

# Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

## **BC Meeting Materials August 10, 2016**

### **Open Session**

### **CERTIFICATION**

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the following 372 pages are the Open Session meeting materials presented at a meeting duly called, noticed and held on the 10<sup>th</sup> day of August, 2016.

A handwritten signature in blue ink that reads "Lisa Summers". The signature is written in a cursive style and is positioned above a horizontal line.

Lisa Summers, Tribal Secretary  
Oneida Business Committee



## **Oneida Business Committee**

**Executive Session**  
**9:00 a.m. Tuesday, August 9, 2016**  
**Executive Conference Room, 2<sup>nd</sup> floor, Norbert Hill Center**

**Regular Meeting**  
**9:00 a.m. Wednesday, August 10, 2016**  
**BC Conference Room, 2<sup>nd</sup> floor, Norbert Hill Center**

### **Agenda**

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To get a copy of the agenda, go to: [oneida-nsn.gov/government/business-committee/agendas-packets/](http://oneida-nsn.gov/government/business-committee/agendas-packets/)

#### **I. CALL TO ORDER AND ROLL CALL**

#### **II. OPENING**

##### **A. Special Recognition for Years of Services**

Sponsor: Geraldine Danforth, Area Manager/Human Resources Department

*page 8*

#### **III. ADOPT THE AGENDA**

#### **IV. OATHS OF OFFICE (No Requested Action)**

#### **V. MINUTES**

##### **A. Approve July 27, 2016, regular meeting minutes**

Sponsor: Lisa Summers, Tribal Secretary

*page 13*

#### **VI. RESOLUTIONS**

##### **A. Adopt resolution titled Oneida Airport Hotel Corp. dba Radisson Inn-Green Bay Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law**

Sponsor: Larry Barton, Chief Financial Officer

*page 28*

##### **B. Adopt resolution titled Oneida Bingo & Casino Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law**

Sponsor: Larry Barton, Chief Financial Officer

*page 32*

##### **C. Adopt resolution titled Oneida Golf Enterprise for Thornberry Creek at Oneida Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law**

Sponsor: Larry Barton, Chief Financial Officer

*page 36*

- D. Adopt resolution titled Oneida One Stop – Larsen Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law** *page 40*  
Sponsor: Larry Barton, Chief Financial Officer
- E. Adopt resolution titled Oneida One Stop – Packerland Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law** *page 44*  
Sponsor: Larry Barton, Chief Financial Officer
- F. Adopt resolution titled Oneida One Stop – E & EE Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law** *page 48*  
Sponsor: Larry Barton, Chief Financial Officer
- G. Adopt resolution titled Oneida One Stop – Westwind Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law** *page 52*  
Sponsor: Larry Barton, Chief Financial Officer
- H. Adopt resolution titled Oneida Casino Travel Center Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law** *page 56*  
Sponsor: Larry Barton, Chief Financial Officer
- I. Adopt resolution titled Three Clans Airport Wingate by Wyndham Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law** *page 60*  
Sponsor: Larry Barton, Chief Financial Officer
- J. Adopt resolution titled West Mason Street Casino Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law** *page 64*  
Sponsor: Larry Barton, Chief Financial Officer
- K. Adopt resolution titled Mortgage & Foreclosure (Law)** *page 68*  
Sponsor: Brandon Stevens, Councilman
- L. Adopt resolution titled Defining Comprehensive Housing Division in the Mortgage and Foreclosure Law** *page 89*  
Sponsor: Brandon Stevens, Councilman
- M. Adopt resolution titled Conflict of Interest Policy Emergency Amendments** *page 92*  
Sponsor: Brandon Stevens, Councilman

## **VII. APPOINTMENTS (No Requested Action)**

## **VIII. STANDING COMMITTEES**

- A. Legislative Operating Committee**  
Sponsor: Councilman Brandon Stevens, Chair
- 1. Accept July 6, 2016, Legislative Operating Committee meeting minutes** *page 108*
  - 2. Accept July 20, 2016, Legislative Operating Committee meeting minutes** *page 112*
  - 3. Review memo regarding Employment Law and determine next steps on how to proceed with presenting Employment Law and handbook to General Tribal Council** *page 115*

4. **Review certified Marriage Fee Schedule Rule and Marriage Fine Schedule Rule** page 118
5. **Accept memo regarding update on Active Files List as information** page 135

**B. Finance Committee**

Sponsor: Tribal Treasurer Trish King, Chair

1. **Approve August 1, 2016, Finance Committee meeting minutes** page 139

**IX. GENERAL TRIBAL COUNCIL**

**A. Petitioner Michael Debraska: Special GTC meeting regarding Per Capita Distribution \$3,000/\$5,000**

Sponsor: Lisa Summers, Tribal Secretary

1. **Accept legislative analysis** page 146
2. **Accept legal analysis** page 153

*EXCERPT FROM JULY 27, 2016: (1) Motion by Tehassi Hill to defer the legislative analysis regarding Petitioner Michael Debraska: Special GTC meeting regarding Per Capita Distribution \$3,000/\$5,000, back to the Legislative Reference Office for specifics on laws and policies affected, seconded by Jennifer Webster. Motion carried unanimously. (2) Motion by Jennifer Webster to defer the legal analysis regarding Petitioner Michael Debraska: Special GTC meeting regarding Per Capita Distribution \$3,000/\$5,000, to the August 10, 2016, regular Business Committee meeting, seconded by Fawn Billie. Motion carried unanimously.*

*EXCERPT FROM JULY 13, 2016: (1) Motion by Lisa Summers to accept the legislative progress report, seconded by David Jordan. Motion carried unanimously. (2) Motion by Lisa Summers to accept the legal progress report, seconded by Fawn Billie. Motion carried unanimously.*

*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.*

- B. Approve Special General Tribal Council FY2017 Budget meeting materials** page 173
- Sponsors: Lisa Summers, Tribal Secretary; Trish King, Tribal Treasurer

**X. STANDING ITEMS**

- A. Accept update from Constitutional Amendments Implementation Team** page 248
- Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

*EXCERPT FROM JULY 27, 2016: Motion by Tehassi Hill to defer the update from the Constitutional Amendments Implementation Team to the August 10, 2016, regular Business Committee meeting, seconded by Jennifer Webster. Motion carried unanimously.*

**XI. UNFINISHED BUSINESS****A. Approve request to delete from agenda the approval of concept paper for Capital Improvement Project # 13-011 – Oneida Nation High School**

page 257

Sponsor: Troy Parr, Assistant Division Director/Development

*EXCERPT FROM JULY 27, 2016: Motion by Melinda J. Danforth to defer this item to the August 10, 2016, regular Business Committee meeting; and to request the Tribal Secretary's Office to schedule a time for the Oneida School Board, School Administrator and Principal, and Planning & Development Department to be in attendance to discuss this issue further, seconded by Fawn Billie. Motion carried unanimously.*

**XII. TABLED BUSINESS****A. 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 259

Sponsor: Lisa Summers, Tribal Secretary

*EXCERPT FROM JULY 13, 2016: (1) Motion by Lisa Summers to adopt resolution titled Implementing Per Capita Plan for Fiscal Year 2017 to Fiscal Year 2021 Adopted by General Tribal Council on June 13, 2016, seconded by Brandon Stevens. Motion ruled out of order by Chairwoman Tina Danforth. (2) Motion by Lisa Summers to table this item to the July 27, 2016, regular Business Committee meeting, seconded by David Jordan. Motion carried unanimously.*

**XIII. NEW BUSINESS****A. Approve updated Oneida Head Start/Early Head Start Selection Criteria**

page 263

Sponsor: Don White, Division Director/Governmental Services

**B. Accept 2016 Special Election Final Report and declare official results**

page 266

Chair: Vicki Cornelius, Oneida Election Board

Liaison: Melinda J. Danforth, Tribal Vice-Chairwoman

**C. Approve request from Tribal Member to direct Division Director of Environmental Health & Safety to provide timelines, clarifications, and accountability regarding Environmental Health & Safety FY '16 3<sup>rd</sup> quarter report**

page 272

Sponsor: Tina Danforth, Tribal Chairwoman

**XIV. TRAVEL****A. TRAVEL REPORTS****1. Accept travel report – Chairwoman Tina Danforth – American Indian Sovereignty in Action – Havana, Cuba – July 18-22, 2016**

page 283

**B. TRAVEL REQUESTS**

1. **Approve Oneida Arts Board travel request in accordance with the Travel & Expense Policy – Three (3) Music from Our Culture (MOC) teachers and six (6) Kids Learning their Culture/Ways (KLU) students – National Indian Tourism Conference – Seattle, WA – September 13-15, 2016** *page 288*

Chair-Elect: Dawn Walschinski, Oneida Arts Board  
Liaison: Jennifer Webster, Councilwoman

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

1. **Accept Human Resources Department FY '16 3<sup>rd</sup> quarter report (1:30 p.m.-1:50 p.m.)** *page 294*  
Sponsor: Geraldine Danforth, Area Manager/Human Resources Department
2. **Accept Governmental Services Division FY '16 3<sup>rd</sup> quarter report (1:50 p.m.-2:10 p.m.)** *page 312*  
Sponsor: Don White, Division Director/Governmental Services
3. **Accept Ombudsman FY '16 3<sup>rd</sup> quarter report (2:10 p.m.-2:30 p.m.)** *page 355*  
Sponsor: Dianne McLester-Heim, Tribal Ombudsperson
4. **Defer Internal Services Division FY '16 3<sup>rd</sup> quarter report to the August 24, 2016, regular Business Committee meeting** *page 359*  
Sponsor: Joanie Buckley, Division Director/Internal Services

**B. CORPORATE REPORTS (*No Requested Action*)****C. BOARDS, COMMITTEES, AND COMMISSIONS**

1. **Accept Oneida Commission on Aging FY '16 3<sup>rd</sup> quarter report (2:30 p.m.-2:45 p.m.)** *page 363*  
Chair: Wes Martin Jr.  
Liaison: Melinda J. Danforth, Tribal Vice-Chairwoman
2. **Accept Oneida Election Board FY '16 3<sup>rd</sup> quarter report (2:45 p.m.-3:00p.m.)** *page 371*  
Chair: Vicki Cornelius  
Liaison: Melinda J. Danforth, Tribal Vice-Chairwoman
3. **Accept Oneida Gaming Commission FY '16 3<sup>rd</sup> quarter report (3:00 p.m.-3:15 p.m.)** *page 373*  
Chair: Mark A. Powless Sr.  
Liaison: Brandon Stevens, Councilman

**XVI. EXECUTIVE SESSION****A. REPORTS**

1. **Accept Chief Counsel report – Jo Anne House, Chief Counsel** *page 377*

**B. STANDING ITEMS**

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

**C. UNFINISHED BUSINESS**

- 1. Accept verbal update regarding complaint # 2016-DR06-01 and defer item to August 24, 2016, regular Business Committee for final recommendation** page 378  
Sponsors: Tehassi Hill, Councilman; Brandon Stevens, Councilman; Jennifer Webster, Councilwoman

*EXCERPT FROM JUNE 22, 2016: 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.*

*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.*

- 2. Approve investigation results and close-out concern # 2016-CC-09** page 380  
Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman; Fawn Billie, Councilwoman

*EXCERPT FROM JUNE 22, 2016: 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.*

- 3. Approve two (2) requests regarding complaint # 2016-DR07-01** page 404  
Sponsors: Lisa Summers, Tribal Secretary; David Jordan, Councilman; Brandon Stevens, Councilman

*EXCERPT FROM JULY 27, 2016: Motion by Melinda J. Danforth to assign Secretary Lisa Summers, Councilman David Jordan, and Councilman Brandon Stevens to form a subcommittee to investigate the complaint, seconded by Fawn Billie. Motion carried unanimously.*

- 4. Approve four (4) requests regarding Family Court Judge job description and position** page 407  
*(This item is scheduled at 1:30 p.m.)*  
Sponsors: Melinda J. Danforth, Tribal Vice-Chairwoman; Fawn Billie, Councilwoman; Tehassi Hill, Councilman; Jennifer Webster, Councilwoman

*EXCERPT FROM JULY 27, 2016: (1) Motion by Melinda J. Danforth to accept the resignation letter in accordance with section 7.2 of employment contract # 2013-0856, seconded by Fawn Billie. Motion carried unanimously. (2) Motion by Melinda J. Danforth to assign Vice-Chairwoman Melinda J. Danforth, Councilwoman Fawn Billie, Councilman Tehassi Hill, and Councilwoman Jennifer Webster to a subcommittee to work on the Family Court Judge job description; to invite the Chief Judges of the Judiciary and Family Court Clerk to participate in the development of the job description; and to bring back a final job description to the August 10, 2016, regular Business Committee meeting for approval, seconded by Fawn Billie. Motion carried unanimously.*

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

**E. NEW BUSINESS**

1. **Approve limited waiver of sovereign immunity – First Data Merchant Services – contract # 2016-0564 (9:00 a.m.-9:30 a.m.)** *page 449*  
Sponsor: Louise Cornelius, Gaming General Manager
2. **Approve request to support procedural exception to reallocate funds from CapEX to Technology Set Aside regarding Surveillance System Replacement project for FY '16 and FY '17 (9:30 a.m.-10:00 a.m.)** *page 482*  
Chair: Mark A. Powless Sr., Gaming Commission  
Liaison: Brandon Stevens, Councilman
3. **Approve request from Tribal Member for accountability to be provided regarding violation of Code of Ethics by Oneida Business Committee member at the July 27, 2016, regular Business Committee meeting (This item is scheduled at 10:00 a.m.)** *page 485*  
Sponsor: Tina Danforth, Tribal Chairwoman
4. **Review request from Tribal Member regarding depletion of Bureau of Indian Affairs – General Assistance Grant funds and determine appropriate next steps (This item is scheduled at 11:00 a.m.)** *page 497*  
Sponsor: Tina Danforth, Tribal Chairwoman
5. **Accept update regarding Chief Financial Officer employment contract as information** *page 502*  
Sponsor: Trish King, Tribal Treasurer

**XVII. ADJOURN**

Posted on the Oneida Nation's official website, [www.oneida-nsn.gov](http://www.oneida-nsn.gov), at 3:00 p.m., Friday, August 5, 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: [oneida-nsn.gov/government/business-committee/agendas-packets/](http://oneida-nsn.gov/government/business-committee/agendas-packets/)

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

### Oneida Business Committee Agenda Request

1. Meeting Date Requested: 08 / 10 / 16

2. General Information:

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

[Empty text box]

Agenda Header: Annoucement/Recognition

Accept as Information only

Action - please describe:

Presentation of Years of Service Certificates to eighteen (18) employees by their immediate supervisor along with the Business Committee.

The total number of years of service to the Oneida Nation by these individuals combined is 555 years.

3. Supporting Materials

Report  Resolution  Contract

Other:

1. <u>List of employees to be recognized</u>	3. <u>[Empty]</u>
2. <u>Years of Service Work Standard</u>	4. <u>[Empty]</u>

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution  Budgeted - Grant Funded  Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Geraldine R. Danforth 7/25/16  
Geraldine R. Danforth, HRD Area Manager

Primary Requestor:

Maureen Metoxen, Exec Assist  
Maureen Metoxen  
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:

HRD coordinates efforts on a quarterly basis, with all supervisors and the Business Committee to recognize employees who have reached the 25+ years milestone. With the assistance from each supervisor, HRD will create the certificate to be presented to the Years of Service recipient.

The total number of years of service to the Oneida Nation by these individuals combined is 555 years.

- 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](mailto:BC_Agenda_Requests@oneidanation.org)

### 3rd Quarter 2016 Recipients

Name	Supervisor Name	ADOH	Years	August 10th
CORNELIUS,VICKIE E	METOXEN,JEFFREY F	5/6/1991	25	
HUFF,TIMOTHY A	HILL,C S	5/6/1991	25	DECLINED
SCHWARTZ,LISA M	WHITE,DONALD R	5/6/1991	25	
CORNELIUS,LAWRENCE J	PETITJEAN,JAMES	6/1/1991	25	
NINHAM,ROBERT M	DANFORTH,ALFRED	6/1/1991	25	
NIESEN,CYNTHIA M	SKOLASKI,CHERYL	6/5/1991	25	
CORNELIUS,GARY E	TELLER,FAWNE M	6/18/1991	25	RETIRED
DANFORTH,SR,DAVID W	JORDAN,KURT G	6/26/1991	25	
KING,ALBERT R	DANFORTH,ALFRED	4/1/1986	30	
LAEHN,GREGORY C	POELS,JAMES R	4/7/1986	30	
STEMPSKI,WILLIAM J	DANFORTH,DEBRA J	4/7/1986	30	
BLOEDORN,WENDY T	DAVE LARSON	5/21/1986	30	
PERROTE,DOREEN E	STEVENS,CHERYL R	6/23/1986	30	
BARTON,KENDALL J	DENNY,MATTHEW J	6/30/1986	30	DECLINED
DANFORTH,KATHLEEN V	POELS,JAMES R	5/18/1981	35	
HILL,LISA M	STENSLOFF,PATRICK W	6/14/1981	35	
CORNELIUS,CECILIA M	TELLER,FAWNE M	6/14/1981	35	
DOXTATOR,ALLAN J	DANFORTH,KATSITSIYO T	6/14/1981	35	
METOXEN,JEAN A	DENNY,JACK E	6/14/1981	35	

<b>ONEIDA TRIBE OF WISCONSIN STANDARD OPERATING PROCEDURE</b>	TITLE: Years of Service Recognition Work Standard and Standard Operating Procedure	ORIGINAL DATE: September 1, 2008 REVISION DATE: 2/17/10 Effective Date Upon final signatures
<b>DIVISION: All</b>	APPROVED BY: N/A	DATE: N/A
<b>DEPARTMENT: All</b>	APPROVED BY: N/A	DATE: N/A
Author: BD/BK	APPROVED BY: H.R. Manager <i>Barbara Kolts</i>	DATE: 2/17/10
PAGE NO: 1 of 2  <b>PRD-008</b>	REVIEWED BY: PRO  <i>Susan H. Doctator</i>	  <i>2-11-10</i>

- 1.0 PURPOSE  
To provide a uniform process when recognizing employees for their continuous years of employment with the Oneida Tribe of Indians of Wisconsin.
- 2.0 DEFINITIONS:
- 2.1 Years of Service shall be defined as the time period an employee has continuous years of employment with the Oneida Tribe of Indians of Wisconsin.
- 2.2 Years of Service list shall be defined as a report created by the Human Resource Department utilizing the H.R. systems
- 3.0 WORK STANDARDS:
- 3.1 Employees shall be recognized for continuous years of employment with the Oneida Tribe. The following milestones shall be criteria for recognition in accordance with the Tribal Years of Service program:
- 3.1.1 3 years
- 3.1.2 5 years
- 3.1.3 10 years
- 3.1.4 15 years
- 3.1.5 20 years
- 3.1.6 25 years
- 3.1.7 30 years
- 3.1.8 35 years
- 3.2 Supervisors are encouraged to recognize their employees at a staff function when an employee reaches the following milestones:
- 3.2.1 3 - 14 years
- 3.3 Division Director level positions, in coordination with the employee's supervisor, are encouraged to recognize employees within their respective divisions when an employee reaches the following milestones:
- 3.3.1 15 - 20 years
- 3.4 The General Manager, Gaming General Manager, Chief Financial Officer and Chief of Staff, in coordination with the employee's supervisor, are encouraged to

recognize employees within their respective chain of command when an employee reaches the following milestones:

3.4.1 21 – 24 years

3.5 The General Manager, Gaming General Manager, Chief Financial Officer and Chief of Staff, in coordination with the employee's supervisor, shall place recognition of an employee on a duly called Oneida Business Committee agenda when an employee reaches the following milestones:

3.5.1 25 years

3.5.2 30 years

3.5.3 35 years

3.5.4 +5 year increments

3.6 Recognitions and/or awards, in excess of what the Years of Service program provides, shall not be allowed through the departmental budget.

#### 4.0 PROCEDURES

##### ONEIDA HUMAN RESOURCE DEPARTMENT

4.1 Shall promulgate a list of employees attaining years of service recognition in accordance with criteria outlined in 3.1.

4.2 The years of service list shall be distributed quarterly to each appropriate Division Director

##### DIVISION DIRECTOR

4.3 Shall distribute the years of service list to the appropriate supervisor

##### SUPERVISOR

4.4 Shall coordinate the recognition per the years of services list. E.g. Department level recognition, Division level recognition, etc.

##### GENERAL MANAGER, GAMING GENERAL MANAGER, CHIEF FINANCIAL OFFICER, CHIEF OF STAFF

4.5 Shall coordinate efforts with the appropriate Division Director and supervisor to place on a duly called Oneida Business Committee meeting agenda recognition of an employee for years of service outlined in 3.5

#### 5.0 REFERENCES

5.1 Years of Service program contract

5.2 Tribal Wide Employee Incentives Work Standards and procedures

# Oneida Business Committee Agenda Request

1. Meeting Date Requested: 08 / 10 / 16

## 2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

Approve July 27, 2016, regular meeting minutes

## 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:

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.

**DRAFT****Oneida Business Committee****Executive Session****9:00 a.m. Tuesday, July 26, 2016****Executive Conference Room, 2<sup>nd</sup> floor, Norbert Hill Center****Regular Meeting****9:00 a.m. Wednesday, July 27, 2016****BC Conference Room, 2<sup>nd</sup> 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:** Secretary Lisa Summers, Councilman David Jordan, Councilman Brandon Stevens;

**Arrived at:** Chairwoman Tina Danforth at 11:35 a.m.;

**Others present:** JoAnne House, Lisa Liggins, Louse Cornelius, Chad Fuss, Larry Barton, Janice Skenandore-Hirth, Kelly McAnally, Josh Doxtator, Nathan King, Brad Graham, Gina Buenrostro;

**REGULAR MEETING**

**Present:** Chairwoman Tina Danforth, Vice-Chairwoman Melinda J. Danforth, Treasurer Trish King, Council members: Fawn Billie, Tehassi Hill, Jennifer Webster;

**Not Present:** Secretary Lisa Summers, Councilman David Jordan; Councilman Brandon Stevens;

**Arrived at:** ;

**Others present:** Nancy Barton, Brad Graham, Bill Graham, Jo Anne House, Heather Heuer, Gina Buenrostro, Jennifer Falck, Chris Johnson, Jessica Wallenfang, Danelle Wilson, Donovan Duggan, Alexis Hughes, Ralph Powless Jr., Dawn Moon-Kopetsky, Kirby Metoxen, Nathan King, Tonya Webster, Rosa Laster, Yasimin Metoxen, Floyd Silas Jr., Bill King, Chris Johns, Kathy Metoxen, Cathy Metoxen, Leyne Orosco, Jeff Bowman, Ed Delgado, Rhiannon Metoxen, Debbie Danforth, Madelyn Genskow, Larry Barton, Lisa Liggins, LouAnn Green, Krystal John, Troy Parr, Nancy Dallas, Susan White, Linda Dallas, Paul Witek, Pat Pelky, Carol Elm, Janice Hirth-Skenandore, Josh Doxtator, Jeff Mears, Lori Elm, Dale Wheelock, Mike Hill, John Bruening, Richard VanBoxtel, Sandra Reveles, Leyne Orosco, Lisa Skenandore, Cletus Ninham, Quinnton Skenandore, Seth Charles, Leah Kuchta, Summer Doxtator, Elena Hill, Anthony Ventura, RaeAnn Peters, Seneca Rosa Skenandore, Lanora Danforth, Daniel Thompson, Jaimie Maass, Asia Danforth, Stacey Bossie, Florence John, Melissa Skenandore, Sandra Skenandore, Bonnie Pigman, Sara Powless, Linda Jenkins, Leanne Doxtator, Brent Truttman, Julie Denny, Sharon Mousseau, Carol Silva, Lauren Hartman;

**I. CALL TO ORDER AND ROLL CALL** by Chairwoman Tina Danforth at 9:00 a.m.

For the record: Councilman David Jordan and Councilman Brandon Stevens are away on approved travel to attend the Democratic National Convention in Philadelphia, PA. Secretary Lisa Summers is on vacation time this week.

**DRAFT****II. OPENING** by Councilman Tehassi Hill**A. Meet the Workforce Innovation and Opportunity Act (WIOA) and Temporary Assistance for Needy Families (TANF) Summer Youth workers**

Sponsor: Lisa Summers, Tribal Secretary

**B. Recognition of the Oneida Powwow Committee for the 44<sup>th</sup> Annual Oneida Nation Powwow**

Sponsor: Jennifer Webster, Councilwoman

**III. ADOPT THE AGENDA (00:11:40)**

Motion by Tehassi Hill to adopt the agenda with the following changes: [Move item 15.C.04. Accept Powwow Committee FY '16 3rd quarter report, to after Oaths of Office; Delete item 16.D.01. Accept close-out report regarding complaint # 2015-DR11-01; Delete item 16.D.02. Accept close-out report regarding complaint # 2015-DR11-02; and Delete item 16.D.03. Accept close-out report regarding complaint # 2015-DR14-01], seconded by Jennifer Webster. Motion carried unanimously:

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

Not Present: David Jordan, Brandon Stevens, Lisa Summers

**IV. OATHS OF OFFICE (00:20:09)** administered by Vice-Chairwoman Melinda J. Danforth**A. Oneida Police Department Officers** – Donovan Duggan, Alexis Hughes, Ralph Powless Jr.**B. Bay Bancorporation, Inc. Board of Directors** – Nathaniel S. King

*Treasurer Trish King departs at 9:28 a.m.*

*Treasurer Trish King returns at 9:30 a.m.*

**V. MINUTES (00:30:32)****A. Approve July 13, 2016, regular meeting minutes**

Sponsor: Lisa Summers, Tribal Secretary

Motion by Jennifer Webster to approve the July 13, 2016, regular meeting minutes, seconded by Trish King. Motion carried with one abstention:

Ayes: Melinda J. Danforth, Fawn Billie, Trish King, Jennifer Webster

Abstained: Tehassi Hill

Not Present: David Jordan, Brandon Stevens, Lisa Summers

**DRAFT****VI. RESOLUTIONS (00:35:37)****A. Adopt resolution titled Amending the Self-Governance Multi-Year Funding Agreement**

Sponsor: Chris Johns, Coordinator/Self-Governance

Motion by Melinda J. Danforth to adopt resolution # 07-27-16-A Amending the Self-Governance Multi-Year Funding Agreement, seconded by Tehassi Hill. Motion carried unanimously:

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

Not Present: David Jordan, Brandon Stevens, Lisa Summers

*Vice-Chairwoman Melinda J. Danforth departs at 10:02 a.m.*

**B. Adopt resolution titled Garnishment (Law) Amendments**

Sponsor: Brandon Stevens, Councilman

Motion by Jennifer Webster to adopt resolution # 07-27-16-B Garnishment (Law) Amendments, seconded by Tehassi Hill. Motion carried unanimously:

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

Not Present: Melinda J. Danforth, David Jordan, Brandon Stevens, Lisa Summers

**VII. APPOINTMENTS (No Requested Action)****VIII. STANDING COMMITTEES (1:08:33)****A. Legislative Operating Committee**

Sponsor: Councilman Brandon Stevens, Chair

**1. Accept memo regarding Membership Ordinance Emergency Amendments**

Motion by Tehassi Hill to accept the memo regarding Membership Ordinance Emergency Amendments update as information, seconded by Jennifer Webster. Motion carried unanimously:

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

Not Present: Melinda J. Danforth, David Jordan, Brandon Stevens, Lisa Summers

**B. Finance Committee**

Sponsor: Tribal Treasurer Trish King, Chair

**1. Approve July 18, 2016, Finance Committee meeting minutes**

Motion by Jennifer Webster to approve the July 18, 2016, Finance Committee meeting minutes, seconded by Trish King. Motion carried unanimously:

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

Not Present: Melinda J. Danforth, David Jordan, Brandon Stevens, Lisa Summers

**DRAFT****IX. GENERAL TRIBAL COUNCIL (1:30:05)****A. Petitioner Michael Debraska: Special GTC meeting regarding Per Capita Distribution \$3,000/\$5,000**

Sponsor: Lisa Summers, Tribal Secretary

*EXCERPT FROM JULY 13, 2016: (1) Motion by Lisa Summers to accept the legislative progress report, seconded by David Jordan. Motion carried unanimously. (2) Motion by Lisa Summers to accept the legal progress report, seconded by Fawn Billie. Motion carried unanimously.*

*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.*

**1. Accept legislative analysis**

Motion by Tehassi Hill to accept the legislative analysis regarding Petitioner Michael Debraska: Special GTC meeting regarding Per Capita Distribution \$3,000/\$5,000, seconded by Jennifer Webster. Motion withdrawn.

Motion by Tehassi Hill to defer the legislative analysis regarding Petitioner Michael Debraska: Special GTC meeting regarding Per Capita Distribution \$3,000/\$5,000, back to the Legislative Reference Office for specifics on laws and policies affected, seconded by Jennifer Webster. Motion carried unanimously:

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

**2. Defer legal analysis**

Motion by Jennifer Webster to defer the legal analysis regarding Petitioner Michael Debraska: Special GTC meeting regarding Per Capita Distribution \$3,000/\$5,000, to the August 10, 2016, regular Business Committee meeting, seconded by Fawn Billie. Motion carried unanimously:

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

**B. Approve Reconvened 2016 Semi-Annual General Tribal Council meeting date**

Sponsor: Lisa Summers, Tribal Secretary

Motion by Fawn Billie to approve scheduling Thursday, September 1, 2016 at 6:00 p.m. as the Reconvened 2016 Semi-Annual General Tribal Council meeting date, seconded by Tehassi Hill. Motion carried unanimously:

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

**DRAFT****X. STANDING ITEMS**

*Treasurer Trish King departs at 10:54 a.m.*

*Chairwoman Tina Danforth called for a five minute recess at 10:55 a.m. due to loss of quorum.*

*Meeting called back to order at 11:02 a.m. by Chairwoman Tina Danforth.*

*Vice-Chairwoman Melinda J. Danforth, Secretary Lisa Summers, Councilman David Jordan, and Councilman Brandon Stevens not present.*

**A. Accept update regarding Work Plan for CIP project # 14-002 Cemetery Improvements  
(1:53:45) *(This item is scheduled to begin at 11:00 a.m.)***

Sponsor: James Petitjean, Interim Assistant Division Director/Development

Motion by Tehassi Hill to accept the draft report regarding Work Plan for CIP project # 14-002 Cemetery Improvements, seconded by Jennifer Webster. Motion carried unanimously:

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

Not Present: Melinda J. Danforth, David Jordan, Brandon Stevens, Lisa Summers

**B. Defer update from Constitutional Amendments Implementation Team to August 10, 2016  
(1:44:38)**

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

Motion by Tehassi Hill to defer the update from the Constitutional Amendments Implementation Team to the August 10, 2016, regular Business Committee meeting, seconded by Jennifer Webster. Motion carried unanimously:

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

Not Present: Melinda J. Danforth, David Jordan, Brandon Stevens, Lisa Summers

**XI. UNFINISHED BUSINESS *(No Requested Action)***

**XII. TABLED BUSINESS (1:44:39)**

**A. Adopt resolution titled Implementing Per Capita Plan for Fiscal Year 2017 to Fiscal Year 2021  
Adopted by General Tribal Council on June 13, 2016**

Sponsor: Lisa Summers, Tribal Secretary

*EXCERPT FROM JULY 13, 2016: (1) Motion by Lisa Summers to adopt resolution titled Implementing Per Capita Plan for Fiscal Year 2017 to Fiscal Year 2021 Adopted by General Tribal Council on June 13, 2016, seconded by Brandon Stevens. Motion ruled out of order by Chairwoman Tina Danforth. (2) Motion by Lisa Summers to table this item to the July 27, 2016, regular Business Committee meeting, seconded by David Jordan. Motion carried unanimously.*

*No action was taken on this item.*

**DRAFT****XIII. NEW BUSINESS (5:10:53)****A. Approve request to activate \$265,000 from approved FY 2016 CIP budget for CIP project # 14-014 – OGE Remodel Phase II (1:48:53)**

Sponsor: Troy Parr, Assistant Division Director/Development

Motion by Tehassi Hill to approve the request to activate \$265,000 from approved FY 2016 CIP budget for CIP project # 14-014 – OGE Remodel Phase II, seconded by Fawn Billie. Motion carried unanimously:

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

**B. Approve concept paper for Capital Improvement Project # 13-011 – Oneida Nation High School**

Sponsor: Troy Parr, Assistant Division Director/Development

Motion by Melinda J. Danforth to defer this item to the August 10, 2016, regular Business Committee meeting; and to request the Tribal Secretary's Office to schedule a time for the Oneida School Board, School Administrator and Principal, and Planning & Development Department to be in attendance to discuss this issue further, seconded by Fawn Billie. Motion carried unanimously:

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

**C. Approve limited waiver of sovereign immunity – Career Cruising/Anaca Technologies Inc. – contract # 2016-0710**

Chair: Debra Danforth, Oneida School Board

Liaison: Fawn Billie, Councilwoman

Motion by Jennifer Webster to approve the limited waiver of sovereign immunity – Career Cruising/Anaca Technologies Inc. – contract # 2016-0710, seconded by Fawn Billie. Motion carried unanimously:

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

**D. Enter E-Poll results into the record opposing travel request – Chairwoman Tina Danforth – Women Empowering Women for Indian Nations (WEWIN) Conference – Tulalip, WA – August 15-18, 2016**

Sponsor: Lisa Summers, Tribal Secretary

Motion by Trish King to enter the E-Poll results into the record opposing travel request – Chairwoman Tina Danforth – Women Empowering Women for Indian Nations (WEWIN) Conference – Tulalip, WA – August 15-18, 2016, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Melinda J. Danforth, Fawn Billie, Tehassi Hill, Trish King, Jennifer Webster  
Not Present: David Jordan, Brandon Stevens, Lisa Summers  
For the record: Chairwoman Tina Danforth stated for some reason I feel like I am being held to a different standard when I request anything. The background says that the request was for July 7<sup>th</sup> when the request was actually for July 5<sup>th</sup>. On July 6<sup>th</sup> my office asked the Secretary where's my E-Poll? She said I don't have time to look at it today because we have GTC tonight. So on July 7<sup>th</sup> she reviewed it and on July 5<sup>th</sup> we suggested a Friday deadline at noon on July 5<sup>th</sup> which was Tuesday. So when the Secretary reviewed it according to her email late on July 7<sup>th</sup>, which was Thursday at 3:00 something she finally released my E-Poll for travel and

**DRAFT**

I got one response from Brandon saying according to GTC we need to hold each other accountable now. I thought accountable to what end but whatever. And then according to the E-Poll results there were no other responses. The next day I asked my staff if they would call each individual committee member who had not responded for a response. She did call. She called everyone. First she went to go see them they weren't here so she called them and left them a text. Some of them did respond but I still didn't have enough support to move it and at that point basically I was told from the Secretary that it's beyond the noon time frame so whatever people responded doesn't matter because it didn't come to this agenda as factual information.

For the record:

Vice-Chairwoman Melinda J. Danforth stated I wanted to indicate that although I didn't vote within the timeframes of the E-Poll and please note that timeframes are kind of a new concept I did respond and approve the travel but not within the timeframe so I know that next on the agenda or further down on the agenda the Standard Operating Procedure for E-Polls is up for discussion and that's where I'd like to discuss that because although it says in the record that I did not vote I did vote but just not within the timeframe because I had other commitments at that time. So I did vote in favor of sending you to WEWIN I know it's a conference that you participated for many many years and that they appreciate your leadership. I did vote in favor of sending you.

**E. Approve revised Oneida Business Committee Standard Operating Procedure titled Conducting Electronic Voting (E-Polls)**

Sponsor: Lisa Summers, Tribal Secretary

Motion by Jennifer Webster to approve the revised Oneida Business Committee Standard Operating Procedure titled Conducting Electronic Voting (E-Polls), seconded by Fawn Billie. Motion withdrawn.

Motion by Trish King to defer this item to the next available Business Committee work meeting, seconded by Jennifer Webster. Motion carried unanimously:

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

Not Present: David Jordan, Brandon Stevens, Lisa Summers

**XIV. TRAVEL (No Requested Action)**

Motion by Fawn Billie to recess at 12:07 p.m. until 1:30 p.m., seconded by Tehassi Hill. Motion carried unanimously:<sup>1</sup>

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

Not Present: Melinda J. Danforth, David Jordan, Brandon Stevens, Lisa Summers

*Meeting called to order by Chairwoman Tina Danforth at 1:29 p.m.*

*Secretary Lisa Summers, Councilwoman Fawn Billie, Councilman David Jordan, and Councilman Brandon Stevens not present.*

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<sup>1</sup> Motion to recess occurred after Standing Item X.A. Accept update regarding Work Plan for CIP project # 14-002 Cemetery Improvements

**DRAFT**

**XV. REPORTS (3:03:05) (This section of the agenda is scheduled to begin at 1:30 p.m.)**

Councilwoman Fawn Billie arrives at 1:31 p.m.

**A. OPERATIONAL REPORTS**

**1. Accept Environmental Health & Safety FY '16 3<sup>rd</sup> quarter report  
(1:30 p.m. - 1:50 p.m.)**

Sponsor: Patrick Pelky, Division Director/Environmental Health & Safety

*EXCERPT FROM JULY 13, 2016: Motion by Lisa Summers to defer the Environmental Health & Safety Division FY '16 3<sup>rd</sup> quarter report to the July 27, 2016, regular Business Committee meeting, seconded by Brandon Stevens. Motion carried unanimously.*

Motion by Melinda J. Danforth to accept the Environmental Health & Safety FY '16 3<sup>rd</sup> quarter report, seconded by Tehassi Hill. Motion carried unanimously:

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

Not Present: David Jordan, Brandon Stevens, Lisa Summers

**2. Accept Division of Land Management FY '16 3<sup>rd</sup> quarter report  
(1:50 p.m. - 2:10 p.m.)**

Sponsor: Patrick Pelky, Division Director/Land Management

*EXCERPT FROM JULY 13, 2016: Motion by Lisa Summers to defer the Division of Land Management FY '16 3<sup>rd</sup> quarter report to the July 27, 2016, regular Business Committee meeting, seconded by Fawn Billie. Motion carried unanimously.*

Motion by Tehassi Hill to accept the Division of Land Management FY '16 3<sup>rd</sup> quarter report, seconded by Jennifer Webster. Motion carried unanimously:

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

Not Present: David Jordan, Brandon Stevens, Lisa Summers

Treasurer Trish King departs at 2:24 p.m.

Treasurer Trish King returns at 2:27 p.m.

**3. Accept Oneida Housing Authority FY '16 3<sup>rd</sup> quarter report  
(2:10 p.m. - 2:30 p.m.)**

Sponsor: Dale Wheelock, Director/Oneida Housing Authority

Motion by Tehassi Hill to accept the Oneida Housing Authority FY '16 3<sup>rd</sup> quarter report, seconded by Melinda J. Danforth. Motion carried unanimously:

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

Not Present: David Jordan, Brandon Stevens, Lisa Summers

**B. CORPORATE REPORTS (No Requested Action)**

**DRAFT****C. BOARDS, COMMITTEES, AND COMMISSIONS****1. Accept Anna John Resident Centered Care Community Board FY '16 3<sup>rd</sup> quarter report (3:03:05) (2:30 p.m. - 2:45 p.m.)**

Chair: Candace House  
 Liaison: Melinda J. Danforth, Tribal Vice-Chairwoman

*EXCERPT FROM JULY 13, 2016: Motion by Jennifer Webster to defer the Anna John Residential Centered Care Community Board FY '16 3<sup>rd</sup> quarter report to the July 27, 2016, regular Business Committee meeting, seconded by Trish King. Motion carried unanimously.*

Motion by Tehassi Hill to accept the Anna John Resident Centered Care Community Board FY '16 3<sup>rd</sup> quarter report, seconded by Jennifer Webster. Motion carried with one abstention:

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

*Councilman Tehassi Hill departs at 2:34 p.m.*

*Councilman Tehassi Hill returns at 2:36 p.m.*

**2. Accept Oneida Nation Veterans Affairs Committee FY '16 3<sup>rd</sup> quarter report (2:45 p.m. - 3:00 p.m.)**

Chair: Mike Hill  
 Liaison: Jennifer Webster, Councilwoman

Motion by Tehassi Hill to accept the Oneida Nation Veterans Affairs Committee FY '16 3<sup>rd</sup> quarter report, seconded by Fawn Billie. Motion carried unanimously:

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

**3. Accept Oneida Police Commission FY '16 3<sup>rd</sup> quarter report (3:00 p.m. - 3:15 p.m.)**

Chair: Bernie John-Stevens  
 Liaison: Lisa Summers, Tribal Secretary

Motion by Jennifer Webster to accept the Oneida Police Commission FY '16 3<sup>rd</sup> quarter report, seconded by Fawn Billie. Motion carried unanimously:

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

**4. Accept Oneida Powwow Committee FY '16 3<sup>rd</sup> quarter report (00:26:16) (3:15 p.m. - 3:30 p.m.)**

Chair: Tonya Webster  
 Liaison: Fawn Billie, Councilwoman

Motion by Jennifer Webster to accept the Oneida Powwow Committee FY '16 3<sup>rd</sup> quarter report, seconded by Fawn Billie. Motion carried unanimously:

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

**DRAFT****5. Accept Southeastern Oneida Tribal Services Advisory Board FY '16 3<sup>rd</sup> quarter report  
(3:30 p.m. - 3:45 p.m.)**

Chair: Daniel Schiller  
Liaison: Tina Danforth, Tribal Chairwoman

Motion by Tehassi Hill to accept the Southeastern Oneida Tribal Services Advisory Board FY '16 3<sup>rd</sup> quarter report, seconded by Trish King. Motion carried with one opposed:

*Councilman Tehassi Hill departs at 3:28 p.m. before voting occurs.*

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

**XVI. EXECUTIVE SESSION (6:11:48)****A. REPORTS****1. Accept Gaming General Manager report – Louise Cornelius, Gaming General Manager  
(9:00 a.m. - 9:45 a.m.)**

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

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

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

Motion by Melinda J. Danforth to accept the Intergovernmental Affairs & Communications report, seconded by Trish King. Motion carried unanimously:

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

Motion by Melinda J. Danforth to approve a Business Committee member to travel to Carter, WI to attend the State Consultation from August 3-4, 2016, seconded by Trish King. Motion carried unanimously:

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

Motion by Jennifer Webster to assign Chairwoman Tina Danforth or Vice-Chairwoman Melinda J. Danforth to serve on the HALO Legislative Review Subcommittee, seconded by Trish King. Motion carried unanimously:

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

**DRAFT****3. Accept Chief Counsel report – Jo Anne House, Chief Counsel**

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

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

Motion by Jennifer Webster to approve contract # 2016-0809 with Dr. David Edmunds, seconded by Melinda J. Danforth. Motion carried unanimously:

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

**B. STANDING ITEMS****1. Land Claims Strategy (*No Requested Action*)****2. Oneida Golf Enterprise – Ladies Professional Golf Association  
(10:15 a.m. - 10:45 a.m.)**

Sponsor: Trish King, Tribal Treasurer

Motion by Melinda J. Danforth to accept the update regarding Oneida Golf Enterprise – Ladies Professional Golf Association, seconded by Fawn Billie. Motion carried unanimously:

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

**C. AUDIT COMMITTEE (*No Requested Action*)****D. UNFINISHED BUSINESS****1. ~~Accept close out report regarding complaint # 2015-DR11-01~~**

~~Sponsor: David Jordan, Councilman~~

~~*EXCERPT FROM MAY 25, 2016: Motion by David Jordan to approve the request to close out complaint # 2015-DR11-01, seconded by Jennifer Webster. Motion carried unanimously.*~~

~~*EXCERPT FROM APRIL 27, 2016: Motion by Jennifer Webster to defer complaint # 2015-DR11-01 to the May 25, 2016, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously.*~~

~~*EXCERPT FROM MARCH 30, 2016: Motion by David Jordan to defer the update regarding complaint # 2015-DR11-01 to the April 27, 2016, regular Business Committee meeting, seconded by Jennifer Webster.*~~

~~*EXCERPT FROM MARCH 9, 2016: Motion by David Jordan to defer the update regarding complaint # 2015-DR11-01 to the March 30, 2016, regular Business Committee meeting, seconded by Jennifer Webster. Motion carried unanimously.*~~

~~*EXCERPT FROM FEBRUARY 24, 2016: Motion by Lisa Summers to defer the remainder of the agenda to the March 9, 2016, regular Business Committee meeting, seconded by Fawn Billie. Motion carried unanimously.*~~

~~*EXCERPT FROM DECEMBER 9, 2015: Motion by Lisa Summers to accept complaint # 2015-DR11-01 and to defer item to Chairwoman Tina Danforth, Councilman David Jordan, and Councilman Brandon Stevens for follow-up, seconded by Jennifer Webster. Motion carried unanimously.*~~

*Item deleted at the adoption of the agenda.*

**DRAFT****2. ~~Accept close out report regarding complaint # 2015-DR11-02~~**

~~Sponsor: David Jordan, Councilman~~

~~*EXCERPT FROM MAY 25, 2016: Motion by David Jordan to approve the request to close-out complaint # 2015-DR11-02; and to accept item as information, seconded by Trish King. Motion carried with one abstention.*~~

~~*EXCERPT FROM APRIL 27, 2016: Motion by Jennifer Webster to defer Complaint # 2015-DR11-02 to the May 25, 2016, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously.*~~

~~*EXCERPT FROM MARCH 30, 2016: Motion by David Jordan to defer the update regarding Complaint # 2015-DR11-02 to the April 27, 2016, regular Business Committee meeting, seconded by Jennifer Webster.*~~

~~*EXCERPT FROM MARCH 9, 2016: Motion by David Jordan to defer the update regarding complaint # 2015-DR11-02 to the March 30, 2016, regular Business Committee meeting, seconded by Brandon Stevens. Motion carried unanimously.*~~

~~*EXCERPT FROM FEBRUARY 24, 2016: Motion by Lisa Summers to defer the remainder of the agenda to the March 9, 2016, regular Business Committee meeting, seconded by Fawn Billie. Motion carried unanimously.*~~

~~*EXCERPT FROM DECEMBER 9, 2015: Motion by Lisa Summers to accept complaint # 2015-DR11-02 and to defer item to Chairwoman Tina Danforth, Councilman David Jordan, and Councilman Brandon Stevens for follow-up, seconded by Fawn Billie. Motion carried unanimously.*~~

*Item deleted at the adoption of the agenda.*

**3. ~~Accept close out report regarding complaint # 2015-DR14-01~~**

~~Sponsor: David Jordan, Councilman~~

~~*EXCERPT FROM MAY 25, 2016: Motion by David Jordan to approve the request to close-out complaint # 2015-DR14-01, seconded by Brandon Stevens. Motion carried with one abstention.*~~

~~*EXCERPT FROM APRIL 27, 2016: Motion by Jennifer Webster to defer Complaint # 2015-DR14-01 to the May 25, 2016, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously.*~~

~~*EXCERPT FROM MARCH 30, 2016: Motion by David Jordan to defer the update regarding Complaint # 2015-DR14-01 to the April 27, 2016, regular Business Committee meeting, seconded by Jennifer Webster.*~~

~~*EXCERPT FROM MARCH 9, 2016: Motion by David Jordan to defer the update regarding complaint # 2015-DR14-01 to the March 30, 2016, regular Business Committee meeting, seconded by Brandon Stevens. Motion carried unanimously.*~~

~~*EXCERPT FROM FEBRUARY 24, 2016: Motion by Lisa Summers to defer the remainder of the agenda to the March 9, 2016, regular Business Committee meeting, seconded by Fawn Billie. Motion carried unanimously.*~~

~~*EXCERPT FROM DECEMBER 9, 2015: Motion by David Jordan to defer complaint # 2015-DR14-01 to Chairwoman Tina Danforth, Councilman David Jordan, and Councilman Brandon Stevens for follow up, seconded by Lisa Summers. Motion carried unanimously.*~~

*Item deleted at the adoption of the agenda.*

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

**DRAFT****F. NEW BUSINESS****1. Approve limited waiver of sovereign immunity – Micros Fidelio World Wide, LLC. – contract # 2016-0734**

Sponsor: Louise Cornelius, Gaming General Manager

Motion by Melinda J. Danforth to approve the limited waiver of sovereign immunity – Micros Fidelio World Wide, LLC. – contract # 2016-0734, seconded by Jennifer Webster. Motion carried unanimously:

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

Not Present: David Jordan, Brandon Stevens, Lisa Summers

**2. Approve request from Southeastern Oneida Tribal Services Advisory Board to terminate appointment of member**

Chair: Daniel Schiller, Southeastern Oneida Tribal Services Advisory Board

Liaison: Tina Danforth, Tribal Chairwoman

Motion by Fawn Billie to approve the request to terminate the appointment of James Flores to the Southeastern Oneida Tribal Services Advisory Board in accordance with section 1-10 of the Southeastern Oneida Tribal Services Advisory Board By-laws and section 6-5 of the Comprehensive Policy Governing Boards, Committees, and Commissions, seconded by Jennifer Webster. Motion carried unanimously:

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

Not Present: David Jordan, Brandon Stevens, Lisa Summers

**3. Review complaint # 2016-DR07-01 and determine appropriate next steps***(1:30 p.m. - 2:00 p.m.)*

Sponsor: David Jordan, Councilman

Motion by Melinda J. Danforth to assign Secretary Lisa Summers, Councilman David Jordan, and Councilman Brandon Stevens to form a subcommittee to investigate the complaint, seconded by Fawn Billie. Motion carried unanimously:

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

Not Present: David Jordan, Brandon Stevens, Lisa Summers

**4. Accept letter of resignation in accordance with section 7.2 of employment contract # 2013-0856 and determine next steps***(9:45 a.m. - 10:15 a.m.)*

Sponsors: Lisa Summers, Tribal Secretary; David Jordan, Councilman

Motion by Melinda J. Danforth to accept the resignation letter in accordance with section 7.2 of employment contract # 2013-0856, seconded by Fawn Billie. Motion carried unanimously:

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

Not Present: David Jordan, Brandon Stevens, Lisa Summers

Motion by Melinda J. Danforth to assign Vice-Chairwoman Melinda J. Danforth, Councilwoman Fawn Billie, Councilman Tehassi Hill, and Councilwoman Jennifer Webster to a subcommittee to work on the Family Court Judge job description; to invite the Chief Judges of the Judiciary and Family Court Clerk to participate in the development of the job description; and to bring back a final job description to the August 10, 2016, regular Business Committee meeting for approval, seconded by Fawn Billie. Motion carried unanimously:

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

Not Present: David Jordan, Brandon Stevens, Lisa Summers

**DRAFT**

**XVII. ADJOURN**

Motion by Fawn Billie to adjourn at 4:53 p.m., seconded by Trish King. Motion carried unanimously:

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

Not Present: David Jordan, Brandon Stevens, Lisa Summers

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

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Lisa Summers, Secretary  
ONEIDA BUSINESS COMMITTEE

# Oneida Business Committee Agenda Request

1. Meeting Date Requested: 8 / 10 / 16

## 2. General Information:

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

Other - Oneida Alcohol License Renewal

Agenda Header: Resolutions

Accept as Information only

Action - please describe:

Approval I needed from the Oneida Business Committee to sell alcoholic beverages at Oneida Airport Hotel Corp d/b/a Radisson Inn Green Bay.

## 3. Supporting Materials

Report  Resolution  Contract

Other:

- 1. Cover Letter
- 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: Tonya Webster, License Administrator  
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 Alcohol Beverage Licensing Ordinance requires all establishments owned and operated by the Oneida Nation to have an Alcohol License with the Oneida License Department for the sale of alcoholic beverages. Attached is the requested information for Oneida Airport Hotel Corp d/b/a Radisson Inn Green Bay . The Oneida Licensing Department has reviewed all the necessary documents requested by the Alcoholic Beverage Licensing Law for The Radisson Inn Green Bay, and is requesting approval from the Oneida Business Committee.

- 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](mailto:BC_Agenda_Requests@oneidanation.org)



# Oneida Licensing Division

P.O. Box 365  
Oneida, WI 54155  
(920) 496-5311  
Fax (920) 496-7491

DATE: **July 20, 2016**  
TO: **Oneida Business Committee**  
RE: **Alcohol License – Approval Needed**  
FROM: **Tonya Webster, Oneida License Department**

This cover letter serves as certification Oneida Airport Hotel Corp d/b/a Radisson Inn Green Bay is in compliance with the requirements needed to receive an alcohol license from the Oneida Nation. Listed below are all the requirements, and all have been received.

1. BC Resolution for approval
2. Renewal Alcohol Beverage License Application
3. Auxiliary Questionnaire
4. Local Municipality Alcohol License
5. Gross Profit Memo
6. Proof of payment for the \$100 Application Fee

**The Radisson Inn** is ready to receive approval from the Oneida Business Committee.

Thank You

# Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

**BC Resolution # \_ - \_ - \_**

**Oneida Airport Hotel Corp. dba Radisson Inn-Green Bay Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law**

**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 may grant a license to sell alcohol beverages through a resolution pursuant to Article 59.4-2 of the Oneida Alcohol Beverage Licensing Law; and

**WHEREAS,** the Oneida Airport Hotel Corp. dba Radisson Inn-Green Bay has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the Village of Ashwaubenon; and

**WHEREAS,** the Oneida Airport Hotel Corp. has requested the Oneida Business Committee grant it a license to sell alcohol at the Radisson Inn-Green Bay; and

**WHEREAS,** the Oneida License Department has reviewed the Radisson Inn-Green Bay's Renewal application along with all required documents, and have determined they are in compliance for renewal; and

**NOW, THEREFORE, BE IT RESOLVED,** that the Oneida Airport Hotel Corp. dba Radisson Inn-Green Bay, may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law and the prevailing laws of the local municipality, the Village of Ashwaubenon, WI, to be issued by the Oneida License Department.

# Oneida Business Committee Agenda Request

1. Meeting Date Requested: 8 / 10 / 16

## 2. General Information:

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

Other - Oneida Alcohol License Renewal

Agenda Header: Resolutions

Accept as Information only

Action - please describe:

Approval I needed from the Oneida Business Committee to sell alcoholic beverages at the Main Casino.

## 3. Supporting Materials

Report  Resolution  Contract

Other:

- 1. Cover Letter
- 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: Tonya Webster, License Administrator  
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 Alcohol Beverage Licensing Ordinance requires all establishments owned and operated by the Oneida Nation to have an Alcohol License with the Oneida License Department for the sale of alcoholic beverages. Attached is the requested information for the Main Casino . The Oneida Licensing Department has reviewed all the necessary documents requested by the Alcoholic Beverage Licensing Law for The Main Casino, and is requesting approval from the Oneida Business Committee.

- 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](mailto:BC_Agenda_Requests@oneidanation.org)



# Oneida Licensing Division

P.O. Box 365  
Oneida, WI 54155  
(920) 496-5311  
Fax (920) 496-7491

DATE: **July 20, 2016**  
TO: **Oneida Business Committee**  
RE: **Alcohol License – Approval Needed**  
FROM: **Tonya Webster, Oneida License Department**

This cover letter serves as certification The Oneida Bingo & Casino (Main) is in compliance with the requirements needed to receive an alcohol license from the Oneida Nation. Listed below are all the requirements, and all have been received.

1. BC Resolution for approval
2. Renewal Alcohol Beverage License Application
3. Auxiliary Questionnaire
4. Local Municipality Alcohol License
5. Gross Profit Memo
6. Proof of payment for the \$100 Application Fee

**The Oneida Bingo & Casino (main)** is ready to receive approval from the Oneida Business Committee.

Thank You

# Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

**BC Resolution # \_ - \_ - \_**

**Oneida Bingo & Casino Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law**

- 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 may grant a license to sell alcohol beverages through a resolution pursuant to Article 59.4-2 of the Oneida Alcohol Beverage Licensing Law; and
- WHEREAS,** the Oneida Bingo & Casino has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the Village of Ashwaubenon; and
- WHEREAS,** the Oneida Bingo & Casino has requested the Oneida Business Committee grant it a license to sell alcohol at the Oneida Bingo & Casino; and
- WHEREAS,** the Oneida License Department has reviewed the Oneida Bingo & Casino's Renewal application along with all required documents, and have determined they are in compliance for renewal; and

**NOW, THEREFORE, BE IT RESOLVED,** that the Oneida Bingo & Casino, may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law and the prevailing laws of the local municipality, the Village of Ashwaubenon, WI, to be issued by the Oneida License Department.

# Oneida Business Committee Agenda Request

1. Meeting Date Requested: 8 / 10 / 16

## 2. General Information:

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

Other - Oneida Alcohol License Renewal

Agenda Header: Resolutions

Accept as Information only

Action - please describe:

Approval I needed from the Oneida Business Committee to sell alcoholic beverages at Oneida Golf Enterprises for Thornberry Creek at Oneida.

## 3. Supporting Materials

Report  Resolution  Contract

Other:

1. Cover Letter

3.

2.

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: Tonya Webster, License Administrator  
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 Alcohol Beverage Licensing Ordinance requires all establishments owned and operated by the Oneida Nation to have an Alcohol License with the Oneida License Department for the sale of alcoholic beverages. Attached is the requested information for Oneida Golf Enterprises . The Oneida Licensing Department has reviewed all the necessary documents requested by the Alcoholic Beverage Licensing Law for Thornberry Creek, and is requesting approval from the Oneida Business Committee.

- 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](mailto:BC_Agenda_Requests@oneidanation.org)



# Oneida Licensing Division

P.O. Box 365  
Oneida, WI 54155  
(920) 496-5311  
Fax (920) 496-7491

DATE: **July 20, 2016**  
TO: **Oneida Business Committee**  
RE: **Alcohol License – Approval Needed**  
FROM: **Tonya Webster, Oneida License Department**

This cover letter serves as certification Oneida Golf Enterprises for Thornberry Creek at Oneida is in compliance with the requirements needed to receive an alcohol license from the Oneida Nation. Listed below are all the requirements, and all have been received.

1. BC Resolution for approval
2. Renewal Alcohol Beverage License Application
3. Auxiliary Questionnaire
4. Local Municipality Alcohol License
5. Gross Profit Memo
6. Proof of payment for the \$100 Application Fee

**Thornberry Creek** is ready to receive approval from the Oneida Business Committee.

Thank You

# Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

**BC Resolution # \_ - \_ - \_**

**Oneida Golf Enterprise for Thornberry Creek at Oneida Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law**

**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 may grant a license to sell alcohol beverages through a resolution pursuant to Article 59.4-2 of the Oneida Alcohol Beverage Licensing Law; and

**WHEREAS,** the Oneida Golf Enterprise for Thornberry Creek at Oneida, by Oneida Retail Enterprise, has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the Village of Hobart; and

**WHEREAS,** the Oneida Golf Enterprise has requested the Oneida Business Committee grant it a license to sell alcohol at the Thornberry Creek at Oneida; and

**WHEREAS,** the Oneida License Department has reviewed the Thornberry Creek at Oneida's Renewal application along with all required documents, and have determined they are in compliance for renewal; and

**NOW, THEREFORE, BE IT RESOLVED,** that the Oneida Golf Enterprise for Thornberry Creek at Oneida, may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law and the prevailing laws of the local municipality, the Village of Hobart, WI, to be issued by the Oneida License Department.

# Oneida Business Committee Agenda Request

1. Meeting Date Requested: 8 / 10 / 16

## 2. General Information:

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

Other - Oneida Alcohol License Renewal

Agenda Header: Resolutions

Accept as Information only

Action - please describe:

Approval I needed from the Oneida Business Committee to sell alcoholic beverages at the Oneida One Stop - Larsen.

## 3. Supporting Materials

Report  Resolution  Contract

Other:

- 1. Cover Letter
- 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: Tonya Webster, License Administrator  
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 Alcohol Beverage Licensing Ordinance requires all establishments owned and operated by the Oneida Nation to have an Alcohol License with the Oneida License Department for the sale of alcoholic beverages. Attached is the requested information for the Oneida One Stop - Larsen. The Oneida Licensing Department has reviewed all the necessary documents requested by the Alcoholic Beverage Licensing Law for the Oneida One Stop, and is requesting approval from the Oneida Business Committee.

- 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](mailto:BC_Agenda_Requests@oneidanation.org)



# Oneida Licensing Division

P.O. Box 365  
Oneida, WI 54155  
(920) 496-5311  
Fax (920) 496-7491

DATE: **July 20, 2016**  
TO: **Oneida Business Committee**  
RE: **Alcohol License – Approval Needed**  
FROM: **Tonya Webster, Oneida License Department**

This cover letter serves as certification Oneida One Stop - Larsen is in compliance with the requirements needed to receive an alcohol license from the Oneida Nation. Listed below are all the requirements, and all have been received.

1. BC Resolution for approval
2. Renewal Alcohol Beverage License Application
3. Auxiliary Questionnaire
4. Local Municipality Alcohol License
5. Gross Profit Memo
6. Proof of payment for the \$100 Application Fee

The **Oneida One Stop Larsen** is ready to receive approval from the Oneida Business Committee.

Thank You

# Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

**BC Resolution # \_\_-\_\_-\_\_-**

**Oneida One Stop – Larsen Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law**

- 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 may grant a license to sell alcohol beverages through a resolution pursuant to Article 59.4-2 of the Oneida Alcohol Beverage Licensing Law; and
- WHEREAS,** the Oneida One Stop – Larsen, by Oneida Retail Enterprise, has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the City of Green Bay; and
- WHEREAS,** the Oneida Retail Enterprise has requested the Oneida Business Committee grant it a license to sell alcohol at the Oneida One Stop – Larsen; and
- WHEREAS,** the Oneida License Department has reviewed the Oneida One Stop – Larsen’s Renewal application along with all required documents, and have determined they are in compliance for renewal; and

**NOW, THEREFORE, BE IT RESOLVED,** that the Oneida Retail Enterprise, Oneida One Stop – Larsen, may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law and the prevailing laws of the local municipality, the City of Green Bay, WI, to be issued by the Oneida License Department.

### Oneida Business Committee Agenda Request

1. Meeting Date Requested: 8 / 10 / 16

**2. General Information:**

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

Other - Oneida Alcohol License Renewal

Agenda Header: Resolutions

Accept as Information only

Action - please describe:

Approval I needed from the Oneida Business Committee to sell alcoholic beverages at the Oneida One Stop - Packerland.

**3. Supporting Materials**

Report  Resolution  Contract

Other:

- 1. Cover Letter
- 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: Tonya Webster, License Administrator  
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 Alcohol Beverage Licensing Ordinance requires all establishments owned and operated by the Oneida Nation to have an Alcohol License with the Oneida License Department for the sale of alcoholic beverages. Attached is the requested information for the Oneida One Stop - Packerland. The Oneida Licensing Department has reviewed all the necessary documents requested by the Alcoholic Beverage Licensing Law for the Oneida One Stop, and is requesting approval from the Oneida Business Committee.

- 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](mailto:BC_Agenda_Requests@oneidanation.org)



# Oneida Licensing Division

P.O. Box 365  
Oneida, WI 54155  
(920) 496-5311  
Fax (920) 496-7491

DATE: **July 20, 2016**  
TO: **Oneida Business Committee**  
RE: **Alcohol License – Approval Needed**  
FROM: **Tonya Webster, Oneida License Department**

This cover letter serves as certification Oneida One Stop - Packerland is in compliance with the requirements needed to receive an alcohol license from the Oneida Nation. Listed below are all the requirements, and all have been received.

1. BC Resolution for approval
2. Renewal Alcohol Beverage License Application
3. Auxiliary Questionnaire
4. Local Municipality Alcohol License
5. Gross Profit Memo
6. Proof of payment for the \$100 Application Fee

The **Oneida One Stop Packerland** is ready to receive approval from the Oneida Business Committee.

Thank You

# Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

**BC Resolution # \_-\_-\_-**

**Oneida One Stop – Packerland Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law**

- 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 may grant a license to sell alcohol beverages through a resolution pursuant to Article 59.4-2 of the Oneida Alcohol Beverage Licensing Law; and
- WHEREAS,** the Oneida One Stop – Packerland, by Oneida Retail Enterprise, has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the Village of Ashwaubenon; and
- WHEREAS,** the Oneida Retail Enterprise has requested the Oneida Business Committee grant it a license to sell alcohol at the Oneida One Stop – Packerland; and
- WHEREAS,** the Oneida License Department has reviewed the Oneida One Stop – Packerland’s Renewal application along with all required documents, and have determined they are in compliance for renewal; and

**NOW, THEREFORE, BE IT RESOLVED,** that the Oneida Retail Enterprise, Oneida One Stop – Packerland, may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law and the prevailing laws of the local municipality, the Village of Ashwaubenon, WI, to be issued by the Oneida License Department.

# Oneida Business Committee Agenda Request

1. Meeting Date Requested: 8 / 10 / 16

## 2. General Information:

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

Other - Oneida Alcohol License Renewal

Agenda Header: Resolutions

Accept as Information only

Action - please describe:

Approval I needed from the Oneida Business Committee to sell alcoholic beverages at the Oneida One Stop - E & EE.

## 3. Supporting Materials

Report  Resolution  Contract

Other:

- 1. Cover Letter
- 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: Tonya Webster, License Administrator  
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 Alcohol Beverage Licensing Ordinance requires all establishments owned and operated by the Oneida Nation to have an Alcohol License with the Oneida License Department for the sale of alcoholic beverages. Attached is the requested information for the Oneida One Stop - E & EE. The Oneida Licensing Department has reviewed all the necessary documents requested by the Alcoholic Beverage Licensing Law for the Oneida One Stop, and is requesting approval from the Oneida Business Committee.

- 1) Save a copy of this form for your records.
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- 3) E-mail this form and all supporting materials in a **SINGLE** \*.pdf file to: [BC\\_Agenda\\_Requests@oneidanation.org](mailto:BC_Agenda_Requests@oneidanation.org)



# Oneida Licensing Division

P.O. Box 365  
Oneida, WI 54155  
(920) 496-5311  
Fax (920) 496-7491

DATE: **July 20, 2016**  
TO: **Oneida Business Committee**  
RE: **Alcohol License – Approval Needed**  
FROM: **Tonya Webster, Oneida License Department**

This cover letter serves as certification Oneida One Stop E & EE is in compliance with the requirements needed to receive an alcohol license from the Oneida Nation. Listed below are all the requirements, and all have been received.

1. BC Resolution for approval
2. Renewal Alcohol Beverage License Application
3. Auxiliary Questionnaire
4. Local Municipality Alcohol License
5. Gross Profit Memo
6. Proof of payment for the \$100 Application Fee

The **Oneida One Stop – E & EE** is ready to receive approval from the Oneida Business Committee.

Thank You

# Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

**BC Resolution # \_-\_-\_-**

**Oneida One Stop – E & EE Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law**

- 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 may grant a license to sell alcohol beverages through a resolution pursuant to Article 59.4-2 of the Oneida Alcohol Beverage Licensing Law; and
- WHEREAS,** the Oneida One Stop – E & EE, by Oneida Retail Enterprise, has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the Town of Oneida; and
- WHEREAS,** the Oneida Retail Enterprise has requested the Oneida Business Committee grant it a license to sell alcohol at the Oneida One Stop – E & EE; and
- WHEREAS,** the Oneida License Department has reviewed the Oneida One Stop – E & EE's Renewal application along with all required documents, and have determined they are in compliance for renewal; and

**NOW, THEREFORE, BE IT RESOLVED,** that the Oneida Retail Enterprise, Oneida One Stop – E & EE, may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law and the prevailing laws of the local municipality, the Town of Oneida, WI, to be issued by the Oneida License Department.

# Oneida Business Committee Agenda Request

1. Meeting Date Requested: 8 / 10 / 16

## 2. General Information:

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

Other - Oneida Alcohol License Renewal

Agenda Header: Resolutions

Accept as Information only

Action - please describe:

Approval I needed from the Oneida Business Committee to sell alcoholic beverages at the Oneida One Stop - Westwind.

## 3. Supporting Materials

Report  Resolution  Contract

Other:

1. Cover Letter

3.

2.

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: Tonya Webster, License Administrator  
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 Alcohol Beverage Licensing Ordinance requires all establishments owned and operated by the Oneida Nation to have an Alcohol License with the Oneida License Department for the sale of alcoholic beverages. Attached is the requested information for the Oneida One Stop - Westwind. The Oneida Licensing Department has reviewed all the necessary documents requested by the Alcoholic Beverage Licensing Law for the Oneida One Stop, and is requesting approval from the Oneida Business Committee.

- 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](mailto:BC_Agenda_Requests@oneidanation.org)



# Oneida Licensing Division

P.O. Box 365  
Oneida, WI 54155  
(920) 496-5311  
Fax (920) 496-7491

DATE: **July 20, 2016**  
TO: **Oneida Business Committee**  
RE: **Alcohol License – Approval Needed**  
FROM: **Tonya Webster, Oneida License Department**

This cover letter serves as certification Oneida One Stop Westwind is in compliance with the requirements needed to receive an alcohol license from the Oneida Nation. Listed below are all the requirements, and all have been received.

1. BC Resolution for approval
2. Renewal Alcohol Beverage License Application
3. Auxiliary Questionnaire
4. Local Municipality Alcohol License
5. Gross Profit Memo
6. Proof of payment for the \$100 Application Fee

The **Oneida One Stop – Westwind** is ready to receive approval from the Oneida Business Committee.

Thank You

# Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

**BC Resolution # \_-\_-\_-**

**Oneida One Stop – Westwind Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law**

- 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 may grant a license to sell alcohol beverages through a resolution pursuant to Article 59.4-2 of the Oneida Alcohol Beverage Licensing Law; and
- WHEREAS,** the Oneida One Stop – Westwind, by Oneida Retail Enterprise, has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the City of Green Bay; and
- WHEREAS,** the Oneida Retail Enterprise has requested the Oneida Business Committee grant it a license to sell alcohol at the Oneida One Stop – Westwind; and
- WHEREAS,** the Oneida License Department has reviewed the Oneida One Stop – Westwind’s Renewal application along with all required documents, and have determined they are in compliance for renewal; and

**NOW, THEREFORE, BE IT RESOLVED,** that the Oneida Retail Enterprise, Oneida One Stop – Westwind, may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law and the prevailing laws of the local municipality, the City of Green Bay, WI, to be issued by the Oneida License Department.

# Oneida Business Committee Agenda Request

1. Meeting Date Requested: 8 / 10 / 16

## 2. General Information:

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

Other - Oneida Alcohol License Renewal

Agenda Header: Resolutions

Accept as Information only

Action - please describe:

Approval I needed from the Oneida Business Committee to sell alcoholic beverages at the Oneida Casino Travel Center.

## 3. Supporting Materials

Report  Resolution  Contract

Other:

1. Cover Letter

3.

2.

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: Tonya Webster, License Administrator  
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 Alcohol Beverage Licensing Ordinance requires all establishments owned and operated by the Oneida Nation to have an Alcohol License with the Oneida License Department for the sale of alcoholic beverages. Attached is the requested information for the Oneida Casino Travel Center. The Oneida Licensing Department has reviewed all the necessary documents requested by the Alcoholic Beverage Licensing Law for the Oneida Casino, and is requesting approval from the Oneida Business Committee.

- 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 Licensing Division

P.O. Box 365  
Oneida, WI 54155  
(920) 496-5311  
Fax (920) 496-7491

DATE: **July 20, 2016**  
TO: **Oneida Business Committee**  
RE: **Alcohol License – Approval Needed**  
FROM: **Tonya Webster, Oneida License Department**

This cover letter serves as certification Oneida Casino Travel Center is in compliance with the requirements needed to receive an alcohol license from the Oneida Nation. Listed below are all the requirements, and all have been received.

1. BC Resolution for approval
2. Renewal Alcohol Beverage License Application
3. Auxiliary Questionnaire
4. Local Municipality Alcohol License
5. Gross Profit Memo
6. Proof of payment for the \$100 Application Fee

The **Oneida Casino Travel Center** is ready to receive approval from the Oneida Business Committee.

Thank You

# Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

**BC Resolution # \_ - - - -**

**Oneida Casino Travel Center Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law**

- 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 may grant a license to sell alcohol beverages through a resolution pursuant to Article 59.4-2 of the Oneida Alcohol Beverage Licensing Law; and
- WHEREAS,** the Oneida Casino Travel Center, by Oneida Retail Enterprise, has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the Town of Pittsfield; and
- WHEREAS,** the Oneida Retail Enterprise has requested the Oneida Business Committee grant it a license to sell alcohol at the Oneida Casino Travel Center; and
- WHEREAS,** the Oneida License Department has reviewed the Oneida Casino Travel Center's Renewal application along with all required documents, and have determined they are in compliance for renewal; and

**NOW, THEREFORE, BE IT RESOLVED,** that the Oneida Casino Travel Center, may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law and the prevailing laws of the local municipality, the Town of Pittsfield, WI, to be issued by the Oneida License Department.

# Oneida Business Committee Agenda Request

1. Meeting Date Requested: 8 / 10 / 16

## 2. General Information:

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

Other - Oneida Alcohol License Renewal

Agenda Header: Resolutions

Accept as Information only

Action - please describe:

Approval I needed from the Oneida Business Committee to sell alcoholic beverages at the Three Clans Airport, LLC - Wingate by Wyndam.

## 3. Supporting Materials

Report  Resolution  Contract

Other:

1. Cover Letter

3.

2.

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: Tonya Webster, License Administrator  
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 Alcohol Beverage Licensing Ordinance requires all establishments owned and operated by the Oneida Nation to have an Alcohol License with the Oneida License Department for the sale of alcoholic beverages. Attached is the requested information for the Three Clans Airport, LLC - The Wingate By Wyndam . The Oneida Licensing Department has reviewed all the necessary documents requested by the Alcoholic Beverage Licensing Law for The Wingate By Wyndam, and is requesting approval from the Oneida Business Committee.

- 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@oneidation.org](mailto:BC_Agenda_Requests@oneidation.org)



# Oneida Licensing Division

P.O. Box 365  
Oneida, WI 54155  
(920) 496-5311  
Fax (920) 496-7491

DATE: **July 20, 2016**  
TO: **Oneida Business Committee**  
RE: **Alcohol License – Approval Needed**  
FROM: **Tonya Webster, Oneida License Department**

This cover letter serves as certification The Three Clans Aiport, LLC – The Wingate By Wyndam is in compliance with the requirements needed to receive an alcohol license from the Oneida Nation. Listed below are all the requirements, and all have been received.

1. BC Resolution for approval
2. Renewal Alcohol Beverage License Application
3. Auxiliary Questionnaire
4. Local Municipality Alcohol License
5. Gross Profit Memo
6. Proof of payment for the \$100 Application Fee

**The Wingate By Wyndam** is ready to receive approval from the Oneida Business Committee.

Thank You

# Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

**BC Resolution # \_ - \_ - \_**

**Three Clans Airport Wingate by Wyndham Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law**

**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 may grant a license to sell alcohol beverages through a resolution pursuant to Article 59.4-2 of the Oneida Alcohol Beverage Licensing Law; and

**WHEREAS,** the Three Clans Airport. dba Wingate by Wyndham has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the Village of Ashwaubenon; and

**WHEREAS,** the Oneida Airport Hotel Corp. has requested the Oneida Business Committee grant it a license to sell alcohol at the Wingate by Wyndham; and

**WHEREAS,** the Oneida License Department has reviewed the Three Clans Airport. dba Wingate by Wyndham's Renewal application along with all required documents, and have determined they are in compliance for renewal; and

**NOW, THEREFORE, BE IT RESOLVED,** that the Three Clans Airport. dba Wingate by Wyndham, may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law and the prevailing laws of the local municipality, the Village of Ashwaubenon, WI, to be issued by the Oneida License Department.

### Oneida Business Committee Agenda Request

1. Meeting Date Requested: 8 / 10 / 16

2. General Information:

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

Other - Oneida Alcohol License Renewal

Agenda Header: Resolutions

Accept as Information only

Action - please describe:

Approval I needed from the Oneida Business Committee to sell alcoholic beverages at the West Mason Street Casino.

3. Supporting Materials

Report  Resolution  Contract

Other:

1. Cover Letter

3.

2.

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: Tonya Webster, License Administrator  
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 Alcohol Beverage Licensing Ordinance requires all establishments owned and operated by the Oneida Nation to have an Alcohol License with the Oneida License Department for the sale of alcoholic beverages. Attached is the requested information for the West Mason Street Casino . The Oneida Licensing Department has reviewed all the necessary documents requested by the Alcoholic Beverage Licensing Law for The West Mason St Casino, and is requesting approval from the Oneida Business Committee.

- 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](mailto:BC_Agenda_Requests@oneidanation.org)



# Oneida Licensing Division

P.O. Box 365  
Oneida, WI 54155  
(920) 496-5311  
Fax (920) 496-7491

DATE: **July 20, 2016**  
TO: **Oneida Business Committee**  
RE: **Alcohol License – Approval Needed**  
FROM: **Tonya Webster, Oneida License Department**

This cover letter serves as certification The West Mason Street Casino is in compliance with the requirements needed to receive an alcohol license from the Oneida Nation. Listed below are all the requirements, and all have been received.

1. BC Resolution for approval
2. Renewal Alcohol Beverage License Application
3. Auxiliary Questionnaire
4. Local Municipality Alcohol License
5. Gross Profit Memo
6. Proof of payment for the \$100 Application Fee

**The West Mason Street Casino** is ready to receive approval from the Oneida Business Committee.

Thank You

# Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

**BC Resolution # \_ - \_ - \_**

**West Mason Street Casino Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law**

- 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 may grant a license to sell alcohol beverages through a resolution pursuant to Article 59.4-2 of the Oneida Alcohol Beverage Licensing Law; and
- WHEREAS,** the West Mason Street Casino, has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the City of Green Bay; and
- WHEREAS,** the West Mason Street Casino has requested the Oneida Business Committee grant it a license to sell alcohol at the Casino; and
- WHEREAS,** the Oneida License Department has reviewed the West Mason Street Casino's Renewal application along with all required documents, and have determined they are in compliance for renewal; and

**NOW, THEREFORE, BE IT RESOLVED,** that the West Mason Street Casino, may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law and the prevailing laws of the local municipality, the City of Green Bay, WI, to be issued by the Oneida License Department.

# Oneida Business Committee Agenda Request

1. Meeting Date Requested: 8 / 10 / 16

## 2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

## 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:

Primary Requestor/Submitter: Jennifer Falck, Director/Legislative Reference Office  
Your Name, Title / Dept. or Tribal Member

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.



Oneida Nation  
 Oneida Business Committee  
 Legislative Operating Committee  
 PO Box 365 • Oneida, WI 54115-0365  
 Oneida-nsn.gov



TO: Oneida Business Committee  
 FROM: Brandon Stevens, LOC Chairperson *BS*  
 DATE: August 10, 2016  
 RE: Mortgage and Foreclosure Law

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Please find the following attached backup documentation for your consideration of the Mortgage and Foreclosure law:

1. Resolution: Mortgage and Foreclosure (Law)
2. Statement of Effect: Mortgage and Foreclosure (Law)
3. Mortgage and Foreclosure (Law) Legislative Analysis
4. Mortgage and Foreclosure (Law) Draft
5. Mortgage and Foreclosure (Law) Fiscal Impact Statement

#### *Overview*

This Resolution adopts a new Mortgage and Foreclosure law. The provisions of this law are summarized as follows:

- The law contains the minimum framework for the Nation's mortgage programs and foreclosure process.
- The Comprehensive Housing Division and the Land Commission have joint delegated rulemaking authority under this law to develop rules that may contain more detailed requirements [see 612.3-1(r)].
- At least one Tribal member must be included on a mortgage application [see 612.4-2(b)].
- There is nothing in the law that prevents non-tribal member spouses from remaining in the mortgaged property in the event of death or divorce of the Tribal member [see 612.4-5].
- Mortgagors in default have an opportunity to enter into an agreement to cure default prior to foreclosure at the discretion of the Comprehensive Housing Division [see 612.6-1].
- Once a judgment to foreclose has been issued by the Judiciary, the mortgagor will receive an order to vacate [see 612.7-5].
- The mortgagor has a 6 month redemption period if the home was occupied prior to the judgment to foreclose, or 5 weeks if the home was abandoned prior to the judgment to foreclose. The mortgagor may redeem the mortgage by paying the full amount of the mortgage and any related fees. If this occurs, the Judiciary will vacate the order to foreclose [see 612.7-4].
- The Nation cannot resell the foreclosed property until after the redemption period has lapsed and all appeals have been exhausted [see 612.7-6].

- The hearing body authority regarding foreclosure judgments has transferred from the Land Commission to the Judiciary [see 612.8-2].

In accordance with the Legislative Procedures Act, a public meeting was held regarding these amendments on June 30, 2016 with a comment period closing on July 7, 2016. Those comments were accepted and considered by the Legislative Operating Committee (LOC) at July 20, 2016 LOC meeting.

**Requested Action**

Approve the Resolution: Mortgage and Foreclosure (Law)

**BC Resolution \_\_\_\_\_**  
*Mortgage and Foreclosure Law*

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**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 Nation currently offers mortgage programs and a foreclosure process according to section 67.14 of the Real Property law; and

**WHEREAS,** the Real Property law provides the minimum requirements related to the mortgage programs and mortgage foreclosure and the details that govern operation of the individual mortgage options; and the detailed foreclosure process are provided in Division of Land Management standard operating procedures; and

**WHEREAS,** an assessment of the Real Property law and housing programs has determined that it would be beneficial to separate the Real Property law into multiple laws further detailing such processes and formally delegating rulemaking authority pursuant to the Administrative Rulemaking law; and

**WHEREAS,** this law contains additional details related to mortgage programs and delegates joint rulemaking authority to the Land Commission and the Comprehensive Housing Division to create rules naming each mortgage option and the specific requirements related to each, and

**WHEREAS,** this law provides a more detailed foreclosure process that takes both the Nation and the potential mortgagor step-by-step through the process required to foreclose, including the option to enter an agreement to cure prior to foreclosure and a redemption period; and

**WHEREAS,** this law provides that selection and decision making authority related to mortgages lies solely with the Comprehensive Housing Division and that such decisions are not appealable to the Judiciary; and

**WHEREAS,** this law transfers the hearing body authority related to foreclosure from the Land Commission, as currently assigned in the Real Property law, to the Oneida Judiciary;

Resolution \_\_\_\_\_  
Page 2

35 **WHEREAS**, a public meeting on the proposed Law was held on June 30, 2016 in accordance  
36 with the Legislative Procedures Act.

37 **NOW THEREFORE BE IT RESOLVED**, that the Mortgage and Foreclosure law is hereby  
38 adopted and repeals section 67.14 of the Real Property law entitled Real Estate Financing; and

39 **NOW THEREFORE BE IT FINALLY RESOLVED**, that any standard operating  
40 procedures grandfathered in as rules under the Real Property law pursuant to the  
41 Administrative Rulemaking law are hereby transferred to rules under this law, provided that  
42 any provisions that conflict with this law are void.

43



## Statement of Effect

### *Resolution: Mortgage and Foreclosure Law*

#### *Summary*

This resolution adopts a new Mortgage and Foreclosure law. The amendments can be summarized as follows:

- The law contains the minimum framework for the Nation's mortgage programs and foreclosure process.
- The Comprehensive Housing Division and the Land Commission have joint delegated rulemaking authority under this law to develop rules that may contain more detailed requirements [see 612.3-1(r)].
- At least one Tribal member must be included on a mortgage application [see 612.4-2(b)].
- There is nothing in the law that prevents non-tribal member spouses from remaining in the mortgaged property in the event of death or divorce of the Tribal member [see 612.4-5].
- Mortgagors in default have an opportunity to enter into an agreement to cure default prior to foreclosure at the discretion of the Comprehensive Housing Division [see 612.6-1].
- Once a judgment to foreclose has been issued by the Judiciary, the mortgagor will receive an order to vacate [see 612.7-5].
- The mortgagor has a 6 month redemption period if the home was occupied prior to the judgment to foreclose, or 5 weeks if the home was abandoned prior to the judgment to foreclose. The mortgagor may redeem the mortgage by paying the full amount of the mortgage and any related fees. If this occurs, the Judiciary will vacate the order to foreclose [see 612.7-4].
- The Nation cannot resell the foreclosed property until after the redemption period has lapsed and all appeals have been exhausted [see 612.7-6].
- The hearing body authority regarding foreclosure judgments has transferred from the Land Commission to the Judiciary [see 612.8-2].

*Submitted by Krystal L. John, Staff Attorney*

#### *Analysis from Legislative Reference Office*

This Resolution adopts the Mortgage and Foreclosure which includes the provisions summarized above.

This law conflicts with several provisions of the Real Property Law.

The Real Property Law, in section 67.14-2, provides that the Division of Land Management shall provide loan programs for (a) financing the purchase or down payment of existing home and lands; (b) construction of new homes; (c) repair and improvement to existing homes; (d) refinancing existing mortgages; (e) purchasing or refinancing mobile homes; (f) consolidation of

loans; and (g) real estate tax arrearages. Under section 612.4-1 of this law, the specific reference to mobile homes is removed as they fall within the general confines of “homes” and the programs for the consolidation of loans and real estate tax arrearages are removed.

The Real Property Law, in section 67.14-3 requires that applicants are 21 years of age or older and the Mortgage and Foreclosure reduces the minimum age requirement to 18 years of age.

The provisions of the Real Property law, in section 67.14-4, require that applicants for any loan name 3 Tribal members to inherit the interest in real property. In addition, it provides that if there is a non-Tribal member spouse and the Tribal member spouse dies, that the non-Tribal member may continue with the mortgage, provided that they are required to name 3 Tribal members to inherit the real property interest, with such designations expiring upon satisfaction of the mortgage. The Real Property Law includes provisions regarding divorce in the case of a non-Tribal member spouse. Finally, the Real Property Law also requires all non-Tribal members named on a mortgage to sign an affidavit acknowledging the additional conditions that require mortgaged interests be tied to Tribal member beneficiaries.

The Mortgage and Foreclosure takes out the requirement to name the Tribal member beneficiaries, does not provide the specific actions that may be taken upon a divorce involving a non-Tribal member spouse and does not require a separate affidavit. In section 612.4-5(a), the Mortgage and Foreclosure law states that the death of a non-Tribal member spouse does not affect the mortgage and that any default may subject the mortgagor to the regular foreclosure proceeding contained in this law. In section 612.4-5(b), the Mortgage and Foreclosure law provides that in the event of divorce, the mortgagor may request a refinancing in accordance with the refinancing rules. The law was developed to change the terms found in the Real Property law related to the death of a Tribal member spouse because it is the land interest that is required to remain with a Tribal member, which is addressed through the residential lease. The revision regarding divorce was incorporated because divorce proceedings govern the property disbursement. This law leaves any refinancing options, including for divorce, to the rules.

The Real Property Law’s foreclosure process requires that if the Division of Land Management recommends a foreclosure following a minimum of three months of default, it shall submit the recommendation to the Land Commission and that the Land Commission would serve as the hearing body for the foreclosure. The Mortgage and Foreclosure law allows a foreclosure to be initiated after 2 consecutive notices of default. This maintains the same requirement as the Division of Land Management’s Due Process standard operating procedure requiring an initial notice and a second and final notice. However, this law removes the Land Commission from the foreclosure process and names the Oneida Judiciary as the hearing body for all foreclosures.

In order to reconcile the conflicts between this law and the Real Property Law, the adopting resolution repeals section 67.14 of the Real Property Law entitled Real Estate Financing.

### ***Conclusion***

Provided that the adopting resolution repeals section 67.14 of the Real Property Law, adoption of this Resolution would not conflict with the Nation’s laws.



# MEMORANDUM

To: Larry Barton, Chief Financial Officer  
Ralinda R. Ninham-Lamberies, Assistant Chief Financial Officer

From: Rae M. Skenandore

Date: July 26, 2016

Re: **Financial Impact of the Mortgage & Foreclosure Law**

---

## I. Background

This is a new Law on Mortgage and Foreclosure that was requested by the Oneida Land Commission. The following summary was provided by the Legislative Reference Office.

- The law contains the minimum framework for the Nation's mortgage programs and foreclosure process.
- The Division of Land Management and the Land Commission have joint delegated rulemaking authority under this law to develop rules that may contain more detailed requirements.
- At least one Tribal member must be included on a mortgage application.
- There is nothing in the Law that prevents non-tribal member spouses from remaining in the mortgaged property in the event of death or divorce of the Tribal member.
- Mortgagors in default have an opportunity to enter into an agreement to cure default prior to foreclosure at the discretion of the Division of Land Management.
- Once a judgment to foreclose has been issued by the Judiciary, the mortgagor will receive an order to vacate.
- The Mortgagor has a 6 month redemption period if the home was occupied prior to the judgment to foreclose, or 5 weeks if the home was abandoned prior to the judgment to foreclose. The Mortgagor may redeem the mortgage by paying the full amount of the mortgage and any related fees. If this occurs, the Judiciary will vacate the order to foreclose.
- The Nation cannot resell the foreclosed property until after the redemption period has lapsed

and all appeals have been exhausted.

- The hearing body authority regarding foreclosure judgments has transferred from the Land Commission to the Judiciary.

## **II. Executive Summary of Findings**

A “Fiscal Impact Statement” means an estimate of the total identifiable fiscal year financial effects associated with legislation and includes startup costs, personnel, office, documentation costs, as well as an estimate of the amount of time necessary for an agency to comply with the law after implementation.

Currently, the eligibility and requirements for a mortgage and the due process on a default and foreclosure exist within internal Standard Operating Procedures (SOP’s) and the mortgage contract itself. The Land Commissioners act as the original Hearing Body and three Commissioners are required to hold a hearing. The stipend paid for the hearing is \$150.00 per commissioner. In Fiscal Year 2014-2015 only one foreclosure hearing was held for a cost of approximately \$450.00

Developing the Law and the Administrative Rules gives the membership and the Judiciary a clear set of standards and requirements for participation in the mortgage programs and the required foreclosure process in the event of a default. If it is determined that initiating a foreclosure is in the best interest of the Nation, the Division of Land Management (DOLM) will seek a judgement from the Oneida Judiciary. Any savings from transferring the hearing body authority from the Oneida Land Commission to the Judiciary would be negligible due to their existing operating expenses.

According to DOLM and the Oneida Judiciary, there will be no additional startup, personnel, office, or documentation costs associated with implementing the Law.

With the Rulemaking Authority jointly delegated to the Division of Land Management and the Land Commission, a minimum of 60-90 days would be required to approve the Administrative Rules for this Law.

## **III. Financial Impact**

No fiscal impact.

## **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 full information with which to render a decision.



Draft # 1  
2016 08 03

## Mortgage and Foreclosure

<i>Analysis by the Legislative Reference Office</i>					
<b>Title</b>	Mortgage and Foreclosure (law)				
<b>Sponsor</b>	David P. Jordan	<b>Drafter</b>	Krystal L. John	<b>Analyst</b>	Maureen Perkins
<b>Requester &amp; Reason for Request</b>	Land Commission This is a new law that will explain the process used by the Nation to deal with mortgages and foreclosures. This law is being developed at the Land Commission's request to transfer the commission's hearing responsibilities to the Judiciary.				
<b>Purpose</b>	Set the standards and requirements for participation in the Nation's mortgage programs and to prescribe the foreclosure process required to be used in the event of a default of a mortgage.				
<b>Authorized/ Affected Entities</b>	Land Commission, Oneida Judiciary, Comprehensive Housing Division, Oneida Police Department, Oneida Nation Register of Deeds, Oneida Land Title and Trust Department, Oneida Accounting Department, and Oneida Nation members who wish to participate in mortgage programs offered by the Nation and their spouses				
<b>Related Legislation</b>	Judiciary law, Rules of Civil Procedure, Rules of Appellate Procedure, Leasing Law, Administrative Rulemaking, Real Property Law				
<b>Enforcement &amp; Due Process</b>	Decisions of the Comprehensive Housing Division regarding the issuance of mortgages are final. Foreclosures can be appealed to the Judiciary.				
<b>Public Meeting Status</b>	A public meeting was held on June 30, 2016. The LOC has reviewed the public comments received during the public comment period; and any changes made based on the public comments received have been incorporated into this draft.				

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### Overview

1

This is a new law that details the current process used by the Nation to offer mortgage programs to the Nation's membership and to foreclose on a property purchased through the Nation's mortgage programs. The law contains the minimum framework and requirements related to the mortgage programs and the required foreclosure process for all mortgages issued by the Nation. The Comprehensive Housing Division and the Land Commission have been delegated rulemaking authority under this law to develop rules according to the Administrative Rulemaking law which may contain more detailed requirements for each of the various types of mortgages offered by the Nation.

1

At least one Tribal member must be on the application to qualify for a mortgage issued by the Nation. If married, both spouses must apply for the mortgage jointly. Once a mortgage is issued, if the Tribal member dies, the non-tribal member can remain in the mortgage and the regular default process is applied in the case of a default of a non-tribal member mortgage. In the case of divorce, the ownership of the house will be determined through the divorce proceedings; this law does not prevent non-tribal spouses from remaining in the house absent the Tribal member.

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The mortgage default process is detailed within the law. Default notices are mailed to mortgagors for each 30 calendar days of default. The Comprehensive Housing Division, at their

2

Draft # 1  
2016 08 03

3 discretion, may enter into an agreement to cure default for mortgagors who demonstrate the  
4 ability to pay the defaulted amount within one year. Once two notices of default have been  
5 issued, the Comprehensive Housing Division will determine, based on a standard operating  
6 procedure, if it is in the best interest of the Nation to pursue a foreclosure. The minimum  
7 foreclosure process is detailed and includes the Judiciary as the decision making authority to  
8 issue a judgment of foreclosure, rather than the Land Commission under the current process.  
9 Once the Comprehensive Housing Division decides to pursue a foreclosure, a summons and  
10 complaint is filed with the Judiciary and must include a demand judgment for any deficiency that  
11 remains due to the Nation. If the parties come to an agreement to cure default or the mortgagor  
12 satisfies the mortgage prior to a judgment to foreclose is issued by the Judiciary, the Judiciary  
13 will dismiss the foreclosure.

14 When a judgment of foreclosure is issued by the Judiciary, a notice to vacate is issued to the  
15 mortgagor. This is contrary to state law which allows mortgagors in foreclosure to remain in the  
16 premises until the redemption period expires and the premises is sold. However, the practice as  
17 detailed in the law is in the best interest of the Nation because it allows the Nation to secure and  
18 refurbish the premises during the redemption period so that it is ready for the next buyer and  
19 prevent any waste of the property. Additionally, when a judgment of foreclosure is issued, it  
20 means that the mortgagor is already in default and will most likely not make the mortgage  
21 payments during the redemption period. The mortgagor has a redemption period of six months if  
22 they had occupied the premises upon foreclosure, or 5 weeks if they had abandoned the  
23 premises, to pay the full amount of the mortgage and any related costs. If this occurs, the  
24 Judiciary will vacate the order to foreclose. The Nation cannot resell the premises until the  
25 redemption period has expired. Appeals of a judgment of foreclosure may be filed with the  
26 Judiciary.

- 27     ▪ The law contains the minimum framework for the Nation's mortgage programs and  
28 foreclosure process.
- 29     ▪ The Comprehensive Housing Division and the Land Commission have joint delegated  
30 rulemaking authority under this law to develop rules that may contain more detailed  
31 requirements *[see 612.3-1(r)]*.
- 32     ▪ At least one Tribal member must be included on a mortgage application *[see 612.4-2(b)]*.
- 33     ▪ There is nothing in the law that prevents non-tribal member spouses from remaining in  
34 the mortgaged property in the event of death or divorce of the Tribal member *[see 612.4-*  
35 *5]*.
- 36     ▪ Mortgagors in default have an opportunity to enter into an agreement to cure default prior  
37 to foreclosure at the discretion of the Comprehensive Housing Division *[see 612.6-1]*.
- 38     ▪ Once a judgment to foreclose has been issued by the Judiciary, the mortgagor will receive  
39 an order to vacate *[see 612.7-5]*.
- 40     ▪ The mortgagor has a 6 month redemption period if the home was occupied prior to the  
41 judgment to foreclose, or 5 weeks if the home was abandoned prior to the judgment to  
42 foreclose. The mortgagor may redeem the mortgage by paying the full amount of the  
43 mortgage and any related fees. If this occurs, the Judiciary will vacate the order to  
44 foreclose *[see 612.7-4]*.
- 45     ▪ The Nation cannot resell the foreclosed property until after the redemption period has  
46 lapsed and all appeals have been exhausted *[see 612.7-6]*.
- 47     ▪ The hearing body authority regarding foreclosure judgments has transferred from the

48 Land Commission to the Judiciary [see 612.8-2].

49

50 **Other**

51 Please refer to the fiscal impact statement for any financial impacts.

52

53 **Considerations**

54

55 ■ The decision to issue an agreement to cure default is at the discretion of the  
56 Comprehensive Housing Division. The LOC may consider requiring the Comprehensive  
57 Housing Division to create an SOP or a rule detailing the requirements mortgagors must  
58 meet to qualify for an agreement to cure a defaulted mortgage.

59

60 ■ This law, the Real Property Law amendments and the Leasing Law are all inter-  
61 related. The Real Property Law currently in effect contains provisions relating to  
62 mortgages and foreclosure that conflict with this law [see 67.14 of current Real Property  
63 Law]. However, this Mortgage and Foreclosure law will govern upon adoption. The  
64 current proposed amendments to the Real Property Law pull the detail related to  
65 mortgages and foreclosures out of the Real Property Law and reference this Mortgage  
66 and Foreclosure law instead.

67

68 ■ This law references the Comprehensive Housing Division (CHD). The CHD is  
69 scheduled for implementation October 1, 2016. The BC resolution adopting this law will  
70 include a provision detailing that each department or division within the CHD (Oneida  
71 Housing Authority, Division of Land Management and Elderly Services) will be required  
72 to create rules delegated under this law until the CHD is implemented.

73

74

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76

**Title 6. Property and Land – Chapter 612**  
**MORTGAGE and FORECLOSURE**  
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that of their houses – their issues

612.1.	Purpose and Policy.	612.5.	Default.
612.2.	Adoption, Amendment, Repeal.	612.6.	Agreement to Cure Default.
612.3.	Definitions.	612.7.	Foreclosure.
612.4.	Mortgage Programs.	612.8.	Appeal Rights.

1 \_\_\_\_\_  
2

3 **612.1. Purpose and Policy.**

4 612.1-1. *Purpose.* It is the purpose of this law to set the standards and requirements for  
5 participation in the mortgage programs and to prescribe the foreclosure process required to be  
6 used in the event of a default of a mortgage.

7 612.1-2. *Policy.* It is the policy of this law to administer mortgage programs aimed at  
8 maintaining and improving the standard of living for Tribal members, while protecting the  
9 Nation’s assets and expanding the Tribal land base.

10

11 **612.2. Adoption, Amendment, Repeal.**

12 612.2-1. This law is adopted by the Oneida Business Committee by Resolution  
13 \_\_\_\_\_.

14 612.2-2. This law may be amended or repealed by the Oneida Business Committee pursuant to  
15 the procedures set out in the Legislative Procedures Act.

16 612.2-3. Should a provision of this law or the application thereof to any person or circumstances  
17 be held as invalid, such invalidity shall not affect other provisions of this law which are  
18 considered to have legal force without the invalid portions.

19 612.2-4. In the event of a conflict between a provision of this law and a provision of another  
20 law, the provisions of this law shall control.

21 612.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.  
22

23 **612.3. Definitions.**

24 612.3-1. This section shall govern the definitions of words and phrases used within this law.  
25 All words not defined herein shall be used in their ordinary and everyday sense.

26 (a) “Abandoned” means the relinquishment of possession or control of a mortgaged  
27 premises whether or not the mortgagor or the mortgagor’s assigns have relinquished  
28 equity and title to the mortgaged interest.

29 (b) “Agreement to Cure Default” means a signed contract between a customer of a  
30 mortgage program and the Comprehensive Housing Division on behalf of the Nation  
31 whereby the parties agree upon a temporary payment schedule to allow the mortgagor to  
32 cure a default.

33 (c) “Appraisal” means the valuation of real property by the estimate of an authorized  
34 person.

35 (d) “Business Day” means Monday through Friday from 8:00 a.m. - 4:30 p.m., excluding  
36 holidays recognized by the Nation.

- 37 (e) “Comprehensive Housing Division” means the entity responsible for housing matters  
38 specifically related to mortgages and foreclosures as defined by Oneida Business  
39 Committee Resolution.<sup>1</sup>
- 40 (f) “Default” means a failure to comply with the payment terms of a mortgage.
- 41 (g) “Foreclosure” means a legal proceeding initiated by the Nation to terminate a  
42 mortgagor’s interest in real property, by taking possession of the real property as a partial  
43 or complete satisfaction of a default.
- 44 (h) “Home Inspection” means an examination of a property’s condition.
- 45 (i) “Judiciary” means the judicial system established by General Tribal Council  
46 resolution GTC-01-07-13-B to administer the judicial authorities and responsibilities of  
47 the Nation.
- 48 (j) “Mortgage” means a lien, held by the Nation, on a real property interest that is given  
49 as security for the payment of a debt and/or the performance of a duty, including the  
50 refinancing of an original conveyance, that will become void upon the payment and/or  
51 performance according to the stipulated terms.
- 52 (k) “Mortgagor” means the borrower in a mortgage.
- 53 (l) “Nation” means the Oneida Nation.
- 54 (m) “Notice of Default” means a formal and dated notice of default.
- 55 (n) “Personal Property” means any property that does not fit the definition of real  
56 property and is generally movable.
- 57 (o) “Real Property” means land and anything growing on, attached to, or erected on the  
58 land, excluding anything that may be severed without injury to the land.
- 59 (p) “Redemption Period” means the timeframe during which a defaulting mortgagor may  
60 recover a mortgaged interest that is the subject of a judgment of foreclosure by paying the  
61 outstanding debt owed.
- 62 (q) “Refinance” means an exchange of an old debt for a new debt, as by renegotiating a  
63 different interest rate, term of the debt, or by repaying the existing loan with money  
64 acquired from a new loan.
- 65 (r) “Reservation” means all the property within the exterior boundaries of the reservation  
66 of the Nation, as created pursuant to the 1838 Treaty with the Oneida 7 Stat. 566, and any  
67 lands added thereto pursuant to federal law.
- 68 (s) “Rule” means a set of requirements, including citation fees and penalty schedules,  
69 jointly enacted by the Land Commission and the Comprehensive Housing Division in  
70 accordance with the Administrative Rulemaking law based on authority delegated in this  
71 law in order to implement, interpret and/or enforce this law.
- 72 (t) “Title” means legal evidence of a person’s ownership rights in real property.
- 73 (u) “Title Report” means the written analysis of the status of title to real property,  
74 including a property description, names of titleholders and how the title is held, tax rate,  
75 encumbrances and any real property taxes due.

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<sup>1</sup> See BC Resolution \_\_-\_\_-16\_ providing that for purposes of this law, the Comprehensive Housing Division means the Division of Land Management.

76 (v) "Tribal Land" means any land held in fee or trust status by the Nation within the  
77 reservation.

78 (w) "Tribal Member" means an enrolled member of the Nation.  
79

#### 80 **612.4. Mortgage Programs.**

81 612.4-1. *Available Mortgage Purposes.* Consistent with available funds, the Comprehensive  
82 Housing Division shall provide mortgage programs for the following purposes and shall establish  
83 rules naming said programs and providing the specific requirements for each program:

84 (a) Financing the purchase or down payment of existing homes and lands;

85 (b) Construction of new homes;

86 (c) Repairs and improvements to existing homes;

87 (d) Refinancing existing mortgages.

88 612.4-2. *Mortgage Eligibility Requirements.* In order to be eligible for a mortgage, applicants  
89 shall meet the following conditions:

90 (a) Be at least eighteen (18) years of age at the time of the application;

91 (b) Be a Tribal member(s);

92 (1) If the application is for joint applicants, at least one (1) applicant shall be a  
93 Tribal member.

94 (2) For married joint applicants, both spouses shall be named applicants on the  
95 application and joint mortgagors.

96 (c) Not have a discharged bankruptcy within two (2) years from the date of the  
97 application;

98 (d) Not be involved in a bankruptcy proceeding that has not yet been discharged at the  
99 time of the application; and

100 (e) Not have had a mortgage foreclosed upon within the seven (7) years from the date of  
101 the application.

102 612.4-3. *Mortgage Selection.* The Land Commission and the Comprehensive Housing Division  
103 shall jointly develop rules governing the selection of applicants for the issuance of a mortgage.  
104 At a minimum, the Land Commission and the Comprehensive Housing Division shall ensure that  
105 the mortgage selection rules require that the mortgagor:

106 (a) Have an acceptable credit rating as defined in the rules;

107 (b) Have an acceptable debt to income ratio as defined in the rules;

108 (c) Have all delinquent debts owed to the Nation paid in full prior to signing the  
109 mortgage document;

110 (d) Have no more than the allowable amount of accumulated judgments, collections  
111 and/or profit and loss write-offs based on the rules, and, if any debts are being paid  
112 through a debt collector, the monthly payment must be listed as a monthly debt on the  
113 application;

114 (1) In the rules, the Land Commission and the Comprehensive Housing Division  
115 shall provide the allowable timeframe, in relation to the date of selection, for  
116 applicants to bring any judgments, collections and/or profit and loss write-offs  
117 within the allowable amount.

118 (2) Applicants failing to bring said debts within the allowable amount based on  
119 the timeframe provided become ineligible for the mortgage.

120 612.4-4. *Mortgage Requirements.* The Land Commission and the Comprehensive Housing  
121 Division shall jointly develop rules governing the requirements of mortgages entered into by the

122 Comprehensive Housing Division. At a minimum, the Land Commission and the  
123 Comprehensive Housing Division shall ensure that the mortgage requirement rules:

- 124 (a) Require the mortgage document to identify the source of the ownership interest in the  
125 real property as attributable either to a deed or a residential lease entered into pursuant to  
126 the Leasing law;  
127 (b) Require the real property that is the subject of the mortgage be insured under a  
128 homeowner's insurance policy paid for by the mortgagor and include enforcement  
129 provisions in the event of noncompliance herewith;  
130 (c) Require that the mortgage be the first or second secured interest on the real property;  
131 (d) Require proof of clear title, as defined by the rules, prior to entering into a mortgage;  
132 (e) Establish which administrative fees, if any, that may be assessed in the mortgage;  
133 (f) Require that the mortgage be for real property located within the reservation;  
134 (g) Require the mortgage include interest at a rate provided in the rules.

135 612.4-5. *Non-Tribal Member Spouses*. The following applies when one of the mortgagors is a  
136 non-Tribal member:

- 137 (a) *Death of the Tribal Member Spouse*. So long as the mortgage is not defaulted upon,  
138 the death of the Tribal member spouse does not affect a mortgage. If the non-Tribal  
139 member spouse defaults on the mortgage, the mortgage is subject to the regular  
140 foreclosure proceedings as outlined in this law.  
141 (b) *Refinancing due to Death or Divorce*. In the event that a mortgagor seeks refinancing  
142 due to the death or divorce of a spouse, the mortgagor shall comply with the refinancing  
143 rules established pursuant to Section 612.4-1(d).

144

#### 145 **612.5. Default.**

146 612.5-1. *Notice of Default*. The mortgage officer shall send a notice of default to mortgagors  
147 by first class mail for each month for which the mortgagor defaults on the subject mortgage,  
148 provided that the mortgage officer shall send the notices of default a minimum of thirty (30)  
149 calendar days apart and ensure that the notice contains the following information:

- 150 (a) The notice number;  
151 (b) The dates of the default;  
152 (c) The amount of the default;  
153 (d) The requirement to cure the default, including important dates affecting the  
154 mortgagor's rights;  
155 (e) The mortgagor's available options to cure a default; and  
156 (f) The actions that may be taken by the Nation if the default is not timely cured.

157

#### 158 **612.6. Agreement to Cure Default.**

159 612.6-1. *Entering into an Agreement to Cure Default*. The Comprehensive Housing Division  
160 may, in its full discretion, work with mortgagors able to pay a mortgage default over time to  
161 enter into an agreement to cure default over a reasonable time not to exceed one (1) year.

- 162 (a) A mortgagor may enter into one (1) agreement to cure default per twelve (12) month  
163 period. A mortgagor may request more than one (1) agreement to cure the default in a  
164 twelve (12) month period if the mortgagor is able to demonstrate the additional  
165 agreement is necessary due to extenuating circumstances faced by the mortgagor,  
166 provided that, the director of the Comprehensive Housing Division shall approve any  
167 such agreements before said agreement may become effective.

168 (b) The Comprehensive Housing Division may not permit mortgagors to increase payroll  
169 deduction payments to cure a default without first entering into an agreement to cure  
170 default.

171 (c) In the event a mortgagor violates the terms of an agreement to cure default, the  
172 Comprehensive Housing Division shall enforce the remedies afforded the Nation in the  
173 agreement to cure default and may not amend the terms of an unsatisfied agreement to  
174 cure default without the approval of the director of the Comprehensive Housing Division.

175 612.6-2. *Elements of an Agreement to Cure Default.* All agreements to cure default entered  
176 into by the Comprehensive Housing Division are required to contain the following elements:

177 (a) The effective date of the agreement;

178 (b) The parties to the agreement;

179 (c) The amount of payments under the mortgage and any agreements to cure default  
180 previously entered into;

181 (d) A statement that the mortgage and, if applicable, any previous agreement to cure  
182 default are in default;

183 (e) The amount of the increased payments under the agreement;

184 (f) The terms of the agreement, including the remedies available to the Nation in the  
185 event that the mortgagor violates the terms of the agreement; and

186 (g) Notice that a failure to follow the terms of the agreement may result in the immediate  
187 filing of a foreclosure.

188

189 **612.7. Foreclosure.**

190 612.7-1. *Decision to Foreclose.* Any mortgage that is in default for two (2) consecutive months  
191 may be subject to foreclosure, provided that the Nation has complied with the notice of default  
192 requirement in section 612.5-1.

193 (a) After the two (2) notices of default have been sent, the Comprehensive Housing  
194 Division shall determine whether initiating foreclosure proceedings would be in the best  
195 interest of the Nation, provided that the Comprehensive Housing Division shall abide by  
196 the foreclosure determination standard operating procedure approved by both the director  
197 of the Comprehensive Housing Division and the Land Commission.

198 (1) Should the Comprehensive Housing Division determine that initiating a  
199 foreclosure is in the best interest of the Nation, the Comprehensive Housing  
200 Division shall submit a complaint to the Judiciary in compliance with the Nation's  
201 laws and the Judiciary's requirements. The complaint may not be submitted until  
202 after thirty (30) calendar days from the date of the second notice of default.

203 (2) The Comprehensive Housing Division shall include in all complaints a  
204 demand judgment for any deficiency that may remain due to the Nation after the  
205 Nation's reclamation of title against every party who is personally liable for the  
206 debt secured by the mortgage that is the subject of the foreclosure.

207 612.7-2. *Mortgage Satisfaction or Agreement to Cure Default Prior to Judgment of*  
208 *Foreclosure.* If the mortgagor satisfies the mortgage that is the subject of a foreclosure  
209 complaint or the parties reach an agreement to cure default prior to the Judiciary's entering of a  
210 judgment of foreclosure, the Judiciary shall dismiss the foreclosure complaint.

211 (a) *Mortgage Satisfaction.* A mortgagor named in a foreclosure complaint may satisfy  
212 the subject mortgage at any time prior to the Judiciary's entering of a judgment of  
213 foreclosure. Under such circumstances, the mortgagor shall submit to the Judiciary proof

214 of payment in full of the mortgage principal, any interest owed and any court costs  
215 incurred by the Nation. Upon receipt of verified proof of satisfaction, the Judiciary shall  
216 dismiss the foreclosure complaint based on satisfaction of the mortgage.

217 (b) *Agreement to Cure Default*. Should the Nation and the mortgagor reach an agreement  
218 to cure default in accordance with section 612.6 after foreclosure proceedings have been  
219 initiated, which may include provisions requiring the mortgagor to reimburse the Nation  
220 for any court costs incurred, the mortgagor shall submit to the Judiciary a copy of the  
221 executed agreement to cure default. Upon receipt of an executed agreement to cure  
222 default, the Judiciary shall dismiss the foreclosure complaint without prejudice based on  
223 the agreement to cure default.

224 612.7-3. *Judgment of Foreclosure*. If the Judiciary finds in favor of the Nation, it shall issue a  
225 judgment of foreclosure. At a minimum, the Judiciary shall include the following in each  
226 judgment of foreclosure:

- 227 (a) A description of the mortgaged premises;
- 228 (b) The amount of the mortgage debt due;
- 229 (c) The mortgagor's redemption period;
- 230 (d) An order to vacate the mortgaged premises within thirty (30) calendar days of the  
231 judgment;
- 232 (e) An order transferring title of the mortgaged premises to the Nation as partial or full  
233 payment of the amount of mortgage debt then due;
- 234 (f) So long as the Nation's complaint reserves the right to demand a judgment of  
235 deficiency for costs that may remain due after the transfer of title to the Nation pursuant  
236 to foreclosure, an order recognizing the Nation's reserved right, which may include sums  
237 advanced by the Nation for insurance, necessary repairs, inspection costs, appraisal fees  
238 and other costs; and
- 239 (g) An order that within seven (7) months of receipt of a judgment of foreclosure, the  
240 Nation submit either a motion demanding a judgment of deficiency or a motion to  
241 enforce the judgment of foreclosure, each of which are required to include a final  
242 accounting and a confirmation of appraisal.

243 612.7-4. *Redemption Period*. The Judiciary shall afford all mortgagors subject to a judgment of  
244 foreclosure a redemption period. To redeem a real property interest, the mortgagor shall pay the  
245 full amount of the mortgage debt due and any costs incurred by the Nation for insurance,  
246 necessary repairs, inspection costs, appraisal fees and other costs.

247 (a) *Occupied Premises*. The required redemption period for occupied premises is six (6)  
248 months. Absent an affirmative finding of abandonment, the Judiciary shall presume that  
249 premises are occupied premises.

250 (b) *Abandoned Premises*. The required redemption period for abandoned premises is, at  
251 a minimum, five (5) weeks. A redemption period based on abandoned premises requires  
252 an affirmative finding of abandonment by the Judiciary based on evidence submitted by  
253 the Comprehensive Housing Division on behalf of the Nation.

254 (1) In determining whether the mortgaged premises have been abandoned, the  
255 Judiciary shall consider the totality of the circumstances, including the following:

- 256 (A) Boarded, closed or damaged windows or doors to the premises;
- 257 (B) Missing, unhinged or continuously unlocked doors to the premises;
- 258 (C) Terminated utility accounts for the premises;
- 259 (D) Accumulation of trash or debris on the premises;

260 (E) At least two (2) reports to law enforcement officials of trespassing,  
261 vandalism, or other illegal acts being committed on the premises when the  
262 mortgagor is not present; and

263 (F) Conditions that make the premises unsafe or unsanitary or that make  
264 the premises in imminent danger of becoming unsafe or unsanitary.

265 (2) The Comprehensive Housing Division may include testimony from a  
266 representative of the city, town, village or county where the mortgaged premises  
267 is located as part of its evidence of abandonment.

268 (c) *Redeemed Premises.* Should the mortgagor successfully redeem the mortgaged  
269 interest that is the subject of a judgment of foreclosure, the Nation shall issue the  
270 mortgagor a certificate of redemption. Upon receipt of a certificate of redemption, the  
271 mortgagor shall file a motion to vacate the judgment of foreclosure with the Judiciary.  
272 Upon receipt from the Judiciary, the mortgagor shall duly record the order to vacate the  
273 judgment of foreclosure with the Oneida Nation Register of Deeds.

274 612.7-5. *Mortgage Holder’s Responsibilities upon Receipt of a Judgment of Foreclosure.*  
275 Upon receipt of a judgment of foreclosure, the Comprehensive Housing Division, on behalf of  
276 the Nation as the mortgage holder, shall:

277 (a) Secure and take possession of the real property once the timeframe in the order to  
278 vacate has expired.

279 (1) The Comprehensive Housing Division shall provide the mortgagor notice of  
280 when the property’s locks are scheduled to be changed, which, at a minimum,  
281 includes the following:

- 282 (A) The property address;
- 283 (B) The date and time the locks are scheduled to be changed;
- 284 (C) Notice to mortgagor that an Oneida Police Officer will be present  
285 while the locks are being changed;
- 286 (D) Information on how the disposition of personal property will be  
287 managed based on section 612.7-5(a)(3);
- 288 (E) The contact information for Comprehensive Housing Division staff  
289 whom the mortgagor may contact in regards to the property; and
- 290 (F) A copy of the judgment of foreclosure.

291 (2) The Comprehensive Housing Division shall contact the Oneida Police  
292 Department to request that an Oneida police officer be on the scene while the  
293 locks are being changed.

294 (3) In the event the mortgagor has left personal property in the home, he or she  
295 may retrieve said personal property by contacting the Comprehensive Housing  
296 Division staff listed on the work order. The Comprehensive Housing Division  
297 shall hold personal property for a minimum of five (5) business days.

298 (A) The Comprehensive Housing Division shall keep a written log of the  
299 date and the work time the Nation’s staff expends storing and/or removing  
300 personal property and/or removing/disposing of debris left at the property  
301 after the expiration of the timeframe provided in the order to vacate.

302 (B) The Comprehensive Housing Division and the Land Commission shall  
303 jointly create rules further governing the disposition of personal property.

- 304 (b) Order a title report from the Land Title and Trust Department with specific  
305 instructions to contact the Accounting Department to verify whether the mortgagor owes  
306 any outstanding debts to the Nation and based on the title report shall:
- 307 (1) Seek payment of outstanding water bills and/or other liens or charges  
308 appearing on the tax rolls from the mortgagor. In the event of a failure to pay, the  
309 Nation shall make payment and include such costs in the Nation's final  
310 accounting required by the judgment of foreclosure and as explained in section  
311 612.7-5(e);
- 312 (2) Request proof of payment of any judgments noted on the title report which  
313 can be attached to the real property;
- 314 (3) Request proof of satisfaction of any mortgage liens issued by an outside  
315 financial institution other than the Nation, provided that, said mortgage liens may  
316 not be satisfied by the Nation until the redemption period has either expired or  
317 been terminated by the Judiciary.
- 318 (c) Order an appraisal of the real property to be completed;
- 319 (d) Order a home inspection, including a well and septic inspection, of the real property  
320 to be completed and based on the findings of the home inspection shall coordinate which  
321 repairs will be completed.
- 322 (1) In order for repair costs to be included in a judgment of deficiency 612.7-3(f),  
323 the Nation shall include the following in its demand for the said judgment:
- 324 (A) A record of all receipts for materials and invoices for services related  
325 to the said repairs;
- 326 (B) A record of all hours expended by the Nation's staff related to the said  
327 repairs; and
- 328 (C) Photographic evidence demonstrating the condition of the real  
329 property both before and after the repairs were made.
- 330 (2) If, based on the home inspection, the Comprehensive Housing Division  
331 determines it to be in the best interest of the Nation to raze a foreclosed upon  
332 property, it may do so in accordance with the rules which the Comprehensive  
333 Housing Division and the Land Commission shall jointly develop. Any costs  
334 related to the razing of a property may be included in the Nation's demand for a  
335 judgment of deficiency.
- 336 (e) Wrap up the foreclosure by filing with the Judiciary either a motion demanding a  
337 judgment of deficiency or a motion for enforcement of the judgment of foreclosure.
- 338 (1) *Demand for a Judgment of Deficiency.* The Nation shall file a demand for a  
339 judgment of deficiency if the total of the amount of the mortgage debt due in the  
340 judgment of foreclosure and the sums advanced by the Nation for insurance,  
341 necessary repairs, inspection costs, appraisal fees and other costs exceeds the  
342 value of the real property based on the appraisal. A demand for a judgment of  
343 deficiency is required to include a confirmation of appraisal and an accounting of  
344 all sums advanced by the Nation.
- 345 (2) *Motion for Enforcement of the Judgment of Foreclosure.* The Nation shall file  
346 a motion for enforcement of the judgment of foreclosure if the total of the amount  
347 of the mortgage debt due in the judgment of foreclosure and the sums advanced  
348 by the Nation for insurance, necessary repairs, inspection costs, appraisal fees and  
349 other costs are less than or equal to the value of the real property based on the

350 appraisal. If the total of the amount of the mortgage debt due in the judgment of  
 351 foreclosure and the sums advanced by the Nation for insurance, necessary repairs,  
 352 inspection costs, appraisal fees and other costs are less than the value of the real  
 353 property based on the appraisal, the Comprehensive Housing Division shall  
 354 include in the motion to enforce a copy of the signed apron issued to the  
 355 mortgagor providing the refunded amount.

356 612.7-6. *Resale Following Foreclosure.* The Comprehensive Housing Division may begin  
 357 advertising a foreclosed upon property for re-sale immediately following its receipt of an order to  
 358 enforce the judgment of foreclosure, provided that it may not complete a sale of said property  
 359 until the mortgagor’s appeal rights have expired.

360 **612.8. Appeal Rights.**

361 612.8-1. *Decisions of the Comprehensive Housing Division are Final.* All decisions made by  
 362 the Comprehensive Housing Division in regards to the mortgage programs provided under this  
 363 law are final decisions and are not subject to appeal.

364 612.8-2. *Appeal of a Foreclosure.* A mortgagor whose real property has been foreclosed upon  
 365 may appeal a determination made by the Judiciary in accordance with the Judiciary law and the  
 366 Rules of Appellate Procedure.  
 367

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368  
 369 Adopted BC-

# Oneida Business Committee Agenda Request

1. Meeting Date Requested: 8 / 10 / 16

## 2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

Consider the adoption of resolution titled Defining Comprehensive Housing Division in the Mortgage and Foreclosure Law

## 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:

Primary Requestor/Submitter: Jennifer Falck, Director/Legislative Reference Office  
Your Name, Title / Dept. or Tribal Member

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

**BC Resolution \_\_\_\_\_**

*Defining Comprehensive Housing Division in the Mortgage and Foreclosure Law*

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**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 the Mortgage and Foreclosure law with resolution BC 08-10-16\_\_; and

**WHEREAS,** the Mortgage and Foreclosure law assigns responsibilities and authorities, including rulemaking authority, to the Comprehensive Housing Division; and

**WHEREAS,** the Mortgage and Foreclosure law defines the Comprehensive Housing Division as the entity responsible for housing matters specifically related to mortgages and foreclosures as defined by Oneida Business Committee Resolution.; and

**NOW THEREFORE BE IT RESOLVED,** that for the purposes of the Mortgage and Foreclosure law the Oneida Business Committee hereby defines the Comprehensive Housing Division as the current Division of Land Management.



Oneida Nation  
 Oneida Business Committee  
 Legislative Operating Committee  
 PO Box 365 • Oneida, WI 54115-0365  
[Oneida-nsn.gov](http://Oneida-nsn.gov)



### **Statement of Effect**

*Resolution: Defining Comprehensive Housing Division in the Mortgage and Foreclosure Law*

### **Summary**

This resolution defines the Comprehensive Housing Division, for the purposes of the Mortgage and Foreclosure law, as the Division of Land Management.

*Submitted by Krystal L. John, Staff Attorney*

### **Analysis from Legislative Reference Office**

The Mortgage and Foreclosure law assigns responsibilities and authorities, including rulemaking authority, to the Comprehensive Housing Division. The Comprehensive Housing Division is under develop as part of the Oneida Business Committee's reorganization, however, has not yet been formally created.

The Mortgage and Foreclosure law assigns responsibilities and authorities to the Comprehensive Housing Division and provides that the Oneida Business Committee shall define that Division by resolution. This allows the law to be implemented immediately and prevents the need for amendments to the law at the time that the Comprehensive Housing Authority is formally created. Accordingly, this resolution defines the Comprehensive Housing Division for the purposes of the Mortgage and Foreclosure law as the Division of Land Management. When the new Comprehensive Housing Division is created, the reference will be required to be updated by Oneida Business Committee resolution, and will not require the law to be amended, which would subject the revision to the Legislative Procedures Act.

### **Conclusion**

Adoption of this Resolution would not conflict with the Nation's laws.

# Oneida Business Committee Agenda Request

1. Meeting Date Requested: 8 / 10 / 16

## 2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

Consider the adoption of resolution titled Conflict of Interest Policy Emergency Amendments

## 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:

Primary Requestor/Submitter: Jennifer Falck, LRO Director  
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:

These amendments are required as a result of HUD audit. See attached memo for more information.

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](mailto:BC_Agenda_Requests@oneidanation.org)



Oneida Nation  
Oneida Business Committee  
Legislative Operating Committee  
PO Box 365 • Oneida, WI 54115-0365  
[Oneida-nsn.gov](http://Oneida-nsn.gov)



## AGENDA REQUEST FORM

- 1) Request Date: 7/13/16
- 2) Contact Person(s): Brandon Stevens Dept: LRO  
Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_
- 3) Agenda Title: Conflict of Interest Policy Emergency Amendments

4) Detailed description of the item and the reason/justification it is being brought before the Committee

We are tasked to bring forward an emergency amendment for the Conflict of Interest Policy in regards to the HUD Site Monitoring review finding #1. We need to process this request and have it ready within 45 days.

List any supporting materials included and submitted with the Agenda Request Form

- 1) \_\_\_\_\_
- 2) \_\_\_\_\_
- 3) \_\_\_\_\_
- 4) \_\_\_\_\_

- 5) Please List any laws, ordinances or resolution that might be affected:  
\_\_\_\_\_
- 6) Please List all other departments or person(s) you have brought your concern to:  
\_\_\_\_\_
- 7) Do you consider this request urgent?  Yes  No  
If yes, please indicate why:  
\_\_\_\_\_

I, the undersigned, have reviewed the attached materials, and understand that they are subject to action by the Legislative Operating Committee

Signature of Requester:  
\_\_\_\_\_

*Please send this form and all supporting materials to:*

**LOC@oneidation.org**  
or  
**Legislative Operating Committee (LOC)**  
P.O. Box 365  
Oneida, WI 54155  
Phone 920-869-4376



Oneida Nation  
 Oneida Business Committee  
 Legislative Operating Committee  
 PO Box 365 • Oneida, WI 54115-0365  
 Oneida-nsn.gov



## Memorandum

**TO:** Oneida Business Committee  
**FROM:** Brandon Stevens, LOC Chairperson *BS*  
**DATE:** July 28, 2016  
**RE:** Conflict of Interest Policy Emergency Amendments

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Please find the following attached backup documentation for your consideration of the Conflict of Interest Emergency Amendments:

1. Resolution: Conflict of Interest Emergency Amendments
2. Statement of Effect: Conflict of Interest Emergency Amendments
3. Conflict of Interest Emergency Amendments (redline)
4. Conflict of Interest Emergency Amendments (clean)

### *Overview*

The attached Resolution will adopt emergency amendments to the Conflict of Interest Policy. Amendments to the Policy are required as a result of a Housing and Urban Development (HUD) audit finding the Oneida Nation Policy was not compliant with the regulation at 2 CFR Section 200.318(c)(1) regarding contracts supported by a Federal award. To address the finding of noncompliance, HUD is requiring the Oneida Nation to provide Eastern Woodland Office of Native American Programs (E/WONAP) with an updated Oneida Nation Conflict of Interest Policy which states no employee, officer, or agent may participate in the selection, award or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. The Conflict of Interest Policy had been updated to comply with the requirements noted by HUD.

Emergency amendments do not require a public meeting or fiscal impact statement. If adopted, these amendments will become effective immediately and will remain in effect for six months, unless extended or permanently adopted [See *Legislative Procedures Act 16.9-5*].

### **Requested Action**

Approve the Resolution: Conflict of Interest Policy

**BC Resolution \_\_\_\_\_**

*Conflict of Interest Policy Emergency Amendments*

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**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 the Conflict of Interest Policy through resolution BC-6-10-98-C; and

**WHEREAS,** the U.S. Department of Housing and Urban Development (HUD) conducted an on-site monitoring review of the Oneida Housing Authority in December 2015 and provided a monitoring report to the Tribal Chairperson on June 21, 2016; and

**WHEREAS,** HUD found that the Nation’s Conflict of Interest Policy was not in compliance with 2 CFR Section 200.318(C)(1) in that the Policy does not include the requirement that no employee, officer or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest; and

**WHEREAS,** to address this finding, HUD’s monitoring report required the Oneida Nation to provide the Eastern/Woodlands Office of Native American Programs (E/WONAP) with an updated Conflict of Interest Policy which states no employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest within ninety (90) days after receipt of the Monitoring Report; and

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

**WHEREAS,** emergency amendments to the Conflict of Interest Policy are necessary in order to comply with HUD’s requirements in the allotted timeframe and directly affect the preservation of the public health, safety, or general welfare of the reservation population; and

**WHEREAS,** observance of the adoption requirements under the Legislative Procedures Act for passage of laws and policies would be contrary to public interest; and

37 **NOW THEREFORE BE IT RESOLVED**, that the following amendments are hereby adopted  
38 on an emergency basis for six (6) months, and shall take effect immediately:

39 **Article III. Definitions**

40 3-2. "Conflict of interest" shall mean any interest, real or apparent, whether it be  
41 personal, financial, political, or otherwise, in which a elected official, employee,  
42 consultant, or appointed or elected member of any board, committee or commission, or  
43 their immediate relatives, friends or associates, or any other person with whom they have  
44 contact, have that conflicts with any right of the Oneida Tribe to property, information, or  
45 any other right to own and operate activities free from undisclosed competition or other  
46 violation of such rights of the Oneida Tribe. In addition, conflict of interest also means  
47 any financial or familial interest an elected official, employee, consultant, or appointed or  
48 elected member of any board, committee or commission, or their immediate relatives  
49 may have in any transaction between the Oneida Tribe and an outside party.

50 **Article V. Penalties for Non-Disclosure of a Conflict of Interest**

51 ...

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53 **Article VI. Prohibited activities resulting from a Conflict of Interest**

54 6-1. When a conflict of interest exists, no employee, officer or agent may participate in:  
55 a. the selection, award, or administration of a contract supported by a Federal  
56 award; and/or  
57 b. any other prohibited activities identified in any other law, policy or rule of the  
58 Oneida Nation.

59 6-2. In the event arrangements are made to alleviate or mitigate the conflict of interest,  
60 it may become permissible for a party to participate under 6-1.b. at the discretion of the  
61 division director and to the extent permitted any applicable law, policy or rule, however,  
62 in all circumstances, such parties remain prohibited from participating under 6-1.a.  
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## Statement of Effect

### *Conflict of Interest Policy Emergency Amendments*

#### *Summary*

This Resolution adopts emergency amendments to the Conflict of Interest Policy (COI) to comply with the Housing and Urban Development (HUD) finding of noncompliance. The finding requires an update of the COI which states “no employee, officer, or agent may participate in the selection, award or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest”. The update triggered additional modifications to the COI as noted below.

*Submitted by Patricia M. Stevens Garvey, Staff Attorney*

#### *Analysis from Legislative Reference Office*

This Resolution adopts emergency amendments to the Conflict of Interest Policy (COI), which was adopted through resolution BC-6-10-98-C. This Policy requires employees and officials to disclose conflicts of interest to the Oneida Nation. HUD found the COI fails to require employees and officials that disclose potential conflicts of interest to be excluded from decision making capacity. In addition, HUD determined the Oneida Nation Code of Ethics includes requirements for government officials to disqualify themselves when their action or inaction may be reasonably questioned for reasons including personal bias and individual or family financial interest. However, HUD found, the Code of Ethics is not sufficient to ensure compliance with the conflict of interest requirements in the procurement regulations. Specifically, HUD concluded, the Code of Ethics provides an exception through which the Oneida Nation may waive an employee’s conflict of interest after disclosure, but 2 CFR Section 200.318(c) does not recognize such an exception.

The regulation at 2 CFR Section 200.318(c)(1) requires a non-Federal entity to maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts. The proposed emergency amendments to this Law would specifically nullify the exception, noted in the Code of Ethics, in contracts supported by a Federal award and cure the noncompliance finding in the HUD Monitoring Report. The updated language in the COI states “no employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest.”

The “real or apparent” language was added to the definition of Conflict of Interest in section 3-2 of the COI. A new Article VI was added and titled “Prohibited activities resulting from a Conflict of Interest.” Section 6.1.a. includes the updated language required for compliance required by the HUD Monitoring Report.

Section 16.9-5 of the Legislative Procedures Act (LPA) allows the Oneida Business Committee to take emergency action where it is “necessary for the immediate preservation of the public health, safety or general welfare of the reservation population” and when “enactment or amendment of legislation is required sooner than would be possible under the” LPA. Through the Resolution, the Oneida Business Committee has issued a finding of an emergency and has stated the necessity for approving emergency amendments to this Law in order to comply with the timeframe that HUD has provided for correcting the COI’s noncompliance with the CFR.

***Conclusion***

Adoption of this Resolution would not conflict with Tribal law.



Draft # 1  
2016 08 03

## Conflict of Interest Policy Emergency Amendments

<i>Analysis by the Legislative Reference Office</i>					
<b>Title</b>	Conflict of Interest Policy (emergency amendments)				
<b>Sponsor</b>	Brandon Stevens	<b>Drafter</b>	Patricia M. Garvey	<b>Analyst</b>	Maureen Perkins
<b>Requester &amp; Reason for Request</b>	Oneida Business Committee U.S. Housing and Urban Development (HUD) Onsite Monitoring Review dated June 12, 2016 finding #1 required change.				
<b>Purpose</b>	This Policy shall be interpreted to prevent the use of inside information by which such use would be to the detriment of the Oneida Tribe [see 4-1].				
<b>Authorized/ Affected Entities</b>	This Policy shall apply to employees, consultants, members of boards, committees and commissions, officers of the Oneida Tribe or any other persons with whom they may be associated in personal, marital, business, financial or other relationships [see 4-2(a)].				
<b>Related Legislation</b>	Investigative Leave Policy; Personnel Policies and Procedures; Removal Law; Comprehensive Policy Governing Boards, Committees and Commissions; Attorney Contract Policy; Code of Ethics				
<b>Enforcement &amp; Due Process</b>	Employees found to be in violation of conflicts of interest shall be suspended without pay pending a complete investigation and terminated where evidence identifies that an undisclosed conflict exists or existed [see 5-1]. Members of boards, committees and commissions may be either removed pursuant to the Removal Law for elected officials or have their appointment terminated by the Oneida Business Committee pursuant to the law governing board, committees and commissions for appointed officials [see 5-2]. Entities or persons who do not disclose conflicts may be subject to termination of their contracts [see 5-3].				
<b>Public Meeting Status</b>	A public meeting is not required for emergency legislation.				

### Overview

The Conflict of Interest Policy identifies the individuals covered by the policy, facilitates disclosure of information that may help identify conflicts of interest, and specifies procedures to be followed in managing conflicts of interest. A conflict of interest arises when employees, consultants, appointees, officials and all others who may have access to information or materials that are confidential, may in any way benefit from a decision he or she could make, including indirect benefits such as to family members or businesses with which the person is closely associated.

Amendments to this policy are required to satisfy an audit by the U.S. Department of Housing and Urban Development dated June 12, 2016 in order to bring the Oneida Nation into compliance with HUD requirements within 90 days.

**Proposed Emergency Amendments**

Amendments to this policy are required to satisfy HUD's required language.

- The term "conflict of interest" was updated in the law to include potential or perceived conflicts and to include financial or familial interest regarding any transaction between the Oneida Tribe and an outside party:
  - Real or apparent was added to section 3-2
  - In addition, conflict of interest also means any financial or familial interest an elected official, employee, consultant, or appointed or elected member of any board, committee or commission, or their immediate relatives may have in any transaction between the Oneida Tribe and an outside party *[see 3-1]*.
- The Penalties section was updated to clarify that penalties are for non-disclosure of a conflict of interest *[see Article V]*.
- Prohibited activities resulting from a conflict of interest section was added *[see Article VI]*.
  - Prohibits anyone with a conflict of interest from participating in the selection, award, or administration of a contracted supported by a Federal award in all circumstances *[see 6-1(a) and 6-2]*.
  - Prohibits anyone with a conflict of interest from participating in any other prohibited activities identified in any other law, policy or rule of the Oneida Nation, except where other arrangements are made and at the discretion of the Division Director *[see 6-1(b)]*.

**Other**

- There is no conflict between the proposed Conflict of Interest Policy emergency amendments and the Oneida Code of Laws.
  - This policy provides the basic language applicable to all other laws regarding conflict of interest. Several other Oneida laws contain language regarding conflict of interest that applies beyond this law; however, that language applies in those specific situations detailed within those other laws.
    - Comprehensive Policy Governing Boards, Committees and Commissions *[see Article XIII]*
    - Code of Ethics *[see 3.3-3(a)(2) and 3.3-6 and 3.4-5(a) and 3.5-3(a)(6) and 3.5-3(b)(2) and 3.5-3(d)(5)(A)]*
    - Attorney Contract Policy *[see 5-2(b) and 5-3]*
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**Conflict of Interest Policy**

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Article I. Purpose and Policy  
Article II. Adoption, Amendment, Repeal  
Article I. General

6 Article V. Penalties  
7 Article VI. Exceptions

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**Article I. Purpose and Policy**

1-1. The Oneida Tribe desires that all employees, consultants, appointees, officials and all others who may have access to information or materials that are confidential or may be used by competitors of the Oneida Tribe’s enterprises or interests be subject to specific limitations to which such information and materials may be used in order to protect the interests of the Oneida Tribe.

1-2. The Oneida Tribe asserts its proprietary rights to client lists, trade secrets and any other confidential data generated, developed or commissioned for the Oneida Tribe in the course of an employee’s duties and responsibilities and that all employees, and prospective employees, be made aware of their obligation to uphold such rights.

1-3. The Oneida Tribe asserts that no persons who work for the Oneida Tribe or are responsible for safeguarding its interests nor their relatives, associates, partners, or anyone connected with such persons should in any way benefit against or in competition with the Oneida Tribe’s interests without full and complete prior disclosure to the Oneida Tribe.

**Article II. Adoption, Amendment, Repeal**

2-1. This Policy is adopted by the Oneida Business Committee by Resolution é BC-6-10-98-C.

2-2. This Policy may be amended pursuant to the procedures set out in the Oneida Administrative Procedures Act by the Oneida Business Committee or the Oneida General Tribal Council.

2-3. Should a provision of this Policy or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this Policy which are considered to have legal force without the invalid portions.

2-4. All other Oneida laws, policies, regulations, rules, resolutions, motions and all other similar actions which are inconsistent with this Policy are hereby superseded unless specifically re-enacted after adoption of this Policy. Specifically, the following resolutions are superseded by this Policy:

- a. Resolution é BC-9-28-90-A, and
- b. Resolution é BC-9-27-90-E.

**Article III. Definitions**

3-1. This article shall govern the definitions of words as phrases as used herein. All words not defined herein shall be used in their ordinary and everyday sense.

3-2. “Conflict of interest” shall mean any interest, real or apparent, whether it be personal, financial, political, or otherwise, in which a elected official, employee, consultant, or appointed or elected member of any board, committee or commission, or their immediate relatives, friends or associates, or any other person with whom they have contact, have that conflicts with any right of the Oneida Tribe to property, information, or any other right to own and operate activities free from undisclosed competition or other violation of such rights of the Oneida Tribe.

49 | In addition, conflict of interest also means any financial or familial interest an elected official,  
 50 | employee, consultant, or appointed or elected member of any board, committee or commission,  
 51 | or their immediate relatives may have in any transaction between the Oneida Tribe and an outside  
 52 | party.

53 3-3. "Third party agreement" shall mean any agreement with the Pharmacy in which an insurance  
 54 provider agrees to reimburse the Pharmacy for drugs and supplies sold to subscribers of a valid  
 55 health plan of that insurance provider.

## 56 57 **Article I. General.**

58 4-1. *Purpose.* This Policy shall be interpreted to prevent the use of inside information by which  
 59 such use would be to the detriment of the Oneida Tribe.

60 4-2. *Scope.*

61 a. This Policy shall apply to employees, consultants, members of boards, committees and  
 62 commissions, officers of the Oneida Tribe or any other persons with whom they may be  
 63 associated in personal, marital, business, financial or other relationships.

64 b. Under the protection of this Policy are the resources of the Oneida Tribe, its  
 65 enterprises, programs, business interests, financial information, trade secrets and any  
 66 other information that could be used against the Oneida Tribe or those duly authorized to  
 67 represent its interests.

68 4-3. *Amendment of Documents.* The following documents shall be amended as required in order  
 69 to implement this Policy:

70 a. Personnel Policies and Procedures for employees.

71 1. Prospective employees will be asked whether or not they have any conflicts of  
 72 interest as defined in this Policy.

73 2. Current employees will be asked to disclose existing conflicts of interest, if  
 74 any.

75 b. Persons or entities contracting with the Oneida Tribe must include a provision reciting  
 76 the prohibition against undisclosed conflicts of interest.

77 c. All members of boards, committees and commissions shall be informed in writing by  
 78 the Tribal Secretary of the existence of this Policy.

79 4-4. *Forms.* Forms shall be prepared upon which disclosures of conflicts which exist may be  
 80 listed and returned to the Oneida Business Committee for action as indicated in this Policy. The  
 81 Oneida Law Office shall be responsible for creating a standard form and any specialized forms  
 82 required by this Policy.

## 83 84 | **Article V. Penalties for Non-Disclosure of a Conflict of Interest**

85 5-1. *Employees.* Employees found to be in violation of conflicts of interest shall be suspended  
 86 without pay pending a complete investigation and terminated where evidence identifies that a  
 87 undisclosed conflicts exists or existed. This investigation must be concluded within seven (7)  
 88 days of the suspension, after which the terminated employee shall have the same rights of appeal  
 89 as all other employees pursuant to procedures set forth in the Personnel Policies and Procedures.

90 5-2. *Boards, Committees and Commissions.* Members of boards, committees and commissions  
 91 may be either removed pursuant to the Removal Law for elected officials or have their  
 92 appointment terminated by the Oneida Business Committee pursuant to the law governing board,  
 93 committees and commissions for appointed officials.

94 5-3. *Contracts.* Entities or persons who do not disclose conflicts may be subject to termination

95 | of their contracts.

96 |  
97 | **Article VI. Prohibited activities resulting from a Conflict of Interest**

98 | 6-1. When a conflict of interest exists, no employee, officer or agent may participate in:

99 | a. the selection, award, or administration of a contract supported by a Federal award;  
100 | and/or

101 | b. any other prohibited activities identified in any other law, policy or rule of the Oneida  
102 | Nation.

103 | 6-2. In the event arrangements are made to alleviate or mitigate the conflict of interest, it may  
104 | become permissible for a party to participate under 6-1.b. at the discretion of the division  
105 | director and to the extent permitted any applicable law, policy or rule, however, in all  
106 | circumstances, such parties remain prohibited from participating under 6-1.a.

107 |  
108 | **Article VII. Exceptions**

109 | 67-1. Exemptions to this Policy are for the purpose of excluding activities of the Oneida Tribe  
110 | for which no conflict of interest can exist. These activities generally occur when the Oneida  
111 | Tribe is acting as a provider of services for which another will be making payments or  
112 | reimbursing costs of providing the services. Exemptions must be specifically identified within  
113 | this Article.

114 | 67-2. Pharmacy. This exemption shall be designed to relieve the Pharmacy and insurance  
115 | providers from the requirements of the Conflict of Interest Policy while recognizing the unique  
116 | relationship between the Pharmacy and insurance providers in third party payment agreements  
117 | where no proprietary information of the Oneida Tribe is provided to the insurance providers, and  
118 | there is little or no opportunity for a conflict of interest between the insurance providers and the  
119 | Oneida Tribe. This exemption shall be designed to increase the attractiveness of the Pharmacy to  
120 | subscribers of multiple insurance providers. This exemption shall apply solely to insurance  
121 | providers seeking to enter into third party payment agreements with the Pharmacy.

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123 | *End.*  
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125 |  
126 | Adopted - BC-6-10-98-C  
127 | Emergency Amendment - BC-4-12-06-JJ  
128 | Amended - BC-9-27-06-E (adoption of emergency amendments)

**Conflict of Interest Policy**

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Article I. Purpose and Policy  
Article II. Adoption, Amendment, Repeal  
Article I. General

6 Article V. Penalties  
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**Article I. Purpose and Policy**

1-1. The Oneida Tribe desires that all employees, consultants, appointees, officials and all others who may have access to information or materials that are confidential or may be used by competitors of the Oneida Tribe’s enterprises or interests be subject to specific limitations to which such information and materials may be used in order to protect the interests of the Oneida Tribe.

1-2. The Oneida Tribe asserts its proprietary rights to client lists, trade secrets and any other confidential data generated, developed or commissioned for the Oneida Tribe in the course of an employee’s duties and responsibilities and that all employees, and prospective employees, be made aware of their obligation to uphold such rights.

1-3. The Oneida Tribe asserts that no persons who work for the Oneida Tribe or are responsible for safeguarding its interests nor their relatives, associates, partners, or anyone connected with such persons should in any way benefit against or in competition with the Oneida Tribe’s interests without full and complete prior disclosure to the Oneida Tribe.

**Article II. Adoption, Amendment, Repeal**

2-1. This Policy is adopted by the Oneida Business Committee by Resolution # BC-6-10-98-C.

2-2. This Policy may be amended pursuant to the procedures set out in the Oneida Administrative Procedures Act by the Oneida Business Committee or the Oneida General Tribal Council.

2-3. Should a provision of this Policy or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this Policy which are considered to have legal force without the invalid portions.

2-4. All other Oneida laws, policies, regulations, rules, resolutions, motions and all other similar actions which are inconsistent with this Policy are hereby superseded unless specifically re-enacted after adoption of this Policy. Specifically, the following resolutions are superseded by this Policy:

- a. Resolution # BC-9-28-90-A, and
- b. Resolution # BC-9-27-90-E.

**Article III. Definitions**

3-1. This article shall govern the definitions of words as phrases as used herein. All words not defined herein shall be used in their ordinary and everyday sense.

3-2. “Conflict of interest” shall mean any interest, real or apparent, whether it be personal, financial, political, or otherwise, in which a elected official, employee, consultant, or appointed or elected member of any board, committee or commission, or their immediate relatives, friends or associates, or any other person with whom they have contact, have that conflicts with any right of the Oneida Tribe to property, information, or any other right to own and operate activities free from undisclosed competition or other violation of such rights of the Oneida Tribe.

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 50 employee, consultant, or appointed or elected member of any board, committee or commission,  
 51 or their immediate relatives may have in any transaction between the Oneida Tribe and an outside  
 52 party.

53 3-3. "Third party agreement" shall mean any agreement with the Pharmacy in which an insurance  
 54 provider agrees to reimburse the Pharmacy for drugs and supplies sold to subscribers of a valid  
 55 health plan of that insurance provider.

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## 57 **Article I. General.**

58 4-1. *Purpose.* This Policy shall be interpreted to prevent the use of inside information by which  
 59 such use would be to the detriment of the Oneida Tribe.

60 4-2. *Scope.*

61 a. This Policy shall apply to employees, consultants, members of boards, committees and  
 62 commissions, officers of the Oneida Tribe or any other persons with whom they may be  
 63 associated in personal, marital, business, financial or other relationships.

64 b. Under the protection of this Policy are the resources of the Oneida Tribe, its  
 65 enterprises, programs, business interests, financial information, trade secrets and any  
 66 other information that could be used against the Oneida Tribe or those duly authorized to  
 67 represent its interests.

68 4-3. *Amendment of Documents.* The following documents shall be amended as required in order  
 69 to implement this Policy:

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73 2. Current employees will be asked to disclose existing conflicts of interest, if  
 74 any.

75 b. Persons or entities contracting with the Oneida Tribe must include a provision reciting  
 76 the prohibition against undisclosed conflicts of interest.

77 c. All members of boards, committees and commissions shall be informed in writing by  
 78 the Tribal Secretary of the existence of this Policy.

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 80 listed and returned to the Oneida Business Committee for action as indicated in this Policy. The  
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 82 required by this Policy.

83

## 84 **Article V. Penalties for Non-Disclosure of a Conflict of Interest**

85 5-1. *Employees.* Employees found to be in violation of conflicts of interest shall be suspended  
 86 without pay pending a complete investigation and terminated where evidence identifies that a  
 87 undisclosed conflicts exists or existed. This investigation must be concluded within seven (7)  
 88 days of the suspension, after which the terminated employee shall have the same rights of appeal  
 89 as all other employees pursuant to procedures set forth in the Personnel Policies and Procedures.

90 5-2. *Boards, Committees and Commissions.* Members of boards, committees and commissions  
 91 may be either removed pursuant to the Removal Law for elected officials or have their  
 92 appointment terminated by the Oneida Business Committee pursuant to the law governing board,  
 93 committees and commissions for appointed officials.

94 5-3. *Contracts.* Entities or persons who do not disclose conflicts may be subject to termination

95 of their contracts.

96

97 **Article VI. Prohibited activities resulting from a Conflict of Interest**

98 6-1. When a conflict of interest exists, no employee, officer or agent may participate in:

99 a. the selection, award, or administration of a contract supported by a Federal award;  
100 and/orb. any other prohibited activities identified in any other law, policy or rule of the  
101 Oneida Nation.

102 6-2. In the event arrangements are made to alleviate or mitigate the conflict of interest, it may  
103 become permissible for a party to participate under 6-1.b. at the discretion of the division  
104 director and to the extent permitted any applicable law, policy or rule, however, in all  
105 circumstances, such parties remain prohibited from participating under 6-1.a.

106

107 **Article VII. Exceptions**

108 7-1. Exemptions to this Policy are for the purpose of excluding activities of the Oneida Tribe for  
109 which no conflict of interest can exist. These activities generally occur when the Oneida Tribe is  
110 acting as a provider of services for which another will be making payments or reimbursing costs  
111 of providing the services. Exemptions must be specifically identified within this Article.

112 7-2. *Pharmacy.* This exemption shall be designed to relieve the Pharmacy and insurance  
113 providers from the requirements of the Conflict of Interest Policy while recognizing the unique  
114 relationship between the Pharmacy and insurance providers in third party payment agreements  
115 where no proprietary information of the Oneida Tribe is provided to the insurance providers, and  
116 there is little or no opportunity for a conflict of interest between the insurance providers and the  
117 Oneida Tribe. This exemption shall be designed to increase the attractiveness of the Pharmacy to  
118 subscribers of multiple insurance providers. This exemption shall apply solely to insurance  
119 providers seeking to enter into third party payment agreements with the Pharmacy.

120

121 *End.*

122

123

124 Adopted - BC-6-10-98-C

125 Emergency Amendment - BC-4-12-06-JJ

126 Amended - BC-9-27-06-E (adoption of emergency amendments)

# Oneida Business Committee Agenda Request

1. Meeting Date Requested: 08 / 10 / 16

## 2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

Accept LOC minutes of July 6, 2016

## 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:

Primary Requestor/Submitter:

Your Name, Title / Dept. or Tribal Member

Additional Requestor:

Name, Title / Dept.

Additional Requestor:

Name, Title / Dept.

# 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-2<sup>nd</sup> Floor Norbert Hill Center

July 6, 2016 9:00 a.m.

**Present:** Brandon Stevens, Tehassi Hill, David P. Jordan

**Excused:** Jennifer Webster, Fawn Billie

**Others Present:** Taniquelle Thurner, Maureen Perkins, Doug McIntyre, Krystal John, Rae Skenandore, Dale P. Wheelock, Scott Denny, Cathy Metoxen, Bonnie Pigman, Elena Hill, Michelle Mays, Mike Debraska, Nancy Barton, Trina Schuyler

### **I. Call to Order and Approval of the Agenda**

Brandon Stevens called the July 6, 2016 Legislative Operating Committee meeting to order at 9:02 a.m.

Motion by Tehassi Hill to adopt the agenda with the addition of the Membership Ordinance Emergency Amendments and the deletion of the Community Support Fund, deferring this item to the next LOC meeting; seconded by David P. Jordan. Motion carried unanimously.

### **II. Minutes to be approved**

#### **1. June 15, 2016 LOC Meeting Minutes**

Motion by David P. Jordan to approve the June 15, 2016 LOC meeting minutes; seconded by Tehassi Hill. Motion carried unanimously.

### **III. Current Business**

#### **1. Eviction and Termination (13:30-15:50)**

Motion by Tehassi Hill to accept the legislative analysis for the Eviction and Termination law and to approve the public meeting packet which schedules a public meeting for August 4, 2016; seconded by David P. Jordan. Motion carried unanimously.

2. **Fitness for Duty** (15:55-20:15)

Motion by Tehassi Hill to accept the Fitness for Duty law public meeting comments and defer review of the comments to a work meeting; seconded by David P. Jordan. Motion carried unanimously.

3. **Petition: Debraska – Per Capita Distribution** (20:20-26:26)

Motion by David P. Jordan to accept the statement of effect update memorandum and to forward it to the Oneida Business Committee; seconded by Tehassi Hill. Motion carried unanimously.

~~4. **Community Support Fund Amendments** (item deleted at adoption of agenda)~~

5. **Rules of Administrative Procedure** (26:39-27:56)

Motion by Tehassi Hill accept the memorandum as FYI and defer the Rules of Administrative Procedure back to the sponsor to bring back when ready; seconded by David P. Jordan. Motion carried unanimously.

6. **Garnishment Law Amendments** (27:58-49:34)

Motion by Tehassi Hill to accept the second public meeting comments regarding the Garnishment law amendments and include the term Oneida Entity; seconded by David P. Jordan. Motion carried unanimously.

*Note: Oneida Entity shall be defined as a department, board, committee, commission or chartered corporation of the Nation or the Judiciary.*

7. **Per Capita Law Amendments** (49:38-1:10:13)

Motion by Tehassi Hill to accept the public meeting comments regarding the Per Capita law amendments from the May 19, 2016 and June 16, 2016 public meetings and direct desired changes; seconded by David P. Jordan. Motion carried unanimously.

*Note: Directed change: remove the word automatic from section 9.6-1(d)(1)(C)(i).*

**IV. New Submissions**

**V. Additions**

1. **Membership Ordinance Emergency Amendments** (1:10:25-1:36:25)

Motion by David P. Jordan to add the Membership Ordinance Emergency Amendments to the Active Files List and direct the Legislative Reference Office to schedule a work meeting with the Oneida Business Committee within two weeks and to bring this item back to the next LOC meeting; seconded by Tehassi Hill. Motion carried unanimously.

**VI. Administrative Updates**

**VII. Executive Session**

**VIII. Recess/Adjourn**

Motion by Tehassi Hill to adjourn the July 6, 2016 Legislative Operating Committee meeting at 10:40 a.m.; seconded by David P. Jordan. Motion carried unanimously.

# Oneida Business Committee Agenda Request

1. Meeting Date Requested: 08 / 10 / 16

## 2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

Accept LOC minutes of July 20, 2016

## 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:

Primary Requestor/Submitter: Jennifer Falck, Director/Legislative Reference Office  
Your Name, Title / Dept. or Tribal Member

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.



## LEGISLATIVE OPERATING COMMITTEE MEETING MINUTES

Business Committee Conference Room-2<sup>nd</sup> Floor Norbert Hill Center

July 20, 2016 9:00 a.m.

**Present:** Brandon Stevens, David P. Jordan, Jennifer Webster, Fawn Billie

**Excused:** Tehassi Hill

**Others Present:** Jennifer Falck, Taniquelle Thurner, Maureen Perkins, Krystal John, Danelle Wilson, Rae Skenandore, Cathy L. Metoxen, Jeri Bauman

*\* note: Due to an error with the audio equipment this meeting was not recorded.*

### I. Call to Order and Approval of the Agenda

Brandon Stevens called the July 20, 2016 Legislative Operating Committee meeting to order at 9:02 a.m.

Motion by David P. Jordan to adopt the agenda with the deletion of 3.1 Community Support Fund Amendments and 4.1 Drug and Alcohol Free Workplace Emergency Amendments and the addition of 5.1 Garnishment Amendments and 5.2 Membership Ordinance Emergency Amendments; seconded by Fawn Billie. Motion carried unanimously.

### II. Minutes to be approved

#### 1. July 6, 2016 LOC Meeting Minutes

Motion by David P. Jordan to approve the July 6, 2016 LOC meeting minutes; seconded by Jennifer Webster. Motion carried unanimously.

### III. Current Business

#### 1. Mortgage and Foreclosure

Motion by David P. Jordan to accept the Mortgage and Foreclosure public comments and direct the Legislative Reference Office to prepare an adoption packet; seconded by Jennifer Webster. Motion carried unanimously.

#### 2. Back Pay Amendments

Motion by David P. Jordan to approve a change in policy changing the formula to use average hours instead of average earnings and approve alternative 2 from the LOC memo, adding a definition for “immediately prior”; seconded by Jennifer Webster. Motion carried unanimously.

#### ~~3. Community Support Fund Amendments~~ (item deleted at adoption of agenda)

**4. Petition: Debraska – Per Capita Distribution**

Motion by Fawn Billie to accept the statement of effect for Petition-Debraska Per Capita Distribution and forward to the Oneida Business Committee; seconded by David P. Jordan. Motion carried unanimously.

**IV. New Submissions**

~~1. Drug and Alcohol Free Workplace Policy Emergency Amendments~~ *(item deleted at adoption of agenda)*

**V. Additions**

**1. Garnishment Law Amendments**

Motion by Jennifer Webster to accept the fiscal impact statement, approve the adoption packet for the Garnishment law Amendments and forward adoption packet to the Oneida Business Committee for consideration; seconded by David P. Jordan. Motion carried unanimously.

**2. Membership Ordinance Emergency Amendments**

Motion by Jennifer Webster to remove the emergency status of the Membership Ordinance Emergency Amendments, accept the update memo and forward to the Oneida Business Committee as FYI; seconded by Fawn Billie. Motion carried unanimously.

**VI. Administrative Updates**

**VII. Executive Session**

**VIII. Recess/Adjourn**

Motion by David P. Jordan to adjourn the July 6, 2016 Legislative Operating Committee meeting at 10:00 a.m.; seconded by Fawn Billie. Motion carried unanimously.

# Oneida Business Committee Agenda Request

1. Meeting Date Requested: 08 / 10 / 16

## 2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

Please review the Employment law memo and direct as to how to proceed with presenting the Employment law and handbook to the General Tribal Council.

## 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:

Primary Requestor: Submitted by: Maureen Perkins, Legislative Reference Office  
Your Name, Title / Dept. or Tribal Member

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.



Oneida Nation  
 Oneida Business Committee  
 Legislative Operating Committee  
 PO Box 365 • Oneida, WI 54115-0365  
 Oneida-nsn.gov



HANDOUT

TO: Oneida Business Committee  
 FROM: Brandon Stevens, LOC Chairperson   
 DATE: August 10, 2016  
 Re: Employment Law GTC Special Meeting Date

---

### Employment Law Background

As the sponsor of the Employment law, I have been working hard with the LOC to keep the Employment as one of the LOC's top priorities. In getting to this point, we have done extensive public outreach to hear our employment base's direct concerns by holding 23 meetings throughout the organization reaching nearly 500 employees, which represented all levels of our workforce, from the frontline to upper management. We used these conversations to present a law that incorporates the concerns our employees identified regarding application, process, clarity and implementation. As we continued to update the law based on feedback received we tracked the laws progress on the website providing a redline of version of each draft and a brief explanation of each draft's major revisions. Further, because of the nature of this law and its impact, each comment received by telephone or in writing outside of the public meeting process was responded to individually. In addition we have made publications in the Kali presenting and updating information on the purpose, intent and effect of the Employment law.

We have provided Employment law binders to all Oneida Business Committee members and support staff to solicit feedback on various occasions. The complete binders including the Employment law, Employee Handbook, supporting legislation and Employment law publications was first distributed on October 20, 2015, with two subsequent updates, most recently on June 1, 2016. The version distributed on June 1, 2016 was a final version pending Oneida Business Committee input. We met with the OBC on June 3<sup>rd</sup> and June 15<sup>th</sup> and reviewed the comments and discussion from these meetings. No further comments were received outside of these meetings. Based on feedback from meetings conducted with the OBC a few revisions have been incorporated into the law and handbook which is available online. We now have a final version that we are ready to present to the General Tribal Council for its consideration.

We have received a great show of support and appreciation for all of the public outreach that has surrounded this law. While this sort of outreach and communication may be a benefit to all laws being drafted or amended, the amount of work involved would be far beyond the time constraints of the limited staff on the Legislative Reference Office. That being said, we are committed to keeping the public outreach initiative related to the Employment law going strong. Now that the Employment law has been scrutinized and commented upon by the employment base and the Oneida Business Committee, we are beginning to hold informational meetings for the community at large, as the majority of General Tribal Council members are not employees of the Nation. So far, we have the following meetings scheduled:

- August 4th – 5:00 – 6:30 P.M. – Norbert Hill Center, Business Committee Conference Room

- August 18th – 5:00 – 6:30 P.M. – Norbert Hill Center, Business Committee Conference Room
- September 7th – 5:00 – 6:30 P.M. – Norbert Hill Center, Business Committee Conference Room

Moving forward, we plan to continue holding two informational community meetings per month at various locations and times until the Employment law is presented to the General Tribal Council for its consideration. These information meetings with the community at large should help facilitate a meaningful conversation with the General Tribal Council.

### **Requested Action**

The ideal presentation of the Employment law would be to present it on an informational basis first at a meeting where the Employment law is the sole topic, similar to the first presentation of the Oneida Judiciary. The Constitution provides that, absent General Tribal Council direction, the chairperson is the only party able to call a special meeting of the General Tribal Council. Accordingly, I am requesting that the Oneida Business Committee select from one of the following two options for scheduling a special meeting to present the Employment law to General Tribal Council.

#### *Option 1: Chairwoman to Call Special Meeting for Presentation of the Employment law.*

Article III, Section 6 provides that the chairperson may call a special meeting. If the Chairwoman agrees to call a special meeting for presenting the Employment Law to the General Tribal Council, we could begin with the scheduling and notice of that meeting right away, which would be ideal.

#### *Option 2: Solicit General Tribal Council Direction to Call a Special Meeting for Presenting the Employment Law.*

If the Chairwoman declines to schedule a special meeting for presenting the Employment law to the General Tribal Council, I request permission to provide a short update on the Employment law as part of the Legislative Operating Committee's Semi-Annual Report at the meeting scheduled for the first week of September. As part of this update, I will request GTC to direct the Oneida Business Committee as to how it would like the Employment law information presented, with a recommendation to call a special meeting. The Employment law is included in the LOC's Semi-Annual Report on page 13 of the report book noting that a public meeting has been held for the Employment law. Accordingly, the topic of the Employment law and the LOC's legislation in general does meet the applicable notice requirements.

# Oneida Business Committee Agenda Request

1. Meeting Date Requested: 8 / 10 / 16

## 2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

Review the certified Marriage Fee Schedule Rule and Marriage Fine Schedule Rule

## 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:

Primary Requestor/Submitter: Jennifer Falck, Director/Legislative Reference 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 LOC certified the Marriage License Fee Schedule Rule and the Marriage License Fine Schedule rule at its August 3, 2016 meeting, in accordance with the Administrative Rulemaking Law. The Business Committee now has an opportunity to review the certified rules.

- 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](mailto:BC_Agenda_Requests@oneidanation.org)



Oneida Nation  
 Oneida Business Committee  
 Legislative Operating Committee  
 PO Box 365 • Oneida, WI 54115-0365  
[Oneida-nsn.gov](http://Oneida-nsn.gov)



**TO: Legislative Operating Committee**  
**FROM: Jen Falck, LRO Director**  
**RE: Marriage Law Rule Certification**  
**DATE: July 27, 2016**

---

The Licensing Department has submitted two rules for certification in compliance with the Administrative Rulemaking law.

### **Background**

The Rulemaking law was adopted by the Business Committee on February 24, 2016. The law set forth a process for authorized agencies to develop rules.

### **Marriage Law Rules**

The Marriage Law Rules are the first rules that the LOC will be reviewing for certification. The Licensing Department has developed two sets of rules.

1. Marriage License Fee Schedule- a rule that sets a fee schedule for marriage licenses
2. Marriage Law Fine Schedule- a rule that sets a fine schedule for violations of the Marriage Law.

### **Public Meetings**

Public meetings were held on June 16, 2016 and June 23, 2016. The public comment period was open until July 7, 2016. No public comments were received on either rule.

### **LOC Certification**

The next step is to have the LOC certify that the promulgation of the rules comply with the requirements of the Administrative Rulemaking Law.

The agency has submitted a certification packet to the LOC which includes the following content;

- ✓ **1. The draft proposed rule(s)**
- ✓ **2. A memo from the Agency to the LOC with the following contents;**
  - ✓ Timeline of dates that each rulemaking requirement was completed;
  - ✓ Date the public meeting was posted
  - ✓ Date the public meeting(s) was held

- ✓ Date the public comment period closed
- ✓ **3. Supporting Documentation;**
- ✓ The Kaliwisaks public meeting notice with date it was published
- ✓ If the Agency is not a board, committee or commission, a memo from the Agency's highest level of management-approving the proposed Rule.
- ✓ **4. The Summary Report that was submitted for public meeting;**
- ✓ A reference to the law that the proposed Rule interprets, along with a list of any other related laws or rules that may be affected by the proposed Rule;
- ✓ Brief summary of the proposed Rule and any changes made to the proposed Rule based on the public comment period required by Section 17.6 hereof, if applicable;
- ✓ Statement of Effect
- ✓ Financial Analysis
- ✓ **5. A memo from the Agency to the LOC with the following contents;**
- ✓ All the written and spoken comments that were received during the public comment period and the Agency's responses to each comment.
- ✓ The date the Rule will go into effect.

If the LOC is unable to certify the rules- they will be returned to the agency with specific feedback about what was not fulfilled.

If the rules are certified, they will be sent to the Business Committee, along with the summary report and the agency's memo discussing the public comments, or lack thereof.

### **Business Committee Review**

The Business Committee will review the certified rule(s) and the supporting documents. If the Business Committee has concerns or requests revisions, the agency will need to work with the Business Committee to address those concerns.

Unless the Business Committee repeals the rule- the rule will remain in effect while the agency and Business Committee work together to amend the rule.

### **Effective Dates**

The agency will determine a rule's effective date, but it must be after LOC certification is completed.

### **Requested Action**

Review the submission to determine whether the requirements of the Administrative Rulemaking Law have been met.

If the requirements have been met, take action to forward to the Business Committee for review.

**OR**

Return the rule(s) to the authorizing agency with specific feedback about changes. The authorizing agency may then resubmit a certification packet.



Oneida Nation  
Oneida Business Committee  
Legislative Operating Committee  
PO Box 365 • Oneida, WI 54115-0365  
Oneida-nsn.gov



- 1) Request Date: 7/27/16
- 2) Contact Person(s): Tonya Webster  
Dept: Licensing  
Phone Number: 920-496-5311 Email: twebster@oneidanation.org
- 3) Agenda Title: Marriage License Rules
- 4) Detailed description of the item and the reason/justification it is being brought before the Committee  
To be in compliance with the Rulemaking Process.

List any supporting materials included and submitted with the Agenda Request Form

- 1) 3) memo's
- 2) Proposed Rules
- 3) Public Meeting Notice
- 4) Financial Analysis & Statement of affect.

- 5) Please List any laws, ordinances or resolution that might be affected:  
Marriage License Ordinance
- 6) Please List all other departments or person(s) you have brought your concern to:

7) Do you consider this request urgent?  Yes  No

If yes, please indicate why:

Until the new application fee is enforced The Oneida Nation is losing Revenue.

I, the undersigned, have reviewed the attached materials, and understand that they are subject to action by the Legislative Operating Committee

Signature of Requester:

*Please send this form and all supporting materials to:*

**LOC@oneidanation.org**  
or  
**Legislative Operating Committee (LOC)**  
P.O. Box 365  
Oneida, WI 54155  
Phone 920-869-4376

MARRIAGE LAW  
Rule No. 1 – Marriage License Fee Schedule

**1.1 Purpose and Effective Date**

1.1-1. *Purpose.* The purpose of this rule is to establish a fee schedule for marriage licenses under the Marriage Law.

1.1-2. *Delegation.* The Marriage Law delegated the Oneida Licensing Department rulemaking authority pursuant to the Administrative Rulemaking law.

**1.2. Adoption and Authority**

1.2-1. This rule was adopted by the \_\_\_\_\_ in accordance with the procedures of the Administrative Rulemaking law.

1.2-2. This rule may be amended or repealed by the \_\_\_\_\_ pursuant to the procedures set out in the Administrative Rulemaking law.

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

1.2-4. In the event of a conflict between a provision of this rule and a provision of another rule, internal policy, procedure, or other regulation; the provisions of this rule control.

1.2-5. This rule supersedes all prior rules, regulations, internal policies or other requirements relating to the Marriage Law.

**1.3. Definitions**

1.3-1. This section governs the definitions of words and phrases used within this rule. All words not defined herein are to be used in their ordinary and everyday sense.

(a) “Department” means the Licensing Department.

**1.4. Fees**

1.4-1. The following list identifies the various fees that are, or may be, applicable to acquiring a marriage license:

(a) *Filing fee.* A standard filing fee for a marriage license. This fee amount shall be one hundred dollars (\$100).

(b) *Waiver fee.* A fee for the waiver of the initial waiting period. This fee amount shall be twenty-five dollars (\$25).

(c) *Correction fee.* A fee for correcting a marriage license application after it has been submitted to the Department. This fee amount shall be ten dollars (\$10).

1.4-2. All fees shall be paid to the Department.

*End.*

---

Original effective date:

**MARRIAGE LAW**  
**Rule No. 1 – Marriage License Fee Schedule**

**Summary Report**

Name of rule:	Marriage License Fee Schedule	
Interprets:	Marriage Law, section 71.5-1	
Rule number	Rule No. 1	
Affected laws/rules:	None	
Brief Summary:	The rule is to establish a new fee schedule for marriage licenses.	
Statement of Effect:	Attached.	
<b>Financial Analysis:</b>	<b>Description</b>	<b>Dollar Amount</b>
Startup Costs	Included in FY '16 budget	\$0
Personnel	Existing	\$0
Office	No additional space required	\$0
Documentation Costs	Estimated annual cost	(\$1,500)
An estimate of the amount of time necessary for an individual or Agency to comply with the Rule after implementation.	Immediately	
Other, please explain	Estimated increased revenue utilizing 102 marriage licenses at the \$100 annually. Other fees are indeterminate.	\$10,200
<b>Total</b>	<b>Net revenue annually</b>	<b>\$8,700</b>

**Oneida Nation  
Legislative Reference Office**

**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

**Statement of Effect***MARRIAGE LAW**Rule 1 – Marriage License Fee Schedule**Summary*

This rule provides a new fee schedule for acquiring marriage licenses under the Marriage Law.

*By Douglass A. McIntyre, Staff Attorney, Legislative Reference Office*

*Analysis from Legislative Reference Office*

This proposed rule provides a new fee schedule for acquiring marriage licenses under the Marriage Law. This authority is delegated to the Oneida Licensing Department through section 71.5-1 of the Marriage Law. The rule sets the following fees:

- *Standard fee.* A standard filing fee for a marriage license. This fee amount shall be one hundred dollars (\$100).
- *Waiver fee.* A fee for the waiver of the initial waiting period. This fee amount shall be twenty-five dollars (\$25).
- *Correction fee.* A fee for correcting a marriage license application after it has been submitted to the Department. This fee amount shall be ten dollars (\$10).

The current fee schedule was set through resolution by the Oneida Business Committee on May 11, 2016. With the recent amendments to the Marriage Law, the Oneida Licensing Department has been given rulemaking authority to establish a new fee schedule. The Department is proposing that the current fee schedule be replaced with the fee schedule found in the proposed rule. Both have been placed into the following chart for easy reference:

	Current Fee Schedule	Proposed Rule Fee Schedule
Standard Fee	\$50	\$100
Waiver Fee	\$25	\$25
Amendment Fee (the name is changed to "Correction fee" under the proposed rule)	\$10	\$10

There are two changes from the proposed and current fee schedules. First, the proposed rule would make a name change of the “Amendment fee” to a “Correction fee”. This would only be a change in the name as the purpose would remain the same. Second, the proposed rule would increase the Standard fee from the current amount of fifty dollars (\$50) to one-hundred dollars (\$100). The Department has provided several reasons for this decision;

- to cover some of the costs of staff time;
- to cover the cost of processing the licenses; and
- to make the cost comparable to the cost of a license under the State.

The Department reports that only a handful of Wisconsin counties have a fifty dollar (\$50) fee and that most of the counties have a fee ranging from eighty dollars (\$80) to one-hundred dollars (\$100). The proposed fee is less than the one-hundred and fifteen dollar (\$115) cost for Brown County.

The proposed rule is within the authority delegated from the Marriage Law. The proposed rule has no effect on any other law or rules. A public meeting is currently scheduled for June 16, 2016.

#### ***Conclusion***

There are no legal bars to adopting the rule.

MARRIAGE LAW  
Rule No. 2 - Marriage Law Fine Schedule

**2.1 Purpose and Effective Date**

2.1-1. *Purpose.* The purpose of this rule is to establish the fines for violations of the Marriage Law.

2.1-2. *Delegation.* The Marriage Law delegated the Oneida Licensing Department rulemaking authority pursuant to the Administrative Rulemaking law.

**2.2. Adoption and Authority**

2.2-1. This rule was adopted by the \_\_\_\_\_ in accordance with the procedures of the Administrative Rulemaking law.

2.2-2. This rule may be amended or repealed by the \_\_\_\_\_ pursuant to the procedures set out in the Administrative Rulemaking law.

2.2-3. Should a provision of this rule or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this rule which are considered to have legal force without the invalid portions.

2.2-4. In the event of a conflict between a provision of this rule and a provision of another rule, internal policy, procedure, or other regulation; the provisions of this rule control.

2.2-5. This rule supersedes all prior rules, regulations, internal policies or other requirements relating to the Marriage Law.

**2.3. Definitions**

2.3-1. This section governs the definitions of words and phrases used within this rule. All words not defined herein are to be used in their ordinary and everyday sense.

(a) "Department" means the Licensing Department.

(b) "Officiating person" means the person or persons who perform the marriage ceremony.

**2.4. Fines**

2.4-1. A person who knowingly violates the Marriage Law may be penalized as follows:

(a) Any person who swears to a false statement to obtain a marriage license or to help another obtain a marriage license shall be fined no less than five hundred dollars (\$500.00).

(b) Any person who is not an officiating person under the Marriage Law who solemnizes a marriage ceremony shall be fined no less than one hundred dollars (\$100.00).

(c) The parties to a marriage and/or the officiating person(s) of a marriage conducted without a valid marriage license or without the presence of two (2) competent adult witnesses shall be fined no less than one hundred dollars (\$100.00).

(d) Any person who goes to another jurisdiction to avoid this law and contracts a marriage prohibited under this law shall be fined no less than five hundred dollars (\$500.00).

(e) Any person who violates any other provision of this law shall be fined no less than one hundred dollars (\$100.00).

2.4-2. All fines shall be paid to the Department.

*End.*

---

Original effective date:

**MARRIAGE LAW**  
**Rule No. – Marriage Law Fine Schedule**

**Summary Report**

Name of rule:	Marriage Law Fine Schedule	
Interprets:	Marriage Law, section 71.7-1	
Rule number	Rule No. 2	
Affected laws/rules:	None	
Brief Summary:	The rule is to establish a fine schedule for violation of the Marriage Law.	
Statement of Effect:	Attached.	
<b>Financial Analysis:</b>	<b>Description</b>	<b>Dollar Amount</b>
Startup costs	Included in FY '16 budget	\$0
Personnel	Existing personnel	\$0
Office	No additional space needed	\$0
Documentation costs	No additional costs	\$0
An estimate of the amount of time necessary for an individual or Agency to comply with the Rule after implementation.	Immediately	
Other, please explain	Revenue from fines	Indeterminate
<b>Total</b>		<b>Indeterminate</b>

## Oneida Nation Legislative Reference Office

**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

### **Statement of Effect** *MARRIAGE LAW*

#### *Rule 2 – Marriage Law Fine Schedule*

#### *Summary*

This rule provides a fine schedule for violations of the Marriage Law.

*By Douglass A. McIntyre, Staff Attorney, Legislative Reference Office*

#### *Analysis from Legislative Reference Office*

This proposed rule provides a new fine schedule for violations of the Marriage Law. This authority is delegated to the Oneida Licensing Department through section 71.7-1 of the Marriage Law. The rule established the following fines:

- Any person who swears to a false statement to obtain a marriage license or to help another obtain a marriage license shall be fined no less than five hundred dollars (\$500.00).
- Any person who is not an officiating person under the Marriage Law who solemnizes a marriage ceremony shall be fined no less than one hundred dollars (\$100.00).
- The parties to a marriage and/or the officiating person(s) of a marriage conducted without a valid marriage license or without the presence of two (2) competent adult witnesses shall be fined no less than one hundred dollars (\$100.00).
- Any person who goes to another jurisdiction to avoid this law and contracts a marriage prohibited under this law shall be fined no less than five hundred dollars (\$500.00).
- Any person who violates any other provision of this law shall be fined no less than one hundred dollars (\$100.00).

During the last amendments, the Legislative Operating Committee determined that fines for the violation of the Marriage Law would be better addressed directly by the Department through rulemaking authority as rules may be developed much quicker than changes to the law. The fine schedule was removed from the law and a section allowing the Department to promulgate rules was added.

The Department has determined that it would be best to use the same fine schedule that was previously found in the Marriage Law. The proposed rule uses the exact same language

previously found at section 71.7-1.

The proposed rule is within the authority delegated from the Marriage Law. The proposed rule has no effect on any other law or rules. A public meeting has been scheduled for June 16, 2016.

***Conclusion***

There are no legal bars to adopting the rule.



# Notice of Public Meeting

*to be held*

**June 16, 2016 at 11:15 a.m.**

**OBC Conference Room—2nd Floor**

**Norbert Hill Center**

The Oneida Licensing Department is hosting this Public Meeting to gather feedback from the community regarding two proposed rules to the Marriage Law:

## ***Topic: Marriage License Fee Schedule***

- ◆ This rule sets the fee schedule for acquiring a marriage license:
  - ◆ *Filing fee.* A standard filing fee for a marriage license. This fee amount shall be one hundred dollars (\$100).
  - ◆ *Waiver fee.* A fee for the waiver of the initial waiting period. This fee amount shall be twenty-five dollars (\$25).
  - ◆ *Correction fee.* A fee for correcting a marriage license application after it has been submitted to the Department. This fee amount shall be ten dollars (\$10).

## ***Topic: Marriage Law Fine Schedule***

- ◆ This rule sets the fine schedule for violations of the Marriage Law:
  - ◆ Any person who swears to a false statement to obtain a marriage license or to help another obtain a marriage license shall be fined no less than five hundred dollars (\$500.00).
  - ◆ Any person who is not an officiating person under the Marriage Law who solemnizes a marriage ceremony shall be fined no less than one hundred dollars (\$100.00).
  - ◆ The parties to a marriage and/or the officiating person(s) of a marriage conducted without a valid marriage license or without the presence of two (2) competent adult witnesses shall be fined no less than one hundred dollars (\$100.00).
  - ◆ Any person who goes to another jurisdiction to avoid this law and contracts a marriage prohibited under this law shall be fined no less than five hundred dollars (\$500.00).
  - ◆ Any person who violates any other provision of this law shall be fined no less than one hundred dollars (\$100.00).

**All community members are invited to attend this meeting to learn more about this proposal and/or to submit comments concerning this proposal.**

### **Public Comment Period—Open until May June 23, 2016**

During the Public Comment Period, all interested persons may submit written comments regarding this legislative proposal. Written comments must be submitted to the Licensing Department in person or by U.S. mail, interoffice mail, e-mail or fax.

For more information about the public meeting process, or to obtain copies of the Public Meeting documents for this proposal, please visit <https://oneida-nsn.gov/government/register/> or hard copies are available with the Oneida Licensing Department which is located at the Skenadoah Complex at 909 Packerland Drive Green Bay, Wisconsin 54303.

Mail: **Oneida Licensing Department**  
**PO Box 365**  
**Oneida, WI 54155**

Phone: **(920) 496-5311**  
E-Mail:  
Fax: **(920) 496-7491**



# Oneida Licensing Division

P.O. Box 365  
Oneida, WI 54155  
(920) 496-5311  
Fax (920) 496-7491

DATE: July 26, 2016  
TO: Legislative Operating Committee LOC  
RE: (2) Proposed Marriage Ordinance Rules  
FROM: Oneida Nation License Department

ATTN: LOC

On June 16, a public meeting was held for (2) two proposed rules for the marriage license ordinance. The first rule is the fee schedule and the second rule is the fine schedule. The rules, financial analysis, and statement of effect are included for both rules. The comment period was open until June 23, 2016. There was another public meeting held on June 23, 2016 because it was posted wrong on the Tribe's website. It was posted as the listing the public meeting date as June 23<sup>rd</sup> instead of June 16, 2016. Therefore, the second public meeting was held on June 23, 2016 with the comment period being open until July 7, 2016. No comments were submitted for either public meeting date.

The statement of effect was completed on June 2, 2016 and the Financial Analysis was completed on May 18, 2016

A copy of the public meeting notice is also included.

Sincerely,

Tonya Webster  
License Administrator



The Oneida Licensing Department has brought forth two proposed rules for the Oneida Marriage License Ordinance.

1. Marriage License Fee Schedule
2. Marriage License Fine Schedule.

Public Meetings were held by for both rules and no comments were submitted for either rule. Please consider this my approval for both rules proposed. The Licensing Department would like to put both rules into effect on August 18, 2016.

Thank you,

Patrick Stensloff  
Purchasing Department – Finance Division  
Director of Purchasing



**A good mind. A good heart. A strong fire.**

office 920.496.7409  
cell 920.370.3009

PO Box 365  
Oneida, WI 54155-0365  
Oneida-nsn.gov

# Oneida Business Committee Agenda Request

1. Meeting Date Requested: 8 / 10 / 16

## 2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

Accept memo from LOC Chair with regards to LOC updated priorities list as an update.

## 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:

Primary Requestor/Submitter: Jennifer Falck, Director/Legislative Reference Office  
Your Name, Title / Dept. or Tribal Member

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.



Oneida Nation  
 Oneida Business Committee  
 Legislative Operating Committee  
 PO Box 365 • Oneida, WI 54225-0365  
 Oneida-nsn.gov



**TO:** Oneida Business Committee  
**FROM:** Brandon Stevens, LOC Chair   
**RE:** LOC Priorities for the Remaining Term  
**DATE:** August 3, 2016

### Background

The LOC developed an Active Files List (AFL) in September 2014. It includes GTC Priorities, OBC Priorities, LOC Priorities, and Other Priorities.

With one year remaining in this LOC term, and a shortage of staff in the LRO- it has become important to identify what the LOC priorities will be for the next 11 months.

### Method

The LOC held a work meeting on July 20, 2016. The meeting was facilitated by the LRO Director. Those present included; Brandon Stevens, Jenny Webster, David P. Jordan, Danelle Wilson, Maureen Perkins, Fawn Billie, Tani Thurner, and Rhiannon Metoxen.

The LRO Director led the group through the current AFL and the group discussed each item. Items were listed as;

- GTC Priorities
- OBC Priorities
- LOC Priorities

Then they were further categorized as;

- High Priority
- Medium Priority
- Low Priority

The LOC determined that it was appropriate to remove eleven items from the AFL. Explanations for those are found in this memo. One new item was added to the AFL.

Summary Table of the Updated AFL as of July 20, 2016

Priority	Item	Ranking	Sponsor
GTC	Child Care Consumer Complaint Policy	High	JW
	Budget Management & Control Law	High	BS
	GTC Meetings Law	High	BS
	Higher Education	Low	FB
OBC	Oneida Seal & Flag	High	JW
	Comprehensive Policy	High	JW
	Back Pay	High	DJ
LOC	Eviction & Termination	High	BS
	Leasing Law	High	TH
	Mortgage & Foreclosure	High	DJ
	Landlord-Tenant	High	DJ
	Real Property	High	DJ
	OBC Meetings Law	High	BS
	Rules of Administrative Procedure	High	BS
	Audit Law Amendments	High	JW
	Cemetery Law	High	DJ
	Employment Law	High	BS
	Election Law Amendments (emergency)	High	TH
	Hunting, Fishing Trapping	High	TH
	Per Capita	High	DJ
	Vehicle Driver & Fleet Management	High	JW
	Vendor Licensing Amendments	High	JW
	Workplace Violence	High	TH
	Children's Code	Medium	FB
	Sanctions & Penalties	Medium	BS
	Code of Ethics	Medium	TH
	Community Support Fund	Medium	DJ
	Domestic Animals Ordinance	Medium	TH
	Election Law Amendments (Permanent)	Medium	TH
	Fitness for Duty	Medium	JW
	Research Protection Act	Medium	FB
	Compliance & Enforcement	Low	DJ
	Secured Transactions	Low	DJ
	Guardianship	Low	FB
	Industrial Hemp	Low	TH
	Law Enforcement-Conservation Officers	Low	TH
	Probate Law	Low	DJ
	Rules of Civil Procedure- defer to next BC/Judiciary mtg.	Low	DJ
	Severance	Low	FB
	Trust/Enrollment Committee Bylaws	Low	JW
	Land Commission Bylaws	Low	DJ
Election Board Bylaws	Low	BS	
Personnel Commission Bylaws	Low	FB	

### Items Removed from the Active Files List

#### Membership Ordinance

This item was added to the AFL to address a GTC petition. The petitioner has withdrawn their petition.

#### Violence Against Women Act (VAWA)

This item was added to the AFL in an effort to pursue federal grant dollars designed to assist tribes develop such law. However, Wisconsin is a PL-280 state, meaning that state criminal laws apply on the Reservation. VAWA is intended to address problems in non-PL-280 states, where state criminal laws would not apply on the Reservation; and jurisdictional issues make it difficult to prosecute domestic violence incidents occurring on reservation land. Because Wisconsin is a PL-280 state, the Nation cannot enforce its own criminal code, so this grant funding was not pursued.

#### Administrative Court

This item was deleted from the AFL because the LOC determined that it is not necessary to establish a separate court for administrative matters. The language of the Judiciary Law provides for administrative matters to be handled by the Judiciary. Instead, the LOC determined it would be more appropriate to develop and adopt Rules of Administrative Procedure – that item is still on the Active Files List.

#### Legislative Procedures Act Amendments

This item was added to the AFL to amend boilerplate language in the Law to reflect changes to the LOC's drafting practices. The LOC decided not to make the changes to the standard drafting requirements- so it is no longer necessary to amend this law.

#### Other Items

Due to the limited staff in the LRO, the short time remaining in this term, and the number of other priority items the LOC is working to complete by the end of the term, the following items are being deleted from the AFL. For each of these items, the requester will be notified of this action, and invited to re-submit this request in the future.

- Agriculture Law
- Capping Damages & Awards
- Employee Advocacy Law
- Environmental, Health, and Safety Law
- Family Court-Bench Warrants
- Tribally-Owned Business Organizations Code

### Oneida Business Committee Agenda Request

1. Meeting Date Requested: 08 / 10 / 16

**2. General Information:**

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

Agenda Header:

Accept as Information only

Action - please describe:

BC approval of Finance Committee Meeting Minutes of Aug 1, 2016

**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:

Primary Requestor:   
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](mailto:BC_Agenda_Requests@oneidanation.org)



# ONEIDA FINANCE COMMITTEE

**FC WORK MEETING**  
Aug 1, 2016 – 8:30 A.M.  
BC Executive Conference Room

**FINANCIAL PLANNING MEETING**  
Aug. 1, 2016 – 9:00 A.M.  
BC Executive Conference Room

**REGULAR MEETING**  
Aug. 1, 2016 – 10:00 A.M.  
BC Executive Conference Room

## REGULAR MEETING MINUTES

---

### **FC Work Meeting:**

Patricia King, Treasurer/FC Chair  
Jenny Webster, BC Council Member  
Chad Fuss, Gaming AGM/FC Alternate  
Wesley Martin, Jr., Community Elder Member

Larry Barton, CFO/FC Vice-Chair  
Louise Cornelius, GGM  
Patrick Stensloff, Purchasing Director

**Excused:** David Jordan, BC Council Member and

### **FC Financial Planning Meeting:**

Patricia King, Treasurer/FC Chair  
Jenny Webster, BC Council Member  
Louise Cornelius, GGM  
Chad Fuss, Gaming AGM/FC Alternate

Larry Barton, CFO/FC Vice-Chair  
David Jordan, BC Council Member  
Patrick Stensloff, Purchasing Director  
Wesley Martin, Jr., Community Elder Member

### **FC Regular Meeting:**

Patricia King, Treasurer/FC Chair  
Jenny Webster, BC Council Member  
Chad Fuss, Gaming AGM/FC Alternate  
Wesley Martin, Jr., Community Elder Member

Larry Barton, CFO/FC Vice-Chair  
David Jordan, BC Council Member  
Patrick Stensloff, Purchasing Director

**Others Present:** Paul Witek, Sheena Danforth, Michelle Danforth, and Lois Strong

**I. Call to Order:** The Regular FC meeting was called to order by the FC Chair at 10:00 A.M.

**II. Approval of Agenda:** AUGUST 1, 2016:

Motion by Wesley Martin, Jr. to approve the Finance Committee agenda for August 1, 2016 with the Addition of ONCOA request to be reviewed first on the agenda after the minutes. Seconded by Chad Fuss. Larry Barton opposed. Motion carried.

**III. Approval of Minutes:** JULY 18, 2016 (approved via FC E-Poll on 7/19/16):

Motion by Wesley Martin, Jr. to ratify the FC E-Poll action of July 19, 2016 approving the Finance Committee meeting minutes of July 18, 2016. Seconded by Jennifer Webster. David Jordan abstained. Motion carried.

**NOTE: ADD ON- CF request from ONCOA discussed here; see CF #17 for details**

**IV. Tabled Business:**

- |   |                |
|---|----------------|
| 1. Laptop Purchase<br>Michael Debraska  | Amount: \$300. |
| 2. I-Pad Pro Purchase<br>Beverly Somers | Amount: \$300. |
| 3. I-Pad Pro Purchase<br>Daniel Miller  | Amount: \$300. |
| 4. I-Pad Air Purchase<br>B.Jan Frion    | Amount: \$300. |

No action, items 1-4 remain on the table.

**V. Capital Expenditures:** No items**VI. New Business:**

1. UPS Freight – PO Increase Amount: \$80,000.  
Michelle Danforth, Printshop

Motion by Jennifer Webster to approve New Business items 1 through 4 for the Purchase Order increases in the amounts specified. Seconded by David Jordan. Motion carried unanimously.

2. Steen Macek Paper Co. – PO Increase Amount: \$50,000.  
Michelle Danforth, Printshop
3. Oneida Post Office – PO Increase Amount: \$200,000.  
Michelle Danforth, Printshop
4. Xerox Corporation – PO Increase Amount: \$20,000.  
Michelle Danforth, Printshop

- See action in NB #1

5. CTW Corporation – Change Order #3  
Paul Witek, Engineering

Motion by Jennifer Webster to approve the Change Order #3 for work by the CTW Corporation in the amount of \$6,822. Seconded by David Jordan. Motion carried unanimously.

**VII. Executive Session:** No items**VIII. Community Fund:**

1. Community Fund SOP's - Amended  
Patricia King, FC Chair

Motion by David Jordan to update CF SOP's with changes and to bring back a clean copy for the August 15<sup>th</sup> FC meeting for review. Seconded by Wesley Martin, Jr. Motion carried unanimously.

2. Soaring Eagle Golf Registration fee  
Conrad King

Motion by David Jordan to deny this request. Seconded by Wesley Martin, Jr. Motion carried unanimously.

3. Boys & Girls Choir – registration  
Lisa Cornelius for son, Willie

Motion by Chad Fuss to approve from the Community Fund the Boys & Girls Choir registration fee for son of requestor in the amount of \$300 and for the next request for the same for the daughter of the requestor in the amount of \$300. Seconded by Wesley Martin, Jr. Motion carried unanimously.

4. Boys & Girls Choir – registration  
Lisa Cornelius, for daughter, Janae'

- See action taken in CF request #3.

5. Warner Park Youth Football registration  
Lois Weber for son, Jonathan

Motion by Wesley Martin, Jr. to approve from the Community Fund the Warner Park Youth Football registration fee for the son of the requestor in the amount of \$215. Seconded by Chad Fuss. Motion carried unanimously.

6. I-Pad Purchase Amount: \$300.  
William Graham

Motion by David Jordan to table this and the following CF request. Seconded by Chad Fuss. Motion carried unanimously.

7. I-Pad Air Purchase for special needs child Amount: \$300.  
Sheena Danforth

- See Motion in CF request #6.

8. Inter-Tribal Family Camp registration  
Tasheba Danforth

Motion by Wesley Martin, Jr. to deny this request and CF requests 11, 12, 13, 14, 15, & 16 and to ask requestors to submit for costs of registration only as travel/lodging/food are not covered under the Community Fund. Seconded by David Jordan.

9. Get-Out-The-Vote Rally  
Tana Aguirre, IGA&C

Motion by Wesley Martin, Jr. to approve from the Community Fund Twenty-Five (25) Cases of Coca-Cola product to be used at the Get-Out-the-Vote Rally at the Radisson. Seconded by Jennifer Webster. Motion carried unanimously.

10. All Nations Tournament registration  
Julie Denny

Motion by Wesley Martin, Jr. to approve from the Community Fund the All Nations Team Tournament registration in the amount of \$300. Seconded by Chad Fuss. Motion carried unanimously.

11. Inter-Tribal Family Camp registration  
Melanie Doxtater

- See action taken in CF request #8

12. Inter-Tribal Family Camp registration  
Phillip Skenandore

- See action taken in CF request #8

13. Inter-Tribal Family Camp registration  
Arthur Skenandore

- See action taken in CF request #8

14. Inter-Tribal Family Camp registration  
Jared Skenandore

- See action taken in CF request #8

15. Inter-Tribal Family Camp registration  
Daniel Skenandore

- See action taken in CF request #8

16. Inter-Tribal Family Camp registration  
Vance Skenandore

- See action taken in CF request #8

17. **ADD ON: Oneida Elder's Expo**  
Lois Strong, ONCOA

Motion by David Jordan to deny this request and defer this item to the BC Special Projects line to see if funds are available for this request.. Seconded by Chad Fuss. Motion carried unanimously.

- IX. **Follow Up:** No items
- X. **FYI and /or Thank You:** No items
- XI. **Adjourn:** Motion by David Jordan to adjourn. Seconded by Jennifer Webster. Motion carried unanimously. The regular FC meeting ended at 11:25 A.M.

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

*Finance Committee- E-Poll Minutes Approval Date:* August 3, 2016

*Oneida Business Committee- FC Minutes- Approval Date:* \_\_\_\_\_

# ONEIDA NATION

P.O. Box 365



Oneida, WI 54115

## **MEMORANDUM**

**TO:** Finance Committee  
**CC:** Business Committee  
**FR:** Denise Vigue, Executive Assistant  
**DT:** August 3, 2016  
**RE:** **E-Poll Results of: FC Meeting Minutes of Aug. 1, 2016**

An E-Poll vote of the Finance Committee was conducted to approve the August 1, 2016 Finance Committee meeting minutes. The results of the completed E-Poll are as follows:

### **E-POLL RESULTS:**

**There was a Majority 6 YES votes from David Jordan, Larry Barton, Chad Fuss, Wesley Martin, Jr., Patrick Stensloff and Jennifer Webster to approve the August 1, 2016 Finance Committee Meeting Minutes.**

The minutes will be placed on the next BC agenda of August 10, 2016 for approval and the next Finance Committee agenda of August 15, 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.

# Oneida Business Committee Agenda Request

1. Meeting Date Requested: 8 / 10 / 16

## 2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

Consider the updated Statement of Effect for the Debraska Per Capita Petition

## 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:

Primary Requestor/Submitter: Jennifer Falck, LRO Director  
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:

At the July 27 Business Committee Meeting, there was a request to update the Debraska Per Capita Petition-Statement of Effect. The updated SOE is attached.

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@oneidation.org](mailto:BC_Agenda_Requests@oneidation.org)



Oneida Nation  
Oneida Business Committee  
Legislative Operating Committee  
PO Box 365 • Oneida, WI 54115-0365  
Oneida-nsn.gov



**TO:** Oneida Business Committee  
**FROM:** Brandon Stevens, LOC Chairperson   
**RE:** Debraska Petition-Updated Statement of Effect  
**DATE:** August 3, 2016

---

At the July 27, 2016 Business Committee Meeting, there was a request for the LOC to update the Debraska Per Capita Petition's Statement of Effect to include more information about which specific laws and policies would conflict with the petition.

The updated Statement of Effect is attached.



**Oneida Nation**  
 Oneida Business Committee  
 Legislative Operating Committee  
 PO Box 365 • Oneida, WI 54115-0365  
[Oneida-nsn.gov](http://Oneida-nsn.gov)



**HANDOUT**

## **Statement of Effect**

*Petition: Debraska Per Capita Distribution*

### **Summary**

This petition requests a per capita distribution of five-thousand dollars (\$5,000) for enrolled members over the age of sixty-two (62) and three-thousand dollars (\$3,000) for enrolled members under the age of sixty-one (61), that the distribution date be set by General Tribal Council (GTC), that GTC determine any necessary lay-offs, restructuring, reduction or eliminations and that the petition be heard at the same meeting as the Metivier per capita petition.

*Submitted by Krystal L. John, Staff Attorney*

### ***Analysis by the Legislative Reference Office***

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.

### ***Per Capita Distributions***

The first two sections of the petition read:

- 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**

No legislation of the Nation, including the Per Capita Law, sets a specific amount for a per capita distribution. The law only provides that per capita distributions be set and issued at the discretion of GTC. *See Per Capita Law 9.4-3.* Additionally, GTC resolutions GTC-08-11-97-A and GTC-06-30-90-A establishes "elder per capita distributions" for elders sixty-two (62) and sixty-five (65) of age.

While the Per Capita Law makes mention of several different categories of members (minors, incompetent adults, adults and the elderly) and certain rules may apply only to certain categories (such as distributions to minors are placed into trust accounts), per capita distributions have always been distributed to all members of the Nation. The language of this petition would exclude members aged 61 (the language reads "under the age of 61") and 62 (the language reads "over the age of 62") from receiving these per capita distributions. This would be in conflict with the Per Capita Law. The Per Capita Law defines adult as "those Tribal members who are at

least eighteen (18) years old” and “minor” is defined as “a Tribal member who has not yet reached the age of eighteen (18) years by September 1st of a given year.” Based on these definitions and the references to disbursements to adults and minors throughout the law, the Per Capita Law requires that per capita payments, when issued, are issued to all Tribal members, regardless of age. As such this section would be in conflict with the Per Capita Law as the Per Capita Law requires that per capita payments be issued to all Tribal members and the petition would result in Tribal members aged 61 and 62 receiving no per capita payment.

### *Distribution Date*

The third section of the petition reads:

- 3. The distribution of this \$3/5K per capita payment take place on a date to be determined by General Tribal Council; and**

The Per Capita Law requires that annual per capita distributions be made on or before September 30<sup>th</sup>. *See Per Capita Law 9.5-3(d)*. Additionally the law provides other deadlines including a new enrollment application deadline (January 31<sup>st</sup>), enrollment deadline (March 31<sup>st</sup>), membership payment form sent to members deadline (July 1<sup>st</sup>), submission of completed membership payment form (September 1<sup>st</sup>), request for prior unclaimed payment (September 1<sup>st</sup>), a request for a claimed payment but not redeemed (September 1<sup>st</sup>) and a deadline for when the payments must be distributed (September 30<sup>th</sup>). *See Per Capita Law 9.5-3*.

Depending on the distribution date that GTC selects, there could be a conflict with the Per Capita Law. If a date was selected that conflicted with this, the petition would be in conflict with the Per Capita Law.

### *GTC Determination of Lay-offs, Restructuring, Reduction and/or Eliminations*

The fourth section reads:

- 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**

With the adoption of the Personnel Policy and Procedures (also known as the Bluebook), GTC delegated responsibility for employment matters to the HRD and various other positions. Additionally, GTC has relied on the Oneida Business Committee to create legislation governing different aspects of employment. The language of this petition appears to indicate that GTC would decide terminations, furloughs or lay-offs on an individual case-by-case basis. This would be in conflict with current law and policy.

Under the Bluebook, termination is reserved for disciplinary action and the Bluebook provides for a detailed account of when an employee can be terminated. *See Personnel Policy and Procedures V.D.2.b*. The Furlough Policy details how a furlough plan is to be developed

including how furloughed individuals are to be selected, allows the supervisor to identify the employees to be furloughed and allows an appeal of a furlough based on disciplinary reasons. The Layoff Policy details how a layoff plan is to be developed, the order of lay-offs (first emergency temporary employees, then limited term employees and then regular employees) and that a lay-off is for a maximum time of twenty-six (26) weeks. For GTC to take the role of deciding which employee is terminated, furloughed or laid-off, these laws would need to be amended.

### *GTC Agenda Date*

The fifth section reads:

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.**

This section requests that this petition be brought forward for GTC consideration at the same meeting where a per capita petition from Yvonne Metivier concerning per capita payments was to be heard. The Metivier petition was heard at a GTC meeting on June 13, 2016.

This petition was submitted to the Secretary's Office on April 27, 2016 and added to the agenda of the next scheduled Oneida Business Committee meeting on May 11, 2016. For an item to comply with section 3 of the Oneida General Tribal Council Ten-day Notice Policy, and to allow for adequate time for the printing and mailing of GTC meeting packet, the petition and all necessary accompanying documents would have needed to be approved by the OBC at the May 11, 2016 meeting.

For all petitions, the OBC requests a legal analysis, a financial analysis and a legislative statement of effect to accompany the petition to GTC meeting. The OBC routinely sets a sixty (60) day deadline for the various departments to finish these items. Unlike the Metivier petition which contained a single sentence ("GTC directs OBC to pay two thousand dollars (\$2,000) per capita beginning Budget year 2017 and 2018, 2019, 2020 and 2021.") this petition contains additional sections that require, at a minimum, a new legislative analysis.

Additionally, a petition itself is not binding and has no effect until after it is considered by GTC and some action is directed. However, this section of the petition is moot as the date has since passed.

### **Conclusion**

This petition conflicts with the following laws and policies of the Nation:

1. **The Per Capita Law.**

- a. The petition, as written, results in Tribal members aged 61 and 62 receiving no per capita payment, which violates the Per Capita Law which, through its defined terms and text of the law, requires that when payments are issued, such payments be issued to all Tribal members, regardless of age.
  - b. The petition provides that GTC is responsible for setting the per capita distribution date, while the Per Capita Law provides, in section 9.5-3(d) that “[a]nnual per capita payments shall be distributed on or before September 30th. First time elder per capita payments for those Tribal members who turn sixty-two (62) or sixty-five (65) after September 30th, and through December 31st, shall be distributed at the end of the month of the elder’s birth date.” The Per Capita Law also includes various other deadlines designed to make meeting the distribution date possible. A change in the distribution date would likely require adjustments to applicable deadlines as well.
2. **The Personnel Policies and Procedures (Bluebook).** The petition provides that GTC will determine any necessary terminations as to quantity and specific personnel, which conflicts with the Bluebook termination provisions found in section V.D.2.b.
  3. **The Layoff Policy.** The petition provides that GTC will determine any necessary layoffs as to quantity and specific personnel, which conflicts with the process identified in the Layoff Policy.
  4. **The Furlough Policy.** The petition provides that GTC will determine any necessary furloughs as to quantity and specific personnel, which conflicts with the process identified in the Furlough Policy.

This statement of effect is limited to an analysis of the contents of the petition and does not constitute a review of the laws and policies which were discussed herein.

# Oneida Business Committee Agenda Request

1. Meeting Date Requested: 08 / 02 / 16

## 2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

Accept legal analysis regarding Petitioner Mike Debraska: Special GTC meeting regarding Per Capita Distribution \$3,000/\$5,000

## 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:

Primary Requestor/Submitter: \_\_\_\_\_  
Your Name, Title / Dept. or Tribal Member

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

JO ANNE HOUSE, PhD  
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### MEMORANDUM

**TO:** Oneida Business Committee  
**FROM:** Jo Anne House, Chief Counsel  
**DATE:** August 1, 2016  
**SUBJECT:** Petition – Debraska – Per Capita

You have requested a legal review regarding a petition submitted by Michael Debraska. The petition contains the following request.

“...to add this petition to the same agenda as Yvonne Metivier’s per capita petition which is scheduled to be held within sixty (60) days (presumably June of 2016) of receipt of the petition to discuss the following:

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.”

The Enrollment Department has verified a sufficient number of signatures on the petition. The petition contains the following request.

To draft this opinion, I have reviewed prior actions of the General Tribal Council, Tribal law, policies and procedures, and various other resources. This opinion is broken into sections to address the issues raised in the petition – schedule General Tribal Council meetings, basic membership information and cost, Indian Gaming Regulatory Act, Per Capita law, and decisions regarding funding sources and programs/services/employment.

This opinion does not address the tax consequences of acceptance or rejection of a per capita payment on the individual. Tax questions are unique to each individual and cannot be addressed

in this type of an opinion. This opinion also does not address the consequences of acceptance or rejection of a per capita payment on the individual in regards to receiving program services at the federal, state, local or tribal level. The impact on program services is unique to the program service and the individual and cannot be addressed in this type of an opinion.

## **Background**

### ***Schedule General Tribal Council Meetings***

Scheduling a General Tribal Council meeting requires informational materials to be developed, providing notice and information to members regarding the date, time and subject of the meeting, identifying available time to schedule a meeting of 1800 members, arranging to have appropriate supporting staff on site to manage check-in and check-out, record the meetings, make satellite rooms visibly and audibly accessible, and numerous other actions. A November 4, 2014, legal opinion, “Legal Opinion – Scheduling and Setting Agenda – GTC Meeting” identifies how all of these responsibilities are managed by the Oneida Business Committee, the Secretary, and the organization. The legal opinion is placed on the Nation’s Member’s Only website for your review.

On April 11, 2016, the General Tribal Council met to discuss a petition submitted by Madelyn Genskow regarding scheduling General Tribal Council meetings. Although this item was deleted from the agenda without discussion, the legal opinion regarding that petition is applicable to the current petition, June 12, 2015, “Genskow – Petition – Scheduling General Tribal Council Meetings.” That legal opinion is also available on the Nation’s website under the Member’s Only section in the April 11, 2016, meeting packet on page 99. Members are encouraged to review this opinion in preparation for this meeting.

A meeting packet for a General Tribal Council meeting which includes petitions contains the following materials.<sup>1</sup>

- Legislative analysis – what laws or rules of the Nation are affected by the petition and what, if any, conflict exists with Tribal laws or rules.
- Legal analysis – what legal issues are raised by the petition such as effects on employment, contracting, financing, what programs and services are being impacted, what, if any, history of the Nation is affected by the petition.
- Financial analysis – what financial impact on the budget, financing agreements, and accounting requirements are affected by the petition.
- Petitioner’s statement – this is the petitioner’s opportunity to present a letter or other statement to the members regarding the petition.
- Oneida Business Committee recommendation – this is the consensus opinion of the Oneida Business Committee, based on a review of all of the above materials, that provides recommended action on the petition.

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<sup>1</sup> Much of this information was developed as a result of the adoption of the Ten Day Notice Policy in 1991 and amended in 2000. The Ten Day Notice Policy requires that notice of the subject, date, time and place of the meeting be received by members at least ten days prior to the meeting. The policy also identifies processes for actions affecting the budget and resolutions. Over time, this has resulted in the presentation of a packet that provides information regarding all aspects of the organization, a statement from the petitioner, and a recommendation from the elected body, the Oneida Business Committee.

In addition to scheduling a meeting and directing the informational materials be developed, the Oneida Business Committee attempts to organize agendas to make the most productive use of the limited time of the General Tribal Council. The normal course of action is to place budget affecting items on the agenda related to adoption of the budget, to place reports and legislation on the Annual and Semi-Annual agendas, and to schedule such Special meetings as may be necessary to present petitions. Petitions are generally presented in chronological order out of respect for the petitioners who submitted the issue for consideration by the General Tribal Council.

However, the exception to the general rule is to place related items together, regardless of when presented for the General Tribal Council to make a complete decision regarding the subject. An example of this is the Special General Tribal Council meeting held July 8, 2013, regarding Family Court, child support and child custody issues presented in three different petitions and a referendum question.

The petitioner has identified that because this petition is the same as a previous petition submitted and withdrawn by John Powless, Jr., and a petition submitted and scheduled for a meeting on June 13, 2016, by Yvonne Metivier, that this petition can easily be brought forward. The petition was presented on April 27, 2016, placed on the Oneida Business Committee agenda of May 11, 2016 for directing actions to be taken. At that same meeting, the materials for the June 13, 2016, Special General Tribal Council meeting were being approved to be mailed out to the members.

The petition presented by Mr. Powless contained the following language,

Petition for a per capita payment of \$3000 for everyone over 18 years of age and \$5000 for those over 62 years of age. Per capita payment goes directly to the tribal member and is exempt from child support payments. Per capita to be paid out by Dec. 1, 2015.

The petition presented by Ms. Metivier contained the following language,

GTC directs OBC to pay \$2000 per capita begin budget year 2017 and 2018, 2019, 2020 and 2021.

The petition presented by Mr. Debraska contained the following language.

...to add this petition to the same agenda as Yvonne Metivier's per capita petition which is scheduled to be held within sixty (60) days (presumably June of 2016) of receipt of the petition to discuss the following:

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.

It is clear that these are not the same requests. The analysis for Mr. Powless’ petition involved reviewing the Per Capita law and the finances of the Nation – of which the petition would have been in violation of the former and modifying the latter. Ms. Metivier’s petition, submitted February 19, 2016, was added to a meeting scheduled on June 13, 2016, approximately 4 months later. In addition, Ms. Metivier’s petition contained fewer requests, a single request, than that of Mr. Powless’ petition and requested no action that would have conflicted with existing Tribal law. As a result, it was a matter of simply correcting the legal review to address a request for a per capita payment in accordance with the laws of the Nation. On the other hand, the current petition contains multiple directives and actions for consideration by the General Tribal Council, potentially confusing language regarding the payment, and would be in violation of Tribal law regarding issuance of a per capita payment. This was submitted about two weeks prior to the final documents being presented for approval, and prior to formal receipt of the petition by the Oneida Business Committee.

#### ***Basic Membership Information and Cost***

The Finance Department identifies that as of April 2016, there are 17,112 members. There are 14,759 members age 61 and under and 2,353 members over the age of 62. This is an estimated cost of \$56 million. The petition identifies a per capita payment presented for consideration.

The proposed language in the petition potentially excludes members between the age of 61 and age of 62. The payments are requested for members under the age of 61 and over the age of 62. It is presumed that the petitioner intended to include members age 61 in the former group as “age 61 and under” or “under the age of 62.” This would be consistent with age groups in existing per capita payments and would not result in a gap.

Nothing in this petition affects the existing elder per capita payments. Nothing in this petition affects existing per capita payments already made and placed in trust accounts on behalf of certain individuals.

#### ***Indian Gaming Regulatory Act***

The information in this section is taken from previous opinions and updated based on any changes in the law or regulation and as may be called for, based on the specific language in the current petition. The Indian Gaming Regulatory Act identifies the authorized uses for “net revenues from any tribal gaming” in 25 U.S.C. section 2710(b)(2)(B), subsections (i) through (v).

- (i) to fund tribal government operations and programs;
- (ii) to provide for the general welfare of the Indian tribe and its members;
- (iii) to promote tribal economic development;
- (iv) to donate to charitable organizations; or

(v) to help fund operations of local government agencies.

#### *Revenue Allocation Plan Approval Process*

The Bureau of Indian Affairs has published regulations regarding per capita payments in 25 C.F.R. Part 290. A per capita payment from gaming revenues cannot be made if a Revenue Allocation Plan is not approved in accordance with these regulations. *24 C.F.R. 290.10 and 290.11*. The Secretary, or designated official, has 60 days to conduct the review and approve or disapprove the Revenue Allocation Plan. Failure to act within the 60 day time period does not mean the Revenue Allocation Plan is approved by default. *25 C.F.R. 290.19*. The chart below shows the number of days from submission to approval for the Revenue Allocation Plans submitted between 2001 and 2013,<sup>2</sup>



#### *Information in the Revenue Allocation Plan*

There are two primary directives in the regulations – identifying specific information which must be included in the Revenue Allocation Plan and identifying who may receive the per capita payment, including who is excluded from receiving the per capita payment. A Revenue Allocation Plan must contain the elements outlined in 24 C.F.R. 290.12, and be accompanied by the documents listed in 25 C.F.R. 290.17.

- Allocation, by percentages, of the use of net gaming revenues which equal to 100%.
- There must be adequate net revenues reserved for those governmental functions listed in 25 U.S.C. 2710(b)(2)(B) subsections (i) through (v).
- The allocation for each governmental function must “contain detailed information” to determine compliance with the Indian Gaming Regulatory Act.
- Protection and preservation of the interests of minors and incompetent adults.
- Notification to the member of tax liability.
- Specific eligibility requirements for those who will receive the per capita payment.

In addition, a Revenue Allocation Plan must be submitted with a cover letter requesting approval of the plan and the Tribal resolution adopting the plan.

The approved Revenue Allocation Plan for 2015 contains the following allocations.

- 27.62% - Tribal governmental programs defined as: Tribal administration, capital improvements to tribal offices, tribal public works program, tribal planning program, tribal enrollment program,

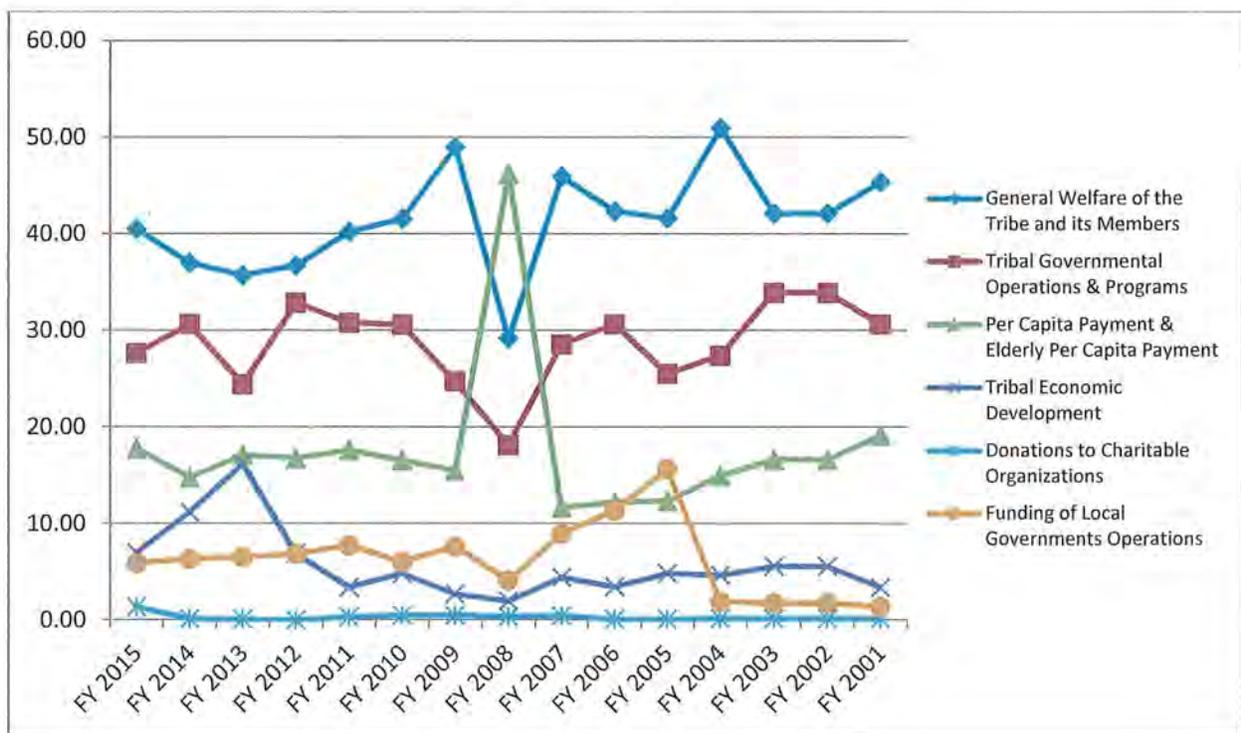
<sup>2</sup> We have been unable to locate the approval letter for the FY2014 plan, and the FY2015 plan took 80 days between submission and approval. The FY2016 plan was submitted in early July and we have not received a response as of the date of this opinion.

tribal community health representative, tribal health services, Indian Health Services clinic, Indian school food service programs, tribal parenting program, summer youth workers' program, tribal library, tribal recreation program, tribal elderly program, veterans symposium, tribal arts and crafts program, and tribal cultural programs.

- 40.47% - General welfare of the Nation and its members defined as: utility assistance program, funeral assistance program, tribal housing assistance program, higher education program, elderly services, social services programs, health services and the food distribution program.
- 6.96% - Tribal economic development defined as: investment and proposed tribal economic development projects.
- 1.32% - Donations to charitable organizations.
- 5.87% - Funding of local government operations that affect the Nation and its members.
- 17.76% - Per capita payments.

The percentage allocations for the required elements of the Revenue Allocation Plan between 2001 and 2015 are set forth in the following chart. The description of each category has been consistent from year to year. It should be noted that the per capita payments are stable from 2001 to 2008 with a general per capita of \$750 to \$800, with an increase to the \$1200 general per capita from 2009 to 2015.

The large change in the following charts in 2008 is the impact of the \$5000/\$10,000 per capita. Members should review the financial analysis to identify how funds were re-allocated and moved to make this payment. In addition, the legal and financial opinions regarding the 2008 per capita presented in the General Tribal Council meeting materials are available from the Records Management Office. The General Tribal Council meeting minutes of August 11, 2007, which approved the 2008 per capita payment are available on-line.



The Revenue Allocation Plan allocation percentages are identified based the adopted budget of the Nation. A Revenue Allocation Plan identifies allocation of net gaming revenues; or gaming revenues less gaming related expenses. Further, the plan presents grouped financial information based on the requirements of the Indian Gaming Regulatory Act and related regulations. As a result, members will notice a difference between the adopted budget and the Revenue Allocation plan financial information. The chart below identifies the financial information related to the percentage allocations from a selection of Revenue Allocation Plans.

	2015	2012	2011	2008	2001
General Welfare of the Nation and its Members	\$51,029,713	\$55,772,624	\$57,240,470	\$67,135,528	\$36,433,435
Tribal Governmental Operations & Programs	\$34,818,709	\$49,926,847	\$43,869,803	\$41,674,683	\$29,358,672
Per Capita Payment & Elderly Per Capita Payment	\$22,392,000	\$25,452,800	\$25,090,000	\$106,296,200	\$14,390,000
Tribal Economic Development	\$8,786,698	\$10,434,595	\$4,835,191	\$4,509,738	\$4,835,191
Donations to Charitable Organizations	\$1,670,000	\$0	\$425,000	\$835,000	\$110,000
Funding of Local Government Operations	\$7,398,578	\$10,368,363	\$10,988,681	\$9,405,827	\$1,489,200
Totals	\$126,095,698	\$151,955,229	\$142,449,145	\$229,856,976	\$86,589,668

As has been identified in prior legal opinions as well as by the Treasurer, past and present, gaming revenues have begun to stabilize while the cost of conducting gaming continues to rise. As a result, the available revenue for allocation for activities identified in a Revenue Allocation Plan is reduced over time. Further, neither retail nor grant related income has increased to cover the gap created by increasing expenses. Although utilities, building maintenance costs, and programing costs continue to rise, the largest impact on the budget remains the employment base. As employee longevity with the Nation increases, the salary and benefits continue to increase, including accruals and use of personal and vacation time. Therefore, even if all other expenses in the budget remained the same, the cost of conducting business and programming would continue to increase. Members are also encouraged to review the March 3, 2015, legal opinion “Petition – Genskow – Budget Development” for further information regarding the budgeting processes.

#### *Who Does and Does Not Receive Per Capita*

The Indian Gaming Regulatory Act generally requires the Revenue Allocation Plan to identify who will receive the per capita payment. In addition, the plan should identify if there are members who will not receive the payment, or will receive a different payment and why there is a difference being made between the parties.

Generally, the reasons for inclusion or exclusion of members from a per capita payment must be clearly identified.

25 C.F.R 290.14. Who can share in a per capita payment?

- (a) You must establish your own criteria for determining whether all members or identified groups of members are eligible for per capita payments.
- (b) If the tribal revenue allocation plan calls for distributing per capita payments to an identified group of members rather than to all members, you must justify limiting this payment to the identified group of members. You must make sure that:

- (1) The distinction between members eligible to receive payments and members ineligible to receive payments is reasonable and not arbitrary;
- (2) The distinction does not discriminate or otherwise violate the Indian Civil Rights Act; and
- (3) The justification complies with applicable tribal law.

In 2003, the Office of Inspector General for the Department of Interior conducted an evaluation of the Revenue Allocation Plan approval processes. This report concluded that the Secretary of the Interior and staff do not adequately review Revenue Allocation Plans to determine if Tribes are financially healthy, or whether the plan meets the requirements of federal law if a group of members are excluded from a payment. In 2011, the Bureau of Indian Affairs Manual was updated. The new procedures require specific information to be submitted if the payment exceeds 50% of the revenues and if the Tribe intends to exclude a group of members from the payment.

- 1.7(h) Justifies payment to certain groups within the tribal membership. If the tribal RAP calls for distributing per capita payments to an identified group of members, i.e. elders only, rather than all members, the tribe must justify limiting this payment to the identified group of members. Therefore, the [Appropriate Bureau Official] ensures that:
  - i. The distinction between members eligible to receive payments and members ineligible to receive payments is reasonable and not arbitrary,
  - ii. The distinction does not discriminate or otherwise violate the Indian Civil Rights Act, and
  - iii. The justification applies with applicable law.

The proposed petition does not identify why a difference in per capita payments is being presented for consideration. However, given the notations above and the heightened financial needs of elders it is possible that consideration of this requested per capita payment would be considered reasonable and appropriately justified.<sup>3</sup> This type of two-level per capita has been submitted by the Nation and approved in many prior Revenue Allocation Plans.

#### *Financial Constraints*

The Oneida Nation budgets each year for activities based on estimated revenues from Tribal enterprises. In addition to revenues, the Nation has borrowed funds to construct various facilities – Oneida Health Center, Anna John nursing facility, and various utilities for example – as well as to invest in economic opportunities. The Oneida Business Committee has approved the Treasurer’s goal regarding paying down debt in an aggressive manner. This will reduce the overall cost of borrowing funds by reducing interest charged on the debt as well as keeping the rate of interest low during the borrowing period as the Federal Reserve Board begins increasing interest rates over the next year.

The bank loans and bonding require the Nation to maintain certain financial conditions during the borrowing period. For example, the Nation must have an adopted budget by a deadline or fines are assessed by the lenders. Further, there may be requirements to maintain certain debt ratios, develop levels of reserve funding, and maintain existing assets which are functioning as

<sup>3</sup> See legal opinion dated July 22, 2015, “Genskow – Petition – Elder Services Means Testing” available on the Member’s Only website in the April 11, 2016 Special General Tribal Council meeting packet, pg. 143; and, NIGC Bulletin 2005-1, “Use of Net Gaming Revenues Bulletin,” “For example, a tribe may limit per capita payments to individual tribal members 65 years or older because of this group’s greater financial needs due to not working and increased health care experiences.”

collateral for the bank loans and/or bonds. Members are encouraged to read the financial analysis to determine the impact of the proposed petition on these loans and bonds.

Revenue streams from both gaming operations and retail operations have been utilized as collateral to obtain funding. For example, the retail revenues are collateral for a bond issuance which, in part, paid to construct the Anna John facility. It is not possible to disrupt the operations of these enterprises without unduly impacting the loan and/or bond agreements. Again, members are encouraged to review the financial analysis to obtain a clearer picture of the impact of the proposed petition.

Finally, nearly every Treasurer has identified that in creating a balanced budget some programming needs must go unfulfilled. Further, the Chief Financial Officer has spoken of a “structural deficit” defined as operational needs exceeding revenues prior to beginning the budget process requiring the organization to begin budgeting by reducing overall expenses.<sup>4</sup> The FY2016 budget the reduction was similar. In the past, the Oneida Business Committee has worked to finalize balancing the budget prior to presentation to the General Tribal Council. The FY2016 budget was primarily balanced by the direct reports and members of boards, committees and commissions. In both circumstances, the budget was balanced by reducing funding to building maintenance and repair that is beginning to have a long term impact on the functionality of buildings and increasing the overall costs of repairs when they are eventually able to be budgeted. The budget has also been balanced by pushing back capital improvement processes intended to create improved facilities for conducting programs.

### *Per Capita Law*

After many years of per capita payments the Oneida Business Committee adopted the Per Capita law in 2000 in response to reoccurring questions arising during the adoption of per capita payments by the General Tribal Council.<sup>5</sup> The goal was to, “have a consistent methodology for issuance of per capita payments[.]” *Sec. 9.1-2*. The law standardizes such issues as eligibility to receive a payment (when enrolled, what age, if deceased), when the payments are made, and provides limited reasons to attach a per capita payment. In addition, to comply with the requirements for approval of a Revenue Allocation Plan, the law addresses how the interests of minors and incompetent adults are protected. The Per Capita law was adopted in conformance with the delegated authority in the Administrative Procedures Act.<sup>6</sup>

The Per Capita law identifies that per capita payments will be made on or before September 30<sup>th</sup>. *Sec. 9.5-3(d)*. The purpose of setting a payment date is to allow appropriate budgeting and cash management practices. This allows the per capita payment funds to be accrued over the entire year, to ensure cash availability for operational costs (i.e. payroll, program services, taxes, etc.), and to reduce losses in early or untimely withdrawals from various investments.

<sup>4</sup> In the FY2015 budget the reduction to proposed budgets from prior budgets was up to 12%.

<sup>5</sup> See, for example, April 9, 1999, Special General Tribal Council minutes regarding minor’s trust funds and pooled accounts.

<sup>6</sup> The Administrative Procedures Act was superseded by the Legislative Procedures Act adopted by the General Tribal Council by resolution # GTC-01-07-13-A. Both laws delegated authority to the Oneida Business Committee to adopt legislation in conformance with those procedures.

The Per Capita law also identifies when an individual is eligible to receive a per capita.

- If enrolled and file a payment request form<sup>7</sup> by July 1<sup>st</sup>. *Sec. 9.5-3(b)*.
- If not enrolled, then -
  - Must file an application for enrollment prior to January 31<sup>st</sup>; and
  - Enrollment must be approved by Oneida Business Committee prior to March 31<sup>st</sup>; and
  - New member must file a payment request form filed by July 1<sup>st</sup>. *Sec. 9.5-3(a)*.
- If deceased, must have filed a payment request form by July 1<sup>st</sup>. *Sec. 9.5-4*.

In addition, minors and incompetent adult payments are addressed in section 9.6 regarding deposits, early withdrawals, and when dispersed.

The Oneida Business Committee received a request to consider authorizing attachments to per capita payments regarding child support arrears. In addition, the Nation receives tax levies from the federal government from time to time. Finally, there are members who owe a debt to the Nation regarding a program payment, retail purchase, theft from the Nation, and on occasion, fines. The Oneida Business Committee considered each of these issues and the public hearing comments as presented by the Legislative Operating Committee. The Oneida Business Committee adopted amendments to the Per Capita law which authorized these three exceptions and prohibited all other attachments. *Sec. 9.4-6*. The law requires attachment requests to be filed with the Judiciary prior to July 1<sup>st</sup> and the Judiciary to issue attachment orders on or before August 1<sup>st</sup>. The attachment orders are made in priority order of child support arrears, debt owed to the Nation, and federal tax levies. If the attachment request is not made by July 1<sup>st</sup>, there are no exceptions to late filing.

Finally, section 9.4-3 of the law requires per capita payments to be made only pursuant to the direction of the General Tribal Council “through adoption of a resolution.” There have been payments made since adoption of the law by motion of the General Tribal Council. In those circumstances, to comply with the Per Capita law, the Oneida Business Committee has adopted a resolution setting forth the per capita payment directive of the General Tribal Council.

### ***Decisions Regarding Funding Sources and Programs/Services/Employment***

Previous legal and financial reviews of per capita petitions have identified that the funds of the Nation are fully allocated.<sup>8</sup> The Treasurer and Oneida Business Committee present a budget that is balanced; all funds of the Nation received in a fiscal year are allocated to current or future expenses. Previous legal and financial reviews have also identified that reducing a program, service, activity, employment is not as simple as just terminating the activity or employment and realizing the savings budgeted for that activity or employment. However, for every budgeted item, there is likely to be a cost to discontinue that activity. Whether that arises from returning of a grant whether it is the original amount or the remaining unspent portion, or the costs associated with laying off an employee and the unemployment and COBRA costs, etc,

<sup>7</sup> The payment request form verifies the correct mailing address for the member and identifies whether the member wishes the Nation to withhold federal taxes from the payment.

<sup>8</sup> Funds of the Nation include – revenues from enterprises, interest income from investments, loan and bond revenues, grants, fees and finds to name a few.

The current petition requests that the budget balancing provisions be conducted by the General Tribal Council. However, as identified in prior opinions, personnel related actions have been delegated by the General Tribal Council to various entities and positions.<sup>9</sup> Such an action by the General Tribal Council would be in violation of those delegated authorities and adopted processes, and if they could be taken up after providing the appropriate notice, would require a two-thirds vote.

There are several examples that follow identifying the complexity of making these decisions. A more complete report on the examples may be placed on the Nation's website under the Member's Only section.

### *Employees*

The Oneida Nation has approximately 2800 employees. About half of those employees work in the gaming operations – gaming floor, back of house, surveillance, security, backgrounds, Gaming Commission and about 106 additional employees working in the retail operations. It is presumed that these positions would not be impacted as many, if not most, are positions required by federal law or regulation, Tribe-State Gaming Compact, or tribal law or regulation or are simply in revenue generating operations. The remainders of about 1400 employees work in various governmental operations. These include support services such as accounting, public works like water and sewer to parks, custodial, legal, human resources; providing public services such as housing, health, public safety or policing; and providing governing activities such as zoning, building codes, environmental activities, land acquisition and management, and court systems.

A basic break down of non-gaming and non-retail employees taken from the 2016 Semi-Annual report is as follows. The report does not identify husband or wife of a member or parent of a member; and, the Human Resources Department does not maintain a database of this information. As a result, only members are identified out of the total employee population. In addition, not every division or entity identified the number of employees.

<b>Division/Area</b>	<b>Total Employees</b>	<b>Members</b>
Environmental Health and Safety Division	30	19
Audit Committee/Internal Audit Department	11	8
Legislative Operating Committee/Legislative Reference Office	5	2
Comprehensive Health Division	331	118
Development Division	200	165
Governmental Services Division	297	183
Internal Services Division	87	43

<sup>9</sup> An August 16, 1995, opinion by Chief Counsel Hill identified that the General Tribal Council delegated personnel related actions in its 1988 action adopting the Personnel Policies and Procedures and would violate the due process protections of the Nation's Constitution. As a result, it was not within the authority of the Oneida Business Committee to present a petition regarding employees of the Nation. An August 3, 2001, opinion by Interim Chief Counsel Dilweg identified that a petition regarding the Gaming General Manager position could not be brought before the General Tribal Council as it would be in violation of the 1982 (directing Business Committee to hire a General Manager and focus on legislative activities) and 1988 (adoption of the Personnel Policies and Procedures) actions of the General Tribal Council as well as potential due process violations. There have also been opinions regarding various petitions calling for employment or employee related actions as well as removal of elected officials which have identified that the General Tribal Council has taken action to delegate authority and remove itself from the employment related processes.

<b>Division/Area</b>	<b>Total Employees</b>	<b>Members</b>
Land Management Division	23	23
Emergency Management	1	1
Finance Division	74	33
Gaming	1047	566
Oneida Housing Authority	33	26
Human Resources Department	33	30
Intergovernmental Affairs & Communications	6	6
Law Office	10	7
Ombudsman	1	1
Retail Enterprise	106	106

The May 2016 Human Resources Department report to the Oneida Business Committee identifies that in 2010, the Oneida Nation as an employer shifted from employing more non-members than members to employing more members than non-members. Approximately 58% of the Nation's employees are members. About 27% of the employees are between the ages of 50 and 59, and about half of the supervisors (463 employees) are age 50 and over of whom 82% are members. Over time, the workforce was, and will continue to be, changed if the trend of 67% of all hires being members, 70% of all job reassignments being members and 80% of all transfers being members continues and/or increases.<sup>10</sup>

In addition, the Oneida Business Committee regularly acknowledges years of services for employees who have worked for the Nation for 15 or more years identified in five year increments. This list often contains 20-30 names. An individual hired by the Nation often remains employed for many years, if not decades. This holds true for all levels of employment. As a result, there has been very little turnover or transition in many positions throughout the Nation. The Human Resources Department reviews this information and has implemented succession planning programming as the employee population begins entering retirement age.

There are some divisions that work primarily off of grants or outside funding sources. For example, the Human Resources Department reported that of its \$2,745,419 budget, only \$323,628 is made up of tribal contribution. A little over \$2 million is indirect cost and about \$323,000 comes from a grant with matching tribal contribution. Indirect costs are those costs used to calculate funding for the Nation's Self-Governance Contract that shifts federal dollars from the federal agencies to the Tribes. Reducing the number of employees simply reduces the amount of indirect cost expenses and the overall calculated cost for the Self-Governance Contract.

The Environmental Health & Safety Division employs 30 people and operates its \$4,818,338 budget from 48% grant funding, 4% miscellaneous outside funding sources, and 48% tribal contribution. The impact of reducing the number of employees in this division would result in the loss of grant funding and the equal reduction in tribal contribution costs. This includes the loss of environmental programming such as wetlands, remediation of contaminated sites, some parks, and the trail system.

<sup>10</sup> This report is available on-line on the Nation's website in the May 11, 2016, Oneida Business Committee meeting packet, pages 166-180.

The Land Management Division, on the other hand, operates from two different sets of funds.<sup>11</sup> The first set of funds is the tribal contribution for land acquisition; these funds are also supplemented by unspent revenues from the previous year. These funds are used only for land acquisition. The second set of funds collected from rents and mortgages on land managed by the Nation. These funds are used to pay the administrative expenses of the Division. Reducing the employees in this Division would reduce expense related to the administration of the land, but these savings would be placed in the land acquisition fund, not in the general fund of the Nation. This also potentially reduces maintenance of existing rental properties, re-hab of properties for sale or rent, and managing the processes related to the rental or sale of homes.

As identified above, simply choosing programs to be discontinued and employees to be laid off does not result in 100% of the funding being returned to the general fund of the Nation. Further, there are additional one-time expenses related to this action. For example, in the Environmental Health & Safety Division, if a program is discontinued and an employee is laid off, the Nation is responsible for the unemployment compensation and other benefits for that employee.

Average employee makes \$18.00 per hour and works 40 hours per week with 200 accrued hours.

That means an average unemployment compensation of 26 weeks.

The weekly benefit rate is

4% of the base period wages; OR

Minimum benefit of \$54; OR

Maximum benefit of \$370

The amount of personal and vacation time accrued by the employee

The cost of providing health care benefits during the covered period

This cost would be applied to every employee laid off. Further, each of those employees, under the Nation's Personnel Policies and Procedures has a priority right to be re-hired.<sup>12</sup>

2080	Hours per Year
520	Hours per Quarter
\$9,360.00	\$18.00 per hour * 520; weekly pay is consistent
\$374.40	Base wages * 4% to get weekly benefit
\$370	Maximum benefit paid per week
\$3600	200 accrued hours * \$18.00 per hour

In addition to the above, there are costs associated with the employer portion of taxes and other expenses. Very quick review from the Finance Department indicated this action could have a \$3 to \$3.5 million impact on the Nation's self-funded insurance pool. The impact of this type of a reduction and potential increase on the Heath Center's expenses should be verified through the Finance Department. At this point, the number is a very rough estimate of costs.

Although the Nation has adopted uniform standards regarding job descriptions and salary scales, it is not possible to identify the actual 'savings' that would be generated during any given fiscal year as a result of laying off employees. Further, there is a delay from making the decision to

<sup>11</sup> This is a very simple and generalized explanation of land acquisition and administrative funding.

<sup>12</sup> There are two websites of the State of Wisconsin that are helpful. The first is the calculator located at [https://dwd.wisconsin.gov/uiben/calculator\\_wbr.htm](https://dwd.wisconsin.gov/uiben/calculator_wbr.htm); the second is the explanation of the above located at [https://dwd.wisconsin.gov/uiben/computing\\_benefit\\_entitlement.htm#wbr](https://dwd.wisconsin.gov/uiben/computing_benefit_entitlement.htm#wbr).

notifying the employee and closing out the employee's duties within a program or service. For most activities this is simply not a matter of providing a box for their personal belongings in the office and escorting the employee out of the building. There are actions needed to close out many, if not all, of the programs and services of the Nation, some of which are described below.

### Grants<sup>13</sup>

'Grant' refers to funding from third parties – typically federal and state grants, but also includes foundations and other charitable resources. The Nation applies for hundreds of grants each fiscal year, not all of which are approved. Grants can last as long as several years or until a specific activity is completed, such as purchase of a piece of equipment. Most grants have an obligation to utilize the resources related to the grant for grant related activities. There are also grants which have continuing obligations to operate a program or service, or to continue to employ an individual after the conclusion of the grant itself.

The Grants Office does not manage every grant of the Nation. However, a significant number of those grants are captured through that department. The following chart shows the total amount of approved grants from 2010 to the present.

2010	\$21,343,281.17
2011	\$8,634,699.15
2012	\$11,793,033.14
2013	\$7,050,397.96
2014	\$14,639,245.22
2015	\$9,283,421.36
2016	\$7,196,676.00
<b>TOTAL:</b>	<b>\$79,940,754.00</b>

The Fiscal Year 2016 budget anticipated \$52,964,890 in grant funding in a total budget of \$430,022,309. That is about 12% of the Nation's budget. This amount of budget impact increases once gaming and retail budgets are removed because the vast majority, if not all, of the grants are for government (not enterprise) purposes. So, for example, as presented in the Fiscal Year 2016 budget packet of December 15, 2015, the budgeted allocations for an example of various groups of activities follow.

All Funding	Tribal Contribution	Grants	Other	Ext. Sales	IDC/DC/AFB
\$430,022,309	\$26,291,681	\$52,964,890	\$2,297,342	\$298,093,864	\$52,374,532

- Health & Social Services

Total Funding	Tribal Contribution	Grants	Other	External Sales
\$58,322,209	\$7,392,336	\$28,119,110	\$84,303	\$22,726,460*

\*This amount is primarily from the Consolidated Health Services which receives no "Tribal Contribution" but does receive third-party insurance billing through the Nation's insurance plan.

- Education & Culture

Total Funding	Tribal Contribution	Grants	Other	External Sales
\$18,940,891	\$8,551,033	\$9,817,724	\$91,360	\$480,774*

\*This amount comes from four major areas in order of sales – Before & After School Program, BIA Early Intervention, Oneida Nation Museum, and Oneida Pow Wow.

- Community Development

<sup>13</sup> This section does not include the Self-Governance Contracts the Nation enters into for Indian Health Services, Bureau of Indian Affairs and Bureau of Indian Education.

Total Funding	Tribal Contribution	Grants	Other	External Sales
\$15,986,791	\$10,410,780	\$4,922,156	\$39,945	\$361,830*

\*This amount is primarily from the payments for environmental buffer programing. There is also \$252,080 in other funding sources received by the Environment Health & Services Division.

In looking at the budget information above, it is clear that a quarter to half of any given program can be anticipated to be grant or external funding sources. As a result, reducing a program's employees or deleting the services results in significantly less than the amount of the budget for that program. Further, there will be one-time costs associated with returning grant funds or not finishing a grant related project. This may involve returning the full amount of the grant, regardless of the amount spent.

### *Contracts*

All contracts should be processed through the Oneida Law Office and Purchasing Department. However, there are more one-time expenditures made through the Purchasing Department than through the Oneida Law Office. A report from the 'contract' database of the Oneida Law Office identifies approximately 1086 contracts and agreements reviewed in Fiscal Year 2015. Contracts in this report range from one transaction such as buying a computer, to multi-year transactions such as warranties and construction activities. Further, not every contract is for a specific amount, i.e., it is based on services and/or time provided at a specific rate. However, a rough estimate of the amount of contracts entered into would be in excess of \$31 million for Fiscal Year 2015. This amounts to approximately 7% of the total budget.

Many of these contracts are for grant or external funding related activities. For example, for contracts in which the total contract amount was identified -

- Head Start Program has approximately \$190,000 in contracts;
- Economic Support Services has approximately \$1 million in contracts; and
- Environmental Health & Safety Division has approximately \$281,000 in contracts.

On the other hand, the Development Division which manages construction projects has over \$14 million in contracts and the Land Management Division has over \$2 million on contracts.

Each of these contracts is an agreement for a specific amount of funding for a specific good or service. Most of these agreements contain an early termination fee. Those related to certain services would require payment through the services received. Some professional services contracts identify a specific dollar amount for damages. Some contracts for specific goods or services may be terminated, however the full amount of the contract may still be due and owing because of the unique nature of the contract goods or services not being easily transferrable to another sale. Finally, some contracts may require additional payments after notification of termination in order to conclude a step or portion of a contract in order to avoid damages or dangerous conditions.<sup>14</sup>

<sup>14</sup> In addition to the above, in some circumstances, if a project were re-started, it may not be possible to re-engage the contractor and future contractors may not be willing or able to proceed on a project that is partially completed. This would be the case primarily in construction related activities.

With 1086 agreements for a single fiscal year, which is down from the previous year, it is not possible to provide an estimate of early termination costs, or whether the contract can be terminated. It is not possible to simply say half of the contracts are for enterprise related activities. Gaming and retail make repetitive purchases for goods, larger purchases for assets, and small individual purchases for unique items. However, the \$14 million in contracts through the Development Division are contracts for construction projects of various sorts. Further, some of these contracts, such as the Arts Program which had 36 contracts amounting to about \$103,000, are simply re-granting external funds. As a result, terminating any of these contracts would have no tribal contribution recovery. It is likely to result in a loss of funding to the Nation to take actions regarding these contracts.

#### *Buildings/Grounds/Maintenance*

The Nation's programs and services are operated in buildings owned by the Oneida Nation. Whether the program, service or employees remain, the cost of maintaining the building will continue. In the Fiscal Year 2016 budget, samples of the budget allocations are as follows.

- |  |             |
|--|-------------|
| • Buildings and Grounds Administration | \$ 752,705  |
| • Custodial                            | \$3,388,831 |
| • Buildings                            | \$2,832,752 |
| • Grounds Keeping                      | \$1,339,014 |

It is also possible that employment costs could be reduced by outsourcing building maintenance, custodial and grounds keeping. However, this may simply transfer to employment costs to contract costs. This may result in some savings, but would still require personnel to negotiate and oversee the contract from a perspective encompassing the Nation, not a single facility in order to generate additional savings.

Some of these costs may be reduced from the \$8.3 million allocation because less custodial needs would be required. However, maintaining the building, lawn mowing, snow removal, and other building and grounds keeping requirements would be needed regardless of whether the building was fully or partially unoccupied. Further, there are public utilities to maintain temperatures within the building to avoid cold or heat damage.

Some of this could be offset through external lease opportunities. However, if a building is not completely emptied of programs or services, that may not be possible. Further, some buildings that are unique, such as the Social Services building, the cottages, or Family Fitness Center may not be easily transferrable to a lease opportunity.

#### *Facilities – Water/Sewer/Electric/Gas/Insurance/Taxes/Etc.*

The Nation operates a water and sewer system as well as maintains some well and septic systems for its public buildings. Closing a program, discontinuing a service, or laying off employees does not reduce the costs of these services. As a result, any budgeted expenses for these services may be reduced slightly as a result of vacancy in a building; however there will continue to be costs associated with each facility.

Every program is allocated a cost for the space it uses, whether that space is a building or simply land.<sup>15</sup> These space allocation costs cover items such as insurance, taxes, and building maintenance. Even if the program was discontinued and/or the employees were laid off these costs would still exist. The end result is that discontinuing a program or employment does not mean that 100% of these tribal contributions would be available for reallocation. It is highly likely that only a small percentage of the allocated funds would be available.

In addition, there are activities that Nation has engaged in that would result in potential financial penalties to the Nation if a building were no longer used for governmental purposes. For example, the Food Distribution Program budget is federally funded and covered by Self-Governance funds.

### Analysis

The petition proposes consideration of a per capita payment. The petition presents a request for a per capita payment that would be clearly applied. Although it is within the authority of the General Tribal Council to approve such payments, there are three general issues with the proposed action set forth in the petition.

- Explanation for two different groups of per capita payments and the presumption that the proposed groups do not exclude members over age 61 and under age 62.
- Identification of payment date and adoption of the per capita by resolution in accordance with the Per Capita law.
- Identifying specific reductions in expenses related to employment, grants, contracts, and operational expenses.

#### *Payment Amounts and Groups*

The petition request does not address why some members are paid more than others – especially in light of the already pre-approved elderly per capita payments. The federal regulations regarding per capita payments require that the reasons for the different levels of per capita payment be clearly identified. This is not a question that would prohibit the petition from being brought forward; however, discussion regarding this issue should occur and reasons for this type of a payment should be identified. These reasons would be included within the Revenue Allocation Plan.

In addition, the petition, as written, appears to exclude a group of members between the ages of 61 (“*under the age of 61*”) and 62 (“*over the age of 62*”). This legal opinion has presumed that this is simply a drafting error. However, as with identifying two different levels of per capita payments, the reasons for excluding members must be clearly identified at the meeting. This information would be needed for submission of the Revenue Allocation Plan.

#### *Payment Date*

The second set of concerns with this resolution is that it attempts to amend tribal law without the appropriate amendments to the law being presented which would violate the requirements of the

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<sup>15</sup> There are a few business units that lease space they use – Gaming Commission and the Commodity Food Program are two examples. These business units would continue to have business expenses for utilities, insurance, and minor building maintenance which are not covered under the commercial lease.

Legislative Procedures Act. The Per Capita law was generated to provide answers to common questions regarding per capita payments in a consistent manner. Further, the law was intended to set forth elements required under federal laws and regulations such as the protection of interests of minors and incompetent adults as well as how a per capita is allocated.

The petition presents a request to the General Tribal Council to pay a per capita on a date set by that body. The Per Capita law identifies that a per capita is paid on or before September 30<sup>th</sup> of a given fiscal year. The goal of this is to allow the Treasurer to direct that funds be set aside throughout the year to make the required per capita payments. This allows the cash flows of the Nation to be adjusted to meet current needs, as well as planning for larger expenditures and payment. Depending on when the per capita payment is directed to be made, this may severely impact the cash flows of the Nation.

In addition to the cash flow impact, changing the distribution date also affects other steps with the process for making per capita payments. For example, the law provides time lines for submitting claim forms. These forms serve two purposes. First, the form is used to verify the name and address of a member and whether taxes will be deducted. This allows the Enrollment Department an opportunity to keep membership databases up to date. It also allows members to choose whether or not the taxes would be deducted. Second, the form is used to confirm that members are living and thus able to receive the per capita payment, while minimizing the potential gap between submission of a per capita claim form and the date of death and eligibility to receive a per capita payment.

Finally, changing the distribution date also impacts the attachment process and timelines. The Per Capita law identifies a cut-off date for filing an attachment request as well as a cut-off date for attachment orders. The law also identifies deadlines for enrollment. These and other deadlines were set forth in order to clarify long standing questions raised by the General Tribal Council, the Oneida Business Committee and other individuals regarding per capita payments.

#### *Identifying Funding Sources*

This petitioner also suggests that the General Tribal Council could identify where the funding for the per capita payment could be drawn. As identified in the analysis, there are numerous issues in regards to this request.

The first concern involves personnel related actions. The General Tribal Council has taken steps over the years to delegate different authorities to organizational units and/or entities of the Nation. In this case, in 1982, the General Tribal Council adopted resolution # GTC-2-25-82 which directed that employment be managed through a General Manager and the Oneida Business Committee address legislative issues. In addition, the General Tribal Council created the Personnel Commission and delegated authority to that body. Finally, the General Tribal Council adopted the Personnel Policies & Procedures which set forth how personnel actions would be taken. This would require amendments to the Personnel Policies and Procedures for the General Tribal Council to take specific employment related actions.

In addition, the second concern involves grants and contracts. Grants are federal, state or third party funds which the Nation receives to complete certain tasks or activities. Failure to complete

these tasks could result in a return of a portion up to the entire amount of the grant, regardless of how much of the grant has been spent on the activity. The Fiscal Year 2016 budget estimates receipt of \$52 million in grant funds.

Contracts for goods or services are likely to contain clauses for early termination. Depending on the nature of the contract there may be costs for termination, notice periods, and in some circumstances penalties for early termination. In Fiscal Year 2015, there were 1086 contracts reviewed by the Oneida Law Office. Although some of these are single task contracts, there are still a significant number of single task, single year, and multi-year contracts.

The third concern involves ongoing costs, regardless of the number of employees or programs and services. These costs will continue – insurance coverage, taxes, water and sewer, other utilities, building maintenance, grounds keeping are a few of the ongoing expenses.

In short, some actions proposed in this part of the petition would be in violation of the Nation's laws, some would result in additional costs, and most would not realize a 100% savings.

### **Conclusion**

Adoption of a per capita payment is reserved to the General Tribal Council under the Per Capita law. The petition presents a request that is within the authority of the General Tribal Council to take up. However, the petition attempts to amend tribal law without following the proper processes and is unclear in regards to its application. Should these two issues be corrected, the General Tribal Council could consider the petition request.

If the action is properly presented for adoption by the General Tribal Council, it will require a simple majority vote if included prior to the adoption of the budget from which it will be paid. If action is taken after the budget is adopted from which it is to be paid, then a two-thirds vote will be needed.

Members are encouraged to review the financial analysis regarding the impact on the Nation in conjunction with this opinion. It is possible that the financial analysis may identify that it is not financially possible to make the requested per capita payment which would result in a motion to adopt the per capita payment being out of order.

If you have further questions, please contact me.

# Oneida Business Committee Agenda Request

1. Meeting Date Requested: 08 / 10 / 16

## 2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

## 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:

Primary Requestor/Submitter: Trish King, Tribal Treasurer  
Your Name, Title / Dept. or Tribal Member

Additional Requestor: Submitted by: Heather Heuer, Info. Mgmt. Specialist/BC Support Office  
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\*\*\*

The Special General Tribal Council FY2017 Budget meeting is scheduled for Monday, September 19, 2016 at 6:00 p.m. at the Radisson Hotel & Conference Center.

In order to meeting the 10-day Notice Policy, Oneida Printing will need a final approved copy of the meeting materials by Thursday, August 18, 2016. Thus, the draft meeting materials are being presented for the BC consideration at the August 10, 2016, regular Business Committee meeting.

\*\*\*REQUESTED ACTION\*\*\*

Approve the Special General Tribal Council FY2017 Budget meeting materials

- 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

DRAFT - September 19, 2016 special GTC FY2017 Budget meeting packet - DRAFT



# **GENERAL TRIBAL COUNCIL FY 2017 BUDGET MEETING**

**MONDAY, SEPTEMBER 19, 2016**

**6 P.M.**

**RADISSON HOTEL & CONFERENCE CENTER**

**2040 AIRPORT DRIVE**

**GREEN BAY, WISCONSIN**

For directions go to: <https://goo.gl/uft8ZQ>

# FOUR STRATEGIC DIRECTIONS



DRAFT - September 19, 2016 special GTC FY2017 Budget meeting packet - DRAFT

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## GENERAL TRIBAL COUNCIL MEETING INFORMATION

### EXPECTATIONS

No Children Please. All seats are needed for voting age members.

Smoking only allowed in designated area.

No E-cigarettes allowed per Clean Air Policy of BC-05-28-14A.

Please exit the meeting in an orderly manner.

Keeping in line with the Oneida principle of Kalihwi-yó; meeting attendees are expected to treat each other with respect and kindness.

### PLEASE DO NOT:

- Use profanity,
- Interrupt others,
- Heckle or threaten others,
- Disrespect property, or exhibit behavior that disrupts the meeting or endangers the safety of other attendees,
- Be under the influence of alcohol or illegal drugs,
- Have a weapon on their person in violation of any applicable law, or
- Take action that violates Tribal law.

### TO ATTEND THE MEETING

- You must be an enrolled Tribal member.
- You must be at least 18 years old.
- You must present a non-broken and non-faded valid Tribal or state photo ID when checking in and out.

### PHOTO ID REQUIRED

A non-broken and non-faded valid Tribal or state issued photo identification card must be presented. The Enrollment Department issues Tribal ID's.

Tribal ID Card Issuance hours and location:

9 a.m. to 4 p.m. weekdays  
210 Elm St. Oneida, WI 54155  
(920) 869-6200

### GTC MEETING STIPEND

To be eligible to receive the \$100 GTC meeting stipend; attendees must be in line to register no later than 15 minutes after the start of the meeting **and** sign out after the meeting adjourns.

Those leaving the designated GTC meeting area will not receive their stipend.

### EXITING SAFETY INFORMATION

When the meeting is adjourned, please remain seated until your section is released by the Tribal Chairwoman

### FOOD AND BEVERAGES

If you have medical needs, **please bring your own food and beverages** to ensure you are prepared if the meeting runs longer than 3 hours. Some food and beverages will be available for sale.

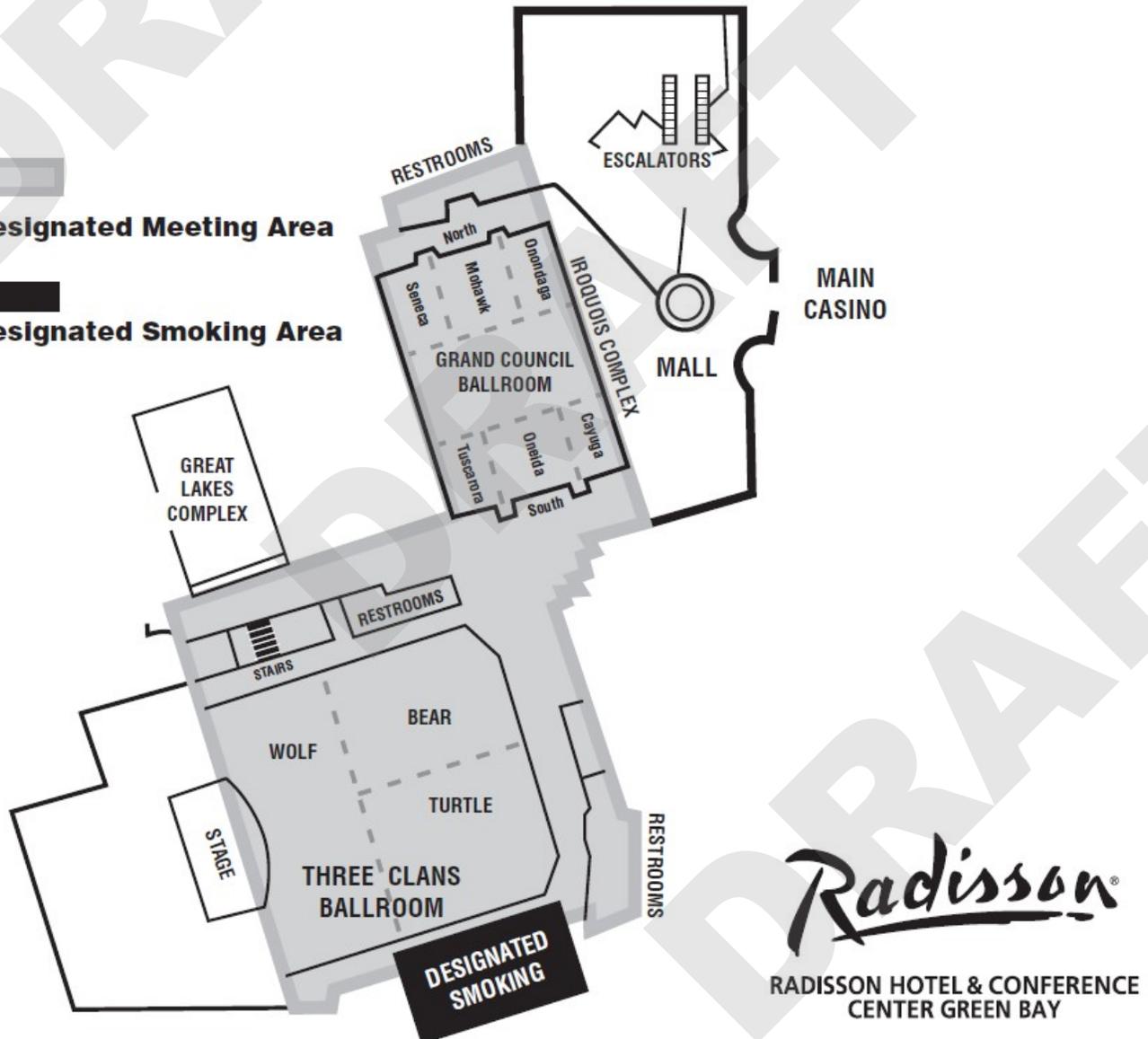
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## DESIGNATED GTC MEETING AREA

- Meeting attendees must remain inside the designated meeting area or smoking area to remain eligible to receive the meeting stipend.
- You must be an enrolled Oneida tribal member and 18 years or older to be in the designated meeting area

 Designated Meeting Area

 Designated Smoking Area



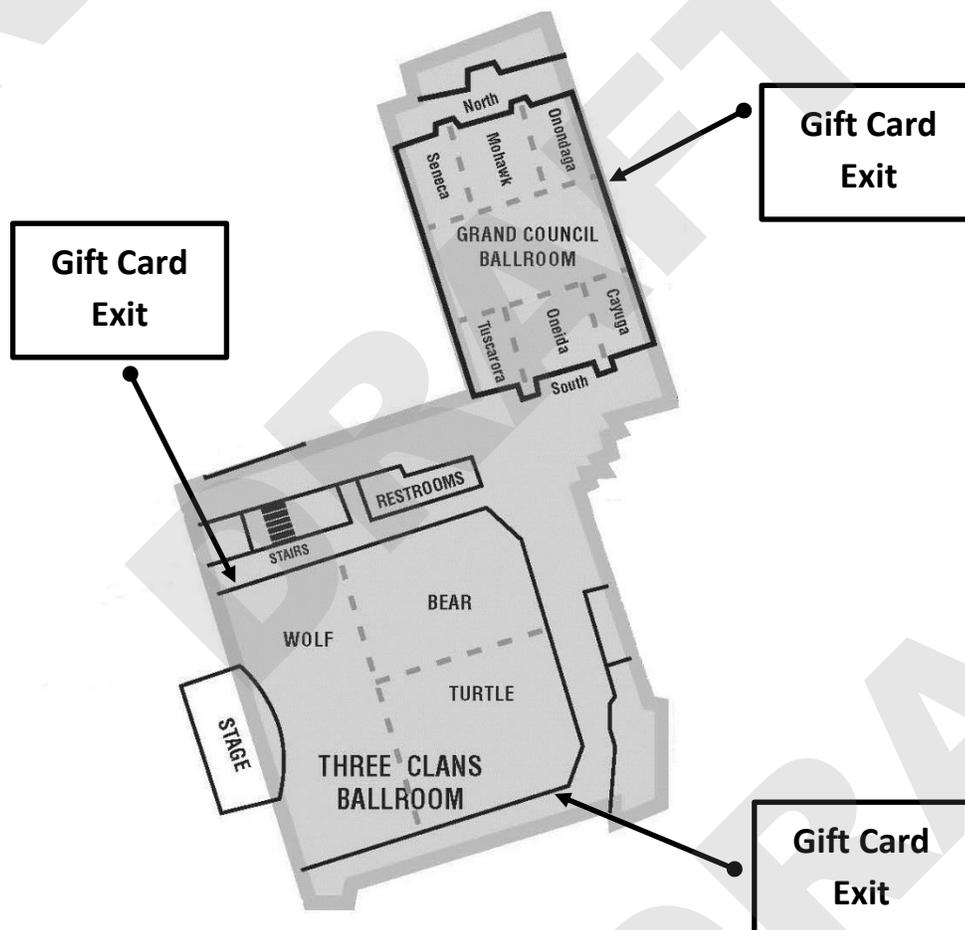
## Voluntary Retail Gift Card

The Oneida Business Committee will again be offering the Voluntary Retail Gift Card at the September 19, 2016, Special GTC Meeting.

**Please note the following:**

- 1) This is a VOLUNTARY choice.
- 2) Lost cards will not be replaced.
- 3) A signed acknowledgement will be required.

**Three exits** have been designated for General Tribal Council meeting attendees who choose to receive a retail gift card in lieu of stipend.



If you have additional questions, please contact the BC Support Office at 920-869-4364.

## Voluntary Retail Gift Card

### Frequently Asked Questions

**What if I lose my card, can I get it replaced?** No, if a card is lost, it will not be replaced.

**Is the card still taxable income?** Yes, the card is considered taxable income; the records will be kept the same as the distribution of checks or direct deposit and it will be reflected on your 1099-MISC tax form.

**Can I get a card at some meetings and choose a stipend at other meetings?** Yes, at each GTC meeting you will have a choice.

**Will there be special check-out lines for the cards at GTC meetings?** Yes, if you want a card, there will be a special line for checkout to keep the exit process moving smoothly. **Please see the maps on the Announcement page.**

**Will we eventually go 100% gift cards for stipends?** GTC would determine if there is a full transition to gift cards. This would also require GTC to approve an amendment to the "GTC Meeting Stipend Payment Policy."

**Can I redeem my card for cash at any of the places that accept the card?** No, the card cannot be redeemed for cash.

**Will I be able to use the card at the casino?** No, the gift card cannot be redeemed at the casino, hopefully in the near future this can be considered. The gift card is valid at any of the following entities:

- Oneida One Stops, Travel Center and Smokeshops
- Oneida Market
- Oneida Museum
- Oneida Family Fitness
- Oneida Nation Farm
- Oneida Apple Orchard
- Oneida Licensing Department
- Oneida Health Center
- Oneida Housing
- Oneida Utilities

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# **ONEIDA GENERAL TRIBAL COUNCIL AGENDA**

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- I. WELCOME & OPENING PRAYER**
  
- II. ANNOUNCEMENTS & CALL MEETING TO ORDER**
  
- III. ADOPT THE AGENDA**
  
- IV. FY2017 BUDGET**
  - a. Tribal Budget Message to GTC**  
Tribal Treasurer, Patricia King
  
  - b. Tribal Financial Overview and Forecast**  
Chief Financial Officer, Lawrence Barton
  
  - c. Presentation of the FY2017 Budget Assistant**  
Chief Financial Officer, RaLinda Ninham-Lamberies
  
- V. ADOPT FY2017 BUDGET RESOLUTION**
  
- VI. ADJOURN**



## **SPECIAL MEETING FY2017 BUDGET**

Monday, September 19,  
2016

6:00 p.m.



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Detailed budget packets are available for  
**Oneida Tribal Member**  
review at the following locations:

### **ONEIDA COMMUNITY LIBRARY**

201 Elm St., Oneida

Phone: (920) 869-2210 or,

1-800-236-2214 (ask for the Library Building)

Monday thru Thursday 9 a.m. - 6 p.m.,

Friday 11 a.m.-5 p.m.

Saturday 10 a.m.-2 p.m.

### **ONEIDA BUSINESS COMMITTEE (Norbert Hill Center)**

Please See: Lisa Summers, Tribal Secretary

N7210 Seminary Road, Oneida

Phone: (920) 869-2214 ext.4475 or 1-800-236-2214 ext.4475

Monday thru Friday, 8 a.m.-4:30 p.m.

### **SEOTS**

Please See: Mark W. Powless, Director

5233 West Morgan Avenue Milwaukee

Phone: (414) 329-4101

Monday thru Friday 8 a.m.-4:30 p.m.

Saturday CLOSED

For Questions and Comments, please contact RaLinda Ninham-Lamberies (920) 869-4242.

Note: **Must provide verification of enrollment to review the detailed budgets. Yaw<sup>^</sup>ko.**

# **TRIBAL TREASURER'S EXECUTIVE SUMMARY**



# Proposed Fiscal Year 2017 Budget Executive Summary

## Sakoli Swakweku General Tribal Council

### Greetings, from me to all of you

The Oneida Business Committee has completed their review of the Fiscal Year 2017 (FY17) tribal budget. I am pleased to propose this balanced budget to General Tribal Council for consideration. The proposed FY17 balanced budget is \$453,500,224, an increase of \$23,479,915(5.45%) greater than Fiscal Year 2016's budget of \$430,022,309.

The overall budget increase is located within the approximate 280 tribal fund units. Expenditure Categories that specifically increased, from Fiscal Year 2016 (FY16) to Fiscal Year 2017, are: Employment, Self-Funded Health Insurance, Cost of Goods Sold, Gaming Equipment, State Compact Fee, Per Capita, Education, Land Acquisition, Capital Improvement Projects, Operational Equipment, and Consolidated Health and Contingency funds.

The good news, however, is that we are also experiencing increased gross revenues of \$18.44M or 6.7% (compared to FY16) from our Tribal Enterprises. Tribal Enterprises include: Retail, Additional Enterprise Sales, Enterprise Other Income, and Gaming. Gaming provides the lion-share of increased gross revenues over last year by 5%, followed by Retail at 5.45% increase.

Another very important point to make is, Fiscal Year 2015 provided a carry-over of \$11,500,409. Special recognition and appreciation is extended to the Finance Department for their oversight, Gaming for increased revenues and managing expenses, and our Tribal Operations overall for properly managing expenses.

All of this information is further detailed in C.F.O. Lawrence Barton's Executive Summary and the Financial Report prepared by Assistant C.F.O. RaLinda Ninham-Lamberies.

### **Building the Budget**

The "End-In-Mind" is to relate our work product throughout Fiscal Year 2017 that will show membership the following. (1) Improvement on housing services and affordable housing opportunities for tribal members; (2) Improvements to our buildings and structures; (3) Designing, planning, and strategizing for future economic growth; (4) Implementing agriculture and healthy food systems strategies; (5) Improving employment opportunities for our people, (6) Increasing access to health care; and (7) Controlling debt.

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To reach the "End of the Road", Tribal Managers were directed to continue managing and reducing expenditures while they create plans to align, focus, and prioritize to Four (4) specific initiatives set forth by the Oneida Business Committee. The Four (4) focus initiatives are Community Development, Reducing Debt, New Revenues, and Improving Employment Programs.

In order to acquire input from the membership on these priorities, we hosted a community budget kick-off meeting followed by four (4) community showcases to educate membership of the Focus Initiatives adopted by the OBC. Our goal was to seek input, recommendations, and support from membership. The 6<sup>th</sup> and final community meeting was a "report out" of input received from the Four (4) community showcases. These six (6) community outreach meetings occurred January 30, 2016, through April 23, 2016.

Since January 2016, I have also facilitated monthly meetings with Senior Managers, Chairpersons of Boards, Committees, and Commissions, and the Oneida Business Committee. We spent considerable time talking, identifying, and understanding all the intricacies within this organization. Everyone worked collaboratively to understand the goals, while continuing to identify inefficient systems within our operations. We worked together to make change, reduce expenditures, and align priorities. Each meeting was about whom we are as an Oneida Nation, improving quality of service for our constituents, and making efficiencies so that we all may realize sustainability.

All of this time and effort was necessary in order to address the annual budget gap we face year after year. By working together, and focusing on the Four (4) Focus initiatives, we were able to close the initial \$23.4M gap to provide to you for adoption a FY17 balanced budget.

I want to take this time to acknowledge and thank Senior Managers, Chairpersons of Boards, Committees, and Commissions, members of the O.B.C., and operational staff, who by working together have shown new vigor toward improving operations to meet the needs of the people and to create a budget that is within our means.

Most importantly, Yaw^ko to the General Tribal Council for showing support of one of the Four (4) Focus Initiatives: "Reducing Debt." On June 13, 2016, G.T.C. approved the \$1,300 Per Capita Plan, which will begin with this FY17 budget. The plan includes paying debt down while rebuilding the emergency contingency fund. The Oneida Nation will reduce its debt to \$23.7M from \$60.14M. We will also delete total interest owed of \$3.5M, which we would have had to pay over the next 5 years. On behalf of the Oneida Business Committee, we extend our appreciation for your support of the plan and for working together to help us reach another milestone toward sustainability.

The proposed FY17 budget is a result of everyone working together toward sustainability. Albeit sustainability is a long-term goal, much can be accomplished each fiscal cycle to achieve this long-term goal. We will continue working together to set priorities and focus on specific initiatives to achieve our goals one step, or one year, at a time.

It is with great pleasure that I present to you, for adoption, the Fiscal Year 2017-balanced budget of \$453,500,224.00.

Yaw^ko.  
Tribal Treasurer, Patricia King

# **FY 2017 NARRATIVES**

Lawrence Barton,  
Chief Financial Officer

Louise Cornelius,  
Gaming General Manager

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### **Chief Financial Officer Executive Summary**

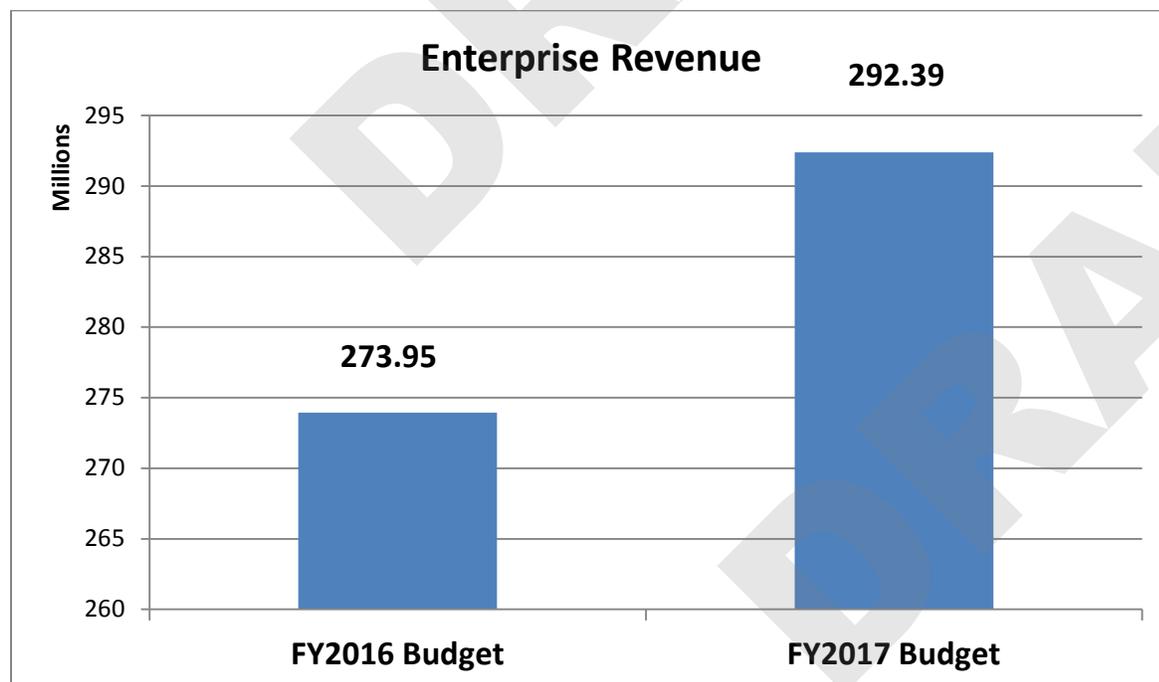
The economic conditions forecasted for Fiscal Year 2017 directly effects fiscal management and financial strategic planning for the Oneida Tribe. Major issues considered during the budgeting process include a very “modest growth” forecast according the Federal Reserve for the remainder of 2016 & all of 2017. Calculation of Enterprise revenue growth is directly reflective of this expectation. Importantly, inflation is also below historical averages and very low interest rates are established by Federal Reserve policy initiative to attempt to improve current economic conditions and move the economy toward improved optimism. Interest Rates are anticipated to rise as early as September 2016 and continue modestly upward, barring any persistent negative presence in the economic indicators.

Internally, the challenge to reconcile a recurrent structural budget gap will continue requiring budgetary cuts and limitation of employment growth within the organization. The focus of the Finance area in response to the current economic challenges is to execute steps to strengthen the Tribe’s Balance Sheet through consistent, meaningful debt reduction and ideally, improved financial structure. Additionally, the Finance area strives to encourage improved management processes and resource allocation toward monitoring revenue maximization, cost analysis, cash management and net income.

#### **Overview**

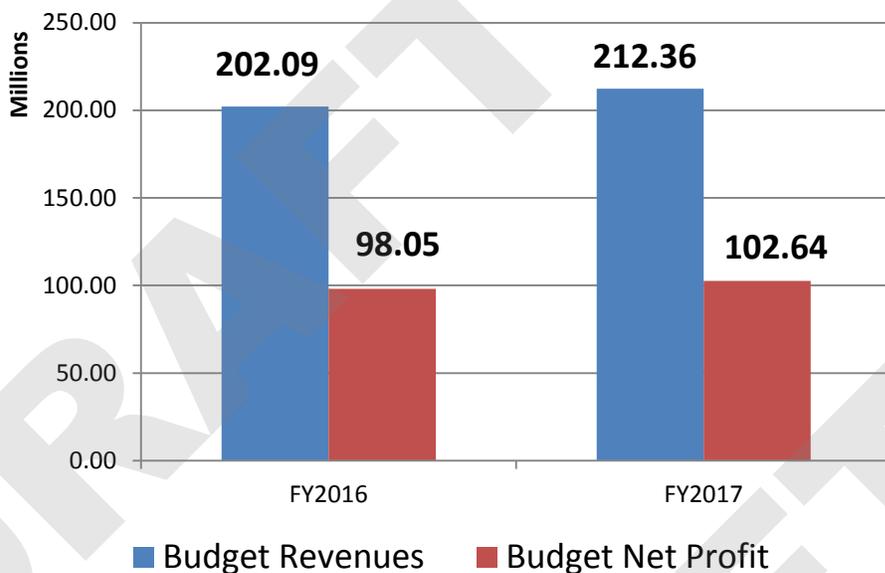
The budget presented for General Tribal Council consideration for Fiscal Year 2017 totals \$453,500,224. This is an overall increase of \$23.4 million or 5.45% over the Fiscal Year 2016 budget.

Enterprise gross revenues are projected to increase by \$18.44 million or 6.7%.

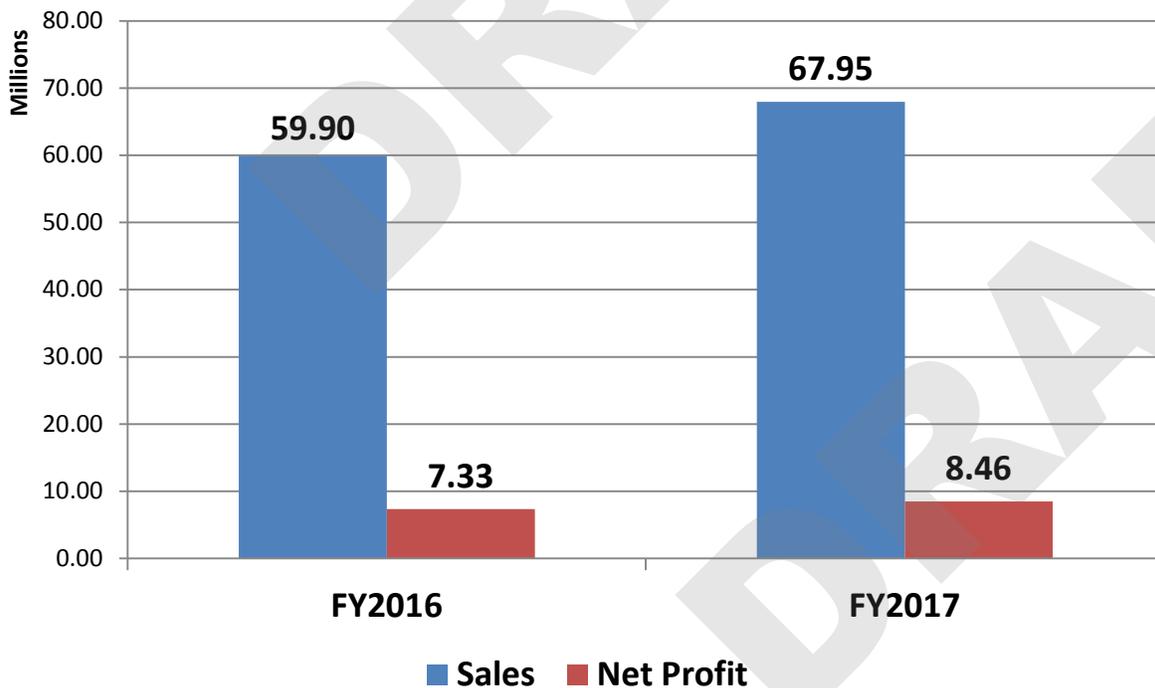


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Gaming is projecting Fiscal Year 2017 gross revenues will increase by \$10.27 million or 5% over Fiscal Year 2016 budgeted gross revenues. The Fiscal Year 2017 budget includes a slight increase of 4.68% or \$4.6 million in Gaming net profit.



Retail is projecting Fiscal Year 2017 gross revenues to increase by \$8 million or 13.42% over Fiscal Year 2016 budgeted revenues. This increase is due to an anticipated price increase for cigarettes and the re-opening of the Oneida One Stop – HWY 54.



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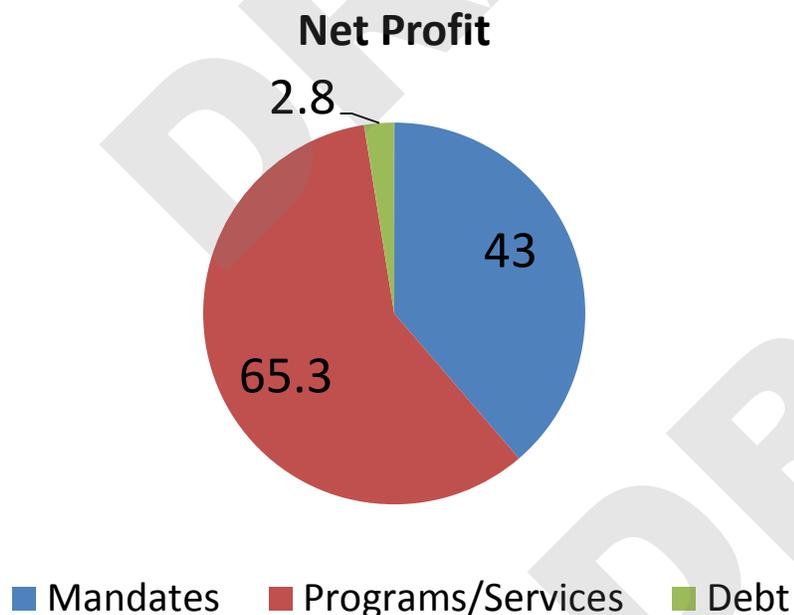
Program earned income is projected to increase by \$5.1 million due to projected increase in the revenues collected in the Consolidated Health fund unit (Oneida Health Center). Grant revenues are projected to experience a slight decrease of \$228,623. Return on investment from our corporations is projected to increase slightly (\$15,000) at \$550,000 as compared to Fiscal Year 2016 budget of \$535,000. The Fiscal Year 2017 budget also includes as a source of funding the net carry over amount from Fiscal Year 2015 of \$11,500,409. This carryover helped to fund a portion of the recurring structural deficit of \$25 - \$40 million experienced during each budget cycle for the past 8 years.

**General Tribal Council Directives/Mandates**

The FY2017 budget includes all expenses which have been mandated by General Tribal Council. These GTC directives include General Per Capita, Elder Per Capita, the Education Fund, Elder’s Trust Fund, and Elder’s OLIPP Premium funding. The General Per Capita payment for Fiscal Year 2017 is in the budget at \$1,300.

\$22,504,300	General Per Capita
13,363,380	Education
5,080,000	Elder Per Capita
1,080,000	GTC Stipends
500,000	Elder Trust Fund Transfer
<u>500,000</u>	Elder OLIPP Premiums Funding
\$43,027,680	

Mandates represent 38.72% of the combined net profit for Gaming and Retail enterprises.



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## **Debt**

At the time of writing, it is anticipated the Nation will be fully funding the loan for Oneida Thornberry Creek and retiring the outstanding principal balance on the Bank of America Line of Credit. The only outstanding debt to remain for the Nation is the 2011 Retail Revenue Bonds. A portion of these bonds (\$12 million) will mature in 2021 and the balance (\$18.075 million) will mature in 2031. The fiscal year 2017 budget includes debt payments of principal on the Retail Revenue bonds of \$1,220,000 and interest and fees payments of \$1,601,242.

## **Wages and Benefits**

The Fiscal Year 2017 budget includes a Tradeback for Cash of up to 40 hours for eligible and interested employees, per Oneida Business Committee action.

The wage scale has been increased by 5% to bring the starting wages for many jobs to market rate. The Fiscal Year 2017 budget includes either an increase to the mid-point of the new wage scale, based on years of service; or a .40 per hour increase.

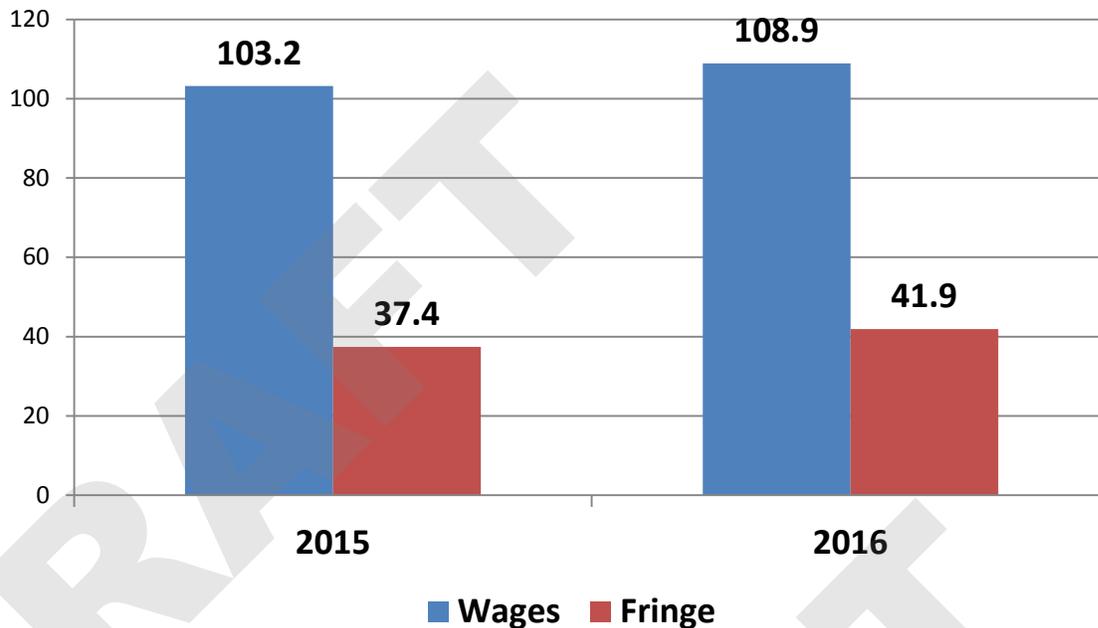
The Fiscal Year 2017 budget also includes an increase to the Nation's minimum wage. The Nation's minimum wage standard is \$10.10 per hour effective October 1, 2016.

The health insurance rates include a projected increase of 15.98 % in 2017. Continuation of the annual Health Risk Assessment program is planned 2017 and beyond.

The total budget for employment in Fiscal Year 2017 is \$158.85 million; \$113.70 million for wages and \$46.15 million for fringe benefits. This is an increase of \$6.61 million in wages and an increase of \$4.34 million in fringe benefits over fiscal year 2016 budget.

Approximately 35% or one-third of the overall Fiscal Year 2017 budget of \$453.5 million is allocated to wages, taxes, insurances, and retirement plan match for our employment base. Allocations for mandates equal another 39% of the overall Fiscal Year 2017 budget. The remaining approximate 25% or one-quarter of the budget funds the cost to provide the many programs and services as well as the administrative costs of the organization.

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Each fiscal year the budget cycle begins with a deficit of \$20 million to \$40 million. At an average wage and fringe benefit cost of \$45,656 per employee this equates to 438 to 876 employees. Targeted employment cap of 2,500 employees will address a large portion of this recurring deficit. Carrying capacity of current employment levels must be addressed in future budget cycles. Finance has advised leadership a cap or freeze on hiring is recommended to maintain fiscal stability. Further, a progression of reducing total employment through attrition and/or elimination of non-critical positions will be necessary.

### **Land**

The proposed Land Acquisition budget is \$9,664,622 for Fiscal Year 2017. The allocation from the 2033 Plan is \$3,120,000 for Fiscal Year 2017 plus \$4.3 million from the Fiscal Year 2015 carryover. A Memorandum of Agreement between the Land Commission and the Oneida Business Committee requires land taxes to be paid with General Fund revenues. The amount allocated for land taxes in the Fiscal Year 2017 budget is \$1.4 million. This creates a profit of \$844,437 in the Division of Land Management to be used for land acquisition as well.

### **Capital Improvement Projects (C.I.P.)**

The Capital Improvement Project budget for FY2017 is \$5,203,000. The specific projects funded in this allocation include:

Project	Allocation
TBD One Stop New Location	\$3,500,000
07-002 SSB Remodeling Phase V	560,000
16-005 Casino Exterior Lighting	500,000
15-003 NHC Windows	393,000

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14-012 Farm Manure Pit

250,000  
\$5,203,000

Thank you for your patience and understanding. Please feel free to contact my office if you would like more information at 920-869-4491.

Respectfully,

Lawrence Barton, Chief Financial Officer

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Louise Cornelius, Gaming General Manager  
FY 2017 Budget Narrative

The Oneida Nation respectfully submits our 2017 annual budget to the membership. I want to recognize and acknowledge the Gaming Budget Team along with all Gaming Division departments that worked diligently to complete our annual budget. The budget process is challenging and requires continuous analysis and data driven decision making to ensure we are within projections and continue to be fiscally responsible.

The preparation of the 2017 Gaming Division budget encompassed the alignment of the budget process with our Gaming Strategy Plan and the Oneida Business Committee Four Strategic Directions. The implementation of a value based strategy was instrumental in providing the Gaming Division with clear purpose, direction and focus to accomplish our objectives.

The economy is expected to grow by 2.9% in 2016, in which 2.3% is consumer spending. This of course, influences how customers and potential customers choose to spend their entertainment dollars.

Entering into fiscal year 2017, Gaming has carefully analyzed the cost to do business. The 2017 budget proposal keeps the Oneida Casino moving forward toward a better economy and a brighter future. It reflects our core belief that, in a stable economy, our values demand that we invest in our employees.

Gaming's largest operational expense is personnel. The Gaming Division continues to carefully manage workforce levels. In 2007 we employed 1,561 individuals; today our employee count is at 1,154. This is a combination of full, half and part time employees. Gaming increase in personnel and benefits will be 7.85% over FY 2016 Budget.

The Gaming Division is projecting a 3.88% increase in our overall net profit for FY 2017 as compared to FY 2016 Budget. The increase is derived from an increase in revenue and a decrease in operational expenses.

This past spring, the Gaming Management team met for two days and developed a new Strategic Plan. The Strategies include, Reinvesting into our employees, Growing Gaming Revenue Opportunities, Budgeting Achievable Financial Results, Strategic Marketing Opportunities and Improving Overall Casino Communication. We are in the process of executing our new strategies. We expect these strategies to assist in increasing our overall employee engagement with our customers as we introduce a vibrant, attractive and engaging entertainment destination.

The Oneida Casino gaming associates have developed a foundation of commitment, dedication, loyalty and customer excellence. They are the driving force in customer return trips and spend. I want to acknowledge our workforce for continuing to provide the ultimate entertainment experience and exceptional customer service.

**2017  
BUDGET  
INFORMATION  
CONSOLIDATION**

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<b>ONEIDA TRIBE OF INDIANS OF WISCONSIN FISCAL YEAR 2017 BUDGET</b>
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Ref. #

<b>SOURCES OF FUNDING:</b>
----------------------------

		FUNDS		TOTAL
	<b>TRIBAL ENTERPRISES</b>			
1	Gaming (Net of Customer Payouts)	211,289,836		
2	Retail Sales	67,945,055		
3	Additional Enterprise Sales	11,495,906		
4	Enterprise Other Income	1,660,835		292,391,632
	<b>PROGRAM UNIT EARNED INCOME</b>			
5	Health Service Fees	24,749,115		
6	Additional Program Sales	3,957,904		
7	Program Other Income	778,630		29,485,649
	<b>GRANTS</b>			
8	Self-Governance	21,259,845		
9	Additional Federal Grants	30,338,572		
10	State Grants	878,309		
11	Miscellaneous Grants	259,541		52,736,267
	<b>TRIBAL ALLOCATIONS</b>			
12	Self Funded Premiums	38,333,736		
13	Indirect Cost Pool Income	17,697,725		
14	Depreciation	9,659,806		65,691,267
	<b>OTHER SOURCES</b>			
15	Prior Year Profit/Carryover	11,500,409		
16	Elderly Trust Fund Transfer	0		
17	Tourism Fund Transfer (Hotel Room Tax)	575,000		
18	General Fund Interest	570,000		
19	Return on Investment	550,000		13,195,409
20	<b>TOTAL SOURCES OF FUNDING</b>	<b>453,500,224</b>		<b>453,500,224</b>

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**ONEIDA TRIBE OF INDIANS OF WISCONSIN  
FISCAL YEAR 2017 BUDGET**

Ref. #

**ALLOCATIONS FOR TRIBAL OPERATIONS:**

	<b>DIVISIONS</b>	<b>RESOLUTIONS</b>	<b>CAPITAL &amp; DEBT</b>	<b>OPERATIONS</b>	<b>TOTAL</b>
21	General Government			70,101,039	70,101,039
22	Department of Public Works			10,185,013	10,185,013
23	Education and Cultural	14,931,536		19,776,150	34,707,686
24	Health and Social Services			62,808,085	62,808,085
25	Community Development			15,030,324	15,030,324
26	Direct Membership Benefits & Administration	29,664,300		1,535,989	31,200,289
27	Gaming Enterprise			101,742,979	101,742,979
28	Gaming Capital Equipment		7,170,060		7,170,060
29	Gaming Compact Fee			7,975,299	7,975,299
30	Retail Enterprise			59,487,288	59,487,288
31	Other Enterprises			23,570,101	23,570,101
32	Permanent Executive Contingency		3,400,000		3,400,000
33	Gaming 2% Net Profit Contingency		2,037,261		2,037,261
34	Retail 2% Net Profit Contingency		209,492		209,492
35	Debt Payments (Principal & Interest)		2,821,642		2,821,642
36	Operational Equipment		5,191,294		5,191,294
37	Technology Projects		994,750		994,750
38	Capital Improvement Projects		5,203,000		5,203,000
39	Land Acquisition		9,664,622		9,664,622
40	<b>TOTAL ALLOCATIONS</b>	<b>44,595,836</b>	<b>36,692,121</b>	<b>372,212,267</b>	<b>453,500,224</b>

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<b>ONEIDA TRIBE OF INDIANS OF WISCONSIN</b>
<b>FISCAL YEAR 2017 BUDGET</b>

		FUNDS		TOTAL
Ref. #	<b>SOURCES OF FUNDING:</b>			
41	Tribal Enterprises	292,391,632		
42	Program Unit Earned Income	29,485,649		
43	Grants	52,736,267		
44	Tribal Allocations	65,691,267		
45	Other Sources	13,195,409		
46	<b>Total Sources of Funding</b>			<b>453,500,224</b>
	<b>ALLOCATIONS FOR TRIBAL OPERATIONS:</b>			
47	General Government	70,101,039		
48	Department of Public Works	10,185,013		
49	Education and Cultural	34,707,686		
50	Health and Social Services	62,808,085		
51	Community Development	15,030,324		
52	Direct Membership Benefits & Administration	31,200,289		
53	Gaming Enterprise	101,742,979		
54	Gaming Capital Equipment	7,170,060		
55	Gaming Compact Fee	7,975,299		
56	Retail Enterprise	59,487,288		
57	Other Enterprises	23,570,101		
58	Debt Payments (Principal & Interest)	2,821,642		
59	Operational Equipment	5,191,294		
60	Permanent Executive Contingency	3,400,000		
61	Gaming 2% Net Profit Contingency	2,037,261		
62	Retail 2% Net Profit Contingency	209,492		
63	Capital Improvement Projects	5,203,000		
64	Land Acquisition	9,664,622		
65	Technology Projects	994,750		
66	<b>Total Allocations</b>			<b>453,500,224</b>

**FY2017  
BUDGET  
SUMMARY  
GTC REPORT**

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BUDGET SUMMARY GTC REPORT - FISCAL YEAR 2017								
ALLOCATIONS TO OPERATIONS								
FUND UNIT NAME	NUMBER	TOTAL FUNDING	TRIBAL CONT	GRANTS	OTHER	EXT. SALES	IDC/DC/AFB	
ALLOCATIONS TO OPERATIONS								
ACTIVITY: GENERAL GOVERNMENT								
67	UNEMPLOYMENT COMPENSATION	1101061	796,482					796,482
68	SELF FUNDED WORKERS COMP	1101070	537,620					537,620
69	SELF FUNDED HEALTH INS	1101080	37,108,780	109,146				36,999,634
70	FINANCE OFFICE	5110X10	664,733					664,733
71	ACCOUNTING	5110X11	3,455,433					3,429,433
72	PURCHASING	5110X12	742,947	(1,500)		26,000		744,447
73	RISK MANAGEMENT	5110X13	223,131	27,807				195,324
74	ADMINISTRATION - DEV DIV	4210021	291,952	291,952				
75	ADMINISTRATION - GOV SERV	4210022	369,451	369,451				
76	ADMIN INTERNAL SERVICES	4210027	330,209	330,209				
77	MANAGEMENT INFO. SYSTEMS	5110X30	7,030,447	756				7,029,691
78	BC SUPPORT STAFF	5110X40	1,596,764	834,041				762,723
79	HUMAN RESOURCES	5110X50	2,360,185	3,500			1,000	2,355,685
80	GRANTS OFFICE	5110X51	411,223					411,223
81	MAIL CLERK	5110X52	758,573					758,573
82	RECORDS MANAGEMENT	5110X55	336,266					336,266
83	EMPLOYEE HEALTH NURSING	4235056	856,249	856,249				
84	INTERNAL AUDIT	5110X60	1,009,627					1,009,627
85	JOINT MARKETING VENTURE	4222009	1,821,895	1,696,895		125,000		
86	RETIREMENT PLAN ADMIN	4223000	35,000	35,000				
87	EMPLOYEE ASSISTANCE PROG	4245026	202,469	202,469				
88	OFFICE OF EMERGENCY MANAGEMENT	4252010	191,140	191,140				
89	EMERGENCY MANAGEMENT RESPONSE GRANT	5252X12	42,659	22,659	20,000			
90	LAW OFFICE	4271000	1,412,959	1,412,959				
91	EMPLOYEE ADVOCACY DEPT	4271002	194,555	194,555				
92	BUSINESS COMMITTEE	4272000	1,518,939	1,518,939				
93	LEGISLATIVE OPER. COMM.	4272010	527,138	527,138				
94	LEGISLATIVE AFFAIRS	4272020	894,732	894,732				
95	COMMUNICATIONS	4272030	518,909	518,909				
96	ONEIDA TOURISM DEPARTMENT	4272035	927,754	904,754			23,000	
97	CHILD PROTECTION BOARD	4273001	138,708	138,708				
98	GAMING COMMISSION	4273003	1,022,912	1,016,562			6,350	
99	ENVIRON RESOURCE BOARD	4273004	274,966	274,966				
100	POLICE COMMISSION	4273005	86,064	86,064				
101	ONCOA	4273006	126,624	126,624				
102	PERSONNEL BOARD	4273007	332,135	332,135				
103	ELECTION BOARD	4273009	79,000	79,000				
104	ONVAC	4273012	31,424	31,424				
105	LAND CLAIMS	4274000	78,261	78,261				
106	LICENSING COORDINATOR	4280002	193,311	(1,799)			195,110	
107	BIA SELF GOVERNANCE	5285X20	151,262		141,224	10,038		
108	KALHWISAKS	4285030	400,510	388,310			12,200	
109	EMPLOYEE INCENTIVE AND TESTING	4285040	17,641	17,641				
110	<b>SUB-TOTAL GENERAL GOVERNMENT</b>		<b>70,101,039</b>	<b>13,509,656</b>	<b>161,224</b>	<b>135,038</b>	<b>263,660</b>	<b>56,031,461</b>

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ALLOCATIONS TO OPERATIONS								
FUND UNIT NAME	NUMBER	TOTAL FUNDING	TRIBAL CONT	GRANTS	OTHER	EXT. SALES	IDC/DC/AFB	
<b>ACTIVITY: PUBLIC WORKS</b>								
111	B & G ADMIN	4201010	837,059	836,909		150		
112	CUSTODIAL	4201017	3,588,330	3,588,330				
113	BUILDINGS	4201040	3,086,898	3,084,398			2,500	
114	GROUNDSKEEPING	4201050	1,407,484	1,406,484			1,000	
115	AUTOMOTIVE	4201060	438,047	438,047				
116	BIA - ROADS MAINTENANCE	5262X02	75,000	59,328	15,672			
117	COMM WELLS & SEPTIC	4262010	681,195	681,195				
118	I.H.S. SCATTERED SITES J05	5262X11	71,000		71,000			
119	<b>SUB-TOTAL PUBLIC WORKS</b>		<b>10,185,013</b>	<b>10,094,691</b>	<b>86,672</b>	<b>150</b>	<b>3,500</b>	<b>-</b>
<b>ACTIVITY: EDUCATION &amp; CULTURE</b>								
120	EDUCATION & TRAINING ADMIN	4210001	251,115	251,115				
121	SELF GOV EDUC & TRAIN ADM	5210X02	8,191		8,191			
122	DAYCARE/HEADSTART FOOD	5211X01	170,460	48,460	122,000			
123	BIA EARLY INTERVENTION	5211X24	441,218		441,218			
124	BEFORE & AFTER SCHOOL PROG	4211025	79,696				79,696	
125	TRIBES BIRTH TO THREE	5211X27	10,000		10,000			
126	HEADSTART EXPANSION	4211028	140,244	140,244				
127	OCC AIRPORT RD	4211052	1,519,250	1,299,571			219,679	
128	YOUTH ENRICHMENT SERVICES	4212001	919,244	903,472			15,772	
129	SUPPLEMENTAL YOUTH SERVICES	5212X05	15,172		15,172			
130	SELF GOV YOUTH ENRICH SVCS	5212X07	72,615		72,615			
131	ADULT VOCATIONAL TRAINING	5213X01	182,273		182,273			
132	WORKFORCE INVESTMENT ACT	5213X03	151,596		151,596			
133	ONEIDA VR SERVICES PROJECT	5213X06	472,222	47,222	425,000			
134	STUDENT INTERN PROGRAM	4213007	410,909	410,909				
135	SOCIAL AND ECONOMIC DEVELOPMENT	5213X08	327,562	69,313	258,249			
136	AMERICAN INDIAN REHAB SERV	5213X08	26,680		26,680			
137	HIGHER EDUCATION	5213X31	95,616		95,616			
138	COMMUNITY EDUCATION CENTER	4213061	482,085	461,785	14,000		6,300	
139	ONEIDA TRIBAL SCHOOL	5220X01	8,261,213	1,396,249	6,788,964	80,000	(4,000)	
140	ONEIDA HIGH SCHOOL	5220X02	1,485,115	829,756	655,359			
141	INDIAN ED TITLE VII	5220X21	184,343	66,463	117,880			
142	OTS-YES SELF GOVERNANCE	5220X25	71,150		71,150			
143	TRIBAL SCHOOL FUND	4220041	76,168	75,868			300	
144	OHS FUND	4220042	123,184	122,984			200	
145	TRIBAL SCHOOL MEALS	5220X61	801,108	442,296	363,812		(5,000)	
146	CULTURAL HERITAGE DEPT	4225001	834,014	834,014				
147	HISTORIC PRESERVATION OFF	5225X03	76,823	20,552	56,271			
148	LANGUAGE HOUSE	4225012	606,932	606,932				
149	ONEIDA NATION MUSEUM	4225032	490,121	395,121			95,000	
150	LIBRARY	4225033	386,552	386,552				
151	LIBRARY COLLECTION ENHANCEMENT	5225X40	7,000		7,000			
152	ARTS PROGRAM	4225051	363,647	344,247	12,000	3,500	3,900	
153	ONEIDA POW-WOW	4225052	170,960	100,960		8,500	61,500	
154	ARTS RE-GRANT	5225X54	30,445	18,200	12,245			
155	LIBRARY FEDERATED AWARDS	5225X60	31,227		31,227			
156	<b>SUB-TOTAL EDUCATION &amp; CULTURE</b>		<b>19,776,150</b>	<b>9,272,285</b>	<b>9,938,518</b>	<b>92,000</b>	<b>473,347</b>	<b>-</b>

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<b>ACTIVITY: HEALTH &amp; SOCIAL SERVICES</b>								
157	CONSOLIDATED HEALTH SERVICE	5235X03	47,495,721		20,175,000	51,613	27,269,108	
158	W I C	5235X21	153,522	134	153,388			
159	WISCONSIN WELL WOMAN PROGRA	5235X23	8,533		8,533			
160	PREVENTIVE HEALTH & HEALTH	5235X24	3,490		3,490			
161	RURAL INFANT HEALTH PROJECT	5235X27	14,785		14,785			
162	PERINATAL HEALTH	5235X29	126,000		126,000			
163	COOP AMER IND HEALTH	5235X42	8,908		8,908			
164	TRIBAL IMMUNIZATION	5235X43	6,720		6,720			
165	DIABETES PROGRAMS F/INDIANS	5235X45	807,540		807,540			
166	MEDICAID ELIGIB. OUTREACH	5235X46	36,274	(1)	36,275			
167	TOBACCO CONTROL PROGRAM	5235X47	1,541		1,541			
168	DIABETES PREVENTION PROGRAM	5235X51	324,300		324,300			
169	TRIBAL MINI-GRANTS - DPCP	5235X52	2,045		2,045			
170	MENTAL HEALTH BLOCK GRANT	5235X54	8,775		8,775			
171	TRIBAL CST EXPANSION	5235X55	68,664		68,664			
172	BIOTERRORISM PREPAREDNESS	5235X94	29,386		29,386			
173	SENIOR CITIZENS CENTER	4240001	1,444,391	1,444,091		300		
174	TITLE VI SENIOR CITIZENS	5240X02	144,520		140,520	4,000		
175	DHHS-NSIP	5240X03	8,012		8,012			
176	S85.21 BROWN COUNTY	5240X06	6,000		6,000			
177	GWAAR-SPAP GRANT	5240X08	1,000		1,000			
178	ELDERLY APARTMENTS	4240023	126,000			3,000	123,000	
179	GWARR SHIP GRANT	5240X40	3,000		3,000			
180	GWAAR	5240X43	387,113	263,418	115,695	8,000		
181	TITLE VI PART C NA CAREGVER	5240X45	49,980		49,980			
182	GWAAR - NSIP	5240X46	14,305		14,305			
183	FOSTER COMPANIONS FNDRAISNG	4240047	1,000			1,000		
184	R KINZHUMA SCHOLARSHIP	4240050	1,000			1,000		
185	MIPPA GRANT	5240X54	3,560		3,560			
186	DEMENTIA CARE SPECIALIST	5240X55	80,000		80,000			
187	PUBLIC TRANSIT	5240X61	954,934	439,967	484,967		30,000	
188	TRANSIT CAPITAL GRANT	5240X65	149,410	26,410	123,000			
189	S85.21 OUTAGAMIE COUNTY	5240X66	4,320	720	3,600			
190	SOCIAL SERVICES	4245000	323,828	323,828				
191	ONEIDA NATION SS-SE WIS	4245003	356,987	355,987			1,000	
192	CENTER FOR SELF SUFF ADMIN	4245006	152,164	152,164				
193	IHS S/G SOCIAL SERVICES	5245X07	4,296		4,296			
194	KINSHIP CARE	5245X11	100,091		100,091			
195	CHILDREN & FAMILY SERVICES	4245016	313,544	313,544				
196	CONSOLIDATD FAMILY SERVICES	5245X20	248,966	72,146	176,820			
197	BIA INDIAN CHILD WELFARE	4245022	398,746	323,746	75,000			
198	DOMESTIC ABUSE	4245024	139,868	139,868				
199	DOM. ABUSE CHILDRENS SRVC	5245X31	69,808	14,808	55,000			
200	TITLE IV - B	5245X36	201,086		201,086			
201	COMMUNITY OPTIONS PROGRAM	5245X42	648,568	121,974	526,594			
202	VETERANS SERVICES	4245064	199,616	199,616				
203	CHILDCARE & DEVELOPMENT	5245X65	476,568		476,568			
204	COMMUNITY SUPPORT SERVICES	4245067	382,499	382,499				
205	NATIVE EMP WORKS	5245X71	19,320		19,320			
206	TANF	5245X75	835,924	2	835,922			
207	CHILD SUPPORT ENFORCEMENT	5245X76	1,410,927		1,410,927			
208	CHILD CARE ADM CSS	5245X80	50,549		50,549			

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209	INCOME MAINTENANCE	5245X81	320,611	61,656	258,955			
210	MEDICAL RELIEF BLOCK GRANT	5245X82	14,573		14,573			
211	BIA RELIEF F/NEEDY NATV AM	5245X84	4,584		4,584			
212	WHEAP	5245X85	35,089		35,089			
213	TRIBAL VETERANS SERVICE AWARD	5245X89	15,000		15,000			
214	ADR SPECIALIST	5245X90	131,175		131,175			
215	FSP TRIBAL BLOCK GRANT	5246X60	237,419	30,823	206,596			
216	ADMIN-FITNESS,ADVENTURE,REC	4251000	198,860	198,860				
217	ONEIDA FAMILY RECREATION	4251001	978,623	966,623		2,300	9,700	
218	EXPERIENTIAL THERAPY	4251002	316,850	296,850			20,000	
219	ONEIDA FAMILY FITNESS	4251005	1,495,074	1,383,074		11,000	101,000	
220	COMPETITIVE PLUS	4251008	108,000	100,000		8,000		
221	PARKS	5251X09	144,123	84,911	59,212			
222	<b>SUB-TOTAL HEALTH &amp; SOCIAL SERVICES</b>		<b>62,808,085</b>	<b>7,697,718</b>	<b>27,466,346</b>	<b>90,213</b>	<b>27,553,808</b>	<b>-</b>
<b>ACTIVITY: COMMUNITY DEVELOPMENT</b>								
223	EH&S DIV ADMIN	4230001	307,799	307,799				
224	ECO-SERVICES	4230002	226,418	226,418				
225	ENVIRONMENTAL HEALTH	5230X11	307,799		307,799			
226	INDUSTRIAL HYGIENE	4230012	136,319	129,903	6,416			
227	ENVIRONMENTAL PROTECTION PG	4230013	25,959	23,733	2,226			
228	GAP	5230X14	109,217		109,217			
229	HAZ UNIVERSAL WASTE MGMT	5230X36	29,514		29,514			
230	BROWNFIELD SECTION 128 (A)	5230X41	118,843		118,843			
231	GRLI BIA	5230X49	163,075		163,075			
232	ENV BUFFER INCENTIVES	4230050	263,140				263,140	
233	MUNICIPAL RECYCLING	5230X51	37,936	10,014	27,922			
234	UNDERGROUND STORAGE TANK PR	5230X67	70,000		70,000			
235	SECTION 319 NON-POINT	5230X80	30,000		30,000			
236	CWA SECTION 106 CEP	5230X93	163,658	8,158	155,500			
237	GLRI-SEASONAL ENV TECH	5231X45	126,998		126,998			
238	CLEAN SWEEP GRANT	5231X47	6,750		6,750			
239	SOLAR DEPLOYMENT PROJECT	5231X51	974,972		974,972			
240	AQUATIC INVASIVE SPECIES	5231X75	35,005		35,005			
241	NRDA SUAMICO STREAM RESTORE	4231092	219,000			219,000		
242	ONEIDA POLICE DEPT	4252000	3,841,568	3,825,470		2,000	14,098	
243	CONSERVATION:NATURAL RESOUR	4252050	466,659	436,950	6,709		23,000	
244	ONEIDA CONSERVATION CORP	4252051	358,292	347,942		10,000	350	
245	TRIBAL MGMT/DEV PROGRAM	5252X52	40,000		40,000			
246	PLANNING DEPARTMENT	4260000	483,115	483,115				
247	ENGINEERING DEPT	4260001	307,103	307,103				
248	LAND INFORMATION SYSTEMS	4260002	353,292	353,292				
249	ENV RESTORATION & PROT PRJ	4262020	17,606	17,606				
250	ZONING DEPARTMENT	4262030	391,597	376,597			15,000	
251	IRR CONST PROJ CTF55T43357	5262X54	135,000		135,000			
252	TRIBAL TRANSP PROGRAM	5262X70	1,056,403		1,056,403			
253	TSYUHEKWA LIFE SUSTENANCE	4263001	519,751	439,728	2,500	407	77,116	
254	FOOD DISTRIBUTION	5263X02	427,000	107,000	320,000			
255	ONEIDA BISON	5263X04	51,938	1,938	50,000			
256	ONEIDA ECON SELF-SUFF PROJ.	4263010	111,106					
257	BIA/I.H.S PROJECT FUND EXCESS	4264004	10,000				10,000	
258	SPECIAL FUNDING	4272040	1,674,301	1,674,301				
259	SPECIAL PROJECTS	4272041	98,700	98,700				

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260	ESTATE PLANNING PROGRAM	5275X20	37,357		37,357			
261	FAMILY COURT	4276010	252,178	248,878			3,300	
262	ONEIDA JUDICIAL	4276011	1,044,956	1,038,256			6,700	
263	<b>SUB-TOTAL COMMUNITY DEVELOPMENT</b>		<b>15,030,324</b>	<b>10,574,007</b>	<b>3,812,206</b>	<b>231,407</b>	<b>412,704</b>	<b>-</b>
<b>ACTIVITY: ADMINISTRATIVE COSTS FOR DIRECT MEMBERSHIP BENEFITS</b>								
264	GENERAL TRIBAL COUNCIL	4272050	582,200	582,200				
265	ONEIDA TRUST DEPT	4275010	953,789	723,967		229,822		
266	<b>SUB-TOTAL DIRECT MEMBERSHIP BENEFITS</b>		<b>1,535,989</b>	<b>1,306,167</b>	<b>-</b>	<b>229,822</b>	<b>-</b>	<b>-</b>
<b>ACTIVITY: GAMING ENTERPRISE</b>								
267	CUSTOMER SERVICE DEPARTMENT	1205009	6,133,709	6,133,709				
268	ADMINISTRATION	1205010	7,237,654	7,211,782		1,617,000	(1,591,128)	
269	ACCOUNTING	1205011	18,497,003	18,497,003				
270	COMPLIANCE	1205012	3,962,772	3,962,772				
271	CUSTOMER RELATIONS	1205013	1,280,789	1,279,589			1,200	
272	MARKETING	1205014	2,821,230	2,821,230				
273	INTERNAL SECURITY	1205015	9,409,023	9,403,023			6,000	
274	EMPLOYEE SERVICES	1205016	2,644,957	2,621,707			23,250	
275	CUSTODIAL-GAMING	1205017	5,631,167	5,631,167				
276	MAINTENANCE-GAMING	1205018	4,836,956	4,836,956				
277	PLAYER DEVELOPMENT	1205020	5,081,930	5,081,930				
278	CASINO PROMOTIONS	1205021	1,324,720	1,324,720				
279	GAMING DIRECT MAIL	1205022	1,443,418	1,443,418				
280	FOOD AND BEVERAGE	1205030	963,378	(52,622)			1,016,000	
281	BINGO/INSTANTS	1205040	1,821,359	(1,645,897)			3,467,256	
282	TABLE GAMES	1205050	1,106,942	(174,828)			1,281,770	
283	POKER ROOM	1205053	8,174,842	(2,873,859)			11,048,701	
284	OFF TRACK BETTING	1205055	353,114	(194,275)		1,000	546,389	
285	SLOTS	1205060	19,018,016	(175,927,704)			194,945,720	
286	<b>SUB-TOTAL GAMING ENTERPRISES</b>		<b>101,742,979</b>	<b>(110,620,179)</b>	<b>-</b>	<b>1,618,000</b>	<b>210,745,158</b>	<b>-</b>
<b>ACTIVITY: RETAIL ENTERPRISE</b>								
287	RETAIL - ADMIN.	1202010	870,013	870,013				
288	ONE STOP - WESTWIND	1202020	11,250,202	(2,197,060)			13,447,262	
289	ONE STOP - 54	1202021	5,983,521	(199,678)			6,183,199	
290	ONE STOP - E & EE	1202022	5,056,427	(667,548)			5,723,975	
291	ONEIDA CASINO TRAVEL CENTER	1202024	5,174,590	(285,039)			5,459,629	
292	ONE STOP - PACKERLAND	1202025	9,259,001	(1,579,353)			10,838,354	
293	ONE STOP - LARSEN ROAD	1202026	11,091,144	(1,636,265)			12,727,409	
294	SMOKE SHOP - CASINO	1202030	2,772,350	(781,050)			3,553,400	
295	SMOKE SHOP - BINGO HALL	1202031	1,556,007	(328,912)			1,884,919	
296	SMOKE SHOP - ISBELL	1202032	5,818,164	(1,642,539)			7,460,703	
297	ONEIDA MARKET	1202040	655,869	(10,336)			666,205	
	<b>SUB-TOTAL RETAIL ENTERPRISES</b>		<b>59,487,288</b>	<b>(8,457,767)</b>	<b>-</b>	<b>-</b>	<b>67,945,055</b>	<b>-</b>
<b>ACTIVITY: OTHER ENTERPRISES</b>								
298	PRINT SHOP	12032XX	194,247	184,247			10,000	
299	FARM ENTERPRISES	12033XX	2,836,283	491,512		1,000	2,343,771	
300	ONEIDA AGRI CENTER-ORCHARD	12037XX	275,426	128,226			147,200	
301	LAND MANAGEMENT	12043XX	2,176,801	(412,057)		8,500	2,580,358	
302	LOAN OFFICE	12044XX	454,985	(432,380)		10,200	877,165	
303	UTILITIES	12046XX	1,515,442	1,061,532		14,700	439,210	

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304	ANNA JOHN NURSING HOME	1204700	6,207,457	762,457			5,445,000	
305	ONEIDA HOUSING AUTHORITY	1209XXX	9,909,460		9,703,145	8,435	197,880	
306	<b>SUB-TOTAL OTHER ENTERPRISES</b>		<b>23,570,101</b>	<b>1,783,537</b>	<b>9,703,145</b>	<b>42,835</b>	<b>12,040,584</b>	<b>-</b>
OTHER OPERATIONS								
307	GAMING COMPACT FEE	1205010	7,975,299	7,975,299				
308	<b>SUB-TOTAL OTHER OPERATIONS</b>		<b>7,975,299</b>	<b>7,975,299</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
309	<b>TOTAL OPERATIONS BUDGET</b>		<b>372,212,267</b>	<b>(56,864,586)</b>	<b>51,168,111</b>	<b>2,439,465</b>	<b>319,437,816</b>	<b>56,031,461</b>

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<b>ACTIVITY: EDUCATION &amp; CULTURE</b>								
310	HEADSTART	5211X20	1,871,893	373,037	1,498,856			
311	WI DPI HEADSTART	5211X21	69,300		69,300			
312	EDUCATION FUND	4213034	12,990,343	12,990,343				
313	<b>SUB-TOTAL EDUCATION &amp; CULTURE</b>		<b>14,931,536</b>	<b>13,363,380</b>	<b>1,568,156</b>	-	-	-
<b>MEMBERSHIP BENEFITS</b>								
314	ELDER PER CAPITA (\$2000, AGE 62 +)	4222X05-001	5,080,000	5,080,000				
315	MEMBERSHIP PER CAPITA (\$1000)	4222X05-104	22,504,300	22,504,300				
316	ELDER PER CAPITA - TRUST FUND		1,000,000	1,000,000				
317	BURIAL FUND	4275X00-003	-	-				
318	GTC MEETING STIPENDS	4272X50	1,080,000	1,080,000				
319	<b>SUB-TOTAL MEMBERSHIP RELATED</b>		<b>29,664,300</b>	<b>29,664,300</b>	-	-	-	-
320	<b>TOTAL FOR RESOLUTIONS</b>		<b>44,595,836</b>	<b>43,027,680</b>	<b>1,568,156</b>	-	-	-
<b>CAPITAL RELATED</b>								
321	GAMING CAPITAL EQUIPMENT		7,170,060	7,170,060				
322	OPERATIONAL EQUIPMENT		5,191,294	5,191,294				
323	CAPITAL IMPROVEMENT PROJECTS (CIP)		5,203,000	5,203,000				
324	TECHNOLOGY PROJECTS		994,750	994,750				
325	LAND ACQUISITION		8,820,185	8,820,185				
326	LAND PROFIT		844,437	844,437				
327	PERMANENT EXECUTIVE CONTINGENCY		3,400,000	3,400,000				
328	GAMING 2% NET PROFIT CONTINGENCY		2,037,261	2,037,261				
329	RETAIL 2% NET PROFIT CONTINGENCY		209,492	209,492				
330	<b>SUB-TOTAL CAPITAL RELATED</b>		<b>33,870,479</b>	<b>33,870,479</b>	-	-	-	-
<b>DEBT PAYMENTS</b>								
331	DEBT PAYMENTS, SET ASIDES		-	-				
332	DEBT PAYMENTS (PRINCIPAL)		1,220,000	1,220,000				
333	DEBT PAYMENTS (INTEREST/ADMIN FEE)		1,601,642	1,601,642				
334	<b>SUB-TOTAL DEBT PAYMENTS</b>		<b>2,821,642</b>	<b>2,821,642</b>	-	-	-	-
335	<b>TOTAL FOR CAPITAL &amp; DEBT RELATED</b>		<b>36,692,121</b>	<b>36,692,121</b>	-	-	-	-
336	<b>GRAND TOTAL (OPERATIONS, RESOLUTIONS, AND CAPITAL &amp; DEBT)</b>		<b>453,500,224</b>	<b>22,855,215</b>	<b>52,736,267</b>	<b>2,439,465</b>	<b>319,437,816</b>	<b>56,031,461</b>

**2018  
BUDGET  
INFORMATION  
CONSOLIDATION**

DRAFT - September 19, 2016 special GTC FY2017 Budget meeting packet - DRAFT

<b>ONEIDA TRIBE OF INDIANS OF WISCONSIN FISCAL YEAR 2018 BUDGET</b>
---

Ref. #

<b>SOURCES OF FUNDING:</b>
----------------------------

		FUNDS		TOTAL
	<b>TRIBAL ENTERPRISES</b>			
337	Gaming (Net of Customer Payouts)	213,639,845		
338	Retail Sales	68,072,747		
339	Additional Enterprise Sales	11,633,564		
340	Enterprise Other Income	1,660,835		295,006,991
	<b>PROGRAM UNIT EARNED INCOME</b>			
341	Health Service Fees	26,996,394		
342	Additional Program Sales	3,870,639		
343	Program Other Income	612,796		31,479,829
	<b>GRANTS</b>			
344	Self-Governance	21,237,904		
345	Additional Federal Grants	24,157,781		
346	State Grants	879,806		
347	Miscellaneous Grants	0		46,275,491
	<b>TRIBAL ALLOCATIONS</b>			
348	Self Funded Premiums	42,017,292		
349	Indirect Cost Pool Income	18,755,068		
350	Depreciation	10,073,327		70,845,687
	<b>OTHER SOURCES</b>			
351	Prior Year Profit/Carryover	0		
352	Elderly Trust Fund Transfer	0		
353	Tourism Fund Transfer (Hotel Room Tax)	575,000		
354	General Fund Interest	570,000		
355	Return on Investment	550,000		1,695,000
356	<b>TOTAL SOURCES OF FUNDING</b>	<b>445,302,998</b>		<b>445,302,998</b>

DRAFT - September 19, 2016 special GTC FY2017 Budget meeting packet - DRAFT

**ONEIDA TRIBE OF INDIANS OF WISCONSIN  
FISCAL YEAR 2018 BUDGET**

Ref. #

**ALLOCATIONS FOR TRIBAL OPERATIONS:**

	<b>DIVISIONS</b>	<b>RESOLUTIONS</b>	<b>CAPITAL &amp; DEBT</b>	<b>OPERATIONS</b>	<b>TOTAL</b>
357	General Government			75,641,993	75,641,993
358	Department of Public Works			10,218,117	10,218,117
359	Education and Cultural	15,211,314		20,683,822	35,895,136
360	Health and Social Services			64,069,300	64,069,300
361	Community Development			11,415,050	11,415,050
362	Direct Membership Benefits & Administration	29,946,600		1,525,998	31,472,598
363	Gaming Enterprise			104,577,160	104,577,160
364	Gaming Capital Equipment		5,843,360		5,843,360
365	Gaming Compact Fee			8,094,928	8,094,928
366	Retail Enterprise			58,747,730	58,747,730
367	Other Enterprises			20,244,911	20,244,911
368	Permanent Executive Contingency		3,400,000		3,400,000
369	Gaming 2% Net Profit Contingency		2,481,191		2,481,191
370	Retail 2% Net Profit Contingency		186,500		186,500
371	Debt Payments (Principal & Interest)		2,772,875		2,772,875
372	Operational Equipment		6,000,000		6,000,000
373	Technology Projects		929,750		929,750
374	Capital Improvement Projects		6,130,000		6,130,000
375	Land Acquisition		14,380,111		14,380,111
376	<b>TOTAL ALLOCATIONS</b>	<b>45,157,914</b>	<b>42,123,787</b>	<b>375,219,009</b>	<b>462,500,710</b>

DRAFT - September 19, 2016 special GTC FY2017 Budget meeting packet - DRAFT

<b>ONEIDA TRIBE OF INDIANS OF WISCONSIN</b>
<b>FISCAL YEAR 2018 BUDGET</b>

		FUNDS	TOTAL
Ref. #	<b>SOURCES OF FUNDING:</b>		
377	Tribal Enterprises	295,006,991	
378	Program Unit Earned Income	31,479,829	
379	Grants	46,275,491	
380	Tribal Allocations	70,845,687	
381	Other Sources	1,695,000	
382	<b>Total Sources of Funding</b>		<b>445,302,998</b>
	<b>ALLOCATIONS FOR TRIBAL OPERATIONS:</b>		
383	General Government	75,641,993	
384	Department of Public Works	10,218,117	
385	Education and Cultural	35,895,136	
386	Health and Social Services	64,069,300	
387	Community Development	11,415,050	
388	Direct Membership Benefits & Administration	31,472,598	
389	Gaming Enterprise	104,577,160	
390	Gaming Capital Equipment	5,843,360	
391	Gaming Compact Fee	8,094,928	
392	Retail Enterprise	58,747,730	
393	Other Enterprises	20,244,911	
394	Debt Payments (Principal & Interest)	2,772,875	
395	Operational Equipment	6,000,000	
396	Permanent Executive Contingency	3,400,000	
397	Gaming 2% Net Profit Contingency	2,481,191	
398	Retail 2% Net Profit Contingency	186,500	
399	Capital Improvement Projects	6,130,000	
400	Land Acquisition	14,380,111	
401	Technology Projects	929,750	
402	<b>Total Allocations</b>		<b>462,500,710</b>

Surplus/(Deficit)

(17,197,712)

**2019  
BUDGET  
INFORMATION  
CONSOLIDATION**

DRAFT - September 19, 2016 special GTC FY2017 Budget meeting packet - DRAFT

<b>ONEIDA TRIBE OF INDIANS OF WISCONSIN FISCAL YEAR 2019 BUDGET</b>
---

Ref. #

<b>SOURCES OF FUNDING:</b>
----------------------------

		FUNDS		TOTAL
	<b>TRIBAL ENTERPRISES</b>			
403	Gaming (Net of Customer Payouts)	216,531,379		
404	Retail Sales	70,260,350		
405	Additional Enterprise Sales	11,626,314		
406	Enterprise Other Income	1,660,835		300,078,878
	<b>PROGRAM UNIT EARNED INCOME</b>			
407	Health Service Fees	26,996,394		
408	Additional Program Sales	3,864,627		
409	Program Other Income	616,098		31,477,119
	<b>GRANTS</b>			
410	Self-Governance	21,167,904		
411	Additional Federal Grants	23,590,504		
412	State Grants	825,872		
413	Miscellaneous Grants	0		45,584,280
	<b>TRIBAL ALLOCATIONS</b>			
414	Self Funded Premiums	40,682,060		
415	Indirect Cost Pool Income	18,205,991		
416	Depreciation	10,281,167		69,169,218
	<b>OTHER SOURCES</b>			
417	Prior Year Profit/Carryover	0		
418	Elderly Trust Fund Transfer	0		
419	Tourism Fund Transfer (Hotel Room Tax)	575,000		
420	General Fund Interest	570,000		
421	Return on Investment	550,000		1,695,000
422	<b>TOTAL SOURCES OF FUNDING</b>	<b>448,004,495</b>		<b>448,004,495</b>

DRAFT - September 19, 2016 special GTC FY2017 Budget meeting packet - DRAFT

**ONEIDA TRIBE OF INDIANS OF WISCONSIN  
FISCAL YEAR 2019 BUDGET**

Ref. #

**ALLOCATIONS FOR TRIBAL OPERATIONS:**

	<b>DIVISIONS</b>	<b>RESOLUTIONS</b>	<b>CAPITAL &amp; DEBT</b>	<b>OPERATIONS</b>	<b>TOTAL</b>
423	General Government			72,808,762	72,808,762
424	Department of Public Works			10,340,972	10,340,972
425	Education and Cultural	15,520,534		20,905,357	36,425,891
426	Health and Social Services			63,698,691	63,698,691
427	Community Development			11,380,089	11,380,089
428	Direct Membership Benefits & Administration	29,197,100		1,533,405	30,730,505
429	Gaming Enterprise			107,408,075	107,408,075
430	Gaming Capital Equipment		6,125,664		6,125,664
431	Gaming Compact Fee			8,216,352	8,216,352
432	Retail Enterprise			59,698,483	59,698,483
433	Other Enterprises			20,079,682	20,079,682
434	Permanent Executive Contingency		3,400,000		3,400,000
435	Gaming 2% Net Profit Contingency		1,897,426		1,897,426
436	Retail 2% Net Profit Contingency		211,237		211,237
437	Debt Payments (Principal & Interest)		2,771,925		2,771,925
438	Operational Equipment		6,000,000		6,000,000
439	Technology Projects		560,000		560,000
440	Capital Improvement Projects		12,185,000		12,185,000
441	Land Acquisition		14,363,775		14,363,775
442	<b>TOTAL ALLOCATIONS</b>	<b>44,717,634</b>	<b>47,515,027</b>	<b>376,069,868</b>	<b>468,302,529</b>

DRAFT - September 19, 2016 special GTC FY2017 Budget meeting packet - DRAFT

<b>ONEIDA TRIBE OF INDIANS OF WISCONSIN</b>
<b>FISCAL YEAR 2019 BUDGET</b>

		FUNDS		TOTAL
Ref. #	<b>SOURCES OF FUNDING:</b>			
443	Tribal Enterprises	300,078,878		
444	Program Unit Earned Income	31,477,119		
445	Grants	45,584,280		
446	Tribal Allocations	69,169,218		
447	Other Sources	1,695,000		
448	<b>Total Sources of Funding</b>			<b>448,004,495</b>
	<b>ALLOCATIONS FOR TRIBAL OPERATIONS:</b>			
449	General Government	72,808,762		
450	Department of Public Works	10,340,972		
451	Education and Cultural	36,425,891		
452	Health and Social Services	63,698,691		
453	Community Development	11,380,089		
454	Direct Membership Benefits & Administration	30,730,505		
455	Gaming Enterprise	107,408,075		
456	Gaming Capital Equipment	6,125,664		
457	Gaming Compact Fee	8,216,352		
458	Retail Enterprise	59,698,483		
459	Other Enterprises	20,079,682		
460	Debt Payments (Principal & Interest)	2,771,925		
461	Operational Equipment	6,000,000		
462	Permanent Executive Contingency	3,400,000		
463	Gaming 2% Net Profit Contingency	1,897,426		
464	Retail 2% Net Profit Contingency	211,237		
465	Capital Improvement Projects	12,185,000		
466	Land Acquisition	14,363,775		
467	Technology Projects	560,000		
468	<b>Total Allocations</b>			<b>468,302,529</b>

Surplus/(Deficit)

(20,298,034)

**RESOLUTION  
AND  
STATEMENT  
OF EFFECT  
  
FY2017 BUDGET**

DRAFT - September 19, 2016 Oneida Nation Budget meeting packet - DRAFT

**Oneida Nation**

Post Office Box 365

Phone: (920)869-2214

Oneida, WI 54155



**BC Resolution # \_ - - - -  
Adoption of Fiscal Year 2017 Budget**

- 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 has the fiscal responsibility of preparing a budgetary plan for review and approval by the General Tribal Council; and
- WHEREAS,** the Oneida Business Committee shall develop, for the General Tribal Council's consideration and approval, a comprehensive spending plan, which must encompass the Oneida Business Committee's four strategic directions: (1) Advancing Onlyote?a•ka Principles; (2) Committing to Build a Responsible Nation; (3) Implementing "Good Governance" Processes; and (4) Creating a Positive Organizational Culture; and
- WHEREAS,** the comprehensive spending plan is further required to include health care, education, economic, government, land and environment, language, culture, and employment; and
- WHEREAS,** the comprehensive spending plan includes additional allocations for operational goals, support systems, debt payments and membership payments; and
- WHEREAS,** the Oneida Business Committee adopted resolution # BC-11-12-14-B, Re-Affirmation of Core Values, in order to guide its actions: The Good Mind as expressed by Onlyote?a•ka, Kahletsyalúsla, which is the heartfelt encouragement of the best in each of us, and, Kanolukhwásla, which is the compassion, caring, identity, and joy of being, and, Ka?nikuhli•yó, which is the openness of the good spirit and mind, and, Ka?tshatstásla, which is the strength of belief and vision as a people, and, Kalihwi•yó, which is the use of the good words about ourselves, our nation and our future, and, Twahwahtsilayλ, which is all of us are family, and, Yukwatsistayλ, which is our fire, our spirit within each of us; and
- WHEREAS,** the Oneida Business Committee adopted resolution # BC-02-11-15-A Budget Initiative for Fiscal Years 2016, 2017, and 2018, to guide the budgeting process which consisted of two guiding principles in developing the budget:
1. "The end in mind is 'Sustainability.' Assessment guidelines will be the path for the Tribal organization to develop a Fiscal Year 2016 budget so that we may begin to implement strategies for growth in Fiscal Year 2017 and Fiscal Year 2018 to support the Oneida Nation overall."
  2. Utilizing the four Strategic Directions of "Advancing Onlyote?a•ka Principles, Committing to Build a Responsible Nation, Implementing Good Governance Processes, and Creating a Positive Organizational Culture."; and

**WHEREAS,** the organization has completed a budgeting process of assessment, development, measurement and implementation utilizing programming data, budget trending data, client needs data, and tools which show alignment of the programming to the Nation's Core values, Strategic Directions and Practical Visions; and

**WHEREAS,** the Oneida Business Committee has reviewed the proposed budget and supports the budget presented to the General Tribal Council as being based on the Core Values, Strategic Directions and Practical Visions; and

**NOW THEREFORE BE IT RESOLVED,** the Fiscal Year 2017 Budget of \$453,500,224 as defined by the attached document is approved by the General Tribal Council for implementation with review and oversight by the Oneida Business Committee.

**BE IT FINALLY RESOLVED,** the total employment levels of the Nation shall be capped at 2700 full-time equivalent employees and all employment decisions shall be made to reach this cap while avoiding layoffs. The Oneida Business Committee shall direct the Human Resources Department to development necessary Standard Operating Procedures to assist the organization in identifying processes to assist the organization in utilizing the knowledge, skills and abilities of the organization's employees in the most effective and efficient manner to allow the employment levels to be reduced to the 2700 maximum employment base. The Oneida Business Committee shall review and approve the Standard Operating Procedures and direct a review of the impact of those procedures at regular intervals.



DRAFT - September 19, 2016 special GTC FY2017 Budget meeting packet on DRAFT

Oneida Business Committee  
 Legislative Operating Committee  
 PO Box 365 • Oneida, WI 54115-0365  
 Oneida-nsn.gov



### Statement of Effect

*Resolution: Adoption of Fiscal Year 2017 Budget*

#### Summary

This Resolution approves the Fiscal Year 2016 Budget of \$453,500,224. The Resolution also prohibits the total employment number from exceeding 2,700 full-time equivalents employees. There are no other restrictions or prohibitions contained within the Resolution.

Submitted by: Krystal L. John, Staff Attorney

#### *Analysis from Legislative Reference Office*

For at least 30 years, the General Tribal Council has adopted budgets through resolution. This GTC Resolution adopts the Fiscal Year (FY) 2017 budget for the Oneida Nation in the amount of \$453,500,224, with review and oversight by the Oneida Business Committee. According to the Resolution, the Oneida Business Committee is tasked with the responsibility of preparing a comprehensive spending plan for review and approval by the General Tribal Council. This spending plan encompasses the Oneida Business Committee's four strategic directions: (1) Advancing On^yote?a•ka Principles; (2) Committing to Build a Responsible Nation; (3) Implementing "Good Governance" Processes; and (4) Creating a Positive Organizational Culture. The comprehensive spending plan is further required to include health care, education, economic, government, land and environment, language, culture, and employment. There are also additional allocations for operational goals, support systems, debt payments and membership payments. The budget has been created as a result of the Oneida Business Committee budgeting process of assessment, development, measurement and implementation using the guiding principles of developing a FY 2016 budget to begin to implement strategies for growth in FY 2017 and FY 2018 to support the Oneida Nation overall and the four Strategic Directions.

In addition to adopting the amount of the budget for FY 2017, the Resolution caps the total employment number for the Nation at 2,700 full-time equivalent employees and states that all employment decisions shall be made to reach this cap while avoiding lay-offs. This maintains the requirement from the FY 2016 budget resolution, which likewise capped employment at 2,700. The Resolution tasks the Oneida Business Committee with directing the Human Resources Department to develop Standard Operating Procedures that will assist the organization in identifying processes to assist the organization in utilizing the knowledge, skills and abilities of the organization's employees in the most effective and efficient manner to allow the employment levels to be reduced to the 2,700 maximum employment base.

This Resolution does not contain any other prohibitions or restrictions regarding employment, including hiring provisions or wage or salary increases.

*Conclusion*

This Resolution does not conflict with any of the Nation's laws, provided that this statement does not constitute a review or analysis of the budget itself or any contents therein.

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# GLOSSARY

**GLOSSARY**

<b>WORD/ ACRONYM</b>	<b>DESCRIPTION/DEFINITION</b>
Allocations	The amount provided to each Business Unit to cover their expenses.
Capital Improvement Projects (CIP)	Construction of buildings and related furniture, fixtures, and equipment. It also includes funding for improvements on existing buildings. This fund is carried over from year to year. This fund can be found in the Capital Related Allocation portion of the GTC Reports.
Carry-Over	Funds remaining from the previous year allocation. The funding can be found in the “Budget Consolidated” section.
Community Development	Community Development activities include the Oneida Police Department, Tsyuhekwa Life Sustenance, Food Distribution, Planning, Engineering, and Conservation.
Consolidation	Bringing together the sources of funding with the expenses (operations, GTC Resolutions, and Capital & Debt.)
Debt	Payments for loans that have been acquired.
Direct Cost Pool (DC)	Administration business units that relate to a specific division. The cost is directly charged back to all the business units within that division. These units include the administration units for: Development Division, Governmental Service Division, Compliance Division, and Environmental Division
Education and Culture	Education and culture activities are activities to sustain, promote, and improve the quality, quantity, and availability of services for the Oneida Nation youth, Oneida Nation culture, and Oneida Nation arts. Example of fund units included in this category are Daycare/Headstart, Youth Enrichment Services, Higher Education, Oneida Tribal School, Oneida High School, Oneida Nation Museum, and the Library.
Education Fund	Tribal Contribution allocated to fund Resolution #12-7-96C for Membership Education. The funding can be found in the “Education and Culture” section of the GTC reports.
Elderly Per Capita	Tribal Contribution allocated to fund the following payments to the Elderly: Resolution #8-19-91B for Elderly Per Capita Trust Fund Resolution #8-11-97A for \$2,000 payment to age 62 and over The funding can be found in the “Membership Benefits” section of the GTC Reports.
Equipment	Items purchased that are \$5,000 or more and have a life of 1 year or more. This fund is not carried over from year to year. Funds requested can be found in the “Capital Related” section of the GTC Reports.
External Sales	Outside sales that only the Program business units expect to earn.

Fiscal Year (FY)	DRAFT - September 19, 2016 special GTC FY2017 Budget meeting packet - DRAFT Declared year for a company, but is not necessarily a calendar year. The fiscal year for the Oneida Tribe is from October 1 to September 30.																
Fund Unit (F/U)	All Profit/Non-Profit departments within the operations of the Tribe.																
General Government	General government activities support the daily administration, fiscal, risk-management, and government activities of the Oneida Nation. A few of the specific fund units included in this category are Self-Funded Workers Compensation, Self-Funded Health Insurance, Accounting, Kalihwisaks, Legislative Operations Committee, Internal Audit, Management Information Systems, and the committees, commission, and boards.																
G.T.C.	General Tribal Council																
Grants	Source of funding from outside agencies.																
Gross Profit	Profits earned after costs incurred to supply the goods or service. NOTE: this is before the operating expense of the fund unit.																
GTC Action	Action passed by the General Tribal Council that requires the payment for specific items such as GTC meeting stipends of \$100 per attendee.																
GTC Resolutions	Funding for Resolutions passed by the General Tribal Council.																
Health and Social Services	Health and Social Services activities include Consolidated Health Service, Senior Citizens Center, Public Transit, Child Support Enforcement, and Oneida Family Recreation.																
Indirect Cost Pool	Indirect Costs are costs needed to run the Tribe but are not “direct” costs of any one Fund Unit. They are costs needed by everyone. However, an allocation method (percentage of personnel) is needed to charge each Fund Unit for the services received by the Indirect Cost Pool. The units within this pool are: <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Audit Committee</td> <td style="width: 50%;">Mail Clerk</td> </tr> <tr> <td>Human Resource Department</td> <td>Grants Office</td> </tr> <tr> <td>Finance Office</td> <td>Accounting</td> </tr> <tr> <td>Business Management</td> <td>Risk Management</td> </tr> <tr> <td>Administration - General Manager</td> <td>Strategic Management</td> </tr> <tr> <td>Management Information System</td> <td>Purchasing</td> </tr> <tr> <td>Government Administration</td> <td>B.C. Support Staff</td> </tr> <tr> <td>Records Management</td> <td>Internal Audit</td> </tr> </table>	Audit Committee	Mail Clerk	Human Resource Department	Grants Office	Finance Office	Accounting	Business Management	Risk Management	Administration - General Manager	Strategic Management	Management Information System	Purchasing	Government Administration	B.C. Support Staff	Records Management	Internal Audit
Audit Committee	Mail Clerk																
Human Resource Department	Grants Office																
Finance Office	Accounting																
Business Management	Risk Management																
Administration - General Manager	Strategic Management																
Management Information System	Purchasing																
Government Administration	B.C. Support Staff																
Records Management	Internal Audit																
Indirect Cost (IDC)	A cost charged to each business unit to fund the units within the Indirect Cost Pool. This cost is a percentage of personnel. In FY2017 the rate budgeted is 16.4%.																
Land Acquisition	Tribal Contributions allocated to fund the purchase of land. This fund is carried over from year to year. The funding can be found in the Other Enterprise section of the GTC Reports.																

Loan Authority	DRAFT - September 19, 2016 special GTC FY2017 Budget meeting packet - DRAFT Each year the budget is presented with the anticipated debt needed for the operations and future development. The authority to acquire debt is received upon passage of the budget packet and is carried forward from year to year.
Membership Per Capita	Tribal Contribution allocated to fund GTC Action on May 5, 2013 for Membership Per Capita. This fund can be found in the Membership Related section of the GTC Reports.
Miscellaneous Income	Various incomes, such as Interest income, late charge, fund raising, that Program Fund Units expect to earn.
Net Profit	Gross profit less operating expenses.
Operating Expense	The cost that it takes to operate a specific area. The operating expense is only shown for three areas. (Gaming, Retail, & Land Management).
Operations	All fund units within the nation that are seeking funds to operate for the Fiscal Year.
Other Enterprises	Other Enterprises category includes fund units that are intended to either recover the cost of operation or realize a profit. Examples of fund units included in this category are the Retail Enterprises, the Smokeshop, Land Management, Loan Office, Farm Enterprises, and Utilities.
Other (Source of Income)	Combination of various sources of income that don't fall into any of the other established income sources. Other Sources include items such as positive prior year carryover, hotel room tax, return on investments, certain interest and loans.
Program Fund Unit	Units that provide a service to the Nation and are not expected to make a profit. The numbers for these fund units begin with 42.
Sources of Funding	Type(s) of income that comes into the organization.
Total Funding	Total expenses of a fund unit before any revenue offset by grants, sales, or other income.
Tribal Contribution (T.C.)	Profits from units within the Operations of the Nation, income from the Tribally Owned Corporations, and Interest income on daily cash. It is also used to balance program budgets

# Debt Summary

DRAFT - September 19, 2016 special GTC FY2017 Budget meeting packet - DRAFT  
 Oneida Tribe Outstanding Debt Summary

FY2017

	Balance as of 9/30/16	New Issuance	Principal Repayments	Reserve Set Aside	Interest and Fees Payments	Balance as of 9/30/17
Bank of America Line of Credit	-		-		51,667	-
Retail Revenues Bonds Series 2011 (Due 2/1/2031)	24,702,500		1,220,000		1,549,975	23,482,500
Bank of America Health Facilities Revenue Bonds Series 2001 (Due 7/1/2016)	-		-		-	-
Thornberry Creek at Oneida Refinancing	-		-	-	-	-
Totals	24,702,500		1,220,000	-	1,601,642	23,482,500

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# **FY2017 Budget Presentation Multimedia**



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Oneida Nation  
 Oneida Business Committee  
 PO Box 365 • Oneida, WI 54155-0365  
[oneida-nsn.gov](http://oneida-nsn.gov)



## Office of the Treasurer

**Today we must work to sustain our nation's culture, heritage, and economy.**

Our mission is to have a Nation of Strong Families built on Tsi? Ni yukwaliho t^ and a strong economy, and our vision is to strengthen and protect our people, reclaim our land and enhance the environment by exercising our sovereignty.

The tribal budget is essential because it is a tool to help us provide essential government responsibilities like Community Development, Language & Culture, Education, Public Safety, Health Care, Housing, Land, and Employment.

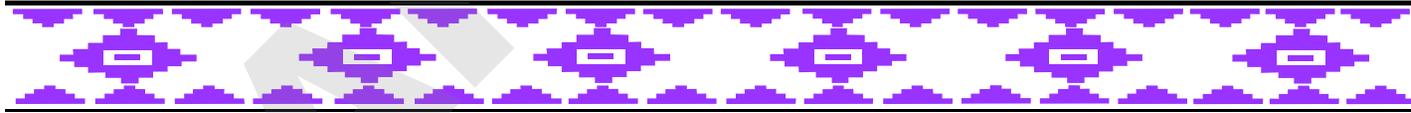
This 5-7 minute video is the third in a series of sustainability videos titled, "Looking Back" to advance and promote the value of our Oneida Nation's governmental responsibilities.

Yaw^ko.

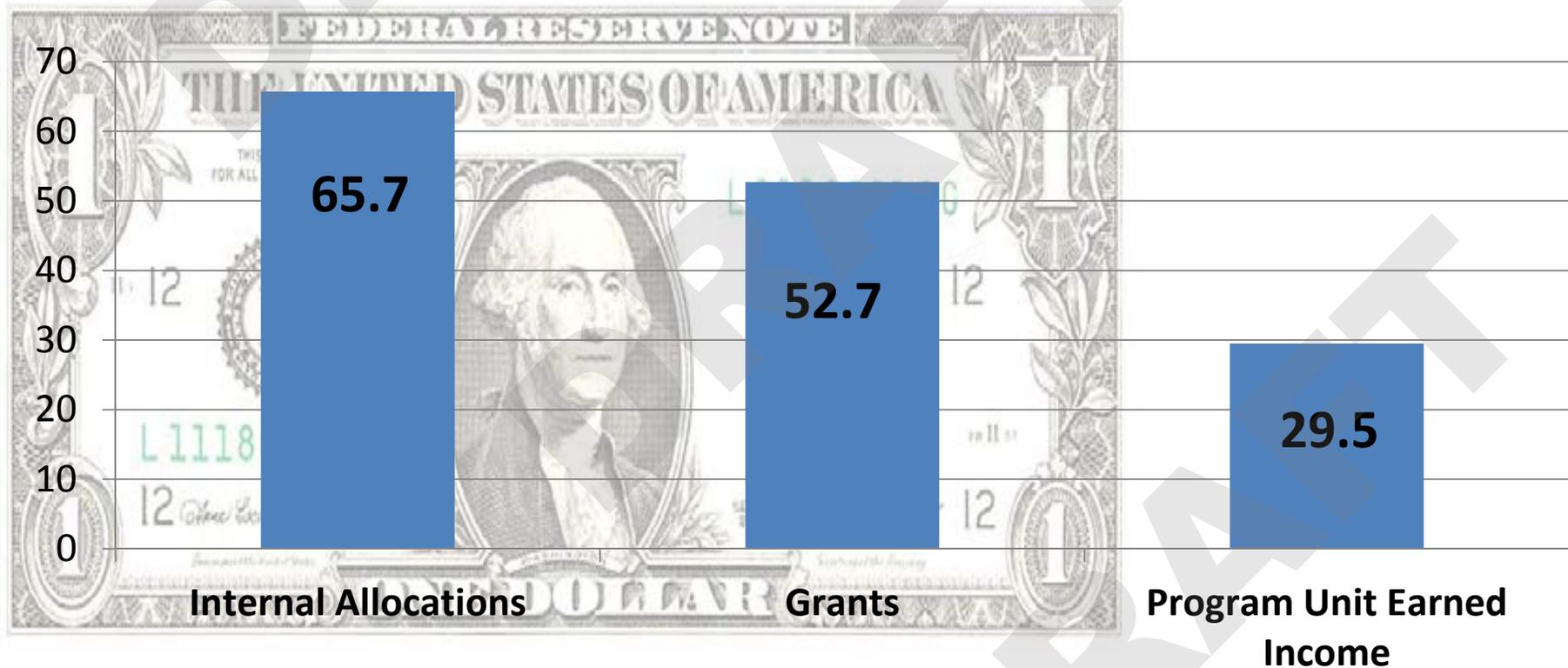
Oneida Nation Treasurer, Patricia King.

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# FY2017 Non Cash and Restricted Sources

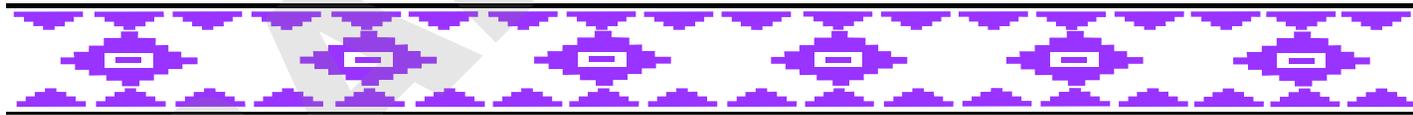


Total Non-Cash/Restricted Sources: \$147.9 Million  
 Remaining Sources Total: \$305.6 Million

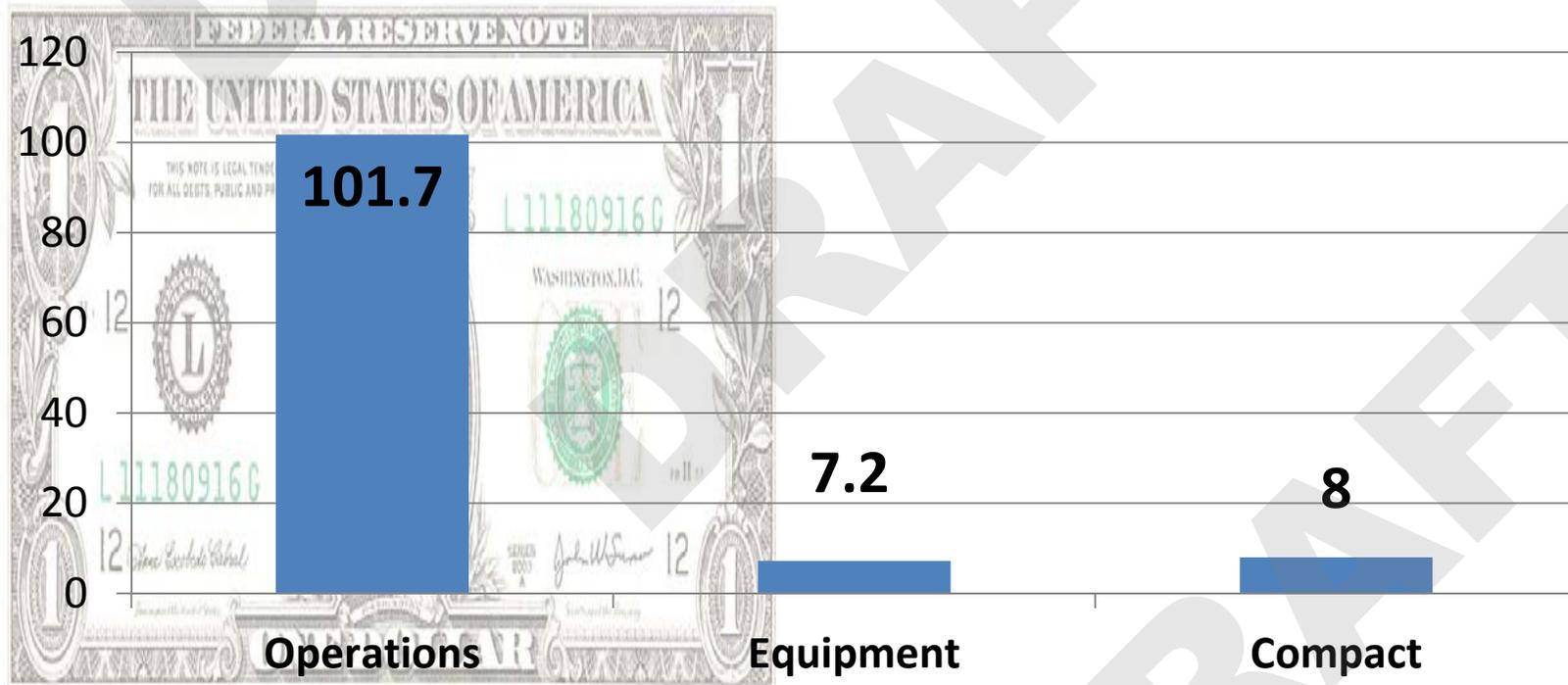


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# FY2017 Gaming Allocations

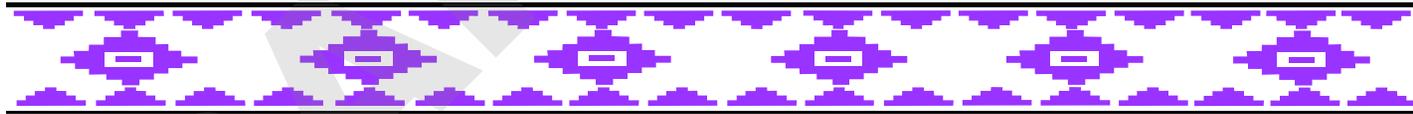


Total Cost of Gaming: \$116.9 Million  
Remaining Sources Total: \$188.7 Million

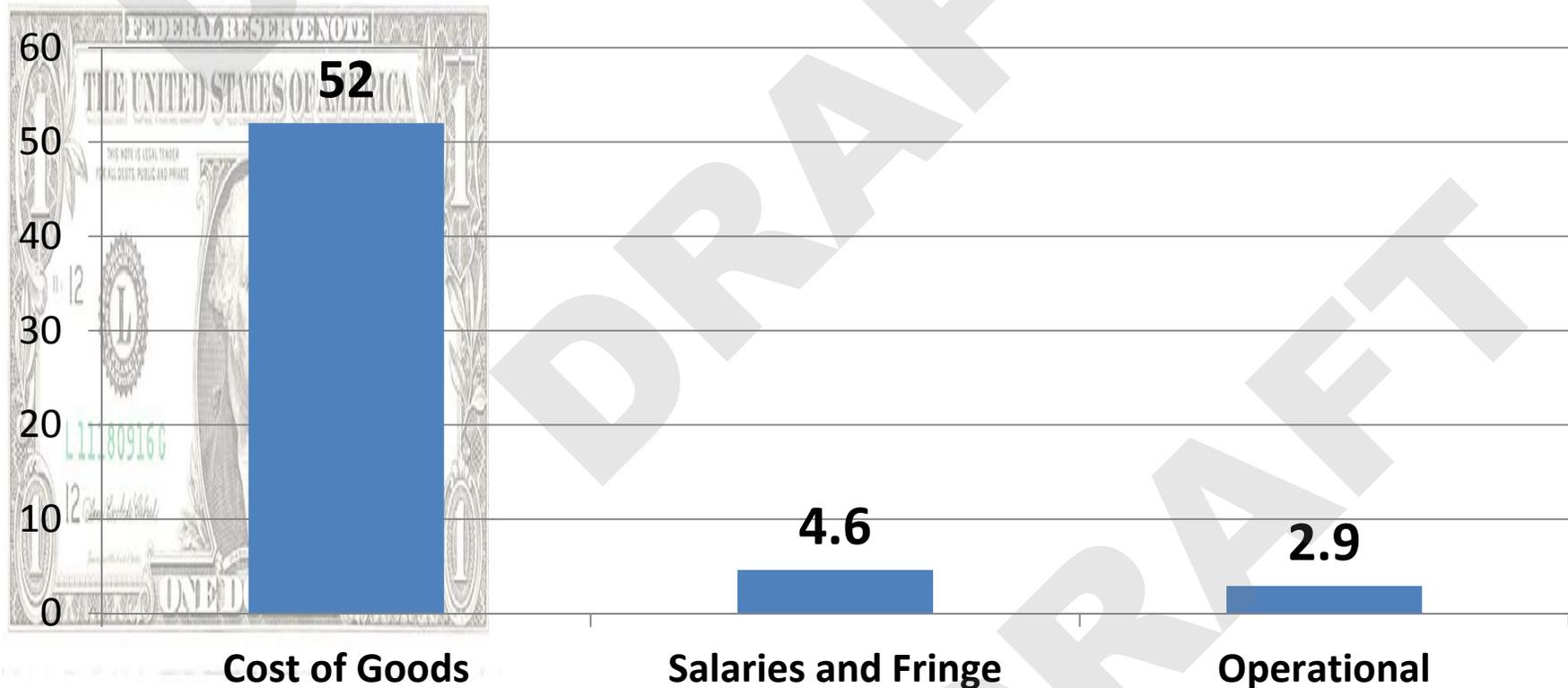


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# FY2017 Retail Allocations

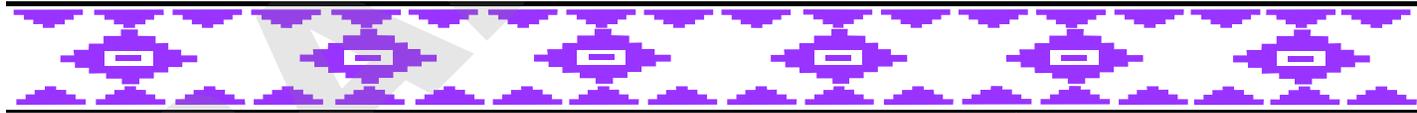


Total Cost of Retail: \$59.5 Million  
Remaining Sources Total: \$129.2 Million

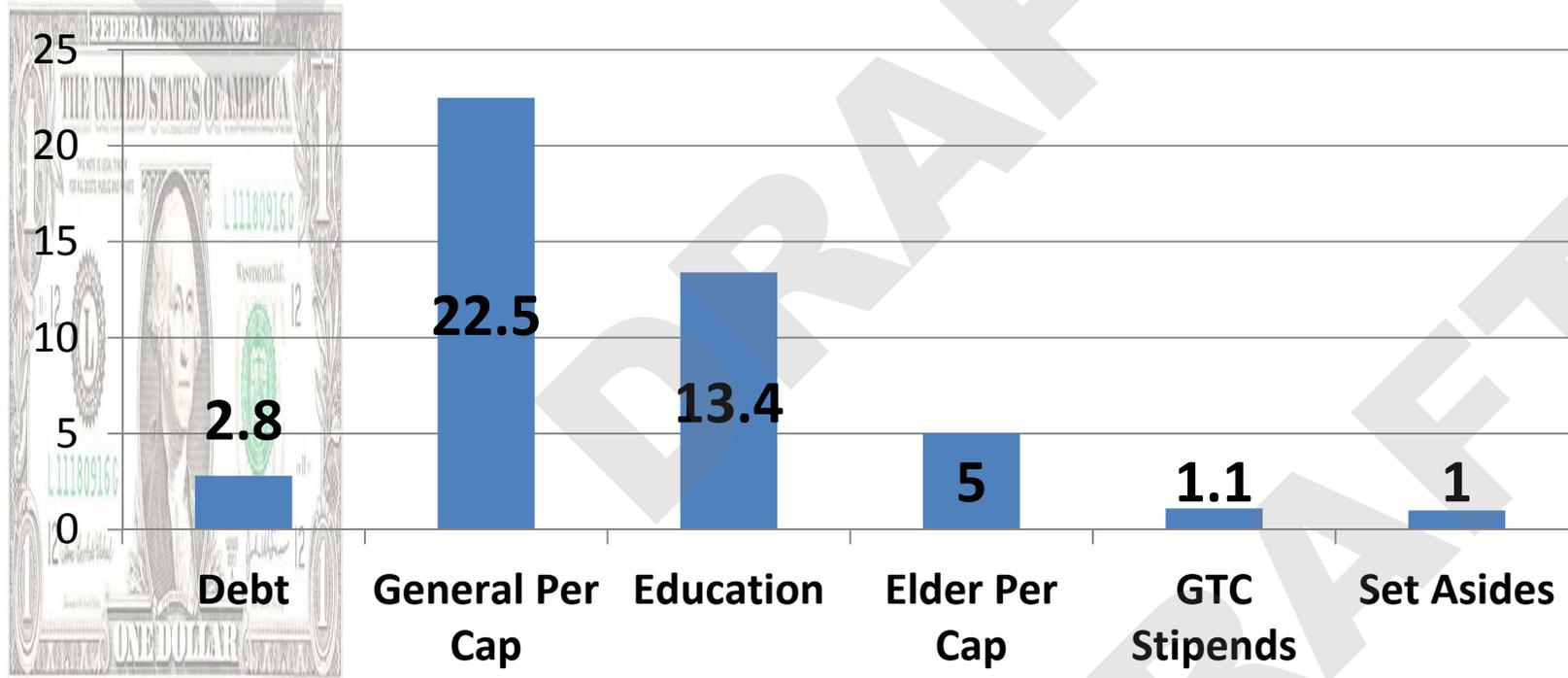


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# FY2017 Debt and Mandates

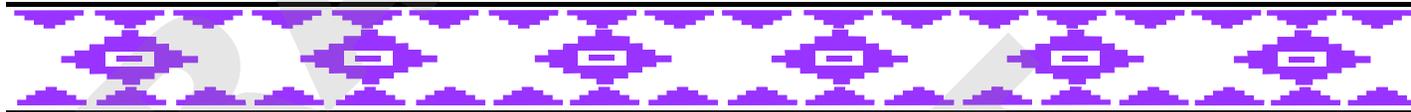


Total Fixed Costs \$45.8 Million  
 Remaining Sources Total \$83.4 Million

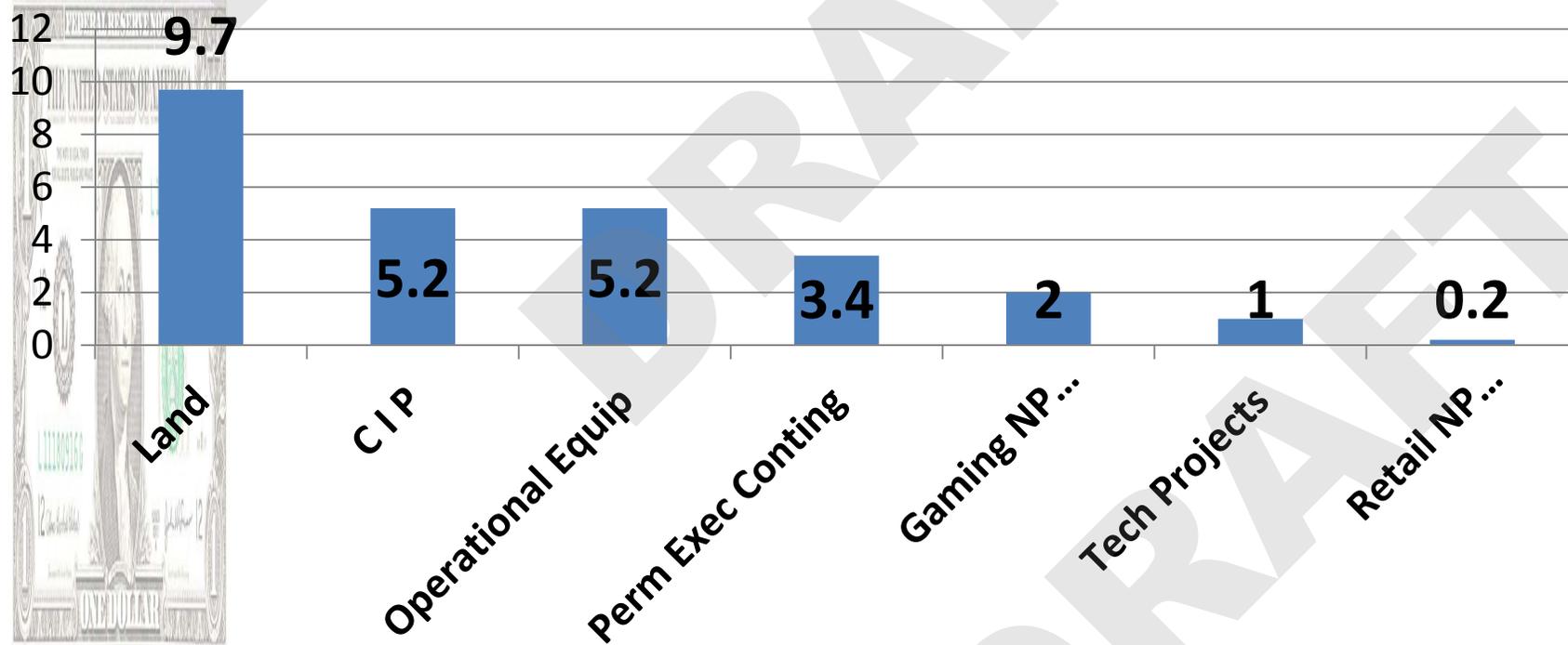


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# FY2017 Capital, Land and Contingency



Total Capital, Land, and Contingency \$26.7 Million  
 Remaining Sources Total \$56.7 Million



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# Corporate Financial Results

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# Bay Bancorporation, Inc. and Subsidiaries

## Consolidated Statements of Income (Continued)

Years Ended December 31, 2014 and 2013

	2014	2013
Other expenses:		
Salaries and related employee benefits	\$ 1,540,653	\$ 1,622,568
Net occupancy expense	102,669	103,096
Equipment rentals, depreciation, and maintenance	64,392	70,655
Professional fees	150,952	163,279
Examinations and assessments	130,253	180,552
Data processing fees	367,866	353,357
Interchange fees	19,230	15,858
Loan collection	187,273	191,203
Other real estate owned	177,351	802,470
Other	276,116	339,780
Total other expenses	3,016,755	3,842,818
Income (loss) before provision (credit) for income taxes	960,938	(4,143)
Income taxes	231,568	(158,540)
Net income	\$ 729,370	\$ 154,397

See accompanying notes to consolidated financial statements.

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# Bay Bancorporation, Inc. and Subsidiaries

## Consolidated Statements of Income

Years Ended December 31, 2014 and 2013

	2014	2013
Interest income:		
Loans, including fees	\$ 2,744,887	\$ 3,288,515
Securities:		
Taxable	161,997	182,850
Tax-exempt	334,601	375,315
Other interest income	25,981	8,291
<b>Total interest income</b>	<b>3,267,466</b>	<b>3,854,971</b>
Interest expense:		
Deposits	279,227	391,551
Borrowings	36,347	62,028
<b>Total interest expense</b>	<b>315,574</b>	<b>453,579</b>
Net interest income	2,951,892	3,401,392
Provision for loan losses	70,000	519,000
<b>Net interest income after provision for loan losses</b>	<b>2,881,892</b>	<b>2,882,392</b>
Other income:		
Service charges on deposit accounts	189,460	241,294
Loan-origination fee	117,022	137,539
Mortgage banking activities	507,340	334,935
Commissions and fee income	189,957	126,932
Net increase in cash value of life insurance	75,473	78,199
Net gains from sales of securities	0	5,432
Other	16,549	31,952
<b>Total other income</b>	<b>1,095,801</b>	<b>956,283</b>

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## Oneida Airport Hotel Corporation

### Statements of Revenues, Expenses, and Changes in Net Position

Years Ended September 30, 2015 and 2014

	2015	2014
Operating revenues	\$ 17,940,744	\$ 16,277,282
Operating expenses	12,626,627	12,059,297
<b>Gross operating income</b>	<b>5,314,117</b>	<b>4,217,985</b>
Depreciation and other expenses:		
Rent, insurance, owner, and other	502,018	415,389
Management and franchise fees	993,073	717,954
Depreciation	1,941,886	1,953,461
<b>Total depreciation and other expenses</b>	<b>3,436,977</b>	<b>3,086,804</b>
<b>Net operating income</b>	<b>1,877,140</b>	<b>1,131,181</b>
Interest expense	1,057,863	1,108,895
Change in net position	819,277	22,286
Net position at beginning	12,395,723	12,373,437
<b>Net position at end</b>	<b>\$ 13,215,000</b>	<b>\$ 12,395,723</b>

See Independent Auditor's Report.  
See accompanying notes to financial statements.

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**ONEIDA TOTAL INTEGRATED ENTERPRISES, LLC**

## STATEMENTS OF INCOME AND MEMBER'S EQUITY

Years ended September 30, 2015 and 2014

	2015	2014
Net sales	\$ 56,118,552	\$ 46,072,315
Direct cost of sales:		
Subcontracting	19,471,075	16,132,076
Other direct costs	4,908,954	2,967,122
Direct labor	10,983,974	9,606,130
Total direct cost of sales	35,364,003	28,705,328
Gross profit	20,754,549	17,366,987
Operating expenses (see Note N)	14,137,850	14,316,822
Operating income	6,616,699	3,050,165
Non-operating income (expense):		
Gain on sale of property and equipment	5,100	22,919
Equity in earnings from unconsolidated joint venture	25,679	47,624
Interest expense	(12,267)	(20,288)
Interest income	63,896	66,967
Realized and unrealized (loss) gain on trading securities investments	(86,426)	48,203
Earn-out provision (see Note L)	(3,406,297)	(1,719,297)
Other expense	(23,203)	(17,850)
Total non-operating income (expense)	(3,433,518)	(1,571,722)
Income before state income taxes	3,183,181	1,478,443
State income taxes	379,733	226,166
Net income	2,803,448	1,252,277
Member's equity, beginning	11,471,523	10,719,246
Distributions	(200,000)	(500,000)
Member's equity, ending	\$ 14,074,971	\$ 11,471,523

The accompanying notes are an integral part of these financial statements.

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**ONEIDA ESC GROUP, LLC AND SUBSIDIARIES**  
 CONSOLIDATED STATEMENT OF OPERATIONS AND EQUITY (DEFICIT)  
 For the year ended September 30, 2015  
 (See Independent Accountant's Review Report)

	Amount	Percent of total revenue
Net sales	\$ 8,744,347	100.0 %
Direct cost of sales		
Subcontracting	5,944,792	68.0 %
Other direct costs	428,627	4.9 %
Direct labor	691,285	7.9 %
Total direct cost of sales	7,064,704	80.8 %
Gross profit	1,679,643	19.2 %
Operating expenses	1,664,900	19.0 %
Operating income	14,743	0.2 %
Non-operating income (expense):		
Interest expense	(11,250)	(0.1)%
Interest income	538	0.0 %
Other income (expense)	(1,593)	(0.0)%
Total non-operating income (expense)	(12,305)	(0.1)%
Consolidated net income	2,438	0.1 %
Deficit, beginning	(406,221)	
Deficit, ending	\$ (403,783)	

The accompanying notes are an integral part of these consolidated financial statements.

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## Oneida Golf Enterprise

### Statements of Operations and Changes in Net Position

<i>Years Ended September 30, 2015 and 2014</i>	2015	2014
<b>Operating revenues:</b>		
Golf - Net	\$ 1,511,229	\$ 1,329,384
Food and beverage - Net	1,588,263	1,526,967
Other	97,196	76,989
<b>Total operating revenues</b>	<b>3,196,688</b>	<b>2,933,340</b>
<b>Operating expenses:</b>		
Golf costs of sales	127,228	113,349
Food and beverage costs of sales	515,467	466,435
Golf salaries and benefits	573,120	510,961
Food and beverage salaries and benefits	598,523	585,280
Golf - Other expenses	200,738	176,902
Food and beverage - Other expenses	94,941	92,329
General and administrative	516,694	421,924
Sales and marketing	293,507	196,365
Energy costs	123,444	126,928
Property operations and maintenance	106,356	85,947
Rent expense	14,131	94,459
Insurance	58,538	41,735
Depreciation and amortization	361,337	300,708
<b>Total operating expenses</b>	<b>3,584,024</b>	<b>3,213,322</b>
<b>Loss from operations</b>	<b>(387,336)</b>	<b>(279,982)</b>
<b>Other expense</b>		
Interest expense	(22,570)	(26,951)
Owner's expense	(16,326)	(31,716)
Gain (loss) sale of capital assets	5,000	0
<b>Total other income (expense)</b>	<b>(33,896)</b>	<b>(58,667)</b>
<b>Loss before capital contributions and transfers</b>	<b>(421,232)</b>	<b>(338,649)</b>
Capital contributions from Oneida Tribe of Indians of Wisconsin	15,000	257,713
Transfers from Oneida Tribe of Indians of Wisconsin	0	3,909,645
<b>Change in net position</b>	<b>(406,232)</b>	<b>3,828,709</b>
Net position at beginning, prior to restatement	4,800,890	972,181
Restatement due to change in accounting principle	49,752	0
<b>Net position - Restated</b>	<b>4,850,642</b>	<b>0</b>
<b>Net position at end</b>	<b>\$ 4,444,410</b>	<b>\$ 4,800,890</b>

See accompanying notes to financial statements.

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## Oneida Seven Generations Corporation

Statements of Revenues, Expenses and Changes in Net Position  
September 30, 2015 and 2014

	2015	2014
Operating revenues:		
Rental income	\$ 1,671,203	\$ 1,643,820
Net earnings of business venture investments	254,416	904,761
<b>Total operating revenues</b>	<b>1,925,619</b>	<b>2,548,581</b>
Operating expenses:		
Contracted services	463,171	689,632
Occupancy costs	156,536	155,286
Salaries and benefits	156,986	248,318
Bad debt	-	35,075
Insurance	24,199	22,117
Meeting expense	-	3,523
Promotions	1,580	1,253
Real estate taxes	62,083	63,276
Repairs and maintenance	74,969	72,321
Travel	433	6,970
Utilities	44,144	54,034
Other	8,104	43,872
Depreciation	440,228	435,504
Amortization	7,632	9,240
<b>Total operating expenses</b>	<b>1,440,065</b>	<b>1,840,421</b>
<b>Operating income</b>	<b>485,554</b>	<b>708,160</b>
Nonoperating revenues (expenses):		
Write-off of impaired assets	-	(5,684,003)
Write-off of note issuance costs	-	(24,347)
Member contribution	-	229,288
Interest expense	(427,404)	(456,802)
Other income	-	4,189
<b>Total nonoperating revenues (expenses)</b>	<b>(427,404)</b>	<b>(5,931,675)</b>
<b>Change in net position</b>	<b>58,150</b>	<b>(5,223,515)</b>
Net position:		
Beginning of year	5,158,949	10,382,464
End of year	<b>\$ 5,217,099</b>	<b>\$ 5,158,949</b>

See notes to the financial statements.

For Property: RIC - Residence Inn Capitol

DRAFT - September 19, 2016 special GIC FY2017 Budget meeting packet - DRAFT  
 PROFIT & LOSS STATEMENT  
 AS OF 9/30/2015

PTD	%	PTD BUD	Bud %	BUD VAR	BUD VAR %	PTD LY	LY VAR		YTD	%	YTD BUD	YTD BUD %	BUD VAR	BUD VAR %	YTD LY	LY VAR
<b>ROOMS DEPARTMENT</b>																
<b>REVENUE</b>																
1,140,054	101.12%	1,305,383	100.00%	-165,329	-12.67%	1,207,648	-67,595		11,076,675	100.90%	11,228,503	100.00%	-151,828	-1.35%	10,886,591	190,083
-12,656	-1.12%	0	0.00%	-12,656	0.00%	-8,624	-4,032		-99,059	-0.90%	0	0.00%	-99,059	0.00%	-65,562	-33,497
<b>1,127,398</b>	<b>100.00%</b>	<b>1,305,383</b>	<b>100.00%</b>	<b>-177,985</b>	<b>-13.63%</b>	<b>1,199,024</b>	<b>-71,626</b>		<b>10,977,616</b>	<b>100.00%</b>	<b>11,228,503</b>	<b>100.00%</b>	<b>-250,887</b>	<b>-2.23%</b>	<b>10,821,029</b>	<b>156,587</b>
<b>PAYROLL</b>																
29,466	2.61%	29,300	2.24%	-166	-0.57%	27,819	-1,647		256,724	2.34%	264,725	2.36%	8,001	3.02%	243,853	-12,871
0	0.00%	0	0.00%	0	0.00%	0	0		0	0.00%	0	0.00%	0	0.00%	0	0
0	0.00%	0	0.00%	0	0.00%	0	0		0	0.00%	0	0.00%	0	0.00%	0	0
4,649	0.41%	4,701	0.36%	52	1.10%	4,536	-113		42,416	0.39%	42,077	0.37%	-339	-0.81%	41,032	-1,384
6,604	0.59%	6,677	0.51%	73	1.10%	6,481	-123		59,854	0.55%	59,867	0.53%	13	0.02%	55,977	-3,877
17,529	1.55%	13,693	1.05%	-3,837	-28.02%	12,380	-5,150		143,171	1.30%	124,761	1.11%	-18,409	-14.76%	122,641	-20,530
12,647	1.12%	13,577	1.04%	930	6.85%	14,549	1,901		111,585	1.02%	122,583	1.09%	10,998	8.97%	118,667	7,082
49,525	4.39%	54,597	4.18%	5,072	9.29%	53,556	4,031		498,544	4.54%	492,587	4.39%	-5,957	-1.21%	489,772	-8,772
1,236	0.11%	0	0.00%	-1,236	0.00%	475	-760		14,409	0.13%	0	0.00%	-14,409	0.00%	10,292	-4,117
1,298	0.12%	348	0.03%	-950	-272.86%	390	-908		3,482	0.03%	3,172	0.03%	-310	-9.78%	4,035	553
<b>122,955</b>	<b>10.91%</b>	<b>122,892</b>	<b>9.41%</b>	<b>-62</b>	<b>-0.05%</b>	<b>120,185</b>	<b>-2,770</b>		<b>1,130,185</b>	<b>10.30%</b>	<b>1,109,772</b>	<b>9.88%</b>	<b>-20,412</b>	<b>-1.84%</b>	<b>1,086,267</b>	<b>-43,918</b>
23,908	2.12%	51,898	3.98%	27,989	53.93%	46,894	22,986		449,487	4.09%	468,117	4.17%	18,630	3.98%	438,458	-11,029
<b>146,863</b>	<b>13.03%</b>	<b>174,790</b>	<b>13.39%</b>	<b>27,927</b>	<b>15.98%</b>	<b>167,079</b>	<b>20,216</b>		<b>1,579,671</b>	<b>14.39%</b>	<b>1,577,889</b>	<b>14.05%</b>	<b>-1,782</b>	<b>-0.11%</b>	<b>1,524,725</b>	<b>-54,947</b>
<b>OPERATING EXPENSES</b>																
9,046	0.80%	15,956	1.22%	6,910	43.31%	14,563	5,517		119,805	1.09%	145,379	1.29%	25,574	17.59%	167,434	47,629
3,181	0.28%	0	0.00%	-3,181	0.00%	0	-3,181		10,811	0.10%	6,750	0.06%	-4,061	-60.16%	8,019	-2,792
0	0.00%	0	0.00%	0	0.00%	0	0		-196	0.00%	0	0.00%	196	0.00%	2,466	2,663
2,700	0.24%	2,669	0.20%	-31	-1.15%	2,352	-348		24,865	0.23%	24,318	0.22%	-547	-2.25%	25,376	511
1,290	0.11%	2,271	0.17%	981	43.19%	867	-423		10,743	0.10%	13,597	0.12%	2,853	20.99%	8,196	-2,548
1,046	0.09%	1,451	0.11%	404	27.86%	1,104	57		8,834	0.08%	13,216	0.12%	4,382	33.16%	14,791	5,957
1,274	0.11%	1,160	0.09%	-113	-9.75%	1,413	139		19,948	0.18%	10,573	0.09%	-9,375	-88.66%	11,121	-8,826
776	0.07%	290	0.02%	-486	-167.62%	598	-179		12,207	0.11%	2,643	0.02%	-9,563	-361.80%	21,820	9,613
41	0.00%	232	0.02%	191	82.30%	40	-1		979	0.01%	2,115	0.02%	1,135	53.69%	1,549	569
302	0.03%	0	0.00%	-302	0.00%	896	594		24,347	0.22%	0	0.00%	-24,347	0.00%	12,638	-11,709
4,727	0.42%	5,802	0.44%	1,075	18.53%	5,414	687		57,228	0.52%	52,865	0.47%	-4,363	-8.25%	54,814	-2,414
1,095	0.10%	2,089	0.16%	994	47.57%	1,393	298		18,011	0.16%	19,031	0.17%	1,020	5.36%	19,722	1,711
0	0.00%	232	0.02%	232	100.00%	0	0		761	0.01%	2,115	0.02%	1,354	64.02%	1,318	557
787	0.07%	58	0.00%	-729	-1,255.64%	112	-675		2,258	0.02%	529	0.00%	-1,729	-327.07%	112	-2,146
3,584	0.32%	2,669	0.20%	-915	-34.27%	1,327	-2,257		21,336	0.19%	24,318	0.22%	2,982	12.26%	22,805	1,469
1,212	0.11%	2,901	0.22%	1,689	58.20%	5,116	3,904		23,736	0.22%	26,433	0.24%	2,696	10.20%	34,923	11,186
-4,601	-0.41%	0	0.00%	4,601	0.00%	0	4,601		943	0.01%	0	0.00%	-943	0.00%	202	-741
3,320	0.29%	3,133	0.24%	-187	-5.96%	3,139	-181		30,424	0.28%	28,547	0.25%	-1,877	-6.57%	28,655	-1,769
0	0.00%	522	0.04%	522	100.00%	145	145		2,996	0.03%	4,758	0.04%	1,762	37.04%	3,260	265
0	0.00%	0	0.00%	0	0.00%	0	0		0	0.00%	0	0.00%	0	0.00%	0	0
0	0.00%	0	0.00%	0	0.00%	1,495	1,495		204	0.00%	633	0.01%	429	67.73%	3,167	2,962
250	0.02%	290	0.02%	40	13.82%	250	0		2,250	0.02%	2,643	0.02%	393	14.88%	2,891	641
7,267	0.64%	4,990	0.38%	-2,277	-45.63%	7,927	660		64,192	0.58%	45,464	0.40%	-18,728	-41.19%	46,172	-18,020
0	0.00%	0	0.00%	0	0.00%	0	0		0	0.00%	0	0.00%	0	0.00%	0	0
0	0.00%	0	0.00%	0	0.00%	0	0		0	0.00%	0	0.00%	0	0.00%	0	0
<b>37,295</b>	<b>3.31%</b>	<b>46,714</b>	<b>3.58%</b>	<b>9,419</b>	<b>20.16%</b>	<b>48,149</b>	<b>10,854</b>		<b>456,679</b>	<b>4.16%</b>	<b>425,926</b>	<b>3.79%</b>	<b>-30,754</b>	<b>-7.22%</b>	<b>491,450</b>	<b>34,771</b>
<b>184,158</b>	<b>16.33%</b>	<b>221,505</b>	<b>16.97%</b>	<b>37,346</b>	<b>16.86%</b>	<b>215,228</b>	<b>31,070</b>		<b>2,036,351</b>	<b>18.55%</b>	<b>2,003,814</b>	<b>17.85%</b>	<b>-32,536</b>	<b>-1.62%</b>	<b>2,016,175</b>	<b>-20,176</b>
<b>943,239</b>	<b>83.67%</b>	<b>1,083,878</b>	<b>83.03%</b>	<b>-140,639</b>	<b>-12.98%</b>	<b>983,796</b>	<b>-40,557</b>		<b>8,941,265</b>	<b>81.45%</b>	<b>9,224,689</b>	<b>82.15%</b>	<b>-283,423</b>	<b>-3.07%</b>	<b>8,804,855</b>	<b>136,411</b>

For Property: RIC - Residence Inn Capitol

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PROFIT & LOSS STATEMENT  
As of 9/30/2015

PTD	%	PTD BUD	Bud %	BUD VAR	BUD VAR %	PTD LY	LY VAR		YTD	%	YTD BUD	YTD BUD %	BUD VAR	BUD VAR %	YTD LY	LY VAR
<b>F&amp;B DEPARTMENT</b>																
<b>REVENUE</b>																
0	0.00%	0	0.00%	0	0.00%	0	0	REST - FOOD SALES	0	0.00%	0	0.00%	0	0.00%	0	0
0	0.00%	0	0.00%	0	0.00%	0	0	REST - BEV SALES	0	0.00%	0	0.00%	0	0.00%	0	0
0	0.00%	0	0.00%	0	0.00%	0	0	REST - OTHER SALES	0	0.00%	0	0.00%	0	0.00%	0	0
0	0.00%	0	0.00%	0	0.00%	0	0	<b>TOTAL RESTAURANT SALES</b>	0	0.00%	0	0.00%	0	0.00%	0	0
0	0.00%	0	0.00%	0	0.00%	0	0	LOUNGE - FOOD SALES	0	0.00%	0	0.00%	0	0.00%	0	0
0	0.00%	0	0.00%	0	0.00%	0	0	LOUNGE - BEV SALES	0	0.00%	0	0.00%	0	0.00%	0	0
0	0.00%	0	0.00%	0	0.00%	0	0	LOUNGE - OTHER SALES	0	0.00%	0	0.00%	0	0.00%	0	0
0	0.00%	0	0.00%	0	0.00%	0	0	<b>TOTAL LOUNGE SALES</b>	0	0.00%	0	0.00%	0	0.00%	0	0
0	0.00%	0	0.00%	0	0.00%	0	0	RM SERV - FOOD SALES	0	0.00%	0	0.00%	0	0.00%	0	0
0	0.00%	0	0.00%	0	0.00%	0	0	RM SERV - BEV SALES	0	0.00%	0	0.00%	0	0.00%	0	0
0	0.00%	0	0.00%	0	0.00%	0	0	RM SERV - OTHER SALES	0	0.00%	0	0.00%	0	0.00%	0	0
0	0.00%	0	0.00%	0	0.00%	0	0	<b>TOTAL ROOM SERVICE SALES</b>	0	0.00%	0	0.00%	0	0.00%	0	0
4,000	5.90%	7,167	18.33%	-3,167	-44.19%	0	4,000	BQT - CATERING FOOD SALES	92,888	16.54%	64,500	18.33%	28,388	44.01%	63,608	29,280
0	0.00%	0	0.00%	0	0.00%	0	0	BQT - CONV FOOD SALES	0	0.00%	0	0.00%	0	0.00%	0	0
0	0.00%	0	0.00%	0	0.00%	0	0	BQT - CATERING BEV SALES	4,300	0.77%	0	0.00%	4,300	0.00%	2,720	1,580
0	0.00%	0	0.00%	0	0.00%	0	0	BQT - CONV BEV SALES	0	0.00%	0	0.00%	0	0.00%	0	0
0	0.00%	1,667	4.26%	-1,667	-100.00%	0	0	BQT - CATERING OTHER SALES	0	0.00%	15,000	4.26%	-15,000	-100.00%	6,700	-6,700
0	0.00%	0	0.00%	0	0.00%	0	0	BQT - CONV OTHER SALES	0	0.00%	0	0.00%	0	0.00%	0	0
4,000	5.90%	8,833	22.59%	-4,833	-54.72%	0	4,000	<b>TOTAL BANQUET SALES</b>	97,188	17.31%	79,500	22.59%	17,688	22.25%	73,028	24,160
48,092	70.95%	25,517	65.25%	22,575	88.47%	8,314	39,778	BQT - CATERING MEETING ROOM RE	305,753	54.44%	229,654	65.25%	76,099	33.14%	208,538	97,215
0	0.00%	0	0.00%	0	0.00%	0	0	BQT - CONV MEETING ROOM	0	0.00%	0	0.00%	0	0.00%	0	0
6,409	9.45%	1,718	4.39%	4,692	273.17%	1,104	5,306	BQT - SERVICE CHARGES	80,679	14.37%	15,458	4.39%	65,221	421.93%	18,131	62,547
9,286	13.70%	3,038	7.77%	6,249	205.71%	180	9,106	BQT - EQUIPMENT RENTAL	77,985	13.89%	27,338	7.77%	50,647	185.27%	21,738	56,246
63,787	94.10%	30,272	77.41%	33,515	110.71%	9,598	54,189	<b>TOTAL BANQUET OTHER SALES</b>	464,416	82.69%	272,449	77.41%	191,967	70.46%	248,408	216,009
0	0.00%	0	0.00%	0	0.00%	0	0	OUTLET#1 - FOOD SALES	0	0.00%	0	0.00%	0	0.00%	0	0
0	0.00%	0	0.00%	0	0.00%	0	0	<b>TOTAL OUTLET #1 SALES</b>	0	0.00%	0	0.00%	0	0.00%	0	0
0	0.00%	0	0.00%	0	0.00%	0	0	OUTLET#2 - FOOD SALES	0	0.00%	0	0.00%	0	0.00%	0	0
0	0.00%	0	0.00%	0	0.00%	0	0	OUTLET#2 - BEV SALES	0	0.00%	0	0.00%	0	0.00%	0	0
0	0.00%	0	0.00%	0	0.00%	0	0	<b>TOTAL OUTLET #2 SALES</b>	0	0.00%	0	0.00%	0	0.00%	0	0
67,787	100.00%	39,105	100.00%	28,682	73.34%	9,598	58,189	<b>TOTAL F&amp;B OUTLET SALES</b>	561,604	100.00%	351,949	100.00%	209,655	59.57%	321,436	240,168
4,000	5.90%	7,167	18.33%	-3,167	-44.19%	0	4,000	FOOD SALES	92,888	16.54%	64,500	18.33%	28,388	44.01%	63,608	29,280
0	0.00%	0	0.00%	0	0.00%	0	0	BEVERAGE SALES	4,300	0.77%	0	0.00%	4,300	0.00%	2,720	1,580
0	0.00%	1,667	4.26%	-1,667	-100.00%	0	0	OTHER SALES	0	0.00%	15,000	4.26%	-15,000	-100.00%	6,700	-6,700
63,787	94.10%	30,272	77.41%	33,515	110.71%	9,598	54,189	OTHER BANQUET SALES	464,416	82.69%	272,449	77.41%	191,967	70.46%	248,408	216,009
67,787	100.00%	39,105	100.00%	28,682	73.34%	9,598	58,189	<b>TOTAL F&amp;B SALES</b>	561,604	100.00%	351,949	100.00%	209,655	59.57%	321,436	240,168
<b>COST OF SALES</b>																
2,522	63.05%	2,723	38.00%	201	7.39%	0	-2,522	<b>TOTAL COST OF FOOD SALES</b>	45,529	49.01%	24,510	38.00%	-21,019	-85.76%	18,369	-27,160
0	0.00%	0	0.00%	0	0.00%	0	0	<b>TOTAL COST OF BEVERAGE SALE!</b>	0	0.00%	0	0.00%	0	0.00%	0	0
2,522	3.72%	2,723	6.96%	201	7.39%	0	-2,522	<b>TOTAL COST OF F&amp;B SALES</b>	45,529	8.11%	24,510	6.96%	-21,019	-85.76%	18,369	-27,160
65,265	96.28%	36,382	93.04%	28,883	79.39%	9,598	55,668	<b>F&amp;B GROSS OPER PROFIT</b>	516,076	91.89%	327,439	93.04%	188,637	57.61%	303,067	213,008

For Property: RIC - Residence Inn Capitol

DRAFT - September 19, 2016 special GTC FY2017 Budget meeting packet - DRAFT

PROFIT & LOSS STATEMENT  
As of 9/30/2015

PTD	%	PTD BUD	Bud %	BUD VAR	BUD VAR %	PTD LY	LY VAR		YTD	%	YTD BUD	YTD BUD %	BUD VAR	BUD VAR %	YTD LY	LY VAR
<b>PAYROLL</b>																
211	0.31%	364	0.93%	153	42.00%	0	-211	F&B PAYROLL - CULINARY	5,226	0.93%	3,273	0.93%	-1,953	-59.67%	3,500	-1,726
0	0.00%	0	0.00%	0	0.00%	0	0	F&B PAYROLL - MGMT	0	0.00%	0	0.00%	0	0.00%	0	0
0	0.00%	0	0.00%	0	0.00%	0	0	F&B PAYROLL - MTG ROOM SRVC CH	0	0.00%	0	0.00%	0	0.00%	0	0
2,359	3.48%	2,151	5.50%	-208	-9.68%	1,884	-475	F&B PAYROLL - BANQUET	26,820	4.78%	19,357	5.50%	-7,462	-38.55%	21,443	-5,376
0	0.00%	0	0.00%	0	0.00%	0	0	F&B PAYROLL - RESTAURANT	0	0.00%	0	0.00%	0	0.00%	0	0
0	0.00%	0	0.00%	0	0.00%	0	0	F&B PAYROLL - ROOM SERVICE	0	0.00%	0	0.00%	0	0.00%	0	0
0	0.00%	0	0.00%	0	0.00%	0	0	F&B PAYROLL - LOUNGE	0	0.00%	0	0.00%	0	0.00%	0	0
0	0.00%	0	0.00%	0	0.00%	0	0	F&B PAYROLL - OUTLET#1	0	0.00%	0	0.00%	0	0.00%	0	0
337	0.50%	0	0.00%	-337	0.00%	0	-337	F&B PAYROLL - OVERTIME	12,434	2.21%	0	0.00%	-12,434	0.00%	3,261	-9,173
25	0.04%	0	0.00%	-25	0.00%	0	-25	F&B PAYROLL - BONUS	25	0.00%	0	0.00%	-25	0.00%	0	-25
<b>2,932</b>	<b>4.33%</b>	<b>2,514</b>	<b>6.43%</b>	<b>-418</b>	<b>-16.61%</b>	<b>1,884</b>	<b>-1,048</b>	<b>TOTAL F&amp;B PAYROLL</b>	<b>44,505</b>	<b>7.92%</b>	<b>22,630</b>	<b>6.43%</b>	<b>-21,874</b>	<b>-96.66%</b>	<b>28,205</b>	<b>-16,300</b>
548	0.81%	350	0.90%	-198	-56.54%	324	-224	F&B BENEFITS & TAXES	13,371	2.38%	3,208	0.91%	-10,164	-316.85%	4,822	-8,549
<b>3,480</b>	<b>5.13%</b>	<b>2,865</b>	<b>7.33%</b>	<b>-616</b>	<b>-21.49%</b>	<b>2,208</b>	<b>-1,273</b>	<b>TOTAL F&amp;B P/R EXPENSES</b>	<b>57,876</b>	<b>10.31%</b>	<b>25,838</b>	<b>7.34%</b>	<b>-32,038</b>	<b>-123.99%</b>	<b>33,027</b>	<b>-24,849</b>
<b>OPERATING EXPENSES</b>																
0	0.00%	0	0.00%	0	0.00%	0	0	REST EXP - CHINA/SILVER	0	0.00%	0	0.00%	0	0.00%	0	0
0	0.00%	0	0.00%	0	0.00%	0	0	REST EXP - CLEANING SUPPLIES	0	0.00%	0	0.00%	0	0.00%	0	0
0	0.00%	0	0.00%	0	0.00%	0	0	REST EXP - CONTRACT LABOR	0	0.00%	0	0.00%	0	0.00%	0	0
0	0.00%	0	0.00%	0	0.00%	0	0	REST EXP - DECORATIONS	107	0.02%	0	0.00%	-107	0.00%	0	-107
0	0.00%	0	0.00%	0	0.00%	0	0	REST EXP - DISPOSABLES	0	0.00%	0	0.00%	0	0.00%	33	33
0	0.00%	0	0.00%	0	0.00%	0	0	REST EXP - ENTERTAIN SERV	0	0.00%	0	0.00%	0	0.00%	0	0
0	0.00%	0	0.00%	0	0.00%	0	0	REST EXP - SMALLWARES	5	0.00%	0	0.00%	-5	0.00%	0	-5
0	0.00%	0	0.00%	0	0.00%	0	0	REST EXP - LICENSES	0	0.00%	0	0.00%	0	0.00%	0	0
0	0.00%	0	0.00%	0	0.00%	0	0	REST EXP - MENUS	0	0.00%	0	0.00%	0	0.00%	0	0
0	0.00%	0	0.00%	0	0.00%	0	0	REST EXP - MISC	150	0.03%	0	0.00%	-150	0.00%	0	-150
0	0.00%	0	0.00%	0	0.00%	0	0	REST EXP - OFF/POS SUPPLIES	169	0.03%	0	0.00%	-169	0.00%	0	-169
0	0.00%	0	0.00%	0	0.00%	0	0	REST EXP - PRINTED MATERIALS	0	0.00%	0	0.00%	0	0.00%	0	0
3,878	5.72%	800	2.05%	-3,078	-384.75%	1,755	-2,123	REST EXP - LINEN	23,191	4.13%	7,200	2.05%	-15,991	-222.10%	11,568	-11,623
0	0.00%	0	0.00%	0	0.00%	0	0	REST EXP - UNIFORMS	0	0.00%	0	0.00%	0	0.00%	0	0
0	0.00%	0	0.00%	0	0.00%	0	0	REST EXP - TRAINING	0	0.00%	0	0.00%	0	0.00%	0	0
0	0.00%	0	0.00%	0	0.00%	0	0	REST EXP - MAINT. CONTRACTS	0	0.00%	0	0.00%	0	0.00%	0	0
0	0.00%	0	0.00%	0	0.00%	0	0	REST EXP - A&G EXPENSES	0	0.00%	0	0.00%	0	0.00%	0	0
0	0.00%	0	0.00%	0	0.00%	0	0	REST EXP - FRAN COMMISS	0	0.00%	0	0.00%	0	0.00%	0	0
0	0.00%	667	1.70%	667	100.00%	-144	-144	BQTS - MEETING ROOM OTHER EXP	14,141	2.52%	6,000	1.70%	-8,141	-135.69%	4,889	-9,253
342	0.50%	750	1.92%	408	54.46%	1,332	990	BQTS - RENTAL EQUIPMENT	7,499	1.34%	6,750	1.92%	-749	-11.10%	12,989	5,490
<b>4,220</b>	<b>6.22%</b>	<b>2,217</b>	<b>5.67%</b>	<b>-2,003</b>	<b>-90.36%</b>	<b>2,943</b>	<b>-1,276</b>	<b>TOTAL F&amp;B OPER EXP</b>	<b>45,263</b>	<b>8.06%</b>	<b>19,950</b>	<b>5.67%</b>	<b>-25,313</b>	<b>-126.88%</b>	<b>29,479</b>	<b>-15,784</b>
<b>7,700</b>	<b>11.36%</b>	<b>5,081</b>	<b>12.99%</b>	<b>-2,619</b>	<b>-51.53%</b>	<b>5,151</b>	<b>-2,549</b>	<b>TOTAL F&amp;B DEPT. EXPENSES</b>	<b>103,138</b>	<b>18.36%</b>	<b>45,788</b>	<b>13.01%</b>	<b>-57,350</b>	<b>-125.25%</b>	<b>62,505</b>	<b>-40,633</b>
<b>57,565</b>	<b>84.92%</b>	<b>31,301</b>	<b>80.04%</b>	<b>26,264</b>	<b>83.91%</b>	<b>4,446</b>	<b>53,119</b>	<b>F&amp;B PROFIT/ (LOSS)</b>	<b>412,937</b>	<b>73.53%</b>	<b>281,651</b>	<b>80.03%</b>	<b>131,286</b>	<b>46.61%</b>	<b>240,562</b>	<b>172,375</b>

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**Native America Bancorporation and Subsidiary**

**Consolidated Statements of Cash Flows**

Years ended December 31,

	2014	2013
<b>Cash flows from operating activities</b>		
Net loss	\$ (63,002)	\$ (2,182,331)
Adjustments to reconcile net loss to net cash used by operating activities:		
Net amortization of securities available for sale	28,652	64,450
Loan premium amortization	6,046	-
Depreciation and amortization	64,432	61,981
Loss on sale of other real estate owned	-	38,820
Loss (gain) on sale of repossessed assets	(1,069)	6,005
Impairment of goodwill	-	1,345,300
Stock dividend received	(2,900)	(1,800)
Net change in:		
Accrued interest and other assets	21,310	(91,006)
Accrued interest payable and other liabilities	1,480	(9,763)
<b>Net cash provided (used) by operating activities</b>	<b>54,949</b>	<b>(768,344)</b>
<b>Cash flows from investing activities</b>		
Activity in securities available for sale:		
Purchases	(4,343,477)	(1,016,026)
Maturities, prepayments, and calls	1,324,031	2,209,337
Purchases of nonmarketable equity securities	(46,800)	(40,800)
Redemptions of nonmarketable equity securities	272,450	25,350
Loan originations and principal collections, net	717,735	(3,636,898)
Additions to premises and equipment	(23,958)	(22,809)
Sales of repossessed assets	13,100	8,000
Sales of other real estate owned	-	24,068
<b>Net cash used by investing activities</b>	<b>(2,086,919)</b>	<b>(2,449,778)</b>

The accompanying notes are an integral part of these consolidated financial statements.

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**Native American Bancorporation and Subsidiary**

**Consolidated Statements of Cash Flows (Continued)**

Years ended December 31,

	<u>2014</u>	<u>2013</u>
<b>Cash flows from financing activities</b>		
Net increase (decrease) in deposits	3,470,732	(899,693)
Proceeds from issuance of common stock	2,499,061	1,000
Redemption of preferred stock	<u>(1,000,104)</u>	<u>-</u>
<b>Net cash used by financing activities</b>	<u>4,969,689</u>	<u>(898,693)</u>
<b>Net change in cash and cash equivalents</b>	2,937,719	(4,116,815)
<b>Cash and cash equivalents at beginning of year</b>	<u>4,633,614</u>	<u>8,750,429</u>
<b>Cash and cash equivalents at end of year</b>	<u>\$ 7,571,333</u>	<u>\$ 4,633,614</u>
<b>Supplemental Disclosures of Cash Flow Information:</b>		
Cash paid during the year for interest	\$ 219,857	\$ 194,265

The accompanying notes are an integral part of these consolidated financial statements.

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# tsiʔ niyukwalihó·tʌ

*Jeet nee yoon gwea lee hoe' duh*

“Our ways” includes our beliefs, our customs, and how we view things (past, present, and future). It also includes our history, language, and things in our environment (man-made and natural) that make us distinct from others as a people.

## *Vision*

A Nation of strong families built on Tsiʔ niyukwalihó·tʌ and a strong economy.

## *Mission*

To strengthen and protect our people, reclaim our land, and enhance the environment by exercising our sovereignty.

## *Values*

To establish positive behaviors upon which we will conduct our daily activities. The extent to which we dedicate ourselves to the implementation of these values will determine our success.

## **Kahletsyalúsla**

*gah lay ja loose' la*

The heart felt encouragement of the best in each of us

## **Kanolukhwásla**

*ga no loonk wass' la*

Compassion, caring, identity and joy of being

## **Kaʔnikuhlí·yo**

*gat knee goo leee' (yo)*

The openness of the good spirit and mind

## **Twahwahtsilayá**

*dwah wah jee lie (uh')*

All of us are Family

## **Kalihwi·yá**

*gally we' (yo)*

The use of good words about ourselves, our Nation and our future

## **Yukwatsístayʌ**

*yoon gwa jeesta' (yuh)*

Our fire, our spirit within each one of us

## **Kaʔtshatstásla**

*gat chot stews' la*

The strength of belief and vision as a people

**X. STANDING ITEMS**

**A. Accept update from Constitutional Amendments Implementation Team**

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

*Item deleted at the adoption of the agenda.*

**XI. UNFINISHED BUSIENSS**

**11. Approve request to delete from agenda the approval of concept paper for CIP # 13-011 – Oneida Nation High School**

Sponsor: Troy Parr, Assistant Division Director/Development

*Item deleted at the adoption of the agenda.*

### Oneida Business Committee Agenda Request

07 / 27 / 16

EXCERPT FROM JULY 13, 2016: (1) Motion by Lisa Summers to adopt resolution titled Implementing Per Capita Plan for Fiscal Year 2017 to Fiscal Year 2021 Adopted by General Tribal Council on June 13, 2016, seconded by Brandon Stevens. Motion ruled out of order by Chairwoman Tina Danforth. (2) Motion by Lisa Summers to table this item to the July 27, 2016, regular Business Committee meeting, seconded by David Jordan. Motion carried unanimously.

1. Meeting Date Requested: ~~07 / 13 / 16~~

#### 2. General Information:

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

[Empty text box]

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. [Empty]
2. [Empty] 4. [Empty]

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

# Oneida Nation

Post Office Box 365

Phone: 920-869-2214

Oneida, WI 54155



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



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

JUL 28 2016

### Oneida Business Committee Agenda Request

1. Meeting Date Requested: 08 / 10 / 16

2. General Information:

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

[Empty text box]

Agenda Header: New Business

Accept as Information only

Action - please describe:

Approval of the updated Head Start/Early Head Start Selection Criteria

[Empty text box]

3. Supporting Materials

Report  Resolution  Contract

Other:

1. Selection Criteria

3. [Empty text box]

2. [Empty text box]

4. [Empty text box]

Business Committee signature required

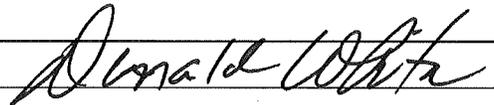
4. Budget Information

Budgeted - Tribal Contribution  Budgeted - Grant Funded  Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Don White, Division Director/GSD



Primary Requestor/Submitter:

Joan Christnot, Director Oneida Head Start/Early Head Start

Your Name, Title / Dept. or Tribal Member

Additional Requestor:

Debra Powless, Area Mgr, SS ADM



Debra Powless

2016.07.28 13:15:13 -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:

The Oneida Head Start/Early Head Start program is required to utilize a "Selection Criteria" for enrollment purposes into the program. This allows the Enrollment staff to generate points on each application and then prioritize applications based on the most points.

During this past year a conversation regarding the prioritization of Oneida Enrolled and Descendant children. The "Selection Criteria" was updated to reflect that priority and points were added to the criteria.

This document was approved by the Policy Council on June 17, 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](mailto:BC_Agenda_Requests@oneidanation.org)

Oneida Head Start/Early Head Start  
SELECTION CRITERIA  
Part 1305-ERSEA

Policy Council Approval: \_\_\_\_\_

Oneida Business Committee Approval: \_\_\_\_\_

CRITERIA	POINTS
<b>Age</b>	
4.0-4.11 years of age	95
3.0- 3.11 years of age	85
<b>INCOME</b>	
75-100% Below Poverty Level	95
50-74% Below Poverty Level	85
25-49% Below Poverty Level	75
At or up to 24% Below Poverty Level	65
101-130% Above Poverty Level	55
131-150% Above Poverty Level	45
151-175% Above Poverty Level	35
176-200% Above Poverty Level	25
200%+ Above Poverty Level	0
<b>CATEGORICAL ELIGIBILITY</b>	
Foster Care	95
Homeless	95
Public Assistance (SSI/TANF//W-2/SSI	95
<b>PARENTAL STATUS</b>	
Teen Parent	85
Disabled Parent	75
Single Parent	65
Foster Parent (includes relative/guardians providing kinship care)	55
<b>DISABILITIES</b>	
Certified I.E.P.	65
Suspected Disability-Developmental Delay	55
<b>SPECIAL NEEDS-FAMILY</b>	
Child Protection/Substance Abuse/D.V.	85
Incarcerated Parent	75
Death of Immediate Family Member	65
Child Behavior/Management Concerns	55
MH Concerns (Child or Parent)	45
<b>TRIBAL ENROLLMENT</b>	
Oneida Enrolled or Eligible for Enrollment-*Verified	95
Oneida Descendant-*Verified	85
Other Tribally Enrolled or Eligible for Enrollment-*Verified	75
Other Tribe Descendant-*Verified	65
<b>OTHER</b>	
Child Previously/Currently Enrolled in Oneida EHS	35

Revised: June, 2016

### Oneida Business Committee Agenda Request

1. Meeting Date Requested: 08 / 10 / 16

**2. General Information:**

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

Agenda Header:

Accept as Information only

Action - please describe:

Approve

**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:

Primary Requestor/Submitter:

Vicki Cornelius Election Board Chairperson

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:

In accordance with the Election Law (2.11-13), the Election Board submits this final report including Election results to the Business Committee to ratify the official results and send notices regarding when the swearing in of newly elected officials shall take place.

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](mailto:BC_Agenda_Requests@oneidanation.org)

## 2016 Special Election July 9, 2016

The Special Election was held on July 9, 2016 at the Oneida Health Center in Oneida and at SEOTS in Milwaukee. The following report includes:

- |                      |                           |
|----------------------|---------------------------|
| 1) Narrative         | 4) Final election results |
| 2) Voter statistics  | 5) Requested action       |
| 3) Election expenses |                           |

### Narrative

The polls were open from 7:00 A.M. - 7:00 P.M. The ballot consisted of 23 candidates for six (6) boards, committees and commissions for the Oneida Nation: Oneida Land Commission, Oneida Land Claims, Oneida Nation Commission on Aging (ONCOA), Election Board, Trust/Enrollment Committee, School Board (Parent) and two (2) Referendum questions. Tentative election results have been posted in the prominent locations as defined by the Election Law as well as the Internet.

The following individuals were present in their official capacity as required by the Oneida Election Law:

#### Oneida Election Board Members:

Vicki Cornelius, Chairperson  
Lori Elm, Vice-Chairperson  
Melinda K. Danforth, Secretary  
Sunshine Wheelock, Member  
Connie Danforth, Member  
Candace House, Member (Appointed)  
Patricia Moore, Member (Appointed)

#### Alternates:

Tina Skenandore	Susan House
Gina Buenrostro	Adrian Matson
Rosa Laster	

#### Recused after Caucus:

Racquel Hill  
Teresa Schuman

#### Oneida Enrollment Department:

Cheryl Skolaski	Trina Villegas
	Cindy Niesen

#### Oneida Police Officers:

Edward Metoxen	Lyle Metoxen
Rochel Smith	

#### Oneida Records Management:

Janice Decorah

The Oneida ballots were transferred by the OPD Officer and delivered to Records Management on July 9, 2016 and the SEOTS ballots were transferred by the OPD Officer and held at OPD until they were transported to Records Management for retention as defined by the Election Law.

### Voter Statistics

Number of voters:	Oneida: 228	Spoiled: 4
	Milwaukee: 29	Spoiled: 0
	Total: 257	Total: 4

### Election Expenses

<i>Memory Card/ballots</i>	<i>\$1,149.85</i>
<i>Printing/Mail out Notices</i>	<i>\$1187.98</i>
<i>Stipends: \$6055.00 is the total cost of Stipends from the Caucus held May 7, 2016 to the July 19, 2016 meeting; amount includes all Election Board mentioned above</i>	
<i>Food/Hotel/Per Diem</i>	<i>\$3628.01</i>
<b><i>TOTAL</i></b>	<b><i>\$12,020.84</i></b>

### Requested Action on Final Results

In accordance with the Election Law (2.11-13), the Election Board submits this final report including Election results to the Business Committee to ratify the official results and send notices regarding when the swearing in of newly Elected Officials shall take place.

See next page for Final Results

## Election Board Document Only

## Oneida Nation 2016 Special Election Tentative Results

<b>ONEIDA LAND COMMISSION (2)</b>	<b>Oneida</b>	<b>Milwaukee</b>	<b>Total</b>
BECKY WEBSTER	119	13	132
MICHELLE (DOXTATOR) PAIDER	51	6	57
BART CORNELIUS	61	5	66
LLOYD E. POWLESS JR	74	17	91
WESLEY MARTIN JR	47	7	54
SHIRLEY M. HILL	60	7	67
<b>ONEIDA LAND CLAIMS (4)</b>			
TOMAS ESCAMEA	91	13	104
CHARLES F W WHEELLOCK	140	17	157
CHRIS "CHRISSY" CORNELIUS - CJ	130	21	151
<b>ONEIDA NATION COMMISSION ON AGING (ONCOA) (3)</b>			
MARY ANN KRUCKEBERG	126	17	143
DALE WEBSTER	155	17	172
ARLIE DOXTATER	150	18	168
<b>TRUST/ENROLLMENT (3)</b>			
KEITH DOXTATOR	63	9	72
NORBERT HILL	118	12	130
DYLAN BENTON	76	10	86
BRADLEY W. GRAHAM	26	4	30
TOMAS ESCAMEA	22	3	25
WESLEY MARTIN JR	67	8	75
LORETTA V. METOXEN	131	19	150
TERESA SCHUMAN	76	5	81
<b>SCHOOL BOARD PARENT (3)</b>			
SHANNA TORRES	140	16	156
<b>ELECTION BOARD (3)</b>			
BRIAN BEAULIEU	112	14	126
TERESA SCHUMAN	134	20	154

### Referendum Questions

Should the Oneida Nation in Wisconsin have an agenda plan of action with time frames, due dates and assignments to address the use of tribal assets in the state of New York of \$1.5 million and the tribal investment of approximately \$35 million to address the land rights/claims component of the Wisconsin Oneida in New York?

YES	156	20	176
NO	52	4	56

Should the Oneida business committee develop a policy or law, which provides for sanctions and accompanying due process for elected officials?

YES	162	16	178
NO	49	10	59

"The election results posted here are tentative results. Final election results are forwarded by the Oneida Election Board to the Oneida Business Committee via a Final Report after time has lapsed for recount requests, or challenges or after all recounts or challenges have been completed, whichever is longer."



Oneida Nation  
Oneida Business Committee  
PO Box 365 • Oneida, WI 54155-0365  
[oneida-nsn.gov](http://oneida-nsn.gov)



**Date**

**Name**

**Address**

**city, state, zip**

Dear **Ms/Mr. Last name**,

Congratulations on your newly elected position to the **Board name**; your term is effective from the date you're sworn in and will expire # years after that date.

Oaths of Office must be completed within thirty (30) days of the official declaration of the results (see section 2.11-15 of the Election Law) and the Oaths must be taken at a regular or special Business Committee meeting (see section 7-3 of the Comprehensive Policy Governing Boards, Committees, and Commissions).

You are scheduled to take the Oath of Office at the next regular Business Committee meeting at 9 a.m. Wednesday, **Date** at the Norbert Hill Center.

Section 2.11-15.(a). of the Election Law states that if a newly elected official does not take their Oath in thirty (30) days, the seat goes to the next highest vote recipient, unless there is an emergency as deemed by the Business Committee.

If you have any questions about being a board member, please contact me by telephone at (920)869-4451 or by e-mail at [kmetoxe1@oneidanation.org](mailto:kmetoxe1@oneidanation.org).

We look forward to your success as a newly elected member to the **Board**.

Sincerely,

Kathleen M. Metoxen, Executive Tribal Clerk  
Business Committee Support Office

Cc: Board Chair

### Oneida Business Committee Agenda Request

1. Meeting Date Requested: 08 / 10 / 16

2. General Information:

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

[Empty text box]

Agenda Header: New Business

Accept as Information only

Action - please describe:

In regard to Environmental Health & Safety's 3rd Quarter Report. (Note was defer from 7/13/16 BC Meeting a representative from the division was present and could not answer questions.)  
1.) Public land use 18 (Where The Water Birds Nest) vehicles going around the barricades to access the site  
2.) Request written detail chronological land acquisition of our sacred burial grounds  
3.) Reports regarding NHC Pond, Quarry Park, Oneida Lake, Where the Water Birds Nest and Central Oneida  
4.) Clarification of our data base of our quality of air, water and soil. Where is this data? continue below.....

3. Supporting Materials

Report  Resolution  Contract

Other:

1. Environmental Health & Safety 3rd Quarterly 3. [Empty text box]  
2. [Empty text box] 4. [Empty text box]

BC Resolution # 08-14-91-A included as reference material as needed

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: Nancy Barton Tribal Member  
Your Name, Title / Dept. or Tribal Member *Nancy Barton*

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:

5.) Bring back different options for alternative burial sites

See all above and want time lines set, clarifications and accountability for all of the above

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

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# 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:

Accept as Information only

Action - please describe:

Environmental Health & Safety's 3rd Quarter Report for information only.

## 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:

Primary Requestor: Submitted by: Brenda Skenandore, EHS Office Manager  
Your Name, Title / Dept. or Tribal Member

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.



A good mind. A good heart. A strong fire.

## FY2016 Third Quarter Report

Oneida Environmental, Health, and Safety Division

June 30, 2016



June

Hwy 54 One Stop

Grand Opening



**Overall Impressions of the Third Quarter**

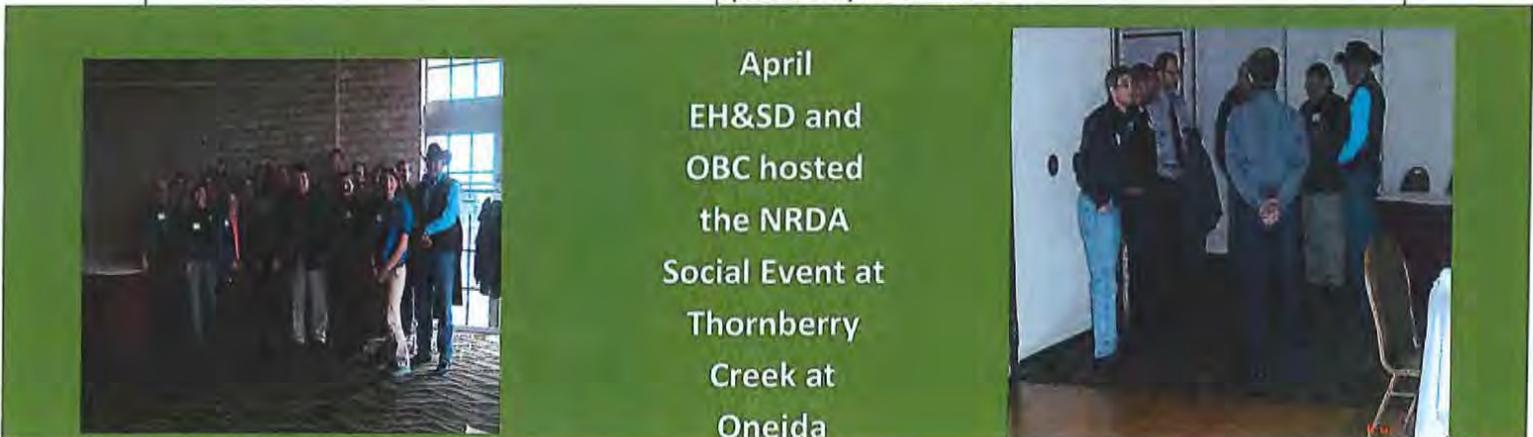
The Third quarter of FY16 has been successful for us with working and providing outreach to the Community. We had a good number of community members who participated in the Youth and Elder Fishing

and our Tree Give-Away (Earth Day) Events. We also worked with a group of volunteers to include youth and staff from other department to help clean-up along Highway 54 (Adopt the Highway Section).

In the fourth quarter, we anticipate a good number of Community Members at our Clean Sweep Event. We had over 140 elders signed up for our Elder pre-pick-up during the first week of July.

**Moving Toward the Practical Vision: How EHSD contributes...**

Practical Vision Element	EHSD Third Quarter Activities
An engaged community	Outreach activities directly engaged community members and others in activities highlighting the importance of water resources on the Oneida Reservation.
Accountable & effective government	Presenting what the Tribe does for recycling and trash pick-up for our Community to the Town of Oneida.
Leaders who promote positive social change	Implementing the plans for many of the Best Management Practices (BMPs) within the Pilot Program with NEW Waters.
Living a good mind, Ka'nikuh·liyo	
Volunteerism	Worked with many departments within the Tribe to bring the Clean Sweep Event to the Tribal Members: EH&SD, DOLM, DPW, Housing Authority, Development Division, GSD, Elder Services & more.
Long term sustainability plans	Working with the Oneida Nation Farm in buying a new machine to plant cover crops in-between corn plantings to improve Plant health, soil health & improve water quality.
Create economic systems	Construction oversight was provided for the "Farm to School" aquaponics system. Once completed this project will enable the Veterans Service Department to sell fresh produce and fish to the School System and potentially other entities.



April  
EH&SD and  
OBC hosted  
the NRDA  
Social Event at  
Thornberry  
Creek at  
Oneida

**Personnel**

FTE's	Youth Workers	WTCAC Volunteers	Total
30	5	2	37

**Quarter EHSD Workforce Demographics**

67% of EHSD staff is Oneida



**Time-Off Accrual Management**

We have 9 employees over the 200 hours for vacation and personal time accruals. Each of these employees is encouraged to take time off monthly by their supervisor and to review their hours on the Employee Self Services computer site.

**Travel & Training**

**EH&S Division Travel for 3rd Quarter**

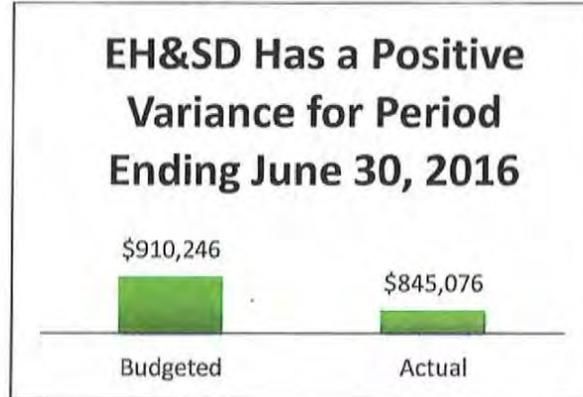
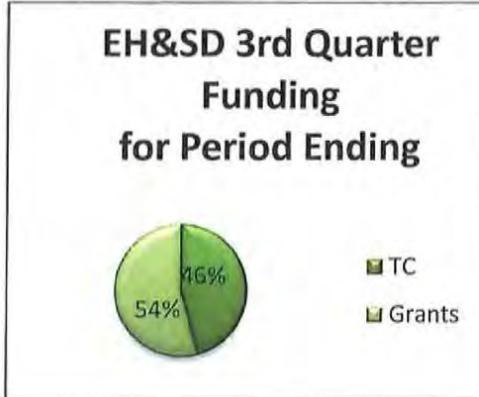
Travel Costs were either reimbursed back to the tribe or funded with 100% grant dollars

Staff	Event	Location	Cost
EH&S Area Manager	EPA Tribal Env Program Mgmt Conf	Chicago, IL	\$856.59
Program Evaluation Analyst	EPA Tribal Env Program Mgmt Conf	Chicago, IL	\$817.72
Environmental Specialist	EPA Tribal Env Program Mgmt Conf	Chicago, IL	\$817.72
Water Resource Supervisor	EPA Tribal Env Program Mgmt Conf	Chicago, IL	\$817.72
Electrician	Midwest Renewable Energy Association Courses	Custer, WI	\$544.44
Electrician	Midwest Renewable Energy Association Courses	Custer, WI	\$553.62
Electrician	Midwest Renewable Energy Association Courses	Custer, WI	\$559.23
Water Resource Supervisor	Society for Freshwater Science 2016 Annual Meeting	Sacramento CA	\$2,052.11
EH&S Division Director	WTCAC Meeting	Black River Falls	Reimbursed
Natural Resources Tech Trainee	WTCAC Meeting	Black River Falls	Reimbursed
Project Manager	Midwest Solar Expo	Minneapolis MN	\$659.51
Natural Resources Tech Trainee	UST Boot Camp	Saukville WI	\$228.51
Water Resource Supervisor	Aquatic Plant Identification Workshop	Woodruff, WI	\$114.50
Water Resource Specialist	Aquatic Plant Identification Workshop	Woodruff, WI	\$114.50

**Grants Applied for or Received in the Third Quarter**

Agency	Activities	Amount
Dept. of Energy	This grant is intended to support the development and services of the Midwest Tribal Energy Resources Association of which Oneida and other Tribes are spearheading. These funds will NOT be managed internally	\$1,000,000

### Budget Update



### Public Outreach, Conference & Events Attended

- April:** Youth and Elder Fishing Day; Silver Creek Project outreach; Bugs and Wetlands presentation for Summer Recreation program; tour of South Branch of Suamico River restoration site for US Fish and Wildlife Service interns. Presented on Silver Creek Pilot Project at Tribal Environmental Program Managers (TEPM) conference, Annual "Tree Giveaway", Oneida UST Compliance Assistance Training, Wisconsin Petroleum Marketers Conference .
- May:** Native American Fish & Wildlife Society Conference, UST Training/Bootcamp, 17<sup>th</sup> Annual Youth and Elder Day.
- June:** Food Handler's Certification for Pow Wow Vendors, Food Handler's Safety Class for the Cannery's Student Initiative Class, Community Food License Certification Classes and Recertification Classes, Home Resource Fair,) Active Shooter Training, Summer Art program- drone demonstration.



April  
Underground  
Storage Tank  
Boot Camp  
Training at  
the Radisson  
Hotel and  
Packerland  
One Stop



April Earth  
Day Tree  
Giveaway

**Notable Accomplishments for Third Quarter:** Our events had community members visit the natural areas and interact with Department staff, along with other Department representatives from the Environmental Resources Board, Environmental, Health, & Safety Division, Oneida Business Committee, and Oneida Police Department. We removed over 1,500 pounds of Curly Leaf Pond Weed (CLPW) to make the fishery more enjoyable for visitors and anglers. Staff completed a fish shocking survey to get a species ID, population estimate, and age classes of the fish species in the lake. Staff had maintained the grounds of Oneida Lake, cleaned the area, and responded to numerous violation complaints. MTERA grant: In cooperation with Forest County Potawatomi Community, Ho Chunk Nation, Fond du Lac Band of Chippewa, and others MTERA submitted a grant application on April 14 for \$1 million to assist with organizational development and to establish a technical assistance network for Midwest Tribes. Solar deployment planning: Reissued RFP to certified public accountant firms to evaluate details of solar project; present to school board to discuss solar on elementary school; communication with SunVest (solar investor) to modify work plan to 2017 construction season; work with Legal on project agreements. Invasive species crew received pesticide applicator training and we have treated approximately 20 acres of invasive species in the first five weeks. UST-DITCA: Received Federal Credentials (UST Inspector) from U.S EPA (Region 5).

#### Plans for FY16 Fourth Quarter

- The Department will be monitoring the whitetail deer herd through the established "Trail Cam" program. Staff will be reviewing the data collected from the numerous site locations within the Oneida Reservation limited to any hunting. The data will be used to monitor the overall deer herd's health, assisting staff in verifying the condition of the deer in the area. Staff will also be able to get a general consensus of the fawn birthing rate, which will assist in determining the fawn crop and peak rutting activity for the future harvest considerations.
- We will be working on our database and webpage link where we can post the most recent water quality results of the lake, so community members have access to the data. There will also be education concerning what water quality means, what are the varying factors that affect it, and what we can do to keep our waters clean.
- Silver Creek: Complete design for Silver Creek project @ Cty U and Silver Cr. intersection.
- Solar Project: CPA on contract; project document development; final building selection; power purchase agreement review; initiate system design and review; preparation for summer, 2017 install.
- Treat additional 60 acres of Invasive Species



June  
EH&S Field Staff  
learn what  
Hazardous plants  
look like at  
training.

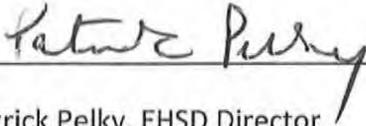


- UST / Invasive Species outreach at Oneida Farmers Market
- Host UST Training/Bootcamp at Radisson
- Attend BIA Partners in Action Conference
- Perform UST Inspections with EPA
- Conservation workshop: Complete final upgrades to pellet boiler project; initiate energy efficiency planning.
- Website updates
- Plan 2 harvest classes for Oneida community in August for wild bergamot (aka #6) and sweet grass.
- Assist with clean sweep planning for event on July 13. .

**Current local or regional collaborations**

UWGB, Glacierland Resource Conservation & Development, Midwest Tribal Energy Resources Assoc. (MTERA), Heating the Midwest, NEW Water, Green Bay Metropolitan Sewerage District, Fox/Wolf Watershed Alliance, Outagamie County Social Services , WDNR, TWRAP National Steering Committee, National Tribal UST calls, Regional Tribal Mining Calls, Oneida High School and Bayport High School, Oneida Summer Recreation; US Fish and Wildlife Service, Menominee Tribe, USDA, and GLFWC, Wi State Department of Hygiene, Outagamie County Health Department, Environmental Protection Agency, University of Wisconsin- Green Bay, Green Bay Phragmites Advisory Council, Menominee Tribe, and Wisconsin Tribal Conservation Advisory Council.

**Report Prepared By:**

 July 18, 2016

Patrick Pelky, EHSD Director

 July 18, 2016

Brenda Skenandore, EHSD Office Manager



May  
Youth &  
Elder  
Fishing  
Day



# Oneida Tribe of Indians of Wisconsin

Post Office Box 365

Phone: 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.

## RESOLUTION # 8-14-91-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 Constitution provides an Oneida bill of Rights equally protecting all Tribal members and employees in the exercise of their civil rights, and
- WHEREAS, the Indian Civil rights Act of 1968, (P.L. 90-284) 25USC1301, et.seq., provides that all Indian governments equally protect all persons within their jurisdiction in the exercise of their civil rights by due process of law, and
- WHEREAS, there is a need for frank and honest discussions in all open meetings of the Business Committee and other Tribal entities and that such discussions often include personnel observations, evaluations and judgments of other personnel and that promiscuous discussion undermines the morale of Tribal members and employees, and
- WHEREAS, the Business Committee may close a meeting by invoking executive session where sensitive, confidential or privileged information may be disclosed and discussed, and which requires that all persons present maintain such confidence or privilege, and
- WHEREAS, personnel complaints and grievances may be addressed by the Oneida Personnel Policies and Procedures which protects the rights of all persons involved and provides sanctions if any, and

8-14-91-A

Page 2

WHEREAS, all persons whose performance or activities will be discussed or evaluated related to the agenda of the meeting of any Tribal entity, including the Oneida Business Committee, should be present so that a thorough and orderly discussion may be had unless the business at hand is determined to be personally or professionally confidential or privileged or a personnel complaint or grievance.

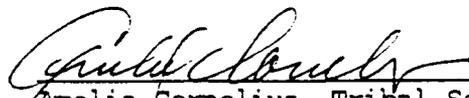
NOW, THEREFORE, BE IT RESOLVED, that it is the policy of the Oneida Tribe that discussion in open and public meetings of the business Committee and all other entities of the Tribe be strictly conducted in an orderly, civil manner avoiding acrimony and hominum remarks, and

BE IT FURTHER RESOLVED, that all Tribal members or employees whose performance, responsibilities or activities will be discussed at open meetings of the Business Committee or other Tribal entities will be given adequate notice to appear at the meeting or that matter must be reserved for Executive Session, and

BE IT FINALLY RESOLVED, that should any information be received at any meeting of the Tribal entity, including the Business Committee, that implicated the integrity, honesty or moral turpitude of a Tribal member or employee, or which complains or grieves the actions of a Tribal employee such information shall be immediately referred to Executive Session without action or further discussion or to the Oneida Human Resources Department for processing.

#### 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 Business Committee is composed of 9 members of whom 5 members constitute a quorum. 6 members were present at a meeting duly called, noticed and held on the 14th day of August, 1991; that the foregoing resolution was duly adopted at such meeting by a vote of 5 members for; 0 members against, and 0 members not voting; and that said resolution has not been rescinded or amended in any way.

  
 \_\_\_\_\_  
 Amelia Cornelius, Tribal Secretary  
 Oneida Business Committee



# BUSINESS COMMITTEE TRAVEL REPORT


**Travel Report for:**

Cristina Danforth  
Enter name(s) of other  
Travelers OR [SPACE BAR] to  
delete

Enter name(s) of other  
Travelers OR [SPACE BAR] to  
delete

Enter name(s) of other  
Travelers OR [SPACE BAR] to  
delete

**Travel Event:**

American Indian Sovereignty in Action

**Travel Location:**

Havana, Cuba

**Departure Date:**

07/18/2016

**Return Date:**

07/22/2016

**Projected Cost:**

\$0.00

**Actual Cost:**

\$0.00

**Date Travel was Approved by OBC:**

06/30/2016

**Narrative/Background:**

Please see the attached travel report

**Item(s) Requiring Attention:**

None

**Requested Action:**

BC to accept travel report as FYI.

TRAVEL REPORT

AMERICAN INDIAN SOVEREIGNTY IN ACTION  
Tribal Nations Delegation to Havana, Cuba  
July 18-22, 2016

A delegation of Tribal Nations from Seneca Nation of Indians (NY), Oneida Nation of Wisconsin, Cahil Dehe Band of Wintun Indians of the Colusa Indian Community (CA) and Swinomish Indian Tribal Community (WA) were represented in addition to the Native American Officers Association (NAFOA) and National Congress of American Indians (NCAI). The delegation was assisted and accompanied by advisors from Akin, Gump, Strauss, Hauer and Feld, LLP. The purpose was to begin a conversation and introduce our nations to the delegation of Ministries in Cuba. The newly lifted U.S. embargo in restricted areas and classifications has allowed these meetings to occur. Meetings were requested with the Ministries of Foreign Relations, Foreign Trade and Investment, Tourism, Fisheries and Agriculture, Alimport (Cuba's main food importer), the Center for Biotechnology and Genetic Engineering (which has a successful treatment for diabetic foot ulcers) and with ELAM, the Latin America School of Medicine (which trains students from around the world to be doctors as long as they return to their respective communities).

The following individuals were involved in the meetings with the Cuban Government:

Brian Cladoosby, Chairman of the Swinomish Indian Tribal Community (WA) and President of the National Congress of American Indians,

Cristina Danforth, President of the Native American Finance Officers Association and Chairwoman of the Oneida Nation (WI),

Maurice A. John Sr., President of the Seneca Nation of Indians (NY),

Todd Gates, Treasurer of the Seneca Nation of Indians,

Richard Jamison, Representative of Seneca Nation of Indians,

Wayne R. Mitchum, Jr., Long Standing Economic Development Corporation ("EDC") Board Member and Tribal Representative, and Compact Tribes Steering Committee Vice-Chair for the Cahil Dehe Band of Wintun Indians of the Colusa Indian Community,

Melissa Mitchum, Long Standing Economic Development Corporation ("EDC") Board Member and Tribal Representative for the Cahil Dehe Band of Wintun Indians of the Colusa Indian Community,

VaRene Martin, First Vice President & Director of Tribal Relations, Native American Finance Officers Association,

Dante Desiderio, Executive Director of the Native American Finance Officers Association,

Anya Landau French, Senior Policy Advisor at Akin Gump Strauss Hauer & Feld, LLP,

Allison Binney, Partner at Akin Gump Strauss Hauer & Feld, LLP

### Biotechnology Center Meeting

We were greeted with much enthusiasm and optimism to discuss the Cuban medical advancements in treatments for diabetes, heart disease and certain cancers treatments. We were given an overview of the extensive Cuban Health Programs covered by BioCubaFarma. Their primary initiatives include; prevention of infectious diseases with prophylactic vaccines, early diagnosis and treatment of different cancer pathologies, diagnosis and rehabilitation of cardiovascular diseases, care for hearing impairments, early detection of neurological development in infants, massive pre and neonatal screening, epidemiological surveillance and the monitoring and treatment for diabetes and its complications. Given the limited time for their presentation the focus of the presentation surrounded certain treatments and medications for diabetes. While many tribal communities have high incidences of diabetes, it is reported that 29.1 million people of the U.S. population has diabetes. A presentation of the treatment of foot ulcers using Heberprot-T using an infiltration method was explained. This treatment option is not available in the U.S. but is widely used in Cuba. There is a clinical conference held in December an open invitation was extended. The primary concern with this treatment is there are no clinical trials conducted in the U.S. to promote and produce the treatment from a commercial medical standpoint. It is hopeful that there will eventually be enough political support and authorization to conduct these Phase 3 clinical trials. More information and follow up is necessary to lobby for this treatment in the U.S. and a white paper has been developed to further this effort.

### Foreign Trade and Cultural Exchange Meetings

We met with the Ministry of Foreign Affairs, Mr. Warnel Lores Mora who heads the United States General Division and the Ministry of Foreign Trade and Investment of the Trade Policy Division with North America, MS Maria De La Luz B'Hamel Ramirez and their staff. The meetings gave of a general sense of the priorities that are of interest to the Cuban government. There three main industries are agriculture, biotechnology and tourism. They are currently working on a development model for economic development and partnerships. They are also reviewing and advancing their licenses for imports and exports for trade. Permits are granted by the Treasury and have most recently granted licenses to Starwood Enterprises and General Electric. There are also negotiations being discussed for potential businesses to exchange with the U.S. and to promote investments of business opportunities. Another area of interest is tourism and hotel development. In 2014 they entered into an agreement with Club Melia and this proposes to be a model as well for joint venture. They continue to rely on imports for to feed their communities. They import 300,000 tons of rice annually and it comes from Vietnam

which takes 35 days to ship. If they could get rice from Mississippi, it would only take 3 days. The current embargo prohibits this type of opportunity for trade. The Calousa Indian Community produces rice, almonds and walnuts and exports their products. This is a new and mutual interest for both Cuba and Calousa. We here in Oneida have an opportunity to invest in their hospitality industry if the occasion arises. They are interested in furthering this conversation. While I made no commitments there is still a lot to consider.

There were many other interesting conversations that took place and at this time this is a snapshot of the potential to continue the dialogue.

The Cuban people and government are in a 10 year post Fidel Castro era and are in the process of governmental policy changes. The general sense is that people are happy there and optimistic in their future while there is much to catch up on from an external view point.

### Oneida Business Committee Agenda Request

1. Meeting Date Requested: 08 / <sup>10</sup>~~03~~ / 16

#### 2. General Information:

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

Other - type reason

Agenda Header: Travel Request

Accept as Information only

Action - please describe:

Approval for Music from Our Culture teachers (3) and KLU students (6) to travel to Washington state to perform at the National Indian Tourism Conference, September 13 - 15, 2016.

#### 3. Supporting Materials

Report  Resolution  Contract

Other:

1. Travel Authorization for D Santiago

3. Travel Authorization for R Menomin

2. Travel Authorizations for Y Mclester

4. I/T from Tourism

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/Submitter: Beth Bashara, Arts Program Director  
Your Name, Title / Dept. or Tribal Member

Additional Requestor: *[Signature]*  
Name, Title / Dept.

Additional Requestor: *[Signature]* 7/22/16  
Name, Title / Dept.

## Oneida Business Committee Agenda Request

### 6. Cover Memo:

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

The Music from Our Culture children have been invited to perform at the National Indian Tourism Conference in Washington state this September as part of the "Oneida" event/dinner as next year's host. We were asked to take our children to sing the hymns following the dinner.

Funding for this trip is made possible by a sponsorship from Tourism (5,000). The remaining funding is tribal contributions (approximately 4,074).

We have selected our KLU students to go on this trip. KLU (abbreviation of Oneida words meaning 'kids learning their culture/ways') is for our 12 and older students to receive weekly private and semi private lessons in music and language. To mark their completion of the program, they are presented at a celebration social where they introduce themselves, their families, do the opening, introduce the songs in the language and lead a song and dance. We have 4 students who have completed the program in the first year and 1 student who is getting ready to present.

We are excited to offer this perk for KLU students because they have earned it. They have worked very hard and have demonstrated their abilities. In addition to being a perk, it is marketing for the MOC and KLU programs. Performing is a big part of why we learn music (to share!). Going to new places to perform is extra exciting.

Accompanying the students is our MOC/KLU teachers, Debbie Santiago and Yuntle McLester, and one of the MOC volunteer members, Rachael Menomin. In addition, Debbie will be traveling with her son. Debbie and Yuntle perform with the children and Rachael will be administering the trip on behalf the MOC volunteers.

An exciting development in the MOC program is an emerging volunteer board comprised of MOC's past and current interns. A group of 5 previous MOC interns have been meeting monthly to advise and support the MOC program. They are establishing themselves to be fund raising and program advisors of the MOC and KLU program. These young people are really stepping up to ensure the continued growth of the program!

#### 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 TRIBE OF INDIANS OF WISCONSIN  
INTRA-TRIBAL PURCHASE DOCUMENT**

(1) \_\_\_\_\_ (2) \_\_\_\_\_ (22) \_\_\_\_\_  
 Today's Date Completion Date P.O. Number (Accounting Use Only)

**Supplying Business Unit's Information**

(3) \_\_\_\_\_ (4) \_\_\_\_\_  
 Business Unit Vendor ID # Name of Business Unit  
 (5) \_\_\_\_\_ (6) \_\_\_\_\_  
 Intra-Tribal Sales Account Code Phone #  
 (7) \_\_\_\_\_ (8) \_\_\_\_\_  
 Supplying Business Unit's Signature Date Job # (optional)

**Purchasing Business Unit's Information**

(9) 4272035 (10) Tanase  
 Business Unit Dept ID# Name of Business Unit  
 (11) 7/15/16 (12) Rub F  
 Date Needed Contact Person/Deliver To  
 (13) 001 - 4272035 - 000 - 755705 - 000 (14) 5644  
 Intra-Tribal Expense Account Code Phone # Ext. #  
 (15) \_\_\_\_\_ (16) 406  
 Authorized Signature (Up to \$500.00) Date Ship to Location (Warehouse #)  
 (15A) \_\_\_\_\_ (17) \_\_\_\_\_  
 Authorized Signature (Up to \$3,000.00) Date Project ID (optional)  
 (15B) [Signature] 7/14/16  
 Authorized Signature (Up to \$10,000.00) Date  
 (15C) \_\_\_\_\_  
 Authorized Signature (Up to \$50,000.00) Date  
 (15D) \_\_\_\_\_  
 Authorized Signature (Up to \$200,000.00) Date

(18) Brief explanation of purchase  
 \_\_\_\_\_  
 \_\_\_\_\_

(19) Item Code or Item Description	Commodity Code	Qty	UOM	Cost per Unit	Total Amt
<u>ATLANTA - Kids Travel etc to conference</u>					<u>5,000.-</u>
					<u>5,000</u>

(20) Y / N Blanket PO \$ \_\_\_\_\_ Dollar Limit (21) Total 5,000

**ONEIDA TRIBE OF INDIANS OF WISCONSIN  
TRAVEL AUTHORIZATION REQUEST**

**General Travel Information**

Name of Traveler	Debra Santiago		
Please list name as it appears on Travelers Driver's License or WI State ID			
	Employee #		Date of Birth
Destination	Seattle Washington		
Departure date	September 13, 2016	Return date	September 15, 2016
Purpose of travel	Perform at American Indian Tourism Conference		
Charged GL Account			

**GSA Rate Information for the destination**

Per Diem rate per day	\$ 74.00	Lodging rate per day	\$
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**Cost Estimate Information**

Description	Rate	Factor	Days/ Miles	Total	
Per Diem Initial travel date	\$ 74	75 %	.75	\$ 55.50	
Per Diem full day at destination	\$ 74	100 %	1	\$ 74.00	
Per Diem return travel date	\$ 74	75 %	.75	\$ 55.50	
Subtract Included meals 1 Lunch 1 Dinner				\$ (52.00)	\$133.00
Lodging including room rate plus taxes	\$ 149.00		2	\$ 298.00	Visa
Airfare	\$ 670.00			\$ 670.00	Visa
Private Car Mileage Children Airfare	\$ 581.20			\$ 3487.20	Visa
Taxi or car rental	\$ 300.00			\$ 300.00	300.00
Luggage Fees X 7	\$ 244.00			\$ 244.00	50.00
Luggage Fees X 7	\$ 50.00			\$ 50.00	50.00
Registration - accept VISA? Yes / No	\$			\$ 350.00	350.00
Allowable price adjustment				1400.00	
If travel arrangements exceed the <b>Total Cost Estimate</b> re-approval is required				\$ 200.00	
<b>Total Cost Estimate</b>				<del>\$ 1,409.00</del>	
				<u>6549.40</u>	

I understand this advance will be deducted from my claim for reimbursement of actual travel expenses. I also understand that if this advance is not cleared within 10 calendar days after my travel return date, I shall be held responsible for the full amount advanced and that I may be reprimanded in accordance with the Personal Policies and Procedures for my failure to clear this matter within the time so allotted. Further, in the event that the advance payment is not cleared within 10 calendar days of my return, and I have not filed a formal written dispute as to the amount due, by signing below, I am hereby making a knowing and voluntary wage deduction for the entire amount outstanding.

**Signatures / Approvals**

	Signature	Date	Contact Phone #
Traveler	<i>Debra Santiago</i>	6-1-16	
Program Director	<i>B. P.</i>	6/1/16	Not needed
General Manager			Not needed

**ONEIDA TRIBE OF INDIANS OF WISCONSIN  
TRAVEL AUTHORIZATION REQUEST**

**General Travel Information**

Name of Traveler	Yuntlekalau McLester		
Please list name as it appears on Travelers Driver's License or WI State ID			
	Employee #		Date of Birth
Destination	Seattle, WA		
Departure date	09-13-16	Return date	09-15-16
Purpose of travel	Perform at American Indian Tourism Conference		
Charged GL Account			

**GSA Rate Information for the destination**

Per Diem rate per day	\$ 74	Lodging rate per day	\$
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**Cost Estimate Information**

Description	Rate	Factor	Days/ Miles	Total	
Per Diem Initial travel date	\$ 55.50	75 %	1	\$ 55.50	
Per Diem full day at destination	\$ 74	100 %	1	\$ 74.00	
Per Diem return travel date	\$ 55.50	75 %	1	\$ 55.50	
Subtract included meals				\$ (52.00)	133.00
Lodging including room rate plus taxes	\$ 149.00		2	\$ 298.00	Visa
Airfare	\$ 670.00			\$ 670.00	Visa
Private Car Mileage	\$			\$	
Taxi or car rental	\$ 241.00			\$ 241.00	
Luggage Fees	\$			\$ 50.00	
Registration – accept VISA? Yes / No	\$			\$	
Allowable price adjustment If travel arrangements exceed the <b>Total Cost Estimate</b> re-approval is required				\$ 200.00	
<b>Total Cost Estimate</b>				<del>\$ 1,400.00</del> 1262.20	

I understand this advance will be deducted from my claim for reimbursement of actual travel expenses. I also understand that if this advance is not cleared within 10 calendar days after my travel return date, I shall be held responsible for the full amount advanced and that I may be reprimanded in accordance with the Personal Policies and Procedures for my failure to clear this matter within the time so allotted. Further, in the event that the advance payment is not cleared within 10 calendar days of my return, and I have not filed a formal written dispute as to the amount due, by signing below, I am hereby making a knowing and voluntary wage deduction for the entire amount outstanding.

**Signatures / Approvals**

	Signature	Date	Contact Phone #
Traveler	<i>Yuntlekalau McLester</i>	5-20-16	
Program Director	<i>Barth</i>	6/1/16	Not needed
General Manager			Not needed

**ONEIDA TRIBE OF INDIANS OF WISCONSIN  
TRAVEL AUTHORIZATION REQUEST**

**General Travel Information**

Name of Traveler	Racheal Nihnam Menomini		
Please list name as it appears on Travelers Driver's License or WI State ID			
	Employee #		Date of Birth
Destination	Seattle Washington		
Departure date	September 13, 2016	Return date	September 15, 2016
Purpose of travel	Perform at American Indian Tourism Conference		
Charged GL Account			

**GSA Rate Information for the destination**

Per Diem rate per day	\$ 74.00	Lodging rate per day	\$
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**Cost Estimate Information**

Description	Rate	Factor	Days/ Miles	Total
Per Diem Initial travel date	\$ 74	75 %		\$ 55.50
Per Diem full day at destination	\$ 74	100 %		\$ 74.00
Per Diem return travel date	\$ 74	75 %		\$ 55.50
Subtract Included meals				\$ (52.00)
Lodging including room rate plus taxes	\$ 149.00		2	\$ 298.00
Airfare	\$ 670.00			\$ 581.20 <del>670.00</del>
Private Car Mileage	\$			\$
Taxi or car rental	\$			\$
Luggage Fees	\$			\$ 50.00
Registration – accept VISA? Yes / No	\$			\$
Allowable price adjustment If travel arrangements exceed the <u>Total Cost Estimate</u> re-approval is required				\$ 200.00
<b>Total Cost Estimate</b>				<del>\$ 1,168.00</del> 1262.20

133.00

Visa

Visa

I understand this advance will be deducted from my claim for reimbursement of actual travel expenses. I also understand that if this advance is not cleared within 10 calendar days after my travel return date, I shall be held responsible for the full amount advanced and that I may be reprimanded in accordance with the Personal Policies and Procedures for my failure to clear this matter within the time so allotted. Further, in the event that the advance payment is not cleared within 10 calendar days of my return, and I have not filed a formal written dispute as to the amount due, by signing below, I am hereby making a knowing and voluntary wage deduction for the entire amount outstanding.

**Signatures / Approvals**

	Signature	Date	Contact Phone #
Traveler	Racheal Menomini	6/1/16	
Program Director	[Signature]	6/1/16	Not needed
General Manager			Not needed

### Oneida Business Committee Agenda Request

1. Meeting Date Requested: 08 / 10 / 16

2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

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:

*Geraldine R Danforth* 7/25/16

Primary Requestor:

Your Name, Title / Dept. or Tribal Member

Additional Requestor:

Name, Title / Dept.

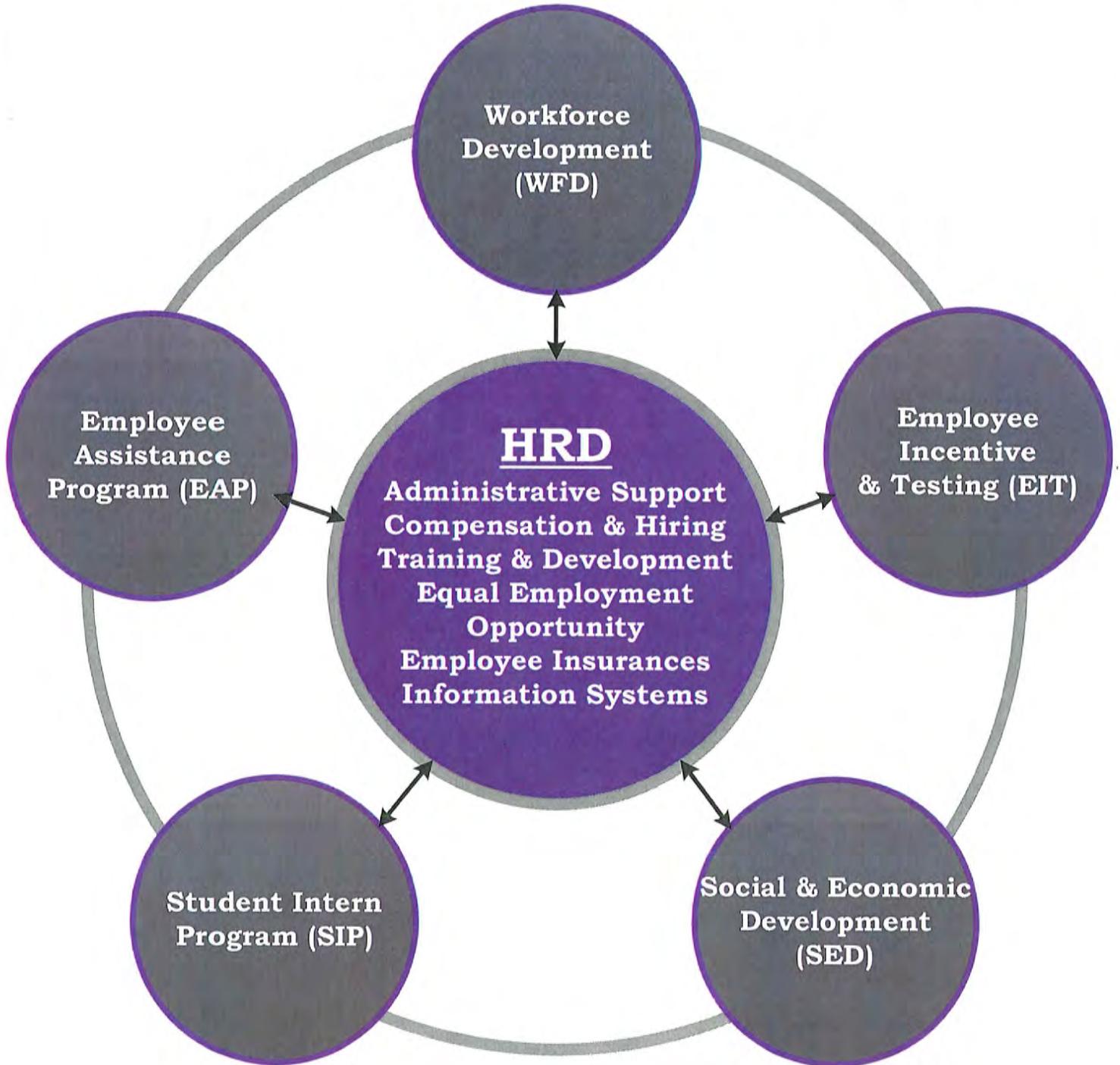
Additional Requestor:

Name, Title / Dept.



# Human Resources Department (HRD)

*3<sup>rd</sup> Quarter Report - FY'16*





## ADMINISTRATION

### • **STRATEGIC WORKFORCE PLANNING**

Strategic workforce plans are used to anticipate the future demands and needs of the organization based on the strategic plans of the business unit and organization. The plan determines how the organizational hierarchy should be set-up and employees deployed to meet those strategic goals. By understanding what skills and talents the current workforce has and comparing that with the future skills and talents the organization will need, the workforce can be shaped for success.

This project will take a minimum of 5-7 years to implement. The planning phase has revealed some systemic changes and milestones that must be met in order for SWP to work for the Oneida Nation. The Strategic Workforce Planning Core Team is working on completion of a charter to outline all of the steps that are necessary for this project to be a success. The first draft of the charter was shared with the BC in the July work meeting. At that meeting, the following next steps were discussed:

1. The SWP Core Team will make a list of the potential “hang ups” SWP will have due to current policies and procedures.
2. The SWP Core Team will begin to gather data to report to the BC on which areas have Strategic Plans, which don’t, how old they are, etc.
3. The draft SWP Charter will include a section to detail how SWP will continue beyond the implementation phase and how that will need to be structured in the organization.
4. Recommendations to the BC on what BC direct reports can begin to report out on how that will get them into the mindset of SWP. For example, they can report out on the status of their business units strategic plans, etc.
5. The team will continue to draft the charter and seek approval

As a final note, during the July BC Work Meeting, the recommendation was made to assign a new lead to the project. A possible consideration is to have the new Organizational Development Specialist work on this project when they are hired.

- **EMPLOYMENT LAW.** The Human Resources Department (HRD) continues to assist the Legislative Operating Committee (LOC) with the development of the draft Employment Law which was originally added to the LOC’s Active Files List on September 17, 2014. The draft Employment Law will provide a fair, consistent and efficient structure to govern all employment matters of the Oneida Tribe.
  - HRD was also given the responsibility to draft the Rules that will provide expectations and standards for implementing the draft Employment Law.
    - The information includes recommended changes to the hiring process, disciplinary process, performance evaluations, holidays, paid time off, etc.
  - The draft Employment Law and Rules, HR is waiting on next steps.

- **DONATION OF HOURS.** HR has communicated to the employment base about the changes, along with the new standard operation procedure, and the required form. HR has received 23 requests, 21 were approved and 1 denied. Currently we have **53 employees** (Total hours are at **957.27 hours** – 13 Exempt and 40 Non-exempt Employees) with donated hours.
- **EXEMPT STATUS CHANGES.** The Department of Labor has revamped the federal overtime laws. One of our main goals is to not wrongly classify a job/position to avoid paying overtime. There are five categories of exempt positions: Executive, Administrative, Professional, Creative Professional, and Computer professional.
  - Weekly earnings threshold increases from \$455 to \$913.
    - Duties test has not been changed by the Department of Labor. Exemptions include the following:
      1. **Executive Exemption.** To qualify for the executive employee exemption, all of the following tests must be met:
        - a. The employee's primary duty must be managing the enterprise, or managing a customarily recognized department or subdivision of the enterprise;
        - b. The employee must customarily and regularly direct the work of at least two (2) or more other full-time employees or their equivalent; and
        - c. The employee must have the authority to hire or fire other employees, or the employee's suggestions and recommendations as to the hiring, firing, advancement, promotion or any other change of status of other employees must be given particular weight.
      2. **Administrative Exemption.** To qualify for the administrative employee exemption, all of the following tests must be met:
        - a. The employee's primary duty must be the performance of office or non-manual work directly related to the management or general business operations of the employer or the employer's customers; and
        - b. The employee's primary duty includes the exercise of discretion and independent judgment with respect to matters of significance.
      3. **Professional Exemption.** To qualify for the learned professional employee exemption, all of the following tests must be met:
        - a. The employee's primary duty must be the performance of work requiring advanced knowledge, defined as work which is predominantly intellectual in character and which includes work requiring the consistent exercise of discretion and judgment;
        - b. The advanced knowledge must be in a field of science or learning; and,
        - c. The advanced knowledge must be customarily acquired by a prolonged course of specialized intellectual instruction.
      4. **Creative Professional.** To qualify for the creative professional employee exemption, all of the following tests must be met:
        - a. The employee's primary duty must be the performance of work requiring invention, imagination, originality or talent in a recognized field of artistic or creative endeavor.
      5. **Computer Employee Exemption.** To qualify for the computer employee exemption, the following tests must be met:

- a. The employee must be compensated either on a salary or fee basis at a rate not less than \$913 per week **or**, if compensated on an hourly basis, at a rate not less than \$27.63 an hour;
- b. The employee must be employed as a computer systems analyst, computer programmer, software engineer or other similarly skilled worker in the computer field performing the duties described below; The employee's primary duty must consist of:
- c. The application of systems analysis techniques and procedures, including consulting with users, to determine hardware, software or system functional specifications;
- d. The design, development, documentation, analysis, creation, testing or modification of computer systems or programs, including prototypes, based on and related to user or system design specifications;
- e. The design, documentation, testing, creation or modification of computer programs related to machine operating systems; or
- f. A combination of the aforementioned duties, the performance of which requires the same level of skills.

Please NOTE: Exempt status is not determined by the title or recommended title of the position, but rather by the scope of work the position or employee performs.

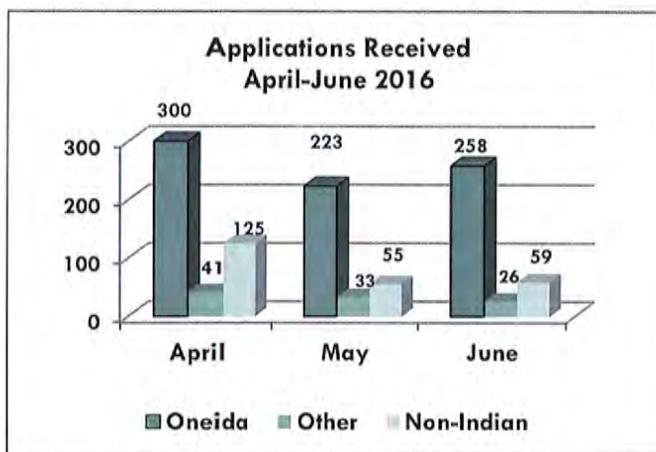
- There are approximately, 623 exempt employees.
  - The impact may be as many as 193 employees in the Programs and other Enterprises being changed to non-exempt employees. HR will review all job descriptions from Grade E01 to E04 which will include updated wage/salary analysis for each position.
    1. Gaming has completed 156 of 160 position salary analysis to determine the new grade.
    2. As of July 22, Gaming has transitioned 33 positions from exempt to non-exempt.
  - Please note the exemption salary threshold is going to be monitored with World at Work and SHRM associations. SHRM is projecting by 2020 the salary threshold is going to be \$1,364.73 weekly or \$70,966/annually.
- **WAGE INCREASE SOP.** The Human Resources Department approved a Standard Operating Procedure (SOP) for implementing wage/salary increases. This SOP will provide guidance on how HRD will implement the increases moving forward. Some of the highlights include:
  - No increase for new hires, contracted-based on language, temporary employees, etc.
  - Employees over the maximum of their pay grade will be frozen. However, they will receive their increase in a one-time lump sum payment.
  - No increase for those employees who ranked unsatisfactory on their annual evaluation.

**Budget:** HRD submitted the following budget for FY 16:

Department	Budget Amount	Funding Source	Spending YTD	Variance
Human Resources	\$2,099,123	Indirect Cost	\$ 1,557,620	\$ 541,503
Employee Assistance	\$ 188,285	Tribal Contribution	\$ 143,840	\$ 44,445
Workforce Development	\$ 322,618	Grant 79% & TC	\$ 193,039	\$ 129,579
Student Intern Program	\$ 122,686	Tribal Contribution	\$ 46,474	\$ 76,212
Employee Incentive & Testing	\$ 12,707	Tribal Contribution	\$ 7,045	\$ 5,662

The Employee Incentive and Testing budget is used to recognize employees who have 25, 30, 35, and 40 years of service or more with a Years of Service gift. This past year, the Tribe had employees who reached their 40<sup>th</sup> year of service with the Tribe.

**EMPLOYEES:** Human Resources Dept. has 33 employees, Workforce Development has 3 employees and EAP has 2 employees. Three positions were eliminated in the budget process.

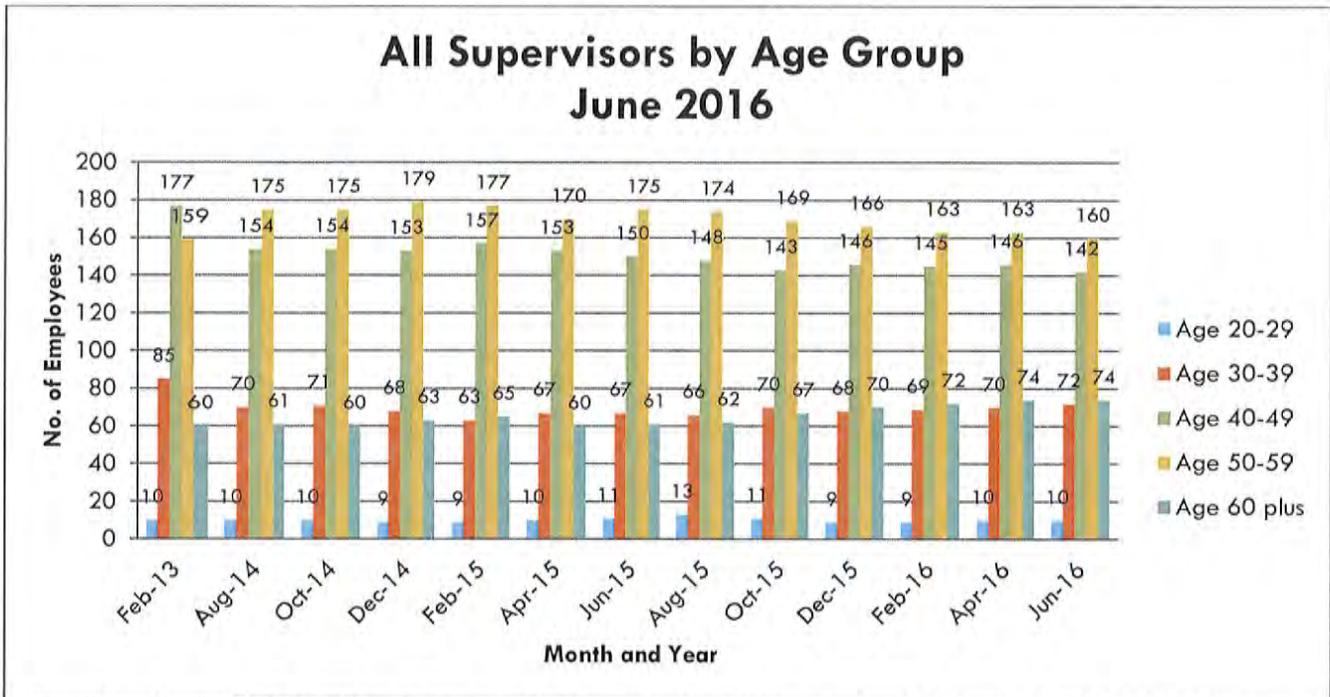


*Administrative Staff at Skenandoah Complex Left to Right: Yasiman Metoxen and Megan White*

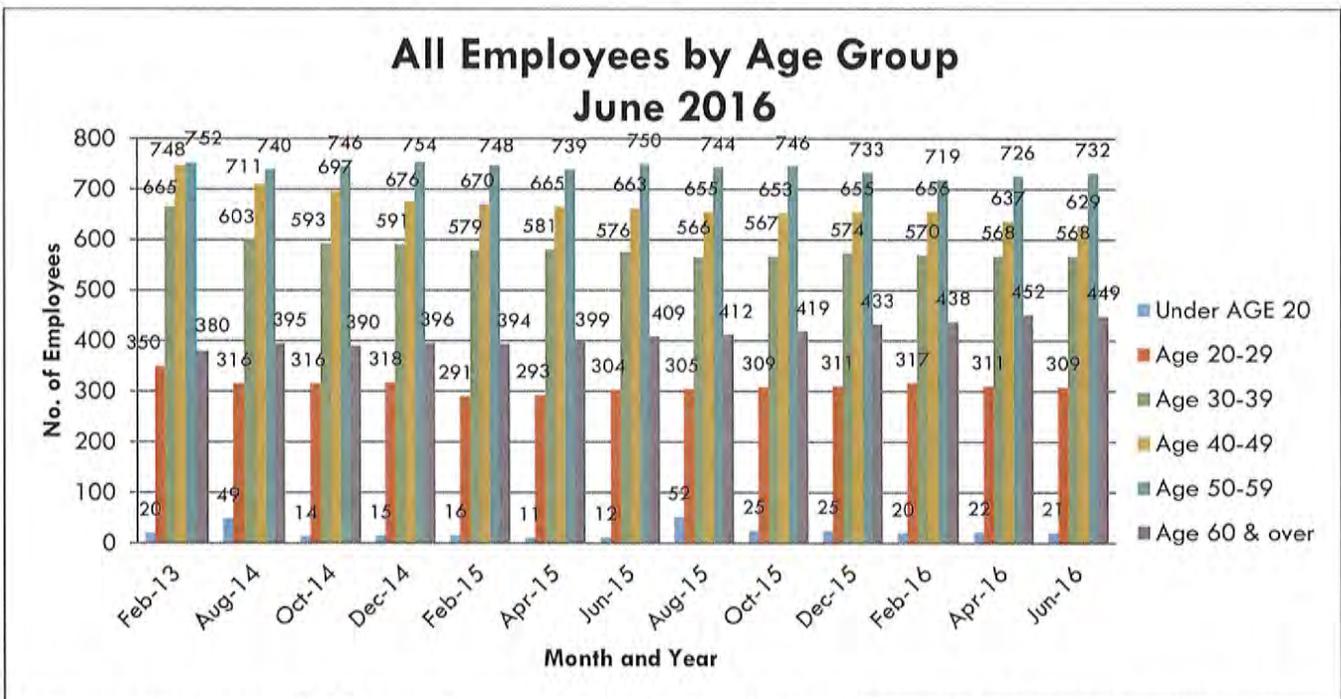


Human Resources' signage. HR has worked with Oneida Printing to develop a "Now Hiring" sign. The sign is intended to attract more people to apply for employment with the Oneida Nation. The sign is placed on the front lawn of the Skenandoah Complex and another at Employee Services on Airport Drive. We will be working on similar signage to place in various locations throughout the Nation. Stay tuned, we are working on a new look for the "job openings" bulletin board in the lobby of the Skenandoah Complex. We will also be looking at other avenues for posting jobs such as Craig's list, Casino Careers, a recruiting firm.





Currently, there are 458 supervisors; in 2013 there were 491, decrease of 33. Of the 458 supervisors, 35.21% of the supervisors are in the age group 50-59. 15.98% of supervisors fall into the 60 plus age group.



This chart represents all 2708 employees of the Nation. The trend is steady for most age groups. The 20 to 29 year old group does not show any change. This can mean, they are either going to school and not working or this can be attributed to shortage of people for positions. The age group of 60 and over have gone from 380 in 2013 to 449 in 2016.

Human Resources is working on a Succession Plan to present to the OBC in the near future to address filling any critical positions that may become vacant as a result of an employee retiring.

- **SUCCESSION PLANNING. PURPOSE:** A succession planning process helps prevent the loss of vital organizational history or knowledge due to retirements, vacancies, and/or resignations. The succession planning process will assess all employees. See age charts on page 5.

It's important to follow a succession planning process to ensure employees are recruited and properly developed so they have the competencies, skills, education, certifications/licenses, and experience necessary to fill vital positions. The HR management team will look at the following:

- Identifying critical positions which are instrumental to achieving strategic and operational goals.
- Anticipating gaps in those positions due to retirement and other factors.
- Defining the qualifications and competencies required to perform successfully in the position.
- Implementing focused strategies to attract and develop pools of qualified candidates who will be ready for emerging opportunities.
- Ensuring that support for the strategies and processes are in place to retain and fully engage employees.
- **MANAGEMENT INTERVIEWS**
  - A. If HRD developed a succession planning process, what would you like to see it include? What don't you want it to include? **RESPONSE:**
    - a. Need the process to find a successor to be as fast. Need the person leaving to have time with successor.
    - b. Smooth transition.
    - c. Need a talent pool, database that has a variety of data on employees knowledge, skill, desires, competencies, licenses, education, and certifications.
    - d. To include a transition period where the successor has time to work with employee vacating the position.
    - e. Revised job descriptions that are revised with supervisor.
    - f. A plan to provide funding to other areas who need succession planning.
    - g. Training offered by Oneida such as Oneida Civics, History, Leadership, Tribal Budgets/Processes, etc.
    - h. Flexibility in whole process.
    - i. Allowing employees to be mentored in other areas to see if they like that job.
    - j. Incentives, merits, promotions for those who go above and beyond.
    - k. Do not use years of service as a qualifier.
    - l. Don't want HR to stop us from selecting the successor we think is best.
  - B. What are the barriers HRD faces in developing and implementing a succession planning process? **RESPONSE:**
    - 1) Qualified candidates.
    - 2) Politics.
    - 3) People not following the rules or adhering to the process.
    - 4) Favoritism.
    - 5) Jealousy.
    - 6) Lack of trust.
    - 7) Policies.
    - 8) Need funding to allow time to mentor/train.
    - 9) Funding.

- 10) Not making a decision.
- C. What recommendations do you have regarding the succession planning process? RESPONSE:
- 1) Have a tribe wide process and open it to all.
  - 2) Identify top performers, talk to them, train them and continually communicate with them.
  - 3) Need time, effort and patience.
  - 4) Work on it constantly.
  - 5) Mandate succession planning and keep pushing it.
  - 6) HRD needs to listen.
  - 7) Start small then go larger.
  - 8) Look at vacation/personal time and prior to person leaving, make sure they use that up.
  - 9) Have process match Tribe's vision, priorities, and core values.
  - 10) Place a value on commitment.
  - 11) Keep engaged employees engaged. Don't promise things that can't happen and be straight forward on what they can expect.
  - 12) Need talent pool with competencies, licenses, education, skills, etc.
  - 13) Keep talent pool updated.
  - 14) Ensure structure is in place for succession planning.
  - 15) Develop a process for contracting with person leaving so they can come back and assist as consultants. Not full time but "as needed".

### **HUMAN RESOURCES INFORMATION SYSTEMS (HRIS)/RECORDS DEPT.**

The team consists of Melinda K. Danforth-HRIS Manager, Terry Skenandore-HRIS Specialist and Vicki Cornelius-Records Technician.

We ensure the HRIS Systems and applications, such as Supervisor Inquiry, Self-Service, Internal Reference Directory and Workforce Detail support the needs of the Human Resources Department. Enter all personnel data into the HR/Payroll System (Infinium), provide personnel data reports (Cognos) to management, complete verification of employment and unemployment requests and oversee the Human Resources personnel files (OnBase).

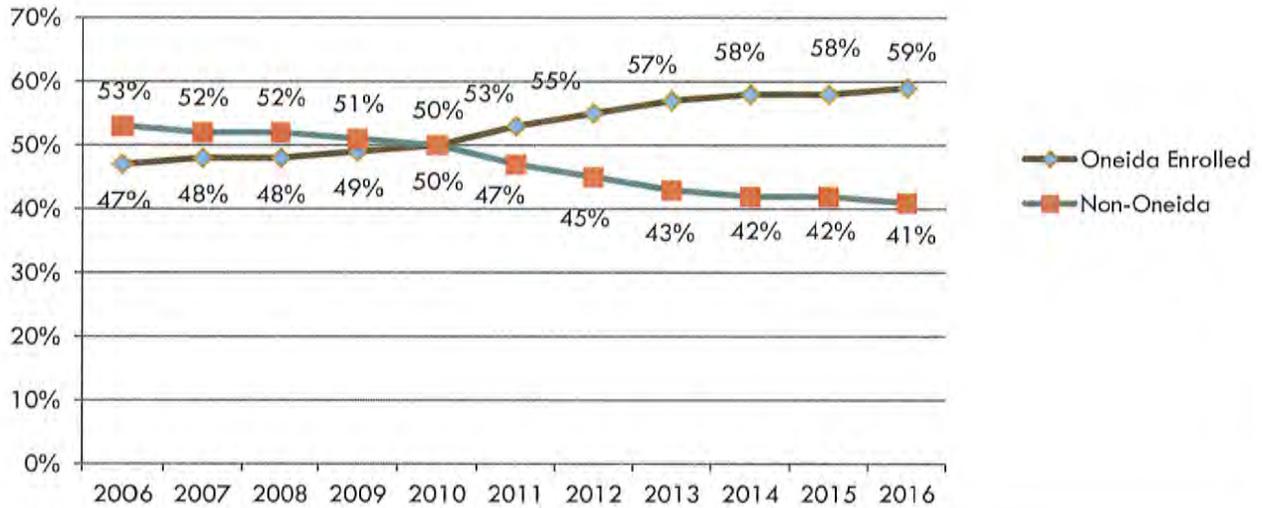
Assisted with the internal systems regarding the Employee Benefits ACA - 1094 testing, Workforce Development Application and Employee Self Service employee wage data.

Functions	Apr	May	June	Total
HR/Payroll Entry Transactions	542	660	651	1853
Employee Self-Service Entries	38	50	26	114
Employment Verifications	197	234	232	664
Unemployment Requests	31	27	134*	192

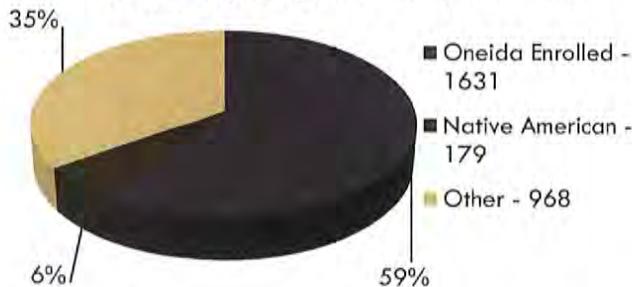
\*Unemployment volume due to school/head start summer layoffs.

**COMPENSATION AND HIRING**

**Ethnicity Report 2006 through 2016**



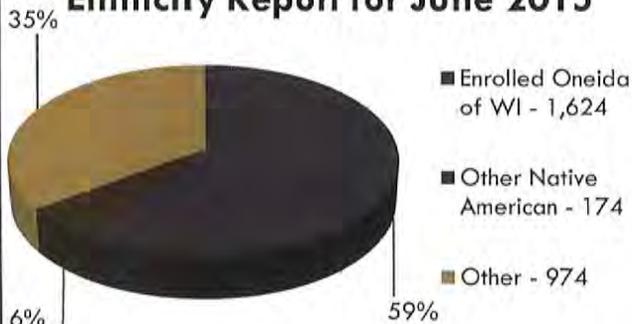
**Ethnicity Report - June 2016**



The Ethnicity report percentages increase for Enrolled Oneida due to the hiring of Summer Student Interns and Summer Youth Workers to 59% in June 2016.

Increase in Number of Employees in comparison to the previous year. There were 2772 employees in June of 2015 and 2,778 employees in June 2016. This is an increase of only six (6) employees in comparison to the previous year.

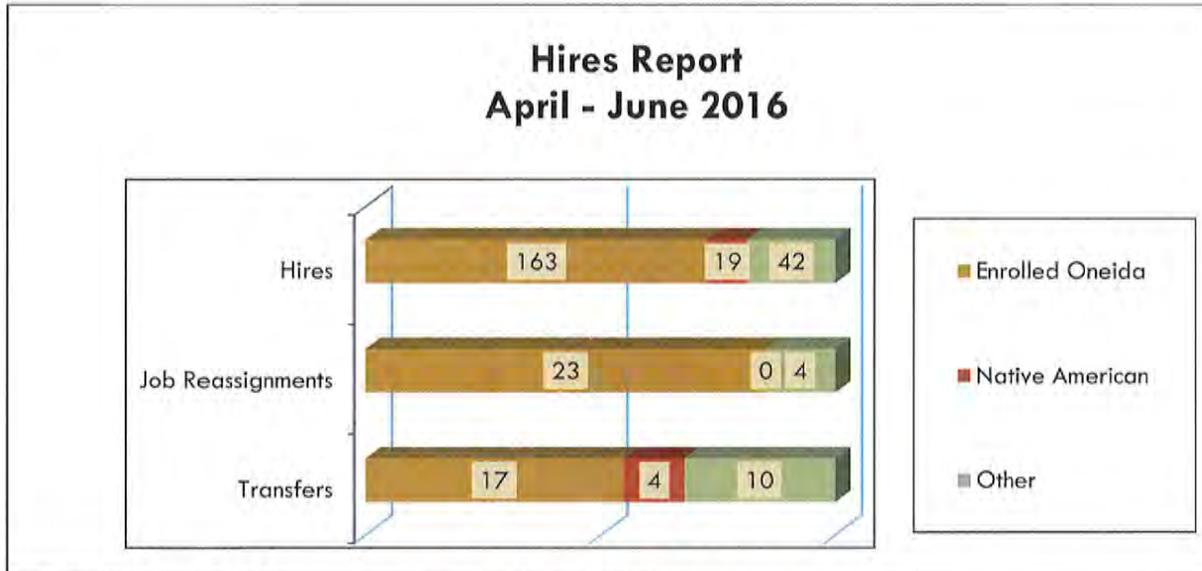
**Ethnicity Report for June 2015**



## Hires Report

For April – June 2016

- 73% of all hires were filled with enrolled Oneida Tribal members.
- 85% of all job reassignments were filled with enrolled Oneida Tribal members.
- 55% of all transfers were filled with enrolled Oneida Tribal members.



For April – June 2015

- 94% of all hires were filled with enrolled Oneida Tribal members.
- 86% of all job reassignments were filled with enrolled Oneida Tribal members.
- 75% of all transfers were filled with enrolled Oneida Tribal members.



NOTE: There were 41 Summer Youth Workers and 30 Student Interns hired during the month of June. Although there were more hires for this quarter this year in comparison to last year, there are only an overall total of six (6) more total employees in comparison to the previous year during this time period.

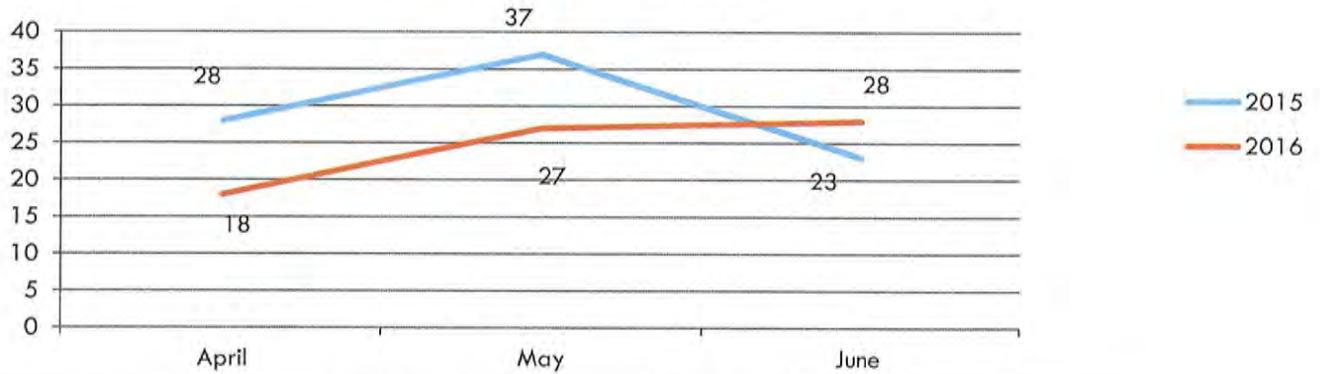
## Job Postings

Job Postings by Division for April, May and June 2016				
	April	May	June	TOTAL
Gaming	8	8	11	27
Comprehensive Health	1	4	6	11
Development	1	1	0	2
Land Management	0	0	0	0
Environmental, Health & Safety	1	1	0	2
Internal Services	0	1	0	1
Enterprise	0	0	0	0
Finance	0	0	0	0
Non-Divisional	5	6	4	15
Governmental Services	2	6	7	15
<b>Total</b>	<b>18</b>	<b>27</b>	<b>28</b>	<b>73</b>

Job Postings by Division for April, May and June 2015				
	April	May	June	TOTAL
Gaming	5	5	3	13
Comprehensive Health	8	7	3	18
Development	0	2	0	2
Land Management	0	1	1	2
Environmental, Health & Safety	0	1	1	2
Internal Services	2	3	1	6
Enterprise	0	0	0	0
Finance	0	2	0	2
Non-Divisional	4	8	6	18
Governmental Services	9	8	8	25
<b>Total</b>	<b>28</b>	<b>37</b>	<b>23</b>	<b>88</b>

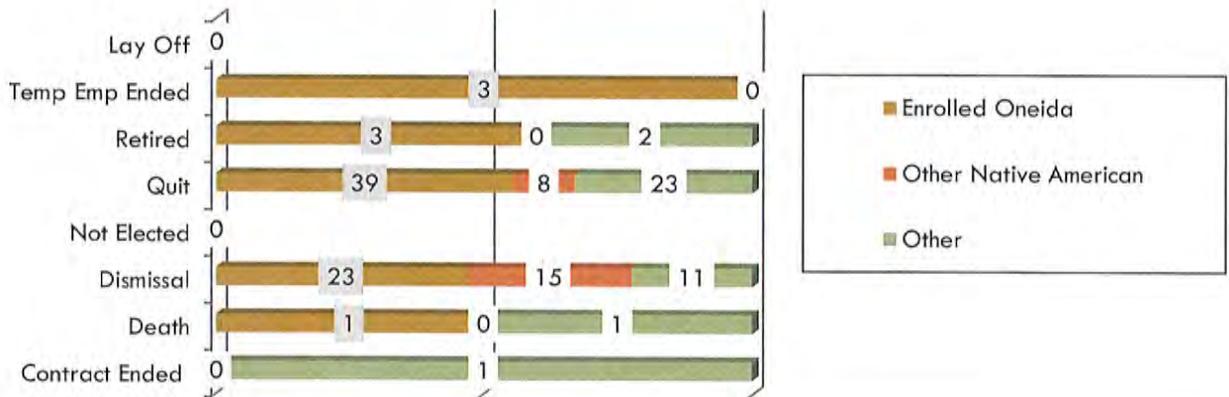
There were 15 fewer job descriptions posted during this quarter in FY2016 in comparison to FY2015.

### Comparison of Job Postings for 3rd Quarter (April - June) of 2015 to 2016

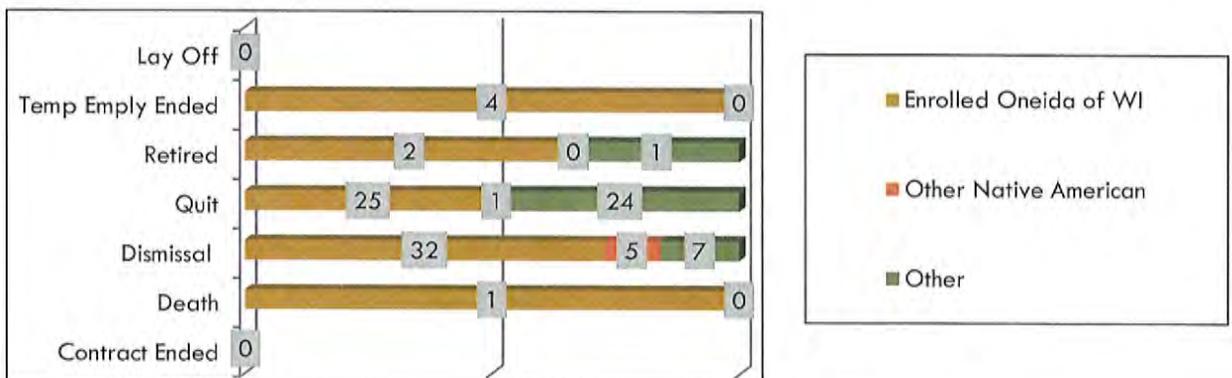


### Employee Separations Reports

#### Employee Separation Report for April - June 2016 by Ethnicity - 130 Separations



#### Employee Reasons for Separation April - June 2015 - 102 Separations.



There were a total of 130 employee separations for the period April through June 2016, compared to 102 employee separations for April - June 2015.

### **WORKFORCE DEVELOPMENT DEPT.**

	April	May	June	TOTAL
TrANS	0	15	0	15
Work Certified	10	0	0	10
OutStanding Applicant	4	5	0	9
NWTC	0	11	11	22
Youth Employment Solution Success	5	4	0	9
Supportive Services	4	5	3	12
Mock Interviews	12	9	9	30
Presentations	11	20	4	35
Client Outreach	69	210	427	706
Collaboration with partners	10	28	57	95
Total	125	307	511	943

During the 3rd Quarter, Workforce Development did outreach to a total of 943 clients. Our Vision is to ***Build a Strong Oneida Workforce*** our project has two (2) objectives :

**Objective 1:** By October 2018, we will build an Oneida workforce by providing classes and training that will increase the knowledge, skill set, employability and earning potential for 180 Oneida community members

**Objective 2:** By October 2018, build both internal and external partnerships with employers and colleges to help 120 program participants obtain full-time employment within the community.

For this past quarter 15 people (this includes our partnership numbers) applied for TrANS. Fifteen participants were chosen and completed TrANS, 90% of the participants are currently employed. This program has given these participants confidence and building tools to start a career in the trades. Some of the instruction/certifications received were OSHA-10, Flag Certification, CPR/AED & First Aid Certification, Blue print reading certification and Fork Lifting Certification. Ten people were recruited for Work Certified and eight (8) were chosen and completed the program.

WFD has partnered with NWTC and CMN. We provided CDL training, Forklift training, and assistance for assorted classes to get in good standing with Higher Education. WFD has sponsored two (2) Forklifting classes that twenty-two (22) people signed up and twenty-two (22) completed and received Forklift Certification. We have reached out to all of our clients to assess where they are now and what are their current needs. WFD partnered with Economic Support to provide a Job Fair at the Radisson. We had one-hundred and forty (140) attendees, and advertised on our Facebook page where six-thousand (6000) people viewed the event and one-hundred and seventy-nine (179) said they were going. Forty (40) employers attended the event.

## EMPLOYEE INSURANCES

During the third quarter of FY16, the Employee Insurance Department worked on the electronic submission of the 1094-C / 1095-C forms to the IRS. The electronic submission was completed and was "Accepted with Errors". Employee Insurance is evaluating the submission to identify why the errors are occurring and what can be done to correct those errors.

The Employee Insurance Department provides benefit administration and employee assistance for: medical, dental, vision, disability, retirement plans, voluntary benefits, flex spending, orientation, and workers compensation.

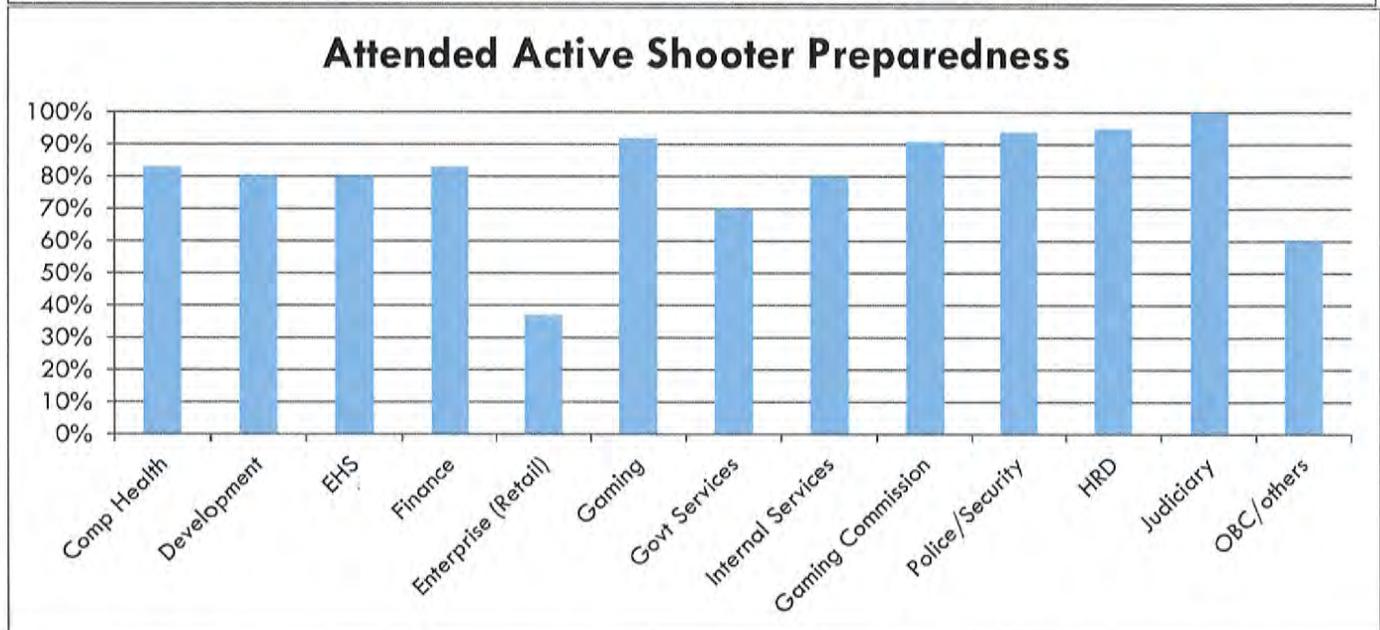
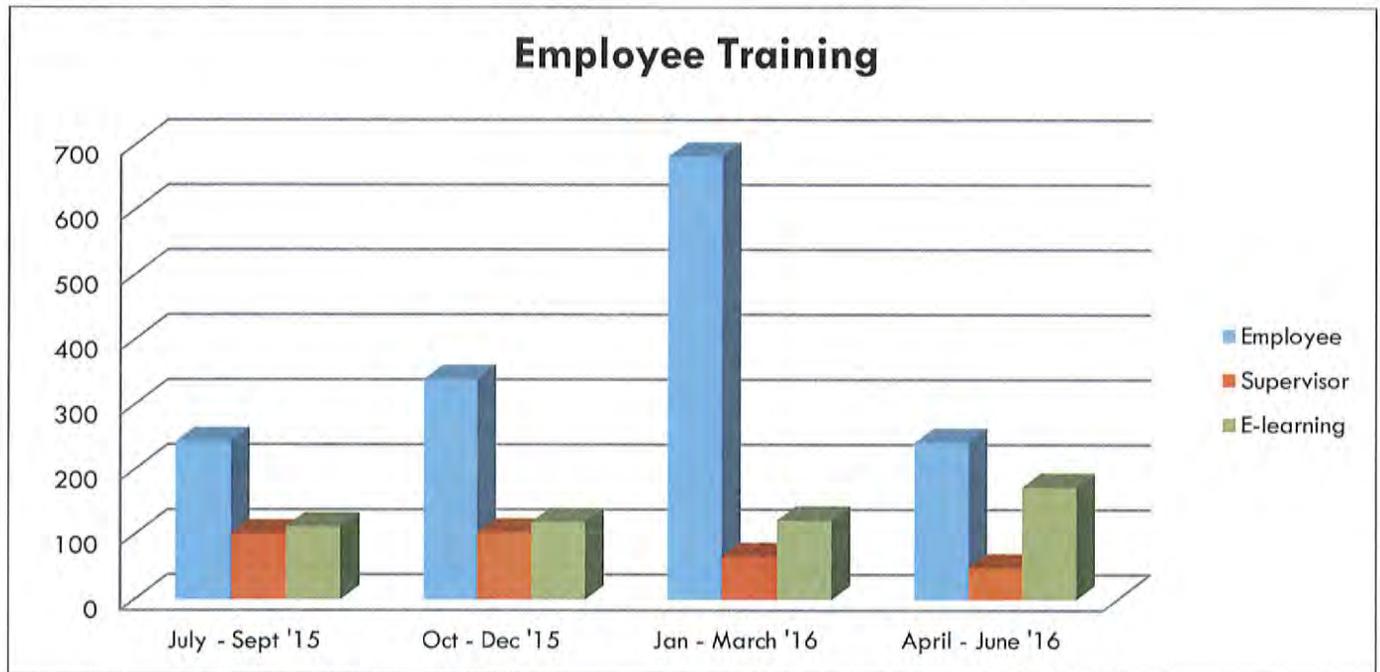
<b>Insurance Requests Processed – Third Quarter FY16</b>	
<b>Type of Requests</b>	<b># of Requests Processed</b>
Leaves/Return to Work	180
Applications, Insurance Changes, Beneficiary, etc.	145
Disability	54
RAS Completions	77
Wellness Incentives	143
Note: This is not a complete listing of requests and does not take into account phone calls, walk-ins, emails, and other miscellaneous requests.	

## **MONTHLY INSURANCE COUNT – June 2016**

<b>Breakdown</b>	<b>Employee Count</b>	<b>COBRA count</b>	<b>Breakdown</b>	<b>Employee Count</b>	<b>COBRA count</b>
401K	1,687		Medical – Single	834	1
LIF52	2,526		Medical - Limited Family	475	
Short Term Disability	2,081		Medical – Family	608	
Long Term Disability	2,082				
Delta Dental – Single	665	7	Vision - Single	784	3
Delta Dental- Limited Family	465	1	Vision - Limited Family	537	1
Delta Dental - Family	616		Vision - Family	706	
Dental Associates – Single	127				
Dental Associates – Limited Family	74				
Dental Associates - Family	93				

The Employee Insurance Department consists of: Christina Blue Bird, Kimberly Schultz, Kristin Jorgenson and Josh Cottrell

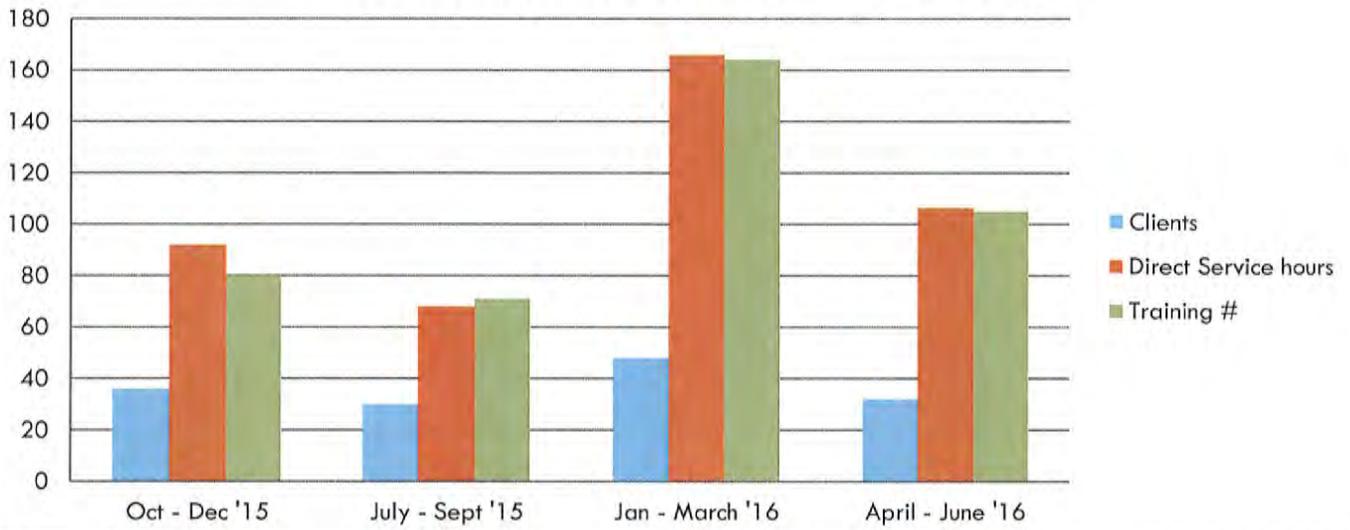
## HRD TRAINING AND DEVELOPMENT



Total employees trained by Special Agent Brian Kastelic: **2017 (37 in February)**. Radisson/Wingate employees trained: 47. The numbers above do not include employees unable to attend due to leave of absence or layoff. GSD - Youth workers were removed from the percentage to more accurately reflect the percentage of employees required to attend.

HRD Training team coordinated the event, with assistance of event registration volunteers mainly from HRD and Gaming Employee Services. Resources to hold the training came from Tourism (printed material), Risk Management, Emergency Management and the Radisson room and equipment rental and coffee.

### Oneida Employee Assistance Program

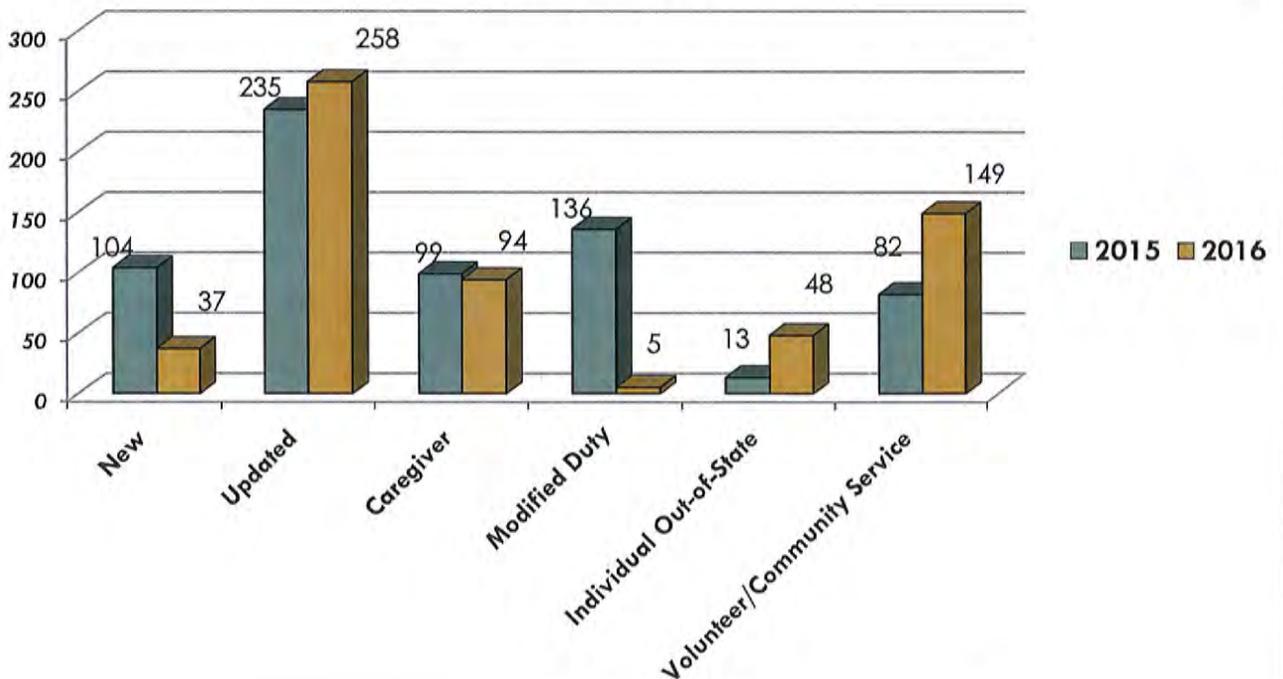


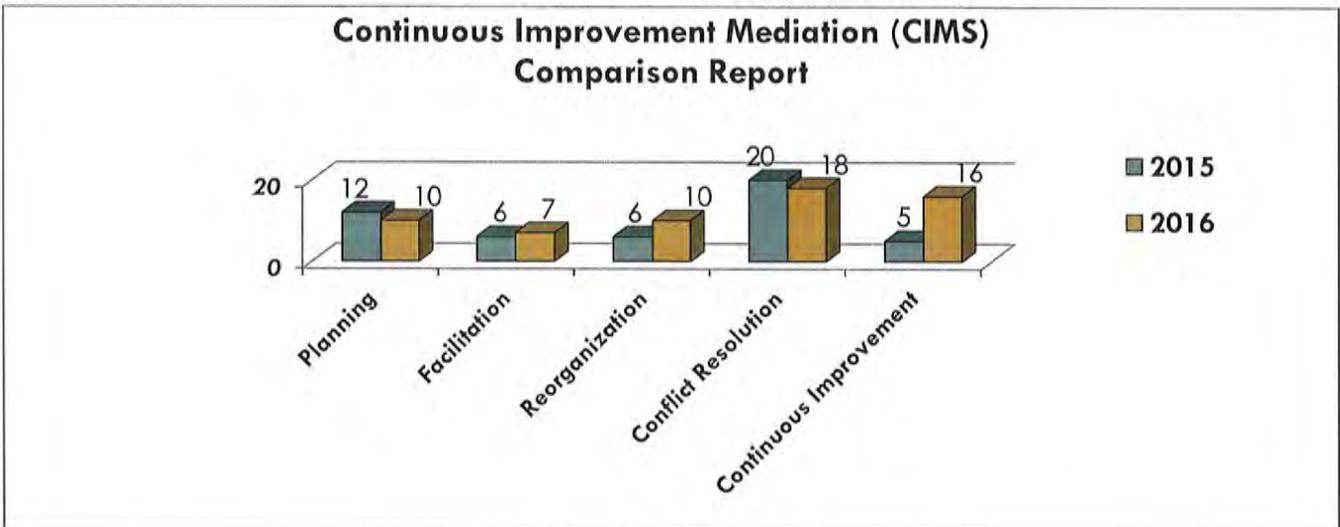
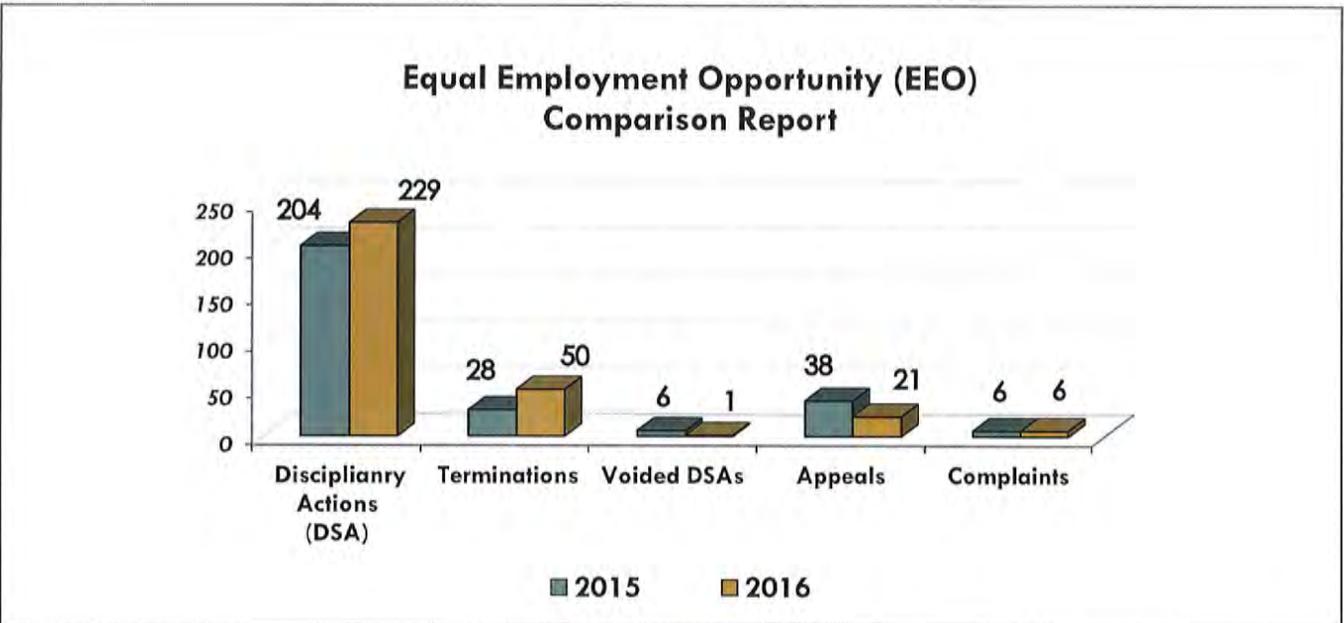
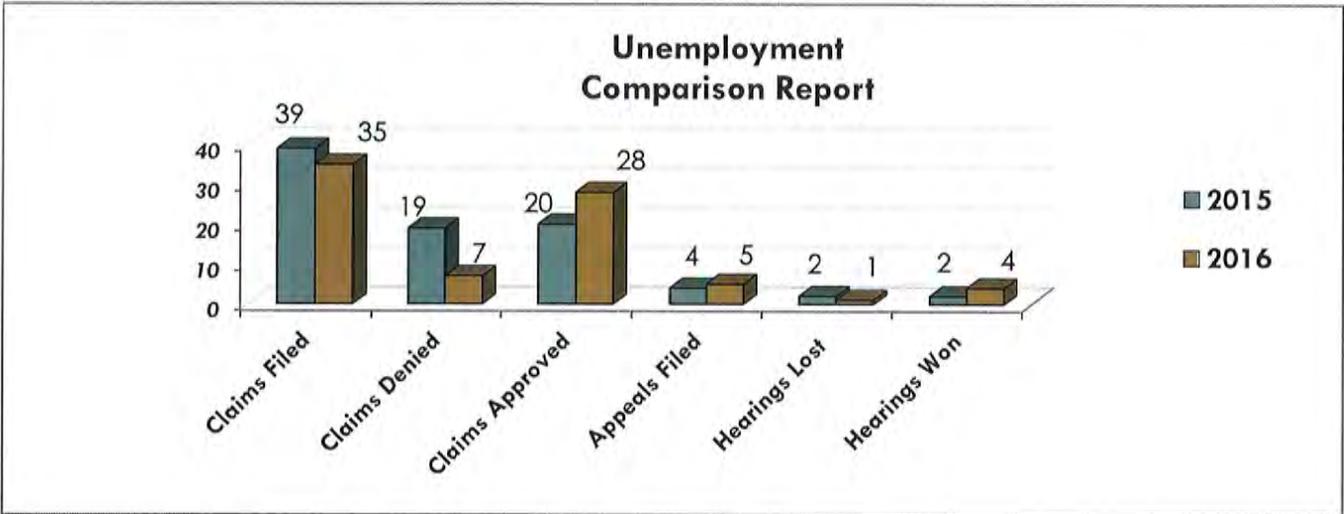
EAP Training includes: Book Clubs, Brown Bag lunch topics, Stress Management and Supervisor training.

\*There was 4 DAFWP Return to Work Agreements this quarter

### EQUAL EMPLOYMENT OPPORTUNITIES (EEO) DEPT.

#### Background Investigations Comparison Report





# Oneida Business Committee Agenda Request

1. Meeting Date Requested: 8 / 10 / 16

## 2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

Governmental Services Division 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:

Primary Requestor/Submitter:

Your Name, Title / Dept. or Tribal Member

Additional Requestor:   
Name, Title / Dept.

Additional Requestor:   
Name, Title / Dept.

8/10/2016

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Governmental Services Division  
*Third Quarter Report*

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FY 16

# Governmental Services Division

## *Third Quarter Report*

### Executive Summary

The third quarter report for Governmental Services is as follows. We also have representation from the Education and Training Area as well as Transit and Social Services. Education and Training staff will provide highlights of this past year to include graduation rates and GPA's for the local schools. Transit will provide an update on the Grant status. We have also have confirmation on an extension of the Yetiya?tanu'nha Program grant. This program works with the ONSS for graduating youth that are not able to thrive in a public school setting.

In addition, the Division is coordinating a fall activity program book which is targeted to ne available by the beginning of September.

FY 16

## Education and Training Area

The following is the scorecard information for the Education and Training Area for the 3<sup>rd</sup> Quarter along with a summary of the information within the reports. I have also attached all the reports for further detailed information.

## Base Number of Customers:

<b>Program</b>	<b>April</b>	<b>May</b>	<b>June</b>
Child Care	63	65	63
YES	470	470	470
Job Training	106	87	138
Higher Education	829	843	861
Early Intervention	86	90	92
Arts	1858	1198	1201
CEC	205	185	185
<b>TOTAL</b>	<b>3617</b>	<b>2938</b>	<b>3010</b>

## Utilization:

<b>Program</b>	<b>April</b>	<b>May</b>	<b>June</b>
Child Care	1323	1300	1323
YES	14245	9085	3512
Job Training	468	542	652
Higher Education	1110	2557	2362
Early Intervention	1000	600	90

FY 16

Arts	5303	4568	5288
CEC	719	629	652
<b>TOTAL</b>	24168	19281	13879

## Customer Service:

<b>Program</b>	<b>April</b>	<b>May</b>	<b>June</b>
Child Care	0%*	97%	90%
YES	100%	96%	0%**
Job Training	100%	100%	100%
Higher Education	100%	100%	94%
Early Intervention	99%	95%	0%**
Arts	96%	92%	100%
CEC***			
<b>Average</b>	99.0%	96.7%	96.0%

\*no surveys returned

\*\* end of school year no surveying

\*\*\*due to re-organization no survey were given out.  
4th quarter surveying clients will happen

FY 16

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**Trends:**

Early Intervention: Slight growth in student numbers, however we are serving many more community children on site rather than at collaborative sites such as Head Start and Child Care.

Job Training: As the temperatures begin to climb we are noticing a significant increase in the number of opportunities for those individuals seeking work. Availability of employment opportunities has led to a decrease in the number of individuals coming to the WIOA program seeking employment and employment support services. Since many of the “new” employment opportunities are of a seasonal or transitional nature we expect the current trend of labor force growth to reverse itself and trend back to normal. Consistent growth in the economy of northeast Wisconsin, however, could lead to continued job growth.

Arts: We are seeing a healthy rise in community initiated projects. For example the basket guild, the beading circles, the Woodland Indian Arts Board, and the Writer’s Project are stable and well received.

CEC: Customer usage remained highest through April and May following the school year. When school (college and k-12) released for summer usage of the CEC shrank. In approximately mid-June usage climbed again as college summer classes began to be in full swing. We have also noticed that on the warmest summer day’s individuals may be seeking a place to get out of the heat. Utilization also tends to increase on week days of GTC meeting san large events such as the powwow, however, utilization typically drops when the events begin. We are seeing an increase in the number of non-Oneida individuals who are still connected to the Oneida community coming in to utilize space and/or services.

**Challenges:**

Child Care: Hiring qualified teacher to increase child enrollment. One change that was made to work with this challenge was to increase the teacher’s wages, and reinstate hiring teacher trainees.

Youth Enrichment Services: Lack of appropriate staffing (staff/client ratios) and a vacant position continue to be a challenge in providing services to the youth. An additional Advocate also transferred to another area at the beginning of June, so there are two vacant Advocate positions. We hope to have both of those positions filled by the end of August. The Y.E.S. staff is addressing more social concerns with the youth than in past years. In the past the Advocates have spent a lot of time working with about 1/4 of the client base on social issues, this year that number has moved to about 1/3 of the youth.

Concerns about the academic progress and school readiness for the kindergarten youth continues. The meeting with the Oneida Head Start staff did not lead to any ideas for improvement, as Head Start is also seeing the lack of readiness of the children entering Head Start. Early Intervention has offered to work together to help provide some parenting programming in the next school year.

**Job Training:** One of the biggest challenges to the programming of the Job Training Programs is the identification of the numbers in the population that could potentially be serviced by our programming. No statistics exist, for example, that identify the numbers of person with disabilities that may be experiencing employment limiting conditions due to their disability. Population data is not broken down to the point of identification of person living below the poverty-income levels. Availability of this data would go a long way in assisting program staff in identifying unmet needs in the area of disability and of those living in poverty.

#### **Planned Outcomes for 4<sup>th</sup> quarter:**

**Early Intervention:** We are receiving more requests from community members on education and advocacy services and plan to have some 2 hour trainings this fall for families who have children that attend public school. This will help parents learn to advocate for themselves.

**Child Care:** Hire staff and take children off the waiting list (increase enrollment by 15 children). Present business plan to the Oneida Business Committee.

**Youth Enrichment Services:** Hire vacant position and gear up for the 2016-2017 school year.

**Higher Education:** Continue to disburse the Oneida Higher Education Scholarship to finish out 2016 academic year and begin the disbursements for the 2017 academic year. Working on procedures for “new student” contact for first time students and the graduation report.

**Arts:** We are working on our Music from Our Culture camp (July 25-August 11), our tour with MOC at the end of August to perform at the Big Top in Bayfield, our trip to Seattle with KLU in September, our Wisconsin Arts Board grant fringe programming at the International Raised Bead work Conference In Oneida in September, and the opening of an exhibit on the rise of raise beadwork in Wisconsin opening at the Watrous Gallery in Madison. We will measure our fringe programming for customer satisfaction.

**CEC:** We will finish the remodel work on the CEC. We will continue to expand community programming and assist the community in connecting with the programs

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and services they are in need of or want access to. Finally, we will continue to analyze and rework job descriptions and expectations for staff members.

#### Youth Enrichment Services Program

Mission – to assist in the advancement of educational, cultural, and social development of American Indian students in the Oneida community and select schools in surrounding school districts.

#### Program Operational Plan

Initiatives/Major Activities	Critical Success Factor	Short Term Outcomes	Intermediate Outcomes	Long Term Outcomes
Increased Graduation Rates	Student Graduation 90%>	80% of students Graduating	90% of students Graduating	100% of Students Graduating
Improve GPAs	GPA 3.0>	75% w/GPA>2.5	90% w/GPA > 3.0	100% w/GPA >3.0
Positive Self-concept and Self Esteem	Knowledge, skills, abilities (based on benchmarks for their grade level), culture, interpersonal skills.	75% of students assessed and with development plans.	50% of youth participating in extra-curricular activities.	75% demonstrating positive behavioral traits, characteristics.

#### Objective 2: Improve Customer Experience (Surveys)

Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept
96.0%	94.0%	96.0%	96.0%	96.0%	95.0%	100%	96%	NA	NA	NA	NA

#### Objective 7: Utilization of Growth & Development Opportunities PM 1 of 2 (Base No. of Customers)

Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept
433	453	453	453	453	453	470	470	470	NA		

The base number of customers is the number of Y.E.S. Eligible youth who may receive services at the Y.E.S. schools. This number does not include the Title VII youth who may also be receiving services. Y.E.S. Eligible means that the program has a Parental Release, American Indian Student Eligibility Form, and verification that the child is either enrolled in a federally recognized tribe or ¼ American Indian.

#### Objective 7: Utilization of Growth & Development Opportunities PM2 of 2 (Usage/Contacts)

Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept
11,778	8,671	7,338	7,901	15,989	14,516	14,245	9,081	3,512	NA		

## Objective 8: Improve Growth &amp; Development Outcomes (Client Development Plans Completed)

Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept
22%	22%	25%	26%	28%	41%	42%	42%	NA	NA		

## Graduation Rates

Intermediate Outcome of this initiative is 90% of the Y.E.S. eligible youth graduating.

The graduation rate for this year was 92%, exceeding this outcome.

YES Program	2015 - 2016			2014 - 2015			2013-2014		
	Total No. of Native Seniors	YES Eligible	YES Eligible Grads	Total No. of Native Seniors	YES Eligible	YES Eligible Grads	Total No. of Native Seniors	YES Eligible	YES Eligible Grads
Freedom	10	2	2	6	2	2	3	2	1
Southwest	32	19	18	40	15	14	31	18	14
Pulaski	9	5	5	12	5	5	13	5	5
Seymour	18	15	12	18	16	15	17	14	13
West De Pere	14	9	9	13	13	13	17	16	16
Totals	83	50	46	89	51	49	81	55	49
% of YES Eligible Youth		60%	92%		57%	96%		67%	89%

YES Eligible Seniors may include Special Education students who may not be graduating with their cohort.

## Grade Point Averages

***These numbers do not include the GPAs for the Title VII youth that are served by the Y.E.S. Staff.***

Operational Plan Initiative - Improve GPAs with short term outcomes of 75% of the youth having a GPA >2.5, intermediate outcome of 90% of the youth with a GPA >3.0, and a long term outcome of 100% with a GPA >3.0. Knowledge, skills and abilities based on the students' grade level.

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## Grade Point Averages – Elementary Level - 2015-2016

King Elementary and Rock Ledge Primary/Intermediate							Totals
Grade	K	1	2	3	4	5	
<b>No. of Youth</b>	<b>11</b>	<b>9</b>	<b>22</b>	<b>16</b>	<b>18</b>	<b>21</b>	<b>97</b>
0.00 - 0.99	0	0	0	0	0	0	0
1.0 - 1.99	1	2	1	0	1	0	5
2.0 - 2.24	1	0	0	2	1	1	5
2.25 - 2.49	1	2	4	4	2	4	17
2.5 - 2.74	3	1	7	5	5	6	27
2.75 - 2.99	3	2	4	5	6	9	29
3.0 - 3.24	1	2	6	0	2	1	12
3.25 - 3.49	0	0	0	0	1	0	1
3.50 - 3.74	1	0	0	0	0	0	1
3.75 - 3.99	0	0	0	0	0	0	0
4.00	0	0	0	0	0	0	0

## Grade Point Averages

## Middle School Level - 2015-2016

Lombardi, Seymour and West De Pere Middle Schools				
Grade	6	7	8	
<b>No. of Youth</b>	<b>5</b>	<b>4</b>	<b>4</b>	<b>14</b>
	<b>0</b>	<b>9</b>	<b>4</b>	<b>3</b>
0.00 - 0.99	1	0	2	3
1.0 - 1.99	5	10	8	23
2.0 - 2.24	6	5	5	16
2.25 - 2.49	5	6	4	15
2.5 - 2.74	2	9	3	14
2.75 - 2.99	9	8	2	19
3.0 - 3.24	3	8	5	16
3.25 - 3.49	9	2	6	17
3.50 - 3.74	7	1	6	14
3.75 - 3.99	3	0	3	6
4.00	0	0	0	0

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## Grade Point Averages

High School Level - 2015-2016

Southwest, Seymour and West De Pere High Schools					
Grade	9	10	11	12	
<b>No. of Youth</b>	<b>51</b>	<b>53</b>	<b>47</b>	<b>37</b>	<b>188</b>
0.00 - 0.99	6	3	5	4	18
1.0 - 1.99	17	16	12	7	52
2.0 - 2.24	3	4	9	3	19
2.25 - 2.49	3	4	4	7	18
2.5 - 2.74	9	5	5	6	25
2.75 - 2.99	4	5	2	1	12
3.0 - 3.24	1	8	4	3	16
3.25 - 3.49	2	4	3	3	12
3.50 - 3.74	2	3	2	2	9
3.75 - 3.99	2	1	1	0	4
4.00	2	0	0	1	3

Y.E.S. Program GPA - % of 2.5 or Above By School and Marking Period						
School		No. of Y.E.S. Youth	% with GPA of 2.5 to 2.99	% with GPA of 3.0% or above	% of Youth at 2.5 or above	Number of Y.E.S. Youth Below a 2.5
King Elementary	Trimester 1	45	44	23	67	15
King Elementary	Trimester 2	52	49	38	87	7
King Elementary	Trimester 3	55	49	39	88	7
Average		51	47	33	81	
Lombardi Middle	Semester I	55	21	36	57	24
Lombardi Middle	Semester 2	56	12	32	44	25
Average		56	17	34	51	
Southwest High	Semester I	64	25	21	46	29
Southwest High	Semester 2	62	17	17	34	21
Average		63	21	19	40	
Rock Ledge Pri./Int.	Semester I	46	65	5	70	14
Rock Ledge Pri./Int.	Semester 2	41	71	2	73	11
Average		44	68	4	72	
Seymour Middle	Semester I	64	19	50	69	20
Seymour Middle	Semester 2	64	30	36	66	22
Average		64	25	43	68	
Seymour High	Semester I	74	27	22	49	38
Seymour High	Semester 2	69	21	26	47	37

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Average		72	24	24	48	
West De Pere Middle	Trimester I	24	14	49	63	9
West De Pere Middle	Trimester 2	22	12	48	60	9
West De Pere Middle	Trimester 3	22	18	45	63	8
Average		23	15	47	62	
West De Pere High	Trimester I	47	10	42	52	23
West De Pere High	Trimester 2	48	10	43	53	23
West De Pere High	Trimester 3	48	23	27	50	24
Average		48	14	37	52	

% of Y.E.S. Youth with at GPA of 2.5 by Grade

School	Green Bay King Elementary School											
Year	Tri. I 2015 - 2016						Tri. II 2015-2016					
No. Of Youth	3	5	10	9	17	1	7	5	11	9	9	11
<b>Grade</b>	<b>K</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>K</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
%2.5-2.99	0%	20%	60%	22%	65%	100%	43%	20%	55%	79%	56%	45%
<b>%3.0+</b>	<b>33%</b>	<b>40%</b>	<b>40%</b>	<b>0%</b>	<b>24%</b>	<b>0%</b>	<b>57%</b>	<b>40%</b>	<b>45%</b>	<b>0%</b>	<b>33%</b>	<b>55%</b>
Total 2.5+	33%	60%	100%	22%	89%	100%	100%	60%	100%	78%	89%	100%

School	Green Bay King Elementary School											
Year	Tri. III 2015 - 2016						2014-2015					
No. Of Youth	3	5	10	9	17	1	13	21	11	12	18	20
<b>Grade</b>	<b>K</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>K</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
%2.5-2.99	57%	20%	37%	78%	44%	55%	61%	33%	64%	67%	45%	50%
<b>%3.0+</b>	<b>43%</b>	<b>40%</b>	<b>55%</b>	<b>0%</b>	<b>56%</b>	<b>45%</b>	<b>38%</b>	<b>43%</b>	<b>0%</b>	<b>17%</b>	<b>11%</b>	<b>20%</b>
Total 2.5+	100%	60%	91%	78%	100%	100%	99%	76%	64%	84%	56%	70%

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% of Y.E.S. Youth with at GPA of 2.5 by Grade

School	Green Bay Lombardi Middle School								
Year	Sem. I 2015-2016			Sem. II 2015-2016			2014-2015		
No. Of Youth	19	18	18	20	18	18	23	29	28
<b>Grade</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>6</b>	<b>7</b>	<b>8</b>
%2.5-2.99	32%	28%	11%	15%	22%	0%	39%	13%	39%
<b>%3.0+</b>	<b>53%</b>	<b>28%</b>	<b>28%</b>	<b>45%</b>	<b>11%</b>	<b>39%</b>	<b>57%</b>	<b>24%</b>	<b>21%</b>
Total 2.5+	85%	48%	38%	60%	33%	39%	96%	37%	60%

% of Y.E.S. Youth with a GPA of 2.5 by Grade

School	Green Bay Southwest High School											
Year	Sem. I 2015-2016				Sem. II 2015-2016				2014-2015			
No. Of Youth	16	16	17	15	17	17	17	11	20	15	15	11
<b>Grade</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>
%2.5-2.99	25%	19%	29%	27%	12%	24%	18%	27%	25%	13%	20%	0%
<b>%3.0+</b>	<b>6%</b>	<b>25%</b>	<b>24%</b>	<b>27%</b>	<b>6%</b>	<b>24%</b>	<b>18%</b>	<b>18%</b>	<b>15%</b>	<b>27%</b>	<b>13%</b>	<b>18%</b>
Total 2.5+	31%	44%	53%	54%	18%	48%	36%	35%	40%	40%	33%	18%

% of Y.E.S. Youth with a GPA of 2.5 by Grade

School	Seymour Rock Ledge Primary/Intermediate													
Year	Sem. I 2015-2016							2014-2015						
No. Of Youth	5	4	11	7	9	10		4	19	11	14	17	27	
<b>Grade</b>	<b>K</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>		<b>K</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	
%2.5-2.99	80%	75%	55%	86%	56%	30%		100%	37%	27%	57%	41%	15%	
<b>%3.0+</b>	<b>0%</b>	<b>0%</b>	<b>9%</b>	<b>0%</b>	<b>0%</b>	<b>20%</b>		<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>12%</b>	<b>0%</b>	
Total 2.5+	80%	75%	64%	86%	56%	50%		100%	37%	27%	57%	53%	15%	
School	Seymour Rock Ledge Primary/Intermediate													
Year	Sem. II 2015-2016													
No. Of Youth	5	3	9	7	7	10								
<b>Grade</b>	<b>K</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>								
%2.5-2.99	100%	67%	56%	86%	71%	44%								
<b>%3.0+</b>	<b>0%</b>	<b>0%</b>	<b>11%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>								
Total 2.5+	100%	67%	67%	86%	71%	44%								

% of Y.E.S. Youth with a GPA of 2.5 by Grade

School	Seymour Middle School								
Year	Sem. I 2015-2016			Sem. II 2015-2016			2014-2015		
No. Of Youth	25	19	20	24	20	20	28	26	24
<b>Grade</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>6</b>	<b>7</b>	<b>8</b>
%2.5-2.99	20%	26%	10%	21%	40%	30%	22%	16%	16%
<b>%3.0+</b>	<b>44%</b>	<b>37%</b>	<b>70%</b>	<b>42%</b>	<b>15%</b>	<b>50%</b>	<b>54%</b>	<b>62%</b>	<b>71%</b>
Total 2.5+	64%	63%	80%	63%	55%	80%	76%	78%	87%

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% of Y.E.S. Youth with a GPA of 2.5 by Grade

School	Seymour High School											
Year	Sem. I 2015-2016				Sem. II 2015-2016				2014-2015			
No. Of Youth	19	22	19	14	18	21	19	11	33	27	17	15
Grade	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>
%2.5-2.99	47%	23%	21%	14%	39%	14%	11%	18%	15%	14%	18%	7%
<b>%3.0+</b>	<b>16%</b>	<b>32%</b>	<b>26%</b>	<b>14%</b>	<b>22%</b>	<b>29%</b>	<b>26%</b>	<b>27%</b>	<b>18%</b>	<b>14%</b>	<b>12%</b>	<b>33%</b>
Total 2.5+	63%	55%	47%	29%	61%	43%	37%	45%	33%	28%	30%	40%

% of Y.E.S. Youth with a GPA of 2.5 by Grade

School	West De Pere Middle School											
Year	Tri I 2015-2016			Tri II 2015-2016			Tri III 2015-2016			2014-2015		
No. Of Youth	6	11	7	6	11	5	6	11	5	10	8	15
Grade	<b>6</b>	<b>7</b>	<b>8</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>6</b>	<b>7</b>	<b>8</b>
%2.5-2.99	17%	9%	14%	17%	0%	20%	17%	18%	20%	30%	50%	33%
<b>%3.0+</b>	<b>83%</b>	<b>36%</b>	<b>29%</b>	<b>67%</b>	<b>36%</b>	<b>40%</b>	<b>67%</b>	<b>27%</b>	<b>40%</b>	<b>30%</b>	<b>38%</b>	<b>13%</b>
Total 2.5+	100%	45%	43%	84%	36%	60%	84%	45%	60%	60%	88%	46%

% of Y.E.S. Youth with a GPA of 2.5 by Grade

School	West De Pere High School															
Year	Tri I 2015-2016				Tri II 2015-2016				Tri III 2015-2016				2014-2015			
No. of Youth	14	14	11	8	14	14	11	9	15	14	11	8	17	15	14	8
Grade	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>
%2.5-2.99	14%	14%	9%	0%	14%	14%	9%	0%	13%	21%	27%	13%	12%	13%	7%	38%
<b>%3.0+</b>	<b>36%</b>	<b>43%</b>	<b>27%</b>	<b>63%</b>	<b>36%</b>	<b>43%</b>	<b>27%</b>	<b>67%</b>	<b>20%</b>	<b>29%</b>	<b>9%</b>	<b>50%</b>	<b>41%</b>	<b>27%</b>	<b>50%</b>	<b>50%</b>
Total %2.5+	50%	57%	36%	63%	50%	57%	36%	67%	33%	50%	36%	63%	53%	40%	57%	88%

We will continue to struggle with meeting the GPA goals as long as we are understaffed. Based on recommended staff to client ratios, all of the Y.E.S. program locations are understaffed. The Seymour Middle School site was without Advocate for most of the school year. The Seymour High School Advocate left the program at the beginning of June. Both Advocate positions are posted and interviews will be conducted the first week of August. The targeted start date is August 22nd.

There are no Specialist positions at King Elementary or West De Pere High School. There is also no Advocate position for West De Pere Middle School. All three positions have been requested as part of the 2017 budget.

### Positive Self-concept and Self-Esteem

Students assessed and with development plans – 42% of the youth had client development plans developed. Lack of sufficient staff to address the social needs of the children/youth at King Elementary, Seymour Middle School, West De Pere Middle School has prevented us from achieving the goal of 75%. Many of the students have been assessed, but staff has not had the time to document/fully develop a plan for each of the youth.

Staff and school team meetings will be held to discuss program changes/modifications. The manager will work more closely with those team members who were unable to complete /carry out plans to adjust program/service delivery. One consideration is changing the focus/job descriptions of the Y.E.S. Advocates to place more emphasis on monitoring grades and attendance (case management) versus planning/facilitating groups, culture, and post-secondary activities.

### Extra-curricular Activities

Of 470 Y.E.S. youth, 208 (44%) participated in extra-curricular activities for the year. The 44% is slightly below the intermediate outcomes of the plan and I believe that we will be at the 50% goal when the King report is updated. King Elementary is not included due to a computer malfunction and those numbers will be updated in September, when the Advocate returns to work. The youth's extra-curricular activity participation was at 50% for the first semester.

There is no Advocate at West De Pere Middle School, so we do not have the extra-curricular activity information. The Advocate at Seymour Middle School was unavailable for most of the year, so we do not have information for those youth. In addition to participating in Y.E.S. Program groups/activities, the youth participated in:

Chorus	Track & Field	Cross Country	Softball
Basketball	Musical	Student Council	School Play
Football	Soccer	Band	Baseball
Lacrosse	Volleyball	Golf	Wrestling

Other activities included membership in school clubs/organizations, such as Chess, French, Spanish, Future Farmers of American, DECA, Students Against Drunk Driving, running (in preparation for the Cellcom/Bellin, bowling, hockey, etc.

While not recognized as an extra-curricular activity, the Y.E.S. Staff has ensured that a number of the Y.E.S. youth participate/participated in the following activities to encourage post-secondary education and career exploration:

Bellin College of Nursing Information Session

Oneida Higher Education College Fair

Oneida Community Health Center Health Career Fair

St. Norbert College Native Day

## UW Oshkosh Native Preview Day

UW Madison Information Technology Academy (*ITA*) Tribal Technology Institute (*TTI*) (*ITA* requires continued academic and social support for the students who have been accepted into this multi-year program. There are currently two cohorts of Oneida youth participating in the ITA Program.)

The majority of the Y.E.S. youth participate in a group or groups that promote/enhance positive self-esteem and identity. Groups are held at various times of the day, depending on the needs of the youth and the school schedules. There is a morning program at King Elementary School, which is operated with the assistance of the TRAILS and the Green Bay Title VII Program. Lunch periods may include presentations on various topics, Oneida Language or Culture presentations, or lunch bunch groups to get to catch up with the youth. Homework help and beading circles may be held after school. Two staff members also assist with after-school homework help at the County H Building on Mondays and Wednesdays. The TRAILS program was also requested to provide programming at Seymour's Rock Ledge Primary and Intermediate schools to help address some behavior concerns.

The Green Bay Y.E.S. Staff collaborated with Experiential and Adventures to host a transition/leadership development program to assist the children transitioning from King Elementary to Lombardi Middle School and from Lombardi Middle School to Southwest High School. Participation in this program was voluntary.

The Y.E.S. Staff will continue to work on assisting the youth with improving their GPAs to meet the >2.5 GPA targets. They will also continue monitoring and working with the high school seniors to meet the graduation rate initiative. The social development of the youth is on-going through one-on-one meetings/support as well as continuing with groups. Some of the reports have or will be reformatted to streamline reporting.

There is a new Y.E.S. Specialist at Seymour Rock Ledge. The Specialist began working on client development plans, getting to know the children, and tutoring after the start of the new year. The Specialist's emphasis will be on working with the K – 3<sup>rd</sup> grade youth who are struggling academically. Summer school help was also be provided.

## Challenges

Lack of appropriate staffing (staff/client ratios) and a vacant position continue to be a challenge in providing services to the youth. An additional Advocate also transferred to another area at the beginning of June, so there are two vacant Advocate positions. We hope to have both of those positions filled by the end of August. The Y.E.S. Staff is addressing more social concerns with the youth than in past years. In the past the Advocates have spent a lot of time working with about ¼ of their client base on social issues, this year that number has moved to about 1/3 of the youth.

Concerns about the academic progress and school readiness for the kindergarten youth continues. The meeting with the Oneida Head Start staff did not lead to any ideas for improvement, as Head Start is also seeing the lack of readiness of the children entering Head Start. Early Intervention has offered to work together to help provide some parenting programming in the next school.

A couple of discussions have taken place to see how we can better meet the needs of the youth. Ideas have included changing the Y.E.S. Advocate job descriptions and/or hiring a social worker(s). The job

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descriptions may be changed to emphasize social work/case management. A related concern in changing the qualifications of the Advocate would be a potential budgetary impact in consideration of a change in qualifications or adding a social worker.

The Y.E.S. Staff have received additional training to help with addressing some of the social issues the youth are experiencing. Many have received Trauma Informed Care Training and Youth Mental Health First Aid training since the beginning of the school year.

New initiative: Vocational and Technical Education Program. Education & Training is developing new opportunities for students to explore different careers with area businesses to benefit from a pipeline of skilled workers. The goal is to train our successors. You do not find a career by accident anymore- students need to be more intentional. We try to provide opportunities so they can realize their dreams, but, also have a method to the madness.

Rather than re-create the wheel, Education & Training decided to partner with the Greater Green Bay Chamber's Youth Apprentice Program. There may be too much emphasis on students with a 4-year baccalaureate degree. People can earn a very good living wage with a career in the trades-nursing, welding, carpentry or auto mechanics- so the apprentice program brings back the vocational education programs. It also provides development opportunities for students to explore different careers.

In the 2016/2017 school year, eight Oneida Students will be part of the Youth Apprenticeship Program. These high school juniors or seniors will be working in hospitality, engineering, journalism, public relations, pharmacy or nursing.

Our best recruitment is going to be students that are satisfied and like the program. This is the first time we are participating in the program, and while we are late to the game, we are hooking on to a moving train.

Parks, Recreation, Fitness and Adventure Area

## Recreation

### Third Quarter

Month	Attendance – Visits	Current Members
April 2016	2350	485
May 2016	3622	585
June 2016	5022	606

\*NOTE: all memberships will need to be renewed beginning 1/1/16.

#### Service Development Outcomes and Customer Results:

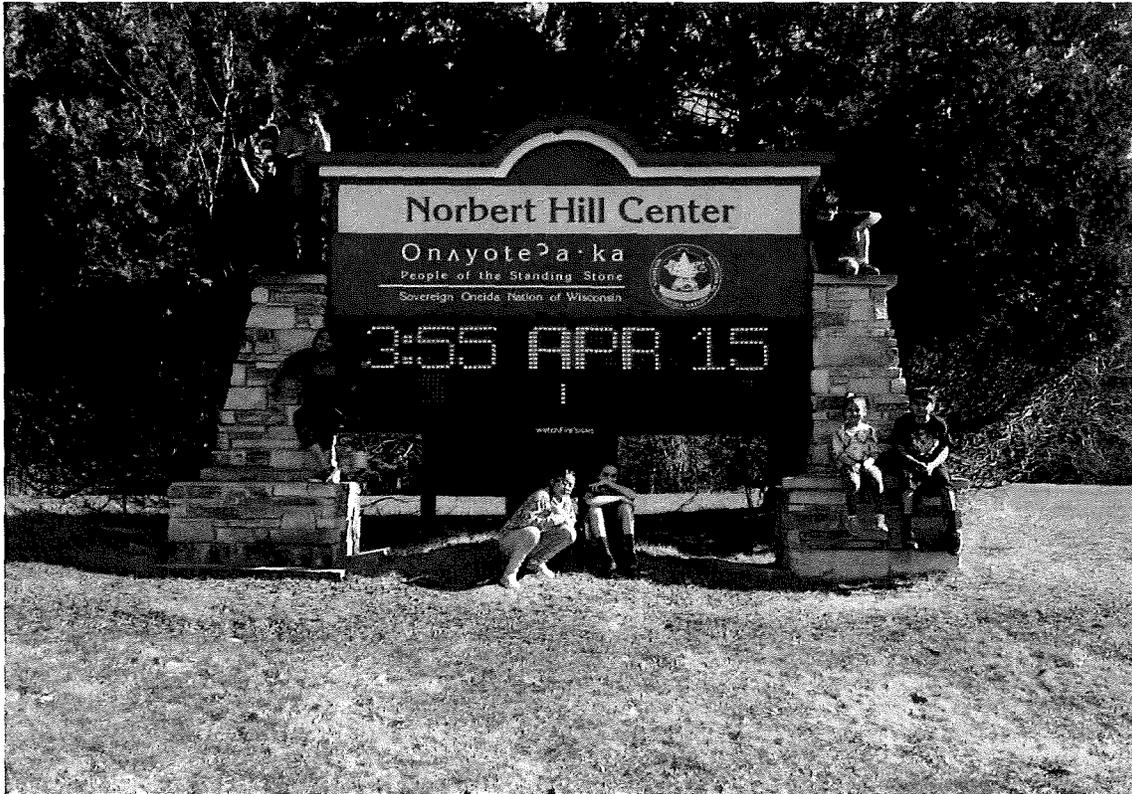
- **Birth to 18 months:** No results  
o membership
- **Toddler – 18 mo. – 3 years :** No Results  
o membership
- **Pre-School – 4-5 years:**  
38 memberships (6.5%) (19-Male/19-Female 28-Oneida/Desc./5-Other Tribe/5-Other)
- **School Age – 6-12 years:**  
311 memberships (51%) (188-Male/123-Female 191-Oneida/13-Desc./45-Other Tribe/62-Other)

NOTE: Youth need to be 7 years of age to attend the Recreation after-school program.

***Physical Development Needs:*** *This age group is finally learning to master gross and fine motor skills. They have lots of energy and enjoy physical activities and structured games with rules. Our Sports & Fitness area provide ample opportunities for school-age children to expend their extra energy. We encourage all school-age children to participate in 60 minutes of physical activity daily (the recommended amount according to the President's Council on Fitness). We also provide youth with opportunities to participate in structured leagues such as flag football.*

Month	Outcome	Civic Center Result	Clifford E. Webster Result
April 2016	Each member completes 60 minutes of physical activity/day.	26%	47%
May 2016	Each member completes 60 minutes of physical activity/day.	30%	47%
June 2016	Each member completes 60 minutes of physical activity/day.	NA	NA
TOTAL		28%	47%

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**Emotional Development Needs:** School-age children begin to form longer lasting friendships with the same-sex peers as they become more interested in identifying with the likes and dislikes of a group. They are self-conscious about their abilities and need to be acknowledged and encouraged by adults. Our Social Recreation area focuses on the emotional needs of our youth. Girls and Guys Groups provide opportunities for school-age youth to interact with peers and learn new skills. Character Club provides this age group with opportunities to build their character and get involved in the community. For example, Character Club participants made Christmas cards for the Elders, homemade birdseed ornaments to hang in outside trees and went Christmas caroling. These activities allow the youth to practice the character traits they learn about all year long during Character Club.

Month	Outcome	Civic Center Result	Clifford E. Webster Result
April 2016	Participants learn about each pillar of Character Development and have opportunities to exhibit them.	41%	52%
May 2016	Participants learn about each pillar of Character Development and have opportunities to exhibit them.	45%	49%
June 2016	Participants learn about each pillar of Character Development and have opportunities to exhibit them.	NA	NA
TOTAL		43%	51%



**Cognitive Development Needs:** Children this age have longer attention spans and are interested in discovering things for themselves. They like intellectual challenges and reading about things they like. The Learning Centers at each facility are filled with books to read on various subjects. The youth are encouraged to build their reading skills daily. Before youth are allowed to use the computer or gaming systems in the rooms, they are required to read for 15 minutes. Activities such as Brain Food also encourage youth to complete their daily homework assignments and read for enjoyment. When the youth have completed their assignments, they are rewarded with a healthy meal prepared by the staff. The Art Rooms also provide school-age youth with opportunities to explore new and exciting ways to express themselves creatively. Youth at the Clifford E. Webster Building enjoy art journaling, upcycled craft projects, music and pottery. Youth at the Civic Center enjoy drawing, photography and completing native American art projects such as beading and music.

Month	Outcome	Civic Center Result	Clifford E. Webster Result
3rd Grading Period	Complete homework assignments daily and increase GPA.	0 report cards	12 report cards
	Average GPA	0.00	3.09



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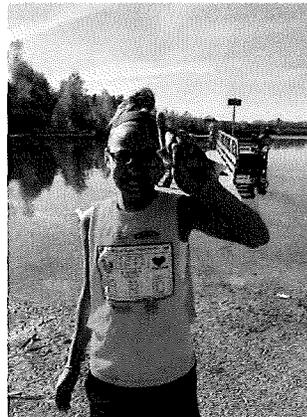
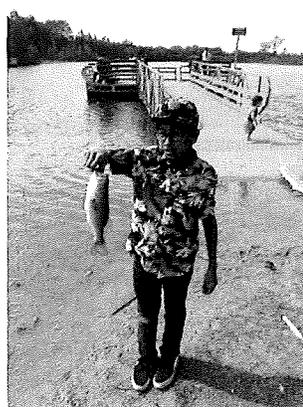
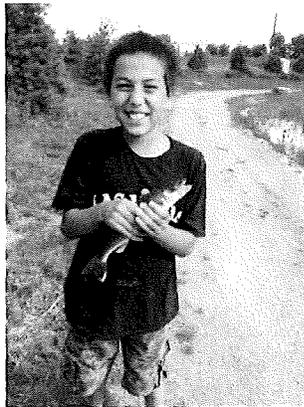
Month	Outcome	Civic Center Result	Clifford E. Webster Result
April 2016 MOC	Participants will be exposed to a variety of art mediums & techniques	0%	20%
May 2016 Girls/Guys Groups	Participants will be exposed to a variety of art mediums & techniques	0%	31%
June 2016	Participants will be exposed to a variety of art mediums & techniques	NA	NA
TOTAL		0%	25%



- **Adolescent – 13-18 years:**

86 memberships (14%) (52-MALE 34-FEMALE 67-Oneida/2-Desc. 7-Other Tribe 10-Other)  
**Physical Development Needs:** This time of rapid growth (the most since infancy) can lead to a lack of coordination, loss of self-esteem and feeling awkward. Our Sports & Fitness areas offer teens opportunities to play sports and games in a relaxed non-competitive setting. This age group enjoys interacting with staff during games and leagues.

Month	Outcome	Civic Center Result	Clifford E. Webster Result
April 2016	Each member completes 60 minutes of physical activity/day.	16%	15%
May 2016	Each member completes 60 minutes of physical activity/day.	19%	12%
June 2016	Each member completes 60 minutes of physical activity/day.	NA	NA
TOTAL		18%	14%



**Emotional Development Needs:** Adolescents are very self-conscious about their bodies and physical appearance in general, which can lead to psychological vulnerabilities. They have a strong desire to conform to their peers and form close one-on-one relationships. Our Social Recreation areas work hard to provide opportunities for our youth to increase their social skills. Social skills such as character development, verbal and non-verbal communication, etiquette, and personal hygiene are stressed in activities such as Bingo, Girls Group and Guys Group.

Month	Outcome	Civic Center Result	Clifford E. Webster Result
April 2016	Participants learn about each pillar of Character Development and have opportunities to exhibit them.	12%	13%
May 2016	Participants learn about each pillar of Character Development and have opportunities to exhibit them.	15%	16%
June 2016	Participants learn about each pillar of Character Development and have opportunities to exhibit them.	NA	NA
TOTAL		14%	15%



**Cognitive Development Needs:** Adolescents are developing abstract thinking. They are beginning to think about social issues and future goals in life. They can plan with little or no help from adults. The

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Learning Centers are available for all teens to complete their homework assignments and for computer use. The Arts areas also encourage teens to express themselves creatively in a variety of activities and programs such as pottery, traditional native arts, journaling and upcycled art.

Month	Outcome	Civic Center Result	Clifford E. Webster Result
3rd Grading Period	Complete homework assignments daily and increase GPA.	2 report cards	1 report card
	Average GPA	2.00	2.90



Month	Outcome	Civic Center Result	Clifford E. Webster Result
April 2016 MOC	Participants will be exposed to a variety of art mediums & techniques	0%	2%
May 2016 Girls/Guys Groups	Participants will be exposed to a variety of art mediums & techniques	0%	6%
June 2016	Participants will be exposed to a variety of art mediums & techniques	NA	NA
TOTAL		0%	4%



- **Young Adult – 19-35 years:**

38 memberships (6.5%) (26-MALE 12-FEMALE 31-Oneida/1-Desc. /1-Other Tribe/ 5-Other)

*This stage is a continuation of the adolescent phase, as young adults continue to separate themselves from family and focus more on friendships. It is an exciting time of new opportunities for education, careers, and other life experiences. The young adult must develop into a mature adult and face their new responsibilities.*

Month	Men's Basketball – Noon Hour, Sunday, After 9 pm at Civic Center
April 2016	22
May 2016	37
June 2016	4
TOTAL	63

- **Middle Age – 36-64 years:**

50 memberships (8%) (24-MALE 26-FEMALE 39-Oneida/Desc./Other Tribe/ 11-Other)

*This time is a period of reflection, family and career. This self-reflection is the time for a person to become content with their life and who they are as they prepare for retirement. It is a time for a person to enjoy their family life – children, grandchildren, extended family, etc.*

Month	Number of Rentals Clifford E. Webster Building	Attendance
April 2016	11	236
May 2016	7	102
June 2016	8	141
TOTALS	26	479

- Average # of rentals per month = 9. Average Attendance per month = 160. Community rentals range from events such as holiday parties, birthday parties, family reunions, baby showers, etc. The Clifford E. Webster Building is rented out on weekends and holidays.
- During the third quarter, the number of rentals decreased by 30% and rental attendance decreased by 43% compared to FY15.

- **Elder/Older Adult – 65 plus:**

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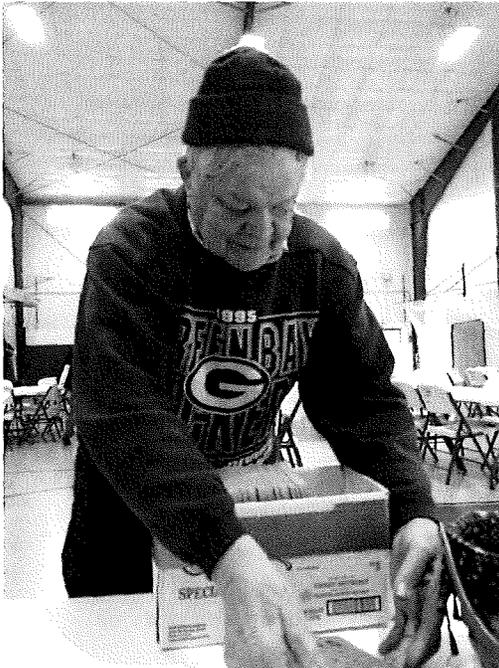
83 memberships (14%) (26-MALE 57-FEMALE 51-Oneida/Desc. /5-Other Tribe/ 27-Other)

NOTE: Elders age 55 and older can attend the Recreation elder activities.

*The elder adult stage is no longer considered "old age." There are some who have to suffer the illness and discomfort of growing older, but the majority of elders are healthy and active. Retirement is a time for people to pursue the interests that they did not have time to before. It is important to stay active and involved after retirement; many find this involvement in community, social, political and personal activities and projects. Although, this stage is a time for preparing for death, it is also a time to enjoy life and do many exciting, worthwhile things.*

Month	Bingo Attendance	Bowling League Attendance
April 2016	198	0
May 2016	179	0
June 2016	0	0
TOTAL	377	0

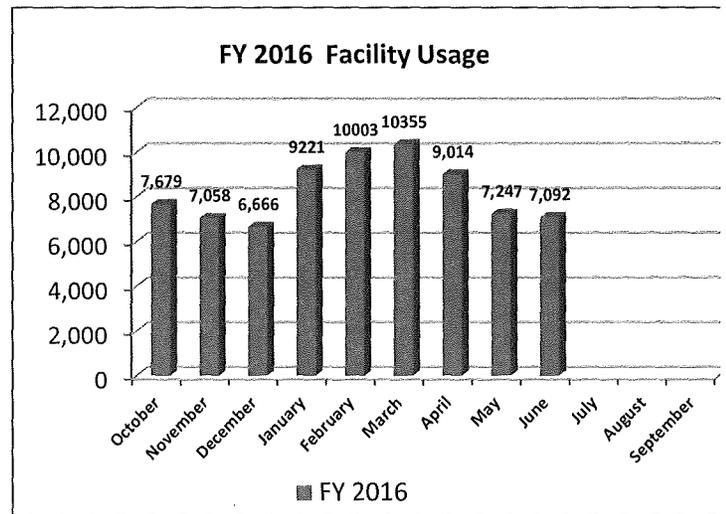
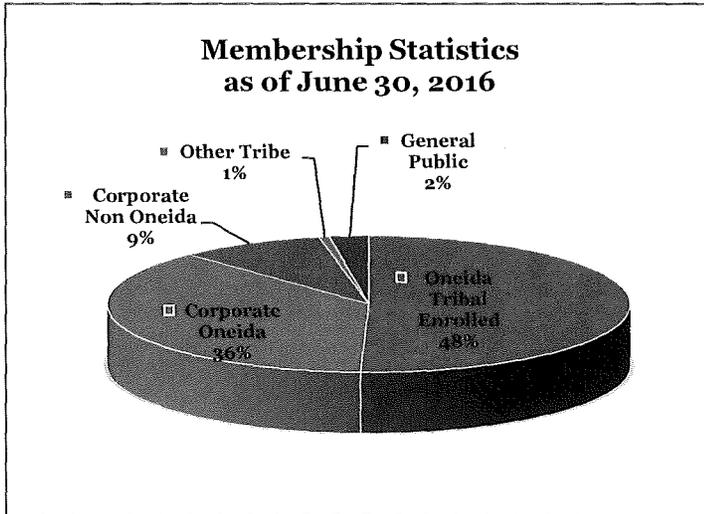
- Bingo is held every Wednesday from 1:30 – 3:00 pm at the Clifford E. Webster building. We average 47 elders per session. No Elder Bowling league due to staff turnover.



During 3<sup>rd</sup> quarter, Oneida Family Fitness focused on maximizing fitness and wellness programs to increase engagement and participation.

### **Third quarter statistics**

**Membership total:** 4,579 (5% increase from FY 2015)  
**Facility usage:** 23,353



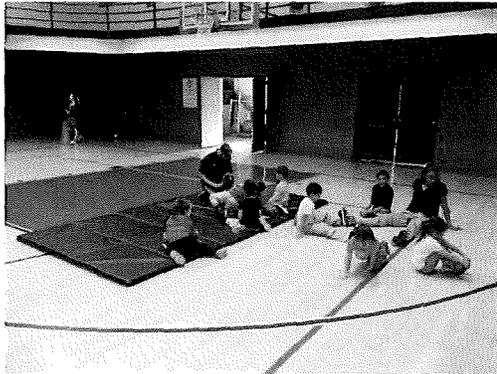
**Pool usage:** 6,216  
**Martial art attendance:** 1,222; 155 classes offered  
**Group fitness attendance:** 5,296; 500 classes offered



2 <sup>nd</sup> Quarter Focus – Increase engagement		
Initiative	Activities	Outcomes
Provide fitness and wellness programs for all ages and abilities	<ol style="list-style-type: none"> <li>Wrap up Fit Kidz – Headstart program</li> <li>Summer swim lessons</li> <li>Held a run/walk summer incentive challenge</li> <li>Team Oneida Bellin Run/Walk</li> <li>Provide Tai Chi &amp; Chair Yoga services for elders at Elder Services.</li> </ol>	<ol style="list-style-type: none"> <li>124 Headstart kids completed post-testing</li> <li>10 classes offered; levels offered; 49 registered</li> <li>27 participants; 1,003 miles logged between all participants</li> <li>143 tribal members, employees, family &amp; friends on Team Oneida</li> <li>Provide exercise class 1x a week at Elder Services.</li> </ol>

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	<ol style="list-style-type: none"> <li>6. Hosted National Employee Health &amp; Fitness Day (onsite &amp; offsite wellness activities)</li> <li>7. Youth Fitness Camp held in June for ages 8-14</li> <li>8. Revised MOA with Oneida Health Center Special Diabetes Program to improve Diabetic program</li> </ol>	<ol style="list-style-type: none"> <li>6. 130 employees participated</li> <li>7. 16 youth participated</li> <li>8. 24 referrals; 300% increase from FY 2015</li> </ol>
Increase participant's KSA's of physical fitness and healthy lifestyles to reduce health care costs	<ol style="list-style-type: none"> <li>1. Offered stress management 6 week program - RAS Point eligible</li> <li>2. Reward members who engage in the recommended physical activity (3-5 days/week)</li> </ol>	<ol style="list-style-type: none"> <li>1. 14 attendees</li> <li>2. 9% of membership</li> </ol>



Oneida Family Fitness conducts quarterly customer satisfaction surveys. 26 members completed our 3<sup>RD</sup> quarter survey; with a 96% satisfaction rating. The surveys give us feedback on our program and services, staff, as well as the facility.

Plans for FY 2016 4<sup>th</sup> quarter is to continue to provide quality programs and services for the Oneida Community and Employees and use the feedback and usage to increase engagement in our services and increase outreach programming.

Some of the challenge we see that prohibits our membership to be more engaged is:

- No evening day care
- Lack of space to provide programs
- Staff retention

## Experiential & Adventures

Customer utilization number 3 Quarter= -programs varied between an hour to multiday programs.

Customer Satisfaction = 96%

Customer registration for Individual signup programs has increased by 60%

With current staffing we have not been able to meet all the programing request or needs.

We have had excellent attendance for our RAS & Diabetic noon and evening classes, with attendance being at or exceeding capacity. Tribal members and employees are looking for ways to improve their mental and physical health. **Our mission is to reduce stress! We create outlets and opportunities to reduce the stress experienced by those who are living with diabetes, or helping to avoid diabetes, by providing recreational, experiential group activities and outlets.** Our RAS programs have been an excellent way to expose employees to positive ways to improve their health. By offering RAS points it gives the incentive for the employee to try new activities that changes their mindset on living a healthy lifestyle. Through these new discoveries we have had many participants share that they are partaking in these activities with their families as well. This creates healthier individuals and healthier family units, by having them spend quality time connecting to the outdoors and to each other.

The Experiential department collaborates with the Health Center to provide more than bi-weekly programing targeting diabetic prevention and reduction, these programs are offered at noon, in the evening, and on the weekends to meet the client's needs. Programs include: Depression Prevention, Recreational or entry level Kayaking, Canoeing, Biking, Mindful Programs, Nature Hikes, Biking, Fishing, and overnight retreats.

### Programs Served:

Depression prevention	Lombardi Yes Girls Group
Family Enrichment Programs	Face Program
RAS- Program- Canoeing, Kayaking, Mindfulness, Biking, Hiking	External contracts
Diabetic Prevention/management	Wise Women Gathering Place
Behavioral Health	Native Crossroads
AODA- Journey & IOP Groups	Title VII
Domestic Violence	Conflict resolution-
Alternative HS	Family Fun Night
Lombardi Yes Boys Group	Employee Health
	Veterans Program

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Teen Parents Support Group

Hunter Safety- Survival skills

JMIO- Events

Oneida High School –Archery, Biking Units

The staff has done an amazing job, covering the duties and programs of this position but this is not sustainable. I have been cross training employees from other departments and people from outside the tribe in efforts to mitigate this deficit, this is only a temporary fix. These people have a primary function or role that is their priority when a wage line in the budget should be adjusted to hire a fulltime seasonal position along with sub-relief staff that is scheduled when program demands reflect the need. This would allow more programming options that would enable our department to serve more clients, larger groups, continue convenient hours, and increase program venues. The department does an excellent job offering programming options during evenings, weekends and the need is the greatest.

Continued programming for the above programs with a customer satisfaction rating of 96% or better. Provide three week long youth camps that focus on character development by utilizing the Climbing, Paddling and Adventure venues to teach the youth lifelong social and interpersonal skills.

6. Customer = 96% Customers are stating on the post evaluations that the programs that attended are helping them make needed life changes. These programs are designed to help community members and employees to improve their health by making real behavior changes and discovering and overcoming road blocks that has prevented them from making these changes previously.

Social Services Area

**3<sup>rd</sup> Quarter - GSD Quarterly Performance Report****Elder Services****Quarter: April – May – June 2016****Date: July 20, 2016****1. Scorecard Statistics****a. Base number of customers**

Month	Transportation	Activities	Home Repair	In Home Chore	Respite Care	Elder Abuse
April	35	44	8	62	5	2
May	32	42	5	62	5	0
June	44	46	25	71	7	6
<b>Total</b>	<b>111</b>	<b>132</b>	<b>38</b>	<b>195</b>	<b>17</b>	<b>8</b>

Month	NAFCG	Benefits	Outreach	Congregate Meals	HDM	Home Chore
April	12	No Report	62	170	87	39
May	16	No Report	21	178	79	80
June	25	18	16	171	84	80
<b>Total</b>	<b>53</b>	<b>18</b>	<b>99</b>	<b>519</b>	<b>250</b>	<b>199</b>

NAFCG= Native American Family Care Giver

HDM= Home Delivered Meals

Month	ADRS	DCS	Apartments	Major Home	
April	20	3	29	1	
May	17	2	29	4	
June	37	2	29	0	
<b>Total</b>	<b>74</b>	<b>7</b>	<b>87</b>	<b>5</b>	

ADRS = Aging &amp; Disability Resource Specialist

DCS = Dementia Care Specialist

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**b. Customer utilization number**

Month	Transportation	Activities	Home Repair	In Home Chore	Respite Care	Elder Abuse
April	496	270	9	233	49	12
May	409	116	5	208	41	0
June	442	280	54	236	33	11
<b>Total</b>	<b>1347</b>	<b>666</b>	<b>68</b>	<b>677</b>	<b>123</b>	<b>23</b>

Month	NAFCG	Benefits Specialist	Outreach	Congregate Meals	HDM	Home Chore
April	144	No Report	96	1352	1727	84
May	114	No Report	56	1353	1692	149
June	164	37	63	1409	1846	146
<b>Total</b>	<b>422</b>	<b>37</b>	<b>215</b>	<b>4114</b>	<b>5265</b>	<b>379</b>

Month	ADRS	DCS	Apartments	Major Home	
April	40	3	29	1	
May	33	2	29	4	
June	79	2	29	0	
<b>Total</b>	<b>152</b>	<b>7</b>	<b>87</b>	<b>5</b>	

**Operation initiatives to achieve customer outcomes**

<b>Transportation</b>	<ul style="list-style-type: none"> <li>Reorganized vehicle inspection reports to simplify staff's time involved performing inspections. New vehicle replacements for older units</li> </ul>
<b>Activities</b>	<ul style="list-style-type: none"> <li>Tried various new activities to attract new clientele, if one doesn't work, tried something else. Also expanded crafts activity &amp; having higher participation.</li> </ul>
<b>Home Repair</b>	<ul style="list-style-type: none"> <li>Hired new staff saving program money for outside referrals &amp; ability to serve clients requests for minor home repair</li> </ul>
<b>In Home Chore</b>	<ul style="list-style-type: none"> <li>Reorganized schedules to serve more clients, assessed each client to ensure the proper amount of time is spent with them</li> </ul>
<b>Respite Care</b>	<ul style="list-style-type: none"> <li>Reorganized schedules to serve more clients assessed each client to ensure the proper amount of time is spent with them</li> </ul>
<b>NAFCG</b>	<ul style="list-style-type: none"> <li>Received a new grant – Alzheimer Family Caregiver Support Program which will improve on the Caregiver Support Program</li> </ul>
<b>Elder Abuse</b>	<ul style="list-style-type: none"> <li>Presented flyers &amp; articles for Elder Abuse Awareness Day (June 15<sup>th</sup>)</li> </ul>

<b>Outreach</b>	<ul style="list-style-type: none"> <li>Planning upcoming evidence based workshop for Healthy Living with Diabetes, Staff will be trained in all 3 evidence based trainings by August 4<sup>th</sup>, 2016</li> </ul>
<b>Benefits Specialist</b>	<ul style="list-style-type: none"> <li>Hired an Emergency Temp to fill the vacancy</li> </ul>
<b>Congregate Meals</b>	<ul style="list-style-type: none"> <li>Using an Elder Helper employee and volunteer who help serve trays for the handicap. With the help of the Nutrition Board presenting concerns at the Nutrition Advisory Council, the meals have gotten better</li> </ul>
<b>HDM</b>	<ul style="list-style-type: none"> <li>Just hired a third driver, which makes the routes shorter and allow us to meet the required temps of the meals delivered.</li> </ul>
<b>Home Chore</b>	<ul style="list-style-type: none"> <li>Hired three (3) new Home Chore workers and we are working collaboratively with other Tribal departments on Clean Sweep &amp; named Snowstorms, which has improved the high demand for those services.</li> </ul>

### **Operations forecast based upon customer information**

Planning for the future of caregiving for those living at home in Wisconsin, it's estimated that about 120,000 people have Alzheimer's disease or another form of dementia. Those numbers could triple by 2050 because of the aging Baby Boomer population.

Move to keep older people in their own homes as long as possible has meant more demand for home health care workers -- a job that is not only tough, but that can be low-paying as well and very limited. (Aging Network)

According to the Enrollments statistics, Baby Boomers equal 4,164 or 24.3% of the membership. In 1999 elder membership was 1,897. Statistics reported for 2015 was 3,998. In ten years, those Boomers will be retired which will increase the demand for services. Without additional funding, services will decline.

### **2. Detailed narrative summary explaining or clarifying the above statistics**

Activities dropped in May from 270 in April to 116 in May: There are two holidays in May which lowers the count and we promote activities around Older Americans month i.e. dance and those numbers aren't recorded.

Home Repair huge variance from April 9, May 5 to June at 54: Home Repair position was vacant until mid-June

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Elder Abuse No counts for May: No calls came in for Elder Abuse

Benefit Specialist No report for April and May: Leave of absence of position 5/9/16 – 7/15/16

Home Chore April 84, May 149 and June 146 The variance from April to May: No snow removal and minimal lawn care for April. Lawn care season starts primarily in May

**3. Challenges to the Program and continuous improvement efforts to meet the challenge**

<p><b>Reception</b></p>	<ul style="list-style-type: none"> <li>Staffing vacancies and training time needed for new staff. <u>Improvement:</u> Writing procedures clearly, training more staff on various area.</li> <li>Customer rudeness at times – demanding and/or demeaning. <u>Improvement:</u> Communicate the “Unacceptable Behavior by a Customer SOP” and follow-up as the SOP states.</li> <li>Last minute requests for changing our procedures. <u>Improvement:</u> Document and follow-up to the best of our ability.</li> </ul>
<p><b>Elder Abuse Benefit Specialist Outreach</b></p>	<ul style="list-style-type: none"> <li>Elder Abuse Prevention is the lack of training overall. <u>Improvement:</u> Being added to an Adult Protective Service (APS) training workgroup for all new APS workers &amp; also researching Elder Abuse online.</li> <li>Challenge for Benefit Specialist Area is Leave of Absence. <u>Improvement:</u> Supervisor taking on these extra duties until we hired an Emergency Temp position.</li> <li>Outreach area is getting the evidence based programs started, not enough clients to hold a workshop. <u>Improvement:</u> Getting assistance and materials to market workshops from Keetah Smith, DHS &amp; Michelle Comou, Wisconsin Institute for Healthy Aging.</li> </ul>
<p><b>Home Chore</b></p>	<ul style="list-style-type: none"> <li>Not having a consistent Home-Chore crew, no Maintenance Supervisor, old equipment, and our</li> </ul>

	<p>growing demands of elders wanting and/or needing services.</p> <p><u>Continuous improvement:</u> Continue recruitment for Home-chore, updating Maintenance Supervisor job description and revamping lawn list.</p>
<b>Apartments</b>	<ul style="list-style-type: none"> <li>• <b>Apartments:</b> The Apartments tenants refusing to use the tornado room for their own safety when there is a fire or tornado drill.</li> </ul> <p><u>Improvement:</u> Flyers on apartment doors and asked for professional help.</p>
<b>Supportive Services</b>	<ul style="list-style-type: none"> <li>• Not enough employees/positions to service more for elders.</li> </ul> <p><u>Improvement:</u> Encourage families to provide more for their elders.</p> <ul style="list-style-type: none"> <li>• <b>Activities:</b> Low participation in certain activities,</li> </ul> <p><u>Improvement:</u> Changing the activity to a new one to encourage more participation.</p> <ul style="list-style-type: none"> <li>• <b>Home Repair:</b> Vacant position causing many repairs to be out sourced causing the program extra money.</li> </ul> <p><u>Improvement:</u> Filled position enabling us to serve clients requests for minor home repair</p> <ul style="list-style-type: none"> <li>• <b>In Home Chore:</b> High demand for in-home chore requests and not enough openings.</li> </ul> <p><u>Improvement:</u> Reorganized schedules to serve more clients, assessed each client to ensure the proper amount of time based on need.</p> <ul style="list-style-type: none"> <li>• <b>Respite/Personal Care:</b> High demand for personal care requests and not enough openings.</li> </ul> <p><u>Continuous improvement:</u> Reorganized schedules to serve more clients, assessed each client to ensure the proper amount of time is spent based on need and adjust how much time is spent with each elder so we can serve more.</p>
<b>Director</b>	<ul style="list-style-type: none"> <li>• Challenges include the delivery of local services such as health care, housing and transportation. Keeping people in their communities and out of nursing homes will be an increasingly important issue as we go forward. Providing adequate Long Term Care Services. The two biggest reasons for the increase in aging elders are the baby boomers and the improvements for health care leading to elders living</li> </ul>

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	<p>longer.</p> <p><u>Continuous Improvement:</u> Attend state meetings and trainings on Aging program and hiring an Aging and Disability Resource Specialist and Dementia Care Specialist. Received a new grant for Alzheimer's Caregiver program for coordination of home and community based services with the Native American Family Caregiver program.</p>

#### 4. Performance targets the program achieved at the end of the quarter.

- Keeping current the State Mandated SAMS Program Reports, the primary information system for states to report on the Older Americans Act programs of supportive services, nutrition, caregiver support, etc. which we provide and keep updated on a monthly basis. Document the huge variances in counts.
- SAMS includes information about who the participants are, what services they receive, and what funding is expended for this program, Tribal and non-tribal. Service Program Reports (SPR) reports also serve as a critical data source for measures of the performance of the Title III and Title VI programs. Any variance is flagged and justification required by the granting agency.

#### 5. Performance targets for each program for the next quarter.

- Make it easier for older people to access an integrated array of health and social supports
- Help older people stay active and healthy
- Support families in their efforts to care for their loved ones at home and in the community through Supportive Services and Evidence Based Health Promotion programs.
- Ensure the rights of older people and prevent their abuse, neglect and exploitation
- Promote effective and responsive response to service request.

#### 6. Customer satisfaction score for the program

<b>Benefit Specialist</b>	<b>79.71%</b>
<b>Transportation</b>	<b>87.71%</b>
<b>Service Specialist</b>	<b>92%</b>
<b>Apartments</b>	<b>95%</b>

<b>Activities</b>	<b>95%</b>
<b>Outreach</b>	<b>96%</b>

Two area surveys are completed each month.

### **Demand for services:**

The demand for service is high. Some areas have started waiting list for those 55-69 age bracket. We strive to meet the priority age bracket of 70 +.

### **How many customers:**

Grand Total: Elders served is 423 and we provided 13,444 various services.

Our SAMS data system tracks unduplicated and unduplicated counts.

### **The trends and forecast for services**

- Our most obvious trend is our ever growing elder population. Limited funding, staffing and/or reliable equipment.  
Forecast: Possible means testing for services that are supported by TC funds, scaling back to core services and/or raising the age requirement for services.
- We're seeing that there is a trend where the older parent just wants their own space, and not so much to be in a big household with their kids or their grandkids. They turn to us for research on housing needs.
- High demand requests for Native American Family Care Giver Outreach for shopping/appointments. With the growing aging population, this will increase.
- Supervisors will need to be more creative in order to fill the need. Like adjusting how much time we spend with each elder so we can serve more. We will not fulfill the need for all; however we can fill the need of more elders. Making available services more effective or more accessible.
- With the Baby Boomers aging and moving back to the reservation for better Health Care benefits, there will always be a need for more housing needs. Benefits are better if you live within the reservation boundaries.

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- Elders that come to the meal site in need of Home Delivered Meals (HDM) as they age, causing an increase in HDM. Forecast is a higher increase in HDM verses Congregate meals, which is currently happening.

**Are you achieving the intended development outcomes of your service/s toward intended improvement in your customer?**

We are meeting the intended development outcomes, based on the request coming in. We do the best we can to the best of our ability along with follow up calls on customer satisfaction. We may have a handful of complaints or request for services that we do not do.

We are starting waiting list and some of those list include the age 70 plus. Even though we set a priority of serving those with higher need and most frail, the aging population is growing and the demand is high. The funding agencies are cutting on the Federal side, which will decrease services.

Customer Service improvements are being worked on through clarifying SOP's, HRD training attendance and staff meeting communication.

Meals – Home Delivered Meals, we had hired a third driver to meet the growing clientele need.

The congregate meals we have the Nutrition Advisory Council assist with the menu change and volunteer assistance with the trays for the handicap so they can still get a meal and stay independent.

Because of the client population growing, there will always be a constant need for services to help clients maintain independent and in their own homes. To make this happen we need to do some kind of means testing and service the ones that are eligible because right now grant funds have been depleting faster, and not all clients can be served if grant funds are spent out.

Apartments- Maintained full capacity, no vacancies. Apartment Manager attending meetings with the Project Manager, Director and ONCOA for the Apartment Garages CIP Project development. Apartment garages are a huge improvement for Health and safety of Apartment Elders.

Major Homes: Project transferred from Assistant Director to Apartment Manager in April. Re-phased process of collecting documented information needed for Elder home.

Phase I- Collect personal information

Phase 2- Start the bidding process

Phase 3 –Repairs started

Phase 4- Inspection and payment

Processing forms into phases to work with elders for their better understanding of the process and responsibility of getting their home fixed has improved service. We do offer assistance when needed.

## Food Distribution

1. Scorecard Statistics
  - a. Base number of customers: (A) 355, (M) 357, (J) 360, Avg = **357**
  - b. Customer utilization number: (A) 731, (M) 739, (J) 755, Avg = **742**
  - c. **Identify 3rd quarter initiatives to achieve customer outcomes: WELLNESS OUTCOME**. Increased utilization of the fresh fruits and vegetables portion of our Programs offerings which indicates that, I believe, a better perspective on the value of healthy eating habits for the short and long term that benefits themselves and their family members. We will continue to provide meaningful information thru pamphlets, brochures, DVD's, and hands-on menu preparation (taste tests) utilizing our USDA food products.
  - d. Customer Trends: There appears to be an apparent increase in the number of applicants formerly on SNAP, (Food Stamps) now utilizing our services for their basic food needs. This could be attributed to the complete and nutritious food package we offer from USDA, and to some extent to the lower monthly assistance levels currently allowed under SNAP. Whatever the reason we will continue to provide the best in available foods to our Native communities.
  - e. Operations forecast for Program based upon customer information: Continuation with USDA to provide healthy/nutritional values in our food products that provide our clients with a food package that meets or exceeds the USDA requirements in the national food pyramid matrix.
2. Program Narrative Summary: Our partnership with USDA thru established Grant contracts continues to provide the needed resources in the form of various food products, both fresh, frozen, and canned, that sustain our Native community by providing sustenance and a balanced approach to healthy eating habits, both for the individual as well as an entire family. The numbers that are generated reflect a continuing effort to meet the food necessities required by the populace

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we serve, and to ensure that future generations get the provisions that make for a healthy/vibrant Nation.

3. Identify Program challenges/efforts to overcome them: In order to provide the continuing services and benefits of our Program, it is essential to maintain the close support/funding provided by the contract agreements with USDA, that allow our community to receive the nutritional goods /provisions so necessary in being a vibrant and healthy Nation for our current and future generations. SOLUTION: Allowing budget measures that provide for the continued growth and future goals of the Program while pursuing necessary funding from USDA that assists in meeting those endeavors.
4. Identify Program performance targets achieved in 3rd quarter. Delivery services for the 3rd quarter indicate a lower but consistent useage in the number of customers utilizing our delivery service as a direct benefit. (A) = 53, (M) = 56, (J) = 62. Avg. = 57 VS. 75 of last quarter statistics. This could be attributable to the warmer weather of early spring/summer where personal transportation is less of a factor in getting to our facility to pick-up their food supplies.
5. Identify performance target(s) for 3<sup>rd</sup> quarter achievement: To apply our greatest efforts in meeting the sustained base/utilization numbers that reflect our customers dependence upon our Program, and continuing to provide the needed resources being available for their benefit and overall welfare.
6. Identify customer satisfaction score: (A) = 97.7%, (M) = 98.7%, (J) = 95.2% Avg. = **97.2%** An overall excellent rating IAW rating scale utilized.

#### Southeastern Oneida Tribal Services

- 1) **Base Number of Customers:** 612  
**Customer Utilization Number:** 1703  
**Operation Initiatives:** SEOTS focused on providing education and awareness around Historical Trauma, offered traditional healing for the Trauma, and hosted a Resiliency Celebration. We also kicked off our Summer Youth Programs in June.  
**Operations Forecast:** In 2015, SEOTS completed the first half of an overall wellness survey targeting the Oneida population of southeast Wisconsin. In September of 2016 we will complete that second half of that survey.
- 2) During January, February, and March, 612 different people visited SEOTS for various activities and services. Many of the customers visited more than once, resulting in a total of 1,703 visits during the three month period. The most utilized services during that time frame were medication distribution and Elder activities.
- 3) Challenges during Quarter 2 include the ability to engage Tribal membership in dialogue around health and to establish high levels of participation in activities that improve overall wellness. There were some challenges with Oneida Accounting because they changed their procedures, but did not communicate those changes, resulting in missing checks for time sensitive payments.
- 4) SEOTS performance targets revolve around client interactions, which not only includes utilization rates, but also includes phone calls received. The phone vendor is currently having difficulty pulling the data report for calls received. We are continuing to work on the problem. Utilization

rates are up over previous data, signaling we are in line with increasing interactions at the desired rate.

- 5) The performance target for Quarter 4 is to continue to increase client interactions at a rate of approximately 3%.
- 6) Average Customer Satisfaction Score: 92%

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## Veterans

The Oneida Nation Veterans Service Officer is a retired Air Force Veteran and is employed full time by the Oneida Nation of Wis. He is supported by a full time Benefit Specialist.

The bulk of our workload is VA Compensation claims with a few pension claims. Our outreach to the community includes house/nursing home visits for our disabled and elderly veterans, which includes help in transportation if needed. Our Veteran Dept. is dedicated to Maintain, Protect, and Improve our Veterans standard of living. This office responds to the needs and concerns of our veterans, and advocate to improve their quality of life.

The Oneida Veteran Dept. did provide a presence at the Great Lakes Inter-Tribal Councils State of the Tribes address in the State Assembly Chambers as a color guard participant.

We continue to provide gas vouchers in support of those veterans that are job hunting, appointments and other urgent needs. The dept. also scheduled outreach in the form of 2 veteran awareness meetings for our community veterans. 1 which included our Tribal Bank President on our Veteran Home loan Program, our Housing Area Manager on Veteran Tribal housing opportunities, and the introducing of our Behavioral Health staff who facilitate our weekly men's PTSD group meetings. Our 2<sup>nd</sup> outreach meeting was informing our Veterans of the tribe's award of the HUD/VASH Program which is an initiative for homeless veterans thru a Voucher system, and of our new Tribal Flag Policy currently being developed thru our Oneida Nation Veteran Advisory Committee and our Law office.

Our greatest goal/accomplishment is that the Oneida Nation Veteran Dept. is 100% accredited as representatives of the Dept. of Veterans Affairs to legally represent veterans claims with the Wis. Dept. of Veteran Affairs, Military Order of the Purple Heart and the National Association of County Veteran Service Officers Association. We are members of the Wis. CVSO Association as full voting members.

Our 2<sup>nd</sup> goal/accomplishment is in the award of the VA's Contract Nursing Home program, it became Official the 1<sup>st</sup> of September. The process took us 2 years. The CNH for VA purposes enables certain disabled veterans to stay at the AJRCC and the Federal Gov't will pay for their stay, and our veterans get to keep all of their assets.

The Oneida Nation Veteran Dept. does continue to attend National, State, and local training conferences and regional meetings.

### Oneida Business Committee Agenda Request

1. Meeting Date Requested: 08 / 10 / 16

**2. General Information:**

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

Agenda Header:

Accept as Information only

Action - please describe:

Accept third quarter report from the Office of the Tribal Ombudsman

**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:

Primary Requestor/Submitter:

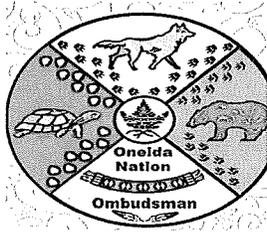
Your Name, Title / Dept. or Tribal Member

Additional Requestor:

Name, Title / Dept.

Additional Requestor:

Name, Title / Dept.



## Oneida Tribe of Indians of Wisconsin

Oneida Nation Ombudsman  
 P.O. Box 365  
 Oneida WI 54155  
 Phone: (920)-490-3717  
 Toll Free: 1-888-490-2457  
 Cell: (920)-609-1290

**Office of the Ombudsman**  
**Quarter 3 Report/Update FY16**  
**April, May June; 2016**  
 Dianne McLester-Heim; CO-OP Ombudsman

### General Overview:

The Oneida Tribe of Indians of Wisconsin created the Office of the Ombudsman (OoO) via a directive of General Tribal Council (GTC) on July 11, 2005. The directive specifically stated that an Ombudsman was to be created to “listen to the concerns of the employees of the health center and tribal community members.” The OoO seeks to promote fairness and equity by functioning as a designated neutral advocating for “fair process” and positive resolution at the lowest level possible. In this capacity the OoO does not represent any party or entity, the OoO is a designated neutral working in the pursuit of just, fair, and equitable administration of process and delivery of services for all.

As an informal and confidential party, the OoO does not participate in formal actions and holds the highest level of confidentiality possible for those with whom it has contact. The OoO also does not demand actions but rather assists in the identification of concerns, potential resolutions, and offers services and recommendations to reach resolution and positive improvement.

### Vision:

To ensure the consistent application of utilizing equality, fairness, respect, value, and objectivity for all in the development of systematic processes and the provision of services across the Oneida Nation.

### Mission:

To provide a confidential, neutral, and informal route for individuals or groups to bring forward questions, concerns, complaints, or suggestions for the purpose of preventing or resolving problems in a fair and equitable manner. The Oneida Ombudsman addresses issues in an impartial and objective manner to assist with the development of options and suggestions to resolve problems, develop processes, and ensure services are provided in a fair and equitable manner.

### Actions and activities:

The OoO works on initiatives and activities which fall within the four strategic directions of the Oneida Nation as identified by the Oneida Business Committee. Overall, the initiatives and activities of the OoO are based upon the concept of continuous growth and positive development of the Oneida Nation.

#### 1. Case Activity

- **Comprehensive Health Division: 8 case contacts- 7 closed, 1 open/ongoing**
  - 4 contacts re: Purchased Referred Care: 3 closed, 1 open/ongoing
    - 2 contacts regarding requirements, expectations, and regulations of PRC
      - Information provided regarding PRC and how to write a letter of appeal
    - 1 contact regarding review of a letter of appeal/concern
      - Provided proof reading and format suggestion
    - 1 ongoing review of system and community concerns regarding system process

- Interaction with PRC staff to identify potential means of improvement to overall system process and application
  - 4 contacts re: Pharmacy services: 4 closed
    - 4 medication dispensing
      - Provided clarification on situation of reduced prescription dispensing and available options for consumers to have their needs/wants met
- **Governmental Services: 6 case contacts- 6 closed,**
  - 4 contacts re: Elderly Services: 4closed
    - 3 contacts regarding general services.
      - Provided direct contact referral with additional resource information via the surrounding counties and Aging Disabilities Resources
    - 1 contact regarding on-going matter that has been referred to the department due to the matter resulting in a formal complaint. Matter being followed up on and addressed by the department so closed with the OoO.
  - 2 contacts re: Economic Support: 2closed
    - 2 contacts with questions about services. Referral provided to direct contact with specific programs within the Tribe and to the county of individuals residence for direct assistance
- **Internal Services: 1 case contacts- 1 closed,**
  - 1 contact re: Employee Benefits: 1closed
    - 1 contact closed out after requesting party completed option exploration, action planning and took action to address the issue brought forward
- **External Service Related: 5 case contacts- 5 closed**
  - 5 contacts re: services not under the authority of Oneida: 5 closed
    - 4 contacts related to some sort of health related service activity. Education provided to visitor and referral to entity with which visitor could more appropriately address issue. Service of action planning and drafting a concern offered to all visitors. Shuttle diplomacy used where appropriate for situation
    - 1 contact related to “community support” services that are not part of Oneida. Provided resource information regarding county information entities

**Totals: 20 case contacts: 19 closed, 1 open**

## 2. Collaborative Interaction within the Organization

- Work with areas and departments within the organization to assist in collaborative initiatives for organizational growth, development and positive improvement.
  - Member of the Community Service Team via Oneida Behavioral Health
  - Received free training in Mental Health First Aid to assist in how matters related to anything within the realm of Mental Health are addressed
  - Working with Governmental Service Division in the ongoing identification of potential gaps of service and service improvement for the Oneida Community
    - This has included the potential long range collaboration of the OoO and coordinated service provision via GSD in terms of improving administration of cross-functional services within the community

- Examination and exploration of possible increased collaboration between areas of the Oneida Tribal Organization and UW-Green Bay with respect to potential internships

**3. Promote improvement in organizational administrative processes**

- Increasing attendance and participation with LOC open meetings to provide prospective input on the development of legislative process and action
- Continuing work with a specific service provider within the Oneida Organization to review and assess current process, policy and procedure for potential improvement and maximization of the fair and equitable administration of service to all its consumers
- Ongoing review of service provision within a specific department to continue to identify service gaps, improve communication of requirements for receiving service, and identifying potential means to stream line work to promote consistency and equitable provision of services.

**Identified actions going forward:**

- Drafting of an overall complaint management process to be utilized by Oneida as an Organization that works to bring about a philosophy of welcoming concerns, complaints, and feedback as a means of enabling the organization to make continuous improvements. This is looking to be a complaint management process that can be adopted and implemented at the level of leadership on down to aid in bringing about consistency in how concerns on the service side of Oneida as an organization are handled and addressed. This is a recommendation for a streamlined process that could be used by the organization to assist in increasing concerns being addressed and resolved at the lowest level possible.

### Oneida Business Committee Agenda Request

1. Meeting Date Requested: 8 / 10 / 16

2. General Information:

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

[Empty text box]

Agenda Header: Reports

Accept as Information only

Action - please describe:

Approval for a deferral of my 3rd quarter ISD report to the August 24th meeting agenda due to being out of the country during the normally scheduled report time frame.

3. Supporting Materials

Report  Resolution  Contract

Other:

1. [Empty text box]

3. [Empty text box]

2. [Empty text box]

4. [Empty text box]

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

Primary Requestor:

Submitted by: Barbara Dickson, Executive Assistant/Internal Services  
Your Name, Title / Dept. or Tribal Member

Additional Requestor:

Name, Title / Dept.

Additional Requestor:

Name, Title / Dept.

**Heather M. Heuer**

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**From:** BC\_Agenda\_Requests  
**Sent:** Monday, July 25, 2016 8:55 AM  
**To:** Barbara J. Dickson  
**Cc:** Lisa A. Liggins; Lisa M. Summers; Joanie L. Buckley  
**Subject:** RE: Deferral request

To whom it may concern,

As of this morning, two of the four Business Committee Officers replied to the inquiry and supported the request to defer the ISD report to the August 24<sup>th</sup> regular Business Committee meeting.

Heather Heuer, Information Management Specialist  
Business Committee Support Office (BCSO)  
hheuer@oneidanation.org  
Office: (920)869-4421



A good mind. A good heart. A strong fire.

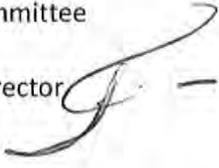
**How can the BC Support Office help you?**

[Paula "Pogi" King Dessart \(Executive Assistant\)](#) – Budgeting, Processing A/P, GTC Meeting Prep, Scheduling  
[Debbie Melchert \(Administrative Assistant\)](#) – Signature Log, Mail Log, Kronos, Travel, Scheduling  
[Kathy Metoxen \(Executive Tribal Clerk\)](#) – Pardons, Boards, Committees and Commissions, Scheduling  
[Heather Heuer \(Information Management Specialist\)](#) –BC/GTC Meeting Agendas, Packets, Minutes, and Resolutions, E-polls, Scheduling

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**MEMORANDUM**

**TO:** Oneida Business Committee

**FROM:** Joanie L. Buckley, Director 

**DATE:** July 21, 2016

**SUBJECT:** ISD Quarterly Report for August 10, 2016

My quarterly report for the months of April to June will come due at a time when I'm out of the country, August 10<sup>th</sup>, for my daughter's wedding.

I know the expectation is for directors to make themselves available for these quarterly reports so given the circumstances, I offer two (2) alternatives to you since I cannot make myself available at the August 10<sup>th</sup> Oneida Business Committee meeting.

- 1) The report can be kept as scheduled for August 10th. I will do the report prior to going out of the country and my area managers will be present at the meeting to address any questions pertaining to their individual areas. Dave Cluckey and Cheryl Stevens will act on my behalf while I'm out of the office and, they, along with each of my department heads, can present ISD's quarterly report.
- 2) Defer my report to the August 23<sup>rd</sup> meeting as I will return to the office August 17<sup>th</sup>.

I thank you in advance for your consideration.

cc: Dave Cluckey, MIS Manager  
Cheryl Stevens, Grants Manager  
File



# Time Off Request Form

Employee Name:  Request Date:

Employee Number:  Start Date:  Week Ending Date:

Department:

Choose One	Choose Date	# of Days/ Hours	Choose One	Time In	Choose One	Time Out	Choose One
Vacation Time	Aug 1, 2016	5	Days				
Vacation Time	Aug 8, 2016	5	Days				
Vacation Time	Aug 15, 2016	2	Days				

\*If requesting the use of donated hours, employee must already have the donated hours. This form is not a request for donated hours.

**Additional Information**

Select the Date you will be returning to work

*Scanned to  
Duffy's 6-2-16*

Add or Change Punch	Date	Time In	AM/PM	Time Out	AM/PM

**Additional Information for time off or punch change**

Supervisor's Name (Typed or Signed):

Approved  Denied Denial Reason:

Date: *[Signature]*

### Oneida Business Committee Agenda Request

1. Meeting Date Requested: 08 / 10 / 16

2. General Information:

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

[Empty text box]

Agenda Header:

Reports

Accept as Information only

Action - please describe:

Approval of mandatory quarterly report to OBC

3. Supporting Materials

Report  Resolution  Contract

Other:

1. [Empty text box]

3. [Empty text box]

2. [Empty text box]

4. [Empty text box]

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:

Wesley Martin, Jr. /ONCOA Chairman  
Your Name, Title / Dept. or Tribal Member

Additional Requestor:

Lois Strong/ONCOA Coordinator  
Name, Title / Dept.

Additional Requestor:

Name, Title / Dept.

## Oneida Business Committee Agenda Request

### 6. Cover Memo:

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

Attached is the ONCOA FY2016 Q3 Report. This is a mandatory requirement for ONCOA to provide a quarterly report to the OBC.

Thank you

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](mailto:BC_Agenda_Requests@oneidanation.org)

**ONCOA QUARTER 3 REPORT TO OBC****AUGUST 2016****Period: April, May, June 2016****MISSION: ONCOA ADVOCATES FOR ALL SERVICES THAT PLACE PRIORITY ON THE WELL BEING OF OUR ELDERS****ONEIDA NATION COMMISSION ON AGING**

Wesley Martin, Jr., Chairman  
 Arlie Doxtator, Vice Chairman  
 Marlene Summers, Secretary  
 Shirley Barber, Member  
 Carol Elm, Member

MaryAnn Kruckeberg, Member  
 Patricia L. Lassila, Member  
 Lois J. Powless, Member  
 Dorothy J. Skenandore, Member

**Melinda Danforth, OBC Liaison, and Lisa Summers, Alternate OBC Liaison****Primary Focus Areas for ONCOA**

- **Long Term Care Services & Support** -- Personal Care Agency; Aging & Disability Resource-Specialist (ADR-S); Affordable & Accessible Elder Housing; Adult Day Services; Alzheimer's & Other Dementia Diseases
- **Communication** with Tribal Elders, Elder Service Staff and Community
- **Training & Education** for ONCOA and staff

<b>ONCOA Meetings April, May, June 2016</b>		
April 11 April 26	May 9 May 24	June 14 June 28

**PROJECTS/TRAINING/EDUCATION****Tribal Budget Planning – FY2017, FY2018, FY2019**

- Monthly meetings have been held to gain understanding of guiding strategies: Vision, Mission, Core Values, Four Strategic Directions, Seven Practical Visions and Value Based Budgeting.
- In May the ONCOA FY2015 Budget packet (Proposed Budget, Program Alignment Summary, Budget Narratives) was submitted to the Assistant CFO.
- The first budget roll-up meeting occurred in June with the goal to reach a balance budget for FY2017.

**Elder Village – Cottage Neighborhood**

- Affordable and accessible housing for our elders is a priority need in our community. To address this need, ONCOA played a major role in identifying the Elder Village Concept as a neighborhood that would enhance "Quality of Life" principles for elders. The cottages are unique with materials, varied layout, and are in a park-like setting with ample green space surrounding the homes. There is a trail connection to other Oneida areas like Site I, Turtle School, and eventually Site II. The Elder Village homes will meet the minimum ADA standards.

## ONCOA QUARTER 3 REPORT TO OBC

AUGUST 2016

Period: April, May, June 2016

- Collaborative efforts continue with OHA, Oneida Planning, ONCOA and others throughout the various phases of development. ONCOA and Project Team Status meetings are held monthly to stay informed on the progress at various stages of development. Project Team Meetings are held at the Elder Services Conference Room and OBC members are invited to attend any of the meetings.
- **Current Status:** The renting of the units is near completion by the Oneida Housing Authority. The Project Team is meeting to design the next 8-10 cottages. It is expected that the cottage plans will be ready to bid out in February 2017.

### Adult Day Services

- ONCOA has identified the need for Adult Day Services and garages for the Tribal Elder Apartments. The Adult Day Service was deleted from the original ORCCC project and slated for a future development CIP. These projects are related to the development of the Lee McLester II Complex. ONCOA will be working with Elder Services to support moving these projects forward.
- ONCOA will start researching adult day care programs.
- **Current Status Adult Day Services:** ONCOA and Elder Services continue to work with Leanne Doxtator, Planning Office, to prepare a concept paper and CIP. We took a tour of Curative Connections to learn about the various levels of adult day services they run. They volunteered to continue to be a resource to us as we develop our plans.

### Tribal Elder Apartment Garages

- In **February 2005** Elder Services started the plans for a capital improvement project request for garages for tenants occupying the Elder Service apartments. Project justification continues to be for health and safety issues. Because the existing building is located on top of a hill, it can be extremely windy with harsh weather conditions. Elders are especially susceptible to health problems caused by these conditions and it can be very difficult for elders to get to and from their vehicles in inclement weather.

**Current Status Apartment Garages:** The CIP package (#05-013/May 31, 2007) for the Elder Services Apartment Garages was deleted from the CIP list but it was reinstated on the CIP list for FY2015. This is now an active CIP for these garages and there have been several meetings held to move this project forward.

### Solar Deployment in Oneida Community

- ONCOA has been identified as a project champion of solar deployment in Oneida and to serve as a conduit for getting out the message and generating grassroots support.
- The Oneida Nation is taking advantage of federal grants and incentives, as well as private financing, to install solar panel on nine tribal buildings at no up-front cost to the tribe. These projects will protect and preserve the environment for future generations.
- In the near future Elder Independent Apartments, Turtle School, IMAC, Gaming Warehouse, Oneida Health Center will be fitted with solar panels.

## ONCOA QUARTER 3 REPORT TO OBC

AUGUST 2016

Period: April, May, June 2016

- Solar Energy Planners will be featured in the August 26, 2016 Fourth Annual Elder Expo at the Radisson.

### Alzheimer's Awareness and Research Initiative

- In **December 2014**, ONCOA connected with the Wisconsin Alzheimer's Disease Research Center after meeting representatives at the Annual Wisconsin Alzheimer's conference. The UW-Madison's Alzheimer Disease Research Center is one of the Nation's leading research centers providing scientific research, resources, and expertise in Alzheimer's disease and related illnesses. ONCOA supports Oneida tribal members to expand their awareness of Alzheimer's disease and other dementias and to participate in the national effort to end Alzheimer's.
- In **May 2015**, Dr. Dorothy Farrar-Edwards, Dr. Carey Gleason, Fabu Carter and Carol Hutchinson from the University of Wisconsin School of Medicine and Public Health Alzheimer's disease Research Center (ADRC) met with Oneida elders and others at the mealsite to provide Alzheimer's Disease information.
- ONCOA held a meeting with Dr. Dorothy Edwards and Dr. Carey Gleason to discuss the potential collaboration between Oneida and UW-Madison's Alzheimer's Disease Research Center. Potential areas of collaboration are: Training Dementia Care Specialist; Community Education; Promoting Timely Recognition of Memory Disorders; Connecting to Oneida Health Center and Anna John RCCC. The Green Bay area has a large Native population and would be ideal for a satellite center for a UW-Madison Alzheimer's Resource Center.
- In April a memory screening date was held at the AJRCCC Mealsite. The AD8 screening tool was administered to attendees at the event. The AD8 is a simple tool utilized to help discover very early dementias. This was not a diagnostic tool. At another April date the Madison Research group was available to administer a full memory test. Medical resources were provided to the volunteer after the test.
- **Alzheimer's Clinical Trials**-- ONCOA continues to work on encouraging tribal members to become participants in Alzheimer's clinic trials. There is very little information on Native Americans that would indicate how prevalent the disease is in Indian country. We can fight this disease by becoming research volunteers who provide critical data needed to move science forward. Several Oneida volunteers have already signed up and are encouraging others to participate.
- **ONCOA** members attended a one-day Alzheimer's conference in Keshena in April.

### Aging and Disability Resource Specialist (ADRS)

- An Aging & Disability Resource Center (ADRS) is a one-stop shop for accurate, unbiased information on all aspects of life related to aging or living with a disability. The ADRS provides information on a broad range of programs and services; helps people understand the various Long Term Care Options available to them; helps applicants apply for programs and benefits; and serves as the access point for publically funded Long Term Care.
- The State will provide funding for the ADR-Specialist Positions (2) in the amount of \$106,000. A representative from the Long Term Group has been delegated to serve on the Brown County and the Outagamie County ADRC Governing Boards.

## ONCOA QUARTER 3 REPORT TO OBC

AUGUST 2016

Period: April, May, June 2016

- **Current Status:** The ADRS program continues to grow. Mallory Patton, ADRSpecialist, has received a letter from the state acknowledging her job performance. \$38,000 has been reimbursed to Elder Services for the Medicaid related marketing and advising services through time reporting to the State.

### Long Term Care Group

- A Long Term Care (LTC) group consisting of representatives from Oneida Health Center, Governmental Services, and ONCOA has been formed to develop a strategic LTC-Services and Supports plan for Oneida. Out of this large a core team has been formed.
- Lately the core team (Health Center, GSD, Elder Services, ONCOA, Law) have been meeting to deal with the **Tribal Only Waiver**. The Tribally operated Medicaid (low income) Home and Community Based Services (HCBS) waiver is an option for Wisconsin American Indian Tribes to provide long term supports for adults with long-term care needs in Wisconsin. This waiver is important because it aligns administration with the unique authorities of Tribal Governments, and assures that services will meet the unique needs of tribal members when meeting their long term care needs.
- During the past months the waiver plan was changed to Tribally Operated Waiver. It is expected that solutions will be developed to narrow the health care gap in critical risk areas experienced disproportionately among American Indians.
- The Tribal Only Waiver will allow for 100% reimbursement at the federal level directly to tribes. The State will then not have to pay a percentage of the eligible service. We have not received any notification that the Tribal Only Waiver has been approved.
- **Current Status:** The State and Tribal representatives continue to work with CMS to get the Tribal Waiver approved through CMS.

### Wisconsin Aging Conference - June 7 & 8, 2016

- To support ONCOA efforts to do more with less, Marlene Summers, ONCOA Secretary was able to secure three scholarships to attend this conference.
- **Supported Decision-Making:** The number of older adults under guardianship is on the rise. Undue guardianship can negatively affect a person's quality of life. Supported decision-making, which provides the individual with decision-making assistance, is a less restrictive alternative to guardianship as the individual remains the primary decision-maker. (More research into this type of arrangement is needed.)
- **National Trends:** Baby Boomer are entering LTC arena and demand a different approach to managed care; More interest in consumer directed care; Nursing homes are not the default setting for older persons needing assistance; \$520 Billion is the economic value of unpaid caregiving.

### Money Follows the Person (MFP) Tribal Initiative

- The Centers for Medicare and Medicaid Services is offering states and tribes between \$850,000 and \$1.93 million in grant funding in order to build sustainable community-based Long Term Services and supports specifically for Tribal Members. Wisconsin must have an active partnership with the participating tribes or tribal organizations in order to be eligible for the grant. Oneida submitted a letter regarding our willingness to move forward with the State in developing systems to address tribal member needs. Each tribe selects an option that is most appropriate to the tribal needs.
- The project Oneida has selected to develop is a **Tribal Personal Care Agency** along with needed infrastructure to deliver Long Term Care services to Oneida Tribal Members. Having a Personal Care Agency will allow **Elder Services and Oneida Health Center** to obtain

## ONCOA QUARTER 3 REPORT TO OBC

AUGUST 2016

Period: April, May, June 2016

Third Party Billing Payments through Medicaid for In-Home Care and Home Chore Services. Currently, Oneida provides In-Home Care and Home Chore Services that are paid through Tribal Contribution. In the future, Elder Services could potentially increase these services utilizing the third party reimbursement received by the Tribe.

- **Up Date:** The Tribal Personal Care Agency application was to be submitted to the State on June 1, 2015. Unfortunately more work needed to be accomplished. Currently no revised date has been determined. The LTC Core team needs to meet to learn what is needed to be able to submit the application. ONCOA supports having a personal care agency to **help defray Tribal Contribution costs to the Elder Service budget**. The reimbursement will come from those services provided to clients who meet low income eligibility (Medicaid) and are eligible for the COP program. The COP program will be expire in December 2017 and those services will then come through managed care. We need to

### Great Lakes Native American Elders Association (GLNAEA)

- GLNAEA meetings are held quarterly and membership is comprised of elders from the eleven tribes in Wisconsin. Each tribe takes a turn at sponsoring a meeting on their reservation. Tribal news and current issues in Indian country are discussed at the meetings. Social interaction between the tribes is an important aspect of the association that keeps members participating in the meetings. The March meeting was held in Lac du Flambeau.

### Webinars and Training

- ONCOA attends webinars that are held monthly in the Elder Services Conference Room. These webinars pertain to services for Elders. The webinars are sponsored by GWAAR Health Promotion Team and Long-Term Care Services and Supports Technical Center. Efforts are made to seek local training offered in Oneida and in Wisconsin to keep training expenses to a minimum.
- Topics covered: ADRS Policy, Music & Memory Program, CMS Technical Assistance, and Financial Protection for Elders & Falls Prevention.

### Wisconsin Tribal Aging Directors Association

- ONCOA members participate in these monthly meetings along with Elder Services Director, Florence Petri. All eleven tribes belong to this association and meet to discuss Aging Issues in Indian Country and to formulate ways to best meet the needs of our Native Elders.
- This is a collaborative relationship that ONCOA has maintained with Elders Services and the other tribes since the inception of the organization.

### Elder Service Staff Meetings

- Elder Service Staff Meetings are held on the first Tuesday of each month. Updated monthly calendar of events, speakers, and staff information comprise the agenda. There is at least one ONCOA Representative in attendance to provide a status of ONCOA Activities.

### Title V – Senior Community Service Employment Program (SCSEP)

- SCSEP is Elder job training funded through a grant from the U.S. Dept. of Labor.
- ONCOA has employed Title V staff for the past 8 years and we have always had great success working with the Title V program. We currently employ an elder in an

**ONCOA QUARTER 3 REPORT TO OBC****AUGUST 2016****Period: April, May, June 2016**

administrative assistant position. Since our budget is limited we seek out resources to assist us in meeting our administrative needs.

**Other Activities/Projects**

- Tribal-wide Snow Removal Collaboration
- Major Home Repair Budget and SOP Development
- ONCOA Orientation
- Sustain Oneida Retreat
- Elder Tree – A website just for older adults in Wisconsin
- SEOTS – Visit Milwaukee program, collaborative event
- Elder Gardens – Landscaping project as memorial garden for elders

**Meeting Requirements**

ONCOA meets on the second and fourth Tuesday of each month at 1:00 p.m. in the Elder Services, Conference Room. Special Meetings are held during the month to address specific topics related to the goals and objectives of ONCOA. Meetings are open and community members are encouraged to attend.

**GOALS**

<b>GOAL I</b>	<b>ONCOA will create policies and work together with Elder Services in an effort to improve the quality of life of our Elders.</b>
<b>GOAL II</b>	<b>ONCOA will communicate with Elders on issues, policies and services in order to increase their awareness and participation.</b>
<b>GOAL III</b>	<b>ONCOA will advocate at all levels (tribal, local, state, national) for resources to provide for elder services</b>

**COMMENTS**

Each commissioner, along with the ONCOA staff, brings with him/her a varied background of employment, life experiences, education, and community/state/national involvement to work toward a common goal of advocating for services that place emphasis on our elders. The following list demonstrates the extent of current community/state/national involvement for the ONCOA commissioners and staff:

Oneida Nutrition Board	Anna John RCCC Board
GLNAEA – Elder Abuse Task Force	National Indian Council on Aging (NICOA)
Oneida Personnel Commission	Oneida Child Protective Board
Veterans of Foreign Wars (VFW) Auxiliary	
Oneida Police Commission	
Great Lakes Native American Elders Association, members & Board of Directors	
National Indian Child Welfare Association	
Greater Wisconsin Agency on Aging Resources (GWAAR), Board of Directors	

G:\ONCOA\Quarterly Reports 2010 –2016\Qt'y Report 3 Aug 2016 Apr May June 2016

### Oneida Business Committee Agenda Request

1. Meeting Date Requested: 08 / 10 / 16

2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

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:

Primary Requestor/Submitter:

Vicki Cornelius Election Board Chairperson  
Your Name, Title / Dept. or Tribal Member

Additional Requestor:

Name, Title / Dept.

Additional Requestor:

Name, Title / Dept.

**ONEIDA ELECTION BOARD QUARTERLY REPORT**  
**April - June 2016**  
**July 18, 2016**

**Report Submitted By:** Vicki L. Cornelius, Interim Chairperson  
[Election\\_Board@oneidanation.org](mailto:Election_Board@oneidanation.org)

**Board Members:** Vicki L. Cornelius, Interim Chairperson  
Lori Elm, Interim Vice Chairperson  
Melinda K. Danforth, Secretary  
Constance Danforth  
Sunshine Wheelock  
Candace House (Appointed)  
Patricia Moore (Appointed)

**BC Liaison:** Melinda J. Danforth, Vice Chairwoman  
Alternate Lisa Summers, Tribal Secretary

**Meetings:**

	Regular Meeting	Special Meeting	GTC Meeting
April	1	0	1
May	3	2 (1 Caucus)	
June	2	0	1

**Highlights for the quarter:**

Preparation of the 2016 Special Elections held on July 9, 2016 which includes, but not limited to: review of applications, determining number of Alternates needed and alternate selection, notification to candidates who may be deemed ineligible, possible hearings, drafting notices, memos and ballots, ordering all necessary materials, conducting travel arrangements for Milwaukee polling site, etc.

**Goals and Objectives:**

- ❖ Conduct Tribal Elections in compliance with Tribal law.
- ❖ Develop, adopt, and review applicable standard operating procedures.
- ❖ Strive to serve the Oneida membership fairly while being fiscally responsible.

**Meeting requirements:** The Oneida Election Board is required to meet once per month with special meetings scheduled as needed. The Oneida Election Board has had more regular meetings in May to prepare for the 2016 Special Election held on July 9, 2016.

Due to the request of two (2) Election Board Member recusals the Board requested to post for more Alternates/GTC Officials. The 2016 Special Election recommendation date of July 9, 2016 was approved by the Business Committee on March 30, 2016. The focus of the Election Board has been the special election.

# Oneida Business Committee Agenda Request

1. Meeting Date Requested: 08 / 10 / 16

## 2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

Accept the OGC 3rd Qtr 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:

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:

As required a copy of the Gaming Commission's current quarterly report for April, May & June (3rd Qtr) is being submitted for approval.

- 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](mailto:BC_Agenda_Requests@oneidanation.org)

## **ONEIDA GAMING COMMISSION QUARTERLY REPORT**

FY 2016 Third Quarter: April, May, and June

*Prepared on August 2, 2016*

### **Article I. Purpose**

The purpose of the Oneida Gaming Commission (OGC) is to protect the assets and integrity of Oneida Gaming through regulatory oversight. The OGC regulatory oversight leads to current and consistent regulatory practices within the gaming operation.

### **Article II. Names**

2-1. There are four (4) full time Commissioners which include: Chairman Mark A. Powless Sr., Vice Chair Matthew W. Denny, Secretary R. Tom Danforth, and Commissioner Barbara Erickson. The OGC also has an Executive Director who oversees eleven (11) staff members and the OGC also oversees thirty-six (36) Surveillance personnel. Currently, the OGC is short staffed by two (2) positions in the Surveillance area.

2-2. Report is submitted by the Oneida Gaming Commission Executive Director, Tamara Van Schyndel. The Oneida Gaming Commission can be reached by calling 920-497-5850.

2-3. The Oneida Business Committee Liaison for the Oneida Gaming Commission is Brandon Yellowbird-Stevens.

### **Article III. Meetings & Reports**

#### **OGC Meetings**

April	04/04/16 Regular
	04/18/16 Regular
May	05/02/16 Regular
	05/16/16 Regular
June	06/13/16 Regular
	06/27/16 Regular

#### **Security Joint Meetings**

April	04/11/16
May	05/09/16
June	CNX

#### **Gaming Joint Meetings**

April	CNX
May	05/03/16
June	CNX

**Employee Investigations and Vendor Licensing**

	License Investigations	Temporary Licenses (Work Permits) Approvals/Denials	New Employee Orientation & Spectra	Vendor Work Permits
April	14	88/16 Denials	16/0	19/0 Denials
May	38	93/16 Denials	29/0	22/0 Denials
June	23	78/15 Denials	20/0	19/0 Denials

**Employee Licensing and Hearings**

	Employees Licensed	Hearings
April	88	0
May	93	2
June	78	0

**Surveillance Reports**

	# of Reports
April	39
May	59
June	36

**April**

- Operational Review and Planning Meetings
- Work Force Level Assessment Meetings
- Department Budget Meetings
- Retail Surveillance Meetings with MIS, Retail, OPD & Security
- Surveillance Assessment and Interviews conducted by Commissioners

**May**

- Department Budget Meetings
- NIGC Compliance Training 05/09/16 - 05/13/16 in Nebraska, NE
- Gaming Management presented Gaming's Strategic Plan 05/16/16
- OGC Relocation Meeting with DPW 05/24/16
- Meeting with External Auditors 05/24/16

**June**

- Cash Handling & Asset Protection Meeting with Retail 06/10/16
- Active Shooter Training 06/14, 06/20 and 06/21/16
- Wisconsin Gaming Regulator Meeting 06/15/16 - 06/17/16 in Danbury, WI
- 3<sup>rd</sup> Quarter Payment to NIGC 06/30/16
- Annual Payment to the State 06/30/16



## MARRIAGE LAW

### Rule # 1 – Marriage License Fee Schedule

- 1.1 Purpose, Authority and Effective Date
- 1.2 Adoption
- 1.3 Definitions
- 1.4 Fees

#### 1.1 Purpose, Authority and Effective Date

1.1-1. *Purpose.* The purpose of this rule is to establish a fee schedule for marriage licenses under the Marriage Law.

1.1-2. *Authority.* The Marriage Law delegates rulemaking authority to the Department pursuant to the Administrative Rulemaking law.

1.1-3. *Effective Date.* This rule shall become effective on August 18, 2016.

#### 1.2. Adoption

1.2-1. This rule was adopted by the Department in accordance with the procedures of the Administrative Rulemaking law.

1.2-2. This rule may be amended or repealed by the Department and/or the Oneida Business Committee pursuant to the procedures set out in the Administrative Rulemaking law.

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

1.2-4. In the event of a conflict between a provision of this rule and a provision of another rule, internal policy, procedure, or other regulation; the provisions of this rule shall control.

1.2-5. This rule supersedes all prior rules, regulations, internal policies or other requirements relating to Marriage licensing fees.

#### 1.3. Definitions

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

(a) “Department” means the Oneida Licensing Department.

#### 1.4. Fees

1.4-1. The following list identifies the various fees that are, or may be, applicable to acquiring a marriage license:

(a) *Filing fee.* A standard filing fee for a marriage license. This fee amount shall be one hundred dollars (\$100).

(b) *Waiver fee.* A fee for the waiver of the initial waiting period. This fee amount shall be twenty-five dollars (\$25).

(c) *Correction fee.* A fee for correcting a marriage license application after it has been submitted to the Department. This fee amount shall be ten dollars (\$10).

1.4-2. All fees shall be paid to the Department.

*End.*

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Original effective date: August 18, 2016 (Certified by LOC on 8/3/16)



## MARRIAGE LAW

### Rule #2 – Marriage Law Fine Schedule

- 2.1 Purpose, Authority and Effective Date
- 2.2 Adoption
- 2.3 Definitions
- 2.4 Fines

#### **2.1 Purpose, Authority and Effective Date**

2.1-1. *Purpose.* The purpose of this rule is to establish the fines for violations of the Marriage Law.

2.1-2. *Authority.* The Marriage Law delegates rulemaking authority to the Department pursuant to the Administrative Rulemaking law.

2.1-3. *Effective Date.* This rule shall become effective on August 18, 2016.

#### **1.2. Adoption**

2.2-1. This rule was adopted by the Department in accordance with the procedures of the Administrative Rulemaking law.

2.2-2. This rule may be amended or repealed by the Department and/or the Oneida Business Committee pursuant to the procedures set out in the Administrative Rulemaking law.

2.2-3. Should a provision of this rule or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this rule which are considered to have legal force without the invalid portions.

2.2-4. In the event of a conflict between a provision of this rule and a provision of another rule, internal policy, procedure, or other regulation; the provisions of this rule shall control.

2.2-5. This rule supersedes all prior rules, regulations, internal policies or other requirements relating to fines for violations of the Marriage Law.

#### **2.3. Definitions**

2.3-1. This section shall govern the definitions of words and phrases used within this rule. All words not defined herein shall be used in their ordinary and everyday sense.

(a) “Department” means the Oneida Licensing Department.

(b) “Officiating person” means the person or persons who perform the marriage ceremony.

#### **2.4. Fines**

2.4-1. A person who knowingly violates the Marriage Law shall be penalized as follows:

(a) Any person who swears to a false statement to obtain a marriage license or to help another obtain a marriage license shall be fined no less than five hundred dollars (\$500.00).

(b) Any person who is not an officiating person under the Marriage Law who solemnizes a marriage ceremony shall be fined no less than one hundred dollars (\$100.00).

(c) The parties to a marriage and/or the officiating person(s) of a marriage conducted without a valid marriage license or without the presence of two (2) competent adult witnesses shall be fined no less than one hundred dollars (\$100.00).

## HANDOUT FOR ITEM - VIII.A.04.

(d) Any person who goes to another jurisdiction to avoid this law and contracts a marriage prohibited under this law shall be fined no less than five hundred dollars (\$500.00).

(e) Any person who violates any other provision of this law shall be fined no less than one hundred dollars (\$100.00).

2.4-2. All fines shall be paid to the Department.

*End.*

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Original effective date: August 18, 2016 (Certified by the LOC on 8/3/16)

Business Committee Meeting  
9:00 a.m. Wednesday, August 10, 2016  
Thank you for printing clearly

Bud Graham

Bill Graham

Barb Erickson

Geraldine Danforth

Janet Danforth

Yvonne Danforth

STHEIGA HUNTINGTON

KURT JOHAN

DAVID DANFORTH

Shirley Danforth

Kate Miller

DAVE BRIDGEMAN

ROBIN DOXTATER

Henri Cornelius

Bill Stimpsey

Anna Rempel

Kathy Danforth

[Signature]

Norbert Hill

Sue Doxtater

Joan Christel

[Signature]

Travis Kelleys

Paul Merritt

Jed Schacht

Doreen Perrote

Marsha Danforth

Sybil Cornelius

Tona Webster

Alex Powers

Ken Hill

Christy Johnson

Spence Danforth

C. J. [Signature]

[Signature]

Tom Danforth

Deann [Signature]

Rosalinda [Signature]

Lisa Leggins

Jennifer Berg [Signature]

**Business Committee Meeting**  
9:00 a.m. Wednesday, August 10, 2016

**Thank you for printing clearly**

Nicolas A. Reynolds

Sarah E. Wundack

Josh Cottrell

MARK POWLESS

Dianne McLesler-Heim

Lois Spring

Tom Wainwright

Matt Denny

Lois Powless