



Oneida Business Committee

Regular Meeting
9 a.m. Wednesday, September 26, 2012
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: Barb Skenandore, Dan Hawk, Rhiannon Metoxen, Rose Melchert, Wendall McLester, Barb Dickson, Dottie Krull, Chad Wilson, Dana McLester, Yady Jordan, Elyssa Hawk, Arletta Kurowski, Sandra Reveles, Fred Muscavitch, Racquel Pamanet, Debbie Danforth, Gina Buenrostro, Cathy L. Metoxen, DJ Danforth, Linda S. Dallas, Fred Bersch, Mary Jo Nash, Kitty Melchert

- I. **Call to Order and Roll Call** by Chairman Delgado at 9:05 a.m.
- II. **Opening** by Wendall McLester
- III. **Approve the agenda**

Motion by Patty Hoeft to adopt the agenda with the following additions, in open session 1) Self-Governance Multi-Year Fund resolution 2) Discussion about Oneida Housing Authority funding status 3) Retro approve travel request 4) Indigenous People's Day resolution 5) Community development planning follow up 6) The National Congress of American Indians resolution 7) Loan request for Holy Apostles Facility Repair and in executive session, 1) Additional duties compensation 2) Audit Committee items 3) Oneida gaming commission licensing update, seconded by Vince DelaRosa. Motion carried unanimously:

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

Not present: Brandon Stevens

*Brandon Stevens arrived at 9:10 a.m.

IV. Oaths of Office

1. **Oneida Nation Veterans Affairs Committee** – John Breuninger

V. Minutes to be approved

1. **Sept. 12, 2012**

Motion by Melinda J. Danforth to approve Sept. 12, 2012 minutes, 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

2. **Sept. 14, 2012 Emergency**

Motion by David Jordan to approve Sept. 14, 2012 emergency minutes, 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

VI. Resolutions

1. **Long Range Transportation Plan Inventory Update**

Sponsor: Butch Rentmeester

Motion by Paul Ninham to adopt resolution 09-26-12-A Oneida Tribe of Indians of Wisconsin Long Range Transportation Plan Inventory Update with the noted changes, seconded by Tina Danforth. Motion carried unanimously:

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

Not present: Ed Delgado

a. Approve LRTP update for Legacy Lane Construction

Motion by Patty Hoeft to adopt resolution 09-26-12-B Oneida Tribe of Indians of Wisconsin 2012-2014 Transportation Improvement Plan, seconded by Tina Danforth. Motion carried unanimously:

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

Not present: Ed Delgado

2. Delegate(s) to the National Congress of American Indians (NCAI) Annual Meeting

Sponsor: Ed Delgado

Motion by Patty Hoeft to adopt resolution 09-26-12-C Delegate(s) to the National Congress of American Indians Annual Meeting (NCAI), seconded by Vince DelaRosa. Motion carried unanimously:

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

VII. Directors and Managers quarterly reports

1. Development Division – Butch Rentmeester

Motion by David Jordan to approve Development Division quarterly report, 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. Land Management Division – Fred Muscavitch

Motion by David Jordan to approve Land Management Division quarterly report, seconded by Vince DelaRosa. Motion carried unanimously:

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

Not present: Brandon Stevens

VIII. Board, Committee and Commissions

A. Appointments

1. Post one Oneida Nation Veterans Affairs Committee position

Motion by Paul Ninham to approve to post one vacancy for Oneida Nation Veterans Affairs Committee, seconded by Vince Delarosa. Motion carried unanimously:

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

2. Post one Environmental Resource Board position

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

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

3. Recommend appointment of Kimberly Skenandore Goodrich to South Eastern Oneida Tribal Services Board

Motion by Vince Delarosa to approve the appointment of Kimberly Skenandore Goodrich to South Eastern Oneida Tribal Services Board, seconded by Paul Ninham. Motion carried with one abstention:

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

Abstained: Brandon Stevens

4. Recommend appointment of Gerald Cornelius to Environmental Resource Board

Motion by Paul Ninham to approve the appointment of Gerald Cornelius to Environmental Resource Board, seconded by Melinda J. Danforth. Motion carried unanimously:

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

B. Quarterly reports

1. Oneida Golf Enterprise Corporation – Bobbi Webster, Chairwoman

Excerpt from Sept. 12, 2012: Motion by Brandon Stevens to defer the Oneida Golf Enterprise Corporation quarterly report to the next Business Committee meeting, seconded by Melinda J. Danforth. Motion carried unanimously.

Motion by David Jordan to approve Oneida Golf Enterprise Corporation quarterly report, seconded by Vince DelaRosa. Motion carried unanimously:

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

For the record: Tina Danforth stated that we did inform them they need to provide a profit and loss statement for General Tribal Council's directive.

Motion by David Jordan to rescind the previous motion, seconded by Vince DelaRosa. Motion carried with one abstention:

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

Abstained: Tina Danforth

Motion David Jordan to accept Oneida Golf Enterprise 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

Not present: Ed Delgado

2. Oneida Election Board

Motion by Vince DelaRosa to approve Oneida Election Board quarterly report, 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

3. Oneida Police Commission

Motion by Patty Hoeft to accept Oneida Police Commission quarterly report, seconded by Greg Matson. Motion carried unanimously:

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

4. Oneida Library Board

Motion by Tina Danforth to accept Oneida Library Board quarterly report, seconded by Vince DelaRosa. Motion carried unanimously:

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

5. Oneida Gang Task Force

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

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

IX. Standing Committees

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

1. Approve November 8 public hearing date Room Tax Law

Motion by Patty Hoeft to approve November 8 as the public hearing date, seconded by Vince DelaRosa. Motion carried unanimously:

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

Not present: Ed Delgado

B. Finance Committee – Treasurer Tina Danforth, Chairwoman

1. September 21 minutes

Motion by Tina Danforth to approve September 21 Finance Committee minutes, seconded by David Jordan.

Motion carried with one abstention:

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

Abstained: Melinda J. Danforth

Not present: Ed Delgado

C. Community Development Planning Committee – Vince DelaRosa, Chairman

1. August 2 minutes

Motion by Patty Hoeft to approve August 2 Community Development Planning Committee minutes, seconded by Vince DelaRosa. Motion carried unanimously:

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

Not present: Ed Delgado

D. Quality of Life – Paul Ninham, Chairman

1. Verbal update

Motion by Tina Danforth to accept the verbal update, seconded by David Jordan. Motion carried unanimously:

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

Not present: Ed Delgado

X. General Tribal Council

XI. Unfinished Business

XII. New Business/Requests

1. Change Custodial Supervisor to Senior Custodian Roving

Sponsor: Butch Rentmeester

Motion by Vince DelaRosa to approve the request, 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. Approve the Jurisdiction Transfer of the old bridge and underlying land to the Oneida Tribe

Sponsor: Fred Muscavitch/Mary Jo Nash

Motion by Patty Hoeft to adopt resolution 09-26-12-D Jurisdictional Transfer Agreement between The Wisconsin Department of Transportation and The Oneida Tribe of Indians of Wisconsin for the jurisdictional transfer of the Duck Creek bridge, 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

Amendment to the main motion by Melinda J. Danforth to request from the Development Division Director a report that shows the long term maintenance plan for the bridge and that the report be sent to the Community Development Planning Committee, 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

3. Approve limited waiver of sovereign immunity for UBS Realty Investors

Sponsor: Melinda J. Danforth

Motion by Tina Danforth to table this item, seconded by Paul Ninham. Motion carried with one abstention:

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

Abstained: Brandon Stevens

4. Approve annual and quarterly trade back for cash

Sponsor: Ed Delgado

Motion by Patty Hoeft to refer the request regarding annual and quarterly trade back for cash for FY13 to the Chief Financial Officer to bring us back a written recommendation for consideration at the next Business Committee meeting, seconded by David Jordan. Motion carried unanimously:

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

XIII. Travel

A. Travel Reports

1. Republican National Convention, August 26-29, 2012, Tampa, FL

Sponsor: Tina Danforth

Motion by Patty Hoeft to approve the travel report, seconded by Brandon Stevens. Motion carried with one abstention:

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

Abstained: Tina Danforth

B. Travel Requests

1. Retro approve travel to Indian Summerfest, BC Meet and Greet, September 7-9, 2012, Milwaukee, WI

Sponsor: Tina Danforth

Motion by Patty Hoeft to retro approve the travel request, seconded by David Jordan. Motion carried with one abstention:

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

Abstained: Tina Danforth

2. Retro approve travel to Special Committee on State/Tribal Relations, Sept. 25, 2012, Red Cliff, WI

Sponsor: Melinda J. Danforth

Motion by Patty Hoeft to retro approve the travel request, seconded by Vince DelaRosa. Motion carried with one abstention:

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

Abstained: Melinda J. Danforth

3. Haskell Board of Regents (BOR) Fall meeting, Oct. 2-5, 2012, Lawrence, KS

Sponsor: Brandon Stevens

Motion by Patty Hoeft to approve the travel request and note that travel expenses are covered by the Haskell Board of Regents, seconded by David Jordan. Motion carried with one abstention:

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

Abstained: Brandon Stevens

XIV. Additions

1. Self-Governance Multi-year Fund resolution

Sponsor:

Motion by Melinda J. Danforth to adopt resolution 09-26-12-E Self-Governance Multi-Year Funding Agreement, which authorizes the Chairman to execute the Self-Governance Multi-Year Funding agreement that was negotiated fiscal year 2014, 2015 and 2016, 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

2. Oneida Housing Authority funding status discussion

Sponsor: Ed Delgado

Motion by Vince DelaRosa to send this to the Community Development Planning Committee, seconded by Melinda J. Danforth. Motion carried unanimously:

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

3. Retro approve travel request to meet with Representative Vos, Sept. 18, 2012, Madison, WI

Sponsor: Ed Delgado

Motion by Paul Ninham to retro approve the travel request, seconded by David Jordan. Motion carried unanimously:

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

4. Indigenous People's Day resolution

Sponsor: Melinda J. Danforth

Motion by Melinda J. Danforth to adopt resolution 09-26-12-F Indigenous People's Day, 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

Motion by Melinda J. Danforth to forward a copy of the adopted resolution to Public Relations and Tourism, to come up with a public relations strategy working in conjunction with Jessica and DJ to get the word out, 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

5. The National Congress of American Indians resolution

Sponsor: Paul Ninham

Motion by Tina Danforth to adopt resolution 09-26-12-G the National Congress of American Indians, 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

Motion by David Jordan to recess until 1:30 p.m., seconded by Tina Danforth. 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 Vince DelaRosa to come out of recess at 1:32 p.m., seconded by David Jordan. Motion carried unanimously:

Ayes: Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson

Not present: Melinda J. Danforth, Tina Danforth, Paul Ninham, Brandon Stevens

6. Community Development follow up

Sponsor: Vince DelaRosa

Motion by Vince DelaRosa to move forward with bringing on consultant Mr. Fred Bersch to work on community (& economic) development and housing development issues and to have the contract terms worked on by the Community Development Planning Committee (CDPC) and to have the CDPC work with the Chief Financial Officer to complete the contract terms and to bring back to the Oneida Business Committee for final approval, seconded by Patty Hoeft. Motion carried unanimously:

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

Amendment to the main motion by Tina Danforth to use planning and community development budget, seconded by Greg Matson. Motion carried unanimously:

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

7. Loan request for Holy Apostles Facility Repair – this was an executive session item

Sponsor:

Motion by Tina Danforth to approve the loan for the amount of \$219,000 to the Holy Apostles Parish for the expressed purpose of the facility renovations and that the Chairman and Treasurer be authorized to execute the loan documents, including a note, a borrowing resolution and a uniformed commercial code financial statement with upon review of the Oneida Law office, seconded by Brandon Stevens. Motion carried with one abstention:

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

Abstained: Vince DelaRosa

XV. Action in open session on items from Executive Session Discussion meeting of September 25, 2012

A. Reports

1. New York land claim settlement update – Ed Delgado/Diane House

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

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

Abstained: Melinda J. Danforth

For the record: Melinda J. Danforth stated that I was at special committee on State Tribal Relations in Red Cliff yesterday, so a lot of the executive session items that had a large discussion, I will be abstaining from.

2. Chief Counsel report – Jo Anne House

Motion by David Jordan to accept the report, seconded by Brandon Stevens. Motion carried with two abstentions:

Ayes: Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Brandon Stevens

Abstained: Melinda J. Danforth, Tina Danforth

Not present: Paul Ninham

For the record: Tina Danforth stated I don't think I have enough clarity given the verbal report, given the verbal information I received on this item.

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

Motion by Tina Danforth to accept the report, seconded by Vince DelaRosa. Motion carried unanimously:

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

Not present: Paul Ninham

4. Legislative Affairs monthly report – Nathan King

Motion by David Jordan to approve, seconded by Tina Danforth. Motion carried unanimously:

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

Not present: Paul Ninham

5. Communications monthly report – Bobbie Webster

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

Excerpt from Sept. 12, 2012: Motion by Melinda J. Danforth to direct the Oneida Airport Hotel Corporation Business Committee Liaison, Brandon Stevens, to work with the Oneida Airport Hotel Corporation Board to bring back recommendations surrounding the fiscal needs of the corporation to next Business Committee meeting, seconded by Vince DelaRosa. Motion carried with one abstention.

Motion by Patty Hoeft to defer this to the next Business Committee meeting, seconded by Tina Danforth. Motion carried unanimously:

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

Not present: Paul Ninham

7. Oneida Golf Enterprise Corporation – Bobbi Webster, Chairwoman

Excerpt from Sept. 12, 2012: Motion by Melinda to defer the Oneida Golf Enterprise Corporation report to the next Business Committee meeting at the request of the Oneida Golf Enterprise Corporation Board, seconded by Vince DelaRosa. Motion carried unanimously.

Motion by Vince DelaRosa to defer this to the next Business Committee meeting for a financially angled report, seconded by Patty Hoeft. Motion carried unanimously:

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

Not present: Paul Ninham

B. Audit Committee – Councilman Brandon Stevens, Chairman

C. Unfinished Business/BC directives

1. Oneida Total Integrated Enterprise (OTIE) increase in shared revenue

Sponsor: Ed Delgado

Excerpt from Aug. 8, 2012: Motion by Vince DelaRosa to have a formal written analysis done on current operations and the business relationship between OTIE and the Oneida Tribe. I am asking that this analysis be conducted by the CFO and the Treasurer's office. This will include an assessment of an agreement from a 2010 agreement which my office became aware of on August 7, 2012, be in writing in 30 days back to the Business Committee, seconded by David Jordan. Motion carried with one abstention.

Motion by Patty Hoeft to defer this to the shareholder's meeting on Oct. 15, 2012, seconded by Brandon Stevens. Motion carried with one abstention:

Ayes: Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Brandon Stevens

Abstained: Melinda J. Danforth

Not present: Paul Ninham

2. Review Service Agreement with Town of Pittsfield and Ashwaubenon

Excerpt from Aug. 22, 2012: Motion by Patty Hoeft to defer to the Tribal Chairman to review with Nate King, our Legislative Affairs Director and Fred Muscavitch, the Land Management Division Director and bring us back a report, seconded by Vince DelaRosa. Motion carried with one abstention.

Motion by Patty Hoeft to defer to the next Business Committee meeting, seconded by Vince DelaRosa. Motion carried unanimously:

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

Not present: Paul Ninham

3. Provision of benefits and services to descendants of reinstated Tribal member

Sponsor: Melinda J. Danforth

Excerpt from Sept. 12, 2012: Motion by David Jordan to defer this item to the next Business Committee meeting and to request a legal opinion regarding governmental liability for prior actions of governmental entity, seconded by Patty Hoeft. Motion carried unanimously.

Motion by Brandon Stevens to defer to the next Business Committee meeting, seconded by Vince DelaRosa.

Motion carried with two abstentions:

Ayes: Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Brandon Stevens

Abstained: Melinda J. Danforth, Tina Danforth

Not present: Paul Ninham

For the record: Vince DelaRosa stated we are waiting for a response from the law office, they are preparing some information for us.

D. New Business/Requests

1. Approve attorney contract for Gerald L. Hill

Sponsor: Melinda J. Danforth

Motion by Brandon Stevens to approve the contract, seconded by Paul Ninham. Motion carried with two abstentions:

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

Abstained: Tina Danforth, David Jordan

2. Approve Chief Counsel contract

Sponsor: Ed Delgado

Motion David Jordan to accept option B for the Chief Counsel contract, seconded by Patty Hoeft. Motion carried with two oppositions:

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

Opposed: Greg Matson, Paul Ninham

For the record: Tina Danforth my affirmative is with reservation.

3. Powwow Committee fundraising request

Sponsor: Ed Delgado

Motion by David Jordan to deny the request, seconded by Brandon Stevens. Motion carried with one abstention:

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

Abstained: Melinda J. Danforth

Motion by Tina Danforth that a letter go to the Powwow committee explaining why this is not feasible, 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

4. Oneida Housing Authority personal investigative leave update

Sponsor: Ed Delgado

Motion by Patty Hoeft to accept the report and the action taken by the Chairman, seconded by Tina Danforth.

Motion carried with three abstentions:

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

Abstained: Melinda J. Danforth, David Jordan, Greg Matson

5. Oneida Gaming Commission license investigation report

Sponsor: David Jordan

Motion by Paul Ninham to accept the report, seconded by David Jordan. Motion carried with two abstentions:

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

Abstained: Melinda J. Danforth, Tina Danforth

6. Oneida Health Center Physicians contracts

Sponsor: Ed Delgado

Motion by Brandon Stevens to approve all contracts as recommended by Dr. Vir and Debbie Danforth, seconded by Paul Ninham. Motion carried with one opposition and one abstention:

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

Opposed: Tina Danforth

Abstained: Melinda J. Danforth

For the record: Tina Danforth stated I'm opposing for the record because a month ago we denied any increase for other management staff. I'm opposing for the record for not being consistent with employees throughout the organization. I'm opposing for the record because someone just mentioned a minute ago that one of these is beyond COLA increase that is allowed, so I oppose for all of those factors.

For the record: Brandon Stevens stated this is a management decision that just is following the process and if we have issues with that process we need to change the process.

For the record: Tina Danforth stated as I said in front of General Tribal Council this is the very reason that we need a health board, that is more than advisory. We need a health board that can make these kind of determinations and do them from a professional standpoint, from a medical standpoint.

For the record: Brandon Stevens stated this right now is acting as the health board in that capacity and not allowing our managers to manage with their expertise and their certifications and their education. So making a decision on this level is doing the same thing. So allowing those managers to do their jobs is what we are doing here today.

For the record: Ed Delgado stated these contracts, increases are within the existing contracts of the medical personnel, for most of them anyway, if not all of them. It is within their contract that there would be increases.

E. Additions

1. Additional duties compensation

Sponsor:

Motion by Brandon Stevens for a procedural exception to extend the additional duties of the acting Assistant Internal Audit Director, seconded by David Jordan. Motion carried with two abstentions:

Ayes: Vince DelaRosa, Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens

Abstained: Melinda J. Danforth, Tina Danforth

2. Audit Committee

a. July 19, 2012 Audit Committee minutes

Motion by Brandon Stevens to approve July 19, 2012 Audit Committee 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

b. Internal Audit July report w/ attachment A

Motion by Brandon Stevens to approve the Internal Audit July report w/attachment A, seconded by David Jordan. Motion carried unanimously:

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

c. OHA ARRA Grant Audit and lift confidentiality requirement allowing Tribal members to view the audit

Motion by Patty Hoeft to lift the confidentiality and to approve the audit, seconded by David Jordan. Motion carried with one abstention:

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

Abstained: Melinda J. Danforth

Motion by Patty Hoeft to go into executive session at 3:16 p.m., seconded by David Jordan. Motion carried unanimously:

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

Motion by David Jordan to come out of executive session at 3:23, 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

XVI. Adjourn

Motion by David Jordan to adjourn at 3:25 p.m., 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

Minutes Approved as presented/corrected on Oct. 10, 2012.



Patricia Hoeft, Tribal Secretary
ONEIDA BUSINESS COMMITTEE