



Onondas bringing several hundred bags of corn to Washington's starving army at Valley Forge, after the colonists had consistently refused to aid them.

COPY

Oneida Tribe of Indians of Wisconsin, Inc.



UGWA DEMOLUN YATEHE

DE PERE
ROUTE 4



WISCONSIN
54115

Because of the help of this Oneida Chief in cementing a friendship between the six nations and the Colony of Pennsylvania, a new nation, the United States was made possible.

Special Meeting
August 28, 1978
7 p.m.

Approved
9/18/78
C

Present: Chrmn. Purcell Powless, V-Chrmn. Norbert Hill, Sr., Secretary Patricia Misikin, Members: Myron Smith and Mark Powless
Absent: Margaret Doxtater and Chester Smith OTDC Members: Ernie Stevens, Bill Brownson and Mark Lallansack

Meeting was called to order at 7:10 p.m. when a quorum was present. The meeting was informational and took question and answer form as follows:

Q - When the 10-5 Project is completed, will the Tribe realize a profit?
A - No, the loss from the Nursing Home will make us approximately even.

Q - Will the nursing home project be completed by September 1st?
A - At this point, the number one priority is to affect the closing. We were willing to go along with a good faith agreement but a written agreement was submitted that did not concur with the original good faith agreement. The architect will not certify the work to be done in compliance with the contract documents. OTDC can't do the work until they know what exactly what needs to be done and the architect has to give that direction. The hold up is that all corrections that need to be done are not being done so we have to get the contractor back on the job. We lost some of our leverage when the Project Director okayed a payment of \$10,000 which leaves approximately \$7500 to pay.

Q - Is the Health Center closed out?
A - No, we're still waiting for materials from the manufacturer but there isn't a big problem there. The deal is 50/50 for materials and labor which means we could lose money but we'd have no choice because we have to get the job done. There is a problem with the doors. We paid for the doors but the vendor did not pay the manufacturer so when we had to have the doors repaired, the manufacturer kept the doors because he had not been paid for them. It's a legal thing that we don't have to worry about. There will be a suit for damages.

Q - After all the projects have been completed, why won't we realize a profit?
A - The nursing home project created a loss of \$140,000 when it exceeded the original 12-month completion deadline. The completion took more like 18 months which, of course, added tremendously to the original construction figures. In reorganizing OTDC, administration has been cut in half which saved the Tribe some money. The Health Center also lost money. That project lost around \$20,000 on the LPW grant. In the end, the Tribe won't actually see profits but they won't left with a deficit either - they'll break even. The estimate would be

within \$5000 either way. OTDC expects to be even by October 1st.

Q - At what point is the Project Director's job done?

A - The end of the project is the end of the job for the Project Director

Couldn't the Project Director have foreseen and possibly forestalled the loss?

As stated earlier, the major portion of the loss occurred when the deadline couldn't be met. There is no way of knowing at this point how other losses could have been projected.

It was suggested that in the future we define the extent of responsibility of our Project Directors and then hold them accountable. Also, the Project Directors should have experience appropriate to their projects, i.e., a construction project would be headed by a person with construction experience.

OTDC wants to realign their fiscal year to match the Tribe's. The Tribal fiscal year is September 30 - October 1. By realigning the fiscal year, the close-out would be included and a final audit would show the same. The suggestion will be presented to the Finance Committee.

In discussing audits, it was suggested that each project include in its budget an allowance for a CPA audit. In the event of a loss, we would at least be able to show why the loss occurred. Different methods of financing the audit cost are available and the Tribe should consider making this a requirement when contracting.

The OTDC audit could not be done for the FY 12/76 - 12/77 because of incomplete records, or at least it could have been done but only by reconstructing the books first which would have been a lengthy project at additional cost.

Another suggestion made was that the Tribe have their own inspecting architect to ensure the Tribe's interests.

It was also suggested that the Business Committee direct Project Directors and Department Heads to take training in reading Financial Reports.

Richard Cornelius presented a bill for work he had done clearing lots. It was indicated that OTDC had set up an appeal structure for Richard to follow and that that structure should be followed. Matter was referred to OTDC for settlement before coming back to the Business Committee if still warranted.

Discussion on the forklift. OTDC offered to buy it and has been using it. Chas subsequently received permission to sell it for land acquisition. OTDC indicated that they would accede to the request so the request approval Chas made will stand.

Motion by Norbert to adjourn. Mark seconded. Meeting adjourned at 9:07 p.m.

Respectfully submitted,



Patricia Misikin, Secretary
Oneida Business Committee

August 28, 1978

Richard A. Cornelius
RR4, Skylark Dr.
DePere, WI 54115

Oneida Tribal Business Committee
Purcell Powless - Chairman
Route 4
DePere, WI 54115

RE: OTDC Refusal to Pay Construction Bill

TO WHOM IT MAY CONCERN:


For work performed for OTDC on P.O. #W1 1466, to grub and clear stumps from three sites in rolling hills subdivision, which took 180 hours at \$25.00 per hour with a 977 crawler loader and 24 hours with the D4 Cat Dozer.

Bill Brownson has informed me that this is too high therefore, they refuse to pay.

A meeting scheduled for September 7, 1978, at 9:30 a.m. to discuss the bill.

A verbal agreement was made to pay after completion. Such agreement has not been kept. The bill price is \$5,100.00 for work performed.

Respectfully yours,


Richard A. Cornelius

RAC:ab
cc: OTDC
Mr. Pidgon
Kelloggs Bank
Green Bay, WI