



# Oneida Business Committee

## Regular Meeting

9 a.m. Wednesday, Sept. 11, 2013

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

## Minutes

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**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:** Stacie Depas, Michelle Giese, Ted Hawk, Geraldine Danforth, Dr. Ravinder Vir, Debbie Danforth, Bonnie Reiter, Arlie Doxtator, Pearl McLester, Lois Strong, Carol Elm, Apache Danforth, Ralinda Ninham Lamberies, Michelle Mays, Janice Hirth, Rhiannon Metoxen, Tom Danforth, Mark Powless Sr., Paul Witek, Chris J. Cornelius, Gerald L. Hill, Chaz Wheelock, Barb Skenandore

I. **Call to Order and Roll Call** by Chairman Ed Delgado at 9:05 a.m.

II. **Opening** by Chairman Ed Delgado

A. **Special Recognition – Years of Service:** **35 years**-Mary E. Sheedy; **30 years**-Debra J. Danforth, Laura L. House, Bonnie Reiter; **25 years**-Michelle A. Giese, Shane O. John, April Skenandore

III. **Approve the agenda**

Motion by Paul Ninham to approve the agenda with the noted changes: two additions in executive session 1. Proposed temporary wage increase for Internal Services Director 2. Extension of Interim Division of Land Management Director additional duties, seconded by Greg Matson. Motion carried unanimously:

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

Not present: Tina Danforth

IV. **Oaths of Office** administered by Secretary Patty Hoeft

1. **Environmental Resource Board** – Ted Hawk

V. **Minutes to be approved**

1. **Aug. 28, 2013 regular meeting minutes**

Motion by Paul Ninham to approve the Aug. 28, 2013 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, Greg Matson

VI. **Resolutions**

VII. **Reports**

1. **New York land claim settlement monthly report** – Ed Delgado **No Action**

2. **Comprehensive Health Division** – Dr. Vir/Debra Danforth

Motion by David Jordan to accept the Comprehensive Health Division report, 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

VIII. **Boards, Committees and Commissions**

A. **Appointments**

B. **Quarterly reports**

1. **Oneida Airport Hotel Corporation Board** – Janice Skenandore-Hirth, Chairwoman

**Excerpt from Aug. 28, 2013:** Motion by Tina Danforth to defer the Oneida Airport Hotel Corporation Board quarterly report to the next Business Committee meeting, seconded by Brandon Stevens. Motion carried unanimously.

Motion by David Jordan to accept the Oneida Airport Hotel Corporation Board 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, Ed Delgado

**2. Oneida Golf Enterprises – Janice Skenandore-Hirth, Agent**

*Excerpt from Aug. 28, 2013: Motion by Patty Hoeft to defer the Oneida Golf Enterprises quarterly report to the next Business Committee meeting, seconded by Paul Ninham. Motion carried unanimously.*

Motion by David Jordan to accept the Oneida Golf Enterprises 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, Ed Delgado

**3. Child Protective Board – Lois Strong, Chairwoman**

Motion by Paul Ninham to accept the Child Protective Board quarterly report, seconded by David Jordan. Motion carried unanimously:

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

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

Motion by David Jordan to accept the Anna John Nursing Home Commission quarterly report, seconded by Brandon Stevens. Motion carried unanimously:

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

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

Motion by Paul Ninham to accept the Oneida Nation Commission on Aging quarterly report, seconded by Greg Matson. Motion carried unanimously:

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

**IX. Standing Committees**

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

**1. Violence against Women Act (VAWA) tribal pilot project/internal work group**

*Excerpt from July 24, 2013: Motion by Brandon Stevens to designate Brandon Stevens to establish an internal work group and bring back recommendations to the BC to the first meeting in September, seconded by Greg Matson. Motion carried unanimously.*

Motion by Brandon Stevens to defer VAWA tribal pilot project/internal work group until Oct. 9, 2013, seconded by Paul Ninham. Motion carried unanimously:

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

**2. Forward General Tribal Council Meetings Law resolution to GTC for consideration**

*Excerpt from Aug. 28, 2013: Motion by Patty Hoeft to defer the proposed General Tribal Council Meetings Law resolution to the next Business Committee meeting, seconded by Paul Ninham. Motion carried with two abstentions.*

Motion by Paul Ninham to refer General Tribal Council Meetings Law resolution back to the LOC until a draft is ready, seconded by Vince DelaRosa. Motion carried with one abstention:

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

**3. Adopt resolution: Setting the Interest Rate Pursuant to the Small Business Loans Law**

Motion by Vince DelaRosa to adopt resolution 09-11-13-A Adoption of Interest Rate Pursuant to the Small Business Loans Law, seconded by Brandon Stevens. Motion carried with one abstention and one opposed:

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

#### **4. Aug. 21, 2013 meeting minutes**

Motion by Patty Hoeft to accept Aug. 21, 2013 meeting minutes, seconded by David Jordan. Motion carried unanimously:

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

Not present: Tina Danforth

#### **B. Finance Committee – Treasurer Tina Danforth, Chairwoman**

##### **1. Minutes Sept. 6, 2013**

Motion by David Jordan to accept Sept. 6, 2013 Finance Committee meeting minutes, seconded by Vince DelaRosa. Motion carried unanimously:

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

Not present: Tina Danforth

#### **C. Community Development Planning Committee – Vince DelaRosa, Chairman**

##### **1. Minutes Aug. 5, 2013**

Motion by David Jordan to accept Aug. 5, 2013 CDPC meeting minutes, seconded by Paul Ninham. Motion carried unanimously:

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

Not present: Tina Danforth

##### **2. Approve procedural exception to establish set-aside FY2014 CDPC budget supporting Food Hub initiative, central Oneida area development planning, and economic development summit**

Motion by Greg Matson to approve procedural exception to establish set-aside FY2014 CDPC budget supporting Food Hub initiative, central Oneida area development planning, and economic development summit, seconded by Paul Ninham. Motion carried unanimously:

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

Not present: Tina Danforth

#### **D. Quality of Life – Paul Ninham, Chairman**

##### **X. General Tribal Council**

##### **1. Schedule special GTC meeting 10 a.m. Saturday, Oct. 12, 2013: Petition for Removal of Tribal Chairman**

Motion by Paul Ninham to cancel the Saturday, Oct. 12, 2013 special GTC meeting date, 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

##### **2. Schedule special GTC meeting 1 p.m. Sunday, Oct. 27, 2013 to approve semi-annual report, 3 petitions, 2 referendum questions**

- a. Approve semi-annual reports
- b. Petition to dissolve Milwaukee polling site
- c. Petition to examine SEOTS facility/building
- d. Petition requiring Oneidas to hold all supervisory jobs
- e. Referendum requiring salaried workers to punch in
- f. Referendum requiring management contracts for all management

Motion by Patty Hoeft to set the next special GTC meeting to address the 6 items listed on this agenda for 1 p.m. Sunday, Oct. 27, 2013 at the Radisson Hotel and Conference Center, seconded by David Jordan. Motion carried unanimously:

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

Not present: Tina Danforth

##### **3. Schedule special GTC meeting 1 p.m. Sunday, Nov. 17 for 2 petitions, 2 referendum questions**

- a. Petition to require Tribe to pay all real estate taxes
- b. Petition to prohibit publication petition signatures in GTC meeting packet mailouts and allow petitioners to answer questions at GTC meetings
- c. Referendum to include names in audit reports
- d. Referendum that land use plan approved by GTC

Motion by Patty Hoeft to set the special GTC meeting to address the 4 items listed on this agenda for 1 p.m. Sunday, Nov. 17, 2013 at the Radisson Hotel and Conference Center, seconded by Paul Ninham. Motion carried unanimously:

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

Not present: Tina Danforth

**4. Schedule special GTC meeting 1 p.m. Sunday, Dec. 15, 2013: Petition to dissolve Oneida Seven Generations Corporation**

Motion by Patty Hoeft to set the special GTC meeting to address the petition to dissolve the Oneida Seven Generations Corporation for 1 p.m. Sunday, Dec. 15, 2013 at the Radisson Hotel and Conference Center, seconded by David Jordan. Motion carried unanimously:

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

Not present: Tina Danforth

**XI. Unfinished Business**

**XII. New Business/Requests**

**1. Approve Oneida Judiciary Center CIP packet #97-001**

Sponsor: Butch Rentmeester

Motion by Paul Ninham to approve the Oneida Judiciary Center CIP packet #97-001, 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, Ed Delgado

**2. E-poll: Retro-approve GLI contract funding into FY2014 period**

Sponsor: Shirley Hill, Gaming Commission chairwoman

Motion by Patty Hoeft to reaffirm the Business Committee action to set aside dollars from 2013-2014 so that the Gaming Commission can continue paying out the services for this project and the vendor's called GLI, 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

**XIII. Travel**

**A. Travel Reports**

**B. Travel Requests**

**1. Retro-approve Indian Summerfest Meet & Greet event, Sept. 6-7, 2013, Milwaukee, WI**

Sponsor: Ed Delgado

Motion by Patty Hoeft to retro-approve travel to Indian Summerfest Meet & Greet event, Sept. 6-7, 2013, Milwaukee, WI, 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

**2. Oneida Nation Child Support Agency: Procedural exception 5 staff to Western Interstate Child Support Enforcement Conference, Oct. 20-24, 2013, Kansas City, MO**

Sponsor: Don White

Motion by Melinda J. Danforth to approve the procedural exception for 5 staff to travel to Western Interstate Child Support Enforcement Conference, Oct. 20-24, 2013, Kansas City, MO, seconded by Paul Ninham. Motion carried with one abstention:

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

Abstained: Patty Hoeft

Not present: Tina Danforth, Ed Delgado

**3. National Congress American Indians (NCAI) national convention, Oct. 13-18, 2013, Tulsa, OK**

Sponsor: Patty Hoeft/Brandon Stevens

Motion by Paul Ninham to approve travel to NCAI national convention, Oct. 13-18, 2013, Tulsa, OK, 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

**4. Native Nations Institute, International Advisory board meeting, Nov. 6-9, 2013, Tucson, AZ**

Sponsor: Patty Hoeft

Motion by David Jordan to approve travel to Native Nations Institute, International Advisory board meeting, Nov. 6-9, 2013, Tucson, AZ, seconded by Melinda J. Danforth. Motion carried unanimously:

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

Not present: Tina Danforth, Ed Delgado

**5. Haskell Board of Regents Meeting, Oct. 9-10, 2013, Lawrence, KS**

Sponsor: Brandon Stevens

Motion by Paul Ninham to approve travel to Haskell Board of Regents Meeting, Oct. 9-10, 2013, Lawrence, KS, 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

**XIV. Additions**

**XV. Action in open session on items from Executive Session Discussion meeting of Sept. 10, 2013**

**A. Reports**

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

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

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

Abstained: Brandon Stevens

Not present: Tina Danforth, Ed Delgado

**a. Approve limited waiver of sovereign immunity for Lexis-Nexis contract #2013-1081**

Motion by Melinda J. Danforth to approve the limited waiver of sovereign immunity for the Lexis-Nexis contract #2013-1081, seconded by Paul Ninham. Motion carried with one abstention:

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

Abstained: Brandon Stevens

Not present: Tina Danforth, Ed Delgado

**b. E-poll: Retro-approve limited waiver of sovereign immunity for releasing personal information from Behavioral Health Program as requested under court order in case # 13 CF 955**

Motion by Melinda J. Danforth to retro-approve limited waiver of sovereign immunity for releasing personal information from Behavioral Health Program as requested under court order in case #13 CF 955, seconded by Paul Ninham. Motion carried with one abstention:

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

Abstained: Brandon Stevens

Not present: Tina Danforth, Ed Delgado

**2. Chief Financial Officer bi-monthly report – Larry Barton**

*Excerpt from Aug. 28, 2013: Motion by Patty Hoeft to defer the Chief Financial Officer bi-monthly report to the next Business Committee meeting, seconded by Paul Ninham. Motion carried unanimously.*

Motion by Patty Hoeft to defer the Chief Financial Officer bi-monthly to the next Business Committee meeting, seconded by Paul Ninham. Motion carried with one abstention:

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

Abstained: Brandon Stevens

Not present: Tina Danforth, Ed Delgado

**3. Oneida Airport Hotel Corporation Board – Janice Skenandore-Hirth, Chairwoman**

*Excerpt from Aug. 28, 2013: Motion by Brandon Stevens to defer the Oneida Airport Hotel Corporation Board report to the next Business Committee meeting, seconded by Paul Ninham. Motion carried unanimously.*

Motion by Paul Ninham to approve the Oneida Airport Hotel Corporation Board report, seconded by Vince DelaRosa. Motion carried with two abstentions:

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

Abstained: Patty Hoeft, Brandon Stevens

Not present: Tina Danforth, Ed Delgado

**4. Oneida Golf Enterprises – Janice Skenandore-Hirth, Agent**

*Excerpt from Aug. 28, 2013: Motion by David Jordan to defer the Oneida Golf Enterprises report to the next Business Committee meeting, seconded by Patty Hoeft. Motion carried unanimously.*

Motion by Patty Hoeft to approve the Oneida Golf Enterprises report, seconded by Paul Ninham. Motion carried with one abstention:

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

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

**C. Unfinished Business/BC directives**

**D. New Business/Requests**

**1. E-poll: Retro-approve clarification that selling crops on the open market without a long-term contract to lock in future sales does not violate BC 3-14-12 action prohibiting contracting with TidyView**

Sponsor: Joanie Buckley, Interim Enterprise Division director

Motion by Patty Hoeft to retro-approve clarification that selling crops on the open market without a long-term contract to lock in future sales does not violate BC 3-14-12 action prohibiting contracting with TidyView, seconded by Paul Ninham. Motion carried with two opposed:

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

**2. Lay Advocate training presentation and contract proposal**

Sponsor: Ed Delgado

Motion by Patty Hoeft to delete this item from agenda, seconded by Melinda J. Danforth. 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 that the Chairman made a request to delete this item from the agenda because there was no backup.

**E. Additions**

**1. Temporary wage increase for the Internal Services Division Director for assuming responsibilities of the Enterprise Division (Printing and the Farm)**

Sponsor: Ed Delgado

Motion by Paul Ninham to approve 15% wage increase for the Internal Services Division Director and that it will be retro-active to the start date, seconded by Vince DelaRosa. Motion carried with two opposed:

Ayes: Vince DelaRosa, Patty Hoeft, Paul Ninham, Brandon Stevens  
Opposed: Melinda J. Danforth, David Jordan  
Not present: Tina Danforth, Ed Delgado  
For the record: Vince DelaRosa stated just so the Committee's interest in this particular issue is clear for the membership, we did have a discussion about this matter early on. We had several discussions about the nature of the increase. Obviously a standard here has been 15%, so that's the reason I support this. There have been additional duties and there's a lot of demand from those perspectives of those additional duties. It's not that we just overlooked the fact that we needed to do this or consider it but we just needed to properly follow up and make a final decision and that's what we've done today.  
For the record: Melinda J. Danforth stated the request at the table to consider a request to increase an employee's pay for additional duties and given the circumstances and looking at across the board at the responsibilities of all the Division Directors I didn't feel that this increase was needed at this time. I felt that the Director was getting paid appropriately and could incur the additional duties without an increase in pay at this time.

**2. Extension of additional duties for Interim Division of Land Management Director, Pat Pelky**

Sponsor: Ed Delgado

Motion by David Jordan to extend the additional duties for the Interim Division of Land Management Director for six months and to have the Business Committee come back with recommendations in a work meeting, before that six months is up, 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

XVI. Adjourn

Motion by David Jordan to adjourn at 11:25 a.m., 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

Minutes prepared by Danelle Wilson, Executive Tribal Clerk

Minutes approved as presented/corrected on Sept. 25, 2013.



Patricia Hoeft, Tribal Secretary  
ONEIDA BUSINESS COMMITTEE