



Oneidas bringing several hundred bags of corn to Washington's starving army at Valley Forge, after the colonists had consistently refused to aid them.

Oneida Tribe of Indians of Wisconsin

BUSINESS COMMITTEE



UGWA DEMOLUM YATEHE
Because of the help of this Oneida Chief in cementing a friendship between the six nations and the colony of Pennsylvania, a new nation, the United States was made possible.

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ONEIDA BUSINESS COMMITTEE REGULAR MEETING FEBRUARY 28, 2007 Business Committee Conference Room

Present: Kathy Hughes - Vice Chair Trish King - Council member
Mercie Danforth - Treasurer Paul Ninham - Council member
Patty Hoeft - Secretary Edward Delgado - Council member

Excused: Gerald Danforth - Chair, Vince DelaRosa, Melinda J. Danforth - Council members

Others Present: Clifford Webster, Barb Skenandore, Laura Manthe, Gene Schubert, Pat Pelky, Sherrole Benton, Geraldine Danforth, Beth Bashara, Peril Huff, Brenda John, Cathy Metoxen, Wanda Diemel, Michele King, Debbie Danforth, Racquel Hill, Sylvia Cornelius-Waupose, Christine Klimmek, Dottie Krull, Dave W. Skenandore, Butch Rentmesster, Kitty Melchert, Winnifred Thomas, Frank Ness, W. Mclester, Kay Katch, Barb Dickson, Tina Danforth

Opening Prayer: Richard Baird

Special Recognitions: Recognition of Harry Baird from the Oneida Public Transit Department, for driving 100,000 miles accident and citation free, presented by Patty Hoeft, Clifford Webster and Susan House.

Oneida Retail gives special recognition to the Arts Program for the integral role they played in lobbying securing artists and their art work for consideration for the Oneida Blanket, presented by Michelle Peterson and Susan House.

1. **Call to Order at 9:00 a.m by Kathy Hughes**
2. **Oath of Office - None**

3. Approval of the Agenda

Action: Motion by Ed Delgado to approve the agenda with the deletion of Executive Session, New Business item #1 and move Executive Session Old Business item #1 to open session, seconded by Patty Hoeft. For: Ed Delgado, Patty Hoeft. Opposed: Mercie Danforth, Paul Ninham, Trish King. Motion failed.

Action: Motion by Paul Ninham to approve the agenda with the deletion of Executive Session New Business #1. Business Development Unit Review and Assessment, seconded by Trish King. For: Paul Ninham, Trish King, Mercie Danforth. Opposed: Patty Hoeft, Ed Delgado. Motion carried.

4. Minutes to be Approved

Regular Minutes of February 14, 2007

Action: Motion by Mercie Danforth to approve the February 14, 2007 minutes with a note of the time when the Chair had left and the Vice-Chair chaired the meeting, seconded by Paul Ninham. Motion carried unanimously.

Special Minutes of February 14, 2007 Annual Meeting

Action: Motion by Mercie Danforth to approve the Special Meeting minutes of February 14, 2007 regarding the January 1, 2007 Annual GTC Meeting that had no quorum, seconded by Paul Ninham. For: Mercie Danforth, Paul Ninham, Patty Hoeft, Trish King. Abstained: Ed Delgado. Motion carried.

5. Tabled Business - None

6. Reports

- a. Bay Bank (Quarterly: Feb/May/Aug/Nov)
Bill Menacher - 2nd Meeting of the Month

Action: Motion by Paul Ninham to table the Bay Bank quarterly report, seconded by Trish King. Motion carried unanimously.

- b. Oneida Nation Electronics (Quarterly: Feb/May/Aug/Nov)
Jeff House - 2nd Meeting of the Month

Action: Motion by Mercie Danforth to approve the request to combine the Oneida Nation Electronics quarterly report with the Seven Generations Corporation's quarterly report, seconded by Paul Ninham. Motion carried unanimously.

- c. Environmental Resource Board (Quarterly: Feb/May/Aug/Nov)
Ted Hawk - 2nd Meeting of the Month

Action: Motion by Ed Delgado to approve the Environmental Resource Board quarterly report, seconded by Trish King. Motion carried unanimously.

- d. Oneida Personnel Commission (Quarterly: Feb/May/Aug/Nov)
Brenda Skenandore - 2nd Meeting of the Month

Action: Motion by Mercie Danforth to table the Personnel Commission quarterly report, seconded by Paul Ninham. Motion carried unanimously.

7. Travel Reports - None

8. Follow up Reports/BC Directives from Previous Meetings

- 1. Debbie Thundercloud RE: Quarterly Health Center Update

Excerpt from the November 22, 2006: Motion by Kathy Hughes to accept the monthly Health Center update and change reporting date to quarterly, seconded by Paul Ninham. Motion carried unanimously.

Action: Motion by Patty Hoeft to approve the quarterly Health Center update of February 28, 2007, seconded by Paul Ninham. Motion carried unanimously.

9. New Business

a. Resolutions

- Debbie Thundercloud RE: WIS. DOT Public Lands Highways
(Eugene Schubert & Laura Manthe) Discretionary Program Resolution-Requesting adoption of WI. Department of Transportation and the Oneida Tribe to Determine Social, Cultural, Jointly Plan & Implement a Study to Economic & Environmental Impact to Improve or Realign Highway 54 through Central Oneida Community

Action: Motion by Ed Delgado to approve the Wisconsin Department of Transportation Public Land Highway Discretionary Program Resolution 2-28-07 A, seconded by Paul Ninham. Motion carried unanimously.

b. Requests

- 1. Debbie Thundercloud RE: Requesting Review & Approval of the
(Butch Rentmeester) CIP Package for Duck Creek Trail, Project #06-004

Action: Motion by Ed Delgado to approve the CIP package for Duck Creek Trail Project #06-004, seconded by Patty Hoeft. For: Ed Delgado, Patty Hoeft, Trish King, Paul Ninham. Opposed: Mercie Danforth. Motion carried.

2. Debbie Thundercloud (Butch Rentmeester) RE: Requesting approval of a Limited Waiver of Sovereign Immunity for the Kraus-Anderson Contract for the Assisted Living/AJNH Project, CIP Project #98-005 and Approval to Activate \$500,000.00

Action: Motion by Ed Delgado to approve the limited waiver of sovereign immunity for the Krause-Anderson Contract for the Assisted Living/AJNH Project, CIP Project #98-005 and approve activation of \$500,000.00, seconded by Patty Hoeft. For: Ed Delgado, Patty Hoeft, Paul Ninham, Trish King. Opposed: Mercie Danforth. Motion carried.

For the Record: Patty Hoeft noted a memo from the Law Office be attached when any contract or entity (within the tribe) request approval of limited or waiver of sovereign immunity and that the Oneida Business Committee will receive accompanying documentation that identifies those clauses or risks so that the Oneida Business Committee can be conscientious before entering into agreements.

3. Debbie Thundercloud RE: Casino Well Testing Summary

Action: Motion by Patty Hoeft to approve the discussion between EPA and DNR and for the General Manager to bring back the final results of those discussions to the Executive Staff meeting in April, seconded by Paul Ninham. Motion carried unanimously.

Action: Motion by Paul Ninham to accept the rest of casino well testing summary report as FYI, seconded by Patty Hoeft. Motion carried unanimously.

c. Travel Requests

1. Kathy Hughes RE: Request approval for Vice Chairwoman and Chief Counsel to attend OEDA and Power Plant Entertainment meeting, March 22, 2007 in Baltimore, MD

Action: Motion by Paul Ninham to approve the travel request for the Vice-Chair and Chief Counsel to attend the OEDA and Power Plant Entertainment meeting, seconded by Trish King. Motion carried unanimously.

2. Patty Hoeft RE: Requesting Blanket Travel Approval for

Wisconsin Coastal Management Council Meetings

Action: Motion by Trish King to approve blanket travel for Secretary Hoeft for the Wisconsin Coastal Management Council meetings, seconded by Ed Delgado. Motion carried unanimously.

3. Vince DelaRosa/ Ed Delgado RE: The Grand Opening of the Ancient Americas; Chicago, IL; March 6 - 7, 2007

Action: Motion by Paul Ninham to approve the travel request for Council members Vince DelaRosa and Ed Delgado to the grand opening of the Ancient Americas, seconded by Trish King. Motion carried unanimously.

10. Finance Committee - None

11. Legislative Operating Committee (LOC) - None

12. Treasurer's Report - None

13. Oneida Business Committee Planning

Approval of the February 13, 2007 Planning Meeting Minutes

Action: Motion by Mercie Danforth to approve the Planning Meeting minutes of February 13, 2007, seconded Paul Ninham. For: Mercie Danforth, Paul Ninham, Patty Hoeft, Trish King. Abstained: Ed Delgado. Motion carried.

14. Executive Staff Meeting - None

15. Legislative Affairs Update

1. "Buy Local, Buy Wisconsin" Letter from Councilman Paul Ninham - Retro Approval

Action: Motion by Patty Hoeft to retro-approve the "Buy Local, Buy Wisconsin" letter from Councilman Paul Ninham, seconded by Trish King. Motion carried unanimously.

2. Assembly Joint Resolution (AJR) 17 - Voter ID Update - FYI
3. Federal FY 2008 Overview - FYI

Action: Motion by Paul Ninham to approve the Assembly Joint Resolution and Federal FY 2009 Overview as FYI, seconded by Patty Hoeft. Motion carried unanimously.

4. State FY 2008 Overview - FYI

Action: Motion by Paul Ninham to approve State FY 2008 overview as FYI and refer item #7 to the Law Office regarding the Department of Revenue, seconded by Trish King. Motion carried unanimously.

5. Local, Municipal and County Report - Approval/Action

Action: Motion by Ed Delgado to approve the Local, Municipal and County report as FYI, seconded by Paul Ninham. Motion carried unanimously.

10:22 a.m. Recessed for 10 minute break

10:37 a.m. Closed session

11:53 a.m. Recessed for lunch until 1:30 p.m.

1:30 p.m. Resumed closed session

2:10 p.m. Recessed to participate in conference call regarding land claims

3:00 p.m. Back into closed session

4:27 p.m. Open Session

16. Executive Session

a. Tabled Business

1. Debbie Thundercloud RE: Approval of Phillip Morris Contract
(Michelle King)

Excerpt from the February 14, 2007: Motion by Mercie Danforth to table the Phillip Morris contract until February 28, 2007, seconded by Patty Hoeft. Motion carried unanimously.

Action: Motion by Mercie Danforth to take the Phillip Morris contract from the table, seconded by Paul Ninham. Motion carried unanimously.

Action: Motion by Trish King to approve the Phillip Morris contract legal review #2007-129 with authorizing limited waiver of sovereign immunity and a waiver of conflict of interest form, seconded by Patty Hoeft. Motion carried unanimously.

2. Gerald Danforth RE: Request Approval of Paul Stenzel Attorney
(Winifred Thomas) Contract Amendment

Excerpt from the February 14, 2007: Motion by Mercie Danforth to table the Paul Stenzel attorney contract for the Chair to hold a meeting with the Appeals Commission's Chief Judicial Officer, seconded by Vince DelaRosa. Motion carried unanimously.

Action: Motion by Paul Ninham to take this item from the table, seconded by Mercie

Danforth. Motion carried unanimously..

Action: Motion by Ed Delgado to approve the Paul Stenzel attorney contract addendum with Chief Counsel incorporating language for applicable tribal law, seconded by Patty Hoeft. Motion carried unanimously.

b. Old Business

1. Debbie Thundercloud RE: Personnel Matter - Requesting a Procedural
(Geraldine Danforth) Exception

Excerpt from the February 14, 2007: Motion by Patty Hoeft to ask the Human Resource Department (HRD) to bring back recommendations on a new job description for possible changes to experience and qualifications that could be re-posted, back in two weeks, seconded Paul Ninham. For: Vince DelaRosa, Paul Ninham, Patty Hoeft. Opposed: Mercie Danforth, Trish King. Motion carried.

Action: Motion by Mercie Danforth to deny the request for the procedural exception and to accept the recommended changes to the job description, seconded by Paul Ninham. For: Mercie Danforth, Paul Ninham, Patty Hoeft, Ed Delgado. Opposed: Trish King. Motion carried.

For the record - Mercie Danforth: First of all, I want to thank the Committee members that did support my decision in regards to what I brought forward. I felt that I did follow procedures in regards to what was authorized out there. Unfortunately, it didn't go through. I need the support of the full Committee on this decision to move forward and I found that I did not receive that on here unfortunately. Also, because of the threats that were made in regards to what people would do, I think we could control that in a good manner, but unfortunately, it doesn't sound like that would be the case. I cannot put somebody in this position with that. I think we'd be setting him up for failure. We won't have the support of the full Committee to do that, therefore, I also can't explain or really get everybody to understand why the type of person makes a difference in that type of position when I work with him.

For the record - Patty Hoeft: This issue was about fairness and not about the individual recommended to become the CFO without going through the interview process as required for all positions in this tribe. I strongly support that all opportunities available to tribal members are given to all tribal members and not to just one individual. There were no threats made except attacks on the policy of this tribe to only work for an individual and not to work in fairness to all tribal members.

2. Vince DelaRosa RE: Oneida Housing Authority(OHA) Audit

Excerpt from the February 14, 2007: Motion by Patty Hoeft to refer the OHA Audit to Councilman DelaRosa for an initial assessment with a report back on Feb. 28, 2007, seconded by Vince DelaRosa. Motion carried unanimously.

- Action: Motion by Patty Hoeft to direct the Chief Counsel to provide the Oneida Business Committee with a report at its March 14, 2007 meeting that describes the responsibilities of the Oneida Housing Authority to respond to the audit results of November 9, 2006 of Hawkins, Ash & Baptie and Company, the January 16, 2007 letter from HUD Administrator Kevin Fitzgibbons. The Chief Counsel's report shall also describe the Oneida Business Committee's responsibility and authority to respond to the audit results and HUD letter, and to identify what tribal laws, policies and procedures apply to the Oneida Housing Authority, seconded by Ed Delgado. Motion carried unanimously.
- Action: Motion by Paul Ninham to accept Vince DelaRosa's report, seconded by Trish King. Motion carried unanimously.
- Action: Motion by Patty Hoeft to direct Internal Audit to evaluate and analyze the findings and concerns found in the Hawkins, Ash & Baptie and Company's audit of November 9, 2006 and the January 16, 2007 letter from HUD Administrator Kevin Fitzgibbons and report those findings to the Business Committee at the March 14, 2007 Business Committee meeting, seconded by Ed Delgado. Motion carried unanimously.

3. Neil Cornelius RE: Harrah's Joint Marketing Agreement

Excerpt from January 31, 2007: Motion by Mercie Danforth to table the Harrah's Joint Marketing Agreement, seconded Patty Hoeft. Motion carried unanimously

Excerpt from the February 14, 2007: Motion by Mercie Danforth to take this item from the table, seconded by Paul Ninham. Motion carried unanimously.

Excerpt from the February 14, 2007: Motion by Mercie Danforth to approve the Harrah's Joint Marketing Agreement contingent on Gaming Commission review, seconded by Vince DelaRosa. Motion carried unanimously.

- Action: Motion by Ed Delgado to accept the Gaming Commission's report and request responses from management at the Business Committee meeting of March 14, 2007, seconded by Paul Ninham. Motion carried unanimously.

c. New Business

1. Debbie Thundercloud RE: Business Development Unit Review and Assessment
(Butch Rentmeester) of the Gaming Master Plan

Deleted

2. Patty Hoeft RE: Approval of 57 New Enrollment Applicants
(Cheryl Skolaski) & Approval of 2 Relinquishments

Action: Motion by Paul Ninham to approve the 57 new enrollments and 2 relinquishments with verification of the spelling of Waupekenay, seconded by Mercie Danforth. Motion carried unanimously.

3. Gerald Danforth RE: Development/Change in Legislation Regarding Employee Protection

Action: Motion by Trish King to refer the Employee Protection Policy to LOC for review and consideration regarding employees of elected bodies, seconded by Mercie Danforth. For: Trish King, Mercie Danforth, Ed Delgado. Abstained: Paul Ninham, Patty Hoeft. Motion carried.

Action: Motion by Mercie Danforth to refer the request for legal assistance, directing the individual to go to Compliance for legal assistance, seconded by Ed Delgado. For: Mercie Danforth, Ed Delgado, Trish King. Abstained: Paul Ninham, Patty Hoeft. Motion carried.

d. Legislative Affairs Update - None

e. Attorney Brief

Action: Motion by Mercie Danforth to accept the Attorney Brief of February 28, 2007 as FYI, seconded by Paul Ninham. Motion carried unanimously.

f. Audit Committee - None

g. Oneida Enterprise Development Authority (1:30 pm)

Action: Motion by Mercie Danforth to accept the OEDA report as FYI, seconded by Trish King. Motion carried unanimously.

h. Seven Generation Corporation Update (1st and 2nd meeting of the month) - None

Recess/Adjourn at 4:40 p.m.

Action: Motion by Mercie Danforth to adjourn, seconded by Paul Ninham. Motion carried unanimously.

Minutes Approved as presented/corrected on March 14, 2007.


Patricia Hoeft, Tribal Secretary
ONEIDA BUSINESS COMMITTEE