

Oneida Tribe of Indians of Wisconsin

BUSINESS COMMITTEE



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



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 MINUTES

REGULAR MEETING

June 25, 2008

Business Committee Conference Room

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

Excused: Gerald Danforth – Chair, Vince DelaRosa – Council member

Others Present: Karen Warth, Sharon Alvarez, Leanne Jordan, J. Gautreaux, Carla Clark, Faith Metoxen, Tina Figueroa, Eleanora Smith, Fred Muscavitch, Bev Skenandore, V. Cardish, Becky Everetts, Taylor Webster, Michelle Montoya, Julia McLester, Lora Hartman, Eric Krawczyk, Lisa Metoxen, Jim Martin, Tina Hackett, Julie Denny, Pat Pelky, Thelma McLester, Perril Huff, Beverly Cooper, Brenda John Stevens, Marsha Danforth, Tina Danforth, Jeff Metoxen, Mary Adams, Paul Witek, Marty Antone, Cathy L. Metoxen, Tim Ninham, Barb Skenandore

Opening Prayer: Forrest Barton

Special Recognitions: Eleanora Smith 25 years of service
administered by the Department of Land Management

1. **Call to Order** Vice Chair Kathy Hughes at 9:10 a.m.
2. **Oath of Office**

Environmental Resource Board

Richard Baird – not present

Oneida Personnel Commission

Marjorie Funmaker – administered by Patty Hoeft on June 20, 2008

Southeast Oneida Tribal Services Advisory Board

Pamela Ninham – administered by Patty Hoeft on June 1, 2008

3. Approval of the Agenda

a. Additions - none

b. Deletions – Executive Session New Business #3 RE: Gaming – Nursing Services

c. Moves - none

Action: Motion by Paul Ninham to approve the agenda, seconded by Trish King.
Motion carried unanimously.

4. Minutes to be Approved

June 6, 2008 Special Business Committee minutes

Action: Motion by Ed Delgado to approve the June 6, 2008 Special Business Committee minutes, seconded by Paul Ninham. Motion carried unanimously.

June 11, 2008 Regular Business Committee minutes

Action: Motion by Paul Ninham to approve the June 11, 2008 Regular Business Committee minutes, seconded by Ed Delgado. For: Patty Hoeft, Ed Delgado, Melinda J. Danforth, Trish King, Paul Ninham. Abstain: Mercie Danforth. Motion carried.

June 13, 2008 Special Business Committee minutes

Action: Motion by Melinda J. Danforth to approve the June 13, 2008 Special Business Committee minutes, seconded by Paul Ninham. Motion carried unanimously.

June 20, 2008 Special Business Committee minutes

Action: Motion by Ed Delgado to approve the June 20, 2008 Special Business Committee minutes, seconded by Melinda J. Danforth. Motion carried unanimously.

5. Tabled Business

1. Gerald Danforth

RE: Approve Recommendation Child Protective Board

Action: Remains on table.

6. Reports - none

7. Travel Reports

1. Kathy Hughes

RE: Approval of Tribal Technical Advisory Group (TTAG) Sub-Committee Travel Report June 4-6, 2008 Reno, NV

Action: Motion by Paul Ninham to approve the Tribal Technical Advisory Group (TTAG) Sub-Committee travel report of June 4 through 6, 2008, seconded by Mercie Danforth. Motion carried unanimously.

8. Follow up Reports/BC Directives from Previous Meetings

1. Debbie Thundercloud
Susan House

RE: Approval of the Indian Housing Plans (IHP) for the year 2008

Excerpt from June 13, 2008: Motion by Ed Delgado to accept the Indian Housing Plans (IHP) for the year 2008 and submit this recommendation back to the June 25 Business Committee meeting, seconded by Patty Hoeft. Motion carried.

Action: Motion by Ed Delgado to approve the Indian Housing Plans (IHP) for the year 2008 and adding street number to Commissioner Court on page two, seconded by Melinda J. Danforth. Motion carried unanimously.

2. Debbie Thundercloud

RE: Approval of resolution to re-align the Oneida Nation Farm under the Enterprise Division and Business Development Unit under the C.F.O

Excerpt from June 11, 2008: Motion by Kathy Hughes to defer the request to the June 25 Business Committee meeting, seconded by Paul Ninham. Motion carried unanimously.

Action: Motion by Mercie Danforth to accept the information to re-align the Oneida Nation Farm under the Enterprise Division and Business Development as FYI, seconded by Patty Hoeft. Motion carried unanimously.

3. Debbie Thundercloud
Eric Krawczyk

RE: Approval of Pandemic Influenza and Community Containment plan

Excerpt from June 11, 2008: Motion by Kathy Hughes to defer the approval of Pandemic Influenza and Community Containment plan to the June 25 Business Committee meeting to bring back a cover page and to include all 38 pages of the document, seconded by Vince DelaRosa. Motion carried unanimously.

Action: Motion by Trish King to approve the Pandemic Influenza and Community Containment plan with endorsement by the Chairman, seconded by Paul Ninham. Motion carried unanimously.

4. Patty Hoeft RE: Petition to increase the Education Scholarship

Excerpt from June 11, 2008: Motion by Patty Hoeft to defer the petition regarding increasing the Education Scholarship to the June 25 Business Committee meeting, seconded by Paul Ninham. Motion carried unanimously.

Action: Motion by Ed Delgado to approve the General Tribal Council date of August 16 or 23, 2008 regarding the petition to increase the Education Scholarship, seconded by Patty Hoeft. For: Patty Hoeft, Ed Delgado, Melinda J. Danforth, Trish King, Paul Ninham. Oppose: Mercie Danforth. Motion carried.

5. Debbie Thundercloud RE: Like Services

Excerpt from June 11, 2008: Motion by Vince DelaRosa to support the recommendation of the Treasurer and that the Executive staff bring back to the June 25 Business Committee meeting a timeline of how combining like services and placing departments in the progress areas can be accomplished and for the General Manager to take the lead on this project because many of the areas are under her supervision, seconded by Trish King. Motion carried unanimously.

Action: Motion by Patty Hoeft to direct the General Manager to deliver a report at the July 3 Joint Executive Staff meeting to implement a plan and the process, seconded by Trish King. Motion carried unanimously.

Action: Motion by Patty Hoeft to accept the Like Services report as FYI, seconded by Ed Delgado. Motion carried unanimously.

6. Patty Hoeft RE: Status on Oneida Health Board and Anna John Nursing Home Board

Excerpt from June 11, 2008: Motion by Ed Delgado to direct the Secretary's Office to research the status of the Health Board and Anna John Nursing Home Board to be brought back to the June 25, 2008 Business Committee meeting, seconded by Patty Hoeft. Motion carried unanimously.

Action: Motion by Patty Hoeft to defer to the July 3 Joint Executive Staff meeting and to report back to the July 23 Business Committee meeting, seconded by Ed Delgado. Motion carried unanimously.

7. Mercie Danforth

RE: Monthly Contract Report

Excerpt from May 28, 2008: Motion by Patty Hoeft to direct the Treasurer to provide a report on a monthly basis to the Business Committee listing all contracts and purchases that are \$250,000 or more starting June 25, 2008, seconded by Vince DelaRosa. Motion carried unanimously.

Action: Motion by Paul Ninham to defer the Monthly Contract report to the July 23 Business Committee meeting, seconded by Ed Delgado. Motion carried unanimously.

9. **New Business**

a. **Resolutions**

1. Kathy Hughes
Chris Johns

RE: Approval of the CY 2009 Self-Governance Funding Agreement with the Dept. of BIA & the MOU for the Real Estate Appraisals Program with the OST

Action: Motion by Ed Delgado to adopt Resolution 6-25-08-A CY 2009 Self-Governance Funding Agreement with the Dept. of the Interior's Bureau of Indian Affairs and the Memorandum of Understanding (MOU) for the Real Estate Appraisals program with the Office of the Special Trustee and authorizing the Chairman and Treasurer to sign the agreement and MOU as negotiated, seconded by Patty Hoeft. Motion carried unanimously.

b. **Requests**

1. Debbie Thundercloud
Jeff Metoxen

RE: Endorsement Principles of Native Food Sovereignty

Action: Motion by Ed Delgado to endorse the principles for Tsyunhehkwa of Native Food Sovereignty, seconded by Patty Hoeft. For: Patty Hoeft, Ed Delgado, Melinda J. Danforth, Trish King, Paul Ninham. Abstain: Mercie Danforth. Motion carried.

2. Debbie Thundercloud
Cheryl Stevens

RE: Approval of WISDOT Section 5311 Rural Transit Operating Assistance grant contract

Action: Motion by Trish King to approve WISDOT Section 5311 Rural Transit Operating Assistance grant contract, seconded by Paul Ninham. For: Patty Hoeft, Ed Delgado, Melinda J. Danforth, Trish King, Paul Ninham. Abstain: Mercie Danforth. Motion carried.

3. Debbie Thundercloud

RE: Accept the Finalized 2006
Comprehensive Plan and Process

Action: Motion by Patty Hoeft to accept the finalized 2006 comprehensive plan and process, seconded by Melinda J. Danforth. For: Patty Hoeft, Melinda J. Danforth, Trish King, Paul Ninham. Abstain: Ed Delgado, Mercie Danforth. Motion carried.

Melinda Danforth: For the record, there are two things that I am concerned with the comprehensive plan. One is going to go back to the community. Community input and the comments go back to 1999. The other concern is the planners did a lot of research but my fear is the weakness of the community input. I will accept the report but knowing we will have to change it when it comes back to us.

Ed Delgado: For the record, I abstained because my office cannot accept any plan which includes an initiative that the government will teach its' adult citizens on respect.

4. Debbie Thundercloud

RE: Approval to remove the "hold status"
on CIP #6-003

Action: Motion by Patty Hoeft to approve to remove the "hold status" on CIP #6-003 Environmental Center Project so the CIP team can proceed to look for grants as the first stage, seconded by Paul Ninham. For: Patty Hoeft, Ed Delgado, Melinda J. Danforth, Paul Ninham. Oppose: Mercie Danforth. Trish King not present during the vote. Motion carried.

5. Ed Delgado

RE: June 28, 2008 GTC meeting material

Action: Motion by Patty Hoeft to approve the request and direct the Treasurer to work with the Chief Financial Officer to provide the contract, either hard copy or on the big screen, to the General Tribal Council, and answers the questions about the amount of operating funds, the covenant which might prevent the Tribe to build affordable homes if the golf course does not work out, the monthly payment amounts on the loans and for how long, and the definition of bankruptcy due Thursday June 26 to the Business Committee, seconded by Melinda J. Danforth. For: Patty Hoeft, Ed Delgado, Melinda J. Danforth, Paul Ninham. Abstain: Mercie Danforth, Trish King. Motion carried.

Action: Motion by Ed Delgado that the letter of intent and the purchase agreement, either hard copy or on the big screen, be available to General Tribal Council at the June 28 meeting, seconded by Patty Hoeft. For: Patty Hoeft, Ed Delgado, Mercie Danforth, Trish King, Paul Ninham. Abstain: Melinda J. Danforth. Motion carried.

Action: Motion by Patty Hoeft to support the decision by the Business Committee to invite the bankruptcy attorney to present directly to General Tribal Council at the June 28 General Tribal Council meeting, seconded by Ed Delgado. Motion carried unanimously.

Action: Motion by Ed Delgado that the building covenant on the land being purchased on June 28 be reviewed by the Oneida Law Office to be presented to the General Tribal Council, seconded by Patty Hoeft. For: Patty Hoeft, Ed Delgado, Trish King. Abstain: Mercie Danforth, Melinda J. Danforth. Paul Ninham not present during the vote. Motion carried.

6. Patty Hoeft RE: Judy Cornelius Petition Update

Action: Motion by Ed Delgado to retro-approve to put this item regarding mustangs on the July 7 Semi-Annual meeting agenda, seconded by Patty Hoeft. Motion carried unanimously.

7. Patty Hoeft RE: Approval to post 3 vacancies for the Oneida Child Protective Board

Action: Motion by Melinda J. Danforth to approve to post three vacancies for the Oneida Child Protective Board, seconded by Patty Hoeft. Motion carried unanimously.

8. Patty Hoeft RE: Approval to post 1 vacancy for the Oneida Environmental Resource Board

Action: Motion by Melinda J. Danforth to approve to post one vacancy for the Oneida Environmental Resource Board, seconded by Patty Hoeft. Motion carried unanimously.

9. Patty Hoeft RE: Approval to post 3 vacancies for the Oneida Police Commission

Action: Motion by Trish King to approve to post three vacancies for the Oneida Police Commission, seconded by Patty Hoeft. Motion carried unanimously.

10. Patty Hoeft RE: Approval to post 2 vacancies for the Oneida Personnel Commission

Action: Motion by Trish King to approve to post two vacancies for the Oneida Personnel Commission, seconded by Patty Hoeft. Motion carried unanimously.

11. Patty Hoeft RE: Approval to post 2 vacancies for the

Oneida Airport Hotel Corporation

Action: Motion by Melinda J. Danforth to approve to post two vacancies for the Oneida Airport Hotel Corporation, seconded by Patty Hoeft. Motion carried unanimously.

12. Patty Hoeft RE: Approval to post 1 vacancy for the Southeastern Oneida Tribal Services Advisory Board

Action: Motion by Patty Hoeft to approve to post one vacancy for the Southeastern Oneida Tribal Services Advisory Board, seconded by Trish King. Motion carried unanimously.

13. Patty Hoeft RE: Approval to repost 4 vacancies for the Oneida Arts Board

Action: Motion by Mercie Danforth to approve to repost four vacancies for the Oneida Arts Board, seconded by Melinda J. Danforth. Motion carried unanimously.

14. Patty Hoeft RE: Approval to repost 1 vacancy for the Oneida Nation School Board

Action: Motion by Melinda J. Danforth to approve one vacancy for the Oneida Nation School Board, seconded by Patty Hoeft. Motion withdrawn.

Action: Motion by Patty Hoeft to approve the posting contingent on clarification on the status of how to post an elected position, seconded by Melinda J. Danforth. For: Patty Hoeft, Ed Delgado, Melinda J. Danforth, Trish King. Oppose: Mercie Danforth. Paul Ninham not present during the vote. Motion carried.

c. Travel Requests

1. Kathy Hughes RE: Quarterly meeting for Center for Disease Control Tribal Consultation Advisory Committee (CDC TCAC), Hollywood, FL July 28-30, 2008

Action: Motion by Trish King to approve the travel request for Vice Chair Kathy Hughes to attend the quarterly meeting for Center for Disease Control Tribal Consultation Advisory Committee in Hollywood, Fl. July 28 through 30, 2008, seconded by Patty Hoeft. Motion carried unanimously.

2. Kathy Hughes RE: Approval to attend Centers for

Medicare & Medicaid Services Tribal
Technical Advisory Group meeting
(CMS TTAG), Washington DC,
July 30-31, 2008

Action: Motion by Patty Hoeft to approve the travel request for Vice Chair Kathy Hughes to attend the Centers for Medicare and Medicaid Services Tribal Technical Advisory Group meeting in Washington, DC July 30 and 31, 2008, seconded by Trish King. Motion carried unanimously.

10. Finance Committee - none

11. Legislative Operating Committee (LOC)

1. Vince DelaRosa RE: Approval of LOC meeting minutes of June 2, 2008

Action: Motion by Melinda J. Danforth to approve the June 2, 2008 LOC meeting minutes, seconded by Patty Hoeft. Motion carried unanimously.

2. Vince DelaRosa RE: Approval of LOC meeting minutes of June 9, 2008

Action: Motion by Melinda J. Danforth to approve the June 9, 2008 LOC meeting minutes, seconded by Patty Hoeft. Motion carried unanimously.

3. Vince DelaRosa RE: Repeal of the Snow & Ice Removal Policy resolution

Action: Motion by Melinda J. Danforth to adopt Resolution 6-25-08-B Repeal of the Policy and Procedures for Department of Public Works Snow and Ice Removal, seconded by Ed Delgado. For: Patty Hoeft, Ed Delgado, Melinda J. Danforth, Trish King, Paul Ninham. Abstain: Mercie Danforth. Motion carried.

4. Vince DelaRosa RE: Creation and Dissolution of Divisions and Business Units resolution

Action: Motion by Patty Hoeft to accept the Creation and Dissolution of Divisions and Business Units resolution report as FYI, seconded by Ed Delgado. For: Patty Hoeft, Ed Delgado, Mercie Danforth, Melinda J. Danforth. Abstain: Trish King, Paul Ninham. Motion carried.

5. Vince DelaRosa RE: Special BC meeting on June 30 on
Patty Hoeft Oneida Housing Authority law, Child Support law and Paternity law

Action: Motion by Patty Hoeft to delete this item from the agenda regarding Special Business Committee on June 30 on Oneida Housing Authority law, Child Support law and Paternity law, seconded by Mercie Danforth. Motion carried unanimously.

12. Treasurer's Report - none

13. Oneida Business Committee Planning

1. Kathy Hughes

RE: Approval Business Committee Planning minutes of June 10, 2008

Action: Motion by Patty Hoeft to approve the June 10, 2008 Business Committee Planning minutes with corrections to list Mercie Danforth as not present and Paul Ninham as present, seconded by Melinda J. Danforth. Motion carried unanimously.

14. Executive Staff Meeting - none

15. Legislative Affairs Update - none

16. Executive Session

Action: Motion by Patty Hoeft to recess until 11 a.m. and go into executive session, seconded by Mercie Danforth. Motion carried unanimously.

Action: Motion by Patty Hoeft to go back into regular session at 11:33 a.m., seconded by Melinda J. Danforth. Motion carried unanimously.

a. Tabled Business - none

b. Old Business - none

c. New Business

1. Neil Cornelius

RE: Auto Tote – New York State Simulcast Contract Questionnaire

Action: Motion by Melinda J. Danforth to approve the Auto Tote – New York State Simulcast Contract Questionnaire with corrections on page three under section 4.5 by adding the email address, page five under Audit Reference, add Doulette & Touche; and page six item eight needs clarification if state of Wisconsin needs to be added for reporting purposes, seconded by Paul Ninham. Motion carried unanimously.

2. Vince DelaRosa

RE: Don Costello contract amendments

Action: Motion by Ed Delgado to approve the addition to the Costello contract of \$1,025, with the termination date of July 1, 2008, seconded by Trish King. Motion carried unanimously.

3. Gerald Danforth
DELETED

RE: Gaming Nursing Services

d. Legislative Affairs Update - none

e. Attorney Brief

1. Subrogation claim, Gonzalez v. MSI Preferred Insurance Company, et al.

Action: Motion by Paul Ninham to approve the Subrogation claim, Gonzalez v. MSI Preferred Insurance Company, et al for \$1,534.89, seconded by Melinda J. Danforth. Motion carried unanimously.

2. Subrogation claim, Gerondale v. General Casualty Company

Action: Motion by Mercie Danforth to approve the Subrogation claim, Gerondale v. General Casualty Company for \$49,025.93, seconded by Paul Ninham. Motion carried unanimously.

17. Audit Committee - none

g. Oneida Enterprise Development Authority - none

Recess/Adjourn

Action: Motion by Mercie Danforth to adjourn at 11:36 a.m., seconded by Paul Ninham. Motion carried unanimously.

Minutes Approved as presented/corrected on July 9, 2008.



Patricia Hoeft, Tribal Secretary
ONEIDA BUSINESS COMMITTEE