



Onondas 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 DEMOLUN 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
Recd. Reg. Mtg.
7-16-84

SPECIAL MEETING

FRIDAY, JUNE 22, 1984

Meeting called to order by Chairman Purcell Powless at 9:00 A.M.

Present: Purcell Powless-Chairman, Richard Hill-Vice-Chairman, Kathy Hughes-Treasurer, L. Gordon McLester-Secretary, Lois Powless, Lloyd Powless, Tony Benson, Mark Powless-Council Members

Excused: Loretta V. Metoxen

Others: Dale Wheelock, Jerry Hill, Gerald Kurowski

310-PERSONNEL RECOMMENDATION - Dale Wheelock

New Position - Child Care Worker with modification. Tony moved to approve the job description with the change under Training & Experience to read: Bachelor degree in Social Work or related degree in human services or applicants with two years experience in the delivery of Social Services to clients in agency setting will be considered.

PROMOTION OF KAROLIE DUFER TO ACCOUNTING CLERK

Lloyd moved to approve. Kathy seconded. Rick and Tony opposed. Mark abstained. Motion carried. Mark made a motion to have Dale bring a report on the Policy & Procedures referring to promotions. Kathy seconded. Motion carried.

165-HIP RECOMMENDATION PER MEMO OF JUNE 19, 1984 - Gerald Kurowski

1. Theresa Melchert: Category "B" FY-84 - Bid - Schauman Lumber \$3160.85: Interior repair of walls, ceilings and floors and doors. Also electric wiring were needed. Exterior repair of windows, paint were needed, cover Fascia & Soffet with metal to stop deterioration. Lois moved to approve, Kathy seconded. Motion carried.
2. Lillian Cornelius: Category "A" - Bid - Schauman Lumber \$2140.50: Interior: Bring electrical wiring up to code. Install sump pump properly. Plumbing needs venting to exterior. Exterior: Fascia & Soffet needs to be covered with metal. Windows need drip cap and painting. Siding has only primer and must be painted. Tony moved to approve, Lois seconded. Motion carried.

HIP RECOMMENDATIONS (CONTINUED)

3. Andrew Parker: Category "B" - Bid - C.J. Burkel & Sons \$8938.63:
Basement repair: Walls, floor and tile. See estimate for interior and exterior repair. Lloyd moved to approve, Rick seconded. Kathy opposed. Motion carried.

010-FINANCE & APPROPRIATION RECOMMENDATIONS PER MEMO OF JUNE 19, 1984 - Kathy Hughes

- 84-159 Mark moved to approve the request of a Tribal Contribution of
84-159 \$1,986.10 for the Language Summer Session and \$10,838.00 to the Super Summer session. The funds would come from Sacred Heart Center Renovations. Lloyd seconded. Motion carried.
- 84-153 Summer Youth workers for JTPA. No Tribal Contribution needed. Fully funded by JTPA. Lloyd moved to approve, Tony seconded. Motion carried.
- 84-155 Shoreline Team contribution request of \$4,279. Reduced to \$4,095 because of no need for indirect cost. Recommend using balance of long-term investments by direction of Business Committee approval of this activity. Lois moved to approve, Lloyd seconded, Mark and Kathy opposed. Motion carried.
- 84-156 Senior Citizens budget modification for Elderly Center construction. \$200,000 identified in the General Fund. Lloyd moved to approve, Rick seconded. Motion carried.
- 84-157 Loan request of \$5,000 from Jon R. Kerstetter to attend Medical School. Funds available in Scholarship Fund of the General Fund. Mark moved to table, Tony seconded. Motion failed. Lloyd moved to approve, Lois seconded. Mark opposed. Motion carried. Lois made a motion to have Lloyd set up a policy for the Education Scholarship Funds and present it to the Business Committee for review no later than July 30, 1984. Kathy seconded. Rick opposed, Mark abstained. Motion carried.
- 84-158 Bilingual program request for budget modification. No additional contribution needed. Kathy moved to approve, Mark seconded. Motion carried.

Equipment request for lift pump and motor for Utilities Program. The bid from Flygt is \$1,500. No Tribal Contribution needed. Mark moved to approve, Kathy seconded. Motion carried.

Activity Center request for an Automatic Scrubber TB-2400. Cost: \$3,781.22 Freight: \$150.00. Total: \$3,931.22. Mark moved to approve, Kathy seconded. Tony abstained. Motion carried.

220-DISCUSSION WITH THE LAW OFFICE

A request has been made by non Tribal members to get the Tribal minutes under the Freedom of Information Act through the Bureau of Indian Affairs.

Mark made a motion to have the Law Office take whatever legal steps necessary to prevent the release of the Tribal minutes by the B.I.A. Rick seconded. Motion carried.

Rick moved that no Tribal minutes be sent to the B.I.A. unless specifically required by our constitution and by laws. Mark seconded. Motion carried.

Mark moved to have Francis Skenandore develop a report to the General Tribal Council regarding information that can or cannot be released under the Freedom of Information Act. Kathy seconded. Motion carried.

060-MEMO: ONEIDA RESERVATION BOUNDARY RESEARCH

A 41 page memo covering the research on the boundaries of the Oneida Reservation was sent to Bronson C. LaFollette from John D. Niemisto's Assistant Attorney General's Office. The memo supports the Tribes position that the original boundaries still exist.

Mark moved to have the Law Office work with Bruce King and Charles Leonard to review the memo to see if the Tribe should have a press conference concerning the boundary memorandum. Gordon seconded. Motion carried.

060-REPORT FROM MARK POWLESS ON THE BINGO TASK FORCE HEARINGS

Mark stated that the Task Force endorses protection of the right of Indian Tribes to operate and regulate gambling on Indian reservations exclusive of State control. They have carefully analyzed H.R. 4566, and find themselves in fundamental disagreement with several of its provisions. They drafted a substitute bill and offered it as an amendment in the nature of a substitute.

The manner in which the Task Force's amendment would change H.R. 4566 are as follows:

(1) in section 4 of the amendments, a definition of "public policy" is added, as section 4(5), to clarify the ambiguity which that phrase may carry in Federal Law. Under the suggested definition, gaming activity in Indian Country would not be deemed to violate a state's public policy if the state does not completely prohibit the activity.

(2) The amendment would change section 5 of the bill by requiring that the Secretary of the Interior pass upon tribal gaming legislation only if the Tribe's constitution requires such action, and also by removing the reference to state law enforcement under Public Law 280.

REPORT FROM MARK POWLESS ON THE BINGO TASK FORCE HEARINGS (CONTINUED)

(3) In section 6 and 7, the Committee's version of H.R. 4566 requires that no person or entity other than the Tribe have any proprietary interest in a tribal gambling operation. In our amendment, that requirement is deleted. Numerous instances exist where small tribes, like the Shakopee Sioux and the Barona Group in California, simply do not have the manpower to themselves to be a bingo operators, and the capital risks inherent in such an operation preclude the participation of a management company unless it continues to be possible to give such a company a percentage of the enterprise's revenues.

(4) The references to state law in Section 6(c) of the Committee's version is deleted by the suggested amendment, because in the Task Force's view the reference is simply confusing. For example, most state licenses require, as a condition to their effectiveness, that the licensee comply with state law--so if Indian bingo enterprises were required to meet such a requirement, the amendments would require that no Indian bingo operator be licensed if the operator has been convicted of a crime of moral turpitude or of a gaming offense--provided that the Tribe in question is not of the opinion that the conviction resulted from trial of an Indian rights issue.

(5) Under the amendment, any existing gaming operation that has been approved by the Secretary of the Interior would be grandfathered into compliance under the Act, and other existing gaming operations would have a period of one year to come into compliance with the Act's requirements.

Given the series of favorable court decisions handed down in recent years upholding the Tribes' right to engage in gambling activities as most states do, there should be no need for enactment of legislation clarifying the right, however, it should be noted that all but the unusual Maine case were handed down at the lower court level. Also, the rapid growth of Indian gambling, notably high stakes bingo games, has created confusion at several levels of government--federal, state, local and tribal. A clear policy, direction must be established by enactment of legislation to remove any ambiguity that might exist concerning this Indian right, and to permit the Tribes, who opt to do so, to engage in gambling activities as a valid economic option and the means to improve that quality of life of their people.

060-REQUEST FROM SANDY MACNABB TO REPRESENT THE ONEIDA TRIBE IN WASHINGTON D.C.

Lois made a motion to have Francis Skenandore notify Sandy MacNabb that the Oneida Tribe is not interested in his services at this time. Rick seconded. Motion carried.

150-MINUTES OF THE HEALTH BOARD MEETINGS (MAY 14-MAY 29) - Tony Benson

Rick moved to approve the May 14 and May 19, 1984 minutes. Kathy seconded. Motion carried.

060-SURPLUS FUNDS FROM INDIAN HEALTH SERVICE

Purcell said he was notified from Indian Health that there may be surplus funds available on a one time basis and we should look into applying for some of these funds.

Mark made a motion to have the Health Center Director advised of the possibility of Indian Health Surplus funds. Lloyd seconded. Motion carried. Tony will follow-up on this matter with Barb Hawkins.

INJURY CONTROL COMMITTEE - Tony Benson

Tony requested approval of the following people: Jerry Kurowski, Pat Lassila, Merci Cornelius, Sandi Hill, Eleanor Cornelius to be members of the Injury Control Committee.

BIDS TO REPAIR NURSING HOME ROOF - Tony Benson

Two bids were received for the roof repair.

Capelle's roofing	\$14,896.65
Blindauer's Inc.	\$16,926.00

Kathy moved to approve the bid from Capelle's roofing - \$14,896.65. The funds to come from the General Fund. Lloyd seconded. Rick abstained. Motion carried.

TRAVEL REQUEST - Lloyd Powless

Lloyd wishes to attend a meeting in Madison on June 26, 1984 on Native American Programs.

Lois moved to approve, Kathy seconded. Lloyd abstained. Motion carried.

FINISHING WORK AT THE HEALTH CENTER - Tony Benson

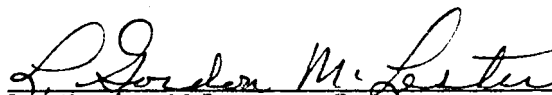
Tony would like a meeting with Iroquois Construction to discuss when they will be done at the Health Center. A meeting is set up for 9:00 A.M. on June 25, 1984, between the Business Committee and Iroquois Construction.

INVESTMENT COMMITTEE RECOMMENDATION - Kathy Hughes

There are four vacant positions on the Investment Committee which have been advertised since February. Kathy is recommending Shirley Jean Schuyler and Alma Webster to be appointed to the Committee.

Mark moved to approve the recommendation. Lloyd seconded. Motion carried.

12:00 Mark moved to recess, Kathy seconded. Motion carried


L. Gordon McLester, Secretary
Oneida Business Committee