



Oneida Business Committee

Regular Meeting
9 a.m. Wednesday, March 12, 2014
BC Conference Room, 2nd 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:** Geraldine Danforth, Marsha Danforth, Bill Grahm, Dianne McLester-Heim, Richard Jack, Debra Norton, Winnifred Thomas, Lois Strong, Brandon Cooper, Carol Elm, Elaine Cornelius, Jeff Bowman, Cathy Bachhuber, Cathy L. Metoxen, Mark Powless Sr., Tammy Vanschyndel, Twyllite Moore, Wendy Alvarez, Rae Skenandore, Lou Green, Kris Hill, Linda S. Dallas, Diane House, Chaz Wheelock

- I. Call to Order and Roll Call** by Chairman Ed Delgado at 9:05 a.m.
- II. Opening** by Chairman Ed Delgado
- III. Approve the agenda**

Motion by Vince DelaRosa to approve the agenda with the noted changes: move items XI.1-2 to the top of the agenda; four additions to open session, 1. Gerald Ignace Indian Health Center Red Shawl Gala event travel request, 2. Oneida Appeals Commission in-state travel request, 3. Ombudsman travel request, 4. Approve permanent procedural exception to trade back for cash policy for contracted Health Care Providers; four additions in executive session, 1. NRDA consent decree agreement, 2. Update on the Oneida Personnel Commission decision, 3. Review of Oneida Personnel Commission legislation, 4. Human Resources Department: Oneida Health Center physician employment contract, seconded by David Jordan. Motion carried unanimously:

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

Special Presentation at 9:10 a.m.

Discussion about gang prevention on the Oneida and Lac du Flambeau Band of Lake Superior Chippewa Indians reservation communities with invited guests—Lac du Flambeau Tribe Chairman Tom Maulson and Council and staff

Motion by Vince DelaRosa to recess for lunch at 11:56 until 2 p.m., seconded by Patty Hoeft. Motion carried unanimously:

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

Motion by Paul Ninham to come out of recess at 1:58 p.m., seconded by Tina Danforth. Motion carried unanimously:

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

IV. Oaths of Office

V. Minutes to be approved

1. Feb. 26, 2014 regular meeting minutes

Motion by David Jordan to approve Feb. 26, 2014 regular meeting minutes, seconded by Vince DelaRosa. Motion carried unanimously:

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

VI. Resolutions

1. 2014 Coordinated Tribal Assistance Solicitation Grant

Sponsor: Joanie Buckley/Cheryl Stevens

Motion by David Jordan to adopt resolution 03-12-14-A 2014 Coordinated Tribal Assistance Solicitation Grant, seconded by Vince DelaRosa. Motion carried unanimously:

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

Not present: Melinda J. Danforth, Brandon Stevens

2. Ultimate Texas Hold'em Rules of Play

Sponsor: David Jordan/Mark Powless

Motion by David Jordan to adopt resolution 03-12-14-B Ultimate Texas Hold'em Rules of Play and approve the rules of play, seconded by Greg Matson. Motion carried unanimously:

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

Not present: Melinda J. Danforth

*Brandon Stevens arrived at 2:03 p.m.

VII. Reports

1. Governmental Services Division – Don White

Excerpt from Feb. 26, 2014: Motion by Vince DelaRosa to defer the Governmental Services Division report to the next Business Committee meeting, seconded by Tina Danforth. Motion carried unanimously.

Excerpt from Feb. 12, 2014: Motion by Patty Hoeft to defer the Governmental Services Division report to the next Business Committee meeting, seconded by Paul Ninham. Motion carried unanimously.

Motion by Tina Danforth to approve the Governmental Services Division report, seconded by Paul Ninham. Motion carried unanimously:

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

Not present: Melinda J. Danforth, Greg Matson

*Melinda J. Danforth arrived at 2:12 p.m.

Motion by Brandon Stevens to accept the transit portion of the Governmental Services Division report, seconded by Paul. Motion carried unanimously:

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

2. Comprehensive Health Division – Dr. Ravinder Vir/Debra Danforth DEFERRAL REQUESTED

Motion by Patty Hoeft to defer the Comprehensive Health Division report to the next Business Committee meeting, seconded by Paul Ninham. Motion carried unanimously:

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

VIII. Boards, Committees and Commissions

A. Appointments

1. Arthur Cornelius to Oneida Nation Veterans Affairs Committee

Motion by Patty to approve the appointment of Arthur Cornelius to Oneida Nation Veterans Affairs Committee, seconded by Vince DelaRosa. Motion carried unanimously:

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

B. Quarterly reports

1. South Eastern Oneida Tribal Services – Pamela Ninham, Chairwoman

Excerpt from Feb. 26, 2014: Motion by Tina Danforth to defer the South Eastern Oneida Tribal Services quarterly report to the next Business Committee meeting and that a reminder be sent to SEOTS, seconded by Vince DelaRosa. Motion carried unanimously.

Excerpt from Feb. 12, 2014: Motion by Patty Hoeft to defer the South Eastern Oneida Tribal Services quarterly report to the next Business Committee meeting, seconded by David Jordan. Motion carried with one abstention.

Motion by Patty Hoeft to accept the South Eastern Oneida Tribal Services quarterly report, seconded by David Jordan. Motion carried with one abstention:

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

Abstained: Tina Danforth

Motion by Melinda J. Danforth to request the Chairman to meet with the South Eastern Oneida Tribal Services advisory board about what the issues are around the board and its functions, seconded by Patty Hoeft. Motion carried unanimously:

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

2. Bay Bank Corporation – Lance Broberg, Chairman

Excerpt from Feb. 26, 2014: Motion by Patty Hoeft to defer the Bay Bank Corporation quarterly

report to the next Business Committee meeting, seconded by Vince DelaRosa. Motion carried unanimously.

Motion by David Jordan to accept the Bay Bank Corporation quarterly report, seconded by Vince DelaRosa.

Motion carried unanimously:

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

For the record: David Jordan stated it was a good report and things are starting to turn around there.

3. Oneida Seven Generations Corporation – Gene Keluche, Agent

Excerpt from Feb. 26, 2014: Motion by Patty Hoeft to defer the Oneida Seven Generations Corporation quarterly report to the next Business Committee meeting, seconded by Vince DelaRosa. Motion carried with one abstention.

Motion by Patty Hoeft to defer the Oneida Seven Generations Corporation quarterly report to the next Business Committee meeting, seconded by Vince DelaRosa. Motion carried with two abstentions:

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

Abstained: Tina Danforth, David Jordan

4. Oneida Child Protective Board – Lois Strong, Chairwoman

Motion by Vince DelaRosa to accept the Oneida Child Protective Board quarterly report, seconded by Melinda J. Danforth. Motion carried unanimously:

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

5. Anna John Nursing Home Commission – Melinda K. Danforth, Chairwoman

Motion by Patty Hoeft to defer to the Anna John Nursing Home Commission quarterly report to the next Business Committee meeting, seconded by Greg Matson. Motion carried unanimously:

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

Not present: Paul Ninham

6. Oneida Nation Commission on Aging – Wes Martin Jr., Chairman

Motion by David Jordan to accept the Oneida Nation Commission on Aging quarterly report, seconded by Vince DelaRosa. Motion carried unanimously:

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

IX. Standing Committees

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

1. Feb. 19, 2014 meeting minutes

Motion by Patty Hoeft to accept the Feb. 19, 2014 meeting minutes, seconded by David Jordan. Motion carried unanimously:

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

B. Finance Committee – Treasurer Tina Danforth, Chairwoman

1. March 7, 2014 meeting minutes

Motion by David Jordan to accept the March 7, 2014 meeting minutes, seconded by Patty Hoeft. Motion carried unanimously:

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

C. Community Development Planning Committee – Vince DelaRosa, Chairman

D. Quality of Life – Paul Ninham, Chairman

X. General Tribal Council

1. Petitioner Yvonne Metivier: The GTC directs the OBC to create a "Stall Mall" for Oneida Tribal members, small businesses and vendors, at the empty former grocery store on Water Circle in Oneida (petition submitted 12/27/13)

Motion by David Jordan to accept the Legislative Reference Office (LRO) analysis on the petition, seconded by Patty Hoeft. Motion carried unanimously:

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

Not present: Brandon Stevens

XI. Unfinished Business

1. Approve National Violence Prevention Resource Center consultant agreement for gang prevention and awareness

Sponsor: Ed Delgado

Excerpt from Feb. 12, 2014: Motion by Patty Hoeft to defer approval of National Violence Prevention Resource Center consultant agreement for gang prevention and awareness to the March 12 Business Committee meeting when the Chairman will come back with a recommendation, seconded by Paul Ninham. Motion carried unanimously.

Excerpt from Jan. 8, 2014: Motion by Patty Hoeft to defer to the next Business Committee work meeting and to bring back to the first Business Committee meeting in February, seconded by Greg Matson. Motion carried unanimously.

Excerpt from Dec. 11, 2013: Motion by Tina Danforth to have the National Violence Prevention Resource Center Consultant contract brought back to the next Business Committee meeting based on the work meeting recommendations, seconded by Greg Matson. Motion carried unanimously.

Motion by Patty Hoeft to defer this to the Quality of Life subcommittee and to have them bring back a recommendation at the April 19 Business Committee meeting, seconded by Greg Matson. Motion failed with Chairman voting in opposition of the motion to break the tie:

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

Motion by Brandon Stevens to not accept the consultant agreement and forward the issue to Quality of Life for a development of a strategic plan, seconded by Greg Matson. Motion passed with one abstention and three opposed:

Ayes: Patty Hoeft, Greg Matson, Paul Ninham, Brandon Stevens
Opposed: Melinda J. Danforth, Tina Danforth, Vince DelaRosa
Abstained: David Jordan
For the record: David Jordan stated I'm abstaining due to the fact that this has not been left with the Business Committee. This has been in your office, the Chairman's office since Dec. 11, 2013. It was brought to our attention within 24 hours of today, with a lack of information, with a lack of communication. I do support the initiative because we do have a problem in this community. I was in favor of sending it to the Quality of Life because it would have been vetted out and then it would have maybe possibly been sent to the LOC to draft some legislation, to get this fixed in the right direction. But we went down this path and we talk about trust. We don't even have trust on this level, without having to have trust anywhere in this tribe. Communication is a big problem with this Business Committee, amongst each other.

For the record: Ed Delgado stated from the Feb. 12, 2014 meeting minutes, motion by Patty Hoeft to defer approval of National Violence Prevention Resource Center consultant agreement for gang prevention and awareness to the March 12 Business Committee meeting, when the Chairman will come back with a recommendation. I came back with a recommendation. I came back to help me, the intent, was to bring Chairman Maulson and he was going to bring a few people. Knowing what we seen from Lac Du Flambeau, they responded big time. The intent was two or three, they responded with their whole council, because that's how much they care. So I don't agree with the Councilman's statement for the record that there was no communication. This was my charge to do, to bring this back.

2. Approve gang prevention and awareness community meetings schedule

Sponsor: Ed Delgado

Excerpt from Feb. 12, 2014: Motion by Patty Hoeft to defer approval of gang prevention and awareness community meetings schedule to the March 12 Business Committee meeting when the Chairman will come back with a recommendation, seconded by Brandon Stevens. Motion carried unanimously.

Excerpt from Jan. 8, 2014: Motion by Patty Hoeft to defer to the next Business Committee work meeting and to bring back to the first Business Committee meeting in February, seconded by Greg Matson. Motion carried unanimously.

Excerpt from Dec. 11, 2013: Motion by Paul Ninham to defer approval to schedule community meetings regarding gang awareness and prevention to the Business Committee work meeting and to have any recommendations brought back to the next Business Committee meeting, seconded by Melinda J. Danforth. Motion carried unanimously.

Motion by Patty Hoeft to delete this item from agenda, seconded by Paul Ninham. Motion carried with one abstention:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens
Abstained: Tina Danforth
For the record: Tina Danforth stated I'm abstaining because I don't think there was anything that precluded you or I, or the committee to have community meetings on the topic of gangs,

so I don't think that we needed to delete this. I would have hoped at a minimum we would have forwarded this item. A second side right now is I have a 5 o'clock appoint that is time sensitive, so I would like to be excused at this time.

3. Designate use for Oneida hotel room tax collections

Sponsor: Ed Delgado

Excerpt from Feb. 12, 2014: Motion by Patty Hoeft to defer designate use for Oneida hotel room tax collections to the March 12 Business Committee meeting when the Chairman will come back with a recommendation, seconded by Brandon Stevens. Motion carried with one abstention.

Excerpt from Jan. 22, 2014: Motion by Patty Hoeft to defer designate use for Oneida Tribe hotel room tax collections to the Chairman's office to bring back a recommendation, seconded by David Jordan. Motion carried with one opposed.

Excerpt from Jan. 8, 2014: Motion by Patty Hoeft to defer this resolution to the Chairman's office and to bring back a new recommendation in two weeks at the next Business Committee meeting, seconded by Brandon Stevens. Motion carried unanimously.

Motion by Patty Hoeft to delete this item from the agenda, seconded by Vince DelaRosa. Motion carried unanimously:

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

Not present: Tina Danforth

4. Request for legal review of Sagestone contract and two GTC 2008 resolutions regarding transparency

Sponsor: Ed Delgado

Excerpt from Feb. 26, 2014: Motion by Patty Hoeft to approve the request and bring back a report at the next Business Committee meeting, seconded by Vince DelaRosa. Motion carried unanimously.

Motion by Melinda J. Danforth to move this agreement with Sagestone Management into the public session, so it will not be confidential, seconded by Brandon Stevens. Motion carried unanimously:

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

Not present: Tina Danforth

XII. New Business/Requests

1. Oneida Gaming Commission contract for space at Radisson Hotel and Conference Center

Sponsor: David Jordan/Mark Powless

Motion by Patty Hoeft to delete this item from the agenda, seconded by David Jordan. Motion carried unanimously:

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

Not present: Tina Danforth

2. FY2014 Employment, Compensation & Benefits – Geraldine Danforth, HR Area Manager

a. Comprehensive Health: Approve hiring two emergency temporary (E/T) Dental Assistants in the Dental Department

Motion by Patty Hoeft to approve hiring two emergency temporary (E/T) Dental Assistants in the Dental Department, seconded by Vince DelaRosa. Motion carried unanimously:

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

Not present: Tina Danforth, Ed Delgado

b. Comprehensive Health: Approve to continue hiring for Dental Supervisor in the Dental Department

Motion by Patty Hoeft to approve to continue hiring for Dental Supervisor in the Dental Department, seconded by Vince DelaRosa. Motion carried unanimously:

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

Not present: Tina Danforth, Ed Delgado

c. Gaming Division: Approve hiring nine Cage Cashiers, two Bingo Callers and seven Servers

Motion by Patty Hoeft to approve hiring nine Cage Cashiers, two Bingo Callers and seven Servers, seconded by David Jordan. Motion carried unanimously:

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

Not present: Tina Danforth, Ed Delgado

d. Governmental Services: Approve hiring limited term employee (LTE) Vocational Rehabilitation Specialist

Motion by Patty Hoeft to approve hiring limited term employee (LTE) Vocational Rehabilitation Specialist, seconded by David Jordan. Motion carried unanimously:

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

Not present: Tina Danforth, Ed Delgado

XIII. Travel

A. Travel Reports

B. Travel Requests

1. Gaming: Gaming General Manager and two gaming division employees to 2014 National Gaming Association (NIGA) Tradeshow and Conference, May 11-14, 2014, San Diego, CA

Sponsor: Louise Cornelius

Motion by Brandon Stevens to support the procedural exception from the cost containment resolution for Gaming General Manager and two gaming division employees to 2014 National Gaming Association (NIGA) Tradeshow and Conference, May 11-14, 2014 San Diego, CA travel request, seconded Paul Ninham. Motion carried with two opposed:

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

Opposed: Patty Hoeft, David Jordan

Not present: Tina Danforth, Ed Delgado

XIV. Additions

1. Gerald Ignace 9th Annual Red Shawl Gala, April 12, 2014, Milwaukee, WI

Sponsor: Ed Delgado

Motion by Patty Hoeft to approve Gerald Ignace 9th Annual Red Shawl Gala, April 12, 2014, Milwaukee, WI travel request for Chairman Delgado to attend, seconded by Paul Ninham. Motion carried unanimously:

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

Not present: Tina Danforth, Ed Delgado

For the record: Melinda J. Danforth stated the reason I am supporting the travel request is because this is a fundraiser for the Gerald Ignace Indian Health Center, which provides services to our tribal members and it's important that we continue to build upon that relationship with that center.

2. Oneida Judicial System in-state travel procedural exception

Sponsor: Patty Hoeft

Motion by Brandon Stevens to approve the Oneida Tribal Judicial System procedural exception for in-state travel request on the basis of the judicial system is lateral to the committee and they report to the General Tribal Council, seconded by Paul Ninham. Motion carried with one opposed:

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

Opposed: Patty Hoeft

Not present: Tina Danforth, Ed Delgado

3. 2014 International Ombudsman Association Annual Conference, April 4-9, 2014, Denver, CO

Sponsor: Greg Matson

Motion by Paul Ninham to approve 2014 International Ombudsman Association Annual Conference, April 4-9, 2014 Denver, CO travel request, seconded by Brandon Stevens. Motion carried with one abstention and one opposed:

Ayes: Vince DelaRosa, David Jordan, Paul Ninham, Brandon Stevens

Opposed: Patty Hoeft

Abstained: Melinda J. Danforth

Not present: Tina Danforth, Ed Delgado

4. Approve permanent procedural exception to trade back for cash policy for contracted Health Care Providers Moved from executive

Sponsor: Dr. Ravinder Vir/Debra Danforth

Motion by Greg Matson to approve the permanent procedural exception to trade back for cash policy for contracted Health Care providers, seconded by Paul Ninham. Motion carried with two abstentions:

Ayes: Vince DelaRosa, Patty Hoeft, Greg Matson, Paul Ninham, Brandon Stevens

Abstained: Melinda J. Danforth, David Jordan

Not present: Tina Danforth

Amendment to the main motion by Melinda J. Danforth to direct the Oneida Health Division Directors to come back with a long-term solution to this problem, so that we don't see this request next year and that they work in

conjunction with the Human Resources Department and bring that recommendation back to the Business Committee within three months, seconded by Patty Hoeft. Motion carried unanimously:

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

Not present: Tina Danforth

XV. Action in open session on items from Executive Session Discussion meeting of March 11, 2014

A. Reports

1. Chief Counsel report – Jo Anne House

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

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

Abstained: Paul Ninham

Not present: Tina Danforth

2. Legislative Affairs – Nathan King

Excerpt from Feb. 26, 2014: Motion by Greg Matson to direct the Director of Legislative Affairs to continue to further refine his recommendations of negotiating an intergovernmental agreement and present his recommendation at the March 12 Business Committee meeting, seconded by Brandon Stevens. Motion carried unanimously.

Motion by Patty Hoeft to delete this item from the agenda at the request of Nathan King, seconded by David Jordan. Motion carried with one abstention:

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

Abstained: Paul Ninham

Not present: Tina Danforth

3. Bay Bank Corporation – Lance Broberg, Chairman

Excerpt from Feb. 26, 2014: Motion by Tina Danforth to defer Bay Bank Corporation report to the next Business Committee meeting, seconded by Greg Matson. Motion carried unanimously.

Motion by Patty Hoeft to accept the Bay Bank Corporation report, seconded by David Jordan. Motion carried unanimously:

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

Not present: Tina Danforth, Paul Ninham

4. Oneida Seven Generations Corporation: - Gene Keluche, Agent

Excerpt from Feb. 26, 2014: Motion by Patty Hoeft to accept the recommendation regarding the ACF, LLC demand letter and direct that Agent and Oneida Law Office to report on the status at next Business Committee meeting, seconded by Brandon Stevens. Motion carried with two abstentions.

Motion by Patty Hoeft to accept the Oneida Seven Generations Corporation report, seconded by Brandon Stevens. Motion carried with one abstention:

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

Abstained: David Jordan

Not present: Tina Danforth, Paul Ninham

B. Audit Committee – Councilman Brandon Stevens, Chairman

1. Jan. 16, 2014 Audit Committee meeting minutes

Motion by Patty Hoeft to accept Jan. 16, 2014 Audit Committee meeting minutes, seconded by David Jordan.

Motion carried with one abstention:

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

Abstained: Brandon Stevens

Not present: Tina Danforth, Paul Ninham

For the record: Brandon Stevens stated I'm going to abstain from the rest of the items as I was in a Leadership Diversity workshop panel for the rest of the day.

2. Internal Audit Jan. report w/Attachment A

Motion by Patty Hoeft to accept Internal Audit Jan. report w/Attachment A, seconded by Melinda J. Danforth.

Motion carried with one abstention:

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

Abstained: Brandon Stevens

Not present: Tina Danforth, Paul Ninham

3. Request follow-up with Governmental Services Division Director regarding Ecolane Transit System

Motion by Patty Hoefft to send this issue to the Chairman and Vice-Chairman to meet with the Division Director and bring back a recommendation to the Business Committee, seconded by Vince DelaRosa. Motion carried with one abstention:

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

C. Unfinished Business/BC directives

1. Extend Internal Division Director additional duties assignment as Interim Enterprise Division Director

Sponsor: Ed Delgado

Excerpt from Feb. 12, 2014: Motion by David Jordan to extend Internal Division Director additional duties assignment as Interim Enterprise Division Director for 30 days, seconded by Paul Ninham. Motion carried with two opposed.

Motion by David Jordan that a plan has to be set within the 30 day period, to come up with recommendations from the Business Committee on where we are going to go, seconded by Melinda J. Danforth. Motion carried with one opposed.

Motion by Patty Hoefft to extend the Internal Division Director additional duties assignment as Interim Enterprise Division Director for another 30 days, seconded by Brandon Stevens. Motion carried with two abstentions and two opposed:

Ayes: Vince DelaRosa, Patty Hoefft, Greg Matson
Opposed: Melinda J. Danforth, David Jordan
Abstained: Paul Ninham, Brandon Stevens
Not present: Tina Danforth
For the record: David Jordan stated I'm opposing because when I made the motion a month ago it was stated in there that this decision had to be finalized by today.
For the record: Melinda J. Danforth stated the reason why I opposed is because I don't believe extension of the additional duties assignment is no longer necessary, as the 180 day reports that were required of her are completed.
For the record: Greg Matson stated the reason I supported is because David's right.

2. Reorganization of Enterprise Division: Review Farm and Printing operations

Sponsor: Ed Delgado

Excerpt from Feb. 26, 2014: Motion by Patty Hoefft to defer reorganization of the Enterprise Division: Review Farm and Printing operation to the next Business Committee meeting, seconded by Greg Matson. Motion carried with two abstentions.

Excerpt from Feb. 12, 2014: Motion by Patty Hoefft to defer reorganization of Enterprise Division: Review Farm and Printing operations to the Feb. 26 Business Committee meeting, seconded by David Jordan. Motion carried unanimously.

No action

3. Identify impacts and action steps in response to Docket #12-TC-130, HVS Advertising-Marketing vs Oneida Indian Preference

Sponsor: Melinda J. Danforth

Excerpt from Feb. 26, 2014: Motion by Patty Hoefft to defer Identify impacts and action steps in response to Docket #12-TC-130, HVS Advertising-Marketing vs Oneida Indian Preference to the next Business Committee meeting, seconded by David Jordan. Motion carried with one abstention.

Excerpt from Feb. 12, 2014: Motion by Melinda J. Danforth to defer identify impacts and action steps in response to Docket #12-TC-130, HVS Advertising-Marketing vs Oneida Indian Preference to the Feb. 26 Business Committee meeting, seconded by Patty Hoefft. Motion carried with one abstention.

Motion by Melinda J. Danforth to direct the Chairman to meet with the Gaming General Manager regarding continuing the investigation into ethical violations within Gaming Marketing, seconded by Vince DelaRosa. Motion carried with three abstentions:

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

Motion by Melinda J. Danforth to direct the Treasurer to ensure that the Indian Preference Departments has the Necessary procedures to support the investigation and complaint process in accordance with the Indian Preference Law, seconded by Vince DelaRosa. Motion carried with two abstentions:

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

Not present: Tina Danforth

Motion by Melinda J. Danforth to direct the Legislative Operating Committee to develop legislation that would cap Damages and awards that can be rendered by the Judicial System, seconded by Patty Hoeft. Motion carried with two abstentions:

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

4. FY2014 Employment, Compensation & Benefits – Geraldine Danforth, HR Area Manager

a. Law Office: Approve posting and filling Attorney position

Excerpt from Feb. 26, 2014: Motion by Tina Danforth to defer approve posting and filling Attorney position to the March 12 Business Committee meeting, seconded by Patty Hoeft. Motion carried unanimously.

Motion by Patty Hoeft to delete this item from agenda, seconded by David Jordan. Motion carried with two abstentions:

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

D. New Business/Requests

1. Pardon and Forgiveness Recommendations – Vicki Deer, Pardon and Forgiveness Screening Committee Chairwoman

Motion by Greg Matson to defer these items until the Business Committee can meet with the Pardon and Forgiveness Committee. Motion failed due to a lack of a second.

a. June Czechan

Motion by Melinda J. Danforth to adopt resolution 03-12-14-C Regarding Pardon of June Czechan granting a pardon to June Czechan based on the recommendations of the Pardon and Forgiveness Screening Committee, seconded by Vince DelaRosa. Motion carried with three abstentions:

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

b. George BlueBird Jr.

Motion by David Jordan to adopt resolution 03-12-14-D Regarding Pardon of George BlueBird Jr. denying a pardon to George BlueBird based on the recommendations of the Pardon and Forgiveness Screening Committee, seconded by Patty Hoeft. Motion carried with four abstentions:

Ayes: Vince DelaRosa, Patty Hoeft, David Jordan
Abstained: Melinda J. Danforth, Greg Matson, Paul Ninham, Brandon Stevens
Not present: Tina Danforth
For the record: Melinda J. Danforth stated I abstained because this is my relative.

c. Kelly Braaten

Motion by Patty Hoeft to adopt resolution 03-12-14-E Regarding Pardon of Kelly Braaten denying pardon to Kelly Braaten based on the Pardon and Forgiveness Screening Committee, seconded by Vince DelaRosa. Motion carried with three abstentions:

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

2. Approve permanent procedural exception to trade back for cash policy for contracted Health Care Providers Moved to open

Sponsor: Dr. Ravinder Vir/Debra Danforth

3. FY2014 Employment, Compensation & Benefits – Geraldine Danforth, HR Area Manager

a. Gaming: Approve six month extension of Interim Marketing Director Trainee position

Motion by Patty Hoeft to approve the six month extension of the Customer Service Director to work as the Interim Marketing Director and for the Gaming General Manager to bring back a recommendation in 90 days on the Marketing department staffing and leadership, seconded by Vince DelaRosa. Motion carried with three abstentions:

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

E. Additions

1. Natural Resource Damage Assessment (NRDA) consent decree agreements

Sponsor: Ed Delgado

Motion by Patty Hoeft to approve the consent decrees and authorize the Chairman to sign the consent decrees on behalf of the Oneida Tribe, seconded by Vince Delarosa. Motion carried with two abstentions:

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

2. Update on the Oneida Personnel Commission decision of Dale Wheelock

Sponsor: Ed Delgado

Motion by Patty to accept the update on the Oneida Personnel Commission decision as information, seconded by Vince DelaRosa. Motion carried with two abstentions:

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

3. Review of Oneida Personnel Commission legislation

Sponsor: Vince DelaRosa

Motion by Melinda J. Danforth to defer this item to the next Business Committee meeting, seconded by Patty Hoeft. Motion carried with two abstentions:

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

4. Human Resources Department: Oneida Health Center physician employment contract

Motion by Patty Hoeft to approve Comprehensive Health's request for an amended contract for Dr. Dzubinski, seconded by David Jordan. Motion carried with two abstentions:

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

XVI. Adjourn

Motion by David Jordan to adjourn at 5:26 p.m., seconded by Vince DelaRosa. Motion carried unanimously:

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

Minutes prepared by Danelle Wilson, Executive Tribal Clerk
Minutes approved as presented/corrected on March 26, 2014.



Patricia Hoeft, Tribal Secretary
ONEIDA BUSINESS COMMITTEE