



Oneida Business Committee

Regular Meeting

9 a.m. Wednesday, August 10, 2011
BC Conference Room, 2nd floor, Norbert Hill Center

Minutes

Present: Vice Chairwoman Kathy Hughes, Treasurer Tina Danforth, Secretary Patty Hoeft, Council members Melinda J. Danforth, Ed Delgado, Ron "Tehassi" Hill Jr., Trish King, Brandon Stevens

Excused: Chairman Rick Hill

Others Present: Candi Cornelius, Kala Cornelius, Barb Skenandore, Charlene E. Cornelius, John E. Hill, Janet Hill, Jodie Skenandore, Jennifer M. Stevens, Marsha Danforth, Sayokla Williams, Fern Orrie, Linda Glaser, Tim Skenandore, Vicky Matson, Lorna Skenandore, Leyne Orosco, Linda S. Dallas, Raquel Hill, Jack Denny

I. Call to Order and Roll Call by Vice Chairwoman Kathy Hughes at 9:02 a.m.

II. Opening by Ron "Tehassi" Hill Jr.

III. Approve the agenda

Motion by Tina Danforth to approve the agenda with the following additions: 1) Two contracts from the law office that the land commission is dealing with regarding agreements for the leasing of the Oakridge Plaza West and East 2) Resolution to apply for a Tribal Wildlife Grant for the U.S. Fish and Wildlife Service, one change to remove the item, Reactivate Tribal credit card from the open session and move it into executive session item and one handout for the Aug. 5 meeting minutes and e-poll results, seconded by Trish King. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Ed Delgado, Patty Hoeft, Ron "Tehassi" Hill Jr., Trish King

Not present: Brandon Stevens

Excused: Rick Hill

IV. Oaths of Office

1. Bay Bank Board of Directors

Bob Jossie, 1-year-term

2. Library Board

Charlene E. Cornelius

Janet M. Hill

V. Minutes to be approved

1. July 27 Business Committee meeting minutes

Motion by Tina Danforth to approve the July 27 Business Committee meeting minutes, seconded by Melinda J. Danforth. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Ed Delgado, Patty Hoeft, Ron
"Tehassi" Hill Jr., Trish King, Brandon Stevens
Excused: Rick Hill

VI. Resolutions

1. Affordable Care Act Tribal Personal Responsibility Education Program for Teen Pregnancy Prevention

Sponsor: Debbie Thundercloud

Motion by Ed Delgado to approve resolution 08-10-11-A Affordable Care Act Tribal Responsibility Education Program for Teen Pregnancy Prevention, seconded by Tina Danforth. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Ed Delgado, Patty Hoeft, Ron
"Tehassi" Hill Jr., Trish King, Brandon Stevens
Excused: Rick Hill

VII. Board, Committee and Commission quarterly reports

1. Oneida Land Commission

Sponsor: Amelia Cornelius

Motion by Tina Danforth to accept the Oneida Land Commission quarterly report, seconded by Ron "Tehassi" Hill. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Ed Delgado, Patty Hoeft, Ron
"Tehassi" Hill Jr., Trish King, Brandon Stevens
Excused: Rick Hill

2. Oneida Land Claims Commission

Sponsor: Amelia Cornelius

Motion by Tina Danforth to accept the Oneida Land Claims Commission quarterly report, seconded by Ron "Tehassi" Hill Jr. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Ed Delgado, Patty Hoeft, Ron
"Tehassi" Hill Jr., Trish King, Brandon Stevens
Excused: Rick Hill

3. Oneida School Board

Sponsor: Debra J. Danforth

Motion by Tina Danforth to accept the Oneida School Board quarterly report, seconded by Melinda J. Danforth. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Ed Delgado, Patty Hoeft, Ron
"Tehassi" Hill Jr., Trish King, Brandon Stevens
Excused: Rick Hill

VIII. Standing Committees

A. Legislative Operating Committee

B. Finance Committee

1. Finance Committee special meeting minutes and e-poll results July 29, 2011

Sponsor: Tina Danforth

Motion by Tina Danforth to approve July 29, 2011 special meeting minutes and e-poll results, seconded by Ed Delgado. Motion carried with one abstention:

Ayes: Tina Danforth, Ed Delgado, Patty Hoeft, Ron "Tehassi" Hill Jr., Trish King, Brandon Stevens
Abstained: Melinda J. Danforth
Excused: Rick Hill

2. Finance Committee regular meeting minutes and e-poll results Aug. 5, 2011

Sponsor: Tina Danforth

Motion by Tina Danforth to approve Aug. 5, 2011 regular meeting minutes and e-poll results, seconded by Ed Delgado. Motion carried with one abstention:

Ayes: Tina Danforth, Ed Delgado, Patty Hoeft, Ron "Tehassi" Hill Jr., Trish King, Brandon Stevens
Abstained: Melinda J. Danforth
Excused: Rick Hill

C. Community Development Planning Committee (CDPC)

D. Audit Committee

IX. Travel

A. Travel reports

B. Travel requests

1. Retro-approve NIGA/New York Land Claims meeting July 26-27, 2011 Washington, DC

Sponsor: Bill Gollnick

Motion by Ed Delgado to approve Bill Gollnick for retro-approval travel to NIGA/New York Land Claims meeting July 26-27, 2011 Washington, DC, seconded by Tina Danforth. Motion carried with one abstention:

Ayes: Melinda J. Danforth, Tina Danforth, Ed Delgado, Patty Hoeft, Ron "Tehassi" Hill Jr., Trish King
Abstained: Brandon Stevens
Excused: Rick Hill

2. Native Nations Institute (NNI) International Advisory Board meeting Sept. 22-24, 2011 Tucson, AZ

Sponsor: Patty Hoeft

Motion by Tina Danforth to approve the travel request for Patty Hoeft to attend the Native Nations Institute (NNI) International Advisory Board meeting Sept. 22-24, 2011 Tucson, AZ, seconded by Ed Delgado. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Ed Delgado, Patty Hoeft, Ron "Tehassi" Hill Jr., Trish King, Brandon Stevens
Excused: Rick Hill

3. Retro-approve attendance to President Obama's 50th Birthday Celebration Aug. 3, 2011 Chicago, IL

Sponsor: Tina Danforth

Motion by Ed Delgado to approve Tina Danforth for retro-approval to attend President Obama's 50th Birthday Celebration Aug. 3, 2011 Chicago, IL, seconded by Tina Danforth. Motion failed with three opposed and one abstention:

Ayes: Tina Danforth, Ed Delgado
Opposed: Melinda J. Danforth, Ron "Tehassi" Hill Jr., Trish King
Abstained: Patty Hoeft
Excused: Rick Hill
For the record: Tina Danforth stated that because this is not being supported by the committee, I will be notifying DC that we will not be attending the Vice-President invitation on Sept. 1 because this was all inclusive; you cannot do one without the other.
For the record: Tina Danforth also stated that in the past the Chairman and other individuals of the BC have traveled without prior authorization and have received retro-active authorization to travel on behalf of the council. I respect the decision of the committee today. I don't have a problem with the committee today. I would like for us to move on and I will assure all of you that I will take vacation time for that afternoon. So please let's move forward.

4. Request for BC aide travel to attend Ektron System Administrator Training, Sept. 12-15, 2011 Nashua, NH

Sponsor: Patty Hoeft

Motion by Ed Delgado to approve the travel request for Brenda John-Stevens to attend Ektron System Administrator Training, Sept. 12-15, 2011 Nashua, NH, seconded by Patty Hoeft. Motion carried with two abstentions:

Ayes: Ed Delgado, Patty Hoeft, Ron "Tehassi" Hill Jr., Trish King, Brandon Stevens
Abstained: Melinda J. Danforth, Tina Danforth
Excused: Rick Hill

X. General Tribal Council

XI. Follow-ups/BC directives

XII. Tabled Business

XIII. New Business/Requests

1. Certification of 2011 General Election Results

Sponsor: Patty Hoeft/Leyne Orosco

Motion by Patty Hoeft to declare the results of the July 2011 General Election official, seconded by Ron "Tehassi" Hill Jr. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Ed Delgado, Patty Hoeft, Ron "Tehassi" Hill Jr., Trish King, Brandon Stevens
Excused: Rick Hill

Motion by Patty Hoeft to call a special BC meeting Thursday Aug. 11 at 5:30 p.m. for the purpose of administering the oaths of office to newly elected members of boards, committees and commissions at the Radisson Hotel in Oneida, seconded by Ed Delgado. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Ed Delgado, Patty Hoeft, Ron "Tehassi" Hill Jr., Trish King, Brandon Stevens

Excused: Rick Hill

Motion by Patty Hoeft to cancel the Aug. 31 regular BC meeting, seconded by Ron "Tehassi" Hill.
Motion carried with one abstention:

Ayes: Melinda J. Danforth, Ed Delgado, Patty Hoeft, Ron "Tehassi" Hill Jr., Trish King, Brandon Stevens
Abstained: Tina Danforth
Excused: Rick Hill

2. Procedural travel exception for 5 ONCOA travelers to Great Lakes Native Elders Association meeting, Aug. 4-5, 2011, Lac du Flambeau
Sponsor: Patty Hoeft/Lois Strong

Motion by Patty Hoeft to retro-approve the procedural travel exception for 5 ONCOA travelers to Great Lakes Native Elders Association meeting, Aug. 4-5, 2011, Lac du Flambeau, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Ed Delgado, Patty Hoeft, Ron "Tehassi" Hill Jr., Trish King, Brandon Stevens
Excused: Rick Hill

3. Approve limited waiver of sovereign immunity for Baker Tilly Virchow Krause, LLP audit contract
Sponsor: Larry Barton

Motion by Tina Danforth to approve limited waiver of sovereign immunity for Baker Tilly Virchow Krause, LLP, seconded by Patty Hoeft. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Ed Delgado, Patty Hoeft, Ron "Tehassi" Hill Jr., Trish King, Brandon Stevens
Excused: Rick Hill

4. Reactivate Tribal credit card – moved to Executive Session

5. Approve Wisconsin Public Service Contract to terminate generator agreement
Sponsor: Louise Cornelius

Motion by Melinda J. Danforth to approve the limited waiver of sovereign immunity for the WPS termination agreement, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Ed Delgado, Patty Hoeft, Ron "Tehassi" Hill Jr., Trish King, Brandon Stevens
Excused: Rick Hill

XIV. Additions

1. Oak Ridge Plaza East-Ground Lessor's Estoppel Certificate, consent and agreement
Sponsor: Jo Anne House

Motion by Ed Delgado to approve the Oak Ridge Plaza East-Ground Lessor's Estoppel Certificate, consent and agreement, seconded by Patty Hoeft. Motion failed with four opposed and one abstention:

Ayes: Ed Delgado, Patty Hoeft
Opposed: Melinda J. Danforth, Tina Danforth, Ron "Tehassi" Hill, Trish King
Abstained: Brandon Stevens

Excused: Rick Hill

2. Oak Ridge Plaza West-Ground Lessor's Estoppel Certificate, consent and agreement

Sponsor: Jo Anne House

Motion by Ed Delgado to approve the Oak Ridge Plaza East-Ground Lessor's Estoppel Certificate, consent and agreement, seconded by Patty Hoeft. Motion failed with four opposed and one abstention:

Ayes: Ed Delgado, Patty Hoeft
Opposed: Melinda J. Danforth, Tina Danforth, Ron "Tehassi" Hill Jr., Trish King
Abstained: Brandon Stevens
Excused: Rick Hill

3. Resolution Tribal Wildlife Grant U.S. Fish and Wildlife Services

Sponsor: Debbie Thundercloud/Pat Pelky

Motion by Ron "Tehassi" Hill Jr. to approve resolution 08-10-11-B Tribal Wildlife Grant U.S. Fish and Wildlife Services, seconded by Trish King. Motion carried with one abstention:

Ayes: Melinda J. Danforth, Ed Delgado, Patty Hoeft, Ron "Tehassi" Hill Jr., Trish King, Brandon Stevens
Abstained: Tina Danforth
Excused: Rick Hill

XV. Action in open session on items from Executive Session Discussion meeting of Aug. 9, 2011

A. Executive Managers reports

1. New York land claims settlement/negotiations update with Oneida Land Claims Commission

Sponsor: Bill Gollnick

Motion by Patty Hoeft to accept the verbal update from Chairman Rick Hill, seconded by Trish King. Motion carried with two abstentions:

Ayes: Ed Delgado, Patty Hoeft, Ron "Tehassi" Hill Jr., Trish King, Brandon Stevens
Abstained: Melinda J. Danforth, Tina Danforth
Excused: Rick Hill

2. Chief of Staff bi-monthly report - August 2011

Sponsor: Bill Gollnick

Motion by Trish King to accept the written Chief of Staff bi-monthly report, seconded by Patty Hoeft. Motion carried with one abstention:

Ayes: Tina Danforth, Ed Delgado, Patty Hoeft, Ron "Tehassi" Hill Jr., Trish King, Brandon Stevens
Abstained: Melinda J. Danforth
Excused: Rick Hill

3. Chief Counsel report

B. Audit Committee

C. Follow-ups/BC directives

1. Vendor complaint

Sponsor: Tina Danforth

Excerpt from July 27: Motion by Patty Hoeft to send to the treasurer to bring back a recommendation to the Business Committee at the Aug. 10 agenda, seconded by Ed Delgado. Motion carried unanimously.

Motion by Trish King to accept the vendor complaint recommendation, seconded by Ron "Tehassi" Hill Jr. Motion carried with one abstention:

Ayes: Tina Danforth, Ed Delgado, Patty Hoeft, Ron "Tehassi" Hill Jr., Trish King, Brandon Stevens

Abstained: Melinda J. Danforth

Excused: Rick Hill

D. New Business/Requests

1. Oneida Gaming Commission request review hiring freeze status for Oneida Gaming Commission positions

Sponsor: Melinda J. Danforth

Motion by Melinda J. Danforth to defer to JET and for Oneida Gaming Commission to bring back a recommendation at the next BC meeting, seconded by Trish King. Motion carried with one abstention.

Ayes: Melinda J. Danforth, Ed Delgado, Patty Hoeft, Ron "Tehassi" Hill Jr., Trish King, Brandon Stevens

Abstained: Tina Danforth

Excused: Rick Hill

2. Approve M&I Bank wire transfer agreement

Sponsor: Larry Barton

Motion by Tina Danforth to approve M&I Bank wire transfer agreement, seconded by Patty Hoeft. Motion carried with one abstention:

Ayes: Tina Danforth, Ed Delgado, Patty Hoeft, Ron "Tehassi" Hill Jr., Trish King, Brandon Stevens

Abstained: Melinda J. Danforth

Excused: Rick Hill

3. Pardon Resolution – Patrick Mencheski Jr.

Sponsor: Patty Hoeft

Motion by Ed Delgado to accept the recommendation to deny the pardon resolution 08-10-11-C regarding Patrick Mencheski Jr., seconded by Melinda J. Danforth. Motion carried with one abstention:

Ayes: Melinda J. Danforth, Ed Delgado, Patty Hoeft, Ron "Tehassi" Hill Jr., Trish King, Brandon Stevens

Abstained: Tina Danforth

Excused: Rick Hill

4. Pardon Resolution – Douglas Schmidt

Sponsor: Patty Hoeft

Motion by Trish King to accept the recommendation to deny the pardon resolution 08-10-11-D regarding Douglas Schmidt, seconded by Patty Hoeft. Motion carried with two abstentions:

Ayes: Ed Delgado, Patty Hoeft, Ron "Tehassi" Hill Jr., Trish King, Brandon Stevens
Abstained: Melinda J. Danforth, Tina Danforth
Excused: Rick Hill

5. Pardon Resolution – Donald Metoxen Jr.

Sponsor: Patty Hoeft

Motion by Melinda J. Danforth to accept the recommendation to deny the pardon resolution 08-10-11-E regarding Donald Metoxen Jr., seconded by Ed Delgado. Motion carried with one abstention:

Ayes: Melinda J. Danforth, Ed Delgado, Patty Hoeft, Ron "Tehassi" Hill Jr., Trish King, Brandon Stevens
Abstained: Tina Danforth
Excused: Rick Hill

6. Resolution Alcohol beverage license approval

Sponsor: Patty Hoeft/Jack Denny

Motion by Ed Delgado to approve resolution 08-10-11-F Oneida Retail Enterprise Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law, seconded by Patty Hoeft: Motion carried with three opposed:

Ayes: Tina Danforth, Ed Delgado, Patty Hoeft, Trish King
Opposed: Melinda J. Danforth, Brandon Stevens, Ron "Tehassi" Hill Jr.
Excused: Rick Hill
For the record: Melinda J. Danforth stated that when this came up for the BC approval years ago, I was one of the person's that opposed selling alcohol within the reservation boundaries and I knew it was a business decision that was made on behalf of the BC but I still stand behind our youth who actually came forward to the GTC at the time and asked for the committee not to approve this, based upon the alcoholism that our people suffer from on this reservation. So for the record I oppose this motion.
For the record: Ed Delgado stated that he supports this; studies have shown that those reservations who are dry do not affect the decrease to the amount of alcoholism on the reservation; it just formulates new patterns of drinking.

E. Additions

1. Reactivate Tribal credit card – moved to Executive Session

Sponsor: Brandon Stevens

Motion by Trish King to reinstate the Tribal credit card, seconded by Ed Delgado. Motion carried with one opposed and two abstentions:

Ayes: Ed Delgado, Patty Hoeft, Ron "Tehassi" Hill Jr., Trish King
Opposed: Tina Danforth
Abstained: Melinda J. Danforth, Brandon Stevens
Excused: Rick Hill
For the record: Tina Danforth stated that her opposition to reinstate the tribal credit card for councilman Stevens, because we are in the process of developing new policies that will hold people accountable to their expenditures on

Tribal credit card. We have given the individual ample time to reconcile with the credit card; it was not done, so we had to take it upon ourselves to retrieve those funds and that is my statement for the record.

XVI. Adjourn

Motion by Patty Hoeft to adjourn at 10:08 a.m., seconded by Trish King. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Ed Delgado, Patty Hoeft, Ron "Tehassi" Hill Jr., Trish King, Brandon Stevens

Excused: Rick Hill

Minutes Approved as presented/corrected on Sept. 14, 2011.



Patricia Hoeft, Tribal Secretary
ONEIDA BUSINESS COMMITTEE

