



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

# Oneida Tribe of Indians of Wisconsin BUSINESS COMMITTEE



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 SEPTEMBER 12, 2007 Business Committee Conference Room

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

**Excused:**

**Others Present:** Pat Cornelius, Barb Skenandore, Barb Dickson, Bruce Rentmeister, Kitty Melchert, Wanda Diemel, Scott Cottrell, Brenda John Stevens, Michele Hill, Peril Huff, Cathy Bachhuber, Julie Denny Wendy Charnon, Racquel Hill, Twilight Moore, Pat Stenzel, Winifred Thomas

**Opening Prayer:** Richard Baird

**Special Recognitions:** Presentation of gift from the Mayor of Sacramento, CA - by Melinda J. Danforth

1. Call to Order by Gerald Danforth @ 9:10
2. Oath of Office - None
3. Approval of the Agenda
  - a. Additions

To Travel Request

1. Kathy Hughes RE: Kagen Fundrasier

To Request # 7

Patty Hoeft RE: Appoint a Business Committee member to the Audit Committee as an Ad Hoc member

**c. Moves**

From Request #2 HUD Office of Inspector General Request for internal audit reports to Executive Session #5

**Action:** Motion by Kathy Hughes to approve the agenda, seconded by Vince DelaRosa. Motion carried unanimously.

**4. Minutes to be Approved**

Regular Oneida Business Committee Minutes of August 15, 2007

**Excerpt from August 29, 2007:** Motion by Mercie Danforth to defer the August 15, 2007 minutes to the next Oneida Business Committee Meeting, seconded by Kathy Hughes. Motion carried unanimously.

**Action:** Motion by Ed Delgado to approve the August 15, 2007 minutes, seconded by Vince DelaRosa. For: Ed Delgado, Vince DelaRosa, Trish King, Kathy Hughes, Mercie Danforth, Patty Hoeft. Abstained: Paul Ninham, Melinda J. Danforth. Motion carried.

Regular Oneida Business Committee Minutes of August 29, 2007

**Action:** Motion by Mercie Danforth to table the August 29, 2007 minutes, seconded by Kathy Hughes. Motion carried unanimously.

**5. Tabled Business - None**

**6. Reports - None**

**7. Travel Reports**

1. Kathy Hughes RE: GLITC Meeting

**Action:** Motion by Paul Ninham to approve the recommendations to direct Legislative Affairs office for point of contact for hosting the Consultation Session with the Department of Revenue and WHEDA, seconded by Vince DelaRosa. Motion

carried unanimously.

Motion by Melinda J. Danforth to approve the travel report, seconded by Paul Ninham. For: Melinda J. Danforth, Paul Ninham, Trish King, Vince DelaRosa, Mercie Danforth, Ed Delgado, Patty Hoeft. Abstained: Kathy Hughes. Motion carried.

## **8. Follow up Reports/BC Directives from Previous Meetings**

1. Vince DelaRosa, Scott Wilson RE: Draft emergency resolution describing how one time special per capita payment will be processed

**Excerpt from August 29, 2007:** Motion by Patty Hoeft to request the LOC to Draft an emergency resolution describing how the August 11, 2007 one time special per capita payment will be processed in order to meet the deadlines and be brought back to the next Oneida Business Committee meeting, seconded by Vince DelaRosa. Motion carried. For: Kathy Hughes, Patty Hoeft, Vince DelaRosa, Melinda J. Danforth, Paul Ninham. Opposed: Ed Delgado, Mercie Danforth. Abstained: Trish King. Motion carried.

**Action:** Motion by Paul Ninham to defer this item to the end of our regular session items, seconded by Patty Hoeft. Motion carried unanimously.

Recessed @ 10:10 a.m. until 10:20 a.m.

**Action:** Motion by Kathy Hughes to support Option Two, with 4<sup>th</sup> whereas inclusion of terminology "this is a one time per capita payment," seconded by Patty Hoeft. For: Kathy Hughes, Patty Hoeft. Opposed: Trish King, Melinda J. Danforth, Mercie Danforth, Vince DelaRosa, Paul Ninham. Abstained: Ed Delgado. Motion failed.

For the Record, Ed Delgado stated he opposed because he believed it would be a conflict of interest for him to support this because it would include a per capita payment of an extra \$5,000 for him in 2008.

For the Record, Vince DelaRosa opposed Option Two because he knew that the Chair stated numerous times to GTC during the August 11, 2007 GTC meeting that the current Per Capita Ordinance applied and he felt Option One did that more favorably.

For the Record, Paul Ninham stated that he would have preferred to take this issue back to GTC. They had two options in front of them and he wasn't in favor of Option Two.

**Action:** Motion by Patty Hoeft to recess until 1:45 p.m., seconded by Ed Delgado. Motion carried unanimously.

Back in Regular session @ 1:56 p.m.

**Action:** Motion by Ed Delgado that the new Option One proposal be directed to LRO for refinement and brought back to the September 18, 2007 Special Business Committee meeting, seconded by Vince DelaRosa. For: Patty Hoeft, Ed Delgado, Mercie Danforth, Vince DelaRosa. Opposed: Kathy Hughes, Melinda J. Danforth, Trish King, Paul Ninham. Tied. Chair voted in favor of opposition. Motion failed.

Motion by Vince DelaRosa to have a new Option One be brought back at the end of the agenda, seconded by Ed Delgado. For: Vince DelaRosa, Ed Delgado, Paul Ninham, Melinda J. Danforth, Kathy Hughes, Mercie Danforth, Patty Hoeft. Abstained: Trish King. Motion carried.

Into Executive Session @ 2:10 p.m.

**Action:** Motion by Paul Ninham to go back into regular session @ 4:20 p.m., seconded by Kathy Hughes. Motion carried unanimously.

Mercie Danforth left at 5:30 p.m. due to another commitment.

**Action:** Motion by Ed Delgado to adopt Resolution 9-12-07-A, for the Per Capita Ordinance and the \$5,000 and \$10,000 Per Capita payments approved by the General Tribal Council, seconded by Kathy Hughes. For: Ed Delgado, Kathy Hughes, Patty Hoeft. Vince DelaRosa. Opposed: Melinda J. Danforth, Trish King, Paul Ninham. Motion carried.

For the record Trish King stated she was opposed to this motion for the following reasons, first hindsight is 20/20, and with that said, I believe GTC may have acted outside its scope of authority as the original petition for this per capita payment was to develop a \$5,000 - \$10,000 per capita payment for fiscal year 2008. This petition did not request GTC to authorize a payment, therefore all GTC members were not accurately informed of the purpose of the meeting. Secondly, although I appreciate the hard work of the committee and staff to meet the GTC August 11, 2007 action, we are undoubtedly, although not intentionally, eliminating or harming individuals who may or may not be eligible for the payment. Regardless of what we do, we cannot satisfactorily meet the requirements of the law or be fair to all enrolled members. Finally, I feel that I am being forced to negate my sworn promises taken at my oath of office in order to meet the directives of the GTC.

For the Record, Melinda J. Danforth stated as an elected official her Oath of Office stipulates she must comply with GTC directives as well as uphold the laws and regulations of the tribe. Unfortunately at this time, these two concepts are conflicting. I stand opposed to the current proposal due to the unresolved legal issues surrounding this decision.

For the Record, Paul Ninham felt they should have gone back to GTC and implemented the Oneida Per Capita Ordinance.

**9. New Business**

**a. Resolutions - None**

Back in regular session @ 10:25 a.m.

**b. Requests**

1. Debbie Thundercloud, RE: Requesting approval of MOA with IHS for  
Scott Cottrell Rolling Hills Water Main Extension, CIP #06-009,  
LHS #BE-07-F42.

**Action:** Motion by Ed Delgado to approve the MOA with IHS for Rolling Hills Water Main extension CIP #06-009, LHS #BE 07-F42 to prepared for the Chair's signature, seconded by Paul Ninham. Motion carried unanimously.

2. Patty Hoeft RE: HUD Office of Inspector General request for  
internal audit reports

Moved to Executive Session New Business # 5

3. Shirley Hill RE: Request to post one (1) vacant position for the  
Oneida Gaming Commission for the unexpired  
term of Cristina Danforth

**Action:** Motion by Kathy Hughes to approve posting one vacant position for the Oneida Gaming Commission for the unexpired term of Cristina Danforth, seconded by Melinda J. Danforth. Motion carried unanimously.

4. Land Claims Commission RE: Request to post two (2) vacant positions for the  
Oneida Land Claims Commission

**Action:** Motion by Kathy Hughes to table the request to post two vacant positions for the Oneida Land Claims Commission, seconded by Paul Ninham. Motion carried unanimously.

5. Mercie Danforth RE: Per Capita Recommendations

**Action:** Motion by Ed Delgado to approve Option One: Distribution from investments, operations along with sustaining current debt levels with no new debt for FY08, seconded by Kathy Hughes. For: Ed Delgado, Kathy Hughes, Paul Ninham, Mercie

Danforth. Opposed: Melinda J. Danforth, Trish King, Vince DelaRosa, Patty Hoeft.  
Tied vote, Chair voted in favor of motion. Motion carried.

6. Patty Hoeft RE: Special GTC Meeting Petition Dates

**Action:** Motion by Kathy Hughes to approve the Saturday November 3, 2007 for a Special GTC meeting date, seconded by Paul Ninham. For: Kathy Hughes, Paul Ninham, Trish King, Melinda J. Danforth, Vince DelaRosa, Ed Delgado, Patty Hoeft. Opposed: Mercie Danforth. Motion carried.

**Action:** Motion by Mercie Danforth to accept the Saturday October 6, 2007 date for the FY08 budget, seconded by Kathy Hughes. Motion carried unanimously.

**Action:** Motion by Kathy Hughes to scheduled a Special Business Committee meeting for September 18, 2007 at 10:00 a.m to review the FY08 budget, seconded by Paul Ninham. Motion carried unanimously.

7. Patty Hoeft RE: Appoint a Business Committee member to the Audit Committee as an Ad Hoc member until the Oneida Housing Authority Audit is complete

**Action:** Motion by Vince DelaRosa to approve appointing Trish King to the Audit Committee as an Ad Hoc member until the Oneida Housing Authority Audit is complete, seconded by Paul Ninham. For: Vince DelaRosa, Paul Ninham, Kathy Hughes, Melinda J. Danforth, Mercie Danforth, Ed Delgado, Patty Hoeft. Abstained: Trish King abstained. Motion carried.

**c. Travel Requests,**

1. Kathy Hughes RE: Kagen Fundrasier - Washington, DC October 3, 2007

**Action:** Motion by Ed Delgado to approve the travel request to the Senator Kagen event, seconded by Paul Ninham. For: Ed Delgado, Paul Ninham, Trish King, Vince DelaRosa, Melinda J. Danforth, Mercie Danforth, Patty Hoeft. Abstained: Kathy Hughes. Motion carried.

10. Finance Committee - None

11. Legislative Operating Committee ( LOC) - None

12. Treasurer's Report - None

13. Oneida Business Committee Planning -None

#### **14. Executive Staff Meeting**

Executive Staff Minutes of August 2, 2007

**Excerpt from August 29, 2007:** Motion by Patty Hoeft to defer the Executive Staff minutes of August 2, 2007 to the next Business Committee meeting, seconded by Ed Delgado. Motion carried unanimously.

**Action:** Motion by Patty Hoeft to accept the August 2, 2007 Executive Staff minutes with inclusion of when Melinda J. Danforth left the meeting during the first presentation and correction to the spelling of consultant name, seconded by Melinda J. Danforth. Motion carried unanimously.

#### **15. Legislative Affairs Update**

##### 1. Follow ups:

a. Recommendation re: Mascot Bill & Indian Child Welfare Act Update

**Action:** Motion by Ed Delgado to support the recommendation on the Mascot Bill to register in support of all three bills, seconded by Patty Hoeft. Motion carried unanimously.

b. Federal Legislative Issues in Indian Country

**Action:** Motion by Patty Hoeft to accept the Federal Legislative Issues report, seconded by Vince DelaRosa. Motion carried unanimously.

##### 2. IHCIA Letter of Support

**Action:** Motion by Kathy Hughes to approve the Chair signing letter of support for Indian Health Care Improvement Act (IHCIA), seconded by Vince DelaRosa. Motion carried unanimously.

##### 3. Section 20 Indian Gaming Regulatory Act Update - FYI

##### 4. Local, County & Municipal Report

a. Resolution supporting Economic Development Practices guidelines for Brown County Communities

b. Village of Hobart 2008 Budget tentative Workshop schedule

c. 2007 Assembly Bill438 (reducing number of counties)

d. Resolution #33-2007-08 (Response to AB438)

**Action:** Motion by Patty Hoeft to accept the local, county municipal report, seconded by Vince DelaRosa. For: Patty Hoeft, Vince DelaRosa, Paul Ninham, Trish King, Kathy Hughes, Melinda J. Danforth, Ed Delgado. Abstained: Mercie Danforth. Motion carried.

**16. Executive Session**

**a. Tabled Business - None**

**b. Old Business - None**

**c. New Business**

1. Mercie Danforth RE: Chief Financial Officer Contract

**Action:** Motion by Paul Ninham to approve the Chief Financial Officer Contract, seconded by Ed Delgado. Motion carried unanimously.

2. David Webster RE: Robert D. Sweeney Contract

**Action:** Motion by Ed Delgado to approve the Robert D. Sweeney Attorney Contract, seconded by Vince DelaRosa. Motion carried unanimously.

3. David Webster RE: Gerbers Law Office Contract

**Action:** Motion by Kathy Hughes to approve the Gerbers Law Office contract, seconded by Vince DelaRosa. Motion carried unanimously.

4. Jo Anne House RE: Westlaw Contract

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

5. Patty Hoeft RE: HUD Office of Inspector General request for internal audit reports

**Action:** Motion by Patty Hoeft to defer this item to the Special Business Committee meeting of September 18, 2007, at 10:00 a.m. with a letter drafted for that meeting to be sent to HUD, seconded by seconded by Ed Delgado. For: Patty Hoeft, Ed Delgado, Trish King, Melinda J. Danforth, Paul Ninham. Abstained: Kathy Hughes, Vince DelaRosa. Motion carried..

**d. Legislative Affairs Update - None**

**e. Attorney Brief**

1. Attorney Robert Orcutt Contract

**Action:** Motion by Kathy Hughes to approve the Robert Orcutt attorney contract, seconded by Paul Ninham. Motion carried unanimously.

2. File claim on behalf of the Tribe

**Action:** Motion by Ed Delgado to approve the Oneida Law Office to file a claim on behalf of the Oneida Tribe should it be determined that the lessee will not make the required payments, seconded by Paul Ninham. Motion carried unanimously.

4. TimeMatters Contract

**Action:** Motion by Kathy Hughes to approve the TimeMatters contract, seconded by Ed Delgado. Motion carried unanimously.

5. McGladrey & Pullen, LLP Auditing contract

**Action:** Motion by Kathy Hughes to approve the McGladrey & Pullen auditing contract for the Oneida Housing Authority, seconded by Paul Ninham. Motion carried unanimously.

**Action:** Motion by Kathy Hughes to direct the Chief of Staff to follow up with the Department of Revenue, seconded Vince DelaRosa. Motion carried unanimously.

**f. Audit Committee**

1. July 26, 2007 Minutes

**Action:** Motion by Patty Hoeft to approve the July 26, 2007 Audit Committee minutes, seconded by Paul Ninham. Motion carried unanimously.

2. August 8, 2007 Minutes

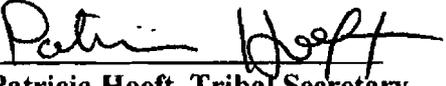
**Action:** Motion by Paul Ninham to approve the August 8, 2007 Audit Committee minutes, seconded by Patty Hoeft. Motion carried unanimously.

**g. Oneida Enterprise Development Authority - None**

**Adjourn @ 5:55 p.m.**

**Action:** Motion by Paul Ninham to adjourn, seconded by Ed Delgado. Motion carried unanimously.

**Minutes Approved as presented/corrected on October 10, 2007.**

  
Patricia Hoelt, Tribal Secretary  
**ONEIDA BUSINESS COMMITTEE**