



Oneida Business Committee

Regular Meeting

9 a.m. Wednesday, Jan. 23, 2013

BC Conference Room, 2nd floor, Norbert Hill Center

Minutes

Present: Vice Chairman Greg Matson, Council members Melinda J. Danforth, Vince DelaRosa, David Jordan, Paul Ninham; **Not present:** Chairman Ed Delgado, Treasurer Tina Danforth, Secretary Patty Hoeft, Council member Brandon Stevens; **Others Present:** Barbara Skenandore, Lisa Vega, Neset Skenandore, Roxanne Anderson, Dianne McLester-Heim, Geraldine Danforth, Scott Denny, Frank Cornelius, Randy Cornelius, Misty Jordan, Ron McLester, Pearl McLester, Carol Elm, Vinny Cornelius, Loretta V. Metoxen, Dorothy Ninham, Vicky Matson, Tehassi Hill, Lauren Hartman, Amy Griesbach, Linda Jenkins, Tony Danforth, Nate Wisneski, Teresa Schuman, Kathy M. Metoxen, Joanie Buckley, Lois Strong, Shirley Barber, Racquel Hill, Sharon A. Mousseau, Yvette Peguero, Elaine Reed-Doxtator, Kitty Melchert, Jim Wildenberg

Special Recognition – Years of Service: 35 years-Rose M. Melchert (not present), Mary J. Cornelissen (not present); **30 years**-Dorothy A. Skenandore, Arlouine Bain(not present), Vincent G. Cornelius, Dorothy M. Ninham, Kathleen E. King (not present); **25 years**-Kerry R. Danforth (not present), Eileen S. Smith, Wesley J. Smith(not present), Julie A. Clark (not present)

I. Call to Order and Roll Call at 9:03 a.m. by Vice Chairman Greg Matson

II. Opening by Tehassi Hill

III. Approve the agenda

Motion by Paul Ninham to approve the agenda with two additions in open session; 1) Support for international indigenous sovereignty activity 2) Emergency amendments to the Pardon and Forgiveness Law and one addition in executive session; 1) IRS compliance amendments for three retirement plans, seconded by David Jordan. Motion carried unanimously:

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

Not present: Ed Delgado, Tina Danforth, Patty Hoeft, Brandon Stevens

IV. Oaths of Office administered by Council member Paul Ninham

1. Oneida Airport Hotel Corporation – Frank Cornelius

2. Oneida School Board – Neset Skenandore

3. Oneida Pardon Committee (alternates) – Teresa Schuman, Pearl Webster (not present)

4. Oneida Library Board – Roxanne Anderson

5. Oneida Golf Enterprise Corporation – Scott Webster (not present)

V. Minutes to be approved

1. Jan. 4, 2013 special

Motion by Melinda J. Danforth to approve Jan. 4, 2013 special meeting minutes, seconded by Paul Ninham. Motion carried unanimously:

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

Not present: Ed Delgado, Tina Danforth, Patty Hoeft, Brandon Stevens

2. Jan. 9, 2013 regular

Motion by Paul Ninham to approve Jan. 9, 2013 regular meeting minutes, seconded by David Jordan. Motion carried unanimously:

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

Not present: Ed Delgado, Tina Danforth, Patty Hoeft, Brandon Stevens

3. Jan. 16, 2013 special

Motion by David Jordan to approve Jan. 16, 2013 special meeting minutes, seconded by Paul Ninham. Motion carried unanimously:

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

VI. Resolutions

1. Adopt resolution rescinding BC Resolution 04-12-16-P parcel numbers HB-1291 & HB-1297

Sponsor: Fred Muscavitch

Motion by David Jordan to adopt resolution 01-23-13-A Fee to Trust for parcel numbers HB-1291 & HB-1297, seconded by Paul Ninham. Motion carried unanimously:

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

2. Adopt resolution approving fee-to-trust application for property address 909 Packerland Drive and approve fee-to-trust warranty deed

Sponsor: Fred Muscavitch

Motion by Melinda J. Danforth to adopt resolution 01-23-13-B Fee to Trust property address 909 Packerland Drive seconded by Paul Ninham. Motion carried unanimously:

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

Motion by Melinda J. Danforth to approve the fee to trust warranty deed for signature by the Business Committee Chairman and Secretary, seconded by Vince DelaRosa. Motion carried unanimously:

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

3. Endorse re-election of Ernie Stevens, Jr. for National Indian Gaming Association (NIGA) Chairman

Sponsor: Melinda J. Danforth

Motion by David Jordan to adopt resolution 01-23-13-C Endorsement of Ernie Stevens Jr. as National Indian Gaming Association (NIGA) Chairman, seconded by Vince DelaRosa. Motion carried unanimously:

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

VII. Reports

1. Ombudsman – Dianne McLester-Heim

Excerpt from Jan. 9, 2013: Motion by Paul Ninham to defer Ombudsman report to the next BC meeting, seconded by Patty Hoeft. Motion carried unanimously.

Motion by David Jordan to accept Ombudsman report, seconded by Paul Ninham. Motion carried unanimously:

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

2. Development Division – Butch Rentmeester

Excerpt from Jan. 9, 2013: Motion by Paul Ninham to defer Development Division report to the next BC meeting, seconded by Patty Hoeft. Motion carried unanimously.

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

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

3. Internal Services Division – Joanie Buckley

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

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

VIII. Boards, Committees and Commissions

A. Appointments

B. Quarterly reports

1. Oneida Seven Generations Corporation – William Cornelius, Chairman

Excerpt from Jan. 9, 2013: Motion by Brandon Stevens to defer Oneida Seven Generations Corporation quarterly report to the next BC meeting, seconded by Patty Hoeft. Motion carried unanimously.

Motion by Paul Ninham to accept the verbal report, seconded by David Jordan. Motion carried unanimously:

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

2. Oneida Police Commission – Bernie John-Stevens, Chairman

Excerpt from Jan. 9, 2013: 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.

Motion by David Jordan to accept Oneida Police Commission report, seconded by Vince DelaRosa. Motion carried unanimously:

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

3. Oneida Gaming Commission – Shirley Hill, Chairwoman

Excerpt from Jan. 9, 2013: 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.

Motion by David Jordan to accept Oneida Gaming Commission report, seconded by Melinda J. Danforth. Motion carried unanimously:

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

4. Oneida Personnel Commission – Melanie Burkhart, Chairwoman

Excerpt from Jan. 9, 2013: 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.

Motion by David Jordan to accept Oneida Personnel Commission report, seconded by Vince DelaRosa. Motion carried unanimously:

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

5. Oneida Nation Veterans Affairs Committee – Loretta V. Metoxen, Chairwoman

Motion by David Jordan to accept Oneida Nation Veterans Affairs Committee report, seconded by Paul Ninham. Motion carried unanimously:

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

IX. Standing Committees

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

B. Finance Committee – Treasurer Tina Danforth, Chairwoman

1. Jan. 18, 2013 Finance Committee minutes Handout at meeting

Motion by David Jordan to accept the Finance Committee minutes, seconded by Vince DelaRosa. Motion carried unanimously:

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

C. Community Development Planning Committee – Vince DelaRosa, Chairman

D. Quality of Life – Paul Ninham, Chairman

X. General Tribal Council

XI. Unfinished Business

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

a. MIS: Report on efforts to find applicants for Senior Systems Analyst

Excerpt from Dec. 12, 2012: Motion by Patty Hoefft to approve procedural exception to use recruitment agency to find applicants for Senior Systems Analyst and to bring back a report in 30 days, seconded by Paul Ninham. Motion carried with one abstention.

Motion by Melinda J. Danforth to accept the report, seconded by Paul Ninham. Motion carried unanimously:

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

XII. New Business/Requests

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

a. Fitness Center: Revise a Student Intern position to a full-time regular Administrative Assistant II position and post

Motion by Melinda J. Danforth to deny the request, seconded by Paul Ninham. Motion carried unanimously:

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

Not present: Ed Delgado, Tina Danforth, Patty Hoeft, Brandon Stevens

b. Approve HR rule to handle wage adjustment requests and direct Division Directors to work with HR to formulate recommendations for BC consideration

Motion by Melinda J. Danforth to approve the request submitted by the Human Resources Department to allow the Human Resource Department to deny all requests for pay increases from supervisors, if the increase was not requested and approved in the FY 2013 budget, seconded by Paul Ninham. Motion carried unanimously:

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

Not present: Ed Delgado, Tina Danforth, Patty Hoeft, Brandon Stevens

Motion by Melinda J. Danforth to request that the Human Resource Department compose a team to look at how to motivate and retain tribal employees, seconded by Vince DelaRosa. Motion carried unanimously:

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

Not present: Ed Delgado, Tina Danforth, Patty Hoeft, Brandon Stevens

XIII. Travel

A. Travel Reports

B. Travel Requests

1. Oneida Housing Authority: Procedural exception for seven staff to attend Better Buildings Better Business conference, March 6-8, 2013, Wisconsin Dells, WI

Sponsor: Scott Denny

Motion by Paul Ninham to approve the procedural exception for seven staff to attend Better Buildings Better Business conference, March 6-8, 2013, Wisconsin Dells, WI, noting that travel is grant funded, seconded by Melinda J. Danforth. Motion carried with one opposed:

Ayes: Melinda J. Danforth, Vince DelaRosa, Paul Ninham

Opposed: David Jordan

Not present: Ed Delgado, Tina Danforth, Patty Hoeft, Brandon Stevens

2. Oneida Police Commission: Procedural exception for four Commission members to attend Emergency Management and Public Safety for Tribal Officials, Feb. 26-27, 2013, Albuquerque, NM

Sponsor: Ed Delgado

Motion by Melinda J. Danforth to deny the request, seconded by Paul Ninham. Motion carried unanimously:

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

Not present: Ed Delgado, Tina Danforth, Patty Hoeft, Brandon Stevens

3. Cultural Heritage: Procedural exception for six staff to attend Haudenosaunee Grand Council Meeting, Feb. 7-12, 2013, Syracuse, NY

Sponsor: Don White

Motion by David Jordan to delete from the agenda, seconded by Vince DelaRosa. Motion carried unanimously:

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

Not present: Ed Delgado, Tina Danforth, Patty Hoeft, Brandon Stevens

4. Oneida Nation School: Procedural exception for six (4 students, 2 chaperones) to National Science Fair, March 20-24, 2013, Albuquerque, NM

Sponsor: Susan White/Sherrie Mousseau

Motion by Melinda J. Danforth to approve the procedural exception for six (4 student, 2 chaperones) to National Science Fair, March 20-24, 2013, Albuquerque, NM, seconded by Paul Ninham. Motion carried unanimously:

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

Not present: Ed Delgado, Tina Danforth, Patty Hoeft, Brandon Stevens

5. Reservation Economic Summit, March 11-14, 2013, Las Vegas, NV

Sponsor: Tina Danforth

Motion by Vince DelaRosa to approve the request, seconded by David Jordan. Motion carried unanimously:

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

Not present: Ed Delgado, Tina Danforth, Patty Hoeft, Brandon Stevens

XIV. Additions

1. Support for international indigenous sovereignty activity

Sponsor: Greg Matson

Motion by Melinda J. Danforth to approve the request contingent on Vice Chairman Matson assisting with locating where the funding will come from, seconded by Paul Ninham. Motion carried unanimously:

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

Not present: Ed Delgado, Tina Danforth, Patty Hoeft, Brandon Stevens

2. Emergency amendments to the Pardon and Forgiveness Law

Sponsor: Ed Delgado

Motion by David Jordan to adopt resolution 01-23-13-D Emergency Amendments to the Pardon and Forgiveness Law, seconded by Paul Ninham. Motion carried unanimously:

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

Not present: Ed Delgado, Tina Danforth, Patty Hoeft, Brandon Stevens

XV. Executive Session *In accordance with provisions of the Oneida Tribe of Indians of Wisconsin Open Records and Open Meetings Law, Chapter 7, sections 7.20-1 and 7.4-1, the Committee will move into executive session to discuss confidential information or to obtain legal advice. After discussion, the Committee will move back into open session to take any action on executive session items discussed on this agenda.*

Motion by Paul Ninham to recess for four minutes before moving into executive session, seconded by Melinda J. Danforth. Motion carried unanimously:

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

Not present: Ed Delgado, Tina Danforth, Patty Hoeft, Brandon Stevens

Motion by Paul Ninham to come out of recess, seconded by Vince DelaRosa. Motion carried unanimously:

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

Not present: Ed Delgado, Tina Danforth, Patty Hoeft, Brandon Stevens

Motion by David Jordan to go into executive session at 11:21 a.m. and move item D.1 to the top of the list, seconded by Paul Ninham. Motion carried unanimously:

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

Not present: Ed Delgado, Tina Danforth, Patty Hoeft, Brandon Stevens

Motion by David Jordan to come out of executive session at 12:57 p.m., seconded by Melinda J. Danforth. Motion carried unanimously:

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

Not present: Ed Delgado, Tina Danforth, Patty Hoeft, Brandon Stevens

A. Reports

1. Chief Counsel report – Jo Anne House

Motion by Melinda J. Danforth to approve the Oneida Tribe participating in the amicus brief regarding the case entitled Baby Veronica, seconded by Paul Ninham. Motion carried unanimously:

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

Not present: Ed Delgado, Tina Danforth, Patty Hoeft, Brandon Stevens

Motion by Paul Ninham to direct the Law Office to continue mediation under the previous approved authority, seconded by Vince DelaRosa. Motion carried unanimously:

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

Not present: Ed Delgado, Tina Danforth, Patty Hoeft, Brandon Stevens

2. Legislative Affairs/Communications monthly report – Nathan King

Excerpt from Jan. 9, 2013: Motion by Patty Hoeft to defer Legislative Affairs/Communications monthly report to the next BC meeting, seconded by David Jordan. Motion carried unanimously.

Motion by Paul Ninham to approve Legislative Affairs/Communications report, seconded by David Jordan. Motion carried unanimously:

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

Not present: Ed Delgado, Tina Danforth, Patty Hoeft, Brandon Stevens

3. Gaming General Manager bi-monthly report – Louise Cornelius

Motion by David Jordan to approve Gaming General Manager report, seconded by Paul Ninham. Motion carried unanimously:

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

Not present: Ed Delgado, Tina Danforth, Patty Hoeft, Brandon Stevens

B. Audit Committee – Councilman Brandon Stevens, Chairman

1. Nov. 15, 2012 Audit Committee minutes

Motion by Vince DelaRosa by unanimous consent to approve all audit committee items, seconded by Paul Ninham. Motion carried with one abstention:

Ayes: Melinda J. Danforth, Vince DelaRosa, Paul Ninham

Abstained: David Jordan

Not present: Ed Delgado, Tina Danforth, Patty Hoeft, Brandon Stevens

2. Internal Audit Nov. report w/ attachment A

3. Approve Drop and Count Annual Compliance audit and lift the confidentiality requirement allowing Tribal members to view the audit

4. Approve Complimentary Services & Items Annual Compliance audit and lift the confidentiality requirement allowing Tribal members to view the audit

5. Approve Table Games Annual Compliance audit and lift the confidentiality requirement allowing Tribal members to view the audit

6. Approve 2012 Gaming Contracts audit and lift the confidentiality requirement allowing Tribal members to view the audit

7. Approve Information Technology Annual Compliance audit and lift the confidentiality requirement allowing Tribal members to view the audit

8. Approve Blackjack Annual Rules of Play audit and lift the confidentiality requirement allowing Tribal members to view the audit

C. Unfinished Business

D. New Business/Requests

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

a. DPW: Approve 13.4 percent additional duties compensation for employee in DPW for taking on duties of Plumbing Manager

Motion by Melinda J. Danforth to approve the request, seconded by Paul Ninham. Motion carried with one abstention:

Ayes: Melinda J. Danforth, Vince DelaRosa, Paul Ninham

Abstained: David Jordan

Not present: Ed Delgado, Tina Danforth, Patty Hoeft, Brandon Stevens

b. Higher Education: Wage adjustment for employee for employee performance to be funded from savings of a vacant position within the department budget

Motion by Melinda J. Danforth to delete, seconded by Paul Ninham. Motion carried unanimously:

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

Not present: Ed Delgado, Tina Danforth, Patty Hoeft, Brandon Stevens

c. Oneida Health Center: Wage adjustment for employee based upon position re-grade from NE10 to NE12

Motion by Melinda J. Danforth to deny the request based on HRD's recommendation that this item has not followed policy and is not a budgeted item, seconded by David Jordan. Motion carried unanimously:

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

Not present: Ed Delgado, Tina Danforth, Patty Hoeft, Brandon Stevens

d. ONCOA: Revise existing 40 hour/week Oneida Nation Commission on Aging Coordinator into two positions – one 32 hour/week position and one 8 hour/week position

Motion by Melinda J. Danforth to approve modifying the full time equivalent position of job description #1688A to be a job share position split of 32 and 8 hours with no additional increase in full time equivalent positions within ONCOA approved in this or future fiscal years, noting this is a cost savings to the tribe as presented, seconded by David Jordan. Motion carried unanimously:

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

Not present: Ed Delgado, Tina Danforth, Patty Hoeft, Brandon Stevens

E. Additions

IRS compliance amendments for three retirement plans

Sponsor: Larry Barton

Motion by David Jordan to approve all three 401(K) plans presented in executive session, seconded by Paul Ninham. Motion carried unanimously:

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

Not present: Ed Delgado, Tina Danforth, Patty Hoeft, Brandon Stevens

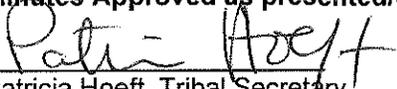
XVI. Adjourn

Motion by David Jordan to adjourn at 1:05 p.m., seconded by Paul Ninham. Motion carried unanimously:

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

Not present: Ed Delgado, Tina Danforth, Patty Hoeft, Brandon Stevens

Minutes Approved as presented/corrected on Feb. 13, 2013.



Patricia Hoeft, Tribal Secretary
ONEIDA BUSINESS COMMITTEE