Oneida Nation

Post Office Box 365

Phone: (920)869-2214 Oneida, WI 54155

BC Meeting Materials July 13, 2016

Open Session

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the following 315 pages are the Open Session meeting materials presented at a meeting duly called, noticed and held on the 13th day of July, 2016.

Lisa Summers, Tribal Secretary
Oneida Business Committee

Oneida Business Committee

Executive Session
9:00 a.m. Tuesday, July 12, 2016
Executive Conference Room, 2nd floor, Norbert Hill Center

Regular Meeting
9:00 a.m. Wednesday, July 13, 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 June 22, 2016, regular meeting minutes *page 8*
Sponsor: Lisa Summers, Tribal Secretary

B. Approve July 5, 2016, special meeting minutes *page 21*
Sponsor: Lisa Summers, Tribal Secretary

VI. RESOLUTIONS

A. Adopt resolution titled Participation in a Nationwide Elder Needs Assessment *page 24*
Sponsor: Don White, Division Director/Governmental Services

B. Adopt resolution titled The Economic Development Administration Program Grant *page 29*
Sponsor: Joanie Buckley, Division Director/Internal Services

C. Adopt resolution titled Revenue Allocation Plan Fiscal Year 2016 *page 34*
Sponsor: Jo Anne House, Chief Counsel

D. Adopt resolution titled Implementing Per Capita Plan for Fiscal Year 2017 to Fiscal Year 2021 Adopted by General Tribal Council on June 13, 2016 *page 120*
Sponsor: Lisa Summers, Tribal Secretary

VII. APPOINTMENTS *(No Requested Action)*

VIII. STANDING COMMITTEES

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

1. Accept June 15, 2016, Legislative Operating Committee meeting minutes *page 124*

B. Finance Committee
Sponsor: Treasurer Trish King, Chair

1. Accept July 5, 2016, Finance Committee meeting minutes *page 128*

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

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

IX. GENERAL TRIBAL COUNCIL

A. Petitioner Michael Debraska: Special GTC meeting to establish a Health Care Board *page 136*
Sponsor: Lisa Summers, Tribal Secretary

1. Accept financial analysis

*EXCERPT FROM MAY 25, 2016: **(1)** Motion by Lisa Summers to accept the legislative analysis, seconded by David Jordan. Motion carried unanimously. **(2)** Motion by Lisa Summers to accept the legal analysis, seconded by David Jordan. Motion carried unanimously. **(3)** Motion by David Jordan to defer the financial analysis for thirty (30) days, seconded by Jennifer Webster. Motion carried unanimously.*
EXCERPT FROM MAY 11, 2016: Motion by Jennifer Webster to defer the legal analysis to the next regular business Committee meeting, seconded by David Jordan. Motion carried unanimously.
EXCERPT FROM APRIL 27, 2016: Motion by Melinda J. Danforth to accept the legislative progress report regarding Petitioner Michael Debraska: Special GTC meeting to establish a Health Care Board, seconded by Jennifer Webster. Motion carried unanimously.
EXCERPT FROM March 9, 2016: Motion by David Jordan to accept the verified petition from Michael Debraska: Special GTC meeting 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.

B. Petitioner Michael Debraska: Special GTC meeting regarding Per Capita Distribution $3,000/$5,000
Sponsor: Lisa Summers, Tribal Secretary

1. **Accept legislative progress report noting the anlysis is due at the July 27, 2016, regular Business Committee meeting** *page 145*

2. **Accept legal progress report noting the analysis is due at the July 27, 2016, regular Business Committee meeting** *page 149*

EXCERPT FROM MAY 25, 2016: Motion by Lisa Summers to accept the financial analysis, seconded by David Jordan. Motion carried unanimously.
EXCERPT FROM MAY 12, 2016: Motion by David Jordan to accept the verified petition from Michael Debraska regarding Per Capita Distribution; 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) day, seconded by Lisa Summers. Motion carried unanimously.

X. STANDING ITEMS *(No Requested Action)*

XI. UNFINISHED BUSINESS

A. Accept update regarding Oneida Sacred Burial Grounds per GTC Directive *page 151*
(This item is scheduled to begin at 11:00 a.m.)
Sponsor: Brandon Stevens, Councilman

EXCERPT FROM JUNE 22, 2016: Motion by Jennifer Webster [… to request the Tribal Secretary notify the Land Commission, Division of Land Management, Development Division, Trust & Enrollment Committee, and any other parties that are necessary, to be present at the July 13, 2016, regular Business Committee meeting, seconded by Fawn Billie. Motion carried unanimously.][1]
EXCERPT FROM JUNE 8, 2016: Motion by Lisa Summers to accept the information in the memorandum from the Trust Department dated May 31, 2016, as information, noting there have been two (2) identified alternative sites for a cemetery should the need arise and to send this item to the next available Officers' meeting for continued follow-up with the overall cemetery work plan, seconded by Tehassi Hill. Motion carried unanimously.
*EXCERPT FROM MARCH 9, 2016: **(1)** Motion by Tehassi Hill to accept the presentation regarding the Oneida Sacred Burial Grounds per GTC Directive, seconded by Trish King. Motion carried unanimously. **(2)** Amendment to the main motion by Tehassi Hill to request an update at the first regular Business Committee meeting in June regarding potential locations of the cemetery, seconded by Trish King. Motion carried unanimously.*

XII. TABLED BUSINESS *(No Requested Action)*

[1] This excerpt comes from the June 22, 2016, regular Business Committee meeting minutes for item X.A. Defer update regarding Work Plan for CIP # 14-002 Cemetery Improvements to the July 27, 2016, regular Business Committee meeting.

XIII. NEW BUSINESS

A. Approve request to support recommendation of Nathanial S. King to be appointed to the Bay Bancorporation Board of Directors *page 153*
Liaison: Tina Danforth, Tribal Chairwoman

B. Approve Indian Housing Plan for Fiscal Year 2017 *page 172*
Sponsor: Dale Wheelock, Director/Oneida Housing Authority

C. Accept update and presentation as information – Youth Leadership Event – Washington D.C. – June 12-16, 2016 *page 221*
Sponsor: Tina Danforth, Tribal Chairwoman

D. Enter E-poll results into the record approving letter of support from Oneida Business Committee for grant application submission by Oneida Nation's gang task force program seeking program funding aimed at decreasing risks of girls entering juvenile system *page 237*
Sponsor: Lisa Summers, Tribal Secretary

E. Enter E-poll results into the record for approved travel request – Councilman Tehassi Hill – Food Distribution Program on Indian Reservations meeting – Norman, OK – July 11-13, 2016 *page 242*
Sponsor: Lisa Summers, Tribal Secretary

F. Approve request to direct Tribal Treasurer and Chief Counsel to submit declaratory ruling request to Oneida Judiciary by July 15, 2016, regarding Chairwoman Tina Danforth's opinion that the June 13, 2016, General Tribal Council's per capita motion and amendments had irregularities and needed further discussion by General Tribal Council *page 250*
Sponsor: Trish King, Tribal Treasurer

XIV. TRAVEL

A. TRAVEL REPORTS

1. **Accept travel report – Chairwoman Tina Danforth – National Leadership Conference – Hinckley, MN – June 20-23, 2016** *page 252*

B. TRAVEL REQUESTS

1. **Approve travel request in accordance with Travel & Expense Policy – Nine (9) Oneida Nation Veterans Affairs Committee (ONVAC) members – Indian Summer Festival – September 8-11, 2016** *page 254*
   Liaison: Jennifer Webster, Councilwoman

2. **Approve travel request – Secretary Lisa Summers – Midwest Alliance of Sovereign Tribes (MAST) summer meeting – Pokagon Band of Potawatomi Indians/Buffalo, MI – July 20-21, 2016** *page 263*

3. **Approve travel request – Councilman Tehassi Hill – 2016 Partners in Action Conference – Sault Ste. Marie, MI – July 19-21, 2016** *page 266*

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

A. OPERATIONAL REPORTS

1. **Accept Development Division FY '16 3rd quarter report** *page 270*
   Sponsors: James Petitjean, Interim Assistant Division Director/Development; Jacque Boyle, Interim Assistant Division Director/Operations; Scott Cottrell, Utilities Manager

2. **Defer Environmental Health & Safety Division FY '16 3rd quarter report to the July 27, 2016, regular Business Committee meeting** *page 299*
   Sponsor: Patrick Pelky, Division Director/Environmental Health & Safety

3. **Defer Division of Land Management FY '16 3rd quarter report to the July 27, 2016, regular Business Committee meeting** *page 300*
   Sponsor: Patrick Pelky, Division Director/Land Management

B. CORPORATE REPORTS *(No Requested Action)*

C. BOARDS, COMMITTEES, AND COMMISSIONS

1. **Defer Anna John Residential Centered Care Community Board FY '16 3rd quarter report to the July 27, 2016, regular Business Committee meeting** *page 301*
   Chair: Candace House
   Liaison: Melinda J. Danforth, Tribal Vice-Chairwoman

2. **Accept Oneida Nation Arts Board FY '16 3rd quarter report** *page 303*
   Chair-Elect: Dawn Walschinski
   Liaison: Jennifer Webster, Councilwoman

XVI. EXECUTIVE SESSION

A. REPORTS

1. **Accept Chief Counsel report –** Jo Anne House, Chief Counsel *page 310*

B. STANDING ITEMS

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

C. AUDIT COMMITTEE

Sponsor: Councilman Tehassi Hill, Chair

1. **Accept May 12, 2016, Audit Committee meeting minutes** *page 317*

2. **Approve Four Card Poker audit and lift confidentiality requirement allowing tribal members to view the audit** *page 320*

3. **Approve Three Card Poker Rules of Play audit and lift confidentiality requirement allowing tribal members to view the audit** *page 334*

4. **Approve Roulette Rules of Play audit and lift confidentiality requirement allowing tribal members to view the audit** *page 347*

D. UNFINISHED BUSINESS

1. **Accept update regarding Print Shop – Mail Center Operational Plan** *page 365*
   (1:30-2:00)
   Sponsor: Joanie Buckley, Division Director/Internal Services

   EXCERPT FROM APRIL 13, 2016: Motion by Fawn Billie to accept the Print Shop – Mail Center Operational plan as information and to request an update for the July 13, 2016, regular Business Committee meeting, seconded by Melinda J. Danforth. Motion carried unanimously.
   EXCERPT FROM MARCH 30, 2016: No formal action was taken on this item.
   *EXCERPT FROM DECEMBER 9, 2015: **(1)** Motion by David Jordan to accept the report, seconded by Fawn Billie. Motion carried unanimously. **(2)** Motion by Lisa Summers to require the next update be brought back to the March 23, 2016, regular Business Committee meeting, seconded by Jennifer Webster. Motion carried unanimously.*
   EXCERPT FROM SEPTEMBER 23, 2015: Motion by Brandon Stevens to accept the update as information, seconded by Fawn Billie. Motion carried unanimously.
   *EXCERPT FROM SEPTEMBER 9, 2015: **(1)** Motion by Jennifer Webster to accept this item as information, seconded by Lisa Summers. Motion carried unanimously. **(2)** Amendment to the main motion by Melinda J. Danforth to request the Internal Services Director bring back the assessment to the Business Committee in three (3) months, seconded by Lisa Summers. Motion carried unanimously.*

2. **Accept transition plan from Internal Services/MIS Department regarding Surveillance System Replacement Project** *page 370*
   (This item is scheduled to begin at 2:00 p.m.)
   Sponsor: Joanie Buckley, Division Director/Internal Services

   EXCERPT FROM APRIL 27, 2016: Motion by David Jordan to accept the update from the Gaming Commission, Retail, Finance, and Gaming regarding Surveillance System Replacement Project and to request that the agreed upon action plan be placed in writing and signed by all affected parties, seconded by Tehassi Hill. Motion carried unanimously.
   *EXCERPT FROM APRIL 13, 2016: **(1)** Motion by Lisa Summers to request that the team working on this item meet and collaborate on how to proceed and bring back this item to the April 27, 2016, regular Business Committee meeting for an update, seconded by Jennifer Webster. Motion carried unanimously. **(2)** Motion by Lisa Summers to defer a policy development on this issue to the Internal Services/MIS Department to bring back a recommendation on a transition plan which moves the Nation towards a long-term systems alignment and for this draft plan to be brought back to the July 13, 2016, regular Business Committee meeting, seconded by Fawn Billie. Motion carried unanimously. **(3)** Motion by David Jordan to request all the teams that were to be brought together and put under one team for a RFP to be vetted out and be transparent, seconded by Lisa Summers. Motion carried unanimously.*

E. TABLED BUSINESS *(No Requested Action)*

F. NEW BUSINESS

1. **Review U.S. Dept. of Housing and Urban Development (HUD) On-Site Monitoring review report and determine appropriate corrective actions** *page 376*
   (This is item is scheduled to begin at 9:00 a.m.)
   Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

2. **Approve draft letter of engagement retaining Fletcher Law, PLLC – contract # 2016-0718** *page 423*
   Sponsors: Trish King, Tribal Treasurer; Brandon Stevens, Councilman

3. **Review Business Committee Officers' recommendations regarding personnel action, transition, and annual evaluation follow-up** *page 432*
   Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

4. **Approve request to direct Area Manager of Human Resources Dept. to postpone posting Land Claims Commission – Administrative Assistant position** *page 450*
   Sponsors: Trish King, Tribal Treasurer; Lisa Summers, Tribal Secretary
   Liaison: Jennifer Webster, Councilwoman

5. **Review and approve Business Committee Officer's recommendations regarding Interim Assistant Development Division Director – Operations' thirty (30) day report** *page 452*
   Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

XVII. ADJOURN

Posted on the Oneida Nation's official website, www.oneida-nsn.gov, at 4:00 p.m., Friday, July 8, 2016, pursuant to the Open Records and Open Meetings Law, section 7.17-1.

The meeting packet of the open session materials for this meeting is available by going to the Oneida Nation's official website at: https://oneida-nsn.gov/government/business-committee/agendas-packets/

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

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 07 / 13 / 16

2. General Information:

Session: ☒ Open ☐ Executive - See instructions for the applicable laws, then choose one:

Agenda Header: Minutes

☐ Accept as Information only

☒ Action - please describe:

Approve June 22, 2016, regular meeting minutes

3. Supporting Materials

☐ Report ☐ Resolution ☐ Contract

☒ Other:

1. June 22, 2016, regular meeting minutes
2.
3.
4.

☐ Business Committee signature required

4. Budget Information

☐ Budgeted - Tribal Contribution ☐ Budgeted - Grant Funded ☐ Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Lisa Summers, Tribal Secretary

Primary Requestor/Submitter: Submitted by Heather Heuer, Info. Mgmt Specialist/BC Support Office
Your Name, Title / Dept. or Tribal Member

Additional Requestor:
Name, Title / Dept.

Additional Requestor:
Name, Title / Dept.

D R A F T

Oneida Business Committee

Executive Session
9:00 a.m. Tuesday, June 21, 2016
Executive Conference Room, 2nd floor, Norbert Hill Center

Regular Meeting
9:00 a.m. Wednesday, June 22, 2016
BC Conference Room, 2nd floor, Norbert Hill Center

Minutes – DRAFT

EXECUTIVE SESSION
Present: Vice-Chairwoman Melinda J. Danforth, Treasurer Trish King, Council members: Fawn Billie, Tehassi Hill, Jennifer Webster;
Not Present: Chairwoman Tina Danforth, Secretary Lisa Summers, Councilman David Jordan, Councilman Brandon Stevens;
Arrived at: ;
Others present: Jo Anne House, Tana Aguirre, Larry Barton, Barbara Webster, Michele Doxtator, Jessica Wallenfang, Josh Doxtator, James Petitjean;

REGULAR MEETING
Present: Vice-Chairwoman Melinda J. Danforth, Treasurer Trish King, Council members: Fawn Billie, Tehassi Hill, Jennifer Webster;
Not Present: Chairwoman Tina Danforth, Secretary Lisa Summers, Councilman David Jordan, Councilman Brandon Stevens;
Arrived at: ;
Others present: Jo Anne House, Brad Graham, Bill Graham, Donald Miller, Mike Debraska, Nancy Barton, Joanie Buckley, Kathy Metoxen, Heather Heuer, James Skenandore Jr., Susan House, Tina Skenandore, Gina Buenrostro, Rosa Laster, Adrian Matson, Sabrina King, Colleen Cornelius, Chris Johnson, Daril Peters, Jessica Wallenfang, Don White, Lisa Liggins, Jennifer Falck, Shannon Columb, Ed Delgado, Cathy Metoxen, Leyne Orosco, Mason Thomas, Tyler Fabricius, Wes Martin Jr., Danelle Wilson, Jeff Mears, Larry Barton, Yvonne Jourdan, Janice Hirth Skenandore, Brian Doxtator, Marsha Danforth, Jennifer Berg Hargrove;

I. CALL TO ORDER AND ROLL CALL by Vice-Chairwoman Melinda J. Danforth at 9:00 a.m.

For the record: Chairwoman Tina Danforth is on approved travel to attend the National Leadership Development Conference in Hinckley, MN. Councilman David Jordan is on approved travel to attend the Indigenous Gathering Space Dedication in Ontario, Canada. Councilman Brandon Stevens is out of the office on vacation time. Secretary Lisa Summers out of the office on personal time.

II. OPENING (00:00:35) by Councilman Tehassi Hill

D R A F T

III. ADOPT THE AGENDA (00:04:20)

Motion by Jennifer Webster to adopt the agenda with the following change: [Move item VII.A. Approve request to appoint Susan House, Tina Skenandore, Gina Buenrostro, Rosa Laster, Adrian Matson, Sabrina King, and Colleen Cornelius as alternates to the Oneida Election Board, to the top of the agenda before Oaths of Office], seconded by Fawn Billie. Motion carried unanimously:

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

IV. OATHS OF OFFICE (00:06:28) administered by Treasurer Trish King

A. Audit Committee – James Skenandore Jr.
Sponsor: Lisa Summers, Tribal Secretary

B. Seven (7) Oneida Election Board alternates – Susan House, Tina Skenandore, Gina Buenrostro, Rosa Laster, Adrian Matson, Sabrina King, and Colleen Cornelius
Liaison: Melinda J. Danforth, Tribal Vice-Chairwoman

V. MINUTES (00:009:15)

A. Approve June 2 , 2016, special meeting minutes
Sponsor: Lisa Summers, Tribal Secretary

Motion by Trish King to approve the June 2, 2016, special meeting minutes, seconded by Tehassi Hill. Motion carried unanimously:

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

B. Approve June 8, 2016, regular meeting minutes
Sponsor: Lisa Summers, Tribal Secretary

Motion by Trish King to approve the June 8, 2016, regular meeting minutes, seconded by Fawn Billie. Motion carried with one abstention:

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

VI. RESOLUTIONS (00:10:15)

A. Adopt resolution titled Native American Business Development Institute Feasibility Study Program
Sponsor: Joanie Buckley, Division Director/Internal Services

Motion by Trish King to adopt resolution # 06-22-16-A Native American Business Development Institute Feasibility Study Program, for the purpose of the Foreign Trade Zone project, seconded by Jennifer Webster. Motion carried unanimously:

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

D R A F T

B. Adopt resolution titled The KeepsEagle Settlement Fund Grant Application
Sponsor: Joanie Buckley, Division Director/Internal Services

Motion by Jennifer Webster to adopt resolution # 06-22-16-B The KeepsEagle Settlement Fund Grant Application, seconded by Tehassi Hill. Motion carried unanimously:
Ayes: Fawn Billie, Tehassi Hill, Trish King, Jennifer Webster
Not Present: Tina Danforth, David Jordan, Brandon Stevens, Lisa Summers

C. Adopt resolution titled Climate Change Grant from Bureau of Indian Affairs – Midwest Region
Sponsor: Joanie Buckley, Division Director/Internal Services

Motion by Jennifer Webster to adopt resolution # 06-22-16-C Climate Change Grant from Bureaus of Indian Affairs – Midwest Region, seconded by Trish King. Motion carried unanimously:
Ayes: Fawn Billie, Tehassi Hill, Trish King, Jennifer Webster
Not Present: Tina Danforth, David Jordan, Brandon Stevens, Lisa Summers

VII. APPOINTMENTS (00:05:55)

A. Approve request to appoint Susan House, Tina Skenandore, Gina Buenrostro, Rosa Laster, Adrian Matson, Sabrina King, and Colleen Cornelius as alternates to the Oneida Election Board
Liaison: Melinda J. Danforth, Tribal Vice-Chairwoman

Motion by Trish King to appoint Susan House, Tina Skenandore, Gina Buenrostro, Rosa Laster, Adrian Matson, Sabrina King, and Colleen Cornelius as alternates to the Oneida Election Board, seconded by Tehassi Hill. Motion carried unanimously:
Ayes: Fawn Billie, Tehassi Hill, Trish King, Jennifer Webster
Not Present: Tina Danforth, David Jordan, Brandon Stevens, Lisa Summers

VIII. STANDING COMMITTEES (00:51:37)

A. Legislative Operating Committee[1]
Sponsor: Councilman Brandon Stevens, Chair

1. Accept June 1, 2016, Legislative Operating Committee meeting minutes

Motion by Trish King to accept the June 1, 2016, Legislative Operating Committee meeting minutes, seconded by Jennifer Webster. Motion carried unanimously:
Ayes: Fawn Billie, Tehassi Hill, Trish King, Jennifer Webster
Not Present: Tina Danforth, David Jordan, Brandon Stevens, Lisa Summers

[1] The Legislative Operating Committee FY '16 2nd quarter report was accepted early at the May 25, 2016, regular Business Committee meeting.

D R A F T

B. Finance Committee
Sponsor: Treasurer Trish King, Chair

1. Accept Finance Committee FY '16 2nd quarter report

Motion by Trish King to approve the Finance Committee FY '16 2nd quarter report, seconded by Tehassi Hill. Motion carried unanimously:
Ayes: Fawn Billie, Tehassi Hill, Trish King, Jennifer Webster
Not Present: Tina Danforth, David Jordan, Brandon Stevens, Lisa Summers

C. Community Development & Planning Committee
Sponsor: Vice-Chairwoman Melinda J. Danforth, Chair

1. Accept Community Development & Planning Committee FY '16 2nd quarter report

Motion by Tehassi Hill to accept the Community Development & Planning Committee FY '16 2nd quarter report, seconded by Jennifer Webster. Motion carried unanimously:
Ayes: Fawn Billie, Tehassi Hill, Trish King, Jennifer Webster
Not Present: Tina Danforth, David Jordan, Brandon Stevens, Lisa Summers

D. Quality of Life Committee
Sponsor: Councilwoman Fawn Billie, Chair

1. Accept May 12, 2016, Quality of Life Committee meeting minutes

Motion by Jennifer Webster to accept the May 12, 2016, Quality of Life Committee meeting minutes, seconded by Tehassi Hill. Motion carried unanimously:
Ayes: Fawn Billie, Tehassi Hill, Trish King, Jennifer Webster
Not Present: Tina Danforth, David Jordan, Brandon Stevens, Lisa Summers

2. Accept Quality of Life Committee FY '16 2nd quarter report

Motion by Jennifer Webster to accept the Quality of Life Committee FY '16 2nd quarter report, seconded by Trish King. Motion carried unanimously:
Ayes: Fawn Billie, Tehassi Hill, Trish King, Jennifer Webster
Not Present: Tina Danforth, David Jordan, Brandon Stevens, Lisa Summers

IX. GENERAL TRIBAL COUNCIL (1:16:04)

A. Approve request from Petitioner Frank Cornelius to be first on the August 10, 2016, special General Tribal Council meeting agenda
Sponsor: Lisa Summers, Tribal Secretary

Motion by Fawn Billie to approve the request from Petitioner Frank Cornelius to be first on the August 10, 2016, special General Tribal Council meeting agenda, seconded by Tehassi Hill. Motion carried unanimously:
Ayes: Fawn Billie, Tehassi Hill, Trish King, Jennifer Webster
Not Present: Tina Danforth, David Jordan, Brandon Stevens, Lisa Summers

D R A F T

B. Approve meeting materials for the August 10, 2016, special General Tribal Council meeting
Sponsor: Lisa Summers, Tribal Secretary

Motion by Trish King to defer the meeting materials for the August 10, 2016, special General Tribal Council meeting to a special Business Committee meeting, seconded by Fawn Billie. Motion carried unanimously:
Ayes: Fawn Billie, Tehassi Hill, Trish King, Jennifer Webster
Not Present: Tina Danforth, David Jordan, Brandon Stevens, Lisa Summers

C. Accept petition submitted by Leland Ninham regarding free child care for employees as information only, as it does not meet number of required signatures; and direct Tribal Secretary to notify Petitioner of the action taken
Sponsor: Lisa Summers, Tribal Secretary

Motion by Jennifer Webster to accept the petition submitted by Leland Ninham regarding free child care for employees as information only, as it does not meet number of required signatures in accordance with the Constitution and By-laws of the Oneida Nation, seconded by Trish King. Motion carried unanimously:
Ayes: Fawn Billie, Tehassi Hill, Trish King, Jennifer Webster
Not Present: Tina Danforth, David Jordan, Brandon Stevens, Lisa Summers

Motion by Tehassi Hill to direct the Tribal Secretary to send the Petitioner formal notice indicating the petition did not meeting the constitutional requirement to call for a special General Tribal Council meeting, seconded by Jennifer Webster. Motion carried unanimously:
Ayes: Fawn Billie, Tehassi Hill, Trish King, Jennifer Webster
Not Present: Tina Danforth, David Jordan, Brandon Stevens, Lisa Summers

X. STANDING ITEMS (1:20:15)

A. Defer update regarding Work Plan for CIP # 14-002 Cemetery Improvements to the July 27, 2016, regular Business Committee meeting
Sponsor: James Petitjean, Interim Assistant Division Director/Development

Motion by Jennifer Webster to defer the update regarding Work Plan for CIP # 14-002 Cemetery Improvements to the July 27, 2016, regular Business Committee meeting; and to request the Tribal Secretary notify the Land Commission, Division of Land Management, Development Division, Trust & Enrollment Committee, and any other parties that are necessary, to be present at the July 13, 2016, regular Business Committee meeting, seconded by Fawn Billie. Motion carried unanimously:
Ayes: Fawn Billie, Tehassi Hill, Trish King, Jennifer Webster
Not Present: Tina Danforth, David Jordan, Brandon Stevens, Lisa Summers

XI. UNFINISHED BUSINESS *(No Requested Action)*

XII. TABLED BUSINESS *(No Requested Action)*

D R A F T

XIII. NEW BUSINESS (1:39:54)

A. Approve Tribal/State Title IV-E Financial Agreement with Wisconsin Department of Children and Families
Sponsor: Don White, Division Director/Governmental Services

Motion by Jennifer Webster to approve the Tribal/State Title IV-E Financial Agreement with Wisconsin Department of Children and Families, seconded by Fawn Billie. Motion carried unanimously:
Ayes: Fawn Billie, Tehassi Hill, Trish King, Jennifer Webster
Not Present: Tina Danforth, David Jordan, Brandon Stevens, Lisa Summers

XIV. TRAVEL (1:50:47)

A. TRAVEL REPORTS

1. Accept travel report – Councilwoman Fawn Billie – 34th Annual Protecting Our Children-National American Indian Conference on Child Abuse and Neglect – St. Paul, MN – April 3-6, 2016

Motion by Jennifer Webster to accept the travel report – Councilwoman Fawn Billie – 34th Annual Protecting Our Children-National American Indian Conference on Child Abuse and Neglect – St. Paul, MN – April 3-6, 2016, seconded by Tehassi Hill. Motion carried with one abstention:
Ayes: Tehassi Hill, Trish King, Jennifer Webster
Abstained: Fawn Billie
Not Present: Tina Danforth, David Jordan, Brandon Stevens, Lisa Summers

2. Accept travel report – Secretary Lisa Summers and Councilwoman Fawn Billie – Midwest Alliance of Sovereign Tribes (MAST) Impact Week 2016 – Washington DC – April 26-29, 2016

Motion by Jennifer Webster to accept the travel report – Secretary Lisa Summers and Councilwoman Fawn Billie – Midwest Alliance of Sovereign Tribes (MAST) Impact Week 2016 – Washington DC – April 26-29, 2016, seconded by Trish King. Motion carried with one abstention:
Ayes: Tehassi Hill, Trish King, Jennifer Webster
Abstained: Fawn Billie
Not Present: Tina Danforth, David Jordan, Brandon Stevens, Lisa Summers

3. Accept travel report – Secretary Lisa Summers – Crimes Against Children in Indian Country Conference – Wisconsin Dells, WI – March 21-25, 2016; and direct Legislative Operating Committee to complete a review of our current laws to ensure there is the ability for the Judiciary to do emergency orders

Motion by Jennifer Webster to accept the travel report – Secretary Lisa Summers – Crimes Against Children in Indian Country Conference – Wisconsin Dells, WI – March 21-25, 2016; and to direct Legislative Operating Committee to complete a review of our current laws to ensure there is the ability for the Judiciary to do emergency orders, seconded by Fawn Billie. Motion carried unanimously:
Ayes: Fawn Billie, Tehassi Hill, Trish King, Jennifer Webster
Not Present: Tina Danforth, David Jordan, Brandon Stevens, Lisa Summers

D R A F T

4. **Accept travel report – Secretary Lisa Summers – Tribal Consultations meeting – Wisconsin Dells, WI – May 9-10, 2016**

Motion by Trish King to accept the travel report – Secretary Lisa Summers – Tribal Consultations meeting – Wisconsin Dells, WI – May 9-10, 2016, seconded by Jennifer Webster. Motion carried unanimously:
Ayes: Fawn Billie, Tehassi Hill, Trish King, Jennifer Webster
Not Present: Tina Danforth, David Jordan, Brandon Stevens, Lisa Summers

B. TRAVEL REQUESTS

1. **Approve travel request in accordance with the Travel & Expense Policy – Up to six (6) Election Board members; one (1) Enrollment Department employee; and one (1) Oneida Police Department officer – 2016 Special Election – Milwaukee, WI – July 9, 2016**
Liaison: Melinda J. Danforth, Tribal Vice-Chairwoman

Motion by Jennifer Webster to approve the travel request in accordance with the Travel & Expense Policy – Up to six (6) Election Board members; one (1) Enrollment Department employee; and one (1) Oneida Police Department officer – 2016 Special Election – Milwaukee, WI – July 9, 2016, seconded by Trish King. Motion carried unanimously:
Ayes: Fawn Billie, Tehassi Hill, Trish King, Jennifer Webster
Not Present: Tina Danforth, David Jordan, Brandon Stevens, Lisa Summers

2. **Approve travel request – Secretary Lisa Summers – Community Analysis Process for Planning Strategies – Prior Lake, MN – August 1-4, 2016**

Motion by Fawn Billie to approve the travel request – Secretary Lisa Summers – Community Analysis Process for Planning Strategies – Prior Lake, MN – August 1-4, 2016, seconded by Jennifer Webster. Motion carried unanimously:
Ayes: Fawn Billie, Tehassi Hill, Trish King, Jennifer Webster
Not Present: Tina Danforth, David Jordan, Brandon Stevens, Lisa Summers

Motion by Jennifer Webster to recess at 11:49 p.m. and to reconvene at 1:30 p.m., seconded by Fawn Billie. Motion carried unanimously:
Ayes: Fawn Billie, Tehassi Hill, Trish King, Jennifer Webster
Not Present: Tina Danforth, David Jordan, Brandon Stevens, Lisa Summers

Meeting called to order by Vice-Chairwoman Melinda J. Danforth at 1:30 p.m.

Chairwoman Tina Danforth, Secretary Lisa Summers, Councilman David Jordan, and Councilman Brandon Stevens not present.

XV. REPORTS (2:07:34) *(This section of the agenda is scheduled to begin at 1:30 p.m.)*

A. OPERATIONAL REPORTS

1. **Accept Oneida Retail Enterprise FY '16 2nd quarter report**
Sponsor: Michele Doxtator, Area Manager/Retail Profits

Motion by Jennifer Webster to accept the Oneida Retail Enterprise FY '16 2nd quarter report, seconded by Tehassi Hill. Motion carried unanimously:
Ayes: Fawn Billie, Tehassi Hill, Trish King, Jennifer Webster
Not Present: Tina Danforth, David Jordan, Brandon Stevens, Lisa Summers

B. CORPORATE REPORTS *(No Requested Action)*

D R A F T

C. BOARDS, COMMITTEES, AND COMMISSIONS

1. Accept Oneida Personnel Commission FY '16 2nd quarter report
Chair: Yvonne Jourdan
Liaison: Lisa Summers, Tribal Secretary

Motion by Jennifer Webster to defer the Oneida Personnel Commission FY '16 2nd quarter report back to the Personnel Commission and their Business Committee Liaisons to review and revise the section under personal comments, seconded by Tehassi Hill. Motion carried unanimously:
Ayes: Fawn Billie, Tehassi Hill, Trish King, Jennifer Webster
Not Present: Tina Danforth, David Jordan, Brandon Stevens, Lisa Summers

2. Accept Land Commission FY '16 2nd quarter report
Chair: Rae Skenandore
Liaison: Tehassi Hill, Councilman

Motion by Tehassi Hill to accept the Land Commission FY '16 2nd quarter report, seconded by Jennifer Webster. Motion carried unanimously:
Ayes: Fawn Billie, Tehassi Hill, Trish King, Jennifer Webster
Not Present: Tina Danforth, David Jordan, Brandon Stevens, Lisa Summers

XVI. EXECUTIVE SESSION (1:57:20)

A. REPORTS

1. Accept Oneida Retail Enterprise FY '16 2nd quarter report
Sponsor: Michele Doxtator, Area Manager/Retail Profits

Motion by Fawn Billie to accept the Oneida Retail Enterprise FY '16 2nd quarter report, seconded by Trish King. Motion carried unanimously:
Ayes: Fawn Billie, Tehassi Hill, Trish King, Jennifer Webster
Not Present: Tina Danforth, David Jordan, Brandon Stevens, Lisa Summers

2. Accept Chief Financial Officer's report – Larry Barton, Chief Financial Officer

Motion by Trish King to accept the Chief Financial Officer's report, seconded by Fawn Billie. Motion carried unanimously:
Ayes: Fawn Billie, Tehassi Hill, Trish King, Jennifer Webster
Not Present: Tina Danforth, David Jordan, Brandon Stevens, Lisa Summers

3. Accept Intergovernmental Affairs & Communications report – Nathan King, Director

Motion by Jennifer Webster to accept the Intergovernmental Affairs & Communications report, seconded by Trish King. Motion carried unanimously:
Ayes: Fawn Billie, Tehassi Hill, Trish King, Jennifer Webster
Not Present: Tina Danforth, David Jordan, Brandon Stevens, Lisa Summers

a. Approve Special Counsel agreement – Arlinda Locklear – contract # 2016-0643

Motion by Jennifer Webster to approve the Special Counsel agreement – Arlinda Locklear – contract # 2016-0643, seconded by Fawn Billie. Motion carried unanimously:
Ayes: Fawn Billie, Tehassi Hill, Trish King, Jennifer Webster
Not Present: Tina Danforth, David Jordan, Brandon Stevens, Lisa Summers

D R A F T

Motion by Tehassi Hill to approve the branding memorandum to be distributed organization-wide, seconded by Jennifer Webster. Motion carried unanimously:

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

4. **Accept Chief Counsel report –** Jo Anne House, Chief Counsel

Motion by Trish King to accept the Chief Counsel report, seconded by Fawn Billie. Motion carried unanimously:

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

B. STANDING ITEMS

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

2. **Oneida Golf Enterprise – Ladies Professional Golf Association**
   Sponsor: Trish King, Tribal Treasurer

   a. **Accept bi-monthly update**

Motion by Tehassi Hill to accept the bi-monthly Oneida Golf Enterprise – Ladies Professional Golf Association update, seconded by Fawn Billie. Motion carried unanimously:

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

   b. **Approve Oneida Golf Enterprise Agent Agreement – contract # 2016-0651**

Motion by Trish King to approve the Oneida Golf Enterprise Agent Agreement – contract # 2016-0651, seconded by Tehassi Hill. Motion carried unanimously:

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

Motion by Fawn Billie to direct the Liaison to work with Oneida Human Resources Department and Thornberry Creek Human Resources as needed to execute the agreement, seconded by Tehassi Hill. Motion carried unanimously:

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

C. AUDIT COMMITTEE
Sponsor: Tehassi Hill, Councilman

1. **Accept Audit Committee FY' 16 2nd quarter report**

Motion by Tehassi Hill to accept the Audit Committee FY' 16 2nd quarter report, seconded by Jennifer Webster. Motion carried unanimously:

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

D R A F T

D. UNFINISHED BUSINESS

1. Approve continuation of additional duties compensation for Division Director of Land Management until September 30, 2016
Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

EXCERPT FROM MARCH 30, 2016: Motion by Lisa Summers to approve the continuation of additional duties compensation for Division Director of Land Management until June 31, 2016, seconded by Tehassi Hill. Motion carried unanimously.
EXCERPT FROM DECEMBER 9, 2015: Motion by Lisa Summers to extend the recommended additional duties compensation up to three (3) months, seconded by David Jordan. Motion carried unanimously.

Motion by Jennifer Webster to approve the continuation of additional duties compensation for Division Director of Land Management until September 30, 2016, seconded by Tehassi Hill. Motion carried unanimously:
Ayes: Fawn Billie, Tehassi Hill, Trish King, Jennifer Webster
Not Present: Tina Danforth, David Jordan, Brandon Stevens, Lisa Summers

Motion by Jennifer Webster to defer the discussion of this position to the Business Committee work meeting for July 19, 2016, seconded by Tehassi Hill. Motion carried unanimously:
Ayes: Fawn Billie, Tehassi Hill, Trish King, Jennifer Webster
Not Present: Tina Danforth, David Jordan, Brandon Stevens, Lisa Summers

2. Accept update regarding audit # 336
Sponsor: Tehassi Hill, Councilman

*EXCERPT FROM MAY 25, 2016: **(1)** Motion by David Jordan to accept the update and presentation regarding audit # 336, seconded by Jennifer Webster. Motion carried unanimously. **(2)** Motion by Jennifer Webster to request the summary of the actionable employment items be forwarded to the supervisor for the appropriate follow-up to be completed in the next (2) two weeks, noting this follow-up be reported back to the Business Committee in that time frame, seconded by David Jordan. Motion carried unanimously.*

Motion by Trish King to accept the update regarding audit # 336, seconded by Tehassi Hill. Motion carried unanimously:
Ayes: Fawn Billie, Tehassi Hill, Trish King, Jennifer Webster
Not Present: Tina Danforth, David Jordan, Brandon Stevens, Lisa Summers

Motion by Tehassi Hill to go into executive session at 11:03 a.m., seconded by Fawn Billie. Motion carried unanimously:
Ayes: Fawn Billie, Tehassi Hill, Trish King, Jennifer Webster
Not Present: Tina Danforth, David Jordan, Brandon Stevens, Lisa Summers

Motion by Tehassi Hill to come out of executive session at 11:45 a.m., seconded by Jennifer Webster. Motion carried unanimously:
Ayes: Fawn Billie, Tehassi Hill, Trish King, Jennifer Webster
Not Present: Tina Danforth, David Jordan, Brandon Stevens, Lisa Summers

D R A F T

3. **Adopt resolution titled Regarding Pardon of Thomas Lee**
   Sponsor: Lisa Summers, Tribal Secretary

   EXCERPT FROM JUNE 8, 2016: Motion by Brandon Stevens to defer this resolution back to the Pardon Screening Committee for an explanation on how the cited civil suit is related to the action for which the pardon is being sought, and this clarification be provided in time for the June 22, 2016, regular Business Committee meeting, seconded by Lisa Summers. Motion carried unanimously.

Motion by Jennifer Webster to adopt resolution # 06-22-16-D Regarding Pardon of Thomas Lee, seconded by Trish King. Motion carried with two abstentions:

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

Motion by Fawn Billie to direct the Division Director of Governmental Services to bring to the Quality of Life Committee alternatives for working with community members who are in this type of position seeking employment, seconded by Trish King. Motion carried unanimously:

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

4. **Defer update regarding complaint # 2016-DR06-01**
   Sponsor: Tehassi Hill, Councilman

   EXCERPT FROM MAY 25, 2016: Motion by Lisa Summers to accept the update regarding complaint # 2016-DR06-01; and to defer item to the June 22, 2016, regular Business Committee meeting, seconded by David Jordan. Motion carried unanimously.
   EXCERPT FROM MARCH 30, 2016: Motion by Tehassi Hill to accept Complaint # 2016-DR06-01, to acknowledge merit, and to assign Councilman Brandon Stevens, Councilman Tehassi Hill, and Councilwoman Jennifer Webster, seconded by Fawn Billie. Motion carried with one abstention.

Motion by Jennifer Webster to defer the update regarding complaint # 2016-DR06-01 to the August 10, 2016, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously:

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

B. TABLED BUSINESS ***(No Requested Action)***

C. NEW BUSINESS

1. **Approve fifty-two (52) new enrollments and two (2) relinquishments**
   Sponsor: Brandon Stevens, Councilman

Motion by Jennifer Webster to approve the fifty-two (52) new enrollments and two (2) relinquishments, seconded by Tehassi Hill. Motion carried with two abstentions:

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

D R A F T

2. **Accept concern # 2016-CC-09 and discussion**
   Sponsors: Melinda J. Danforth, Tribal Vice-Chairwoman; David Jordan, Councilman

Motion by Jennifer Webster to defer concern # 2016-CC-09 to Vice-Chairwoman Melinda J. Danforth and Councilwoman Fawn Billie, seconded by Fawn Billie. Motion carried unanimously:
Ayes: Fawn Billie, Tehassi Hill, Trish King, Jennifer Webster
Not Present: Tina Danforth, David Jordan, Brandon Stevens, Lisa Summers

3. **Accept update regarding Comprehensive Health Division 2nd quarter report**
   Sponsors: Debra Danforth, Division Director/Operations; Dr. Ravinder Vir, Division Director/Medical

Motion by Trish King to request the Division Directors of Comprehensive Health to work with the Law Office to redact and simplify their update regarding their Comprehensive Health Division 2nd quarter report, due to Health Insurance Portability and Accountability Act (HIPAA) rules and regulations, seconded by Fawn Billie. Motion carried unanimously:
Ayes: Fawn Billie, Tehassi Hill, Trish King, Jennifer Webster
Not Present: Tina Danforth, David Jordan, Brandon Stevens, Lisa Summers

XVII. ADJOURN

Motion by Trish King to adjourn at 2:00 p.m., seconded by Fawn Billie. Motion carried unanimously:
Ayes: Fawn Billie, Tehassi Hill, Trish King, Jennifer Webster
Not Present: Tina Danforth, David Jordan, Brandon Stevens, Lisa Summers

Minutes prepared by Heather Heuer, Information Management Specialist
Minutes approved as presented/corrected on _____.

_____
Lisa Summers, Secretary
ONEIDA BUSINESS COMMITTEE

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 07 / 13 / 16

2. General Information:

Session: ☒ Open ☐ Executive - See instructions for the applicable laws, then choose one:

Agenda Header: Minutes

☐ Accept as Information only

☒ Action - please describe:

Approve July 5, 2016, special meeting minutes

3. Supporting Materials

☐ Report ☐ Resolution ☐ Contract

☒ Other:

1. July 5, 2016, special meeting minutes
2.
3.
4.

☐ Business Committee signature required

4. Budget Information

☐ Budgeted - Tribal Contribution ☐ Budgeted - Grant Funded ☐ Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Lisa Summers, Tribal Secretary

Primary Requestor/Submitter: Submitted by Heather Heuer, Info. Mgmt Specialist/BC Support Office
Your Name, Title / Dept. or Tribal Member

Additional Requestor:
Name, Title / Dept.

Additional Requestor:
Name, Title / Dept.

D R A F T

Oneida Business Committee

Special Meeting
8:30 a.m. Tuesday, July 5, 2016
BC Conference Room, 2nd floor, Norbert Hill Center

Minutes – DRAFT

SPECIAL MEETING
Present: Vice-Chairwoman Melinda J. Danforth, Secretary Lisa Summers, Council members: Fawn Billie, Tehassi Hill, David Jordan, Jennifer Webster;
Not Present: Chairwoman Tina Danforth;
Arrived at: Treasurer Trish King and Councilman Brandon Stevens at 8:34 a.m.**;**
Others present: Jo Anne House, Larry Barton, Dawn Moon-Kopetsky, Heather Heuer;

I. CALL TO ORDER AND ROLL CALL by Vice-Chairwoman Melinda J. Danforth at 8:32 a.m.

For the record: Chairwoman Tina Danforth is out of the office on travel.

II. OPENING

III. ADOPT THE AGENDA

Motion by Jennifer Webster to adopt the agenda as presented, seconded by Tehassi Hill. Motion carried unanimously:

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

IV. UNFINISHED BUSINESS

Treasurer Trish King and Councilman Brandon Stevens arrive at 8:34 a.m.

A. Approve meeting materials for the August 10, 2016, special General Tribal Council meeting
Sponsor: Lisa Summers, Tribal Secretary

EXCERPT FROM JUNE 22, 2016: Motion by Trish King to defer the meeting materials for the August 10, 2016, special General Tribal Council meeting to a special Business Committee meeting, seconded by Fawn Billie. Motion carried unanimously.

Motion by Lisa Summers to approve the meeting materials for the August 10, 2016, special General Tribal Council meeting, including the Business Committee recommendations provided by Chief Counsel, seconded by Jennifer Webster. Motion carried unanimously:

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

D R A F T

V. ADJOURN

Motion by Lisa Summers to adjourn at 8:37 a.m., seconded by Brandon Stevens. Motion carried unanimously:

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

Minutes prepared by Heather Heuer, Information Management Specialist
Minutes approved as presented/corrected on _____.

_____
Lisa Summers, Secretary
ONEIDA BUSINESS COMMITTEE

JUN 2 2 2016

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 7 / 13 / 16

2. General Information:

Session: ☒ Open ☐ Executive - See instructions for the applicable laws, then choose one:

Other - type reason

Agenda Header: Resolutions

☐ Accept as Information only

☒ Action - please describe:

Signature needed on attached resolution for Participation in a Nationwide Elder Needs Assessment

3. Supporting Materials

☐ Report ☒ Resolution ☐ Contract

☒ Other:

1. National Resource Center Information
2.
3. Additional survey information
4.

☒ Business Committee signature required

4. Budget Information

☐ Budgeted - Tribal Contribution ☒ Budgeted - Grant Funded ☐ Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Don White, Division Director/GSD Email for Don White

Primary Requestor/Submitter: Florence Petri, Elder Services Director Florence Petri 6/22/16
Your Name, Title / Dept. or Tribal Member

Additional Requestor: Debra Powless, Governmental Services Area Manager Debra Powless Debra Powless 2016.06.22 12:02:35 -05'00'
Name, Title / Dept.

Additional Requestor:
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

Describe the purpose, background/history, and action requested:

This survey assists tribes, villages, and homesteads in creating a record of the health and social needs of their elders. Survey results document the needs of your elders to help with tribal planning, long-term care discussions, and grant applications. The results also satisfy the requirement for Title VI nutrition and caregiving grants from the Administration on Community Living (ACL) which are awarded every three years.

Data is collected on: general health status, activities of daily living, vision, hearing and dental care, screening, health care access, tobacco and alcohol usage, weight and nutrition, social support/housing, demographics, and social functioning. The survey was constructed using questions from nationally administered questionnaires so comparisons could be made with data from the general U.S. population. When you participate you will receive your detailed results as well as a compilation of the results from all the Native elders surveyed. These results are compared to statistics from the general U.S. population to determine the extent of existing social and health differences

1) Save a copy of this form for your records.

2) Print this form as a *.pdf *OR* print and scan this form in as *.pdf.

3) E-mail this form and all supporting materials in a **SINGLE** *.pdf file 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 Nation

Post Office Box 365

Phone: 920-869-2214 Oneida, WI 54155

UGWA DEMOLUM YATEHE
Because of the help of this Oneida Chief in cementing a friendship between the six nations and the colony of Pennsylvania, a new nation, the United States was made possible.

BC Resolution # __-__-__-_
Participation in a Nationwide Elder Needs Assessment

WHEREAS, the Oneida Nation 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 Nation; and

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

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

WHEREAS, long-term care, a category that includes health promotion, home health services, personal care, housekeeping assistance, home delivered meals, skilled nursing care, assisted living, and other in-home services, is an emerging unmet need in Indian Country; and

WHEREAS, three National Resource Centers (North Dakota, Alaska and Hawaii) have been awarded grants through the Administration on Aging, Department of Health & Human Services, to collaborate and provide technical assistance on the health and social needs of American Indian, Alaska Native, and Native Hawaiian elderly and assist these groups in conducting a needs assessment which is a requirement for their AoA grant; and

WHEREAS, the needs assessment is designed to yield information on the following Native elder health care needs:

- General Health Status
- Activities of Daily Living
- Visual, Hearing, and Dental
- Tobacco and Alcohol Use
- Nutrition, Exercise, and Excess Weight
- Social Support, Housing, and Work; and

WHEREAS, in addition to providing technical assistance, the three National Resource Centers on Native Aging are required, by the Older Americans Act, to perform research and disseminate the results of the research; and

WHEREAS, the three National Resource Centers on Native Aging are asking Tribes throughout the nation to volunteer to participate in a partnership arrangement, to identify the needs of American Indian, Alaska Native, and Native Hawaiian elders nationwide, in which the resource centers and the Tribe/consortium will each assume responsibilities:

<u>What the Resource Center will provide:</u>

- Needs assessment instruments
- Assistance in sampling
- Training of interviewers
- Consultation with interviewers via email or telephone
- Data entry and analysis
- Data storage
- Production of tables and comparisons with national statistics

What each Tribe/consortium will provide:

- A Tribal Resolution documenting participation in the Native elder social and health needs assessment as applicable
- A list of elders to interview
- Interviewers or volunteers to conduct the survey
- Interpretation of the results with local input
- Development of recommendations for actions
- Dissemination of the results to tribal leaders and health officials; and

WHEREAS, Summary information from your needs assessment, along with a national comparison report from all the needs assessments, will be returned to the governing council and to the local contact person; and

WHEREAS, The confidentiality of enrolled members and Tribal/consortium information is of the utmost importance; therefore, the information in this needs assessment will be collected anonymously by tribal members with the information stored at the University or North Dakota School of Medicine & Health Sciences within a locked file cabinet and destroyed after a period of ten years; and

NOW THERFORE BE IT RESOLVED, that the Oneida Nation hereby authorizes participation in the most current *Identifying Our Needs: A Survey of Elders*. The Oneida Nation grants permission to the North Dakota, Alaska, and Hawaii National Resource Centers on Native Aging to use all collected needs assessment information in aggregate format for the purpose of disseminating state, regional, and national results from analyses of the data.

BE IT FINALLY RESOLVED, that specific information collected within the boundaries of the Oneida Nation belongs to the Oneida Nation and may not be released in any form to individuals, agencies, or organizations without tribal authorization.

Additional Information

RESOURCES:

The National Resource Center on Native American Aging website, www.nrcnaa.org, has additional information about us and the resources we can provide.

BENEFITS:

- The needs assessment survey and analysis of results are free of charge to participating service areas.
- Completion of the needs assessment fulfills ACL requirements for Title VI Nutrition and Caregiving Grants.
- Needs assessment survey data can be used to document disparities, strengthen grant proposals, advocate for elderly resources, and determine the type of long-term care facility/services that are best suited for a community.
- Past participants in the needs assessment have the added benefit of trend data to determine if changes are occurring among chronic disease rates, functional limitation, exercise, and other variables.
- The NRCNAA is recognized nationally for its assistance with Native elder issues. In Cycle II of the needs assessment over 145 sites and 342 tribes participated. In Cycle III 127 sites representing 298 tribes, villages, and homesteads participated. Cycle IV was the best yet with 166 service areas representing 303 indigenous nations and 18,078 elders participating in the needs assessment!

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 7 / 13 / 16

2. General Information:

Session: ☒ Open ☐ Executive - See instructions for the applicable laws, then choose one:

Agenda Header: Resolutions

☐ Accept as Information only

☒ Action - please describe:

Request a resolution be signed

3. Supporting Materials

☐ Report ☒ Resolution ☐ Contract

☐ Other:

1. 3.

2. 4.

☐ Business Committee signature required

4. Budget Information

☐ Budgeted - Tribal Contribution ☐ Budgeted - Grant Funded ☒ Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Joanie Buckley, Division Director/Internal Services JOANIE 7/5/16

Primary Requestor/Submitter: Donald M. Miller, Technical Writer, Grants Department
Your Name, Title / Dept. or Tribal Member

Additional Requestor: Cheryl Stevens, Director, Grants Department Cheryl Stevens 7/5/16
Name, Title / Dept.

Additional Requestor:
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

Describe the purpose, background/history, and action requested:

The requested resolution is required by the granting agency. It will authorize the Internal Services Division to apply for a grant to conduct a feasibility study regarding the development of an Oneida Job training/business incubator with the goal of seeking a future grant to build the project.

The Economic Development Administration (EDA) supports economic development projects that are intended to create jobs. Various Oneida programs have been involved in agricultural focused training programs that have sought to improve the success of existing Native farmers and other entrepreneurs and done so with some success. It is our position that the Oneida Nation needs to look beyond the existing methods we use for job creation which either require that we expand our own employee numbers which has become very problematic, or to wait for some other entity to develop a need that they will fill with Oneida or other American Indian people. Something that the current employment numbers show is not happening, current American Indian unemployment in this area is 300% higher than that for non-Native people. It is our belief that there is a need for an entrepreneurial and job training facility based in Oneida. An assessment of the need for a business incubator/ job training center in Oneida must first begin with a general assessment of the business climate for American Indians in Wisconsin. In Wisconsin there were 100,440 businesses in operation as of 2014, of those 0.323% or 1 in 310 were owned by an American Indians. The majority of those businesses were gaming or agricultural in nature. The reasons for this deficit are certainly many, but chief among them has to be opportunity. Most American Indians live in rural areas, with limited transportation and small populations from which to draw business. The costs of starting most types of business are prohibitive and discourage most who would or have tried to start businesses of their own. To overcome this barrier, American Indian entrepreneurs must be able to start their businesses in a way that allows them to capitalize on the resources that they can access. These resources generally tend to be agricultural, reservation based, low tech and low cost.

With regard to the demand for trained cooks, there are more than 200 restaurants within driving distance of the Oneida Nation reservation which indicates a demand for trained cooks looking for employment or food based entrepreneurs looking to hone their skills before entering the business world. An example of the demand for food based entrepreneurial activities, such as catering, in addition to unspecified occasions, is the fact that there are 161 wedding venues in Green Bay Wisconsin and there have been more than 1500 weddings annually in the city since 2008. A full service incubator and entrepreneurial kitchen, such as we propose, would provide a combination of both job training and entrepreneurial opportunity for American Indian women and men living in the area on or around the Oneida Indian reservation. We believe that there is a demand for this opportunity within the Oneida community, particularly among younger members.

The Economic Development Administration is a federal agency focused on job and new business creation. Its programs, among other things, provide funding to conduct feasibility studies to determine if proposed job creation ideas have merit and if it is determined that they do than they offer opportunities to apply for funding to build and operate such a facility.

At this time we are asking for BC support to request that the EDA fund the first step, a feasibility study to determine if there is potential for a successful development in Oneida. At this stage there is no commitment being made by the Oneida Nation for activity beyond the administration of the feasibility study.

1) Save a copy of this form for your records.

2) Print this form as a *.pdf *OR* print and scan this form in as *.pdf.

3) E-mail this form and all supporting materials in a **SINGLE** *.pdf file 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 Nation

Post Office Box 365

Phone: 920-869-2214 **Oneida, WI 54155**

UGWA DEMOLUM YATEHE
Because of the help of this Oneida Chief in cementing a friendship between the six nations and the colony of Pennsylvania, a new nation, the United States was made possible.

BC Resolution # __-__-__-_
The Economic Development Administration Program Grant

WHEREAS, the Oneida Nation 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 Nation; and

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

WHEREAS, the Oneida Nation recognizes the importance of entrepreneurs in rural communities as a method for new job creation; and

WHEREAS, the Oneida Nation is committed to the economic development of its people and its community and has a long history of job creation and educational partnerships; and

WHEREAS, the Oneida Nation is a qualified applicant for the Economic Development Administration grant program; and

NOW THEREFORE BE IT RESOLVED, that the Oneida Nation will support an application for the Economic Development Administration grant for a feasibility study for the Oneida Food Center.

GRANT PROPOSAL AUTHORIZATION FORM

ONEIDA GRANTS OFFICE
PH: (920) 496-7330 FAX: (920) 496-7494

Form instructions: Double click on the grey area; a drop down called "form field option box" box will appear. In the "items drop-down list" click on which one you want; then click on the "up" arrow move it to the top and click on ok. In the reporting area: Double click on the box you want to put an "x" in. A "check box form field" box will appear, in "under default value" click on "checked" then ok.

PROGRAM INFORMATION

Department: Internal Services	Division/Non-Division: Internal Services Division
Program:	Program Accountant:
Person Responsible for proposal development: Joanie Buckley	Phone: (920) 496-7425
Person Responsible for grant administration: Joanie Buckley	Phone: (920) 496-7425
Project Title: Oneida Community Food Center Feasibility Study	

GRANT INFORMATION

Name of Funding Source: Economic Development Administration		Type (pick one): Federal
Title of Grant: Planning and Local Technical Assistance Program		CFDA No:11.302
Application Deadline: None		Grant Amount: $ 100,000.00
Project Period: 12 months	Budget Period: 12 months	Type of Project (pick one): Planning
Match Requested (% or $): 5%		Match Type (pick one): In Kind

Is a Tribal resolution required? If yes, please notify Grants Office immediately. Yes

Will this grant create a: New position No Committee No Commission No Board No

Will this grant fund an existing position? No Name of Position(s):

If YES, *attach draft job description for all grant funded positions.* PLEASE NOTE: Position/employee will be phased out when grant funding ends.

Project Proposal Summary (must answer all these questions): The purpose, benefit(s), where is the match coming from, are there any other programs collaborating, travel justification, position justification etc., or pertinent information: Grant will provide funding for feasibility and planning activities related to the development of an Oneidas community food center. The opportunity will support the creation of a Food Center/Entrepreneurial Kitchen as an economic driver and incubator for small businesses, would help to visibly anchor and engage the community in healthy foods, and would show an investment in long term tribal community development. Resulting in increased community employment and increased community access to locally grown fresh foods, improving community health and economic condition.

List any capital expenditures (cap ex), technology expenses & CIP purchases (NOTE: Must follow the appropriate Cap ex, CIP or Technology SOP for each purchase request.):

Reporting: Monthly ☐ Quarterly ☐ Yearly ☐ Narrative ☐ Financial ☐

SIGNATURES

Your signature authorizes the person responsible for proposal development to work with the Grants Office when applying for funding and acknowledges your responsibility to successfully administer all requirements of this grant throughout the project period and budget period.

Grants Office Signature Date

Supervisor Signature Date
SIGNATURE VERIFIES & APPROVES MATCH

Ronnie 7/5/16
Division/Non-Division Director Signature Date
SIGNATURE APPROVES GRANT PROJECT & MATCH

Revised: 12/8/14

GO-001

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 07 / 13 / 2016

2. General Information:

Session: ☒ Open ☐ Executive - See instructions for the applicable laws, then choose one:

Agenda Header: Resolutions

☐ Accept as Information only

☒ Action - please describe:

Motion to approve the Fiscal Year 2016 Revenue Allocation Plan

3. Supporting Materials

☐ Report ☒ Resolution ☐ Contract

☒ Other:

1. OBC draft resolution
2. Tribal Revenue Allocation Plan
3. Statement of Effect
4. Draft Letter to BIA

☒ Business Committee signature required

4. Budget Information

☒ Budgeted - Tribal Contribution ☐ Budgeted - Grant Funded ☐ Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Jo Anne House, Chief Counsel

Primary Requestor/Submitter: Submitted by Jeri Bauman, Senior Paralegal, Oneida Law Office
Your Name, Title / Dept. or Tribal Member

Additional Requestor:
Name, Title / Dept.

Additional Requestor:
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

Describe the purpose, background/history, and action requested:

The FY-2016 Revenue Allocation Plan complies with the Indian Gaming Regulatory Act of 1988 [25U.S.C. subsection 2701, specifically, sub-section 271 O(b)(3)A-D ("IGRA") and all other applicable federal law.
The Oneida Business Committee, acting in its capacity as the delegated governmental body of the Oneida Nation, is being requested to adopt this Tribal Revenue Allocation Plan for the purposes of distributing per capita payments for FY-2016. A resolution is included in this request for your approval.

This approval process occurs each year Oneida distributes per capita plans.

The Oneida Trust/Enrollment Committee approved the FY-2016 Revenue Allocation Plan at their duly called meeting on June 21, 2016.

1) Save a copy of this form for your records.

2) Print this form as a *.pdf *OR* print and scan this form in as *.pdf.

3) E-mail this form and all supporting materials in a **SINGLE** *.pdf file 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 Nation

Post Office Box 365

Phone: 920-869-2214 **Oneida, WI 54155**

UGWA DEMOLUM YATEHE
Because of the help of this Oneida Chief in cementing a friendship between the six nations and the colony of Pennsylvania, a new nation, the United States was made possible.

BC Resolution # __-__-__-_
Revenue Allocation Plan FY 2016

WHEREAS, the Oneida Nation 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 Nation; and

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

WHEREAS, the Oneida Business Committee adopted BC Resolution #07-10-13-B which approved a per capita payment of $1,000.00 to every enrolled member of the Oneida Nation f/k/a Oneida Tribe of Indians of Wisconsin, in accordance with the Oneida Per Capita Ordinance, for Fiscal Years 2014, 2015, and 2016; and

WHEREAS, the General Tribal Council adopted Resolution #08-11-97-A which approved a per capita payment of $2,000.00 to each enrolled elder over the age of 62, in accordance with the Oneida Per Capita Ordinance, to begin in Fiscal Year 1998; and

WHEREAS, the General Tribal Council adopted Resolution #06-30-90-A which approved a per capita payment of $500.00 to each enrolled elder over the age of 65 in accordance with the Oneida Per Capita Ordinance, to begin in November 1994; and

WHEREAS, the Oneida Trust Committee is delegated responsibility to manage trust accounts in accordance with the Oneida Per Capita Ordinance; and

WHEREAS, the Oneida Trust/Enrollment Committee approved the attached Revenue Allocation Plan for Fiscal Year 2016 by motion on June 21, 2016; and

WHEREAS, the Indian Gaming Regulatory Act states that net revenues from any Class II and III gaming activities conducted or licensed by any tribe may be used to make per capita payments to members of the tribe only if (1) the tribe has prepared a Plan to allocate revenues for authorized uses and (2) the Plan is approved by the United States Assistant Secretary of the Interior as adequate; and

WHEREAS, the Revenue Allocation Plan for Fiscal Year 2016 ensures that not more than fifty percent (50%) of the net gaming revenues shall be used for per capita payments to members; and

WHEREAS, the attached Revenue Allocation Plan for Fiscal Year 2016 is in compliance with the Indian Gaming Regulatory Act, 25 U.S.C. 2701, et seq. as the Plan demonstrates that the Oneida Nation is dedicating a significant source of net gaming revenue for economic and governmental purposes; and

NOW THEREFORE BE IT RESOLVED, that the Oneida Business Committee hereby approves and adopts the attached Revenue Allocation Plan for Fiscal Year 2016.

BE IT FINALLY RESOLVED, that upon adoption by the Oneida Business Committee, the attached Revenue Allocation Plan for Fiscal Year 2016 and this resolution shall be presented to the United States Assistant Secretary of the Interior for review and approval according to the Indian Gaming Regulatory Act.

Oneida Nation
Legislative Reference Office

Jennifer Falck, Director
Douglass A. McIntyre, Staff Attorney
Taniquelle J. Thurner, Legislative Analyst
Maureen Perkins, Legislative Analyst

P.O. Box 365
Oneida, WI 54155
(920) 869-4375
(800) 236-2214
https://oneida-nsn.gov/Laws

Statement of Effect
Revenue Allocation Plan FY 2016

Summary
This resolution approves and adopts the Revenue Allocation Plan for Fiscal Year 2016 and directs that it be presented to the United States Assistant Secretary of the Interior for review and approval in accordance with the Indian Gaming Regulatory Act.

Submitted by: Douglass McIntyre, Staff Attorney, Legislative Reference Office

Analysis by the Legislative Reference Office
This resolution adopts a document which sets forth the allocation of tribal revenues for the payment of general membership and elder per capita. These per capita payments were adopted by the General Tribal Council through GTC Resolutions #06-30-90-A, #08-11-97-A, and #7-10-13-B.

In accordance with the Indian Gaming Regulatory Act, gaming revenues must be used for specific purposes and gaming revenues used to make per capita payments must meet certain criteria. This Statement of Effect does not review the Revenue Allocation Plan for Fiscal Year 2016. That document has received review by an attorney during the drafting stages and for the final document.

The resolution identifies that a specified sum of money will be utilized for a per capita payment at the direction of the General Tribal Council. This budgeted impact has been assessed by the General Tribal Council through the budgeting process of the Oneida Nation. Thus, the Oneida Business Committee has been authorized to take the above action affecting the budget.

The action within this resolution is within the authority of the Oneida Business Committee. The document being forwarded has received attorney review which is not included as a part of this Statement of Effect.

Conclusion

There are no legal issues which would prohibit adoption of this resolution.

ONEIDA NATION

Revenue Allocation Plan
Fiscal Year 2016

Section I. Resolution and Repeal of Inconsistent Legislation

This Revenue Allocation Plan ("Plan") was adopted pursuant to Oneida Business Committee Resolution No. 07-____-2016-__. With the exception of the Constitution of the Oneida Nation f/k/a Oneida Tribe of Indians of Wisconsin (ANation@) and the Gaming Compact of 1991 and its applicable amendments entered into by the Nation and State of Wisconsin, this Plan shall govern the allocation of available net revenues from the Nation's gaming enterprises including per capita distributions to qualified members of the Nation.

Section II. Policy and Legislative History

This Plan is in compliance with the Indian Gaming Regulatory Act of 1988 [25 U.S.C. '2701, specifically, '2710(b)(3)A-D ("IGRA") and all other applicable federal law. The Nation shall use revenues generated by its gaming establishments primarily to strengthen the Nation's government, its self-sufficiency and to support its economic development. The Nation shall ensure that its governmental operations and programs and its economic development shall receive the necessary financial support from net gaming revenues prior to distributing such revenues for other purposes.

The Nation is committed to providing for its long range security and its members. Accordingly, the Nation shall ensure that net gaming revenues are allocated toward investments, programs and projects that impact not only present needs, but also anticipate future needs. In addition, the Nation shall ensure that investments, programs and projects funded by net gaming revenues are aimed toward improving national conditions and the life opportunities of its members for the next seven generations.

The Nation retains the inherent sovereign right to determine the best interests of its minor members by providing for their future welfare by placing monies into trust for the benefit of those minor members. The Nation shall provide for the future of minors while encouraging parents to provide for the immediate living needs of their children as is their responsibility.

The Nation is committed to the education of its children. Specifically, the Nation seeks to increase the high school graduation rates of its members, and encourage its members to pursue degrees in colleges, universities or vocational schools. Currently, the Nation offers financial assistance to every eligible member for educational purposes.

Pursuant to Oneida Business Committee Resolution #07-10-13-B, a per capita payment in the amount of $1,000.00 will be distributed to every enrolled member of the Oneida Nation for Fiscal Years 2014, 2015, and 2016. The per capita distribution will be referred to as the APer Capita Payment.@

Pursuant to General Tribal Council Resolution #08-11-97A, a per capita payment in the amount of $2,000.00 will be distributed to every enrolled elder aged 62 and over to begin in Fiscal Year 1998. Pursuant to General Tribal Council Resolution #6-30-90-A, "To begin in November 1994 to make a per capita payment of $500 once each year, with 5% inflation built into the schedule, to all living persons over the age of 65 by 10/31 of that year." The 5% inflationary increase began in fiscal year 2003 and was added every odd year thereafter, in addition to the $2,000 authorized by Resolution #08-11-97A. The Oneida Trust Committee took action pursuant to Oneida Trust Committee Resolution 6-25-13 to modify the 5% inflationary increase so that it will now be applied every three years beginning in 2014. The 5% inflationary increase will be applied every third year thereafter until such time as the Oneida Trust Committee designates a new schedule of payment. Both elderly per capita distributions will be referred to as the AElderly Per Capita Payment.@ The aged 65 and over elderly per capita distribution pursuant to Resolution #6-30-90-A for fiscal year 2016 will be $670.04.

The Per Capita Payment and Elderly Per Capita Payment are being made to offer financial assistance to all members of the Nation regardless of their employment with the Nation.

The Oneida Business Committee, acting in its capacity as the delegated governmental body of the Nation, is adopting this allocation plan in order to implement the above-referenced General Tribal Council Resolutions. Copies of these resolutions and motion are attached.

Section III. Use of Net Gaming Revenues; Nation's Governmental Operations and Programs

A. The Nation hereby allocates **39.25%** of net gaming revenues in order to provide for supplemental funding for governmental operations and programs. If it deems it necessary, the Oneida Business Committee acting at the direction of the General Tribal Council shall have the authority to revise and increase the percentage of net gaming revenues allocated to funding for its governmental operations and programs.

B. Governmental operations and programs to be supplementarily funded by net gaming revenues under this Section shall include, but shall not be limited to, the following: the Nation's administration, capital improvements to its offices, public works program, planning program, enrollment program, community health representative, health services, Indian Health Services clinic, its Indian Child Welfare Act program, clean-up program, education program, school food service programs, parenting

program, summer youth workers' program, library, recreation program, elderly program, veterans' symposium, arts and crafts program, and its cultural programs.

C. The Oneida Business Committee forwarded the Fiscal Year 2016 budget to the General Tribal Council with delegation of budget revision authority to the Oneida Business Committee. Prior to the commencement of this fiscal year, the Oneida Business Committee received budget reports and requests from each governmental operation and program listed in Section III.B. The budget reports detailed: Past fiscal year revenues, projected revenues, revenue sources, including the amount of net revenues derived from gaming enterprises, past fiscal year expenditures and projected expenditures, together with a detailed accounting for expenditures. The budget reports also included budget requests including requests for supplemental funding from net gaming revenues allocated to funding for the Nation's governmental operations and programs.

D. The Oneida Business Committee, after receiving all budget reports and requests under this Section, allocated those funds designated for its governmental operations and programs. This allocation occurred with the adoption of the Nation's fiscal year budget. The Oneida Business Committee shall be the sole decision making body to any actions taken upon budget reports and requests and as to the allocation of funds designated for its governmental operations and programs as delegated by the General Tribal Council.

E. The Oneida Business Committee disbursed those monies allocated to its governmental operations and programs in accordance with the Nation's fiscal year budget referenced in paragraph D above. Any disbursements made hereunder by the receiving governmental operation or program shall be handled in a manner consistent with the operation's or program's generally accepted accounting methods.

F. Prior to the adoption of the Oneida Nation's fiscal year budget, the Oneida Business Committee reviewed the budget reports and requests required in Paragraph C above for the prior fiscal year, and any other reports prepared in accordance with generally accepted accounting methods, to determine the actual amount of monies expended on its governmental operations and programs in the prior fiscal year together with the percentage of total net gaming revenues allocated to its governmental operations and programs in the prior fiscal year. Such review was reported to the General Tribal Council through Treasurer's Reports.

Section IV. Use of Net Gaming Revenues; General Welfare of the Oneida Nation and its Members

A. The Nation hereby allocates **33.65%** of net gaming revenues in order to provide supplemental funding for the general welfare of the Nation and its members. If it deems it necessary, the Oneida Business Committee acting at the direction of the General Tribal Council shall have the authority to revise and increase the percentage

of net gaming revenues allocated to funding for the general welfare of the Nation and its members.

B. The Oneida Business Committee shall meet with their delegate or designee for its social services to consider the social service and general welfare needs of its members and to receive needs assessments and budget reports and requests of any of the Nation's social service program not included in Section III. These general welfare programs shall include, but shall not be limited to, utility assistance program, funeral assistance program, the Nation's housing assistance program, higher education program, elderly services, social services programs, health services and the food distribution program. The needs assessments and budget reports and requests shall be prepared in accordance with the requirements set forth in Section III. C., D., E. and F. above, except that the General Tribal Council or the Oneida Business Committee may waive the requirements set forth in Section III. F. above.

Section V. Use of Net Gaming Revenues; Oneida Nation's Economic Development

A. The Nation hereby allocates **4.81%** of net gaming revenues in order to provide funding for its economic development.

1. If it deems it necessary, the Oneida Business Committee acting at the direction of the General Tribal Council shall have the authority to revise and increase the percentage of net gaming revenues allocated to funding for its economic development.

2. The General Tribal Council or the Oneida Business Committee acting at the direction of the General Tribal Council, may, in its discretion, allocate net gaming revenues allocated to funding for its governmental operations and programs, funding for the general welfare of the Nation and its members, donations to charitable organizations, and funding of local government operations that have not been expended as of the last date of this fiscal year to the purposes set forth in this Section.

B. "Nation's economic development" shall include investment of net gaming revenues. Investments of net gaming revenues allocated to its economic development shall be made pursuant to an annual budget allocation for business development and pursuant to an investment policy to be adopted by resolution of the General Tribal Council or the Oneida Business Committee. At a minimum, this investment policy shall provide:

1. That the net gaming revenues allocated to investment pursuant to Section V of the Revenue Allocation Plan shall be weighted toward investments that provide for the long term security of the Oneida Nation and its members.

2. A description of the types of investments made;

3. A percentage allocation of equities and bonds;

4. Investment objectives to be reviewed on a quarterly basis by the Oneida Business Committee; and

5. A list of investments that shall be excluded due to their lack of safety and liquidity.

C. Investments of net gaming revenues allocated to its economic development shall be made with nationally recognized, reputable, and safe investment companies in accordance with the Nation's goal toward the long term economic security of itself and its members. The Oneida Business Committee, in its discretion, may allocate the interest earned on investments made pursuant to this Section in accordance with the provisions of IGRA or any other applicable federal and the Nation's law(s).

D. The Oneida Business Committee acting at the direction of the General Tribal Council shall have the authority to appropriate and expend net gaming revenues allocated to its economic development to fund proposed economic development projects. The Nation's economic development proposals shall be considered in accordance with existing procedures. The Oneida Business Committee acting at the direction of the General Tribal Council shall thereafter allocate those net gaming revenues designated for its economic development to the proposed economic development project as it deems necessary and feasible.

E. The Oneida Business Committee acting at the direction of the General Tribal Council shall have the authority to appropriate and expend net gaming revenues allocated to its economic development to supplement funding for ongoing economic development enterprises. Requests for supplemental funding for the Nation's ongoing businesses and enterprises shall be considered in accordance with existing procedures. The Oneida Business Committee acting at the direction of the General Tribal Council shall thereafter allocate those net gaming revenues designated for its economic development to the ongoing business or enterprise as it deems necessary and feasible.

Section VI. Use of Net Gaming Revenues; Donations to Charitable Organizations

A. The Nation hereby allocates **0%** of net gaming revenues to provide funding for donations to charitable organizations.

B. The Oneida Business Committee acting at the direction of the General Tribal Council shall consider requests for charitable donations under this Section. The Oneida Business Committee acting at the direction of the General Tribal Council may show a preference to such charitable donation requests that benefit the Nation's members or Indian people generally.

Section VII. Use of Net Gaming Revenues; Funding of Local Government Operations

A. The Nation hereby allocates **6.59%** of net gaming revenues to provide supplemental funding for local government operations.

B. The Oneida Business Committee acting at the direction of the General Tribal Council shall have the authority to utilize the net gaming revenues allocated to funding of local government operations to assist local city and county governments in projects and programs that affect the Nation. The Oneida Business Committee may show a preference for such local government projects or programs that benefit its members or Indian people generally. The Oneida Business Committee shall receive or initiate proposals for projects or programs with local city or county governments and negotiate the terms of such projects or programs in light of funds available under this Section. To the extent that the local government projects or programs contributed to under this section benefit non-Indians, the Oneida Business Committee may require the local government to provide matching funds.

Section VIII. Use of Net Gaming Revenues; APer Capita Payment@ and AElderly Per Capita Payment@

A. In order to advance the personal health, safety and welfare of qualified members, the Nation hereby allocates **15.70%** to be paid to qualified members. Pursuant to Oneida Business Committee Resolution #07-10-13-B, a per capita payment in the amount of $1,000.00 will be distributed to or contributed in trust (as applicable) on behalf of every enrolled member for fiscal years 2014, 2015, and 2016.

Pursuant to General Tribal Council Resolution #08-11-97A, a per capita payment in the amount of $2,000.00 will be distributed to every enrolled elder aged 62 and over to begin in Fiscal Year 1998. Pursuant to General Tribal Council Resolution #6-30-90-A, a per capita payment in the amount of $500.00 will also be distributed to every enrolled elder aged 65 and over. As authorized by Resolution #6-30-90-A, an additional 5% may be built into the $500 per capita payment made to qualifying elders, as was done in fiscal years 2003-2011. The Oneida Trust Committee took action pursuant to Trust Committee Resolution 6-25-13 to modify the 5% inflationary increase so that it will now be applied every three years beginning in 2014. The 5% inflationary increase will be applied every third year thereafter until such time as the Oneida Trust Committee designates a new schedule of payment. The aged 65 and over elderly per capita distribution for fiscal year 2014 was $670.04.

In accordance with the United States Department of Interior's Rules and Regulations, Part 290-Tribal Revenue Allocation Plan, Vol. 65, No. 53 Fed. Reg. 14467**,** (March 17, 2000), and for purposes of this Plan, "per capita payment" shall mean those payments made or distributed to all of the Nation's members, or, to identified groups of members, which are paid directly from the net revenues of any gaming activity; no other commonly accepted or used definition of the term "per capita payment" affects the use of the term herein**.**

1. Per capita payments to the Nation's qualified members shall be made no later than September 30, 2016, for the FY 2016 payment, or as soon thereafter as is legally practicable based on the submission date to allow for the minimum time for regulatory review of the Revenue Allocation Plan.

2. The Elderly Per Capita Payment shall be made not later than September 30, 2016, for the FY 2016 payment, or as soon thereafter as is legally practicable based on the submission date to allow for the minimum time for regulatory review of the Revenue Allocation Plan.

3. Upon approval of this Plan, all net revenue designated for distribution as per capita payments shall be deposited into a low-risk interest bearing account with a federally insured financial institution prior to distribution. Interest earned prior to distribution on net gaming revenues deposited in this account shall be deposited into the Nation's General Fund for future use at the discretion of the Oneida Business Committee as delegated by the General Tribal Council.

B. The Nation's "qualified members" for purposes of the "Per Capita Payment" shall mean those individuals who are duly enrolled in the Oneida Nation f/k/a Oneida Tribe of Indians of Wisconsin pursuant to Article II of the Oneida Nation's Constitution and the Oneida Membership Ordinance established by General Tribal Council Resolution #7-2-84-A. Individuals who have submitted their applications for membership to the Oneida Enrollments Department prior to February 1 of the year in which the per capita payment is made will also be eligible for the Per Capita Payment. The "Nation's qualified members" who have attained the age of 62 for the $2,000 payment or 65 for the additional $670.04 payment as of December 31 of the year in which the payment is made are eligible for the Elderly Per Capita Payment.

1. The Nation shall place into trust the per capita payments, or any portion or percentage thereof, of any individual who is declared incompetent by the Oneida Judiciary or another court of competent jurisdiction. The Oneida Trust/Enrollment Committee shall invest said funds pursuant to an Investment Policy adopted by the Oneida Trust/Enrollment Committee taking into account the goals and purpose of the trust, appropriate time horizons for investment, and liquidity needs of the trust.

2. The Oneida Trust Committee or its appointed agent shall have the authority to order the disbursement of funds held in trust on behalf of any individual who has been declared legally incompetent upon the petition of the guardian of such individual. The Oneida Trust Committee may require the petitioning guardian to submit receipts of expenditures made from funds disbursed hereunder before any future disbursements are made. The establishment of a regular monthly allowance for any individual declared legally incompetent

from the proceeds of any per capita payment placed into trust under this Section shall be at the discretion of the Oneida Trust Committee or its appointed agent.

C. In order to provide for the future safety and well-being of the children of the Nation, the General Tribal Council authorized that per capita payments designated for minor qualified members shall be deposited into a "Minors Trust Fund" established and invested by the Oneida Trust Committee pursuant to an Investment Policy adopted by the Oneida Trust Committee taking into account the goals and purposes of the trust, appropriate time horizons for investment, and liquidity needs of the trust.

1. A "minor qualified member" means an individual who is a qualified member of the Nation as defined in Section VIII. B., except that he or she has not reached the age of eighteen (18) as of September 1 of the year in which the per capita payment is made.

2. Payments into the "Minors Trust Fund" shall be deposited into the respective trust account of the minor qualified members. Account market value statements shall be available to the participant, parent, parents or legal guardian of the minor qualified member.

3. Except for those accounts subject to a deferred election as set forth in Section VIII(C)(5), each minor qualified member shall receive one trust account maturity payment of the monies accumulated in the "Minors Trust Fund," including interest, for that particular minor qualified member on such dates declared by the Trust/Enrollment Committee for the distribution of Trust benefits, at least annually, following the beneficiary's (1) attainment of the age of eighteen (18), and (2) his or her provision to the Trust/Enrollment Committee proof he or she has obtained a high school diploma, a high school equivalency diploma or a general equivalency diploma. If such proof is not provided by the qualified member, his or her trust funds shall not be disbursed until his or her twenty-first (21st) birthday. The graduating class of 2016, minors declared legally incompetent, and minors who have a learning disability or other disability are exempt from the diploma requirement. Funds for a minor declared legally incompetent shall be put into a trust account for the legally incompetent adult. Minors with a disability providing a certificate of twelve (12) years of school attendance will be treated as high school graduates. Accounts reaching maturity will be processed and distributed not less than annually.

4. The Oneida Trust Committee shall have the authority to order early distributions of any funds placed into the "Minors Trust Fund" on behalf of a minor qualified member prior to the age of majority upon proper petition of the parent(s) or legal guardian of the minor qualified member, provided that the Oneida Trust Committee determines that (1) the distributed funds will be

used solely for the health, education or welfare of the minor beneficiary, and (2) the distribution is a result of an Unforeseeable Emergency. Any petition for such emergency withdrawal shall include a detailed budget of monies necessary for the beneficiary's health, education, or welfare and a detailed justification for the need to expend Trust funds to meet the beneficiary's health, education or welfare needs, including other possible sources of funds or the lack thereof, and a showing that all other resources have been exhausted including federal, state, local and the Nation's assistance. The Oneida Trust Committee may also require that petitioners submit receipts of expenditures made from funds disbursed hereunder before any future disbursements are made.

5. Notwithstanding the regular maturity payments rules set forth above, the Oneida Trust Committee may, at its option, implement optional deferral elections whereby Trust beneficiaries (joined by a parent or guardian as appropriate) may defer payment to a later date or dates; provided that the Oneida Trust Committee may implement procedures and restrictions designed to comply with IRS deferral requirements including, without limitation, constructive receipt and economic benefit.

D. Any person enrolling in the Nation shall not be entitled to any back payments of per capita proceeds. The first per capita payment to a new member shall be on the first date of a regularly scheduled payment after his or her qualified status is confirmed in accordance with Section VIII. B.

E. The Oneida Business Committee or its appointed agent shall insure that notification of the application of federal and/or applicable state tax laws to per capita payments be made when such payments are made. The Oneida Business Committee or its appointed agent shall also implement a procedure by which qualified members who receive per capita payments can have applicable taxes automatically deducted from per capita payments. The Oneida Business Committee or its appointed agent shall include in the notice of the application of federal tax laws, a notice of the existence of the withholding procedure.

F. If any dispute arises out of the distribution of this per capita payment, all such matters shall be resolved according to the procedures set forth in the Judiciary Law adopted pursuant to General Tribal Council Resolution # 01-07-13-B.

Section IX. Revision of Allocated Percentages

Any revision of the allocated percentages as set forth in Sections III through VIII shall be documented by an Oneida General Tribal Council or Oneida Business Committee resolution, a copy of which shall be provided to the Secretary of the Interior. Any revision under this section is subject to Secretarial approval as required by the Indian Gaming Regulatory Act (IGRA).

Section X. Severability

If any section, or any part thereof, of this Plan or the application thereof to any party, person, or entity or, in any circumstances, shall be held invalid for any reason whatsoever by a court of competent jurisdiction, or by the Department of the Interior, the remainder of the section, part or Plan shall not be affected thereby and shall remain in full force and effect as though no section, or part thereof, has been declared to be invalid.

Section XI. No Waiver of Sovereign Immunity.

Nothing in this Plan shall provide or be interpreted to provide a waiver of the Nation's or any of its governmental officers' and/or agents' sovereign immunity from suit.

Section XII. Amendment or Repeal of Plan

This Plan, and any section, part, and word thereof, may be amended or repealed only by an Oneida Business Committee or Oneida General Tribal Council Resolution which requires a two-thirds vote of the Oneida Business Committee or the Oneida General Tribal Council respectively. Any resolution adopted by the Oneida General Tribal Council or Oneida Business Committee repealing the Plan will be forwarded to the Department of Interior. Any resolution adopted by the Oneida General Tribal Council or Oneida Business Committee which approves of amendments to the Plan will be forwarded to the Department of Interior along with the subject amendments. Any repeal or amendment of the Plan under this section is subject to Secretarial approval as required by the Indian Gaming Regulatory Act (IGRA).

Section XIII. Readoption is not Automatic if no Plan for Subsequent Fiscal Year.

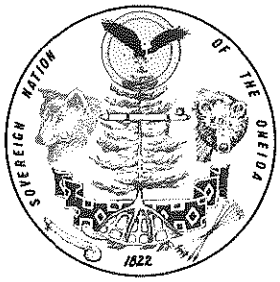
If no Revenue Allocation Plan is prepared for the subsequent fiscal year, the terms of this Plan shall not be automatically adopted, without any further General Tribal Council or Oneida Business Committee action, to govern the allocation of net gaming revenues for the subsequent fiscal year.

Section XIV. Effective Date

This Plan governs the distribution of any and all net gaming revenues occurring in fiscal year 2016 which began on October 1, 2015, and will end on September 30, 2016. This Plan becomes effective upon adoption by the Oneida Business Committee of Resolution 07-___-2016-__ and approval by the Area Director of the Bureau of Indian Affairs in accordance with the United States Department of Interior's Rules and Regulations, Part 290-Tribal Revenue Allocation Plan, Vol. 65, No. 53 Fed. Reg. 14467, (March 17, 2000), IGRA, and all other applicable federal law. Accordingly, this Plan is effective on the ____ day of July, 2016.

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 07-10-13-B
Implementing Per Capita Plan Adopted by the General Tribal Council May 5, 2013

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

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

WHEREAS, the Oneida Business Committee may be delegated duties and responsibilities by the Oneida General Tribal Council and is at all times subject to the review powers of the Oneida General Tribal Council, and

WHEREAS, the General Tribal Council met on May 5, 2013, to discuss and take action regarding a proposed per capita plan, and

WHEREAS, the per capita plans were presented by the Oneida Business Committee as directed by resolution # GTC-5-10-08-A and as requested in a petition, and

WHEREAS, the General Tribal Council, after presentation and discussion regarding the proposed per capita plans, adopted a per capita payment plan by the motion "...for a $1,000 per capita payment for three years on Oct. 1 starting in 2014".

NOW THEREFORE BE IT RESOLVED, in accordance with section 9.4-3 of the Per Capita Law, the Oneida Business Committee implements the action of the General Tribal Council and directs the per capita payment of $1000.00 to every member be included in budgets for Fiscal Years 2014, 2015, and 2016.

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum; 8 members were present at a meeting duly called, noticed and held on the 10th day of July, 2013; that the forgoing resolution was duly adopted at such meeting by a vote of 6 members for, 0 members against, and 1 member not voting; and that said resolution has not been rescinded or amended in any way.

Patricia Hoeft, Tribal Secretary
Oneida Business Committee

*According to the By-Laws, Article I, Section 1, the Chair votes "only in the case of a tie."

Oneida Tribe of Indians of Wisconsin

Post Office Box 365

Phone: (414) 869-2214

Oneida, WI 54155

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

UGWA DEMOLUM YATEHE
Because of the help of this Oneida Chief in cementing a friendship between the six nations and the colony of Pennsylvania, a new nation, the United States was made possible.

General Tribal Council
Resolution # 08-11-97A
Elderly Per Capita

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

WHEREAS, the Oneida Business Committee may be delegated duties and responsibilities by the Oneida General Tribal Council and is at all times subject to the review powers of the Oneida General Tribal Council, and

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

WHEREAS, the General Tribal Council desires to provide for an equitable distribution to the Membership, and

WHEREAS, the General Tribal Council has directed the development of an Elderly Per Capita distribution on March 22, 1997, and

WHEREAS, the Oneida Trust Committee has diligently reviewed potential options introduced by individual members, and

WHEREAS, the Oneida Business Committee has reviewed potential options introduced by financial feasibility, and

WHEREAS, it is the desire to provide a long range plan to meet the on-going needs of the total Membership which requires further time, and

NOW THEREFORE BE IT RESOLVED, that the General Tribal Council hereby adopts for implementation the Motion by Bobbie Webster to approve a Per Capita payment to each enrolled elder 62 and over of $2000.00 to begin in Fiscal Year 1998 contingent upon compact renewal.

Certification

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida General Tribal Council in session with a quorum of 124 Members present at a meeting duly called, noticed, and held on the 11th day of August, 1997; that the foregoing resolution was duly adopted at such meeting by a unanimous vote of those present and that said resolution has not been rescinded or amended in any way.

Julie Barton

Julie Barton, Tribal Secretary
ONEIDA BUSINESS COMMITTEE

GENERAL TRIBAL COUNCIL
ONEIDA TRUST COMMITTEE
RESOLUTION: 6/30/90-A

WHEREAS, On Janaury 8, 1990 the Oneida General Tribal Council took action to direct the Oneida Trust Committee to finalize a Perpetual Trust Fund Plan that would also include a Per Capita Payment Distribution Plan, and

WHEREAS, The Oneida General Tribal Council further directed Public Hearings to finalize the plan and to schedule a Special Oneida General Tribal Council meeting for final action no later than June 1990, respectively two public hearings were held on May 31 in Oneida and June 1 in Milwaukee, and

WHEREAS, Oneida General Tribal Council Resolution 1/8/90 directed that the Elderly be given top priority in the development and distribution of a Per Capita Payment Plan, and

WHEREAS, The Oneida Trust Committee is committed to identifying NEW REVENUE sources for the continued growth of a Perpetual Trust Fund and the potential New Revenue is projected to be in the area of $1-$3 Million annually, and

WHEREAS, The Oneida Trust Committee finds that the implementation of the Per Capita Payment Trust Fund Distribution Plan would also establish a SAVINGS PLAN thru prudent financial planning and growth for the benefit of the Oneida Tribe, and

NOW THEREFORE BE IT RESOLVED, That the Oneida General Tribal Council approve the attached Trust Fund Distribution Plan and Per Capita Payment Plan with priority to the Elderly, age 65 and above, and to direct the Oneida Trust Committee to implement the plan as soon as possible in order to meet the needs of the membership, and

NOW FURTHER BE IT RESOLVED, That the Oneida Trust Committee be directed to collect on a scheduled basis a minimum of $1.5 Million annually from the New Tribal Revenues and to further direct the Oneida Trust Committee and Oneida Business Committee to negotiate an annual Tribal Revenue contribution to the Trust for the implementation and distribution of the Plan, and

NOW FINALLY BE IT RESOLVED, That this annual deposit shall be binding for a period of not less than 10 years, inorder to allow for the financial growth of the Trust Fund and implementation of the Per Capita Payment Distribution Plan, and that the first scheduled deposit shall occur no later than January 31, 1991 and the first scheduled payment to the Elderly, age 65 and above shall occur no later than December 31, 1994 and that no disturbance of this principal shall occur without 2/3 majority vote of the following: Oneida General Tribal Council, Oneida Trust Committee and Oneida Business Committee.

C E R T I F I C A T I O N

I the undersigned as Secretary of the Oneida Tribe of Indians of Wisconsin, hereby certify that the Oneida General Tribal Council in session with a quorum of 112 members present, at a meeting duly called, noticed, and held on the 30th day of June, 1990; that the foregoing resolution was duly adopted at such meeting by a majority vote of those present and that said resolution has not been rescinded or amended in any way.

for Kathy Hughes / Recording Clerk
Tribal Secretary, Amelia Cornelius
June 30, 1990

PER CAPITA PAYMENT TRUST FUND DISTRIBUTION PLAN
ONEIDA GENERAL TRIBAL COUNCIL
ONEIDA TRUST COMMITTEE

ADDENDUM TO RESOLUTION 6/30/90-A
JUNE 30,1990

PLAN SUMMARY:

In order to provide the Oneida Tribal members with continuing benefits from the Trust Fund earnings, the Oneida Trust Committee recommends the following:

1. To begin making annual contributions of $1,500,000 or more into the tribal trust no later than January 31, 1991.

2. To begin in November 1994 to make a Per Capita payment of $500 once each year, with 5% inflation built into the schedule, to all living persons over the age of 65 by 10/31 of that year.

3. When the Trust Principal value reaches $10,000,000, to begin creating additional Trust Reserves to serve other Tribal members with special needs, including:

   a. Handicapped
   b. Burial Fund
   c. Scholarships

4. To cause the Trust Principal to grow adequately to provide these benefits on an ongoing basis from the Trust earnings, reserving the Trust Principal as a funding source in the event of a Tribal Emergency.

   a. In such emergency case, a 2/3 majority vote of the Oneida General Tribal Council, Oneida Trust Committee and Oneida Business Committee would be required to invade the Trust Principal. All contributions to the Trust are to be considered Trust Principal.

5. Investment and Management of the Trust Principal and its earnings shall be governed and administered by the Oneida Trust Committee.

6. The Trust Committee, as an elected representative body, reserves the right to declare benefits on an annual basis, as funds are available.

BENEFICIARIES:

1. Enrolled, Living on October 31 of each payment year, Age 65 and above by October 31 of each payment year.

   a. Lowering the age group to 62 would be contingent on adequate funds available for payment. Age group would be periodically reviewed for determination of Beneficiary expansion.

   b. Distribution to the Beneficiary shall be in a form prescribed by the Oneida Trust Committee.

   c. Procedures for distribution shall be developed by the Oneida Trust Committee.

   d. Procedures for distribution other than cash payment shall be developed for elderly in cases where the actual payment would cause loss of regular benefits, such as SSI, Medical Assistance, etc,.

2. Upon death of a beneficiary his/her share shall revert back to the Trust Fund.

GOVERNING BODY:

1. Oneida Trust Committee:

   a. Will report to the Oneida General Tribal Council on a semi-annual basis.

2. Oneida Trust Committee shall be bound and governed by the following documents:

   a. Oneida Trust Agreement,
   b. Oneida Trust Committee By-Laws,
   c. Membership Ordinance,
   d. Oneida Trust Committee Removal Ordinance,
   e. Memorandum of Agreement,
   f. General Tribal Council Legislative Directives,

ADMINISTRATIVE BODY:

1. Oneida Enrollment & Trust Department:

   a. Operational Policy & Procedures, Memorandum of Agreement,
   b. Management Plan,

NEW REVENUE:

The plan was developed with the initiative that New Revenue be generated to proportionately fund the Oneida Per Capita Payment Distribution Trust Plan - Sr. Citizens.

1. Walmart Venture 5% Taxation:

A. The Oneida Tribe shall implement a collection of taxation from the Walmart Venture. All revenue collected shall be utilized to support government services:

   1. A deposit shall be negotiated between the Oneida Trust Committee and the Oneida Business Committee for exchange of like amount of dollars into the Oneida Per Capita Trust Fund per procedures set forth and mutually agreed upon by the Oneida Trust Committee and Oneida Business Committee.

2. Vendors Licensing/Permit Fees:

   A. The Oneida Tribe shall implement a collection of Vendors Licensing Fees/Permits from the following:

      1. All vendors who do business with the Tribe and whose revenue exceeds $3000 per year.

      2. All Consultants whose fees exceed $500 per year.

         i. Exemption would be those individuals who receive stipend revenue for board duty.

      3. Contractors as determined in the Vendors Licensing Permit Ordinance.

   B. A Vendors Licensing Permit Ordinance shall be developed with cooperation of the Oneida Law Department and scheduled for Public Hearing by the Oneida Trust Committee and submitted to the Oneida Business Committee for final approval.

   C. All revenue collected shall be utilized in one of the following manners:

      1. Deposit into the Oneida Per Capita Trust Fund per procedures set forth and mutually agreed upon by the Oneida Trust Committee and Oneida Business Committee.

      2. Negotiated between the Oneida Trust Committee and Oneida Business Committee for exchange of

like amount of dollars into the Oneida Per Capita Trust Fund per procedures mutually agreed upon by the Oneida Trust Committee and Oneida Business Committee.

3. Undistributed Prize monies:

A. All categories of prize monies expired and not claimed by individual customers shall be earmarked for collection and deposit into the Oneida Per Capita Trust Fund per procedures set forth by the Oneida Trust Committee.

i. Exemption would be those prize monies held in an annuitized fund by an insurance company.

4. Users Fees:

The Oneida Tribe shall implement a collection of Users Fees in the following areas:

a. All areas of the Tribe that conduct gaming:

1. Negotiate and develop criteria of all Users Fees on all areas of Gaming.

2. Negotiated between the Oneida Trust Committee and Oneida Business Committee for exchange of like amount of dollars for deposit into the Oneida Per capita Trust fund per procedures mutually agreed upon by the Oneida Trust Committee and Oneida Business Committee.

TRIBAL REVENUE:

The Oneida Trust Committee and Business Committee shall negotiate as per the General Tribal Council Resolution 6/30/90-A a dollar amount of tribal revenue on an annual basis for deposit into the Oneida Per Capita Trust Fund per procedures mutually agreed uon by the Oneida Trust Committee and Oneida Business Committee.

ONEIDA TRUST COMMITTEE:

The Oneida Trust Committee hereby accepts to hold and administer and to direct the investment, reinvestment and collection of income therefrom and make arrangements for disbursements as hereinafter provided. Further said Oneida Trust Committee agrees to abide by such procedures as the Oneida Trust

Committee determines will best protect the interest and principal.

ART SKENANDORE, Chairman
Oneida Trust Committee
June 18, 1990

JULIE BARTON, Secretary
Oneida Trust Committee
June 18, 1990

C E R T I F I C A T I O N

I the undersigned Secretary of the Oneida Tribe of Indians of Wisconsin, hereby certify that the Oneida General Tribal Council in session with a quorum of members present, at a meeting duly called, noticed, and held on the 30th day of June, 1990; that the foregoing plan was duly adopted by, resolution 6/30/90- A, at such meeting by a majority vote of those present and that said plan has not been rescinded or amended in any way.

Tribal Secretary, Amelia Cornelius

ONEIDA TRUST DEPARTMENT

P.O. BOX 365 • ONEIDA, WI 54155

PHONE: (920) 490-3935 FAX: (920) 496-7491

ONEIDA TRUST/ENROLLMENT COMMITTEE

Resolution 6 - 25 - 13

WHEREAS, the General Tribal Council has delegated all authority to conduct the affairs of the funds held in trust by the Oneida Tribe of Indians of Wisconsin to the Oneida Trust Committee, pursuant to the *Emigrant Indian Trust of 1977,* and

WHEREAS, in 1977, the Oneida General Tribal Council (G.T.C.) approved the Oneida Trust Fund Plan, including the creation of the Oneida Trust Committee on behalf of the Oneida Tribe of Indians of WI, a federally recognized treaty tribe with the United States, and

WHEREAS, the Oneida General Tribal Council resolution #1-8-77-C authorized the duly elected Oneida Trust Committee full administrative control over areas of the Trust, and

WHEREAS, the Oneida Trust Committee has been delegated the responsibility to administer the Oneida Trust Fund by the Oneida General Tribal Council and therefore, is the duly recognized governing body of the Oneida Trust Fund, and

WHEREAS, the Oneida Trust Committee has acted as the fiduciary of the Oneida Tribe of Indians of Wisconsin continuously since 1978, and

WHEREAS, the General Tribal Council adopted an addendum to resolution #6-30-90-A that recommends an Elderly Per Capita payment of $500 once each year (from the Elder Per Capita fund now titled the Elder Per Capital Higher Education and General Welfare Trust (Trust)) , with a 5% inflation built into the schedule, and

WHEREAS, the Oneida Trust Committee established a schedule for implementation of the 5% inflationary increase in Oneida Trust Committee Resolutions 4-22-03, resolving that the $500 Elderly Per Capita payment be increased by 5% for the payment to be made in Calendar Year 2003 and that the 5% increase be applied for each odd year thereafter until such time as the Oneida Trust Committee designates a new schedule of payment, and

WHEREAS, the responsibilities of the Trust has grown significantly including maintaining the 5% inflation schedule each odd year commencing in 2003, a Higher Education benefit and a death benefit, and

WHEREAS, population projections of Oneidas aged 65 and over are projected to grow rapidly in the coming years, and

WHEREAS, as a fiduciary, the Trust Committee has determined that the recent low inflation economy coupled with the rapidly growing population projection of Tribal members age 65 and

over and the uncertainty of the capital market that it is it in the Trust's best interest to change the schedule to every three years, and.

NOW THEREFORE BE IT RESOLVED, that there be no 5% inflationary increase for year 2013, but starting in calendar year 2014 a 5% increase will be applied to the Elderly Per Capita payment and for each third year thereafter until such time as the Oneida Trust Committee designates a new schedule of payment starting Calendar Year 2014, with the payment in 2014 to be $670.04, thereby preserving the inflationary increases for 2003 through 2011.

BE IT FINALLY RESOLVED, that the Trust Committee will review the impacts and review new projections every three years to determine the overall direction and viability of the inflation schedule of the Trust.

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Trust Committee, hereby certify that the Oneida Trust Committee in session with a quorum of 9 members present, at a meeting duly-called, noticed, and held on the 25th day of June, 2013; that the foregoing resolution was duly adopted at such meeting by a majority vote of those present and that said resolution has not been rescinded or amended in any way.

Secretary, Oneida Trust 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

Oneida Tribe of Indians of Wisconsin

Post Office Box 365

Phone: 869-2214

Oneida, WI 54155

UGWA DEMOLUM YATEHE
Because of the help of this Oneida Chief in cementing a friendship between the six nations and the Colony of Pennsylvania, a new nation, the United States, was made possible

GENERAL TRIBAL COUNCIL
RESOLUTION NO. #7-2-84-A

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 may be delegated duties and responsibilities by the Oneida General Tribal Council and is at all time subject to the review powers of the Oneida General Tribal Council, and

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

WHEREAS, the Oneida General Tribal Council has directed the Oneida Business Committee to revise and update all tribal ordinances including the Oneida Membership Ordinance, and

WHEREAS, the Oneida Membership Ordinance was first adopted by the Oneida General Tribal Council in 1941, and which ordinance was approved by the Secretary of the Interior in 1942, and

WHEREAS, the Oneida Membership Ordinance has from time to time been revised, and

WHEREAS, occasions have occurred wherein the present ordinance does not provide for enrollment of Oneida persons who would be otherwise eligible for enrollment, such as children of Oneida parents one of whom may be enrolled in a different Oneida community, and

WHEREAS, it is the desire of the Oneida General Tribal Council that all persons who are eligible to be enrolled are properly enrolled and that all enrollments are to be accomplished in a timely and orderly manner pursuant to this ordinance upon adoption by the Oneida General Tribal Council, and

WHEREAS, the Oneida Trust Committee has met for more than a year and has discussed various revisions, and

WHEREAS, the Oneida Trust Committee has recommended to the Oneida Business Committee a new ordinance which would supersede all prior existing ordinances and amendments, a copy of which is hereto attached, and

WHEREAS, the Oneida Business Committee, on April 16, 1984, at its second regular monthly evening meeting, open to all Oneida tribal members, approved the Oneida Membership Ordinance recommended by the Oneida Trust Committee, and

WHEREAS, no less than two (2) public hearings were held by the Oneida Business Committee, at which all tribal members were free to express their views and submit their comments on the proposed Membership Ordinance.

NOW, THEREFORE BE IT RESOLVED: that the Oneida General Tribal Council hereby approves and adopted the attached Oneida membership Ordinance, and

BE IT FURTHER RESOLVED: that upon adoption by the Oneida General Tribal Council, the attached Oneida Membership Ordinance and this resolution shall be presented to the Secretary of the Interior for his/her review pursuant to the Oneida Constitution, Article IV, Section 4.

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Tribe of Indians of Wisconsin, hereby certify that the Oneida General Tribal Council in session with a quorum of 162 members, present at a meeting duly called, noticed and held on the 2nd day of July, 1984; that the foregoing Resolution was duly adopted at such meeting by a unanimous vote of those present and that said resolution has not been rescinded or amended in any way.

L. Gordon McLester, Tribal Secretary
Oneida Tribe of Indians of Wisconsin

gtcmem/pk

Oneidas bringing several d bags of corn to gton's starving army ley Forge, after the colonists had consistently refused to aid them

Post Office Box 365

Phone: 869-2214

Oneida, WI 54155

UGWA DEMOLUM YATEHE
Because of the help of this Oneida Chief in cementing a friendship between the six nations and the Colony of Pennsylvania, a new nation, the United States, was made possible.

RESOLUTION # 8-19-91-A

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 the authority of Article IV, Section 1 of the Oneida Tribal Constitution by the Oneida General Tribal Council, and

WHEREAS, the Oneida Business Committee formally adopted the Oneida Tribal Administrative Procedures Act and Oneida Appeals Commission on May 2, 1990, and

WHEREAS, the Oneida Business Committee notified the General Tribal Council of said action at the 1990 annual General Tribal Council meeting and the 1991 General Tribal Council semi-annual meeting, and

WHEREAS, the Oneida Business Committee has brought forward the Oneida Tribal Administrative Procedures Act and Oneida Appeals Commission for reauthorization and readoption by the Oneida Business Committee, and

WHEREAS, the General Tribal Council has been given notice of said adoption of the Oneida Tribal Administrative Procedures Act and the Oneida Appeals Commission and has had adequate time to review said actions, and

WHEREAS, said Act and Commission would enhance and protect the self-government and sovereignty of the Oneida Tribe, and

WHEREAS, said Act and Commission will enhance a governmental separation of powers between the legislative, executive and judicial responsiblities of the Oneida Tribe, and

WHEREAS, the Act and Commission will diminish political pressure upon the Oneida Business Committee by removing it from initial judicial decisions, and

WHEREAS, the Act will provide for consistant procedures of law/rule making and due process throughout the Oneida Tribe, and

WHEREAS, the Indian Civil Rights Act of 1968, 25 USC Section 1301-1303 supports the policy that all Indian Tribes exercising powers of self-government shall insure that individual rights are protected and that people have a right to "petition for redress of grievances", and

WHEREAS, recent federal and state regulations are requiring that in order for tribes to receive funding, loans or grants, they must have an internal governmental structure that provides fairness and notice. and

WHEREAS, An Appeals Commission will maintain the integrity of an Oneida traditional system of decision making by insuring that there is more than one decisionmaker for any issue.

NOW THEREFORE BE IT RESOLVED: that the Oneida General Tribal Council does hereby formally reauthorize the adoption of the Oneida Tribal Administrative Act and Oneida Appeals Commission for immediate implementation.

C E R T I F I C A T I O N

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida General Tribal Council composed of Oneida Tribal members of whom 75 members constitute a quorum. 95 members were present at a meeting duly called, noticed and held on the 19th day of August, 1991; that the foregoing resolution was duly adopted at such meeting; and that said resolution has not been rescinded or amended in any way.

Amelia Cornelius, Tribal Secretary
Oneida Business Committee

ONEIDA TRIBAL ADMINISTRATIVE PROCEDURE ACT

I. 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 insure due process of law for the above designated citizens through adoption of this Act.

II. PURPOSE

The various committees, entities and administrative bodies of the Oneida Tribe shall act in a responsible and consistant manner when 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. Procedural and substantive ordinance and rule-making will include appropriate notice to interested persons as well as notice to the public

for an opportunity to submit views, opinions, and information;

C. Record keeping that is responsible and understandable;

D. Decision makers, shall be familiar with the evidence and facts of cases presented to them;

F. Provisions for appeals of administrative errors shall be provided for;

III. 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 contested cases. The term "Agency" shall not include the Oneida Business Committee or a tribal appeals body.

B. "Contested Case" - 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. 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.

C. "License" or "Permit" - The approval, permission, or registration of any form required by law to engage in an activity.

D. "Licensing" or "Permittting" - The process that refers to the grant, denial, renewal, revocation, suspension, annulment, withdrawl, or modification of a license or permit.

E. "Oneida Business Committee" - OBC - The governing body of the Oneida Tribe elected by the Oneida General Tribal Council.

F. "Oneida General Tribal Council" - The ultimate governing body of the Oneida Tribe composed of enrolled Tribal memebers.

G. "Ordinance" - A tribal law that applies to persons and things subject to tribal jursidiction.

H. "Person" - Any individual(s), partnership, any type of corporations, any type of enterprises, any type of local, state, federal, or tribal government and any governmental entity.

I. "Reservation" - Oneida Tribe of Indians of Wisconsin original reservation containing 64,000 more or less acres.

J. "Reservation Population" - All persons who are conducting business and/or visiting or who reside within the exterior boundries of the reservation.

K. "Reservation Environment" or "Reservation Resources" - Land, surface water, ground water, fish, animals, flora, fauna, air wildlife, and capital improvements on or near the reservation.

L. "Rule/Regulation" - Any order or directive, or regulation of general applicability enacted into law by the Oneida Business Committee that exhibits the following:

1. The violation of which may result in a fine,

penalty, or other civil administrative sanctions;

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:

   a. Statements concerning internal management of an area, nor

   b. Declaration rulings issued pursuant to this Act as now or hereafter amended.

M. "Secretary" - Secretary of Oneida Business Committee;

N. "Sponsoring Agencies" - Any tribal agency that prepares a ordinance/rule or other matter under this Act for action by Oneida Business Committee.

O. "Tribe" - Oneida Tribe of Indians of Wisconsin

IV. ADOPTION OF INFORMAL PROCEDURES, RULES AND REGULATIONS

In addition to other ordinance/rule making requirements imposed by law, agencies may adopt informal procedures authorized or designated by this Act, along with forms and instructions.

V. 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 <u>except</u> 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.

VI. NOTICE OF INTENT TO ADOPT ORDINANCE/RULE AND OPPORTUNITY TO SUBMIT DATA

A. Prior to a final proposal to the Oneida Business

Committee to adopt, amend or repeal a ordinance/rule, the sponsoring agency and the "Secretary" shall:

1. Publish notice thereof in the Oneida tribal newspaper and post said notice in at least four other areas within the reservation. Such notice shall include:
   a. The authority under which the ordinance/rule is proposed;
   b. A statement of the terms, substance or a description of the subjects and issues involved;
   c. The time, place, whom and manner in which views may be presented.

2. Provide interested persons a reasonable opportunity to submit data, views, or arguments in writing. The sponsoring agency shall determine whether a public hearing is in the public interest, but it is the intent of this Act that public hearings be held. Subsequent to the the public comment period and prior to a final vote by the Oneida Business Committee, the Oneida Business Committee and agency

shall consider fully, all oral and written comments concerning the proposed action.

B. An administrative regulatory proceeding shall be held on a final ordinance/rule only after ten (10) working days have passed from the publication date of the tribal newspaper in which notice is given of the adoption of the ordinance/rule by the Oneida Business Committee.

C. A ordinance/rule hereafter adopted is valid only if adopted in substantial compliance with this section or if an emergency ordinance/rule designated as such is adopted in compliance with the "Emergency Ordinance/Rule" section.

D. All adopted ordinance/rules shall immediately be filed with the secretary. All regular ordinance/rules hereafter adopted pursuant to this Act shall become effective upon the expiration of ten (10) working days following passages of said ordinance/rule unless so stated in ordinance/rule. No proceeding can be contested for purpose of noncompliance with the procedural requirements of this section, as now or

hereafter amended after one (1) year has elapsed from the effective date of the ordinance/rule.

VII. EMERGENCY ORDINANCE/RULES AND AMENDMENTS

A. If an agency recommends and the Oneida Business Committee so finds, that immediate adoption or the amendment of a ordinance/rule is necessary for the preservation of the public health, safety, or general welfare of the reservation population, and that observance of the above stated requirements would be contrary to public interest, the Oneida Business Committee may dispense with the above requirements and adopt the ordinance/rule or amendment immediately as an emergency ordinance/rule or amendment. The following shall apply:

1. A finding and brief statement of the reasons for the finding shall be incorporated in the ordinance/rule or amendment, and
2. An emergency ordinance/rule or amendment shall not remain in effect for longer than six (6) months.

B. The emergency ordinance/rule or amendment shall be

published in the tribal newspaper solely to inform the public of said adoption. This section shall not be construed to prevent the implementation of the ordinance/rule upon its adoption by the Oneida Business Committee in accordance with this section.

C. Emergency ordinance/rules shall become effective upon their adoption by the Oneida Business Committee and said emergency ordinance/rule shall be promptly filed with the secretary.

VIII. FORMAT OF PROPOSED ORDINANCE/RULES

A. The sponsoring agency shall submit a statement with the proposed ordinance/rule which describe the purpose of the ordinance/rule and how it is to be implemented. The statement shall include, but not be limited to the following:

1. A title, a description of the ordinance/rules purpose, the name of the sponsoring agency, and other information which may aid in identifying the purpose of the proposed ordinance/rule;
2. A summary of the proposed ordinance/rule;

3. The personnel responsible for drafting the proposed ordinance/rule and who will be responsible for implementation and enforcement of the proposed ordinance/rule,

B. The sponsoring agency shall have on file all copies and statements prepared in accordance with this section, and available for public inspection upon filing the proposed ordinance/rule with the secretary.

IX. PETITION FOR ADOPTION, AMENDMENT, REPEAL OF ORDINANCE/RULES

A. Any interested person may petition an agency and request that said agency propose that the Oneida Business Committee adopt, amend, or repeal any ordinance/rule. Should this occur the following shall apply:

1. Within sixty (60) days after the submission of a petition, the agency shall formally consider the petition, and
2. Within thirty (30) days thereafter, the agency shall either deny the petition in writing,(stating reasons for denial) or initiate ordinance/rule making proceedings in accordance with this Act.

X. DECLARATORY RULING, AND JUDGMENTS ON VALIDITY OF ORDINANCE/RULE

A. Declaratory rulings shall be initially made by the agency. Any interested person may petition an agency for a declaratory ruling with respect to the applicability to any person, property, or state of facts of any ordinance/rule enforceable by such agency.

1. A declaratory ruling shall be binding between the petitioner and agency so long as the following is adhered to:

   a. An informal hearing has been held, and

   b. Said declaratory ruling has been submitted to and verified by the Secretary.

2. A declaratory ruling shall not be applicable if said ruling is set aside or altered by a tribal appellate body.

B. A petitioner and the sponsoring agency may petition an appropriate Oneida tribal appeals body to issue a declaratory judgment should it appear that the ordinance/rule or its proposed application threaten to

interfere with or impair the legal rights or privileges of the petitioner; the following shall apply prior to such a petition being heard:

1. The appellate body shall have jurisdiction over the issue, and
2. The petitioner has requested in writing that the sponsoring agency pass upon the validity of the ordinance/rule in question..

C. The appellate body pursuant to this section shall declare an ordinance/rule invalid, only if it finds:

1. The ordinance/rule violates constitutional provisions; and or
2. The ordinance/rule exceeds the lawful authority of the Oneida Business Committee or the General Tribal Council, and
3. The ordinance/rule was adopted without compliance with lawful ordinance/rule making procedures.

XI. CONTESTED CASES

A. Notice - Whenever a contested case arises within the

Oneida Tribal Administrative System the following notice requirements shall be adhered to:

1. The notice shall be in writing, and
2. The notice shall be postmarked, delivered or published no less than ten (10) days prior to the action or proceeding, and
3. Said notice shall include statements specifying:
   a. the violation, citing the rules, regulation, policy or law, and
   b. the specific grievance which shall include the alleged facts and/or charges and the date, time and place describing the alleged violation and/or non-compliance and
   c. the name of all parties involved, including an agency or entity, if applicable, and
   d. the nature of relief requested.
4. Types of Notices
   a. Notices are required to adhere to the above requirements in the following progression, unless personal service is more practical then by mail:
      i) Service by registered mail, return receipt requested. This is to be

utilized first unless otherwise authorized by ordinance or unless the subject refuses to pick up the registered letter after a five (5) day period.

2) Personal Service. This shall occur by formal service by an officer of the Oneida Public Safety Department. The person serving shall verify the date, time and place of service to the subject.

3) Publication. This shall be used if the whereabouts of the subject if unknown and cannot be located after a diligent attempt to seek such location by one of the above methods of service. Publication shall be in the Oneida tribal newspaper, the Kalihwi saks, and another newspaper located in an area where the subject was last known to have resided and shall be designated as a LEGAL NOTICE stating the name and the last known address of the person/entity being located.

B. Record

1. The record in a contested case shall include:
   a. all pleadings, motions, and intermediate rulings;
   b. evidence received or considered;
   c. a statement of matters officially noticed;
   d. questions and offers of proof, objections and rulings thereon;
   e. proposed findings and exceptions; and
   f. any decision. opinion or report by the officer presiding at the hearing.
2. Fees of Reproduction. The tribe shall fix a consistent fee for the cost of producing records.

C. Procedures and Rules. The following shall be adhered to when a contested case hearing is scheduled:

1. Prehearing Rules
   a. Hearing officers are responsible to pick up documentation twenty-four hours prior to a hearing from a location designated by each agency.
   b. Hearing officers are to be at a hearing a minimum of thirty (30) minutes prior to a scheduled hearing.

c. Parties shall submit documentation for the hearing officers to review at least two (2) working days prior to a hearing. Documentation submitted after this time will not be considered unless the panel of hearing officers elects, by a majority, to accept and consider said documentation because it may have a direct impact upon the outcome of the hearing.

d. After proper service of notice, agencies, commissions, hearing officers or their authorized agents may:

1) issue a subpoena upon the request of any party upon a statement showing general relevance of the evidence requested; said request may be signed by the party itself or its designated representative; or

2) issue a subpoena upon their own motion.

e. Th hearing format shall be as follows:

1) grieving party presents case;

2) responding party presents case;

3) grieving party cross questions;

4) responding party cross questions;

5) grieving party rebuttal;

6) responding party rebuttal;

7) Commission deliberations and findings. (Deliberations of the Commission are confidential and not subject to reproduction.)

2. Rules that encompass witnesses shall be as follows:

a. character witnesses shall not be allowed;

b. the presence of witnesses shall be the responsibility of each party and/or the Commission members;

c. witnesses who will not be available for a scheduled hearing shall submit a notarized statement as it relates to the hearing in order for this documentation to be considered in the case;

d. a witness list will be submitted at lease two (2) working days prior to the hearing by each party presenting witnesses.

3. The Commission shall institute recesses as they see fit.

4. The Commission shall ask questions at any time during the hearing.

5. The findings and review/hearing are tribal record. Tribal members may request copies of the record of the case at the requesting parties expense.

6. Deliberation of the Commission is confidential and not subject to reproduction.

7. Hearing Rights:

   a. The respondent has a right to be made aware of the grievance or grievances against him/her. The grievance(s) shall be attached to the notification of the hearing.

   b. All parties have a right to be represented by an advocate if they so choose. The expenses of the advocate shallbe the total responsibility of the parties. Tribal entities shall have access to a tribal attorney if they so choose.

   c. The parties have the right to present witnesses and evidence on their own behalf.

   d. The parties have a right to at least twn (10) working days written notification prior to a review/hearing.

   e. The parties have a right to a timely review/hearing and decision, therefore,

notification to the parties of the final decision shall be sent or personally served within ten (10) days following the hearing.

f. Both parties may receive all records that pertain to the grievance which is being reviewed.

g. The affected parties have a right to documentation of:

1) the final decision, and

2) the reason or reasons for the final decision, and

3) the action to be taken as a result of the final decision.

h. The parties have the right to request one (1) appeal of the final decision of the Commission to a designated appeals body of the Oneida Tribe because of:

1) procedural irregularities which were objected to at the formal hearing, and/or procedural irregularities which are brought to the attention of the Commission, and/or

2) erroneous decisions which were against the weight of testimony and evidence presented to the Commission, and/or

3) new evidence which is made available to the appeals body which was not available to the parties or Commission until after the final decision.

8. Should the grieving party or his/her advocate fail to appear at any scheduled hearing or meeting without justifiable cause, the grievance shall be dismissed.

9. Should the responding party or his/her advocate fail to appear at any scheduled hearing or meeting without justifiable cause, said absence shall be considered an admission to the grievance and the decision of the Commission shall be based on such an admission.

10. All proceeding that arise as a result of the action of the Oneida Child Protective Board or any other juvenile proceeding shall be confidential except to the interested parties as listed in the proceedings and the Oneida Human Services Department. All hearings shall be closed to everyone except the above mentioned parties and department.

11. The decision of the hearing body shall be based witness testimony, evidence presented, the record

of the proceedings and matters officially noticed.

12. Findings and Conclusions. Every decision and order rendered by an agency in a contested case shall be in writing or stated in the record and shall include the findings of fact and conclusions of law. The findings of fact shall consist of a concise statement of each fact found upon each contested issue of fact. Subsequent to a decision being made the followig shall occur:

a. Parties to the action shall be notified of the decision and order in person or by mail; and

b. A copy of the decision and order along with the findings and conclusions; shall be delivered or mailed to each party or if a party is represented by an attorney, to the attorney of record within ten (10) days of said decision.

13. Appeal. Should a party feel that a reconsideration of the contested case should occur, the party shall than follow an Oneida tribal appeals procedure.

D. Evidence

1. Agencies, commissions, hearing officers or their authorized agents, may admit and consider evidence which is commonly viewed as acceptable and having a direct connection to the subject case, by reasonable prudent people in the conduct of their affairs which shall include not be limited to:
   a. giving effect to the rules of privilege recognized by law (ex: attorney-client, husband-wife, etc.); and
   b. excluding incompetent, irrelevent, immaterial and unduly repetitious evidence.
2. All evidence, including but not limited to records and documents in the possession of the agency of which it desires to avail itself, along with other factual information or evidence, shall be offered and made part of the record in the case and shall be considered in the determination of the case. Documentary evidence may be accepted in the form of copies or excerts, or incorporated by reference.
3. Every party shall have the right of cross-examination of witnesses who testify and shall have a right to submit rebuttal evidence.
4. Agencies, commissions, hearing officers or authorized agents, may take notice of general,

technical or scientific facts within their specialized knowledge and may utilize their experience, technical competence and specialized knowledge in the evaluation of the evidence presented them. Parties shall be notified prior to or during the hearing as to facts that have been so noticed and they shall have the opportunity to contest such facts.

E. Orders, Fines Penalties, Judgments

An authorized hearing body, subsequent to a contested case hearing may issue fines, orders, penalties and/or judgments that comply with the Indian Civil Rights Act and that may include but not be limited to the following:

1. An order directing a violator or person in non-compliance of/with a tribal law or regulation to pay for actual damages as well as punitive damages.
2. 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.

3. An order directing the violator or non-complying person to cease and desist form further violation

or non-compliance and to cure said violation within a specified period.

4. An order specifying a monetary fine for vioaltion or non-compliance of/with tribal rules, regualtions or ordinances.

5. An order requiring apropriate exclusionary mandated community service and/or denial of specific tribal benefits.

6. Unless precluded by law, informal disposition may also be made of any contested case by stipulation, agreed settlement, consent order or default.

F. Consideration of Record, Reopening and Consultation

1. Consideration and Reopening - The officials who are to render a decision shall personally consider the record of the case. Subsequent to the close of the contested case hearing and when determined to be in the interest of justice the decision making officials my temporarily postpone the decision and elect to reopen the record and request the parties

to the proceeding submit additional written documentation and/or present an oral argument. After full consideration and deliberation of additional information, the decision making official shall render a decision within five (5) working days.

2. Consultation - No hearing official, agency or commission presiding in a contested case or preparing/proposing a decision shall consult with any person/party on any issue of fact or law in the proceedings, except that in appraisal or analyzation of the record for a decision the hearing official may:

   a. consult with members of the agency making the decision;

   b. have the aid and advice of one or more personal assistants; and

   c. have the assistance of other employees of either agency or the office of a tribal attorney who has not participated in the proceeding in any manner5 or who is not engaged for the agency in any investigation functions in teh same or any current factually related case.

XII. APPELLATE REVIEW OF AGENCY OR COMMISSION ACTION

A. Appellate Review or Contested Case or Promulgation of a Rule - Any person aggrieved by either a final decision in a contested case or by the promulgation of a rule or regulation of a rule under the act, is entitled to appellate review only under the provision of this Act.

B. Procedures - The request for appellate review of the above shall follow those procedures adopted as Oneida tribal appellate procedures.

C. Objections - Only an objection to a rule or procedure which was raised with reasonable specificity during the public comment (hearing) period or during the contested case may be raised during appellate review.

D. Stay - The filing of an appellate review petition shall not stay enforcement of the agency nor the rule, but the agency or appellate reviewing body may order a stay upon such terms as it deems proper.

E. Appellate Decision - The appeals body may:

1. Affirm, modify or reverse a final decision, order or judgment; and/or
2. Remand the case back to the original hearing body and order a new hearing; and/or
3. Direct the entry of an appropriate judgment or order; and/or
4. Require such other action or further proceeding as may be appropriate to each individual proceeding.
5. Decisions of the appeals body shall be made by a majority vote.

F. Appeals Body Acceptance - The designated tribal appeals body shall accept an appeal if one or more of the following elements are found in a decision of an original hearing:

1. A violation of constitutional provisions;
2. It is outside the scope of the authority or jurisdiction of the agency or otherwise unlawful;
3. The decision is clearly erroneous and is against the weight of the evidence presented at the hearing level;
4. Arbitrary and/or capricious;
5. There is exhibited a procedural irregularity which

would be considered a harmful error that may have contributed to the final decision and if said irregularity were no present, the decision would have been different; and/or

6. There is a presentation or introduction of new evidence that was not available at the hearing level which, if available, may have affected the final decision.

G. Appeal Procedure

1. Time and Process

a. An appeal shall be filed within ten (10) working days of the entry of the final decision order or judgment appealed from.

b. A written intent to appeal and a $25.00 filing fee sahll be filed at an area designated by the Oneida Tribe to accept such appeal requests.

c. A designated tribal office shall prepare the NOTICE OF APPEAL and shall request all the documents, exhibits, pleadings and transcripts pertaining to the case on appeal from the original hearing. This record shall be

returned to the designated tribal office within ten (10) working days of their request.

2. Notice of Appeal

a. The notice of appeal shall be sent to all parties within ten (10) working days of being filed and shall designate the following:

1) the identification of the parties;

2) the final decision, order or judgment appealed from; and

3) a short statement of the reasons for appeal.

b. The designee of the Commission shall maila copy of the NOTICE OF APPEAL to all parties. The notice shall follow the notice progression and contain the same requirements as is in the NOTICE section of that entitled Contested Case.

c. Within thirty (30) days after receipt of the total record of the original hearing record, the appropriate appeals body shall meet to review the case and set the date for final consideration.

3. Designation of Parties

a. The party or parties filing the appeal shall

be designated as appellants.

b. Parties who are subject to an appeal, but are not appellants, shall be designated as respondents.

4. Appeals Body Costs - Appeal administration costs will be determined ona yearly basis by the Oneida Business Committee.

a. Should the appellant be successful, the respondent shall pay the costs.

b. Should the respondent be successful, the appellant shall pay the costs.

c. Should the appeal be remanded, the parties shall share the costs equally.

5. Judgment on Appeals - A judgment by the designated appeals body shall be considered final within the Oneida Tribal Administrative System.

6. Forms of Appeal

a. The appeals body may require one or both of the following methods to be presented by the parties to the appeals body for review:

1) an oral argument; and/or

2) a brief or memoranda submitted by the parties.

b. Notice of the date of an argument or

submission of a brief of memoranda shall follow the Notice Procedures designated in the contested case section of this ordinance.

c. Brief of Memoranda - Should the appeals body request a brief of memoranda, the following shall apply:

1) an original and three copies shall be filed with the appeal body by the appellant;

2) the appeals body designee shall send a copy of the memoranda to the respondent(s) (or have it served personally, if more convenient) with a return receipt requested or affidavit that shall be kept on file;

3) the respondent, upon receipt of appellant's memoranda, shall file with the appeals body designee an answer memoranda that will include an original and three copies;

4) the appeals body designee shall send a copy of the memoranda to appellant (or have it served personally if more convenient) with a return receipt

requested or affidavit, that shall be kept on file;

5) no further memoranda, briefs or statements shall be allowed without leave of the appeals body.

d. Oral Argument - Should an oral argument be required of the parties, each argument shall last no longer than twenty (20) minutes exclusive of questions by the Commission.

e. Subpoena of Witnesses and Records

1) The Commission may require a designee of the Commission to compel attendance of witnesses or the production of books, records, documents or other items necessary to the final disposition of an appeal proceeding.

2) Noncompliance with the above subpoena orde will result in a contempt charge being filed.

3) Said subpoenas shall be served by the Oneida Public Safety Department only.

f. Records of Appeal. A record of all proceedings of the appeals body shall be kept

on file and maintained by an office designated by the Oneida Tribe.

XIII. CONTEMPT PROCEEDINGS

A. Contempt - Should an individual fail to obey a subpoena, or refuse to testify or appear when requested concerning any matter under investigation or examination at a hearing or refuse to obey any order or judgment of a tribal board or commission, the agency issuing the subpoena may petition a designated tribal appeals body for enforcement of the subpoena. The petition shall include:

1. A copy of the subpoena, order or judgment;
2. Proof of service
3. The specific manner of alleged non-compliance, and
4. A request that the appeals body issue an order to require a witness to appear and testify before the agency or commission.

B. The appeals body, upon receipt of such petition or within five (5) days of receipt shall:

1. Enter an order directing the witness to appear before the appeals body at a time and place to be set by such order; and
2. Require that the witness at the designated time show cause why he has not responded to the subpoena, why he has refused to testify or why he is failing to comply with an order or judgment.

C. Should it appear to the appeals body that the subpoena was properly issued and that the questions the witness refuses to answer are reasonable and relevant to either the contested case or a rule making hearing, the appeals body shall:

1. Enter an order that the witness appear at the time and place fixed in the original order; and/or
2. Enter an order that requires the witness to testify or produce required documents and comply with the existing order; and/or
3. Require that the person failing to appear, testify or comply with an order pay a fine and/or be subject to a penalty as is described in this ordinance.

XIV. AGENCY/COMMISSION HEARING BODIES AND CONTESTED CASE HEARING BODIES RESPONSIBILITY AND AUTHORITY

A. Hearing Officers or their authorized agents, may:

1. administer oaths and affirmations, examine witnesses, and receive evidence, and no person shall be compelled to divulge information which he could not be compelled to divulge to a tribal decision making forum;
2. issue subpoenas;
3. rule upon offers of proof and receive relevant evidence;
4. require prehearing meetings;
5. regulate the course of the hearing;
6. hold conferences for the settlement or simplification of the issues;
7. dispose of procedural matters by decision;
8. take any other action authorized by tribal law consistent with this Act; and
9. issue final orders and judments.

B. An agency/commission may hold a public hearing, subpoena

witnesses, administer oaths, take testimony or any person under oath, and in connection with, require the production of any documents relating to the contemplated regulation when attempting to determine the need or desireability of proposing that the tribe adopt, amend, repeal or revise rule, regulation or proposed rule/ordinance or regulation.

XV. MISCELLANEOUS ADMINISTRATIVE RULES

A. Oral proceedings shall be recorded or transcribed for the purposes of agency decision. A copy of the entire record or any part thereof shall be furnished to any party upon their written request and payment of the costs.

B. Fees of Reproduction. The tribe shall have the power to fix a consistent fee for the cost of producing records required to be produced by agency or commission subpoena which shall be paid by said agency or commission.

C. Subpoena. Subpoenas may be served outside the reservation to the maximum extent allowable in

conformation with the requirements of the Due Process Clause of the Indian Civil Rights Act, 25 U.S.C. 1301, for purposes of long arm jurisdiction with respect to any activity occurring within the Oneida Reservation.

D. The Federal Rules of Civil Procedures and Evidence may, where applicable, be used as general guides for proceedings before any agency, except as to matters covered explicitly by tribal law. The Federal Rules shal lbe interpreted as instructive rather than controlling in any event.

XVI. LICENSING, LICENSE PERMITTING AND EMERGENCY ACTIONS

A. License Application. When a licensee has made timely and sufficient application for renewal of a license or a new license with reference to any activity of a continuing nature, an existing full, temporary or provisional license does not expire until the application has been finally determined by the agency, and in case the application is denied of the terms of the new license limited, until the last day for seeking review of the agency order or a later date fixed by order of the reviewing body.

B. Notice of Action. No revocation, suspension, annulment, modification or withdrawl of any license or permit is lawful, unless, prior to an agency or commission proceeding, the agency gives notice, as is required by tribal law (return receipt) to the licensee of facts or conduct which warrants the intended action, and the licensee was given reasonable opportunity to show compliance with all lawful requirements (right to cure) for the retention of the license or permit and said licensee or permittee is given notice that he/she has a right to challenge such action under the procedures of a contested course.

C. Emergency Action. Where an agency or commission finds that protection of tribal and/or public health, safety or welfare require that immediate emergency action be taken, summary suspension of a license or permit may be ordered pending proceedings for revocation. Said order shall include the rational and/or findings. Said action, (revocation or other action) shall be instituted within five (5) working days of emergency action and shall be decided upon promptly with appropriate notice to the affected licensee or permittee.

XVII. SEVERABILITY, REPEAL, EFFECTIVE DATE, CONFLICT WITH FEDERAL LAW, LIMITATIONS OF ACT AND COMPLIANCE WITH ACT

A. Severability. Should a provision of this Act or the application thereof to any person or circumstance be held as invalid, such invalidity shall not affect other provisions of the Act which are considered to have legal force without the invalid provisions.

B. Repeal. All other Oneida tribal laws, rules or regulations which are inconsistent with this Act and are held subject to this Act are hereby repealed, but such shall not affect pending proceedings.

C. Effective Rate. This Act shall take effect _____ days after the date of formal approval by the Oneida Business Committee.

D. Conflict with Federal Law. Should any part of this Act be found to be in conflict with federal requirements which are required in order that the Oneida Tribe receive federal funds; the conflicting ;section of this Act is to be considered inoperative only for purposes of that particular funding and that particular conflict.

Such conflict shall not affect the operation of the remainder of this Act in its application to those agencies or departments directly affected.

E. Compliance with Act. Nothing in this Act shall be held to diminish constitutional rights of any person or to limit or repeal additional requirements imposed by or otherwise recognized by law. All requirements or privileges relating to evidence or procedures shall apply equally to agencies and persons. Every agency or commission is granted authority to comply with the requirements of this Act. Subsequent tribal law shall not supersede or modify this Act or its applicability to any agency unless it is done so expressly by tribal law.

SHC:dmb091688

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.

GTC Resolution 01-07-13-A

Adoption of the Administrative Procedures Act Amendments and the Legislative Procedures Act

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 Administrative Procedures Act (APA), which was adopted by the General Tribal Council on August 19, 1991, contains lawmaking provisions, and

WHEREAS, revisions to the APA, which has been in effect for over twenty years, are necessary to improve the Tribe's lawmaking process, and

WHEREAS, it is necessary to amend the APA by deleting the APA's lawmaking provisions in order to accommodate the new lawmaking provisions found under the Legislative Procedures Act, and

WHEREAS, the Legislative Procedures Act would streamline and improve the lawmaking process, without limiting public input or otherwise impacting the review process, and

WHEREAS, the Legislative Procedures Act would also update and improve the lawmaking process by requiring an Oneida Register be maintained; and both a fiscal impact statement(s) and a legislative analysis be prepared for each legislative proposal, with the exception that fiscal impact statements would not be required for emergency legislation, and

WHEREAS, the Legislative Procedures Act would revamp the public hearing process by requiring public meetings, instead of public hearings, be held and reducing the length of the public comment process, and

WHEREAS, public hearings were held on March 11, 2010 for amendments to the APA and on March 11, 2010 and April 17, 2012, for the adoption of the Legislative Procedures Act, and

WHEREAS, community meetings were held on January 12, 2011, January 13, 2011 and January 15, 2011, for the Legislative Procedures Act.

NOW THEREFORE BE IT RESOLVED, that the attached amendments to the Administrative Procedures Act and the Legislative Procedures Act are hereby adopted and shall be effective 60 days from adoption.

BE IT FINALLY RESOLVED, that rules, regulations and policies adopted or amended by the Oneida Business Committee shall be processed in accordance with the Legislative Procedures Act until such time an alternate process is provided by law.

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida General Tribal Council, in session with a quorum of 2,032 members present, at a meeting duly called, noticed and held on the 7th day of January, 2013; that the forgoing resolution was duly adopted at such meeting by a 2/3 vote of those present and that said resolution has not been rescinded or amended in any way.

Patricia Hoeft, Tribal Secretary
Oneida Business Committee

Chapter 1
ADMINISTRATIVE PROCEDURES ACT
Yukwayathalaka·sé Olihwá·ke
Our new ways of talking about Matters

1.1-1. Authority
1.2-1 Purpose
1.3-1. Adoption, Amendment, Repeal
1.4-1 Definitions
1.5-1 Inspection of Agency Orders, Decisions, and Opinions
1.6-1 Declaratory Ruling and Judgments on Validity of Ordinance/rule
1.7-1 Contested Cases
1.8-1 Appellate Review of Agency or Commission Action
1.9-1 Contempt Proceedings
1.10-1 Agency/commission Hearing Bodies and Contested Case Hearing Bodies Responsibility and Authority
1.11-1 Miscellaneous Administrative Rules
1.12-1 Licensing And/or Permitting and Emergency Actions
1.13-1 Severability, Repeal, Effective Date, Conflict with Federal Law, Limitations of Act and Compliance

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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) "LICENSING" 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.

1.6-1. Declaratory Ruling and Judgments on Validity of Ordinance/rule
(a) Declaratory Rulings. Declaratory Rulings shall be initially made by the agency or any interested person may petition an agency for a Declaratory Ruling with the respect to the applicability to any person, property, or state of facts of any Ordinance/Rule enforceable by such agency.

(1) A Declaratory Ruling shall be binding between the petition and agency/individual so long as the following is adhered to:
A. An informal hearing has been held, an
B. Said Declaratory Ruling has been submitted to and verified by the Secretary.
(2) A Declaratory Ruling shall not be applicable if said ruling is set aside or altered by a Tribal Appellate body.

(b) Declaratory Judgment. A petitioner and/or sponsoring agency may petition the Oneida Tribal Appeals Commission to issue a declaratory judgment should it appear that the Ordinance/Rule or its proposed application threaten to interfere with or impair the legal rights or privileges of the petitioner; the following shall apply prior to such a petition being heard:
(1) The appellate body shall have jurisdiction over the issue, and
(2) The Ordinance/Rule exceeds the lawful authority of the Oneida Business Committee or the General Tribal Council, and
(3) The Ordinance/Rule failed to comply with lawful Ordinance/Rule making procedures.

1.7-1. Contested Cases
(a) Notice. Whenever a contested case has arisen within the Oneida Tribal Administrative System, the following notice requirements shall be adhered to:
(1) The notice shall be in writing, and
(2) The notice shall be postmarked, delivered, or published no later than ten (10) days prior to the action or proceeding, and

(3) Said notice shall include statements specifying:

A. The violation, citing the rules, regulations, policies, or laws, and

B. The specific grievance which shall include the alleged facts and/or charges and the date, time, and place describing the alleged violation and/or non-compliance, and

C. The name of all parties involved, including an agency or entity, if applicable, and

D. The nature of relief requested.

(4) Types of Notices

A. Notices are required to adhere to the above requirements in the following progression, unless personal service is more practical than by mail:

(i) Service by registered mail, (return receipt requested).

(ii) Personal Services. This shall occur by formal service by an officer of the Oneida Public Safety Department. The person serving shall verify the date, time, and place of service to the subject served.

(iii) Publication. This shall be used if the whereabouts of the subject is unknown and cannot be located after a diligent attempt to seek such location by one of the above methods of service. Publication shall be in the Oneida Tribal Newspaper (KALIHWISAKS), and another paper located in an area where the subject was last known to have resided and shall be designated as a LEGAL NOTICE stating the name and the last-known address of the person/entity being located.

(iv) A designated person or department shall be established by the Oneida Tribe to accept petitions for contested cases and follow through on the entire case.

(b) Records.

(1) The record in a contested case shall include the following:

(A) All pleadings, motions, and intermediate rulings, and

(B) Evidence received or considered, and

(C) A statement of matters officially noticed, and

(D) Questions and offers of proof, objections and rulings thereon, and

(E) Proposed findings and exceptions, and

(F) Any decision, opinion, or report by the officer presiding at the hearing, and

(G) A complete record of the proceeding shall be taped except for deliberations.

(2) Fees of Reproduction. The tribe shall fix a consistent fee for the cost of reproducing records.

(c) Procedures and Rules. The following shall be adhered to when a contested case is being heard:

(1) Pre-hearing Rules (Minimum Time Frame)

(A) Parties shall submit documentation for the hearing officers to review at least two (2) business days prior to a hearing. Documentation submitted after this time will not be considered unless the panel of hearing officers elects, by a majority, to accept and consider said documentation because it may have a direct impact upon the outcome of the hearing.

(B) Hearing officers are responsible to pick up documentation twenty-four (24) hours prior to a hearing from a location designated by each agency.

(C) Hearing officers are to be present for a hearing a minimum of thirty (30) minutes prior to a scheduled hearing.

(D) After proper service of notice, agencies, commissions, hearing officers or their authorized agents may do the following:

(i) Issue a subpoena upon the request of any party upon a statement showing general relevance of the evidence requested; said request may be signed by the party itself or its designated representative; or

(ii) Issue a subpoena upon their own motion.

(2) The hearing format shall be as follows:

(A) Grieving party presents case;

(B) Responding party presents case;

(C) Grieving party cross questions;

(D) Responding party cross questions;

(E) Grieving party rebuttal;

(F) Responding party rebuttal;

(G) Original Hearing Body deliberations and findings. (Deliberations of the Original Hearing Body are confidential and not subject to reproduction.)

(3) Rules that encompass witnesses shall be as follows:

(A) Character witnesses may submit written affidavits;

(B) The presence of witnesses shall be the responsibility of each party and/or the Original Hearing Body members;

(C) Witnesses who will not be available for a scheduled hearing shall submit a notarized statement as it relates to the hearing in order for this documentation to be considered in the case;

(D) A witness list will be submitted at least two (2) business days prior to the hearing by each party presenting witnesses.

(4) The Original Hearing Body shall institute recesses and postponements as they see fit.

(5) The Original Hearing Body shall ask questions at any time during the hearing.

(6) The findings and hearing are Tribal record. Tribal members may request copies of the record of the case at the requesting parties expense, except in juvenile cases or when juveniles are involved.

(7) Deliberation of the Commission is confidential and not subject to reproduction.

(8) The respondent has a right to be made aware of the grievance or grievances against him/her. The grievance(s) shall be attached to the notification of the hearing.

(9) All parties have a right to be represented by an advocate if they so choose. The expenses of the advocate shall be the total responsibility of the parties. Tribal entities shall have access to a Tribal Attorney if they so choose.

(10) The parties have the right to present witnesses and evidence on their own behalf.

(11) The parties have a right to at least ten (10) business days written notification prior to a hearing.

(12) The parties have a right to a timely hearing and decision; therefore, notification to the parties of the final decision shall be sent or personally served within ten (10) business days following the hearing and said hearing and decision shall be completed within 120 days unless time line is waived by both parties.

(13) Both parties may receive all records that pertain to the grievance which is being reviewed.

(14) The affected parties have a right to documentation of the following:

(A) The final decision, and

(B) The reason(s) for the final decision, and

(C) The action to be taken as a result of the final decision.

(15) The parties have the right to request one (1) appeal of the final decision of the Original Hearing Body to a designated appeals body of the Oneida Tribe because of:

(A) Procedural irregularities which were objected to at the formal hearing, and/or procedural irregularities which are brought to the attention of the Original Hearing Body and/or

(B) Decisions which were made clearly against the weight of testimony and evidence presented to the Original Hearing Bodies and/or

(C) New evidence which is made available to the appeal body which was not available to the parties or Original Hearing Officers until after the final decision.

(16) Should the grieving party and/or his/her advocate fail to appear at any scheduled hearing or meeting without justifiable cause, the grievance shall be dismissed.

(17) Should the responding party and/or his/her advocate fail to appear at any scheduled hearing or meeting without justifiable cause, said absence shall be considered an admission to the grievance and the decision of the Commission shall be based on such an admission.

(18) All proceedings that arise as a result of the action of the Oneida Child Protective Board or any other juvenile proceeding shall be confidential except to the interested parties as listed in the proceedings and the Oneida Human Services Department. All hearings shall be closed to everyone except the above mentioned parties and department.

(19) The decision of the hearing body shall be based upon witness testimony, evidence presented, the record of the proceeding, and the matters officially noticed.

(20) Findings and Conclusions. Every decision and order rendered by an agency in a contested case shall be in writing in the record and shall include the findings of fact and conclusions of law. The findings of fact shall consist of a concise statement of each fact found upon each contested issue of fact. Subsequent to a decision being made, the following shall occur:

(A) Parties to the action shall be notified of the decision and order in person or by mail, and

(B) A copy of the decision and order, along with the findings and conclusions, shall be delivered or mailed to each party and if a party is represented by an attorney of record within ten (10) days of said decision.

(21) Appeal. Should a party feel that a reconsideration of the contested case should occur, the party shall then follow an Oneida Tribal Appeals procedure.

(d) Evidence.

(1) Agencies, commissions, hearing officers or their authorized agents, may admit and consider evidence which is commonly viewed as acceptable and having direct connection to the subject case, by reason of prudent people in the conduct of their affairs which shall include but not be limited to:

(A) Giving effect to the rules or privilege recognized by law (ex: attorney-client, husband-wife, etc.), and

(B) Excluding incompetent, irrelevant, immaterial, and unduly repetitious evidence.

(2) All evidence, including but not limited to, records and documents in the possession of the agency of which it desires to avail itself, along with other factual information or

evidence, shall be offered and made part of the record in the case and shall be considered in the determination of the case. Documentary evidence may be accepted in the form of copies or excerpts, or incorporated by reference, and/or notarized or verified when appropriate.

(3) Every party shall have the right of cross-examination of witnesses who testify and shall have a right to submit rebuttal evidence.

(4) Agencies, commissions, hearing officers, or authorized agents may take notice of general, technical, or scientific facts within their specialized knowledge in the evaluation of the evidence presented them. Parties shall be notified prior to or during the hearing as to facts that have been so noticed and they shall have the opportunity to contest such facts.

(e) Orders, Fines, Penalties, and Judgments.

An authorized hearing body, subsequent to a contested case/hearing, may issue fines, orders, penalties and/or judgments that comply with the Indian Civil Rights Act and that may include, but not be limited to, the following:

(1) An order directing a violator or person in non-compliance of/with a tribal law or regulation to pay for actual damages as well as punitive damages.

(2) 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.

(3) 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.

(4) An order specifying a monetary fine for violation or non-compliance of/with tribal rules, regulations, or ordinances.

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

(6) 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.

(7) An order placing a lien upon property owned by a person within jurisdiction of the Oneida Tribe of Indians of Wisconsin. Said lien shall be filed in a county court and/or the appropriate tribal registry.

(f) Consideration of Record, Reopening, and Consultation.

(1) Consideration and Reopening. The officials who are to render a decision shall personally consider the record of the case. Subsequent to the close of the contested case hearing and when determined to be in the interest of justice, the decision-making officials may temporarily postpone the decision and elect to reopen the record and request the parties to the proceeding submit additional written documentation and/or present an oral argument. After full consideration and deliberation of additional information, the decision-making officials shall render a decision within five (5) business days.

(2) Consultation. No hearing official, agency, or commission presiding in a contested case or preparing/proposing a decision shall consult with any person/party on any issue of fact or law in the proceedings except that in appraisal or analyzation of the record for a decision the hearing official may:

(A) Consult with members of the agency making the decision; and

(B) Have the aid and advice of one or more personal assistants; and

(C) Have the assistance of other employees of either agency or the office of a Tribal Attorney who has not participated in the proceeding in any manner or who is not

engaged for the agency in any investigation functions in the same or any current factually related case.

1.8-1. Appellate Review of Agency or Commission Action

(a) Appellate Review of Contested Case or Promulgation of a Rule. Any person aggrieved by either a final decision in a contested case or by the promulgation of a rule or regulation of a rule under the act, is entitled to appellate review only under the provision of this Act.

(b) Procedures. The request for appellate review of the above shall follow those procedures adopted as Oneida Appeals Commission procedures.

(c) Objections. Only an objection to a rule or procedure which was raised with reasonable specificity during the public comment (hearing) period or during the contested case may be raised during appellate review.

(d) Stay. The filing of an appellate review petition shall not stay enforcement of the agency nor the rule, but the agency or appellate reviewing body may order a stay upon such terms as it deems proper.

(e) Appellate Decision. The appeals body may:

(1) Affirm, modify, or reverse a final decision, order, or judgment; and/or

(2) Remand the case back to the original hearing body and order a new hearing; and/or

(3) Direct the entry of an appropriate judgment or order; and/or

(4) Require such other action or further proceeding as may be appropriate to each individual action.

(5) Decisions of the appeals body shall be made by a majority vote.

(f) Appeals Body Acceptance. The Oneida Appeals Commission shall accept an appeal if one or more of the following elements are found in a decision of an original hearing:

(1) A violation of constitutional provisions;

(2) The decision is outside the scope of the authority or otherwise unlawful;

(3) The decision is clearly erroneous and is against the weight of the evidence presented at the hearing level;

(4) Arbitrary and/or capricious;

(5) There is exhibited a procedural irregularity which would be considered a harmful error that may have contributed to the final decision and if said irregularity were not present, the decision would have been different; and/or

(6) There is a presentation or introduction of new evidence that was not available at the hearing level which, if available, may have affected the final decision.

(g) Appeals Commission Procedure.

(1) Time and Process

(A) An appeal shall be filed within thirty (30) business days of the entry of the final decision order or judgment appealed from.

(B) A written intent to appeal and a $25.00 filing fee shall be filed at an area designated by the Oneida Tribe to accept such appeal requests.

(C) A designated tribal office shall prepare the Notice of Appeal and shall request all the documents, exhibits, pleadings, and transcripts pertaining to the case on appeal from the original hearing.

(2) Notice of Appeal

(A) The Notice of Appeal shall be sent to all parties with ten (10) business days of being filed and shall designate the following:

(i) The identification of the parties;

(ii) The final decision, order, or judgment appealed from; and

(iii) A short statement of the reasons for appeal.

(B) The designee of the Commission shall mail a copy of the Notice of Appeal to all parties. The notice shall follow the notice progression and contain the same requirements as is in the Notice section of that Contested Case.

(C) Within fifteen (15) business days after receipt of the total record of the original hearing record, the appropriate appeals body shall meet to review the case and set the date for final consideration, unless the time limit is waived and extended by both parties.

(D) Hearing record shall be sent to appeals body within ten (10) business days of Notice of Appeal being filed.

(3) Designation of Parties

(A) The party or parties filing the appeal shall be designated appellants.

(B) Parties who are subject to an appeal, but are not appellants, shall be designated as respondents.

(4) Appeals Body Cost. Appeal administration costs will be determined on a yearly basis by the Oneida Business Committee.

(A) Should the appellant be successful, the respondent shall pay the costs.

(B) Should the respondent be successful, the appellant shall pay the costs.

(C) Should the appeal be remanded, the parties shall share the costs equally.

(5) Judgment on Appeals. A judgment by the Oneida Appeals Commission shall be considered final within the Oneida Tribal Judicial System.

(6) Forms of Appeal

(A) The appeals body may require one or both of the following methods to be presented by the parties to the appeals body for review:

(i) An oral argument; and/or

(ii) A brief or memorandum submitted by the parties.

(B) Notice of the date of an argument or submission of a brief of memoranda shall follow the Notice Requirement listed below.

(C) Brief of Memoranda. Should the appeals body request a brief of memoranda, the following shall apply:

(i) An original and three (3) copies shall be filed within the appeals body by the appellant within ten (10) days of the request.

(ii) The appeals body designee shall send a copy of the memoranda to the respondent(s) (or have it served personally if more convenient) with a return receipt requested or affidavit that shall be kept on file within ten (10) days of receipt by the designee.

(iii) The respondent, after receipt of appellant's memoranda, shall file with the appeals body designee an answer memoranda that will include an original and three (3) copies within ten (10) days of receipt of the memoranda.

(iv) The appeals body designee shall send a copy of the memoranda to appellant within ten (10) days of receipt of by designee (or have it served

personally if more convenient) with a return receipt requested or affidavit, that shall be kept on file.

(v) No further memoranda, briefs, or statements shall be allowed without leave of the appeals body.

(d) Oral Argument. Should an oral argument be required of the parties, each argument shall last no longer than twenty (20) minutes exclusive of questions of the Commission.

(e) Subpoena or Witnesses and Records

(1) The Commission may require a designee of the Commission to compel attendance of witnesses or the production of books, records, documents, or other items necessary to the final disposition of an appeal proceeding.

(2) Non-compliance with the above subpoena order will result in a contempt charge being filed.

(3) Said subpoenas shall be served by the Oneida Public Safety Department.

(f) Records of Appeal. The record of all proceedings of the appeals body shall be kept on file and maintained by an office designated by the Oneida Tribe.

(7) The entire appeal process shall be concluded within 120 days from the time of filing.

1.9-1. Contempt Proceedings (Please refer to Section 1.8-1. Contested Cases, Section E)

(a) Contempt. Should an individual fail to obey a subpoena or refuse to testify or appear when requested concerning any matter under investigation or examination at a hearing or refuse to obey any order or judgment of a tribal board or commission, the agency issuing the subpoena may petition a designated tribal appeals body for enforcement of the subpoena. The petition shall include:

(1) A copy of the subpoena, order, or judgment;

(2) Proof of service;

(3) The specific manner of alleged non-compliance; and

(4) A request that the appeals body issue an order to require a witness to appear and testify before the agency or commission.

(b) The Oneida Appeals Commission Action After Receipt of Petition. The Oneida Appeals Commission, upon receipt of such petition or within five (5) days of receipt shall:

(1) Enter an order directing the witness to appear before the Oneida Appeals Commission at a time and place to be set by such order; and

(2) Require that the witness at the designated time show cause why he has not responded to the subpoena, why he has refused to testify, or why he is failing to comply with an order or judgment.

(c) Action. Should it appear to the Oneida Appeals Commission that the subpoena was properly issued and that the questions the witness refuses to answer are reasonable and relevant to either the contested case or a rule-making hearing, the appeals body shall:

(1) Enter an order that the witness appear at the time and place fixed in the original order; and/or

(2) Enter an order that requires the witness to testify or produce required documents and comply with the existing order; and/or

(3) Require that the person failing to appear, testify, or comply with an order pay a fine and/or be subject to a penalty as is described in this ordinance.

(d) Contempt Proceedings.

Should the person fail to comply with Section C above, said person is subject to 1.8-1(e).

1.10-1. Agency/commission Hearing Bodies and Contested Case Hearing Bodies Responsibility and Authority

(a) Responsibility. Hearing officers or their authorized agents may:

(1) Administer oaths and affirmations, examine witnesses, and receive evidence, and no person shall be compelled to divulge information which he could not be compelled to divulge to a tribal decision-making forum;

(2) Issue subpoenas;

(3) Rule upon offers of proof and receive relevant evidence;

(4) Require pre-hearing meetings;

(5) Regulate the course of the hearing;

(6) Hold conferences for the settlement or simplification of the issues;

(7) Dispose of procedural matters by decision;

(8) Take any other action authorized by tribal law consistent with this Act; and

(9) Issue final orders and judgments.

(b) Authority. An agency/commission may hold a public hearing, subpoena witnesses, administer oaths, take testimony from any person under oath, and in connection with, require the production of any documents relating to the contemplated regulation when attempting to determine the need or the desire of proposing that the tribe adopt, amend, repeal, or revise rule, regulation, or proposed ordinance/rule or regulation.

1.11-1. Miscellaneous Administrative Rules

(a) Oral Proceedings. Oral proceedings shall be recorded or transcribed for the purposes of agency decision. A copy of the entire record or any part thereof, shall be furnished to any party upon their written request and payment of the costs.

(b) Fees of Reproduction. The Oneida Business Committee shall have the power to fix a consistent fee for the cost of reproducing records required to be produced by an agency or commission subpoena which shall be paid by said agency or commission.

(c) Subpoena. Subpoenas may be served outside the reservation to the maximum extent allowable in conformation with the requirements of the Due Process Clause of the Indian Civil Rights Act, 25 U.S.C. 1301, for purposes of long arm jurisdiction with respect to any activity occurring within the Oneida Reservation.

(d) The Federal Rules of Civil Procedures and Evidence. The Federal Rules of Civil Procedures and Evidence may, where applicable, be used as general guides for proceedings before any agency, except as to matters covered explicitly by tribal law. The Federal Rules shall be interpreted as instructive rather than controlling in any event.

1.12-1. Licensing And/or Permitting and Emergency Actions

(a) License and/or Permit Notice of Action. No revocation, suspension, annulment, modification, or withdrawal of any license or permit is lawful, unless prior to an agency or commission proceeding, the agency gives notice, as is required by tribal law (return receipt) to the licensee of facts or conduct which warrants the intended action, and the licensee was given reasonable opportunity to show compliance with all lawful requirements (right to cure) for the retention of the license or

permit and said licensee or permittee is given notice that he/she has a right to challenge such action under the procedures of a contested case.
(b) Emergency Action. Where an agency or commission finds that protection of tribal and/or public health, safety, or welfare require that immediate emergency action be taken, summary suspension of a license or permit may be ordered pending proceedings for revocation. Said order shall include the rational and/or findings. Said action, (revocation or other action) shall be instituted within five (5) working days of emergency action and shall be decided upon promptly with appropriate notice to the affected licensee or permittee.

1.13-1. Severability, Repeal, Effective Date, Conflict with Federal Law, Limitations of Act and Compliance with Act
(a) Severability. Should a provision of this Act or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of the Act which are considered to have legal force without the invalid provisions.
(b) Repeal. All other Oneida Tribal laws, rules, or regulations which are inconsistent with this Act and are held subject to this Act are hereby repealed, but such shall not affect pending proceedings. All ordinances adopted previously shall be consistent with this Act.
(c) Effective Date. This Act shall take effect days after the date of formal approval by the Oneida Business Committee.
(d) Conflict with Federal Law. Should any part of this Act be found to be in conflict with federal requirements which are required in order that the Oneida Tribe receive federal funds; the conflicting section of this Act is to be considered inoperative only for purposes of that particular funding and that particular conflict. Such conflict shall not affect the operation of the remainder of this Act in its application to those agencies or departments directly affected.
(e) Compliance with Act. Nothing in this Act shall be held to diminish constitutional rights of any person or to limit or repeal additional requirements imposed by or otherwise recognized by law. All requirements or privileges relating to evidence or procedures shall apply equally to agencies and persons. Every agency or commission is granted authority to comply with the requirements of this Act. Subsequent tribal law shall not supersede or modify this Act or its applicability to any agency unless it is done so expressly by tribal law.

End.

Adopted - GTC-8-19-91-A
Amended - BC-9-7-94-A (Emergency Amendment)
Amended - BC-7-5-95-K (Ratification by GTC)
Amended – GTC-01-07-13-A

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July 14, 2016

Ms. Diane Rosen
United States Bureau of Indian Affairs
Great Lakes Agency
916 W. Lake Shore Drive
Ashland, WI 54806

RE: Oneida Tribe of Indians of Wisconsin - 2016 Revenue Allocation Plan

Dear Ms. Rosen:

Please review and forward to the appropriate Bureau Official for review and approval the enclosed Revenue Allocation Plan by the Oneida Nation f/k/a Oneida Tribe of Indians of Wisconsin (ANation@) for FY 2016. This plan is being submitted in accordance with the Indian Gaming Regulatory Act, 25 U.S.C. '2701, *et seq.* Also enclosed are copies of the following:

1. Oneida Business Committee resolution #06-24-15-D adopting the FY 2016 Revenue Allocation Plan
2. Oneida Business Committee Resolution # 7-10-13-B approving a per capita payment in the amount of $1,000 to each enrolled member of the Oneida Tribe
3. Oneida General Tribal Council resolutions # 6-30-90-A and #08-11-97-A approving the Elder Per Capita payments; and, Trust Committee Resolution # 06-25-13 modifying 5% inflationary increase
5. General Tribal Council Resolution #7-2-84-A adopting the Oneida Membership Ordinance
6. General Tribal Council Resolution #8-19-91-A adopting the Administrative Procedures Act as amended by General Tribal Council Resolution #01-07-13-A

The percentages in the Revenue Allocation Plan are based on the approved Fiscal Year 2016 budget.

The Nation will contact the local Social Security Administration office, and provide the office with the amount of the proposed per capita disbursement for September 30, 2016. The Social Security Administration office will contact all individuals receiving Social Security benefits to inform them that their benefits will be affected by the September 30, 2016 per capita payments.

The Nation will comply with all of the requirements set forth in 26 CFR Part 31 with regard to the income tax withholding requirements as mandated by the IGRA on per capita payments to the Nation's members. Members of the Oneida Nation will be informed that the per capita payment is taxable and that they are responsible for reporting the per capita income on their income taxes.

If you have any questions or comments, please feel free to contact me at (920) 869-4327 or by e-mail at jhouse1@oneidanation.org.

Sincerely,

Jo Anne House, Chief Counsel
Oneida Nation

Enclosures

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 07 / 13 / 16

2. General Information:

Session: ☒ Open ☐ Executive - See instructions for the applicable laws, then choose one:

Agenda Header: Resolutions

☐ Accept as Information only

☒ Action - please describe:

Adopt resolution titled Implementing Per Capita Plan Adopted by General Tribal Council on June 13, 2016

3. Supporting Materials

☐ Report ☒ Resolution ☐ Contract

☒ Other:

1. Statement of Effect
3.
2.
4.

☐ Business Committee signature required

4. Budget Information

☐ Budgeted - Tribal Contribution ☐ Budgeted - Grant Funded ☐ Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Lisa Summers, Tribal Secretary

Primary Requestor/Submitter: Submitted by Heather Heuer, Info. Mgmt Specialist/BC Support Office
Your Name, Title / Dept. or Tribal Member

Additional Requestor:
Name, Title / Dept.

Additional Requestor:
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

Describe the purpose, background/history, and action requested:

BACKGROUND

During the June 13, 2016, special General Tribal Council meeting, the governing body via hand count, took action to direct the OBC to pay $1,300 per capita beginning Fiscal Year 2017 through 2021.

EXCERPTS:

Motion by Yvonne Metivier to direct the OBC to pay $2,000 Per Capita beginning Fiscal Year 2017 through 2021. Seconded by Scharlene Kasee. Motion carried by hand count: 1068 support; 200 opposed; 35 abstained

Amendment to the main motion by Nancy Skenandore to revise the Per Capita payment amount to $1,300 instead of $2,000. Seconded by Don Charnon. Motion carried by hand count: 791 support; 702 opposed; 32 abstained

Amendment to the main motion by Debra Schnell to revise the Per Capita payment plan to be in effect for the next three (3) fiscal years instead of the next five (5) fiscal years. Seconded by Linn Cornelius.
Motion failed by hand count: 642 support; 829 opposed; 52 abstained

Amendment to the main motion by David P. Jordan to go with the OBC's plan to pay off the debt. Seconded by Chris Cornelius. Motion carried by hand count: 697 support; 612 opposed; 87 abstained

According to section 9.4-3 of the Per Capita Law, "per capita payments shall be issued only at the direction of the General Tribal Council through adoption of a resolution"."

REQUESTED ACTION

Adopt resolution titled Implementing Per Capita Plan Adopted by General Tribal Council on June 13, 2016.

1) Save a copy of this form for your records.

2) Print this form as a *.pdf *OR* print and scan this form in as *.pdf.

3) E-mail this form and all supporting materials in a **SINGLE** *.pdf file 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 Nation

Post Office Box 365

Phone: 920-869-2214 Oneida, WI 54155

UGWA DEMOLUM YATEHE
Because of the help of this Oneida Chief in cementing a friendship between the six nations and the colony of Pennsylvania, a new nation, the United States was made possible.

BC Resolution # __-__-__-_
Implementing Per Capita Plan for Fiscal Year 2017 to Fiscal Year 2021 Adopted by General Tribal Council on June 13, 2016

WHEREAS, the Oneida Nation 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 Nation; and

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

WHEREAS, the General Tribal Council met on June 13, 2016, to discuss and take action regarding proposed per capita plans by Petitioner Metivier and the Oneida Business Committee; and

WHEREAS, the General Tribal Council, after presentations and discussion, adopted a per capita payment plan by way of motions that "…$1,300 instead of $2,000…" is to be paid "…beginning Fiscal Year 2017 through 2021"; and

WHEREAS, section 9.4-3 of the Per Capita Law identifies that "per capita payments shall be issued only at the direction of the General Tribal Council through adoption of a resolution"; and

NOW THEREFORE BE IT RESOLVED, in accordance with the duly adopted Per Capita Law, the Oneida Business Committee implements the action of the General Tribal Council and directs the per capita payment of $1,300 to every member be included in the budgets for Fiscal Years 2017, 2018, 2019, 2020, and 2021.

Oneida Nation
Legislative Reference Office

Jennifer Falck, Director
Douglass A. McIntyre, Staff Attorney
Taniquelle J. Thurner, Legislative Analyst
Maureen Perkins, Legislative Analyst

P.O. Box 365
Oneida, WI 54155
(920) 869-4375
(800) 236-2214
https://oneida-nsn.gov/Laws

Statement of Effect

Implementing Per Capita Plan for Fiscal Year 2017 to Fiscal Year 2021
Adopted by General Tribal Council on June 13, 2016

Summary

This resolution implements the General Tribal Council's adopted per capita plan for a one thousand and three hundred dollar ($1,300) payment beginning Fiscal Year 2017 through 2021.

Submitted by Douglass A. McIntyre, Staff Attorney, Legislative Reference Office

Analysis by the Legislative Reference Office

On June 13, 2016, the General Tribal Council met to discuss a petition regarding a proposed per capita plan and a separate plan proposed by the Oneida Business Committee. The Per Capita law specifies that per capita payments may only be issued through adoption of a resolution:

> 9.4-3. *Budgetary Limitations*. This law shall not be construed as mandating a per capita payment. Per capita payments shall be issued only at the direction of the General Tribal Council through adoption of a resolution.

It is intended that the adoption of this resolution will fulfill the above requirement and the June 13, 2016 direction of the General Tribal Council will be implemented and therefore directs that the per capita payment of one thousand and three hundred dollar ($1,300) to every member be included in budgets for Fiscal Years 2017, 2018, 2019, 2020, and 2021.

The establishment of per capita payments for future years can be viewed as a valid action for the General Tribal Council to approve. However, it is debatable whether one General Tribal Council can bind another, and therefore the dollar amounts for fiscal years 2018, 2019, 2020, and 2021 should be viewed as subject to alteration by future General Tribal Councils.

Conclusion

There are no legal bars to adopting the resolution. Passage of this resolution is intended to satisfy section 9.4-3 of the Per Capita law requiring per capita payments be established by adoption of a resolution.

This statement of effect is limited to an analysis of the resolution itself and does not constitute a review of the Per Capita law which was discussed herein.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 7 / 13 / 16

2. General Information:

Session: ☒ Open ☐ Executive - See instructions for the applicable laws, then choose one:

Agenda Header: Standing Committees

☐ Accept as Information only

☐ Action - please describe:

Accept the June 15, 2016 LOC Meeting Minutes

3. Supporting Materials

☐ Report ☐ Resolution ☐ Contract

☒ Other:

1. Minutes
2.
3.
4.

☐ Business Committee signature required

4. Budget Information

☐ Budgeted - Tribal Contribution ☐ Budgeted - Grant Funded ☐ Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Brandon Stevens, Council Member

Primary Requestor: Submitted by Doug McIntyre, Staff Attorney/LRO
Your Name, Title / Dept. or Tribal Member

Additional Requestor:
Name, Title / Dept.

Additional Requestor:
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

Describe the purpose, background/history, and action requested:

The purpose of this request is to ask the OBC to accept the attached LOC meeting minutes. In accordance with the LOC Bylaws, all minutes shall be submitted to the Tribal Secretary's Office within 30 calendar days after approval by the LOC [See LOC Bylaws, 4-2(a)].

Action Requested:
Accept the LOC meeting minutes of June 15, 2016.

1) Save a copy of this form for your records.

2) Print this form as a *.pdf *OR* print and scan this form in as *.pdf.

3) E-mail this form and all supporting materials in a **SINGLE** *.pdf file to: BC_Agenda_Requests@oneidanation.org

Oneida Nation

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
David P. Jordan, Councilmember
Jennifer Webster, Councilmember

LEGISLATIVE OPERATING COMMITTEE MEETING AGENDA
Business Committee Conference Room-2nd Floor Norbert Hill Center
June 15, 2016 9:00 a.m.

Present: Brandon Stevens, Tehassi Hill, Fawn Billie, Jennifer Webster, David P. Jordan
Others Present: Taniquelle Thurner, Maureen Perkins, Doug McIntyre, Krystal John, Rae Skenandore, Danelle Wilson, Leyne Orosco, Ed Delgado.

I. Call to Order and Approval of the Agenda

Tehassi Hill called the June 15, 2016 Legislative Operating Committee meeting to order at 9:00 a.m.

Motion by Jennifer Webster to adopt the agenda with the addition of the Code of Laws Reorganization; seconded by Fawn Billie. Motion carried unanimously.

II. Minutes to be approved

1. **June 1, 2016 LOC Meeting Minutes**
   Motion by Jennifer Webster to approve the June 1, 2016 LOC meeting minutes; seconded by Fawn Billie. Motion carried unanimously.

III. Current Business

1. **Employment Law** *(06:05-07:12)*
   Motion by Jennifer Webster to accept the fiscal impact statement for the Employment Law; seconded by David P. Jordan. Motion carried unanimously.

2. **Landlord-Tenant Law** *(07:13-08:13)*
   Motion by David P. Jordan to accept the legislative analysis for Landlord-Tenant law and to approve the public meeting packet for a public meeting date on July 21, 2016; seconded by Fawn Billie. Motion carried unanimously.

3. **Leasing Law** *(08:15-16:45)*

Motion by Fawn Billie to accept the Leasing law public meeting comments; seconded by Tehassi Hill. Motion carried unanimously.

Motion by Jennifer Webster to direct an adoption packet for the Leasing law be prepared after feedback of the draft is received from the Bureau of Indian Affairs; seconded by David P. Jordan. Motion carried unanimously.

4. **Oneida Seal and Flag Law** *(16:51-18:61)*
   Motion by Tehassi Hill to defer the Oneida Seal and Flag Law to the Legislative Reference Office for an updated legislative analysis and to prepare for a second public meeting; seconded by Jennifer Webster. Motion carried unanimously.

5. **Vendor Licensing Law Amendments** *(18:55-19:53)*
   Motion by David P. Jordan to accept the legislative analysis for Vendor Licensing Law Amendments and to approve the public meeting packet for a public meeting date on July 21, 2016; seconded by Fawn Billie. Motion carried unanimously.

IV. New Submissions

V. Additions

1. **Oneida Code of Laws Reorganization** *(20:00-51:59)*
   Motion by David P. Jordan to defer the Oneida Code of Laws Reorganization to the Legislative Reference Office for directed changes and to schedule an Oneida Business Committee work meeting; seconded by Jennifer Webster. Motion carried unanimously.

VI. Administrative Updates

VII. Executive Session

VIII. Recess/Adjourn

Motion by Tehassi Hill to adjourn the June 15, 2016 Legislative Operating Committee meeting at 9:53 a.m.; seconded by Jennifer Webster. Motion carried unanimously.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 07 / 13 / 16

2. General Information:

Session: ☒ Open ☐ Executive - See instructions for the applicable laws, then choose one:

Agenda Header: Standing Committees

☐ Accept as Information only

☒ Action - please describe:

BC approval of Finance Committee Meeting Minutes of July 5, 2016

3. Supporting Materials

☐ Report ☐ Resolution ☐ Contract

☒ Other:

1. FC Mtg Minutes of 7/05/16
2. FC E-Poll approving 7/05/16 Minutes
3.
4.

☐ Business Committee signature required

4. Budget Information

☐ Budgeted - Tribal Contribution ☐ Budgeted - Grant Funded ☐ Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Trish King, Tribal Treasurer

Primary Requestor: Denise Vigue, Executive Assistant /Finance Administration
Your Name, Title / Dept. or Tribal Member

Additional Requestor:
Name, Title / Dept.

Additional Requestor:
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

Describe the purpose, background/history, and action requested:

Oneida Business Committee approval is required to approve all Finance Committee meeting actions as the FC is a standing committee of the OBC.

1) Save a copy of this form for your records.

2) Print this form as a *.pdf *OR* print and scan this form in as *.pdf.

3) E-mail this form and all supporting materials in a **SINGLE** *.pdf file to: BC_Agenda_Requests@oneidanation.org

Oneida Nation
P.O. Box 365
Oneida, WI 54155

MEMORANDUM

TO: Finance Committee

CC: Business Committee

FR: Denise Vigue, Executive Assistant

DT: July 6, 2016

RE: **E-Poll Results of: FC Meeting Minutes of July 5, 2016**

An E-Poll vote of the Finance Committee was conducted to approve the July 5, 2016 Finance Committee meeting minutes. The results of the completed E-Poll are as follows:

E-POLL RESULTS:

There was a Majority 5 YES votes from Larry Barton, David Jordan, Wesley Martin, Jr., Jennifer Webster and Chad Fuss to approve the July 5, 2016 Finance Committee Meeting Minutes.

The minutes will be placed on the next BC agenda of July 13, 2016 for approval and the next Finance Committee agenda of July 18, 2016 to ratify this E-Poll action.

YawΛko

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* Per the Finance Committee By-Laws Article III-Meetings, 3-4 Quorum. Four (4) members of the Finance Committee shall constitute a quorum & 3-6 Voting. (d) The Finance Committee shall act by a majority of vote of the quorum present at any meeting.

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

ONEIDA FINANCE COMMITTEE

July 5, 2016 – 10:00 A.M.

Business Committee Executive Conference Room

REGULAR MEETING MINUTES

Members Present:

Patricia King, Treasurer/FC Chair
Larry Barton, CFO/FC Vice-Chair
David Jordan, BC Council Member
Jennifer Webster, BC Council Member
Chad Fuss, Gaming AGM/FC Alternate
Wesley Martin, Jr., Community Elder Member

Members Excused: Patrick Stensloff, Purchasing Director

Others Present: Henrietta Cornelius, RaLinda Ninham-Lamberies, Lisa A. Moore, Sam VanDen Heuvel, Daniel W. Skenandore Dave Cluckey, Nate Villarreal, Jason W. Doxtater, and Denise Vigue, FC recording secretary

I. Call to Order: The meeting was called to order by the FC Chair at 10:04 A.M.

II. Approval of Agenda: July 5, 2016:

Motion by Jennifer Webster to approve the Finance Committee agenda for July 5, 2016. Seconded by David Jordan. Motion carried unanimously.

III. Approval of Minutes: May 31, 2016 (approved via FC E-Poll on 6/1/16):

Motion by David Jordan to ratify the FC E-Poll action of June 1, 2016 approving the Finance Committee meeting minutes of May 31, 2016. Seconded by Wesley Martin, Jr. Motion carried unanimously.

IV. Tabled Business:

Motion by Larry Barton to remove item #1 from the table for discussion. Seconded by David Jordan. Motion carried unanimously.

1. Request: Establish a Language Revitalization Endowment Fund
   Susan White, Trust Director

Requested follow up from the Trust Director dated 6/10/16 and the Legal Review dated 6/22/16 have been received in regards to unclaimed per capita. It would now be up to Trust and the BC to determine additional steps to set up the endowment fund.

Motion by Larry Barton to accept the follow up information and to forward it to the BC for their discussion at the next BC /Trust meeting. Seconded by Wesley Martin, Jr. Motion carried unanimously.

Motion by Larry Barton to remove items #2, 3, & 4 from the table for discussion. Seconded by David Jordan. Motion carried unanimously.

2. Laptop Purchase — Amount: $300.
   Michael Debraska
3. I-Pad Pro Purchase — Amount: $300.
   Beverly Somers
4. I-Pad Pro Purchase — Amount: $300.
   Daniel Miller

There was discussion as to the backup information received by the requestors as well as the Trust Departments response to the Disability Fund dated 6/10/16 and the Legal Opinion on the Community Fund SOP's dated 6/21/16 regarding the application and use of the Community Fund and these types of requests. The FC will need to address these in a work session in terms of amendments to the SOP's.

Motion by Larry Barton to direct his staff to set up a FC work meeting just prior to the next FC meeting on 7/18/16 to review the information and make changes, clarifications, and or definitions to the Community Fund SOP's regarding these three requests as well as today's Community Fund request #16. Seconded by Jennifer Webster. Motion carried unanimously.

Motion by Larry Barton to remove item #5 from the table for discussion. Seconded by Jennifer Webster. Motion carried unanimously.

5. Treasurer Follow-Up on Tier IV Project

There was a discussion with the MIS personnel present about the now suspended Tier IV Project at Gaming; at this time it will need to be redefined and to present a new proposal in FY18. It was noted that if that occurs it will first need to go through Gaming Capital Expenditures Committee prior to being resubmitted to the Finance Committee. In regards to the Tier IV Project at the Skenandoah Complex MIS is working to optimize the system utilizing Technology Set-Aside funds; staff discussed the broad degree of redundancy that is needed in regards to power sources.

Motion by David Jordan to accept report from MIS as information. Seconded by Larry Barton. Motion carried unanimously.

Motion by Larry Barton for MIS to proceed with the Tier IV Project work at the Skenandoah Complex from their current Purchase Order. Seconded by Jennifer Webster. Motion carried unanimously.

V. Capital Expenditures: No requests submitted

VI. New Business:

1. Meadowbrook 2016-17 Property Insurance Renewal
   Robert Keck, Risk Management

Lisa Moore was representing Risk Management to discuss this insurance renewal. She noted the rate remains the same, but due to property costs slightly up it caused a slight increase in the premium. There was discussion about this vendor and the request for bids that was conducted at the time of selection; this in regards to not being sole source.

Motion by Jennifer Webster to approve the 2016-17 Property Insurance Renewal with Meadowbrook in the amount of $419, 238. Seconded by David Jordan. Larry Barton abstained. Motion carried.

2. Arrow Pavement Maintenance
   Tim Skenandore, Gaming Facilities

There was a discussion about conflict of interest with this vendor; request needs to be redone with another name, signature by the AGM-Operations; also actual cost of project that includes all vendors needs to be part of the packet and written legal review of the conflict of interest.

Motion by David Jordan to approve the Arrow Pavement Maintenance contract in the amount of $100,000 pending the FC receiving the legal opinion of possible conflict of interest. Seconded by Larry Barton. Motion carried unanimously.

3. IEI General Contractors –Chg Order #1
   Paul Witek, Engineering

The change order is a reduction in costs and would allow final payment to be made to close out the Oneida Lake Project with this vendor.

Motion by Larry Barton to approve Change Order #1 with IEI General Contractors for work on the Oneida Lake Project. Seconded by Jennifer Webster. Motion carried unanimously.

VII. Executive Session:

Motion by David Jordan to go into Executive Session. Seconded by Wesley Martin, Jr. Motion carried unanimously. Time: 11:06 A.M.

Motion by David Jordan to come out of Executive Session. Seconded by Larry Barton. Motion carried unanimously. Time: 11:11 A.M.

1. Medical Contract
   Henrietta Cornelius, OCHC

Motion by Jennifer Webster to remove this item from the agenda as all issues have been addressed due to resignation of contracted vendor. Seconded by David Jordan. Motion carried unanimously.

2. Finance Committee Procedures
   Patricia King, Treasurer/FC Chair

- See Tabled #2-4 Motion.

VIII. *Community Fund:

1. Tough Mudder/Warrior Dash registration
   Alebra Cornelius

Motion by Jennifer Webster to approve from the Community Fund the race registration fees in the amount of $238. Seconded by Larry Barton. Motion carried unanimously.

2. 5th Annual Oneida Baseball Tournament
   Jason Martinez, Tournament Director

Motion by Wesley Martin, Jr. to approve from the Community Fund $1,000, noting receipts for all purchases are submitted. Seconded by Larry Barton. Motion carried unanimously.

Motion by Larry Barton to approve Twenty-Five (25) cases of Coca-Cola Product for the 5th Annual Oneida Baseball Tournament. Seconded by David Jordan. Motion carried unanimously.

3. Amplify Lacrosse registration
   Jack Mehojah for son, Jack Jr

Motion by David Jordan to approve from the Community Fund the Amplify Lacrosse participation registration for the son of the requestor in the amount of $139.50. Seconded by Jennifer Webster. Motion carried unanimously

4. National Gymnastics Competition registration
   Jerry Swift for daughter, Victoria

Motion by Larry Barton to approve this request to registration in the Nation Gymnastics Competition in the amount of $300, contingent upon receiving CF required information verifying Oneida enrollment of daughter. Seconded by David Jordan. Motion carried unanimously.

5. Oneida Big Apple Fest
   Jeff Scofield, Apple Orchard

Motion by David Jordan to approve from the Community Fund Twenty-Five (25) Cases of Coca-Cola product for use at the Oneida Big Apple Fest. Seconded by Jennifer Webster. Motion carried unanimously.

6. Southwest Softball Assn-participation fees
   Debra Cloud for daughter, Mariah

Motion by David Jordan to approve from the Community Fund the Southwest Softball Association participation fees for the daughter of the requestor in the amount of $45. Seconded by Larry Barton. Motion carried unanimously.

7. Southwest Softball Assn-participation fees
Sacheen Lawrence for daughter, RaeAnne

Motion by David Jordan to approve from the Community Fund this and the following request for the Southwest Softball Association participation fees for the daughters of the requestor in the amount of $45 each. Seconded by Jennifer Webster. Motion carried unanimously.

8. Southwest Softball Assn-participation fees
Sacheen Lawrence for daughter, M"Kenzey

- See motion in CF #7.

9. Marquette University-Summer Reading Program
Josefina Garcia-Mondragon for daughter, Alejandra

Motion by Jennifer Webster to approve from the Community Fund the Marquette University Summer Reading Program fees for the daughter of the requestor in the amount of $261.18. Seconded by David Jordan. Motion carried unanimously.

10. Warrior Dash Registration
Angelena S. Bain

Motion by David Jordan to approve from the Community Fund the race registration fee in the amount of $75. Seconded by Jennifer Webster. Motion carried unanimously.

11. Bode Bootcamp-Class fees
Alicia Tisch

Motion by Larry Barton to approve from the Community Fund the Bode Bootcamp class fees in the amount of $300. Seconded by Jennifer Webster. Motion carried unanimously.

12. Duck Creek Pop Warner Football fees
Alebra Cornelius for son, Wayne

Motion by Jennifer Webster to approve from the Community Fund the Duck Creek Pop Warner football participation registration for the son of the requestor in the amount of $130. Seconded by David Jordan. Motion carried unanimously.

13. Tough Mudder/Warrior Dash
Makenit Gutierrez

Motion by David Jordan to approve from the Community Fund the race registration fees in the amount of $238. Seconded by Jennifer Webster. Motion carried unanimously.

14. Green Bay Elite Cheer
Tina Moore for daughter, Hailey

Motion by David Jordan to approve from the Community Fund the Green Bay Elite Cheer class fees for the daughter of the requestor in the amount of $300. Seconded by Jennifer Webster. Motion carried unanimously.

15. Oneida Sharp Shooters Lacrosse Team-registration fees
Jeremy and Dawn VandeHei

Motion by Larry Barton to approve from the Community Fund the tournament registration for the Oneida Sharp Shooters Lacrosse Team in the amount of $1,000. Seconded by Jennifer Webster. Motion carried unanimously.

16. I-Pad Air Purchase Amount: $300.
B. Jan Frion

- See Tabled #2-4 Motion.

(*Unless otherwise noted all requests are from Oneida Tribal members)

IX. Follow Up:

1. Data Financial – Maintenance Contract
   Andrew Doxtator, Gaming Accounting

Motion by Larry Barton to accept as FYI the updated information dated 6/9/16 of the maintenance contract with Data Financial. Seconded by Jennifer Webster. Motion carried unanimously.

X. FYI and /or Thank You:

1. **FYI**: IGT (2) Participation Games - No Purchase
   David Emerson, Gaming Slots Dept.

Motion by Larry Barton to accept, as FYI the IGT (2) Participation Games information. Seconded by Wesley Martin, Jr. Motion carried unanimously.

2. **FYI**: Data Financial, Inc, - Custom Playing Cards –Shipping Costs
   Kim La Luzerne, Gaming Table Games

Motion by Jennifer Webster to accept, as FYI the corrected shipping cost information for the Custom Playing Cards. Seconded by Larry Barton. Motion carried unanimously.

3. **FYI**: Creative Sign – CO #1
   Daniel Skenandore, Engineering Dept.

Motion by Larry Barton to approve change order #1 for permit sign standards required by Hobart in the amount of $200. Seconded by David Jordan. Motion carried unanimously.

4. **FYI**: Creative Sign – CO #2
   Paul Witek, Engineering Dept.

Motion by David Jordan to approve change order #2 regarding the 54 One Stop Project in the amount of $850. Seconded by Larry Barton. Motion carried unanimously.

XI. Adjourn:

Motion by David Jordan to adjourn. Seconded by Wesley Martin, Jr. Motion carried unanimously. The meeting ended at 11:27 A.M.

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

Finance Committee- E-Poll Minutes Approval Date: July 6, 2016
Oneida Business Committee- FC Minutes- Approval Date: _____

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 7 / 13 / 16

2. General Information:

Session: ☒ Open ☐ Executive - See instructions for the applicable laws, then choose one:

Agenda Header: General Tribal Council

☐ Accept as Information only

☒ Action - please describe:

Review and accept the Fiscal Analysis in response to the Michael Debraska petition regarding the Health Board

3. Supporting Materials

☐ Report ☐ Resolution ☐ Contract

☒ Other:

1. Fiscal Analysis:Michael Debraska petition
2.
3.
4.

☐ Business Committee signature required

4. Budget Information

☐ Budgeted - Tribal Contribution ☐ Budgeted - Grant Funded ☐ Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Larry Barton, Chief Financial Officer

Primary Requestor/Submitter: Rae Skenandore, Project Manager Finance
Your Name, Title / Dept. or Tribal Member

Additional Requestor:
Name, Title / Dept.

Additional Requestor:
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

Describe the purpose, background/history, and action requested:

Follow up from Finance/CFO regarding the Michael Debraska petition - Health Board - for OBC review and acceptance.

1) Save a copy of this form for your records.

2) Print this form as a *.pdf *OR* print and scan this form in as *.pdf.

3) E-mail this form and all supporting materials in a **SINGLE** *.pdf file 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

UGWA DEMOLUM YATEHE
Because of the help of this Oneida Chief in cementing a friendship between the six nations and the colony of Pennsylvania, a new nation, the United States was made possible.

ONEIDA FINANCE OFFICE
Office: (920) 869-4325 ● Toll Free: 1-800-236-2214
FAX # (920) 869-4024

MEMORANDUM

DATE: June 24, 2016

FROM: Larry Barton, Chief Financial Officer

TO: Oneida Business Committee

RE: **Fiscal Impact of the Debraska Petition – Health Board & Health Care**

I. Background

On February 20, 2016, a petition was submitted to the Tribal Secretary's Office and verified by the Enrollment Department. The Oneida Business Committee took action on the petition at the March 9, 2016 meeting. The petition contains the following:

.. . a Special General Tribal Council (GTC) meeting to be held on a Saturday only to allow for greater membership participation with this petition being the only thing on the agenda, within sixty (60) days of receipt of this petition, to discuss the following.

1. A Health Care Board be created to oversee the Oneida Health Care Center and its staff, along with the Anna John Residential Community Care Center (AJRCCC); and

2. GTC selected and appoint all Health Care Board members, set their stipends, approve their bylaws and resolutions and that the Health Care Board reports only to the General Tribal Council to prevent politics of the health care system of who receives treatment by any single or multiple board, committee or commission; and

3. To change the Contract Health Services Delivery Area (CHSDA) that is currently limited to Brown and Outagamie Counties but rather make it state-wide within Wisconsin; and

4. All enrolled members of the Oneida Tribe of Indians of Wisconsin receive medical care first and payment of the enrolled member(s) medical bill(s) to be paid first within forty-five days of receipt by the tribe, regardless of where care was received within the State of Wisconsin; and

5. GTC determine and limit, if necessary, the descendancy lineage to receive care and their medical bills being paid; and

6. GTC selected and hire an Administrator to oversee the Oneida Health Center and AJRCC based upon qualified applications received after notice is approved by GTC to post for hiring until the Health Care Board is established and then they can take over the duties of overseeing the staff; and

7. No action be taken by any other individual(s), department(s), board(s), committee(s), or commission(s) on any of these matters until GTC has heard this petition; and

8. Any other issues GTC deems necessary and appropriate on this topic for the health, safety, and welfare of the Oneida Tribe of Indians of Wisconsin. Tribal

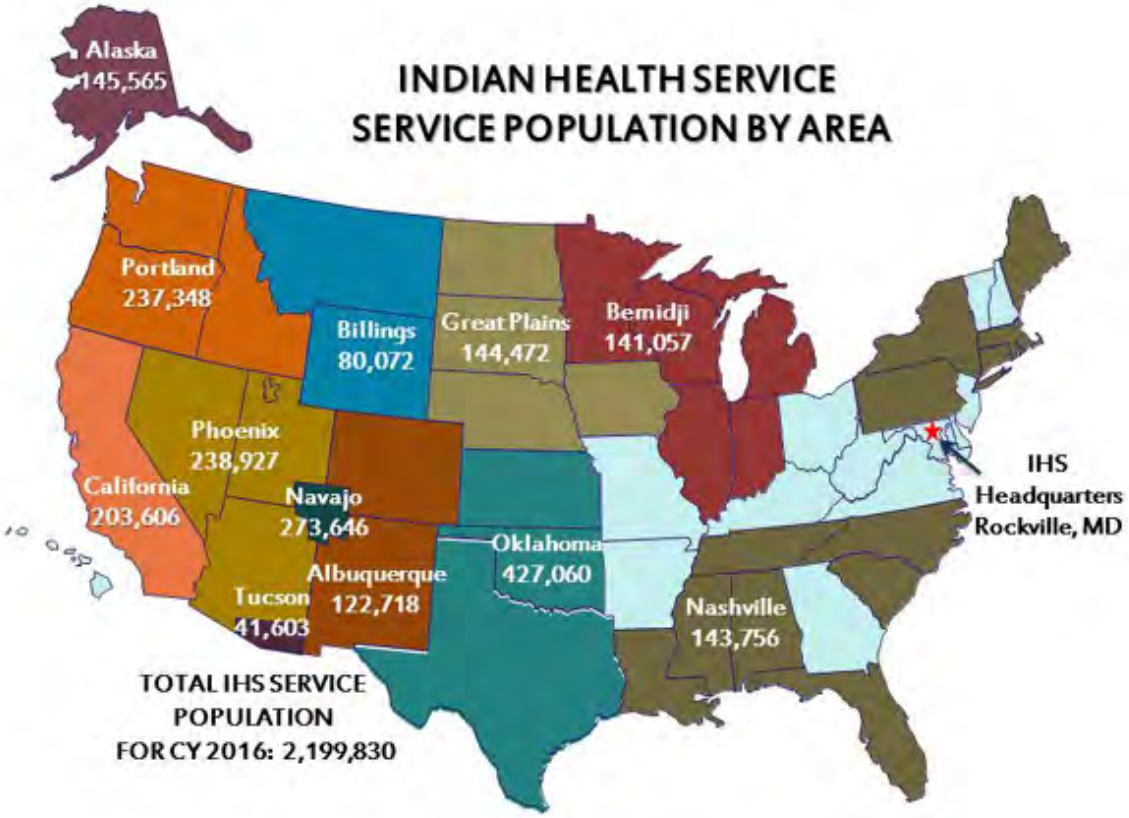
According to the Legislative Procedures Act, a fiscal impact statement means an estimate of the total fiscal year financial effects associated with legislation and includes start-up costs, personnel, office, and documentation costs. This definition is also applied to the fiscal impact statements provided for petitions.

A Special General Tribal Council Meeting
Based on prior information provided by the Tribal Secretary's office, the average cost for a GTC meeting is approximately $223,317. The petitioner is requesting that no other items be placed on the agenda. Therefore, the entire cost of the meeting is attributed to this petition.

Health Care Board
The petition calls for a health care board to oversee both the Oneida Health Care Center and the Anna John Resident Centered Care Center (AJRCCC). It is unclear if the intent is to dissolve the current AJRCCC Board with the sole oversight transferred to a new Health Center Board, or if the current responsibilities of the AJRCCC Board will be expanded to become a new Health Center Board. The Anna John Resident Centered Care Community Board bylaws state that the board is made up of 7 members meeting once a month. For a duly called meeting, with an established quorum, that last for a minimum of one hour, board members are paid a fifty dollar ($50) stipend. The FY 2016 stipend budget for the board members is $4,000. The AJRCCC Board is strictly an advisory board appointed by the Oneida Business Committee.

The petitioner calls for GTC to appoint a new Health Center Board, approve the bylaws and set the stipend. According to the comprehensive Policy on Boards Committees and Commissions, the maximum stipend for an appointed board is fifty dollars ($50). It is unknown how many board members would be appointed, the stipend amount or how many meetings would occur monthly. Therefor, the cost of the Health Care Board is indeterminate.

Self-Governance
The 1975 Indian Self-Determination and Education Assistance Act, Pub. L. 93-638, gave Indian tribes the authority to contract with the Federal government to operate programs serving their Tribal members and other eligible persons. The Oneida Nation currently receives approximately $21.4 million in Self Governance funds; $19.8 for health care and approximately $5.1 million of the health care funds are dedicated to Purchased/Referred Care, formerly known as Contract Health.



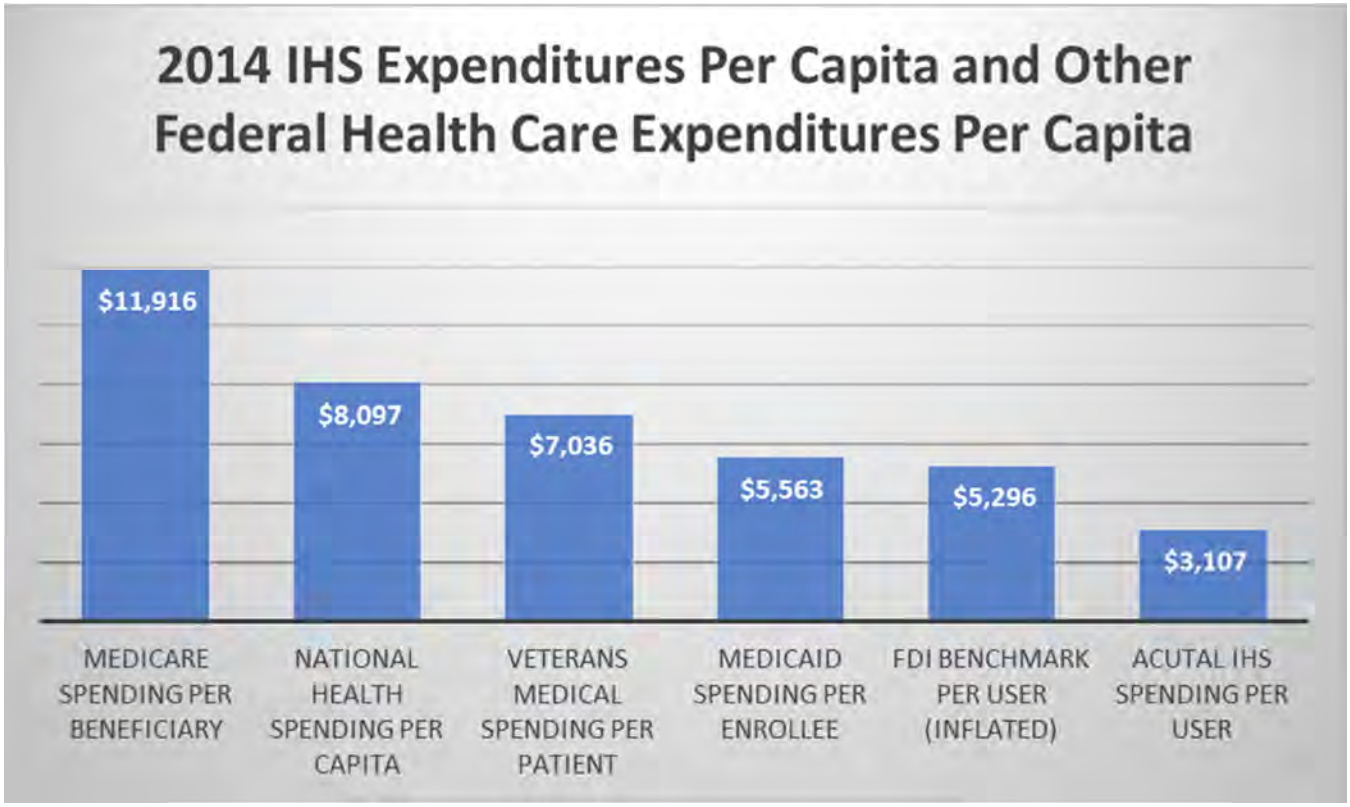
Indian Health Services (IHS) Programs and Services

Indian Health Service is a division within the US department of Health & Human Services. Their responsibility is to provide medical and public health services to members of federally recognized Tribes and Alaskan Natives. Despite Indian Health Treaty and Trust obligations, there remains a significant gap between the level of need and the level of provided funding. According to a report by the National Tribal Budget Formulation Workgroup, system-wide the funding gap is over 41%. In other words, the funds allocated in the Federal budget for Indian Health Service pays for only 59% of the need.

The fiscal year 2017 Federal budget requests $6.6 billion for the Indian Health Service (IHS), an increase of $402 million above fiscal year 2016 and 53 percent since fiscal year 2008. The Department of Health and Human Services (HHS) states that the increases within the fiscal year 2017 budget for IHS are intended to help close the gap in health disparities experienced by American Indians and Alaska Natives and improve their overall health and well-being for future generations. They go on to say that the 2017 budget made specific investments to maximize the benefits of the Affordable Care Act and Medicaid expansion for Indian Country. The intent is to integrate medical and mental health services, expand behavioral health services and support for

Native youth. Other funding initiatives include increasing the Contract Support Costs of Tribes who manage their own programs, ensuring increased health care access by fully funding staffing for new IHS health care facilities, addressing critical health care facilities infrastructure needs and renovating the IHS health information technology systems.

The Federal Health and Human Services webpage states that the federal budget for Purchased/Referred Care, formerly known as Contract Health, is $962 million, an increase of $48 million over fiscal year 2016. This program provides access to essential health care services not available at IHS or Tribally-managed facilities. While the 2017 budget has increased, funding for this program is still extremely limited and therefore uses a medical priority review system to rank cases to determine eligibility. The budget increase scarcely allows for inflation and population growth to cover the current level of services. The Bemidji office has advised the Purchased/Referred Care Supervisor for Oneida that an expansion in the Contract Health Service Delivery Area (CHSDA) would not result in increased funding.



IHS Bemidji Area

The Bemidji Area Office (BAO) provides service and support to 34 Federally-recognized Tribes and 4 Urban Indian Health programs located in Illinois, Indiana, Michigan, Minnesota and Wisconsin. Tribal Health services are provided through 11 P.L. 93-638 Title V compacts and 23 Title I contracts. Urban Indian Health programs are located in Chicago, IL; Detroit, MI; Milwaukee, WI; and Minneapolis, MN. Tribes in the Bemidji Area include Ojibwe (Chippewa), Ho-Chunk, Menominee, Mohican, Oneida, Odawa, Potawatomi, and Sioux.

Contract Health Services & Service Delivery Area
According to IHS, in general to be eligible for Purchased/Referred Care, you must reside on or near an Indian reservation within a contract health service delivery area, i.e. a county containing all or part of a reservation or sharing a boundary with a reservation, or in Alaska, Nevada or Oklahoma. Residency requirements are applied to determining eligibility for contract health services. The Purchased/Referred Care program requirements are based on specific legislation, Federal regulations, policy, and guidelines.

PRC is not an entitlement program and an IHS medical referral does not imply the care will be paid. If IHS is requested to pay, then a patient must meet the American Indian/Alaska Native Tribal affiliation, residency requirements, notification requirements, medical priority, and use of alternate resources (including IHS facility). It is the patient's responsibility to comply with ALL program requirements

Re-designation of a Contract Health Service Delivery Area (CHSDA)
Oneida may request a re-designation of our CHSDA. According to the Indian Health Manual (IHM), the process and requests for re-designation are listed below.

- The estimated number of AI/AN people who will be included and/or excluded regarding eligibility.
  - Eligibility includes a person of Indian and/or Alaska Native descent. According to Oneida Enrollments June 2016 statistics, there are currently 2,804 individuals listed as descendants with the Enrollment Office.
  - Eligibility includes that an individual resides within his/her Tribal Contract Health Service Delivery Area (CHSDA). Oneida Tribal membership eligible for services within the current area is 7,511 and 4,287 additional members residing elsewhere in the State of Wisconsin for a total of 11,789.
- The Tribal governing body's designation of categories of AI/AN people to be included and/or excluded from eligibility, e.g., members of the Tribe who live near the reservation or American Indian/Alaska Native people, who are not members of the Tribe, but have close economic and social ties with the Tribe.
- Other Re-designation Request Requirements.
  - The re-designation of a CHSDA may not result in the exclusion of Indian people eligible under 42 CFR §136.23(a) (1).
  - The estimated costs of including additional AI/AN people in the CHSDA are determined according to the IHS resource allocation guidelines currently in effect.
  - The effect of changing the CHSDA on the level of Contract Health Service funding being provided to eligible AI/AN in the originally configured CHSDA.
  - Submission of a Request for Proposed CHSDA Change.
  - All proposed CHSDA changes must be submitted to the Area Office of the affected Tribe for review and forwarded to IHS Headquarters for appropriate action.
- The Area Contract Health Service Officer will analyze the proposal outlining positive and negative features, and will recommend acceptance or rejection of the request to the Area Director. For Tribally-managed programs, the analysis will be coordinated with the Area

Tribal Project Officer for contracted programs or the Self-Governance Coordinator for compacted programs.

- The Area Director will forward the recommendation, in writing to the Director, DCC, for appropriate action.
- The Director, DCC, will review the recommendation for the re-designation of the CHSDA, and applies the criteria to the information submitted to support the recommendation.
- After review, the Director, DCC, shall prepare a report finding as to whether the criterion have been met and submit a written recommendation as to whether the request for the re-designation should be granted, to the Director, IHS.

While Oneida may request a re-designation, Based on the information presented and the requirements criteria, IHS will make the determination on whether it will be granted.

45 Day Payment Requirement

Even if an individual is eligible for IHS services and PRC, there is no guarantee of payment for outside services. The Indian Health Service is not an entitlement program, not an insurance program, and not an established benefits package. Funding is contingent upon annual appropriations by the U.S. Congress. Unfortunately, that means that services obtained under PRC must be medically prioritized. Even if an IHS doctor refers an individual to a specialist, a referral is not a guarantee for payment. A referral is a recommendation for treatment/test only. The PRC program must review the referral to make the determination for IHS approval of payment. The patient medical referral is reviewed by PRC to determine if the medical need is within the available funding at that time.

Descendants

The petition requests that GTC determine and potentially limit a descendant's eligibility for IHS programs and services. Eligibility for various programs includes the wording that it is based on "is of Indian and/or Alaska Native descent". A definition of descendent is not provided within IHS regulations and the Tribe determines an individual's membership. One could perceive that one of the reasons that eligibility is not explicitly limited to members of federally recognized Tribes is the variation across Tribes in requirements for Tribal membership, Tribal rolls that may be infrequently opened or the history of reversals in Federal Indian policies, their effects on individual tribes, and the inequities that would result if only members of Tribes that are presently federally recognized were eligible for IHS services. For whatever reason, Congress has chosen not to restrict services to only members of Federally recognized tribes.

It is unclear if a Tribal determination or limitation on services provided through IHS funding would impact the amount of funding available. Currently, the multi-year negotiated agreement with IHS provides approximately $19.8 million in funding and of that, $5.3 million for PRC. According to Oneida's Self Governance Administrator, if it were determined that a Tribe was not in compliance with the funding agreement, depending on the nature of the violation, a Tribe would forfeit some part of the negotiated funds. Or, in the worst case, it would lose control of

the amount remaining and, most importantly, it would lose control over the ability to provide services as a Self-Governance tribe.

Remaining requests: GTC select and hire an administrator, no action be until GTC has heard this petition; and an agenda item for any other issues GTC deems necessary and appropriate on this topic.

The process and specificity of these items are too broad in scope. Therefore, financial impact is indeterminate.

II. Executive Summary of Findings

In addition to a request for a special meeting, the petition contains eight items related to the oversight of health care and the eligibility and delivery of services of Federal programs. While Finance can estimate the average expense of a GTC meeting at $223,317, the lack of specificity and the variety of unknown factors within the petition inhibit an accurate estimation of all the fiscal impacts of the petition.

III. Financial Impact

The financial impact if this Petition is adopted range from the estimated cost of a GTC meeting at $223,317 to the potential loss of control and authority over our ability to govern the use of the $19.8 million in Self Governance funds provided for health care annually. Determination if the Health Board is advisory or has governance through charter & bylaws is not determinable. Estimating the fiscal impact of budget resources for a board is contingent upon clarifying the extent of oversight.

IV. Recommendation

The Finance Department does not make a recommendation in regards to course of action in this matter. Rather, it is the purpose of this report to disclose potential financial impact of an action, so that General Tribal Council has sufficient information to render a decision.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 7 / 13 / 16

2. General Information:

Session: ☒ Open ☐ Executive - See instructions for the applicable laws, then choose one:

Agenda Header: General Tribal Council

☐ Accept as Information only

☒ Action - please describe:

Accept the update on the Statement of Effect for the Petition: Debraska Per Capita Distribution

3. Supporting Materials

☐ Report ☐ Resolution ☐ Contract

☒ Other:

1. Memorandum
2.
3.
4.

☐ Business Committee signature required

4. Budget Information

☐ Budgeted - Tribal Contribution ☐ Budgeted - Grant Funded ☐ Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Brandon Stevens, Council Member

Primary Requestor: Submitted by Doug McIntyre, Staff Attorney, LRO
Your Name, Title / Dept. or Tribal Member

Additional Requestor:
Name, Title / Dept.

Additional Requestor:
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

Describe the purpose, background/history, and action requested:

On 5/11/2016, the OBC acknowledged receipt of the petition and ordered a legislative analysis.

Action requested:
Accept the update of the Statements of Effect for Petition: Debraska Per Capita

1) Save a copy of this form for your records.

2) Print this form as a *.pdf *OR* print and scan this form in as *.pdf.

3) E-mail this form and all supporting materials in a **SINGLE** *.pdf file to: BC_Agenda_Requests@oneidanation.org

Oneida Nation
Legislative Reference Office

Jennifer Falck, Director
Douglass A. McIntyre, Staff Attorney
Taniquelle J. Thurner, Legislative Analyst
Maureen Perkins, Legislative Analyst

P.O. Box 365
Oneida, WI 54155
(920) 869-4375
(800) 236-2214
https://oneida-nsn.gov/Laws

Memorandum

TO: Oneida Business Committee
FROM: Douglass A. McIntyre
DATE: July 13, 2016
RE: Petition: Debraska Per Capita Distribution Statement of Effect Update

On April 27, 2016, a petition was submitted to the Tribal Secretary's Office and has since been verified by the Enrollment Department. On May 11, 2016, the Oneida Business Committee accepted the receipt of the petition and forwarded it for the appropriate analyses, including this statement of effect considering legislative impacts the proposal may have on the Nation's laws and policies. The petition requests a special General Tribal Council (GTC) meeting to be called concerning the five (5) sections within the petition. This memorandum is to serve as the required forty-five (45) day update.

The petition reads:

1. **A per capita distribution of $3,000 to all enrolled Oneida members under the age of 61; and**

2. **A per capita distribution of $5,000 to all enrolled Oneida members over the age of 62; and**

3. **The distribution of this $3/5K per capita payment take place on a date to be determined by General Tribal Council; and**

4. **If there is to be any lay-offs (terminations, furloughs or the like), restructuring, programs or department(s) reduced or eliminated, General Tribal Council will make the determination as to whom is laid-off (terminated, furloughed or the like), which areas or department(s) are restructured or programs that are or will be reduced or eliminated; and**

5. **Since the previous $3/5K petition submitted by Dr. John Powless was withdrawn by him in an e-mail to Lisa Liggins and seeing as how both the fiscal (financial) and legal analysis' were already completed for Dr. Powless' petition, it should only take minor modifications for both the fiscal (financial) and legal analysis' and then this petition can be brought forward for GTC's consideration in June 2016 and placed with Yvonne Metivier's per capita petition on the same agenda and heard the same**

day as hers since previous Business Committee action was to place like-petitions with like petitions, as previously stated by Secretary Lisa Summers and Chief Counsel.

Given the number of specific requests within the petition, the Legislative Reference Office is still in the process of determining what effect some of the sections would have on current law. A completed Statement of Effect is on track to be completed in time for the July 27, 2016 meeting of the Oneida Business Committee.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 7 / ___ / 16

2. General Information:

Session: ☒ Open ☐ Executive - See instructions for the applicable laws, then choose one:

Agenda Header: General Tribal Council

☐ Accept as Information only

☒ Action - please describe:

Motion to To accept report

3. Supporting Materials

☒ Report ☐ Resolution ☐ Contract

☐ Other:

1. 3.

2. 4.

☐ Business Committee signature required

4. Budget Information

☐ Budgeted - Tribal Contribution ☐ Budgeted - Grant Funded ☐ Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Jo Anne House, Chief Counsel

Primary Requestor: _____
Your Name, Title / Dept. or Tribal Member

Additional Requestor: _____
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.

JO ANNE HOUSE, PHD
CHIEF COUNSEL
JAMES R. BITTORF
DEPUTY CHIEF COUNSEL
REBECCA M. WEBSTER, PHD
SENIOR STAFF ATTORNEY

ONEIDA LAW OFFICE

N7210 SEMINARY ROAD
P.O. BOX 109
ONEIDA, WISCONSIN 54155

(920) 869-4327 FAX (920) 869-4065

PATRICIA M. STEVENS GARVEY
KELLY M. MCANDREWS
MICHELLE L. MAYS
ROBERT W. ORCUTT
KRYSTAL L. JOHN

M E M O R A N D U M

TO: Oneida Business Committee

FROM: Jo Anne House, Chief Counsel

DATE: July 8, 2016

SUBJECT: Progress Report – Debraska Petition – Per Capita

I have received reports from the organization regarding impact and completed update of the legal research. The legal opinion should be completed by the July 27, 2016 deadline.

If you have further questions, please contact me.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 07 / 13 / 16

2. General Information:

Session: ☒ Open ☐ Executive - See instructions for the applicable laws, then choose one:

Agenda Header: Unfinished Business

☐ Accept as Information only

☒ Action - please describe:

Update regarding Oneida Sacred Burial Grounds per GTC Directive.

3. Supporting Materials

☐ Report ☐ Resolution ☐ Contract

☐ Other:

1. 3.

2. 4.

☐ Business Committee signature required

4. Budget Information

☐ Budgeted - Tribal Contribution ☐ Budgeted - Grant Funded ☐ Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Brandon Stevens, Council Member

Primary Requestor/Submitter: James Petitjean, Interim Asst. Division Director/Development
Your Name, Title / Dept. or Tribal Member

Additional Requestor: ,Planning Department
Name, Title / Dept.

Additional Requestor:
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

Describe the purpose, background/history, and action requested:

BACKGROUND
Below is a recap of the recent Business Committee action related to the Oneida Sacred Burial Grounds:

At the March 9, 2016, Business Committee meeting, the update regarding Oneida Sacred Burial Grounds per GTC Directive was provided to the Business Committee and the following actions were taken:

> "(1) Motion by Tehassi Hill to accept the presentation regarding Oneida Sacred Burial Grounds per GTC Directive, seconded by Lisa Summers. Motion carried unanimously.
> (2) Amendment to the main motion by Tehassi Hill to request an update at the first regular Business Committee meeting in June regarding potential locations of the cemetery, seconded by Trish King. Motion carried unanimously.

At the June 8, 2016, Business Committee meeting, the Cemetery Locations memo (dated May 31, 2016) was submitted to the Business Committee agenda and the following action was taken:

> "Motion by Lisa Summers to accept the information in the memorandum from the Trust Department dated May 31, 2016, as information, noting there have been two (2) identified alternative sites for a cemetery should the need arise and to send this item to the next available Officers' meeting for continued follow-up with the overall cemetery work plan, seconded by Tehassi Hill. Motion carried unanimously"

At the June 22, 2016, Business Committee meeting, a request to defer the update on the Cemetery Improvement Work Plan was submitted to the Business Committee agenda and the following action was taken:

> "Motion by Jennifer Webster to defer the update regarding Work Plan for CIP # 14-002 Cemetery Improvements to the July 27, 2016, regular Business Committee meeting; and to request the Tribal Secretary notify the Land Commission, Division of Land Management, Development Division, Trust & Enrollment Committee, and any other parties that are necessary, to be present at the July 13, 2016, regular Business Committee meeting, seconded by Fawn Billie. Motion carried unanimously."

UPDATE
Report is being worked on and will be handed out at the July 13 meeting.

REQUESTED ACTION
Acceptance of Oneida Sacred Burial Grounds Location Report.

1) Save a copy of this form for your records. Save a Copy...

2) Print this form as a *.pdf *OR* print and scan this form in as *.pdf.

3) E-mail this form and all supporting materials in a **SINGLE** *.pdf file to: BC_Agenda_Requests@oneidanation.org

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 7 / 13 / 16

2. General Information:

Session: ☒ Open ☐ Executive - See instructions for the applicable laws, then choose one:

Board Appointment

Agenda Header: Appointments

☐ Accept as Information only

☒ Action - please describe:

Jeff Bowman, the President Bay Bancorporation Inc. is recommending the appointment of Nathaniel S. King to the Board of Directors of Bay Bancorporation Inc. This would be for a 3 year term. The 3 year term is consistent with the company's By-Laws.

3. Supporting Materials

☐ Report ☐ Resolution ☐ Contract

☒ Other:

1. By-Laws of Bay Bancorporation Inc.
2.
3.
4.

☐ Business Committee signature required

4. Budget Information

☐ Budgeted - Tribal Contribution ☐ Budgeted - Grant Funded ☐ Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Cristina Danforth, Tribal Chairwoman

Primary Requestor/Submitter: Jeff Bowman, President of Bay Bancorporation Inc.
Your Name, Title / Dept. or Tribal Member

Additional Requestor:
Name, Title / Dept.

Additional Requestor:
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

Describe the purpose, background/history, and action requested:

Bay Bancorporation Inc. has a vacancy on its Board of Directors. The open position was advertised in the tribal newspaper. The qualifications for the position are described in the company's By-Laws in section 3.03. These qualifications were described in the newspaper ad. Section 3.03 states that "the qualifications may include experience, education, prior service to the shareholder or its affiliates, or other qualifications which the shareholder deem appropriate". The applications for the open Board position were submitted to the Bank's President for review.

Mr. King meets the qualifications in our By-Laws because of his education, his work experience with the Oneida Nation and his involvement in the community. He has a bachelor's degree and an MBA. Both his work experience and his business education will be a benefit to the Bank. He is committed to improving all aspects of the Oneida community. He is also committed to improving the shareholder value of the Bay Bancorporation.

Bay Bancorporation President Jeff Bowman is recommending that Nathaniel S. King be appointed by the Oneida Business Committee to fill the open Board position.

1) Save a copy of this form for your records.

2) Print this form as a *.pdf *OR* print and scan this form in as *.pdf.

3) E-mail this form and all supporting materials in a **SINGLE** *.pdf file to: BC_Agenda_Requests@oneidanation.org

P.O. Box 10855 • 2555 Packerland Drive • Green Bay, WI 54307 • Phone: (920) 490-7600 • Fax: (920) 490-0930 • www.baybankgb.com

June 17, 2016

Ms. Cristina Danforth
Chairwoman and Bay Bank Liaison
Oneida Nation
N7210 Seminary Rd
Oneida, WI 54155

David P. Jordan
Business Committee Member – Alternate Bay Bank Liaison
Oneida Nation
N7210 Seminary Rd
Oneida, WI 54155

Re: Recommendation for the Board position at Bay Bancorporation Inc

Dear Chairwoman Danforth and Councilman Jordan,

I have reviewed the applications for the open position on the Bay Bank holding company Board of Directors. I am recommending that the following person serve as a Director of Bay Bancorporation Inc.;

Nathaniel S. King

If this is acceptable, I would ask that Mr. King be sworn in at the next available BC meeting. Upon notice from the BC that this has occurred, the candidate will join the Board as soon as our next Board meeting.

Please call me if you have any questions.

Sincerely,

Jeff Bowman
President & CEO

By-Laws of Bay Bancorporation, Inc.

Introduction - Variable References

0.01. Date of annual shareholders= meeting (See Section 2.01):

4:00 P.M.	2nd	~~Wednesday~~	November	1995
		Thursday	*April*	*1998*[1]
(Hour)	(Week)	(Day)	(Month)	(First Year)

*

0.02. Required notice of shareholders= meeting (See Section 2.04): not less than ten (10) days.
*

0.03. Authorized number of directors (See Section 3.01): Nine (9)
*

0.04. Required notice of directors= meetings (See Section 3.0~~5~~ *6*):
(a) Not less than 72 hours if by mail, and
(b) Not less than 48 hours if by telegram or personal delivery.
(c) Not less than 24 hours if by facsimile or email.[2]

*

0.05. Authorized number of Vice-Presidents (See Section 4.01): One (1)
*

* These spaces are reserved for official notation of future amendments to these Sections.

Article I. Offices

1.01. Principle and Business Offices. The corporation may have such principal and other business offices, either within or without the State of Wisconsin, as the Board of Directors may designate or as the business of the corporation may require from time to time.

1.02. Registered Office. The registered office of the corporation required by the Wisconsin Business Corporation Law to be maintained in the State of Wisconsin may be, but need not be, identical with the principal office in the State of Wisconsin, and the address of the registered office may be changed from time to time by the Board of Directors or by the registered agent. The business office of the registered agent of the corporation shall be identical to such registered office.

Article II. Shareholders

2.01. Annual Meetings. The annual meeting of the shareholders shall be held at the date and hour in each year set forth in Section 0.01, or at such other time as may be fixed by or under the authority of the Board of Directors, for the purpose of electing directors and for the transaction of such other

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[1] Amended January 8, 1998.

2 Amended July 21, 2006

business as may come before the meeting. If the day fixed for the annual meeting shall be a legal holiday in the State of Wisconsin, such meeting shall be held on the next succeeding business day. If the election of directors shall not be held on the day designated herein, or fixed as herein provided, for any annual meeting of the shareholders, or at any adjournment thereof, the Board of Directors shall cause the election to be held at a special meeting of the shareholders as soon thereafter as conveniently may be.

2.02. Special Meetings. ~~Special meetings of the shareholders, for any purpose or purposes, unless otherwise prescribed by statute, may be called by the President or the Board of Directors or by the person designated in the written request of the holders of not less than one-tenth of all shares of the corporation entitled to vote at the meeting.~~ [3] *Special meetings of the shareholders may be called by a majority of the shareholders, a majority of the shareholder=s proper and elected representatives, or the ~~chairman~~* ***Chairperson* or president**[4] *of the Board.*

2.03. Place of Meeting. The Board of Directors may designate any place either within or without the State of Wisconsin, as the place of meeting for any annual meeting or for any special meeting called by the Board of Directors. A waiver of notice signed by all shareholders entitled to vote at a meeting may designate any place, either within or without the State of Wisconsin, as the place for holding such meeting, If no designation is made, or if a special meeting be otherwise called, the place of meeting shall be the principal business office of the corporation in the State of Wisconsin or such other suitable place in the county of such principal office as may be designated by the person calling such meeting, but any meeting may be adjourned to reconvene at any place designated by vote of a majority of the shares represented thereat.

2.04. Notice of Meeting. ~~Written notice stating the place, day and hour of the meeting and, in case of a special meeting, the purpose or purposes for which the meeting is called, shall be delivered not less than the number of days set forth in Section 0.02 (unless a longer period is required by law or the articles of incorporation) nor more than fifty days before the date of the meeting, either personally or by mail, by or at the direction of the President, or the Secretary, or other officer or persons calling the meeting, to each shareholder of record entitled to vote at such meeting. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail, addressed to the shareholder at his address as it appears on the stock record books of the corporation, with postage thereon prepaid.~~ *Notice of the regular annual meeting and of special meetings shall be given by written or printed notice stating the time and place of the meetings, mailed to the last know post office address of each shareholder or the shareholder=s proper and elected representatives, not less than the number of days set forth in section 0.02 (unless a longer period is required by law or the articles of incorporation) nor more than fifty days before the date of the meeting. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail. In the notice of a special meeting, the business to be brought before the meeting shall be briefly stated, and no other business shall be voted upon at the meeting.*[5]

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3 Amended October 18, 2004

4 Amended July 21, 2006

5 Amended October 18, 2004.

2.05. Closing of Transfer Books or Fixing of Record Date. For the purpose of determining shareholders entitled to notice of or to vote at any meeting of shareholders or any adjournment thereof, or shareholders entitled to receive payment of any dividend, or in order to make a determination of shareholders for any other proper purpose, the Board of Directors may provide that the stock transfer books shall be closed for a stated period but not to exceed, in any case, fifty days. If the stock transfer books shall be closed for the purpose of determining shareholders entitled to notice of or to vote at a meeting of shareholders, such books shall be closed for at least ten days immediately preceding such meeting. In lieu of closing the stock transfer books, the Board of Directors may fix in advance a date as the record date for any such determination of shareholders, such date in any case to be not more than fifty days and, in case of a meeting of shareholders not less than ten days prior to the date on which the particular action, requiring such determination of shareholders, is to be taken. If the stock transfer books are not closed and no record date is fixed for the determination of shareholders entitled to notice of or to vote at a meeting of shareholders, or shareholders entitled to receive payment of a dividend, the close of business on the date on which notice of the meeting is mailed or on the date on which the resolution of the Board of Directors declaring such dividend is adopted, as the case may be, shall be the record date for such determination of shareholders. When a determination of shareholders is entitled to vote at any meeting of shareholders has been made as provided in this section, such determination shall be applied to any adjournment thereof except where the determination has been made through the closing of the stock transfer books and the state period of closing has expired.

2.06. Voting Records. The officer or agent having charge of the stock transfer books for shares of the corporation shall, before each meeting of shareholders, make a complete record of the shareholders entitled to vote at such meeting, or any adjournment thereof, with the address of and the number of shares held by each. Such record shall be produced and kept open at the time and place of the meeting and shall be subject to the inspection of any shareholder during the whole time of the meeting for the purposes of the meeting. The original stock transfer books shall be prima facia evidence as to who are the shareholders entitled to examine such record or transfer books or to vote at any meeting of shareholders. Failure to comply with the requirements of this section shall not affect the validity of any action taken at such meeting.

2.07. Quorum. Except as otherwise provided in the articles of incorporation, a quorum of the shares entitled to vote, represented in person or by proxy, shall require ~~eighty percent (80%)~~ *66 2/3%*[6] of the voting shares represented at the meeting and entitled to vote on the subject matter which vote shall constitute the act of the shareholders unless the vote of a greater number or voting by classes is required by law or the articles of incorporation. Though less than a quorum of outstanding shares are represented at a meeting, a majority of the shares so represented may adjourn the meeting from time to time subject to giving notice to the other shareholders of such adjourned date and time. At such adjourned meeting at which a quorum shall be present or represented, any business may be transacted which might have been transacted at the meeting as originally notified.

2.08. Conduct of Meeting. The President, and in his**/her** absence, a Vice-President in the order provided under Section 4.06, and in their absence, any person chosen by shareholders present shall call the meeting of the shareholders to order and shall act as ~~chairman~~ **chairperson** of the meeting, and the Secretary of the corporation shall act as secretary of all meetings of the shareholders, but, in the absence of the Secretary, the presiding officer may appoint any other person to act as

[6] Amended April 12, 1999.

secretary of the meeting.

2.09. Proxies. At all meetings of shareholders, a shareholder entitled to vote may vote in person or by proxy appointed in writing by the shareholder or by his duly authorized attorney in fact. Such proxy shall be filed with the Secretary of the corporation before or at the time of the meeting. Unless otherwise provided in the proxy, a proxy may be revoked at any time before it is voted, either by written notice filed with the Secretary or the acting secretary of the meeting or by oral notice given by the shareholder to the presiding officer during the meeting. The presence of a shareholder who has filed his**/her** proxy shall not of itself constitute a revocation. No proxy shall be valid after eleven months from the date of its execution, unless otherwise provided in the proxy. The Board of Directors shall have the power and authority to make rules establishing presumptions as to the validity and sufficiency of proxies.

2.10. Voting of Shares. Each outstanding share shall be entitled to one vote upon each matter submitted to a vote at a meeting of shareholders, except to the extent that the voting rights of the shares of any class or classes are enlarged, limited or denied by the articles of incorporation.

2.11. Voting of Shares by Certain Shareholders.

(a) Other Corporations. Shares standing in the name of another corporation may be voted either in person or by proxy, by the president of such corporation or any other officer appointed by such president. A proxy executed by any principal officer of such other corporation or assistant thereto shall be conclusive evidence of the signer=s authority to act, in the absence of express notice to this corporation, given in writing to the Secretary of this corporation, of the designation of some other person by the board of directors or the by-laws of such other corporation.

(b) Legal Representatives and Fiduciaries. Shares held by an administrator, executor, guardian, conservator, trustee, in bankruptcy, receiver, or assignee for creditors may be voted by him**/her**, either in person or by proxy, without a transfer of such shares into his**/her** name, provided that there is filed with the Secretary before or at the time of meeting proper evidence of his**/her** incumbency and the number of shares held. Shares standing in the name of a fiduciary may be voted by him**/her**, either in person or by proxy. A proxy executed by a fiduciary, shall be conclusive evidence of the signer=s authority to act, in the absence of express notice to this corporation, given in writing to the Secretary of this corporation, that such manner of voting is expressly prohibited or otherwise directed by the document creating the fiduciary relationship.

(c) Pledges. A shareholder whose shares are pledged shall be entitled to vote such shares until the shares have been transferred into the name of the pledgee, and thereafter the pledgee shall be entitled to vote the shares so transferred.

(d) Treasury Stock and Subsidiaries. Neither treasury shares, nor shares held by another corporation if a majority of the shares entitled to vote for the election of directors of such other corporation is held by this corporation, shall be voted at any meeting or counted in determining the total number of outstanding shares entitled to vote, but shares of its own issue held by this corporation in a fiduciary capacity, or held by such other corporation in a fiduciary capacity, may be voted and shall be counted in determining the total number of outstanding shares entitled to vote.

(e) Minors. Shares held by a minor may be voted by such minor in person or by proxy and no such vote shall be subject to disaffirmance or avoidance, unless prior to such vote the Secretary of the corporation has received written notice or has actual knowledge that such

shareholder is a minor.

(f) Incompetents and Spendthrifts. Shares held by an incompetent or spendthrift may be voted by such incompetent or spendthrift in person or by proxy and no such vote shall be subject to disaffirmance or avoidance, unless prior to such vote the Secretary of the corporation has actual knowledge that such shareholder has been adjudicated an incompetent or spendthrift or actual knowledge of filing of judicial proceedings for appointment of a guardian.

(g) Joint Tenants. Shares registered in the names of two or more individuals who are named in the registration as joint tenants may be voted in person or by proxy signed by any one or more of such individuals if either (i) no other such individual or his**/her** legal representative is present and claims the right to participate in the voting of such shares or prior to the vote files with the Secretary of the corporation a contrary written voting authorization or direction or written denial of authority of the individual present or signing the proxy proposed to be voted or (ii) all such other individuals are deceased and the Secretary of the corporation has no actual knowledge that the survivor has been adjudicated not to be the successor to the interests of those deceased.

2.12. Waiver of Notice by Shareholders. Whenever any notice whatever is required to be given to any shareholder of the corporation under the articles of incorporation or by-laws or any provision of law, a waiver thereof in writing, signed at any time whether before or after the time of meeting, by the shareholder entitled to such notice, shall be deemed equivalent to the giving of such notice; provided that such waiver in respect to any matter of which notice is required under any provision of the Wisconsin Business Corporation Law, shall contain the same information as would have been required to be included in such notice, except the time and place of meeting.

2.13. Unanimous Consent Without Meeting. Any action required or permitted by the articles of incorporation or by-laws or any provision of law to be taken at a meeting of the shareholders, may be taken without a meeting if a consent in writing, setting forth the action so taken, shall be signed by all of the shareholders entitled to vote with respect to the subject matter thereof.

Article III. Board of Directors

3.01. General Power and Number. The business and affairs of the corporation shall be managed by its Board of Directors. The number of directors of the corporation shall be as provided in Section 0.03.

3.02. ~~Tenure and Qualifications. Each director shall hold office *for five years* until the next annual meeting of shareholders and until his successor shall have been elected, or until his prior death, resignation or removal.~~[7] ~~A director may be removed from office by affirmative vote of a majority of the outstanding shares entitled to vote for the election of such director, taken at a meeting of shareholders called for that purpose. A director may resign at any time by filing his written resignation with the Secretary of the corporation. Directors need not be residents of the State of Wisconsin or shareholders of the corporation.~~ *Election and Tenure. The directors shall be elected by the shareholders at the regular annual meeting of the shareholders, and a majority of the shares represented shall be necessary for election. Each director shall hold office for three (3) years and until his or her successor has been elected and qualified, or until his or her death, or until he or she*

[7] Amended March 11, 2004

shall resign, or until he or she has been removed in a manner hereinafter provided. The terms of the directors shall be staggered in a manner set by motion, and then consistent thereafter. Any vacancy occurring on the Board shall be filled by the shareholders for the unexpired term. A director may be removed from office by affirmative vote of a majority of the outstanding shares entitled to vote, or by the election of such director taken at a special meeting of the shareholders called for that purpose. A director may resign at any time by filing his or her written resignation with the ~~chairman~~ ***chairperson*** *of the Board.*[8]

3.03. Qualifications. Individuals eligible for election to the Board of Directors shall meet minimum qualifications determined by properly offered and approved motion(s) of the stockholders. Qualifications for membership to the Board may include experience, education, prior service to the shareholder or its affiliates, or other qualifications which the shareholders deem appropriate and are within the parameters of applicable laws. Due to the regulated nature of the business and the state of incorporation, shareholders shall not be bound by the Oneida Tribe of Indians Policy on Boards, Committees, and Commissions when electing eligible members to the Board. A director does not need to be a resident of the State of Wisconsin.[9]

3.0~~3~~*4*. Regular Meetings. A regular meeting of the Board of Directors shall be held without other notice than this by-law immediately after the annual meeting of the shareholders, and each adjourned session thereof. The place of such regular meeting shall be the same as the place of the meeting of shareholders which precedes it, or such other suitable place as may be announced at such meeting of shareholders. The Board of Directors may provide, by resolution, the time and place, either within or without the State of Wisconsin, for the holding of additional regular meetings without other notice than such resolution.

3.0~~4~~5. Special Meetings. Special meetings of the Board of Directors may be called by or at the request of the President, Secretary or any four directors. The President or Secretary calling any special meeting of the Board of Directors may fix any place, either within or without the State of Wisconsin, as the place for holding any special meeting of the Board of Directors called by them, and if no other place is fixed the place of meeting shall be the principal business office of the corporation in the State of Wisconsin.

3.0~~5~~6. Notice; Waiver. Notice of each meeting of the Board of Directors (unless otherwise provided in or pursuant to Section 3.0~~3~~ *4*) shall be given by written notice delivered personally or mailed or given by telegram, **facsimile or email**[10] to each director at his**/her** business address or at such other address as such director shall have designated in writing filed with the Secretary, in each case not less than that number of hours prior thereto as set forth in Section 0.04. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail so addressed, with postage thereon prepaid. If notice be given by telegram, such notice shall be deemed to be delivered when the telegram is delivered to the telegraph company. **If by facsimile or email upon receipt of**

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[8] Amended October 18, 2004.

[9] Amended October 18, and 2004, following sections renumbered. Internal citations corrected with strike-outs/italics.

10 Amended July 21, 2006

confirmation of delivery.[11] Whenever any notice whatever is required to be given to any director of the corporation under the articles of incorporation or by-laws or any provision of law, a waiver thereof in writing, signed at any time, whether before or after the time of meeting, by the director so entitled to such notice, shall be deemed equivalent to the giving of such notice. The attendance of a director at a meeting shall constitute a waiver of notice of such meeting, except where a director attends a meeting and objects thereat to the transaction of any business because the meeting is not lawfully called or convened. Neither the business to be transacted at, nor the purpose of, any regular or special meeting of the Board of Directors need be specified in the notice or waiver of notice of such meeting.

3.0~~6~~7. Quorum. A quorum of directors shall require the presence of a minimum of ~~six~~ **five**[12] board members, but a majority of the directors present (though less than such a quorum) may adjourn the meeting ~~**from time to time**~~[13] providing that further notice is given to the other directors of such adjourned meeting date and time.

3.0~~7~~8. Manner of Acting. The majority of the directors present at a meeting at which a quorum is present shall be the act of the Board of Directors, unless the act of a greater number is required by law or by the articles of incorporation or these by-laws.

3.0~~8~~9. Conduct of Meeting. The President, and in his**/her** absence, a Vice-President in the order provided under Section 4.06, and in their absence, any director chosen by the directors present, shall call meetings of the Board of Directors to order and shall act as ~~chairman~~ **chairperson** of the meeting. The Secretary of the corporation shall act as secretary of all meetings of the Board of Directors, but in the absence of the Secretary, the presiding officer may appoint any Assistant Secretary or any director or other person present to act as secretary of the meeting.

3.~~9~~10. Vacancies. Any vacancy occurring in the Board of Directors, including a vacancy created by an increase in the number of directors, may be filled until the next succeeding annual election by the affirmative vote of a majority of the directors then in office, though less than a quorum of the Board of Director; provided, that in case of a vacancy crated by the removal of a director by vote of the shareholders, the shareholders shall have the right to fill such vacancy at the same meeting or any adjournment thereof.

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11 Amended July 21, 2006
12 Amended July 21, 2006
13 Amended July 21, 2006

3.~~10~~11. Compensation. ~~The Board of Directors, by affirmative vote of a majority of the directors then in office, and irrespective of any personal interest of any of its members may establish reasonable compensation of all directors for services to the corporation as directors, officers or otherwise or may delegate such authority to an appropriate committee. The Board of Directors also shall authority to provide for or to delegate authority to an appropriate committee to provide for reasonable pensions, disability or death benefits, and other benefits or payments, to directors, offices and employees and to their estates, families, dependants or beneficiaries on account of prior services rendered by such directors, officers and employees to the corporation.~~ *The Compensation of directors shall be determined by the Shareholders.*[14]

3.~~11~~12. Presumption of Assent. A director of the corporation who is present at a meeting of the Board of Directors or a committee thereof of which he**/she** is a member at which action on any corporate matter is taken shall be presumed to have assented to the action taken unless his**/her** dissent shall be entered in the minutes of the meeting or unless he**/she** shall file his**/her** written dissent to such action with the person acting as the secretary of the meeting before the adjournment thereof or shall forward such dissent by registered mail to the Secretary of the corporation immediately after the adjournment of the meeting. Such right to dissent shall not apply to a director who voted in favor of such action.

3.~~12~~13. Committees. The Board of Directors by resolution adopted by the affirmative vote of a majority of the number of directors as provided in Section 0.03 may designate one or more committees, each committee to consist of three or more directors elected by the Board of Directors, which to the extent provided in said resolution as initially adopted, and as thereafter supplemented or amended by further resolution adopted by a like vote, shall have and may exercise, when the Board of Directors is not in session, the powers of the Board of Directors in the management of the business and affairs of the corporation, except action in respect to dividends to shareholders, election of the principal officers or the filling of vacancies in the Board of Directors or committees created pursuant to this section. The Board of Directors may elect one or more of its members as alternate members of any such committee who may take the place of any absent member or members at any meeting of such committee, upon request by the President or upon request by the chairman**/chairperson** of such meeting. Each such committee shall fix its own rules governing the conduct of its activities and shall make such reports to the Board of Directors of its activities as the Board of Directors may request.

3.~~13~~14. Unanimous Consent Without Meeting. Any action required or permitted by the articles of incorporation or by-laws or any provision of law to be taken by the Board of Directors at a meeting or by resolution may be taken without a meeting if a consent in writing, setting forth the action so taken, shall be signed by all of the directors then in office.

Article IV. Officers

4.01. Number. The principal officers of the corporation shall be a President, the number of Vice-Presidents as provided in Section 0.05, a Secretary, and a Treasurer, each of whom shall be elected by the Board of Directors. Such other officers and assistant officers as may be deemed necessary may be elected or appointed by the Board of Directors. Any two or more offices may be held by the same person, except the offices of President and Secretary and the offices of President and Vice-

[14] Amended October 18, 2004.

President.

4.02. Election and Term of Office. The officers of the corporation to be elected by the Board of Directors shall be elected annually by the Board of Directors at the first meeting of the Board of Directors held after each annual meeting of the shareholders. If the election of officers shall not be held at such meeting, such election shall be held as soon thereafter as conveniently may be. Each officer shall hold office until his**/her** successor shall have been duly elected or until his**/her** prior death, resignation or removal.

4.03. Removal. Any officer or agent may be removed by the Board of Directors whenever in its judgment the best interests of the corporation will be served thereby, but such removal shall be without prejudice to the contract rights, if any, of the person so removed. Election or appointment shall not of itself create contract rights.

4.04. Vacancies. A vacancy in any principal office because of death, resignation, removal, disqualification or otherwise, shall be filled by the Board of Directors for the unexpired portion of the term.

4.05. President. The President shall be the principal executive officer of the corporation and, subject to control of the Board of Directors shall in general supervise and control all of the business and affairs of the corporation. He**/she** shall, when present, preside at all meetings of the shareholders and of the Board of Directors. He**/she** shall have authority, subject to such rules as may be prescribed by the Board of Directors, to appoint such agents and employees of the corporation as he/she shall deem necessary, to prescribe their powers, duties and compensation, and to delegate authority to them. Such agents and employees shall hold office at the discretion of the President. He**/she** shall have authority to sign, execute and acknowledge, on behalf of the corporation, all deeds, mortgages bonds, stock certificates, contracts, leases, reports and all other documents or instruments necessary or proper to be executed in the course of the corporation=s regular business or which shall be authorized by resolution of the Board of Directors; and, except as otherwise provided by law or the Board of Directors, he**/she** may authorize any Vice-President or other officer or agent of the corporation to sign, execute and acknowledge such documents or instruments in his**/her** place and stead. In general he**/she** shall perform all duties incident to the office of President and such other duties as may be prescribed by the Board of Directors from time to time.

4.06. The Vice-Presidents. In the absence of the President or in the event of his**/her** death, inability or refusal to act, or in the event for any reason it shall be impracticable for the President to act personally, the Vice-President (or in the event there be more than one Vice-President, the Vice-Presidents in the order designated by the Board of Directors, or in the absence of any designation, then in the order of their election) shall perform the duties of the President and when so acting, shall have all the powers of and be subject to all the restrictions upon the President. Any Vice-President may sign, with the Secretary or Assistant Secretary, certificates for shares of the corporation; and shall perform such other duties and have such authority as from time to time may be delegated or assigned to him**/her** by the President or by the Board of Directors. The execution of any instrument of the corporation by any Vice-President shall be conclusive evidence, as to third parties, of his**/her** authority to act in the stead of the President.

4.07. The Secretary. The Secretary shall:

(a) keep the minutes of the meetings of the shareholders and of the Board of Directors in one or more books provided for that purpose;

(b) see that ll notices are duly given in accordance with the provisions of these by-laws or as required by law;
(c) be custodian of the corporate records and of the seal of the corporation and see that the seal of the corporation is affixed to all documents the execution of which on behalf of the corporation under its seal is duly authorized;
(d) keep or arrange for the keeping of a register of the post office address of each shareholder which shall be furnished to the Secretary by such shareholder;
(e) sign with the President, or a Vice-President, certificates for shares of the corporation, the issuance of which shall have been authorized by resolution of the Board of Directors;
(f) have general charge of the stock transfer books of the corporation; and
(g) in general perform all duties incident to the office of Secretary and have such other duties and exercise such authority as from time to time may be delegated or assigned to him**/her** by the President or by the Board of Directors.

4.08. The Treasurer. The Treasurer shall:
(a) have charge and custody of and be responsible for all funds and securities of the corporation;
(b) receive and give receipts for moneys due and payable to the corporation from any source whatsoever, and deposit all such moneys in the name of the corporation in such banks, trust companies or other depositaries as shall be selected in accordance with the provisions of Section 5.04; and
(c) in general perform all of the duties incident to the office of Treasurer and have such other duties and exercise such other authority as from time to time may be delegated or assigned to him**/her** by the President or by the Board of Directors.

If required by the Board of Directors, the Treasurer shall give bond for the faithful discharge of his**/her** duties in such sum and with such surety or sureties as the Board of Directors shall determine.

4.09. Assistant Secretaries and Assistant Treasurers. There shall be such number of Assistant Secretaries and Assistant Treasurers as the Board of Directors may from time to time authorize. The Assistant Secretaries may sign with the President or a Vice-President certificates for shares of the corporation the issuance of which shall have been authorized by a resolution of the Board of Directors. The Assistant Treasurers shall respectively, if required by the Board of Directors give bonds for the faithful discharge of their duties in such sums and with such sureties as the Board of Directors shall determine. The Assistant Secretaries and Assistant Treasurers, in general, shall perform such duties and have such authority as shall from time to time be delegated or assigned to them by the Secretary or the Treasurer, respectively, or by the President or the Board of Directors.

4.10. Other Assistants and Acting Officers. The Board of Directors shall have the power to appoint any person to act as assistant to any officer, or as agent for the corporation in his**/her** stead, or to perform the duties of such officer whenever for any reason it is impracticable for such officer to act personally, and such assistant or acting officer or other agent so appointed by the Board of Directors shall have the power to perform all the duties of the office to which he**/she** is so appointed to be assistant, or as to which he**/she** is so appointed to act, except as such power may be otherwise defined or restricted by the Board of Directors.

4.11. Salaries. The salaries of the principal officers shall be fixed from time to time by the Board of Directors or by a duly authorized committee thereof, and no officer shall be prevented from receiving such salary by reason of the fact that he**/she** is also a director of the corporation.

Article V. Contracts, Loans, Checks and Deposits; Special Corporate Acts

5.01. Contracts. The Board of Directors may authorize any officer or officers, agent or agents, to enter into any contract or execute or deliver any instrument in the name of and on behalf of the corporation, and such authorization may be general or confined to specific instances. In the absence of other designation, all deeds, mortgages and instruments of assignment or pledge made by the corporation shall be executed in the name of the corporation by the President or one of the Vice-Presidents and by the Secretary, an Assistant Secretary, the Treasurer or any Assistant Treasurer; the Secretary or an Assistant Secretary, when necessary or required, shall affix the corporate seal thereto; and when so executed no other party to such instrument or any third party shall be required to make any inquiry into the authority of the signing officer or officers.

5.02. Loans. No indebtedness for borrowed money shall be contracted on behalf of the corporation and no evidences of such indebtedness shall be issued in its name unless authorized by or under the authority of a resolution of the Board of Directors. Such authorization may be general or confined to specific instances.

5.03. Checks, Drafts, Etc. All checks, drafts or other orders for the payment of money, notes or other evidences of indebtedness issued in the name of the corporation, shall be signed by such officer or officers, agent or agents of the corporation and in such manner as shall from time to time be determined by or under the authority of a resolution of the Board of Directors.

5.04. Deposits. All funds of the corporation not otherwise employed shall be deposited from time to time to the credit of the corporation in such banks, trust companies or other depositaries as may be selected by or under the authority of a resolution of the Board of Directors.

5.05. Voting of Securities Owned by this Corporation. Subject always to the specific directions of the Board of Directors, (a) any shares or other securities issued by any other corporation and owned or controlled by this corporation may be voted at any meeting of security holders of such other corporation by the President of this corporation if he**/she** be present, or in his**/her** absence by any Vice-President of this corporation who may be present, and (b) whenever, in the judgment of the President, or in his**/her** absence, of any Vice-President, it is desirable for this corporation to execute a proxy or written consent in respect to any shares or other securities issued by any other corporation and owned by this corporation, such proxy or consent shall be executed in the name of this corporation by the President or one of the Vice-Presidents of this corporation, without necessity of any authorization by the Board of Directors, affixation of corporate seal or countersignature or attestation by another officer. Any person or persons designated in the manner above stated as the proxy or proxies of this corporation shall have full right, power and authority to vote the shares or other securities issued by such other corporation and owned by this corporation the same as such shares or other securities might be voted by this corporation.

Article VI. Certificates for Shares and Their Transfer

6.01. Certificates for Shares. Certificates representing shares of the corporation shall be in such form, consistent with law, as shall be determined by the Board of Directors. Such certificates shall be signed by the President or a Vice-President and by the Secretary or an Assistant Secretary, All certificates for shares shall be consecutively numbered or otherwise identified. The name and

address of the person to whom the shares represented thereby are issued, with the number of shares and date of issue, shall be entered on the stock transfer books of the corporation. All certificates surrendered to the corporation for transfer shall be cancelled and no new certificate shall be issued until the former certificate for a like number of shares shall have been surrendered and cancelled, except as provided in Section 6.06.

6.02. Facsimile Signatures and Seal. The seal of the corporation on any certificates for shares may be a facsimile. The signatures of the President or Vice-President and the Secretary or Assistant Secretary upon a certificate may be facsimiles if the certificate is manually signed on behalf of a transfer agent, or a registrar other than the corporation itself or an employee of the corporation.

6.03. Signature for Former Officers. In case any officer, who has signed or whose facsimile signature has been placed upon any certificate for shares, shall have ceased to be such officer before such certificate is issued, it may be issued by the corporation with the same effect as if he**/she** were such officer at the date of its issue.

6.04. Transfer of Shares. Prior to due presentment of a certificate for shares for registration of transfer the corporation may treat the registered owner of such shares as the person exclusively entitled to vote, to receive notifications and otherwise to have and exercise all rights and power of an owner. Where a certificate for shares is presented to the corporation with a request to register for transfer, the corporation shall not be liable to the owner or any other person suffering a loss as a result of such registration of transfer if (a) there were on or with the certificate the necessary endorsements, and (b) the corporation had no duty to inquire into adverse claims or has discharged any such duty. The corporation may require reasonable assurance that said endorsements are genuine and effective and compliance with such other regulations as may be prescribed by or under the authority of the Board of Directors.

6.05. Restrictions on Transfer. The face or reverse side of each certificate representing shares shall bear a conspicuous notation of any restriction imposed by the corporation upon the transfer of such shares.

6.06. Lost, Destroyed or Stolen Certificates. Where the owner claims that his**/her** certificate for shares has been lost, destroyed or wrongfully taken, a new certificate shall be issued in place thereof if the owner (a) so requests before the corporation has notice that such shares have been acquired by a bona fide purchaser, and (b) files with the corporation a sufficient indemnity bond, and (c) satisfies such other reasonable requirements as may be prescribed by or under the authority of the Board of Directors.

6.07. Consideration for Shares. The shares of the corporation may be issued for such consideration as shall be fixed from time to time by the Board of Directors, provided that any shares having a par value shall not be issued for a consideration less than the par value thereof. The consideration to be paid for shares may be paid in whole or in part, in money, in other property, tangible or intangible, or in labor or services actually performed for the corporation. When payment of the consideration for which shares are to be issued shall have been received by the corporation, such shares shall be deemed to be fully paid and nonassessable by the corporation. No certificate shall be issued for any share until such share is fully paid.

6.08. Stock Regulations. The Board of Directors shall have the power and authority to make all such

further rules and regulations not inconsistent with the statutes of the State of Wisconsin as it may deem expedient concerning the issue, transfer and registration of certificates representing shares of the corporation.

Article VII. Seal

The corporation shall have no corporate seal.

Article VIII. Amendments

8.01. By Shareholders. These by-laws may be altered, amended or repealed and new by-laws may be adopted by the shareholders by affirmative vote of not less than a majority of the shares present or represented at any annual or special meeting of the shareholders at which a quorum is in attendance.

~~8.02. By Directors. These by-laws may also be altered, amended or repealed and new by-laws may be adopted by the Board of Directors by affirmative vote of a majority of the number of directors present at any meeting at which a quorum is in attendance; but no by-law adopted by the shareholders shall be amended or repealed by the Board of Directors if the by-law so provides.~~[15]

8.03. Implied Amendments. Any action taken or authorized by the shareholders or by the Board of Directors, which would be inconsistent with the by-laws then in effect but is taken or authorized by affirmative vote of not less than the number of shares or the number of directors required to amend the by-laws so that the by-laws would be consistent with such action, shall be given the same effect as though the by-laws had been temporarily amended or suspended so far, but only so far, as is necessary to permit the specific action so taken or authorized.

Article IX. Indemnity of Officers and Directors

9.01. Every person who is or was a director or officer of the corporation, and any person who may have served at its request as a director or officer of another corporation in which it owns shares of capital stock or of which it is a creditor, shall (together with the heirs, executors and administrators of such person) be indemnified by the corporation against all costs, damages and expenses asserted against, incurred by or imposed upon him**/her** in connection with or resulting from any claim, action, suit or proceeding, including criminal proceedings, to which he**/she** is made or threatened to be made a party by reason of his**/her** being or having been such director or officer, except in relation to matters as to which a recover shall be had against him**/her** by reason of his**/her** having been finally adjudged in such action, suit or proceeding to have been guilty of fraud in the performance of his**/her** duty as such officer or director. This indemnity shall include reimbursement of amounts and expenses incurred and paid in settling any such claim, action, suit or proceeding, a conviction or judgment (whether based on a plea of guilty or nolo contendere or its equivalent, or after trial) shall not be deemed an adjudication that such director or officer is guilty of fraud in the performance of his**/her** duties, if such director or officer was acting in good faith in what he**/she** considered to be the best interests of the corporation and with no reasonable cause to believe that the action was illegal.

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[15] Amended October 18, 2004.

Article X. Disallowance of Officers Salaries/IRS

10.01. All salary payments made to officers of the corporation that may be disallowed in whole or in part, as a deductible expense for Federal income tax purposes, of the corporation, shall be reimbursed by such officer to the corporation, to the full extent of the disallowance. It shall be the duty of the Board of Directors to enforce payment of each such amount disallowed.

Article XI. Avoidance of Double Taxation

11.01. The work of the employees of the corporation requires considerable travel and promotional activity, and it is hereby declared the policy of the Board of Directors to permit liberal expenditures for these purposes. In the event that either the State or Federal tax authorities shall substitute their judgment for the judgment of the Board of Directors or any officer as to what expenditures are necessary to further the business of this corporation, any amounts so disallowed when finally determined by agreement or litigation are hereby declared additional compensation to the respective employee so that he or she carry out the policy herein expressed.

11.02. The salaries set by the Board of Directors for the employees of the corporation are based on current and past services rendered by such employees and are believed to be reasonable in amount. However, should either the State or Federal tax authorities substitute their judgment for the judgment of the Board of Directors as to what compensation any employee deserves, such determination, when finally determined by agreement or litigation, shall be adopted as the correct compensation for such employee for the taxable year or years involved. Within 90 days after such final determination by either government, the employee shall repay to the corporation such excessive salary. In the event the tax authorities do not agree that these amounts are additional compensation to the respective employee then the amounts shall be subject to the provisions of the next paragraph.

11.03. All other contracts, leases and other transactions with any person related in any way to the corporation, directly or indirectly, shall be subject to this same condition: Should either the State or Federal tax authorities substitute their judgment as to what is reasonable in amount for the amount agreed upon in such contract, lease or other transaction, then the amount finally determined by such tax authorities by agreement or litigation shall be adopted as the correct consideration for the taxable year or years involved. Within 90 days after such final determination by either government, such related party shall repay to the corporation the amount termed excessive.

11.04. Should either the State or Federal tax authorities determine that any income or deductions of the corporation is in their judgment allocable to some other related person or related entity, the amount finally determined by such tax authorities by agreement or litigation shall be adopted as the correct allocation for the taxable year or years involved. Within 90 days after such final determination by either government, such reallocated amount shall be paid by or to the corporation, as may be appropriate.

Article XII. Agreement with the Oneida Tribe of Indians of Wisconsin

Following are special provisions that control these By-laws, even if contrary or inconsistent with other corporate By-laws. These special provisions are being adopted pursuant to the Option to Purchase Stock Agreement made or to be made between Bay Bancorporation and Oneida Tribe of

Indians of Wisconsin.

12.01. Statutory Elections. This Corporation shall be subject to the business combination provisions and restrictions of Sections 180.1140 through 180.1144 and the control share voting restrictions of Section 180.1150 under Wisconsin Business Corporation Structures.

12.02. Stock Ownership Limit. The Oneida Tribe of Indians of Wisconsin, its organizers, other shareholders, and their agents, representatives and affiliates, in any combination thereof, are prohibited from acquiring additional bank stock over and above the gross total of 40 percent of the Class A voting common stock of the Corporation until subsequent to the expiration of the option deadline set forth in the Option Agreement referred to above.

12.03. Additional Stock. All references to Astock" in this Article refers exclusively to Class A voting common stock, not to Class B non-voting common stock. If any additional stock is authorized by the Corporation then all existing shareholders shall be entitled to acquire a percentage of the new stock being issued equivalent to the percentage of the outstanding and issued stock said shareholders already own.

12.04. Special Director Appointments. For the first two years that stock is owned by the Oneida Tribe of Indians of Wisconsin, it may appoint two of the nine directors on the Board providing that the OTIW owns at least 33 percent of the outstanding issued stock. Beginning with the commencement with the third year of stock ownership by the OTIW of at least 33 percent of the outstanding issued stock, the OTIW shall be entitled to appoint three of the nine directors. The other seven directors during the first two years, and the other six directors during and after the third year of OTIW stock ownership shall be elected by the remaining shareholders other than the OTIW. All special director appointments authorized in the By-laws or Articles of the Corporation are subject to regulatory approval of the Federal Reserve Bank for both new appointments and changes to existing appointments.

12.05. First Refusal Redemption Rights. All references to Astock@ in this paragraph refers exclusively to Class A voting common stock, not to Class B non-voting common stock. The Corporation requires that at all times all shareholders and the Corporation shall be subject to an agreement granting the Corporation a right of first refusal to acquire any stock that any stockholder intends to sell or otherwise transfer. Under this stock restriction the Corporation must be given notice of the name of the prospective transferee and a copy of the written purchase offer for any such stock. The Corporation shall have 30 days within which time to give notice of intent to exercise this right of first refusal at the same price, terms and conditions as set forth in the purchase offer. If the right of first refusal is elected to be exercised by the Corporation, closing shall take place either 30 days after said election of notice is given, or at the option of the Corporation, on the closing date specified in the third party offer. If the Corporation exercises the right to buy stock from an existing shareholder under its right of first refusal, the Corporation may resell this stock only to nonshareholder third parties, without regard to pre-emptive rights. Until such stock is resold the shares of stock so acquired will be treated as outstanding voting stock for the purposes of all shareholder voting and these redeemed shares shall be voted according to the will of a majority of the Board of Directors. The only transfer exception allowed without complying with the right of first refusal shall be transfers to heirs or beneficiaries upon death of a shareholder, or transfers by sale, gift, or bequest to a spouse, children, parents, or brothers or sisters, or to a trust created for the benefit of such person or persons.

Approval and Adoption

The above By-laws were approved and adopted by unanimous consent of the directors on the ___ day of ____, 1995.

Corporate Secretary.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 7 / 13 / 16

2. General Information:

Session: ☒ Open ☐ Executive - See instructions for the applicable laws, then choose one:

Other - Approval of FY -2017 Indian Housing Plan

Agenda Header: New Business

☐ Accept as Information only

☒ Action - please describe:

Approve Indian Housing Plan for Fiscal Year 2017

3. Supporting Materials

☐ Report ☐ Resolution ☐ Contract

☒ Other:

1. FY - 2017 Indian Housing Plan
2.
3.
4.

☒ Business Committee signature required

4. Budget Information

☐ Budgeted - Tribal Contribution ☒ Budgeted - Grant Funded ☐ Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Dale Wheelock, Director/OHA

Primary Requestor/Submitter: _____
Your Name, Title / Dept. or Tribal Member

Additional Requestor: _____
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

Describe the purpose, background/history, and action requested:

The Indian Housing Plan is a requirement for HUD Annual Grant funding. The HUD allocation for FY -2017 is $4,075,713 to provide safe, healthy housing and services for the Oneida membership.

1) Save a copy of this form for your records.

2) Print this form as a *.pdf *OR* print and scan this form in as *.pdf.

3) E-mail this form and all supporting materials in a **SINGLE** *.pdf file to: BC_Agenda_Requests@oneidanation.org

SECTION 1: COVER PAGE

(1) Grant Number: 55IT5549100

(2) Recipient Program Year: 10/1 - 9/30

(3) Federal Fiscal Year: FY 2017 10/1 - 9/30

☑ **(4)** Initial Plan (Complete this Section then proceed to Section 2)

☐ **(5)** Amended Plan (Complete this Section, Section 8 if applicable, and Section 16)

☐ **(6)** Annual Performance Report (Complete items 27-30 and proceed to Section 3)

☑ **(7)** Tribe

☐ **(8)** TDHE

(9) Name of Recipient: Oneida Tribe of Indians of Wisconsin		
(10) Contact Person: Dale P. Wheelock		
(11) Telephone Number with Area Code: 920-869-6198		
(12) Mailing Address: 2913 Commissioner Street		
(13) City: Oneida	**(14) State**: Wisconsin	**(15) Zip Code**: 54155
(16) Fax Number with Area Code (if available): 920-869-2836		
(17) Email Address (if available): dwheelo1@oneidanation.org		
(18) If TDHE, List Tribes Below:		
(19) Tax Identification Number: 396081138		
(20) DUNS Number: 798227278		
(21) CCR/SAM Expiration Date: September 24, 2016		

(22) IHBG Fiscal Year Formula Amount:	FY 2017 $4,075,713
(23) Name of Authorized IHP Submitter:	Cristina S. Danforth
(24) Title of Authorized IHP Submitter:	Tribal Chairwoman
(25) Signature of Authorized IHP Submitter:	
(26) IHP Submission Date:	
(27) Name of Authorized APR Submitter:	Cristina S. Danforth
(28) Title of Authorized APR Submitter:	Tribal Chairwoman
(29) Signature of Authorized APR Submitter:	
(30) APR Submission Date:	

Certification: The information contained in this document is accurate and reflects the activities actually planned or accomplished during the program year. Activities planned and accomplished are eligible under applicable statutes and regulations.

Warning: If you knowingly make a false statement on this form, you may be subject to civil or criminal penalties under Section 1001 of Title 18 of the United States Code. In addition, any person who knowingly and materially violates any required disclosure of information, including intentional disclosure, is subject to a civil money penalty not to exceed $10,000 for each violation.

ONE YEAR PLAN & ANNUAL PERFORMANCE REPORT

SECTION 2: HOUSING NEEDS

NAHASDA § 102(b)(2)(B)

(1) Type of Need: Check the appropriate box(es) below to describe the estimated types of housing needs and the need for other assistance for low-income Indian families (column B) and all Indian families (column C) inside and outside the jurisdiction.

(A) Type of Need	Check All That Apply	
	(B) Low-Income Indian Families	(C) All Indian Families
(1) Overcrowded Households	☑	☑
(2) Renters Who Wish to Become Owners	☑	☑
(3) Substandard Units Needing Rehabilitation	☑	☑
(4) Homeless Households	☑	☑
(5) Households Needing Affordable Rental Units	☑	☑
(6) College Student Housing	☐	☐
(7) Disabled Households Needing Accessibility	☑	☑
(8) Units Needing Energy Efficiency Upgrades	☑	☑
(9) Infrastructure to Support Housing	☑	☑
(10) Other (specify below)	☑	☑

(2) Other Needs. *(Describe the "Other" needs below. Note: this text is optional for all needs except "Other."):*

Homebuyer and tenant education; budgeting, credit education, transportation assistance, debt management, utility assistance, and referal assistance.for outstanding bills.

Tenant Education series; routine maintenance including change filters, and work order process.

Tenant and Homebuyer education series that focuses on; changing filter, checking sump pump connections, gutter drainage from unit and bathroom exhaust fan maintenance.

(3) Planned Program Benefits. *(Describe below how your planned programs and activities will address the needs of low income families identified above. Also describe how your planned programs will address the various types of housing assistance needs . NAHASDA § 102(b)(2)(B)):*

The Oneida Housing Department planned programs and activities will focus on addressing maintenance and rehabilitation needs of low-income housing stock and new construction. In the FY 2017 program year OHA will continue to assess and improve efficiency in management, policy development, staff training and financial leveraging of resources to meet the needs of the department. Improvements to the inventory control system will continue to be implemented to enhance tracking of housing unit stock cost and new development unit cost.

The Oneida Housing Department will continue to promote safe and healthy housing units that are affordable to meet the needs of the Oneida community.

> The Housing Department employs 33 staff to manage, operate, maintain and administer program and project activities though out the year. This provides employment and career opportunities for community members committed to improving housing for the Oneida community.

> Maintenance staff will continue to meet work order requests in a timely manner and respond to emergencies such as plumbing and electrical issues during the day, evenings, and weekends. The maintence program is responsible for 315 rental units.

> Rehabilitation staff will continue to improve the quality and energy efficiency of our housing stock by replacing furnaces, apliances and

(4) Geographic Distribution. (*Describe below how the assistance will be distributed throughout the geographic area and how this geographic distribution is consistent with the needs of low income families. NAHASDA § 102(b)(2)(B)(i)):*

Housing services will be provided within the original Oneida Tribe of Indians of Wisconsin reservation

SECTION 3: PROGRAM DESCRIPTIONS

[102(b)(2)(A)], [233(a)], [235(c)], [404(b)], 24 CFR §1000.512(b)(2) and (3)

Planning and Reporting Program Year Activities

In this section, the recipient must provide a description of its planned eligible activities, and intended outcomes and outputs for the One-Year IHP. The recipient can select any combination of activities eligible under NAHASDA and intended outcomes and outputs that are based on local needs and priorities. There is no maximum or minimum number of eligible activities or intended outcomes and outputs. Rather, the One-Year IHP should include a sufficient number of eligible activities and intended outcomes to fully describe any tasks that the recipient intends to fund in whole or in part with IHBG resources during the coming program year.

Subtitle B of NAHASDA authorizes recipients to establish a program for self-determined housing activities involving construction, acquisition, rehabilitation, or infrastructure relating to housing activities or housing that will benefit the low-income households served by the Indian tribe. A recipient may use up to 20 percent of its annual allocation, but not more than $2 Million, for this program. Section 233(a) of NAHASDA requires a recipient to include its planned self-determination program activities in the IHP, and Section 235(c) requires the recipient to report the expenditures, outputs, and outcomes for its self-determination program in the APR. For more information, see PIH Notice 2010-35 (Demonstration Program - Self-Determined Housing Activities for Tribal Governments) at http://portal.hud.gov/hudportal/documents/huddoc?id=DOC_8814.pdf

The One-Year IHP is not required to include eligible activities or intended outcomes and outputs that will not receive IHBG resources. For example, the recipient may be planning to apply for Low Income Housing Tax Credits (LIHTC) from its state. If those tax credit projects will not receive IHBG resources, they are not required to be described in the IHP. However, the recipient may

wish to include non-IHBG activities in the IHP to provide tribal members with a more complete picture of housing activities.

If an activity will receive partial funding from an IHBG resource, it must be described in the IHP.

For example, if the recipient uses IHBG-funded staff persons to manage, inspect, or maintain an LIHTC-funded rental project, that project would be considered an IHBG-assisted project and the related activities must be described in the IHP.

Planning and Administrative expenses and loan repayments should not be identified as programs in the IHP. That is why there are dedicated rows in the Uses of Funding budget for these expenses. Instead, describe anticipated planning and administrative expenses in Section 6, Line 4 of the IHP, and describe actual planning and administration expenses in Section 6, Line 5 of the APR. Report the planned and actual amount of planning and administrative expenses in the dedicated row of the Uses of Funding budget (Section 5, Line 2). Please note that Reserve Accounts to support planning and administration is an eligible activity and should be identified as a program in the IHP, and any planned or actual expenditure from the Reserve Account would be reported by its program name in the Uses of Funding table.

With regard to loan repayments made with IHBG funds, describe planned loan repayments in Section 5, Line 4 of the IHP, and describe actual loan repayments in Section 5, Line 5 of the APR. Report the planned and actual amount of loan repayments in the dedicated row of the Uses of Funding budget (Section 5, Line 2), except as noted in the following instructions for Column O in the Uses of Funding table. Column O should show the IHBG funds that were expended in the previous 12-month program year. If the recipient borrowed and repaid a loan or a portion of a loan in the same year using IHBG funds, show the repayment of the principal amount in the IHBG program line in the Uses of Funding table and report loan interest payments and loan expenses in the Loan Repayment line in the Uses of Funding table. The Administrative and Planning spending cap must be based on the actual expenditures incurred during the 12-month period, and not on the amount shown in the IHP. These expenditures should be reported on the Planning and Administration row. The total amount of IHBG funds expended cannot exceed the total amount in Column H, Row 1 of Line 1 (Sources of Funding table).

For the IHP, complete the **unshaded** sections to describe the planned activities, outcomes and outputs in the coming 12-month program year. The recipient must complete Lines 1.1 through 1.4, Lines 1.6 and 1.7, and Line 1.9 for each eligible activity or program planned for the One-Year IHP. For the APR, complete the shaded sections to describe actual accomplishments, outcomes, and outputs for the previous 12-month program year. In particular, complete Lines 1.5, 1.8, 1.9, and 1.10 for each program included in the IHP.

Eligible Activity May Include *(citations below all reference sections in NAHASDA)* **:**

Eligible Activity	Output Measure	Output Completion
(1) Modernization of 1937 Act Housing [202(1)]	Units	All work completed and unit passed final inspection

(2) Operation of 1937 Act Housing [202(1)]	Units	Number of units in inventory at Program Year End (PYE)
(3) Acquisition of Rental Housing [202(2)]	Units	When recipient takes title to the unit
(4) Construction of Rental Housing [202(2)]	Units	All work completed and unit passed final inspection
(5) Rehabilitation of Rental Housing [202(2)]	Units	All work completed and unit passed final inspection
(6) Acquisition of Land for Rental Housing Development [202(2)]	Acres	When recipient takes title to the land
(7) Development of Emergency Shelters [202(2)]	Households	Number of households served at any one time, based on capacity of the shelter
(8) Conversion of Other Structures to Affordable Housing [202(2)]	Units	All work completed and unit passed final inspection
(9) Other Rental Housing Development [202(2)]	Units	All work completed and unit passed final inspection
(10) Acquisition of Land for Homebuyer Unit Development [202(2)]	Acres	When recipient takes title to the land
(11) New Construction of Homebuyer Units [202(2)]	Units	All work completed and unit passed final inspection
(12) Acquisition of Homebuyer Units [202(2)]	Units	When recipient takes title to the unit
(13) Down Payment/Closing Cost Assistance [202(2)]	Units	When binding commitment signed
(14) Lending Subsidies for Homebuyers (Loan) [202(2)]	Units	When binding commitment signed
(15) Other Homebuyer Assistance Activities [202(2)]	Units	When binding commitment signed
(16) Rehabilitation Assistance to Existing Homeowners [202(2)]	Units	All work completed and unit passed final inspection
(17) Tenant Based Rental Assistance [202(3)]	Households	Count each household once per year
(18) Other Housing Service [202(3)]	Households	Count each household once per year
(19) Housing Management Services [202(4)]	Households	Count each household once per year
(20) Operation and Maintenance of NAHASDA-Assisted Units [202(4)]	Units	Number of units in inventory at PYE
(21) Crime Prevention and Safety [202(5)]	Dollars	Dollars spent (report in Uses of Funding table only)
(22) Model Activities [202(6)]	Dollars	Dollars spent (report in Uses of Funding table only)
(23) Self-Determination Program [231-235]		
Acquisition	Units	When recipient takes title to the unit
Construction	Units	All work completed and unit passed final inspection
Rehabilitation	Units	All work completed and unit passed final inspection
Infrastructure	Dollars	Dollars spent (report in Uses of Funding table only)

(24) Infrastructure to Support Housing [202(2)]	Dollars	Dollars spent (report in Uses of Funding table only)
(25) Reserve Accounts [202(9)]	N/A	N/A

Outcome May Include:

(1) Reduce over-crowding	(7) Create new affordable rental units
(2) Assist renters to become homeowners	(8) Assist affordable housing for college students
(3) Improve quality of substandard units	(9) Provide accessibility for disabled/elderly persons
(4) Improve quality of existing infrastructure	(10) Improve energy efficiency
(5) Address homelessness	(11) Reduction in crime reports
(6) Assist affordable housing for low income households	(12) Other – must provide description in boxes 1.4 (IHP) and 1.5 (APR) below

IHP: PLANNED PROGRAM YEAR ACTIVITIES (NAHASDA § 102(b)(2)(A))

For each planned activity, complete all the non-shaded sections below. It is recommended that for each program name you assign a unique identifier to help distinguish individual programs. This unique number can be any number of your choosing, but it should be simple and clear so that you and HUD can track tasks and results under the program and collect appropriate file documentation tied to this program.

- One way to number your programs is chronologically. For example, you could number your programs 2011-1, 2011-2, 2011-3 etc.
- Or, you may wish to number the programs based on type. For example rental 1, rental 2, homebuyer1, homebuyer 2 etc. This type of numbering system might be appropriate if you have many programs that last over several years.
- Finally, you may wish to use an outline style of numbering. For example, all programs under your first eligible activity would start with the number 1 and then be consecutively numbered as 1.1, 1.2, 1.3 etc.

APR: REPORTING ON PROGRAM YEAR PROGRESS (NAHASDA § 404(b))

Complete the shaded section of text below to describe your completed program tasks and actual results. Only report on activities completed during the 12-month program year. Financial data should be presented using the same basis of accounting as the Schedule of Expenditures of Federal Awards (SEFA) in the annual audit. For unit accomplishments, only count units when the unit was completed and occupied during the year. For households, only count the household if it received the assistance during the previous 12-month program year.

1.1. Program Name and Unique Identifier:	**HUD - Veterans Affairs Supportive Housing VASH - 2017-001**

1.2. Program Description *(This should be the description of the planned program.):*

The VASH program is to provide housing for Indian veterans who are homeless or at risk of homeless. This is a multi-year voucherfunding program with an annual application process. The program provides the following;
> Determine eligibilty by VA staff as to being a veteran, determine Indian under the law by Tribe, income eligible, and not subject to a lifetime registrationrequirement under a state sex offender registration program.
>Provide housing by Tribe or project-based assistance to VA referred and tribally screened members.
> Deliver case management and VA support services.
> Ensure that housing first is used to provide immediate access to housing without prerequisites.

1.3 Eligible Activity Number (Select one activity from the Eligible Activity list. For any activity involving housing units as the output measure (excluding operations and maintenance), do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.):	18
1.4 Intended Outcome Number (Select one outcome from the Outcome list. Each program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):	5

Describe Other Intended Outcome (Only if you selected "Other" above):

1.5 Actual Outcome Number (In the APR identify the actual outcome from the Outcome list.):	

Describe Other Actual Outcome (Only if you selected "Other" above.):

1.6 Who Will Be Assisted (Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes fall within 80 to 100 percent of the median must be included as a separate program within this section.):

Low-Moderate Income homeless veteran

1.7. Types and Level of Assistance *(Describe the types and the level of assistance that will be provided to each household, as applicable.)* **:**

The VASH Program will provide housing services for 20 homeless veterans, with a plan of providing housing for 10 homeless veterans this program year. Veterans will recieve case management to address chronic homeless issues through the VA. Services may include substance use treatment, mental health care, job training, and education regarding tenancy rights and responsibilities.

CFR § 1000.512(b)(3), provide an analysis and explanation of cost overruns or high unit costs.

1.9: Planned and Actual Outputs for 12-Month Program Year

Planned Number of **Units** to be Completed in Year Under this Program	Planned Number of **Households** To Be Served in Year Under this Program	Planned Number of **Acres** To Be Purchased in Year Under this Program
	10	
APR: Actual Number of **Units** Completed in Program Year	APR: Actual Number of **Households** Served in Program Year	APR: Actual Number of **Acres** Purchased in Program Year

1.10: APR: *If the program is behind schedule, explain why. (24 CFR § 1000.512(b)(2))*

2.1. Program Name and Unique Identifier:	**Resident Services - 2017-002**

2.2. Program Description *(This should be the description of the planned program.):*

Resident services provides application intake, tenant relations, lease monitoring, collections, conveying stock, interim recertifications, lease and homebuyer agreement enforcement, data collection and analysis, report preparation, file maintenance of tenant application correspondence, casework, and support services such as budgeting and credit education.

Resident services conducts unit inspections and submits work order requests as needed . Staff provides daily tenant contact regarding housing concerns and complaints. Case management files are maintained for each case in a secure location. Tenant files are maintained to meet HUD compliance requirements.

2.3. Eligible Activity Number *(Select one activity from the Eligible Activity list. Do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.):*	19
2.4. Intended Outcome Number *(Select one outcome from the Outcome list. E* **ach program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):**	6

Describe Other Intended Outcome (Only if you selected "Other" above.):

2.5. Actual Outcome Number *(In the APR identify the actual outcome from the Outcome list.):*	

Describe Other Actual Outcome (Only if you selected "Other" above.):

2.6. Who Will Be Assisted *(Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes fall within 80 to 100 percent of the median should be included as a separate program within this section.):*

Low-income LR and MH families who meet income eligibility criteria for the housing programs.

2.7. Types and Level of Assistance *(Describe the types and the level of assistance that will be provided to each household, as applicable.):*

Services will be provided by admission and occupancy staff at no cost to applicants and tenants. Service will be provided to 319 rental and 55 homebuyer households totaling 374 housholds.

2.8. APR: *Describe the accomplishments for the APR in the 12-month program year.*

2.9: Planned and Actual Outputs for 12-Month Program Year

Planned Number of **Units** to be Completed in Year Under this Program	Planned Number of **Households** To Be Served in Year Under this Program	Planned Number of **Acres** To Be Purchased in Year Under this Program
	374	
APR: Actual Number of **Units** Completed in Program Year	APR: Actual Number of **Households** Served in Program Year	APR: Actual Number of **Acres** Purchased in Program Year

2.10: APR: *If the program is behind schedule, explain why. (24 CFR § 1000.512(b)(2))*

3.1. Program Name and Unique Identifier:	**CAS Maintenance - 2017-003**

3.2. Program Description *(This should be the description of the planned program.):*

This maintenance program is designed to provide the following activities; routine and non-routine repairs and replacement of fixtures, equipment and/or materials to ensure compliance with health quality standards. Tenant referrals are made to occupancy staff regarding maintenance or health concerns observed in the tenant units. Occupancy staff make referals to maintenance staff via work orders. Maintenance staff and Resident Services staff work hand-in-hand to ensure when units are vacated, the unit is repaired timely and ready for occupancy as soon as possible.

Routine repair and cleaning of units is completed within 2 weeks, but severe tenant damage may take up to 60 days.

3.3. Eligible Activity Number *(Select one activity from the Eligible Activity list. Do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.):*	2
3.4. Intended Outcome Number *(Select one outcome from the Outcome list. E* **ach program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):**	3

Describe Other Intended Outcome (Only if you selected "Other" above.):

3.5. Actual Outcome Number *(In the APR identify the actual outcome from the Outcome list.):*

Describe Other Actual Outcome (Only if you selected "Other" above.):

3.6. Who Will Be Assisted *(Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes fall within 80 to 100 percent of the median should be included as a separate program within this section.):*

Low-income families who are rental tenants in the program

3.7. Types and Level of Assistance *(Describe the types and the level of assistance that will be provided to each household, as applicable.):*

The majority of the maintenance staff have over 20 years of experience working with the current housing stock in making routine maintenance and repairing tenant damage to units. Work orders include, plumbing issues, electrical repair, and HVAC, repairs are completed in a timely manner. Maintenance staff are on call during the week and on weekends.

3.8. APR: *Describe the accomplishments for the APR in the 12-month program year.*

3.9: Planned and Actual Outputs for 12-Month Program Year		
Planned Number of **Units** to be Completed in Year Under this Program	Planned Number of **Households** To Be Served in Year Under this Program	Planned Number of **Acres** To Be Purchased in Year Under this Program
	374	
APR: Actual Number of **Units** Completed in Program Year	APR: Actual Number of **Households** Served in Program Year	APR: Actual Number of **Acres** Purchased in Program Year

3.10: APR: *If the program is behind schedule, explain why. (24 CFR § 1000.512(b)(2))*

6.1. Program Name and Unique Identifier:	**Operating CAS - 2017-00X**

6.2. Program Description *(This should be the description of the planned program.):*

This program is designed to implement and maintain systems which ensure sound fiscal management, human resources management, planning and development of maintenance programs, and staff for services supported by accountants. Funds support the cost of the maintenance of office and warehouse, associated untiily costs, insurance, work order system, inventory control, tracking cost and purchasing of supplies and materials. This program also services maintenance equipment, contracting for equipment/vechicle maintenance, staff training , pest control, and preventive maintenance actvitieies.

The increase of housing units is now at 366 and at least another 12 units coming on line next year. An efficient inventory control system needs to be implemented in 2017 to track unit costs and supplies used for maintenance, rehabilitation, and development programs.

6.3. Eligible Activity Number *(Select one activity from the Eligible Activity list. Do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.):*	2
6.4. Intended Outcome Number *(Select one outcome from the Outcome list. E* **ach program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):**	3

Describe Other Intended Outcome (Only if you selected "Other" above.):

6.5. Actual Outcome Number *(In the APR identify the actual outcome from the Outcome list.):*

Describe Other Actual Outcome (Only if you selected "Other" above.):

6.6. Who Will Be Assisted *(Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes fall within 80 to 100 percent of the median should be included as a separate program within this section.):*

Low-moderate income families participating in the housing programs..

6.7. Types and Level of Assistance *(Describe the types and the level of assistance that will be provided to each household, as applicable.):*

The types and level of assistance includes; administration, management functions such as accounting, work orders, procurement and repair of vacant units. Elder assistaance includes commnity space maintenance, lawn care and snow removal.

6.8. APR: *Describe the accomplishments for the APR in the 12-month program year.*

6.9: Planned and Actual Outputs for 12-Month Program Year		
Planned Number of **Units** to be Completed in Year Under this Program	Planned Number of **Households** To Be Served in Year Under this Program	Planned Number of **Acres** To Be Purchased in Year Under this Program
374		
APR: Actual Number of **Units** Completed in Program Year	APR: Actual Number of **Households** Served in Program Year	APR: Actual Number of **Acres** Purchased in Program Year

6.10: APR: *If the program is behind schedule, explain why. (24 CFR § 1000.512(b)(2))*

4.1. Program Name and Unique Identifier:	**Development - 2017-100**

4.2. Program Description *(This should be the description of the planned program.):*

The Development program will plan, design, and develop bidding documents for the construction of 12 -14 rental Elder Cottages to be located in the Elder Village lot sites with existing infrastructue provided by previous ICDBG funds. This will be a phased development project to begin design and planning elements in July, 2016, design and specification documents to be completed in December 2016, and bids to be let out in March 2017, Contract awards are to take place by the last week of April 2017 and site construction to take place in May, 2017. Completions of the project is anticipated to be in April, 2018. Extra effort in bid notices will be used to obtain competitive bids which will result in building more units.

The Elder Cottage design will be approximatley 800 sq. ft. with a attached 1 car garage and modest landscaping. Design elements will include "green construction", low maintenance materials, energy efficient insulation, radiant heat, AC and south orientated lot placement to obtain solar gain. These elder units will be desiged to meet wheel chair accessibility due to the tenant population. The design and construction elements will focus on energy efficiencey to reduce utility cost for the tenants while providing a safe and healthy residence for the elder population. The design and construction methods will focus on energy efficiency to reduce utility cost while providing a safe and healthy residence for our elder population where they can age in place.

4.3. Eligible Activity Number *(Select one activity from the Eligible Activity list. Do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.):*	4
4.4. Intended Outcome Number *(Select one outcome from the Outcome list. E* **ach program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):**	5

Describe Other Intended Outcome (Only if you selected "Other" above.):

4.5. Actual Outcome Number *(In the APR identify the actual outcome from the Outcome list.):*

Describe Other Actual Outcome (Only if you selected "Other" above.):

4.6. Who Will Be Assisted *(Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes fall within 80 to 100 percent of the median should be included as a separate program within this section.):*

Low-income elder families in need of 2 bedroom units for health care reasons or a caregiver to live in place.

4.7. Types and Level of Assistance *(Describe the types and the level of assistance that will be provided to each household, as applicable.):*

Low -income elder families will recieve a low maintenance energy efficinet unit that is wheelchair accessable. Maintenance assistance will be provided by OHA staff for grass cutting and snow removal. The elder cottages will beof quality construction that is affordable, energy efficient, and equipped with Energy Star appliances to keep utility cost lower.

4.8. APR: *Describe the accomplishments for the APR in the 12-month program year.*

4.9: Planned and Actual Outputs for 12-Month Program Year

Planned Number of **Units** to be Completed in Year Under this Program	Planned Number of **Households** To Be Served in Year Under this Program	Planned Number of **Acres** To Be Purchased in Year Under this Program
12		
APR: Actual Number of **Units** Completed in Program Year	APR: Actual Number of **Households** Served in Program Year	APR: Actual Number of **Acres** Purchased in Program Year

4.10: APR: *If the program is behind schedule, explain why. (24 CFR § 1000.512(b)(2))*

7.1. Program Name and Unique Identifier:	**Development - 2016-100**

7.2. Program Description *(This should be the description of the planned program.):*

Development program for FY 2016 will continue into phase 2 in FY 2017 with the construction of two 4-plex units in Uskah Village. Due to weather delays in the spring for two months there were delays in getting the site infrastructure in place at Uskah Village. The 4 plex single family units will be completed until January 2017.

7.3. Eligible Activity Number *(Select one activity from the Eligible Activity list. Do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.):*	4
7.4. Intended Outcome Number *(Select one outcome from the Outcome list. E* **ach program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):**	8

Describe Other Intended Outcome (Only if you selected "Other" above.):

7.5. Actual Outcome Number *(In the APR identify the actual outcome from the Outcome list.):*	

Describe Other Actual Outcome (Only if you selected "Other" above.):

7.6. Who Will Be Assisted *(Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes fall within 80 to 100 percent of the median should be included as a separate program within this section.):*

Low Income Single Families

7.7. Types and Level of Assistance *(Describe the types and the level of assistance that will be provided to each household, as applicable.):*

Low-Income families will receive a unti that meet the family composition, household needs, and of moderate sized square footage. Units will be of quality construction that is afforadble, energy efficient, and equiped with Energy Star appliances.

7.8. APR: *Describe the accomplishments for the APR in the 12-month program year.*

7.9: Planned and Actual Outputs for 12-Month Program Year

Planned Number of **Units** to be Completed in Year Under this Program	Planned Number of **Households** To Be Served in Year Under this Program	Planned Number of **Acres** To Be Purchased in Year Under this Program
8		
APR: Actual Number of **Units** Completed in Program Year	APR: Actual Number of **Households** Served in Program Year	APR: Actual Number of **Acres** Purchased in Program Year

7.10: APR: *If the program is behind schedule, explain why. (24 CFR § 1000.512(b)(2))*

8.1. Program Name and Unique Identifier:	**Development 2016-101**

8.2. Program Description *(This should be the description of the planned program.):*

The FY 2016 Acquisition project to purchase 4 homes situated on Tribal Trust land has been a slow process with only one unit purchased. New marketing elements of the project will be implemented in 2016 to increase the purchase of homes. The project will be completed or modified by April 2017 to ensure funding is adequately spend down.

8.3. Eligible Activity Number *(Select one activity from the Eligible Activity list. Do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.):*	12
8.4. Intended Outcome Number *(Select one outcome from the Outcome list. E* **ach program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):**	1

Describe Other Intended Outcome (Only if you selected "Other" above.):

8.5. Actual Outcome Number *(In the APR identify the actual outcome from the Outcome list.):*	

Describe Other Actual Outcome (Only if you selected "Other" above.):

8.6. Who Will Be Assisted *(Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes fall within 80 to 100 percent of the median should be included as a separate program within this section.):*

Low Income Families

8.7. Types and Level of Assistance *(Describe the types and the level of assistance that will be provided to each household, as applicable.):*

Low-Income families will receive a unti that meet the family composition, household needs, and of moderate sized square footage. Units will be of quality construction that is afforadble, energy efficient, and equiped with Energy Star appliances.

8.8. APR: *Describe the accomplishments for the APR in the 12-month program year.*

8.9: Planned and Actual Outputs for 12-Month Program Year

Planned Number of **Units** to be Completed in Year Under this Program	Planned Number of **Households** To Be Served in Year Under this Program	Planned Number of **Acres** To Be Purchased in Year Under this Program
4		
APR: Actual Number of **Units** Completed in Program Year	APR: Actual Number of **Households** Served in Program Year	APR: Actual Number of **Acres** Purchased in Program Year

8.10: APR: *If the program is behind schedule, explain why. (24 CFR § 1000.512(b)(2))*

5.1. Program Name and Unique Identifier:	**Crime Prevention - 2017-200**

5.2. Program Description *(This should be the description of the planned program.):*

The Crime Prevention program consists of two full-time staff dedicated to the reduction of crime in the community by providing youth activities to direct them from crime to positive activities that create good citizens in the community. The Three Sisters and Flying Leaf Subdividions are the focal point for crime prevention due to the large layout population . Staff work closely with Oneida Police Department in reducing crime in those areas. The key element in crime reduction is promoting culture, safety, and positive behaviors for community residents. The program provides hands on activities that encourage creation such as cultural beading, dance regalia costumes, crafts, and volunteer actvities for community members.

The Oneida Housing Department sponsors three community events each year to gather community involvement and resident participation with neighbors. These activities include food, music, children and adult activities that bring the community together.

Due to vandilism in the community Crime Prevention will also focus on property safety by increasing survalance cameras at and on housing buildings such as the warehouse, Main Office building , the Flying Leaf and Three Sister's subdivision community buildings. The purpose of the survailance equipment is to identify those responsible for damage and direct them in a positive direction.

The after school program and neighborhood watch programs encourage community responsibility for tenats safety and security.

5.3. Eligible Activity Number *(Select one activity from the Eligible Activity list. Do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.):*	21
5.4. Intended Outcome Number *(Select one outcome from the Outcome list. E* **ach program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):**	11

Describe Other Intended Outcome (Only if you selected "Other" above.):

5.5. Actual Outcome Number *(In the APR identify the actual outcome from the Outcome list.):*	

Describe Other Actual Outcome (Only if you selected "Other" above.):

5.6. Who Will Be Assisted *(Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes fall within 80 to 100 percent of the median should be included as a separate program within this section.):*

Low-moderate income families residing in Oneida Housing Department rental and homebuyer housing units.

5.7. Types and Level of Assistance *(Describe the types and the level of assistance that will be provided to each household, as applicable.):*

Program activities and safety concerns of the community;

After school cultural programing for youth.

> Neighborhood watch programs.

> Quarterly events at sites designed to focus on topics such as bullying, sucide, and gang prevention.

> Crime Prevention program works closely with the Oneida Police Department and the Oneida Gang Task Force to reduce criminal activitiy in the community.

> Community building survalience cameras will be installed Oneida Housing Department Buildings.

5.8. APR: *Describe the accomplishments for the APR in the 12-month program year.*

5.9: Planned and Actual Outputs for 12-Month Program Year

Planned Number of **Units** to be Completed in Year Under this Program	Planned Number of **Households** To Be Served in Year Under this Program	Planned Number of **Acres** To Be Purchased in Year Under this Program
APR: Actual Number of **Units** Completed in Program Year	APR: Actual Number of **Households** Served in Program Year	APR: Actual Number of **Acres** Purchased in Program Year

10.1. Program Name and Unique Identifier:	**CAS Rehabilitation Rental - 2017 - 300**

10.2. Program Description *(This should be the description of the planned program.)* **:**

This project is designed to provide project management and rehabilitation due to mold, replacement of obsolete materials, and rehabilitation due to inadeqate ventilation in bathrooms, and energy efficieies. This program focuses on weatherization rehabilitation by addressing inadequate insulation, windows, doors, siding and roofs on housing stock. Rehabilitation staff participate in annual housing unit inspections to ensure construction elements are well maintained and subject to preventive maintenance.

10.3. Eligible Activity Number *(Select one activity from the Eligible Activity list. Do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.)* **:**	5
10.4. Intended Outcome Number *(Select one outcome from the Outcome list.* **Each program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):**	3

Describe Other Intended Outcome (Only if you selected "Other" above.):

10.5. Actual Outcome Number *(In the APR identify the actual outcome from the Outcome list.)* **:**	

Describe Other Actual Outcome (Only if you selected "Other" above.):

10.6. Who Will Be Assisted *(Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes fall within 80 to 100 percent of the median should be included as a separate program within this section.)* **:**

Low Income Families

10.7. Types and Level of Assistance *(Describe the types and the level of assistance that will be provided to each household, as applicable.)* **:**

Low-Income families will receive a unti that meet the family composition, household needs, and of moderate sized square footage. Units will be of quality construction that is afforadble, energy efficient, and equiped with Energy Star appliances.

10.8. APR: *Describe the accomplishments for the APR in the 12-month program year.*

10.9: Planned and Actual Outputs for 12-Month Program Year

Planned Number of **Units** to be Completed in Year Under this Program	Planned Number of **Households** To Be Served in Year Under this Program	Planned Number of **Acres** To Be Purchased in Year Under this Program
30		
APR: Actual Number of **Units** Completed in Program Year	APR: Actual Number of **Households** Served in Program Year	APR: Actual Number of **Acres** Purchased in Program Year

10.10: APR: *If the program is behind schedule, explain why. (24 CFR § 1000.512(b)(2)* **)**

11.1. Program Name and Unique Identifier:	**CAS Rehabilitation Homeownership - 2017-301**

11.2. Program Description *(This should be the description of the planned program.)* **:**

This project is designed to provide project management and rehabilitation due to mold, replacement of obsolete materials, and rehabilitation due to inadeqate ventilation in bathrooms, and energy efficieies. This program focuses on weatherization rehabilitation by addressing inadequate insulation, windows, doors, siding and roofs on housing stock. Rehabilitation staff participate in annual housing unit inspections to ensure construction elements are well maintained and subject to preventive maintenance.
This program will rehabilitate existing home ownership units that have been relcaimed.

11.3. Eligible Activity Number *(Select one activity from the Eligible Activity list. Do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.)* **:**	16
11.4. Intended Outcome Number *(Select one outcome from the Outcome list.* **Each program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):**	3

Describe Other Intended Outcome (Only if you selected "Other" above.):

11.5. Actual Outcome Number *(In the APR identify the actual outcome from the Outcome list.)* **:**	

Describe Other Actual Outcome (Only if you selected "Other" above.):

11.6. Who Will Be Assisted *(Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes fall within 80 to 100 percent of the median should be included as a separate program within this section.)* **:**

Low-moderate income families living in housing units.

11.7. Types and Level of Assistance *(Describe the types and the level of assistance that will be provided to each household, as applicable.)* **:**

Rehabilitation crew workers and subcontracted professionals will perform the work activities. In no case is the rehabilitation cost per unit is to exceed the 2013 cost estimate in repairs. Under no circumstance can the assistance per unit exceed $45,000.

11.8. APR: *Describe the accomplishments for the APR in the 12-month program year.*

11.9: Planned and Actual Outputs for 12-Month Program Year

Planned Number of **Units** to be Completed in Year Under this Program	Planned Number of **Households** To Be Served in Year Under this Program	Planned Number of **Acres** To Be Purchased in Year Under this Program
1		
APR: Actual Number of **Units** Completed in Program Year	APR: Actual Number of **Households** Served in Program Year	APR: Actual Number of **Acres** Purchased in Program Year

11.10: APR: *If the program is behind schedule, explain why. (24 CFR § 1000.512(b)(2)* **)**

SECTION 4: MAINTAINING 1937 ACT UNITS, DEMOLITION, AND DISPOSITION

NAHASDA §§ 102(b)(2)(A)(v), 102(b)(2)(A)(iv)(I-III)

(1) Maintaining 1937 Act Units (NAHASDA § 102(b)(2)(A)(v)) *(Describe specifically how you will maintain and operate your 1937 Act housing units in order to ensure that these units will remain viable.)* :

The 1937 Act inventory will recieve the highest priority for all rehabilitation work actvities. The maintenance program works closely with residnet services staff in identifing potenial maintenance and repair items on all 1937 Act housing stock. The annual inspection is a very useful tool in identifing existing and potential maintenance and rehabilitation repair work on the housing stock.

All housing staff are aware to keep an watchful eye on 1937 Act units for routine and non-routine maintenance issues that mayh arise due to the age of those units. Preventive maintenance of the 1937 Act housing stock is the oldest in inventory and will recieve the most rehabilitation attention each program year.

(2) Demolition and Disposition (NAHASDA § 102(b)(2)(A)(iv)(I-III), 24 CFR 1000.134) Describe any planned demolition or sale of 1937 Act or NAHASDA-assisted housing units. If the recipient is planning on demolition or disposition of 1937 Act or NAHASDA-assisted housing units, be certain to include the timetable for any planned demolition or disposition and any other information that is required by HUD with respect to the demolition or disposition.

The Oneida Housing Division has no units planned for demolition or disposition in FY 2017.

SECTION 5: BUDGETS

NAHASDA §§ 102(b)(2)(C), 404(b)

(1) Sources of Funding (NAHASDA § 102(b)(2)(C)(i), (404(b)) *(Complete the* ***non-shaded*** *portions of the chart below to describe your estimated or anticipated sources of funding for the 12-month program year.* ***APR Actual Sources of Funding -- Please complete the shaded portions of the chart below to describe your actual funds received. Only report on funds actually received and under a grant agreement or other binding commitment during the 12-month program year.)***

	IHP					APR					
SOURCE	(A) Estimated amount on hand at beginning of program year	(B) Estimated amount to be received during 12-month program year	(C) Estimated total sources of funds (A+B)	(D) Estimated funds to be expended during 12-month program year	(E) Estimated unexpended funds remaining at end of program year (C-D)	(F) Actual amount on hand at beginning of program year	(G) Actual amount received during 12-month program year	(H) Actual total sources of funding (F+G)	(I) Actual funds expended during 12-month program year	(J) Actual unexpended funds remaining at end of 12-month program year (H - I)	(K) Actual unexpended funds obligated but not expended at end of 12-month program year
1. IHBG Funds	$9,836,095	$4,075,713	$13,911,808	$7,022,180	$6,889,628			$0		$0	
2. IHBG Program Income	$0	$1,243,921	$1,243,921	$1,243,921	$0			$0		$0	
3. Title VI			$0		$0			$0		$0	
4. Title VI Program Income			$0		$0			$0		$0	
5. 1937 Act Operating Reserves			$0		$0			$0		$0	
6. Carry Over 1937 Act Funds			$0		$0			$0		$0	
LEVERAGED FUNDS											
7. ICDBG Funds			$0		$0			$0		$0	
8. Other Federal Funds	$204,934	$0	$204,934	$102,467	$102,467			$0		$0	

9. LIHTC			$0		$0			$0		$0	
10. Non-Federal Funds			$0		$0			$0		$0	
TOTAL	$10,041,029	$5,319,634	$15,360,663	$8,368,568	$6,992,095	$0	$0	$0	$0	$0	$0
TOTAL Columns C & H, 2 through 10			$1,448,855					$0			

Notes:

a. For the IHP, fill in columns A, B, C, D, and E (non-shaded columns). **For the APR, fill in columns F, G, H, I, J, and K (shaded columns).**

b. Total of Column D should match the total of Column N from the **Uses of Funding table below**.

c. Total of Column I should match the Total of Column Q from the Uses of Funding table below.

d. For the IHP, describe any estimated leverage in Line 3 below (Estimated Sources or Uses of Funding). For the APR, describe actual leverage in Line 4 below.

(2) Uses of Funding (NAHASDA § 102(b)(2)(C)(ii)) *(Note that the budget should not exceed the total funds on hand (Column C) and insert as many rows as needed to include all the programs identified in Section 3.* ***Actual expenditures in the APR section are for the 12-month program year*** **.)**

	IHP			APR		
PROGRAM NAME	(L) Prior and current year IHBG (only) funds to be expended in 12-month program year	(M) Total all other funds to be expended in 12-month program year	(N) Total funds to be expended in 12-month program year (L+M)	(O) Total IHBG (only) funds expended in 12-month program year	(P) Total all other funds expended in 12-month program year	(Q) Total funds expended in 12-month program year (O+P)
HUD - Veterans Affairs Supportive Housing VASH - 2017-001	$0	$102,467	$102,467			$0
Resident Services - 2017-002	$251,894	$50,000	$301,894			$0

CAS Maintenance - 2017-003	$235,586	$50,000	$285,586			$0
Development - 2017-100	$1,200,000	$1,000,000	$2,200,000			$0
Crime Prevention - 2017-200	$44,000	$100,000	$144,000			$0
Operating CAS - 2017-00X	$1,127,934	$0	$1,127,934			$0
Development - 2016-100	$1,792,372		$1,792,372			$0
Development 2016-101	$600,000	$0	$600,000			$0
CAS Rehabilitation Rental - 2017 - 300	$1,395,750		$1,395,750			$0
CAS Rehabilitation Homeownership - 2017-301	$45,000		$45,000			$0

Planning and Administration	$329,644	$43,921	$373,565			$0
Loan repayment - describe in 3 & 4 below			$0			$0
TOTAL	$7,022,180	$1,346,388	$8,368,568	$0	$0	$0

Notes:

a. Total of Column L cannot exceed the IHBG funds from Column C, Row 1 from the Sources of Funding table in Line 1 above.

b. Total of Column M cannot exceed the total from Column C, Rows 2-10 from the Sources of Funding table in Line 1 above.

c. Total of Column O cannot exceed total IHBG funds received in Column H, Row 1 from the Sources of Funding table in Line 1 above.

d. Total of Column P cannot exceed total of Column H, Rows 2-10 of the Sources of Funding table in Line 1 above.

e. Total of Column Q should equal total of Column I of the Sources of Funding table in Line 1 above.

(3) Estimated Sources or Uses of Funding (NAHASDA § 102(b)(2)(C)). *(Provide any additional information about the estimated sources or uses of funding, including leverage (if any). You must provide the relevant information for any planned loan repayment listed in the Uses of Funding table on the previous page. This planned loan repayment can be associated with Title VI or with private or tribal funding that is used for an eligible activity described in an IHP that has been determined to be in compliance by HUD. The text must describe which specific loan is planned to be repaid and the NAHASDA-eligible activity and program associated with this loan):*

(4) APR (NAHASDA § 404(b)) *(Enter any additional information about the actual sources or uses of funding, including leverage (if any). You must provide the relevant information for any actual loan repayment listed in the Uses of Funding table on the previous page. The text must describe which loan was repaid and the NAHASDA-eligible activity and program associated with this loan.):*

SECTION 6: OTHER SUBMISSION ITEMS

[102(b)(2)(C)(ii)], [201(b)(5)], [202(6)], [205(a)(2)], [209], 24 CFR §§ 1000.108, 1000.120, 1000.142, 1000.

(1) Useful Life/Affordability Period(s) (NAHASDA § 205, 24 CFR § 1000.142) *(Describe your plan or system for determining the useful life/affordability period of the housing it assists with IHBG and/or Title VI funds must be provided in the IHP. A record of the current, specific useful life/affordability period for housing units assisted with IHBG and/or Title VI funds (excluding Mutual Help) must be maintained in the recipient's files and available for review for the useful life/affordability period.):*

The expected useful life of a unit built with NAHASDA funds is 50+ years due to quality construction methods, "green" materials and focus on sustainable low maintenance building materials. The Oneida Housing Department continues to monitor housing units through routine maintenance and rehabilitation of all housing stock.

(2) Model Housing and Over-Income Activities (NAHASDA § 202(6), 24 CFR § 1000.108) *(If you wish to undertake a model housing activity or wish to serve non-low-income households during the 12-month program year, those activities may be described here, in the program description section of the 1-year plan, or as a separate submission.):*

No model activities are planned for FY 2017.

(3) Tribal and Other Indian Preference (NAHASDA § 201(b)(5), 24 CFR § 1000.120)

If preference will be given to tribal members or other Indian families, the preference policy must be described. This information may be provided here or in the program description section of the 1-year plan.

Does the Tribe have a preference policy? Yes ☑ No ☐

If yes, describe the policy.

The Oneida Housing Department will give preference to Oneida Tribal members, other Tribal Indians, and non Indians in that order. All applicants must meet the required NAHASDA guidelines before they can become eligible for the programs. The head of houshold will be an enrolled Oneida Tribal member for first preference.

(4) Anticipated Planning and Administration Expenses (NAHASDA § 102(b)(2)(C)(ii), 24 CFR § 1000.238)

Do you intend to exceed your allowable spending cap for Planning and Administration? Yes ☐ No ☑

If yes, describe why the additional funds are needed for Planning and Administration. For a recipient administering funds from multiple grant beneficiaries with a mix of grant or expenditure amounts, for each beneficiary state the grant amount or expenditure amount, the cap percentage applied, and the actual dollar amount of the cap.

(5) Actual Planning and Administration Expenses (NAHASDA § 102(b)(2)(C)(ii), 24 CFR § 1000.238)

Did you exceed your spending cap for Planning and Administration? Yes ☐ No ☐

If yes, did you receive HUD approval to exceed the cap on Planning and Administration costs? Yes ☐ No ☐

If you did not receive approval for exceeding your spending cap on planning and administration costs, describe the reason(s) for exceeding the cap. (See Section 6, Line 5 of the Guidance for information on carry-over of unspent planning and administration expenses.)

(6) Expanded Formula Area - Verification of Substantial Housing Services (24 CFR § 1000.302(3)) *If your tribe has an expanded formula area (i.e., an area that was justified based on housing services provided rather than the list of areas defined in 24 CFR § 1000.302 Formula Area (1)), the tribe must demonstrate that it is continuing to provide substantial housing services to that expanded formula area. Does the tribe have an expanded formula area?*

Yes ☐ No ☑ **If no, proceed to Section 7.**

If yes, list each separate geographic area that has been added to the Tribe's formula area and the documented number of Tribal members residing there.

For each separate formula area expansion, list the budgeted amount of IHBG and other funds to be provided to all American Indian and Alaska Native (AIAN) households and to only those AIAN households with incomes 80% of median income or lower during the recipient's 12-month program year:

Total Expenditures on Affordable Housing Activities for:		
	All AIAN Households	AIAN Households with Incomes 80% or Less of Median Income
IHBG Funds:		
Funds from Other Sources:		

(7) APR: If answered "Yes" in Line 6, f*or each separate formula area, list the actual amount of IHBG and other funds expended for all AIAN households and for only AIAN households with incomes 80% of median income or lower during the recipient's 12-month program year.*

Total Expenditures on Affordable Housing Activities for:		
	All AIAN Households	AIAN Households with Incomes 80% or Less of Median Income
IHBG Funds:		
Funds from Other Sources:		

SECTION 7: INDIAN HOUSING PLAN CERTIFICATION OF COMPLIANCE

NAHASDA § 102(b)(2)(D)

By signing the IHP, the recipient certifies its compliance with Title II of the Civil Rights Act of 1968 (25 USC Part 1301 et seq.), and ensures that the recipient has all appropriate policies and procedures in place to operate its planned programs. The recipient should not assert that it has the appropriate policies and procedures in place if these documents do not exist in its files, as this will be one of the items verified during any HUD monitoring review.

(1) In accordance with applicable statutes, the recipient certifies that:

It will comply with Title II of the Civil Rights Act of 1968 in carrying out this Act, to the extent that such title is applicable, and other applicable federal statutes.

Yes ○ No ●

(2) In accordance with 24 CFR 1000.328, the recipient receiving less than $200,000 under FCAS certifies that:

There are households within its jurisdiction at or below 80 percent of median income.

Yes ○ No ○ Not Applicable ●

(3) The following certifications will only apply where applicable based on program activities.

a. It will maintain adequate insurance coverage for housing units that are owned and operated or assisted with grant amounts provided under NAHASDA, in compliance with such requirements as may be established by HUD;

Yes ○ No ● Not Applicable ○

b. Policies are in effect and are available for review by HUD and the public governing the eligibility, admission, and occupancy of families for housing assisted with grant amounts provided under NAHASDA;

Yes ○ No ● Not Applicable ○

c. Policies are in effect and are available for review by HUD and the public governing rents charged, including the methods by which such rents or homebuyer payments are determined, for housing assisted with grant amounts provided under NAHASDA; and

Yes ○ No ● Not Applicable ○

d. Policies are in effect and are available for review by HUD and the public governing the management and maintenance of housing assisted with grant amounts provided under NAHASDA.

Yes ○ No ● Not Applicable ○

SECTION 8: IHP TRIBAL CERTIFICATION

NAHASDA § 102(c)

This certification is used when a Tribally Designated Housing Entity (TDHE) prepares the IHP or IHP amendment o
This certification must be executed by the recognized tribal government covered under the IHP.

(1) The recognized tribal government of the grant beneficiary certifies that:

(2)☑ It had an opportunity to review the IHP or IHP amendment and has authorized the submission of the IHP by the TDHE; or

(3)☐ It has delegated to such TDHE the authority to submit an IHP or IHP amendment on behalf of the Tribe without prior review by the Tribe.

(4) Tribe:	Oneida Tribe of Indian of Wisconsin
(5) Authorized Official's Name and Title:	Cristina S. Danforth Tribal Chairwoman
(6) Authorized Official's Signature:	
(7) Date (MM/DD/YYYY):	

SECTION 9: TRIBAL WAGE RATE CERTIFICATION

NAHASDA §§ 102(b)(2)(D)(vi), 104(b)

By signing the IHP, you certify whether you will use tribally determined wages, Davis-Bacon wages, or HUD determined wages. Check only the applicable box below.

(1) ☐ You will use tribally determined wage rates when required for IHBG-assisted construction or maintenance activities. The Tribe has appropriate laws and regulations in place in order for it to determine and distribute prevailing wages.

(2) ☐ You will use Davis-Bacon or HUD determined wage rates when required for IHBG-assisted construction or maintenance activities.

(3) ☑ You will use Davis-Bacon and/or HUD determined wage rates when required for IHBG-assisted construction except for the activities described below.

(4) List the activities using tribally determined wage rates:

Tribally determined wage rates are used for all administrative, professional, maintenance and rehabilitation,

SECTION 10: SELF-MONITORING

NAHASDA § 403(b), 24 CFR §§ 1000.26, 85.37, 85.40

(1) Do you have a procedure and/or policy for self-monitoring?

Yes ☐ No ☐

(2) Pursuant to 24 CFR § 1000.502(b) where the recipient is a TDHE, did the TDHE provide periodic progress reports including the self-monitoring report, Annual Performance Report, and audit reports to the Tribe?

Yes ☐ No ☐ Not Applicable ☐

(3) Did you conduct self-monitoring, including monitoring sub-recipients?

Yes ☐ No ☐

(4) Self-Monitoring Results. *(Describe the results of the monitoring activities, including inspections for this program year.):*

SECTION 11: INSPECTIONS

NAHASDA § 403(b)

(1) Inspection of Units *(Use the table below to record the results of recurring inspections of assisted housing.)*

Activity		Total Number of Units (Inventory)	Results of Inspections: Units in standard condition	Units needing rehabilitation	Units needing to be replaced	Total number of units inspected
(a)		(b)	(c)	(d)	(e)	(f)
1	**1937 Housing Act Units:**					
	a. Rental					0
	b. Homeownership					0
	c. Other					0
1937 Act Subtotal		0	0	0	0	0
2	**NAHASDA assisted units:**					
	a. Rental					0
	b. Homeownership					0
	c. Rental Assistance					0
	d. Other					0
NAHASDA Subtotal		0	0	0	0	0
Total		0	0	0	0	0

(2) Did you comply with your inspection policy: Yes ☐ No ☐

(3) If no, why not:

SECTION 12: AUDITS

24 CFR § 1000.544

This section is used to indicate whether an Office of Management and Budget Circular A-133 audit is required, based on a review of your financial records.

Did you expend $750,000 or more in total Federal awards during the APR reporting period?

Yes ☐ No ☐

If Yes, an audit is required to be submitted to the Federal Audit Clearinghouse and your Area Office of Native American Programs.

If No, an audit is not required.

SECTION 13: PUBLIC AVAILABILITY

NAHASDA § 408, 24 CFR § 1000.518

(1). Did you make this APR available to the citizens in your jurisdiction before it was submitted to HUD (24 CFR § 1000.518)?

Yes ☐ No ☐

(2) If you are a TDHE, did you submit this APR to the Tribe(s) (24 CFR § 1000.512)?

Yes ☐ No ☐ Not Applicable ☐

(3) If you answered "No" to question #1 and/or #2, provide an explanation as to why not and indicate when you will do so.

(4) Summarize any comments received from the Tribe(s) and/or the citizens (NAHASDA § 404(d)).

SECTION 14: JOBS SUPPORTED BY NAHASDA

NAHASDA § 404(b)

Use the table below to record the number of jobs supported with IHBG funds each year.

Indian Housing Block Grant Assistance (IHBG)	
(1) Number of Permanent Jobs Supported	
(2) Number of Temporary Jobs Supported	

(3) Narrative (optional):

SECTION 15: IHP WAIVER REQUESTS

NAHASDA § 101(b)(2)

THIS SECTION IS ONLY REQUIRED IF THE RECIPIENT IS REQUESTING A WAIVER OF AN IHP SECTION OR A WAIVER OF THE IHP SUBMISSION DUE DATE.

A waiver is valid for a period not to exceed 90 days. Fill out the form below if you are requesting a waiver of one or more sections of the IHP. **NOTE**: This is NOT a waiver of the IHBG program requirements but rather a request to waive some of the IHP submission items.

(1) List below the sections of the IHP where you are requesting a waiver and/or a waiver of the IHP due date.

(*List the requested waiver sections by name and section number):*

(2) Describe the reasons that you are requesting this waiver (*Describe completely why you are unable to complete a particular section of the IHP or could not submit the IHP by the required due date.):*

(3) Describe the actions you will take in order to ensure that you are able to submit a complete IHP in the future and/or submit the IHP by the required due date. (*This section should completely describe the procedural, staffing or technical corrections that you will make in order to submit a complete IHP in the future and/or submit the IHP by the required due date.):*

(4) Recipient:	
(5) Authorized Official's Name and Title:	
(6) Authorized Official's Signature:	
(7) Date (MM/DD/YYYY):	

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 07 / 13 / 16

2. General Information:

Session: ☒ Open ☐ Executive - See instructions for the applicable laws, then choose one:

Agenda Header: New Business

☐ Accept as Information only

☒ Action - please describe:

BC to accept as FYI the Youth Leadership Washington DC Event Report.

3. Supporting Materials

☐ Report ☐ Resolution ☐ Contract

☒ Other:

1. Memo
2. Presentation will be provided
3.
4.

☐ Business Committee signature required

4. Budget Information

☐ Budgeted - Tribal Contribution ☐ Budgeted - Grant Funded ☐ Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Cristina Danforth, Tribal Chairwoman

Primary Requestor/Submitter: Submitted by Lora Skenandore, Assistant to Chairwoman Danforth
Your Name, Title / Dept. or Tribal Member

Additional Requestor:
Name, Title / Dept.

Additional Requestor:
Name, Title / Dept.

TO: Oneida Business Committee

FROM: Tina Danforth, Chairwoman

DATE: July 1, 2016

RE: Onʎyoteʔa·ká Youth Leadership Washington DC Event

This informational memo is in regards to the Youth Leadership Event on June 12–16, 2016. There were 12 Oneida students; 9 girls, 3 boys along with 4 chaperones that attended the event. The students were in 6, 7, and 8th grade from area schools to include; Oneida, Freedom, Seymour, Pulaski, Lombardi and Milwaukee Indian School attending this event.

The students were selected from their applications, essays and recommendation letters they submitted.

There were 2 parent meetings and 3 fundraisers of which students participated in to help cover the costs for the event.

On June 12, 2016 the group boarded the plane and departed for Washington DC. The flight was a first time for most of the students and they were excited! Once arriving at Reagan International the group picked up their luggage and boarded a coach bus and their journey in Washington DC began.

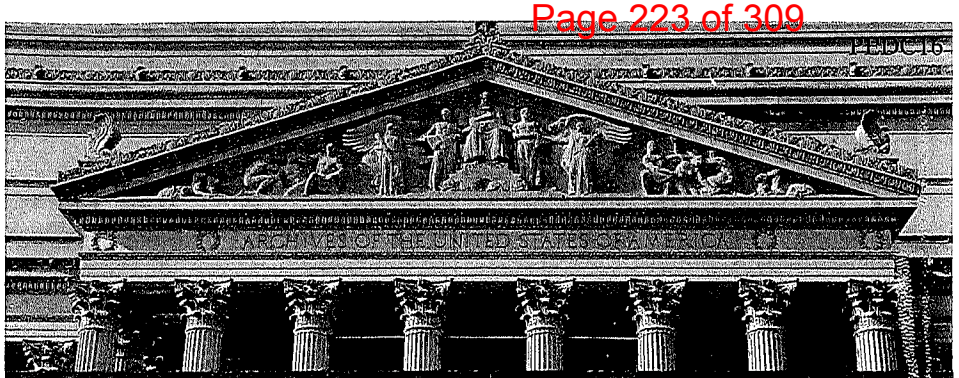
Each day the students had an itinerary with some days beginning at 6 AM and ending 8 – 9 PM and then they still wanted to go swimming after they got back to the hotel. They went to many museums, visited the U.S. Capital, met Congressman Ribble and Senator Baldwin.

They even attended a Nationals baseball game one day (please see attachment). They enjoyed themselves and had a terrific time!

On June 16, 2016 the group had breakfast at the hotel and boarded the coach bus and headed to the airport for their return home. Thank you for your support!

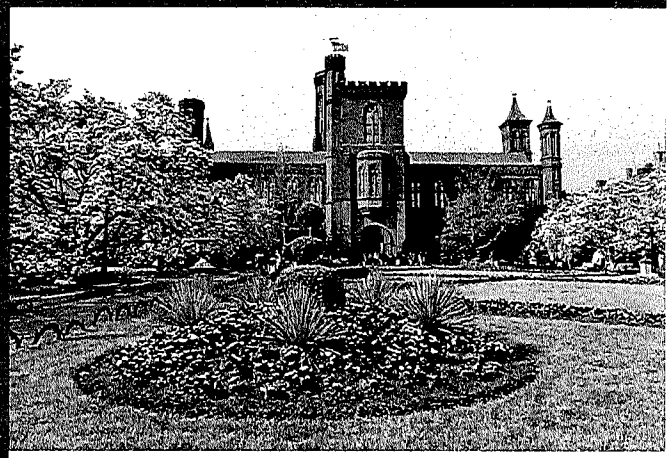
David's House of Travel
1029 South 26th Street
Manitowoc, WI 54220
920 684-6117 / 800 878-6117

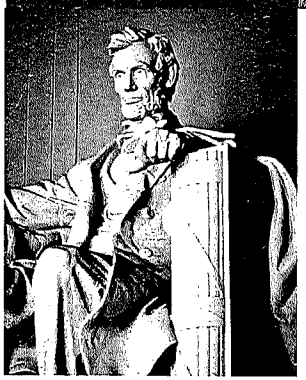
In partnership with Ed-Ventures, Inc



WASHINGTON DC

June 12-16, 2016





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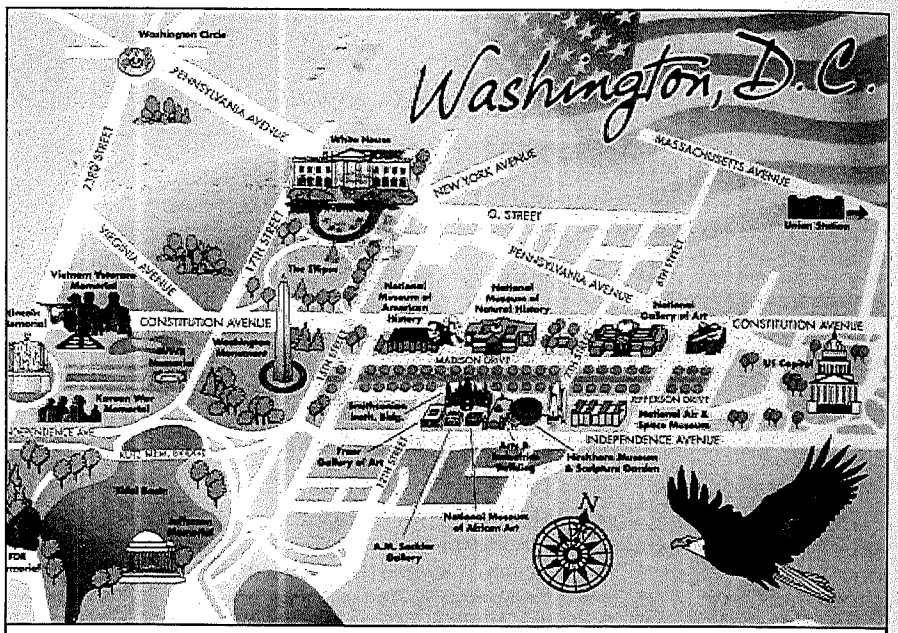


ITINERARY

Washington, DC is on Eastern Standard time, which is 1 hour ahead of Wisconsin (Central Standard Time)

June 12 • Depart Wisconsin
Flight to Washington DC
National Air & Space Museum
Nationals Baseball Game

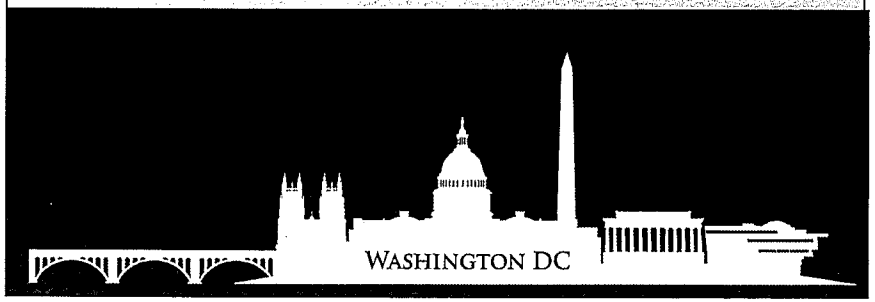
June 13 • Washington DC
Breakfast
Arlington National Cemetery
Lunch at Pentagon City Mall
Marine Corps War Memorial (Iwo Jima Statue)
White House Visitor Center
White House photo stop

Kennedy Center for the Performing Arts
Dinner at King Street Blues
Night visit to memorials

June 14 • Washington DC
Breakfast
Capital Visitor Center & U.S. Capital
United States Library of Congress
Supreme Court Building Tour
United States Holocaust Memorial Museum
Dinner at Bucca Di Beppo
Pentagon 9/11 Memorial Park
Air Force Memorial

June 15 • Washington DC
Breakfast
Newseum
Smithsonian Museum on National Mall
Dinner at Reagan Building/International Trade Center

June 16 • Return Home
Breakfast
Flight home



Day 1: Sunday, June 12, 2016 • Departure

Our adventure to the east coast begins as we board our flight to Washington DC. Upon arrival we meet our coach driver who will take us to visit the **National Air & Space Museum at the Smithsonian**. Experience the history of flight at one of the world's most visited museums, from the plane flown by the Wright brothers to the Apollo 11 command module. After our visit here and some lunch we depart for National Park to enjoy a **Nationals baseball game**. We have dinner here and following the game, we check-in to our hotel. **[L,D]**

Day 2: Monday, June 13, 2016 • DC

Enjoy an early breakfast at the hotel this morning. Once we are fueled and ready for the day, we meet our guide at the **Visitor's Center** of **Arlington National Cemetery**. It is America's shrine to valor and sacrifice. After visiting this sacred land, we enjoy lunch at the Pentagon City Mall before our visit of the **White House Visitor Center.** En route we stop to see the **Marine Corps War Memorial (Iwo Jima Statue)**. The White House Visitor Center offers visitors a window into the president's iconic home. We stop for a **photo-opportunity** at the **White House** before walking through **The Kennedy Center for the Performing Arts.** Here we see amazing views from the terrace and the famous bronze bust of John F. Kennedy in the grand foyer. We enjoy dinner at **King Street Blues** before stopping to see multiple memorials that surround the reflection pool. We return to our hotel for the evening. **[B,L,D]**

Day 3: Tuesday, June 14, 2016 • DC

Following breakfast this morning we depart to meet our guide for a visit of the **Capitol Visitor Center** and **The United States Capitol.** Next we visit the **United States Library of Congress**. Established as an act of Congress in 1800, The Library is the largest national library in the world. Time allowing, we will tour the inside with our guide. Pending time, we also tour the **Supreme Court Building.** It is here that the third branch of government exercises its mandate to protect and interpret the spirit of the Constitution. We now depart for a tour of the **United States Holocaust Memorial Museum.** This somber and moving museum tells the story of the Holocaust through artifacts, films, photographs and oral histories. Later, we enjoy dinner together at Bucca Di Beppo. Before returning to the hotel we stop at the **Pentagon 9/11 Memorial Park and the Air Force Memorial. [B,L,D]**

Day 4: Wednesday, June 15, 2016 • DC

Enjoy breakfast at the hotel this morning before departing for the **Newseum,** the only interactive museum of news. Because the news changes daily, no two visits to the Newseum are ever alike. Next we visit one of the **Smithsonian Institution**'s museums on the **National Mall**. Few among many on the National Mall include the National Museum of Natural History, the National Gallery of Art and the National Museum of American History. This evening we enjoy dinner at the **Reagan Building/International Trade Center Food Court**– just named "DC's Best" food court by *Frommer's*. We return to the hotel for the evening. **[B,L,D]**

Day 5: Thursday, June 16, 2016 • DC • Return

We enjoy breakfast before checking out. Already the time has come to depart for the airport for our flight home, but not without all the memories and moments that will stay with us for a lifetime! **[B]**

Notes

I had alot of fun meeting new kids, and visiting places I have never seen before. Some of my favorite places were National Museum of the American Indian, The Holocaust Memorial Museum, The Capital and the Veterans memorial. The best part was I got to experience it all with my peers. The Veteren memorial was intresting to see all the veterens who fought for our country. While we were there we got to meet a veteren who fought in the Vietnam war and World War II. He told us some of his stories while he was fighting. After he was done we all thanked him for his service and we all left. I also had alot of fun meeting senator Tammy Baldwin and Congressmen Ribble. Lastly I would like to

Names of Students

- Melina Dennis~ Seymour Middle School 8th
- Damon Denny~ Lombardi Middle School 8th
- Hawkins John~ Indian Community School 8th
- Sadie Kelley~ Pulaski Community School 8th
- Adrianna Metoxen~ Seymour Middle School 8th
- Jordin Mielke~ Seymour Middle School 8th
- Kaylee Schuyler~ Pulaski Community School 8th
- Madelyn Stevens~ Indian Community School 8th
- Nia Skenandore~ Freedom Middle School 7th
- Miranda Skenandore~Oneida Nation Elementary School 7th
- Calvyn Grignon-Danforth~ Seymour Middle School 7th
- Yolanda LeBeau~ Oneida Nation Elementary School 6th

Early AM take off from Austin Straubel Airport

Front Left to right: Adrianna Metoxen, Jordin Mielke, Melina Dennis, Kaylee Schuyler, Yolanda LeBeau, Sadie Kelley, Miranda Skenandore, Madelyn Stevens, Hawkins John, Nia Skenandore, Paul Danforth, Damon Denny, Calvyn Grignon-Danforth,

Washington Nationals vs Philadelphia

Left to Right:
Calvyn Grignon-Danforth, Damon Denny, Adrianna Metoxen, & Jordin Mielke

National Museum of American History

Left to right:
Jordin Mielke, Melina Dennis and Adrianna Metoxen

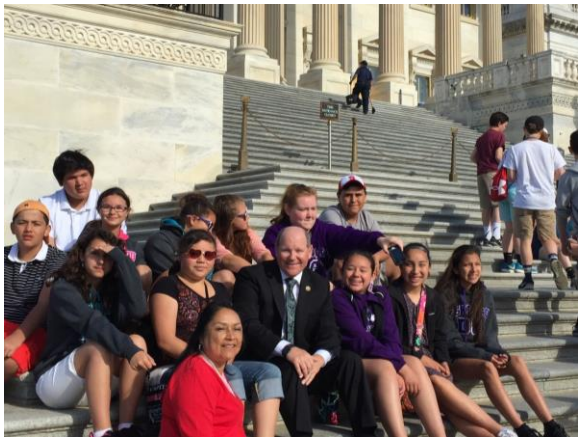
Kennedy Center for Performing Arts

Left to right:

Yolanda LeBeau, Nia Skenandore, Hawkins John and Calvyn Grignon-Danforth

Meeting Senator Tammy Baldwin

Sadie Kelley shaking hands with Senator Baldwin as Jordin Mielke looks on in the back ground.



Capitol Stairs With Congressman Reid Ribble

Chairwoman Cristina Danforth, Congressman Reid Ribble with the Oneida Youth Leadership Group

Iwo Jimo

Chaperones: Chairwoman Cristina Danforth, Maria Alicea, Lora Skenandore & Paul Danforth

Photo Bomber: Hawkins John

World War II Memorial

Left to right:
Kaylee Schuyler and Nia Skenandore

Washington Monument

Left to right:
Kaylee Schuyler, Sadie Kelley and Miranda Skenadore

Arlington National Cemetery
Ira Hamilton Hayes Tombstone

Front Left to right: Kaylee Schuyler, Adrianna Metoxen, Melina Dennis Jordin Mielke, Madelyn Stevens and Yolanda LeBeau

Back left to right: Damon Denny, Hawkins John, Sadie Kelley, Calvyn Grignon-Danforth, Nia Skenandore and Miranda Skenadore

United States White House

Left to right:

Melina Dennis, Jordin Mielke, Madelyn Stevens, Hawkins John, Paul Danforth, Damon Denny and Chairwoman Cristina Danforth

Journal Entries

Madelyn Stevens-Today was good day even though we all tired from the early flight. I was so excited I didn't sleep a lot. The space museum was really fun. I have not seen anything like that at all in my life. I have been waiting to come here for years. I was so glad to spend my first experience with new friends. My parents have reminded me several times of how lucky I was to be chosen for this experience.

Damon Denny- Capitol hill was one of the more informational historical places that we visited, with the architecture, the middle of the buildings, and the paintings. Meeting the politicians there was one of the most memorable parts of the trip. Another place that was very interesting was the holocaust museum. This museum had many exhibits that were very interesting such as the one that brought us through from one of the Jewish kids point of view from what he went through. One the of the things that popped into my head was why are they questioning themselves if they should help them there's no guarantee that they would get caught.

The Newseum use of its room, all of the newspapers and magazines on that large wall. The things that you could do and what they had like a piece of the wreckage of 9/11. One thing that is amazing is how they can put everything from the last 100 years into there from the biggest stories which was mostly 9/11. One of the exhibits that I enjoyed from there was the CSI timeline. My favorite part of the trip was when we went to the national World War II memorial because of the view, what everything in it meant. This memorial meant a great deal to me, it represents the fallen soldiers who have served our great nation and it also reminds me of my grandfather who served in the Vietnam War.

Jordin Mielke- Right now I am waiting to get on the plane we have to wait for an hour. I just don't want to go because I had so much fun here! But I can't wait to tell my family what I did what I learned, what got and what was my favorite.

I just wanted to say thank you so much for making this trip happen and how much of your time you put into it so we could enjoy this time in D.C.

This will always be a memory I will never forget! My favorites would be the White House, the Memorial Cemetery, and seeing the Native American Museum.

More Journal Entries

Yolanda LeBeau-Today I learned more about our culture and history. It was actually pretty interesting.

Hawkins John-

Melina Dennis- Visiting the Arlington National Cemetery today really opened my eyes to the real cost of war. It was filled with tombstones laid out in row after row after row upon hill after hill after hill. Some man or woman's name carved in honor on the tombstone or wall. All the special places we visited and the beautiful statues reminded me of how fortunate I am to be standing on this land.

The Vietnam War Memorial was astounding. Anytime I looked at a name I saw my reflection behind it. Reminding me of why I am here. America is built on all of the backs of fallen soldiers, not on money or democracy or even freedom.

The next major stop was to the Whitehouse. It was an aweing site and a bit of an intimidating one. Seeing the place that has been home to individuals of great power and different leaders.

THANK YOU NOTE TO THE BUSINESS COMMITTEE

Dear Oneida Business Committee;

I would like to thank you for allowing me to go on the Onʌyote?a'ka Youth Leadership Trip. I had a lot of fun meeting new kids, and visiting places I have never seen before. Some of my favorite places were, National Museum of the American Indian, The Holocaust Memorial Museum, The Capital and the Veterans Memorial. The best part was I got to experience it all with my peers. The Veteran Memorial was interesting to see, all the veterans who fought for our country. While we were there we got to meet a veteran who fought in the Vietnam War and World War II. He told us some of his stories while he was fighting. After he was some done we all thanked him for his service and we all left. I also had fun meeting Senator Tammy Baldwin and Congressman Ribble.

Lastly I would like to thank all the chaperones for taking care of us.

Yaw ^ ko
Kaylee Schuyler

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 07 / 13 / 16

2. General Information:

Session: ☒ Open ☐ Executive - See instructions for the applicable laws, then choose one:

Agenda Header: New Business

☐ Accept as Information only

☒ Action - please describe:

Motion to enter E-Poll results into the record for approval of the letter of support from the Oneida Business Committee for a grant application to be submitted by the tribe's gang task force program to seek grant funding for a program aimed at decreasing risks of entering the juvenile justice system faced by girls.

3. Supporting Materials

☐ Report ☐ Resolution ☐ Contract

☒ Other:

1. epoll, draft letter
2.
3.
4.

☒ Business Committee signature required

4. Budget Information

☐ Budgeted - Tribal Contribution ☐ Budgeted - Grant Funded ☐ Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Lisa Summers, Tribal Secretary

Primary Requestor/Submitter: Submitted by: April Skenandore, Executive Assistant
Your Name, Title / Dept. or Tribal Member

Additional Requestor:
Name, Title / Dept.

Additional Requestor:
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

Describe the purpose, background/history, and action requested:

On June 16, 2016, the following e-poll was conducted:

Summary:
Because the letter of support for a grant application is due June 20, the requestor is unable to seek authorization from the BC at a regularly scheduled BC meeting. Thus, an e-poll of the BC is necessary to obtain approval of the BC's support.

Requested action:
To approve letter of support from the Oneida Business Committee for a grant application to be submitted by the tribe's gang task force program to seek grant funding for a program aimed at decreasing risks of entering the juvenile justice system faced by girls.

Deadline for response:
Please submit your response by 10:00 a.m. on Friday, June 17, 2016. Please use the voting button above. Thank you.

The following is the e-poll results:
Support: David Jordan, Brandon Stevens, Trish King, Lisa Summers, Tehassi Hill, Fawn Billie, Jennifer Webster, Melinda J. Danforth

1) Save a copy of this form for your records.

2) Print this form as a *.pdf *OR* print and scan this form in as *.pdf.

3) E-mail this form and all supporting materials in a **SINGLE** *.pdf file to: BC_Agenda_Requests@oneidanation.org

April Skenandore

From:	TribalSecretary
Sent:	Friday, June 17, 2016 12:21 PM
To:	Brandon L. Yellowbird-Stevens; Cristina S. Danforth; David P. Jordan; 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; Dawn M. Moon-Kopetsky; Jessica L. Wallenfang; Leyne C. Orosco; Lisa A. Liggins; Lora L. Skenandore; Patricia L. Hoeft; Rhiannon R. Metoxen
Subject:	E-POLL RESULTS: Request to Approve letter of support for youth program grant
Attachments:	Letter of support girls grant application 06-16-16.pdf

E-POLL RESULTS

The e-poll request to approve the letter of support from the Oneida Business Committee for a grant application to be submitted by the tribe's gang task force program to seek grant funding for a program aimed at decreasing risks of entering the juvenile justice system faced by girls is approved. Below is the results:

Support: David Jordan, Brandon Stevens, Trish King, Lisa Summers, Tehassi Hill, Fawn Billie, Jennifer Webster, Melinda J. Danforth,

April Skenandore
Executive Assistant
Business Committee Support Office (BCSO)
Office: (920) 869-4316

How can the BC Support Office help you?
Paula "Pogi" King Dessart (Executive Assistant) – Budgeting, Processing Accounts Payable, GTC Meeting Prep
April Skenandore (Executive Assistant) – BC Scheduling & Travel
Debbie Melchert (Administrative Assistant) – Signature Log, Mail Log, Kronos
Kathy Metoxen (Executive Tribal Clerk) – Pardons, Boards, Committees and Commissions
Heather Heuer (Information Management Specialist) – BC Meeting Agenda Requests, Packets, and Minutes

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From: TribalSecretary
Sent: Thursday, June 16, 2016 2:18 PM
To: Brandon L. Yellowbird-Stevens; Cristina S. Danforth; David P. Jordan; 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; Dawn M. Moon-Kopetsky; Jessica L. Wallenfang; Leyne C. Orosco; Lisa A. Liggins; Lora L. Skenandore; Rhiannon R. Metoxen
Subject: E-poll Request: Approve letter of support for youth program grant
Importance: High

E-POLL REQUEST

Summary:

Because the letter of support for a grant application is due June 20, the requestor is unable to seek authorization from the BC at a regular schedule BC meeting. Thus, an e-poll of the BC is necessary to obtain approval of the BC's support.

Requested Action:
To approve a letter of support from the Oneida Business Committee for a grant application to be submitted by the tribe's gang task force program to seek grant funding for a program aimed at decreasing risks of entering the juvenile justice system faced by girls.

Deadline for response:
Please submit your response by **10:00 a.m. on Friday, June 17, 2016**. Please use the voting button above. Thank you.

April Skenandore
Executive Assistant
Business Committee Support Office (BCSO)
Office: (920) 869-4316

How can the BC Support Office help you?
Paula "Pogi" King Dessart (Executive Assistant) – Budgeting, Processing Accounts Payable, GTC Meeting Prep
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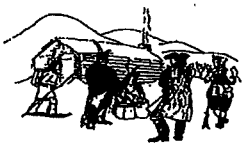

Oneidas bringing several hundred bags of corn to Washington's starving army at Valley Forge, after the colonists had consistently refused to aid them.

Oneida Tribe of Indians of Wisconsin
BUSINESS COMMITTEE

UGWA DEMOLUM YATEHE
Because of the help of this Oneida Chief in cementing a friendship between the six nations and the colony of Pennsylvania, a new nation, the United States was made possible.

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

June 15, 2016

Mr. Robert L. Listenbee, OJJDP Administrator
Office of Juvenile Justice and Delinquency Prevention
810 Seventh St. NW
Washington, DC 20531

RE: Letter of support for grant application for OJJDP FY2016 reducing reliance on confinement and improving community-based responses for girls at risk of entering the juvenile justice system

Dear Mr. Listenbee,

Please accept this letter of support for a grant application by an Oneida Nation tribal high school program that provides an alternative 13-credit diploma program for tribal youth ages 14 to 18 needing prevention and intervention services to ensure their successful graduation from high school. The program is called Yethiyatanunha, an Oneida word meaning restoring the fire, readdressing the mind, and rejoining the circle.

If awarded this grant, the Yethiyatanunha program would develop and implement programming to thwart the increase of female Native American youth in the juvenile justice system. New programming would focus on issues facing the Oneida Nation's female youth that include: 1. gang involvement, 2. substance abuse, 3. police contact, 4. teen pregnancy, and 5. high school dropout risks. Female juveniles included in this project will be those referred to the Yethiyatanunha program for truancy, suspensions, expulsion, police contact, and/or other emotional and behavioral issues.

The Oneida Nation will express its support by:

1. Offering Yethiyatanunha as an option;
2. Assisting with recruitment, programming curriculum, and behavior plans, when appropriate;
3. Participating in data collection and sharing when appropriate;
4. Attending quarterly program assessment meetings;
5. Attending family, partner, and community open houses; and
6. Assisting with the creation and signing of a Memorandum of Agreement (MOA) incorporating one or all items listed above, and that this MOA would be finalized in the first month after funding is received.

If you need further information or assistance, please call the Oneida Nation Gang Task Force Coordinator Mandy Schneider at (920) 496-5334 or e-mail at mschnei2@oneidanation.org. Thank you for your consideration.

Sincerely,

Oneida Business Committee

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 07 / 13 / 16

2. General Information:

Session: ☒ Open ☐ Executive - See instructions for the applicable laws, then choose one:

Agenda Header: New Business

☐ Accept as Information only

☒ Action - please describe:

Enter E-poll results into the record for approved travel request - Councilman Tehassi Hill - Food Distribution Program on Indian Reservations meeting - Norman, OK - July 11-13, 2016

3. Supporting Materials

☐ Report ☐ Resolution ☐ Contract

☒ Other:

1. e-mail with e-poll results
2. e-mail with e-poll request
3. travel request form and letter
4. draft meeting agenda

☐ Business Committee signature required

4. Budget Information

☐ Budgeted - Tribal Contribution ☐ Budgeted - Grant Funded ☐ Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Lisa Summers, Tribal Secretary

Primary Requestor/Submitter: Submitted by Heather Heuer, Info. Mgmt Specialist/BC Support Office
Your Name, Title / Dept. or Tribal Member

Additional Requestor:
Name, Title / Dept.

Additional Requestor:
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

Describe the purpose, background/history, and action requested:

BACKGROUND
On July 1, 2016, the following E-poll was conducted:

Summary:
Councilman Tehassi Hill requests an E-poll for travel to Norman, OK on July 11-13, 2016 for a follow up meeting to the February 2016 Tribal Consultation meeting in Washington, DC. This meeting is with the USDA Food and Nutrition Service officials regarding the Food Distribution Program on Indian Reservation (FDPIR) program with Deputy Secretary of USDA and other senior administration officials. The travel is 100% grant funded. Attached is additional information regarding this request.

Requested E-poll Action:
To approve travel for Councilman Tehassi Hill to travel to Norman, OK on July 11-13, 2016 to meet with the USDA Food and Nutrition Service officials regarding the Food Distribution Program on Indian Reservation (FDPIR) program with Deputy Secretary of USDA and other senior administration officials.

Deadline for response:
Please submit your response by 10:00 a.m. on Tuesday, July 5, 2016.

The following are the e-poll results:
Support: Melinda J. Danforth, Trish King, Lisa Summers, Jennifer Webster, David Jordan, Fawn Billie, Brandon Stevens

REQUESTED BC ACTION
Enter E-poll results into the record for approved travel request for Councilman Tehassi Hill to attend the Food Distribution Program on Indian Reservations meeting in Norman, OK from July 11-13, 2016.

1) Save a copy of this form for your records.

2) Print this form as a *.pdf *OR* print and scan this form in as *.pdf.

3) E-mail this form and all supporting materials in a **SINGLE** *.pdf file to: BC_Agenda_Requests@oneidanation.org

Heather M. Heuer

From: Danelle A. Wilson
Sent: Tuesday, July 05, 2016 2:35 PM
To: Heather M. Heuer
Subject: FW: E-POLL RESULTS: Travel for Councilman Tehassi Hill to Norman, OK for meeting w/USDA July 11-13, 2016
Attachments: 20160701121231757.pdf

Importance: High

Here you go! ☺

Danelle Wilson
Executive Assistant
Office of Councilman Tehassi Hill
920.869.4389
dwilson1@oneidanation.org
=[]=[]=<>=[]=[]=
The only person you are destined to become is the person you decide to be ~ Ralph Waldo Emerson

The information contained in this e-mail is confidential and privileged. If you are not the intended recipient, please be advised that any use, copying, or dissemination of this information is prohibited. Please destroy this e-mail and immediately notify us of the erroneous transmission.

From: TribalSecretary
Sent: Tuesday, July 05, 2016 2:07 PM
To: Brandon L. Yellowbird-Stevens; Melinda J. Danforth; Cristina S. Danforth; David P. Jordan; Fawn J. Billie; Jennifer A. Webster; Lisa M. Summers; Patricia M. King; Ronald W. Hill
Cc: Brian A. Doxtator; Danelle A. Wilson; Dawn M. Moon-Kopetsky; Jessica L. Wallenfang; Leyne C. Orosco; Lisa A. Liggins; Lora L. Skenandore; Rhiannon R. Metoxen
Subject: E-POLL RESULTS: Travel for Councilman Tehassi Hill to Norman, OK for meeting w/USDA July 11-13, 2016
Importance: High

E-POLL RESULTS

The e-poll request for Councilman Tehassi Hill to travel to Norman, OK from July 11-13, 2016, for a follow-up meeting to the February 2016 Tribal Consultation meeting is approved. Below are the results:

Support: Melinda J. Danforth, Trish King, Lisa Summers, Jennifer Webster, David Jordan, Fawn Billie, Brandon Stevens

Heather Heuer
Information Management Specialist
Business Committee Support Office (BCSO)
hheuer@oneidanation.org
Office: (920)869-4421

How can the BC Support Office help you?
Paula "Pogi" King Dessart (Executive Assistant) – Budgeting, Processing Accounts Payable, GTC Meeting Prep

April Skenandore (Executive Assistant) – BC Scheduling & Travel
Debbie Melchert (Administrative Assistant) – Signature Log, Mail Log, Kronos
Kathy Metoxen (Executive Tribal Clerk) – Pardons, Boards, Committees and Commissions
Heather Heuer (Information Management Specialist) – BC Meeting Agenda Requests, Agendas, Packets, and Minutes

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From: TribalSecretary
Sent: Friday, July 01, 2016 2:16 PM
To: Brandon L. Yellowbird-Stevens <BSTEVENS@oneidanation.org>; Cristina S. Danforth <tdanfort@oneidanation.org>; David P. Jordan <djordan1@oneidanation.org>; Fawn J. Billie <fbillie@oneidanation.org>; Jennifer A. Webster <JWEBSTE1@oneidanation.org>; Lisa M. Summers <LSUMMER2@oneidanation.org>; Melinda J. Danforth <MDANFORJ@ONEIDANATION.org>; Patricia M. King <TKING@ONEIDANATION.org>; Ronald W. Hill <RHILL7@oneidanation.org>
Cc: Brian A. Doxtator <BDOXTAT2@oneidanation.org>; Danelle A. Wilson <DWILSON1@ONEIDANATION.org>; Dawn M. Moon-Kopetsky <dmoonkop@oneidanation.org>; Jessica L. Wallenfang <JWALLENF@oneidanation.org>; Leyne C. Orosco <lorosco@oneidanation.org>; Lisa A. Liggins <lliggins@oneidanation.org>; Lora L. Skenandore <LSKENAN3@oneidanation.org>; Rhiannon R. Metoxen <rmetoxe2@oneidanation.org>
Subject: Epoll Request: Travel for Councilman Tehassi Hill to Norman, OK for meeting w/USDA July 11-13, 2016
Importance: High

E-POLL REQUEST

Summary:
Councilman Tehassi Hill requests an epoll for travel to Norman, OK on July 11-13, 2016 for a follow up meeting to the February 2016 Tribal Consultation meeting in Washington, DC. This meeting is with the USDA Food and Nutrition Service officials regarding the Food Distribution Program on Indian Reservation (FDPIR) program with Deputy Secretary of USDA and other senior administration officials. The travel is 100% grant funded. Attached is additional information regarding this request.

Requested Action:
To approve travel for Councilman Tehassi Hill to travel to Norman, OK on July 11-13, 2016 to meet with the USDA Food and Nutrition Service officials regarding the Food Distribution Program on Indian Reservation (FDPIR) program with Deputy Secretary of USDA and other senior administration officials.

Deadline for response:
Please submit your response by **10:00 a.m. on Tuesday, July 5, 2016.** Please use the voting button above. Thank you.

April Skenandore
Executive Assistant
Business Committee Support Office (BCSO)
Office: (920) 869-4316

How can the BC Support Office help you?
Paula "Pogi" King Dessart (Executive Assistant) – Budgeting, Processing Accounts Payable, GTC Meeting Prep

Oneida Business Committee Travel Request

1. OBC Meeting Date Requested: 07 / 12 / 16 ☒ e-poll requested

2. General Information:

Event Name: Food Distribution Program on Indian Reservation meeting with tribal leaders

Event Location: Norman, OK

Attendee(s): Tehassi Hill

Departure Date: Jul 11, 2016

Attendee(s):

Return Date: Jul 13, 2016

Attendee(s):

3. Budget Information:

☐ Funds available in indivdual travel budget(s)

☐ Unbudgeted

☒ Grant Funded or Reimbursed

Cost Estimate:

4. Justification:

☒ Liaison Appointment Responsibilities

To which Strategic Direction(s) does this travel relate?

☐ Advancing Principles

☐ Creating a Positive Organizational Culture

☒ Committing to Building a Responsible Nation

☐ Implementing Good Governance Processes

Describe the purpose of Travel and how it relates to the Strategic Direction(s) and/or your liaison area:

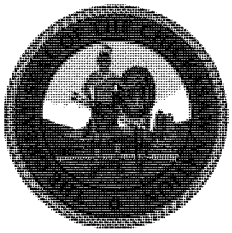
This meeting is a follow up to the February 2016 Tribal Consultation meeting in Washington, DC with USDA Food and Nutrition Service officials regarding the Food Distribution Program on Indian Reservation (FDPIR) program with the Deputy Secretary of USDA and other senior administration officials.

5. Submission

Sponsor: Tehassi Hill, Council Member

1) Save a copy of this form for your records.
2) Print this form as a *.pdf *OR* print and scan this form in as *.pdf.
3) E-mail this form and all supporting materials in a **SINGLE** *.pdf file to: BC_Agenda_Requests@oneidanation.org

Form approved by OBC on 03/25/2015



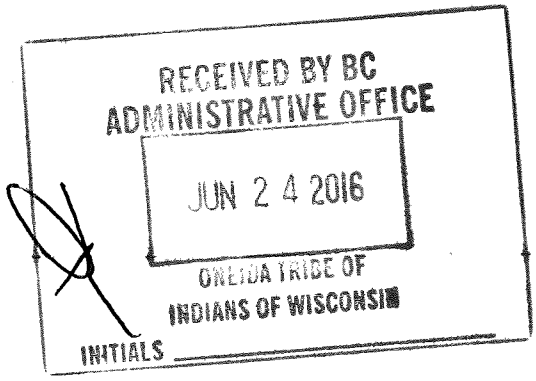
the Chickasaw Nation HEADQUARTERS

Bill Anoatubby
Governor

Jefferson Keel
Lt. Governor

520 EAST ARLINGTON | POST OFFICE BOX 1548 | ADA, OK 74821-1548 | (580) 436-2603

June 16, 2016



The Honorable Tehassi Hill
Council Member
Oneida Nation
P.O. Box 365
Oneida, WI 54155

Dear Council Member Hill:

I hope this letter finds you well. This letter is intended to be a follow up to our February 2016 Tribal Consultation meeting in Washington DC with USDA Food and Nutrition Service (FNS) officials regarding the Food Distribution Program on Indian Reservation (FDPIR) program with the Deputy Secretary of USDA and other senior administration officials.

Secretary Thomas Vilsack will be sending a letter to you in response to our requests. The USDA is moving forward in concert with us to formally establish a Tribal Consultation Working Group with USDA to continue working on, monitor, and provide leadership to the FDPIR. This is a significant and important move.

In order to take this important next step, Deputy Secretary Scuse (who was with us briefly in February) has asked me to coordinate with each of you to attend a July 12-13, 2016 meeting in Oklahoma City. This meeting will bring together our original 12 Tribal leaders in order to negotiate with USDA on significant points of organization and coordination moving forward. Our role will be to provide direction to USDA and negotiate how this new working group will be organized, how members will be invited to attend, the role of the NAFDPIR organization to assist our Tribal leadership, meeting dates, and other matters of protocol.

I think you will join me in congratulating all involved on reaching this important next step in securing the future of FDPIR. The seating of this ongoing permanent consultation group with USDA will go a long way to ensure the challenges that lie ahead in food access and nutrition can continue to be robustly approached in true government-to-government fashion.

You will receive another letter of formal invitation from USDA in the coming days. The meeting will be held at the Riverwind Casino Hotel, 1544 State Highway 9, Norman, OK 73072 in the Club and Diamond meeting rooms located on the first floor of the hotel (a short distance from the OKC airport). You can reserve by calling 405-322-6250 and use the block code name: USDATBL.

Please make your arrangements to attend ASAP. If your schedule will not allow, please formally designate someone in your elected and senior leadership to attend in your place. Janie Hipp and her team at the Indigenous Food and Agriculture Initiative will forward everyone in the coming days the briefing book from February 2016 meeting in Washington, as well all other background materials we have compiled to date.

If you have any questions, please do not hesitate to contact: Janie Hipp at janie.hipp2@gmail.com or 479-409-9125. Roxanna Newsom at Roxanna.Newsom@Chickackasaw.net or 580-222-2831. Lori Rico at Lori.Rico@Chickasaw.net or 580-436-7232.

Sincerely,

Jefferson Keel, Lt. Governor
The Chickasaw Nation

Draft Agenda

Joint USDA-Tribal Leader Meeting re: FDIPR

July 12, 2016	
8:00	Breakfast
9:00-9:30 am	Introductions Brief Overview of the Agenda
9:30-10:30 am	Discuss Formation of Permanent Tribal Consultation Working Group (seating of members, protocol for determining alternates, regional array, next meeting, agenda formation, etc.)
10:30-11:30 am	Briefing on the Newly Released Final Report to Congress Regarding Tribal Government Management of Feeding Programs (FNS USDA has suggested this item)
11:30 am - 12:45pm	Budget and Infrastructure Discussion
Break for Lunch	
1:30-2:30 pm	Nutrition Education Funding
2:30-4:00 pm	Traditional and Local Foods Within the Package
4:00-5:00 pm	Updates on Computer System Upgrades Discuss Inclusion of Alaska Native Villages
5:00 pm	Adjourn
6:00 pm	Optional meet for dinner

July 13	
8:00-9:00 am	Any additional items for discussion
9:00-10:30 am	Recap of Next Steps
10:30 am	Adjourn

XIII. NEW BUSINESS

F. Approve request to direct Tribal Treasurer and Chief Counsel to submit declaratory ruling request to Oneida Judiciary by July 15, 2016, regarding Chairwoman Tina Danforth's opinion that the June 13, 2016, General Tribal Council's per capita motion and amendments had irregularities and needed further discussion by General Tribal Council
Sponsor: Trish King, Tribal Treasurer

Item withdrawn from agenda.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 07 / 13 / 16

2. General Information:

Session: ☒ Open ☐ Executive - See instructions for the applicable laws, then choose one:

Agenda Header: Travel Report

☐ Accept as Information only

☒ Action - please describe:

BC to approve Chairwoman Tina Danforth's travel report from the National Leadership Conference in Hinckley, MN on June 19 - June 23, 1016.

3. Supporting Materials

☒ Report ☐ Resolution ☐ Contract

☐ Other:

1. 3.

2. 4.

☐ Business Committee signature required

4. Budget Information

☐ Budgeted - Tribal Contribution ☐ Budgeted - Grant Funded ☐ Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Cristina Danforth, Tribal Chairwoman

Primary Requestor/Submitter: Submitted by Lora Skenandore, Assistant to Chairwoman
Your Name, Title / Dept. or Tribal Member

Additional Requestor:
Name, Title / Dept.

Additional Requestor:
Name, Title / Dept.

BUSINESS COMMITTEE TRAVEL REPORT

Travel Report for: Cristina Danforth

Travel Event: National Leadership Development Conference

Travel Location: Hinckley, MN

Departure Date: 06/20/2016 **Return Date:** 06/23/2016

Projected Cost: $2000 **Actual Cost:** $526.46

Date Travel was Approved by OBC: 01/27/2016

Narrative/Background:
There were 3 main focuses for this conference; leading growth and innovation, thriving amidst uncertainty and building strong leadership skills - both professionally and personally. The conference had many takeaways relating to being a servant leader, how to become a better communicator to win your audiences over and network more successfully, how to have a better work/life balance. There were many prominent speakers to include a reality TV star, authors, broadcasters and Dale Carnegie presenters.

Item(s) Requiring Attention:
None

Requested Action:
BC to approve travel report.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 7 / 13 / 16

2. General Information:

Session: ☒ Open ☐ Executive - See instructions for the applicable laws, then choose one:

Agenda Header: New Business - Travel Request ONVAC

☐ Accept as Information only

☒ Action - please describe:

Per Travel Policy more than 3 requesting to attend needs Business Committee approval.

3. Supporting Materials

☐ Report ☐ Resolution ☐ Contract

☒ Other:

1. Memo - Procedural Exception
2. Agenda - Indian Summer
3. Resolution 7-22-09B
4.

☐ Business Committee signature required

4. Budget Information

☒ Budgeted - Tribal Contribution ☐ Budgeted - Grant Funded ☐ Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Jennifer Webster, Council Member

Primary Requestor: Mike Hill - Chairman
Your Name, Title / Dept. or Tribal Member

Additional Requestor: Jim Martin - Vice-Chairman
Name, Title / Dept.

Additional Requestor: John L. Breuninger - Secretary
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

Describe the purpose, background/history, and action requested:

Purpose: Approval to attend Color Guard, Milwaukee WI

Background/history: ONVA has attended the Color Guard in Milwaukee for approximately 20 years

Action Requested: Approval for procedural exception

Section 16-1 of the Travel and Expense Policy:
Departments will limit themselves to three (3) people from the same department to travel to the same conference, workshop, or seminar and are recommended to share pertinent information they have with others from their department. Special occasions may develop that need additional personnel from the same department to attend, provided that written approval from the General Manager, Gaming General Manager or Oneida Business Committee is needed, with an explanation for the additional personnel. This will exclude departments that need training hours for specific certifications.

1) Save a copy of this form for your records.

2) Print this form as a *.pdf *OR* print and scan this form in as *.pdf.

3) E-mail this form and all supporting materials in a **SINGLE** *.pdf file to: BC_Agenda_Requests@oneidanation.org

ONEIDA NATION VETERANS AFFAIRS COMMITTEE

Mike Hill, Chairperson
James Martin, V-Chairperson
John Brueuinger, Secretary
Arthur Cornelius, Member
Gerald Cornelius, Member
Floyd Hill, Member
Kenneth House, Member
Nathan Smith, Member
Carol Silva Member

onʌyote?a·ka
P O Box 365,
Oneida WI 54155

VSO DEPARTMENT
Kerry Metoxen, Veterans Director
Carolyn Miller, Benefits Specialist

Memo To: Oneida Business Committee

From: Mike Hill, Vice Chairman ONVAC

Date: 5 July 2015

Subj: Procedural Exception: Request for Color Guard

Purpose of Travel: ONVAC is requesting procedural exception for nine ONVAC members to travel to Milwaukee WI, Indian Summer Festival for September 8th, 9th 10th and 11th 2016

The ONVAC has remained within its budget and this travel is included in 2016 budget.

Costs for travel:

Hotel:	3 nights at $114.00 times 9 rooms at a cost of	$3,078.00
Per Diem:	2 days at $48.00 times 9 members at a cost of	$ 864.00
	2 day at $64.00 times 9 members at a cost of	$1,152 .00
Mileage:	260 miles roundtrip 100 x 9 members a cost of	$1,263.60

Total Request: $6,357.60

We thank you for your consideration to support the Veterans travel request.

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

Resolution # 07-22-09-B
Oneida Nation Veterans Affairs Committee
Paid Time For Selected Color Guard Members Who Are Employees

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 the authority of Article IV, Section 1 of the Oneida Tribal Constitution by the Oneida General Tribal Council, and

WHEREAS, Oneida Tribal veteran employees support numerous government to government functions, dedications, flag raisings, color guard duties, funerals and other ceremonial events, and

WHEREAS, from time to time Oneida veterans (four members for color guard) are called to perform these functions nationwide, (i.e. NCAI and other National Conferences), and are officially represented by the Oneida Nation Veterans Affairs Committee (ONVAC) and

WHEREAS, it is desired and encouraged that veterans attend and participate in events that are approved by the Oneida Veterans Office, and

WHEREAS, the Oneida Tribe has committed a budget for travel and per diem for special events through the Oneida Nation Veterans Service Office, and

BE IT RESOLVED, that officially selected veterans who are employed by the Oneida Tribe of Indians of Wisconsin be allowed to participate in funeral honors and special events with pay as official tribal representatives without loss of vacation and/or personal time, and

BE IT FURTHER RESOLVED, that veterans make timely arrangements with their supervisor to attend these events, and that all supervisors are authorized to accommodate such request, citing this resolution as authority.

ONEIDA BUSINESS COMMITTEE CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 constitute a quorum. 6 members were present at a regular meeting duly called, noticed, and held on 22nd day of July 2009; that the foregoing resolution was duly adopted at such meeting by a vote of 5 members for; 0 members against, 0 members abstaining; and that said resolution has not been amended or rescinded in any way.

Patricia Hoeft

Patricia Hoeft, Tribal Secretary
Oneida Business Committee

*According to the By-Laws, Article I, Section 1, the Chair votes "only in the case of a tie."

WINTER POW WOW

(http://www.indiansummer.org/winter-powwow/)

WHAT'S NEW?

Indian Summer Festival
1 week ago
(https://facebook.com/210362840321)

30 years of pictures
documenting the history of Indian Summer.

(/)

(https://www.facebook.com/IndianSummerFestival)

(https://twitter.com/isfmke)

(https://www.youtube.com/results?search_query=indian+summer+milwaukee)

SCHEDULE OF EVENTS

Indian Summer 2016 Entertainment Schedule

(All acts and times subject to change)

Friday, September 9

Miller Stage

4:30 Dinehtah Navajo Dancers (https://www.youtube.com/watch?v=HcwUpfrUpV8)
6:00 Opening Ceremony
7:00 Drum Jam
9:30 Jamie Kelli Band (http://jamiekelliband.com/news/)

Mohican Pavillion

8:00 TBA

Sports Stage

5:15 Dance Academy of Mexico (Aztec Dancers) (http://www.danceacademyofmexico.com/)
6:15 Milwaukee Moccasins

7:15 Dinehtah Navajo Dancers (https://www.youtube.com/watch?v=HcwUpfrUpV8)
8:15 Milwaukee Moccasins
9:15 TBA

Great Lakes Great Nations Pow Wow Arena

1:00 Grand Entry

Saturday, September 10

Miller Stage

12:00 Dance Academy of Mexico (Aztec Dancers) (http://www.danceacademyofmexico.com/)
1:00 Dinehtah Navajo Dancers (https://www.youtube.com/watch?v=HcwUpfrUpV8)
2:00 TBA
3:00 Indian Summer Music Awards Show (http://www.indiansummer.org/isma/)
5:00 Dance Academy of Mexico (Aztec Dancers) (http://www.danceacademyofmexico.com/)
6:00 Fiddle and Jig Contest with Richie Plass and the Bed Bugs
8:00 Brule' (http://www.brulerecords.com/)
10:00 Fireworks
10:15 Eagle and Hawk (http://www.eagleandhawk.com/)

Mohican Pavillion

12:00 Boxing
9:00 Supaman (https://www.youtube.com/watch?v=OiVU-W9VT7Q)

Sports Stage

12:30 TBA
1:30 TBA
2:30 Dance Academy of Mexico (Aztec Dancers) (http://www.danceacademyofmexico.com/)
3:30 Dinehtah Navajo Dancers (https://www.youtube.com/watch?v=HcwUpfrUpV8)
4:30 TBA
5:30 Milwaukee Moccasins
6:30 TBA
7:30 Dinehtah Navajo Dancers (https://www.youtube.com/watch?v=HcwUpfrUpV8)
8:30 Milwaukee Moccasins
9:30 TBA

Great Lakes Great Nations Pow Wow Arena

1:00 Grand Entry
7:00 Grand Entry

Sunday, September 11

Miller Stage

11:30 Dinehtah Navajo Dancers (https://www.youtube.com/watch?v=HcwUpfrUpV8)
12:45 Eagle and Hawk (http://www.eagleandhawk.com/)
2:30 Fiddle and Jig Contest with Richie Plass and the Bed Bugs

4:30 Dance Academy of Mexico (Aztec Dancers) (http://www.danceacademyofmexico.com/)
5:30 TBA

Mohican Pavillion

12:00 Boxing

Sports Stage

12:00 Dance Academy of Mexico (Aztec Dancers) (http://www.danceacademyofmexico.com/)
1:00 Dinehtah Navajo Dancers (https://www.youtube.com/watch?v=HcwUpfrUpV8)
2:00 Dance Academy of Mexico (Aztec Dancers) (http://www.danceacademyofmexico.com/)
3:00 Milwaukee Moccasins
4:00 Dinehtah Navajo Dancers (https://www.youtube.com/watch?v=HcwUpfrUpV8)
5:00 Milwaukee Moccasins
6:00 TBA
7:00 Milwaukee Moccasins

Great Lakes Great Nations Pow Wow Arena

1:00 Grand Entry

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anCo (http://www.badriver.com/) (http://www.indiangaming.org/) (http://www.cedar eam.com/) (http://wklh.com/) (http are/

pedia.org/wiki/Sokaogon_Chippewa_Community)

Oneida Business Committee Travel Request

1. OBC Meeting Date Requested: 07 / 13 / 16 ☐ e-poll requested

2. General Information:

Event Name: MAST Summer Meeting

Event Location: New Buffalo, MI

Attendee(s): Lisa Summers

Departure Date: Jul 20, 2016

Attendee(s):

Return Date: Jul 21, 2016

Attendee(s):

3. Budget Information:

☒ Funds available in indivdual travel budget(s)

☐ Unbudgeted

☐ Grant Funded or Reimbursed

Cost Estimate: $322.00

4. Justification:

☒ Liaison Appointment Responsibilities

To which Strategic Direction(s) does this travel relate?

☐ Advancing Principles

☐ Creating a Positive Organizational Culture

☐ Committing to Building a Responsible Nation

☒ Implementing Good Governance Processes

Describe the purpose of Travel and how it relates to the Strategic Direction(s) and/or your liaison area:

Attending to represent the Oneida Nation and as the Nation's representative on the State-Tribal Relations SubCommittee. M.A.S.T. provides the opportunity for Tribes in the Midwest to collaborate on public policy issues and initiatives on a state and federal level. Tenative Agenda attached.

5. Submission

Sponsor: Lisa Summers, Tribal Secretary Submitted by: Lisa Liggins, Executive Assistant II

1) Save a copy of this form for your records.
2) Print this form as a *.pdf *OR* print and scan this form in as *.pdf.
3) E-mail this form and all supporting materials in a **SINGLE** *.pdf file to: BC_Agenda_Requests@oneidanation.org

Form approved by OBC on 03/25/2015

MIDWEST ALLIANCE OF SOVEREIGN TRIBES
SUMMER MEETING AGENDA

July 20th & 21st, 2016

POKAGON BAND OF POTAWATOMI INDIANS

FOUR WINDS CASINO RESORT

11111 WILSON RD, NEW BUFFALO, MI 49117

Wednesday July 20th, 2016

11:00 am till 1:00 pm - Registration Entrance to Silver Creek Ballroom

11:30 till 12:30– Lunch - Provided by Pokagon Band of Potawatomi Indians – Silver Creek Ballroom

Noon: Heidi Frechette – HUD (invited) Key Note Address

12:30 pm – MAST GENERAL ASSEMBLY – Silver Creek Ballroom

Call to Order – President Chief Frank Cloutier
Opening Prayer –
Opening Remarks & Welcoming – Chairman John Warren
Roll Call – Secretary Melanie Benjamin
Elders Comments/Requests
Additions & Adopt Agenda
Approve minutes of Impact Meeting
Executive Board Comments – Vice-President – Chairman Aaron Payment
Treasurer – Eugene Magnesun
Secretary – Chief Executive Melanie Benjamin

Tentative Issues & Speakers

1:30 p.m.	Tribal Leaders Round Table Discussion/Direction
2:00 p.m.	Director Kathleen Falk – HHS/Consultation Follow-up
2:30 p.m.	Hope Johnson – Indian Health Service
3:00 p.m.	Brian Pierson GK – Federal Guidelines on Salaried Employees/ Other Updates
3:30 p.m.	Mr. Brian Gillen - NON-ONAP Resources for Tribes
4:00 p.m.	Senator Carol Mosley Braun
4:30 p.m.	Laura Sharkey - Four Winds Tribal Development Program
5:00 p.m.	Eugene Magnuson – TTAC Committee Update
5:30 p.m.	
6:00 p.m.	Baseball Game South Bend Cubs

Thursday July 21st, 2016

6:45-8:30 a.m.	Breakfast – – Sponsored by MetLife- Mr. Aaron LeClaire
8:30 a.m.	Tribal Leaders Round Table Discussion/Direction
9:00 a.m.	Phyllis Davis – Chairlady MIHB- Request for By-Law Revisions
9:45 a.m.	
10:15 a.m.	Break – Room Check out
10:30 a.m.	Director Deschene Office of Indian Energy/U.S. Department of Energy
11:00 a.m.	
11:30 a.m.	Resolution(s) approval
Noon	Lunch Meeting Adjourned

MIDWEST ALLIANCE OF SOVEREIGN TRIBES

P.O. Box 265
Gresham, WI 54128
Ph: 715-787-4494 Fax: 715-787-4468

MAST SUMMER MEETING

JULY 20TH / JULY 21TH, 2016

AT

FOUR WINDS CASINO RESORT

11111 WILSON RD, NEW BUFFALO, MI 49117

Make your hotel reservations now by calling: 1-866-494-6371 & ask for 0716MAST block of rooms: Room Rate $91.00 – Good till 06-22-16.

Registration form

Name: _____ **Title:** _____

Tribe/Organization: _____

Address: _____

City: _____ **State:** _____ **Zip:** _____

Telephone: _____ **Fax:** _____

Contact Person:
E-Mail:

Fee

The cost of the registration will be $100.00 per person.

Please get your registration in early so we can plan accordingly, thank you.

Method of Payment: ( ) Check enclosed ( ) Cash in Hand

Please make checks payable to: MAST

Return registration form and payment to: **MAST**
P.O. Box 265
Gresham, WI 54128-0265

***Meeting starts at Noon on 07/20/2016 and ends on 07/21/2016**
****Nearest Airport-**South Bend IN 40 minutes-midway Chicago 75 minutes-O'hare Chicago 90 minutes

Oneida Business Committee Travel Request

1. OBC Meeting Date Requested: 07 / 13 / 16 ☐ e-poll requested

2. General Information:

Event Name: 2016 Partners in Action Conference

Event Location: Sault Ste. Marie, MI

Attendee(s): Tehassi Hill

Departure Date: Jul 19, 2016

Attendee(s):

Return Date: Jul 21, 2016

Attendee(s):

3. Budget Information:

☐ Funds available in indivdual travel budget(s)

☐ Unbudgeted

☐ Grant Funded or Reimbursed

Cost Estimate: $0

4. Justification:

☒ Liaison Appointment Responsibilities

To which Strategic Direction(s) does this travel relate?

☐ Advancing Principles

☐ Creating a Positive Organizational Culture

☒ Committing to Building a Responsible Nation

☒ Implementing Good Governance Processes

Describe the purpose of Travel and how it relates to the Strategic Direction(s) and/or your liaison area:

Councilman Tehassi Hill is requesting to attend the 2016 Partners in Action Conference, July 19-21, 2016 and will not be expending and budget monies

5. Submission

Sponsor: Tehassi Hill, Council Member

1) Save a copy of this form for your records.
2) Print this form as a *.pdf *OR* print and scan this form in as *.pdf.
3) E-mail this form and all supporting materials in a **SINGLE** *.pdf file to: BC_Agenda_Requests@oneidanation.org

Form approved by OBC on 03/25/2015

Updated: 6/22/2016

AGENDA

2016 Partners In Action
BIA–Midwest Region

Honoring the past, treasuring the present, shaping the future

DAY 1—TUESDAY, July 19, 2016

PLENARY SESSION

8:30-10:15	**OPENING CEREMONY**
	Color Guard—TBA
	Invocation—TBA
	WELCOMING & SENIOR LEADERSHIP
	Diane K. Rosen, Regional Director– Midwest Region Bureau of Indian Affairs
	Aaron Payment, Chairperson– Sault Ste. Marie Tribe of Chippewa Indians
	Michael S. Black, Director– Bureau of Indian Affairs
	AnneMarie Bledsoe-Downes, Director–Bureau of Indian Education (*invited*)
	Larry Roberts, Assistant Secretary of Indian Affairs (*Acting*)
	Karen Diver, Special Assistant to the President for Native American Affairs
10:15-10:30	**COFFEE BREAK**
10:30-12:00	**LEGISLATIVE & LEGAL UPDATES**
	Amber Ebarb- Program Manager-National Congress of American Indians
	Tony Sullins, Field Solicitor—Office of the Field Solicitor-Twin Cities
	Kara Pfister, Attorney. Office of the Field Solicitor-Twin Cities

BREAK OUT SESSIONS

ROOM	SPRUCE	OAK	CEDAR	BIRCH	GRAND ISLAND 1	GRAND ISLAND 2	WOODLANDS	LOWER TAQUA-MENON
10:30-12:00	HUMAN SERVICES	PROPERTY	CHILD WELFARE	PROBATE	NATURAL RESOURCES	REALTY		
	• Native American Equities	• Understanding & Obtaining Address Activity Code/ GSAcxesss Process Customary	• Customary Adoption: Traditional approach to permanency Case	• Case Preparation	• Overview • Water Program Update •Alt. Energies on tribal lands	• Solicitors National and Regional	•	•
12:00	LUNCH	(on own)						
1:30-3:00	HUMAN SERVICES	PROPERTY		PROBATE	FISH, WILDIFE, PARKS UPDATE	REALTY	REALTY	WORKSHOP
	• Core DEC Awareness Identifying Drug Endangered Children	•Understanding & Obtaining Address Activity Code/ GSAcxesss Process Customary	•	• AIPRA Regulations and Purchase at Probate	• Great Lakes Restoration Initiative (GLRI) • New Funding Opportunities	Solicitors National and Regional continued	- New ROW Regulations	• Regional Tribal Systems Coordination Workshop
3:00	BREAK							
3:15-5:00	HUMAN SERVICES		EMERGENCY PREPAREDNESS	PROBATE	ENVIRON-MENTAL	REALTY	REALTY	WORKSHOP
	• Core DEC Awareness Identifying Drug Endangered Children—continued	•	• Importance of Tribal Aggregate Resources • Local Economic Impacts using Local Renewable	• AIPRA Regulations and Purchase at Probate - continued	• ASTM Standard 1527-13 for pre-acquisition environmental site Assessments • Forestry & Fire Program Update	• Hearth Act • HUD—section 184 • TAAMS	•Rights of Way (ROW) Regulations - *continued*	• Regional Tribal Systems Coordination Workshop continued

DRAFT

AGENDA

2016 Partners In Action
BIA–Midwest Region

Honoring the past, treasuring the present, shaping the future

DAY 2—WEDNESDAY, July 20, 2016

8:00-8:20	**OPENING**
	Recap briefing

BREAK OUT SESSIONS

ROOM	SPRUCE	OAK	CEDAR	BIRCH	GRAND ISLAND 1	GRAND ISLAND 2	WOOD-LANDS	LOWER TAQUA-MENON
8:30-10:00	HUMAN SERVICES	THE BUREAU OF INDIAN AFFAIRS	LAND, TITLE & RECORDS	PROBATE & ESTATES	REGULATORY COMPLIANCE	GAMING	TRANSPOR-TATION	WORKSHOP
	• Neo-Natal Abstinence Withdrawal	• Historical Overview • Today	• LTRO Overview & Processes	• Purchase at Probate	• National Environmental Policy Act (NEPA) • National Historic Preservation Act (NHPA) • Endangered Species Act (ESA)	• Land Acquisition Trends	• National Update	• Regional Tribal Systems Coordination Workshop continued
10:00	COFFEE BREAK							
10:15-12:00	HUMAN SERVICES		LAND, TITLE & RECORDS	OFFICE OF HEARINGS & APPEALS	CLIMATE CHANGE	GAMING	ROADS	WORKSHOP
	• The DEC–Moving from Awareness to Action	•	• Intro to Branch of Geo-spatial Services	• Processes	• Emerald Ash Borer Mitigation—Pokagon Band • Climate Change Panel-Tools & Resources	• Best Practices: Compact Provisions	• Regional Update	• Regional Tribal Systems Coordination Workshop continued
12:00	LUNCH	(on own)						
1:30-3:00	HUMAN SERVICES	YOUTH INITIATIVES	ENVIRON-MENTAL	PROBATE & ESTATES	CLIMATE CHANGE	GAMING	ROADS	WORKSHOP
	• Local DEC Alliance Development–Sustaining the DEC Approach	• BIA Youth Priorities & Initiatives • Internships	• Federal Underground Storage Tank (UST) Requirements for leak detection & prevention	• Case Closing	• Panel • Tribal Approaches– Sault Ste. Marie's Climate Change Program	• Best Practices – RAP Provisions	• New Program Facility Inventory Platform & Tribal Transportations Success Stories	• Regional Tribal Systems Coordination Workshop continued
3:00	BREAK							
3:15-5:00	HUMAN SERVICES	FEDERAL BUDGET	ENVIRON-MENTAL	PROBATE & ESTATES	CLIMATE CHANGE	REALTY	ROADS	WORKSHOP
	• Reserved for Val V.	• Budget Formulation Panel	• PHASE I Environmental Site Assessments—"101"	• PROTRAC & Reporting	• Natural Resource Impacts Panel • Adaptation Planning-Real world examples from the Midwest	• BIA & Tribal Planning for the future/ Realty / Division of FTT Updates	• Aggregates & Road Maintenance	• Regional Tribal Systems Coordination Workshop continued

DRAFT

AGENDA

2016 Partners In Action
BIA–Midwest Region

Honoring the past, treasuring the present, shaping the future

DAY 3 - THURSDAY, July 21, 2016

8:00-8:20	**OPENING**
	Recap briefing

BREAK OUT SESSIONS

ROOM	SPRUCE	OAK	CEDAR	BIRCH	GRAND ISLAND 1	GRAND ISLAND 2	WOOD-LANDS	LOWER TAQUA-MENON
8:30-10:00	HUMAN SERVICES	LOANS	RECORDS MANAGEMENT	TRIBAL COURTS	JUSTICE & SAFETY	REALTY	TRIBAL SHOWCASE	
	• Drugs in Tribal Communities (Lamer & Associates)	• Indian Loan Guarantee Program	• Tribal Records Training	• Our next steps in creating a exceptional judiciary	• Drug Trends in Indian Communities	• Performing CIP (45 minutes in class, then 2 hours in field)	• Healing to Wellness: A Holistic Approach to Treatment & Aftercare	•
10:00	COFFEE BREAK							
10:15-11:45	HUMAN SERVICES	EMERGENCY PREPAREDNESS			CLIMATE CHANGE	REALTY	TRIBAL SHOWCASE	
	• Reserved for Val.	• Importance of Tribal Aggregate Resources & Local Economic Impacts using local renewable resources	•	•	• Tribal Climate Resilience Resources	• Performing CIP continued	• Lac du Flambeau—System Changes: moving from Silos to circles	•
11:45-12:00	CLOSING CEREMONY							

ONGOING DURING CONFERENCE—

7/19—7/21	**Mackinac Island Room**
	Self-Determination One on One Sessions.
7/19 only	**Maple Island Room**
	Tribal Transportation One on One Sessions
7/19—7/21	**Neebish Island Room**
	Tribal Leaders Lounge
7/19—7/21	**Sugar Island Room**
	Independent working area

THANK YOU FOR PARTICIPATING IN THE 5th ANNUAL PARTNER'S IN ACTION!

See you at the 6th Annual PIA in Minnesota!

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 6 / 13 / 16

2. General Information:

Session: ☒ Open ☐ Executive - See instructions for the applicable laws, then choose one:

Other - Development Division July 3rd Quarter Report

Agenda Header: Reports

☒ Accept as Information only

☐ Action - please describe:

3. Supporting Materials

☒ Report ☐ Resolution ☐ Contract

☐ Other:

1. Development Division Quarterly Reports
2.
3.
4.

☐ Business Committee signature required

4. Budget Information

☐ Budgeted - Tribal Contribution ☐ Budgeted - Grant Funded ☐ Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter: TROY D. PARR, AIA ASST. DEV. DIV. DIR.
Your Name, Title / Dept. or Tribal Member

Additional Requestor:
Name, Title / Dept.

Additional Requestor:
Name, Title / Dept.

Development Division

Development Branch - Troy D. Parr
Operations Branch - Jacque Boyle
Wastewater/Utilities - Scott Cottrell

3rd Quarterly Report: April thru June 2016

Revised: 6/29/16

Development Division – *Renewed Vision & Effort*

The Oneida Development Division of the early 1990's was a robust and progressive component of the Oneida Nation that facilitated tremendous growth and development for the Oneida Reservation and it's People.

As an Oneida Architect, and the current caretaker of this enormous responsibility, my focus has been to lead the Development Branch Team by establishing a ***Renewed Vision & Effort*** for the Development Division. This is done through initiatives to restore and exceed the rate of progress, growth and accomplishment that was started over two decades ago and that has brought the Oneida Nation the prosperity we enjoy today. This effort aligns to the new emerging economic times we are in today. This effort needs to be approached with an understanding that existing markets mature, new markets emerge, technology continues to evolve and we need to be ready to respond with new innovative undertakings so we can get to the next level of advancement. Lastly, these efforts align fully with, and in support of, the Four Focus Initiatives of: ***Community Development, Reducing Debt, Improving Employee Programs and creating New Revenues***.

With a renewed effort to fully engage in economic, community, business and the physical development of the Oneida Reservation (and beyond), the Development Division Team is once again poised to bring the next level of advancement for the Oneida Nation. After over a decade of weathering an uncertain economy and completing a great deal of Planning effort, it is time to move forward with implementation for growth.

This ***Renewed Vision & Effort*** with a commitment to new growth will be accomplished by the Development Branch Team through continued strategic - planning, acquisition and activation of lands by creating a sense of "place". These efforts will be completed in order to create new revenue streams, leverage existing assets already on the Reservation , while protecting the environment and the rural character of the Oneida Reservation, that we all enjoy. With the support of the Land Commission, the Oneida Business Committee, and future budget allocations this Vision can be achieved.

My commitment is to lead the Development Branch Team by continuing to work to deliver this ***Renewed Vision & Effort*** into our New Reality.

Yaw^ko,

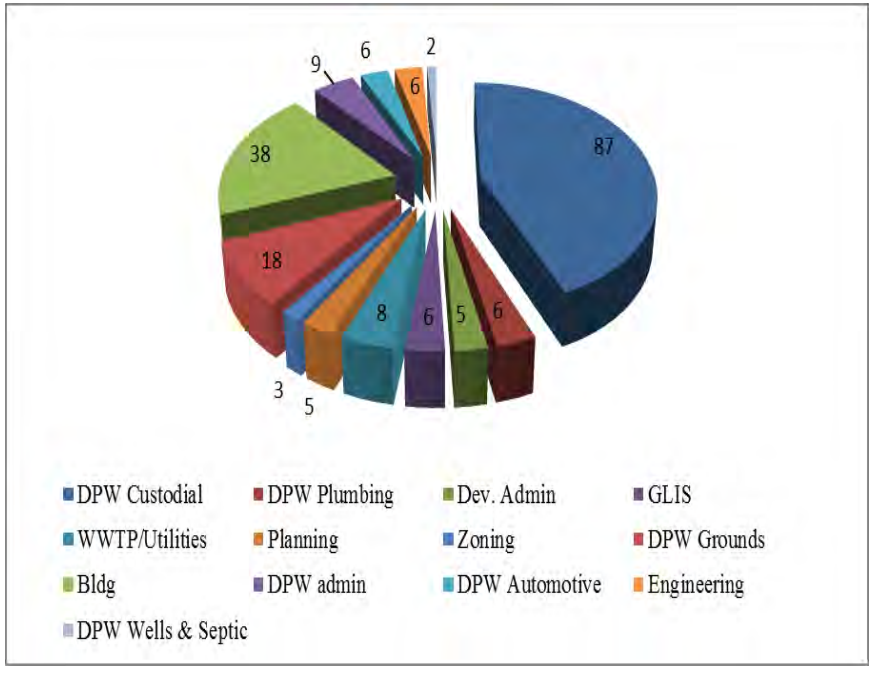
Troy D. Parr, AIA

Oneida Architect

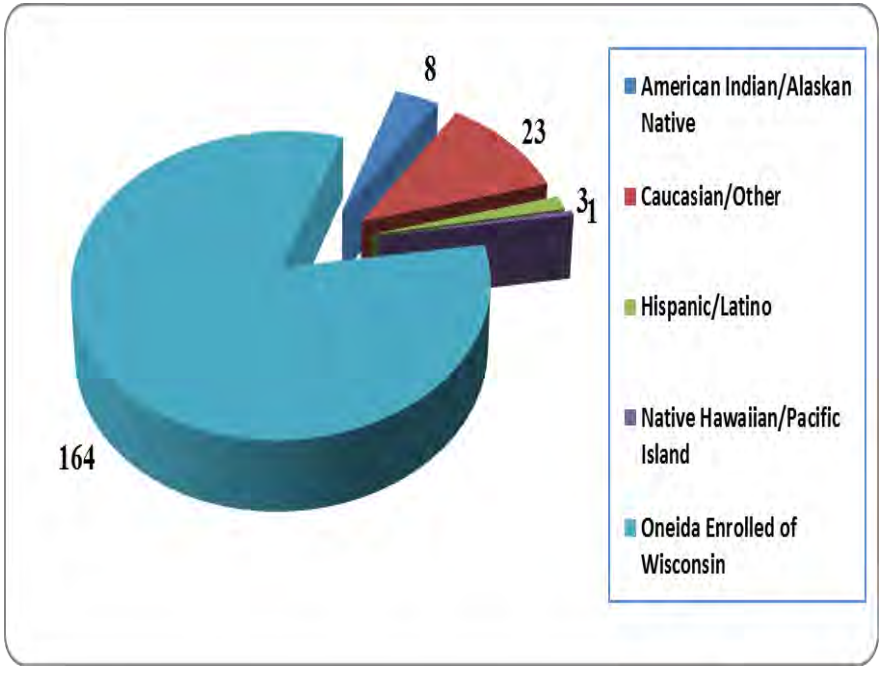
Development Division – Quarterly report

- The Development Division supports the overall physical well-being of our nation as expressed by planning, designing, constructing and maintaining the Tribal facilities, space and physical systems and provide accurate corresponding data to the nation.
- The Development Division consists of GIS, Planning & Statistics, Transportation, Engineering, Zoning, Utilities/Wastewater Treatment Plant and the Department of Public Works. DPW include; Plumbing, Facilities, Groundskeeping, Custodial, Automotive, Fleet and Roads.

Employees by Department



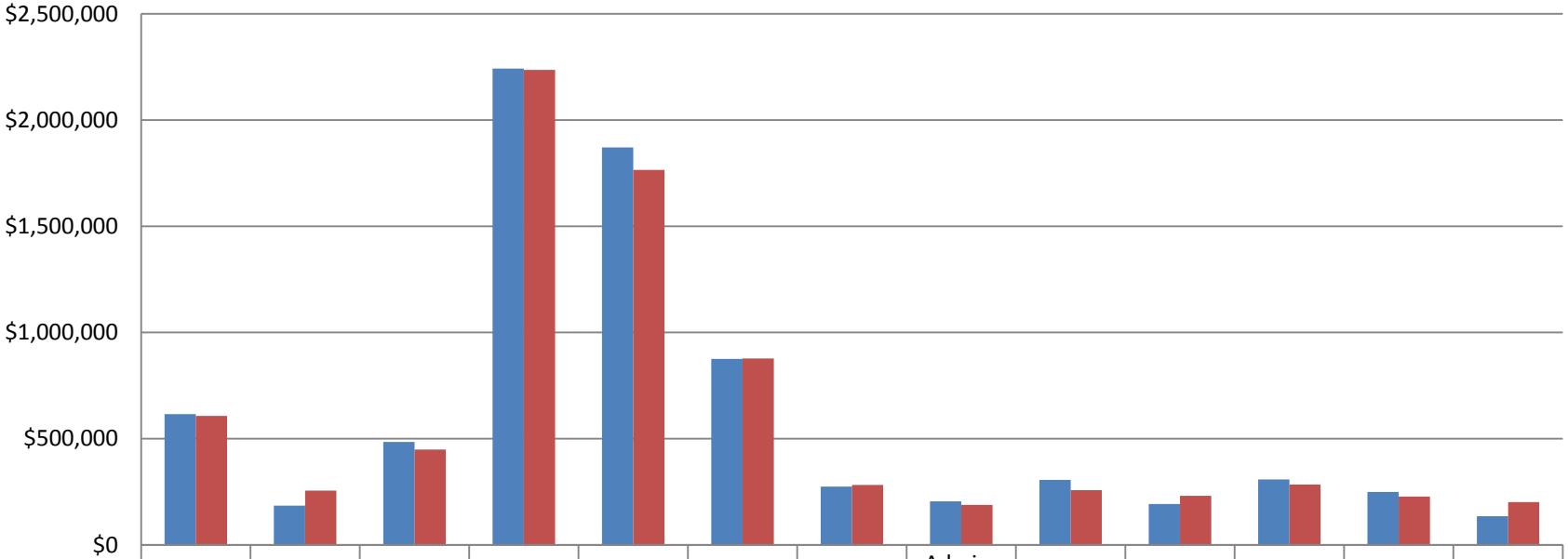
Tribal Members vs. Others



Development Division – Quarterly report

Budget through May, 2016. As of this date, June has not closed yet so report does not cover the entire 3rd quarter. (Development Division is .81 % better then budget)

Development Division FY'16 (Budget to Actual)
3rd Quarter Report



	Utilities	Plumb	DPW Admin	Custodial	Facilities	Grounds	Auto	Admin-Development	Planning	Engineer	GLIS	Zoning	Wells & Septic
Budget	$615,670	$184,737	$484,774	$2,242,3	$1,870,7	$875,083	$274,196	$205,230	$306,125	$192,148	$307,607	$249,400	$134,863
Actual	$607,144	$255,099	$448,713	$2,235,8	$1,765,3	$877,807	$282,361	$188,003	$257,814	$230,709	$283,894	$227,549	$201,721

H:devmemo.ppt

Development Division – Quarterly report – FY 16 (3rd Quarter)

Department	Budget	Actual	Variance	%
Utilities	$615,670	$607,144	$8,526	1.38%
Plumb	$184,737	$255,099	-$70,362	-38.09%
DPW Admin	$484,774	$448,713	$36,061	7.44%
Custodial	$2,242,300	$2,235,840	$6,460	0.29%
Facilities	$1,870,701	$1,765,368	$105,333	5.63%
Grounds	$875,083	$877,807	-$2,724	-0.31%
Auto	$274,196	$282,361	-$8,165	-2.98%
Admin-Development	$205,230	$188,003	$17,227	8.39%
Planning	$306,125	$257,814	$48,311	15.78%
Engineer	$192,148	$230,709	-$38,561	-20.07%
GLIS	$307,607	$283,894	$23,713	7.71%
Zoning	$249,400	$227,549	$21,851	8.76%
Wells & Septic	$134,863	$201,721	-$66,858	-49.57%
BIA Advanced Funding	-$24,615	-$8,871	-$15,744	63.96%
BIA Roads Maintenance	$17,328	$19,697	-$2,369	-13.67%
Tribal Transportation	$0	-$1,335	$1,335	
Total FY16	$7,935,547	$7,871,513	$64,034	0.81%

Development Division – Quarterly report

- **Project List by Department:**
  - Engineering – (Contact Paul Witek: 920-869-4543)
    - Residential Homes Sites
    - Health Center Miscellaneous
    - Oneida Fishery Restoration
    - Social Services Building Remodel – Phase V
    - Elder Village Infrastructure
    - Community Signage – Phase II
    - 54 One Stop Replacement
    - Oneida Nation High School
    - Park Upgrades Phase II
    - Green Earth Trailer Court Enhancements
    - Cemetery Improvements
    - Elder Village Cottages
    - Uskah Village Infrastructure
    - Uskah Village Apartments
    - Oneida Nation Farms Barn
    - Early Head Start Facility
    - Oneida Golf Enterprise Remodel – Phase II
    - Water Main Loop
    - Norbert Hill Center Remodeling – Phase VIII
    - Business-Park-Storm Water
    - OneidaFishery Restoration – Phase II
    - Solar-Electric-Deployment, assistance
    - Tribal-Transportation Program, assistance
    - NHC Headstart
    - Beachtree Lane Extension
    - Oneida-Recreation Complex
    - MiscellaneousSmall Projects
  - Utilities/Wastewater Treatment Plant (contact Scott Cottrell: 920-497-5806
    - Community Wells Pump houses and Water Main Loop – Phase 1 was completed in FY 15 which consisted of the Test Well, Exploratory Soil Borings and Ground Water Study. Phase II, IHS is requesting an additional pump and water test on well #4 to ensure water test meet EPA standards. The plans and specs for this project are going through the first round of revisions by IHS Senior Engineer.
    - Water Loss Mitigation – Completed May 2016 and results are pending
    - I & I Study (Infiltration and inflow – Completed May 2016 and results are pending

Development Division – Quarterly Report (Departmental Updates)

- Engineering:

  We are managing the various CIP, Non-CIP, OHA, and other miscellaneous projects. We provide assistance to the Zoning Department with plan reviews for code compliance. In addition, we help various Tribal Departments with design and construction coordination for minor interior remodel projects. Major projects are identified in listing above. (James Petitjean – Interim Assistant Division Director; Paul Witek - Senior Architect.); (Vacant positions: 0; Paul Witek – Senior Tribal Architect).

Oneida Housing Authority:

- Green Valley Neighborhood: (Powless Dr. & Metoxen Ln.All 11 units are completed and occupiedElder Village Neighborhood: (Henry Road). All 10 units are completed and occupied

- Elder Village Phase II: (Extension of Henry Rd & Emergency Access Lane to Metoxen Ln)
  - This project consists of grading, storm sewer, water main, sanitary sewer, curb and gutter and asphalt pavement from the termination of Henry Road for 355 feet to Metoxen lane. Also installing culverts and black top paths to cross the ditch for connecting future elder cottages to the trail system. This project will be expending the 2011 ICDGB Grant.

- Uskah Village Infrastructure: (extension of Metoxen Lane to Overland Road)
  - The storm sewer, water main, sanitary sewer, storm water detention pond, curb and gutter, walking paths have been installed and the (8) buildable areas have been build up to the right height. The asphaltic pavement for the road will be substantially completed by July 1st, 2016. When this project is finished the 2012
- Uskah Village Townhome Apartment (#1)

  - This project has begun and the footing and foundation walls will be completed by the of June 2016. This Townhome Apartment is on the South side of Metoxen Lane facing north.
- Uskah Village Townhome Apartment (#2)

  - We are in the process of getting this project redesigned to face south on the north side of Metoxen Lane; drawing will be completed by the end of June 2016. After we review the drawings we are going to put this out for bid this year and have the project to begin before the end of September and finished by the spring of 2017 weather pending.

Development Division – Quarterly Report (Departmental Updates)

- Oneida Housing:

  - Uskah Village Townhome Apartment (#1)
    - This project has begun and the footing and foundation walls will be completed by the of June 2016. This Townhome Apartment is on the South side of Metoxen Lane facing north.
  - Uskah Village Townhome Apartment (#2)
    - We are in the process of getting this project redesigned to face south on the north side of Metoxen Lane; drawing will be completed by the end of June 2016. After we review the drawings we are going to put this out for bid this year and have the project to begin before the end of September and finished by the spring of 2017 weather pending.

- GIS:
  - The mission of the Geographic Land Information System Department is to develop and maintain a comprehensive land information system in order to assist in the preservation, restoration and development of the Sovereign Oneida Indian Nation with communities located in Wisconsin, New York, and Ontario. Daily tasks include daily requests, burial sites, farm leases, database creation, fee to trust, land use updates, new layer creation, 911 updates, emergency planning, facility management for utilities, new burial database, hunting layers, housing site analysis, residential and commercial leases and special tribal member requests. (Vacant positions: 0 ; James Petitjean, interim manager)

- Planning & Statistics: The Planning department works with all components of the Oneida Nation, i.e. legislative, organizational and community, in continuously creating, implementing and evaluating a vision for a sustainable future. At this time the Statistician is currently on a personal leave of absence and will be returning in September. Below are updates from the Planning Staff.

  - Sign Project – 37 signs for buildings, parks, places of interests and natural areas being implemented. Status – Fabrication and installation.

Development Division – Quarterly Report (Departmental Updates)

- Planning & Statistics – continued

  - Central Oneida Area Development Plan – Assisting with transportation improvements in Central Oneida to include proposals for a walkway overpass, sidewalk improvements and a trail hub. Assisting with the development of a Community Development corridor. Status: RFQ for concept design has been issued and designer selectected. Working session one completed.
  - Model Housing Initiative – Design and develop housing units for single and two person households. Status: Concept paper developed.
  - Elder Services Improvements – Assisting Construction Manager to develop Capital improvement Package for Elder Services garages.
  - Community Trails – Assisting in the development of a comprehensive trail system. Status: Exploring the possibility of a Safe Routes to School Planning Grant through the State of Wisconsin for the next phase of the project. Developing draft work plan that include phases and a time line for future development.
  - Elder Village Infrastructure Phase 2 – Assisting Construction Manager with neighborhood design, planning of housing sites and identifying infrastructure improvements. Status: Several phases of the project being implemented and future elder services cottages being designed.
  - Beechtree Housing Area (HBO) – Assisting project team with neighborhood design, planning of housing sites and identifying infrastructure improvements. Status: Revised layout and survey to consider additional wetlands.
  - West Mason Street Corridor Study – Working with the Transportation Project Manager to support a West Mason Street Corridor study through the state of Wisconsin.
  - Apple Orchard Improvements – Working with the Transportation Project Manager to support a West Mason Street Corridor study through the state of Wisconsin.
  - Three Sisters Neighborhood Improvement Plan – Working with HBD Housing Team, Oneida Housing Authority, Parks and Recreation, Experiential Program Center and the Three Sisters Neighborhood Association to develop a Comprehensive Neighborhood Improvement Plan. Elements include new multi and single family housing, recreation and space and comprehensive trail system.

Development Division – Quarterly Report (Departmental Updates)

- Planning & Statistics (continued…):
  - Former Guntlisbergen Farm Neighborhood Plan – Working with HBO Housing Team and Oneida Housing Authority to develop a housing neighborhood. Status: Concept layout discussion.
  - Central Food Hub – Working with Governmental Services Director on a Food Hub proposal in Central Oneida. Status: In the planning phase of the Tribal Capital Improvement Process.
  - Oneida Public Transit Garage: No activity.
  - Oneida Fishery Restoration Project: Work on Fishing Camp continuing. Investigating possible park amenities.
  - 54 One Stop Replacement: construction stage is complete. Final punch list items are currently being addressed in order to start the close out process. The project is ahead of schedule.
  - Oneida Nation High School: Currently investigating potential partnerships and funding sources. The Concept Paper for this project will be on the July 13th BC Agenda for approval.
  - OHA Elder Village Cottages: This project is in close out.
  - Uskah Village Apartments: Construction of the first four-plex is underway.
  - Oneida Nation Farms Barn: Design contract being processed. Proposals for construction due Thursday, June 30, 2016.
  - Early Head Start: Sommerville Architects have provided several design options. The Early Head Start Project Team has selected their preferred option. Sommerville now working on the fine tuning of the design.
  - NEW ASSIGNMENTS
  - The following projects have not yet been assigned numbers. We are in the preliminary planning stages of the CIP.
  - Elder Day Care Program Facility: O.N.C.O.A. has approved the CIP application.
  - Expansion of the Elder Apartments: Collecting and researching information on these structures.

Development Division – Quarterly Report (Departmental Updates)

• Planning & Statistics (continued…):

- Community Outreach- Developed a tour of Oneida's sustainable initiatives for CMN Sustainable Development Institute staff and faculty.
- Central Oneida Transportation Plan- Met with Studio Indigenous to provide a review of previous work focused on Central Oneida. Presented a "live work" prototype housing unit for Central Oneida at the Housing Resource Fair held at the VFW on June 4th. Facilitated meetings with stakeholders impacted by the Central Oneida Transportation Project. This included having individual meetings to gather input with the Cannery, Tsyunhehkwa, OCIFS/ Farmer's Market and Governmental Services Director. Next steps, I will be doing community outreach at the Oneida Powwow to present visuals Central Oneida and give Tribal Members an opportunity to provide comments and input on the project.
- Community Trails- Assisting in a draft plan for a trail system that will connect Safe Routes to School trail to future housing development at Former Guntilsbergen Property.
- Park Upgrades Phase II- Clifford E Webster Recreation site has two multipurpose fields constructed. Lacrosse field at Flying Leaf Park (Site II) is near completion.
- Wellness Council- Working on adding additional language to the Exercise at Work Policy. Policy will be reviewed at the next Quality of Life meeting held in July.
- Fishery Restoration Project (Oneida Lake)- Working with the Lake Project Team to address community concerns on the size of the beach and access to camp site. Also, working with the team to find funding for park equipment.

Development Division – Quarterly Report (Departmental Updates)

•Utilities/Wastewater Treatment Plant

• Primary Objective is to provide safe drinking water and environmentally safe wastewater treatment and Septage removal. Provide Billing for Sewer/Water, Septic removal and refuse/recycling services. Currently the department has eight (8) full-time employees with no vacancies. Six (6) of our employees require training throughout the year to acquire CEC's required for their annual license renewals.
•Budget NOTES: WE are currently under budget by approximately $8500, even with the FY 15 Expenses of $17,573.17 recorded in November FY 2016.
•Reminder: August 28th, invoices were sent to accounting to be paid totaling $17,573.17. On November 5, 2015 we were contacted by one of the vendors for payment, at that time I noticed none of these invoices were paid. Therefore, this amount will be reflected in our FY 16 budget.

• Zoning Department:

- Zoning has been very busy with the continual inspections for large projects with Festival Foods, Walmart and most recently 54 One Stop. Larry Cornelius has assumed the role of Interim Zoning Administrator while Troy Parr is on special assignment.
- Continues to work on electronic system n order to make permitting process quicker and easier for all of our internal and external customers. Participated in a resource fair at the VFW to share information on the permitting process and to answer questions. Building permits issued 17; Land use permits issued 5; Sanitary permits issued 2.

DEPARTMENT OF PUBLIC WORKS

Assistant Development Director of Operations
DPW

Jacque Boyle

QUARTERLY REPORT:

April/May/June

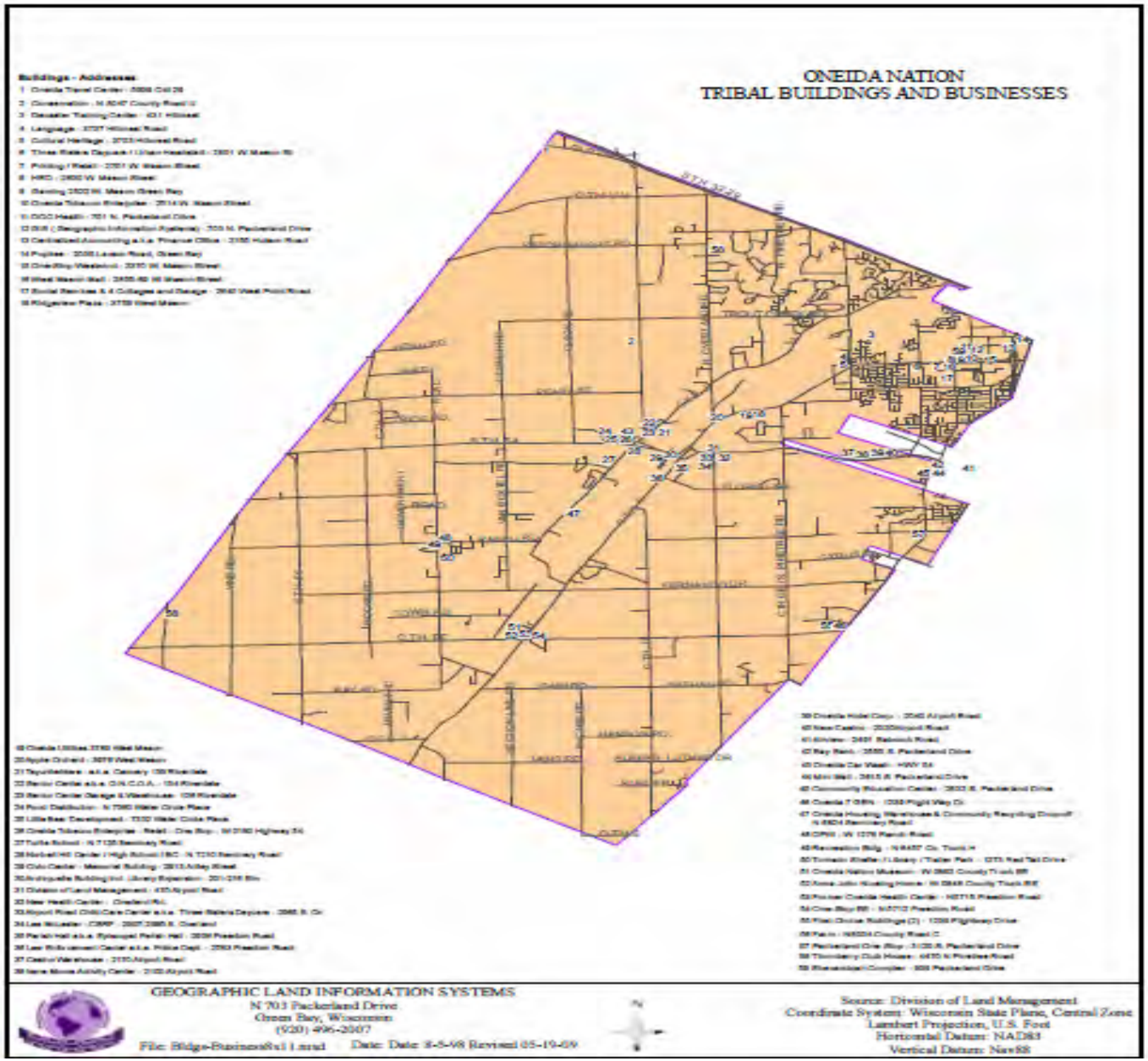
FY2016

Created 6.23.2016

DEPARTMENT OF PUBLIC WORKS

- The mission of the Department of Public Works is to effectively maintain public infrastructure with the utmost efficiency. We provide essential services in the area of Facilities Management and all health and safety code enforcement, Fleet Management, Plumbing Services, and Vehicle Repair & Maintenance. We at Public Works, strive to enhance the appearance of the Oneida Nation by maintaining landscape of all tribal entities along with providing safe roads and pathways for community members, employees and visitors in the utmost practical, useful, economical, safe and beneficial way.

- The Department of Public Works consists of Administration, Groundskeeping, Automotive, Custodial, Facilities, Plumbing and Community Wells & Septic.



The map to your left depicts the names and location of buildings the Oneida Tribe is responsible for maintaining.

To view the map in a larger format, please visit http://arcims.otiw.org/glis.html

DEPARTMENTAL HIGHLIGHTS AND UPDATES

The *Administration* staff of the Department of Public Works commits to enhance, support and develop teamwork, communication and quality customer service to the Oneida Nation that provides an approachable friendly atmosphere.

Along with all day to day requests, daily we continue to process/pay/create purchase orders and inter-tribal documents as needed. There were 1033 phone calls that came in to DPW for this quarter. We crossed trained our Admin II with the Custodial III Admin in an effort to save money; she put in approximately 84 hours assisting the Custodial department in the Admin area. Budget preparation is and has been in effect this quarter

Fleet is also part of the Administration department. Their main objective is to help departments with there vehicle needs, such as; purchasing a new vehicle, cleaning out the departments vehicle or signing out a loaner vehicle from the fleet that is housed directly at the Department of Public Works. The total number of fleet vehicles to date is 190 with 36 of the vehicles kept on site.

There have been 55 vehicle requests submitted and 113 vehicles cleaned this quarter. Numbers are rising due to the warmer temperatures. We received 6 new trucks and 1 van and we are currently waiting for the delivery of 1 truck and 1 van. There are currently 2 bids pending on vehicles. We had 2 incident reports this quarter. The vehicle auction will be in September 2016 and the information will be shared in the Kaliwisaks.

DEPARTMENTAL HIGHLIGHTS AND UPDATES

The *Plumbing Departments* main objective is to install and maintain plumbing to protect the public's health, safety, and welfare of our people and our customers.

- For this quarter, there have been 66 work orders completed. In April we invoiced 33 customers, in May 20 customers were invoiced and as of June 23, 13 customers have been invoiced. (See attached Archibus spreadsheet for fine details)

- We are putting together a team to up-grade the prints between Gaming, Zoning and Facilities to up-grade the prints in Plumbing, heating, hvac, electrical sewer, storm, safety and building structure to all of the Tribal buildings in gaming and non gaming. This team will do a walk through every tribal building and put a preventative maintenance schedule together.

DEPARTMENTAL HIGHLIGHTS AND UPDATES

The *Automotive* Department is here to provide professional and quality service with all Tribal businesses in maintenance and repairs of all Tribal Vehicles.

There have been a total of 208 work orders completed in April, May and June, 2016.

Our main issues and what we strive for, are completing all the work orders that come in, in a safe, timely and efficient manner as possible.

We have been preparing our budget for the new FY.

We also continue to monitor our monthly expenses.

DEPARTMENTAL HIGHLIGHTS AND UPDATES

The *Custodial Department* makes up for the majority of our employee population here at DPW. Their main objective is the cleanliness of all spaces occupied by Oneida Tribal Employees.

Staffing concerns: Custodial has a high employee turn over due to the application pool and the procedures in which we hire. We are currently fully staffed with the exception of one Custodial Supervisor. moved a full time employee over to the Social Services Building,

We are working diligently on the FY17 budget.

Custodial continues to receive compliments on our Inventory and Equipment Staff and also on the Safety Data Sheets.

DEPARTMENTAL HIGHLIGHTS AND UPDATES

Custodial Cont……..

PROJECT UPDATE	
Oneida High School and Elementary School year end class room cleaning.	Currently in the progress. This is an annual occurrence after each school year.
ONES Stripping and finishing floors.	Floors are being stripped and finished. Only half of the floors are stripped each year with the other half being deep cleaned and recoated.
Social Services Building & NHC Stripping and finishing of hard floors.	We are 2/3 complete with this SSB project and ¼ complete with the NHC project. The floors are taking longer than anticipated due to the length of time between finishing due to cost containment. It's harder to get the wax and sealer off when it's been on so long.
Equipment Tech Department	DPW Custodial has been doing inventory on all our equipment. Once this is complete we will do an end of year inventory with accounting.
Youth Workers	Two of our locations are working with youth workers.
SDS Books Updated	The safety data sheets for each chemical needed to be changed from MSDS TO SDS and new sheets need to be created

DEPARTMENTAL HIGHLIGHTS AND UPDATES

The main duties of the *Groundskeeping Department* is to establish a reputable and self-sufficient department for the Oneida Nation in maintaining all the tribal grounds by means of Cutting grass in warmer weather and snow and ice removal in the winter months.

We had 13 work order requests come through to our department.

The Farm requested assistance and utilized an Excavator wit one of our operators for a week.

We have trucked hundreds of loads of fill for the CIP farm barn project.

We continue to keep up with the tribal building lawn maintenance.

DEPARTMENTAL HIGHLIGHTS AND UPDATES

The *Facilities Department* provides preventative and on-demand maintenance of facilities. The facilities are maintained according to all building codes, licensing requirements, and funding agency specifications so that they may continue to support the delivery of a wide range of governmental services. By coordinating the maintenance, inspection, an permitting of the life safety systems through DPW Facilities, the tribe incurs financial savings through efficient scheduling, volume discounts on supplies, and extended life of equipment.

- This time of year, the focus of the Facilities Department is in completing the building improvement capex projects. These are often on very tight schedules due to contractors timeframes, weather, and equipment leadtimes.

- The warm weather in the summer months creates a demand on the air conditioning systems and any system failures need to be addressed asap by our short staffed crew. In some buildings such as Social Services, window units have to be installed in each office which requires additional manpower and/or overtime to accomplish this task. There have been various power outages that have required emergency response to ensure systems are back up and running as soon as possible.

- The DPW Facilities Department has been very involved with planning and preparing for community events such as the Tribal community Clean Sweep event. In addition, the Electrical Department has devoted many hours in preparation for the annual Oneida Pow-wow.

FACILITIES CONT…

PROJECT UPDATES	
SSB Family Fitness Boiler Replacement	The project consists of life cycle replacement of the two existing, light commercial grace, Weil-McLain boilers. These boilers heat the pool water as well as the family fitness offices. Currently both boilers need to run 100% to maintain set points and as failures occur more often, we cannot maintain temperatures. This project will replace the boilers with two larger P-K, commercial grade, high efficiency boilers. The new boilers will also give us partial redundancy as well. The project also replaces the circulating pumps and adds a variable frequency drive on the main loop pumps. The new boilers and pumps will be reconnected to the existing I/Net BMS control system. Current Status: The equipment is ordered and the project will be installed during the scheduled poop maintenance shutdown on August 22-September 2.

DEPARTMENTAL HIGHLIGHTS AND UPDATES

Facilities Cont…

PROJECT UPDATES	DESCRIPTION
Printing RTU Replacement	The project consists of life cycle replacement of three existing Carrier Roof Top Units (RTU's) which furnish heating, ventilating and air conditioning (HVAC) to the Print Shop and offices. The project will replace three of the six units with high efficiency Carrier RTU's. This project includes upgrade and integration of the sites controls to our Schneider Electric Struxure Ware Building Management System (BMS)

DEPARTMENTAL HIGHLIGHTS AND UPDATES

PROJECT UPDATES	DESCRIPTION
Civic Center RTU Replacement	The project consists of life cycle replacement of six existing Trane Roof Top Units (RTU's) and one Reznor Make-Up Air Unit (MUA) which furnishes heating, ventilating and air conditioning (HVAC) to the civic center offices and the gymnasium. The project will replace the seven units with six high efficiency Carrier RTU's. This project includes upgrade and integration of the sites controls to our Schneider Electric Struxure Ware Building Management System. (BMS)

DEPARTMENTAL HIGHLIGHTS AND UPDATES

PROJECT UPDATES	DESCRIPTION
Elder Services - RTU Replacement	The project consists of life cycle replacement of the existing 30 ton York Roof Top Unit (RTU) which furnishes heating, ventilating and air conditioning (HVAC) to the Elder Services offices and main building. The new RTU will be a high efficiency Carrier 30 ton unit. This project is currently in the installation stage. The DPW electricians have installed all of the pre-wiring and raceways and are ready for the unit replacement scheduled for June 29th & 30th.

DEPARTMENTAL HIGHLIGHTS AND UPDATES

PROJECT UPDATES	DESCRIPTION
Replace Asphalt	Scheduling contractors in July/August for parking lot/driveway replacements at Tsy Farm, LBDC, and a portion of Social Services Building
Roof/Flooring Replacement	Obtaining bids for roof replacement at OPD and for the SSB detached garage. Preparing contracts for flooring replacement in Fitness center exercise room and OPD offices.
Lighting Upgrades	Scheduling installation of lights for Health Center and Pool area

ARCHIBUS WORK ORDER REPORT AS OF 6.23.16

Completed Work Requests by Problem Type

		Month									
Problem Type		Total	2015-10	2015-11	2015-12	2016-01	2016-02	2016-03	2016-04	2016-05	2016-06
Total	Number of Requests	1,969	190	192	308	227	236	222	226	243	125
BLINDS	Number of Requests	5				1	1	1		1	1
CARD ACCESS	Number of Requests	48	1	2	3	4	7	7	4	10	10
CLEANING	Number of Requests	19	3	4	3		1	3	4	1	
CONSTRUCTION	Number of Requests	14		1	2	1	1	3	5	1	
COOLER/FREEZER	Number of Requests	18		3	4	2	2	2		2	3
DAMAGE	Number of Requests	11	1		1			4	1	2	2
DISPOSAL	Number of Requests	19	1	10	5			1	1	1	
DOOR-LOCKS-KEYS	Number of Requests	71	3	10	9	3	8	11	12	8	7
ELECTRICAL	Number of Requests	167	5	9	34	22	23	11	15	34	14
ELECTRICAL PROB	Number of Requests	28	3		4	5	2	5	3	6	
FINISHES	Number of Requests	2						1		1	
FLOORING/CEILING	Number of Requests	11		1	1	2	1	2			4
FURINITURE RELAT	Number of Requests	186	33	16	24	20	19	24	20	17	13
GENERATOR	Number of Requests	1			1						
GROUNDS	Number of Requests	29	1	3	3	7	2	2	4	6	1
HVAC	Number of Requests	276	37	22	40	48	28	36	23	28	14
HVAC - INSTALL	Number of Requests	3				2				1	
HVAC-PM	Number of Requests	94	4	4	18		21	1	21	19	6
LIGHTING	Number of Requests	99	7	12	19	13	16	9	8	12	3
MAINTENANCE	Number of Requests	413	44	50	65	45	48	48	52	40	21
OFFICE MOVE	Number of Requests	24	6	1	2		5	4		5	1
OTHER	Number of Requests	223	23	28	34	20	26	30	21	24	17
PAINT	Number of Requests	17		2	4			4	4	2	1
PARKING LOT	Number of Requests	4				2				2	
PLUMBING	Number of Requests	110	16	7	18	10	18	5	18	17	1
PREVENTIVE MAINT	Number of Requests	16		1	3	11		1			
REMODELING	Number of Requests	3			1			1			1
RODENTS-INSECTS	Number of Requests	16			3	6		2	4	1	
ROOF	Number of Requests	2			1						1
SECURITY	Number of Requests	9		1		1	3	1	1		2
SIGNS	Number of Requests	8	1	2		1	1	1	1	1	
SPECIAL EVENT	Number of Requests	12		2	5		1	2	1	1	
TABLES-CHAIRS	Number of Requests	10	1	1	1	1	2		2		2
UNUSUAL SMELL	Number of Requests	1							1		

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 07 / 27 / 16

2. General Information:

Session: ☒ Open ☐ Executive - See instructions for the applicable laws, then choose one:

Agenda Header: Reports

☐ Accept as Information only

☐ Action - please describe:

Environmental Health & Safety Division is requesting an extension for our 3rd quarter report. We request to be on the July 27th BC Agenda to give our third quarter report.

3. Supporting Materials

☐ Report ☐ Resolution ☐ Contract

☐ Other:

1. 3.

2. 4.

☐ Business Committee signature required

4. Budget Information

☐ Budgeted - Tribal Contribution ☐ Budgeted - Grant Funded ☐ Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Patrick Pelky, Division Director/EHS

Primary Requestor: Brenda Skenandore, EH&S Office Manager
Your Name, Title / Dept. or Tribal Member

Additional Requestor:
Name, Title / Dept.

Additional Requestor:
Name, Title / Dept.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 07 / 13 / 16

2. General Information:

Session: ☒ Open ☐ Executive - See instructions for the applicable laws, then choose one:

Agenda Header: DOLM QUARTERLY REPORT

☐ Accept as Information only

☒ Action - please describe:

Requesting extension to next meeting

3. Supporting Materials

☐ Report ☐ Resolution ☐ Contract

☐ Other:

1. 3.

2. 4.

☐ Business Committee signature required

4. Budget Information

☐ Budgeted - Tribal Contribution ☐ Budgeted - Grant Funded ☐ Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Patrick Pelky, Division Director/DOLM

Primary Requestor: Lori Elm, DOLM Office Manager
Your Name, Title / Dept. or Tribal Member

Additional Requestor:
Name, Title / Dept.

Additional Requestor:
Name, Title / Dept.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 07 / 13 / 16

2. General Information:

Session: ☒ Open ☐ Executive - See instructions for the applicable laws, then choose one:

Other - Request for Extension for Quarterly Report

Agenda Header: Reports

☐ Accept as Information only

☒ Action - please describe:

The AJRCCC is requesting an extension on their 3rd Quarterly Report, which is due July 5, 2016. We are compiling the information needed and will have it ready for the July 27th meeting.

3. Supporting Materials

☐ Report ☐ Resolution ☐ Contract

☐ Other:

1. 3.

2. 4.

☐ Business Committee signature required

4. Budget Information

☐ Budgeted - Tribal Contribution ☐ Budgeted - Grant Funded ☐ Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Melinda J. Danforth, Tribal Vice Chairwoman

Primary Requestor/Submitter: Candace House - Chair of AJRCCC Board
Your Name, Title / Dept. or Tribal Member

Additional Requestor: Carol Elm - Vice Chair of AJRCCC Board
Name, Title / Dept.

Additional Requestor:
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

Describe the purpose, background/history, and action requested:

Per the Tribal Secretary's Office Schedule - All Boards, Committees & Commissions are to provide Quarterly Reports to the Oneida Business Committee. 3RD Quarter Report of the AJRCCC due on July 5, 2016 for the July 13, 2016 BC Agenda.

1) Save a copy of this form for your records.

2) Print this form as a *.pdf *OR* print and scan this form in as *.pdf.

3) E-mail this form and all supporting materials in a **SINGLE** *.pdf file to: BC_Agenda_Requests@oneidanation.org

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 07 / 13 / 16

2. General Information:

Session: ☒ Open ☐ Executive - See instructions for the applicable laws, then choose one:

Agenda Header: Reports

☐ Accept as Information only

☒ Action - please describe:

Accept Oneida Nation Arts Board FY 16 3rd quarter report

3. Supporting Materials

☒ Report ☐ Resolution ☐ Contract

☐ Other:

1. 3.

2. 4.

☐ Business Committee signature required

4. Budget Information

☐ Budgeted - Tribal Contribution ☐ Budgeted - Grant Funded ☐ Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Liaison: Fawn Billie, Council Member

Primary Requestor/Submitter: _____
Your Name, Title / Dept. or Tribal Member

Additional Requestor: _____
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.

Oneida Nation Arts Board

Quarterly Report – 3rd Quarter (April – June, 2016)
April 1, 2016

NAME

Oneida Nation Arts Board
Submitted by:
Vacant, Chair
Dawn Walschinski, Chair Elect (Exp. 2015)
Pat Moore, Secretary (Exp. 2015)
Sylvia Cornelius (Exp. 2015)
Sapatis Menomin (Exp. 2017)
Tamara J Vanschyndel (Exp. 2017)
Dakota Webster (Exp. 2018)
Jackie Zalim (Exp. 2018)

Board Purpose Statement:

It shall be the purpose of the Board to provide guidance to the ONAP and to perform the responsibilities granted to the Board under the Dollars for Arts Program policy. Provided that, the guidelines and directions given in this Article are to set forth standards and goals, and may be interpreted in the broadest possible manner to include all manners of art and artistic projects. Specific responsibilities include, but are not limited to the following: (a) work with ONAP Director and staff in an advisory capacity on issues related to the arts in Oneida, and (b) strive to provide guidance and recommendations in the development of the ONAP and arts programs throughout the community, and (c) work with ONAP in determining and monitoring program outcomes, and (d) receive reports of the ONAP activities ONAP staff, and (e) work with the ONAP Director in evaluating the ONAP, (f) approve policies and programs for the overall coordination and administration of the ONAP.

Update from the Chair

The Arts Board continues to support the artistic, creative, and cultural endenvours in the Oneida Nation. Our chair, Nic Reynolds, has accepted a position with the Community Education Center, which is currently supervised by Beth Bashara. Because of the conflict, Nic has resigned from the Arts Board. Dawn Walschinski, chair elect and the executive committee have decided to wait our next board meeting to elect a new chair/chair elect. We anticipate having our board officers and members in place and back in full action by September 1.

Meetings Held (minutes attached at end of this document):

- April 4, 2016
- May 5, 2015 (executive)

Oneida Nation Arts Program Update

Director's Report

Oneida Arts Program Mission: To promote diverse artistic expression within the community reflecting our heritage and spirit for future generations.

Administrative Reports

Staff includes Beth Bashara—Director, Christine Klimmek—Program Coordinator, Sherrole Benton—Program Coordinator.
Interns/Workers: LuAnn Funmaker, and Yuntle McLester as MOC/KLU teachers and administration. In addition we have hired 5 workers for our summer camps.

Programming Reports

YL Voice: YL has established a partnership with Frankly Green Bay to include a monthly review/commentary Native arts and culture article in the magazine. Frankly Green Bay is a private arts and culture magazine for Northeastern Wisconsin. Its monthly distribution is 17,000 and currently boosts a 100% usage (all magazines were off the shelves by the next distribution. We are excited at the increase exposure and inclusion of Native arts and culture in the Greater Green Bay area.

Native Art Criticism: Heather Ahtone, from the University of Oklahoma presenting an enlightening workshop on the rise of Native arts. Native arts are one of the fastest rising cultural arts forms happening today. Once seen as a craft, through qualified Native arts criticism, people are seeing the value, craftsmanship, creativity, and cultural significance in the art works. We are hopeful to continue this dialogue through our writer's program.

Plein Aire: ONAP offers water color painters the opportunity to learn, enjoy fellowship, and get out in the community to paint. Weather permitting, community members go into the apple orchard to paint blossoms, the lake to paint cattails, or in the field to paint the sky.

Summer Camps: The Arts Program has partnered with Environmental to raise awareness and interest in Mother Earth. In our first public art camp, the children looked at the role of pollinators in our environment and the problems with mowing lawns. The children also were asked to help envision future land restoration projects with their thoughts on the space.

KLU: Our students have been in high demand, performing for People of Color social service conference in Brookfield, Tri States Episcopal History Conference, Multicultural Children's festival. In September the children will travel to Seattle to perform at the National Native American Tourism Conference and at the end of the August, will travel to Bayfield to perform at the Big Top Chautauqua during the day for the Buffy St Marie concert that evening.

CEC: The CEC is actively adding classes for the community in computer, photography, film, and writing. The CEC will be kicking off a new series of community *free* events to help rebrand and build the center to its fullest potential as a community resource. Our first event will feature Theresa Bear Fox, a Mohawk contemporary Iroquois composer and performer. She will leading workshops in song writing and singing.

FUTURE FOCUS

Theresa Bear Fox At the CEC

Monday, July 18, 2016 – Theresa Bear Fox Song Writing Workshop at the CEC, 1:00 – 2:00pm; Social 6:00- 7:00pm.
Tuesday, July 19, 2016 – Theresa Bear Fox Song Writing for Social Music at the CEC 2:00 – 3:00pm.
Wednesday, July 20, 2016 – Theresa Bear Fox Song Writing Workshop 2:30 – 4:00pm and 5:30 – 7:00pm.
Thursday, July 21, 2016 – Theresa Bear Fox Kid's Day, 12:00 – 2:00pm and Song Writing 2:30 – 4:00 and 5:30 – 7:00pm

Music from Our Culture Camp
July 25 – August 11, 8:30 – 12:30pm, Monday – Thursday.

April 30, 2016 – Heather Ahtone from University of Oklahoma will present a special workshops on Native art criticism.

May 6, 2016 - Special Native Flute recital following the class workshop.

ONEIDA NATION ARTS BOARD
CONFERENCE CALL MEETING MINUTES
MONDAY – APRIL 4, 2016

MISSION: To promote diverse artistic expressions within the community reflecting our heritage and spirit for future generations.

BOARD MEMBERS PRESENT:

NIC REYNOLDS-CHAIR 920.869.4428	P	DAWN WALSCHINSKI – VICE CHAIR 920.496-5636	P
PAT MOORE – SECRETARY 920.429.3220	P	SYLVIA CORNELIUS	A
TAMARA VANSCHYNDEL 920.496.5667	P	SAPATIS MENOMIN	A
BETH BASHARA – DIRECTOR 920.490.3833	P	DAKOTA WEBSTER 920.429.3458	P
JACKIE ZALIM	A		

Meeting called to order by Nic Reynolds, Chairman at 3:35 p.m.

WELCOME and Thank You for taking the time out of your schedule to be available for this conference call. We have a short agenda, so let's get started.

APPROVAL OF MINUTES

1. **February 9, 2016**
2. **March 9, 2016**

February 9, 2016 minutes have been sent out earlier this morning. Beth advised that March 9th was a meeting between ONAP and the Woodland Indian Arts Board. There were no minutes taken.

MOTION BY DAKOTA WEBSTER TO APPROVE THE FEBRUARY 9, 2016 MINUTES AS PRESENTED, SECONDED BY DAWN WALSCHINSKI, MOTION CARRIED.

SECOND QUARTER REPORT – APPROVAL NEEDED

Report was sent to everyone by Chairman, Nic Reynolds. Any questions on this report. We will need to get it approved and sent to the Business Committee today in order to meet their deadline.

MOTION BY DAKOTA WEBSTER TO APPROVE THE SECOND QUARTER REPORT FOR THE ONEIDA NATION ARTS BOARD AS PRESENTED AND SUBMIT TO THE ONEIDA BUSINESS COMMITTEE FOR THE APRIL 13, AGENDA, SECODNED BY DAWN WALSCHINSKI, MOTION CARRIED.

ACCEPT RESIGNATION OF NIC REYNOLDS AS A BOARD MEMBER FOR THE ONEIDA NATION ARTS BOARD.
"I have accepted an offer to be the new Program Manager over the Oneida Community Education Center. As you might recall, the position now reports to Beth through the Arts Program. As a result, I will need to resign from the Arts Board to avoid the inherent conflict of interest that would exist. Rest assured, through that new role, I will be able to continue to support the Arts Program, the Arts Board, and all that is going on. Also, it might be easier for me to facilitate the board through strategic planning now as well, since I won't actually be on the board. ☺

My last day as a member of the Arts Board will be Friday, April 8th. The by-laws allow for someone to fill that vacancy and it not count towards the 3 term limit, so if you have someone who might be interested in being on the board for an extended amount of time, that would be a great person to recommend to apply. "

CONGRATULATIONS TO NIC ON HIS NEW JOURNEY. EVERYONE SUPPORTED HIM IN THIS ADVENTURE.

MOTION BY DAKOTA WEBSTER TO ACCEPT THE RESIGNATION OF NIC REYNOLDS AS A BOARD MEMBER AND TO REQUEST THE BUSINESS COMMITTEE TO POST FOR THE VACANT POSITION, IF NEEDED, SECONDED BY DAWN WALSCHINSKI, MOTION CARRIED.

OTHER BUSINESS
Beth advised that there will be a meet and greet for Rosemary Hill tonight from 5-7 p.m. at the Oneida Nation Museum, if you have time please stop over to visit/meet her.

Nic has been working with the LOC to update the Oneida Nation Arts Board by-Laws. They have a draft form completed, it will need to be approved by the Arts Board. Beth will send the draft o Pat who will send it to the Board Members along with the agenda for the next meeting.

MOTION BY DAWN WALSCHINSKI TO ADJOURN, SECONDED BY NIC REYNOLDS, MOTION CARRIED UNANIMOUSLY.

MEETING ENDED AT: 3:55 P.M.

MINUTES PREPARED BY:

_____

PAT MOORE - SECRETARY, ONEIDA NATION ARTS BOARD

NEXT MEETING:
DATE: TUESDAY, APRIL 12, 2016
TIME: 5:00 P.M.
PLACE: ARTS COTTAGE
RSVP: Beth Bashara – 490.3833
Pat Moore – 429.3220

MINUTES APPROVED BY ARTS BOARD AS PRESENTED/CORRECTED ON: _____

MINUTES APPROVED BY BUSINESS COMMITTEE ON:_____

ONEIDA NATION ARTS BOARD
Executive Board Meeting
Tuesday, May 3, 2016 at La Java

MISSION: To promote diverse artistic expressions within the community reflecting our heritage and spirit for future generations.

BOARD MEMBERS PRESENT:

NIC REYNOLDS-CHAIR 869-4428	**P**	**DAWN WALSCHINSKI – VICE CHAIR 496-7318**	**P**
PAT MOORE – SECRETARY 429-3220	**A**	**BETH BASHARA – DIRECTOR 490-3833**	**P**
TAMARA VANSCHYNDEL 496-5667	**p**		

Meeting commenced at 4:45. The purpose of the meeting was to plan out the next board meeting and access the future direction of the board.

I. **Next Board Meeting**: Tuesday, May 10 at the Anna John Community Care

II. **Election of Officers:** Because of Nic moving to the CEC as director and the possibility of the ONAB overseeing the CEC temporarily, Dawn as vice chair is chair. However, Dawn's position has expired. This means that Dawn must reapply to be on the board and we must have elections. Our bylaws list the summer quarter for electing officers. This would push our election ahead by a month.

III. **SEOTS:** The Art Show for SEOTS is Saturday, May 14 from 10:00 – 3:00pm 5233 West Morgan Ave, Milwaukee. Confirm who is going and if people want to car pool or ride separately. Originally we thought we could do a board retreat meeting, but arrangements were not made.

IV. **CEC:** As the Arts Program is currently working with the CEC, is the Arts Board overseeing the CEC? The board needs to accept or not accept this position. This is a temporary assignment. Through time, we will see the capacity for staying together or not.

If ONAB oversees CEC, it would be vote on Policies/operations, budget/strat plan, evaluation, and determine if the CEC should have a separate board and how that would be structured.

V. **Old Business:** Artist Awareness Project, Strategic Planning, Visioning/Mission, SEOTS and WIASM Board Retreat Planning, LPGA, Volunteer Project.

NEXT MEETING: Tuesday – May 10, 2016

TIME: 5:00 p.m. – 7:00 p.m.

PLACE: Anna John Community Center

CONFERENCE ENDED AT: 5:10 p.m.

MINUTES PREPARED BY: Beth Bashara

EXECUTIVE SUMMARY OF THE ANALYSIS
USED IN LOCATING ALTERNATIVE SITES FOR A CEMETERY

A request for how two potential alternative cemetery sites were chosen was submitted to the Planning Department by the Cemetery Project Team. The summary will follow the requested information format posed in the request.

1. Identification of the potential properties:

First property:
NAME OF PROPERTY: The former Darvin & Edith Nagel Property
LOCATION : Smith Rd. and Pearl Street
PARCEL I.D # : 17-0-0586-00
LUTU # : LU-0053
LAND STATUS : Tribal Trust

Second property:
NAME OF PROPERTY: The former James & Dorothy Vandenlangenberg Property
LOCATION : W2132 CTH – 54
PARCEL I.D # : 19-0620, 17-0052
LUTU # : LU-0117
LAND STATUS : Tribal Fee

2. How/why were these properties chosen?

Based on criteria listed on the Land Use Designation Process – Site Analysis Form – Part II request, a search of the GIS data base was conducted. A total of five (5) properties were identified as a result of that search.
A preliminary analysis was done on the information provided. It was determined of the five sites, the above mentioned properties were the only two that could possibly fulfil the criteria provided.

3. If the hydrogeology study indicates that a new location for the cemetery is needed:
   a. How is that done, what are the next steps?
      It is important to note the LUTU Part II process has not yet been completed on the properties. If it is determined the current cemetery location is not suitable, the LUTU Part II process will be completed on the two properties. This will entail an in depth analysis that will include a hydrogeology study.

   b. What are the timelines for completing those steps?
      Timelines for completing the LUTU Part II Process will be dependent on scheduling staff time, all necessary studies and tests as well as budget allowances. It is possible the identification process for a cemetery site could take one to twelve months, or longer.

K. Planning - Part II Routing Form

Print Form | Submit by Email

Land Use Designation Process - Site Analysis Form - Part II

The purpose of this form is to be used for the sole purpose of submitting a site analysis request to the Geographic Land Information System Department.

Description: CONSIDERING ADDITIONAL CEMETERY LOCATION

Project Planner SHEILA HUFF COMMERCIAL LEASING SPECIALIST

Criteria to be used:

1. PRIVATE / SOME SECLUDED NATURAL AREA
2. ~~NO PERMANENT HABITATION~~ NON RESIDENTIAL AREA PREFERRED.
3. ROAD ACCESS
4. ~~NUMBER ACRES TO BE DETERMINED~~ 3 TO 7 ACRES EXISTING ± 12 ACRES
5. ~~LESS WATER AREA~~ LOW WATER TABLE

Received by GLIS Dept: _____

Completed Date: _____

Received by Planning: _____

Attachments from GLIS will be three available sites meeting the criteria listed above.

_____ # _____ # _____

GLIS Only: Special Request:

LUTU PART 2 REPORT STATISTIC SHEET FOR THE FORMER JAMES AND DOROTHY VANDENLANGENBER PROPERTY

SITE DESCRIPTION for LU-0117 Former: Vandenlangenberg Property	
LUTU #	LUTU-0117
ADDRESS	W2132 STH - 54
PARCEL ID	19-0620, 17-0052
CITY	Town of Oneida
COUNTY	Outagamie County
LOCATION	C.S= T-24N, R-18E, S-34/35
LOT SIZE	7.42 Acres
LAND USE	Agricultural/Vacant
TAX STATUS	Tribal Fee (Site Improvements are subject to property tax)
SCHOOL DISTRICTS	Oneida Nation School System, West DePere School District

INFRASTRUCTURE	
WATER	Existing Private Well on C.S P/Private Well on L.M.P
SEWER	Private On-Site Waste Treatment System (P.O.W.T.S)
GAS	Wisconsin Public Service
ELECTRIC	WE Energies
TELEPHONE/CABLE/SATELLITE	These services are provided by various carriers

ENVIRONMENTAL SITE ANALYSIS	
RESTRICTED AREAS	0.56 Acres of Forest/Prairie
SOIL ASSESSMENT	Depth to Water Table: 1 – 3 ft. Below surface/Suitability for P.O.W.T.S High: 3.82, Moderate; 0.89, Low: 2.3, Very Low: 0
SITE VISIT OBSERVATIONS	Site is in a natural state, no land use evident.

CONSTRUCTION INFORMATION	
BUILDABLE AREA	Approximately 6 Acres..
ROAD ACCESS	One Existing culvert and driveway off of STH – 54
PROPERTY DEMOLITIONS	The structures have been razed and removed. [DOLM Demo Report]
PERMITTING	Oneida Nation
SETBACKS	MINIMUMS: Front & Back = 30 ft.; Sides = 10 ft
RECOMMENDATION	Due to the proximity to the electrical sub-station, it is suggested any development be 300 feet from the substation and power lines.
FILL MATERIAL	
OTHER RELEVANT SITE FEATURES	

ATTACHMENTS
A full LUTU Package will be made available at a later date.

SIGNATURES: No signatures are required at this time.		
PROJECT PLANNER		Date:
ENVIRONMENTAL SPECIALIST		Date:
WELLS & SEPTIC MANAGER?		Date:
DOLM PROPERTY MANAGER		Date:

NOTE: This property meets all of the criteria submitted on the LUTU Part 2 Request.

LUTU PART 2 REPORT STATISTIC SHEET FOR THE FORMER DARVIN AND EDITH NAGEL PROPERTY

SITE DESCRIPTION for LU-0053 FORMER NAGEL PROPERTY	
LUTU #	LUTU-0053
ADDRESS	Smith Rd. and Pearl Street
PARCEL ID	17-0-0586-00
CITY	Town of Oneida
COUNTY	Outagamie County
LOCATION	C.S= T-24N, R-19E, S-31
LOT SIZE	15.87 Acres. Acres available for land use: 5.81
LAND USE	Agricultural/Residential
TAX STATUS	Tribal Trust
SCHOOL DISTRICTS	Oneida Nation School System, West DePere School District

INFRASTRUCTURE	
WATER	Existing Private Well on C.S P/Private Well on L.M.P
SEWER	Private On-Site Waste Treatment System (P.O.W.T.S)
GAS	Wisconsin Public Service
ELECTRIC	WE Energies
TELEPHONE/CABLE/SATELLITE	These services are provided by various carriers

ENVIRONMENTAL SITE ANALYSIS	
RESTRICTED AREAS	0.15 Acres of Forest/Prairie, (.95 Acres under Zoning and Shore Land Law Protection
SOIL ASSESSMENT	DEPTH TO WATER TABLE: 1 – 3 feet below surface./SUITABILITY FOR P.O.W.T.S: High: 7.8, Moderate: 5.8, Low: 0, Very Low: 2.3
SITE VISIT OBSERVATIONS	

CONSTRUCTION INFORMATION	
BUILDABLE AREA	5.81 Acres
ROAD ACCESS	This parcel COULD have access from the north off of Pearl St. ;and access from the west off of Smith Rd.
PROPERTY DEMOLITIONS	
PERMITTING	Oneida Nation
SETBACKS	MINIMUMS: Front & Back = 30 ft.; Sides = 10 ft.
RECOMMENDATION	The headwaters of a tributary to Oneida Creek flowing south and easterly through the property from the center of the site is mapped. However during the field visit by the Water Resource Team Leader on April 28th 2003, no waterways were seen. It is recommended if this site is chosen for a cemetery site, a request to the Water Resource Team be submitted to re-visit this parcel in order to determine if there is a waterway on this site.
FILL MATERIAL	
OTHER RELEVANT SITE FEATURES	

ATTACHMENTS
A full LUTU Package will be mad3 available at a later date.

SIGNATURES: No signatures are required at this time		
PROJECT PLANNER		Date:
ENVIRONMENTAL SPECIALIST		Date:
WELLS & SEPTIC MANAGER?		Date:
DOLM PROPERTY MANAGER		Date:

NOTE:

This site meets all of the criteria submitted as part of LUTU Part 2 Request.

Business Committee Meeting
9:00 a.m. Wednesday, July 13, 2016
Thank you for printing clearly

BRAD GRAHAM
BILL GRAHAM
Jessica Wallenfang
Florence Petri
Shirley Barber
Kere House
NATHAN SMITH
Arthur Cornelius
DON Miller
[illegible]
FLOYD HILL
DAWN Moon-Kopetsky
Dale Wheelock OHA
Raeann Skenandore
Bonnie Pigman
SHEILA HUNTINGTON
[illegible]
Dennis Johnson
[illegible]
Brent Truttmann

Susan White
Elena Hill
PAUL WITEK
TROY PARR
Jeanne Doxtator
SUE DOXTATOR
Dale P. Wheelock OHA
Christopher Palmer