

XII. Tabled Business *(No Requested Action)*

XIII. New Business

A. **Approve Oneida Head Start/Early Head Start Policy Council documents**
   Sponsor: Jennifer Webster, Councilwoman
   1. **Oneida Head Start/Early Head Start Policy Council By-laws**
   2. **Oneida Head Start/Early Head Start Policy Council Impasse Resolution Agreement with the Oneida Business Committee**
   3. **Oneida Head Start/Early Head Start Selection Criteria – Eligibility**
   4. **Oneida Head Start/Early Head Start Eligibility, Recruitment, Selection, Enrollment and Attendance (ERSEA) Plan**

XIV. Travel

A. **Travel Reports**
   1. **Accept travel report for Councilwoman Fawn Billie – MBK Community Challenge National Convening – Washington D.C, February 11-13, 2015 (originally scheduled for January 29, 2015)**
      Sponsor: Fawn Billie, Councilwoman

   2. **Accept travel report for Councilman Brandon Stevens – MBK Community Challenge National Convening – Washington D.C, January 28, 2015**
      Sponsor: Brandon Stevens, Councilman

B. **Travel Requests**
   1. **Councilman Brandon Stevens – NIGA Tradeshow & Convention – San Diego, CA, March 30-April 2, 2015**
      Sponsor: Brandon Stevens, Councilman

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

A. **Operational Reports**
   1. **Internal Services Division report** – Joanie Buckley, Division Director

2. **Office of the Ombudsman report** – Dianne McLester-Heim, Ombudsman

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

C. Boards Committees and Commissions

1. **Oneida Nation School Board** – Debbie Danforth, Chairwoman
   Liaison: Fawn Billie, Councilwoman

2. **Land Claims Commission** – Amelia Cornelius, Chairwoman ***(No Report Submitted)***
   Liaison: Brandon Stevens, Councilman

3. **Land Commission** – Amelia Cornelius, Chairwoman
   Liaison: Tehassi Hill, Councilman

XVI. Executive Session

A. Executive Session meeting minutes of February 23, 2015 ***(No Requested Action)***

B. Reports

1. **Chief Financial Officer report** – Larry Barton, Chief Financial Officer

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

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

4. **Intergovernmental Affairs and Communications** – Nathan King, Legislative Affairs Director

C. Audit Committee

Sponsor: Councilman Tehassi Hill, Chairman

1. **Accept Audit Committee meeting minutes of January 15, 2015**

2. **Accept Internal Audit report for January 2015**

3. **Accept the Slot Compliance Audit and lift the confidentiality requirement allowing Tribal members to view the audit**

4. **Accept the Craps Rules of Play Audit and lift the confidentiality requirement allowing Tribal members to view the audit**

5. **Review Development Division concerns**

D. Unfinished Business

1. **Discussion regarding acreage in Brown County** ***(Scheduled at 9:00 a.m. on 2/23/15)***
   Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman
   Excerpt from the February 11, 2015: *Motion by Melinda J. Danforth accept the item as information and request that, at the next Business Committee meeting, the Intergovernmental Affairs and Communications Department and the Gaming Division provide the Business Committee with an update on the five (5) acres, seconded by Lisa Summers. Motion carried unanimously.*
   i. **Gaming Division**
      Sponsor: Louise Cornelius, Gaming General Manager

   ii. **Intergovernmental Affairs and Communications**
      Sponsor: Nathan King, Legislative Affairs Director

2. **Family Care Implementation** ***(Scheduled at 3:00 p.m. on 2/23/15)***

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman
Excerpt from February 11, 2015: *Trish King to accept the update and direct the Tribal Secretary to schedule a debriefing for next week following the conference call with the State that is being held on Friday, seconded by Tehassi Hill. Motion carried unanimously.*[1]

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

F. New Business

1. **Review Complaint re: Oneida Personnel Commission**
   Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

2. **Update re: Internal Services Complaint**
   Sponsor: Lisa Summers, Tribal Secretary

3. **Approve temporary wage adjustment**
   Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

4. **Approve Limited Waiver of Sovereign Immunity for Vision Oneida, LLC, Contract #2015-0110**
   Sponsor: Tehassi Hill, Councilman

5. **Approve procedural exception for one (1) offer to purchase**
   Sponsor: Pat Pelky, Division Director/DOLM

6. **Approve OBC responses to four (4) petitions**
   Sponsor: Lisa Summers, Tribal Secretary

XVII. Adjourn

Posted on the Tribe's official website, www.oneida-nsn.gov, at 12:00 p.m. Friday, February 20, 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.

[1] At the February 11, 2015, regular Business Committee meeting, Vice-Chairwoman Melinda J. Danforth noted that this item should remain on the Business Committee agenda

Oneida Business Committee Meeting
Agenda Request Form

1. Meeting Date Requested: 02 / 25 / 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 Gene Redhail, Evangeline Danforth, Eric Boulanger and Lyle Metoxen

3. Justification

Why BC action is required (see instructions):

Comprehensive Policy 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

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: Lisa Summers, Tribal Secretary

From: Kathleen M. Metoxen, Executive Tribal Clerk

Date: February 19, 2015

Subject: Oath of Office for Pardon and Forgiveness Screening Committee

I sent an e-mail to Rich Vanboxtel on December 5, 2014 advising him to make a recommendation for an OPD representative and an alternate for the Pardon and Forgiveness Screening Committee for a 3 year term. The appointment was made on the January 6, 2015 with Eric Boulanger being the primary person and Lyle Metoxen being the alternate. The Chairwoman will be making her recommendation at the February 25, 2015 Business Committee meeting.

I also sent an e-mail to Don White on January 9, 2015 advising him to make a recommendation for an SSB representative and an alternate for the Pardon and Forgiveness Screening Committee for a 3 year term. He responded back saying he will forward this to Linda Torres for the recommendation. The appointment was made on January 12, 2015 with Gene Redhail being the primary person and Evangeline Danforth being the alternate. The Chairwoman will be making her recommendation at the February 25, 2015 Business Committee meeting.

Oneida Business Committee Meeting
Agenda Request Form

1. Meeting Date Requested: 02 / 25 / 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 February 11, 2015 regular meeting minutes

Action requested (choose one)

☐ Information only

☒ Action - please describe:

Approve February 11, 2015 regular meeting minutes

3. Justification

Why BC action is required (see instructions):

BC approval required for BC meeting minutes

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. Feb. 11, 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.

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

Regular Meeting
9 a.m. Wednesday, Feb. 11, 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 Brandon Stevens, Tehassi Hill, Jennifer Webster;
Not Present: Fawn Billie;
Arrived at: ;
Others present: Bradley Graham, Bill Graham, Gerald W. Jordan, Laura Manthe, Jeremy King, Dianne McLester-Heim, Marsha Danforth, Mary Cornelissen, Jeanette Ninham, Florence Petri, Joyce Hoes, Joanie Buckley, Gene Schubert, Michelle Mays, Gerald L Hill, Raeann Skenandore, Geraldine Danforth, Paul Witek, Mark Powless, Arlie Doxtator, Sandra Reveles, Tonya Laurent, Lois Strong, Michele Doxtator, Mark Powless;

I. Call to Order and Roll Call by Chairwoman Tina Danforth at 9:00 a.m.

II. Opening by Councilman Tehassi Hill

III. Adopt the agenda

Motion by Lisa Summers to adopt the agenda with four changes (move delete agenda items XIV.C.2.-4. under Travel Reports and address agenda item VIII.A. Retail Enterprise – December exceptions to 09-24-14-A with agenda item XV.C.3.Oneida Election Board), seconded by Jennifer Webster. Motion carried unanimously:

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

Amendment to the main motion by Trish King to add agenda item XIII.D. Approve Finance Committee E-Poll SEOTS Community Center Project #11-002 to the agenda, seconded by Brandon Stevens. Motion carried with one opposed:

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

IV. Oaths of Office administered by Secretary Lisa Summers

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

Motion by Melinda J. Danforth to approve January 28, 2015 regular meeting minutes, seconded by Jennifer Webster. Motion carried unanimously:

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

VI. Resolutions

A. Adopt resolution titled Budget Initiative Resolution for Fiscal Years 2016, 2017, and 2018

Sponsor: Trish King, Tribal Treasurer

Motion by Lisa Summers to adopt resolution 02-11-15-A Budget Initiative Resolution for Fiscal Years 2016, 2017, and 2018, seconded by Tehassi Hill. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Melinda J. Danforth, Brandon Stevens, Tehassi Hill, Jennifer Webster

Not Present: Fawn Billie

B. Adopt resolution titled Indian Child Welfare Act Policy

Sponsor: Jo Anne House, Chief Counsel

Motion by Lisa Summers to defer the resolution titled Indian Child Welfare Act Policy to the next regular Business Committee meeting, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Melinda J. Danforth, Brandon Stevens, Tehassi Hill, Jennifer Webster

Not Present: Fawn Billie

VII. Appointments

A. Rescind motion to appoint to Patricia Powless to the Oneida Personnel Commission

Sponsor: Lisa Summers, Tribal Secretary

Motion by Jennifer Webster to rescind motion to appoint to Patricia Powless to the Oneida Personnel Commission, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Melinda J. Danforth, Brandon Stevens, Tehassi Hill, Jennifer Webster

Not Present: Fawn Billie

B. Appoint Shawn Skenandore to the Environmental Resource Board

Sponsor: Tina Danforth, Tribal Chairwoman

Motion by Lisa Summers to defer this to the next regular Business Committee meeting and have ERB bring back their information on how they can come up some solutions to the training aspect, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Melinda J. Danforth, Brandon Stevens, Tehassi Hill, Jennifer Webster

Not Present: Fawn Billie

Councilman Brandon Stevens departed at 10:00 a.m.

VIII. Continuing Resolution Reports

A. Retail Enterprise – December exceptions to 09-24-14-A

Sponsor: Michele Doxtator, Retail Area Profit Manager

Motion by Jennifer Webster to accept the Retail Enterprise – December exceptions to 09-24-14-A report, seconded Tehassi Hill. Motion carried unanimously:

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

Not Present: Fawn Billie, Brandon Stevens

B. Internal Services Division continuing resolution close out report

Sponsor: Joanie Buckley, Division Director/ISD

Motion by Lisa Summers to accept the Internal Services Division continuing resolution close out report, seconded by Trish King. Motion carried unanimously:

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

Not Present: Fawn Billie, Brandon Stevens

DRAFT

C. ONCOA continuing resolution close out report

Liaison: Melinda J. Danforth, Tribal Vice-Chairwoman

Motion by Melinda J. Danforth to accept the ONCOA continuing resolution close out report, seconded by Jennifer Webster. Motion carried unanimously:

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

D. ONVAC continuing resolution close out report

Liaison: Jennifer Webster, Councilwoman

Motion by Melinda J. Danforth to accept the ONVAC continuing resolution close out report, seconded by Jennifer Webster. Motion carried unanimously:

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

E. Oneida Child Protective Board continuing resolution close out report

Liaison: Lisa Summers, Tribal Secretary

Motion by Melinda J. Danforth to accept the Oneida Child Protective Board continuing resolution close out report, seconded by Tehassi Hill. Motion carried unanimously:

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

F. Oneida Family Court continuing resolution close out report

Sponsor: Robert J. Collins, Family Court Judge

Motion by Melinda J. Danforth to accept the Oneida Family Court continuing resolution close out report, seconded by Jennifer Webster. Motion carried unanimously:

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

G. Environmental Resource Board continuing resolution close out report

Liaison: Tehassi Hill, Council Member

Motion by Jennifer Webster to accept the Environmental Resource Board continuing resolution close out report, seconded by Tehassi Hill. Motion carried unanimously:

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

H. Internal Audit continuing resolution close out report

Liaison: Tehassi Hill, Council Member

Motion by Melinda J. Danforth to accept the Internal Audit continuing resolution close out report, seconded by Tehassi Hill. Motion carried unanimously:

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

I. Environmental, Health, and Safety Division continuing resolution close out report

Sponsor: Pat Pelky, EHSD & DOLM Division Director

Motion by Lisa Summers to defer the Environmental, Health, and Safety Division continuing resolution close out report to the next regular Business Committee meeting so we can have a representative from EH&S present, seconded by Melinda J. Danforth. Motion carried unanimously:

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

J. Comprehensive Health Division continuing resolution close out report

Sponsor: Dr. Ravi Vir, Medical Director/Debra J. Danforth, Operations Director

Motion by Lisa Summers to defer the Comprehensive Health Division continuing resolution close out report to the next regular business committee meeting so we can have a representative from Comp. Health present, seconded by Jennifer Webster. Motion carried unanimously:

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

DRAFT

Not Present: Fawn Billie, Brandon Stevens

IX. Standing Committees

A. Legislative Operating Committee

Sponsor: Councilman Brandon Stevens, Chairman

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

Motion by Tehassi Hill to accept the Legislative Operating Committee meeting minutes of January 21, 2015, seconded by Melinda J. Danforth. Motion carried unanimously:

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

2. Accept Legislative Operating Committee priority list

Motion by Lisa Summers to accept the Legislative Operating Committee priority list[1], seconded by Trish King. Motion carried unanimously:

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

B. Finance Committee

Sponsor: Tribal Treasurer Trish King, Chairwoman

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

Motion by Melinda J. Danforth to approve the Finance Committee meeting minutes of February 2, 2015, seconded by Jennifer Webster. Motion carried unanimously:

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

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.*

Motion by Tehassi Hill to accept the financial analysis and forward to the Tribal Secretary's office to schedule a General Tribal Council meeting, seconded by Jennifer Webster. Motion carried unanimously:

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

[1] The following were suggested priority items: Organizational Restructure Regulations (Trish King), Membership Ordinance (Lisa Summers), and Fit for Duty Regulations (Melinda J. Danforth). A "second tier" priority list was also suggested.

DRAFT

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.*

Motion by Melinda J. Danforth to accept the financial analysis and forward to the Tribal Secretary's office to schedule a General Tribal Council meeting, seconded by Tehassi Hill. Motion carried unanimously:

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

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.*

Motion by Lisa Summers to accept the legislative analysis and provide an additional sixty (60) days for the Law and Finance offices to submit the appropriate analyses, seconded by Tehassi Hill. Motion carried unanimously:

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

D. Schedule a special GTC meeting on March 28, 2015

Sponsor: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to schedule a special GTC meeting on March 28, 2015, including the draft agenda as presented, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Tehassi Hill, Jennifer Webster
Not Present: Fawn Billie, Brandon Stevens
Abstained: Melinda J. Danforth
For the record: Melinda J. Danforth stated I've indicated to the Business Committee that I'm scheduled to be out of the country on this date, but I will make my best effort to rearrange my schedule to be at the General Tribal Council meeting.

Motion by Lisa Summers to direct Tribal Secretary's office to bring back a draft GTC meeting packet to the next regular scheduled Business Committee meeting for consideration, seconded by Jennifer Webster. Motion carried unanimously:

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

Treasurer Trish King departed at 10:51 a.m.
Treasurer Trish King returned at 10:54 a.m.

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

DRAFT

Sponsor: Joanie Buckley, Division Director/Internal Services[2]

Motion by Melinda J. Danforth to approve the Outagamie County Health & Human Services Contract #2014-1480 with a waiver of limited sovereign immunity, seconded by Jennifer Webster. Motion carried unanimously:

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

B. Approve proposed Health Risk Assessment schedule for 2015

Sponsor: Larry Barton, Chief Financial Officer

Motion by Jennifer Webster to approve the Health Risk Assessment schedule for 2015, seconded by Melinda J. Danforth. Motion carried unanimously:

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

C. Approve payment of Judiciary luncheon quote #Q021315

Sponsor: Tina Danforth, Tribal Chairwoman

Motion by Melinda J. Danforth to approve the payment of the Judiciary luncheon quote #Q021315 of $630.00 to be paid from the Business Committee's Special Projects Budget, seconded by Lisa Summers. Motion carried unanimously:

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

D. Approve Finance Committee e-poll SEOTS Community Center Project #11-002

Sponsor: Trish King, Tribal Treasurer

Motion by Lisa Summers to approve the request from Finance to activate $300K from the Norbert Hill Center Remodel Phase 8 #15-003 and transfer the funds to the SEOTS Community Center Project #11-002, seconded by Jennifer Webster. Motion carried unanimously:

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

Motion by Jennifer Webster to make an effort to use any Furniture, Fixtures and Equipment, that we currently have and that is usable, to help alleviate cost, seconded by Lisa Summers. Motion carried unanimously:

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

Motion by Lisa Summers to send the identified CIP process gaps to CDPC to be addressed and worked on with Development and Planning and to direct the Tribal Secretary to send a memorandum to CDPC listing the identified CIP process gaps, seconded by Lisa Summers. Motion carried unanimously:

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

XIV. Travel

A. Travel Reports

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

Sponsor: Fawn Billie, Councilwoman

Motion by Lisa Summers to accept the travel report for Councilwoman Fawn Billie – Franklin Covey Training Presentation – Chicago, IL December 1-2, 2014, seconded by Jennifer Webster. Motion carried unanimously:

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

[2] The Governmental Services Division is the sponsor for this initiative, therefore listing the Internal Services Division as the sponsor is a misnomer. This occurred due to the agenda item being submitted through the Grants Department.

DRAFT

~~**2. Accept 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~~
Deleted at the adoption of the agenda.

~~**3. Accept travel report for Councilwoman Jennifer Webster – Treaty of Canandaigua Anniversary – Washington D.C. November 9-11, 2014**~~
~~Sponsor: Jennifer Webster, Councilwoman~~
Deleted at the adoption of the agenda.

~~**4. Accept travel report for Councilwoman Jennifer Webster – Bemidji Area ITU Meeting – Harris, MI, November 19-21, 2014**~~
~~Sponsor: Jennifer Webster, Councilwoman~~
Deleted at the adoption of the agenda.

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

Reconvened meeting called to order at 1:35 p.m. by Chairwoman Tina Danforth.

Council member Brandon Stevens is not present.

1. Governmental Services Division report – Don White, Division Director/GSD
Motion by Trish King to accept the Governmental Services Division report, seconded by Lisa Summers. Motion carried unanimously:
Ayes: Trish King, Lisa Summers, Melinda J. Danforth, Tehassi Hill, Jennifer Webster
Not Present: Fawn Billie, Brandon Stevens

2. Human Resources Department report – Geraldine Danforth, Area Manager/HRD
Motion by Lisa Summers to accept the Human Resources Department report and to send the wage scale discussion to a Business Committee work meeting, seconded by Trish King. Motion carried unanimously:
Ayes: Trish King, Lisa Summers, Melinda J. Danforth, Tehassi Hill, Jennifer Webster
Not Present: Fawn Billie, Brandon Stevens

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.*
Motion by Lisa Summers to accept the Oneida Police Commission report, seconded by Trish King. Motion carried unanimously:
Ayes: Trish King, Lisa Summers, Melinda J. Danforth, Tehassi Hill, Jennifer Webster
Not Present: Fawn Billie, Brandon Stevens

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Motion by Lisa Summers to lift the halt on stipends for the Oneida Police Commission and that the Tribal Treasurer's office to communicate that to Central Accounting, seconded by Tehassi Hill. Motion carried unanimously:

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

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.*

Motion by Lisa Summers to accept the Oneida Child Protective Board report, seconded by Jennifer Webster. Motion carried unanimously:

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

Motion by Lisa Summers to lift the halt on stipends for the Oneida Child Protective Board and that the Tribal Treasurer's office to communicate that to Central Accounting, seconded by Melinda Danforth. Motion carried unanimously:

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

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

Motion by Lisa Summers to accept the Oneida Election Board report, seconded by Melinda J. Danforth. Motion carried unanimously:

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

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

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

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

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

Motion by Melinda Danforth to accept the Oneida Nation Commission on Aging report and that the request from ONCOA regarding researching whether or not the Tribe should pay for Medicare Part B benefits for Tribal members who use the Oneida Health Center be assigned to the Comprehensive Health Division Directors to research and bring back in 60 days, seconded by Lisa Summers. Motion carried unanimously:

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

XVI. Executive Session

A. Executive Session meeting minutes of February 10, 2015

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: ;
Arrived At: Council member Brandon Stevens 9:26 a.m.;
Others Present: Jo Anne House, Larry Barton, Kelly McAndrews, Pre Leverence, Florence Petri, Debbie Danforth, Wes Martin, Dave Larsen, Brandon Cooper, Lois Strong, Marlene Summers, Tana Aguirre, Jim Tenuta (via phone), Nathan King;

1. **Call to order** by Chairwoman Tina Danforth at 9:01 a.m.

2. **Adopt the agenda**

Motion by Trish King to adopt the agenda with noted times (agenda item XVI.F.1. Discussion regarding acreage in Brown County at 9:30 a.m. and agenda item XVI.F.4. Family Care Implementation at 2:30 p.m.), seconded by Fawn Billie. Motion carried unanimously:

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

3. **Executive discussion**

Motion by Trish King to go into executive session at 9:03 a.m., seconded by Fawn Billie. Motion carried unanimously:

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

Council member Brandon Stevens arrives at 9:26 a.m.

Motion by Lisa Summers to come out of executive session, to recess at 11:15 a.m. and to reconvene at 2:30 p.m., seconded by Fawn Billie. Motion carried unanimously:

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

Reconvened meeting called to order at 2:30 p.m. by Chairwoman Tina Danforth.

Motion by Lisa Summers to go into executive session at 2:31 p.m., seconded by Tehassi Hill. Motion carried unanimously:

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

4. **Adjourn**

Motion by Lisa Summers to come out of executive session and adjourn at 3:52 p.m., seconded by Tehassi Hill. Motion carried unanimously:

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

B. <u>Reports</u>

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

Motion by Melinda J. Danforth to accept the Oneida Seven Generations Corporation report and request Chief Counsel to follow up with the Agent on the issues presented in Executive Session, seconded by Lisa Summers. Motion carried unanimously:

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

DRAFT

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

Motion by Melinda J. Danforth to accept the Chief Counsel report, seconded by Jennifer Webster. Motion carried unanimously:

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

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

C. <u>Audit Committee</u> ***(No Requested Action)***

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

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

F. <u>New Business</u>

1. **Discussion regarding acreage in Brown County**

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

Motion by Melinda J. Danforth accept the item as information and request that, at the next Business Committee meeting, the Intergovernmental Affairs and Communications Department and the Gaming Division provide the Business Committee with an update on the five (5) acres, seconded by Lisa Summers. Motion carried unanimously:

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

Chairwoman Tina Danforth departs at 11:57 a.m., Vice-Chairwoman Melinda J. Danforth assumes the responsibilities of the Chair.

2. **Defer Personnel Matter to the OBC Officers for investigation**

Sponsor: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to accept the complaint and defer the complaint to the OBC officers per the Complaint SOP, seconded by Jennifer Webster. Motion carried unanimously:

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

3. **Approve Attorney Contract #2015-0084**

Sponsor: Jo Anne House, Chief Counsel

Motion by Tehassi Hill to approve attorney contract #2015-0084, seconded by Trish King. Motion carried unanimously:

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

4. **Family Care Implementation**

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

Motion by Trish King to accept the update and direct the Tribal Secretary to schedule a debriefing for next week following the conference call with the State that is being held on Friday, seconded by Tehassi Hill. Motion carried unanimously:[3]

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

5. **Review Tribal Member Complaint Re: Oneida Community Health Center**

Sponsor: Tina Danforth, Tribal Chairwoman

[3] Vice-Chairwoman Melinda J. Danforth noted that this item should remain on the Business Committee agenda

DRAFT

Motion by Tehassi Hill to accept the complaint and defer the complaint to the OBC officers per the Complaint SOP, seconded by Jennifer Webster. Motion carried unanimously:

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

6. Discussion regarding Emergency Management Director position

Sponsor: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to direct proceeding with the pre-screening of the Emergency Management Director position and designate the Chairwoman, the Vice-Chairwoman, the Secretary and Councilwoman Fawn Billie to conduct the pre-screening and interviews, seconded by Tehassi Hill. Motion carried unanimously:

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

Motion by Lisa Summers to request the Chairwoman to process the reorganization of the Emergency Management area, seconded by Tehassi Hill. Motion carried unanimously:

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

Chairwoman Tina Danforth returns at 12:02 p.m., resumes the responsibilities of the Chair.

For the record: Tina Danforth stated I need clarification on what is the intent of the reorganization process for Emergency Management.

Motion by Lisa Summers to recess at 12:03 p.m. and to reconvene at 1:30 p.m., seconded by Tehassi Hill. Motion carried unanimously:

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

XVII. Adjourn

Motion by Lisa Summers to adjourn at 03:05 p.m., seconded by Tehassi Hill. Motion carried unanimously:

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

Excerpt from February 11, 2015: Motion by Lisa Summers to defer the resolution titled Indian Child Welfare Act Policy to the next regular Business Committee meeting, seconded by Jennifer Webster. Motion carried unanimously.

1. Meeting Date Requested: ~~02 / 11 / 15~~ 02 / 25 / 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.

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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

Deadlines | Instructions

1. **Meeting Date Requested:** 02 / 25 / 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 below:

Agenda Header (choose one):

Agenda item title (see instructions):

ANA- Language Preservation and Maintenance/Esther Martinez Grant Resolution

Action requested (choose one)

☐ Information only

☒ Action - please describe:

Approval of the resolution to submit a grant application

3. **Justification**

Why BC action is required (see instructions):

Funding agency requires a resolution

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): Don White, Division Director

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

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 _____
Administration for Children and Families – Administration for Native Americans
Native American Language Preservation and Maintenance/Esther Martinez Immersion

WHEREAS, the Oneida Tribe of Indians of Wisconsin is a federally recognized Indian government and a Treaty Tribe recognized by the laws of the United States, and

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

WHEREAS, the Oneida Business Committee has been delegated authority under Article IV, Section 1 of the Oneida Tribal Constitution by the Oneida General Tribal Council, and

WHEREAS, the Oneida Tribe of Indians of Wisconsin has determined that the overall goal of the Oneida Tribe is to protect, maintain and improve the standard of living and the environment in which the Oneida people live, and

WHEREAS, the Oneida Tribe of Indians of Wisconsin realizes that the Oneida language is the basis of our history, culture and traditions, which gives us our cultural identity, and

WHEREAS, the Oneida language is at the threshold of extinction as there are few elders left in our community who are first language speakers, and

WHEREAS, the Oneida Tribe of Indians of Wisconsin realizes the urgent need to preserve our language by supporting and advocating language revitalization efforts.

NOW, THEREFORE, BE IT RESOLVED: that the Oneida Tribe of Indians of Wisconsin authorizes and submits a grant application to the Administration for Children and Families – Administration for Native Americans. A 20% in-kind match will be committed towards this grant opportunity.

Oneida Business Committee Meeting
Agenda Request Form

1. Meeting Date Requested: 02 / 25 / 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):

Resolution: Administrative Procedures Act Emergency Amendments

Action requested (choose one)

☐ Information only

☒ Action - please describe:

Adopt the attached Resolution

3. Justification

Why BC action is required (see instructions):

Under the Legislative Procedures Act, the OBC adopts emergency legislation.

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. Drafts of the APA
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
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http://oneida-nsn.gov/LOC

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 18, 2015
Re: Administrative Procedures Act Amendments Emergency Adoption

Please find attached the following for your consideration:

1. Resolution: Administrative Procedures Act Amendments Emergency Adoption
2. Statement of Effect: Administrative Procedures Act Amendments Emergency Adoption
3. Administrative Procedures Act (redline)
4. Administrative Procedures Act (clean)

Overview

On January 7, 2013, General Tribal Council (GTC) adopted resolution GTC-01-07-13-A, Adoption of the Administrative Procedures Act Amendments and the Legislative Procedures Act. In addition, GTC repealed the hearing procedures found in the Administrative Procedures Act (APA), effective March 1, 2015, with the adoption of the Judiciary Law, resolution GTC-01-07-13-B. After the adoption of these two resolutions, a portion of the Administrative Procedures Act was inadvertently left intact. On September 24, 2014, the Oneida Business Committee agreed to forward a resolution to GTC for consideration that would repeal the outstanding sections of the APA. However, that resolution has not yet been considered by GTC.

In addition, although the Judiciary Law was adopted, certain boards, committees and commissions of the Tribe continue to have hearing body authority through various Tribal laws. Some of these hearing bodies, including the Gaming Commission, Environmental Resource Board and Land Commission are required to hold their hearings in accordance with the Administrative Procedures Act under Tribal law. These requirements are found in the Hunting, Fishing and Trapping Law; All-Terrain Vehicle Law; Water Resources Ordinance; Well Abandonment Law; Oneida Nation Gaming Ordinance; and Real Property Law.

These emergency amendments would repeal the outstanding sections of the APA and put a hearing process in place for those hearing bodies that are required to hold hearings and do not have other hearing rules in place. Under the attached Resolution, the emergency amendments would not be effective until March 1, 2015, which coincides with the date that the current APA hearing procedures are repealed under GTC-01-07-13-B.

Requested Action

Approve the Resolution: Administrative Procedures Act Amendments Emergency Adoption.

BC Resolution _____

Administrative Procedures Act Amendments Emergency Adoption

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 governing body of the Oneida Tribe of Indians of Wisconsin; and

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

WHEREAS, GTC Resolution 01-07-13-A adopted amendments to the Administrative Procedures Act (APA) and adopted the Legislative Procedures Act (LPA); and

WHEREAS, GTC Resolution 01-17-13-B adopted the Judiciary Law and repealed the hearing procedures found in the APA, effective March 1, 2015; and

WHEREAS, although the Judiciary Law was adopted, certain boards, committees and commissions of the Tribe continue to have hearing body authority through various Tribal laws; and

WHEREAS, some of these hearing bodies, including the Gaming Commission, Environmental Resource Board and Land Commission are required to hold their hearings in accordance with the APA; and

WHEREAS, after March 1, 2015, the APA will no longer contain hearing body procedures; and

WHEREAS, the attached emergency amendments would repeal the outstanding sections of the APA and put a hearing process in place for those hearing bodies that are required to hold hearings but do not have other hearing rules in place; and

WHEREAS, the LPA authorizes the Oneida Business Committee to enact legislation on an emergency basis, to be in effect for a period of six (6) months, renewable for an additional six (6) months; and

WHEREAS, emergency adoption of the amendments is necessary for the immediate preservation of the public health, safety, or general welfare of the reservation population, and amendment of the Law is required sooner than would be possible under the LPA.

NOW THEREFORE BE IT RESOLVED, that effective March 1, 2015, the attached amendments to the Administrative Procedures Act are adopted on an emergency basis.

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

Administrative Procedures Act Amendments Emergency Adoption

Summary

This Resolution adopts emergency amendments to the Administrative Procedures Act, effective March 1, 2015, to implement hearing procedures for those bodies required to hold hearings in accordance with the Administrative Procedures Act.

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

Analysis by the Legislative Reference Office

On January 7, 2013 the Oneida General Tribal Council (GTC) adopted resolution GTC-01-07-13-A, Adoption of the Administrative Procedures Act Amendments and the Legislative Procedures Act. In addition, GTC repealed the Administrative Procedures Act (APA) hearing procedures, effective March 1, 2015, with the adoption of the Judiciary Law, resolution GTC-01-07-13-B. Although the Judiciary Law was adopted, certain boards, committees and commissions of the Tribe continue to have hearing body authority through various Tribal laws. Some of these hearing bodies, including the Gaming Commission, Environmental Resource Board and Land Commission are required to hold their hearings in accordance with the Administrative Procedures Act under Tribal law.

These emergency amendments would repeal the outstanding sections of the APA and put a hearing process in place for those hearing bodies that are required to hold hearings in accordance with the APA and do not have other hearing rules in place. Under the attached Resolution, the emergency amendments would not be effective until March 1, 2015, which coincides with the date that the current APA hearing procedures will be repealed under GTC-01-07-13-B. The emergency amendments would remain in effect for six months, unless extended or replaced before that time has expired.

Conclusion

Adoption of the amendments to these Laws will not conflict with any Tribal law or policy.

Chapter 1
Administrative Procedures Act

1.1. Purpose and Policy
1.2. Adoption, Amendment, Repeal
1.3. Definitions
1.4. Complaints and Notice
1.5. Procedures
1.6. Judgments and Appeals

Analysis by the Legislative Reference Office			
Title	Administrative Procedures Act (APA)		
Drafter	Lynn A. Franzmeier	**Analyst**	Candice E. Skenandore
Reason for Request	Ensure that Tribal boards, committees and commissions have hearing procedures that are noticed so a person is presented with a fair opportunity to file a claim that arises under Tribal law *[See 1.1-2]*.		
Purpose	The APA will provide procedures for boards, committees and commissions that do not have procedures in place under other Tribal law, to conduct hearings for disputes arising under Tribal law *[See 1.1-1]*.		
Authorized/ Affected Entities	Tribal boards, committees and commission (hearing body(ies) that are authorized, by Tribal law, to conduct hearings; anyone that has a dispute arising under Tribal law and files a complaint with the hearing body; anyone identified as a respondent; witness; and the Court of Appeals *[See 1.4-1, 1.1-1, 1.4-2, 1.4-3 (a), 1.5-5 (b) & 1.6-2]*		
Due Process	A party can appeal a hearing body's decision to the Tribe's Court of Appeals *[See 1.6-2]*		
Related Legislation	The following laws and policies reference the APA describing how a hearing is conducted: All-Terrain Vehicle Law *[49.6-2]*; Building Code *[66.24-1]*; Condominium Ordinance *[68.26-2]*; Oneida Nation Gaming Ordinance *[21.12-8 (g)]*; Hunting, Fishing and Trapping Law *[45.15-3]*; On-Site Waste Disposal Ordinance *[46.5-1 (a), (b)(2) & (c)(2)]*; Protection and Management of Archeological & Historical Resources *[12.5-3]*; Real Property Law *[67.16-3 (a) (3)]*; Oneida Vendor Licensing *[56.7-1]*; Well-Abandonment Law *[43.7-3]* and Employee Protection Policy *[4-7]*		
Policy Mechanism	The hearing body can issue fines, orders and/or penalties so long as they comply with the Indian Civil Rights Act *[See 1.6-1]*.		

Overview

The Tribe has various boards, committees and commission that have the authority, in accordance with Tribal law, to conduct hearings. The current APA, among other things, sets the procedures on how these boards, committees and commissions (hearing bodies) conduct hearings. The hearing procedures found within the current APA are set to expire on March 1, 2015 pursuant to GTC Resolution 01-07-13-B. Because hearing bodies will continue to have the authority to conduct hearings after these portions of the APA expire, proposed emergency amendments were made to the APA so that hearing bodies will have a consistent process for conducting hearings. If these amendments are approved, they will go into effect on March 1, 2015 and will remain in effect until September 1, 2015, unless they are permanently adopted or are extended for an additional six months *[See Legislative Procedures Act 16.9-5]*.

The amendments set out the procedures for hearing bodies that do not have procedures in place under other Tribal law. These amendments will:

- Require hearing bodies to follow the APA when conducting hearings unless another Tribal law establishes hearing procedures for a specific hearing body *[See 1.4-1]*. For example, the APA will not pertain to the Oneida Personnel Commission, Oneida Police Commission or Oneida Election Board because these entities already have other

legislation that dictates how their hearings are conducted *[See Oneida Judiciary Rules of Civil Procedure 153.4-6, Oneida Nation Law Enforcement Ordinance 37.9-1and Oneida Election Law 2.5-6]*. The amendments specifically exclude the Tribe's Judiciary and Family Court from the "hearing body" definition *[See 1.1-1 & 1.3-1 (f)]*.

- Allow hearing bodies to develop additional hearing body procedures so long as those procedures do not conflict with the APA and are noticed to the public *[See 1.4-1]*.
- Specify what information must be included in the complaint as well as identify how a complaint and summons can be served and that service must be made within 30 days of filing the complaint *[See 1.4-2 & 1.4-3]*.
- Set out the procedures on how hearings are conducted including:
  - Authorizing hearing bodies to establish a regular time to hold pre-hearings and hearings as well as designate officer and alternates to serve on the hearing body *[See 1.5-1]*.
  - Restricting hearing officers and parties from engaging in ex parte communications *[See 1.5-2]*.
  - Specifying when evidence is used and how it can be obtained and presented. The APA also allows the opposing party to object to evidence and authorize the hearing body to determine whether or not to accept the evidence *[See 1.5-3]*.
  - Require a pre-hearing be conducted within 45 days after notice has been served *[See 1.5-4]*. The pre-hearing allows the hearing body or hearing officer to determine dispositive motions; identify the need for witnesses and/or evidence; implement a scheduling order and address matters that will clarify, simplify or settle the case or facilitate a just, speedy and inexpensive disposition *[See 1.5-4]*.
  - Require a hearing, if necessary, to be conducted within 60 days after the pre-hearing or within 60 days after it is decided to not hold a pre-hearing. If a hearing is conducted it should substantially comply with the procedures set out in the APA *[See 1.5-6]*.
- Authorize the hearing bodies to issue fines, orders and/or penalties that comply with the Indian Civil Rights Act *[See 1.6-1]*.
- Allow a party to appeal the hearing body's decision by filing an appeal with the Tribe's Court of Appeals in accordance with the Judiciary law and any applicable rules of procedure *[See 1.6-2]*.

Considerations

The LOC may want to consider the following:

- The Oneida Business Committee will have the authority to adopt, amend and repeal the proposed APA *[See 1.2-1 & 1.2-2]*. The current APA identifies the General Tribal Council as the entity that must adopt and amend the law *[See current APA 1.3-1 (a) & (b)]*.
- Amendments require a pre-hearing to be conducted within 45 days after the notice is served as well as require a hearing be held, if necessary, within 60 days after the pre-hearing was conducted or the decision that a pre-hearing is not needed *[See 1.5-1 and 1.5-5]*. The amendments do not address allowing hearing bodies to extend these timelines. The LOC may want to consider whether or not to allow hearing bodies to extend the 45 day pre-hearing and/or 60 day hearing timelines if all parties agree.
- Amendments will allow the hearing body to issue fines, orders or penalties for those who violate the APA but there are no enforcement provisions for hearing bodies that violate

this Law. For example, these amendments require the hearing body to issue a written decision within ten business days after a pre-hearing or hearing *[See 1.5-6]*. These amendments do not address what happens if a hearing body fails to meet this deadline. In addition, these amendments do not state whether or not a hearing body has the authority to extend the timeline on making a decision.

- The APA does not state whether or not the hearing body can issue subpoenas.

Miscellaneous

A public meeting or fiscal impact statement are not required for emergency legislation *[See Legislative Procedures Act 16.9-5 (a)]*.

~~**1.1-1. Authority.** The Oneida Tribe of Indians of Wisconsin has the authority and jurisdiction to enforce this act as well as the responsibility as a government to protect the health, safety, welfare, and economy of the Oneida Reservation lands and all persons who either reside on the reservation or who are visitors and/or are conducting business within the exterior boundaries of the reservation. The Oneida Tribe shall ensure due process of law for the designated citizens through adoption of this act, pursuant to Article VI of the Oneida Tribal Constitution, as amended.~~

~~**1.2-1. Purpose.** The Oneida Business Committee, various committees, entities and administrative bodies of the Oneida Tribe shall act in a responsible and consistent manner when enacting, approving, revising, reviewing, interpreting, implementing, and administering the laws, directions, rules, programs, and policies of the Oneida Tribe as adopted. The following principles shall be the framework of this Act:~~

~~(a) Fundamental fairness, justice, and common sense.~~

~~(b) Record keeping that is responsible, organized, accessible, and understandable.~~

~~(c) Deliberative bodies and decision makers which are familiar with the evidence and facts of the cases presented to them as well as issuing clear and concise written opinions; and~~

~~(d) Provisions for appeals of administrative errors and contested issues.~~

~~**1.3-1. Adoption, Amendment, Repeal**~~

~~(a) This law was adopted by the Oneida General Tribal Council by resolution GTC-8-19-91-A and amended by GTC-1-07-13-A.~~

~~(b) This law may be amended by the Oneida General Tribal Council.~~

~~(c) Should a provision of this law or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this law which are considered to have legal force without the invalid portions.~~

~~(d) Any law, policy, regulation, rule, resolution or motion, or portion thereof, which directly conflicts with the provisions of this law is hereby repealed to the extent that it is inconsistent with or is contrary to this law. Specifically, the following are repealed:~~

~~(a) BC-#7-5-95-K (Amendment to the Administrative Procedures Act to address public hearing process)~~

~~(b) BC# 2-2-88-A (Public hearing process for laws and policies)~~

~~(e) This law is adopted under authority of the Constitution of the Oneida Tribe of Indians of Wisconsin.~~

~~**1.4-1. Definitions.** (a)"AGENCY": Any tribal entity, board, commission, committee, department, or officer authorized by the Oneida Tribe to propose ordinance/rules for adoption by the Oneida Business Committee or a decision maker for the contested cases. The term "Agency" shall not include the Oneida Business Committee or a tribal appeals body.~~

~~(b) "CONFIDENTIALITY": State or quality of being confidential; treated as private and not for publication.~~

~~(c) "CONTESTED CASES": A proceeding before an "Agency" in which an opportunity for a hearing before said "Agency" is required by law prior or subsequent to the determination of the "Agency" of the legal rights, duties, or privileges or specific parties unless otherwise provided for by tribal law. This shall include the revocation, suspension, or modification of a license or permit when a grant of such application is contested by a person directly affected by said licensing or permitting.~~

~~(d) "DECLARATORY RULING": A written ruling made by a tribal decision-making body which removes doubts or puts an end to conflicting decisions in regard to what law is in relation to a particular matter.~~

~~(e) "DELIBERATIVE BODY": A body that weighs, examines, and consults the reasons for and against a contemplated act or course of conduct or a choice of acts or means in order to form an opinion.~~

~~(f) "EMERGENCY": An unexpected or unforeseen occurrence or condition; a sudden or unexpected occasion for action; pressing necessity.~~

~~(g) "LICENSE" or "PERMIT": The approval, permission, or allowance of an individual or group to engage in an activity that is lawfully adopted by the Oneida Tribe.~~

~~(h) ALICENSING" or "PERMITTING": The process that refers to the grant, denial, renewal, revocation, suspension, annulment, withdrawal, or modification of a license or permit.~~

~~(i) "ONEIDA BUSINESS COMMITTEE" (OBC): The representative body of the Oneida Tribe elected by the Oneida General Tribal Council pursuant to Article III of the Oneida Tribal Constitution.~~

~~(j) "ONEIDA GENERAL TRIBAL COUNCIL": The ultimate governing body of the Oneida Tribe composed of enrolled tribal members as described in Article III of the Oneida Tribal Constitution.~~

~~(k) "ORDINANCE": A tribal law that applies to and governs persons, activities, and properties subject to tribal jurisdiction.~~

~~(l) "RESERVATION": All land within the exterior boundaries of the Reservation of the Oneida Tribe of Indians of Wisconsin, as created pursuant to the 1838 Treaty with the Oneida, 7 Stat. 566, and any lands added thereto pursuant to federal law.~~

~~(m) "RESERVATION ENVIRONMENT" or "RESERVATION RESOURCES": Land, surface water, ground water, fish, animals, flora, fauna, air, wildlife, and capital improvements on or near the reservation.~~

~~(n) "RULE/REGULATION": Any order or directive, or regulation of general applicability enacted into law and approved by the Oneida Business Committee that exhibits the following:~~

~~(1) The violation of which may result in a fine, penalty, or other civil administrative sanction;~~

~~(2) May establish, change, or revoke a procedure, practice, or requirement of administration hearing;~~

~~(3) May establish, change, or revoke requirements relating to benefits or privileges conferred by law;~~

~~(4) May establish, change, or revoke standards for assistance, suspension, or revocation of licenses;~~
~~(5) The amendment or repeal of a prior ordinance/rule;~~
~~(6) Does not include the following:~~
~~(A) statements concerning internal management of an area, nor.~~
~~(B) Declaratory rulings issued pursuant to this Act as now or hereafter amended.~~
~~(o) "SECRETARY": Secretary of the Oneida Business Committee.~~
~~(p) "SPONSORING AGENCIES": Any tribal agency that prepares an ordinance/rule or other matter under this Act for action by the Oneida Business Committee.~~

~~**1.5-1. Inspection of Agency Orders, Decisions, and Opinions** Each agency shall keep on file for public inspection all final orders, decisions, and opinions in contested cases as well as an index to said cases, decisions, orders, or opinions except that said public inspection shall be limited by applicable federal law or tribal laws of confidentiality. In addition, said agencies shall forward all agency orders, decisions, or opinions to the "Secretary" who shall keep said records in one centralized area.~~

1.1. Purpose and Policy

1.1-1. *Purpose.* The purpose of this Law is to provide procedures for boards, committees and commissions that conduct hearings for disputes arising under Tribal law and have no procedures in place under other Tribal law. This Law shall not apply to hearings held before the Family Court or any court of the Tribe's Judiciary. This Law shall not be construed to create hearing rights where no hearing rights exist under Tribal law

1.1-2. *Policy.* It is the policy of the Tribe that the hearing procedures of boards, committees and commissions shall be noticed to ensure all individuals are presented with a fair opportunity to file any claim that may arise under Tribal law.

1.2. Adoption, Amendment, Repeal

1.2-1. This Law was adopted by the Oneida Business Committee by resolution BC _____.

1.2-2. This Law may be amended or repealed by the Oneida Business Committee pursuant to the procedures set out in the Legislative Procedures Act.

1.2-3. Should a provision of this Law or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this Law which are considered to have legal force without the invalid portions.

1.2-4. In the event of a conflict between a provision of this Law and a provision of another law, the provisions of this Law shall control.

1.2-5. This Law is adopted under authority of the Constitution of the Oneida Tribe of Indians of Wisconsin.

1.3. Definitions

1.3-1. This section shall govern the definitions of words and phrases used within this Law. All words not defined herein shall be used in their ordinary and everyday sense.

(a) "Decision" shall mean the written conclusion of the hearing body concerning the facts, alleged violations of Tribal law and penalties.

(b) "Deliberations" shall mean the confidential process during which the hearing officers discuss the issues presented before the hearing body.

(c) "Dispositive motion" shall mean a request to the hearing body to entirely dispose of one (1) or more claims in favor of the party making the request without need for a further

hearing.

(d) "Evidence" shall mean documentation or testimony presented to the hearing body which supports a party's claim.

(e) "Ex parte communication" shall mean oral or written, off-the-record communication made to or by the hearing officers without notice to the parties that is directed to the merits or outcome of the hearing.

(f) "Hearing body" shall mean the member or members of a board, committee or commission that hear and decide the case or motions presented as part of a case. "Hearing body" shall not include the Family Court or any court of the Tribe's Judiciary.

(g) "Scheduling order" shall mean the hearing body's order establishing the dates of the hearing and the deadlines for discovery and submitting witness lists.

(h) "Summons" shall mean an order to appear before a hearing body because a petitioner has filed a complaint.

1.4. Complaints and Notice

1.4-1. Whenever a claim arises under Tribal law, a hearing body shall hear the complaint in accordance with the procedures established under this Law, unless another Tribal law has established hearing procedures for that specific hearing body. Nothing in this Law shall be construed to prevent a hearing body from establishing additional hearing body procedures, as long as those procedures do not conflict with this Law and are noticed to the public by the hearing body.

1.4-2. A petitioner(s) may file a complaint with the hearing body, the complaint shall include:

(a) The name and contact information of each petitioner;

(b) The name and contact information, if known, of the respondent(s)

(c) The alleged violation that resulted in the complaint and the Tribal law that has been violated;

(d) The date, time, place and description of the alleged violation;

(e) The nature of the relief requested.

1.4-3. *Notice*. The complaint, along with a summons, shall be served upon the respondent(s) within thirty (30) days after the complaint is filed with the hearing body.

(a) The summons shall contain the date, time and place the respondent(s) is required to appear, along with a notice that failure to appear may result in a default judgment against him or her.

(b) Anyone who is not a party to the action and is at least eighteen (18) years of age may serve the notice. Notice shall be served in the following order of progression, unless personal service is more practical than by mail:

(1) Mail with delivery confirmation, using U.S. mail or a private carrier.

(2) Personal service, by hand delivering a copy of the complaint and summons to the party named in the complaint.

(3) Publication, in the Kalihwisaks and another paper located in an area where the subject was last known to have resided. The publication shall be designated as a legal notice, stating the name and last-known address of the subject being located.

1.5. Procedures

1.5-1. *Designated Hearing Dates*. The hearing body may establish a regular time to hold pre-hearings and hearings. The hearing body shall designate officers and may designate alternates to serve on a hearing body.

1.5-2. *Ex Parte Communications.* Hearing officers and parties shall not engage in ex parte communications.

1.5-3. *Evidence.* A party shall include evidence as part of his/her original filings or obtain the evidence through discovery. A party may attempt to present the hearing body with evidence later in the proceedings if the opposing party does not object.

(a) Copies. If a party submits documentation as evidence, the party shall present an original for the record and copies to each of the hearing officers and the opposing party.

(b) Objections. The opposing party may object to any evidence submitted.

(c) Acceptance into the record. The hearing body makes the final determination whether to accept evidence into the record. The hearing body may admit and consider evidence that is commonly accepted and has a direct connection to the case.

1.5-4. *Pre-Hearings.* Pre-hearings shall be conducted within forty-five (45) days after notice has been served. The purpose of a pre-hearing is for the hearing body or a hearing officer to:

(a) Hear and determine dispositive motions. The parties may present any dispositive motions and raise any issues that may affect the conduct of the hearing, including, but not limited to excluding evidence. If either party makes a dispositive motion:

(1) The party making the motion shall reference the applicable law and state with clarity why the hearing body should grant the motion. The party making the motion may present a proposed written decision for the hearing body to consider.

(2) The opposing party shall respond and state with clarity why the hearing body should not grant the motion. The opposing party may request an adjournment to prepare a written response to oral dispositive motions.

(3) The hearing body may ask any questions of the parties in order to clarify the issues.

(b) Identify the need for any witnesses and/or evidence.

(c) Implement a scheduling order.

(d) Address any matters which will assist in the clarification, simplification or settlement of the case or that may facilitate the just, speedy and inexpensive disposition of the matter.

1.5-5. *Hearing Procedures.* Within sixty (60) days after a pre-hearing is conducted, or within sixty (60) days after it has been determined that a pre-hearing will not be conducted, the hearing body shall conduct a hearing, if necessary. If a hearing is conducted, it shall substantially comply with the following:

(a) Opening Statements. Each party shall state with clarity why the hearing body should decide in his/her favor based on the facts and the laws presented.

(b) Witnesses. Each party may call any witness to testify.

(1) Each party shall be responsible for ensuring his or her witness(es) appears at the hearing.

(2) A witness(es) may rely only on evidence on record.

(3) A witness(es) is subject to cross examination by the opposing party.

(4) The hearing body may ask questions of any witness or request clarification of any documents during the proceeding.

(c) Rebuttal. Parties may present a witness(es) or introduce evidence that has not been previously presented in order to refute or rebut the opposing party's evidence or a witness statement.

(d) Closing Statements. Each party summarizes the evidence and the testimony he or she presented in order to rebut evidence or witness testimony presented by the opposing party.

(e) Deliberations. After the hearing, the hearing body shall schedule a time for deliberations. Deliberations are confidential and shall not be subject to reproduction and shall not be part of the case record. During deliberations, the hearing body shall place an emphasis on logic and reasoning in order to make sound decisions. The hearing body may adopt a proposed written decision and issue the decision during the hearing.

1.5-6. *Decisions.* The hearing body may issue an oral decision on a matter, but the decision shall not be final until the hearing body issues a written decision. The hearing body shall issue a written decision within ten (10) business days after a pre-hearing or hearing. Should any party fail to appear at any scheduled pre-hearing or hearing or contest a complaint, the hearing body may issue a default judgment in favor of the opposing party.

(a) The decision shall include:

(1) Findings of fact and conclusions of law;

(2) Reference to specific provision of Tribal law violated;

(3) Disposition of any dispositive motions;

(4) In the case of a decision issued after a pre-hearing, a scheduling order if the hearing body does not grant a dispositive motion; and

(5) Reference to the parties' appeal rights.

(b) If the hearing body does not reach a unanimous decision, hearing officers may draft concurring and/or dissenting opinions.

(c) Notification to Parties. The hearing body shall ensure the final decision is sent to the parties via mail with delivery confirmation, using U.S. mail or a private carrier, within one (1) business day following the issuance of the decision. Time lines for an appeal are calculated based on receipt of the written decision.

1.6. Judgments and Appeals

1.6-1. *Judgments* A hearing body, subsequent to a hearing, may issue fines, orders and/or penalties that comply with the Indian Civil Rights Act and may include, but not be limited to, the following:

(a) An order directing a violator or person in non-compliance of/with a Tribal law or regulation to pay a monetary fine for the violation, and/or actual damages and/or punitive damages.

(b) In the case of damages caused by minors, an order requiring the parent, custodian, or guardian to pay for damages and/or plan designed for restitution in lieu of monetary compensation to be fulfilled by the minor.

(c) An order directing the violator or non-complying person to cease and desist from further violation or non-compliance and to cure said violation within a specified period.

(d) An order requiring appropriate exclusion and/or mandated community service and/or denial of specific Tribal benefits.

(e) Unless precluded by law, informal disposition, signed by both parties, may also be made of any contested case by stipulation, agreed settlement, consent order, or default.

(f) An order placing a lien upon property owned by a person within jurisdiction of the Tribe.

1.6-2. *Appeals* A party may appeal a decision of a hearing body to the Court of Appeals in accordance with the Judiciary law and any applicable rules of procedure.

End.

Chapter 1
Administrative Procedures Act

1.1. Purpose and Policy
1.2. Adoption, Amendment, Repeal
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1.5. Procedures
1.6. Judgments and Appeals

1.1. Purpose and Policy

1.1-1. *Purpose.* The purpose of this Law is to provide procedures for boards, committees and commissions that conduct hearings for disputes arising under Tribal law and have no procedures in place under other Tribal law. This Law shall not apply to hearings held before the Family Court or any court of the Tribe's Judiciary. This Law shall not be construed to create hearing rights where no hearing rights exist under Tribal law

1.1-2. *Policy.* It is the policy of the Tribe that the hearing procedures of boards, committees and commissions shall be noticed to ensure all individuals are presented with a fair opportunity to file any claim that may arise under Tribal law.

1.2. Adoption, Amendment, Repeal

1.2-1. This Law was adopted by the Oneida Business Committee by resolution BC _____.

1.2-2. This Law may be amended or repealed by the Oneida Business Committee pursuant to the procedures set out in the Legislative Procedures Act.

1.2-3. Should a provision of this Law or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this Law which are considered to have legal force without the invalid portions.

1.2-4. In the event of a conflict between a provision of this Law and a provision of another law, the provisions of this Law shall control.

1.2-5. This Law is adopted under authority of the Constitution of the Oneida Tribe of Indians of Wisconsin.

1.3. Definitions

1.3-1. This section shall govern the definitions of words and phrases used within this Law. All words not defined herein shall be used in their ordinary and everyday sense.

(a) "Decision" shall mean the written conclusion of the hearing body concerning the facts, alleged violations of Tribal law and penalties.

(b) "Deliberations" shall mean the confidential process during which the hearing officers discuss the issues presented before the hearing body.

(c) "Dispositive motion" shall mean a request to the hearing body to entirely dispose of one (1) or more claims in favor of the party making the request without need for a further hearing.

(d) "Evidence" shall mean documentation or testimony presented to the hearing body which supports a party's claim.

(e) "Ex parte communication" shall mean oral or written, off-the-record communication made to or by the hearing officers without notice to the parties that is directed to the merits or outcome of the hearing.

(f) "Hearing body" shall mean the member or members of a board, committee or commission that hear and decide the case or motions presented as part of a case. "Hearing body" shall not include the Family Court or any court of the Tribe's Judiciary.

(g) "Scheduling order" shall mean the hearing body's order establishing the dates of the hearing and the deadlines for discovery and submitting witness lists.

(h) "Summons" shall mean an order to appear before a hearing body because a petitioner has filed a complaint.

1.4. Complaints and Notice

1.4-1. Whenever a claim arises under Tribal law, a hearing body shall hear the complaint in accordance with the procedures established under this Law, unless another Tribal law has established hearing procedures for that specific hearing body. Nothing in this Law shall be construed to prevent a hearing body from establishing additional hearing body procedures, as long as those procedures do not conflict with this Law and are noticed to the public by the hearing body.

1.4-2. A petitioner(s) may file a complaint with the hearing body, the complaint shall include:

(a) The name and contact information of each petitioner;

(b) The name and contact information, if known, of the respondent(s)

(c) The alleged violation that resulted in the complaint and the Tribal law that has been violated;

(d) The date, time, place and description of the alleged violation;

(e) The nature of the relief requested.

1.4-3. *Notice.* The complaint, along with a summons, shall be served upon the respondent(s) within thirty (30) days after the complaint is filed with the hearing body.

(a) The summons shall contain the date, time and place the respondent(s) is required to appear, along with a notice that failure to appear may result in a default judgment against him or her.

(b) Anyone who is not a party to the action and is at least eighteen (18) years of age may serve the notice. Notice shall be served in the following order of progression, unless personal service is more practical than by mail:

(1) Mail with delivery confirmation, using U.S. mail or a private carrier.

(2) Personal service, by hand delivering a copy of the complaint and summons to the party named in the complaint.

(3) Publication, in the Kalihwisaks and another paper located in an area where the subject was last known to have resided. The publication shall be designated as a legal notice, stating the name and last-known address of the subject being located.

1.5. Procedures

1.5-1. *Designated Hearing Dates*. The hearing body may establish a regular time to hold pre-hearings and hearings. The hearing body shall designate officers and may designate alternates to serve on a hearing body.

1.5-2. *Ex Parte Communications.* Hearing officers and parties shall not engage in ex parte communications.

1.5-3. *Evidence.* A party shall include evidence as part of his/her original filings or obtain the evidence through discovery. A party may attempt to present the hearing body with evidence later in the proceedings if the opposing party does not object.

(a) Copies. If a party submits documentation as evidence, the party shall present an original for the record and copies to each of the hearing officers and the opposing party.

(b) Objections. The opposing party may object to any evidence submitted.

(c) Acceptance into the record. The hearing body makes the final determination whether to accept evidence into the record. The hearing body may admit and consider evidence that is commonly accepted and has a direct connection to the case.

1.5-4. *Pre-Hearings*. Pre-hearings shall be conducted within forty-five (45) days after notice has been served. The purpose of a pre-hearing is for the hearing body or a hearing officer to:

(a) Hear and determine dispositive motions. The parties may present any dispositive motions and raise any issues that may affect the conduct of the hearing, including, but not limited to excluding evidence. If either party makes a dispositive motion:

(1) The party making the motion shall reference the applicable law and state with clarity why the hearing body should grant the motion. The party making the motion may present a proposed written decision for the hearing body to consider.

(2) The opposing party shall respond and state with clarity why the hearing body should not grant the motion. The opposing party may request an adjournment to prepare a written response to oral dispositive motions.

(3) The hearing body may ask any questions of the parties in order to clarify the issues.

(b) Identify the need for any witnesses and/or evidence.

(c) Implement a scheduling order.

(d) Address any matters which will assist in the clarification, simplification or settlement of the case or that may facilitate the just, speedy and inexpensive disposition of the matter.

1.5-5. *Hearing Procedures*. Within sixty (60) days after a pre-hearing is conducted, or within sixty (60) days after it has been determined that a pre-hearing will not be conducted, the hearing body shall conduct a hearing, if necessary. If a hearing is conducted, it shall substantially comply with the following:

(a) Opening Statements. Each party shall state with clarity why the hearing body should decide in his/her favor based on the facts and the laws presented.

(b) Witnesses. Each party may call any witness to testify.

(1) Each party shall be responsible for ensuring his or her witness(es) appears at the hearing.

(2) A witness(es) may rely only on evidence on record.

(3) A witness(es) is subject to cross examination by the opposing party.

(4) The hearing body may ask questions of any witness or request clarification of any documents during the proceeding.

(c) Rebuttal. Parties may present a witness(es) or introduce evidence that has not been previously presented in order to refute or rebut the opposing party's evidence or a witness statement.

(d) Closing Statements. Each party summarizes the evidence and the testimony he or she presented in order to rebut evidence or witness testimony presented by the opposing party.

(e) Deliberations. After the hearing, the hearing body shall schedule a time for deliberations. Deliberations are confidential and shall not be subject to reproduction and shall not be part of the case record. During deliberations, the hearing body shall place an emphasis on logic and reasoning in order to make sound decisions. The hearing body may adopt a proposed written decision and issue the decision during the hearing.

1.5-6. *Decisions.* The hearing body may issue an oral decision on a matter, but the decision shall not be final until the hearing body issues a written decision. The hearing body shall issue a written decision within ten (10) business days after a pre-hearing or hearing. Should any party fail to appear at any scheduled pre-hearing or hearing or contest a complaint, the hearing body may issue a default judgment in favor of the opposing party.

(a) The decision shall include:

(1) Findings of fact and conclusions of law;
(2) Reference to specific provision of Tribal law violated;
(3) Disposition of any dispositive motions;
(4) In the case of a decision issued after a pre-hearing, a scheduling order if the hearing body does not grant a dispositive motion; and
(5) Reference to the parties' appeal rights.

(b) If the hearing body does not reach a unanimous decision, hearing officers may draft concurring and/or dissenting opinions.

(c) Notification to Parties. The hearing body shall ensure the final decision is sent to the parties via mail with delivery confirmation, using U.S. mail or a private carrier, within one (1) business day following the issuance of the decision. Time lines for an appeal are calculated based on receipt of the written decision.

1.6. Judgments and Appeals

1.6-1. *Judgments* A hearing body, subsequent to a hearing, may issue fines, orders and/or penalties that comply with the Indian Civil Rights Act and may include, but not be limited to, the following:

(a) An order directing a violator or person in non-compliance of/with a Tribal law or regulation to pay a monetary fine for the violation, and/or actual damages and/or punitive damages.

(b) In the case of damages caused by minors, an order requiring the parent, custodian, or guardian to pay for damages and/or plan designed for restitution in lieu of monetary compensation to be fulfilled by the minor.

(c) An order directing the violator or non-complying person to cease and desist from further violation or non-compliance and to cure said violation within a specified period.

(d) An order requiring appropriate exclusion and/or mandated community service and/or denial of specific Tribal benefits.

(e) Unless precluded by law, informal disposition, signed by both parties, may also be made of any contested case by stipulation, agreed settlement, consent order, or default.

(f) An order placing a lien upon property owned by a person within jurisdiction of the Tribe.

1.6-2. *Appeals* A party may appeal a decision of a hearing body to the Court of Appeals in accordance with the Judiciary law and any applicable rules of procedure.

End.

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 _____
Administrative Procedures Act Amendments Emergency Adoption

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 governing body of the Oneida Tribe of Indians of Wisconsin; and

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

WHEREAS, GTC Resolution 01-07-13-A adopted amendments to the Administrative Procedures Act (APA) and adopted the Legislative Procedures Act (LPA); and

WHEREAS, GTC Resolution 01-17-13-B adopted the Judiciary Law and repealed the hearing procedures found in the APA, effective March 1, 2015; and

WHEREAS, although the Judiciary Law was adopted, certain boards, committees and commissions of the Tribe continue to have hearing body authority through various Tribal laws; and

WHEREAS, some of these hearing bodies, including the Gaming Commission, Environmental Resource Board and Land Commission are required to hold their hearings in accordance with the APA; and

WHEREAS, after March 1, 2015, the APA will no longer contain hearing body procedures; and

WHEREAS, the attached emergency amendments would repeal the outstanding sections of the APA and put a hearing process in place for those hearing bodies that are required to hold hearings but do not have other hearing rules in place; and

WHEREAS, the LPA authorizes the Oneida Business Committee to enact legislation on an emergency basis, to be in effect for a period of six (6) months, renewable for an additional six (6) months; and

WHEREAS, emergency adoption of the amendments is necessary for the immediate preservation of the public health, safety, or general welfare of the reservation population, and amendment of the Law is required sooner than would be possible under the LPA.

NOW THEREFORE BE IT RESOLVED, that effective March 1, 2015, the attached amendments to the Administrative Procedures Act are adopted on an emergency basis.

Oneida Business Committee Meeting
Agenda Request Form

1. Meeting Date Requested: 02 / 25 / 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):

Resolution: Appeals Commission References Removal

Action requested (choose one)

☐ Information only

☒ Action - please describe:

Adopt the attached Resolution

3. Justification

Why BC action is required (see instructions):

Under the Legislative Procedures Act, the OBC adopts amendments to legislation.

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. Attachment of Amendments
2. Statement of Effect
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.

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
P.O. Box 365
Oneida, WI 54155
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http://oneida-nsn.gov/LOC

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

Memorandum

TO: The Oneida Business Committee
FROM: Brandon Stevens, Legislative Operating Committee Chair BS
DATE: February 25, 2015
RE: REQUEST FOR ACTION: Adoption of Amendments to the following to remove references to the Oneida Appeals Commission pursuant to GTC Resolution 07-01-13-A: Attorney Contract Policy, Condominium Ordinance, Emergency Management and Homeland Security, Employee Protection Policy, Local Land Use Regulation Reimbursement Policy, Notary Act, Oneida Election Law, Oneida Food Service Code, Oneida Nation Law Enforcement Ordinance, Oneida Vendor Licensing, Real Property Law, Social Media Policy, Tattooing and Body Piercing Law and Tribal Environmental Response

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Please find attached the following for your consideration:

1. Resolution: Amendments to Attorney Contract Policy, Condominium Ordinance, Emergency Management and Homeland Security, Employee Protection Policy, Local Land Use Regulation Reimbursement Policy, Notary Act, Oneida Election Law, Oneida Food Service Code, Oneida Nation Law Enforcement Ordinance, Oneida Vendor Licensing, Real Property Law, Social Media Policy, Tattooing and Body Piercing Law and Tribal Environmental Response pursuant to GTC Resolution 07-01-13-A
2. Attachment showing changes for each Law or Policy
3. Statement of Effect

Overview

The proposed amendments to the above listed laws and policies remove all references to the "Oneida Appeals Commission" and replace them with "Judiciary." In addition, a definition of Judiciary has been added to the laws and policies. Finally, amendments have also been made where the Judiciary would be required to comply with the Administrative Procedures Act or the Oneida Appeals Commission Judiciary Code, as the Judiciary has their own set of procedural rules.

GTC Resolution 07-01-13-A granted the Oneida Business Committee (OBC) permission to complete corrective amendments to all Oneida laws and policies that reference the Oneida Appeals Commission or the Oneida Tribal Judicial System and replace them with terms that are

consistent with the Judiciary Law. GTC also authorized the OBC to bypass the procedural requirements of the Legislative Procedures Act (LPA) in order to make these amendments.

Because there are no other substantive amendments, it is requested that the LPA requirements regarding legislative analyses, fiscal estimates and public meetings be bypassed and the attached Resolution be adopted.

Requested Action

Approve the Resolution: Amendments to Attorney Contract Policy, Condominium Ordinance, Emergency Management and Homeland Security, Employee Protection Policy, Local Land Use Regulation Reimbursement Policy, Notary Act, Oneida Election Law, Oneida Food Service Code, Oneida Nation Law Enforcement Ordinance, Oneida Vendor Licensing, Real Property Law, Social Media Policy, Tattooing and Body Piercing Law and Tribal Environmental Response pursuant to Resolution GTC-07-01-13-A.

BC Resolution _____

Adoption of Amendments to the following to remove references to the Oneida Appeals Commission pursuant to GTC Resolution 07-01-13-A: Attorney Contract Policy, Condominium Ordinance, Emergency Management and Homeland Security, Employee Protection Policy, Local Land Use Regulation Reimbursement Policy, Notary Act, Oneida Election Law, Oneida Food Service Code, Oneida Nation Law Enforcement Ordinance, Oneida Vendor Licensing, Real Property Law, Social Media Policy, Tattooing and Body Piercing Law and Tribal Environmental Response

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 governing body of the Oneida Tribe of Indians of Wisconsin; and

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

WHEREAS, GTC Resolution 07-01-13-A authorized the Oneida Business Committee to make corrective amendments to all of the laws and policies that make reference to the Oneida Appeals Commission or the Oneida Tribal Judicial System and replace those terms with terms that are consistent with the Judiciary Law adopted by GTC Resolution 01-07-13-B; and

WHEREAS, GTC Resolution 07-01-13-A authorizes the Oneida Business Committee to bypass the procedural requirements in the Legislative Procedures Act in order to make these changes; and

WHEREAS, the amendments that are being made to the Law are those changing references to the Oneida Appeals Commission to "Judiciary," adding a definition of "Judiciary" and removing any references that would require the Judiciary to comply with the Administrative Procedures Act or the Oneida Appeals Commission Judiciary Code, as the Judiciary has their own set of procedural rules.

NOW THEREFORE BE IT RESOLVED, that the attached amendments to the Attorney Contract Policy, Condominium Ordinance, Emergency Management and Homeland Security, Employee Protection Policy, Local Land Use Regulation Reimbursement Policy, Notary Act, Oneida Election Law, Oneida Food Service Code, Oneida Nation Law Enforcement Ordinance, Oneida Vendor Licensing, Real Property Law, Social Media Policy, Tattooing and Body Piercing Law and Tribal Environmental Response are hereby adopted effective immediately.

Amendments Attachment

Attorney Contract Policy

1. Expands the definition section to include the following: 3-5 “Judiciary” as used herein means the judicial system that was established by Oneida General Tribal Council resolution GTC-01-07-13-B to administer the judicial authorities and responsibilities of the Tribe.
2. Section 4-3 (a) replaces “Oneida Appeals Commission” with “Judiciary”.

Condominium Ordinance

1. Expands the definition section to include the following: 68.3-1 (j) “Judiciary” means the judicial system that was established by Oneida General Tribal Council resolution GTC-01-07-13-B to administer the judicial authorities and responsibilities of the Tribe.
2. Re-letter 68.3-1 (j) through 68.3-1 (t).
3. Section 68.26-1 (c) replaces “Oneida Appeals Commission” with “Judiciary”.

Emergency Management and Homeland Security

1. Expands the definition section to include the following: 35.3-1 (j) “Judiciary” means the judicial system that was established by Oneida General Tribal Council resolution GTC-01-07-13-B to administer the judicial authorities and responsibilities of the Tribe.
2. Re-letter 35.3-1 (j) through 35.3-1 (s).
3. Section 35.9-2 replaces “Oneida Appeals Commission” with “Judiciary”

Employee Protection Policy

1. Expands the definition section to include the following: 3-8 “Judiciary” means the judicial system that was established by Oneida General Tribal Council resolution GTC-01-07-13-B to administer the judicial authorities and responsibilities of the Tribe.
2. Re-number 3-8 through 3-12.
3. Section 4-7 (c) replaces “Appeals Commission” with “Judiciary”.

Local Land Use Regulation Reimbursement Policy

1. Expands the definition section to include the following: 3-1 (c) “Judiciary” means the judicial system that was established by Oneida General Tribal Council resolution GTC-01-07-13-B to administer the judicial authorities and responsibilities of the Tribe.
2. Re-letter 3-1 (c) through 3-1 (n).
3. Section 6-3 replaces “Oneida Appeals Commission” with “Judiciary”.

Notary Act

1. Expands the definition section to include the following: 82.1-4 (a) (3) “Judiciary” means the judicial system that was established by Oneida General Tribal Council resolution GTC-01-07-13-B to administer the judicial authorities and responsibilities of the Tribe.
2. Re-number 82.1-4 (a) (3) through 82.1-4 (a) (11).
3. Section 82.6-22 (b) replaces “Oneida Appeals Commission” with “Judiciary”.

Amendments Attachment

Oneida Election Law

1. Expands the definition section to include the following: 2.3-13 “Judiciary” means the judicial system that was established by Oneida General Tribal Council resolution GTC-01-07-13-B to administer the judicial authorities and responsibilities of the Tribe.
2. Re-number 2.3-14 through 2.3-23.
3. Sections 2.5-6, 2.11-11, 2.11-11 (b) and 2.12-6 replaces “Oneida Appeals Commission” with “Judiciary”.
4. Section 2.5-6 removes the following language “and in compliance with the Administrative Procedures Act”.

Oneida Food Service Code

1. Section 36.3-13, the definition of “The Appeals Commission” is removed.
2. Re-number 36.3-14 through 36.3-16.
3. Expands the definition section to include the following: 36.3-16 “Judiciary” means the judicial system that was established by Oneida General Tribal Council resolution GTC-01-07-13-B to administer the judicial authorities and responsibilities of the Tribe.
4. Section 36.13-1 replaces “Appeals Commission Original Hearing Body” with “Judiciary”.
5. Section 36.13-2 replaces “Appeals Commission” with “Judiciary” and replaces “Administrative Procedures Act and the Oneida Appeals Commission Judicial Code” with “rules established for the Judiciary”.

Oneida Nation Law Enforcement Ordinance

1. Expands the definition section to include the following: 37.3-8 Judiciary means the judicial system that was established by Oneida General Tribal Council resolution GTC-01-07-13-B to administer the judicial authorities and responsibilities of the Tribe.
2. Section 37.9-9 replaces “Oneida Appeals Commission” with “Judiciary”.

Oneida Vendor Licensing

1. Expands the definition section to include the following: 56.3-13 “Judiciary” means the judicial system that was established by Oneida General Tribal Council resolution GTC-01-07-13-B to administer the judicial authorities and responsibilities of the Tribe.
2. Section 56.7-2 replaces “Oneida Appeals Commission” with “Judiciary”.

Real Property Law

1. Expands the definition section to include the following: 67.4-24 Judiciary. The judicial system that was established by Oneida General Tribal Council resolution GTC-01-07-13-B to administer the judicial authorities and responsibilities of the Tribe.
2. Re-number 67.4-25 through 67.4-38.
3. Sections 67.8-6 (a), 67.9-13, 67.9-14, 67.9-15 and 67.9-16 replaces “Oneida Appeals Commission” with “Judiciary”.
4. Section 67.8-6 (a) replaces “Oneida Administrative Procedures Act” with “Judiciary’s rules of procedure”.

Amendments Attachment

Social Media Policy

1. Expands the definition section to include the following: 3-1 (e) "Judiciary" shall mean the judicial system that was established by Oneida General Tribal Council resolution GTC-01-07-13-B to administer the judicial authorities and responsibilities of the Tribe.
2. Re-letter 3-1 (e) through 3-1 (j).
3. Section 8-4 replaces "Oneida Appeals Commission" with "Judiciary".

Tattooing and Body Piercing Law

1. Expands the definition section to include the following: 32-3-1 (k) "Judiciary" means the judicial system that was established by Oneida General Tribal Council resolution GTC-01-07-13-B to administer the judicial authorities and responsibilities of the Tribe.
2. Re-letter 32.3-1 (k) through 32.3-1 (z).
3. Section 32.13-4 replaces "original hearing body of the Appellate Commission" with "Judiciary" and removes "That decision may be appealed to the appellate body of the Oneida Appeals Commission as provided in the Administrative Procedures Act."

Tribal Environmental Response

1. Expands the definition section to include the following: 40.3-1 (j) "Judiciary" means the judicial system that was established by Oneida General Tribal Council resolution GTC-01-07-13-B to administer the judicial authorities and responsibilities of the Tribe.
2. Re-letter 40.3-1 (j) through 40.3-1 (t).
3. Section 40.11-3 replaces "Oneida Appeals Commission" with "Judiciary".

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

Adoption of Amendments to the following to remove references to the Oneida Appeals Commission pursuant to GTC Resolution 07-01-13-A: Attorney Contract Policy, Condominium Ordinance, Emergency Management and Homeland Security, Employee Protection Policy, Local Land Use Regulation Reimbursement Policy, Notary Act, Oneida Election Law, Oneida Food Service Code, Oneida Nation Law Enforcement Ordinance, Oneida Vendor Licensing, Real Property Law, Social Media Policy, Tattooing and Body Piercing Law and Tribal Environmental Response

Summary

This Resolution adopts amendments to the Attorney Contract Policy, Condominium Ordinance, Emergency Management and Homeland Security, Employee Protection Policy, Local Land Use Regulation Reimbursement Policy, Notary Act, Oneida Election Law, Oneida Food Service Code, Oneida Nation Law Enforcement Ordinance, Oneida Vendor Licensing, Real Property Law, Social Media Policy, Tattooing and Body Piercing Law and Tribal Environmental Response to amend references to the Oneida Appeals Commission and replace them with the word "Judiciary," include a definition of Judiciary and remove requirements for the Judiciary to follow the Administrative Procedures Act or the Oneida Appeals Commission Judiciary Code.

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

Analysis by the Legislative Reference Office

On January 7, 2013 the Oneida General Tribal Council (GTC) adopted a Judiciary Law by Resolution GTC 01-07-13-B. On July 1, 2013, the GTC adopted Resolution 07-01-13-A, which gave authority to the Oneida Business Committee (OBC) to amend all of the laws and policies that make reference to the Oneida Appeals Commission or the Oneida Tribal Judicial System and replace them with terms that are consistent with the Judiciary Law. The July 1, 2013 resolution also authorized the OBC to bypass the procedural requirements of the Legislative Procedures Act (LPA).

The amendments to these Laws remove all references to the Oneida Appeals Commission and replace those references with the "Judiciary" and include a definition of Judiciary. Amendments have also been made where the Judiciary would be required to comply with the Administrative Procedures Act or the Oneida Appeals Commission Judiciary Code, as the Judiciary has their own set of procedural rules

A public meeting has not been held and no legislative or fiscal analysis of the amendments has been conducted, in accordance with the authority granted in GTC-07-01-13-A to bypass the LPA procedural requirements.

Conclusion

Adoption of the amendments to these Laws will not conflict with any other Tribal law or policy.

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 _____
Adoption of Amendments to the following to remove references to the Oneida Appeals Commission pursuant to GTC Resolution 07-01-13-A:
Attorney Contract Policy, Condominium Ordinance, Emergency Management and Homeland Security, Employee Protection Policy, Local Land Use Regulation Reimbursement Policy, Notary Act, Oneida Election Law, Oneida Food Service Code, Oneida Nation Law Enforcement Ordinance, Oneida Vendor Licensing, Real Property Law, Social Media Policy, Tattooing and Body Piercing Law and Tribal Environmental Response

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 governing body of the Oneida Tribe of Indians of Wisconsin; and

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

WHEREAS, GTC Resolution 07-01-13-A authorized the Oneida Business Committee to make corrective amendments to all of the laws and policies that make reference to the Oneida Appeals Commission or the Oneida Tribal Judicial System and replace those terms with terms that are consistent with the Judiciary Law adopted by GTC Resolution 01-07-13-B; and

WHEREAS, GTC Resolution 07-01-13-A authorizes the Oneida Business Committee to bypass the procedural requirements in the Legislative Procedures Act in order to make these changes; and

WHEREAS, the amendments that are being made to the Law are those changing references to the Oneida Appeals Commission to “Judiciary,” adding a definition of “Judiciary” and removing any references that would require the Judiciary to comply with the Administrative Procedures Act or the Oneida Appeals Commission Judiciary Code, as the Judiciary has their own set of procedural rules.

NOW THEREFORE BE IT RESOLVED, that the attached amendments to the Attorney Contract Policy, Condominium Ordinance, Emergency Management and Homeland Security, Employee Protection Policy, Local Land Use Regulation Reimbursement Policy, Notary Act, Oneida Election Law, Oneida Food Service Code, Oneida Nation Law Enforcement Ordinance, Oneida Vendor Licensing, Real Property Law, Social Media Policy, Tattooing and Body Piercing Law and Tribal Environmental Response are hereby adopted effective immediately.

Oneida Business Committee Meeting
Agenda Request Form

Excerpt from February 11, 2015: Motion by Lisa Summers to defer this to the next regular Business Committee meeting and have ERB bring back their information on how they can come up some solutions to the training aspect, seconded by Brandon Stevens. Motion carried unanimously. See page 3 for ERB request

1. **Meeting Date Requested:** ~~02 / 11 / 15~~ 02 / 25 / 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.

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

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

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.

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 / 25 / 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):

B.C. meeting 2-11-15 VII.B. Appoint Shawn Skenandore to ERB; ERB training solutions plan

Action requested (choose one)

☐ Information only

☒ Action - please describe:

Defer to 3-11-15 B.C. meeting

3. Justification

Why BC action is required (see instructions):

The Environmental Resource Board was asked to submit a training plan regarding requirements for ERB members. ERB staff has sent out the request for information. The Judicial System will be meeting on 2/24 to review training requests. We are also waiting for a response from the Law Office regarding estimates for training plan. We respectfully request this item be deferred to the 3/11 B.C. meeting.

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

Oneida Business Committee Meeting
Agenda Request Form

1. **Meeting Date Requested:** 02 / 25 / 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):

Appoint Daniel King, Safety Coordinator to the Dept of Energy's Nuclear Energy Tribal Working Group

Action requested (choose one)

☐ Information only

☒ Action - please describe:

I am requesting to be appointed to the Department of Energy's Nuclear Energy Tribal Working Group (NETWG).

3. **Justification**

Why BC action is required (see instructions):

Oneida Tribe Representation on the Nuclear Energy Tribal Working Group.

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): [signature]

Requestor (if different from above): Daniel King, Safety Coordinator, Environmental Health & Safety Div.
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

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: Daniel King, Safety Coordinator
Re: To be appointed as Tribal Representative to the Department of Energy's – Nuclear Energy Tribal Working Group (NETWG)

I am requesting to be appointed to the Department of Energy's - Nuclear Energy Tribal Working Group (NETWG), I have been involved since the start in 1994, at that time it was the National Indian Nuclear Waste Policy Committee, coordinated by the National Congress of American Indians with funding provided by the U.S. Department of Energy, to give the tribes a voice in policy, training, transportation issues and the effects on a cultural level. Tribes meet to discuss transportation of high level waste (radiological or nuclear) through tribal lands and what the long term effects are to the area. We discuss information on grants, tribal problems with States; we share information with other tribes on programs to solutions for problem solving within the tribes. We evaluate trainings before they are given and then provide training opportunities specific to tribes.

PURPOSE OF ORGANIZATION:

Department of Energy TEC/WG purpose is to bring together Industry, Public, Medical, Railroad, States, and Tribes that were on the potential list that high level nuclear may be transported through. Tribes were not included until 1994 when problems started to effect the western part of the U.S.. Tribal Nations were stopping shipments through their land, because they were not being notified. The members were to meet and come up with proposals or ideas to overcome problems that may arise with the transportation of nuclear waste through states and tribal lands, ideas on what type of training is needed to respond to an transportation incident if needed, how grant monies could be utilized better, and make comments on DOE or NRC policies.

Everything was stopped in 2006; Yucca Mountain was put on hold. I received a call late 2013 and asked if I could attend a new group meeting pertaining to the transportation of nuclear waste from a representative of the Department of Energy, since then the Tribal Caucus has been meeting a few times, all travel expense is covered by D.O.E.
Since we started meeting again the group has come up with Tribal Goals for the 180(c) exercise grant and the Tribal Expectations, this document conveys the expectations and understanding of how DOE will implement Section 180(c) of the Nuclear Waste Policy Act with respect to Indian tribes.

- 1994 Attended first meeting in Milwaukee, WI, invited by NCAI. After finding out Oneida was on a list for hauling high level nuclear waste through the reservation. Oneida was on the list since 1987 and was never notified.
- 1995 NINWPC made first draft of DOE's Indian Policy
- 1996 NINWPC challenge FEMA (Federal Emergency Management Agency) and the Stafford Act which is the law they follow, why Tribes are not included in the act, instead tribes are define as local governments.
- 1997 Challenged DOE's 180(c) consolidated grant request, which tribes had no involvement in the formula or process.
- 1998 DOE's Native American and Eskimo, Alaska Native Indian Policy Passed
- 1999 The Transportation of Radioactive Materials: Issues Related To Advance Notification Survey of Governor's Designees: Questions and Responses. This survey was conducted by Urban Energy & Transportation Corporation by facsimile in late May and early June 1998. Keep in mind the response's that the state gives, not one tribe has been notified.
- 2000 "Advance Notification to Native American Tribes of Transportation of Nuclear Waste" tribal group demands that states follow the DOE's Indian Policy on notifying tribes also.
- Discuss FEMA's rejection of the White Mountain Apache's application for emergency aid that was denied last September. This decision affects all tribes throughout Indian County. Tribal group wants to send an amendment to the Stafford Act, through NCAI for the change.
- 2001 - 2003 No meetings everything on hold, federal budget cuts.
- 2004 Dan King presented a letter of protest from NCAI to DOE Secretary Spencer Abraham about the untimely meeting that coincided with the opening of the American Indian Museum in D.C. It was also announced that more tribes have been added to the list on the transportation routes, this included Forest County Potawatomi, and the Ho-Chunk Nation. One of the main issues is the 180(c) grant, which is now going to be included in the Tribal Group instead of the 180(c) group. The States wants a greater share, 97% and the Tribes would get a 3% set aside.

Oneida Business Committee Meeting
Agenda Request Form

1. **Meeting Date Requested:** 02 / 25 / 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):

Pardon and Forgiveness Committee

Action requested (choose one)

☐ Information only

☒ Action - please describe:

BC approval to appoint Gene Redhail as the Social Services Primary and Evangeline Danforth as the Social Services Alternate. Also, approval to appoint Eric Boulanger as the OPD Primary and Lyle Metoxen as the OPD Alternate with Oaths of Office to be conducted following the approval.

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

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: Chairwoman Tina Danforth CSD

DATE: February 19, 2015

RE: Pardon and Forgiveness Screening Committee

There were two (2) recommendations each from Social Services and the Oneida Police Department (OPD). I am recommending Gene Redhail as the Social Services Primary and Evangeline Danforth as the Social Services Alternate. I am also recommending Eric Boulanger as the OPD Primary and Lyle Metoxen as the OPD Alternate.

All candidates are qualified to serve. In accordance with Article VI., Section 6-2(c) of the Comprehensive Policy Governing Boards, Committees and Commissions.

Thank You.

Oneida Business Committee Meeting
Agenda Request Form

Excerpt from February 11, 2015: Motion by Lisa Summers to defer the Environmental, Health, and Safety Division continuing resolution close out report to the next regular Business Committee meeting so we can have a representative from EH&S present, seconded by Melinda J. Danforth. Motion carried unanimously.

1. Meeting Date Requested: ~~2 / 11 / 15~~ 02 / 25 / 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.

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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

Excerpt from February 11, 2015: Motion by Lisa Summers to defer the Comprehensive Health Division continuing resolution close out report to the next regular business committee meeting so we can have a representative from Comp. Health present, seconded by Jennifer Webster. Motion carried unanimously.

1. Meeting Date Requested: ~~2 / 11 / 15~~ 02 / 25 / 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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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 / 25 / 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):

Trust/Enrollment Committee: Continuing Resolution Closeout report

Action requested (choose one)

☐ Information only

☒ Action - please describe:

Accept the report.

3. Justification

Why BC action is required (see instructions):

Per BC request.

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.
2.
3.
4.

☐ Business Committee signature required

5. Submission Authorization

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

Requestor (if different from above): Carol Liggins, 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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MEMORANDUM

TO: ONEIDA BUSINESS COMMITTEE

FROM: CAROLE LIGGINS-CHAIRWOMAN,
TRUST/ENROLLMENT COMMITTEE

SUBJECT: CLOSE OUT OF CONTINUING RESOLUTION REPORTING

DATE: FEBRUARY 11, 2015

This correspondence is in response to your request for Continuing Resolution close out reports and recommendations.

1. The operation impacts of the continuing resolution. Trust and Enrollment Departments operation was not impacted by the resolution. This is because we were abiding by the mandatory restrictions.

   The Enrollment Department had two positions that were vacant during this time, we struggled with keeping our overtime to a minimum due to the hiring freeze, but we were able to comply with BC mandates despite GTC meetings and tribal elections scheduling during this timeframe.

2. Any information pertaining to the exceptions that were made.

   Trust Department had one exception that was made. Trust/Enrollment Director travel was legislative in nature. Total cost for 4 days to Colorado Springs was $590.22. It was a very important travel to keep Indigenous Peoples issues included in this forum. Trust Dept remained within the guidelines of Resolution 9-24-14-A. The Enrollment Department did not require any exceptions

3. Any recommendations moving forward on how to improve the continuing resolution process.

   Elimiate the need for a Continuing Resolution by obtaining an approved budget prior to the new fiscal year.

   Timing of the Continuing Resolution was the main reason the Enrollment Department didn't have much of a negative impact, other times of the year we would not be able to say this. Keeping in mind the status of department staffing and services rendered to the membership will play a huge role on how these types of mandate effect what we do for our member and clientele.

Oneida Business Committee Meeting
Agenda Request Form

1. Meeting Date Requested: 02 / 25 / 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):

Organization Development: Continuing Resolution Closeout report

Action requested (choose one)

☐ Information only

☒ Action - please describe:

Accept report

3. Justification

Why BC action is required (see instructions):

BC Request

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): Melanie H. Burkhart, Supervisor Organization Development

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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To: OBC
From: Melanie Burkhart, OD Specialist II
Date: February 6, 2015
Re: Impacts on Close out of Continuing Resolution Reporting

Resolution BC-09-24-14-A had no direct impact on me because I personally do not have a budget that I am responsible over.

In terms of improvements for the future of continuing resolutions, my recommendation would be to ensure the input of the direct reports up front prior to making a continuing resolution. This creates buy-in and ideas from those that are affected. This particular resolution seemed to be well thought out and receive the input of direct reports prior to going into effect.

Oneida Business Committee Meeting
Agenda Request Form

1. Meeting Date Requested: 02 / 25 / 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):

Human Resources Department: Continuing Resolution Closeout report

Action requested (choose one)

☐ Information only

☒ Action - please describe:

Accept report

3. Justification

Why BC action is required (see instructions):

BC Request

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): Geraldine R. Danforth, Area Manager

Name, Title / Dept. or Tribal Member

Additional signature (as needed):

Name, Title / Dept.

Additional signature (as needed):

Name, Title / Dept.

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HUMAN RESOURCES
Hiring Free and Overtime Report
October 1, 2014 to January 31, 2015

Job Position	Job No.	Grade	Duties	Funding	Jusification	Notes	Started w/ending
HR Generalist	2022	E4	Evaluating new and exsisting positions and analyzing position duties.	TC	Prior Approval from Sr. Leadership		10/18/2014
Sr. Training Specialist	301	E4	Develop and implement specified training and development of programs.	TC	Prior Approval from Sr. Leadership		10/25/2014
Emp Insurance-HR asssistant	2512	NE09	Assist Insur. Specialist with customer service for EE's with insurance and data entry.	TC	Prior Approval from Sr. Leadership	Lowered position from a Specialist to Assistant. EE on loan from Retail.	10/25/2014

OVERTIME - HUMAN RESOURCES DEPARTMENT
October 1, 2014 to January 17, 2015

Overtime	Hrs	Dept				
10/14/15	0.25	EE Insur	Late punch out.	$ 2.79	No other alternatives looked.	Informed emp's/supervisors to watch EE time.
1/10/15	0.25	Admin	Late punch out.	$ 2.01	No other alternatives looked.	Informed emp's/supervisors to watch EE time.
1/17/15	0.25	Admin	Late punch out.	$ 2.01	No other alternatives looked.	Informed emp's/supervisors to watch EE time.
	0.75			$ 6.81	TOTAL COST	

submitted by: Geraldine R. Danforth, HR Area Manager

Oneida Business Committee Meeting
Agenda Request Form

1. Meeting Date Requested: 02 / 25 / 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):

Personnel Commission: Continuing Resolution Closeout report

Action requested (choose one)

☐ Information only

☒ Action - please describe:

Accept report

3. Justification

Why BC action is required (see instructions):

BC Request

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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Oneida Personnel Commission

Post Office Box 365

Phone: (920) 869-4437 **Oneida, WI 54155**

Location: Social Services **Third Floor**

MEMORANDUM

To: Oneida Business Committee

From: Gina Buenrostro, Oneida Personnel Commission Administrator

Date: February 6, 2015

Re: BC Resolution 9-24-14-A

The impacts of the BC resolution on this Commission would be due to the restrictions in hiring, this Commission has been less active in the interview and prescreen processes as facilitated by HRD. The impacts were minimal.

This Commission did not request any exceptions be made on behalf of this Commission in regards to the BC Resolution 9-24-14-A.

Oneida Business Committee Meeting
Agenda Request Form

1. Meeting Date Requested: 2 / 25 / 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 Close Out Report Oneida Retail Enteprise

Action requested (choose one)

☒ Information only

☐ Action - please describe:

3. Justification

Why BC action is required (see instructions):

Oneida Business Committee request for the CR Closeout 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. ORE Close Out of Continuing Resolution
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.

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Oneida Tribe of Indians of Wisconsin – Oneida Retail Enterprise

interoffice

MEMORANDUM

To: Oneida Business Committee
From: Michele Doxtator, Retail Area Profit Manager
Date: February 16, 2015
Subject: Oneida Retail Enterprise Close Out of Continuing Resolution Report

The Oneida Business Committee has requested a close out report of the Continuing Resolution 09-24-14-A, specifically about the impacts to operations, reporting exceptions and recommendations to improve the process.

Operational Impacts of the Continuing Resolution
The Operation impacts of the Continuing Resolution (CR) have been minimal. Oneida Retail Enterprise (ORE) continued to operate the Oneida One Stops, Oneida Smokeshops, Oneida Casino Travel Center and the Oneida Market.

One of the largest impacts to operations was the ability to maintain minimum staffing levels for store operations without paying out overtime. In October ORE reported the following:

> The Retail stores started October short staffed due to three (3) separations that occurred in September. In October there were three (3) additional separations and two (2) leave of absences (LOA). Two Emergency Temporary part-time Associates were hired in October. For the month of October, Retail was short six (6) Associates. Additional staffing challenges are accommodating vacation and personal time requests, call-ins and school schedules. Short staffed and the staffing challenges has impacted the total number of overtime hrs.

The difficulty in hiring Emergency Temps (ET's) during the CR was challenging. At one point ORE and Human Resources Department (HRD) suspended the math test requirement to be able to hire Associates, as this was one of the road blocks in hiring. The other challenge was the applicants in the pool were declining the opportunity to work at ORE as an ET. The final challenge was the pre-employment testing.

ORE would prefer not to hire ET's because it takes anywhere from 40 to 120 hours to train a new Associate. Training an Associate for a limited time is not the best use of our resources.

While not specific to the CR, BC Resolution 09-24-14Q Emergency Amendments to the Oneida Personnel Policies and Procedures Regarding Job Duties and Reassignments was a bit confusing. Three (3) ORE employees were offered ET positions with the Security Department. My thought is the three (3) employees should have been reassigned or transferred into the positions rather than leave a regular position for an ET positions. Two (2) ORE employees did accept, the third employee choose to stay in their current position.

Exceptions
The reporting of the monthly exceptions from FY15 actual to FY14 budget was a good exercise in looking at the same information in another light. However, the reporting function did not serve a purpose, as the funds had already been expended.

Recommendations to Improve the Continuing Resolution Process
Should the Oneida Tribe need to control expenses, it would be helpful to know what the target dollar amount is. With the CR we were instructed to limit expenses to 75% of the previous year's budget, but no dollar amount was provided.

Should you have any questions I can be reached at (920) 496-7301 or
mdoxtat3@oneidanation.org

Oneida Business Committee Meeting
Agenda Request Form

1. Meeting Date Requested: 02 / 25 / 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 February 4, 2015

Action requested (choose one)

☐ Information only

☒ Action - please describe:

Accept LOC Meeting Minutes of February 4, 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
February 4, 2015 9:00 a.m.

Present: Brandon Stevens, Tehassi Hill, Fawn Billie
Excused: Jennifer Webster
Others Present: RC Metoxen, Danelle Wilson, Fawn Cottrell, Rae Skenandore, Taniquelle Thurner, Candice Skenandore, Lynn Franzmeier, Phil Wisneski, Jacob Metoxen

I. Call To Order and Approval of the Agenda

Brandon Stevens called the February 4, 2015 Legislative Operating Committee meeting to order at 9:00 a.m.

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

II. Minutes to be approved

1. **January 21, 2015 LOC Meeting Minutes**
   Motion by Tehassi Hill to approve the January 21, 2015 LOC Meeting Minutes; seconded by Fawn Billie. Motion carried unanimously.

III. Current Business

1. **Leasing Law** (1:13 – 1:24:22)
   Motion by Tehassi Hill to send the Leasing Law back to the Legislative Reference Office to make the noted changes, update the analysis and bring back to the March 4, 2015 Legislative Operating Committee meeting; seconded by Fawn Billie. Motion carried unanimously.

2. **Petition: Budget Cuts, Swimming Lessons, GTC Directives & Home Repairs for Elders** (1:24:23 – 1:25:56)
   Motion by Tehassi Hill to forward the four Statements of Effect to the Oneida Business Committee for consideration; seconded by Fawn Billie. Motion carried unanimously.

IV. New Submissions

V. Additions

VI. Administrative Updates

1. **LOC Priority List** (1:25:57 – 1:29:04)

Motion by Fawn Billie to forward the LOC Priority List to the Oneida Business Committee with a memo from the LOC Chair; seconded by Tehassi Hill. Motion carried unanimously.

VII. Executive Session

VIII. Recess/Adjourn

Motion by Tehassi Hill to adjourn the February 4, 2015 Legislative Operating Committee Meeting at 10:29 a.m.; seconded by Fawn Billie. Motion carried unanimously.

Oneida Business Committee Meeting
Agenda Request Form

1. Meeting Date Requested: 02 / 25 / 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):

Ratify E-Poll for approval of Secretarial Election item of the Feb.16, 2015 Finance Committee minutes

Action requested (choose one)

☐ Information only

☒ Action - please describe:

Ratify E-Poll for approval of Oneida Secretarial Election item of the Feb.16, 2015 Finance Committee meeting minutes

3. Justification

Why BC action is required (see instructions):

The Business Committee is required to approval all E-Polls.

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. E-Poll and Finance Committee 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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Memo

To: Oneida Business Committee

From: Lisa Summers, Tribal Secretary

Date: February 18, 2015

Re: E-Poll Results to Approve the Oneida Secretarial Election Item of the February 16, 2015 Finance Committee minutes

---

E-Poll Date: February 18, 2015

Purpose: E-Poll Results to Approve the Oneida Secretarial Election Item of the February 16, 2015 Finance Committee minutes

E-Poll Results (votes)

Support: Lisa Summers, Melinda Danforth, Patricia King, Jennifer Webster, Brandon Stevens, Tehassi Hill, Fawn Billie

April Skenandore

From: April Skenandore
Sent: Wednesday, February 18, 2015 10:59 AM
To: Brandon L. Yellowbird-Stevens; Cristina S. Danforth; Fawn J. Billie; Jennifer A. Webster; Lisa M. Summers; Melinda J. Danforth; Patricia M. King; Ronald W. Hill
Cc: Brian A. Doxtator; Danelle A. Wilson; Fawn L. Cottrell; Jacob S. Metoxen; Jessica L. Wallenfang; Lisa A. Liggins; Mary C. Graves; Rhiannon R. Metoxen
Subject: E-Poll Request for Oneida Secretarial Election Contract Funding
Attachments: FC Mtg Minutes 02-16-15.pdf; FY15-FC E-poll Results_02-17-15.pdf

Importance: High

Business Committee:

E-Poll request due by 3pm today, February 18, 2015.

Request: Due to time constraints, this E-poll is a request for approval of the Oneida Secretarial Election item of the February 16, 2015 Finance Committee minutes. This will allow the Secretarial Election Board to sign their contract with the vendor, as the funds have been identified.

The following is an excerpt from the Finance Committee minutes and all backup materials are attached for your reference:

Excerpt from Finance Committee minutes of February 16, 2015:

B.4. ADD ON: Oneida Secretarial Election

Patricia King, Treasurer

Patricia King provided a clarification in the handout for this ADD On request; cost is for the contract needed for management of the election process; although $10,000.00 was budgeted by the OBC there is an additional $35,820.00 needed; this amount is unbudgeted but can be covered by Oneida Self-Governance; amount to be reimbursed by the BIA per their e-mail.

Motion by Larry Barton for a procedural exception to approve unbudgeted costs for the contract in regards to the Oneida Secretarial Election in the amount of $35,820.00 noting funds will come from Oneida Self-Governance and funds will be reimbursed by the BIA per the 2/11/15 e-notice. Seconded by Fawn Billie. Motion carried unanimously.

The remainder of the FC minutes will be approved at the next regular BC meeting on February 25, 2015.

Thank you for your consideration to this request.

Oneida Business Committee Meeting
Agenda Request Form

1. Meeting Date Requested: 02 / 25 / 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 02/16/15 & 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 02/16/15
2. FC E-Poll Approving 02/16/15 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 17, 2015

RE: **E-Poll Results of: FC Meeting Minutes of February 16, 2015**

An E-Poll vote of the Finance Committee was conducted to approve the February 16, 2015 Finance Committee meeting minutes. The results of the completed E-Poll are as follows:

E-POLL RESULTS:

There was a Majority 6 YES votes from Wesley Martin, Jr., Patrick Stensloff, Larry Barton, Chad Fuss, Fawn Billie and Jennifer Webster to approve the February 16, 2015 Finance Committee Meeting Minutes.

The minutes will be placed on the next BC agenda of February 25, 2015 for approval and the next Finance Committee agenda of March 2, 2015 to accept this E-Poll action.

Yawʌko

ONEIDA FINANCE COMMITTEE

February 16, 2015

Business Committee Executive Conference Room

REGULAR MEETING MINUTES

Members Present:

Patricia M. King, Treasurer/FC Chair
Jennifer Webster, BC Council Member
Chad Fuss, Gaming GM
Wesley Martin, Jr., Community Elder Member
Larry Barton, CFO/FC Vice-Chair
Fawn Billie, BC Council Member
Patrick Stensloff, Purchasing Director

Others Present: Jeff Carlson, Sam VanDen Heuvel, 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 Chad Fuss to approve the February 16, 2015 Finance Committee agenda with one ADD On under New Business #A-4. Seconded by Jennifer Webster. Motion carried unanimously.

III. **Approval of the Minutes:**

1. **February 2, 2015 (Approved via E-Poll on 2/02/15):**

Motion by Jennifer Webster to ratify the E-poll action of Feb. 2, 2015 approving the Finance Committee meeting minutes of Feb. 2, 2015. Seconded by Wesley Martin, Jr. Motion carried unanimously.

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

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

VI. **New Business:**

A. **Internal Requests:**

1. **Employee Resource Center – FY15 Admin. Services**
Robert Keck, Risk Management Director

Larry Barton explained this is an annual renewal for administrative services; slight increase as there will be a change for additional service for behavioral health and EAP to be able to refer out as needed, costs dependent on insured's percentage of costs. There was discussion on timing and dates of change starting;need to retro due to start date being the first of the year.

Motion by Chad Fuss to approve retro to Jan. 1, 2015 the Purchase Order for FY2015 Administration Services of Employee Resource Center in the amount of $77,661.00. Seconded by Patrick Stensloff. Motion carried unanimously.

2. **Jezeski Accounting & Tax Service**
David Larson, Community Options Program –OCHC

Jeff Carlson was present to explain request; costs are for administrative and preparation fees as well as payroll and taxes as the intermediary for the Community Options Program who oversee the home caregivers; program is costly and will be phased out next year with the startup of the State Family Care. There was discussion of additional information needed due to the amount of request such as the breakdown of what is paid and the contract itself; there was the question of when an RFP is going to go out for this type of service as this was asked last year; Jeff will take information and questions back to David Larson for follow-up.

Motion by Larry Barton to defer request to next meeting until backup information of cost breakdown and the contract can be provided. Seconded by Wesley Martin, Jr. Motion carried unanimously.

3. All Weather Insulation – Change Order #1
Sam VanDen Heuvel, Project Manager, Engineering

Sam VanDen Heuvel was present to discuss the demolition project and additional costs; he provided pictures and explained additional insulation bead removal, snowplowing, and labor needed at the old Anna John Nursing Home that was not anticipated with the old Health Center demolition; there will be a slight cost saving and he can send final amount as FYI; project is still within budgeted amount.

Motion by Jennifer Webster to approved Change Order #1 with All Weather Insulation in the amount of $29,995.00 for the demolition work at the old Anna John Nursing Home. Seconded by Larry Barton. Motion carried unanimously.

4. ADD ON: Oneida Secretarial Election
Patricia King, Treasurer

Patricia King provided a clarification in the handout for this ADD On request; cost is for the contract needed for management of the election process; although $10,000.00 was budgeted by the OBC there is an additional $35,820.00 needed; this amount is unbudgeted but can be covered by Oneida Self-Governance; amount to be reimbursed by the BIA per their e-mail.

Motion by Larry Barton for a procedural exception to approve unbudgeted costs for the contract in regards to the Oneida Secretarial Election in the amount of $35,820.00 noting funds will come from Oneida Self-Governance and funds will be reimbursed by the BIA per the 2/11/15 e-notice. Seconded by Fawn Billie. Motion carried unanimously.

B. External Donation Requests:

1. Milwaukee Indian Community School – Family Summer Camp

There was a discussion of the substantial amount of money the school receives and the need to spread donations to as many organizations as possible as there will be more requests coming in the spring; support of all Oneida members is primary in request consideration.

Motion by Wesley Martin, Jr. to approve from the Finance Committee Donation line, $1,000.00 to the Milwaukee Indian Community School's Family Summer Camp. Seconded by Fawn Billie. Motion carried unanimously.

2. Oneida United Methodist Church – Church Repairs

Motion by Larry Barton to approve from the Finance Committee Donation line $5,000.00 to the Oneida United Methodist Church for church building repairs. Seconded by Patrick Stensloff. Motion carried unanimously.

3. Service League of Green Bay – Big Blue Bash

Motion by Larry Barton to approve from the Finance Committee Donation line $500.00 for the Service League of Green Bay's Big Blue Bash. Seconded by Jennifer Webster. Motion carried unanimously.

4. Native American Church of Oneida

There was discussion on donation requests and information that should be included in submitting requests; accommodating on-reservation spiritual groups; and follow up to FC to know what was donated was spent for what was requested. The donation letter will be updated to include follow-up.

Motion by Larry Barton to approve from the Finance Committee Donation line $5,000.00 to the Native American Church of Oneida for church supplies as specified in the request. Seconded by Wesley Martin, Jr. Motion carried unanimously.

5. Wisconsin Indian Education Assn –Spring Conference

Additional information on conference budget was sent to the FC on 2/13/15.

Motion by Larry Barton to approve from the Finance Committee Donation line, $1,000.00 to the Wisconsin Indian Education Association to be used towards their Spring Conference. Seconded by Fawn Billie. Motion carried unanimously.

VII. Executive Session: No items submitted

VIII. Follow Up:

1. RPM Advertising – Amendment to extend contract
Brenda Buckley, Gaming Marketing

Additional information in response to FC questions sent to FC on 2/13/15.

Motion by Fawn Billie to accept additional information as FYI. Seconded by Jennifer Webster. Motion carried unanimously.

IX. Thank you and/or FYI:

1. FYI – PO for 2015 Gaming Compact Fees
Louise Cornelius, Gaming General Manager

Motion by Jennifer Webster to accept as FYI the 2015 Gaming Compact Fees Purchase Order in the amount specified. Seconded by Fawn Billie. Motion carried unanimously.

2. FYI – FC E-Poll for fund transfer to SEOTS CIP
Patricia King, Treasurer

Motion by Jennifer Webster to ratify the Finance Committee E-Poll action: to transfer CIP funds to the SEOTS Community Center Project and accept as FYI. Seconded by Wesley Martin, Jr. Motion carried unanimously.

X. Adjourn: Motion by Fawn Billie to adjourn. Seconded by Jennifer Webster. Motion carried unanimously. Meeting ended at 11:10 a.m. The next Finance Committee meeting is scheduled for Monday, March 2, 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 17, 2015_____

Oneida Business Committee FC Minutes Approval Date: _____

Oneida Business Committee Meeting
Agenda Request Form

1. Meeting Date Requested: 02 / 25 / 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):

Accept Community Development Planning Committee meeting notes of February 5, 2015

Action requested (choose one)

☐ Information only

☒ Action - please describe:

Accept Community Development Planning Committee meeting notes of February 5, 2015

3. Justification

Why BC action is required (see instructions):

CDPC is a standing committee of the BC

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. CDPC meeting notes of February 5, 2015
2.
3.
4.

☐ Business Committee signature required

5. Submission Authorization

Authorized sponsor (choose one): Melinda J. Danforth, Tribal Vice 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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Community Development Planning Committee

Meeting Notes
9am – 12pm Thursday, February 5, 2015
Little Bear Development Center

I. Call to Order and Roll Call

P Melinda Danforth, CDPC Chair
P Tehassi Hill, CDPC Vice Chair
P Jennifer Webster, Councilwoman
P Lisa Summers, OBC Secretary
P Fawn Billie, Councilwoman
(P – present, A – Absent)

Others in Attendance: Troy Parr, Paul Witek, Gene Schubert, Laura Manthe, Jacque Boyle, Elaine Skenandore-Cornelius, Chaz Wheelock, Jeff Witte, Leanne Doxtator, Mike Finn, Stacey Danforth, Danelle Wilson, and Jessica Wallenfang.

II. Approve the Agenda

Motion by to Jenny to approve the agenda, seconded by Tehassi.
Motion carried unanimously:
Ayes: Fawn Billie, Tehassi Hill, Jenny, Melinda and Lisa

III. Approve Meeting Notes of January 7, 2015

Motion by to Fawn to approve the agenda, seconded by Tehassi.
Motion carried:
Ayes: Fawn Billie, Tehassi Hill, Melinda and Lisa
Abstain: Jenny

IV. Follow-ups / Directives

V. New Business

VI. Reports/ Presentations

A. Review FMT – Jacque Boyle
Dialogue: Will be on the May CDPC agenda to share the revised process which may include CDPC as an approval entity or as information to share.

Question: Is there a long term facilities plan? There is a possibility that FMT will disband because it may not be necessary if facilities management is looked at as a general concept. Currently, DPW does the maintenance of all the buildings so it's a matter of various areas working together to move rather than be "approved" to move.

Recommendation: To look at a comprehensive plan which includes a maintenance plan for each building for each year, e.g. roof, HVAC, lighting. This would be like a preventative maintenance plan.

Response by Jacque: Can use Archibus for this, however, money needs to be put in the budget and would need two staff to maintain it. It's very labor intensive. Archibus was purchased about 10 years ago, however, it needs upgrades to use it. Also, we need to know how you want the buildings to be maintained? 5% of the budget is the best, so do we want high, middle or least expensive?

Question by Jacque: Will Facilities inherit the 7 Gens buildings?
Answer by Melinda: No, not at this time.

Facilities Needs: For CDPC to allocate a specific amount of money each year ($1mil, $500,000, etc.) to work with. There needs to be a fund established –a set amount each year. If we cut it from the budget one year, it takes two years to catch up.

B. Comprehensive Plan – Troy Parr
   - A slideshow presentation was given by Troy.

The purpose of the Comp Plan is the answer to the question, "What do we want the reservation to look like in 50 years?" It's created with the input of the community and includes the physical, technical, and social aspects.

C. Land Use Plan
   - A slideshow presentation was given.

The purpose of the Land Use Plan is to consider all the elements that are inter-related when utilizing our land.

This plan has been presented multiple ways to get community input. Such as; 11/14 at GTC, 1/8/15 @ DOLM, and various listening sessions/ Kalih articles/Facebook posts for 2/12, 2/26, 3/12 & 3/26.

The final approval is determined by the Land Commission. The hope it to have a public hearing in April, adopt any proposed updates in May, and report back to GTC at the July semi-annual meeting.

Recommendations to get feedback:

- Have a booth/give out information at the Just Move It Oneida events.
- Have a booth/give out information at the Oneida Lake opening in May.

- Have a booth/give out information at the Decolonization event a the end of February.
- Present at the Veteran's office breakfast on Friday's at 8am.
- Make an individual goal to talk to 30 people each.
- Reframe the approach by taking a commonwealth approach to acquisition of land. E.g. How we see it, how we use it, mother earth, cultural use, etc… Have an institutional culture to give feedback and share opinions.

D. Vision Oneida

- A slideshow presentation was given.

The purpose is to organize the concepts of diverse housing, connecting people, have a nurturing food network, a community service core, extending the service core (trails, roadway, connecting), and having a right size right place economy.

E. LUTU Process

- A video presentation was given.

The purpose is to have a technical approach to how land is evaluated. E.g. We may purchase 2,000 acres of land, however, 30% may be marshland, 10% buildable homeland, etc. We have our own laws to follow to determine how land is used.

F. CIP Process – Paul Witek

- A slideshow presentation was given.

There are four phases of the process, they are:

1. A concept paper is created after a project is requested.
2. Project ranking and approval (no site yet).
3. Design
4. Bidding

<u>Question:</u> Is there a scoring system to how projects are prioritized?

<u>Answer by Paul:</u> A scoring system was created to help determine priorities of projects, however, it was numeric process which doesn't work for all projects. A better way is to rank projects that are in alignment with all plans.

<u>Concerns by Paul:</u> While working on individual projects, we can't see the financials when managing the projects. Financial approval is deeply embedded in the CIP process. There is the option of pay-as-you-go

(Casino), however, this can stretch the time of the process and sometimes be more costly.

Additionally, we need a process to get from A to Z quickly. We need to nimbleness and to multi-layer strategies to work as a joint partnership. E.g. Mary Jo can't go to a Sherriff's auction because she needs a cashier's check asap and our process prevents us from doing that.

Dialogue: Options were discussed around having projects funded by one CDPC budget or allowing Engineering the ability to have access to the financial information.

Motion by to Jenny to accept the reports as updates, seconded by Tehassi. Motion carried unanimously:
Ayes: Fawn Billie, Tehassi Hill, Jenny, Melinda and Lisa

VII. Additions

1. Prioritizing Projects
   a. A matrix is created to help determine the priorities, not just numeric. It includes the four strategic directions and asks to identify similar projects/initiatives and how it may relate to another project/initiative.
   b. This will be included in the March agenda.

2. Next Steps
   a. April agenda – FMT plan w/possible budget
   b. May agenda – FMT budget
   c. Troy to send all presentations if possible (depending on pdf size) to Jessica.

3. SEOTS Update
   - Paul shared that money was cut from the project for savings, however, the $300,000 needs to be utilized to comply with Milwaukee building codes, etc.
   - Trish found CIP money from NHC Building remodel to finish the SEOTS building project, which will go to OBC on 2/11/15 for approval.

Motion by to Lisa to accept the SEOTS updates, seconded by Melinda. Motion carried unanimously:
Ayes: Fawn Billie, Tehassi Hill, Jenny Webster, Melinda Danforth and Lisa Summers

VIII. Adjourn

Motion by to Jenny to adjourn the meeting at 11:57a.m., seconded by Fawn. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, Jenny Webster, Melinda Danforth and Lisa Summers

Oneida Business Committee Meeting
Agenda Request Form

1. Meeting Date Requested: 02 / 25 / 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): General Tribal Council

Agenda item title (see instructions):

Petitioner Madelyn Genskow: Request Special GTC meeting to address 6 resolutions

Action requested (choose one)

☐ Information only

☒ Action - please describe:

To acknowledge receipt of the petition and direct the appropriate analyses be completed.

3. Justification

Why BC action is required (see instructions):

The attached petition with 6 resolutions was submitted to the Tribal Secretary's Office on February 10, 2015. The Enrollment Department verified all enrollment numbers on the petition. There are 68 signatures. The OBC needs to verify receipt of the verified petition and direct the appropriate analyses be completed.

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. redacted, verified petition
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.

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

Memo

To: Oneida Business Committee

From: Lisa Summers, Tribal Secretary

Date: February 16, 2015

Re: Petition to request Special GTC meeting to review and consider 6 resolutions

---

This memorandum serves as a request for the Oneida Business Committee (OBC) to formally acknowledge receipt of a verified petition, and to send this petition to the Law, Finance, Legislative Reference and Direct Report Office for analyses.

Background

On February 10, 2015, the Tribal Secretary's office received a petition which states the following:

We the undersigned General Tribal Council members request a special GTC meeting to review and consider the attached resolutions. In the event that public hearings are required we direct the Business Committee to hold the required public hearings and bring these resolutions to the GTC intact.

The petition was submitted to the Enrollment Department for verification Article III, Section 4 of Oneida's Constitution requirement for requesting a Special General Tribal Council (GTC) meeting were met. The Enrollment Department completed and submitted the required verification.

The next step is for the OBC to acknowledge receipt of the verified petition and then send the petition to the Law, Finance, Legislative Reference and Direct Report Offices for all appropriate analyses to be completed.

Once the analyses are complete, they will be submitted to the OBC agenda for acceptance. The final step will be for the OBC to determine an available GTC meeting date where the identified petition issues can be addressed.

Requested OBC Action

1. Accept the verified petition submitted by Madelyn Genskow.

2. Send the verified petition to the Law, Finance, Legislative Reference and Direct Report Offices for the legal, financial, legislative and administrative analyses to be completed.

3. Direct the Law, Finance and Legislative Reference Offices to submit the analyses to the Tribal Secretary's office within 60 days, and that a progress report be submitted in 45 days.

4. Direct the Direct Report Offices to submit the appropriate administrative analyses to the Tribal Secretary's office within 30 days.

c: JoAnne House, Chief Counsel
Larry Barton, Chief Financial Officer
GTC Petitions File

RECEIVED
FEB 10 2015 10-02-15 P02:11 RCVD
Oneida Enrollment Dept.

PETITION FORM

NAME OF PETITIONER: MADELYN GENSKOW

PURPOSE: We the under signed General Tribal Council members request a special GTC meeting to review and consider the attached resolutions. In the event that Public hearings are required we direct the Business Committee to hold the required Public Hearings and bring these resolutions to the GTC in tact.

DATE SUBMITTED TO ONEIDA TRIBAL SECRETARY:

WE REQUEST A SAT.MEETING.

Please Print Clearly - Use Full Given Name

Rec 2-10-15

Printed Name	Address	D.O.B.	Enrollment #	Signature
			7918	
			7920	
			17259	
			2442	
			4527	
			8191	
			4149	
			16383	
			1403	
			13350	
			18675	
			16159	

Printed Name	Address	D.O.B.	Enrollment #	Signature
			5516 ✓	
			5494 ✓	
			1051 ✓	
			999 ✓	
			5076 ✓	
			5024 ✓	
19.				
20.				
21.				
22.				
23.				
24.				
25.				

(18) Verified/cp

RECEIVED
FEB 10 2015
Oneida Enrollment Dept.

Enrollment Numbers verified by: Cheryl Skolaski Date: 2/11/15

(18) Total Verified this sheet.

10-02-15P02:11 RCVD

RECEIVED BY THE OFFICE OF TRIBAL SECRETARY ONEIDA BUSINESS COMMITTEE
FEB 10 2015
ONEIDA TRIBE OF INDIANS OF WISCONSIN
INITIALS

NAME OF PETITIONER: Madelyn Genskow

ADDRESS:

PHONE #: ROLL NO.

68/168 signatures Verified Cheryl Danforth 2/11/15

RECEIVED
FEB 10 2015
Oneida Enrollment Dept.

PETITION FORM

NAME OF PETITIONER: MADELYN GENSKOW

PURPOSE: We the under signed General Tribal Council members request a special GTC meeting to review and consider the attached resolutions. In the event that Public hearings are required we direct the Business Committee to hold the required Public Hearings and bring these resolutions to the GTC in tact.

DATE SUBMITTED TO ONEIDA TRIBAL SECRETARY:

WE REQUEST A SAT.MEETING.

10-02-15P02:10 RCVD

Please Print Clearly - Use Full Given Name

Printed Name	Address	D.O.B.	Enrollment #	Signature
			6287 ✓	
			20623 ✓	
			1893 ✓	
			7495 ✓	
			6392 ✓	
			6824 ✓	
			5640 ✓	
			2114 ✓	
			67 ✓	
			6114 ✓	
			6110 ✓	
			2187 ✓	

(15) Verified/cw

Printed Name	Address	D.O.B.	Enrollment #	Signature
			2287 ✓	
			10318 ✓	
			5051 ✓	
			15971 ✓	
			6344 ✓	
			13023 ✓	
			10300 ✓	
			5162 ✓	
			1126 ✓	
			10237 ✓	
			10584 ✓	
			5179 ✓	
			9198 ✓	

Enrollment Numbers verified by: Cheryl Skolaski Date: 2/11/15

(25) Total Verified this sheet.

(13) verified

RECEIVED BY THE OFFICE OF TRIBAL SECRETARY ONEIDA BUSINESS COMMITTEE
FEB 10 2015
ONEIDA TRIBE OF INDIANS OF WISCONSIN
INITIALS

NAME OF PETITIONER: Madelyn Genskow

ADDRESS:

PHONE #: ROLL NO.

10-02-15P02:10 RCVD

RECEIVED
FEB 10 2015
Oneida Enrollment Dept.

RECEIVED
FEB 10 2015
Oneida Enrollment Dept.

PETITION FORM

NAME OF PETITIONER: MADELYN GENSKOW

PURPOSE: We the under signed General Tribal Council members request a special GTC meeting to review and consider the attached resolutions. In the event that Public hearings are required we direct the Business Committee to hold the required Public Hearings and bring these resolutions to the GTC in tact.

DATE SUBMITTED TO ONEIDA TRIBAL SECRETARY:

WE REQUEST A SAT.MEETING.

10-02-15P02:09 RCVD

Please Print Clearly - Use Full Given Name

Printed Name	Address	D.O.B.	Enrollment #	Signature
1			19984 ✓	
2			20624 ✓	
3			14007 ✓	
4			1651 ✓	
5			12914 ✓	
6.			7647 ✓	
7.			3913 ✓	
8.			1002 ✓	
9.			5198 ✓	
10			14573 ✓	
11			14616 ✓	
12			16005 ✓	

Verified

Printed Name	Address	D.O.B.	Enrollment #	Signature
			15862 ✓	
			7258 ✓	
			1125 ✓	
			498 ✓	
			3847 ✓	
			8135 ✓	
			4002 ✓	
			1444 ✓	
			M50 ✓	
			16054 ✓	
			#4051 ✓	
			17731 ✓	
			3051 ✓	

Enrollment Numbers verified by: Cheryl Skolaski Date: 2/11/15 (13) Verified

(25) Total Verified this Sheet.

RECEIVED BY THE OFFICE OF TRIBAL SECRETARY ONEIDA BUSINESS COMMITTEE
FEB 10 2015
ONEIDA TRIBE OF INDIANS OF WISCONSIN
INITIALS

NAME OF PETITIONER: Madelyn Genskow

ADDRESS:

PHONE #: ROLL NO.

RECEIVED
FEB 10 2015
Oneida Enrollment Dept.

Resolution 1

Whereas the General Tribal Council meeting held on January 19, 2015 to approve the Oneida Tribal budget did not end until 12:00-midnight. and

Whereas the GTC may place the whole blame for such a long meeting on how the meeting was conducted by the Chair. and

Whereas the entire Oneida Business Committee, who should know better, set up an agenda that placed "old Business"- The Oneida One stop on Hwy 54 on the Agenda, BEFORE the $409, 579, 723 Budget for 2015 and

Whereas the GTC had no idea what would all be involved in addressing the "old Business" regarding the Hwy 54 gas station, and voted to approve the Agenda as presented by the entire Business Committee. and

Whereas GTC meetings allow the Oneida people to be the supreme power of the Oneida Tribe

Now Therefore be it resolved that meetings to approve the yearly Tribal Budget must be held on a Saturday starting at 10:00 am.

Be it resolved that the only item that can be offered at the Annual GTC Budget meeting after the Adoption of the Agenda is the Annual Oneida Tribal Budget.

Be it further resolved that Annual Tribal Budgets must be presented to the GTC in September before the spending of the Budget starts on the first of October.

Be it further resolved that there will be to acceptable excuse for not presenting an annual budget on time.

Be it further resolved the GTC meetings must be held on a Saturday except for the Constitutionally required (at this time) annual and Semi-annual meetings and also Emergency meetings.

Be it resolved that Monday night GTC meetings cannot go past 10:00 p.m.

Be it further resolved that the Business Committee may not remove items from an agenda that the GTC approved but was not completed but must schedule a GTC meeting to complete the agenda.

Be it further resolved that The Business Committee may not limit the number of GTC meetings per year, which causes over packed agenda which cause GTC meetings that challenge the endurance of GTC members who are disabled.

RECEIVED
FEB 10 2015
Oneida Enrollment Dept.

10-02-15P02:10 RCVD

Resolution 2

Whereas the Village of Hobart brags that there were a total of 13 Litigations between Hobart and the Oneida Tribe between 2008 and 2013 and that Hobart won 11 and Oneida only one two. and

Whereas Hobart claimed the Oneida Tribe of Wisconsin entered into a Consortium with Tribe Shakopee, Mille Laces and Ho Chuck with each tribe paying $215,000 to the Regional BIA office to hire staff to fast track, fee to trust land applications. And

There is no indication the Oneida Tribal attorneys warned the Oneida Business Committee to so may lead to an appearance of bias for the BIA to receive money from the tribe. And

Whereas there is a Government Court call the 'Interior Board of Indian Appeals' that the Village of Hobart appealed to, claiming an appearance of bias on the part of the Regional BIA office who had received money from the tribes. And

Whereas the Court called the "Interior Board of Indian Appeals" ruled (The applications from the Tribe were incomplete) and sent cases back to the BIA and to the Oneida Tribe. And

Whereas in getting land into trust is very exact. And

Now therefore be it resolved that the Land Department must hire a certified Land Surveyor to survey all land that will be purchased prior to the land purchase. The Surveyor shall be an employee of the Oneida Tribe.

Be it further resolved that all land descriptions must be read and certified by a licensed attorney who is an employee of the Oneida Tribe.

Be it further resolved when fee to trust application fail because of bad advice given to the Oneida Business Committee or the Land Department by Oneida Tribal attorney, the attorney's employment with the Oneida Tribe must be terminated.

Be it further resolved that fee to trust applications that fail due to the Oneida Tribal Attorney failing to read the land descriptions, the Attorney must be terminated.

Be it further resolved that when the Oneida Tribe hires a Land Surveyor as an employee, if the Fee to trust application fails due to the survey not being accurate, the surveyors employment shall be terminated.

Be it finally resolved that this Resolutions as it applies to the Attorneys is retroactive and the Oneida Business Committee must see this process through.

RECEIVED
FEB 10 2015
Oneida Enrollment Dept.

10-02-15P02:10 RCVD

Resolution 3

Whereas on January 11, 1994, the Oneida Commission on Aging (ONCOA(took action to establish priority of serving older and/or handicapped elders, older elders are identified as age 70 and over. and

Whereas there are no income guidelines or mean testing connected to the 70 year old Priority and the ONCOA Board may not have realized the effect this would have.

Whereas there are Oneida Elders living in the reservation boundaries age 70 and over who are prioritized because of their age, who have good incomes and/or land holdings and/or own more than one home. And

Whereas there is no consideration given as to the combined income of the persons living in the home, or whether the people living in the home are capable of doing the work being requested, the priority is till 70 years old. And

Whereas the services being offered are Emergency response system-lifeline, snow removal and plowing, minor home repair, Benefits specialist assistance, Home Chore, major home repair (roofs), lawn care, furnace repair and replacement, Elder Abuse Services and Assessment. and

Whereas there are Oneida Elders age 55 up to 70 who live in the reservation boundaries who are poor and/or not in good health who may not get any help from the Oneida Elder Services program if there is not any money left after the age 70 year olds request have been met.

Now therefore be it resolved that there shall be income and means testing of all Oneida Elders living in the reservation boundaries who apply for services from the Elder Services Program and an analysis as to whether there are able bodies people living in the house who can do the work.

Be it further resolved the Emergence response system-lifeline, Benefits Specialist Assistance and the Elder Abuse Services and Assessments must be provided to all Oneida Elders upon request who live in the reservation, regardless of income.

Be it further resolved that roof repair or replacement shall be available to Oneida Elders living in the reservation boundaries who meet the income guidelines and means testing of the household.

Be it further resolved that a generalist employee shall be hired to fill in when a regular staff member is ill or on vacation in the Elderly Services Program.

Be it finally resolved the Oneida GTC shall vote to determine the Income Guidelines in cases where there are several people living in the same house, the entire income of the household must meet the income guidelines. The Economic Support Program shall recommend options regarding income guidelines for the GTC to vote on.

RECEIVED
FEB 10 2015
Oneida Enrollment Dept.

10-02-15P02:10 RCVD

Resolution 4

Whereas the Business Committee in 2014/2015 has started allowing meetings where just the Officers-Chair, Vice-Chair, Treasurer and Secretary meet to discuss topics. And

Whereas these meetings have not been recorded which has caused confusion. And

Whereas in 2008, two Officers signed a contract for $575,500 without the consent of the full Business Committee and when it was discovered the Full Business Committee decided to cancel the Contract.

Now therefore be it resolved any sub Committee of the Business Committee must be voice recorded and the recordings kept in records management.

10-02-15P02:10 RCVD

RECEIVED
FEB 10 2015
Oneida Enrollment Dept.

Resolution 5

Whereas in December of 2014 after all the departments of the Tribe had turned in their budgets with the 12% cuts required by the Tribal Treasurer, there was $800,000 remaining to be spent. The Treasurer sent out a memo informing the departments could request more funds by a certain date. And

Whereas because of the Oneida Chain of Command System required that the request for more funds needed to go from the Elder Director to the Area Manager then to the Governmental Services Division Director then to the Oneida Business Committee. And

Whereas the system is not set up set to make sure that request sent up the Chain of Command are documented that the request was received at the next stop and forward on to the next stop of the chain of command until it reaches the Business Committee.

Now therefore be it resolved that when important items are sent from a Program Director to the next stop on the chain of command it must be emailed by 9:00 a.m. An email that it has been received must be sent to the sender in two hours and so it must go at each stop including the Business Committee.

Be it further resolved that the person in charge must see to it,that if they are ill or on vacation a line of responsibility in their office must be established to make the return email to the sender which confirms that the email was received.

Be it resolved that if the item that was emailed is time sensitive. A line of responsibility must be established in each office of the person in charge so that if the person in charge is not there everything does not stop.

Be it further resolved the Governmental Services Division Directions office which is located in a cottage behind the Fitness Center and where only three people work must be moved to the Little Bear or Norbert Hill Center or Skenandoah Complex where Tribal members can find it if they have concerns about issues in Governmental Services Division Director.

Be if further resolved the Governmental Services Division Director must return phone call to Tribal members who have issues about Governmental Services.

Be it further resolved, the Governmental Division Services must see to it that there is someone to handle issues if each one of the three of them who are that cottage are ill.

Be it finally resolved, if this ever happens again, the chain of command system must be stopped.

RECEIVED
FEB 10 2015
Oneida Enrollment Dept.

10-02-15P02:10 RCVD

Resolution 6

Whereas sufficient numbers of home sites for Oneida Tribal members which are located on water and sewer lines have not been provided by the Tribe.

Now therefore be it resolved that unclaimed funds from per capita payments shall go into a fund to provide more sewer and water home sites for Oneida Tribal members who do not qualify for HUD. Tribal members who can get their own funding can build their own homes.

10-02-15P02:10 RCVD

RECEIVED
FEB 10 2015
Oneida Enrollment Dept.

Oneida Tribe of Indians of Wisconsin
ENROLLMENT DEPARTMENT
P.O. BOX 365, ONEIDA, WI 54155-0365

*PHONE: (920) 869-6200 * 1-800-571-9902 FAX: (920) 869-2995*
www.oneidanation.org/enrollment

TO: Oneida Business Committee

FROM: Cheryl Skolaski, Enrollment Director

DATE: February 11, 2015

SUBJECT: Madelyn Genskow Petition Verification re: 6 resolutions

Received Petition on 2/10/2015. Verified signatures on petition.
68 signatures were submitted,
68 signatures were verified as valid,

Verified by:

Cheryl Skolaski Enrollment Director 2/11/2015

Signature/Title Date

If you have any questions, please feel free to contact me.

Oneida Business Committee Meeting
Agenda Request Form

1. Meeting Date Requested: 02 / 25 / 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): General Tribal Council

Agenda item title (see instructions):

Approve meeting materials for March 28, 2015 special GTC meeting

Action requested (choose one)

☐ Information only

☒ Action - please describe:

Approve meeting materials for March 28, 2015 special GTC meeting

3. Justification

Why BC action is required (see instructions):

4. Supporting Materials DRAFT 03/28/15 Spec. GTC Mtg. Materials 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. DRAFT 03/28/15 Spec. GTC Mtg. Materials
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.

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 / 25 / 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):

Head Start/Early Head Start items that need approval

Action requested (choose one)

☐ Information only

☒ Action - please describe:

All items need approval from the Business Committee

3. Justification

Why BC action is required (see instructions):

As part of the federal regulations of Head Start program, the Business Committee is the "Governing Body" and has certain required responsibilities including approval of various policies and procedures.

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. Policy Council By-Laws
2. Impasse Resolution
3. Selection Criteria
4. ERSEA Plan

☒ Business Committee signature required

5. Submission Authorization

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

Requestor (if different from above): Joan Christnot Director Head Start/Early Head Start

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 Head Start/Early Head Start

Memo

To: Jenny Webster, Oneida Business Committee Member

From: Joan Christnot, Director Head Start/Early Head Start

cc: Don White, Governmental Services Division Director

Date: January 30, 2015

Re: Head Start/Early Head Start Selection Criteria, Impasse Resolution, and By-Laws

---

According to the Head Start ACT 642E(iv)(I) the "Governing Body" must assist with "establishing procedures and criteria for the recruitment, selection, and enrollment of children. In addition, the ACT states in E(VI) the "Governing Body" assists with "developing procedures for how members of the Policy Council are selected". Attached is Enrollment, Recruitment, Selection, Eligibility, and Attendance Plan for Head Start and Early Head Start. The Head Start/Early Head Start Selection Criteria is also attached. Both were approved by the Policy Council on December 17th.

Additional attachments include the Policy Council By-Laws which has language regarding the selection of Policy Council members and the Impasse Resolution which is used when there is an impasse between the Business Committee and the Policy Council regarding specific decisions for the program. Once these documents are approved, I will obtain signatures from the Business Committee Secretary.

ONEIDA HEAD START/EARLY HEAD START POLICY COUNCIL BY-LAWS

Article I. Authority

I-I_ Name – The name of this council shall be the Oneida Head Start/Early Head Start Program Policy Council and, for purposes of this document, shall be referred to as the *Policy Council.*

I-2_ Authority – This entity is created by the Oneida Business Committee by adoption of these by-laws on this ____day of _____, _____.

I-3_ Office – The office mailing address of this entity shall be:

Oneida Head Start/Early Head Start
PO Box 365
Oneida, WI 54155
Attention: Joan Christnot Director

The **physical meeting place** shall be determined at the first meeting of this entity and may change from time to time as determined by the entity but shall be within the reservation boundaries unless noticed to the membership prior to designating the meeting location.

I-4_ Membership

a. **Number of members.** The Policy Council shall be comprised of thirteen (13) members consisting of ten *(10)* parents of children enrolled in the Head Start/Early Head Start programs, and *three* (3) community representatives, such as Health Clinic personnel, Tribal Council Advisors, private sector representatives. Parents shall constitute 51% of the voting membership.

b. **How elected or appointed.** All individuals interested in being a member of the Policy Council will submit their information to the Family Service Staff and be placed on a ballot. In August all ballots will be presented to parents or guardians to vote for three representatives from each Head Start site and four representatives from Early Head Start. For example, the parents/guardians at the Three Sisters Head Start site will vote for the parents that are on the ballot from that site. The Policy Council will approve the community members.

c. **How vacancies are filled.** All vacancies shall be filled by the Policy Council with assistance of the Family Service staff who will contact the individual with the next highest votes on the ballot.

d. **Un-excused absences and resignations.** Meeting attendance is required. Failure to attend three (3) meetings without excused absences shall be reason for removal by the Policy Council. Resignations shall be in writing and presented to the Policy Council Secretary and shared with the Director.

Article II. Officers

2-1 Officers. The Policy Council shall have four (4) officers: Chairperson, Vice-Chairperson, Secretary and Treasurer.

2-2 Chairperson duties. This individual is responsible for calling meetings and notifying members with the assistance of the Program Director. The Chairperson shall preside over all regular meetings, and shall maintain communication with the program Director.

2-3 Vice-Chairperson Duties. The Vice-Chairperson shall preside at all meetings in the absence of the Chairperson and appoint a Vice-Chairperson for that meeting. The Vice-Chairperson shall serve as a delegate to represent said group, and work with the Chairperson in all matters that concern the program and the Policy Council.

2-4 **Secretary Duties -** The Secretary shall keep accurate minutes of all meetings, both regular and special, and make them available to other Policy Council Members and answer all mail abiding by/to the decisions of the Policy Council.

2-5 **Treasurer Duties -** The Treasurer, in conjunction with the Head Start/Early Head Start Director, shall report monthly on the financial status of the program.

2-6 **How chosen and length of term-** The Officers shall serve terms of one (1) year and shall be elected annually by a majority vote at the annual meeting, which shall be held in September of each year. No officer shall serve more than three (3) consecutive terms. In the event of a vacancy, the successor shall be appointed by the Policy Council for the duration of the unexpired term.

2-7 **Absence of Officers-** In case of all absence of all officers, and a quorum is present, parents shall appoint a Chairperson, Vice-Chairperson, Secretary, and Treasurer for that meeting.

2-8 **Personnel –** The Policy Council has the authority to participate in the approval process, without taking responsibility for directly hiring or terminating individuals, because this is a management function. A Policy Council member must be present during the hiring process through the Oneida Human Resource Department, and also approve of terminations.

2-9 **Special/Subcommittee –** Special committees shall be created when necessary.

Article IIII. Meetings

3-1 **Regular Meetings -** The regular meetings of the Policy Council shall be every third Thursday of every month. Notice of meeting location, agenda, minutes, reports, documents, and other materials shall be forwarded by the Chairperson with the assistance of the Director. Meetings shall be in accordance with Robert's Rules of Order.

3-2 **Emergency or special meetings -** Emergency or special meetings may be called by the Chairperson and Director with at least 24/48 hours' notice.

3-3 **Quorum -** A quorum shall consist of four (4) representatives to include at least three (3) of the voting parents at any given meeting. Voting parent(s) are those whose children are currently enrolled in the Head Start programs.

3-4 **Order of business -** The regular meetings of the Policy Council shall follow the order of business as set out herein:

a. Call to order
b. Approval of the agenda and old minutes
c. Director's report
d. Old Business
e. New business
f. FYI
g. Adjournment

3-5 **Voting –** Voting shall be in accordance with Robert's Rules of Order or as otherwise identified in these by-laws. Voting members are those who are members of the Policy Council. The Chair will vote only in the case of a tie.

Article IV. Reporting

4-1 **Format –** Agenda items shall be in an identified format. All documents will be coded to match the number on the agenda.

4-2 **Minutes –** Minutes shall be typed an in a consistent format designed to generate the most informative record of the meetings of the entity.

4-3 **Attachments –** Handouts, reports, memoranda and any other information may be attached to the minutes and agenda or may be kept separately.

4-4 **Reporting** – The Chairperson will report to the Oneida Business Committee member who is the designated liaison. This reporting format may be as the liaison and the Policy Council agree to, but not less than that required in any policy on reporting developed by the Oneida Business Committee or the Oneida General Tribal Council. Reports shall be made within reasonable time after a meeting is held, or as the Business Committee Liaison and Policy Council agree. The agreement is to uphold the ability of the liaison to act as a support to the Policy Council.

Article V. Amendments

5-1 **Amendments to the By-Laws** – Amendments to the By-laws shall be made at a regular meeting of the Policy Council, provided that written notice of proposed amendments was made at a prior regular meeting. Amendments are effective upon adoption by a majority vote of the Policy Council and approval by the Oneida Business Committee.

5-2 **Review of By-laws** – At the first regular meeting following the election of Policy Council, officers will review the by-laws and shall determine that they are current.

Article VI. Duties and Responsibilities

6-1 **Purpose** – The Oneida Community Head Start/Early Head Start program is part of the ever-growing educational system of the Oneida Nation. Therefore, the Policy Council shall support the Philosophies of programs within the Oneida Social Service Department. The involvement of the family is emphasized in this philosophy. Therefore, as the Policy Council, we shall commit ourselves to a greater involvement in our children's education, <u>especially birth through five years of age.</u>

6-2 **Responsibilities** – The responsibilities of the Policy Council are as follows:

a. To assist in the development of program philosophy, work plans, provide review, and make recommendations before final approval of all grants and proposals.
b. To serve on the interview selection committee with the Oneida Tribe of Indians Human Resource Personnel for program staff positions, approve or disapprove final selections.
c. To initiate suggestions and ideas for program improvement and all operations.
d. To make policy for on-going concerns of the program.
e. To serve as a channel for hearing complaints on the program and personnel.
f. To assist in encouraging and promoting parent activities. Involve parents and community in the Head Start program
g. To serve as a link to public and private organizations to foster greater community participation and use of common resources.
h. To establish and/or participate with existing committees to accomplish mutual objectives.

6-3 **Grievance Committee** – The Oneida Head Start program shall follow the Tribal internal resolution process already in place.

Jennifer McLester, Chairperson
Head Start/Early Head Start Policy Council

Lisa Summers, Secretary
Oneida Business Committee

Policy Council Date Approved

Oneida Business Committee Date Approved

Joan Christnot
Head Start/Early Head Start Director

Director Date Approved

Approved 9/25/14 Policy Council

Oneida Head Start/Early Head Start
Policy Council
Impasse Resolution Agreement
with the
Oneida Business Committee

Performance Standard 1304.50(h) requires that the grantee and the Policy Council must establish a written procedure for resolving internal disputes including impasse resolution procedures between the governing body and policy group.

When an internal dispute arises between the Policy Council and Governing Body, the matter shall be resolved in the following manner:

A. Within 10 days, a meeting shall be called to settle the dispute between the Policy Council and the Business Committee liaison to the Policy Council
B. If they fail to reach an agreement within 5 days, the Business Committee will call a special meeting with the Policy Council to address the impasse. The full Policy Council shall be present.
C. If an impasse continues to exist, within 10 days, an outside mediator will be brought to negotiate between the Policy Council and the Business Committee.
D. If there is still no resolution, an arbitrator will be brought in to decide the issue. The decision of the arbitrator will be final.
E. The arbitrator will submit a final decision in writing to all parties within 5 business days.

_____ _____
Chairperson Date
Oneida Head Start/Early Head Start Policy Council

_____ _____
Business Committee Secretary Date

_____ _____
Oneida Head Start/Early Head Start Director Date

Oneida Head Start/Early Head Start

Selection Criteria-Eligibility

CRITERIA	POINTS
AGE	
Head Start	
4.0 to 5.0 years of age	95
3.0 to 3.11 years of age	85
Early Head Start	
25 to 36 months	75
13 to 24 months	85
0 to 12 months	95
INCOME	
75 – 100% Below Poverty Level	95
50 - 75% Below Poverty Level	85
25 – 49% Below Poverty Level	75
0 – 24% Below Poverty Level	65
101-130% Above Poverty level	55
131- 150% Above Poverty Level	25
151-175% Above Poverty Level	15
176-200% Above Poverty Level	5
CATEGORICALLY ELIGIBLE	
Foster Care	95
Homeless	95
Public Assistance (TANF;W-2; SSI-Disability)	95
PARENT STATUS	
Teen Parent	85
Disabled Parent	75
Single Parent	65
Foster Parent (includes relative/guardians providing kinship care)	50
DISABILITIES	
Certified I.E.P./I.F.S.P.	65
Suspected Disability-Developmental Delay	50
TRIBAL AFFILIATION	
Enrolled Tribal Member	40
Tribal Descendent	20
SPECIAL NEEDS/CIRCUMSTANCES	
Child Protection/DV/Substance Abuse	85
Incarcerated Parent	75
Death of Immediate Family Member	75
Child Behavior/Management Concerns	55
MH Concerns (parent-child)	55
OTHER	
Child currently/previously enrolled in EHS	85
PREGNANT WOMAN SERVICES (EHS)	
High Risk Pregnancy	100
Lack of Prenatal Care	100
First Time Parent	100

Updated: 10/2014

Policy Council Approval: _____ Business Committee Approval: _____

ONEIDA EARLY HEAD START/EARLY HEAD START ELIGIBILITY, RECRUITMENT, SELECTION, ENROLLMENT AND ATTENDANCE (ERSEA) PLAN

Policy Council Approval:

Head Start Performance Standard: *45 CFR Part 1305*

ELIGIBILITY

A child that meets the requirements for age and family income as established in 45 CFR Part 1305 regulation.

Age

- Early Head Start (EHS) serves families with infants and toddlers up to the age of 3.
- Pregnant women
- Head Start (HS) serves families with children who turn 3 or 4 by September 1.

Income

- Up to ten percent of the children enrolled may be from families that exceed the low-income guidelines except for Indian Tribes meeting the conditions specified in ***45CFR 1305.4 (b) (3)***.
- Income: *means* gross cash income and includes: Earned income; Military income (including pay and allowances); Social Security benefits; Unemployment compensation; Public assistance benefits; Alimony and child support; College or university scholarships, grants, and fellowships.
- A low-income family is a family whose income before taxes is below the poverty line or a family that is receiving public assistance, even if the family's income exceeds the poverty line. Children in foster care are also EHS/HS eligible, regardless of family income. (ACYF-PI-HS-99-06).

Income Verification:

- For an EHS/HS child to be eligible for EHS/HS services, grantees must verify that the child meets the requirements regarding age and be from a "low-income" family.

- EHS/HS programs are required to verify family income before determining a child is eligible to participate in the program. The requirements that pertain to income eligibility are found in 45 CFR 1305.4 (c), (d) and (e).

  1. EHS/HS employees must examine individual Income Tax Form 1040, W-2 forms, pay stubs, written statements from employers, or documentation showing current status of recipients of public assistance.
  2. EHS/HS employee will calculate the family's annual income and determine if the child is eligible to participate.
  3. In order to complete income verification for each child, the EHS/HS employee must verify the size of the family as defined in 45 CFR 1305.2 (e) (1) (2). A copy of the most current Federal Poverty Guidelines will be used.
  4. The EHS/HS employee, who examines the documents and makes a determination of eligibility, must sign a statement attesting to their review of the specific documents and to the determination that the child is eligible to participate based on family income. An eligibility verification form will be used for income verification.
  5. The completion of a signed income verification form will be required before a child is accepted and will be retained as part of the child's official record.
  6. EHS/HS will maintain copies of the documents reviewed to determine income eligibility in the child's official record.

  (ACF-PI-HS-10-2)

- Children who are enrolled in the EHS/HS program remain income eligible while they are participating in the program. When the EHS child moves from EHS to a HS program, the family income must be re-verified.

RECRUITMENT

ONEIDA EARLY HEAD START/EARLY HEAD START ELIGIBILITY, RECRUITMENT, SELECTION, ENROLLMENT AND ATTENDANCE (ERSEA) PLAN

The EHS/HS recruitment process is designed to actively inform and systematically identify families of those children eligible for EHS/HS services, inform them of services and encourage them to apply for enrollment into the program. A final goal is to ensure full enrollment of the EHS/HS program. Recruitment activities involve seeking out those families with the community who are in the most need of support services.

- The following activities inform families of EHS services:

  1. Review of needs assessment to determine needs in the community, the services families require and the resources available to meet identified needs. Information is used to develop selection criteria to identify those children and families that are to be enrolled in the program.
  2. A recruitment work plan outlining specific tasks, strategies, responsibilities and duties will be reviewed and updated annually by EHS/HS staff along with Policy Council representation. (work plan attached)
  3. Recruitment activities will encompass the entire service area.
  4. EHS/HS parents will be asked to inform relatives and friends with eligible children about program recruitment.
  5. Applications will be made available to a variety of tribal and community programs to ensure that interested persons have ready access and agencies and programs can readily refer clients to the EHS program. Referral forms will be made available to Tribal and community programs serving families with children ages birth through two, and pregnant women.
  6. Announcement will be posted in Tribal and community and local social service buildings and local newspapers.
  7. An annual recruitment post-card will be mailed out to all enrolled Oneida Tribal families with children ages 0 through 4.
  8. Recruitment efforts will include recruiting children who have disabilities. Ten percent of enrollment opportunities will be made available to children with disabilities.

- Applications are accepted on a continual basis. They are sent to individuals requesting by telephone. As applications are mailed, they are logged and tracked for response. Those who do not respond will be contacted by Family Services staff to offer assistance.

SELECTION:

To identify those children and families to be enrolled in the program, selection criterion describing the priorities that will be given attention during recruitment and the enrollment process will be used. Selection criterion is based upon needs of the community and families within the program service area. Criterion priorities include age, income, parent status, tribal affiliation, disabilities, and special needs. (see **Oneida EHS/HS Selection Criteria** attachment for specific criteria)

- The following process is followed:
  1. The initial screening of applications is done by the Family & Community Partnership Manager or designee to ensure that it has been completed properly, all required documents are attached and verifications are done.
  2. Completed applications will be entered into data base system for tracking and prioritization, and placed on eligibility waiting list.
  3. The application packets are prepared for the Selection Committee's review and approval. The Selection Committee includes the Family & Community Partnership Manager, Health & Disabilities Manager, and a teacher/home visitor representative.

ENROLLMENT

- All applications submitted to the Oneida EHS/HS will be screened for enrollment. Enrollment is defined as official acceptance of a family by the program and the completion of all procedures necessary for a child and family to begin receiving EHS/HS services.
- Enrollment Opportunities such as vacancies that exist during the year because of children, who leave the program, must be filled to achieve and maintain funded enrollment. When a vacancy occurs it will be filled within 30 calendar days.

Head Start Enrollment (Program) Year: September – May **EHS Program Year**: September - August

Funded Enrollment: 60 (50 EHS children and 10 pregnant women)
153 (108 Federal; 33 Tribal; 12 State)

Service Area: The Oneida EHS service area includes the reservation along with a ten mile radius surrounding the reservation boundaries. The Oneida HS service area includes the reservation, city of Green Bay, Ashwaubenon, and Howard.

Children with disabilities: EHS/HS will make available at least 10% of enrollment opportunities for children who meet the Head Start definition of a child with disabilities. The enrollment of HS eligible children receiving early intervention services in the public school district will be considered for enrollment on an individual basis.

4-K Children: Children enrolled in a 4-K program may not be dually enrolled in Head Start.

Re-Enrollment & Disenrollment
Re-enrollment allows a former program family who has interrupted continuous enrollment to resume enrollment into the program. A child who has been dis-enrolled, regardless of the reason, and wishes to return to the program can do so if the return date is within 30 days of the disenrollment date and if an opening is available. However, if the return date exceeds 30 days, the complete enrollment procedure must be initiated by the parent. This includes submittal of a new application and all the required documentation including household income and approval and selection by the EHS/HS Selection Committee. Families enrolled in EHS that move to HS must apply for new enrollment to the Head Start program and family income must be re-verified.

ATTENDANCE

Early Head Start

- EHS Home Visiting program will offer 48 home visits per program year.
- Home Visits cancelled by the parent(s) may be made-up by the Home Visitor upon parent(s) request. Home visits cancelled by the Home Visitor must be rescheduled with the family within the program year.
- Regular participation in the EHS Home Visiting program is an expectation of EHS families. Therefore, any EHS families who do not receive home visits for a period of three (3) consecutive weeks due to family lack of interest may be considered for disenrollment and placed on the waiting list. If lack of program participation result from other factors, including temporary family problems that affect the family's ability to participate, the program will initiate appropriate family support procedures, remaining sensitive to any special family circumstances influencing program participation patterns.
- Attempts will be made by EHS staff to contact families in person, phone and by written, mailed correspondence. All contacts will be documented by the Home Visitor and/or Family Service Worker and placed in the child's file.
- A non-participation letter will be sent after three (3) weeks of non-participation requiring contact from the parent within a week of receipt of the letter. After no attempt by parent to contact EHS, the child will be dropped from the program and placed on the wait list.

Head Start

ONEIDA EARLY HEAD START/EARLY HEAD START ELIGIBILITY, RECRUITMENT, SELECTION, ENROLLMENT AND ATTENDANCE (ERSEA) PLAN

Performance Standards:

> 1305.8(a) When the monthly average daily attendance rate in a center-based program falls below 85 percent, a Head Start program must analyze the causes of absenteeism. The analysis must include a study of the pattern of absences for each child, including the reasons for absences as well as the number of absences that occur on consecutive days.
>
> 1305.8(b) If the absences are a result of illness or if they are well-documented absences for other reasons, no special action is required.
>
> 1305.8(c) In circumstances where chronic absenteeism persists and it does not seem feasible to include the child in either the same or a different program option, the child's slot must be considered an enrollment vacancy.

Every effort should be made to reach the goal of 85 percent average daily attendance in order to help children receive the benefits from their participation in Head Start. Therefore, the following process and strategies will be followed:

- Head Start requires parents to make contact with program staff when a child is absent.
- If no contact has been made by the parent(s)/guardian as to the reason for the absence, a staff member will attempt to contact the family.
- When absences are due to a documented medical condition, the program should continue to provide family support and interim home visiting as appropriate until the child is able to return to the program.
- If a child is absent for an extended period, or attends only sporadically, for example one or two days per week, the Head Start program will attempt to determine why this is occurring.
- If there are family problems affecting the child's attendance appropriate family support services will be initiated. The services must include home visits or other direct contact with the parents.
- Reasonable efforts will be made to meet face-to-face with parents when offering family support and also when informing a family that their child's enrollment slot will be offered to another eligible child. Given the seriousness of the issues and possible consequences of these decisions and actions, Head Start will get as complete an understanding of the situation as we can and to communicate as clearly as we can with the family.
- All contacts and services offered and provided will be documented. If these efforts are not successful, and chronic absenteeism continues, the program may, after informing the family, designate the slot as an enrollment vacancy and proceed to enroll an eligible child from the waiting list.
- If a child is absent for four (4) consecutive days and no contact has been made by the parent(s)/guardian and HS has not been able to make contact with the family, the classroom teacher will complete the "Absence Referral" form, and submit to the Family Service Worker that day of the existing attendance problem. The Family Service worker will attempt a face-to-face meeting with the parent(s)/guardian.
- A written plan outlining needs and an attendance agreement designed by the parents and Family Service Worker will be developed as needed.
- After Family Service staff has exhausted all possible avenues of contacting the family, a certified letter will be sent requesting the parent to contact the Family Service staff within three (3) days of receipt of the letter.
- If the parent fails to respond to contacts and the child has been absent eight (8) consecutive school days, Family Service staff will send the parents a certified letter stating that the child is being dropped from the program due to chronic absence and failure of the parent to respond to inquiries.
- **INITIAL NO-SHOW** Once a child is enrolled, and after a total of five (5) school days as non-attended days during the first week of school, and with no attempt by the parent(s)/guardian to contact Head Start, the child will be dropped from the program.
- The child will remain in the class if the absences are for excusable reasons and documentation is provided.

Elligibility, Recruitment, Selection, Enrollment and Attendance Plan,

Selection Criteria

Approval

The ERSEA Plan and the Selection Criteria are approved by the following signatures:

_____	_____
Policy Council Chair	Date
_____	_____
Business Committee Liaison	Date
_____	_____
Head Start/Early Head Start Director	Date

Oneida Business Committee Meeting
Agenda Request Form

1. **Meeting Date Requested:** 2 / 25 / 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 Billie 2/11/15 Travel Report

Action requested (choose one)

☐ Information only

☒ Action - please describe:

Please accept travel report.

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): 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.

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

Travel Report
Councilwoman Fawn Billie
Washington, DC 2/11-13/2015
MBK National Convening
Travel approved at 1/28/15 BC

• • •

Oneida Business Committee

I traveled to Washington DC for the MBK National Convening Event on February 12th, 2015. The original event had been rescheduled from Feb __due to severe weather. The event started with a greeting and My Brother's Keeper insights from Attorney General Holder.

Our presence of Oneida Nation was in the room was as well as a National Youth Panelist, Oneida tribal member, Daisee Francour. She was the only Native American and female on the panel. She spoke of her challenges in college and not having the sense of language culture on campus. So she started and the President of the First Nation Committee on her campus. She is a double major and recently graduated in 3 ½ years. This was a huge accomplishment and received many compliments during the session.

Statistics show that of all nationalities in the U.S., Native Americans have the highest drop-out rate in high school and college. Along with the highest percentage in suicide. Our discussion led to building bridge programs in our first break out session called *Completing Post-Secondary Education*. It starts at the time our children can attend school age educational programs through high school. It starts with parent getting the children to school on time, manners and building a work ethic they can carry to college. This can include reading buddies, mentoring/tutoring ,shadowing our high school and college students. Children need to have that security that it's ok to attend college and succeed . Our children need that exposure and not just a once a year field trip with their class. Other topics discussed, were first time generation students not having the skills for college. This is why we need bridge programs.

Another breakout sessions was called *Spreading the Word: Strategies and Tips to Tell Your MBK Story* which focused on addressing the unique challenges that boys, young men of color and tribal nations across the U.S. face and how to be creative and effective for solutions. Everyone talks about what we want and how to get better. So discussed to look at areas we want to strengthen. Plans work better when everyone is at the table. Social media such as Twitter and Instagram were mentioned as a means of getting the word out. So what does MBK mean to our community? MBK is tailored to our community. As a MBK participant, the President's message was to "Ensure the strengthen the lives of our children." This was a great day at the White House and cherish every opportunity that I get to help the lives of the youth.

Best Regards

Councilwoman Fawn Billie
Oneida Business Committee

Oneida Business Committee Meeting
Agenda Request Form

1. **Meeting Date Requested:** 02 / 25 / 14

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):

Travel Report BYS to DC January 29th, 2015

Action requested (choose one)

☐ Information only

☒ Action - please describe:

approve Travel report

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. Hand out
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.

1) Save a copy of this form in a pdf format.
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Oneida Business Committee Meeting
Agenda Request Form

1. **Meeting Date Requested:** 02 / 25 / 14

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 Request

Agenda item title (see instructions):

Travel Request BYS to NIGA tradeshow & convention 03/30-04/02/2015

Action requested (choose one)

☐ Information only

☒ Action - please describe:

Approve Travel request

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. Hand out
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 Business Committee Meeting
Agenda Request Form

1. **Meeting Date Requested:** 2 / 25 / 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):

Internal Services Division Quarterly 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): Joanie Buckley, Division Director/Internal Services JB | bigal 2/17/15

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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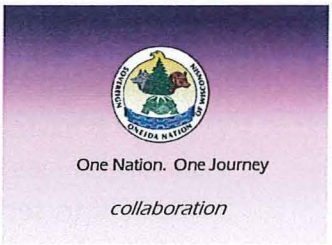
INTERNAL SERVICES DIVISION

QUARTERLY REPORT – 1st Quarter +
October - January

The theme for this quarter's report it is ***Collaboration*** as an outcome of the effort to maximize resources, and promoting the four directions – especially as our Commitment to Build a Responsible Nation and to Implement Good Governance. The collaboration has been driven by outcomes in materializing initiatives (aquaponics) and building events (Harvest Fest). The collaboration continues to reach across divisional boundaries, and in so, include efforts to Create a Positive Organizational Culture where other areas are collaborating on projects, and understanding the challenges and successes of each.



We have exemplified this collaboration with many examples throughout the quarter such as:

- The Harvest Fest which was a community event in October as an extension of the Husking Bee with collaboration from Tsyunhehkwa, Tourism, OCIFS, 20 Farmers' Market vendors, community member vendors, and the veterans.
- Kalihwisaks team and Communications team in developing some new multi-media approaches with the weekly podcasts.
- The Farm to School grant initiative planning efforts in collaboration with Environmental team, ISD, OCIFS, Planning, Veterans, and Facility Management to identify best location and the best project approach.
- The continued development of the longhouse with partnerships between Tourism and Stockbridge-Munsee and Menominee Tribe as they sought materials (logs/bark). It evolved into a strong relationship for tourism initiatives – stay at the Radisson, and see them in day trips.
- The cannery's work with the Value-Added grant working with UW Extension, OCIFS, Tsyunhekwa, Tourism, and the veterans in the new pancake mix which will be rolled out at a breakfast on February 21st by the veterans.

As the collaboration continues to develop and materialize initiatives relating to community building and strengthening the operation as a support to Good Governance and fiscal accountability, we note the alignment with the four directions, established by this leadership, and the steps forward to continue Nation-Building.

MANAGEMENT INFORMATION SYSTEMS (MIS): The team continues to move technology forward for ease of business and business intelligence for solid management and financial decisions. They have done an excellent job with manpower, the shortages, and the sourcing in an industry with 2% unemployment. The industry sector has been noted in Wisconsin as a growth area; therefore, this would be a fruitful area to invest for our tribal youth. We are continuing the dialogue with NWTC to find a parallel for student internship with their curriculum, to develop a learning pipeline and afford our youth a work-study program beyond summer internships.

The tribes in Minnesota have decided to form a tribal technology group and exchange information. They have reached out to Wisconsin tribes, and would like to help with the mentorship of tribes with smaller operations. Mills Lac was the host of the group in early February, along with Microsoft. Shakopee will host the meeting in April at their location. This is a good opportunity for tribal collaborations.

Strategy #1 Deliver Business Technology Solutions – committing to build a responsible Nation

Health Care Systems

- Activation of the Oneida Patient Portal
- Upgrade the GE Centricity EMR system

Gaming Systems

- Provided technical solutions and infrastructure to support the Gaming Expansion Project
- Implemented wireless capability in the Bingo Hall to support handheld Bingo devices

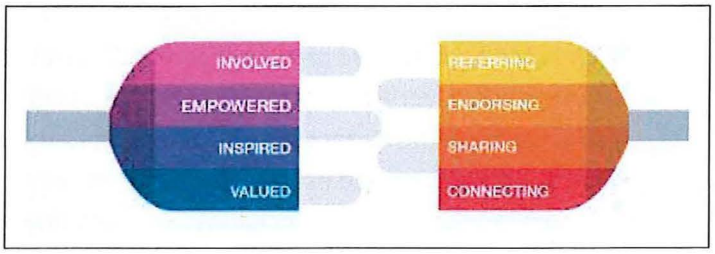
Strategy #2 Promote Information Sharing & Collaboration – creating a positive organizational culture

- Extended the use of the Tribe's digital management solution (OnBase) into the Oneida Tribal School
- Applied the Tribe's business intelligence solution (Cognos) into numerous new Oneida business units

Strategy #3 Optimize Use of Resources

FY'14 EoY Budgetary Performance

- Completed the fiscal year with a positive variance of 4%
- 100% compliance with all cost containment directives



EMPLOYEE ADVOCACY: continues to work to help create a positive organizational culture through increased communication. Rather than formal litigation, EAD strives to mediate/settle cases; effectively saving the Tribe time/costs associated with hearings before the Oneida Personnel Commission and/or the Oneida Tribal Judicial System. No cases progressed to formal hearing bodies during the first quarter.

In addition to cases carried over from the previous quarter, EAD received forty two (42) new requests for assistance. The breakdown is as follows:

Employment related: 20

20 – advocated/drafted disciplinary appeals and/or complaints to area manager
11 – drafted/reviewed employment-related complaints
7 – Drafted disciplinary appeals to Area Managers

Disciplinary Decisions: 5 – Overturned
2 – Upheld – employees chose not to pursue

Cases pursued to OPC: None

Cases pursued to OTJS: None

Employee Requests denied & referred: 2 related cases.

1. EAD had conflict of interest. Arranged for employee representation through Gaming Employee Relations Department and referred employee.
2. Area Manager requested representation *against* an employee. Advised as to process and referred to Law Office. EAD represents management if *they* are the disciplined employee.

Misc. requests for assistance : 22 – Power of Attorney for Health/Finances, Living Wills, Contract Health complaints, garnishment, auto accident, trademarks, personal injury, payroll deduction, probate, family court, DOLM, etc.

AGRICULTURE/FOOD SYSTEM: We continue to build upon our present Integrated Food System by materializing some of the elements. It is important to create, to capture the ideas that can strengthen our systems, and to materialize them for sustainability. We are working to build the elements that can promote a healthy community, and build wellness with a positive quality of life.

TSYUNHEHKWA FARM & CANNERY:

UW Madison students helping with white corn

#1 Embrace heritage and promote food sustainability by promoting culture through natural foods. Over the quarter (October, November, December) the farm was in full production with the various activities relating to the white corn production and the Harvest and Husking Bee event. They had a steady stream of school kids, community members, and other locals (including UW students) who contributed to the corn harvesting. The week culminated with the Harvest Fest, where there were several volunteers for husking, and community vendors to celebrate the day. OCIFS coordinated 20 Farmers' Market vendors to set up at the Harvest Fest.

During the week of the Husking Bee, 2 representatives from USDA Farm to School traveled to Oneida to see the activities with the youth. This type of event allows us to showcase our work to funders (USDA, W.K. Kellogg) to potentially materialize grants for new initiatives.

#2 Optimize resources to reduce costs and duplication, working toward sustainability. The farm has been collaborating with Oneida Nation Farm, Eco-services, Conservation, Orchard, and Tourism to minimize redundancy and maximize budgets by sharing equipment for site work, and funds and labor for the events. The cannery is working with modified duty staff and community service workers to assist in their processing efforts – especially with the apple chips. They are working at increasing the production of dried apples (chips and bites) by 25% to drive revenues. They have found some help by sharing the equipment (commercial apple peeler) purchased from the youth grant.

#3 Planned growth and development considering ROI, by assessing the viability of products (present and new). This quarter the farm continues to work with Integrated Pest Management (IPM) on the white corn production. They are collaborating to establish a baseline for corn yields, a calendar for harvesting (white corn was off fields by Nov. 4th), and the potential to maximizing the white corn production. The overarching goal is to produce 17,600 lbs. usable product on 11 acres with rotation (50 lbs/bux40u/a w/20% product waste). While it may not happen in the next 2 or 3 years, it is a goal to work toward. It is estimated that the need for the community at this time is 10,000 lbs.

Additionally, the cannery has been working on a USDA value-added grant for the white corn to test the market. They grant was for $20K match, $40K USDA funds, $20K in-kind manpower. The outcome has been the development of a white corn pancake mix; showcasing our white corn products at some conferences, including LEEDS in Tulalip; new brochures, banners, displays, and sample boxes for the pancake mix; a milling machine and other supplies; and a lot of hard work. They developed a new product line – white corn pancake, which will be rolled out through the Veterans; breakfast on February 21st.

Youth presentation boards – Berry Trail Mix

The cannery has their new steam boiler installed and functioning (tribal contribution); a walk in storage freezer up and running at the Olson Road facility (First Nations grant); and the use of the apple peeler and commercial dehydrator (First Nations/W.K.Kellogg youth grant). All of this helps with the production and processing needs.

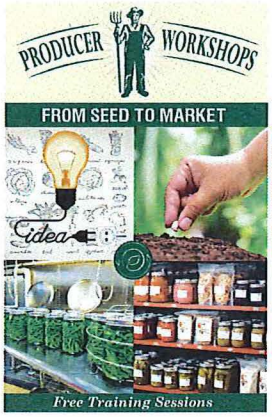
For the future, they are exploring the offering of fresh soups at Oneida Market and Oneida One Stop54.

OCIFS: continues to work on community engagement, promoting healthy foods with youth, and working on several grants to generate revenues for initiatives. Their strategies include:

Farmers' Market

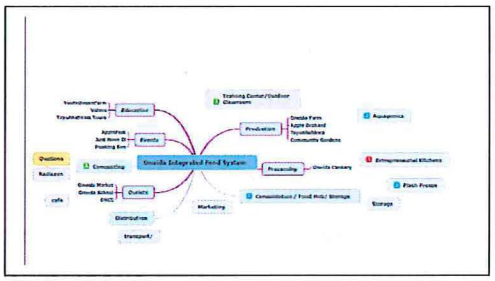
#1 Integrate Oneida and locally produced foods into the community and institutions and provide access to healthy foods – building a responsible Nation. Not only does the Farmers' Market continue to be a success, but they continue to support Oneida with other events such as the Apple Fest and the Harvest Fest (October). The promotion of local foods to the school continues with other partnerships such as the Oneida Falling Leaves 4-H Food Club who assisted with 25 grass fed chickens for the school menu.

#2 Educate the community on healthy foods, nutrition and agriculture opportunities to build a responsible Nation. The Youth Entrepreneurial Program was a success and remnants of learning about healthy foods continue to be carried out throughout in the High School. Bill Vervoort has become a monthly columnist for the Seymour Advertiser News, spotlighting on food, diet and agricultural articles. Look for his byline, as this is a new initiative to promote Oneida's healthy initiatives.



Lastly, Bill has been involved in the kick-off of a new grant which we received from USDA Agricultural Marketing Services. The $80K grant (federal funds) with 25% in-kind match will allow us to develop training sessions for community members to become entrepreneurs. The collaboration is with various departments from the cannery, Tsyunhehkwa farm, eco-services, environmental health, marketing/tourism, business. The sessions will be on Saturdays, and will include a wide range of learning activities from tree pruning to branding your business. The grant will allow us to purchase various supplies including food certification and cannery supplies, business cards and rack cards for start- up entrepreneurs, and trees for the pruning class. This program will showcase our knowledge base and can be a springboard to other experiential learning initiatives. It's free to community members, space is limited.

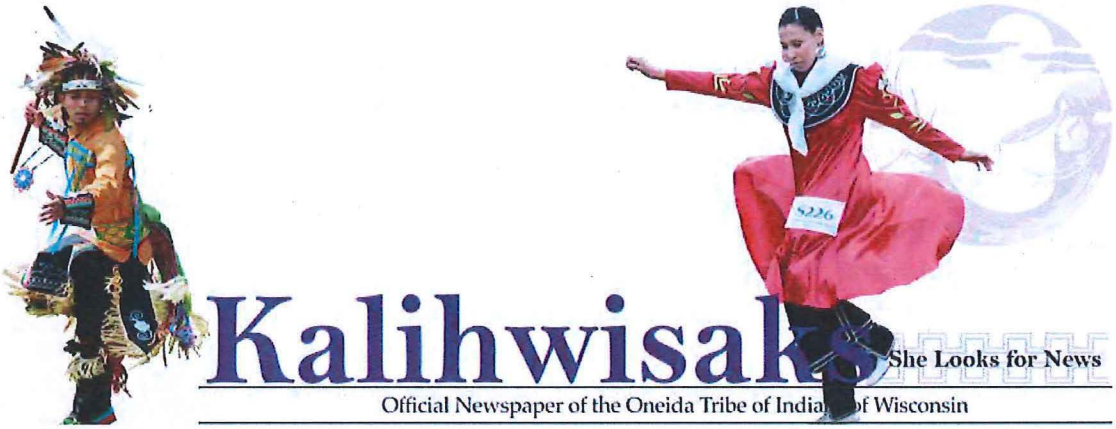
#3 Planned growth and development – implementing "good governance" processes. Bill is coordinating the efforts with Tehassi and a team to assess the viability of an agricultural law that would exercise our sovereignty when determining agricultural products to grow on our lands. Whether the products are of economic importance or community food needs, the initiative promotes our sovereignty.



OTHER INITIATIVES:

We continue to build upon the Integrated Food System with a couple of new initiatives: 1) a grant received for a medium aquaponics to provide greens to the school and become a learning activity for youth; and 2) a Community Food Center concept that would allow for space for the cannery growth, an entrepreneurial kitchen, and a small café. While it is a concept only, it allows us to explore the interest of our community in this project. We are fortunate to have engaged not only University of Wisconsin-Madison on the conceptual design for discussion purposes, and also the architect for USDA American Marketing Services to assist with the cannery design. This is collaboration with other Department such as Planning, Environmental, Tourism, and OCIFS members.

The plans have begun for the **Food Sovereignty Summit**, which is scheduled for October 26-29, 2015. While we were not fortunate with a grant award from USDA, as in our previous years, W.K.Kellogg was very impressed with the conference and reached out to both First Nations Development Institute and Oneida to consider hosting the Food Sovereignty Summit again. They have given both Oneida and First Nations seed money as a sponsor to help with the event. They will provide a letter of support if we want to use their funds for match to secure other grants for this event.



KALIWIHSAKS: has definitely incorporated the four directions into their strategies, and continues to provide a strong vehicle to the community (both in print and electronically). They had an ET through

December, and then lost the talent during the Continuous Resolution period. However, they worked with their talent, and collaborated with the Communications team on outreach initiatives.

Advancing On<yote>a=ka principles

Value #1: Create a sense of Oneida citizenship and involvement through our news source – by aligning content to build a Nation of strong families.

This is seen through the organization of the paper to report on
a) the community
b) the government and political bodies through their columns and report on BC meetings, and
c) external information that relates or impacts our community and its members.

They have collaborated on special events, such as the work with Bobbi Webster in Communications and Legislative Analyst Tani Thurner to publish a series of special issues focusing on the upcoming Secretarial Election. The first issue was January 22, 2015. The next issue is planned for February 27. They continue to reach out to the community at functions, distributed 500 extra copies of the January 22 issue at the February 9 GTC meeting. And they continue to forge new collaborative initiatives for outreach such as the video on the Secretarial Election for the February 9th meeting developed by the senior photographer/reporter Nate Wisneski and Phil Wisneski in Communications.

This quarter was busy as they published caucus notices, ballots, OBC minutes and board postings. They have covered Oneida Business Committee meetings as well as General Tribal Council meetings.

And they continue insure that their time is allocated to cover highlights in the community and special events such as the Youth Powwow.

Committing to build a responsible nation

Value #2: Doing more with the allocated resources
It is imperative to continue to maximize resources and to develop more efficiencies as Good Governance. At times it may become difficult with the activities if there is a shortage of manpower; however, it gives us an opportunity to relook at the operational model. They are currently trying to shore up a Photographer/Reporter, and have an open position.
They continue to follow through with their activities in support of the tribal newspaper production – website updates with the intent to update more frequently; tracking submissions and invoices, and continuing to insure a quality product and on-time delivery.

Implementing "Good Governance" processes

Value #3: Anchor a strong and sustainable operation: As they continue these efforts they are working with building capacity with the staff, and collaborating with other departments – especially with communications and tourism. The weekly podcasts that they developed with Communications (Phil and Nate Wisneski) have been very successful and add another level of multimedia to the website.

The Kalihwisaks staff is looking into offering a training session on how to write a newspaper article. They will cover some photography and layout fundamentals as well. They hope to partner with Communications staff to explain what services they offer as well; and with Tourism on messaging.

Creating a positive organizational culture: They have shown a strong effort to partner and collaborate with other departments to share information about activities of the Oneida community. They have allocated pages for South Eastern Oneida Tribal Services (SEOTS), Elder Services (Drums), Oneida Family Fitness (OFF), Adventures, Culture, Oneida Community Integrated Food Systems (OCIFS), and Enrollments. They are considering approaches to showcase volunteerism in the community.

PRINT AND MAIL CENTER: has been challenged with peaks and valleys of workflow and manpower. The mail center, due to personnel losses, has re-looked at their mail routes and received support from different departments in reducing their mail to one time per day or every other day. The casino has been excellent at helping out with the redistribution of mailings for them. So, between the manpower, the peaks and valleys on workflow, Printsmith technology challenges, and the budget pressures, it gives us an opportunity to re-look at the model to see what adaptions can be made to strengthen the operation. In moving forward they will look at a few mailings to determine costs and potential efficiencies. This is just a spot check on potential process improvements.

One *very positive outcome* has been the scheduling of the GTC mailings, and the work of the Secretary's staff to insure that the timelines are met for the jobs to be printed. It allows the Print & Mail Center to better schedule the heavy volume and project the labor needed during that period. Thanks.

Strategy #1 – Align technologies to support operations: The main challenge will be Printsmith, as the software for inventory and pricing. While the software has been in place for 8 plus years, it seems to be a constant challenge with the pricing. There is a need to revamp the system, address the irregularities in a more definite manner with the vendor, and assess whether it is the input or the software. This will continue to be on the chalkboard as a process improvement.

Strategy #2 – Increase external funding: remains pending as we continue to insure that the operation flow, manpower and software are strengthened. We need to get our systems working properly, so rather than look solely at external funding; we are looking at the ability to streamline costs with efficiencies.

Strategy #3 – Capacity building for staff: The manpower pressures have been a challenge for formalized cross training; however it has also been fruitful in that the staff has stepped up to the plate in helping out other areas, and indirectly learning some of the jobs. Two printing staff members are across trained in the mail center to assist with the postage equipment. Two staff members are cross trained in customer service. They are working with accounting on the A/R and P/R process.

TOURISM: continues to invest in building up assets to showcase the Oneida brand, build partnerships, and to generate foot traffic that can eventually lead to revenue streams. They have built partnerships with our neighbors, both the Menominee Tribe and the Stockbridge-Munsee with efforts to secure wood and bark for the longhouse development.

Strategy #1 Develop Cultural Tourism – Advancing the On^yote?a.ka Principles

Long House

- 2nd Set of Logs cut by Oneida Conservation & 1 day assistance from the Oneida Nation High School
- Oneida Conservation set the outside row of logs

Amphitheater – plans received ; and the dream to materialize the amphitheater continues

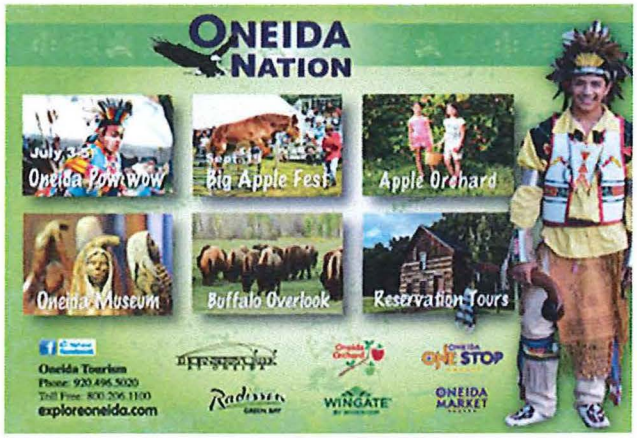
Strategy #2 Build Partnerships to help generate local economies

- GBCVB/Radisson – Boomers in Groups – CVB paid $30K bid fee. Oneida sent dancers and promotional items. This effort will allow us to be the host city for an association that develops travel destinations.
- The partnership that is evolving with the Stockbridge-Munsee and the Menominee Tribe from the outcome of looking for wood 9logs/bark) for the longhouse. While the bark did not materialize, it spurred another initiative for tourism collaborations for day trips from the Radisson as the hub and spoke concept.
-

Strategy #3 Generate Foot Traffic with in the Reservation Boundaries – advancing the On^yote?a.ka principles

- November the Oneida Smoke Dancers danced at Lambeau
- Kirby Tours

2015	11 Tours or 427 people (YTD)
2014	43 tours or 1259 people
2013	43 tours or 920 people



Strategy #4 Maximize Media – showcasing the Oneida culture

- FY15 Media Advertising document was revised in a new format including coverage area and advertising sample.
- New Tourism Video was completed and loaded on exploreoneida.com website
- New Tourism event card created.

This quarter brought new challenges but also brought new opportunities to take another look at our expense management, to rethink our operations' activities, to align to the leadership's four direction, and to build more bridges of collaboration across departments and divisions for Nation-Building. It promotes a rekindling of the fire within to advance and to build a healthy community.

Rekindle with our Nation:
www.exploreoneida.com www.oneida-nsn.gov

Oneida Business Committee Meeting
Agenda Request Form

1. Meeting Date Requested: 02 / 25 / 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):

Ombudsman quarterly report

Action requested (choose one)

☐ Information only

☒ Action - please describe:

Accept the Ombudsman quarterly report

3. Justification

Why BC action is required (see instructions):

Required reporting

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.
2.
3.
4.

☐ Business Committee signature required

5. Submission Authorization

Authorized sponsor (choose one): Dianne McLester-Heim, Ombudsman

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

Oneida Nation Ombudsman
P.O. Box 365
Oneida WI 54155
Phone: (920)-490-3717
Toll Free: 1-888-490-2457
Fax: (920)-490-3799

Oneida Office of the Ombudsman
Quarter 1 Report/Update
October, November, December; 2014

Dianne McLester-Heim; CO-OP Ombudsman

General Overview:

The Oneida Tribe of Indians of Wisconsin created the Office of the Ombudsman (OoO) via a directive of General Tribal Council (GTC) on July 11, 2005. The directive specifically stated that an Ombudsman was to be created to "listen to the concerns of the employees of the health center and tribal community members." The OoO seeks to promote fairness and equity by functioning as a designated neutral advocating for "fair process" and positive resolution at the lowest level possible. In this capacity the OoO does not represent any party or entity in the pursuit of just, fair, and equitable administration of process and delivery of services for all.

As an independent impartial party, the OoO receives ongoing oversight from a top level of management (currently the Oneida Business Committee) while being ultimately accountable and responsible to GTC. As an informal and confidential party, the OoO does not participate in formal actions and holds the highest level of confidentiality possible for those with whom it has contact. The OoO also does not demand actions but rather assists in the identification of concerns, potential resolutions, and offers services and recommendations to reach resolution and positive improvement.

Vision:

To ensure the consistent application of utilizing equality, fairness, respect, value, and objectivity for all in the development of systematic processes and the provision of services across the Oneida Nation.

Mission:

To provide a confidential, neutral, and informal route for individuals or groups to bring forward questions, concerns, complaints, or suggestions for the purpose of preventing or resolving problems in a fair and equitable manner. The Oneida Ombudsman addresses issues in an impartial and objective manner to assist with the development of options and suggestions to resolve problems, develop processes, and ensure services are provided in a fair and equitable manner.

Strategic Priorities:

1. Organizational excellence & exhibiting 'best practices' in performance and service
2. Improve public administration
3. Awareness, Accessibility, & Responsiveness
4. Promote administrative justice/improvement

Actions and activities:

The OoO works on initiatives and activities which fall within the four strategic priorities that have been identified by the office. The strategic priorities have been set to align with concepts of the Balanced Scorecard. As the Strategic directions of Elected Leadership are communicated out, the initiatives and activities will strive to be aligned with that as well. Overall, the initiatives and activities of the OoO are based upon the concept of continuous growth and positive development of the Oneida Nation.

1. **Organizational excellence and 'best practice'**
    - Refining' tools' used by the OoO for facilitation services. Areas of focus have been on Strategic Planning, Group collaboration, Mission Statement Development, and team interaction.
    - Research of means by which to help identify the financial impact and Ombudsman has on an organization. Cost savings of utilizing in-house facilitation.
        - Facilitation services: based on market price, use of the OoO for facilitation matters during this quarter has amounted to a ***savings of $6,000.00***
    - Maintain connection with professional network of Ombudsman to stay abreast of current hot topics, tools, and resources
        - Continually seeking and prepareing for professional development opportunities
2. **Improve public administration**
    - Connecting with areas within the organization to identify how the OoO can be of assistance and work collaboratively with their area and current actions. This has been including functioning as a facilitator for various project groups or the completion of specific initiatives such as Mission statement development and strategic planning to align with that of the overall Oneida Tribe.
        - Facilitation with HRD and CHD, Community Health, and HRD hiring and compensation)
    - Networking with collaborative initiatives within the Organization to provide input from the functionality of the OoO (My Brother's Keeper, Community Service Team, Quality of Life Committee, Child Care Complaint Policy)
3. **Awareness, Accessibility, and Responsiveness**
    - Begin with small community communications via the Elder Meal Site to introduce the OoO and bring awareness of an option available to them for addressing concerns and or connecting to the appropriate area for direct response to concerns or questions.
    - Research ways in which to improve awareness of the OoO for both the community and the organization
    - Begin to create an implementation plan for increasing the interaction of the OoO with specific organizational areas such as Comprehensive Health departments and Human Resource departments
        - Streamlined Mission Statement Development and Strategic Planning to align with that used by leadership
        - Input on policy development from the perspective of the OoO to decrease future conflict or discrepancy
        - General facilitation of collaborative work between departments
4. **Promote administrative justice/improvement**
    - Identify areas/initiatives that will further the development of a matrix identifying the options, tools, services, etc. currently provided by different areas of the organization. This to further serve as a reference, resource and tool for collaboration and effective use of resources by the organization and community.
    - Continual research and outline development of an overall complaint handling process that could be implemented at the level of Leadership to improve public administration and the fair and equitable administration of process.

<u>Identified Goals with challenges or actions needed from the OBC going forward:</u>
The following are part of the overall goals that have been identified for the OoO as they pertain to the identified four strategic directions.

1. **Organizational excellence and 'best practices'**
    - Continuous strategic planning for the OoO to include long, mid, and short range plans/goals/objectives to further align with the Strategic Initiatives for the Oneida Tribe to work towards continuous improvement.
    - Identify a tracking/recording tool for actions and services provided by the OoO
    - Begin to identify and functional communication plan for interaction with leadership and the Oneida Community
    - Renew membership with IOA and prepare for annual conference and training/development
2. **Improve public administration**
    - Network and collaborate with various areas of the organization and collaborative groups to continually work for positive growth and improvement
    - Provide facilitation services to organizational areas along with the ability for other services of the OoO (coaching, training, etc. often related to inter-organizational collaboration)
    - Work to improve and increase communication between the OoO and Leadership and Management for positive organizational improvements
3. **Awareness, Accessibility, and Responsiveness**
    - Continue to identify ways in which to enhance organizational and community awareness and understanding of the OoO.
        - Explore community meeting concept and interaction with different population groups such as employees
        - Collaborative efforts with various areas on current projects and initiatives for which involvement of the OoO is practical
4. **Promote administrative justice/improvement**
    - Explore community awareness sessions to increase understanding of organizational process, proper complaint/concern identification, effective communication techniques and related matters
    - Identify and clarify positive interactions between the OoO and various departments, programs, divisions, etc. to promote positive working relationships, understanding of the role of the OoO and meeting identified needs as appropriate to working interactions
    - Continue to work with ongoing matters such as the Child Care Complaint policy, Community Service Team, and collaborative initiatives between departments

Identified Challenges and/or actions needed by the OBC:
Ongoing open communication and collaboration from the level of the OBC is important in the areas of organizational excellence, improving public administration and promoting administrative justice/improvement. Communication at this level has been minimal. Continuing to look at how the OoO and areas of Administration can improve their communication is very important to the Ombudsman work in servicing the community and organization. At the level of Administration, there has been no streamlined or consistent manner in which concerns are screened or addressed. Working to get everyone on the same page regarding how such matters are addressed, and addressing them within a consistent process, would be helpful in creating a cohesive work environment as well as clarifying roles, responsibilities and expectations within the organization and community. This is an area that could be identified as an outcome measure.

Proactive actions by leadership to help ensure established processes are being utilized within the organization and by community members – work to increase open communication with organizational areas/divisions/programs especially with respect to addressing concerns would be very beneficial. The Oneida Tribe is full of many policies and processes intended to assist with equity of action, efficiency in practice, and overall positive functioning. It often comes to surface that many of these policies and processes may be outdated and at times circumvented by the organization and community members leading to inequity in how things are done. Development and use of a simple assessment tool for concerns, to be applied at the level of administration and management, could help to identify were breakdowns maybe occurring so that positive action can be taken to streamline how the organization acts and increase the equity of treatment of internal working members of the organization and community members. This could also help to ensure individuals follow proper process when wishing to address matters, provide an opportunity to educate the entire community on how to address matters, increases the sense of equity of community members, increases the respect for organizational process, create a sense of continuity and accountability, and create a better understanding of the difference in roles and responsibilities of Elected leadership and Management.

Oneida Business Committee Meeting
Agenda Request Form

1. Meeting Date Requested: 2 / 25 / 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):

School Board BC Quarterly Report

Action requested (choose one)

☐ Information only

☒ Action - please describe:

Motion to approve School Board BC Quarterly Report.

3. Justification

Why BC action is required (see instructions):

BC requirement

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. School Board BC Quarterly Report
2.
3.
4.

☐ Business Committee signature required

5. Submission Authorization

Authorized sponsor (choose one): Fawn Billie, Council Member

Requestor (if different from above): Debbie Danforth, School Board Chair

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 NATION SCHOOL BOARD

Oneida Nation Elementary School
P.O. Box 365
N7125 Seminary Road
Oneida, WI 54155
(920) 869-1676
FAX (920) 869-1684

Oneida Nation High School
P.O. Box 365
N7210 Seminary Road
Oneida, WI 54155
(920) 869-4308
FAX (920) 869-4045

DATE:	February 2, 2015
BOARD:	Oneida Nation School Board
MEMBERS:	Debra Danforth, Chair
	Priscilla Dessart, Vice-Chair
	Rhiannon Metoxen, Secretary
	Dellora Cornelius, Member
	Sylvia Cornelius, Member
	Dewain Danforth, Member
	Apache Danforth, Member
	2 Vacant Positions
CONTACT PERSON:	Rhiannon Metoxen
OBC LIAISON:	Fawn Billie
MINUTES:	December 1, 2014 Regular Meeting (approved)
	January 12, 2015 Regular Meeting
	January 14, 2015 Special Meeting

GOALS AND OBJECTIVES

Our students continue to increase their knowledge of Oneida language and culture, as they attend language/culture and social dance classes as part of their daily education. Improving daily attendance and raising the reading and mathematics academic levels continue to be the overall goals for this school year.

UPDATES

On January 16th for Staff Development Day, there were several training sessions for staff to attend. Some teachers participated in an Oneida Language Workshop where they heard a detailed explanation and overview of the curriculum, Onʌ́yote'aka Tsi nitwawʌ́notʌ́ and later were presented methods used in the classroom for Onʌ́yote'aka Tsi nitwawʌ́notʌ́. Other teachers participated in the Positive Behavior Intervention Support (P.B.I.S.) team training with Ms. Kristine Kleinman from the local CESA 7 agency, in the morning. In the afternoon, departments worked on grades and schedules for the second half of the school year.

Five Oneida Nation High School students received their diplomas during the December, January, and February School Board meetings. This was as a result of the new program which entitles students who have dropped out of High School without completing their credits to come back and work with High School staff to complete their credit deficiencies enabling them to graduate and receive their high school diploma.

Bullying expert, Mike McGowan, presented at several assemblies for elementary, middle, and high school students, staff and parents on January 13th. The topic was "Respect and Being Kind to Each Other." The message was very positive and well received by the audiences.

The Measures of Academic Progress assessments have been completed for the mid-year progress measurement. The High School will be preparing for the SMART ACT assessment this spring and the Elementary School is preparing for the upcoming Badger Exams, which are the State of Wisconsin required assessments, mandated to be used by the Bureau of Indian Education.

UPCOMING

The Norbert Hill Center Day Care is moving and Principal Skenandore is recommending options be reviewed to move the space under ONHS for expansion of their programs.

Current Staffing Needs:

- Guidance Counselor (K-5) – ONSS. Position is posted until filled.
- K-12 Media Specialist – ONSS. Currently a substitute teacher is hired in this position which is posted until filled.
- Physical/Health Education Teacher – ONSS. Currently a substitute teacher is hired in this position which is posted until filled.
- School Social Worker (K-12) – ONSS. Currently position is posted until filled.
- Art (4-8). Substitute teacher is filling in and position is not posted.
- Substitute Teacher – Pool Position. Currently position is posted as an ongoing recruitment.

Pre-screening for the Elementary Guidance Counselor, K-12 Media Specialist, Elementary Physical/Health education teacher and School Social worker is being scheduled.

February 5th	Parent/Teacher Conferences – ½ day for students, no kindergarten classes
February 10th	4th and 8th grade students will be participating in the National Assessment of Education Progress (NAEP)
February 13th	2nd quarter honor assembly for elementary and middle school students will be held in the big gym at 2:15 p.m.
February 20th	Mid-quarter progress reports – ½ day for students

ENROLLMENT

Active student enrollment as of January 26, 2015:

Grades K-5:	232
Grades 6-8:	85
Grades 9-12:	133
Total Students:	450

FACE home visit families: 30 Center based students: 18

MEETING REQUIREMENTS

The Oneida Nation School Board meets the first Monday of every month at 5:00 p.m. in the library at the Elementary School, and meetings are open to the public. Special meetings are called by the School Board Chair when deemed necessary. Stipends are $75.

Oneida Business Committee Meeting
Agenda Request Form

1. Meeting Date Requested: 02 / 25 / 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:

Other - type reason

Agenda Header (choose one): BCC Report

Agenda item title (see instructions):

Land Commission 1st Quarter Report

Action requested (choose one)

☐ Information only

☒ Action - please describe:

Accept Report

3. Justification

Why BC action is required (see instructions):

It is on the reporting schedule

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.
2.
3.
4.

☐ Business Committee signature required

5. Submission Authorization

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

Requestor (if different from above): Lori Elm, DOLM Office Manager

Name, Title / Dept. or Tribal Member

Additional signature (as needed):

Name, Title / Dept.

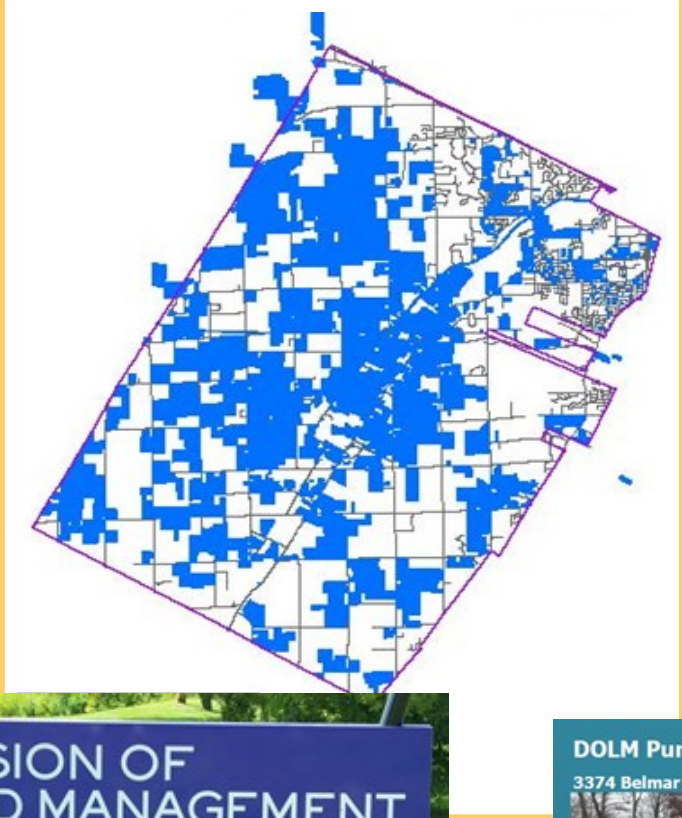
Additional signature (as needed):

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 LAND COMMISSION

FY-15 1ST QUARTER



"The Land Commission is an elected body of policy makers for the Division of Land Management, overseeing land acquisition, leases, loan approvals, land use, probates and all other tribal land issues."

OCT–DEC 2015

FIRST QUARTER IMPRESSION: This quarter has been filled with expectations and information how to achieve goals in an efficient and effective manner. New Member; Bart Cornelius, is a great asset to the commission bringing in new vibrant qualities to the commission. Overall, expectations are quite high for FY 2015 Land Commission.

The moratorium is still active for acquiring residential homes until April, 2015. Procedural exceptions for vacant lands have been sent for OBC approval and Land Commission will continue to move forward in acquiring land to increase the revenues for the tribe

Oneida Land Commission Members

Officers:

Amelia Cornelius, Chair

Rae Skenandore, Vice

Lloyd Powless, Secretary

Donald McLester,

Sherrole Benton

Bart Cornelius

Vacant

BC Liaison:

Ron "Tehassi" Hill, Jr. , OBC

Alternate:

Jennifer Webster, OBC

LAND ACQUIRED

- 12.77 acres 1ST quarter
- 8 DREAM homes (1 Reacquired)
- 1 OHA home
- 2.04 Vacant land
- Currently Own 38.3% Or 25,072.48 Acres Of Original Reservation 65,400 Acres

Meetings:

Regular Meetings held the 2nd Monday of each month; Acquisition Meetings held the 4th Monday of each month.

Strategy Meetings were held for 3 months consisting of: OBC, Zoning, EHSD, Internal Services, DOLM, OHA, and Casino

8 Meetings were held:

- 3 Regular
- 2 Acquisition
- 2 Strategy
- 0 Hearings

Land Commission—1st quarter report

BC Collaborations

- Next Semi Annual Joint meeting with Business Committee is scheduled for Thursday, March 19, 2015 at the BCCR
- Strategy Meeting's, areas of the tribe initiate the 1st steps in developing a process for achieving goals.
- Land Use Planning Sessions being held in January—March on Thursday Evenings

Land Sovereignty

- Continue to improve process and communication
- DOLM Purchase Fact Sheet regarding new Acquisition will be sent out to BC, LC, and DOLM Staff
- ***Trailer Court lots are now Residential Leases***

Land commission approves and develops

- Residential Leases, Residential Modifications and Cancellation
- Commercial Assignment of Leases, Commercial Leases, Commercial Amendments, Commercial Cancellation
- Agricultural Leases, Agricultural Amendments, Agricultural Cancellation
- Sublease Agreement, Land Use Agreements, Service Line Agreements, Request to Sell and all other requests to use land
- DOLM Standard Operating Procedures
- DOLM Loans - DREAM, TLC, EMPO and Outside Bank
- LUTU ,LUTU II, and accepts CIP processes

⇒ Updates to 2033 Plan

⇒ Update By-Laws and Real Property Law

⇒ AND All Land issues that may arise

Communication to Community

POINTS OF INTEREST

- Continue to work with the areas of the tribe; OHA, Development Division, DOLM, Retail, gaming and Environmental Development Division to achieve priorities of land acquisition
- Continue working on summit regarding New York properties
- Continue to acquire land to enhance Oneida sovereignty and jurisdiction
- Continue to enhance and protect our natural resources to fulfill Caretaking needs by working with
- Continue to review and approve probates, easements, leases and all other requests
- Continue coordinating communication with Division of Land Management staff and the Land Commission for effective and efficient services from both areas

BC Action Needed: Request BC to accept the Land Commission 4th Quarter report