



# **Oneida Business Committee**

## **Regular Meeting**

**9 a.m. Wednesday, July 11, 2012**

**BC Conference Room, 2<sup>nd</sup> floor, Norbert Hill Center**

## **Minutes**

**Present:** Chairman Ed Delgado, Vice Chairman Greg Matson, Secretary Patty Hoeft, Council members David Jordan, Paul Ninham, Brandon Stevens

**Excused:** Treasurer Tina Danforth, Council members Melinda J. Danforth, Vince DelaRosa

**Others Present:** Marty Antone, Barbara Skenandore, Kaylynn Gresham, Chad Wilson, Shirley Barber, Tom Oudenhoven, Kenneth House, Lois Strong, Laura Manthe, Pat Pelky, Cathy Bachhuber, Nate Wisneski, Clifford Doxtator, Nancy Dallas, Nadine Dallas, Lee Butz, Stephanie Muscavitch, Barb Dickson, Susan Daniels, Ron McLester, Dale P. Wheelock, Dianne McLester-Heim, Debbie Danforth, Christopher John, Rhiannon Metoxen, Cathy L. Metoxen, Elaine Reed-Doxtator

**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 Paul Ninham to accept the agenda with one addition in open session 1) Travel request by Councilman Stevens and three additions in executive session 1) Verbal report to the BIA Justice Service Offices 2) Verbal report for the Town of Oneida board regarding service agreements 3) Health Center follow-up report regarding e-records and deleting V.3, VIII.A.5, X.2 and XII.1, seconded by David Jordan. Motion carried unanimously:

Ayes: Greg Matson, Patty Hoeft, David Jordan, Paul Ninham, Brandon Stevens

Excused: Melinda J. Danforth, Tina Danforth, Vince DelaRosa

**IV. Oaths of Office**

**1. Stephanie Muscavitch – Oneida Election Board alternate**

**V. Minutes to be approved**

**1. June 27, 2012 Regular**

Motion by Patty Hoeft to approve June 27, 2012 regular meeting minutes, seconded by Paul Ninham. Motion carried unanimously:

Ayes: Greg Matson, Patty Hoeft, David Jordan, Paul Ninham, Brandon Stevens

Excused: Melinda J. Danforth, Tina Danforth, Vince DelaRosa

**2. June 28, 2012 Emergency**

Motion by Patty Hoeft to approve June 28, 2012 emergency meeting minutes, seconded by David Jordan. Motion carried unanimously:

Ayes: Greg Matson, Patty Hoeft, David Jordan, Paul Ninham, Brandon Stevens

Excused: Melinda J. Danforth, Tina Danforth, Vince DelaRosa

**3. June 29, 2012 Emergency – DELETED**

**VI. Resolutions**

**1. Native American Bank Authorization for Accounts, Signers, Powers Granted and Limitations**

Sponsor: Larry Barton

Motion by Patty Hoeft to approve resolution 07-11-12-A Native American Bank Authorization for Accounts, Signers, Power Granted and Limitations and with the understanding that the Vice Chairman's name will be added to the list, seconded by David Jordan. Motion carried with two abstentions:

Ayes: Patty Hoeft, David Jordan, Paul Ninham

Abstained: Greg Matson, Brandon Stevens

Excused: Melinda J. Danforth, Tina Danforth, Vince DelaRosa



## **VII. Directors and Managers quarterly reports**

### **1. Self-Governance – Chris Johns**

Motion by Paul Ninham to approve the Self-Governance quarterly report, seconded by David Jordan. Motion carried unanimously:

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

### **2. Ombudsman – Dianne McLester-Heim**

Motion by David Jordan to approve the Ombudsman quarterly report, seconded by Paul Ninham. Motion carried unanimously:

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

### **3. Emergency Management and Homeland Security – Marty Antone**

Motion by Patty Hoeft to defer the Emergency Management and Homeland Security quarterly report for two weeks, seconded by Paul Ninham. Motion carried unanimously:

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

### **4. Oneida Housing Authority – Dale Wheelock**

Motion by Paul Ninham to approve the Oneida Housing Authority quarterly report, seconded by Brandon Stevens. Motion carried unanimously:

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

### **5. Environmental, Health and Safety Division – Pat Pelky**

Motion by Paul Ninham to approve Environmental, Health and Safety Division posting five Seasonal Natural Resources Technician positions, seconded by Greg Matson. Motion carried unanimously:

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

\*Note that the positions are 100% funded through grants

Motion by Paul Ninham to approve the Environmental, Health and Safety Division quarterly report, seconded by David Jordan. Motion carried unanimously:

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

## **VIII. Board, Committee and Commissions**

### **A. Appointments**

#### **1. Post one Environmental Resource Board position**

Motion by Patty Hoeft to approve posting one position on the Environmental Resource Board, seconded by Paul Ninham. Motion carried unanimously:

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

#### **2. Recommend appointment of Nadine Escamea and Pat Moore to Oneida Nation Arts Board**

Motion by Patty Hoeft to approve the two appointments, seconded by Paul Ninham. Motion carried unanimously:

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

#### **3. Recommend appointment of Warren Skenandore and Karen Coffey to Anna John Nursing Home Board**

Motion by Patty Hoeft to approve the two appointments, seconded by Paul Ninham. Motion carried unanimously:

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

#### **4. Recommend appointment of Gerald "Jerry" Cornelius to Oneida Nation Veteran Affairs Committee**

Motion by Patty Hoeft to repost the vacancy for 30 more days, seconded by David Jordan. Motion carried with two abstentions:



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

**5. Recommend 1 appointment to Bay Bank Corporation - DELETED**

**6. Recommend appointment of Michael Debraska to South Eastern Oneida Tribal Services advisory board**

Motion by Patty Hoeft to defer this appointment to the next Business Committee meeting so that the Chairman can bring back another recommendation, seconded by Brandon Stevens. Motion carried unanimously:

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

**7. Recommend appointment of Wesley Martin Jr. to Oneida Child Protective Board**

Motion by Patty Hoeft to approve the appointment, seconded by David Jordan. Motion carried unanimously:

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

**B. Quarterly reports**

**1. Oneida Police Commission – Bernie John Stevens, Chairman**

*Excerpt from June 27, 2012: Motion by Motion by David Jordan to defer the Oneida Police Commission quarterly report to the next Business Committee meeting, seconded Paul Ninham. Motion carried unanimously.*

Motion by Paul Ninham to defer for two weeks, seconded by Patty Hoeft. Motion carried unanimously:

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

**2. Environmental Resource Board – Tom Oudenhoven, Chairman**

Motion by David Jordan to approve Environmental Resource Board quarterly report, seconded by Paul Ninham. Motion carried unanimously:

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

**3. Oneida Gaming Commission – Shirley Hill, Chairwoman**

Motion by David Jordan to approve Oneida Gaming Commission quarterly report, seconded by Paul Ninham. Motion carried unanimously:

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

**4. Oneida Personnel Commission – Susan Daniels, Chairwoman**

Motion by Paul Ninham to approve Oneida Personnel Commission quarterly report, seconded by Patty Hoeft. Motion carried unanimously:

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

**IX. Standing Committees**

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

**1. July 2012 quarterly report**

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

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

**2. Approve amendments to the Oneida Nation Commission on Aging (ONCOA) bylaws**

Motion by Patty Hoeft to approve the amendments to the ONCOA bylaws, seconded by David Jordan. Motion carried unanimously:

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



- B. Finance Committee** – Treasurer Tina Danforth, Chairwoman
- C. Community Development Planning Committee** – Vince DelaRosa, Chairman
- D. Quality of Life** – Paul Ninham, Chairman

**X. General Tribal Council**

**1. Accept GTC semi-annual July 2, 2012 meeting action report**

Motion by David Jordan to accept GTC semi-annual July 2, 2012 meeting action report as FYI, seconded by Brandon Stevens. Motion carried unanimously:

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

**2. Set August 2012 date for special GTC meeting to consider six petitions - DELETED**

**3. Set 6 p.m. Monday, Sept. 17, 2012 as date for GTC meeting to consider fiscal year 2013 budget**

Motion by Patty Hoeft to approve the GTC date of Sept. 17, 2012, 6 p.m., at the Radisson for the budget meeting, seconded by David Jordan. Motion carried with one abstention:

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

**4. Petitioner Nancy Dallas: Return control of Poplar Lane roadway to Town of Oneida**

Motion by David Jordan to accept the receipt of the petition and direct it get the appropriate analysis, which is returned to the Business Committee in 30 days and that the petitioner is invited to the Community Development Planning Committee meeting to address her issue, seconded by Patty Hoeft. Motion carried unanimously:

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

**XI. Unfinished Business**

**XII. New Business/Requests**

**1. Approve memorandum of agreement (MOA) – Business Committee and Trust/Enrollment Committee - DELETED**

Sponsor: Melinda J. Danforth

**XIII. Travel**

**A. Travel Reports**

**1. Obama Victory Fund 2012 and Native American Leadership Committee campaign roundtable with President Obama, May 31-June 1, 2012, Minneapolis, MN**

Sponsor: Ed Delgado, Patty Hoeft

Motion by Paul Ninham to approve the travel report, seconded by Greg Matson. Motion carried unanimously:

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

**2. SEOTS 20<sup>th</sup> Anniversary event, June 1-2, Milwaukee, WI**

Sponsor: Ed Delgado, Patty Hoeft

Motion by David Jordan to accept the travel report, seconded by Brandon Stevens. Motion carried unanimously:

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

**B. Travel Requests**

**1. Oneida Commission on Aging: Procedural exception to allow six commissioners to attend National Indian Council on Aging Biennial Conference, Sept. 15-18, 2012, Albuquerque, NM**

Sponsor: Melinda J. Danforth/Dellora Cornelius

Motion by Paul Ninham to approve, seconded by Brandon Stevens. Motion carried with one abstention:

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

**XIV. Additions**

**1. Department of Energy meeting, July 12, 2012, Milwaukee, WI**

Sponsor: Brandon Stevens



Motion by Paul Ninham to approve, seconded by Greg Matson. Motion carried with one abstention:

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

Abstained: David Jordan

Excused: Melinda J. Danforth, Tina Danforth, Vince DelaRosa

**XV. Action in open session on items from Executive Session Discussion meeting of July 10, 2012**

**A. Reports**

**1. New York land claim settlement update – Ed Delgado/Diane House**

Motion by Paul Ninham to defer for two weeks, seconded by Patty Hoeft. Motion carried unanimously:

Ayes: Greg Matson, Patty Hoeft, David Jordan, Paul Ninham, Brandon Stevens

Excused: Melinda J. Danforth, Tina Danforth, Vince DelaRosa

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

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

Ayes: Greg Matson, Patty Hoeft, David Jordan, Paul Ninham, Brandon Stevens

Excused: Melinda J. Danforth, Tina Danforth, Vince DelaRosa

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

**C. Unfinished Business/BC directives**

**1. Personnel complaint(s) procedure**

Sponsor: Melinda J. Danforth

*Excerpt from June 27, 2012: Motion by Paul Ninham to defer this item to the next Business Committee meeting, seconded by Patty Hoeft. Motion carried with one abstention.*

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

Ayes: Greg Matson, Patty Hoeft, David Jordan, Paul Ninham, Brandon Stevens

Excused: Melinda J. Danforth, Tina Danforth, Vince DelaRosa

**2. Gaming General Manager contract recommendation**

Sponsor: Ed Delgado

*Excerpt from June 28, 2012: Motion by Patty Hoeft to renew the contract for six months and direct the Chairman to negotiate the terms with Louise Cornelius, and bring back the terms to the Business Committee at our next regular meeting, seconded by Brandon Stevens. Motion approved with two oppositions.*

Motion by Patty Hoeft to defer for two weeks, seconded by Paul Ninham. Motion carried unanimously:

Ayes: Greg Matson, Patty Hoeft, David Jordan, Paul Ninham, Brandon Stevens

Excused: Melinda J. Danforth, Tina Danforth, Vince DelaRosa

**D. New Business/Requests**

**1. Approve 60 new enrollments**

Sponsor: Melinda J. Danforth

Motion by Paul Ninham to approve 60 new enrollments, seconded by David Jordan. Motion carried unanimously:

Ayes: Greg Matson, Patty Hoeft, David Jordan, Paul Ninham, Brandon Stevens

Excused: Melinda J. Danforth, Tina Danforth, Vince DelaRosa

**2. Approve limited waiver of sovereign immunity for Getty Images US Inc.**

Sponsor: Michele Doxtator

Motion by David Jordan to approve the limited waiver of sovereign immunity for Getty Images US Inc., seconded by Greg Matson. Motion carried unanimously:

Ayes: Greg Matson, Patty Hoeft, David Jordan, Paul Ninham, Brandon Stevens

Excused: Melinda J. Danforth, Tina Danforth, Vince DelaRosa

**3. Approve Wells Fargo service agreement and amendment**

Sponsor: Larry Barton

Motion by David Jordan to approve Wells Fargo service agreement and amendment with the limited waiver of sovereign immunity, seconded by Paul Ninham. Motion carried unanimously:

Ayes: Greg Matson, Patty Hoeft, David Jordan, Paul Ninham, Brandon Stevens

Excused: Melinda J. Danforth, Tina Danforth, Vince DelaRosa

Motion by Patty Hoeft to approve the Chairman and the Treasurer to serve as the signatories for the Wells Fargo service agreement, seconded by Greg Matson. Motion carried with one abstention:

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

**4. Tribal Secretary Office organization proposal**

Sponsor: Patty Hoeft

Motion by Patty Hoeft to defer this to the next Business Committee meeting, seconded by Brandon Stevens.

Motion carried unanimously:

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

**E. Additions**

**1. Verbal report to the BIA Justice Service Offices**

Sponsor: Ed Delgado

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

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

**2. Verbal report for the Town of Oneida board regarding service agreements**

Sponsor: Ed Delgado

Motion by Patty Hoeft to accept the verbal report, seconded by Greg Matson. Motion carried unanimously:

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

**3. Health Center follow-up report regarding e-records**

Sponsor:

Motion by David Jordan to accept the report as FYI, seconded by Brandon Stevens. Motion carried unanimously:

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

**XVI. Adjourn**

Motion by Paul Ninham to adjourn at 10:55 a.m., seconded by Greg Matson. Motion carried unanimously:

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

**Minutes Approved as presented/corrected on July 25, 2012.**



Patricia Hoeft, Tribal Secretary  
ONEIDA BUSINESS COMMITTEE