



# Oneida Business Committee

**Regular Meeting**  
**9 a.m. Wednesday, Dec. 12, 2012**  
**BC Conference Room, 2<sup>nd</sup> floor, Norbert Hill Center**

## Minutes

**Present:** Chairman Ed Delgado, Treasurer Tina Danforth, Secretary Patty Hoeft, Council members Melinda J. Danforth, David Jordan, Paul Ninham, Brandon Stevens

**Not present:** Vice Chairman Greg Matson, Council members Vince DelaRosa

**Others present:** Laura Manthe, Megan Parker, Loretta V. Metoxen, Wes Martin, Shirley Barber, Kathy Metoxen, Debbie Danforth, Jerry Cornelius, Kitty Melchert, Linda Torres, Michele Doxtator, Lisa Hock, Geraldine Danforth, Lauren Hartman, Sylvia Cornelius, Linda Jenkins, Marlene Summers, Mary Cornelissen, C.L. Metoxen, Bobbi Webster, Matt Denny, Sayokla Williams, Mark W. Powless, Janice Hirth, James Elm, Chaz Wheelock, Joanie Buckley, Ken House, Jim Wildenberg, Paul Witek, Lois Strong, Ron McLester, Pearl McLester, Carol Elm, Mary Jo Nash, Barbara Skenandore, RC Metoxen

**I. Call to Order and Roll Call** by Chairman Ed Delgado at 9:02 am

\*Tina Danforth arrived at 9:04 a.m.

**II. Opening** by Chairman Ed Delgado

**III. Approve the agenda**

Motion by Paul Ninham to approve the agenda with the following additions to open session: 1) Oneida Golf Board appointment 2) Oneida Airport Hotel appointment and administer oath of office if approved 3) Travel request from Councilman DelaRosa 4) Pilot Tax item from executive session to open session, 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, Greg Matson

**IV. Oaths of Office – Administered by Secretary Patty Hoeft**

- 1. Environmental Resource Board** – Megan Parker
- 2. Oneida Nation Veterans Affairs Committee** – Gerald Cornelius
- 3. Oneida School Board** – Sylvia Cornelius, Neset Skenandore (not present)
- 4. Oneida Airport Hotel Corporation** – Ralinda Lamberies-Ninham

**V. Minutes to be approved**

- 1. Nov. 14, 2012 regular**

Motion by Paul Ninham to approve the Nov. 14, 2012 regular minutes, 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, Greg Matson

**VI. Resolutions**

- 1. 2013 Administration for Children and Families-Social Economic Development Strategies**

Sponsor: Michele Doxtator

Motion by Tina Danforth to approve resolution 12-12-12-A 2013 Administration for Children and Families-Social Economic Development Strategies, 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. Fee-to-Trust former Martin and Annette Bargabos property**

Sponsor: Fred Muscavitch

Motion by Tina Danforth to approve resolution 12-12-12-B Fee-to-Trust for parcel number 253689 11.28-1-6, seconded by David Jordan. Motion carried unanimously:

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

Not present: Vince DelaRosa, Greg Matson

## **3. Fee-to-Trust application property address W1000 Block of Old Seymour Road**

Sponsor: Fred Muscavitch

Motion by Tina Danforth to approve resolution 12-12-12-C Fee-to-Trust application property address W1000 Block of Old Seymour Road, seconded by David Jordan. Motion carried unanimously:

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

Not present: Vince DelaRosa, Greg Matson

Motion by Patty Hoeft to approve the Fee-to-Trust warranty deed by signature from the Business Committee Chairman and Tribal Secretary for those parcels identified in above resolution, seconded by David Jordan. Motion carried unanimously:

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

Not present: Vince DelaRosa, Greg Matson

## **VII. Reports**

### **1. New York land claim settlement monthly report – Ed Delgado**

Motion by Patty Hoeft to accept the New York land claim settlement monthly report and to forward the report to a Business Committee work meeting with the committee on Jan. 15, 2013, seconded by Brandon Stevens. Motion failed with one abstention and three opposed:

Ayes: Patty Hoeft, Brandon Stevens

Abstained: David Jordan

Opposed: Melinda J. Danforth, Tina Danforth, Paul Ninham

Not present: Vince DelaRosa, Greg Matson

For the record: Ed Delgado stated we have 25,000 Oneidas in this whole wide world, there's no more. We have three Oneida Communities. We have to do our best to create good-will and good relations with those Indian Nations. We need to respect their Sovereignty and we need to insist that our Sovereignty is also respected, so that's the purpose. To move forward so we can have good relations with the New York Indians of Oneida. They haven't been that good. That's the initiative and I'm going to stick with that and as Rick used to say, "That's my story and I'm sticking to it." Thank you.

Motion by Paul Ninham to defer the New York land claim settlement report to a Business Committee work meeting on Jan. 15, 2013, seconded by Patty Hoeft. Motion carried with one opposed:

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

Opposed: Tina Danforth

Not present: Vince DelaRosa, Greg Matson

For the record: Tina Danforth stated I opposed because I had already expressed my unavailability on that date.

\*Vince DelaRosa arrived at 9:48 a.m.

### **2. Comprehensive Health Division – Debra Danforth**

Motion by David Jordan to accept the Comprehensive Health Division report and also request Comprehensive Health Division bring forward to the next meeting, a resolution requesting that Kathy Hughes be placed on those two boards that were mentioned in the report, seconded by Brandon Stevens. Motion carried with one abstention:

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

Abstained: Tina Danforth

Not present: Greg Matson

## **VIII. Boards, Committees and Commissions**

### **A. Appointments**

#### **1. Post three Child Protective Board vacancies**



Motion by Patty Hoeft to post three vacancies for Child Protective Board, one vacancy for Library Board, one vacancy for Personnel Commission, three vacancies for Oneida Nation Veterans Affairs Committee, and two vacancies for Oneida Pow Wow Committee, 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: Greg Matson

- 2. Post one Library Board vacancy**
- 3. Post one Personnel Commission vacancy**
- 4. Post three Oneida Nation Veterans Affairs Committee vacancies**
- 5. Post two Oneida Pow Wow Committee vacancies**
- 6. Appoint Roxanne Anderson to Oneida Library Board**

Motion by David Jordan to appoint Roxanne Anderson to Oneida Library Board, 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: Greg Matson

- 7. Appoint Teresa Schuman and Pearl Webster to alternate positions on the Oneida Pardon Committee**

Motion by Paul Ninham to appoint Teresa Schuman and Pearl Webster to alternate positions on the Oneida Pardon Committee, 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: Greg Matson

#### **B. Quarterly reports**

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

Motion by David Jordan to approve Oneida Airport Hotel Corporation Board quarterly report, 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: Greg Matson

- 2. Oneida Total Integrated Enterprises – Butch Rentmeester, Chairman**

Motion by David Jordan to accept Oneida Total Integrated Enterprises quarterly report, Vince DelaRosa. Motion carried unanimously:

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

Not present: Greg Matson

- 3. Bay Bank Corporation – John Johnson, Chairman**

Motion by Patty Hoeft to accept Bay Bank Corporation quarterly report, seconded by Vince DelaRosa. Motion carried unanimously:

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

Not present: Melinda J. Danforth, Greg Matson

- 4. Oneida Golf Enterprise Corporation – Bobbi Webster, Chairwoman**

Motion by 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: Greg Matson

- 5. Oneida Seven Generations Corporation – William Cornelius, Chairman**

Motion by Paul Ninham to defer Oneida Seven Generations quarterly report to the next Business Committee meeting, seconded by Tina Danforth. Motion carried unanimously:

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

Not present: Melinda J. Danforth, Greg Matson

- 6. Oneida Child Protective Board – Shirley Barber, Chairwoman**

Motion by Patty Hoeft to accept the Oneida Child Protective Board quarterly report, 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: Greg Matson

**7. Anna John Nursing Home Commission – Carol Elm, Chairwoman**

Motion by David Jordan to accept the Anna John Nursing Home Commission quarterly report, 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: Greg Matson

**8. Oneida Nation Commission on Aging – Wes Martin, Chairman**

Motion by Patty Hoeft to approve Oneida Nation Commission on Aging 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: Greg Matson

**IX. Standing Committees**

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

**1. Place on 2013 GTC semi-annual agenda the referendum question proposing educational requirements for School Board members**

*Excerpt from Oct. 10, 2012: Motion by Paul Ninham to approve the memo as FYI and request a report come back to the OBC in 60 days (December 12, 2012) and recommend this referendum go to the General Tribal Council for discussion and further direction at the July 2013 General Tribal Council meeting, seconded by Vince DelaRosa. Motion carried unanimously.*

Motion by Patty Hoeft to approve placement of the referendum question proposing educational requirements for School Board members on the 2013 GTC semi-annual agenda, seconded by Paul Ninham. Motion carried with one abstention:

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

Abstained: Tina Danforth

Not present: Greg Matson

**2. Place on 2013 GTC semi-annual agenda the referendum question proposing term limits for members on boards, committees and commissions including Oneida Business Committee**

*Excerpt from Oct. 10, 2012: Motion by Melinda J. Danforth to approve the memo as FYI and request a report come back to the OBC in 60 days (December 12, 2012) and recommend this referendum go to the General Tribal Council for discussion and further direction at the July 2013 General Tribal Council meeting, seconded by Patty Hoeft. Motion carried unanimously.*

Motion by Patty Hoeft to approve placement of the referendum question proposing term limits for members on boards, committees and commission on the 2013 GTC semi-annual agenda, seconded by Vince DelaRosa. Motion carried with one abstention:

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

Abstained: Tina Danforth

Not present: Greg Matson

**3. Approve extension of emergency amendments for the Room Tax Law**

Motion by Patty Hoeft to approve resolution 12-12-12-D Extension of Emergency Amendments for the Room Tax Law, 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: Greg Matson

**4. Consider repeal of Pardon and Forgiveness Law on an emergency basis**

Motion by Tina Danforth to repeal the Pardon and Forgiveness Law (BC-5-25-11-A) on an emergency basis; and adopt the prior version of the Oneida Pardon Ordinance (BC-7-31-02-A) to replace the 2011 Pardon and Forgiveness Law, seconded by Vince DelaRosa. Motion failed with four opposed:

Ayes: Tina Danforth, Vince DelaRosa, Patty Hoeft

Opposed: Melinda J. Danforth, David Jordan, Paul Ninham, Brandon Stevens

Not present: Greg Matson

Motion by Tina Danforth to direct the Chairman and Vice Chairman jointly schedule a hearing within the next 45 days to address the current applicants on file and any others that arise, seconded by Patty Hoeft. Motion carried



with three opposed:

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

**B. Finance Committee** – Treasurer Tina Danforth, Chairwoman

**1. Dec. 7, 2012 minutes**

Motion by Patty Hoeft to approve Dec. 7, 2012 Finance Committee, seconded by Paul Ninham. Motion carried with one abstention:

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

**C. Community Development Planning Committee** – Vince DelaRosa, Chairman

**1. Oct. 4, 2012 minutes**

Motion by Patty Hoeft to accept Oct. 4, 2012 CDPC minutes, 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: Greg Matson

**2. Approve CDPC sign-off authority procedure:**

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

Motion by Patty Hoeft that the Business Committee authorizes payment of Bonnilake Developer, Fred Birsch's contract fees, that payment comes from the line item set aside for CDPC activities and that it is authorized through the normal process, 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: Greg Matson

**D. Quality of Life** – Paul Ninham, Chairman

**X. General Tribal Council**

**XI. Unfinished Business**

**1. South Eastern Oneida Tribal Services (SEOTS) program performance report**

Sponsor: Don White

*Excerpt from Oct. 24, 2012: Motion by Patty Hoeft to direct Don White, the Governmental Services Division Director, to provide the Business Committee a report giving a description and an overview of SEOTS programming, their performance to date, and some of his ideas on how we are going to move forward, within 30 days, seconded by David Jordan. Motion carried unanimously.*

Motion by Paul Ninham to approve the SEOTS program performance report, seconded by Vince DelaRosa. Motion carried unanimously:

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

**XII. New Business**

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

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

*Excerpt from Nov. 14, 2012: 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.*

Motion by Patty Hoeft to retro-approve \$8 per hour holiday premium pay incentive for Dec. 25 & 31, 2012 and Jan. 1, 2013, seconded by Paul Ninham. Motion carried unanimously:

Ayes: Melinda J. Danforth, Tina Danforth, Vince DelaRosa, Patty Hoeft, Paul Ninham, Brandon Stevens  
Not present: David Jordan, Greg Matson  
For the record: Tina Danforth stated I truly believe that this needs to be implemented across the board for other employees who have to work. We can make the statement that



Gaming is a significant source of revenue, that's true, but there are other sources of revenue and other people are working the Holiday. I had really said this the past summer with the July Holiday, you know, other people have to work too and they should be given the same consideration. There are people working in a nursing home, so we should just discount them? I don't think it's fair. People who work in the one-stops, they shouldn't be discounted either. Thank you.

**2. Approve Tribal-wide \$8 per hour holiday premium pay incentive for Dec. 25 & 31, 2012 and Jan. 1, 2013 for Anna John Nursing Home, Utilities, Retail, MIS, Police and Internal Security, Transit**

Motion by Tina Danforth to approve Tribal-wide \$8 per hour holiday premium pay incentive for Dec. 25 & 31, 2012 and Jan. 1, 2013 for Anna John Nursing Home, Utilities, Retail, MIS, Police, Internal Security and Transit, seconded by Vince DelaRosa. Motion carried unanimously:

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

Not present: David Jordan, Greg Matson

**3. Approve Human Resource Department revised workforce levels**

Motion by Patty Hoeft to defer to the Chief Financial Officer to bring back a written recommendation if he agrees with attachment B, HRD workforce levels at the Jan. 9, 2013 Business Committee meeting, seconded by Melinda J. Danforth. Motion carried with one abstention:

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

Abstained: David Jordan

Not present: Greg Matson

**4. Employee Health: Post one vacant RN position at 40 hours per week, increase from 32 hours per week**

Motion by Patty Hoeft to approve to post one vacant RN position at 40 hours per week, increase from 32 hours per week, seconded by Paul Ninham. Motion carried with one abstention and one opposed:

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

Opposed: David Jordan

Abstained: Tina Danforth

Not present: Greg Matson

**5. Community Education Center: Use one vacant full-time teacher position to create one half-time position in CEC for Administrative Assistant II and one half-time position in Education and Training LTE half-time Marketing Program Coordinator**

Motion by Patty Hoeft to approve to use one vacant full-time teacher position to create one half-time position in CEC for Administrative Assistant II and one half-time position in Education and Training LTE half-time Marketing Program Coordinator, seconded by Paul Ninham. Motion carried with one abstention:

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

Abstained: Tina Danforth

Not present: Greg Matson

**6. Education and Training: Post GED Teacher/Supervisor position vacant since May 2011**

Motion by Patty Hoeft to approve to post GED Teacher/Supervisor position vacant since May 2011, seconded by Paul Ninham. Motion carried with one abstention:

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

Abstained: Tina Danforth

Not present: Greg Matson

**7. Children and Family Services: Replace vacant Assistant Director with Intake/Investigator Specialist position**

Motion by Paul Ninham to approve to replace vacant Assistant Director with Intake/Investigator Specialist position, seconded by Patty Hoeft. Motion carried unanimously:

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

Not present: Greg Matson

**8. Custodial: Replace Assistant Custodial Manager with Custodial Supervisor**



Motion by Patty Hoeft to approve to replace assistant Custodial Manager with Custodial Supervisor, 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: Greg Matson

**9. Custodial: Replace Custodial Supervisor Trainee with Custodian**

Motion by Patty Hoeft to approve to replace Custodial Supervisor Trainee with Custodian, seconded by Melinda J. Danforth. Motion carried unanimously:

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

Not present: Greg Matson

**10. MIS: Approve procedural exception to use recruitment agency to find applicants for Senior Systems Analyst**

Motion by Patty Hoeft to approve procedural exception to use recruitment agency to find applicants for Senior Systems Analyst and to bring back a report in 30 days, seconded by Paul Ninham. Motion carried with one abstention:

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

Abstained: Tina Danforth

Not present: Greg Matson

Motion by David Jordan to adjourn at 12:02 p.m. until 1:30 p.m., seconded by Tina Danforth. Motion carried unanimously:

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

Not present: Greg Matson

Motion by Brandon Stevens to come back into session at 1:41 p.m., seconded by David Jordan. Motion carried unanimously:

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

Not present: Tina Danforth, Vince DelaRosa, Greg Matson

**B. New Business**

**1. Approve memorandum of agreement (MOA) for U.S. Indian Health Service-Bemidji Area and Oneida Tribe for project BE 12-G98 Septic Improvements**

Sponsor: Ed Delgado

Motion by David Jordan to approve memorandum of agreement (MOA) for U.S. Indian Health Service-Bemidji Area and Oneida Tribe for project BE 12-G98 Septic Improvements, seconded by Patty Hoeft. Motion carried unanimously:

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

Not present: Tina Danforth, Vince DelaRosa, Greg Matson

**2. Activate \$3,000,000 from FY2013 CIP Budget for CIP #98-005 Anna John Resident Centered Care Community project**

Sponsor: Butch Rentmeester

Motion by Paul Ninham to approve to activate \$3,000,000 from FY2013 CIP Budget for CIP #98-005 Anna John Resident Centered Care Community project, seconded by David Jordan. Motion carried unanimously:

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

Not present: Tina Danforth, Vince DelaRosa, Greg Matson

\*Tina Danforth arrived at 1:49 p.m.

**3. Approve amendment to the Jurisdictional Transfer of the old bridge and the underlying land to the Oneida Tribe**

Sponsor: Fred Muscavitch

Motion by David Jordan to approve amendment to the Jurisdictional Transfer of the old bridge and underlying land to the Oneida Tribe, seconded by Patty Hoeft. Motion carried with one abstention:

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

Abstained: Tina Danforth

Not present: Vince DelaRosa, Greg Matson

**XIII. Travel**

**A. Travel Reports**



**1. Meeting with Oneida Indian Nation Representative and Men's Council, Nov. 28-30, 2012, Oneida, NY**

Sponsor: Ed Delgado, Patty Hoeft, Brandon Stevens

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

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

Abstained: Vince DelaRosa

Not present: Greg Matson

\*Vince DelaRosa arrived at 1:54 p.m.

**B. Travel Requests**

**1. National Indian Gaming Association Annual Convention, March 24-27, 2013, Phoenix, AZ**

Sponsor: Greg Matson/Tina Danforth/Paul Ninham

Motion by Vince DelaRosa to approve the procedural exception and add Melinda J. Danforth and Ed Delgado to travel, 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: Greg Matson

**2. Retro-approve Tribal Leaders' Post-Election Strategy meeting, Nov. 8-9, 2012, Las Vegas, NV**

Sponsor: Ed Delgado/Brandon Stevens

Motion by David Jordan to retro-approve the travel request, 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: Greg Matson

**3. Retro-approve 2012 Tribal Nations Conference, Dec. 3-5, 2012, Washington, DC**

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, Paul Ninham, Brandon Stevens

Not present: Greg Matson

**XIV. Additions**

**1. Appoint Scott Webster to Oneida Golf Enterprise**

Sponsor: Ed Delgado

Motion by David Jordan to appoint Scott Webster to Oneida Golf Enterprise, 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: Greg Matson

**2. Appoint Ralinda Lamberies-Ninham to Oneida Airport Hotel Corporation**

Sponsor: Ed Delgado

Motion by David Jordan to appoint Ralinda Lamberies-Ninham to Oneida Airport Hotel Corporation, 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

**3. Meeting with Brian Gillin, Dec. 27-28, 2012, Chicago, IL**

Sponsor: Vince DelaRosa

Motion by David Jordan to approve the travel request, 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: Greg Matson

**4. Pilot Tax Agreement**

Sponsor: Ed Delgado

Motion by Patty Hoeft that the Tribal Chairman will send a letter to the County Executive notifying them that we will not be paying the real estate taxes portion of that bill, but we will be paying the pilot tax portion, 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: Greg Matson

**XV. Action in open session on items from Executive Session Discussion meeting of Dec. 11, 2012**

**A. Reports**

**1. Chief Counsel report – Jo Anne House**

Motion by David Jordan to approve Chief Counsel report, seconded by Patty Hoeft. Motion carried with one abstention:

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

Abstained: Brandon Stevens

Not present: Greg Matson

**2. Gaming General Manager bi-monthly report – Louise Cornelius \*presentation on Casino Expansion-10 am by Paul Hamel**

Motion by David Jordan to approve Gaming General Manager bi-monthly report, seconded by Patty Hoeft. Motion carried with one abstention:

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

Abstained: Brandon Stevens

Not present: Greg Matson

**3. Legislative Affairs and Communications monthly report – Nathan King**

Motion by David Jordan to approve the Legislative Affairs and Communications verbal report, seconded by Patty Hoeft. Motion carried with one abstention:

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

Abstained: Brandon Stevens

Not present: Greg Matson

**4. Enterprise Division quarterly report– Michele Doxtator, Interim Division Director**

Motion by David Jordan to approve Enterprise Division quarterly report, seconded by Patty Hoeft. Motion carried with one abstention:

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

Abstained: Brandon Stevens

Not present: Greg Matson

**5. Oneida Airport Hotel Corporation – Janice Skenandore-Hirth, Chairwoman**

Motion by David Jordan to accept Oneida Airport Hotel Corporation quarterly report, seconded by Patty Hoeft. Motion carried with one abstention:

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

Abstained: Brandon Stevens

Not present: Greg Matson

**6. Oneida Total Integrated Enterprises – Butch Rentmeester, Chairman**

Motion by Paul Ninham to accept Oneida Total Integrated Enterprise quarterly report, seconded by Patty Hoeft. Motion carried with two abstentions:

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

Abstained: Tina Danforth, Brandon Stevens

Not present: Greg Matson

**7. Bay Bank Corporation – John Johnson, Chairman**

Motion by David Jordan to accept Bay Bank Corporation quarterly report, seconded by Paul Ninham. Motion carried with two abstentions:

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

Abstained: Tina Danforth, Brandon Stevens

Not present: Greg Matson

**8. Oneida Golf Enterprise Corporation – Bobbi Webster, Chairwoman**

Motion by David Jordan to accept Oneida Golf Enterprise Corporation quarterly report, seconded by Patty Hoeft. Motion carried with one abstention:

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



Abstained: Brandon Stevens  
Not present: Greg Matson

**9. Oneida Seven Generations Corporation – William Cornelius, Chairman**

Motion by Paul Ninham to defer Oneida Seven Generations Corporation quarterly report to the next Business Committee meeting, seconded by Patty Hoeft. Motion carried with one abstention:

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

Abstained: Brandon Stevens  
Not present: Greg Matson

**B. Audit Committee – Councilman Brandon Stevens, Chairman**

**1. Oct. 25, 2012 Audit Committee minutes**

Motion by Patty Hoeft to accept Oct. 25, 2012 Audit committee minutes, seconded by Paul Ninham. Motion carried with one abstention:

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

Abstained: Brandon Stevens  
Not present: Greg Matson

**2. Internal Audit Oct. report w/ attachment A**

Motion by Patty Hoeft to accept Internal Audit Oct. report w/attachment A, seconded by David Jordan. Motion carried with one abstention:

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

Abstained: Brandon Stevens  
Not present: Greg Matson

**3. Approve Internal Security closeout report**

Motion by Patty Hoeft to approve Internal Security closeout report, seconded by David Jordan. Motion carried with one abstention:

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

Abstained: Brandon Stevens  
Not present: Greg Matson

**C. Unfinished Business/BC directives**

**1. Gaming licenses for MIS employees**

Sponsor: Ed Delgado/Melinda J. Danforth

*Excerpt from Nov. 14, 2012: 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.*

Motion by Melinda J. Danforth to accept the report and remove this item from the agenda, seconded by David Jordan. Motion carried with two abstentions:

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

**2. Personnel Commission request to remove a member**

Sponsor: Susan Daniels, Personnel Commission, Chairwoman

*Excerpt from Nov. 14, 2012: Motion by Patty Hoeft to defer to the Vice Chair to bring back a recommendation, seconded by David Jordan. Motion carried with two abstentions.*

Motion by David Jordan to defer to the next Business Committee meeting, seconded by Patty Hoeft. Motion carried with one abstention:

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

**3. Smet Construction contract complaint**

Sponsor: Tina Danforth

*Excerpt from Nov. 14, 2012: 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.*

Motion by Patty Hoeft to defer to January, seconded by Vince DelaRosa. Motion carried with one abstention:



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

**4. Oneida Housing Authority investigation report**

Sponsor: Tina Danforth

*Excerpt from Nov. 14, 2012: 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.*

Motion by David Jordan to defer this item to executive session until other items are completed, seconded by Patty Hoeft. Motion carried with two abstentions:

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

Motion by David Jordan to accept the Chair's recusal from this matter and delegate the responsibility to conclude the investigation and take action to the Treasurer with a follow-up report to the Oneida Business Committee, seconded by Patty Hoeft. Motion carried with three opposed:

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

**5. Gaming General Manager contract recommendations**

Sponsor: Ed Delgado

*Excerpt from June 28, 2012: Motion by Patty Hoeft that the reports considered by the Business Committee today be sent to Internal Audit and the Gaming Commission to begin their review of those documents, seconded by Paul Ninham. Motion approved with one opposition and one abstention*

*Excerpt from Nov. 14, 2012: 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.*

Motion by David Jordan to approve offering a two-year contract to Louise Cornelius as identified in the Dec. 12, 2012 recommendation by Council member David Jordan, seconded by Patty Hoeft. Motion carried with one abstention and one opposed:

Ayes: Melinda J. Danforth, Tina Danforth, Patty Hoeft, David Jordan, Paul Ninham  
Opposed: Vince DelaRosa  
Abstained: Brandon Stevens  
Not present: Greg Matson  
For the record: Vince DelaRosa stated my reason for opposition, when I say reasoning relative to anything related to work, because I'm not impugning the credibility of the candidate. What I was suggesting and I have been for a long time is that, I think that we should have offered and opened that position to see what kind of candidates were out there and allow the current candidate to also apply but to open up the opportunities to see what other candidates were available. So that's the reasoning for my opposition. Thank you.

**D. New Business/Requests**

**1. Approve 65 new enrollments**

Sponsor: Melinda J. Danforth

Motion by Vince DelaRosa to approve 64 new enrollments, seconded by David Jordan. Motion carried with three abstentions:

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

**2. Approve three enrollment relinquishments**

Sponsor: Melinda J. Danforth

Motion by Paul Ninham to approve three enrollment relinquishments, seconded by David Jordan. Motion carried with one abstention:

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



Not present: Greg Matson

**3. Approve limited waiver of sovereign immunity for Pitney Bowes contract**

Sponsor: Michele Doxtator

Motion by David Jordan to approve limited waiver of sovereign immunity for Pitney Bowes contract, seconded by Patty Hoeft. Motion carried with two abstentions and one opposed:

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

Opposed: Melinda J. Danforth

Abstained: Tina Danforth, Brandon Stevens

Not present: Greg Matson

**4. Approve SagePoint Financial Inc. Certificate of Corporate/LLC/Non-Profit Organization resolution authorization for Oneida Chief Financial Officer**

Sponsor: Larry Barton

Motion by David Jordan to approve SagePoint Financial Inc. Certificate of Corporate/LLC/Non-Profit Organization resolution authorization for Oneida Chief Financial Officer, seconded by Vince DelaRosa. Motion carried with two abstentions:

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

Abstained: Melinda J. Danforth, Brandon Stevens

Not present: Greg Matson

**5. Petitioner Kerry Danforth: Establish investigative panel to investigate judicial complaint of an Oneida Appeals Commissioner**

Sponsor: Patty Hoeft

Motion by Patty Hoeft to accept the report, seconded by Vince DelaRosa. Motion carried with two abstentions:

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

Abstained: Tina Danforth, Brandon Stevens

Not present: Greg Matson

For the record: Melinda J. Danforth stated that the Business Committee is taking the issues within the petition seriously and that we are taking steps to try to address the issues contained within the petition.

**6. Approve letter to Village of Hobart**

Sponsor: Ed Delgado

Motion by Patty Hoeft to approve the Chairman notifying the Village of Hobart regarding the Tribe's jurisdiction of the roads in Site one, seconded by Vince DelaRosa. Motion carried with one abstention:

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

Abstained: Brandon Stevens

Not present: Greg Matson

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

**a. Children and Family Services: Title reassignment from Parent Program Coordinator to Title IV-B Administrator/Family Counselor, \$3.13 per hour increase, 100 percent grant funded**

Sponsor: Don White/George Skenandore

Motion by Patty Hoeft to deny request for Title Reassignment with wage increase for employee and to approve workforce level change of Parent Policy Coordinator, Job #01756 to Title IV-B Administrator/ Family Counselor, Job #02455 and post this position, 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: Greg Matson

**b. Children and Family Services: Extend additional duties compensation of 8.1 percent to March 2, 2013 for employee assuming some Assistant Director for Children and Family Services duties**

Sponsor: Don White/George Skenandore

Motion by Patty Hoeft to approve to extend additional duties compensation of 8.1 percent to March 2, 2013 for employee assuming some Assistant Director for Children and Family Services duties, seconded by Vince DelaRosa. Motion carried with two abstentions:

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

Abstained: Tina Danforth, Brandon Stevens

Not present: Greg Matson



**c. Custodial: Extend additional duties compensation of 15 percent for 90 days for employee assisting with repairing and maintaining custodial equipment**

Sponsor: Butch Rentmeester/Rose Melchert

Motion by Patty Hoeft to approve to extend additional duties compensation of 15 percent for 90 days for employee assisting with repairing and maintaining custodial equipment, seconded by David Jordan. Motion carried with two abstentions:

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

**8. Consider support for Menominee Nation off-reservation casino efforts**

Sponsor: Ed Delgado

Motion by Melinda J. Danforth that the Oneida Tribe continues to remain neutral on the topic of off-reservation casino efforts, seconded by Paul Ninham. Motion carried with one abstention:

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

**9. Complaint process for direct reports to the Business Committee**

Sponsor: Ed Delgado

Motion by Patty Hoeft to defer to the January Business Committee meeting, seconded by Tina Danforth. Motion carried with one abstention:

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

Motion by David Jordan to go into exec at 2:30 p.m., seconded by Patty Hoeft. Motion carried unanimously:

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

Motion by Vince DelaRosa to come out of executive session, seconded by Brandon Stevens. Motion carried unanimously:

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

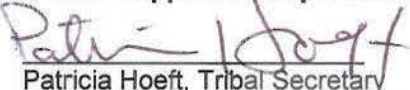
**E. Additions**

**XVI. Adjourn**

Motion by Patty Hoeft to adjourn at 3:02 p.m., 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: Greg Matson

**Minutes Approved as presented/corrected on Jan. 9, 2013.**



Patricia Hoeft, Tribal Secretary  
ONEIDA BUSINESS COMMITTEE