



Oneida Business Committee

Regular Meeting
9 a.m. Wednesday, Sept. 25, 2013
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, David Jordan, Paul Ninham, Brandon Stevens; **Not present:** Council member Vince DelaRosa; **Others present:** Barb Skenandore, Anita Barber, Twylite Moore, Kurt Jordan, Tracy Williams, Wes Martin, Nancy Dallas, Nicole Rommel, Lauren Hartman, Eleanora Smith, Carol Elm, Mary Jo Nash, Geraldine Danforth, Jolene Valladares, Pat Pelky, Wilbert Rentmeester, Melissa Webster, Chaz Wheelock, Sharon Mousseau, Dale P. Wheelock, Frank Cornelius, Michele Doxtator, Louise Cornelius, Yvonne Metivier, Cathy L. Metoxen

I. Call to Order and Roll Call by Chairman Ed Delgado at 9:04 a.m.

II. Opening by Chairman Ed Delgado

III. Approve the agenda

Motion by Patty Hoeft to approve the agenda with the noted changes: three additions in open session--1. Procedural exception from the Cultural Heritage Department 2. State Tribal Relations meeting travel request 3. National Indian Gaming Association mid-year conference travel request, two additions in executive session--1. report regarding mileage, 2. status of appeal of the removal petition, delete from agenda item XIII.B.3, seconded by Tina Danforth. Motion carried unanimously:

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

Not present: Vince DelaRosa

IV. Oaths of Office

V. Minutes to be approved

1. Sept. 11, 2013 regular meeting minutes

Motion by Paul Ninham to approve Sept. 11, 2013 regular meeting minutes with one noted change to correct the CDPC approved minutes from Sept. 5 to Aug. 5, 2013, seconded by Patty Hoeft. Motion carried unanimously:

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

Not present: Vince DelaRosa

VI. Resolutions

1. Support of Menominee Indian Tribe's Off-Reservation Gaming Project

Sponsor: Tina Danforth

Motion by Tina Danforth to defer this resolution to a Business Committee special meeting, Friday, Sept. 27, 2013 at 11 a.m., seconded by Brandon Stevens. Motion carried unanimously:

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

Not present: Vince DelaRosa

2. Nominate Bruce Danforth to Indian Reservations Roads (IRR) Program Midwest Coordinating Committee

Sponsor: Butch Rentmeester

Motion by David Jordan to adopt resolution 09-25-13-A Nomination of Bruce Danforth to the Tribal Transportation Program Coordinating Committee (TTPCC), seconded by Patty Hoeft. Motion carried with one abstention:

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

Abstained: Melinda J. Danforth

Not present: Vince DelaRosa

VII. Reports

1. Development Division – Butch Rentmeester

Motion by Paul Ninham to accept the Development Division report, seconded by David Jordan. Motion carried unanimously:

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

Not present: Vince DelaRosa

2. Land Management Division – Pat Pelky

Motion by David Jordan to accept the Land Management Division report, seconded by Tina Danforth. Motion carried unanimously:

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

Not present: Vince DelaRosa

VIII. Boards, Committees and Commissions

A. Appointments

1. Repost 1 Oneida Seven Generations Corporation vacancy

Motion by Brandon Stevens to approve reposting one Oneida Seven Generations Corporation vacancy, seconded by Patty Hoeft. Motion carried with two abstentions and one opposed:

Ayes: Melinda J. Danforth, Tina Danforth, Patty Hoeft, Brandon Stevens

Abstained: David Jordan, Greg Matson

Opposed: Paul Ninham

Not present: Vince DelaRosa

2. Post 3 Oneida Powwow vacancies

Motion by Patty Hoeft to approve posting three Oneida Powwow vacancies, seconded by Brandon Stevens. Motion carried unanimously:

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

Not present: Vince DelaRosa, Paul Ninham

3. Post 1 Anna John Nursing Home vacancy

Motion by Patty Hoeft to approve posting one Anna John Nursing Home vacancy, seconded by Brandon Stevens. Motion carried unanimously:

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

Not present: Vince DelaRosa, Paul Ninham

4. Post 2 Oneida Child Protective Board vacancies

Motion by Patty Hoeft to approve posting two Oneida Child Protective Board vacancies, seconded by Brandon Stevens. Motion carried unanimously:

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

Not present: Vince DelaRosa, Paul Ninham

B. Quarterly reports

1. Election Board – Vicki Cornelius, Chairwoman

Motion by Patty Hoeft to accept the Election Board quarterly report, seconded by David Jordan. Motion carried with one abstention:

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

Abstained: Tina Danforth

Not present: Vince DelaRosa

2. Police Commission – Bernie John-Stevens, Chairman

Motion by David Jordan to accept the Police Commission quarterly report, seconded by Melinda J. Danforth. Motion carried unanimously:

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

Not present: Vince DelaRosa

3. Library Board – Danielle White, Chairwoman

Motion by Patty Hoeft to accept the Library Board quarterly report, seconded by Tina Danforth. Motion carried unanimously:

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

Not present: Vince DelaRosa, Paul Ninham

IX. Standing Committees

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

B. Finance Committee – Treasurer Tina Danforth, Chairwoman

1. Sept. 20, 2013 Finance Committee meeting minutes

Motion by Patty Hoeft to approve Sept. 20, 2013 Finance Committee meeting minutes, seconded by David Jordan. Motion carried with one abstention:

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

C. Community Development Planning Committee – Vince DelaRosa, Chairman

D. Quality of Life – Paul Ninham, Chairman

X. General Tribal Council

1. Petitioner Frank Cornelius: Direct BC to schedule GTC meeting within 20 days to dissolve Oneida Seven Generations Corporation OSGC

Motion by Melinda J. Danforth to acknowledge the receipt of the petition and for a legal opinion to be presented at the next Business Committee meeting, seconded by David Jordan. Motion carried with one abstention:

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

2. Accept action report of special GTC meeting Sept. 21, 2013 regarding adoption of Tribal FY2014 budget action report (hand out)

Motion by Brandon Stevens to accept the action report as FYI, seconded by Paul Ninham. Motion carried unanimously:

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

XI. Unfinished Business

XII. New Business/Requests

1. E-poll: Retro-approve limited waiver of sovereign immunity for Public Abstract Request System (PARS) contract

Sponsor: Patrick Stensloff

Motion by David Jordan to retro-approve the e-poll approving the limited waiver of sovereign immunity for PARS contract, seconded by Melinda J. Danforth. Motion carried unanimously:

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

2. Approve limited waiver of sovereign immunity for Video Entertainment Systems and Technology (VEST) Racing USA Inc. contract

Sponsor: Louise Cornelius

Motion by David Jordan to approve the limited waiver of sovereign immunity for VEST Racing USA Inc. contract, seconded by Patty Hoeft. Motion carried with one abstention:

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

3. Approve School Board Attorney Frederick Peebles and Morgan, LLC contract

Sponsor: Sharon Mousseau

Motion by Brandon Stevens to approve the School Board attorney Frederick Peebles and Morgan, LLC contract, seconded by Paul Ninham. Motion carried unanimously:

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

4. School Board: Retro-approve procedural exception to allow 2 school board members present during screening and interviews due to an emergency

Sponsor: Sharon Mousseau

Motion by Melinda J. Danforth to retro-approve the procedural exception to allow two school board members present during screening and interviews due to an emergency, seconded by Paul Ninham. Motion carried with one abstention:

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

5. FY2013 Employment, Compensation & Benefits – Geraldine Danforth, HR Area Manager

a. MIS: Request to post Network Analyst-Gaming position

Sponsor: Louise Cornelius

Motion by Patty Hoeft to approve the MIS request to post Network Analyst-Gaming posting, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Greg Matson, Patty Hoeft, David Jordan, Paul Ninham, Brandon Stevens
Not present: Vince DelaRosa
For the record: Tina Danforth stated I support the position but I also think we need to remind ourselves that GTC requires that we not exceed the 2,975 limit gap.

XIII. Travel

A. Travel Reports

B. Travel Requests

1. Regional Tribal Operation Committee meeting, Oct. 8-9, 2013, New Buffalo, MI

Sponsor: Melinda J. Danforth

Motion by Paul Ninham to approve travel to Regional Tribal Operation Committee meeting, Oct. 8-9th, 2013, New Buffalo, MI and note that travel expenses paid from the General Assistance Program grant, seconded by Brandon Stevens. Motion carried with one abstention:

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

2. E-poll: Retro-approve procedural exception for 4 to U.S. Court of Appeals for the Seventh Circuit regarding stormwater litigation appeal v Village of Hobart, Sept. 18, 2013, Chicago, IL

Sponsor: Ed Delgado/Melinda J. Danforth/Paul Ninham

Motion by David Jordan to retro-approve the procedural exception for four travelers to U.S. Court of Appeals for the Seventh Circuit regarding stormwater litigation appeal v Village of Hobart, Sept. 18, 2013, Chicago, IL, seconded by Patty Hoeft. Motion carried unanimously:

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

3. Oneida Head Start: Procedural exception for 4 to Wisconsin Early Childhood Association (WECA) training, Oct. 10-12, Wisconsin Dells, WI—~~Deleted from agenda~~

Sponsor: Don White

XIV. Additions

1. Cultural Heritage: Procedural exception travel for 5 to Kalihw:yo Ceremonies, Sept. 28-Oct. 25, 2013, Nedrow, NY, Alleghany, NY, Ohsweken, ON and Oneida, ON

Sponsor: Don White

Motion by David Jordan to approve the procedural exception for travel for five staff from the Cultural Heritage Department to attend Kaliw:yo Ceremonies, Sept. 28-Oct. 2013, Nedrow, NY, Alleghany, NY, Ohsweken, ON and Oneida, ON, seconded by Paul Ninham. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Greg Matson, Patty Hoeft, David Jordan, Paul Ninham, Brandon Stevens
Not present: Vince DelaRosa
For the record: Tina Danforth stated I do support the project. I do support the cause. I do support the fact that we have people going back and forth between the communities. What I'm not okay with: one, is that a procedural exception is in front of us because that tells me that there wasn't enough planning--this is more of a management issue; two, is that it's three days before the event. Today is the

25th. These people are scheduled to leave on the 28th. Why are we having this one as an add-on, two, three days before the event? I'm not okay with that. I support what is happening. I understand what's happening. I sat with elders in the early 70s in their language program. With Rebecca Ninham, Lloyd Schuyler, Cecilia Danforth, Flora Skenandore. I sat with about seven elders to learn the language. I have a basic foundation and so it's not that I don't understand the need and the crisis that the Tribe is in. I fully understand that and I fully support the efforts to do things around language. But I don't support the manner in which it's being brought in front of us as a procedural exception, three days before the event, and not enough planning and thought going into this project so that it doesn't have to be here like this. I don't think that's taking care of—one, the needs of the program, and two, the needs of the community and us, as a government, having to sit here and make these decisions. I understand what Leander says. I understand what Leander does and I support that. But I don't support the manner in which it continues to come in front of us. Thank you.

2. State Tribal Relations Committee meeting, Sept. 26, 2013, Madison, WI

Sponsor: Ed Delgado/Paul Ninham/Tina Danforth/Melinda J. Danforth/Greg Matson

Motion by David Jordan to approve a procedural exception for five Business Committee members to attend State-Tribal Relations Committee meeting and lunch with Forest County Potawatomi representatives, Sept. 26, 2013, Madison, WI, seconded by Paul Ninham. Motion carried unanimously:

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

Not present: Vince DelaRosa

For the record: Tina Danforth stated I will be only attending the Potawatomi meeting, not the consultation.

3. National Indian Gaming Association (NIGA) Mid-year Conference, Oct. 27-30th, Albuquerque, New Mexico

Sponsor: Ed Delgado/Brandon Stevens

Motion by Paul Ninham to approve travel for Chairman Ed Delgado and Council member Brandon Stevens to NIGA Mid-year Conference, Oct. 27-30th, Albuquerque, New Mexico, seconded by David Jordan. Motion carried unanimously:

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

Not present: Vince DelaRosa

For the record: Brandon Stevens stated I just want to note that (I am traveling) in my capacity on the Executive Board on NIGA by resolution by mass of the 33 Tribes of the Midwest.

XV. Action in open session on items from Executive Session Discussion meeting of Sept. 24, 2013

A. Reports

1. Chief Counsel report – Jo Anne House

Motion by Patty Hoeft to accept the Chief Counsel report, seconded by David Jordan. Motion carried unanimously:

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

Not present: Vince DelaRosa, Ed Delgado

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

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

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

Not present: Vince DelaRosa, Ed Delgado

a. Approve land acquisition proposal and exception to BC directive 05-08-13 suspending all land purchases

Motion by Tina Danforth to approve the land acquisition proposal and that this be a procedural exception to the directive of May 8, 2013 suspending land purchases per an audit—this acquisition is specific to gaming, seconded by Paul Ninham. Motion carried unanimously:

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

Not present: Vince DelaRosa, Ed Delgado

3. Legislative Affairs monthly report – Nathan King

Motion by Patty Hoeft to approve the Legislative Affairs monthly report, seconded by Paul Ninham. Motion carried unanimously:

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

Not present: Vince DelaRosa, Ed Delgado

Motion by Patty Hoeft to approve the recommendation to appoint Louise Cornelius to the Green Bay Area Chamber of Commerce Board of Directors, seconded by David Jordan. Motion carried unanimously:

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

Not present: Vince DelaRosa, Ed Delgado

4. Chief Financial Officer bi-monthly report – Larry Barton

Excerpt from Sept. 11, 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 with one abstention.

Motion by Patty Hoeft to accept the Chief Financial Officer bi-monthly report, seconded by Paul Ninham. Motion carried unanimously:

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

Not present: Vince DelaRosa, Ed Delgado

B. Audit Committee – Councilman Brandon Stevens, Chairman

1. Audit Department: Additional duties compensation

Sponsor: Donna Christensen

Motion by Brandon Stevens to approve the additional duties compensation of 12 percent, seconded by David Jordan. Motion carried with one abstention:

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

Abstained: Tina Danforth

Not present: Vince DelaRosa, Ed Delgado

Motion by Tina Danforth that the job be posted for the Internal Audit Director position, seconded by Brandon Stevens. Motion carried unanimously:

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

Not present: Vince DelaRosa, Ed Delgado

C. Unfinished Business/BC directives

D. New Business/Requests

1. Approve 3 new enrollments

Sponsor: Melinda J. Danforth

Motion by Paul Ninham to approve three new enrollments, seconded by David Jordan. Motion carried unanimously:

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

Not present: Vince DelaRosa, Ed Delgado

For the record: Tina Danforth stated the names are as noted and information provided by enrollment.

2. FY2013 Employment, Compensation & Benefits – Geraldine Danforth, HR Area Manager

a. Retail: Approve additional duty compensation for Location Manager

Sponsor: Michele Doxtator

Motion by Paul Ninham to approve additional duty compensation for Location Manager, seconded by Patty Hoeft. Motion carried with three opposed and Vice Chairman Greg Matson voting in support to break the tie:

Ayes: Patty Hoeft, Paul Ninham, Brandon Stevens

Opposed: Melinda J. Danforth, Tina Danforth, David Jordan

Tie: Greg Matson aye

Not present: Vince DelaRosa, Ed Delgado

3. Reconsider BC 05-08-13 directive regarding land acquisition funds

Sponsor: Amelia Cornelius, Land Commission, Chairwoman

Motion by David Jordan to accept the report as FYI, seconded by Patty Hoeft. Motion carried with one abstention:

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

Abstained: Tina Danforth

Not present: Vince DelaRosa, Ed Delgado

E. Additions

1. Report regarding mileage

Sponsor: Ed Delgado

Motion by Paul Ninham to delete this item from the agenda with the understanding that the Chairman is going to address this issue, seconded by Melinda J. Danforth. Motion carried unanimously:

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

Not present: Vince DelaRosa, Ed Delgado

2. Status of the appeal of the removal petition

Sponsor:

Motion by David Jordan to accept the report as FYI, seconded by Patty Hoeft. Motion carried with one abstention:

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

Abstained: Tina Danforth

Not present: Vince DelaRosa, Ed Delgado

XVI. Adjourn

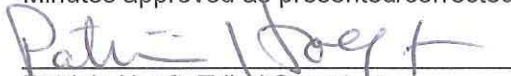
Motion by David Jordan to adjourn at 11:54 a.m., seconded by Brandon Stevens. Motion carried unanimously:

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

Not present: Vince DelaRosa, Ed Delgado

Minutes prepared by Danelle Wilson, Executive Tribal Clerk

Minutes approved as presented/corrected on Oct. 9, 2013.



Patricia Hoeft, Tribal Secretary
ONEIDA BUSINESS COMMITTEE