



# Oneida Business Committee

## Regular Meeting

9 a.m. Wednesday, January 9, 2013  
BC Conference Room, 2<sup>nd</sup> floor, Norbert Hill Center

### Minutes

**Present:** Chairman Ed Delgado, Vice Chairman Greg Matson, Treasurer Tina Danforth, Secretary Patty Hoeft, Council members Melinda J. Danforth, Vince DelaRosa, David Jordan, Paul Ninham, Brandon Stevens. **Others present:** Barbara Skenandore, Marty Antone, Roxanne Anderson, Fred Muscavitch, Troy D. Parr, Lisa A. Moore, Scott Webster, Frank Cornelius, Laura Manthe, Chad Wilson, Marsha Danforth, Geraldine Danforth, Brenda Skenandore, Pat Pelky, Joanie Buckley, Barb Dickson, Sharon Mousseau, Nancy Blashka, Matt J. Denny Sr., Sandra Gauthier, Harvey Kosowski, Michele Doxtator, Vicki Cornelius, Jack Denny, Elaine Reed-Doxtator, Raquel Hill, Jim King

- I. Call to Order and Roll Call by Chairman Ed Delgado at 9:10 a.m.
- II. Opening by Chairman Ed Delgado
- III. Approve the agenda

Motion by Patty Hoeft to approve the agenda with the following changes: delete an executive session item .D.3. Approval for employee assignment, and add in open session 1. Approve Resources for Native Nation Building (RNNB) consultant contract not to exceed \$14,100 for economic development, and two additions to executive session: 1. Green Bay Packers stadium development plans update, 2. Review request for proposal (RFP) process for construction and development of new SEOTS facility, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Brandon Stevens, Paul Ninham

#### IV. Oaths of Office

#### V. Minutes to be approved

##### 1. Dec. 12, 2012 regular

Motion by David Jordan to approve Dec. 12, 2012 regular meeting minutes, seconded by Tina Danforth. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Brandon Stevens, Paul Ninham

##### 2. Dec. 18, 2012 special

Motion by David Jordan to approve Dec. 18, 2012 special meeting minutes, seconded by Paul Ninham. Motion carried with one abstention:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens, Paul Ninham

Abstained: Greg Matson

##### 3. Jan. 2, 2013 emergency

Motion by Paul Ninham to approve Jan. 2, 2013 emergency meeting minutes, seconded by David Jordan. Motion carried with one abstention:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens, Paul Ninham

Abstained: Greg Matson

#### VI. Resolutions

##### 1. CY 2013 County Tribal Law Enforcement Grant – Outagamie County State of Wisconsin/Department of Justice

Sponsor: Joanie Buckley

Motion by Tina Danforth to adopt Resolution 01-09-13-A CY 2013 County Tribal Law Enforcement Grant – Outagamie County State of Wisconsin/Department of Justice, seconded by Paul Ninham. Motion carried unanimously:



Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Brandon Stevens, Paul Ninham

**2. CY 2013 County Tribal Law Enforcement Grant – Brown County State of Wisconsin/Department of Justice**

Sponsor: Joanie Buckley

Motion by Paul Ninham to adopt Resolution 01-09-13-B CY 2013 County Tribal Law Enforcement Grant – Brown County State of Wisconsin/ Department of Justice, seconded by Tina Danforth. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Brandon Stevens, Paul Ninham

**3. Adoption of Schedule of Fees and Schedule of Fines Pursuant to the Oneida Zoning and Shoreland Protection Law and Oneida Building Code**

Sponsor: Butch Rentmeester

Motion by Patty Hoeft to defer this resolution to the February CDPC meeting so that we can come to agreement on establishing what time-to-time means so that we have a standard period of time, and that we can talk about ways to communicate this to Tribal members, and how to transition those Tribal members who live on fee land not owned by the Tribe into our zoning system, seconded by Tina Danforth. Motion carried with two abstentions:

Ayes: Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Paul Ninham

Abstained: Melinda J. Danforth, Brandon Stevens

**VII. Reports**

**1. New York land claim settlement monthly report – Ed Delgado - DEFERRED**

Motion by Patty Hoeft to defer New York land claim settlement monthly report to February, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Brandon Stevens, Paul Ninham

**2. Development Division – Butch Rentmeester - DEFERRED**

Motion by Paul Ninham to defer Development Division report to the next BC meeting, seconded by Patty Hoeft. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Brandon Stevens, Paul Ninham

**3. Land Management Division – Fred Muscavitch**

Motion by David Jordan to accept Land Management Division report, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Brandon Stevens, Paul Ninham

Motion by Vince DelaRosa to have the Department of Land Management to give the OBC an updated report on all the tracts of land that are under the ownership of the Oneida Tribe and what the usages of the land is, currently; this should include a report on all the outstanding leases and a description of the said leases; this should also include a description on the projected revenue of said leases and a identifier of the tracts of land which are eligible for gaming activity whether they're under contract or not, seconded by Tina Danforth. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Brandon Stevens, Paul Ninham

**4. Self Governance – Chris Johns**

Motion by Melinda J. Danforth to accept self governance report, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Brandon Stevens, Paul Ninham

Motion by Tina Danforth to authorize the Chairman to send a letter regarding our claim for the contract support costs, seconded by Greg Matson. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Brandon Stevens, Paul Ninham

**5. Ombudsman – Dianne McLester-Heim - DEFERRED**

Motion by Paul Ninham to defer Ombudsman report to the next BC meeting, seconded by Patty Hoeft. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Brandon Stevens, Paul Ninham



**6. Emergency Management – Marty Antone - DEFERRED**

Motion by Patty Hoeft to defer Emergency Management and Oneida Housing Authority reports to the next BC meeting, seconded by Paul Ninham. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Brandon Stevens, Paul Ninham

**7. Oneida Housing Authority – Scott Denny**

**8. Environmental, Health & Safety – Pat Pelky**

Motion by Tina Danforth to accept Environmental, Health & Safety report, seconded by David Jordan. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Brandon Stevens, Paul Ninham

**VIII. Boards, Committees and Commissions**

**A. Appointments**

**1. Post one Election Board vacancy**

Motion by David Jordan to post one Election Board vacancy, seconded by Patty Hoeft. Motion carried unanimously:

Ayes: Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Brandon Stevens, Paul Ninham

Not present: Melinda J. Danforth

**2. Appoint Frank Cornelius to Oneida Airport Hotel Corporation**

Motion by Tina Danforth to approve the appointment of Frank Cornelius to Oneida Airport Hotel Corporation, seconded by David Jordan. Motion carried with one abstention:

Ayes: Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens, Paul Ninham

Abstained: Greg Matson

Not present: Melinda J. Danforth

**B. Quarterly reports**

**1. Oneida Seven Generations Corporation – William Cornelius, Chairman - DEFERRED**

*Excerpt from Dec. 12, 2012: Motion by Paul Ninham to defer Oneida Seven Generations quarterly report to the next Business Committee meeting, seconded by Tina Danforth. Motion carried unanimously.*

Motion by Brandon Stevens to defer Oneida Seven Generations Corporation quarterly report to the next BC meeting, seconded by Patty Hoeft. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Brandon Stevens, Paul Ninham

**2. Oneida Election Board**

Motion by Tina Danforth to accept the Oneida Election Board quarterly report, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Brandon Stevens, Paul Ninham

**3. Oneida Police Commission - DEFERRED**

Motion by David Jordan to defer Oneida Police Commission, Oneida Gaming Commission and Oneida Personnel Commission quarterly reports to the next BC meeting, seconded by Paul Ninham. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Brandon Stevens, Paul Ninham

**4. Oneida Library Board**

Motion by Patty Hoeft to accept Oneida Library Board report, seconded by David Jordan. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Brandon Stevens, Paul Ninham

**5. Environmental Resource Board**

Motion by David Jordan to accept Environmental Resource Board report, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Brandon Stevens, Paul Ninham

**6. Oneida Gaming Commission - DEFERRED**

**7. Oneida Personnel Commission – DEFERRED**



## **IX. Standing Committees**

### **A. Legislative Operating Committee – Melinda J. Danforth, Chairwoman**

#### **1. Nov. 7, 2012 LOC meeting minutes**

Motion by Patty Hoeft to accept Nov. 7, 2012 LOC meeting minutes, seconded by Melinda J. Danforth. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Paul Ninham

Not present: Brandon Stevens

#### **2. Dec. 5, 2012 LOC meeting minutes**

Motion by Paul Ninham to accept Dec. 5, 2012 LOC meeting minutes, seconded by Tina Danforth. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Brandon Stevens, Paul Ninham

#### **3. LOC quarterly report**

Motion by Brandon Stevens to accept the LOC quarterly report, seconded by Paul Ninham. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Brandon Stevens, Paul Ninham

#### **4. Accept Audit Committee memo regarding sales of slot machines as FYI**

Motion by Melinda J. Danforth to accept this memo as information and direct that Gaming management and the Oneida Gaming Commission, once having the SOP finalized, send a copy of that SOP to the Business Committee and Audit Committee in 30 days, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Brandon Stevens, Paul Ninham

#### **5. Accept the Budget Management and Control Act update memo as FYI**

*Excerpt from Nov. 14, 2012: Motion by Melinda J. Danforth to defer for 60 days, with the LOC Chairs request to bring back a draft Budget Management Control Act to the Business Committee, seconded by Brandon Stevens. Motion carried unanimously.*

Motion by David Jordan to accept the memo as FYI, seconded by Paul Ninham. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Brandon Stevens, Paul Ninham

#### **6. Accept the Traffic Laws update memo as FYI**

Motion by David Jordan to accept the memorandum as information, seconded by Brandon Stevens. Motion carried with one abstention:

Ayes: Melinda J. Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Brandon Stevens

Abstained: Tina Danforth

Not present: Paul Ninham

#### **7. Indian Preference in Contracting Law e-poll**

Motion by Patty Hoeft to approve the retro-active approval to conduct a public hearing at 5 p.m. on Feb. 14, 2013 to make comment on the proposed Indian Preference in Contracting law, seconded by David Jordan. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Brandon Stevens

Not present: Paul Ninham

Motion by David Jordan to recess for lunch at 12:06 p.m. until 1:30 p.m., seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Brandon Stevens

Not present: Paul Ninham

Motion by David Jordan to go back into session at 1:35 p.m., seconded by Paul Ninham. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, David Jordan, Paul Ninham

Not present: Ed Delgado, Patty Hoeft, Brandon Stevens

### **B. Finance Committee – Treasurer Tina Danforth, Chairwoman**

#### **1. Jan. 4, 2013 Finance Committee meeting minutes**



Motion by Tina Danforth to approve Jan. 4, 2013 Finance Committee meeting minutes, seconded by David Jordan. Motion carried with one abstention:

Ayes: Tina Danforth, Vince DelaRosa, David Jordan, Paul Ninham  
Abstained: Melinda J. Danforth  
Not present: Ed Delgado, Patty Hoeft, Brandon Stevens

**C. Community Development Planning Committee – Vince DelaRosa, Chairman**

**1. Approve CDPC sign-off authority procedure**

*Excerpt from Dec. 12, 2012: Motion by Paul Ninham to defer the CDPC sign-off authority procedure to the next Business Committee meeting, seconded by Tina Danforth. Motion carried unanimously.*

Motion by Vince DelaRosa, to approve CDPC sign-off authority procedure, seconded by Tina Danforth. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, David Jordan  
Not present: Ed Delgado, Patty Hoeft, Paul Ninham, Brandon Stevens

**2. Nov. 8 special meeting minutes**

Motion by David Jordan to approve Nov. 8 special meeting minutes, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, David Jordan  
Not present: Ed Delgado, Patty Hoeft, Paul Ninham, Brandon Stevens

**D. Quality of Life – Paul Ninham, Chairman**

**X. General Tribal Council**

**1. Petitioner Yvonne Metivier: The GTC directs the OBC to distribute \$1,500 per capita for 2014, 2015, 2016**

Sponsor: Patty Hoeft

Motion by Patty Hoeft to accept receipt of the petition and that it is forwarded for processing to come back at the Feb. 13 BC meeting, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens, Paul Ninham  
Not present: Ed Delgado

**2. Petitioner Kerry Danforth: Petition determined to be for removal of an elected official therefore invalid due to lack of sufficient number of signatures**

Sponsor: Patty Hoeft

Motion by David Jordan to accept the Secretary's report regarding this petition, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens, Paul Ninham  
Not present: Ed Delgado

Motion by Melinda J. Danforth to forward the petition and its contents to the Audit Committee for consideration of honoring the request of the petitioner to perform an audit of the Oneida Appeals Commission, seconded by David Jordan. Motion carried with one opposed:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Paul Ninham  
Opposed: Brandon Stevens  
Not present: Ed Delgado  
For the record: Brandon Stevens stated I only opposed this motion because we haven't done this for anyone else, for the concerns after we denied a petition. There's definitely a process here that needs to be created if we are going to continue on doing this. I understand this is a very complex issue and it needs to be dealt with but the burden should be on the individual to continue this. A lot of questions were answered on Monday, with a lot of the concerns that we've already heard, they were answered on Monday by the General Tribal Council.

**XI. Unfinished Business**

**1. Review emergency operation plans to ensure Tribal offices and schools are prepared to respond to potential threats involving guns**

Sponsor: Ed Delgado

*Excerpt from Dec. 18, 2012: Motion by Vince DelaRosa to direct the Emergency Management Director, Marty Antone to spearhead a report about updated security measures of all Tribal*



*properties and report back to the Business Committee at the Jan. 9, 2013 regular meeting, seconded by Brandon Stevens. Motion carried unanimously.*

Motion by Tina Danforth to accept the report as FYI, seconded by Paul Ninham. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Brandon Stevens

Not present: Paul Ninham

Motion by Patty Hoeft to have Marty Antone's report deferred to the Development Division Director so that he and Marty can talk about the ideas that Marty is proposing and together they bring back this report to the February CDPC meeting, seconded by Vince DelaRosa. Motion carried with two abstentions:

Ayes: Melinda J. Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Brandon Stevens

Abstained: Tina Danforth, Paul Ninham

**2. FY2013 Employment, Compensation & Benefits – Geraldine Danforth, HR Area Manager**

**a. Approve Human Resource Department revised workforce levels**

*Excerpt from Dec. 12, 2012: Motion by Patty Hoeft to defer to the Chief Financial Officer to bring back a written recommendation if he agrees with attachment B, HRD workforce levels at the Jan. 9, 2013 Business Committee meeting, seconded by Melinda J. Danforth. Motion carried with one abstention.*

Motion by David Jordan to accept, seconded by Tina Danforth. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, David Jordan

Not present: Ed Delgado, Patty Hoeft, Paul Ninham, Brandon Stevens

**XII. New Business/Requests**

**1. Develop a drive-off policy**

Sponsor: Ed Delgado

Motion by Patty Hoeft to refer this item back to the Chairman so that you can continue to work with the Retail Enterprise Division Director and Chief Counsel and bring back some recommendations in 90 days with ways to prevent and prohibit gas drive-offs, seconded by Greg Matson. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Brandon Stevens, Paul Ninham

**2. Approve 2013 Special Election date**

Sponsor: Patty Hoeft

Motion by David Jordan to approve caucus date of April 27, 2013 at 1 p.m. at the Norbert Hill Center and Special Election date of Sat. July 6, 2013, 7 a.m. to 7 p.m., seconded by Tina Danforth. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Brandon Stevens, Paul Ninham

**3. Post position for Audit Committee community member position**

Sponsor: David Jordan

Motion by Patty Hoeft to approve to post position for Audit Committee community member position, seconded by David Jordan. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Brandon Stevens, Paul Ninham

**XIII. Travel**

**A. Travel Reports**

**B. Travel Requests**

**1. Oneida Nation School Board: Procedural exception to allow five FACE staff to attend Regions meeting, Jan. 25, 2013, Choctaw, MS**

Sponsor: Sharon Mousseau

Motion by Paul Ninham to approve the procedural exception for five FACE staff to attend the Regions meeting in Choctaw, MS, Jan. 25, 2013, seconded by Tina Danforth. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Greg Matson, Patty Hoeft, David Jordan, Brandon Stevens, Paul Ninham

**2. Gaming: Procedural exception to approve Gaming General Manager and four Gaming Associates to attend National Indian Gaming Association Tradeshow and Conference, March 24-27, 2013, Phoenix, AZ**

Sponsor: Louise Cornelius



Motion by Patty Hoeft to approve contingent upon the Gaming General Manager providing the names of the four travelers, to the Tribal Chairman for approval, seconded by Tina Danforth. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens, Paul Ninham

Not present: Ed Delgado

**3. Annual Native American Finance Officers Association Conference, April 17-20, 2013, Nashville, TN**

Sponsor: Tina Danforth

Motion by Vince DelaRosa to approve, seconded by David Jordan. Motion carried with one abstention:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens, Paul Ninham

Abstained: Tina Danforth

Not present: Ed Delgado

For the record: Tina Danforth stated expenses for hotel and waiver of my registration is covered through NAFOA.

**4. Midwest Alliance of Sovereign Tribes Impact Week, Feb. 10-12, 2013, Washington, DC and 2013 Tribal Environmental Management and Region 5 Tribal/Operations Committee Conferences, Feb. 13-15, 2013, Chicago, IL**

Sponsor: Melinda J. Danforth

Motion by Vince DelaRosa to approve the Midwest Alliance travel for any BC members and to approve travel to 2013 Tribal Environmental Management and Region 5 Tribal/Operations Committee Conference for Council member Melinda J. Danforth, seconded by David Jordan. Motion carried with one abstention:

Ayes: Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens, Paul Ninham

Abstained: Melinda J. Danforth

Not present: Ed Delgado

For the record: Melinda J. Danforth stated the Region 5 Tribal/Operations conference, Feb. 13-15, 2013 in Chicago, is being paid for from our General Assistance Program monies that are paid for by the EPA.

**5. National Indian Gaming Association Annual Convention, March 24-27, 2013, Phoenix, AZ**

Sponsor: Ed Delgado

Motion by David Jordan to approve the procedural exception to allow the Chairman's executive assistant to travel, seconded by Tina Danforth. Motion carried with three opposed:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, David Jordan

Opposed: Patty Hoeft, Paul Ninham, Brandon Stevens

Not present: Ed Delgado

For the record: Paul Ninham stated I don't know who the executive assistant is, for one thing.

For the record: Tina Danforth stated we have approved other staff of the Chairman's, most recently a month ago to attend travel request with the Chairman. Diane House just went on a land claims travel and I believe Linda has accompanied the Chairman in the past to MN and other places, so I don't think this is out of the usual.

For the record: Brandon Stevens stated I believe we have, how many attending from the committee-five from the committee? I think that's well enough to attend a meeting and I don't know who the staff is. I don't think it's relevant but I think we have enough people going. We do need the numbers there. I do believe we need the numbers there, but I think, as far as the Committee's concerned, we have enough.

For the record: David Jordan stated it's always something to consider that if you've been there before maybe you should let someone else go, too.

For the record: Vince DelaRosa stated I support the Chairman in executing on behalf of the Council. I know NIGA is an important organization. We've made it known that it's important. We fund that organization. There's important business activity going on. I haven't had a chance to talk to the Chairman about the staff request. I know that other elected officials on this Council have taken staff elsewhere. So I'm ok with it.

**XIV. Additions**



**1. Approve Resources for Native Nation Building (RNNB) consultant contract not to exceed \$14,100 for economic development**

Sponsor: Vince DelaRosa, CDPC Chairman

Motion by Vince DelaRosa to approve the contract, seconded by Patty Hoeft. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens, Paul Ninham

Not present: Ed Delgado

**XV. Action in open session on items from Executive Session Discussion meeting of Jan. 8, 2013**

**A. Reports**

**1. Chief Counsel report – Jo Anne House**

Motion by Vince DelaRosa to accept Chief Counsel report, seconded by Patty Hoeft. Motion carried with two abstentions:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens

Abstained: Tina Danforth, Paul Ninham

Not present: Ed Delgado

For the record: Paul Ninham stated I am going to abstain for the items that I wasn't in attendance for discussion.

**2. Legislative Affairs/Communications monthly report – Nathan King – DEFERRED**

Motion by Patty Hoeft to defer Legislative Affairs/Communications monthly report to the next BC meeting, seconded by David Jordan. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens, Paul Ninham

Not present: Ed Delgado

**3. Oneida Seven Generations Corporation – William Cornelius, Chairman**

*Excerpt from Dec. 12, 2012: Motion by Paul Ninham to defer Oneida Seven Generations Corporation quarterly report to the next Business Committee meeting, seconded by Patty Hoeft. Motion carried with one abstention.*

Motion by Patty Hoeft to accept Oneida Seven Generations Corporation report, seconded by Vince DelaRosa.

Motion carried with one abstention:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens

Abstained: Paul Ninham

Not present: Ed Delgado

**B. Audit Committee – Councilman Brandon Stevens, Chairman**

**C. Unfinished Business/BC directives**

**1. Smet Construction Complaint**

Sponsor: Tina Danforth

*Excerpt from Dec. 12, 2012: Motion by Patty Hoeft to defer to January, seconded by Vince DelaRosa. Motion carried with one abstention.*

Motion by David Jordan to defer to the next BC meeting, seconded by Tina Danforth. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens, Paul Ninham

Not present: Ed Delgado

**2. Complaint process for direct reports to the Business Committee**

Sponsor: Ed Delgado

*Excerpt from Dec. 12, 2012: Motion by Patty Hoeft to defer to the January Business Committee meeting, seconded by Tina Danforth. Motion carried with one abstention.*

Motion by Melinda J. Danforth to defer the complaint process back to the BC, understanding that the HRD's interpretations for complaint processes for Boards, Committees and Commissions be considered by the Chairman, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens, Paul Ninham

Not present: Ed Delgado

**D. New Business/Requests**

**1. Attorney Lynn Franzmeier contract**

Sponsor: Jo Anne House



Motion by David Jordan to approve the Attorney Lynn Franzmeier contract, seconded by Vince DelaRosa. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan,  
Brandon Stevens, Paul Ninham

Not present: Ed Delgado

**2. iZigg Contract**

Sponsor: Ed Delgado

Motion by Patty Hoeft to approve the limited waiver of sovereign immunity for iZigg Contract, seconded by Vince DelaRosa. Motion carried with two abstentions:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, Brandon Stevens

Abstained: David Jordan, Paul Ninham

Not present: Ed Delgado

**3. Approval for employee reassignment - DELETE**

Sponsor: Louise Cornelius

**4. Retro-approve employee additional duties**

Sponsor: Ed Delgado

Motion by Patty Hoeft to approve the retro-approval, seconded by Vince DelaRosa. Motion carried with three abstentions:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, Brandon Stevens

Abstained: Tina Danforth, David Jordan, Paul Ninham

Not present: Ed Delgado

**5. Storm Water litigation update**

Sponsor: Ed Delgado

Motion by Patty Hoeft to accept the report that is incorporated in the Chief Counsel's report for Jan. 8, seconded by Brandon Stevens. Motion carried with one abstention:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan,  
Brandon Stevens

Abstained: Paul Ninham

Not present: Ed Delgado

**E. Additions**

**1. GB Packers Stadium development plans update**

Sponsor: Joanie Buckley

Motion by Patty Hoeft to accept the report, seconded by David Jordan. Motion carried with one abstention:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan,  
Brandon Stevens

Abstained: Paul Ninham

Not present: Ed Delgado

**2. Review request for proposal (RFP) process for construction and development of new SEOTS facility**

Sponsor: Larry Barton

Motion by Vince DelaRosa to approve as a procedural exception to move forward with option two of the CFO's recommendation from his January 7, 2013 memorandum to approve moving forward with selecting Bonnilake Real Estate as the developer for the SEOTS Building in Milwaukee WI. This includes a phased approach which will speak to the full development of the preferred Electric Avenue site. This also includes a requirement that the developer work directly with the CFO, Larry Barton to accomplish the stated goals for the site and the project, seconded by Tina Danforth. Motion carried with one abstention and two opposed:

Ayes: Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan

Opposed: Paul Ninham, Brandon Stevens

Abstained: Melinda J. Danforth

Not present: Ed Delgado

For the record: Tina Danforth stated I am approving this because it's been two years and our designated staff have not been to, in collaboration with other people who are responsible for getting this project off the ground. The other reason I support it is because funding has been made available for three years. Two year window in which the funding been available, one year window in which the notice has been given that this project would be funded and it's been many years, I don't know 10



years plus, since SEOTS has been waiting for a permanent home. The fourth reason I approve is because of the cost that we continue to incur to lease property that is not sufficient.

For the record: Paul Ninham stated I had opposed, but I know that something does need to occur. I was in favor of option A in the CFO's recommendations to the Business Committee.

For the record: Brandon Stevens stated I was as well as more amenable to option A, but this doesn't address the problem that we had for the three years, that we weren't holding anybody accountable in those three years and this is the fix that we have to do. I'm opposed of the quick fix of doing anything, so I just want to make sure we follow our own processes in the meantime.

For the record: Vince DelaRosa stated I support this for the record first and foremost because Bonnilake's proposal is outstanding. It's articulate; it speaks to the needs of that community. Second, this is not a quick fix; we've been in office over a year and a half. The bond is expiring, option A would do nothing but delay the project even further. More RFP's in a situation where we've sent out 28 RFP's is completely unnecessary and I just think it's time to move forward. GTC has given us directive on this and it's time to get moving on projects around here. We can't allow 3, 4, 5 years to be delaying projects. This one reportedly to some has been I heard 2005. Heard 3 years. Nonetheless building a square building at this size shouldn't take no more than 9-10 months. Completely unnecessary delays and Bonnilake's proposal once again is really outstanding, articulate and they will deliver. So that's my reason for support

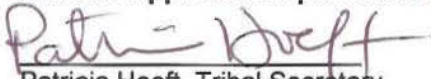
#### **XVI. Adjourn**

Motion by Patty Hoeft to adjourn at 2:32 p.m., seconded by Tina Danforth. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens, Paul Ninham

Not present: Ed Delgado

**Minutes Approved as presented/corrected on Jan. 23, 2013.**

  
Patricia Hoeft, Tribal Secretary  
ONEIDA BUSINESS COMMITTEE