



Oneida Business Committee

Executive Session
9:00 a.m. Tuesday, May 10, 2016
Executive Conference Room, 2nd floor, Norbert Hill Center

Regular Meeting
9:00 a.m. Wednesday, May 11, 2016
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 (No Requested Action)

V. MINUTES

A. Approve April 27-28, 2016, regular meeting minutes

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VI. RESOLUTIONS

A. Adopt resolution titled 2016 InterTribal Buffalo Council, Buffalo Herd Development Grant

Sponsor: Larry Barton, Chief Financial Officer

B. Adopt resolution titled Adopting the Marriage License Fee Schedule

Sponsor: Larry Barton, Chief Financial Officer

VII. APPOINTMENTS

A. Approve appointments of Marena Bridges and Dawn Walschinski to Oneida Arts Board

Sponsor: Tina Danforth, Tribal Chairwoman

B. Approve appointments of Patricia Moore and Candace House to Oneida Election Board

Sponsor: Tina Danforth, Tribal Chairwoman

VIII. STANDING COMMITTEES

A. Legislative Operating Committee

Sponsor: Councilman Brandon Stevens, Chair

1. Accept April 20, 2016, Legislative Operating Committee meeting minutes

B. Finance Committee

Sponsor: Tribal Treasurer Trish King, Chair

1. Review recommendation regarding Floyd Acheson Endowment Fund and determine appropriate next steps
2. Approve May 2, 2016, Finance Committee meeting minutes

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

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

IX. GENERAL TRIBAL COUNCIL

A. Approve three requests regarding Petitioner Frank Cornelius: four resolutions

- 1) Completed Scheduling General Tribal Council Meetings
- 2) Fee to Trust Process
- 3) Freedom of Speech, Press, and Assembly
- 4) Imposing a Tax on the Business Committee

Sponsor: Lisa Summers, Tribal Secretary

EXCERPT FROM MARCH 30, 2016: (1) Motion by Melinda J. Danforth to table this item for the Tribal Secretary to get in contact with Petitioner Frank Cornelius to try to get this issue resolved by the end of the meeting, seconded by David Jordan. Motion carried unanimously. (2) Motion by Lisa Summers to approve scheduling Petitioner Frank Cornelius: To address four resolutions to a Special General Tribal Council on Sunday, August 28, 2016, seconded by Tehassi Hill. Motion carried unanimously.

EXCERPT FROM MARCH 9, 2016: (1) Motion by Jennifer Webster to accept the updated legal opinion regarding F. Cornelius petition and move to open session, seconded by Brandon Stevens. Motion carried unanimously. (2) Motion by David Jordan to accept the legal opinion and to direct the Tribal Secretary to begin scheduling a General Tribal Council meeting, seconded by Jennifer Webster. Motion carried unanimously.

EXCERPT FROM JANUARY 27, 2016: Motion by Lisa Summers to approve this item for the July 4, 2016, Semi-Annual General Tribal Council meeting, seconded by Jennifer Webster. Motion carried unanimously.

EXCERPT FROM DECEMBER 23, 2015: Motion by Jennifer Webster to accept the legal update as information, seconded by Lisa Summers. Motion carried unanimously.

EXCERPT FROM DECEMBER 9, 2015: (1) Motion by Lisa Summers to accept the fiscal analyses of the four (4) resolutions, seconded by Brandon Stevens. Motion carried unanimously. (2) Motion by Lisa Summers to defer the legal analyses of the four (4) resolutions to the December 23, 2015, regular Business Committee meeting, seconded by Jennifer Webster. Motion carried unanimously.

EXCERPT FROM NOVEMBER 25, 2015: Motion by Lisa Summers to defer the fiscal analyses to the December 9, 2015, regular Business Committee meeting, seconded by Jennifer Webster. Motion carried with one abstention.

EXCERPT FROM SEPTEMBER 9, 2015: (1) Motion by Jennifer Webster to accept the update from Chief Counsel regarding legal analyses of resolutions 1-4, seconded by Brandon Stevens.

Motion carried unanimously. (2) Amendment to the main motion by Melinda J. Danforth to provide a new due date of November 25, 2015, for the legal and financial analyses of resolutions 1-4, seconded by Lisa Summers. Motion carried unanimously.

EXCERPT FROM AUGUST 26, 2015: Motion by David Jordan to accept the legislative analyses for resolution 1-4, seconded by Jennifer Webster. Motion carried unanimously.

EXCERPT FROM AUGUST 17, 2015: (1) Motion by Lisa Summers to take this item from the table, seconded by David Jordan. Motion carried unanimously. (2) Motion by Jennifer Webster to forward the four resolutions to the Legislative, Law, Finance Offices for the appropriate analyses and for those analyses to be due at the September 9, 2015, regular Business Committee meeting, seconded by Lisa Summers. Motion carried unanimously. (3) Motion by Lisa Summers to request the Law Office provide a legal opinion about what occurs when a petition is submitted which does not have all the appropriate documentation that would go with the petition, seconded by Tehassi Hill. Motion carried with one abstention.

EXCERPT FROM AUGUST 12, 2015: Motion by Lisa Summers to adjourn at 2:06 p.m. and to direct the Tribal Secretary to coordinate Business Committee special meeting date for the remainder of this agenda, seconded by Brandon Stevens. Motion carried unanimously.

EXCERPT FROM JULY 22, 2015: Motion by Brandon Stevens to table this item to next regular Business Committee meeting, seconded by David Jordan. Motion carried unanimously.

EXCERPT FROM JULY 8, 2015: Motion by Tehassi Hill to accept the update as information and defer this item to the July 22, 2015, regular Business Committee meeting as agreed upon by the Business Committee members and the petitioner, seconded by David Jordan. Motion carried unanimously.

EXCERPT FROM JUNE 24, 2015: Motion by Fawn Billie to defer this item to the next regular Business Committee meeting and direct the Secretary to work with the petitioner to find a solution to the concerns, seconded by Tehassi Hill. Motion carried unanimously.

EXCERPT FROM MAY 27, 2015: Motion by David Jordan to direct the Secretary to reach out to Petitioner Frank Cornelius to request the four (4) resolutions mentioned in the petition be submitted in thirty (30) days, seconded by Lisa Summers. Motion carried unanimously.

EXCERPT FROM MAY 13, 2015: (1) Motion by Trish King to acknowledge receipt of the petition submitted by Frank Cornelius, seconded by Fawn Billie. Motion carried unanimously. (2) Motion by Trish King to send the verified petition to the Law, Finance, Legislative Reference and Direct Report Offices for legal, financial, legislative and administrative analyses to be completed; to direct the Law, Finance and Legislative Offices to submit the analyses to the Secretary within sixty (60) days and a that a progress report is submitted in forty-five (45) days, seconded by David Jordan. Motion carried unanimously. (3) Motion by David Jordan to direct the Direct Report Offices to submit the appropriate administrative analyses to the Secretary within thirty (30) days, seconded by Trish King. Motion carried unanimously.

B. Accept financial analysis regarding Petitioner Nancy Barton: To open an Emergency Food Pantry (*Financial analysis not submitted*)

Sponsor: Lisa Summers, Tribal Secretary

EXCERPT FROM MARCH 9, 2016: Motion by David Jordan to accept the legal analysis noting the financial analysis is due at the May 11, 2016, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously.

EXCERPT FROM FEBRUARY 24, 2016: Motion by Lisa Summers to accept the verbal update from Chief Counsel and Chief Finance Officer on the status of the analyses and the item be deferred for sixty (60) days, seconded by Brandon Stevens. Motion carried unanimously.

EXCERPT FROM JANUARY 13, 2016: Motion by Lisa Summers to accept the legislative analysis, seconded by David Jordan. Motion carried unanimously.

EXCERPT FROM DECEMBER 23, 2015: Motion by Jennifer Webster to accept the progress report as information and to defer the legal and financial analyses to the February 24, 2016, regular Business Committee meeting, seconded by Fawn Billie. Motion carried unanimously.

EXCERPT FROM OCTOBER 28, 2015: Motion by David Jordan to accept the verified petition submitted by Nancy Barton: To open an Emergency Food Pantry; to 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; to direct the Law, Finance, and Legislative Reference Offices to submit the analyses to the Tribal Secretary's Office within sixty (60) days, and that a progress report be submitted in forty-five (45) days; and to direct the Direct Report Offices to submit the appropriate administrative analyses to the Tribal Secretary's Office within thirty (30) days, seconded by Fawn Billie. Motion carried unanimously.

C. Accept legal and financial progress reports and legislative analysis regarding Petitioner Michael Debraska: Special GTC meeting to establish a Health Care Board

Sponsor: Lisa Summers, Tribal Secretary

EXCERPT FROM APRIL 27, 2016: Motion by Melinda J. Danforth to accept the legislative progress report, seconded by Jennifer Webster. Motion carried unanimously.

EXCERPT FROM March 9, 2016: Motion by David Jordan to accept the verified petition from Michael Debraska to establish a Health Care Board; to 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; to direct the Law, Finance, and Legislative Reference Offices to submit the analyses to the Tribal Secretary's Office within sixty (60) days, and that a progress report be submitted in forty-five (45) days; and to direct the Direct Report Offices to submit the appropriate administrative analyses to the Tribal Secretary's Office within thirty (30) days, seconded by Trish King. Motion carried unanimously.

D. Accept petition submitted by Michael Debraska regarding Per Capita Distribution

Sponsor: Lisa Summers, Tribal Secretary

E. Approve June 13, 2016, Special General Tribal Council meeting materials

Sponsor: Lisa Summers, Tribal Secretary

X. STANDING ITEMS (No Requested Action)

XI. UNFINISHED BUSINESS

A. Accept legal review; approve Memorandum of Understanding with Brothertown Indian Nation – Contract # 2016-0432; and authorize Tribal Chair and Historic Preservation Officer to sign-off on agreement

Sponsor: Tina Danforth, Tribal Chairwoman

EXCERPT FROM MARCH 30, 2016: Motion by Lisa Summers to defer this item to the Law Office for a legal review and to defer the approval of the Memorandum of Agreement with Brothertown Indian Nation to the May 11, 2016, regular Business Committee meeting, seconded by David Jordan. Motion carried unanimously.

B. Accept memo from Oneida Land Commission titled Quarterly Reports and Land Commission Representation dated April 26, 2016

Sponsor: Tehassi Hill, Councilman

EXCERPT FROM APRIL 13, 2016: (1) Motion by Lisa Summers to take this item from the table, seconded by Fawn Billie. Motion carried unanimously. (2) Motion by Lisa Summers to accept the Land Commission FY '16 1st quarter report and to ask the Land Commission to submit something in writing that indicates why they haven't attended to represent their report, seconded by Trish King. Motion carried unanimously. (3) Motion by Lisa Summers to send the Comprehensive Policy Governing Boards, Committees and Commissions section 8-4(d) to the Legislative Operating Committee to bring back a recommendation on how to clarify reporting requirements

for Boards, Committees, and Commissions, seconded by Fawn Billie. Motion carried unanimously.

EXCERPT FROM MARCH 30, 2016: Motion by Melinda J. Danforth to table the Land Commission FY '16 1st quarter report until a Land Commissioner can be present, seconded by Lisa Summers. Motion carried unanimously.

C. Accept financial analysis and approve final FY '17 Compensation Plan proposal

Sponsor: Trish King, Tribal Treasurer

EXCERPT FROM APRIL 27, 2016: Motion by David Jordan to defer this item to the May 11, 2016, regular Business Committee meeting and to direct the Chief Financial Officer and Finance Department work with the Human Resources Department on the financial analysis, seconded by Trish King. Motion carried unanimously.

EXCERPT FROM APRIL 13, 2016: (1) Motion by Lisa Summers to accept the Compensation Plan proposal as information and to forward the item to the Law and Finance Offices for analyses to be brought back to the Business Committee, seconded by Fawn Billie. Motion carried unanimously. (2) Motion by Trish King to request the legal and financial analyses be brought back to the April 27 2016, regular Business Committee meeting and that we ask for an option to be prepared that would provide a dollar amount for increases versus a percentage, seconded by Lisa Summers. Motion carried unanimously.

XII. TABLED BUSINESS (No Requested Action)

XIII. NEW BUSINESS

A. Approve request to post one (1) vacancy on the Oneida Personnel Commission

Sponsor: Lisa Summers, Tribal Secretary

B. Approve Concept Paper for CIP # 16-008 Oneida Family Fitness Facility Upgrades

Sponsor: Don White, Division Director/Governmental Services

C. Approve limited waiver of sovereign immunity – Fox Valley Overhead Door Inc. – Contract # 2016-0409

Sponsor: Louise Cornelius, Gaming General Manager

XIV. TRAVEL

A. TRAVEL REPORTS (No Requested Action)

B. TRAVEL REQUESTS

1. Approve travel request – Councilwoman Jennifer Webster – 26th Annual National Indian Head Start Conference & Tribal Consultation – Washington D.C. – June 5-8, 2016

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

A. OPERATIONAL REPORTS

1. **Accept Internal Services Division FY '16 2nd quarter report (1:30 p.m.-2:00 p.m.)**
Sponsor: Joanie Buckley, Division Director/Internal Services
2. **Accept Ombudsman FY '16 2nd quarter report (2:00 p.m.-2:15 p.m.)**
Sponsor: Dianne McLester-Heim, Tribal Ombudsman
3. **Accept Human Resources Department FY '16 2nd quarter report (2:15 p.m.-2:45 p.m.)**
Sponsor: Geraldine Danforth, Area Manager/Human Resources
4. **Accept Governmental Services Division FY '16 2nd quarter report (2:45 p.m.-3:15 p.m.)**
Sponsor: Don White, Division Director/Governmental Services

B. CORPORATE REPORTS *(No Requested Action)*

C. BOARDS, COMMITTEES, AND COMMISSIONS

1. **Accept Oneida Commission on Aging FY '16 2nd quarter report (3:15 p.m.-3:25 p.m.)**
Chair: Wes Martin Jr.
Liaison: Melinda J. Danforth, Tribal Vice-Chairwoman
2. **Accept Oneida Election Board FY '16 2nd quarter report (3:25 p.m.-3:35 p.m.)**
Chair: Racquel Hill
Liaison: Melinda J. Danforth
3. **Accept Oneida Gaming Commission FY '16 2nd quarter report (3:35 p.m.-3:45 p.m.)**
Chair: Mark A. Powless
Liaison: Brandon Stevens, Councilman

XVI. EXECUTIVE SESSION

A. REPORTS

- 1. Accept Chief Counsel report – Jo Anne House, Chief Counsel**

A. STANDING ITEMS

- 1. Land Claims Strategy *(No Requested Action)***

B. AUDIT COMMITTEE *(No Requested Action)*

C. UNFINISHED BUSINESS

- 1. Approve an option to fill the Organizational Development Specialist position**

Sponsor: Lisa Summers, Tribal Secretary

EXCERPT FROM JANUARY 27, 2016: Motion by Tehassi Hill to defer this item for ninety (90) days, seconded by Lisa Summers. Motion carried unanimously.

EXCERPT FROM JANUARY 13, 2016: Motion by Jennifer Webster to defer the remainder of the agenda to the January 27, 2016, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously.

EXCERPT FROM SEPTEMBER 23, 2015: Motion by David Jordan to approve Option 2A contained within the memorandum and to re-evaluate the option in ninety (90) days, seconded by Trish King. Motion carried unanimously.

- 2. Approve request to place a moratorium on executing new City of Green Bay Service Agreement – Tribal Member *(9:30 a.m.-10:15 a.m.)***

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

EXCERPT FROM APRIL 27, 2016: Motion by Jennifer Webster to defer the request to place a moratorium on executing new City of Green Bay Service Agreement – Tribal Member to the May 11, 2016, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously.

- 3. Accept legal review regarding Complaint # 2016-DR10-01 and approve two requested actions**

Sponsor: Jo Anne House, Chief Counsel

EXCERPT FROM APRIL 27, 2016: Motion by Jennifer Webster to defer Complaint # 2016-DR10-01 to the Law Office for legal review of the conflict of interest, seconded by Tehassi Hill. Motion carried unanimously.

D. TABLED BUSINESS *(No Requested Action)*

E. NEW BUSINESS

- 1. Review Concern # 2016-CC-06 and determine appropriate next steps *(9:00 a.m.-9:30 a.m.)***

Sponsor: Lisa Summers, Tribal Secretary

- 2. Review Complaint # 2016-DR06-03 and determine appropriate next steps**

Sponsor: Tina Danforth, Tribal Chairwoman

- 3. Review outstanding request from Oneida Personnel Commission and consider recommendation of Oneida Personnel Commission, made in accordance with §1-4.f of their bylaws**
Sponsor: Lisa Summers, Tribal Secretary
- 4. Approve Tribal Member's request to review and receive clarification regarding Dental Department's data breach letter from Oneida Comprehensive Health Division**
Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman
- 5. Accept and acknowledge by letter the resignation of Governmental Services Division Director and assign a sub team of 3-5 Business Committee members to review job description in order to post position**
Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

XVII. ADJOURN

Posted on the Nation's official website, www.oneida-nsn.gov, at 3:30 p.m., Friday, May 6, 2016, 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 members of the Nation by going to the Members-Only section of the Nation'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