



Oneida Business Committee

Regular Meeting

9 a.m. Wednesday, September 14, 2011
BC Conference Room, 2nd floor, Norbert Hill Center

Minutes

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

Others present: Barbara Skenandore, Kitty Melchert, RC Metoxen, Virginia Peltier, Jill Jordan, Dianne McLester-Heim, Elaine Doxtator, Patrick Stensloff, Barb Dickenson, David G. Skenandore Jr., Dan Emerson, Carol Silva, Jeanette Ninham, Marj. E. Stevens, Celine Elm, Fred Muscavitch, Debbie Danforth, Judi Skenandore, Lorna Skenandore, Nate Wisneski, Linda S. Dallas, Mary Graves, Lance Hill, Linda Glaser, Dan W. Skenandore, Ken Hill, Lisa Behringer, Geraldine Danforth, Lloyd Zeise, Garon Smith, Jill Martus-Ninham, Kerry Brunette, Ernie Stevens III, Michele Doxtator, Lois Strong, Cathy Bachhuber, Tehassi Hill, Nicole House

Years of Service Recognition

- 25 years:** Sylvia E. Blasczyk, Kendall J. Barton-**present**, Gail M. Danforth, Colleen M. Cottrell, Bridget E. John, Lori S. Hill
- 30 years:** Lisa M. Behringer-**present**, Cecilia M. Cornelius, Allan J. Doxtator, Jeffrey J. Doxtator, Jean A. Metoxen-**present**, Yvette M. Peguero-**present**
- 35 years:** Cheryl Vandenberg

Volunteer Recognition from Oneida Child Protective Board

Vern and Lynn Doxtator for years of community services as foster parents for our children

- I. Call to Order and Roll Call** by Chairman Ed Delgado at 9:06 a.m.
- II. Opening** by Chairman Ed Delgado
- III. Approve the agenda**

Motion by Vince Delarosa to approve the agenda with the following additions and changes 1) travel request to Minnesota Sept. 19-20 for Chairman Delgado to Indian Land Tenure meeting 2) WI Veterans Affairs sponsorship request for Oct. 8 possible LZ Lambeau reunion 3) additions to executive session; employee protection matter sponsored by Chairman Delgado 4) status of personnel action sponsored by Councilwoman Melinda J. Danforth 5) move Sovereign Finance contract from open session to closed session 6) move New Business request to create a subcommittee to review ORCCC

construction costs to top of agenda followed by item regarding blackjack dealer wages, seconded by Brandon Stevens. Motion carried unanimously:

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

IV. Oaths of Office

V. Minutes to be approved

1. Aug. 10 Business Committee meeting minutes

Motion by Melinda J. Danforth to approve the Aug. 10 Business Committee meeting minutes, seconded by Paul Ninham. Motion carried unanimously:

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

2. Aug. 11 Special Business Committee meeting minutes

Motion by Melinda J. Danforth to approve the Aug. 11 Special Business Committee meeting minutes, seconded by Tina Danforth. Motion carried unanimously:

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

3. Aug. 16 Special Business Committee meeting minutes

Motion by Melinda J. Danforth to approve the Aug. 16 Special Business Committee meeting minutes, seconded by Paul Ninham. Motion carried unanimously:

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

VI. Resolutions

1. Rescind BC 5-14-08-B BC Fee-to- Trust resolution for former Robert L. Peterson a/k/a Robert C. Peterson and Sharon Peterson property

Sponsor: Debbie Thundercloud

Motion by Vince DelaRosa to adopt the resolution BC 09-14-11-A to rescind the fee-to-trust resolution dated BC 5-14-08-B former Rob L. Peterson a/k/a Robert C. Peterson and Sharon Peterson property, seconded by Paul Ninham. Motion carried unanimously:

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

Excused: Ed Delgado

2. Designate Oneida representatives to EPA Region 5 Region Tribal Operations Committee (RTOC)

Sponsor: Ed Delgado

Motion by Vince DelaRosa to adopt the resolution BC 09-14-11-B that designates Councilwoman Melinda J. Danforth as a representative and Councilman Paul Ninham and Jeff Mears, area manager of environmental; to serve as alternatives, seconded by Melinda J. Danforth. Motion carried unanimously:

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

Amendment to main motion by Melinda J. Danforth to correct a number a grammatical errors and typos in the resolution, seconded by Patty Hoeft. Motion carried unanimously:

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

3. Designate National Congress of American Indians (NCAI) 2011-2014 delegates and alternates

Sponsor: Ed Delgado

Motion by Paul Ninham to adopt the resolution 09-14-11-C Designate National Congress of American Indians 2011-2014 delegates and alternates, seconded by Brandon Stevens. Motion carried unanimously:

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

4. Designate National Indian Gaming Association (NIGA) 2011-2013 delegates and alternates

Sponsor: Ed Delgado

Motion by Patty Hoeft to adopt the resolution 09-14-11-D to designate for the 2011-2014 season, the delegates to the National Indian Gaming Association (NIGA) with Chairman Ed Delgado being the delegate and as alternates; Vice Chairman Greg Matson, Secretary Patricia Hoeft, Tribal Treasurer Cristina Danforth; Council members Melinda J. Danforth, Brandon Stevens, David Jordan, Paul Ninham, Vince DelaRosa and Ernie Stevens Jr. as the Oneida Tribe's alternate, seconded by Paul Ninham. Motion carried with two abstentions:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan,
Paul Ninham
Abstained: Tina Danforth, Brandon Stevens
Excused: Ed Delgado
For the record: Tina Danforth stated that her name is spelt wrong, so if it could be changed for the record, there is no 'h' in Cristina. Why is Ernie Stevens Jr. an alternate delegate to NIGA that has not been a past practice of ours?

5. Recommend Tamara Vanschyndel and Lorna Skenandore to National Indian Gaming Commission (NIGC) Tribal Advisory Committee

Sponsor: David Jordan, Louise Cornelius, Shirley Hill

Motion by Patty Hoeft to support the recommendations by both the gaming commission and gaming management to recommend Tamara Vanschyndel and Lorna Skenandore to seek nominations to National Gaming Commission (NIGC) Tribal Advisory Committee, seconded by David Jordan. Motion carried unanimously:

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

Excused: Ed Delgado

VII. Board, Committee and Commission quarterly reports

1. Southeastern Oneida Tribal Services (SEOTS)

Sponsor: Debra Fabian-Matson

Motion by Vince DelaRosa to accept the Southeastern Oneida Tribal Services (SEOTS) quarterly report, seconded by Brandon Stevens. Motion carried unanimously:

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

Excused: Ed Delgado

2. Oneida Child Protective Board

Sponsor: Shirley Barber

Motion by Vince DelaRosa to approve the Oneida Child Protective Board quarterly report, seconded by Paul Ninham. Motion carried unanimously:

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

Excused: Ed Delgado

VIII. Standing Committees

A. Legislative Operating Committee

B. Finance Committee

1. Finance Committee Sept. 9, 2011 meeting minutes

Sponsor: Tina Danforth

Motion by Patty Hoeft to approve the Finance Committee Sept. 9, 2011 meeting minutes, seconded by Tina Danforth. Motion carried unanimously:

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

Excused: Ed Delgado

C. Community Development Planning Committee

IX. Travel

A. Travel reports

B. Travel requests

1. Inter-Tribal Monitoring Association (ITMA) annual board meeting Nov. 9-11, Las Vegas, NV

Sponsor: Melinda J. Danforth

Motion by Patty Hoeft to approve the request for travel to Inter-Tribal Monitoring Association (ITMA) annual board meeting Nov. 9-11, Las Vegas, NV, seconded by Vince DelaRosa. Motion carried unanimously:

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

Excused: Ed Delgado

2. CFO Larry Barton to NAFOA conference Oct. 11-14, Uncasville, CT

Sponsor: Tina Danforth

Motion by Patty Hoeft to approve CFO travel to NAFOA conference Oct. 11-14, Uncasville, CT, seconded by Paul Ninham. Motion carried unanimously:

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

Excused: Ed Delgado

3. NAFOA conference Oct. 11-14, Uncasville, CT

Sponsor: Tina Danforth

Motion by Patty Hoeft to approve travel to NAFOA conference Oct. 11-14, Uncasville, CT, seconded by Vince DelaRosa. Motion carried with one abstention:

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

Abstained: Tina Danforth

Excused: Ed Delgado

4. Native American Bank (NAB) meeting Sept. 20-22, Denver, CO

Sponsor: Tina Danforth

Motion by Paul Ninham to approve travel to the Native American Bank (NAB) meeting Sept. 20-22, Denver, CO, seconded by Patty Hoeft. Motion carried with one opposition:

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

Opposed: Brandon Stevens

Excused: Ed Delgado

5. Native American Bank (NAB) annual shareholders meeting Oct. 18-21, Juneau, AK

Sponsor: Tina Danforth

Motion by Patty Hoeft to approve the treasurers travel to the Native American Bank (NAB) annual shareholders meeting Oct. 18-21, Juneau, AK, seconded by David Jordan. Motion carried with one abstention and one opposition:

Ayes: Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Paul Ninham

Abstained: Melinda J. Danforth
Opposed: Brandon Stevens
Excused: Ed Delgado

6. National Indian Gaming Association (NIGA) Mid-Year Conference and Expo Oct. 17-19, Uncasville, CT

Sponsor: Paul Ninham

Motion by Patty Hoeft to approve travel to National Indian Gaming Association (NIGA) Mid-Year Conference and Expo Oct. 17-19, Uncasville, CT, seconded by David Jordan. Motion carried unanimously:

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

7. Retro-approve Native American Bank (NAB) meetings July 13-15 and Aug. 16-18, Denver, CO

Sponsor: Tina Danforth

Motion by Patty Hoeft to retro-approve the travel request to Native American Bank (NAB) for meetings July 13-15 and Aug. 16-18, Denver, CO, seconded by Vince DelaRosa. Motion carried with two abstentions and one opposition:

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

8. Retro-approve Tribal Consultation meeting Sept. 15, Washington, DC

Sponsor: Ed Delgado

Motion by Paul Ninham to retro-approve the travel request to Tribal Consultation meeting Sept. 15, Washington, DC, seconded by Vince DelaRosa. Motion carried unanimously:

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

9. Retro-approve Haskell Board of Regents Retreat Aug. 29-30, Lawrence, KS

Sponsor: Brandon Stevens

Motion by Patty Hoeft to retro-approve the travel request to Haskell Board of Regents Retreat Aug. 29-30, Lawrence, KS, seconded by Paul Ninham. Motion carried unanimously:

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

10. Retro-approve National Indian Gaming Association (NIGA) Internet Gaming Subcommittee meeting Aug. 22, Prior Lake, MN

Sponsor: Brandon Stevens

Motion by Paul Ninham to retro-approve the travel request to National Indian Gaming Association (NIGA) Internet Gaming Sub-Committee meeting Aug. 22, Prior Lake, MN, seconded by Vince DelaRosa. Motion carried unanimously:

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

11. Retro-approve Chairman's Senior Policy Advisor Linda Dallas to Great Lakes Inter-Tribal Council (GLTIC) meeting Sept. 7-8, Milwaukee, WI

Sponsor: Ed Delgado

Motion by Patty Hoeft to retro-approve Chairman's Senior Policy Advisor Linda Dallas travel to Great Lakes Inter-Tribal Council (GLTIC) meeting Sept. 7-8, Milwaukee, WI, seconded by Vince DelaRosa. Motion carried unanimously:

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

X. General Tribal Council

XI. Follow-ups/BC directives

XII. Tabled Business

XIII. New Business/Requests

1. Employee accrued vacation pay proposals using Oneida gift cards for employees with more than 280 accrued hours and trade back for cash quarterly basis in 2012

Sponsor: Joint Executive Management Team (JET)

Motion by Patty Hoeft to defer the request to use Oneida gift cards for employees with more than 280 accrued hours to the Sept. 28 BC meeting, seconded by Vince DelaRosa. Motion carried with one abstention:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan,
Paul Ninham, Brandon Stevens
Abstained: Tina Danforth
Excused: Ed Delgado
For the record: Tina Danforth stated she is abstaining because she does not have any questions regarding this item, so she doesn't have a need to hold it up.

Motion by Patty Hoeft to defer the trade back for cash request to the Sept. 28 BC meeting to allow the Business Committee to meet with JET before the meeting to review the trade back for cash benefit, seconded by Vince DelaRosa. Motion carried with two abstentions:

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

For the record: Tina Danforth stated that she abstained because this is an allowable expense and process and there is always going to be some discussion about the trade back issue as long as we have it, so she really wanted to support the request that was brought forward, but if you need more time, you need more time.

2. Ground Lessor's Estoppel Certificates, Consent and Agreements for Oak Ridge Plaza West and East with limited waiver of sovereign immunity

Sponsor: Debbie Thundercloud

Motion by Patty Hoeft to approve the ground Lessor's Estoppel Certificates, Consent and Agreements regarding Oak Ridge Plaza West with limited waiver of sovereign immunity as identified in paragraph 21, seconded by Vince DelaRosa. Motion carried with one abstention and one opposition:

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

Motion by Patty Hoeft to approve the ground Lessor's Estoppel Certificates, Consent and Agreements regarding Oak Ridge Plaza East with limited waiver of sovereign immunity as identified in paragraph 21, motion failed with no second.

Motion by Patty Hoeft to rescind the agreement for the West portion of the Oakridge Plaza, seconded by Vince DelaRosa. Motion carried with one abstention and one opposition:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan
Abstained: Tina Danforth
Opposed: Brandon Stevens
Excused: Ed Delgado

Motion by Patty Hoeft to defer both the West and the East Estoppel Certificates to the Friday Sept. 16 joint meeting with the land commission and the Business Committee, seconded by Melinda J. Danforth. Motion carried with one abstention:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan,
Abstained: Brandon Stevens
Excused: Ed Delgado

3. Memorandum of Agreement between Indian Health Services (IHS) and the Oneida Tribe of Indians of Wisconsin for project BE-11-G54, in the amount of \$40,000 for sanitation facilities construction

Sponsor: Debbie Thundercloud

Motion by Vince DelaRosa to approve the request, seconded by Patty Hoeft. Motion carries unanimously:

Ayes: Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Brandon Stevens
Excused: Ed Delgado

4. Oneida Tribal School Board attorney contract – Fredericks, Peebles and Morgan

Sponsor: Melinda J. Danforth

Motion by Melinda J. Danforth to approve the Oneida Tribal School contract, seconded by Brandon Stevens. Motion carried with two oppositions:

Ayes: Melinda J. Danforth, Tina Danforth, Patty Hoeft, Paul Ninham, Brandon Stevens
Opposed: Vince DelaRosa, David Jordan
Excused: Ed Delgado
For the record: Brandon Stevens stated he is support of approving this contract because its paid by outside monies and the nature of services are majorly review analysis of applicable federal and state laws, so it's more of a contract review and technical type support which would not require a whole lot of travel unless requested by the board, so in saying that he thinks because the school board reports to GTC we're just a processing mechanism to approve the contracts.

Business Committee 2011-2014 liaison assignments

Sponsor: Ed Delgado

Motion by Patty Hoeft to approve the Business Committee 2011-2014 liaison assignments with a request from Tina Danforth to be assigned to Native American Bank (NAB), seconded by Vince DelaRosa. Motion carried unanimously:

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

Motion by Paul Ninham to recess for lunch and return at 1:30 p.m., seconded by Tina Danforth. Motion carried unanimously:

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

5. Retro-approve M&I depository agreement

Sponsor: Larry Barton

Motion by Brandon Stevens to retro-approve M&I depository agreement, seconded by Tina Danforth. Motion carried unanimously:

Ayes: Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Paul Ninham, Brandon Stevens
Excused: Ed Delgado

6. Oneida Casino black jack dealer wages proposal

Sponsor: Vince DelaRosa

Motion by Tina Danforth to clarify GTC action that all employees making under \$60,000 shall be given the \$.75 increase, seconded by Vince Delarosa. Motion carried unanimously:

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

Amendment to the main motion by Brandon Stevens to direct the black jack dealer's inclusion in the \$.75 wage increase effective Oct. 1, seconded by Vince DelaRosa. Motion carried with one abstention:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan,
Paul Ninham, Brandon Stevens
Abstained: Tina Danforth
Excused: Ed Delgado
For the record: Tina Danforth stated she is abstaining because she thinks her main motion suffices that it clarifies all employees. She is not going to split hairs over employees; she doesn't think that's reasonable, she doesn't think it's appropriate. She thinks all means all and believes that was also said during the meeting as a side discussion. Regardless, the motion from GTC is now a directive for us to carry out and it said all employees under \$60,000. So she doesn't want to weigh in on an amendment to specify one group of employees; she doesn't think that's justifiable.

Second amendment by Vince DelaRosa to clarify to strike the term 'black jack' dealers and replace it with 'casino dealers' with the intent to include all dealers, second by David Jordan. Motion carried with one abstention:

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

7. Create team to create organization structure, budget and policy reform

Sponsor: Melinda J. Danforth

Motion by Patty Hoeft to defer the recommendation to create a team to create organization structure, budget and policy reform to the Sept. 28 BC meeting, which will allow the Business Committee to work on the recommendation during the next two weeks, during their budget meetings, seconded by Brandon Stevens. Motion carried with one opposition:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan,
Paul Ninham, Brandon Stevens
Opposed: Tina Danforth
Excused: Ed Delgado

8. Create subcommittee to review ORCCC project and recommend cost reductions

Sponsor: Ed Delgado

Motion by Tina Danforth to approve that a subcommittee be created regarding ORCCC project and the recommendations for the subcommittee come back for final approval to the committee in two weeks, seconded by Vince DelaRosa. Motion passes with four opposed, with the support of Chairman Delgado:

Ayes: Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan
Opposed: Melinda J. Danforth, Greg Matson, Paul Ninham, Brandon Stevens
For the record: Vince DelaRosa stated I'm not looking to oppose the operation I just want to see if there is a way to contain some cost. I'm just going to prepare a memorandum and leave it at that. Thank you.
For record: Brandon Stevens stated he just wanted to make sure that the community knows that the previous Business Committee who is comprised of five of the committee that are presently sitting up here right now, had had three years to look at this and now we're looking at again and now there's new questions, of the same

facility all over again. So he wanted to make sure that's clear and known; that we had three years to look and you know we're up here again questioning it after everything has been looked at and stripped down as far as it needs to be right now and he thinks we're at where it needs to be and thinks we need to have no more further delays. Thank you.

For the record: Melinda J. Danforth stated she doesn't oppose the fact that we want to save money either. Her disappointment today was that the BC yesterday had said that we were going to defer this issue for two weeks. So she went to ONCOA and told them that and none of them are present here and she really doesn't think that's fair, but she too believes that the savings is going to go through that construction phase that Greg had talked about and is still unclear about the purpose of the subcommittee and who's going to be participating and hopes that the recommendations, since the motion is through, she means she can support it and we'll see what those recommendations are in two weeks and hopefully it doesn't cost us anymore money.

9. Review construction bidding, sole source contracting practices

Sponsor: Vince DelaRosa

Motion by Tina Danforth to accept as FYI, second by Paul Ninham. Motion carried unanimously:

Ayes: Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan,
Paul Ninham, Brandon Stevens

Excused: Ed Delgado

10. Initiate investigation of Election Board compliance with Election Law as recommended by Oneida Appeals Commission

Sponsor: Melinda J. Danforth

Motion by Tina Danforth to delete this item from the agenda, seconded by Patty Hoeft. Motion carried unanimously:

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

Excused: Ed Delgado

11. Direct LOC to develop Tribal member petition process

Sponsor: Vince DelaRosa

Motion by Patty Hoeft to accept as information, seconded by Paul Ninham. Motion carried unanimously:

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

Excused: Ed Delgado

12. Legislative Reference Office (LRO) to provide drafting assistance to BC members for non-priority items

Sponsor: Vince DelaRosa

Motion by Patty Hoeft to accept this as information, seconded by Melinda J. Danforth. Motion carried unanimously:

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

Excused: Ed Delgado

XIV. Additions

1. Chairman's travel to attend an Indian Land Tenure meeting, Sept. 19-20, Hinckley, MN

Sponsor: Ed Delgado

Motion by Patty Hoeft to approve travel to attend an Indian Land Tenure meeting, Sept. 19-20, Hinckley, MN, seconded by Vince DelaRosa. Motion carried unanimously:

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

Excused: Ed Delgado

2. Sponsorship LZ Lambeau Reunion

Sponsor: Tina Danforth

Motion by Tina Danforth to provide LZ Lambeau Reunion fund sponsorship of \$20,000-\$25,000 provided that the funds are available in the existing FY2011 budget, seconded by Paul Ninham. Motion failed with five oppositions:

Ayes: Tina Danforth, Paul Ninham

Opposed: Melinda J. Danforth, Vince Delarosa, Patty Hoeft, David Jordan, Brandon Stevens

Excused: Ed Delgado

Motion by Patty Hoeft to refer the request to the Chief of Staff office and the General Managers office and bring back a recommendation to the Business Committee, on how the Tribe can help through our communications and marketing offices, seconded by Tina Danforth. Motion carried unanimously:

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

Excused: Ed Delgado

XV. Action in open session on items from Executive Session Discussion meeting of Tuesday, Sept. 13, 2011

A. Executive Managers reports

1. New York land claims update – 9 a.m.

Sponsor: Bill Gollnick

Motion by Tina Danforth to accept the NY land claims update, seconded Paul Ninham. Motion carried unanimously:

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

Excused: Ed Delgado

2. General Manager bi-monthly report

Sponsor: Debbie Thundercloud

a. Residential Care Facility

Motion by David Jordan to start off with \$5 million dollars to get the ORCCC project started, in the meantime we will hear the evaluation from the subcommittee and the clarification is that it is an internal process that we are dealing with, second by Patty Hoeft. Motion carried with one opposition:

Ayes: Melinda J. Danforth, Tina Danforth, Patty Hoeft, David Jordan,
Paul Ninham, Brandon Stevens
Opposed: Vince DelaRosa
Excused: Ed Delgado
For the record: Vince DelaRosa stated that he opposed, because he has not seen, the open PO correspondence released on June 22, so he is not even familiar of the nature of that particular release.

b. Approve exception to the Land use regulation policy for Jody and Aleta Cornelius to pay the Hobart Village carport permit of \$80 and the barn demolition permit of \$200

Motion by David Jordan to approve the exception to the Land use regulation policy, seconded by Paul Ninham. Motion carries with one opposition:

Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan,
Paul Ninham, Brandon Stevens
Opposed: Tina Danforth
Excused: Ed Delgado
For the record: Tina Danforth stated she opposes because she doesn't agree with allowing for procedural exception to this policy. She understands there is hardship, but there is a lot of hardship with community members and she is just not in support of making a procedural exception to a policy that is already controversial.

c. Approve the schedule of fines that accompanies the 2011 amendments to the Zoning and Shoreland Protection Ordinance and Building Code Violations as presented

Motion by Patty Hoeft to approve schedule of fines that accompanies the 2011 amendments to the Zoning and Shoreland Protection Ordinance and Building Code Violations as presented, seconded by David Jordan. Motion carried unanimously:

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

d. Approve request to spend \$500 to provide meals to employees working on the Isbell Smokeshop retail outlet remodel

Motion by Patty Hoeft to approve the request to spend \$500 to provide meals to employees working on the Isbell Smokeshop retail outlet remodel, seconded by Paul Ninham. Motion carried with two abstentions:

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

Abstained: Tina Danforth, Brandon Stevens
Excused: Ed Delgado
For record: Tina Danforth abstained because this is a management call, this is not a Business Committee call. She finds it very appalling and Brandon Stevens concurs. We shouldn't be making decisions on how and when people eat their lunch, we really shouldn't. She's not trying to be facetious or nothing; she just really doesn't understand this.

e. Revised/updated Larsen Road project

Motion by Melinda J. Danforth to approve the revised/updated Larsen Road project, seconded by Tina Danforth. Motion carried unanimously:

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

f. General Manager Bi-monthly report

Motion by Patty Hoeft to accept the General Manager Bi-monthly report, seconded by Paul Ninham. Motion carried unanimously:

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

3. Chief Counsel report

Sponsor: Jo Anne House

Motion by Melinda J. Danforth to accept the Chief Counsel report, seconded by Brandon Stevens. Motion carried unanimously:

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

B. Audit Committee

C. Follow-ups/BC directives

1. Oneida wampum belt repatriation initiative proposal

Sponsor: Melinda J. Danforth

Motion by Melinda J. Danforth to defer this item to the Chairman's office and her office to coordinate the tobacco burning with all the necessary parties, so that we can take care of our responsibilities for the Oneida Wampum belt that is located in the Chicago Field museum, seconded by Paul Ninham. Motion carried unanimously:

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

D. New Business/Requests

1. 75 new enrollments and 1 relinquishment

Sponsor: Melinda J. Danforth

Motion by Patty Hoeft to approve the 75 new enrollments and 1 relinquishment, seconded by Melinda J. Danforth. Motion carried unanimously:

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

Excused: Ed Delgado

2. Status of employees assigned with special assignments

Sponsor: Ed Delgado

Motion by Patty Hoeft to delete item two, seconded by Paul Ninham. Motion carried unanimously:

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

Excused: Ed Delgado

**3. Renewal or posting General Manager, Gaming General Manager, Chief of Staff
employee contracts/positions**

Sponsor: Melinda J. Danforth

Motion by Patty Hoeft to defer this item to the Sept. 28 agenda to give the Chairman time to carry out any negotiations that are necessary, seconded by David Jordan. Motion carried with two oppositions:

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

Opposed: Tina Danforth, Paul Ninham

Excused: Ed Delgado

For the record: Paul Ninham stated he opposed due to we should have made decisions by now, we've had plenty of time. To delay it for another two weeks, the individuals don't know where they are at, the organization; we don't know where we're at. He wishes we would have done this much earlier.

For the record: Tina Danforth stated she opposed for the similar reasons and that she felt that the committee really needed to make a decision and that decision should have been made no later than this Friday.

4. Review status of personnel complaint regarding employee advocacy

Sponsor: Melinda J. Danforth

Motion by Melinda J. Danforth to defer the personnel action to the Chairman's office for completion, due back to the October 26 BC meeting, seconded by Patty Hoeft. Motion carried with three abstentions:

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

Abstained: Tina Danforth, Paul Ninham, Brandon Stevens

Excused: Ed Delgado

**5. Approve contracts with SagePoint Financial Inc. and SII Investments Inc.
consulting services**

Sponsor: Larry Barton

Motion by Tina Danforth to approve contracts with SagePoint Financial Inc. and SII Investments Inc. consulting services, seconded by David Jordan. Motion carried unanimously:

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

Excused: Ed Delgado

6. Approve limited waiver of Sovereign Immunity for the Pyramid Price Stability Program Agreement

Sponsor: Debbie Thundercloud

Motion by Tina Danforth to approve the request for limited waiver of Sovereign Immunity for the Pyramid Price Stability Program Agreement, seconded by David Jordan. Motion carried unanimously:

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

Excused: Ed Delgado

7. Retro-approve Deloitte & Touche contract with limited waiver of sovereign immunity for Oneida pharmacy audit work

Sponsor: Donna Christensen

Motion by Patty Hoeft to retro-approve Deloitte & Touche contract with limited waiver of sovereign immunity for Oneida pharmacy audit work, seconded by Tina Danforth. Motion carried unanimously:

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

Excused: Ed Delgado

8. Sovereign Finance LLC financial advisory services agreement sole source with limited waiver of sovereign immunity

Sponsor: Larry Barton

Motion by Tina Danforth to approve Sovereign Finance LLC financial advisory services agreement sole source with limited waiver of sovereign immunity, seconded by Patty Hoeft. Motion carried with two abstentions:

Ayes: Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Paul Ninham

Abstained: Melinda J. Danforth, Brandon Stevens

Excused: Ed Delgado

E. Additions

1. Employee protection matter

Sponsor: Ed Delgado

Motion by Melinda J. Danforth to defer the employee protection law for the LOC to review and recommendation for policy changes, seconded by Patty Hoeft. Motion carried with one abstention:

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

Abstained: Tina Danforth

Excused: Ed Delgado

For the record: Tina Danforth abstained because this item was specific to an individual case and that was the consideration.

Motion by Tina Danforth to delete this item from the agenda, seconded by Paul Ninham. Motion carried unanimously:

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

2. Personnel matter

Sponsor: Melinda J. Danforth

Motion by Melinda J. Danforth to defer the personnel complaint to the chairman's office for completion/recommendation due back to the Oct. 26 BC meeting agenda, seconded by David Jordan. Motion carried with one opposition:

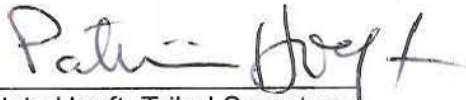
Ayes: Melinda J. Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Paul Ninham, Brandon Stevens
Opposed: Tina Danforth
Excused: Ed Delgado

XVI. Adjourn

Motion by Tina Danforth to adjourn at 3:18 p.m., seconded by Brandon Stevens. Motion carried unanimously:

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

Minutes Approved as presented/corrected on Oct 12, 2011.



Patricia Hoeft, Tribal Secretary
ONEIDA BUSINESS COMMITTEE

