



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

Oneida Tribe of Indians of Wisconsin

Phone: 869-2771



Oneida, WI 54155



USWA DENDLUM YATENE
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 - DECEMBER 17, 1982

Meeting called to order at 10:30 A.M. by Chairman.

Present: Purcell Powless, Kathy Hughes, Gordon McLester, Lloyd Powless
Lois Powless, Mark Powless, Tony Benson.

Excused: Norbert Hill, Loretta Metoxen

WEATHERIZATION - Lloyd Powless

Lloyd checked into the reason why the Tribe was terminated on May 30, 1981 from the DLAD/DOE Weatherization Program Contracts. On December 2, 1982, Lloyd Powless received a letter from Gary Kohner, Section of Planning and Implementation. The letter was addressed to Ted White, Contract Compliance Officer on April 14, 1982. The Department of Health and Social Services conducted an on-site review of the Oneida Nations Weatherization Records on April 7 & 8, 1981. The purpose of the visit was to evaluate the progress Oneida has made since February 22, 1980, when the program was suspended:

- (1) Identifying material expenses which were incurred and;
- (2) Demonstrating that the expenses were appropriate.

The following observations were made:

The client file base has changed.

- (a) Two client files are now missing (#2 and #6)
- (b) One additional client file was added (#36)

The dollar amount expended on each client remains unidentified and unsupported.

Invoices available as backup to checks, when totalled, do not match the amount paid (check #009416 for \$708.52 has backup for \$1071.25).

Total reported material expenses are too high for the program's thirty six-(36) clients. If all clients received maximum benefits of \$400.00 then only \$14,400.00 could have been expended for materials. (No materials were inventoried). Since \$19,700.58 was reimbursed to Oneida for materials, at least \$5,300.58 is unaccounted for.

Ten clients, (28%) known to have been served by the program were not income eligible. No effort has been made by Oneida to obtain the information which could qualify these applicants

<u>JOB NUMBER</u>	<u>AMOUNT*</u>	<u>HOUSEHOLD SIZE</u>	<u>INCOME</u>	<u>GUIDELINE</u>
#4	\$? .	2	\$6,435.	\$4,160.
#6	298.52		4,034.	3,140.
#12	282.71	1	3,844.	3,140.
#13	400.00	2	?	4,160
#15	405.04	2	?	4,160
#20	?	1	3,651	3,140
#23	400.00	2	5,006	4,160
#28	247.45	2	4,903	4,160
#35	747.40	2	5,000	4,160
#36	273.62	?	?	?
	<u>\$3,054.74</u>			

*Additional unrecorded dollars may have been charged to these clients.

- (6) Oneida was unable to identify all checks which had been paid out under DLAD/DOE grants. (30 checks totalling \$11,109.81 or 56% of all dollars paid out for materials were identified.)

Non-clients (persons with no record of application/service for the program) received benefits paid for with DLAD/DOE dollars. Of the thirty checks reviewed, \$2,881.93 was paid to non-clients.

With only 56% of the dollar records, four clients were identified as having received more than the \$500.00 maximum benefit.

<u>JOB #</u>	<u>KNOWN TO HAVE BEEN PAID</u>
#15	\$405.04 (over income)
#35	\$454.00 (over income)
#10	\$497.54
# 7	\$711.36

Client files indicate that a large percentage of work performed was inappropriate and included purchases for guttering, porches, carpeting, hardwood floors, staircases, extensive siding, roofing, drywall and installations of complete window and door units. Since it is unknown how much was actually spent for what quantity of materials, it is only possible to estimate inappropriate material purchases. It was incumbent on Oneida to justify purchases. Oneida did not attempt to clarify, organize, review or summarize their information in order to justify any material purchases.

- (10) The purchase order register for weatherization was not available for review, and had not been referenced by Oneida in tracking their expenses

Invoices appear to have been paid more than once. (Example Client #7, #358.33/Check #12849 and \$353.03/Check #12070)

Finance charges, resulting from of late payments by Oneida to vendors were inappropriately charged to DOE/DLAD grants. (Example: Client #7, \$10.52).

In Summary:

\$19,700.68	Total Materials Purchased
\$2,881.93+	Non-Client Materials Purchased
3,054.74+	Over Income Clients
408.90+	Eligible Clients, Amount Over 400
\$8,334.73+/-	Inappropriate Material \$ Estimate
	SEE ATTACHMENT
\$14,680.30Estimate of disallowed costs
\$ 5,020.38	Balance of Jnknown Material Expenses

It is the opinion of the Department of Health and Social Services that Oneida has not made a reasonable effort to address the disallowed material cost issue which caused the suspension of their contract February 22, 1980.

The Oneida Nation is hereby notified that all DLAD/DOE weatherization programs contracts are terminated effective May 30, 1981. Further, Oneida has agreed in its contracts that:

III. REPORTING

- C. If the allowability of an expenditure cannot be determined because records or documentation is inadequate, the questionable cost will be disallowed. The grantee shall reimburse the Department for the amount of any disallowed costs.

Therefore, Oneida is instructed to remit \$14,680.30 by May 30, 1981, to the Department of Health and Social Services.)"

Lloyd said this is the information he has been able to get on weatherization. He recommended the Tribe pay the \$14,680.30 disallowed costs. Until we pay the cost the Tribe cannot get another program and services. Tony moved to pay the \$14,680.30 disallowed cost. Lloyd seconded. Motion carried. The Finance and Appropriation Committee is directed to determine where the funds are to come from.

HIP - Kath Hughes

The 1982 HIP program has \$10,996.72 as a remaining balance of this amount, \$2,272.17 is for indirect cost and \$8,724.55 is for supplies and materials. There are four individuals on the recipient list who have not received services. They are Lois Skenandore, Edwin Baird, Theodore Christjohn and Clement and Mary Metoxen. These four individuals must be added to the 1982 list and should be given priority consideration for services.

Mark made a motion to approve the four (4) individuals; Lois Skenandore, Edwin Baird, Theodore Christjohn and Clement & Mary Metoxen. Contingent upon them being eligible for HIP. Lloyd seconded. Motion Carried.

Another area of concern with the 1982 list is in the category of recipients. Two parties were authorized for a down payment of \$1,000.00 on a house trailer and another party received \$1500.00. The two parties should have received another \$500.00.

Mark made a motion to approve additional \$500.00 for the downpayments on the house trailers and that the money be paid to the lending agencies. Gordon seconded. Motion Carried.

The following individuals received assistance through the 1981 HIP Program which have been disallowed.

Brenda Kindness because she received assistance in 1980 under Category B.

Margaret Danforth - Received assistance in 980 under Category A - also in 98

Dorothy Cornelius and Robert V. Cornelius - Assistance was given in 1976. In 1981 assistance was given to his spouse Dorothy Cornelius and again in 1982

Anna John - Assistance was given in 1976, 979 and

The total amount the Tribe must reimburse the HIP Program is \$4,299.12. Lloyd made a motion to reimburse the HIP Program \$4,299.12. Kathy Hughes seconded. Motion Carried. The Finance and Appropriation committee is directed to locate the necessary funds.

Mark would like to have the guidelines for HIP reviewed. The Business Committee directed Mark to review the HIP guide lines and bring back recommendation.

OTE Recommendation - Kathy Hughes/Rose Laitine

Rose Mary Laitinen, "In August when the insurance inspector was here at the warehouse, she suggested that we not have boxes of cigarettes sitting on the floor- especially in the winter or spring when there may be water on the floor. This was not an official recommendation at that time. However, I am sure that if cigarettes are damaged by water because they are on the floor we would have problems recovering loss from the insurance company.

Since that time I have checked into various ways to get all boxes off the floor and the most feasible seems to get steel shelving now as the business seems to be on moresolid ground for the future now than it was a few months ago. The short term options that we checked into (pallets and hand-made platforms) are expensive and would have to be changed in the future.

Now we have received word from manufactures representatives and distributor that because of the 80¢ tax being placed on all warehous stock as of January 1, 1984, they are stopping production and emptying their warehouses. We, therefore, have to stock up to carry us through January17, 1984.

The above events is the reason that I am requesting "rush action" on purchasing the steel shelving. If we can give the supplier, W.E. Thews a verbal P.O. number by the end of the day, December 14, we can have the shelving by next week and we can set it up ourselves."

Kathy Hughes, "OTE's manager has initiated a request for shelving which she would like a rush be put on the processing.

In addition, by Business Committee direction, OTE was supposed to look for a used vehicle to be used for snowplowing purposes. The OTE manager and the purchasing agent have not been able to locate this type of vehicle. Because the showplowing season could arrive any day, I feel it is necessary to obtain a vehicle as soon as possible. I would like to recommend that the Business Committee authorize the purchasing agent to obtain bids on a new vehicle. As a further suggestion, perhaps we could specify a price range or price ceiling limit."

Mark made a motion to approve the request for more shelving for OTE at the Warehouse. Kathy seconded. Motion Carried.

Purchase of a used truck with snowplow for OTE. Mark made a motion to approve the purchase of a used truck with a snowplow. Gordon seconded. Kathy opposed. Motion Carried.

12:00 P.M. Mark moved to recess. Lois seconded. Motion Carried

1:30 P.M. Meeting reconvened

WIPFLI REPORT - Jack Burkhardt

Jack Burkhardt gave the Business Committee update on the work they have been doing for the Tribe. They have been working on the One-Audit and checking with computer Companies to see which one can give the Tribe the best source on software. At this point they have not found what they think is the best program for the Tribe. The Business Committee has put a hold on going any further at this time.

EMPLOYMENT RECOMMENDATIONS

Kathy Hughes made a motion to approve the list of the Personnel Selection Committee of December 15, 1982 for the position of Housekeeper at the Oneida Health Center in the following order:

- (1) Patricia M. Madrid
- (2) Merlin W. Wilber
- (3) George BlueBird
- (4) Virginia G. Johnson
- (5) Arthur N. Charles

Mark Abstained. Motion Carried

Mark made a motion to approve the recommendation of the Personnel Selection Committee of December 15, 1982 for the position of Clerk Typist at the Oneida Health Center. The first choice was Brenda M. Kindness. Tony Seconded. Motion Carried. (The second choice was Annette Melchert)

Mark moved to approve the recommendation of the Personnel Selection Committee of December 15, 1982, for the position of Machine Operator at the Kahihwisaks. The first choice was Kenneth M. Dennison. (2) Melvin Webster, (3) Michael Cornelius. Tony Seconded. Motion Carried.

Mark moved to approve the recommendation of the Personnel Selection Committee of December 16, 1982 for the position of Permanent Secretary at the Central Administration Office. Their first choice was Paula M. King. (2) Wanda L. Webster, (3) Donna M. White. Tony seconded. Motion Carried.

Lloyd Moved to approve the recommendation of the Personnel Selection Committee of December 16, 1982 for the position of Temporary Secretary at the Central Administration Office. The first Choice was Wanda W. Webster. (2) Donna M. White. Tony Seconded. Motion Carried.

Lois made a motion to approve the recommendation of the Personnel Selection Committee for the position of Chemical Dependency Counselor at the Oneida Health Center for the first choice of Kathleen E. King. (2) Darlene Niconish (3) Maureen E. Smith (4) Ralph L. Powless.

"On June 21, 1982, the Personnel Selection Committee interviewed for the position of Chemical Dependence Counselor at that time under the qualifications for the job was to either be a certified counselor or be certifiable within one year. The Committee recommended the following in order of employment: (1) Kathleen E. King (2) Darlene Niconish, (3) Maureen E. Smith, (4) Ralph L. Powless. This recommendation was never brought before the Business Committee because none of these people were certified counselors, nor, after checking with the State, could they be certifiable within one year.

Furthermore, we as the employer have changed the qualifications for this position. We are presently saying, either be certified or must work toward certification with no time restriction, also, there are now two positions available. Therefore, because of this I would recommend that we contact the applicants above in the order the Personnel Selection Committee recommended them to see if they are still interested in employment, and select one of them for the position. With the other position we post."

Tony Benson Seconded. Motion Carried

Mark asked that the Director add sobriety to the job description that will be posted. The length of time be left up to the Director.

ONEIDA HEAD START

In a memo dated December 16, 1982 from Mary Ellen Hayes, Director of the Head Start Program, she stated:

"On December 10, 1982, she forwarded a memo to the Personnel Director, Joe Villagomez, regarding the termination and replacement of Susan Daniels. She asked for clarification on getting her replacement. She indicated that a parent, Norma Powless had said she would be willing to help on a part-time basis until a new person is in the position. On Tuesday, December 14th, Mary Ellen saw Joe here at the Seminary. He asked her whether or not Norma was volunteering her time or whether she was expecting to be paid. Mary said that she was expecting to be paid.

Her basis for this was that they have had to get parents in on a substitute basis for the classroom when a staff member is out ill and assumed that this could apply in the case of an office person as well. Her primary function was to have been answering the phone, getting timesheets processed and other routine tasks that are time consuming for her. As the same time, Mary was working with the parents as they were involved in making beaded leather pouches for the children as their gift to their children. (This has become a tradition with the project) Norma assumed the total responsibility for this project, instructing those parents who had done none of this type work before. On Tuesday, Joe informed Mary that she could not be paid for working in the office and Mary told Norma of this. In discussing this with Norma, Mary suggested that perhaps she could be paid as a consultant on the parent/craft project. Her personal reasoning was an attempt to keep an agreement which

she thought was all right according to Tribal regulations and in which she was in error. Norma was working in good faith because of her error. Because of this, Mary is requesting that the project be allowed to reimburse Norma for the three days she spent as described above. She was of great assistance to the project and the parents.

Mary E. Hayes did not follow Tribal regulations. A notice has gone out to Director's on these situations.

Gordon moved to pay Norma Powless and the Tribal Administrator take the necessary disciplinary action with the Director at the Head Start Program. Mark Seconded. Lois abstained. Motion Carried.

A similar situation happened at ORCOA with Phyllis Fastwolf. Tony made motion to pay Phyllis Fastwolf \$100.00 that was withheld from her check. Kathy Seconded. Motion Carried.

FINANCE & APPROPRIATION RECOMMENDATIONS

Tribal School Fund #65893 in the amount of \$5,539.35. Additional funds for extra curricular activities. Supplies and Materials, Equipment and Staff Travel. Lloyd moved to approve. Kathy Seconded. Tony and Lois abstained. Motion Carried.

Head Start Budget - FY 83 #25453 in the amount of \$144,371.00. This includes the basic grant of \$125,588.00
Handicap \$ 12,430.00
Training and 6,353.00
Technical Assistance

Tony moved to approve this budget contingent on review by the Finance and Appropriation Committee.

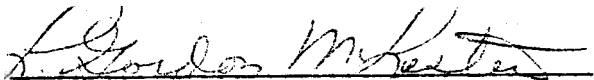
Norbert arrived at 3:30.

LEASE AGREEMENT FOR THE VAN USED BY THE FOOD DISTRIBUTION PROGRAM

Tony stated we have just received the lease and he will review it and come back with recommendations. Kathy moved to table action on the van lease for more information. Lloyd seconded. Motion Carried.

Mark moved to recess at 3:45 P.M. Gordon Seconded. Motion Carried.

Respectfully Submitted,


L. Gordon McLester, Tribal Secretary