



Oneida Business Committee

Executive Session

8:30 a.m. Tuesday, May 23, 2017

Executive Conference Room, 2nd floor, Norbert Hill Center

Regular Meeting

8:30 a.m. Wednesday, May 24, 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: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster;

Not Present: Chairwoman Tina Danforth at 8:36 a.m.;

Arrived at: ;

Others present: James Bittorf, Louise Cornelius, Chad Fuss, Geraldine Danforth, Lorna Skenandore, Larry Barton, Fawn Teller, Tracey Williams, Margaret Ellis, Moon Hill, Jolene Hensberger, Tina Torrez, Nathan King, Janice Hirth, Josh Doxtator, Tammy Skenandore, Phil Wisneski, Troy Parr, Jacque Boyle, Kevin Rentmeester, Kelly McAndrews;

REGULAR MEETING

Present: Vice-Chairwoman Melinda J. Danforth, Secretary Lisa Summers, Council members: Fawn Billie, David Jordan, Brandon Stevens, Jennifer Webster;

Not Present: Chairwoman Tina Danforth, Treasurer Trish King;

Arrived at: Councilman Tehassi Hill at 1:30 p.m.;

Others present: Brad Graham, Bill Graham, Mike Debraska, Nancy Barton, Jessica Wallenfang, Kelly McAndrews, Susan House, June Wommack, Joan Christnot, Tina Torrez, Phil Duffy, Kevin Shoenebeck, Heather Lee, Dominique Danforth, Tammy Skenandore, Don Skenandore, Jen Falck, Robert Collins I, Larry Barton, Carol Silva, Bonnie Pigman, Cathy Metoxen, Krystal John, Frank Vandehei, Mark A. Powless Sr., Dale Wheelock, Danelle Wilson, Jennifer Jordan, Nathan Ness, Joel Maxam, Ronald King Jr, Barb Erickson, Jamie Betters, Geraldine Danforth, Heather Heuer;

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

For the record: Chairwoman Tina Danforth is away on approved travel attending Great Lakes Restoration Initiative (GLRI) tribal forum in Ashland, WI. Treasurer Trish King is out of the office on vacation time. Councilman Tehassi Hill is attending a Faithkeepers meeting until 12:00 p.m. Councilwoman Jennifer Webster is excused from 11:00 a.m. until 1:30 p.m. to attend the presentation by the State Historical Society.

II. OPENING

A. Special Recognition – June Wommack – Retirement from Oneida Nation with over 25 years of service

Requestors: Joan Christnot, Director/Head Start; Tina Torrez, Education Manager/Head Start

Sponsor: Jennifer Webster, Councilwoman

Special recognition by Tina Torrez, Joan Christnot, and Councilwoman Jennifer Webster of June Wommack for her retirement with over 25 years of service as a head start employee.

B. Special Recognition – Kevin Shoenebeck – Promotion to “Kyoshi” in the art of Danzan Ryu Kodenkan Ju Jitsu

Requestors: Ryan Waterstreet, Assistant Director/Oneida Family Fitness Center; Susan House, Area Manager/Parks & Recreation

Sponsor: George Skenandore, Division Director/Governmental Services

Special recognition by Susan House, Fitness Center staff, and students of Kevin Shoenebeck for his promotion to Kyoshi in the art of Danzan Ryu Kodenkan Ju Jitsu.

III. ADOPT THE AGENDA (00:10:48)

Motion by Lisa Summers to adopt the agenda with the following change: [Combine Executive Session – Unfinished Business item XI.E.04 with item XI.A.03.a. due to them being similar in nature; and delete Executive Session – New Business item XI.F.05.], 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

IV. OATHS OF OFFICE (00:12:39) administered by Secretary Lisa Summers

A. Oneida Public Safety Pension Board – Nathan Ness, Joel Maxam, Ronald King Jr., and Jack Mehojah (*Not present*)

B. Oneida Nation Veterans Affairs Committee – Carol Silva and Benjamin Skenandore (*Not present*)

V. MINUTES (00:15:33)

A. Approve May 10, 2017, regular meeting minutes

Sponsor: Lisa Summers, Tribal Secretary

Motion by David Jordan to approve the May 10, 2017, regular meeting minutes, noting that Secretary Lisa Summers was absent for executive session items due to attending state tribal consultation meetings, 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

VI. RESOLUTIONS (00:16:24)

A. Adopt resolution entitled Legal Resource Center Emergency Adoption

Sponsor: Brandon Stevens, Councilman/Legislative Operating Committee Chair

Motion by Lisa Summers to adopt resolution # 05-24-17-A Legal Resource Center Emergency Law, 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

VII. STANDING COMMITTEES

A. Legislative Operating Committee

Chair: Brandon Stevens, Councilman

1. Accept May 3, 2017, Legislative Operating Committee meeting minutes (00:26:36)

Motion by Jennifer Webster to accept the May 3, 2017, Legislative Operating 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 Per Capita Rule No. 1: Distribution Rule Certification; and Hunting, Fishing, & Trapping Rule Handbook Certification (00:27:01)

Motion by Lisa Summers to approve the Per Capita Rule No. 1: Distribution Rule 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 Lisa Summers to approve the Hunting, Fishing, and Trapping Rule Handbook Certification, 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. Finance Committee

Chair: Trish King, Tribal Treasurer

1. Approve May 16, 2017, Finance Committee meeting minutes (00:40:54)

Motion by David Jordan to approve the May 16, 2017 Finance Committee meeting minutes, seconded by Jennifer Webster. Motion carried with one abstention:

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

Abstained: Lisa Summers

Not Present: Tina Danforth, Tehassi Hill, Trish King

C. Quality of Life Committee

Chair: Fawn Billie, Councilwoman

1. Accept April 20, 2017, Quality of Life Committee meeting minutes (00:41:18)

Motion by David Jordan to accept the April 20, 2017, Quality of Life Committee meeting minutes, 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

VIII. NEW BUSINESS *(Please Note: Scheduled times are approximate and subject to change)*

A. Approve three (3) requests regarding doctoral dissertation – Jennifer J. Jordan, Ph.D., CHES, HHS – “Communicating Periodontal Disease Risk to American Indian Patients with Diabetes”

Sponsor: Jo Anne House, Chief Counsel

Motion by Lisa Summers to accept the presentation as information; to forward the presentation and contact information to Dr. Vir and Debra Danforth at the Oneida Community Health Center for their information; and to grant Dr. Jordan permission to publish the results of this study, seconded by Jennifer Webster. Motion withdrawn, noting that this item has a scheduled time of 10:00 a.m. **(00:41:48)**

Fawn Billie departs at 9:59 a.m.

Fawn Billie returns at 10:01 a.m.

Motion by Lisa Summers to accept the presentation as information; to forward the presentation and contact information to Dr. Vir and Debra Danforth at the Oneida Community Health Center for their information; and to grant Dr. Jordan permission to publish the results of this study, seconded by Jennifer Webster. Motion carried with one abstention: **(1:23:29)**

Ayes: Fawn Billie, Brandon Stevens, Lisa Summers, Jennifer Webster
Abstained: David Jordan
Not Present: Tina Danforth, Tehassi Hill, Trish King
For the record: Councilman David Jordan stated I abstain because Jennifer is my niece.

B. Approve EZ-Baccarat Rules of Play (00:42:57)

Chair: Mark A. Powless Sr., Oneida Gaming Commission
Liaison: Brandon Stevens, Councilman

Motion by Fawn Billie to approve the EZ-Baccarat Rules of Play, 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 these be reviewed by the Oneida Gaming Commission and brought back in one (1) year to the Business Committee as an update, 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

C. Approve limited waiver of sovereign immunity – WI. Dept. of Veterans Affairs – Access and Data Sharing agreement – contract # 2017-0464 (00:44:59)

Requestor: Kerry R. Metoxen, Manager/Oneida Nation Veterans Dept.
Liaison: Jennifer Webster, Councilwoman

Motion by Jennifer Webster to approve the limited waiver of sovereign immunity – WI. Dept. of Veterans Affairs – Access and Data Sharing agreement – contract # 2017-0464, 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. Approve request for status update regarding community concern # 2016-CC-21 – Tysunhehkwa operations (00:46:06)

Requestor: Nancy Barton
Sponsor: Tina Danforth, Tribal Chairwoman

Motion by Lisa Summers to accept the request as information, 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

E. Review community concern # 2017-CC-08 – Tribal phone company (1:09:28)

Requestor: Brad Graham
Sponsor: Tina Danforth, Tribal Chairwoman

Motion by Lisa Summers to accept community concern # 2017-CC-08; and to request Chairwoman Tina Danforth to complete the follow-up regarding this issue, 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. TRAVEL

A. TRAVEL REPORTS

1. Accept travel report – Secretary Lisa Summers, Councilman Tehassi Hill, and Councilwoman Jennifer Webster – OTIE Welcome and Orientation – Milwaukee, WI – April 20-21, 2017 (1:14:22)

Motion by Fawn Billie to accept the travel report – Secretary Lisa Summers, Councilman Tehassi Hill, and Councilwoman Jennifer Webster – OTIE Welcome and Orientation – Milwaukee, WI – April 20-21, 2017, seconded by David Jordan. Motion carried with two abstentions:

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

B. TRAVEL REQUESTS

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

Sponsor: Lisa Summers, Tribal Secretary

a. Approved travel request – Councilman Tehassi Hill – American Indian/Alaska Native Public Witness Hearing – Washington D.C. – May 15-17, 2017 (1:14:56)

Requestor: Tehassi Hill, Councilman

Motion by David Jordan to enter the E-Poll results into the record for the approved travel request – Councilman Tehassi Hill – American Indian/Alaska Native Public Witness Hearing – Washington D.C. – May 15-17, 2017, 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. Approved travel request – Chairwoman Tina Danforth – Great Lakes Restoration Initiative (GLRI) tribal forum – Ashland, WI – May 23-24, 2017 (1:15:36)**
Requestor: Tina Danforth, Tribal Chairwoman

Motion by Lisa Summers to enter the E-Poll results into the record for the approved travel request – Chairwoman Tina Danforth – Great Lakes Restoration Initiative (GLRI) tribal forum – Ashland, WI – May 23-24, 2017, 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

X. 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

1. Accept financial analysis (1:16:05)

Sponsor: Larry Barton, Chief Financial Officer

Motion by Lisa Summers to accept 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

Motion by Lisa Summers to direct the Secretary to come back with a proposed General Tribal Council date for this item at the next regular Business Committee meeting; and to direct the Secretary to follow-up with the petitioner to see if there's an alternative way for the issue to be resolved, 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

EXCERPT FROM MAY 10, 2017: Motion by Fawn Billie to defer the financial analysis to the May 24, 2017 regular Business Committee meeting, seconded by David Jordan. Motion carried unanimously.

EXCERPT FROM APRIL 26, 2017: Motion by Jennifer Webster to defer the financial analysis to May 10, 2017, regular Business Committee meeting, seconded by Fawn Billie. Motion carried unanimously.

EXCERPT FROM APRIL 12, 2017: (1) Motion by David Jordan to accept the legal analysis, seconded by Jennifer Webster. Motion carried unanimously. (2) 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.

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.

XI. EXECUTIVE SESSION (Please Note: Scheduled times are approximate and subject to change)

Motion by Lisa Summers to go into executive session at 10:30 a.m., seconded by Fawn Billie. Motion carried unanimously: **(1:44:33)**

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

Not Present: Tina Danforth, Tehassi Hill, Trish King

Executive session recessed at 11:57 p.m. and resumed at 1:30 p.m. with Chairwoman Tina Danforth, Treasurer Trish King, and Councilman Brandon Stevens not present.

Motion by David Jordan to come out of executive session at 3:45 p.m., seconded by Fawn Billie. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Trish King, Brandon Stevens

A. REPORTS

1. Accept Gaming General Manager report – Louise Cornelius, Gaming General Manger **(1:45:48)**

Motion by David Jordan to accept the Gaming General Manager report for May 23, 2017, seconded by Tehassi Hill. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Trish King, Brandon Stevens

a. Gaming Strategy for FY 2018 budget (1:46:11)

EXCERPT FROM MAY 10, 2017: Motion by Trish King to defer the remainder of the agenda to the May 24, 2017, regular Business Committee meeting with the exception of item XIII.E.04 to be processed via E-Poll because there is a deadline to that, seconded by Brandon Stevens. Motion carried unanimously.

Motion by Lisa Summers to accept the Gaming request for the employment reinvestment strategy for Fiscal Year 2018 to include items 1, 2, and 3 with the agreed upon modifications, noting a final adjustment may be needed as the budget process for the 2018 proceeds, seconded by Tehassi Hill.

Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Trish King, Brandon Stevens

Motion by Fawn Billie for the Human Resources Department to bring back an employee incentive proposal for the non-gaming entities for inclusion in the Fiscal Year 2018 budget, seconded by Lisa Summers. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Trish King, Brandon Stevens

**2. Accept Intergovernmental Affairs & Communications report – Nathan King, Director
(1:47:03)**

Motion by Jennifer Webster to accept the Intergovernmental Affairs & Communications report for May 23, 2017, seconded by Lisa Summers. Motion carried unanimously:

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

3. Accept Chief Counsel report – Jo Anne House, Chief Counsel (1:47:19)

Motion by David Jordan to accept the Chief Counsel report for May 23, 2017, seconded by Fawn Billie. Motion carried unanimously:

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

Motion by Lisa Summers to defer the audit question back to the Audit Committee; and to request the Audit Committee bring back a recommendation regarding the Judiciary question when ready, seconded by David Jordan. Motion carried unanimously:

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

Motion by David Jordan to approve the 2nd amendment – Attorney Patricia Garvey – contract # 2011-0313, seconded by Jennifer Webster. Motion carried with one abstention:

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

**a. Review legal opinion regarding complaint # 2017-CC-05 and determine next steps
(1:48:20)**

Motion by Lisa Summers to direct correspondence be drafted from the Oneida Business Committee regarding the three (3) items identified to be completed for the next regular Business Committee meeting for approval, seconded by Jennifer Webster. Motion carried unanimously:

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

Motion by Lisa Summers to direct the Legislative Operating Committee to include in the Comprehensive Policy Governing Boards, Committees, and Commissions a requirement that all Boards, Committees, and Commissions be required to keep standard operating procedures on file with the Secretary's Office, seconded by Tehassi Hill. Motion carried unanimously:

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

B. STANDING ITEMS

1. Land Claims Strategy (No Requested Action)

2. Oneida Golf Enterprise – Ladies Professional Golf Association (1:49:17)

Sponsor: Trish King, Tribal Treasurer

Motion by Fawn Billie to accept the Oneida Golf Enterprise – Ladies Professional Golf Association report for May 23, 2017, seconded by Tehassi Hill. Motion carried unanimously:

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

Motion by Jennifer Webster to accept the event schedule presented including two (2) adjustments, and note the Secretary's Office will send out the appointments with the activities and times for each one of the days, noting the full Business Committee will participate in the welcome message, seconded by Lisa Summers. Motion carried unanimously:

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

C. AUDIT COMMITTEE (No Requested Action)

D. TABLED BUSINESS

1. Approve recommendation regarding Oneida Trust Enrollment memorandum dated April 25, 2017 (1:50:10)

Sponsor: Jo Anne House, Chief Counsel

EXCERPT FROM MAY 10, 2017: (1) Motion by Trish King to accept the Oneida Trust Enrollment Committee decision from their memorandum dated April 25, 2017, as information; to support recommendation #1 regarding the funding source identified in the decision on enrollment; and to authorize the use of income from the Language Revitalization Fund for the purpose of making the Minors Trust Account referred to in the decision on enrollment whole, seconded by Tehassi Hill. Motion not voted on; item tabled. (2) Motion by David Jordan to table this item until the next meeting and make sure we have Trust Enrollment Committee representation when we untable it. Motion failed due to lack of support. (3) Motion by Fawn Billie to table this item for two (2) weeks, seconded by David Jordan. Motion carried with two opposed.

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

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

Motion by Lisa Summers to accept the Oneida Trust Enrollment Committee decision on enrollment dated April 25, 2017, as information, seconded by Jennifer Webster. Motion carried unanimously:

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

Motion by Lisa Summers to request the Trust Enrollment Committee to budget payment for Fiscal Year 2018 in accordance with the per capita budgeting process, adjust for the interest, and to confirm with the Business Committee when the process is completed, noting this will be communicated to the Trust Enrollment Committee via Councilman Brandon Stevens, seconded by Tehassi Hill. Motion carried unanimously:

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

E. UNFINISHED BUSINESS

1. Accept status update regarding wage adjustment procedures; and direct sub-team to bring draft policy to June 28, 2017, regular Business Committee meeting (1:51:40)

Sponsors: Melinda J. Danforth, Tribal Vice-Chairwoman; Lisa Summers, Tribal Secretary; Trish King, Tribal Treasurer; Geraldine Danforth, Area Manager/Human Resources

Motion by Jennifer Webster to accept the status update regarding wage adjustment procedures; and to direct the sub-team to bring draft policy to June 28, 2017, regular Business Committee meeting, seconded by David Jordan. Motion carried unanimously:

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

EXCERPT FROM APRIL 12, 2017: (1) Motion by Lisa Summers to assign the Human Resources Area Manager and a 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. (2) 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.

2. Review Language House proposal and determine next steps (1:52:25)

Sponsors: Tehassi Hill, Councilman; Jennifer Webster, Councilwoman; Brandon Stevens, Councilman

Motion by Lisa Summers to accept the update on the Language Department move; to continue to support the initiative; and to bring back any necessary follow-ups through the team to complete the transition to coincide with Fiscal Year 2018, seconded by Fawn Billie. Motion carried unanimously:

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

Motion by Lisa Summers to direct the Business Committee's language sub-team and the Governmental Services Division Director to ensure that the language revitalization funds are allocated in accordance with the resolution so the dollars follow the language program, seconded by David Jordan. Motion carried unanimously:

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

EXCERPT FROM MAY 10, 2017: Motion by Trish King to defer the remainder of the agenda to the May 24, 2017, regular Business Committee meeting with the exception of item XIII.E.04 to be processed via E-Poll because there is a deadline to that, seconded by Brandon Stevens. Motion carried unanimously.

EXCERPT FROM MARCH 22, 2017: Motion by Lisa Summers to approve the concept to move forward; to assign the team members of Councilmembers Tehassi Hill, Jennifer Webster, and Brandon Stevens to complete the follow-up; and that the final proposal be brought back for final approval at the May 10, 2017, regular Business Committee meeting, seconded by Trish King. Motion carried unanimously.

3. Approve final report regarding Tsyunhehkwa (1:53:20)

Sponsor: Joanie Buckley, Division Director/Internal Services

Motion by Jennifer Webster to support model c in concept; and to direct the Internal Services Division Director to come back with a communications plan, a marketing plan, and a cost analysis for final approval by the Business Committee before moving forward, noting Business Committee members Lisa Summers, Jennifer Webster, Brandon Stevens, Tehassi Hill, and Fawn Billie will assist in the communication component, seconded by Fawn Billie. Motion carried unanimously:

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

Motion by Lisa Summers to request the Internal Services Division Director to post the Tsyunhehkwa Manager position as soon as possible; and that Business Committee members Jennifer Webster, David Jordan, Tehassi Hill, and Melinda J. Danforth act as area managers for the interview process, seconded by Fawn Billie. Motion carried unanimously:

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

EXCERPT FROM MAY 10, 2017: Motion by Trish King to defer the remainder of the agenda to the May 24, 2017, regular Business Committee meeting with the exception of item XIII.E.04 to be processed via E-Poll because there is a deadline to that, seconded by Brandon Stevens. Motion carried unanimously.

EXCERPT FROM APRIL 26, 2017: Motion by Fawn Billie to defer the final recommendations regarding Tsyunhehkwa to the May 10, 2017, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously.

EXCERPT FROM MARCH 22, 2017: Motion by Tehassi Hill to accept the Tsyunhehkwa report; and to request the Internal Services Division Director to bring back final recommendations for the April 26, 2017, regular Business Committee meeting, seconded by Brandon Stevens. Motion carried unanimously.

4. ~~Defer applicable documents and policies from Law Office regarding community concern # 2017-CC-05 to May 24, 2017, regular Business Committee meeting~~

~~Sponsor: Jo Anne House, Chief Counsel~~

~~*EXCERPT FROM MAY 10, 2017: Motion by Trish King to defer the remainder of the agenda to the May 24, 2017, regular Business Committee meeting with the exception of item XIII.E.04 to be processed via E-Poll because there is a deadline to that, seconded by Brandon Stevens. Motion carried unanimously.*~~

~~*EXCERPT FROM APRIL 26, 2017: Motion by Tehassi Hill to forward this item to the Law Office for a legal review of all applicable documents and policies to be brought back at the next Business Committee meeting or as soon as possible, seconded by Fawn Billie. Motion carried unanimously.*~~

Item combined with item XI.A.03.a. at the adoption of the agenda due to similar nature.

5. Review applications and appoint appropriate applicants to Oneida ESC Group LLC. Board of Managers (1:54:26)

Sponsor: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to appoint John Breuninger to the Oneida ESC Group LLC. Board of Managers with a term length of one (1) year, seconded by Fawn Billie. Motion carried unanimously:

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

Motion by Lisa Summers to appoint Jacqueline Zalim to the Oneida ESC Group LLC. Board of Managers with a term length of two (2) years, seconded by David Jordan. Motion carried unanimously:

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

Motion by Lisa Summers to appoint Leslie Wheelock to the Oneida ESC Group LLC. Board of Managers with a term length of three (3) years, seconded by Fawn Billie. Motion carried unanimously:

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

EXCERPT FROM MAY 10, 2017: Motion by Trish King to defer the remainder of the agenda to the May 24, 2017, regular Business Committee meeting with the exception of item XIII.E.04 to be processed via E-Poll because there is a deadline to that, seconded by Brandon Stevens. Motion carried unanimously.

EXCERPT FROM APRIL 26, 2017: Motion by Fawn Billie to defer this item to the next Business Committee meeting, seconded by Jennifer Webster. Motion carried unanimously.

6. Direct Housing Authority Executive Director to provide update on process to exceed FY 2016 IHP acquisition/rehabilitation limit (1:55:32)

Sponsor: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to proceed with the exception to the 2016 Indian Housing Plan limit; and to request the Housing Authority Executive Director to work with the Division of Land Management to complete the process, seconded by Jennifer Webster. Motion carried with one abstention:

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

EXCERPT FROM MAY 10, 2017: Motion by Trish King to defer the remainder of the agenda to the May 24, 2017, regular Business Committee meeting with the exception of item XIII.E.04 to be processed via E-Poll because there is a deadline to that, seconded by Brandon Stevens. Motion carried unanimously.

EXCERPT FROM APRIL 26, 2017: Motion by Tehassi Hill to defer this item to the May 10, 2017, Business Committee meeting, seconded by Fawn Billie. Motion carried with one abstention.

7. Approve reorganization proposal and consolidation plan (1:56:09)

Sponsor: Joanie Buckley, Division Director/Internal Services

Motion by Jennifer Webster to accept the reorganization proposal and consolidation plan in concept; and to direct the Division Director to work with Finance and Human Resources Department to formulate a comprehensive plan including, but not limited to, strategic plan, transition plan, cost analysis, and communication plan, seconded by Fawn Billie. Motion carried with one abstention:

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

EXCERPT FROM MAY 10, 2017: Motion by Trish King to defer the remainder of the agenda to the May 24, 2017, regular Business Committee meeting with the exception of item XIII.E.04 to be processed via E-Poll because there is a deadline to that, seconded by Brandon Stevens. Motion carried unanimously.

8. Review community concern # 2017-CC-07 (1:57:01)

Sponsor: Tina Danforth, Tribal Chairwoman

Motion by Lisa Summers to accept community concern # 2017-CC-07 as information; and to direct Councilman Brandon Stevens, liaison to the Oneida Gaming Commission, to set a meeting in the next two (2) weeks with the Business Committee and Oneida Gaming Commission, seconded by Tehassi Hill. Motion carried with two abstentions:

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

EXCERPT FROM MAY 10, 2017: Motion by Trish King to defer the remainder of the agenda to the May 24, 2017, regular Business Committee meeting with the exception of item XIII.E.04 to be processed via E-Poll because there is a deadline to that, seconded by Brandon Stevens. Motion carried unanimously.

9. Review complaint # 2017-DR03-01 (1:57:37)

Sponsor: Tina Danforth, Tribal Chairwoman

Motion by David Jordan to accept complaint # 2017-DR03-01 as having merit; and to assign Councilmembers Tehassi Hill, Fawn Billie, and Jennifer Webster to the complaint, seconded by Jennifer Webster. Motion carried with one abstention:

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

EXCERPT FROM MAY 10, 2017: Motion by Trish King to defer the remainder of the agenda to the May 24, 2017, regular Business Committee meeting with the exception of item XIII.E.04 to be processed via E-Poll because there is a deadline to that, seconded by Brandon Stevens. Motion carried unanimously.

F. NEW BUSINESS

1. Approve limited waiver of sovereign immunity – Wonderlic Inc. – contract # 2017-0155

Sponsor: Ravinder Vir, Medical Director/Comprehensive Health (1:58:20)

Motion by David Jordan to approve the limited waiver of sovereign immunity – Wonderlic Inc. – contract # 2017-0155, seconded by Tehassi Hill. Motion carried unanimously:

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

2. Approve Development Division re-organizational structure (1:58:50)

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

Motion by David Jordan to defer the request to the next regular Business Committee meeting; and that Councilman Tehassi Hill and Vice-Chairwoman Melinda J. Danforth will follow-up with the Assistant Directors on the noted changes, seconded by Fawn Billie. Motion carried unanimously:

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

Motion by Jennifer Webster to require a presentation be done as information at the next regular Business Committee meeting, seconded by Lisa Summers. Motion carried unanimously:

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

3. Determine next steps regarding additional duties compensation for Direct Report – 01

Sponsor: Fawn Billie, Councilwoman (1:49:34)

Motion by Lisa Summers to delete this item from the agenda, as this item has been completed, seconded by Fawn Billie. Motion carried unanimously:

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

4. Approve three (3) actions regarding Judge of the Court of Appeals resignation

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman (1:59:50)

Motion by Fawn Billie to accept the resignation of Jennifer Hill-Kelley, Judge of the Court of Appeals, seconded by Tehassi Hill. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Trish King, Brandon Stevens

Motion by Jennifer Webster to declare the Office of the Judge of Court of Appeals as vacant in accordance with section 801.11-8 of the Judiciary Law; and to request the Election Board liaisons to provide the proper notice and communication regarding the vacancy to the Election Board, seconded by Lisa Summers. Motion carried unanimously:

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

~~5. Review OBC liaison concerns regarding Oneida Total Integrated Enterprises LLC.
Sponsor: Jennifer Webster, Councilwoman~~

Item deleted at the adoption of the agenda.

6. Enter E-Poll results in to the record in accordance with OBC SOP Conducting Electronic Voting: (2:00:48)

Sponsor: Lisa Summers, Tribal Secretary

a. Failed request to reconsider the changed offer and continue with due diligence with 3rd party review, per the 4/26/17 OBC action regarding Aimbridge proposal

Requestor: Trish King, Tribal Treasurer

Motion by Jennifer Webster to enter the E-Poll results into the record for the failed request to reconsider the changed offer and continue with due diligence with 3rd party review per the 4/26/17 OBC action regarding the Aimbridge proposal, seconded by Lisa Summers. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Lisa Summers, Jennifer Webster
Not Present: Tina Danforth, Trish King, Brandon Stevens
For the record: Secretary Lisa Summers stated I already have a for the record comment as part of the E-Poll itself, but I wanted to clarify because the wording is a little bit strange on this request. The request was for us to consider moving forward and there were some changes to the proposal and that's what we were considering was to move forward even though there was changes and we decided to not proceed because of those changes. And it's worded strange because it's like to reconsider the changed offer and we're not actually reconsidering the changes, we're considering the changes and making a decision based on that. So I just wanted to make sure that was clarified.

XII. ADJOURN

Motion by Fawn Billie to adjourn at 4:03 p.m., seconded by David Jordan. Motion carried unanimously:

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

Minutes prepared by Heather Heuer, Information Management Specialist
Minutes approved as corrected on June 28, 2017.


Lisa Summers, Secretary
ONEIDA BUSINESS COMMITTEE