



Oneida Business Committee

Regular Meeting
9 a.m. Wednesday, July 25, 2012
BC Conference Room, 2nd floor, Norbert Hill Center

Minutes

Present: Chairman Ed Delgado, Vice Chairman Greg Matson, Secretary Patty Hoeft, Council members Melinda J. Danforth, Vince DelaRosa, David Jordan, Paul Ninham, Brandon Stevens

Not present: Treasurer Tina Danforth

Others present: Marty Antone, Barbara Skenandore, Sandra Reveles, Buck Stevens, Karen Coffey, Marlene Garvey, Fred Muscavitch, Geraldine Danforth, Elaine Reed-Doxator, Luanne King Skenandore, Dianne McLester-Heim, Loretta V. Metoxen, Wes Martin, Warren Skenandore, Christine Klimmek, Rhiannon Metoxen, Rosa Francour, Lloyd E. Powless Jr., Kaylynn Gresham, Paul Danforth, Twylite Moore, Susan White, Kerry Brunette, Joanie Buckley, Cathy L. Metoxen

Special Recognition – Years of Service: **35 years**-William B. Stevens; **30 years**-Samantha Skenandore, Paula King Dessart, Carl M. Prevost; **25 years**-Philip J. Smith, Gene L. Thomas, Victoria L. Reed-Vanderzanden

I. Call to Order and Roll Call by Chairman Delgado at 9:07 a.m.

II. Opening by Chairman Delgado

III. Approve the agenda

Motion by Patty Hoeft to adopt the agenda with the following additions in open session: 1) Travel request – American Indian Chamber of Commerce of Wisconsin 19th Annual Awards Program 2) Travel request – RTOC meeting and with the following additions in executive session: 1) Litigation report update 2) Hoxey contract approval 3) Approval of the OTIE Guaranty and waiver of limited sovereign immunity 4) A request to OTIE for an increase in revenue sharing 5) Chief Counsel contract renewal 6) Three Fires investment report update from the CFO, 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

IV. Oaths of Office – administered by Patty Hoeft

1. Oneida Arts Board – Nadine Escamea, Pat Moore (not present)

2. Anna John Nursing Home Commission – Warren Skenandore, Karen Coffey

3. Oneida Child Protective Board – Wesley Martin Jr.

V. Minutes to be approved

1. Approve corrected May 23, 2012 regular meeting minutes

Motion by Patty Hoeft to adopt the corrected May 23, 2012 regular meeting minutes, 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

2. June 29, 2012 Emergency

Motion by Patty Hoeft to approve June 29, 2012 emergency meeting minutes, 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

3. July 11, 2012

Motion by Patty Hoeft to approve July 11, 2012 minutes, seconded 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

4. July 19, 2012 Special - DELETED

VI. Resolutions

1. Amendment to the Wells Fargo Account Agreement Documentation Authorized Signers Certification

Sponsor: Larry Barton

Motion by David Jordan to adopt resolution 07-25-12-A Amendment to the Wells Fargo Account Agreement Documentation Authorized Signers Certification, seconded by Patty Hoeft. Motion carried with one abstention:

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

Abstained: Melinda J. Danforth

Not present: Tina Danforth, Vince DelaRosa

2. Urge NCAI to encourage all Tribal Nations Governments to boycott Federal Express until Redskins is removed as name of Washington, D.C. football team

Sponsor: Melinda J. Danforth

Motion by Patty Hoeft that we defer the proposed resolution about a boycott of Federal Express to Councilman Stevens, who will bring back a recommendation to the Business Committee on how to proceed, seconded by Greg Matson. Motion carried with one abstention:

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

Abstained: David Jordan

Not present: Tina Danforth

VII. Directors and Managers quarterly reports

1. Internal Services Division – Joanie Buckley

Motion by David Jordan to approve the Internal Services Division quarterly report, 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, Greg Matson

2. Emergency Management and Homeland Security – Marty Antone

Excerpt from July 11, 2012: Motion by Patty Hoeft to defer the Emergency Management and Homeland Security quarterly report for two weeks, seconded by Paul Ninham. Motion carried unanimously.

Motion by Paul Ninham to defer the Emergency Management and Homeland Security quarterly report to the Chairman's office, seconded by Greg Matson. Motion carried unanimously:

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

Not present: Tina Danforth

VIII. Board, Committee and Commissions

A. Appointments

1. Recommend Marjorie Schwieger to South Eastern Oneida Tribal Services (SEOTS) advisory board

Excerpt from July 11, 2012: 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.

Motion by Paul Ninham to approve the appointment of Marjorie Schwieger to SEOTS advisory board, 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

2. Recommend Gary Jordan to Bay Bank Corporation board of directors

Motion by Patty Hoeft to approve the appointment of Gary Jordan to Bay Bank Corporation board of directors, seconded by Vince DelaRosa. No vote because item was tabled.

Motion by Melinda J. Danforth to table the recommendation to appoint Gary Jordan to Bay Bank Corporation board of directors, seconded by Brandon Stevens. Motion carried with three oppositions:

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

B. Quarterly reports

1. Oneida Police Commission – Bernie John Stevens, Chairman

Excerpt from July 11, 2012: Motion by Paul Ninham to defer for two weeks, seconded by Patty Hoeft. Motion carried unanimously.

Motion by Paul Ninham to accept the Oneida Police Commission quarterly report, seconded by Vince DelaRosa. Motion carried unanimously:

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

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

Motion by Vince DelaRosa to approve the Oneida Nation Veterans Affairs Committee quarterly report, seconded by Paul Ninham. Motion carried unanimously:

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

3. Oneida Powwow Committee – Lloyd Powless Jr., Chairman

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

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

4. Oneida Arts Board – Kelly Skenandore-Holtz, Chairwoman

Motion by Patty Hoeft to accept the Oneida Arts Board quarterly report, 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

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

Motion by Vince DelaRosa to defer this report to the next meeting, 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

IX. Standing Committees

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

B. Finance Committee – Treasurer Tina Danforth, Chairwoman

1. July 13 minutes

Motion by David Jordan to approve July 13 Finance Committee minutes, 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

2. July 20 minutes

Motion by David Jordan to approve July 20 Finance Committee minutes, 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

C. Community Development Planning Committee – Vince DelaRosa, Chairman

D. Quality of Life – Paul Ninham, Chairman

X. General Tribal Council

XI. Unfinished Business

XII. New Business/Requests

1. Approve memorandum of agreement (MOA) between Business Committee and Trust/Enrollment Committee

Sponsor: Melinda J. Danforth

Motion by Melinda J. Danforth to approve the MOA between Business Committee and Trust/Enrollment Committee, 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

2. Approve limited waiver of sovereign immunity for two contract agreements with BDO USA, LLP for 2012-2014 Annual Audits and 2012-2014 Gaming MICS review

Sponsor: Brandon Stevens

Motion by Patty Hoeft to approve the limited waiver of sovereign immunity for two contract agreements with BDO USA, LLP for 2012-2014 Annual Audits and 2012-2014 Gaming MICS review, seconded by Melinda J. Danforth. Motion carried unanimously:

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

Not present: Tina Danforth

XIII. Travel

A. Travel Reports

1. South Eastern Oneida Tribal Services community meetings, June 22-23, 2012, Milwaukee, WI

Sponsor: Vince DelaRosa

Motion by Patty Hoeft to retro approve the travel request and the travel report, 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. South Eastern Oneida Tribal Services 20th anniversary celebration, June 2, 2012, Milwaukee, WI

Sponsor: Vince DelaRosa

Motion by Patty Hoeft to retro approve the travel request and the travel report, 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

3. Meeting with BIA Office of Justice Services Special Agent-in-Charge, July 6, 2012, Bloomington, MN

Sponsor: Ed Delgado

Motion by David Jordan to approve the travel report, 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

B. Travel Requests

1. Oneida Nation Veterans Affairs Committee: Procedural exception to allow four members to attend Indian Summer Festival, Sept. 8-9, 2012, Milwaukee, WI

Sponsor: Ed Delgado

Motion by David Jordan to approve the procedural exception travel request to allow four members to attend Indian Summer Festival, Sept. 8-9, 2012, Milwaukee, WI, 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

2. Travois Indian Country Affordable Housing and Economic Development Conference, Sept. 10-13, 2012, Tucson, AZ

Sponsor: Vince DelaRosa

Motion by David Jordan to approve the travel request, 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

XIV. Additions

1. American Indian Chamber of Commerce of Wisconsin, July 26, 2012, Milwaukee, WI

Sponsor: Ed Delgado

Motion by David Jordan to approve the travel request, seconded by Paul Ninham. Motion carried unanimously:

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

Not present: Tina Danforth

2. Regional Tribal Operations Committee (RTOC) meeting, Aug. 6-8, 2012, Red Cliff, WI

Sponsor: Melinda J. Danforth

Motion by Paul Ninham to approve the travel request, 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

*Note travel expenses are paid for by the entity.

XV. Action in open session on items from Executive Session Discussion meeting of July 24, 2012

A. Reports

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

Excerpt from July 11, 2012: Motion by Paul Ninham to defer for two weeks, seconded by Patty Hoeft. Motion carried unanimously.

Motion by Patty Hoeft to approve the verbal update, 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

2. Chief Counsel report – Jo Anne House

Motion by Patty Hoeft to accept the Chief Counsel verbal report as FYI, 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

For the record: Patty Hoeft stated just to remind Chief Counsel, we'd like a written report on the storm water item.

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

Motion by David Jordan to approve the Gaming General Manager bi-monthly report, 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. Legislative Affairs monthly report – Nathan King

Motion by Greg Matson to approve the Legislative Affairs monthly report, 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

Motion by Brandon Stevens to direct Oneida Airport Hotel Corporation to continue to remit 8 percent of the Wingate Hotel room tax for the remainder of 2012 and in 2013 remit only 4 percent of the Wingate Hotel room tax to Village of Ashwaubeneon and remit all 8 percent of the Wingate Hotel room tax to the Oneida Tribe starting in 2014, seconded by Patty Hoeft. Motion carried with one abstention:

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

Abstained: Melinda J. Danforth

Not present: Tina Danforth

Amendment to main motion by Patty Hoeft that we use 2 percent of room tax collected at both the Radisson and the Wingate to fund the Visitor Convention Bureau starting in this fiscal cycle, seconded by Vince DelaRosa.

Motion carried with two abstentions:

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

Abstained: Melinda J. Danforth, Brandon Stevens

Not present: Tina Danforth

5. Communications monthly report – Bobbi Webster

Motion by Patty Hoeft to approve the Communication monthly report, seconded by Greg Matson. Motion carried unanimously:

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

Not present: Tina Danforth

B. Audit Committee – Councilman Brandon Stevens, Chairman

1. Approve May 17, 2012 minutes

Motion by David Jordan to approve the Audit Committee minutes of May 17, 2012 minutes, 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

2. Internal Audit May report with attachment A

Motion by Melinda J. Danforth to approve Internal Audit May report with attachment A, 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

3. Lift the confidentiality and approve the Human Resources Department and Gaming Personnel Services – Hiring Practices and Backgrounds Audit

Motion by Brandon Stevens to lift the confidentiality and approve the Human Resources Department and Gaming Personnel Services – Hiring Practices and Backgrounds Audit, 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

C. Unfinished Business/BC directives

1. Human Resources reorganization proposal

Sponsor: Melinda J. Danforth

Excerpt from June 27, 2012: Motion by Paul Ninham to defer this item to the July 25 Business Committee meeting, seconded by David Jordan. Motion carried unanimously.

Motion by Melinda J. Danforth to adopt the revised resolution 07-25-12-B Autonomous Human Resource Structure and Reporting and to direct the Legislative Operating Committee (LOC) to develop proposed legislation that sets forth an independent Human Resources Department to properly address the delegations and restrictions in the proposed agreement [referencing the proposed MOU], seconded 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

For the record: Melinda J. Danforth stated I know the community will have interest as to why this decision is being made, thus I offer the following. HRD reported directly to the GM and with the elimination of the GM position, the BC gave interim supervisory responsibilities to the Internal Services Director, but never made a decision as to HRD's reporting structure. Based upon 2 internal audits from 2009 and 2011 (in which tribal members can view) the audits recommend that HRD be placed within the organization so that it can operate with the most autonomy. The audits recommended HRD be placed either under the Business Committee or the Chief of Staff. Thus this move is temporary until legislation is developed to formally address this issue.

2. Gaming General Manager contract recommendation

Sponsor: Ed Delgado

Excerpt from July 11, 2012: Motion by Patty Hoeft to defer for two weeks, seconded by Paul Ninham. Motion carried unanimously.

Motion by Patty Hoeft to accept the report update, 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

3. Tribal Secretary Office organization proposal

Sponsor: Patty Hoeft

Excerpt from July 11, 2012: Motion by Patty Hoeft to defer this to the next Business Committee meeting, seconded by Brandon Stevens. Motion carried unanimously.

Motion by Patty Hoeft to approve the reorganization plan for the Tribal Secretary Office and placement of the General Manager and Chief of Staff direct reports, seconded by Vince DelaRosa. Motion carried with one opposition and three abstentions:

Ayes: Vince DelaRosa, Patty Hoeft, David Jordan

Opposed: Greg Matson

Abstained: Melinda J. Danforth, Paul Ninham, Brandon Stevens

Not present: Tina Danforth

For the record: Ed Delgado stated for the record its three yes votes, one opposed and three abstained. Also, the Secretary's office has done an excellent job in addressing the needs of the Tribal organization in light of the structural changes made earlier in the term. These changes had to be addressed and she addressed them. Thank you.

For the record: Greg Matson stated my opposition is due to these are in theory, they are not based upon facts. The movement within the structure is based upon the individual's proposal, as being in theory this would be best practice, but not based on facts.

For the record: Brandon Stevens stated I have a conflict, that's why my abstention is noted. I'd like to note also that Patty and Melinda, of all the talk we've had over the last almost year about reorganization, are the only ones who came forward with recommendations on how we proceed with the overall direction on where we want to go with the restructure. I just want to make note also that this is a huge issue and they did take the initiative and take this on and the committee still needs to address this issue overall. There was a big emphasis in the beginning of our administration to do this and it fell to the side and we kind of have little direction in that area right now.

For the record: Paul Ninham stated although I believe the Business Committee is truly attempting to address the reorganization efforts as best they can, I also believe we are missing some critical steps in the process. It is incumbent upon the Committee to prepare the necessary analysis for reorganization. It should be our intent to execute due diligence in the process of making effective organizational change.

My abstention on this vote is because I am not ready to vote up or down, as I believe more information is necessary. Although the Committee has discussed

restructure and reviewed several restructure concepts, I do not believe we have completed the process of due diligence, nor have we performed an assessment of the impacts of making organizational change, prior to implementing change. In all of the FAQ's we also state that we are not going to "supervise" or manage or deal with hiring, firing, transferring, or reassigning, and reinforced that role upon the managers of the Tribe. Therefore, I am not confident the Committee should be implementing organizational change at this time.

Although I agree that some changes to the Tribal Secretary's office may be appropriate for increased efficiencies, and the need to place a hierarchy for the former GM and COS direct reports may be necessary, I want to ensure tribal processes are followed, and due diligence has been performed.

D. New Business/Requests

1. Provision of benefits and services to descendants of reinstated Tribal member – 9 a.m.

Sponsor: Melinda J. Danforth

Motion by Brandon Stevens to direct the law office to review the request, including any potential insurance coverage to identify legal issues, with potential solutions, within 30 days, seconded by Melinda J. Danforth.

Motion carried unanimously:

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

Not present: Tina Danforth

E. Additions

1. Litigation report update

Sponsor: Jo Anne House

Motion by Patty Hoeft to accept the report as FYI, 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, Greg Matson

2. Approval of contract with Hoxey

Sponsor: Jo Anne House

Motion by Patty Hoeft to approve the contract with Hoxey and that funding for the contract shall be allocated when needed, from the litigation contingency fund, seconded by Brandon Stevens. Motion carried unanimously:

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

Not present: Tina Danforth, Greg Matson

3. Re-Authorization of Guaranty for Oneida Total Integrated Enterprise (OTIE) with limited waiver of sovereign immunity

Sponsor: Butch Rentmeester

Motion by Patty Hoeft to approve the Guaranty with BMO Harris Bank on behalf of OTIE, including a limited waiver of sovereign immunity, subject to acknowledgment that such Guaranty does not violate terms of existing finance agreements of the Tribe, seconded by Paul Ninham. Motion carried with one opposition:

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

Opposed: Vince DelaRosa

Not present: Tina Danforth, Greg Matson

4. Oneida Total Integrated Enterprise (OTIE) increase in shared revenue

Sponsor: Ed Delgado

Motion by Melinda J. Danforth to direct OTIE to deliver a report to Chief Financial Officer, Larry Barton, by Aug. 3, 2012 which identifies the ability to deliver a \$1M dollar return to the Tribe in the Tribe's fiscal year 2013 and the impact on OTIE operations and that the report also include alternative return amounts, seconded by Patty Hoeft. Motion carried unanimously:

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

Not present: Tina Danforth, Greg Matson

Motion by Melinda J. Danforth to direct the Chief Financial Officer to review the report submitted by OTIE and to make a written recommendation to the Oneida Business Committee at the Aug. 7, 2012 executive meeting,

seconded by Patty Hoeft. Motion carried unanimously:

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

Not present: Tina Danforth, Greg Matson

5. Renewal of Chief Counsel contract that expires in October 2012

Sponsor: Ed Delgado

Motion by David Jordan to defer until after the evaluations are completed, seconded by Patty Hoeft. Motion carried unanimously:

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

Not present: Tina Danforth, Greg Matson

6. Three Fires report

Sponsor: Larry Barton

Motion by David Jordan to go into executive session at 11:55 a.m., seconded by Patty Hoeft. Motion carried unanimously:

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

Not present: Tina Danforth, Greg Matson

Motion by Vince DelaRosa to come out of executive session at 12:20 p.m., seconded by Brandon Stevens. Motion carried unanimously:

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

Not present: Tina Danforth, Greg Matson

Motion by David Jordan to authorize Three Fires LLC to send the notice in the July 24, 2012 email from Brian Benso to Umpqua Bank, reaffirming that the Tribe does not agree to the financing option from Umpqua and reaffirms the preference for the financing from Loan Corp., 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, Greg Matson

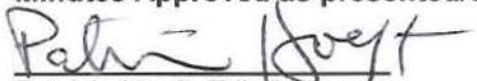
XVI. Adjourn

Motion by David Jordan to adjourn at 12:22 p.m., seconded by Patty Hoeft. Motion carried unanimously:

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

Not present: Tina Danforth, Greg Matson

Minutes Approved as presented/corrected on Aug. 8, 2012.



Patricia Hoeft, Tribal Secretary

ONEIDA BUSINESS COMMITTEE

