



Oneida Business Committee

Regular Meeting
12 p.m. Wednesday, Nov. 14, 2012
BC Conference Room, 2nd floor, Norbert Hill Center

Minutes

Present: Chairman Ed Delgado, Vice Chairman Greg Matson, Secretary Patty Hoeft, Council members Melinda J. Danforth, Vince DelaRosa, David Jordan, Paul Ninham, Brandon Stevens *arrived at 12:10 p.m.

Not present: Tina Danforth *arrived at 2:41 p.m.

Others present: Clifford Doxtator, Jim Wildenberg, Rose M. Johnson, Wendell McLester, Jeff Mears, Arlie Doxtator, Richard Moss, Geraldine Danforth, Elaine Reed-Doxtator, Fred Muscavitch, Kitty Melchert, Twylite Moore, Linda Jenkin, Nancy Blashka, Cathy Bachhuber, Yvonne Jourdan, Susan White, Lois Strong, Larry J. Cornelius, Melinda K. Danforth, Paul Witek, Tonya Boucher, Sharon Mousseau, Michele Doxtator, Carol Smith, Nathan Smith, Rhiannon Metoxen, Michelle Mays

I. Call to Order and Roll Call by Chairman Ed Delgado at 12:06 p.m.

II. Opening by Chairman Ed Delgado

III. Approve the agenda

Motion by Patty Hoeft to approve the agenda with the following additions to open session: 1) School Board: Four staff members to attend Maximo training in Dec. 2) Child Care program investigation update 3) South Eastern Oneida Tribal Services building space size; Executive session: 1) Waive limited waiver of sovereign immunity for individual litigation 2) OHA program investigation, seconded by Vince DelaRosa. Motion carried unanimously:

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

Not present: Tina Danforth, Brandon Stevens

IV. Oaths of Office

V. Minutes to be approved

1. Oct. 24, 2012 Regular meeting minutes

Motion by Melinda J. Danforth to approve Oct. 24, 2012 regular meeting minutes, seconded by Paul Ninham.

Motion carried unanimously:

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

Not present: Tina Danforth, Brandon Stevens

2. Oct. 31, 2012 Emergency meeting minutes

Motion by Patty Hoeft to approve Oct. 31, 2012 emergency meeting minutes, seconded by David Jordan. Motion carried unanimously:

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

Not present: Tina Danforth, Brandon Stevens

3. Nov. 7, 2012 Emergency meeting minutes

Motion by Patty Hoeft to approve Nov. 7, 2012 emergency meeting minutes, seconded by David Jordan. Motion carried with one abstention:

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

Abstained: Melinda J. Danforth

Not present: Tina Danforth, Brandon Stevens

*Brandon Stevens arrived at 12:10 p.m.

VI. Resolutions

VII. Directors and Managers quarterly reports

1. Governmental Services Division – Don White, Division Director

Motion by David Jordan to accept the Governmental Services Division quarterly report, seconded by Vince DelaRosa. Motion carried unanimously:

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

2. Human Resources Department monthly report – Geraldine R. Danforth, HR Area Manager

Motion by David Jordan to accept the Human Resources Department monthly report, seconded by Brandon Stevens. Motion carried unanimously:

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

VIII. Board, Committee and Commissions

A. Appointments

1. Appoint Megan Parker to Environmental Resource Board

Motion by Vince DelaRosa to approve the appointment of Megan Parker to Environmental Resource Board, seconded by Paul Ninham. Motion carried unanimously:

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

2. Appoint Gerald Cornelius to Oneida Nation Veteran Affairs Committee

Motion by Melinda J. Danforth to approve the appointment of Gerald Cornelius to Oneida Nation Veterans Affairs Committee, seconded by Paul Ninham. Motion carried unanimously:

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

3. Post two Oneida Airport Hotel Corporation Board vacancies

Motion by Melinda J. Danforth to approve the posting for two Oneida Airport Hotel Corporation Board vacancies, seconded by Vince DelaRosa. Motion carried unanimously:

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

B. Quarterly reports

1. Land Claims Commission – Amelia Cornelius, Chairwoman

Motion by Vince DelaRosa to accept Land Claims Commission quarterly report, seconded by Brandon Stevens. Motion carried unanimously:

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

2. Land Commission – Amelia Cornelius, Chairwoman

Motion by David Jordan to accept Land Commission quarterly report, seconded by Paul Ninham. Motion carried unanimously:

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

3. Oneida School Board – Susan White, Chairwoman

Motion by Paul Ninham to accept Oneida School Board quarterly report, seconded by David Jordan. Motion carried unanimously:

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

IX. Standing Committees

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

1. Accept Oct. 17 minutes

Motion by Melinda J. Danforth to accept Oct. 17 Legislative Operating Committee minutes, seconded by Brandon Stevens. Motion carried unanimously:

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

2. Schedule Jan. 10, 2013 public hearing date for Hunting, Fishing and Trapping Law Amendments (2013)

Motion by David Jordan to approve scheduling Jan. 10, 2013 public hearing date, seconded by Paul Ninham.

Motion carried unanimously:

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

Not present: Tina Danforth

3. Retro-approve e-poll to reschedule Nov. 29 public hearing to Dec. 6 for Independent Contractors Policy, Public Use of Tribal Land Law, General Tribal Council Meetings Law

Motion by Brandon Stevens to retro-approve e-poll to reschedule Nov. 29 public hearing to Dec. 6, seconded by Paul Ninham. Motion carried unanimously:

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

Not present: Tina Danforth

B. Finance Committee – Treasurer Tina Danforth, Chairwoman

1. Approve Nov. 9 minutes

Motion by David Jordan to approve Nov. 9 Finance Committee minutes, seconded by Vince DelaRosa. Motion carried unanimously:

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

Not present: Tina Danforth

C. Community Development Planning Committee – Vince DelaRosa, Chairman

1. Approve amendment for CIP project 06-006 Oneida Fishery Restoration and activate approval to transfer and activate \$370,000 from the canceled Ridgeview Plaza Renovation CIP

Motion by Greg Matson to approve CIP Package Amendments for CIP project #06-006 Oneida Fishery Restoration and transfer and activate \$370,000 from the canceled Ridgeview Plaza Renovation CIP #11-003 project to the Oneida Fishery Restoration Project CIP #06-006, noting that per the Chief Financial Officer that \$270,000 come from Community Events and the remaining \$100,000 from the savings on the sewer project, with July 1, 2013 being the completion date, seconded by Patty Hoeft. Motion carried unanimously:

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

Not present: Tina Danforth

2. Approve Nov. 8 minutes - DELETED

D. Quality of Life – Paul Ninham, Chairman

X. General Tribal Council

1. Petitioner Dale Wheelock: Petition determined to be for removal of an elected official therefore invalid due to lack of sufficient number of signatures

Sponsor: Patty Hoeft

Motion by Vince DelaRosa to accept the report from the Tribal Secretary's office that the petition is invalid because it is one to remove an elected official and it lacked the sufficient number of signatures, seconded by Patty Hoeft. Motion carried unanimously:

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

Not present: Tina Danforth, Ed Delgado

Motion by Patty Hoeft to table this item. Motion failed with no second.

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

Not present: Tina Danforth, Ed Delgado

Motion by Brandon Stevens that Secretary Hoeft follow up with the petitioner, with the results of our decision, seconded by Paul Ninham. Motion carried unanimously:

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

Not present: Tina Danforth, Ed Delgado

XI. Unfinished Business

1. Establish Budget Management Control Act update

Excerpt from Aug. 14, 2012: Motion by Melinda J. Danforth that in accordance with an already standing GTC motion, the Business Committee directs the LOC to bring back a draft Budget

Management Control Act to the BC within 3 months, seconded by Patty Hoeft. Motion carried unanimously.

Motion by Melinda J. Danforth to defer for 60 days, with the LOC Chairs request to bring back a draft Budget Management Control Act to the Business Committee, seconded by Brandon Stevens. Motion carried unanimously:

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

Not present: Tina Danforth, Ed Delgado, Patty Hoeft

XII. New Business

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

1. **Vocational Rehabilitation Program:** New position, Intake Coordinator as Limited Term Employment through FY13

Sponsor: Don White

Motion by Brandon Stevens to approve the request and note that this position is 90 percent grant funded, seconded by Paul Ninham. Motion carried unanimously:

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

Not present: Tina Danforth, Ed Delgado

2. **Oneida Market and One Stop Larson Road:** 22 new positions-4 Market Retail Associates, 16 One Stop Retail Associates, 1 One Stop Assistant Location Manager, 1 One Stop Manager

Sponsor: Michele Doxtator, Retail

Motion by David Jordan to approve the request, seconded by Brandon Stevens. Motion carried unanimously:

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

Not present: Tina Danforth, Paul Ninham

For the record: David Jordan stated the reason I approved these positions is because they are 24 additional Tribal member positions that will be added for additional revenue to our new retail facility. Thank you.

3. **Gaming: \$8 per hour holiday premium pay incentive for Dec. 25 & 31, 2012 and Jan. 1, 2013**

Sponsor: Louise Cornelius

Motion by Brandon Stevens to defer to the next Business Committee meeting so we can get an explanation from Gaming and make a decision at that point, seconded by Paul Ninham. Motion carried unanimously:

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

Not present: Tina Danforth

B. **Requests**

1. **Approve limited waiver of sovereign immunity for Don Johnston contract**

Sponsor: Don White

Motion by Patty Hoeft to approve the limited waiver of sovereign immunity for Don Johnston contract, seconded by David Jordan. Motion carried unanimously:

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

Not present: Tina Danforth, Greg Matson

2. **Approve limited waiver of sovereign immunity for Mirth Corporation contract**

Sponsor: Debra Danforth/Dr. Vir

Motion by David Jordan to approve the limited waiver of sovereign immunity for Mirth Corporation contract, seconded by Patty Hoeft. Motion carried unanimously:

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

Not present: Tina Danforth, Greg Matson

3. **Approve Police Commission Attorney contract with Andre Law for FY2013**

Sponsor: Bernard Stevens, Police Commission president

Motion by Patty Hoeft to approve Police Commission Attorney contract with Andre Law for FY2013, seconded by David Jordan. Motion carried unanimously:

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

Not present: Tina Danforth, Greg Matson

4. Approve facility gaming licenses for Grand Casino, Mason Street Casino, Oneida Travel Center, 54 One Stop, Packerland One Stop, Irene Moore Activity Center

Sponsor: Butch Rentmeester

Motion by Vince DelaRosa to approve the request for all noted facility gaming licenses, seconded by Patty Hoeft. Motion carried unanimously:

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

Not present: Tina Danforth, Greg Matson

XIII. Travel

A. Travel Reports

1. Yocha Dehe Wintun Nation, Sept. 12-15, 2012, Brooks, CA

Sponsor: Greg Matson, Paul Ninham

Motion by David Jordan to approve the travel report, seconded by Vince DelaRosa. Motion carried unanimously:

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

Not present: Tina Danforth, Greg Matson, Patty Hoeft

2. Democratic National Convention, Sept. 3-7, 2012, Charlotte, NC

Sponsor: Greg Matson, Patty Hoeft, David Jordan, Brandon Stevens

Motion by Brandon Stevens to approve the travel report, seconded by David Jordan. Motion carried unanimously:

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

Not present: Tina Danforth, Greg Matson

B. Travel Requests

1. Retro-approve Wisconsin Tribes Consortium, Nov. 1-2, 2012, Crandon, WI

Sponsor: Louise Cornelius

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

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

Not present: Tina Danforth, Greg Matson

2. Annual Intertribal Agriculture Council meeting, Dec. 10-13, 2012, Las Vegas, NV

Sponsor: Greg Matson

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

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

Abstained: Greg Matson

Not present: Tina Danforth

XIV. Additions

1. School Board: Procedural exception for four staff to travel to Maximo training, Dec. 3-5, 2012, Bloomington, MN

Sponsor: Don White

Motion by Patty Hoeft to approve a procedural exception to allow more than three individuals to travel to one destination, seconded by Paul Ninham. Motion carried unanimously:

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

Not present: Tina Danforth

2. Child care investigation update

Sponsor: Brandon Stevens

Motion by Brandon Stevens to release the Child Care Audit and lift the confidentiality requirement allowing Tribal members to view the audit, seconded by Paul Ninham. Motion carried unanimously:

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

Not present: Tina Danforth

3. South Eastern Oneida Tribal Services building space size

Sponsor: Ed Delgado

Motion by Brandon Stevens to limit the SEOTS building that is being built to 8,500 square feet, seconded by Patty Hoeft. Motion carried with one opposed:

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

Opposed: Vince DelaRosa

Not present: Tina Danforth

*Tina Danforth arrived at 2:41 p.m.

XV. Action in open session on items from Executive Session Discussion meeting of Nov. 13, 2012

A. Reports

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

Excerpt from Oct. 24, 2012: Motion by Patty Hoeft to approve Nov. 27 as the date that we will meet with the New York Oneida Council and that the approval includes any other Business Committee members who would like to attend in addition to the four who are already authorized to go, seconded by Melinda J. Danforth. Motion carried with one opposed.

Amendment to the motion by Melinda J. Danforth that at the next Business Committee executive session date, the Business Committee sets one hour aside during that time to discuss the strategies and the agenda items that we are going to discuss with the New York Oneidas, seconded by Patty Hoeft. Motion carried with one abstention.

Motion by Patty Hoeft to accept the verbal report and that a work meeting will happen before next week, seconded by David Jordan. Motion carried unanimously:

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

Not present: Melinda J. Danforth, Greg Matson, Paul Ninham

2. Chief Counsel report – Jo Anne House

Motion by David Jordan to accept the verbal report, with a written report submitted as soon as possible, seconded by Patty Hoeft. Motion carried with one abstention:

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

Abstained: Tina Danforth

Not present: Melinda J. Danforth, Greg Matson, Paul Ninham

B. Audit Committee – Councilman Brandon Stevens, Chairman

1. Sept. 27, 2012 Audit Committee minutes

Motion by Tina Danforth to approve Sept. 27, 2012 Audit Committee minutes, Patty Hoeft. Motion carried unanimously:

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

Not present: Melinda J. Danforth, Greg Matson, Paul Ninham

2. Internal Audit Sept. report w/ attachment A

Motion by Patty Hoeft to approve Internal Audit Sept. report with attachment A, seconded Vince DelaRosa. Motion carried unanimously:

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

Not present: Melinda J. Danforth, Greg Matson, Paul Ninham

3. Approve Purchasing closeout report

Motion by Patty Hoeft to approve Purchasing closeout report, seconded by Brandon Stevens. Motion carried unanimously:

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

Not present: Melinda J. Danforth, Greg Matson, Paul Ninham

4. Approve Center for Self Sufficiency closeout report

Motion by Brandon Stevens to approve Center for Self Sufficiency closeout report, seconded by Vince DelaRosa. Motion carried unanimously:

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

Not present: Melinda J. Danforth, Greg Matson, Paul Ninham

5. Approve Oneida Housing Authority Mutual Help Homebuyer Program closeout report

Motion by David Jordan to approve Oneida Housing Authority Mutual Help Homebuyer Program closeout report, seconded by Patty Hoeft. Motion carried unanimously:

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

Not present: Melinda J. Danforth, Greg Matson, Paul Ninham

6. Cage/Vault Compliance Audit and lift the confidentiality requirement allowing Tribal members to view the audit

Motion by David Jordan to approve Cage/Vault Compliance Audit and lift the confidentiality requirement allowing Tribal members to view the audit, seconded by Patty Hoeft. Motion carried unanimously:

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

Not present: Melinda J. Danforth, Greg Matson, Paul Ninham

7. Surveillance Compliance Audits and lift the confidentiality requirement allowing Tribal members to view the audit

Motion by David Jordan to approve Surveillance Compliance Audits and lift the confidentiality requirement allowing Tribal members to view the audit, seconded by Vince DelaRosa. Motion carried unanimously;

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

Not present: Paul Ninham

C. Unfinished Business

1. Legislative Affairs project update

Sponsor: Nate King

Excerpt from Nov. 7, 2012: Motion by Patty Hoeft to accept the Legislative Affairs report, seconded by Vince DelaRosa. Motion carried unanimously:

Motion by David Jordan to approve the project update, seconded by Patty Hoeft. Motion carried unanimously:

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

2. Oneida Seven Generations Corporation loan update

Sponsor: Tina Danforth/Larry Barton

Excerpt from Oct. 31, 2012: Motion by Tina Danforth to approve the loan request by Seven Generations and that this record be sealed until Nov. 13, 2012 which we will get an update on the status of the loans, seconded by Brandon Stevens. Motion carried unanimously:

Motion by Patty Hoeft to approve the update, seconded by Greg Matson. Motion carried unanimously:

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

3. Gaming licenses for MIS employees

Sponsor: Ed Delgado/Melinda J. Danforth

Excerpt from Nov. 7, 2012: Motion by Patty Hoeft to accept report from Chief Counsel and direct a follow-up report at next Business Committee meeting on how to resolve issue that MIS employees working on gaming commission matters may need to be licensed, seconded by Vince DelaRosa. Motion carried unanimously.

Amendment to main motion by Tina Danforth that we get a report from the Gaming Commission on this issue, seconded by David Jordan. Motion carried unanimously.

Motion by Patty Hoeft to approve the update, with another follow up report at the Dec. 11 Business Committee meeting, seconded by David Jordan. Motion carried unanimously:

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

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

Sponsor: Melinda J. Danforth

Excerpt from Oct. 24, 2012: Motion by Patty Hoeft to defer provision of benefits and services to descendants of reinstated Tribal member to the next Business Committee meeting, seconded by David Jordan. Motion carried with one abstention.

Motion by Brandon Stevens to deny the request for damages and to approve correspondence to be sent to Victoria Matson, representative for Amanda Servilla Webster family, seconded by Patty Hoeft. Motion carried with two abstentions:

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

Abstained: Tina Danforth, Greg Matson

Amendment to the motion by Melinda J. Danforth to request the Chairman and members of the Business Committee, including Chief Council, sit with the representative of the family to explain the letter that is being presented, seconded by Vince DelaRosa.

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

Abstained: Tina Danforth, Greg Matson

For the record: Tina Danforth stated I think this should be done prior to action.

5. Personnel Commission request to remove a member

Sponsor: Susan Daniels, Personnel Commission, Chairwoman

Excerpt from Oct. 24, 2012: Motion by Patty Hoeft to defer this item to the next Business Committee meeting, seconded by David Jordan. Motion carried with one abstention.

Motion by Patty Hoeft to defer to the Vice chair to bring back a recommendation, seconded by David Jordan.
Motioned carried with two abstentions:

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

D. New Requests

1. Approve limited waiver of sovereign immunity for Bertram contract for wireless service to Oneida Farm

Sponsor: Michele Doxtator

Motion by David Jordan to approve the limited waiver of sovereign immunity for Bertram contract for wireless service to Oneida Farm, seconded by Patty Hoeft. Motion carried with one abstention:

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

2. Extend Arlinda Locklear attorney contract through Sept. 30, 2013

Sponsor: Ed Delgado

Motion by Tina Danforth to approve to extend Arlinda Locklear attorney contract through Sept. 30, 2013, seconded by Melinda J. Danforth. Motion carried unanimously:

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

3. Establish Tribal Traffic Law update

Sponsor: Melinda J. Danforth

Motion by Brandon Stevens to accept the report and legal opinion submitted and to direct the Legislative Operating Committee to consider the discussion occurred in executive session and move forward with a Traffic Law as appropriate and add it to the active files list, seconded by Vince DelaRosa. Motion carried with one abstention:

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

4. Legal representation complaint

Sponsor: Tina Danforth

Motion by Patty Hoeft to accept as FYI, seconded by Brandon Stevens. Motion carried unanimously:

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

5. Smet Construction contract complaint

Sponsor: Tina Danforth

Motion by Patty Hoeft to refer this matter to the Chairman to review and bring back a recommendation to the committee, seconded by Vince DelaRosa. Motion carried unanimously:

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

6. Gaming General Manager contract review and update

Sponsor: Ed Delgado

Motion by Patty Hoeft to accept the verbal update and defer to the Dec. 11 Business Committee meeting date, seconded by David Jordan. Motion carried unanimously:

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

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

1. Printing and Land Management: Job reassignments

Sponsor: Michele Doxtator and Fred Muscavitch

Motion by Patty Hoeft to approve the job reassignments in Printing and Land Management, seconded by Brandon Stevens. Motion carried unanimously:

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

2. Land Management: Title reassignment and wage increase, position 01752 to 01787

Sponsor: Fred Muscavitch - ~~DELETED~~

3. Environment Health & Safety: Title reassignment and wage increase, position 01465 to 02437

Sponsor: Pat Pelky

Motion by Patty Hoeft to approve the title reassignment and wage increase, seconded by Brandon Stevens.
Motion carried with two opposed:

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

Opposed: Tina Danforth, David Jordan

4. Environment Health & Safety: Title reassignment and wage increase, position 01705 to 02446

Sponsor: Pat Pelky

Motion by Tina Danforth to deny the request, seconded by David Jordan. Motion carried with three opposed:

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

Opposed: Melinda J. Danforth, Greg Matson, Paul Ninham

F. Additions

1. Request to waive sovereign immunity

Motion by Patty Hoeft to approve waiver of sovereign immunity to permit service of process on and testimony of Tribal employees Barb Koliitsch, Bob Fresen, and Own Somers in the case of Edward Delgado v. Dale Wheelock, 2012CV1865, currently pending before the Brown County Circuit Court, seconded by Vince DelaRosa. Motion carried with three abstentions:

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

Abstained: Melinda J. Danforth, Greg Matson, Brandon Stevens

Motion by Brandon Stevens that a policy be developed for situations like this and forward to the Legislative Operating Committee for development, seconded by Patty Hoeft.

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

Abstained: Tina Danforth

For the record: Tina Danforth stated I abstained because it is not clear what policy and to what extent a policy will be developed.

2. Oneida Housing Authority investigation report

Sponsor: Ed Delgado

Motion by Tina Danforth to accept the report as presented and that the Chairman follow up with any necessary recommendations, seconded by Patty Hoeft. Motion carried with two abstentions and one opposed:

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

Abstained: Greg Matson, Paul Ninham

Opposed: Melinda J. Danforth

XVI. Adjourn

Motion by Patty Hoeft to adjourn at 3:20 p.m., seconded by David Jordan. Motion carried unanimously:

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

Minutes Approved as presented/corrected on Dec. 12, 2012.



Patricia Hoeft, Tribal Secretary
ONEIDA BUSINESS COMMITTEE

