



Oneida Business Committee

Regular Meeting
9 a.m. Wednesday, Nov. 9, 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: Elaine Reed, Lois Strong, Dale Wheelock, Michelle Denny, Geraldine Danforth, Fred Muscavitch, Jeff Mears, Becky Webster, Joan Christnot, Norbert Hill, Debbie Danforth, Leah Stroobants, Twylite Moore, Melanie Burkhart, Michelle Hill, Lauren Hartman, Tonya Boucher, Marsha Danforth, Cheryl Stevens, Elaine Skenandore-Cornelius, Tracy Williams, Jamie Betters, Sid White, Joanie Buckley, Roy Skenandore, Carole Liggins

I. Call to Order and Roll Call

II. Opening by Chairman Delgado

III. Approve the agenda

Motion by Patty Hoeft to adopt the agenda with the following changes; move the continuing FY2012 budget spending exceptions items to the top of the agenda, delete item XI.1 Stimulus quarterly report follow-up and with six additions 1) Finance committee Nov. 4 minutes and e-poll results 2) Travel request for Chairman Delgado to attend White House Conference, Nov. 29 – Dec. 2 3) Veteran's court appointment 4) Travel report from Treasurer for Native American Bank travel 5) Oneida Housing Authority Executive director's Nov. report 6) Travel request from cultural heritage for three staff to attend the Treaty of Canandaigua commemoration and then in executive session item number eight was deleted, with two additions 1) Land claims report 2) Arlinda Locklear contract and under the Chief Counsel report, a verbal update was given for the Indian Reservation Roads, 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

IV. Oaths of Office

V. Minutes to be approved

1. Oct. 26 regular Business Committee minutes

Motion by Melinda J. Danforth to approve the Oct. 26 regular Business 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

2. Nov. 1 special Business Committee minutes

Motion by Melinda J. Danforth to approve the Nov. 1 special Business Committee minutes, seconded by Patty Hoeft. Motion carried with one abstention:

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

VI. Resolutions

1. Create action plan and strategy for organizational, policy and budget reform

Sponsor: Greg Matson

Motion by Tina Danforth to table this resolution for 30 days, seconded by Vince DelaRosa. Motion carried with four oppositions and Chairman Delgado breaking the tie:

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

Motion by Patty Hoeft to direct the Vice-chairman to be responsible for coordinating the BC reorganization efforts starting November 15 and to ensure that the BC gets a reorganization plan developed that we can present to the GTC in early 2012, seconded by Tina Danforth. Motion carried with one abstention:

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

2. Rescind fee-to-trust resolution BC 5-14-08-C former PRSD Corporation property

Sponsor: Fred Muscavitch

Motion by Patty Hoeft to rescind the fee-to-trust resolution dated BC 5-14-08-C former PRSD Corporation property, 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 the fee-to-trust resolution for former Maple Leaf Builders & Development, LLC, property, and approve fee-to-trust warranty deed former Maple Leaf Builders & Development, LLC property

Sponsor: Fred Muscavitch

Motion by Paul Ninham to approve the Fee-to-Trust Resolution former Maple Leaf Builders & Development, LLC, property, 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 Patty Hoeft to approve the Fee-to-Trust Warranty Deed former Maple Leaf Builders & Development, LLC, property, 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. Indian Reservation Roads

Sponsor: Melinda J. Danforth

Motion by Vince DelaRosa to approve the resolution regarding ownership and maintenance of certain tribal roads, seconded by Tina Danforth. Motion carried unanimously:

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

VII. Board, Committee and Commission quarterly reports

1. Oneida Land Commission quarterly report

Sponsor: Amelia Cornelius

Motion by Vince DelaRosa to approve the Oneida Land Commission 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

VIII. Standing Committees

A. Legislative Operating Committee - Council member Melinda J. Danforth, LOC Chair

1. Approve resolution Extension of Emergency Adoption Vendor Licensing and Permitting Regulations, Oneida Gaming Commission (OGC) R#1

Motion by Vince DelaRosa to approve the resolution, Extension of emergency adoption of the vendor licensing and permitting regulations, 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 resolution Per Capita Ordinance Emergency Amendments Extension

Motion by Vince DelaRosa to approve the resolution, Per capita ordinance emergency amendment extension, 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

3. Update on personnel policies and procedures amendments relating to capping vacation and personal time accumulation

Motion by Paul Ninham to accept as FYI, seconded by Vince Delarosa. Motion carried unanimously:

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

Excused: Greg Matson, Tina Danforth

4. Oct. 19, 2011 LOC meeting minutes

Motion by Melinda J. Danforth to approve the Oct. 19, LOC meeting minutes, seconded by Brandon. Motion carried unanimously:

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

B. Finance Committee - Treasurer Tina Danforth, Finance Chair

1. Oct. 27 Finance Committee minutes

Motion by Brandon Stevens to approve the Oct. 27 Finance 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

C. Community Development Planning Committee (CDPC) - Council member Vince DelaRosa,
Chair

1. Nov. 7 CDPC minutes and report

Motion by Melinda J. Danforth to delete this item from the agenda, 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

D. Quality of Life

IX. Travel

A. Travel reports

1. Homeway Homes Tour, Oct. 20-21, Deer Creek, IL

Sponsor: Vince DelaRosa, Ed Delgado, David Jordan

Motion by Paul Ninham to approve the travel report, 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

2. SEOTS organizational structure update and briefing, Oct. 27, 2011, Milwaukee, WI

Sponsor: Vince DelaRosa, Patty Hoeft, David Jordan

Motion by Melinda J. Danforth to approve the travel report, seconded by Greg Matson. Motion carried unanimously:

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

Excused: Paul Ninham

B. Travel requests

1. Retro-approve Homeway Homes Tour, Oct. 20-21, Deer Creek, IL

Sponsor: Vince DelaRosa, Ed Delgado, David Jordan

Motion by Patty Hoeft to retro-approve the travel request seconded by Tina Danforth. Motion carried unanimously:

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

Excused: Paul Ninham

2. Briefing Session at Kateri Center, Nov. 19, Chicago, IL

Sponsor: Vince DelaRosa/Chaz Wheelock

Motion by Patty Hoeft to 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

X. General Tribal Council

1. Petitioner Madelyn Genskow: require Oneida Appeals commission officers to be determined by highest numbers of votes candidates receive in General Election

Sponsor: Patty Hoeft

Excerpt from Oct. 26: Motion by Tina Danforth to have the Secretary's office bring back a recommended date at the Nov. 9 BC meeting, seconded by Vince DelaRosa. Motion carried with one abstention.

Motion by Patty Hoeft to propose to put this item on the annual meeting agenda for Jan. 2, 2012, seconded by Vince DelaRosa. Motion carried with one abstention:

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

XI. Follow-ups/BC directives

1. Stimulus quarterly report (Mar. 9, June 8, Sept. 14, Dec. 14)-Deleted

Sponsor: Cheryl Stevens, Grants director

- XII. Continuing FY2012 budget spending exceptions (BC Resolution 07-27-11-A...Expenditures in the following areas will be postponed unless approved by the Business Committee: 1. Technology sets asides and implementation, 2. CIP, 3. Capital Expenditures, 4. Sponsorships, projects and special events such as conferences, workshops, etc., Posting of all vacant positions)**

A. Sponsorships, Projects and Special Events Exceptions

1. ARRA Transit Grant Approval

Sponsor: Cheryl Stevens, Grants director

Motion by Tina Danforth to approve the ARRA Transit Grant 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

B. Travel Requests Exceptions

1. Land Management – Retro-approve Eleanora Smith, Tina Figueroa, Faith Metoxen, Sandra Wondra and Carla Clark, to WI Title Examination Course: Topic Bayfield Railroad Case and Access and Easements, Nov. 2, Wisconsin Dells, WI

Sponsor: Fred Muscavitch, Land Management division director

Motion by Patty Hoeft to retro approve the travel request and to note the travel is grant funded, 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

2. Environmental Health – Retro-approve Jennifer Jordan to Native Fitness Week- Personal Trainer Certification training, Oct. 31-Nov. 2, Flagstaff, AZ

Sponsor: Patrick Pelky, Environmental Health and Safety division director

Motion by Patty Hoeft to retro approve the travel request and to note the travel is 100% grant funded, 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. Environmental Health – Retro-approve Victoria Flowers and Shawn Suri to provide training and outreach as a grant requirement of the Underground Storage Tank Grant, Nov. 7-9, Lac du Flambeau, WI

Sponsor: Patrick Pelky, Environmental Health and Safety division director

Motion by Paul Ninham to retro the travel and to note the travel is grant funded, 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

4. Environmental Health – Michael Troge to Tribal Energy Program Review, Nov. 14-18, Denver, CO

Sponsor: Patrick Pelky, Environmental Health and Safety division director

Motion by Patty Hoeft to approve the travel request and to note the travel is grant funded, 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. Environmental Health – Jennifer Jordan to Level II Training, March 4-9, 2012, Anchorage, AK

Sponsor: Patrick Pelky, Environmental Health and Safety division director

Motion by Paul Ninham to approve the travel request and to note the travel is grant funded, seconded by Patty Hoeft. Motion carried with one abstention:

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

Abstained: David Jordan

6. Environmental Health – Victoria Flowers to Tribal Waste and Response Assistance Program (TWRAP) Steering Committee meeting, Dec. 5-8, Washington, DC

Sponsor: Patrick Pelky, Environmental Health and Safety division director

Motion by Melinda J. Danforth to approve the travel request and to note the travel is grant funded, 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

7. Environmental Health – Jeff Mears to Tribal Science Council Winter 2011 Business Meeting, Dec. 5-9, Tulsa, OK

Sponsor: Patrick Pelky, Environmental Health and Safety division director

Motion by Paul Ninham to approve the travel request and to note the travel is 100% EPA grant funded, 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

8. Governmental Services – 7 staff to Certification Training, Nov. 14-18, Milwaukee, WI

Sponsor: Don White, Governmental Services division director

Motion by Melinda J. Danforth to approve the travel request and to note the travel is grant funded and needs a procedural exception, 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

9. Comprehensive Health – Debbie Danforth and Sandy Schulyer to Annual Bemidji Area Health Service/Tribal/Urban meeting, Nov. 29- Dec. 3, Bloomington, MN

Sponsor: Debbie Danforth, Comprehensive Health division director

Motion by Patty Hoeft to approve the travel request and to note the travel is grant funded, 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

10. Comprehensive Health – Approve an additional \$191.80 for John Olson to travel to TribalNet12 Conference, Nov. 13-18, Scottsdale, AZ

Sponsor: Vince DelaRosa

Motion by David Jordan to approve the travel request and to note the travel is grant funded, seconded by Paul Ninham. Motion carried with one abstention:

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

Abstained: Tina Danforth

11. Enterprise – Jeff Scofield to Intertribal Buffalo Council Annual Membership meeting, Dec. 6, Las Vegas, NV

Sponsor: Michele Doxtator, Interim Enterprise division director

Motion by Paul Ninham to approve the travel request and to note the travel is grant funded, 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

12. Internal Services – Kirby Metoxen to American Indian Alaskan Native Tourism Association (AIANTA) board meeting, Dec. 7- 11, Las Vegas, NV

Sponsor: Joanie Buckley, Internal Services division director

Motion by Patty Hoeft to approve the travel request and to note the travel will be reimbursed 100% by American Indian Alaskan Native Tourism Association (AIANTA), 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

13. Emergency Management – Marty Antone and Kaylynn Gresham to mandatory BIA training for EMHS agents, Nov. 14-17, Farmington, NM

Sponsor: Ed Delgado/Marty Antone, Emergency Management division director

Motion by David Jordan to approve the travel request and to note the travel is grant funded, 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

C. 2012 Hiring Requests Exceptions

1. Comprehensive Health Division - Dr. Ravi Vir, Medical director

a. Contract Health Specialist

Motion by David Jordan to approve the hiring request, 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. Administrative Assistant III

Motion by David Jordan to approve the hiring request, seconded by Paul Ninham. 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. Non-Divisional area

a. Research Assistant-Trust Department

Sponsor: Susan White, Trust Department director

Motion by Paul Ninham to defer the hiring request for two weeks and have the secretary's office to contact Susan White of the new date, 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 Patty Hoeft to reconsider this item, seconded by Brandon Stevens. Motion carried unanimously:

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

Excused: Paul Ninham

Motion by Patty Hoeft to approve the hiring 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

XIII. New Business/Requests

1. Indian Health Service (IHS) Contract Support Cost (CSC) workgroup nominations due Nov. 15, 2011

Sponsor: Ed Delgado

Motion by Vince DelaRosa to nominate Chairman Ed Delgado to the Indian Health Service (IHS) Contract Support Cost (CSC) workgroup, with Debbie Danforth serving as the alternate, seconded David Jordan. Motion carried unanimously:

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

2. Post one Oneida Gaming Commission vacancy to fill remainder of William Sauer Sr. term

Sponsor: David Jordan/Shirley Hill

Motion by Vince DelaRosa to approve the posting, 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. Endorse proposed Oneida Visitors Center initiative and request Chief Financial Officer to work with Divisions and Land Commission on a recommendation for implementation

Sponsor: Paul Ninham

Motion by Vince DelaRosa to send this item to CDPC and have CDPC report back within two months on final recommendations on location, 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

4. Cancel Nov. 23 regular Business Committee meeting

Sponsor: Patty Hoeft

Motion by Vince DelaRosa to cancel the Nov. 23 regular Business Committee meeting, 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 Patty Hoeft to add the CDPC item to the agenda and make it #7 under additions, seconded by Vince DelaRosa. Motion carried unanimously:

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

Excused: Brandon Stevens

XIV. Additions

1. Culture Heritage: Travel Request for 3 staffers to Treaty of Canandaigua commemoration 217th anniversary, Nov. 9-13, Canandaigua, NY

Sponsor: Don White

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

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

2. Finance Committee minutes and e-poll from Nov. 4

Sponsor: Tina Danforth

Motion by Paul Ninham to approve the Finance Committee minutes and e-poll from Nov. 4, seconded by Vince DelaRosa. Motion carried with one abstention:

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

3. Chairman Delgado to attend White House Conference with Tribal Leaders, Nov. 29-Dec. 2, Washington, D.C.

Sponsor: Ed Delgado

Motion by Melinda J. Danforth to approve the travel request, seconded by Paul Ninham. Motion carried unanimously:

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

4. Recommendation to appoint Manuel Jesse Torres Jr. to Brown County Veteran's court appointment

Sponsor: Ed Delgado

Motion by Vince DelaRosa to approve the appointment, seconded by Paul Ninham. Motion carried unanimously:

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

5. Travel report from Treasurer Tina Danforth for Native American Bank travel

Sponsor: Tina Danforth

Motion by Patty Hoeft to approve the travel report, seconded by David Jordan. Motion carried unanimously:

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

6. OHA Executive director's report

Sponsor: Dale Wheelock

Motion by Vince DelaRosa to accept the 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

Motion by Patty Hoeft to direct the OHA director to provide these monthly reports to the CDPC, seconded by Vince DelaRosa. Motion carried unanimously:

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

Excused: Greg Matson

7. CDPC Quorum Change from 5 BC members to 3 BC member

Sponsor: Vince DelaRosa

Motion by Vince DelaRosa to approve the request, seconded by Paul Ninham. Motion carried with two abstentions:

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

Abstained: Tina Danforth, Brandon Stevens

XV. Action in open session on items from Executive Session Discussion meeting of Nov. 8, 2011

A. Executive Managers reports

1. Gaming General Manager bi-monthly report - Louise Cornelius

Motion by Vince DelaRosa to approve the report, 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

Motion by Brandon Stevens to approve the General Manager's decision about dealer wages to NE01 thus removing the cap, 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. Chief Counsel report – JoAnne House

a. Review 1993, 1995 & 1998 funding agreements for Onyota"a:ka of Thames land claims work

Motion by Vince DelaRosa to defer, 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

b. Update on proposed constitution amendments and US Dept. of Interior sponsored Secretarial election to adopt any amendments

Excerpt from Oct. 26: Motion by Melinda J. Danforth to accept the report on the status of the constitutional amendments and to direct a follow-up report on the next Oneida Business Committee agenda, seconded by Paul Ninham. Motion carried unanimously

Motion by Melinda J. Danforth to accept the update, seconded by Paul Ninham. 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. Audit Committee – Councilman Brandon Stevens, Chairman

1. Audit Committee Sept. 22 regular meeting minutes

Motion by Vince DelaRosa to approve items 1-5 and lifts the confidentiality and to approve the audits to be seen by tribal members through the process, 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

2. Internal Audit September report

3. Approve Information Technology Compliance Audit and lift the confidentiality requirement allowing Tribal members to view the audit

4. Approve Cash and Debt Management Audit and lift the confidentiality requirement allowing Tribal members to view the audit

5. Approve Voluntary Severance Program Audit and lift the confidentiality requirement allowing Tribal members to view the audit

6. Request Oneida Golf Enterprise Board response to audit findings

Motion by Brandon Stevens the OBC in response to the preliminary ethics findings within the Oneida Golf Enterprise investigation will provide within 30 days, a response which will include standard operating procedures which will provide restrictions and guidelines regarding gifts and free benefits offered to Oneida Golf Enterprise Board members and Oneida Business Committee members, to comply with the Oneida Ethics Law, seconded by Paul Ninham. Motion carried with one opposition and two abstentions:

Ayes: Patty Hoeft, David Jordan, Greg Matson, Paul Ninham, Brandon Stevens
Opposed: Vince DelaRosa
Abstained: Melinda J. Danforth, Tina Danforth
For the record: Bobbi Webster stated for the record that the board has fully cooperated with the audit because of what was said last week and what is being said today, it really casts a very heavy call of suspicion on the entire board. There are probably individual issues that are being brought forward, but we have fully cooperated and will support the public findings and when it is to be released and we will prepare our response.
For the record: Vince Delarosa I opposed because I kind of concur with Melinda. I would like to see it done procedurally quicker, but I understand, I'd like to see it done in 10 days, but I understand the motion.

C. Follow-ups/BC directives

1. 90-day contract for a private investigator to look into a personnel matter

Sponsor: Ed Delgado

Excerpt from Oct. 26: Motion by Brandon Stevens to defer to the next meeting, seconded by Patty Hoeft. Motion carried unanimously.

Motion by Melinda to defer to this item back to the Chairman's office to go through the three bid process, with the understanding that the BC agreed to allow for the Chairman to make the selection as well and to have him inform the rest of the members who was selected, 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

D. New Business/Requests

1. Treasurer's Report for period ending Sept. 30, 2011

Sponsor: Tina Danforth/Larry Barton

Motion by Vince DelaRosa to approve the report, 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

2. Approve waiver of limited sovereign immunity for Life Synch-Humana contract

Sponsor: Ed Delgado/Mari Kriescher

Motion by Vince DelaRosa to approve the waiver of limited sovereign immunity for Life Synch-Humana contract, 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. Approve waiver of limited sovereign immunity for United Behavioral Health Inc. contract

Sponsor: Ed Delgado/Mari Kriescher

Motion by Patty Hoeft to approve the waiver of limited sovereign immunity for United Behavioral Health Inc. contract, 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

4. Review Management's monthly incentive pay policy for any afterhours building security calls to Oneida Health Center

Sponsor: Ed Delgado

Motion by Paul Ninham to defer this item for two weeks, 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. Approve waiver of limited sovereign immunity for Wisconsin Highway Business Signs contract

Sponsor: Michele Doxtator

Motion by Vince DelaRosa to approve the waiver of limited sovereign immunity for Wisconsin Highway Business Signs contract, 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

6. Approve waiver of limited sovereign immunity for Deposit Control Agreements for BMO Harris Bank and Bay Bank

Sponsor: Larry Barton

Motion by Tina Danforth to approve the waiver of limited sovereign immunity for Deposit Control Agreements for BMO Harris Bank and Bay Bank, 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

7. Approve forwarding the amended and restated Credit Agreement to the National Indian Gaming Commission (NIGC)

Sponsor: Larry Barton

Motion by Tina Danforth to approve forwarding the amended and restated Credit Agreement to the National Indian Gaming Commission (NIGC), seconded by Patty Hoeft. Motion carried with one abstention:

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

Abstained: Melinda J. Danforth

8. Appeals Commission – Family Case- Deleted

E. Additions

1. Land claims report and next steps

Sponsor: Ed Delgado

Motion by Brandon Stevens to approve the Land claims 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

2. Arlinda Locklear contract to provide assistance to efforts to develop a legislative remedy for Land Claim

Sponsor: Ed Delgado

Motion by David Jordan to approve the Arlinda Locklear contract, 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

Motion by Tina Danforth to approve payment for the month of October to Arlinda Locklear, 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

3. Indian Reservation Roads status report

Sponsor: Melinda J. Danforth/David Jordan

Motion by Patty Hoeft to accept the report as FYI, seconded by Vince DelaRosa. Motion carried unanimously:

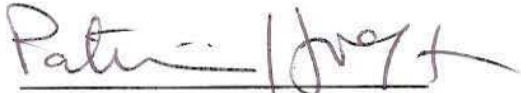
Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, David Jordan,
Greg Matson, Paul Ninham, Brandon Stevens

XVI. Adjourn

Motion by Tina Danforth to adjourn at 12:07 p.m., 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

Minutes Approved as presented/corrected on Dec. 14, 2011.

A handwritten signature in dark ink, appearing to read "Patricia Hoeft", written over a horizontal line.

Patricia Hoeft, Tribal Secretary
ONEIDA BUSINESS COMMITTEE

