



# Oneida Business Committee

## Executive Session

9:00 a.m. Tuesday, October 25, 2016  
Executive Conference Room, 2<sup>nd</sup> floor, Norbert Hill Center

## Regular Meeting

9:00 a.m. Wednesday, October 26, 2016  
BC Conference Room, 2<sup>nd</sup> floor, Norbert Hill Center

## Minutes

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### EXECUTIVE SESSION

**Present:** Vice-Chairwoman Melinda J. Danforth, Treasurer Trish King, Secretary Lisa Summers, Council members: Fawn Billie, Tehassi Hill, David Jordan, Jennifer Webster;

**Not Present:** Chairwoman Tina Danforth (*personal*);

**Arrived at:** Councilman Brandon Stevens at 11:00 a.m.;

**Others present:** Jo Anne House, Liz Somers, Chris Johns, Dale Wheelock, Larry Barton, Louise Cornelius, Michelle Danforth, Joanie Buckley, Geraldine Danforth, Chris Johns, Bobbie Webster, Phil Wisneski;

### REGULAR MEETING

**Present:** Vice-Chairwoman Melinda J. Danforth, Treasurer Trish King, Secretary Lisa Summers, Council members: Fawn Billie, David Jordan, Jennifer Webster;

**Not Present:** Chairwoman Tina Danforth, Councilman Tehassi Hill;

**Arrived at:** Councilman Brandon Stevens at 9:02 a.m.;

**Others present:** LouAnn Green, Heather Heuer, Weldon "Ted" Hawk, Jo Anne House, Nancy Barton, Jen Falck, Debbie Danforth, Clorissa Santiago, Ed Delgado, Chris Johnson, Krystal John, Taniquelle Thurner, Gina Buenrostro, Brad Graham, Bill Graham, RaLinda Ninham-Lamberies, Madelyn Genskow, Chris Johns, Carol Silva, Lisa Liggins, Mike Hill, Tonya Webster, Kristi Giltner, Felicia Bernhardt via Polycom;

### **I. CALL TO ORDER AND ROLL CALL** by Vice-Chairwoman Melinda J. Danforth at 9:01 a.m.

For the record: Chairwoman Tina Danforth is out of the office on personal time.  
Councilman Tehassi Hill is attending the Fox River Trustee meeting in Green Bay, WI.

### **II. OPENING**

### **III. ADOPT THE AGENDA (00:00:37)**

Motion by David Jordan to adopt the agenda with the following change: [Add-on to Executive Session – New Business item 13.E.04. "Review request regarding hiring of critical key management position"], seconded by Fawn Billie. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill

*Councilman Brandon Stevens arrives 9:02 a.m.*

**IV. OATHS OF OFFICE (00:01:20)** administered by Secretary Lisa Summers

**A. Environmental Resources Board** – Weldon “Ted” Hawk

**B. Southeastern Oneida Tribal Services Advisory Board** – Felicia Bernhardt (*via Polycom*)

**V. MINUTES (00:04:35)**

**A. Approve October 12, 2016, regular meeting minutes**

Sponsor: Lisa Summers, Tribal Secretary

Motion by Jennifer Webster to approve the October 12, 2016, regular meeting minutes, seconded by David Jordan. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill

**VI. RESOLUTIONS**

**A. Adopt resolution entitled Back Pay Law Amendments (00:04:47)**

Sponsor: Councilman Brandon Stevens, Chair/Legislative Operating Committee

Motion by Brandon Stevens to adopt resolution # 10-26-16-A Back Pay Law Amendments with the following changes: [Revise “average hours worked instead” of “earnings” in lines 203 and 208; revise “average weekly wage” to “back pay” in line 207; and revise “Oneida Contract Health” to “Purchased Referred Care” in lines 10 and 13], seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill

**B. Adopt resolution entitled Election Law Permanent Amendments (00:09:03)**

Sponsor: Councilman Brandon Stevens, Chair/Legislative Operating Committee

Motion by Brandon Stevens to accept the Election Law Permanent Amendments; and to forward the Election Law Permanent Amendments to the 2017 Annual General Tribal Council meeting agenda, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill

**C. Adopt resolution entitled Leasing Law Amendments (00:23:33)**

Sponsor: Councilman Brandon Stevens, Chair/Legislative Operating Committee

Motion by Brandon Stevens to adopt resolution # 10-26-16-C Leasing Law Amendments, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill

Amendment to the main motion by Lisa Summers to request a status report regarding the implementation of the Leasing Law and how it is working be brought back to the Business Committee in six (6) months, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill

*Secretary Lisa Summers departs at 9:50 a.m.*

*Secretary Lisa Summers returns at 9:56 a.m.*

**D. Adopt resolution entitled Drug & Alcohol Free Workplace Policy Emergency Amendments (00:36:08)**

Sponsor: Councilman Brandon Stevens, Chair/Legislative Operating Committee

Motion by Brandon Stevens to adopt resolution # 10-26-16-D Drug & Alcohol Free Workplace Policy Emergency Amendments, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill

Motion by Lisa Summers to request that a similar policy for appointed and elected officials also be developed and provided by the Legislative Operating Committee, seconded by David Jordan. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Trish King, Lisa Summers, Jennifer Webster, Brandon Stevens

Not Present: Tina Danforth, Tehassi Hill

*Treasurer Trish King departs at 10:03 a.m.*

**VII. STANDING COMMITTEES**

**A. Legislative Operating Committee**

Sponsor: Councilman Brandon Stevens, Chair

**1. Accept October 5, 2016, Legislative Operating Committee meeting minutes (1:04:17)**

Motion by David Jordan to accept the October 5, 2016, Legislative Operating Committee meeting minutes, seconded by Lisa Summers. Motion carried with one abstention:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers

Abstained: Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

**B. Finance Committee**

Sponsor: Tribal Treasurer Trish King, Chair

**1. Approve October 17, 2016, Finance Committee meeting minutes (1:05:42)**

Motion by David Jordan to approve the October 17, 2016, Finance Committee meeting minutes, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

**VIII. UNFINISHED BUSINESS**

**A. Review final report and accept recommendation regarding Medicare Part B Research (1:14:44)**

Sponsors: Debra Danforth Division Director/Comprehensive Health Operations; Dr. Ravinder Vir, Division Director/Medical Operations

*EXCERPT FROM OCTOBER 12, 2016: Motion by Jennifer Webster to defer this item to the October 26, 2016, regular Business Committee meeting, seconded by Brandon Stevens. Motion carried unanimously.*

*EXCERPT FROM APRIL 08, 2015: Motion by Melinda J. Danforth to defer the Medicare Part B research back to the Comprehensive Health Division Directors and to comeback with a report in 90 days that researches the opportunities we would have to provide insurance to those individuals of 65 and over that are Oneida Tribal members and have a work meeting with the directors to clarify and develop the scope, seconded by Lisa Summers. Motion carried unanimously*

*EXCERPT FROM FEBRUARY 11, 2015: Motion by Melinda Danforth to accept the Oneida Nation Commission on Aging report and that the request from ONCOA regarding researching whether or not the Tribe should pay for Medicare Part B benefits for Tribal members who use the Oneida Health Center be assigned to the Comprehensive Health Division Directors to research and bring back in 60 days, seconded by Lisa Summers. Motion carried unanimously.*

Motion by Lisa Summers to accept the report; and to defer this discussion to a Business Committee work meeting for further conversation, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

*Councilman David Jordan departs at 10:37 a.m.*

*Councilman David Jordan returns at 10:46 a.m.*

**B. Accept close-out report regarding 340-B certification and determine next steps (1:23:27)**

Sponsors: Debra Danforth Division Director/Comprehensive Health Operations; Dr. Ravinder Vir, Division Director/Medical Operations

*EXCERPT FROM OCTOBER 12, 2016: Motion by Fawn Billie to accept the close-out report; to include the sales comparison; and request the report to be released from executive session by placing it into open session for the October 26, 2016, regular Business Committee meeting, seconded by Jennifer Webster. Motion carried unanimously.*

Motion by Lisa Summers to accept the close-out report regarding 340-B certification, seconded by David Jordan. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

Motion by Jennifer Webster to request this item go to the 2017 Annual General Tribal Council as part of the Oneida Business Committee's report, seconded by Lisa Summers. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

**C. Defer update regarding vacancies on the Oneida Personnel Commission to the November 9, 2016, regular Business Committee meeting (1:49:11)**

Sponsor: Tina Danforth, Tribal Chairwoman

*EXCERPT FROM OCTOBER 12, 2016: Motion by Jennifer Webster to defer this item to the October 26, 2016, regular Business Committee meeting, seconded by Brandon Stevens. Motion carried unanimously.*

*EXCERPT FROM SEPTEMBER 14, 2016: Motion by Lisa Summers to defer this item back to Chair's Office regarding the (2) two Oneida Personnel Commission vacancies not filled through posting #3 which had the deadline of June 20, 2016, and the one (1) vacancy not filled through posting #4 which had the deadline of July 15, 2016; and to request clarifications be brought back to the October 12, 2016, regular Business Committee, seconded by Tehassi Hill. Motion carried with two abstentions.*

*EXCERPT FROM AUGUST 24, 2016: (1) Motion by David Jordan to approve the recommendation to appoint Leland Wigg-Ninham, Eric Krawczyk, and Jennifer L. Hill to Oneida Personnel Commission, seconded by Melinda J. Danforth. Motion carried with one abstention. (2) Amendment to the main motion by Lisa Summers to direct the Tribal Secretary to bring back a chronology of events for these particular vacancies for information to the Business Committee, seconded by Jennifer Webster. Motion carried unanimously.*

Motion by Lisa Summers to accept the request to defer the update regarding vacancies on the Oneida Personnel Commission to the November 9, 2016, regular Business Committee meeting, seconded by Fawn Billie. Motion carried unanimously:

*Secretary Lisa Summers departs at 11:07 a.m. before voting occurs.*

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King, Lisa Summers

*Secretary Lisa Summers returns at 11:12 a.m.*

**D. Accept report and proposed correspondence regarding request from Environmental Resources Board to support Menominee Nation in opposing the Back Forty Mine (Not Submitted) (2:09:25)**

Sponsor: Nathan King, Director/Intergovernmental Affairs & Communication

*EXCERPT FROM OCTOBER 12, 2016: Motion by Tehassi Hill to forward this item to the Intergovernmental Affairs & Communications Department to do further research; and for that area to bring back a report and proposed correspondence for the Business Committee to consider and support, to be conducted before the October 26, 2016, regular Business Committee meeting so that any action that may be taken can be accepted at the October 26, 2016, regular Business Committee meeting, seconded by Jennifer Webster. Motion carried unanimously.*

Motion by Jennifer Webster to defer this item for two (2) weeks with the understanding that Intergovernmental Affairs & Communications will submit an E-Poll request with the letter of support for the Menominee Nation opposing the Back Forty Mine to Michigan Department of Environmental Quality, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

**E. Approve request to schedule a special executive session Business Committee meeting on Friday, December 16, 2016, at 9:00 a.m. to review, approve, and forward Year End Financial Statements and presentation to the 2017 Annual General Tribal Council meeting (2:13:42)**

Sponsor: Councilman Tehassi Hill, Chair/Audit Committee

Motion by David Jordan to schedule a special executive session Business Committee meeting on Friday, December 16, 2016, at 9:00 a.m. to review, approve, and forward Year End Financial Statements and presentation to the 2017 Annual General Tribal Council meeting, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

**IX. NEW BUSINESS**

**A. Approve limited waiver of sovereign immunity for CIP project # 14-008 Uskah Village infrastructure – Wisconsin Public Service – contract # 2016-1173 (2:14:32)**

Sponsor: James Petitjean, Assistant Division Director/Development

Motion by Lisa Summers to approve the limited waiver of sovereign immunity for CIP project # 14-008 Uskah Village infrastructure – Wisconsin Public Service – contract # 2016-1173, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

**B. Approve revised Oneida Business Committee SOP entitled Conducting Electronic Voting (2:14:56)**

Sponsor: Lisa Summers, Tribal Secretary

Motion by Jennifer Webster to approve the revised Oneida Business Committee SOP entitled Conducting Electronic Voting, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

**X. TRAVEL**

**A. TRAVEL REQUESTS**

**1. Enter E-Poll results into the record in accordance with BC SOP Conducting Electronic Voting:**

Sponsor: Lisa Summers, Tribal Secretary

**a. Failed reconsidered travel request– Chairwoman Tina Danforth and up to three (3) Business Committee members – National Congress of American Indians (NCAI) conference – October 9-13, 2016 (2:15:27)**

Motion by Lisa Summers to enter the E-Poll results into the record for the failed reconsidered travel request– Chairwoman Tina Danforth and up to three (3) Business Committee members – National Congress of American Indians (NCAI) conference – October 9-13, 2016, seconded by David Jordan. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

Motion by Brandon Stevens to recess at 12:01 p.m. until 1:30 p.m., seconded by Lisa Summers. Motion carried unanimously: (3:00:00)

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

*Meeting called to order by Vice-Chairwoman Melinda J. Danforth at 1:32 p.m.*

*Chairwoman Tina Danforth, Treasurer Trish King, and Councilman Tehassi Hill not present.*



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

**A. UNFINISHED REPORTS**

**1. Accept Oneida Nation Arts Board FY '16 4<sup>th</sup> quarter report**

*(1:30 p.m.-1:45 p.m.) (3:00:13)*

Chair-Elect: Dawn Walschinski

Liaison: Jennifer Webster, Councilwoman

*EXCERPT FROM OCTOBER 12, 2016: Motion by Jennifer Webster to defer the Oneida Nation Arts Board FY '16 4<sup>th</sup> quarter report to the October 26, 2016, regular Business Committee meeting, seconded by Fawn Billie. Motion carried unanimously.*

Motion by Fawn Billie to accept the Oneida Nation Arts Board FY '16 4<sup>th</sup> quarter report, seconded by David Jordan. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

**B. OPERATIONAL REPORTS**

*Councilman Brandon Stevens departs at 1:49 p.m.*

*Councilman Brandon Stevens returns at 1:51 p.m.*

*Secretary Lisa Summers departs at 2:29 p.m.*

*Secretary Lisa Summers returns at 2:33 p.m.*

**1. Accept Oneida Housing Authority FY '16 4<sup>th</sup> quarter report**

*(1:45 p.m.-2:05 p.m.) (3:13:20)*

Sponsor: Dale Wheelock, Executive Director/Oneida Housing Authority

Motion by David Jordan to accept the Oneida Housing Authority FY '16 4<sup>th</sup> quarter report, seconded by Lisa Summers. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

Amendment to the main motion by Lisa Summers that the first Indian Housing Plan discussion for 2017 be held at the December 2016 Business Committee work meeting with Oneida Housing Authority and that it specifically includes emergency housing and sustainable development, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

Amendment to the main motion by Lisa Summers to request the Oneida Housing Authority Director to include pictures of units that are being rehabbed; and to include in future reports the cost analysis of the difference between what the normal wear-and-tear is and what happens when a full rehab has to take place, seconded by Jennifer Webster. Motion carried unanimously.

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King



**C. BOARDS, COMMITTEES, AND COMMISSIONS**

**1. Accept Oneida Nation Veterans Affairs Committee FY '16 4<sup>th</sup> quarter report  
(2:05 p.m.-2:20 p.m.) (3:01:00)**

Chair: Mike Hill  
Liaison: Jennifer Webster, Councilwoman

Motion by Lisa Summers to accept the Oneida Nation Veterans Affairs Committee FY '16 4<sup>th</sup> quarter report, seconded by David Jordan. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

**2. Accept Oneida Pow Wow Committee FY '16 4<sup>th</sup> quarter report  
(2:20 p.m.-2:35 p.m.) (4:03:00)**

Chair: Tonya Webster  
Liaison: Fawn Billie, Councilwoman

Motion by David Jordan to accept the Oneida Pow Wow Committee FY '16 4<sup>th</sup> quarter report, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

**3. Accept Oneida Police Commission FY '16 4<sup>th</sup> quarter report  
(2:35 p.m.-2:50 p.m.) (3:05:16)**

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

Motion by David Jordan to accept the Oneida Police Commission FY '16 4<sup>th</sup> quarter report, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

Motion by Lisa Summers to send the recommendations provided in the report to create a tribal criminal code, tribal traffic code, tribal public peace laws to exercise the Nation's sovereignty and jurisdiction, and curfew to the Legislative Operating Committee for consideration, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

**4. Accept Southeastern Oneida Tribal Services Advisory Board FY '16 4<sup>th</sup> quarter report  
(2:50 p.m.-3:05 p.m. via Polycom) (3:12:35)**

Chair: Daniel Schiller  
Liaison: Tina Danforth, Tribal Chairwoman

Motion by David Jordan to accept the Southeastern Oneida Tribal Services Advisory Board FY '16 4<sup>th</sup> quarter report, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

**XII. GENERAL TRIBAL COUNCIL** *(To obtain a copy of Members Only Materials, please visit the BC Support Office, located on the 2nd floor of the Norbert Hill Center and present Tribal I.D. card)*

**A. Petitioners Madelyn Genskow and Yvonne Metivier: Incentive stipends for Oneida Nation elections starting 2017**

**1. Accept legislative analysis (2:36:25)**

Sponsor: Brandon Stevens, Councilman

Motion by Brandon Stevens to accept the updated legislative analysis, seconded by Lisa Summers.  
Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

**2. Accept progress report regarding legal analysis (2:41:59)**

Sponsor: Jo Anne House, Chief Counsel

Motion by Jennifer Webster to accept the progress report regarding the legal analysis, seconded by Lisa Summers. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

**3. Accept progress report regarding financial analysis (2:42:52)**

Sponsor: Larry Barton, Chief Financial Officer

Motion by Lisa Summers to accept the progress report regarding the financial analysis, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

*EXCERPT FROM AUGUST 24, 2016: (1) Motion by Lisa Summers to accept the verified petition submitted by Madelyn Genskow and Yvonne Metivier regarding incentive stipends for Oneida Nation elections starting 2017, seconded by Jennifer Webster. Motion carried unanimously. (2) Motion by Lisa Summers to send the verified petition to the Law, Finance, and Legislative Reference, and Direct Report Offices for the legal, financial, legislative, and administrative analyses to be completed, seconded by Fawn Billie. Motion carried unanimously. (3) Motion by Lisa Summers to direct the Law, Finance, and Legislative Reference Offices to submit their analyses to the Tribal Secretary's Office within sixty (60) days; and that a progress report be submitted in forty-five (45) days, seconded by Jennifer Webster. Motion carried unanimously. (4) Motion by Lisa Summers to direct the Direct Report Offices to submit appropriate administrative analyses regarding the petition to be submitted to the Tribal Secretary's Office within thirty (30) days, seconded by Jennifer Webster. Motion carried unanimously.*

**B. Accept verified petition submitted by Edward Delgado regarding Oneida panel of educators and retention of kindergarten students; and request appropriate analyses (2:43:26)**

Sponsor: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to accept the verified petition submitted by Edward Delgado regarding Oneida panel of educators and retention of kindergarten students; and to request appropriate analyses, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

Motion by Lisa Summers 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, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

Motion by Lisa Summers to direct the Law, Finance, and Legislative Reference Offices to submit their analyses within sixty (60) days; and that a progress report be submitted within forty-five (45) days, seconded by David Jordan. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

Motion by Lisa Summers to direct the Direct Reports Offices to submit the appropriate administrative analysis to the Tribal Secretary's Office within thirty (30) days, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

**C. Approve Tribal Member's request to provide an update on status, report, and timelines for opening emergency food pantry per General Tribal Council directive from the October 2, 2016, reconvened special GTC meeting (2:45:54)**

Sponsor: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to accept the Tribal Member's request; and to direct a written update be provided at the November 9, 2016, regular Business Committee meeting, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

**XIII. EXECUTIVE SESSION** *(The Business Committee is scheduled to recess at 11:15 a.m. and to reconvene at 1:30 p.m. to attend the Voices for Oneida Conduit event)*

**A. REPORTS**

**1. Accept Intergovernmental Affairs & Communications report – Nathan King, Director (2:16:07)**

Motion by Jennifer Webster to defer the Intergovernmental Affairs & Communications report to the November 9, 2016, seconded by Lisa Summers. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

**2. Accept Chief Counsel report – Jo Anne House, Chief Counsel (2:16:33)**

Motion by Lisa Summers to accept the Chief Counsel report dated October 25, 2016, seconded by David Jordan. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

**3. Accept Chief Financial Officer report – Larry Barton, Chief Financial Officer (2:16:56)**

Motion by Jennifer Webster to accept the Chief Financial Officer report, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

**B. STANDING ITEMS**

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

**2. Oneida Golf Enterprise – Ladies Professional Golf Association (2:17:29)**  
*(This item is scheduled to begin on 10:30 a.m.)*

Sponsor: Trish King, Tribal Treasurer

Motion by Lisa Summers to accept the update from the Oneida Golf Enterprise regarding the Ladies Professional Golf Association, seconded by David Jordan. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

**C. AUDIT COMMITTEE**

Sponsor: Councilman Tehassi Hill, Chair

**1. Accept September 29, 2016, Audit Committee meeting minutes (2:18:05)**

Motion by David Jordan to accept the September 29, 2016, Audit Committee meeting minutes, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

**2. Approve Department of Public Works – Cemetery Maintenance audit and lift confidentiality requirement to allow Tribal Members to view the audit (2:18:21)**

Motion by Lisa Summers to approve the Department of Public Works – Cemetery Maintenance audit and lift confidentiality requirement to allow Tribal Members to view the audit, seconded by David Jordan.

Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

**3. Approve Card Games and Poker Rules of Play audit and lift confidentiality requirement to allow Tribal Members to view the audit (2:18:39)**

Motion by Jennifer Webster to approve the Card Games and Poker Rules of Play audit and lift confidentiality requirement to allow Tribal Members to view the audit, seconded by David Jordan. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

**4. Approve Craps Rules of Play audit and lift confidentiality requirement to allow Tribal Members to view the audit (2:18:58)**

Motion by David Jordan to approve the Craps Rules of Play audit and lift confidentiality requirement to allow Tribal Members to view the audit, seconded by Lisa Summers. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

**D. UNFINISHED BUSINESS**

**1. Accept final close-out report regarding Print Shop – Mail Center Operation plan (This item is scheduled to begin at 9:00 a.m.) (2:19:17)**

Sponsor: Joanie Buckley, Division Director/Internal Services

*EXCERPT FROM JULY 13, 2016: (1) Motion by Lisa Summers to accept the Oneida Printing October-May 2016 report; and to request a final close-out report be brought back in ninety (90) days which includes any final transition items and timelines, seconded by Brandon Stevens. Motion carried unanimously. (2) Motion by Lisa Summers to request the Internal Services Division Director to start including transitioning this item into their quarterly report, seconded by Jennifer Webster. Motion carried unanimously.*

*EXCERPT FROM APRIL 13, 2016: Motion by Fawn Billie to accept the Print Shop – Mail Center Operational plan as information and to request an update for the July 13, 2016, regular Business Committee meeting, seconded by Melinda J. Danforth. Motion carried unanimously. EXCERPT FROM MARCH 30, 2016: No formal action was taken on this item.*

*EXCERPT FROM DECEMBER 9, 2015: (1) Motion by David Jordan to accept the report, seconded by Fawn Billie. Motion carried unanimously. (2) Motion by Lisa Summers to require the next update be brought back to the March 23, 2016, regular Business Committee meeting, seconded by Jennifer Webster. Motion carried unanimously.*

*EXCERPT FROM SEPTEMBER 23, 2015: Motion by Brandon Stevens to accept the update as information, seconded by Fawn Billie. Motion carried unanimously.*

*EXCERPT FROM SEPTEMBER 9, 2015: (1) Motion by Jennifer Webster to accept this item as information, seconded by Lisa Summers. Motion carried unanimously. (2) Amendment to the main motion by Melinda J. Danforth to request the Internal Services Director bring back*

*the assessment to the Business Committee in three (3) months, seconded by Lisa Summers. Motion carried unanimously.*

Motion by Lisa Summers to accept the final close-out report regarding the Print Shop – Mail Center Operation plan; and for future updates to be included in the Internal Services Division quarterly report, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

**2. Review report regarding request from Tribal Member's concern over depletion of Bureau of Indian Affairs – General Assistant Grant funds (*Not Submitted*) (2:19:59)**

Sponsors: Chris Johns, Coordinator/Self-Governance; Liz Somers, Division Director/Governmental Services

*EXCERPT FROM OCTOBER 12, 2016: Motion by David Jordan to defer this item to the October 26, 2016, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously.*

*EXCERPT FROM AUGUST 24 & 29, 2016: (1) Motion by Jennifer Webster to accept the request as information; and to request the Governmental Services Division and Self-Governance Director to provide a report, seconded by Lisa Summers. Motion carried unanimously. (2) Amendment to the main motion by Lisa Summers to defer this item to a Business Committee Officer's for continued monitoring and follow-up; and to request the initial report be brought back within thirty (30) days, seconded by Tehassi Hill. Motion carried unanimously.*

*EXCERPT FROM AUGUST 10, 2016: Motion by Trish King to defer the remaining agenda items to the August 24, 2016, regular Business Committee meeting..., seconded by Lisa Summers. Motion carried unanimously.*

Motion by Lisa Summers to accept the update; to request a follow-up report to be completed by the Governmental Services Division Director and Self-Governance Coordinator; and to direct the issue to the Intergovernmental Affairs & Communications Director for the coordination of legislative follow-up at the federal level, seconded by David Jordan. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

**3. Review complaint # 2016-DR06-05 and determine appropriate next steps**

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

*EXCERPT FROM OCTOBER 12, 2016: Motion by David Jordan to accept the draft memorandum; and to direct the memorandum be forwarded to the appropriate parties, seconded by Brandon Stevens. Motion carried with one with one abstention.*

Motion by Lisa Summers to defer this item to the end of the agenda to go back into executive session, seconded by David Jordan. Motion carried unanimously: (2:24:06)

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

Motion by Fawn Billie to go into executive session at 2:39 p.m., seconded by David Jordan. Motion carried unanimously: (4:06:22)

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

Motion by David Jordan to come out of executive session at 3:42 p.m., seconded by Jennifer Webster. Motion carried unanimously:

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

Motion by Jennifer Webster that in accordance with the Standard Operating Procedure, the Business Committee deems this complaint as having no merit; the motion made at the October 12, 2016, regular Business Committee meeting to send a memorandum to the appropriate parties continues to stand; and to direct the Vice-Chair to follow-up and close-out this complaint, seconded by Brandon Stevens. Motion carried with two abstentions: **(4:06:56)**

Ayes: David Jordan, Brandon Stevens, Jennifer Webster  
Abstained: Lisa Summers, Fawn Billie  
Not Present: Tina Danforth, Tehassi Hill, Trish King  
For the record: Vice-Chairwoman Melinda J. Danforth stated Secretary Summers and Councilwoman Fawn Billie have recused themselves from this matter.

**4. Accept update regarding complaint # 2016-DR07-01 (2:25:56)**

Sponsor: Lisa Summers, Tribal Secretary

*EXCERPT FROM OCTOBER 12, 2016: Motion by Tehassi Hill to accept the verbal update; and to request an update be brought back in two (2) weeks, seconded by Jennifer Webster. Motion carried unanimously.*

Motion by Lisa Summers to accept the update; and to acknowledge that a close-out report with the final recommendations will be made for the November 9, 2016, regular Business Committee meeting agenda, seconded by Jennifer Webster. Motion carried unanimously:

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

**5. Discuss request for job title change of Medical Director to Comprehensive Health Division Director-Medical (This item is scheduled to begin at 10:00 a.m.) (2:26:33)**

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

*EXCERPT FROM OCTOBER 12, 2016: Motion by Jennifer Webster to defer this item to the October 26, 2016, regular Business Committee in order to allow for additional information to be followed up on, seconded by Tehassi Hill. Motion carried with one unanimously.*

Motion by Jennifer Webster to approve the request for job title change of Medical Director to Comprehensive Health Division Director-Medical, noting there is no salary change associated with this request, seconded by Brandon Stevens. Motion carried unanimously:

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



**6. Review financial update regarding release of confidential employee information**

Sponsor: Larry Barton, Chief Financial Officer

*EXCERPT FROM OCTOBER 12, 2016: Motion by Tehassi Hill to request the Finance Department to identify cost and funds to potentially provide identity theft insurance to the thirty-eight (38) employees; and to direct that report to come back in two (2) weeks, seconded by Jennifer Webster. Motion carried with one unanimously.*

Motion by Lisa Summers to defer this item to the end of the agenda, seconded by Fawn Billie. Motion carried unanimously: **(2:27:01)**

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

Motion by Lisa Summers to accept the written recommendations with a change to provide the cost up front to the employees affected; and that the approved plan be the standard plan, seconded by Jennifer Webster. Motion carried unanimously: **(4:07:52)**

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

Motion by Lisa Summers to request the Law Office to complete the Norbert Hill Building Access Standard Operating Procedure as soon as possible; and to bring it back to Business Committee for approval and implementation, seconded by David Jordan. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

**a. Accept verbal update regarding concern # 2016-CC-15**

Sponsor: Lisa Summers, Tribal Secretary

*EXCERPT FROM SEPTEMBER 28, 2016: (1) Motion by Tehassi Hill to request the Human Resources Department to expedite their investigation regarding concern # 2016-CC-15, seconded by Jennifer Webster. Motion carried with one abstention. (2) Motion by Tehassi Hill to request the Law Office to complete a legal opinion on the potential liability to the Oneida Nation for the disclosure of confidential information, seconded by Jennifer Webster. Motion carried with one abstention.*

*No action taken on item 13.D.06.a. during the October 26, 2016, regular Business Committee meeting.*

**E. NEW BUSINESS**

**1. Review personnel related request and determine next steps (2:27:42)**  
*(This item is scheduled to begin at 9:30 a.m.)*

Sponsor: Dale Wheelock, Executive Director/Oneida Housing Authority

Motion by Lisa Summers to decline the title reassignment request, seconded by Jennifer Webster.

Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

Motion by Lisa Summers to include the wage assessment request to the FY18 budget or wage compensation plan, whichever comes first, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

Motion by Lisa Summers to direct the Vice-Chair and one other Officer to conduct the requested expectations follow-up with the Oneida Housing Authority Director, seconded by Jennifer Webster.

Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

**2. Approve limited waiver of sovereign immunity – Wells Fargo Merchant Services – contract # 2016-1136 (2:28:58)**

Sponsor: Larry Barton, Chief Financial Officer

Motion by Jennifer Webster to approve the limited waiver of sovereign immunity – Wells Fargo Merchant Services – contract # 2016-1136, seconded by David Jordan. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

**3. Approve Attorney Retainer Agreement – contract # 2016-1084 (2:30:44)**

Sponsor: Councilman David Jordan, Liaison Alternate/Oneida Personnel Commission

Motion by Lisa Summers to deny the request to approve the Attorney Retainer Agreement – contract # 2016-1084, noting the request is inconsistent with the Continuing Budget Resolution, seconded by David Jordan. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

Motion by Lisa Summers to request the Law Office to administer an RFP for an attorney to work with the Oneida Personnel Commission, noting the contract quadrupled in a one (1) year period, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

**4. Review request regarding hiring of critical key management position (2:35:47)**

Sponsor: Louise Cornelius, Gaming General Manager

Motion by Lisa Summers to not approve the request for reconsideration; and to forward the identified concerns to the next Business Committee work meeting for follow-up, seconded by David Jordan. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

**XIV. ADJOURN**

Motion by David Jordan to adjourn at 4:02 p.m., seconded by Lisa Summers. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King

Minutes prepared by Heather Heuer, Information Management Specialist  
Minutes approved as presented/corrected on November 9, 2016.

  
\_\_\_\_\_  
Lisa Summers, Secretary  
ONEIDA BUSINESS COMMITTEE