



Oneida Business Committee

Executive Session

8:30 a.m. Tuesday, April 11, 2017

Executive Conference Room, 2nd floor, Norbert Hill Center

Regular Meeting

8:30 a.m. Wednesday, April 12, 2017

BC Conference Room, 2nd floor, Norbert Hill Center

Minutes

EXECUTIVE SESSION

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

Not Present: Chairwoman Tina Danforth, Councilwoman Fawn Billie, Councilman Brandon Stevens;

Arrived at: ;

Others present: Jo Anne House, Larry Barton, Nathan King, Tana Aguirre, Geraldine Danforth;

REGULAR MEETING

Present: Vice-Chairwoman Melinda J. Danforth, Treasurer Trish King, Secretary Lisa Summers, Council members: Tehassi Hill, David Jordan (excused at 2:30 p.m.), Jennifer Webster;

Not Present: Chairwoman Tina Danforth, Councilwoman Fawn Billie, Councilman Brandon Stevens;

Arrived at: ;

Others present: Brad Graham, Bill Graham, Jo Anne House, Heather Heuer, Jen Falck, Clorissa Santiago, Marlene Garvey, Bonnie Pigman, Debbie Danforth, Leyne Orosco, Wes Martin Jr., Chris Johnson, Robert Collins, Cathy Metoxen, Geraldine Danforth, Larry Barton, Ed Delgado, Richard Elm-Hill, Lora Skenandore, Dale Wheelock, James Petitjean, Cathy Bachhuber, Bill Graham, George Skenandore, Paul Witek;

I. CALL TO ORDER AND ROLL CALL by Vice-Chairwoman Melinda J. Danforth at 8:30 a.m.

For the record: Chairwoman Tina Danforth is out of the office on personal time. Councilwoman Fawn Billie and Councilman Brandon Stevens are away on approved travel to attend the National Indian Gaming Association tradeshow & convention in San Diego, CA.

II. OPENING by Councilman Tehassi Hill

III. ADOPT THE AGENDA (00:03:57)

Motion by Lisa Summers to adopt the agenda with the following changes: [Delete Open Session – Unfinished Business item X.A. “Reconsider, review, and hear testimony from Kory Wesaw regarding application to Oneida Police Commission”; delete Executive Session – Unfinished Business item XIV.E.01. “Approve limited waiver of sovereign immunity – Independent Care Health Plan-iCare Provider Service Agreement – contract # 2016-0357”; delete Executive Session – New Business item XIV.F.06. “Review information regarding Electrical Department”; add-on Executive Session – New Business item XIV.F.09. “Comprehensive Housing update”; and add-on Executive Session – New Business item XIV.F.10 “Aimbridge Hospitality request”], seconded by Jennifer Webster. Motion carried unanimously:

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

IV. OATHS OF OFFICE (00:05:39) by Secretary Lisa Summers

A. Environmental Resources Board – Marlene Garvey

B. Oneida Nation Veterans Affairs Committee – Arthur Cornelius (Not Present)

V. MINUTES

A. Approve March 22, 2017, regular meeting minutes (00:08:25)

Sponsor: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to approve the March 22, 2017, regular meeting minutes with the following change: [Under item XIV.D.10. the complaint # in the motion should reflect the agenda item complaint # of “2017-DR06-07” instead of “2017-DR06-08”], seconded by Tehassi Hill. Motion carried unanimously:

Secretary Lisa Summers departs at 8:41 a.m. before voting occurs.

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

VI. RESOLUTIONS

A. Adopt resolution entitled Implementing Per Capita Plan Adopted by General Tribal Council on June 13, 2016 (00:12:33)

Sponsor: Trish King, Tribal Treasurer

Motion by Jennifer Webster to adopt resolution # 04-12-17-A Implementing Per Capita Plan Adopted by General Tribal Council on June 13, 2016, seconded by David Jordan. Motion carried unanimously:

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

Secretary Lisa Summers returns at 8:50 a.m.

B. Adopt resolution entitled Extending the Effective Date of the Community Support Fund Law (00:18:06)

Sponsor: Brandon Stevens, Councilman/Legislative Operating Committee Chair

Motion by David Jordan to adopt resolution # 04-12-17-B Extending the Effective Date of the Community Support Fund Law, seconded by Tehassi Hill. Motion carried unanimously:

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

C. Adopt resolution entitled Conflict of Interest Emergency Amendments (00:26:04)

Sponsor: Brandon Stevens, Councilman/Legislative Operating Committee Chair

Motion by Lisa Summers to delete this item from the agenda, seconded by Jennifer Webster. Motion carried unanimously:

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

D. Adopt resolution entitled Drug and Alcohol Free Workplace Law Amendments (00:26:45)

Sponsor: Brandon Stevens, Councilman/Legislative Operating Committee Chair

Motion by David Jordan to adopt resolution # 04-12-17-C Drug and Alcohol Free Workplace Law Amendments, seconded by Jennifer Webster. Motion carried unanimously:

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

E. Adopt resolution entitled Endowments Law Amendments (00:27:46)

Sponsor: Brandon Stevens, Councilman/Legislative Operating Committee Chair

Motion by Lisa Summers to adopt resolution # 04-12-17-D Endowments Law Amendments, seconded by David Jordan. Motion carried unanimously:

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

Councilman Tehassi Hill departs at 9:26 a.m.

Councilman Tehassi Hill returns at 9:29 a.m.

VII. STANDING COMMITTEES

A. Legislative Operating Committee

Chair: Brandon Stevens, Councilman

1. Accept March 15, 2017, Legislative Operating Committee meeting minutes (1:09:49)

Motion by Jennifer Webster to accept the March 15, 2017, Legislative Operating Committee meeting minutes, seconded by Tehassi Hill. Motion carried unanimously:

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

Treasurer Trish King departs at 9:33 a.m.

2. Request Oneida Personnel Commission to submit input regarding Employment Law (1:02:10)

Motion by Lisa Summers to approve Legislative Operating Committee request; and to delegate the Tribal Secretary the responsibility of sending the formal correspondence, seconded by Tehassi Hill. Motion carried unanimously:

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

*Treasurer Trish King returns at 9:35 a.m.
Councilman David Jordan departs at 9:35 a.m.
Councilman David Jordan returns at 9:49 a.m.*

3. Review Landlord-Tenant Rule # 2: Income Based Rental Program; Landlord-Tenant Rule # 3: Elder Rental Program; and Eviction & Termination Rule # 1: Disposal of Abandoned Personal Property (1:04:18)

Motion by Lisa Summers to note the Business Committee has reviewed Landlord-Tenant Rule # 2: Income Based Rental Program; Landlord-Tenant Rule # 3: Elder Rental Program; and Eviction & Termination Rule # 1: Disposal of Abandoned Personal Property, in accordance with section 106.7-3 of the Administrative Rulemaking, seconded by Tehassi Hill. Motion carried unanimously:

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

Motion by Lisa Summers to defer the questions and concerns that were identified today from the public to the respective entities to review so that they can take note of them and see if there are any adjustments they want to make in the future, seconded by David Jordan. Motion carried unanimously:

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

B. Finance Committee

Chair: Trish King, Tribal Treasurer

1. Approve April 3, 2017, Finance Committee meeting minutes (1:36:30)

Motion by David Jordan to approve the April 3, 2017, Finance Committee meeting minutes, seconded by Trish King. Motion carried with one abstained:

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

VIII. APPOINTMENTS

A. Approve recommendation to appoint Beverly Anderson, Dale Powless, and Carmelita Escamea to Oneida Child Protection Board (1:36:34)

Sponsor: Tina Danforth, Tribal Chairwoman

Motion by David Jordan to appoint Beverly Anderson, Dale Powless, and Carmelita Escamea to Oneida Child Protection Board, seconded by Lisa Summers. Motion carried with one abstention:

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

IX. STANDING ITEMS

Secretary Lisa Summers departs at 10:12 a.m.

Secretary Lisa Summers returns at 10:16 a.m.

A. Accept quarterly report regarding work plan for Cemetery Improvements Project # 14-002 (1:39:38)

Sponsor: James Petitjean, Interim Assistant Division Director/Development-Development

Motion by Lisa Summers to accept the quarterly report regarding work plan for Cemetery Improvements Project # 14-002, seconded by Jennifer Webster. Motion carried unanimously:

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

B. Approve Constitutional Amendments Implementation Team close-out report; and four (4) additional requested actions (2:06:46)

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

Motion by Lisa Summers to formally disband the Constitutional Amendments Implementation team as their work is complete; to direct Chairwoman Tina Danforth to provide copies of the signed letter to the Oneida of the Thames and Oneida Indian Nation to the Tribal Secretary's Office for record keeping purposes; to direct the Legislative Operating Committee to ensure the Election Law amendments are completed to come into compliance with the Constitution; and to direct the Tribal Secretary's Office to present the petition forms and necessary standard operating procedures to the Business Committee work meeting in May 2017 for finalization, seconded by Tehassi Hill. Motion carried unanimously:

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

X. UNFINISHED BUSINESS

~~A. Reconsider, review, and hear testimony from Kory Wesaw regarding application to Oneida Police Commission~~

~~Sponsor: Tina Danforth, Tribal Chairwoman~~

~~EXCERPT FROM FEBRUARY 8, 2017: (1) Motion by Jennifer Webster to approve the recommendation to appoint Kory Wesaw to the Oneida Police Commission, seconded by David Jordan. Motion fails due to lack of support. (2) Motion by Melinda J. Danforth to request Chairwoman Tina Danforth to reconsider the other applicants in the pool in accordance with the Comprehensive Policy Governing Boards, Committees, and Commissions, seconded by Brandon Stevens. Motion carried unanimously.~~

Item deleted at the adoption of the agenda.

XI. NEW BUSINESS

A. Approve activation of \$250,000 from FY 2017 CIP budget for CIP # 14-012 Oneida Farms Barn & Manure Pit (2:25:55)

Sponsor: James Petitjean, Interim Assistant Division Director/Development-Development

Motion by Lisa Summers to approve the activation of \$250,000 from FY 2017 CIP budget for CIP # 14-012 Oneida Farms Barn & Manure Pit, seconded by Tehassi Hill. Motion carried unanimously:

Ayes: Tehassi Hill, David Jordan, Trish King, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Fawn Billie, Brandon Stevens

B. Approve activation of \$393,000 from FY 2017 CIP budget for CIP # 15-003 Norbert Hill Center Remodeling-Phase VIII (2:26:50)

Sponsor: James Petitjean, Interim Assistant Division Director/Development-Development

Motion by Lisa Summers to approve the activation of \$393,000 from FY 2017 CIP budget for CIP # 15-003 Norbert Hill Center Remodeling-Phase VIII, seconded by Jennifer Webster. Motion carried unanimously:

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

Treasurer Trish King departs at 11:02 a.m.

Treasurer Trish King returns at 11:06 a.m.

Councilman Tehassi Hill departs at 11:07 a.m.

Councilman Tehassi Hill returns at 11:09 a.m.

C. Approve update regarding Noncompliance: Organizational Conflicts of Interest Finding in Final Monitoring Report Letter from U.S. Dept. of Housing & Urban Development (2:27:16)
(This item corresponds with item VI.C. of the agenda)

Sponsor: Tina Danforth, Tribal Chairwoman

Motion by Lisa Summers to accept this item as information, seconded by Tehassi Hill. Motion carried unanimously:

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

Councilwoman Jennifer Webster departs at 11:14 a.m.

Councilwoman Jennifer Webster returns at 11:17 a.m.

D. Reconsider request to approve reorganization of five (5) Elder Services positions to Comprehensive Health Division (2:40:18) & (3:29:31)

Sponsor: George Skenandore, Division Director/Governmental Services

Motion by Lisa Summers to defer this item to after discussion is held with the Division Director of Governmental Services scheduled at 3:00 p.m., seconded by Trish King. Motion carried unanimously:

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

Motion by Lisa Summers to approve the reconsideration request; and to make an exception to the Business Committee standing motion for this particular item to approve the reorganization of five (5) Elder Services positions to Comprehensive Health Division as identified in the materials provided, seconded by Jennifer Webster. Motion carried unanimously:

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

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

Sponsor: Lisa Summers, Tribal Secretary

1. Failed request for reorganization of five (5) Elder Services positions to Comprehensive Health Division (2:55:41)

Sponsor: George Skenandore, Division Director/Governmental Services

Motion by David Jordan to enter the E-Poll results into the record for the failed request for reorganization of five (5) Elder Services positions to Comprehensive Health Division, seconded by Jennifer Webster. Motion carried unanimously:

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

XII. TRAVEL

A. TRAVEL REPORTS

1. Accept travel report – Councilwoman Fawn Billie – Tribal Action Plan Development Workshop – Columbia, SC – January 25-27, 2017 (2:56:33)

Motion by Trish King to accept the travel report – Councilwoman Fawn Billie – Tribal Action Plan Development Workshop – Columbia, SC – January 25-27, 2017, seconded by David Jordan. Motion carried unanimously:

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

2. Accept travel report – Secretary Lisa Summers – National Congress of American Indians (NCAI) Executive Council Winter Session – Washington D.C. – February 14-16, 2017 (2:56:56)

Motion by Jennifer Webster to accept the travel report – Secretary Lisa Summers – National Congress of American Indians (NCAI) Executive Council Winter Session – Washington D.C. – February 14-16, 2017, seconded by David Jordan. Motion carried unanimously:

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

3. Accept travel report – Secretary Lisa Summers – PL280 Subcommittee, Tribal Caucus, and Intertribal Criminal Justice Council meeting – Hayward, WI – March 22-24, 2017 (2:57:27)

Motion by Jennifer Webster to accept the travel report – Secretary Lisa Summers – PL280 Subcommittee, Tribal Caucus, and Intertribal Criminal Justice Council meeting – Hayward, WI – March 22-24, 2017, noting that Secretary Lisa Summers did not attend, seconded by Tehassi Hill. Motion carried unanimously:

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

B. TRAVEL REQUESTS

1. Approve travel request – Secretary Lisa Summers – State-Tribal Consultation with WI Department of Corrections – Hayward, WI – May 8-9, 2017 (2:58:57)

Motion by Trish King to approve the travel request – Secretary Lisa Summers – State-Tribal Consultation with WI Department of Corrections – Hayward, WI – May 8-9, 2017, seconded by David Jordan. Motion carried unanimously:

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

XIII. GENERAL TRIBAL COUNCIL (To obtain a copy of Members Only materials, visit the BC Support Office, 2nd floor, Norbert Hill Center and present Tribal I.D. card or go to <https://goo.gl/uLp2jE>)

A. Petitioner Sherrole Benton: Request to change pre-employment drug testing for marijuana

EXCERPT FROM MARCH 22, 2017: (1) Motion by David Jordan to accept the legislative analysis, seconded by Tehassi Hill. Motion carried unanimously. (2) Motion by Tehassi Hill to defer the legal analysis to the April 12, 2017, regular Business Committee meeting, seconded by Lisa Summers. Motion carried unanimously. (3) Motion by David Jordan to defer the financial analysis to the April 12, 2017, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously.

EXCERPT FROM MARCH 8, 2017: (1) Motion by Brandon Stevens to accept the progress report regarding legislative analysis, seconded by Tehassi Hill. Motion carried unanimously. (2) Motion by Jennifer Webster to accept the progress report regarding the legal analysis, seconded by Fawn Billie. Motion carried unanimously. (3) Motion by Jennifer Webster to accept the progress report regarding the financial analysis, seconded by Brandon Stevens. Motion carried unanimously. EXCERPT FROM JANUARY 11, 2017: (1) Motion by Lisa Summers to accept the verified petition from Sherrole Benton regarding a request to change pre-employment drug testing for marijuana use; 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; and 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 Fawn Billie. Motion carried unanimously.

1. Accept legal analysis (2:59:22)

Sponsor: Jo Anne House, Chief Counsel

Motion by David Jordan to accept the legal analysis, seconded by Jennifer Webster. Motion carried unanimously:

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

2. Defer financial analysis to April 26, 2017, regular Business Committee meeting

(3:00:00)

Sponsor: Larry Barton, Chief Financial Officer

Motion by Lisa Summers to defer the financial analysis to the April 26, 2017, regular Business Committee meeting, seconded by David Jordan. Motion carried unanimously:

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

B. Approve May 16, 2017, reconvened special GTC meeting mail-out notice (3:00:29)

Sponsor: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to approve the May 16, 2017, reconvened special GTC meeting mail-out notice, seconded by David Jordan. Motion carried unanimously:

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

C. Enter E-Poll results into the record In accordance with BC SOP Conducting Electronic Voting:

Sponsor: Lisa Summers, Tribal Secretary

1. Approved request to schedule special GTC meeting on Tuesday, May 16, 2017, at 6:00 p.m. as directed at the March 19, 2017, special GTC meeting (3:01:02)

Requestor: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to enter the E-Poll results into the record for the approved request to schedule special GTC meeting on Tuesday, May 16, 2017, at 6:00 p.m. as directed at the March 19, 2017, special GTC meeting, seconded by Jennifer Webster. Motion carried unanimously:

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

2. Approved request to reschedule April 7, 2017, reconvened Annual GTC meeting to Sunday, April 23, 2017, at 1:00 p.m., due to identified safety concerns (3:01:35)

Requestor: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to enter the E-Poll results into the record approved the request to reschedule April 7, 2017, reconvened Annual GTC meeting to Sunday, April 23, 2017, at 1:00 p.m., due to identified safety concerns, seconded by Trish King. Motion carried unanimously:

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

XIV. EXECUTIVE SESSION

Motion by Lisa Summers to go into executive session at 11:33 a.m., seconded by Jennifer Webster. Motion carried unanimously:

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

Meeting recessed at 12:00 p.m. until 1:30 p.m.

Councilman David Jordan departs at 2:30 p.m.

Motion by Lisa Summers to come out of executive session at 2:41 p.m., seconded by Tehassi Hill. Motion carried unanimously:

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

A. REPORTS

1. Accept Chief Counsel report – Jo Anne House, Chief Counsel (3:04:50)

Motion by Lisa Summers to accept the Chief Counsel report dated April 11, 2017, seconded by Tehassi Hill. Motion carried unanimously:

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

a. Approve limited waiver of sovereign immunity – LexisNexis-Time Matters Annual Maintenance Agreement – contract # 2017-0280 (3:05:23)

Motion by Jennifer Webster to approve the limited waiver of sovereign immunity – LexisNexis-Time Matters Annual Maintenance Agreement – contract # 2017-0280, seconded by Trish King. Motion carried unanimously:

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

b. Approve attorney engagement letters (3:05:50)

Motion by Lisa Summers to approve the attorney engagement letters for Hogan Adams PLLC./Hansen Reynolds LLC., seconded by Jennifer Webster. Motion carried unanimously:

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

2. Accept Chief Financial Officer report – Larry Barton, Chief Financial Officer (3:06:21)

Motion by Lisa Summers to accept the Chief Financial Officer report dated April 11, 2017, seconded by Jennifer Webster. Motion carried unanimously:

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

3. Accept Intergovernmental Affairs & Communications report – Nathan King, Director (3:06:54)

Motion by Lisa Summers to accept the Intergovernmental Affairs & Communications update, noting the follow-up is being conducted on the following two (2) items: the Back 40 Mine issue and a request to coordinate a government-to-government meeting with Ho-Chunk Nation, seconded by Tehassi Hill. Motion carried unanimously:

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

Motion by Lisa Summers to accept the Oneida Village budget update, including the authorization of the 15% contingency fund request, seconded by Jennifer Webster. Motion carried unanimously:

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

B. STANDING ITEMS

1. Land Claims Strategy (No Requested Action)

C. AUDIT COMMITTEE

Chair: Tehassi Hill, Councilman

1. Accept February 9, 2017, Audit Committee meeting minutes (3:08:08)

Motion by Tehassi Hill to accept the February 9, 2017, Audit Committee meeting minutes, seconded by Jennifer Webster. Motion carried unanimously:

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

2. Accept Oneida Police Department Performance Assurance audit and lift confidentiality requirement to allow Tribal Members to view the audit (3:08:30)

Motion by Tehassi Hill to accept the Oneida Police Department Performance Assurance audit; and to lift the confidentiality requirement to allow Tribal Members to view the audit, seconded by Jennifer Webster. Motion carried unanimously:

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

D. TABLED BUSINESS

1. Adopt resolution entitled Resolution to Adopt the Second Amendment to the Public Safety Officer Pension Plan (3:08:53)

Sponsor: Larry Barton, Chief Financial Officer

EXCERPT FROM MARCH 22, 2017: Motion by David Jordan to table this item until the end of the agenda, seconded by Tehassi Hill. Motion carried unanimously.

Motion by Lisa Summers to take this item from the table, seconded by Tehassi Hill. Motion carried unanimously:

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

Motion by Lisa Summers to delete from the agenda, noting that it was completed via E-Poll for which the results are on this agenda as item XIV.F.08.b., seconded by Jennifer Webster. Motion carried unanimously:

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

E. UNFINISHED BUSINESS

~~**1. Approve limited waiver of sovereign immunity – Independent Care Health Plan iCare Provider Service Agreement – contract # 2016-0357**~~

~~Sponsor: Debra Danforth, Division Director/Comprehensive Health Operations~~

~~*EXCERPT FROM MARCH 22, 2017: Motion by Lisa Summers to defer this item to the April 12, 2017, regular Business Committee meeting to request clarification on approval, seconded by David Jordan. Motion carried unanimously.*~~

Item deleted at adoption of the agenda.

F. NEW BUSINESS

1. Approve limited waiver of sovereign immunity – Wells Fargo Merchant Services-Merchant Processing Application – contract # 2017-0244 (3:10:05)

Sponsor: Larry Barton, Chief Financial Officer

Motion by Lisa Summers to deny the request for the limited waiver of sovereign immunity – Wells Fargo Merchant Services-Merchant Processing Application – contract # 2017-0244; and to direct the Chief Financial Officer to seek an alternate vendor to provide this service to the Arts program and other entities of the Nation to be completed within six (6) months, seconded by Tehassi Hill. Motion carried unanimously:

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

2. Adopt resolution entitled Adoption of Second Amendment and the Amended and Restated Credit Note of the Oneida Nation (3:10:49)

Sponsor: Larry Barton, Chief Financial Officer

Motion by Jennifer Webster to adopt resolution # 04-12-17-E Adoption of Second Amendment and the Amended and Restated Credit Note of the Oneida Nation¹, seconded by Lisa Summers. Motion carried unanimously:

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

3. Review complaint # 2017-DR16-01 (3:11:37)

Sponsor: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to accept complaint # 2017-DR16-01 as having merit; and to assign Councilmembers Jennifer Webster, Brandon Stevens, and Fawn Billie to complete the process and any follow-up, seconded by Tehassi Hill. Motion carried unanimously:

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

4. Review request regarding wage adjustment procedures (3:12:14)

Sponsor: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to assign the Human Resources Area Manager and an Oneida Business Committee sub-team consisting of the Offices of Secretary Lisa Summers, Vice-Chairwoman Melinda J. Danforth, and Treasurer Trish King to work together to bring forward a revised policy which achieves preservation of managerial decision-making and checks-and-balances relating to budget requirements for any type of wage adjustment, raises, bonuses, etc., seconded by Jennifer Webster. Motion carried unanimously:

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

Motion by Lisa Summers for the Oneida Business Committee sub-team and Human Resources to bring back a status update to the May 24, 2017, regular Business Committee meeting agenda in executive session, seconded by Jennifer Webster. Motion carried unanimously:

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

5. Review request regarding wage adjustment plan for FY 2018 budget planning (3:14:13)

Sponsor: Trish King, Tribal Treasurer

Motion by Lisa Summers to accept the Treasurer's draft memorandum dated April 4, 2017; and to accept items for this request as identified in numbers 1-6, 1) being a yes; 2) being a yes, 3) being a no, but to plan for FY 2019; 4) being a yes, 5) being a yes, noting that it will also have to comply with the policies and procedures, and 6) being a yes, seconded by Tehassi Hill. Motion carried unanimously:

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

~~**6. Accept information regarding Electrical Department**~~

~~Sponsor: Tina Danforth, Tribal Chairwoman~~

Item deleted at adoption of the agenda.

¹ Vice-Chairwoman Melinda J. Danforth noted the Officer signatures for resolution # 04-12-17-E need to be completed by April 15, 2017.

Motion by Tehassi Hill to go into executive session at 3:05 p.m., seconded by Jennifer Webster. Motion carried unanimously:

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

Motion by Tehassi Hill to come out of executive session at 5:19 p.m., seconded by Lisa Summers. Motion carried unanimously:

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

7. Discuss and set performance expectations for Direct Report – DR06 (3:30:45)
Sponsor: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to set performance expectations for Direct Report – DR06 sent via e-mail, seconded by Jennifer Webster. Motion carried unanimously:

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

8. Enter E-Poll results into the record In accordance with BC SOP Conducting Electronic Voting:
Sponsor: Lisa Summers, Tribal Secretary

a. Approved request of two (2) actions regarding Limited Term Employee Agreement (3:26:15)
Requestor: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to enter the E-Poll results into the record for the approved request of two (2) actions regarding Limited Term Employee Agreement, seconded by Tehassi Hill. Motion carried unanimously:

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

b. Adoption of resolution # 04-03-17-A Adoption of the Second Amendment to the Public Safety Officer Pension Plan (3:26:52)
Requestors: Larry Barton, Chief Financial Officer; Jo Anne House, Chief Counsel

Motion by Jennifer Webster to enter the E-Poll results into the record for the adoption of resolution # 04-03-17-A Adoption of the Second Amendment to the Public Safety Officer Pension Plan, seconded by Lisa Summers. Motion carried unanimously:

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

9. Comprehensive Housing update (Add-on item) (3:27:34)
Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

Motion by Lisa Summers to accept the update provided on April 11, 2017, seconded by Tehassi Hill. Motion carried unanimously:

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

10. Aimbridge Hospitality request (Add-on item) (3:27:55)

Sponsor: Lisa Summers, Tribal Secretary

Motion by Jennifer Webster to accept the request as information; and assign the liaisons Treasurer Trish King and Councilwoman Fawn Billie to complete the additional follow-up identified, seconded by Lisa Summers. Motion carried unanimously:

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

XV. ADJOURN

Motion by Lisa Summers to adjourn at 5:22 p.m., seconded by Jennifer Webster. Motion carried unanimously:

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

Minutes prepared by Heather Heuer, Information Management Specialist
Minutes approved as presented on April 26, 2017.



Lisa Summers, Secretary
ONEIDA BUSINESS COMMITTEE