

# Oneida Business Committee



**Executive Session**  
**8:30 a.m. Tuesday, March 27, 2018**  
**Executive Conference Room, 2nd floor, Norbert Hill Center**

**Regular Meeting**  
**8:30 a.m. Wednesday, March 28, 2018**  
**BC Conference Room, 2nd floor, Norbert Hill Center**

## Minutes

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### EXECUTIVE SESSION

**Present:** Chairman Tehassi Hill, Vice-Chairman Brandon Stevens, Council members: David P. Jordan, Kirby Metoxen, Jennifer Webster;

**Not Present:** Secretary Lisa Summers, Treasurer Trish King, Councilmembers: Daniel Guzman King and Ernie Stevens III;

**Arrived at:** n/a

**Others present:** Jo Anne House, Brooke Doxtator;

### REGULAR MEETING

**Present:** Chairman Tehassi Hill, Vice-Chairman Brandon Stevens, Council members: David P. Jordan, Kirby Metoxen, Ernie Stevens III, Jennifer Webster;

**Not Present:** Secretary Lisa Summers, Treasurer Trish King, Councilman Daniel Guzman King;

**Arrived at:** n/a

**Others present:** Jo Anne House, Brooke Doxtator, Nancy Barton, Cathy L. Metoxen, Michael Debraska, Bonnie Pigman, George Skenandore, Troy Parr, Cathy Bachuber, Clorissa Santiago, Larry Barton, Rhiannon Metoxen, Chris Cornelius, Kathryn LaRoque (via Skype), Michele Doxtator, Ed Delgado, Lauren Hartman, Kristin Hill, Trina Schuyler;

## **I. CALL TO ORDER AND ROLL CALL** by Chairman Tehassi Hill at 8:30 a.m.

For the record: Secretary Lisa Summers and Treasurer Trish King are out on approved travel. Councilman Daniel Guzman King is out on funeral leave.

## **II. OPENING** by Chairman Tehassi Hill

## **III. ADOPT THE AGENDA (00:02:58)**

Motion by Jennifer Webster to adopt the agenda with the six (6) noted additions [1) VI.E. Adopt resolution regarding Third Amendment and the Amended and Restated Revolving Credit Note of the Oneida Nation, 2) VI. F. Adopt resolution entitled FY 2018 ANA Social and Economic Development Strategies (SEDS), 3) VIII. I. Appoint one (1) applicant to Bay Bancorporation Inc – Board of Directors, 4) XV.F.12. Review application(s) for one (1) vacancy – Bay Bancorporation Inc., 5) XV.F.13. Review concern # 2018-CC-01 and determine next steps, 6) XV.F.14. Accept materials regarding Bank of America N.A. credit agreement - file # 2012-0027 for the record], seconded by Brandon Stevens. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III,  
Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

**IV. OATHS OF OFFICE** administered by Vice-Chairman Brandon Stevens (00:04:26)

**A. Southeastern Oneida Tribal Services Advisory Board** – Kathryn LaRoque

**V. MINUTES**

**A. Approve March 1, 2018, quarterly reports meeting minutes (00:06:41)**

Sponsor: Lisa Summers, Secretary

Motion by Jennifer Webster to approve the March 1, 2018, quarterly reports meeting minutes, seconded by David P. Jordan. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III,  
Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

**B. Approve March 14, 2018, regular meeting minutes (00:07:00)**

Sponsor: Lisa Summers, Secretary

Motion by David P. Jordan to approve the March 14, 2018, regular meeting minutes, seconded by Kirby Metoxen. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III,  
Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

**VI. RESOLUTIONS**

**A. Adopt resolution entitled Rescinding Resolution # BC-7-5-06-C (00:10:58)**

Sponsor: Pat Pelky, Division Director/Environmental, Health, Safety, & Land

Motion by Jennifer Webster to adopt resolution 03-28-18-A Rescinding Resolution # BC-7-5-06-C, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III,  
Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

**B. Adopt eighteen (18) fee-to-trust application resolutions**

Sponsor: Pat Pelky, Division Director/Environmental, Health, Safety, & Land

**1. Adopt resolution entitled Fee To Trust application for property located at 2706 Hazelwood Lane (00:12:10)**

Motion by Brandon Stevens to adopt resolution 03-28-18-B Fee To Trust application for property located at 2706 Hazelwood Lane, seconded by David P. Jordan. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III,  
Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

**2. Adopt resolution entitled Fee To Trust application for property located at 2795 Hazelwood Lane (00:12:42)**

Motion by Jennifer Webster to adopt resolution 03-28-18-C Fee To Trust application for property located at 2795 Hazelwood Lane, seconded by Kirby Metoxen. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

**3. Adopt resolution entitled Fee To Trust application for property located at 1350 Mirage Drive (00:13:00)**

Motion by Ernie Stevens III to adopt resolution 03-28-18-D Fee To Trust application for property located at 1350 Mirage Drive, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

**4. Adopt resolution entitled Fee To Trust application for property located at N5894 Lambie Road (00:13:18)**

Motion by Kirby Metoxen to adopt resolution 03-28-18-E Fee To Trust application for property located at N5894 Lambie Road, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

**5. Adopt resolution entitled Fee To Trust application for property located at N6544 Seminary Road (00:13:40)**

Motion by Jennifer Webster to adopt resolution 03-28-18-F Fee To Trust application for property located at N6544 Seminary Road, seconded by Ernie Stevens III. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

**6. Adopt resolution entitled Fee To Trust application for property located at 2201 Shamrock Lane (00:14:02)**

Motion by Jennifer Webster to adopt resolution 03-28-18-G Fee To Trust application for property located at 2201 Shamrock Lane, seconded by David P. Jordan. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

**7. Adopt resolution entitled Fee To Trust application for property located at 602 Florist Drive (00:14:23)**

Motion by Ernie Stevens III to adopt resolution 03-28-18-H Fee To Trust application for property located at 602 Florist Drive, seconded by David P. Jordan. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

**8. Adopt resolution entitled Fee To Trust application for property located at N6433 County Road E (00:15:02)**

Motion by Jennifer Webster to adopt resolution 03-28-18-I Fee To Trust application for property located at N6433 County Road E, seconded by David P. Jordan. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

**9. Adopt resolution entitled Fee To Trust application for property located at 2680 Oakwood Drive (00:15:23)**

Motion by Jennifer Webster to adopt resolution 03-28-18-J Fee To Trust application for property located at 2680 Oakwood Drive, seconded by Kirby Metoxen. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

**10. Adopt resolution entitled Fee To Trust application for property located at N5899 Moore Road (00:15:45)**

Motion by Brandon Stevens to adopt resolution 03-28-18-K Fee To Trust application for property located at N5899 Moore Road, seconded by Ernie Stevens III. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

**11. Adopt resolution entitled Fee To Trust application for property located at 2105 Ninth Street (00:16:07)**

Motion by Jennifer Webster to adopt resolution 03-28-18-L Fee To Trust application for property located at 2105 Ninth Street, seconded by Kirby Metoxen. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

**12. Adopt resolution entitled Fee To Trust application for property located at 3053 Ferndale Drive (00:16:27)**

Motion by Kirby Metoxen to adopt resolution 03-28-18-M Fee To Trust application for property located at 3053 Ferndale Drive, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

**13. Adopt resolution entitled Fee To Trust application for property located at N5875 Moore Road (00:16:48)**

Motion by Jennifer Webster to adopt resolution 03-28-18-N Fee To Trust application for property located at N5875 Moore Road, seconded by Ernie Stevens III. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

**14. Adopt resolution entitled Fee To Trust application for property located at N6159 Lambie Road (00:17:11)**

Motion by Kirby Metoxen to adopt resolution 03-28-18-O Fee To Trust application for property located at N6159 Lambie Road, seconded by David P. Jordan. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

**15. Adopt resolution entitled Fee To Trust application for property located at 2713 Klee Street (00:17:36)**

Motion by Jennifer Webster to adopt resolution 03-28-18-P Fee To Trust application for property located at 2713 Klee Street, seconded by David P. Jordan. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

**16. Adopt resolution entitled Fee To Trust application for property located at 2070 Oakwood Drive (00:17:55)**

Motion by Jennifer Webster to adopt resolution 03-28-18-Q Fee To Trust application for property located at 2070 Oakwood Drive, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

**17. Adopt resolution entitled Fee To Trust application for property located at W327 Fish Creek Road (00:18:17)**

Motion by Kirby Metoxen to adopt resolution 03-28-18-R Fee To Trust application for property located at W327 Fish Creek Road, seconded by David P. Jordan. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

**18. Adopt resolution entitled Fee To Trust application for property located at 3045 Ferndale Drive (00:18:37)**

Motion by Jennifer Webster to adopt resolution 03-28-18-S Fee To Trust application for property located at 3045 Ferndale Drive, seconded by David P. Jordan. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

**C. Adopt resolution entitled Supporting Great Lakes Inter-Tribal Council's Application for Tribal Public Health Capacity Building and Quality Improvement Umbrella Cooperative Agreement CDC-RFA-OT18-1803 and approve the related correspondence (00:34:25)**

Sponsor: Tehassi Hill, Chairman

Motion by Brandon Stevens to adopt resolution 03-28-18-T Supporting Great Lakes Inter-Tribal Council's Application for Tribal Public Health Capacity Building and Quality Improvement Umbrella Cooperative Agreement CDC-RFA-OT18-1803, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

**D. Adopt resolution entitled Reprogramming Duck Creek Litigation Self-Governance Carryover Funds to Litigation in the Oneida Nation v. Village of Hobart, Wisconsin (Big Apple Fest) Case (00:39:40)**

Sponsor: Nathan King, Director/ Intergovernmental Affairs and Communications

Motion by Jennifer Webster to adopt resolution 03-28-18-U Reprogramming Duck Creek Litigation Self-Governance Carryover Funds to Litigation in the Oneida Nation v. Village of Hobart, Wisconsin (Big Apple Fest) Case, seconded by David P. Jordan. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

**E. Adopt resolution regarding Third Amendment and the Amended and Restated Revolving Credit Note of the Oneida Nation (00:19:08)**

Sponsor: Larry Barton, Chief Financial Officer

Motion by Jennifer Webster to adopt resolution 03-28-18-V Adoption of Third Amendment and the Amended and Restated Revolving Credit Note of the Oneida Nation, seconded by Kirby Metoxen. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

**F. Adopt resolution entitled FY 2018 ANA Social and Economic Development Strategies (SEDS) (00:19:20)**

Sponsor: George Skenandore, Division Director/Governmental Services

Motion by Jennifer Webster to adopt resolution 03-28-18-W FY 2018 ANA Social and Economic Development Strategies (SEDS), seconded by Kirby Metoxen. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

## **VII. STANDING COMMITTEES**

### **A. Community Development Planning Committee**

Chair: Ernie Stevens III, Councilman

#### **1. Approve February 8, 2018, Community Development Planning Committee meeting minutes (00:40:15)**

Motion by Brandon Stevens to approve the February 8, 2018, Community Development Planning Committee meeting minutes, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III,  
Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

*Councilman Ernie Stevens III departs at 9:28 a.m.*

*Councilman Ernie Stevens III returns at 9:30 a.m.*

### **B. Finance Committee**

Chair: Trish King, Treasurer

#### **1. Approve March 19, 2018, Finance Committee meeting minutes (00:44:35)**

Motion by David P. Jordan to approve the March 19, 2018, Finance Committee meeting minutes, seconded by Kirby Metoxen. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III,  
Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

### **C. Legislative Operating Committee**

Chair: David P. Jordan, Councilman

*Chairman Tehassi Hill departs at 9:43 a.m.*

*Chairman Tehassi Hill returns at 9:49 a.m.*

#### **1. Accept Children's Code Implementation quarterly update (00:54:37)**

Motion by Jennifer Webster to accept the Children's Code Implementation quarterly update, seconded by David P. Jordan. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III,  
Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

### **D. Quality of Life Committee**

Chair: Brandon Stevens, Vice-Chairman

#### **1. Approve February 15, 2018, Quality of Life Committee meeting minutes (01:03:35)**

Motion by Brandon Stevens to approve the February 15, 2018, Quality of Life Committee meeting minutes, seconded by David P. Jordan. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III,  
Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

*Councilwoman Jennifer Webster departs at 9:57 a.m.*

*Councilwoman Jennifer returns at 10:00 a.m.*

## VIII. APPOINTMENTS

### A. Appoint one (1) applicant to Oneida Police Commission for remainder of term ending July 31, 2021 (01:08:58)

Sponsor: Tehassi Hill, Chairman

Motion by Brandon Stevens to re-notice one (1) vacancy on the Oneida Police Commission for remainder of term ending July 31, 2021, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

### B. Appoint one (1) applicant to Oneida Pow-wow Committee (01:11:44)

Sponsor: Tehassi Hill, Chairman

Motion by Jennifer Webster to accept the Chairman's selection and appoint Jeremy King to the Oneida Pow-wow Committee, seconded by Ernie Stevens III. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

### C. Appoint one (1) applicant to Anna John Resident Centered Care Community Board and approve request to re-post one (1) vacancy (01:12:15)

Sponsor: Tehassi Hill, Chairman

Motion by David P. Jordan to appoint Candace House to the Anna John Resident Centered Care Community Board; and to re-post one (1) vacancy, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

### D. Appoint one (1) applicant to Oneida Environmental Resource Board (01:13:56)

Sponsor: Tehassi Hill, Chairman

Motion by Jennifer Webster to accept the Chairman's selection and appoint Megan White to the Oneida Environmental Resource Board, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

### E. Appoint one (1) applicant to Oneida Land Commission for remainder of term ending August 31, 2018 (01:15:25)

Sponsor: Tehassi Hill, Chairman

Motion by Brandon Stevens to accept the Chairman's selection and appoint Michael Mousseau to the Oneida Land Commission for the remainder of the term ending August 31, 2018, seconded by Ernie Stevens III. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers



**F. Appoint one (1) applicant to Oneida Personnel Commission (01:16:05)**

Sponsor: Tehassi Hill, Chairman

Motion by Jennifer Webster to accept the Chairman's selection and appoint Donna Richmond to the Oneida Personnel Commission, seconded by Kirby Metoxen. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III,  
Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

**G. Appoint one (1) applicant to Oneida Nation Arts Board (01:16:34)**

Sponsor: Tehassi Hill, Chairman

Motion by Kirby Metoxen to accept the Chairman's selection and appoint Susan Danforth to the Oneida Nation Arts Board, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III,  
Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

**H. Appoint one (1) applicant to Oneida Airport Hotel Corporation – Board of Directors (01:17:06)**

Sponsor: Lisa Summers, Secretary

Motion by Jennifer Webster to defer to the next Business Committee Meeting. Motion fails for lack of support.

Motion by David P. Jordan to go into executive session at 10:10 a.m., seconded by Jennifer Webster. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III,  
Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

Motion by David P. Jordan to come out of Executive Session at 10:24 a.m., seconded by Kirby Metoxen

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III,  
Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

Motion by Ernie Stevens III to appoint Kateri Baker to the Oneida Airport Hotel Corporation – Board of Directors for a term ending a remainder of a term ending January 31, 2020, seconded by Kirby Metoxen. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III,  
Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

**I. Appoint one (1) applicant to Bay Bancorporation Inc. – Board of Directors**

Sponsor: David P. Jordan, Councilman

*No action taken on this item; motion to appoint made under item XV.F.12.*

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

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

## **XI. NEW BUSINESS**

### **A. Approve Economic Diversification and Community Development fund use – Retail Enterprise market study – \$22,500 (01:17:56)**

Sponsor: Troy Parr, Division Director/Community and Economic Development

Motion by Jennifer Webster to approve Economic Diversification and Community Development fund use – Retail Enterprise market study – \$22,500, seconded by David P. Jordan. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

### **B. Approve limited waiver of sovereign immunity – Wisconsin Online Record Check System term and conditions – file # 2018-0253 (01:21:46)**

Sponsor: George Skenandore, Division Director/Governmental Services

Motion by Jennifer Webster to approve limited waiver of sovereign immunity – Wisconsin Online Record Check System term and conditions – file # 2018-0253, seconded by David P. Jordan. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

### **C. Accept notice regarding requested amendments to Internal Audit law regarding recognition of Judiciary independence and support request for Legislative Operating Committee to make appropriate amendments to Internal Audit law (01:24:30)**

Sponsor: Brandon Stevens, Vice-Chairman

Motion by Brandon Stevens to accept notice regarding requested amendments to Internal Audit law regarding recognition of Judiciary independence and support request for Legislative Operating Committee to make appropriate amendments to Internal Audit law, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

## **XII. TRAVEL**

### **A. TRAVEL REPORTS**

#### **1. Approve travel report – Secretary Lisa Summers and Councilman Kirby Metoxen – 2018 NCAI-Executive Council Winter Session – Washington DC – February 11-15, 2018 (01:28:54)**

Motion by Jennifer Webster to approve the travel report from Secretary Lisa Summers and Councilman Kirby Metoxen regarding travel to the 2018 NCAI-Executive Council Winter Session – Washington DC – February 11-15, 2018, seconded by Ernie Stevens III. Motion carried with one abstention:

Ayes: David P. Jordan, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Abstained: Kirby Metoxen

Not Present: Daniel Guzman King, Trish King, Lisa Summers

## B. TRAVEL REQUESTS

**1. Approve travel request – Councilman Kirby Metoxen – US SIF 8<sup>th</sup> Annual Conference – Washington DC – May 20-June 2, 2018 (01:29:28)**

Motion by Jennifer Webster to approve the travel request for Councilman Kirby Metoxen to attend the US SIF 8th Annual Conference – Washington DC – May 30-June 2, 2018, seconded by David P. Jordan.

Motion carried with one abstention:

Ayes: David P. Jordan, Brandon Stevens, Ernie Stevens III, Jennifer Webster  
Abstained: Kirby Metoxen  
Not Present: Daniel Guzman King, Trish King, Lisa Summers

**2. Approve travel request – Councilman Ernie Stevens III – Heating the Midwest 2018 Conference & Expo – Carlton, MN – April 20-May 3, 2018 (01:32:20)**

Motion by Kirby Metoxen to approve the travel request for Councilman Ernie Stevens III to attend the Heating the Midwest 2018 Conference & Expo – Carlton, MN – April 30-May 3, 2018, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster  
Not Present: Daniel Guzman King, Trish King, Lisa Summers

**3. Approve travel request – Councilman Daniel Guzman King – U.S.E.P.A. Region 5 Tribal Operations Committee Meeting – New Buffalo, MI – April 24-26, 2018 (01:32:45)**

Motion by Ernie Stevens III to approve the travel request for Councilman Daniel Guzman King to attend the U.S.E.P.A. Region 5 Tribal Operations Committee Meeting – New Buffalo, MI – April 24-26, 2018, seconded by David P. Jordan. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster  
Not Present: Daniel Guzman King, Trish King, Lisa Summers

**4. Approve travel request in accordance with Oneida Travel and Expense Policy – Six (6) Oneida Nation Child Support Agency staff members – National Tribal Child Support Association Conference – Prior Lake, MN – June 10-14, 2018 (01:33:18)**  
Sponsor: George Skenandore, Division Director/Governmental Services

Motion by Jennifer Webster to approve the travel request in accordance with Oneida Travel and Expense Policy for six (6) Oneida Nation Child Support Agency staff members to attend the National Tribal Child Support Association Conference – Prior Lake, MN – June 10-14, 2018, seconded by David P. Jordan. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster  
Not Present: Daniel Guzman King, Trish King, Lisa Summers

**5. Retro-approve travel request – Councilmen Daniel Guzman King and Ernie Stevens III – Tribal Caucus and Inter-tribal Criminal Justice Council meetings – Baraboo, WI – March 21-22, 2018 (01:33:45)**

Motion by David P. Jordan to retro-approve the travel request for Councilmen Daniel Guzman King and Ernie Stevens III to attend the Tribal Caucus and Inter-tribal Criminal Justice Council meetings – Baraboo, WI – March 21-22, 2018, seconded by Kirby Metoxen. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster  
Not Present: Daniel Guzman King, Trish King, Lisa Summers

**6. Enter e-poll results into the record in accordance with OBC SOP entitled Conducting Electronic Voting:**

Sponsor: Lisa Summers, Secretary

**a) Failed travel request – Councilmen Daniel Guzman King and Ernie Stevens III – Tribal Caucus and Inter-tribal Criminal Justice Council meetings – Baraboo, WI – March 21-22, 2018 (01:34:40)**

Motion by Jennifer Webster to enter the e-poll results into the record regarding the failed travel request for Councilmen Daniel Guzman King and Ernie Stevens III to attend the Tribal Caucus and Inter-tribal Criminal Justice Council meetings – Baraboo, WI – March 21-22, 2018, seconded by Kirby Metoxen.

Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

**XIII. OPERATIONAL REPORTS (No Requested Action)**

**XIV. GENERAL TRIBAL COUNCIL**

**A. Schedule reconvened March 19, 2018, special GTC meeting for May 12, 2018 at 10:00 a.m. (01:37:55)**

Sponsor: Lisa Summers, Secretary

Motion by Jennifer Webster to schedule the reconvened March 19, 2018, special GTC meeting for May 12, 2018 at 10:00 a.m., seconded by Brandon Stevens. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

*Councilman David P. Jordan departs at 10:53 a.m.*

*Councilman David P. Jordan returns at 10:55 a.m.*

*Councilman Kirby Metoxen departs at 10:56 a.m.*

*Councilman Kirby Metoxen returns at 10:58 p.m.*

**XV. EXECUTIVE SESSION**

**A. REPORTS**

**1. Accept Chief Counsel report – Jo Anne House, Chief Counsel (01:48:24)**

Motion by Brandon Stevens to accept the Chief Counsel report dated March 27, 2018, seconded by David P. Jordan. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

Motion by Brandon Stevens to approve focus on Option 1 and authorize Option 2 as an alternative as identified in the March 26, 2018, memo from Attorney Collins, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

Motion by Brandon Stevens to direct the Comprehensive Health Division to bring back monthly reports on negotiations, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

Motion by Brandon Stevens to direct the Comprehensive Health and Governmental Services Divisions to work together to provide appropriate notices and updates to the affected membership, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

**2. Accept Intergovernmental Affairs and Communications report – Nathan King, Director/ Intergovernmental Affairs and Communications (01:51:29)**

Motion by Jennifer Webster to accept the Intergovernmental Affairs and Communications report, seconded by David P. Jordan. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

Motion by Jennifer Webster to approve the Memorandum of Understanding between the Oneida Nation and State of Wisconsin, Department of Public Instruction, seconded by David P. Jordan. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

Motion by Jennifer Webster to approve the travel request for either Chairman Hill or Vice-Chairman Brandon Stevens to provide testimony in Washington DC during the second week of May 2018, seconded by David P. Jordan. Motion carried with one abstention:

Ayes: David P. Jordan, Kirby Metoxen, Ernie Stevens III, Jennifer Webster

Abstained: Brandon Stevens,

Not Present: Daniel Guzman King, Trish King, Lisa Summers

**3. Accept Gaming General Manager report – Louise Cornelius, General Manager/Gaming (01:52:32)**

Motion by Kirby Metoxen to accept the Gaming General Manager report, seconded by David P. Jordan. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

**B. STANDING ITEMS**

**1. LAND CLAIMS STRATEGY (No Requested Action)**

**2. ONEIDA GOLF ENTERPRISE CORPORATION – LADIES PROFESSIONAL GOLF ASSOCIATION**

**a) Accept Thornberry Creek LPGA Classic March 2018 report (01:52:48)**

Motion by Brandon Stevens to accept the Thornberry Creek LPGA Classic March 2018 report, seconded by Kirby Metoxen. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

**C. AUDIT COMMITTEE (No Requested Action)**

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

**E. UNFINISHED BUSINESS**

**1. Review complaint # 2018-DR09-01 (01:53:04)**

Sponsor: Lisa Summers, Secretary

Motion by David P. Jordan to assign to Chairman Tehassi Hill, Treasurer Trish King, and Councilman Kirby Metoxen to investigate complaint # 2018-DR09-01, seconded by Jennifer Webster. Motion carried with one abstention:

Ayes: David P. Jordan, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Abstained: Kirby Metoxen

Not Present: Daniel Guzman King, Trish King, Lisa Summers

**a) Accept Chief Financial Officer report regarding “Land Mortgage” funds (01:53:18)**

*EXCERPT FROM MARCH 14, 2018: (1) Motion by David P. Jordan to defer complaint # 2018-DR09-01 to the March 14<sup>1</sup>, 2018, Oneida Business Committee meeting, seconded by Ernie Stevens III. Motion carried unanimously. (2) Motion by Jennifer Webster to direct Finance to come back to the March 28, 2018, Oneida Business Committee meeting with a report on the “Land Mortgage” funds to include the current authorities and a recommended remedy, seconded by Kirby Metoxen. Motion carried unanimously.*

Motion by Ernie Stevens III to accept the Chief Financial Officer report regarding “Land Mortgage” funds, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

Amendment to the main motion by Brandon Stevens that an update on the Chief Financial Officers recommendation be provided at the April 11, 2018 regular Business Committee Meeting, seconded by David P. Jordan. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

Motion by Brandon Stevens to make “Land Mortgage funds authorities” a Standing Item in executive session until final decision is made, seconded by David P. Jordan. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

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<sup>1</sup> Motion, as stated, included the date of “March 14, 2018”; this date was amended to “March 28, 2018” by subsequent motion.

**F. NEW BUSINESS**

**1. Accept Opioid Litigation presentation as information (01:53:47)**

Sponsor: Tehassi Hill

Motion by Brandon Stevens to accept the Opioid Litigation presentation as information and direct the law office to review the materials and bring back a recommendation on the next steps, seconded by David P. Jordan. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III,  
Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

**2. Review application(s) for vacant term ending July 31, 2021 – Oneida Police Commission**

Sponsor: Tehassi Hill, Chairman

*No action taken on this item.*

**3. Review application(s) for one (1) vacancy – Oneida Pow Wow Committee**

Sponsor: Tehassi Hill, Chairman

*No action taken on this item.*

**4. Review application(s) for two (2) vacancies – Anna John Resident Centered Care Community Board**

Sponsor: Tehassi Hill, Chairman

*No action taken on this item.*

**5. Review application(s) for one (1) vacancy – Oneida Environmental Resource Board**

Sponsor: Tehassi Hill, Chairman

*No action taken on this item.*

**6. Review application(s) for vacant term ending August 31, 2018 – Oneida Land Commission**

Sponsor: Tehassi Hill, Chairman

*No action taken on this item.*

**7. Review application(s) for one (1) vacancy – Oneida Personnel Commission**

Sponsor: Tehassi Hill, Chairman

*No action taken on this item.*

**8. Review application(s) for one (1) vacancy – Oneida Nation Arts Board**

Sponsor: Tehassi Hill, Chairman

*No action taken on this item.*

**9. Review application(s) for one (1) vacancy – Oneida Airport Hotel Corporation – remainder of term ending January 31, 2020**

Sponsor: Lisa Summers, Secretary

*No action taken on this item.*

**10. Approve four (4) actions regarding 2020 North American Indigenous Games (01:54:03)**

Sponsor: Brandon Stevens, Vice-Chairman

Motion by Jennifer Webster to support the four (4) requests listed in the memorandum dated February 12, 2018, seconded by David P. Jordan. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III,  
Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

Motion by Jennifer Webster to appoint Vice-Chairman Brandon Stevens as the Oneida Tribal Representative, seconded by Kirby Metoxen. Motion carried with one abstention:

Ayes: David P. Jordan, Kirby Metoxen, Ernie Stevens III, Jennifer Webster

Abstained: Brandon Stevens

Not Present: Daniel Guzman King, Trish King, Lisa Summers

**11. Assign Councilman Kirby Metoxen to the OBC Sub-committee to investigate complaint # 2018-DR04-01 remove Councilman David P. Jordan from the Sub-committee (01:54:17)**

Sponsor: David P. Jordan, Councilman

Motion by Jennifer Webster to assign Councilman Kirby Metoxen to the OBC Sub-committee to investigate complaint # 2018-DR04-01 and to remove Councilman David P. Jordan from the Sub-committee, seconded by David P. Jordan. Motion carried with one abstention:

Ayes: David P. Jordan, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Abstained: Kirby Metoxen

Not Present: Daniel Guzman King, Trish King, Lisa Summers

**12. Review application(s) for one (1) vacancy – Bay Bancorporation Inc. (01:54:32)**

Sponsor: David P. Jordan, Councilman

Motion by Kirby Metoxen to appoint Todd Van Den Heuvel to the Bay Bancorporation Board of Directors, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III,  
Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

**13. Review concern # 2018-CC-01 and determine next steps (01:54:46)**

Sponsor: Tehassi Hill, Chairman

Motion by Brandon Stevens to accept concern # 2018-CC-01 in accordance with 105-6.5 of the Comprehensive Policy Governing Boards, Committees, and Commissions, seconded by David P. Jordan. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III,  
Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

Motion by Brandon Stevens to defer concern # 2018-CC-01 to the Chairman's Office and for the Chairman to bring back a recommendation to the April 11, 2018, regular Business Committee meeting, seconded by David P. Jordan. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III,  
Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers



**14. Accept materials regarding Bank of America N.A. credit agreement - file # 2012-0027 for the record (01:54:56)**

Sponsor: Larry Barton, Chief Financial Officer

Motion by David P. Jordan to accept materials regarding Bank of America N.A. credit agreement - file # 2012-0027 for the record, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

**XVI. ADJOURN (01:55:00)**

Motion by David P. Jordan to adjourn at 11:15 a.m., seconded by Ernie Stevens III. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Lisa Summers

Minutes prepared by Lisa Liggins, Information Management Specialist  
Minutes approved as presented on April 11, 2018.

  
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Lisa Summers, Secretary  
ONEIDA BUSINESS COMMITTEE