



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



UGWA DEHOLUN 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.

APPROVED AS <sup>18</sup>  
READ ON 7-~~20~~-83  
REGULAR MTG.

## SPECIAL MEETING

WEDNESDAY, JUNE 29, 1983

Meeting called to order at 9:00 A.M.

Present: Purcell Powless, Kathy Hughes, Gordon McLester, Lloyd Powless, Loretta Metoxen, Lois Powless, Mark Powless.

Excused: Tony Benson (Vacation)

Others: Pat Cornelius, John Sax, Jerry Hill, Francis Skenandore

### FARM PLAN - Pat Cornelius

Pat presented a close-out of the Agricultural operation of 1982. The Tribe invested \$3,000.00 at the beginning of the year for seed for the project and at the close-out received \$1,463.75 profit. Pat also submitted a budget proposal for FY'83 (see attached). She is requesting \$4,000.00 for supplies and seeds. At the end of this year Pat intends to just lease land from the tribe.

Lois made a motion to approve the budget for fiscal year '83 and that at the end of 1983 that Merlin and Pat Cornelius would be going on a lease agreement with the land and not on a agricultural project with the tribe. Lloyd seconded.

Lois amended her motion stating the tribe had \$1,100 profit from the agricultural project last year and \$2,000 from Revenue Sharing that was not budgeted--and that the combined total of \$3,100 be used for capital improvements for the barn. Lloyd agreed. Loretta abstained. Motion carried.

### HOUSING AUTHORITY COMMISSIONER APPOINTMENT

Five (5) names were submitted for selection to the Housing Authority Commissioner.

1. Alberta Baird
2. Dorothy Powless
3. Bernard Skenandore
4. Erna Wheelock
5. Harriet Reiter

Lois recommends that Alberta Baird be reappointed to the Housing Board, due to the fact that Alberta has not served a full term. She replaced someone who had resigned.

Alberta has been a very conscientious board member and is now familiar with housing rules and regulations and is also very dependable.

Lloyd made a motion to approve the selection of Alberta Baird. Lois seconded. Mark opposed. Motion carried.

#### EDUCATION RESOLUTION #6-29-83-A

Gordon made a motion to approve the Education Resolution #6-29-83-A which states, "That the Oneida Tribal Chairman be authorized to sign the necessary documents for FY 1983-84 for the following programs:

- |                      |                        |
|----------------------|------------------------|
| 1. Johnson O'Malley  | 4. 638 Contract        |
| 2. Title IV, B and C | 5. Title I - Chapter I |
| 3. Special Education |                        |

Lloyd seconded. Motion carried.

9:20 Chairman called Executive Session:

Comments were in regards to how discussions are handled in meetings. Some of the Business Committee members would like all the council members to speak out on their positions regarding subjects which are presented before the Business Committee.

9:30 The Business Committee came out of Executive Session.

#### INVESTMENT POLICY - Jerry Hill

The Business Committee discussed on how the Investment Policy developed and made some additional recommendations to the policy. Mark made a motion to have the Investment Policy brought back on July 1, in its final context. Kathy seconded. Motion carried.

#### TRIBAL COURT DRAFT REFERENDUM - Jerry Hill

Jerry Hill drafted a ballot on the Tribal Court showing the Pros & Cons listed below:

##### PRO:

1. The Oneida Tribal Court System will bring added efficiency to the government of the Oneida Tribe of Indians of Wisconsin by providing uniformity and stability in the decision making process of the Oneida Tribe and benefit both government and individual Oneida Tribal members.
2. In the past, final decisions of the Oneida Tribe have occurred through meetings of the Oneida General Tribal Council. These decisions have included election disputes, removal of elected officers, interpretation of the Oneida Constitution, interpretation of internal agreements, among other matters in which the Oneida General Tribal Council is the deliberative body making final decisions.

3. The Oneida Tribal Court would formally reestablish an institution within the Oneida Tribal government, the purpose of which will be to fairly and uniformly apply the laws of the Oneida Tribe to Oneida tribal members and to all lands within the Oneida Indian Reservation as defined by the 1838 Treaty.
4. The Oneida Court will be a civil court and initially deal with three areas of jurisdiction that are now settled in other forums. These are hunting and fishing, Indian Child Welfare Act cases, and internal interpretation of Oneida Tribal Law. The Tribal Court will be adopted and implemented according to the following:
  - A. Judges and all other personnel shall be selected according to standards and criteria that insure the integrity of the Oneida Tribal Court.
  - B. An appeal process shall be developed and approved by the Oneida Business Committee and reported in the Kalihwi-saks to the Oneida General Tribal Council and at the next regular or special meeting before the first sessions of the Oneida Tribal Court commence.
  - C. Codes and procedures of the Oneida Tribal Court shall adhere and conform to rights of individual Oneida Tribal members guaranteed and set forth in the Tribal Constitution.

CON:

1. An Oneida Tribal Court System will be an unnecessary duplication of judicial services. State and Federal forums are already available to hear the kind of cases that will be heard in the Tribal Court.
2. In a community in which many people are related, nepotism and conflicts of interest will render fairness difficult. Judges will be subject to political pressures in decision making.
3. Finally, the cost of maintaining an Oneida Tribal Court will exceed any theoretical benefits and such costs will increase in the future. Thus there is little justification for the proposed Oneida Tribal Court, economically, governmentally or otherwise and it should not be adopted.

Gordon made a motion to have the ballot placed on the agenda for approval by the General Tribal Council and also to have a referendum vote on the Tribal Court. Loretta seconded. Motion carried.

LAW DEPARTMENT BUDGET OF FY'83

Mark made a motion to approve the Law Department budget of Fy'83 for \$143,000.00 to start October 1, 1983. Loretta seconded. Kathy opposed. Motion carried.

WISCONSIN ACTION COALITION - John Sax

John Sax explained the different types of memberships and dues schedule. He also gave an update on the bills in Madison that the coalition is covering.

Lloyd made a motion to approve the Tribe in joining the Wisconsin Action Coalition as a membership based organization (1000 to 5000 members) at a cost of \$250.00 per year and the Tribe would have five (5) delegates at the National Convention. Loretta seconded. Motion carried.

John stated that they have been trying to meet with Congressman Roth to discuss the decontrol of natural gas--its impact on the area and the need to support the Natural Gas Consumers Relief Act.

MUSEUM BOARD

Lloyd presented a memo pages 12 through 14 of the Museum procedures and guidelines. Lloyd feels we should decide on how many members should be on the Board and how often they should meet. Lloyd recommended that there be five (5) members on the Board and that they meet quarterly.

Gordon made a motion to advertise for Museum Board members for at least a month, and in the mean time, Lloyd Powless, Bob Smith, Tony Utschig, and Jerry Hill work on the development of the procedures and guidelines for the Museum Board and that this be in place before the Board is selected. Loretta seconded. Motion carried.

FINANCE & APPROPRIATION RECOMMENDATIONS OF JUNE 28, 1983

1. The Nursing Home is requesting an additional \$730 for the drapes because a room with seven (7) windows was overlooked in the original proposal. Funds are available in the general fund-capital improvements. Request #83-160 Amendment. Program #85858. Mark made a motion to approve the request. Loretta seconded. Motion carried.

EMERGENCY FOOD & SHELTER PROGRAM - Harriet Reiter

There is no established emergency food and shelter agency here on the Oneida reservation. Aside from the Commodity Program and Sacred Heart Center, there seems to be no other alternative for people who are experiencing economic hard times. We will be targeting those individuals and families that are in need of it the most. The program will service mainly the people within the boundaries of the Oneida reservation. The majority if not all of the people affected by this program will be of Native American decent, although it will not be limited to them.

Emergency food services will be provided through the use of a voucher system. These will be given out to those individuals or families that meet the financial requirements. Along with the voucher system we will be also using funding to increase our food pantry here. We will also be using the funds under this category for

costs related to transportation associated with mass feeding. The total food expenditures will take up most of the F.E.M.A. grant. (\$1,404.00) The buying restrictions for food purchases will be in accordance with the guidelines set by F.E.M.A. Shelter costs will be spent in four areas. The purchase of blankets and possibly cots will be an immediate expenditure. Cash payment will be made for emergency lodging either at Sacred Heart Center or at a nearby hotel or motel. The Sacred Heart Center will use their own discretion in who they provide shelter for. (The forms that they use are also attached.) They have in the past served many individuals and families, therefore they have had some bad experiences. In these cases if they choose not to provide emergency shelter then we will refer them to a local hotel or motel. Along with referring for emergency shelter, we will be claiming mileage for transportation costs associated with mass shelter. Under this category we will also be providing assistance to those families who face eviction because of rent or mortgage owed. The shelter costs total is the least of the two costs. We are really unable to predict if the shelter costs will exceed what we planned, but if they do, we will modify the budget to cover the over-expenditure without over spending the total allotment.

The budget is for \$3,669.00. Loretta made a motion to approve. Kathy seconded. Motion carried.

#### TRAVEL REQUEST FOR MARK POWLESS

Mark requested to travel to Milwaukee to contact lobbyist, Maximillian Adonis regarding the Cigarette Tax Agreement. Gordon made a motion to approve. Loretta seconded. Mark abstained. Motion carried.

#### ONEIDA TRIBE VS CETA CASE #82-CTA-28

Initially, CETA disallowed costs in the amount of approximately \$50,000 plus when the 1977 CETA audit was conducted. This amount had been successfully reduced down to approximately \$30,000 at one time and then to approximately \$3,800. We then challenged the remaining disallowed cost of \$3,800 which eventually led to the final disallowed cost of \$94.00.

The Law Office at this time advises the Tribe to pay the \$94.00 disallowed cost, in view of the approximate \$50,000 the Tribe will now not have to pay because of the success of this case. Further litigation or action on the remaining disallowed cost would be fruitless and futile.

Mark made a motion to approve the recommendation to pay the \$94.00. Loretta seconded. Motion carried.

#### ONEIDA VS NICHOLS & BARONE & ASSOCIATES, INC.

Attorney Robert Klaver spoke with the Attorney Rodney Charnholm who is representing the architects. The following draft proposal was arrived at: The insurance carrier is to pay approximately \$58,000.00 to the Oneida Tribe toward it's negligence claims on the Nusing Home and Post Office. The Oneida Tribe would pay \$8,000.00 to the architects towards it's counter-claims for fees from the \$50,000 net amount. The Oneida Tribe would be responsible for completing the balance

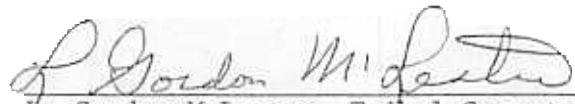
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of the work on the gussed plates in the Nursing Home.

Mark made a motion to approve the recommendation of the proposal and to settle out of court. Loretta seconded. Motion carried.

12:00 Gordon made a motion to recess. Loretta seconded. Motion carried

Respectfully submitted

  
L. Gordon McLester, Tribal Secretary