

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

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Oneida, WI 54155



UGWA DEMOLUM YATEHE  
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  
Read 10-7-86*

## SPECIAL MEETING

FRIDAY, SEPTEMBER 12, 1986

Meeting called to order at 9:00 a.m.

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

Excused: Lloyd Powless-Council Member

Others: Mary E. Hayes, Butch Rentmeester, Bob Niemela, Barbara Schuman, Jerry Hill

### ADDITIONS TO AGENDA

- Meeting with Tribal School Board
- Conservation
- Candidate Reception

Dave moved to adopt the agenda with the additions. Mark seconded. Motion carried.

### RESOLUTION FOR FIRE PROTECTION FUNDS FROM THE BIA #9-12-86-A

WHEREAS, the Bureau of Indian Affairs has made Fire Protection funding available to Indian Tribes.

NOW, THEREFORE BE IT RESOLVED: That the Oneida Tribe accepts the Fire Protection funds that have been made available from the Bureau of Indian Affairs.

The Fire Protection funds of \$4,000.00 will be used in the following manner:

- (1) Approximately \$2,700 for plugging fire hydrant drains, to prevent freezing of hydrant mechanisms during cold weather conditions. Several hydrants were made inoperable in the past two winters due to improper drain-back. Excavation, plugging with stainless steel bolts, backfilling, landscaping, and reseeding will be needed for all fire hydrants in Site I, Site II, and Rolling Hills Subdivisions.

FIRE PROTECTION FUNDS (Continued)

Purchase of 4-12 volt pumps (\$75 each) for pumping fire hydrants after use in cold weather. One pump will be furnished to each town fire department serving the Oneida Reservation, with two being retained by the Oneida Tribe's Sewer and Water Utility Program.

Balance of the available funds will be used to help pay for the repainting required at the Site I Water Stand Pipe.

Kathy moved to adopt Resolution #9-12-86-A. Lois seconded. Motion carried.

HEADSTART GRANT - Mary E. Hayes

The title of this project is Full Year/Part Day Head Start Project and is estimated to serve 66 students. The proposed funding is \$178,341.00.

Tony moved to approve the submission of the Headstart proposal. Gordon seconded. Motion carried.

INDIRECT COST PROPOSAL - Kathy Hughes

Kathy presented for review the Indirect Cost Proposal for FY'87, which is based on the approved '87 budgets and the actual expenses for FY'85.

The Business Committee reviewed the proposal and after some discussion, Dave moved to approve submitting the proposal to Office of Inspector General, with the Organization Chart as is. Gordon seconded.

Discussion continued on the Organizational Chart and when it was approved. Dave withdrew his motion, Gordon agreed to withdraw his second.

After more discussion, Gordon moved to approve the submittal of the proposal with the addition of new programs to the Organizational Chart of last year FY'86. Mark seconded.

Upon continued review, some of the figures in the proposal did not add up as they were supposed to.

Mark moved to table the Indirect Cost Proposal FY'87 until Kathy and the Accounting Department had time to do another review of the proposal and then it should be brought back for Business Committee review and approval. Lois seconded. Motion carried.

Kathy stated she would have the proposal ready for Tuesday's agenda (Sept. 16, 1986).

\*ONEIDA CHILD PROTECTIVE BOARD POLICIES & PROCEDURES

The Oneida child Protective Board submitted revised By-Laws and Policies & Procedures for the Business Committee to review.

The Law Office recommends a Sub-Committee be established to work on a final draft. The Sub-Committee would include members of the Oneida Child Protective Board, the Human Relations Director, the Law Office, and members of the Business Committee. Lois, Kathy and Tony would be the members from the Business Committee to work on the re-draft of the By-Laws and Policies & Procedure.

Tony moved to table this item until a final draft is developed and brought back for review. Lois seconded. Motion carried.

CONSULTING AGREEMENT WITH SOMERVILLE ASSOCIATES, INC. - Butch Rentmeester, Bob Niemela

Butch Rentmeester asked for approval to have a standard contract for consulting engineer and architect services with Somerville Associates, Inc.

Butch received prices for services from Schober Associates, Inc., Foth and Van Dyke, Miller, Wegnee, Coenen, Inc. and Somerville.

The purpose of this agreement is to arrive at the rate the Tribe would be charged when they would be using Somerville's services. This would eliminate much of the paperwork that would be required for separate contractors. Under this agreement, the Tribe is not obligated to deal only with Somerville nor does the agreement obligate any tribal funds to Somerville.

Discussion followed on the rate that each of the companies quoted to the Tribe for their services.

Dave moved to approve the agreement with John E. Somerville Associates, Inc. Rick seconded. 2 yes votes. 4 no votes. 1 abstention. Motion failed.

Butch was requested to check with each company to get their actual hourly rate and bring back the information.

CONSULTANT AGREEMENT WITH CHARLES LEONARD

This is for one year at a cost of \$4,333.33 per month.

- I. The Tribe hereby retains the consulting services for the purpose of:
  - A. Consultant shall advise and consult with the Tribe on the development of it's public relations plan.
  - B. Consultant shall implement the development of a plan in communication with the local public.
  - C. Services performed shall be subject to the acceptance of the Oneida Business Committee or their authorized representative.

CHARLES LEONARD CONSULTANT AGREEMENT (Continued)

- D. A Public Relations Trainee (a Tribal Member who meets written, approved qualifications of the Tribe) shall work with the Consultant and be trained by the Consultant as a public relations apprentice.
- E. Consultant shall submit to the General Manager of the Tribe a monthly report of his activities.

After discussion, Kathy moved to approve the agreement. Dave seconded. Rick opposed. Motion carried.

There was discussion on the Public Relations Trainee and what was the status of this position. The Chairman said this would be brought up under the Personnel items.

CONSULTANT AGREEMENT WITH DORALIE ROHLFING AND THE TRIBAL SCHOOL

The consultant is to present a workshop on the effectiveness of teaching mathematics on September 26, 1986 for a cost of \$131.00, at the Tribal School.

Lois moved to approve, Tony seconded. Motion carried.

ONEIDA TRIBAL RESPONSE TO HOLPERIN LETTER (RNIP)

Harriet Reiter and Jerry Hill presented a draft in response to Representative Holperin's letter:

Linda Reivitz, Secretary  
Wisconsin Department of  
Health & Human Services  
1 West Wilson  
Madison, WI 53707

This is to advise you of the concern of the Oneida Tribe regarding the letter to you identified above. Representative Holperin's letter is misleading, inaccurate and so patently ignorant that it must be responded to in order to set the record straight. We can only guess at his motives and will not waste your time attempting to characterize him, but rather will set forth facts and reasons to address his allegations.

The tone of the letter is apparently based upon some unwarranted assumptions; 1) that there is a general frustration with the RNIP programs by counties and tribes, 2) that Indians can live on less resources than any other citizens, 3) that existing RNIP regulations are inadequate to prevent or correct abuses, 4) that Indian RNIP recipients are more susceptible to the alcohol and drug abuse epidemic in the United States, and 5) that Indian ambition is limited to RNIP. The absurdity of these assumptions is compounded by his supporting statements and reasoning.

RESPONSE TO REPRESENTATIVE HOLPERIN (Continued)

Mr. Holperin alleges problems that either don't exist or which he grossly exaggerates and then proposes solutions that are both simple minded, unnecessarily cumbersome or just plain unrealistic. For example, his suggestion to reduce individual benefits, now far below the poverty level by \$33.00 and allow the Tribes to use it for economic development is totally without merit. The amount of money involved, while significant, is too little to justify its use for any but the most modest phases of economic development. Furthermore, the suggested reduction is mean in its result, which would not supply even the most basic living expenses.

He also suggests a voucher system as a remedy for alleged abuses showing his failure to understand existing RNIP regulations. Such remedy is already available to administrators as well as establishing protective payees.

He suggests that RNIP funds be diverted to jails or other agencies to defray those costs. This may seem appealing at first glance, but would result in humiliating recipients unnecessarily and would not change their living circumstances. A person on probation is already under the control of a professional, and a person receiving any kind of counselling should be encouraged to continue, not punished. The RNIP regulations provide for discontinuing eligibility for extended jail sentences, i.e. over thirty days. His solution would be an administrative nightmare and result in no savings. His suggestion for stricter accounting is so general in nature as to be without meaning.

Probably the most damaging of his solutions would be to amend RNIP by usurping the governing prerogatives of recognized tribal governments in a spirit that is both mean and possibly unlawful. As you know, the Oneida Tribe and other Wisconsin tribes cooperated when it was necessary several years ago in limiting RNIP eligibility requirements and benefits. This was unpleasant, but viewed as a responsible act of tribal governments. Mr. Holperin suggests unilateral changes that would destroy cooperative government-to-government relationships that have evolved to the benefit of Indian governments and the state. The state and its agencies should continue to consult with tribal governments on matters that concern its members.

It is the responsibility of the Tribal government to integrate and coordinate its programs. The Oneida Tribe has done so successfully. In Oneida, RNIP is not a disgrace, it works as it was intended; helping those who need it worst and who would otherwise receive nothing. Within the past year and one half, the Oneida Tribe assisted the Department of Health and Human Services in a complete evaluation of its RNIP, and work experience program.

In closing, the Oneida Tribe asks your department and its agencies to disregard Mr. Holperin's letter and sentiments, and to investigate the facts and not be persuaded by the use of Indian people as Mr. Holperin's political scapegoats.

LETTER TO MR. HOLPERIN (Continued)

The Oneida Tribe will assist in any reasonable way to provide an accurate assessment of the RNIP program and are sure that other tribes will, as well.

Mark moved to approve sending the letter to Linda Reivitz, Secretary, Wisconsin Department of Health & Humans Services. Rick seconded. Motion carried.

VACATION REQUEST - Purcell Powless

Purcell is requesting approval for vacation on September 15 - 19, 1986

Mark moved to approve, Gordon seconded. Motion carried.

LAND COMMITTEE MINUTES OF SEPTEMBER 8, 1986

1. Mark moved to approve the cancellation of the Residential Lease for Brenda Moore. Dave seconded. Motion carried. Resolution #9-12-86-B
2. The Land Committee recommends the acceptance of the request for Brenda Cooper to be beneficiary for Lillian Cooper's assignment. Resolution #9-12-86-C

Dave moved to approve the recommendation, Kathy seconded. Motion carried.

3. The Land Committee reviewed the method for selection for the trailer park. The first criteria, according to the proposal, is income guidelines, and the second is admissions policy. They recommend that the method be used first and then go to the Land Office waiting list.

Mark moved to approve, Rick seconded.

After more discussion, Rick withdrew his second, and Dave seconded the motion. There was confusion on the selection of people for the Trailer park and also what were the guidelines.

Lois moved to table this item and refer it back to the Land Office to bring back the recommended policy for people to move into the trailer park which will include the income guidelines. Rick seconded. 4 yes votes, 3 no votes Motion carried.

4. It was brought to the attention of the Land Office that Mr. & Mrs. Robert Danforth no longer reside on their leased site. Provision No. 17 of their lease states that they must reside on the premises. The Danforth's replied that their father needed someone to stay with him and they would like to keep the site and put a trailer on it next year. The Land Committee recommends that they be allowed to keep the site for now.

Mark moved to approve the recommendation, Rick seconded. Lois did not vote Motion carried.

LAND COMMITTEE RECOMMENDATIONS (Continued)

5. The Land Committee recommends that the agricultural lease forms be modified to include: "The Oneida Tribe reserved the right to grant rights-of-way across the leased premises for construction of roads, utilities services or any other public purposes. Adequate notice shall be given in writing at least 6 months prior taking of any easement. If such easement shall damage crops or prevent lessee from use of land, both parties shall agree on just compensation.

Lois moved to approve, Gordon seconded. Motion carried.

6. The Land Committee recommends approval of the agricultural farm lease (Van Schyndel lease on Seminary Road) for 5 years for Mr. and Mrs. Merlin Cornelius.

Mark moved to deny, Kathy seconded. Discussion followed on the land that Mr. and Mrs. Merlin Cornelius have leased with the Tribe and the financial obligations that have not been met. 1 yes vote, 6 no. Motion carried.

Gordon moved to table any action on item #6 until the Business Committee reviewed the financial obligations on this lease. Rick seconded. Tony opposed. Mark stated that he would like to see an update on all the transactions with Mr. and Mrs. Merlin Cornelius.

Gordon moved that Chris Doxtator provide the Business Committee with all the transactions the tribe has had with Mr. and Mrs. Cornelius and that the Cornelius' be notified and a meeting be set up to try and work out any problems. Rick seconded. Motion carried.

7. Mark moved to table the modification of the lease for Mr. and Mrs. Cornelius, because it will be covered in the meeting that is to be set up. (This lease is for the Peterson Farm). Gordon seconded. Motion carried.
8. The Land Committee recommends that the house (former Peterson property) be advertised for rent at \$375 negotiable immediately.

Lois moved to approve the recommendation without the word negotiable. Dave seconded. Motion carried.

After more discussion, Lois moved to leave the word negotiable in the advertisement. Rick seconded. Motion carried.

Kathy moved to deny the recommendation from the Land Committee that states "Whoever took the responsibility for putting the house (former Peterson house) on hold, will be responsible for the \$1,600.00 of rent that should have been gotten. These funds are to be put into the Land Acquisition fund. Gordon seconded. Mark opposed. Motion carried.

LAND COMMITTEE RECOMMENDATIONS (Continued)

9. The Land Committee recommends renting the Hillside House with an option to purchase for one (1) year. Rent & advertise immediate.

Mark moved to approve, Lois seconded. Motion carried.

The Land Committee recommends that the Tribe sell the excess black dirt that is being removed from Site II Treatment plant. They also recommend that Chris Doxtator and Jerry Kurowski look into where it can be sold and get the best price and to offer it to tribal members first.

Gordon moved to have Building & Grounds and Chris Doxtator select a site to store the dirt and see that the needs of the programs and enterprises are met. Then offer it for sale (Tribal members first).

Gordon moved to amend the motion that Jerry Kurowski not be involved in this situation because of the other responsibilities he has to cover. Kathy seconded.

Vote on the amendment carried. Vote on the main motion carried

Lois was excused.

11. The Land Committee recommends the cancellation of the Clarence and Mary Skenandore lease.

Mark moved to approve, Tony seconded. Motion carried.

12. The Land Committee recommends the acceptance of the application from Keith Skenandore for the former Clarence & Mary Skenandore property.

Tony moved to approve, Dave seconded. Motion carried.

Mr. Abraham Stevens has been informed by the Law Office that he is in violation of his lease with the accumulation of salvage on his Residential lease property. The Land Committee recommends that he be informed that his lease will be cancelled if he does not comply.

Dave moved to approve the recommendation, Kathy seconded. Rick opposed Motion carried.

Mr. Robin Doxtater is in violation of his lease which states he is required to reside on the premises on a full time basis and he is presently living at Site I. The Land Office sent the cancellation papers to Mr. Robin Doxtater on August 21, 1986. They have not yet received a response. The Land Committee recommends that the lease be cancelled and that Robin be notified to remove his trailer within 30 days or action will be taken to do so and he will be sent a bill for it. Resolution #9-12-86-D

Kathy moved to approve the recommendation, Mark seconded. 3 yes votes, 2 no votes. 1 abstention. Motion carried.



PERSONNEL - Barbara Schuman

- HIRING INFORMATION -

Public Safety Officer (3 positions) Beginning salary \$6.92/hr.

1. Tim Huff
2. Gina (Powless) Buenrostro
3. Jack Mehojah

Barbara Schuman presented the following Self-Funded Insurance Report

MEDICAL STATUS REPORT

There is not much change in the medical status report. Monthly reserves have averaged \$184,518.94, expenses have averaged \$56,137.84, with revenues averaging \$50,923.29.

The Investment Committee currently has \$196,365.78 invested in the money market earning 5.851%. There is \$2,051.60 in the checking account earning 5.250%.

Claim Management indicated the changes in State and Federal Rules and Regulations which apply to all self-funded insured employees. To summarize H.R. 3128:

"Terminating employees can extend health coverage for up to 18 months"

"Spouses who become widowed or divorced and other dependents who lose coverage for various reasons can continue the coverage for up to 36 months"

Persons electing to continue the medical coverage must pay our monthly premiums. H.R. 3128 will become effective for the Oneida Tribe's Self-Funded Medical Insurance on January 1, 1987.

Active employees participating:	Family Participation = 182
	Single Participation = 136

DENTAL STATUS REPORT

There is not much change in the dental status report. Monthly reserves have averaged \$3,681.73, expenses have averaged \$7,359.46, with revenues averaging \$7,604.87.

Active employees participating:	Family Participation = 200
	Single Participation = 118

Questions were asked about the investments. Kathy explained that the interest rates are really down. The question was asked if a person is no longer a Tribal employee and pays their own insurance, do they pay the full premiums. The answer is yes, they have to pay the full premiums.

PUBLIC RELATIONS TRAINEE POSITION

Mark asked that the item of the posting of the Public Relations Trainee be discussed at this time. Mark moved that Don Wilson be issued a letter of warning for not following Business Committee action to have the job posted six months ago. There was discussion as to the proper procedure in issuing disciplinary action and if that was the action of the Business Committee 6 months ago.

After more discussion, Mark moved to amend his motion to verify whether or not direction was followed in relation to Business Committee action that the Public Relations position be posted and that it be clarified prior to a letter of warning being issued. Gordon seconded. After more discussion, Gordon withdrew his second because of a different understanding of the motion. Dave seconded the motion. 2 yes, 3 no. Rick did not vote. Motion failed.

Kathy moved to have the Tribal Secretary prepare a report to the Business Committee to see if disciplinary action is necessary regarding the posting of the Public Relation Trainee position. Tony seconded. Rick did not vote. Motion carried.

ONEIDA CONSERVATION BOARD - Dave King & Jerry Hill

Dave explained that a meeting was held to reactivate the Conservation Board. The incumbent members are Larry Barton, Ted Hawk, Al Manders and Jerry Kurowski. They are requesting 3 new members be appointed to the Board: Randy Cornelius, Harry Homer and Ernest Stevens Sr. They are also requesting the adoption of a resolution governing the Conservation Board.

After discussion, Kathy moved to approve interim appointments of the recommended board members for 90 days and that the board positions be posted according to procedures. Rick seconded. Tony amended the motion that the four incumbents be appointed to the Conservation Board and advertise for the 3 new members. Rick seconded the amendment.

Vote on amendment carried. Mark opposed. Vote on the main motion carried. Mark opposed.

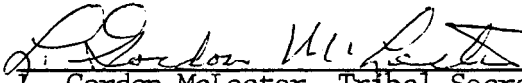
Discussion followed on the proposed resolution. Rick moved to have Dave King take into consideration the Business Committee concerns and redraft the resolution and bring it back next Tuesday. Tony seconded. 4 yes votes. Dave & Kathy opposed. Motion carried.

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CANDIDATE RECEPTION

On September 30, 1986, there is a Candidate Reception/Fundraiser for Tony Earl and Sharon Metz in Madison. Rick will be attending the functions on behalf of the Tribe and we will pay to GLITC the amount of \$300.00 towards the reception.

12:00 mark moved to recess. Kathy seconded. Motion carried.

  
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L. Gordon McLester, Tribal Secretary  
Oneida Business Committee