

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

Post Office Box 365

Phone: 869-2214



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

APPROVED AS
READ CORRECTED

3-3-89

REGULAR MEETING

FRIDAY, FEBRUARY 17, 1989

Present: Purcell Powless-Chairman, Richard Hill-Vice Chairman, Kathy Hughes-Treasurer, Amelia Cornelius-Secretary, Lloyd Powless, Larry Barton, Ernie Stevens, David King-Council Members

8:40 A.M. Recognition of Anna John Nursing Home Employees (20 minutes)

Special presentation by Whitney Mills, Nursing Home Administrator to Department Heads, in recognition of the A+ received by the State Survey in January. Each of the following received a corsage from Whitney and a Certificate of Appreciation by the Business Committee: Linn Cornelius, Linn Collins, Carol Metoxen, Loren Moore, Sheri Lansback, Wendy Blaedorn. Jim Summers was unable to attend but received recognition.

9:00 A.M. Swearing In of Conservation Assistant Terry Metoxen

Oath of Office by Terry Metoxen. Mike King administered the oath

9:05 A.M. Introduction of Pat Zakowec from Native American Fish & Wildlife Society

Pat Zakowec from the Native American Fish & Wildlife Society informed the Business Committee about their regional meeting being held at the Radisson on March 28-30, 1989. She will be requesting donations of traditional food from the local tribes for a feast during the meeting. She will also be asking for donations of art/artifacts for a fund raising project as a part of the meeting.

Loretta Metoxen arrives at meeting.

I. CALL TO ORDER: Chairman Powless called the meeting to order at 9:15 a.m.

II. APPROVAL OF AGENDA

David King moved to adopt the agenda as changed to allow for items #10 & 11 to be first under new business as Loretta Metoxen will be leaving to present testimony in Green Bay in regard to the DNR hearing. Lloyd Powless seconded. Motion carried.

Request #10. Proposed Meeting with Oneida Tribal School Board - Loretta Metoxen

Kathy Hughes moved to support Loretta Metoxen's request to hold a joint meeting with the Oneida Tribal School Board for a quarterly meeting and to discuss the indirect cost monies which Sherri Mousseau was able to obtain. David King seconded. Motion carried.

Request #11. Testimony at DNR Hearing Re: Permits issued to beat new Regulations - Loretta Metoxen

David King moved to have Loretta Metoxen attend the DNR hearings in Green Bay and to provide testimony on behalf of the Oneida Tribe, Lloyd Powless seconded. Motion carried.

III. MINUTES TO BE APPROVED - None

IV. TABLED/UNFINISHED BUSINESS

V. REPORTS:

A. HUMAN RESOURCES

Info: Hiring Custodial Supervisor - Jack Becker
Info: Bldg. & Grnds Maintenance Trainee - Dale Metoxen
Info: Bingo List has 45 names cleared for hiring

B. Info: Travel Reports (2) - Lloyd Powless

1. Minneapolis Areas Association of Community Tribal Schools in Washington D.C. on February 6-8, 1989
2. WAC meeting in Milwaukee on February 10, 1989
3. AILCEB meeting in Keshena on February 13, 1989

VI. NEW BUSINESS

A. RESOLUTIONS

1. Development Zone (Retro-active) 2-17-89-A

WHEREAS, the Oneida Business Committee has determined that the Wisconsin Development Zone program would further the economic development goals of the Oneida Tribe of Indians of Wisconsin, and

WHEREAS, the Wisconsin State Department of Development is accepting nominating applications for the Development Zone program from federally recognized Indian Tribes.

NOW THEREFORE BE IT RESOLVED: that the Oneida Tribe of Indians of Wisconsin submit a nominating application to the Wisconsin Department of Development for a Development Zone designation, and

Resolutions (Continued)

BE IT FURTHER RESOLVED: that upon invitation from the Wisconsin Department of Development, the Oneida Tribe prepare and submit a development zone plan to the State of Wisconsin.

Kathy Hughes moved to adopt, David King seconded. Motion carried.

Fire Protection/Letter 2-17-89-B

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.

David King moved to adopt, Lloyd Powless seconded. Motion carried.

3. Lottery Resolution 2-17-89-C

TO REGULATE THE CONDUCT AND OPERATION OF ALL LOTTERY GAMES OF THE ONEIDA TRIBE OF INDIANS OF WISCONSIN

WHEREAS, the Oneida Tribe has determined that increased revenues will be necessary to meet the health and educational requirements of its members now and into the foreseeable future, and

WHEREAS, the Oneida Tribe has successfully controlled, regulated and managed its Bingo Enterprise for the benefit of its members by expanding the work opportunities, facilitating economic development and creating a positive financial impact on the reservation and adjacent communities, and

WHEREAS, the budget of the Oneida Tribe has increased along with employment and housing, and the corresponding demand on tribal services, and such growth will continue, and

WHEREAS, the Oneida Tribe may, by law, civilly regulate any activity civilly regulated by the state which applies to gaming and in Wisconsin now includes bingo, raffles, parimutual wagering and lotteries, and

WHEREAS, the Oneida Tribe desires that all gaming activities of the Oneida Tribe of Indians of Wisconsin which it regulates be conducted with the highest degree of integrity to insure consumer confidence, secure inventories, and to prevent and avoid fraud, theft and loss by negligence.

NOW THEREFORE BE IT RESOLVED: that all lottery type games shall be conducted, operated and managed in accordance with the above findings and principles, and shall be reviewed continually by the Oneida Business Committee, or other body designated that responsibility, and

Resolutions (Continued)

BE IT FURTHER RESOLVED: that lottery tickets may only be sold on premises authorized by the Oneida Tribe and located on the Oneida Indian Reservation, and that the following regulations be strictly adhered to in the conduct of all lottery type games:

I. Marketing and Advertising

- A. All sales and advertising for Oneida lottery games shall be in accordance with this resolution and other laws of the Oneida Tribe.
- B. No sales shall occur off the Oneida Indian Reservation unless specifically authorized by the Oneida Business Committee.
- C. The following persons may not purchase or be winners of Oneida Lottery Games:
 - 1. Any minor person under the age of eighteen (18).
 - 2. Business Committee members.
 - 3. Data Processing Personnel processing Lotto tickets.
 - 4. Supervisors of Sellers, and Administrative personnel supervising the sale and drawing of lotto tickets.
 - 5. All Sellers, while on duty.

D. Procedures

- 1. Inventory Controls
 - a. One designated person will be in charge of receiving tickets, distributing tickets to locations, keeping undistributed tickets under lock and key.
 - b. All tickets will be given to individual locations in a locked dispenser. The key will not be left at the location. It will be controlled by the person in charge of the safe guarding of the tickets.
 - c. All tickets will be signed for, the original receiving slip will be sent to data processing for inputting purposes.
 - d. Daily inventory reports will be required of all locations selling tickets. These reports will include date on ticket, ticket color, beginning and ending inventory book/ticket numbers, number of tickets sold, a cash register tape for verification, book/ticket numbers of additional tickets received, the book/ticket numbers of returned tickets. This information will be computerized daily.
 - e. Weekly reports implemented for strong internal controls will consist of:
 - 1) Ticket Reconstruction Report
 - 2) Ticket Verification Report
 - 3) Prize Distribution Report
 - 4) Ticket Inventory Report - must be dated, with time of report from computer and given to the Gaming Director before drawing.

Resolutions (Continued)

- f. All pertinent information will be stored on computerized backup and retained for audit.
 - g. Any responsible employee who fails to strictly adhere to these controls shall be subject to disciplinary actions pursuant to the Oneida Tribal Policies and Procedures and/or criminal prosecutions.
- 2. Sales
 - a. Only authorized persons may make sales of lottery tickets.
 - b. All sales are final - NO Refunds
 - c. All sales are to be strictly accounted for and subject to random audit by the Oneida Tribe at anytime and reported to the Oneida Business Committee on a weekly basis or as requested.
 - d. Tickets shall be printed, color coded and dated on a weekly basis.
 - e. Unsold imprinted tickets shall be accounted for, recorded and destroyed before witnesses after the weekly drawing.
 - f. Sales for the weekly drawing shall be stopped promptly at 12:00 Noon at all outlets on each Wednesday.
 - g. Sales for the following week may commence no earlier than 12:01 p.m. each Wednesday.
- 3. Payouts
 - a. Payouts shall be made the day after the drawing to any person who presents a valid winning ticket subject to f. below.
 - b. Winners shall be subject to the provisions of the I.R.S. Code.
 - c. Winners must properly identify themselves with two (2) forms of identification i.e. social security number and drivers license preference. Identification shall be verified by the Oneida Public Safety Department.
 - d. Winners must sign and date their winning ticket upon redemption and a receipt will be provided.
 - e. Winners shall be paid only by check.
 - f. Jackpot Winners will be paid in structured payments as follows:
 - 1) \$25,000 - one (1) payment within the time defined in a. above.
 - 2) Equal annual payments by annuity purchased by the Tribe for Jackpot Winners.
 - g. Tickets shall be invalid if they have been:
Tickets void if stolen, unissued, unreadable, mutilated, altered, counterfeit in whole or part, miscut, misregistered, multiple-printed, produce in error, typographical or mechanical errors, partially blank, obtained illegitimately, or have any portion changed.
 - h. Winning tickets must be presented within one hundred eighty (180) days of drawing.
 - i. Winners of \$1,200 shall be photographed, said photos may be used at the discretion of the Oneida Tribe, and are the property of the Oneida Tribe.

Resolutions (Continued)

4. Drawing
 - a. Shall be held each Wednesday at the Irene Moore Activity Center by a duly authorized employee of the Oneida Tribe.
 - b. The drawing will be video taped, and a copy of which shall be secured by the Oneida Public Safety Department and retained for 180 days.
 - c. Verified results shall be published immediately at all ticket outlets with notification to all media.

II. Tickets

- A All tickets must clearly set forth:
 1. Date of drawing they are purchased for.
 2. The name Lotto Oneida
 3. That the game is regulated by the laws of the Oneida Tribe.
 4. All rules pertaining to sale and payouts.
 5. Verification numbers.
- B. Unsold tickets must be accounted for before the drawing. Unsold imprinted tickets must be destroyed within forty-eight (48) hours of the drawing. The Ticket Inventory Report must be given to the Gaming Director before the drawing.

III. Violations/Prosecutions

Violators of these rules may be subject to disciplinary action if employees of the Oneida Tribe and/or criminal prosecutions where circumstances so indicate.

David King moved to adopt, Amelia Cornelius seconded. Motion carried.

4. Shoreland Protection Ordinance 2-17-89

Amelia Cornelius moved to table until the Business Committee has time to review the ordinance. Kathy Hughes seconded. Motion carried. Rick Hill and Ernie Stevens abstained.

B. REQUESTS:

1. Land Committee Minutes of 2/13/89

- a) The Land Committee recommends approval of Gwen Christjohn's Residential Lease #2-17-89-D. Amelia Cornelius moved to approve, David King seconded. Motion carried.
- b) The Land Committee recommends approval of Bernard F. Cornelius' agricultural lease. Ernie Stevens moved to approve, Larry Barton seconded. Motion carried.
- c) The Land Committee recommends approval of Water House' Residential lease with the understanding that an appraisal would be made and $\frac{1}{2}$ the fair market value would be charged. Amelia Cornelius moved to approve, Larry Barton seconded. Lloyd Powless abstained. Motion carried.

2 Finance & Appropriation Recommendations 2/15/89

Retail Equipment: Request approval for purchase of used VCR Recorder to upgrade security control at Lewellen outlet. F&A recommends approval of \$1,300 funding through retail operations. Ernie Stevens moved to approve, David King seconded. Motion carried.

- B Retail Equipment: Request approval for scanning equipment at cost of \$7,760 for Lewellen outlet. F&A recommends approval from Retail Operations. Amelia Cornelius moved to approve Kathy Hughes seconded Motion carried.
- C. Bingo Equipment - Request portable dock at cost of \$5,495. F&A recommends approval with funding through expansion budget. Kathy Hughes moved to approve, Lloyd Powless seconded. Motion carried.
- D. Vault Liner - Vault liner is donated by Associated Kellogg, however, to remove and install the cost is estimated at \$8,600. F&A recommends approval from Bingo Operations. Amelia Cornelius moved to approve, Lloyd Powless seconded. Motion carried.
- E. Bingo Equipment - Blower & Flashboards at cost of \$8,697. F&A recommends approval from Bingo Operations. Lloyd Powless moved to approve, Kathy Hughes seconded. Motion carried.

Updating of Economic Development Tape - Cost is estimated at \$11,000 F&A recommends funding \$5,500 from FY '90 budget and \$5,500 from advertising budget. Kathy Hughes moved to approve, Amelia Cornelius seconded. Motion carried.

- G. NHC - Fitness Center - Request is to improve mens showers at an estimated cost of \$3,948.63. F&A recommends approval with funding through NHC budget recovered in space cost allocation. Kathy Hughes moved to approve, Larry Barton seconded. Motion carried.

4. Garnishment Ordinance - Jerry L. Hill

David King moved to adopt the revised Garnishment Ordinance, Ernie Stevens seconded. Motion carried.

5. Meeting Request

Oneida Child Protective Board requests a Special Meeting for 3/1/89 at 5:15 P.M. in the Business Committee Conference Room.

6. Standard Meeting Time/Salary Plan - Don Wilson

Don Wilson requested a standard time for meeting with the Business Committee Lloyd Powless moved to have the Secretary and Don Wilson get together and designate a time and format for the meeting, David King seconded. Motion carried.

Discussion on salary Structure for FY 1990. No action.

7. Selling Tribal Services - Don Wilson/Charlie Leonard

David King moved to adopt the policy for sale of tribal expertise on a consulting basis to other tribes. Amelia Cornelius seconded. Motion carried.

8. Info: Bingo Pass AA Dance Group (4) Passes

9. SCA Contract

Sport Contest Association agreement for the Lotto annuity. Ernie Stevens moved to rescind the action of February 3, 1989 adopting the draft and amended contract with SCA, and to retroactively approve the revised contract that was approved and mailed on February 10, 1989. Kathy Hughes seconded. Motion carried.

C. CONTRACTS/AGREEMENTS - None

D. TRAVEL/VACATION

1. Vacation: David King, afternoon of 2/17/89, Feb. 20, 21, 1989. Larry Barton moved to approve, Amelia Cornelius seconded. Motion carried. David King abstained.
2. Travel: Lloyd Powless, WAC Convention - Milwaukee 2/25/89, and to Concordia College (Speaker). David King moved to approve travel for Lloyd Powless, Larry Barton seconded. Motion carried. Lloyd Powless abstained.

OTHER

David King moved to approve the \$200,000 line of credit at Associated Kellogg for short term financing to maintain cash flow while work is continuing on the corporate charter needed to close on the improvement loans for One Stop and Bingo. Larry Barton seconded. Motion carried.

Amelia Cornelius moved to approve the Laventhol and Horwath proposal for doing the third party audit of tribal records, seconded, and carried.

EXECUTIVE SESSION:

1. Environmental

Fort Howards letter Appeal hearing request.. Out of session. Recommendation to send letter to Fort Howard to be signed by Rick Hill. Yates & Arberly contract should be presented to the Business Committee for assessment.

2. Human Resources

Amelia Cornelius moved to uphold the decision of the Personnel Commission findings in the hearings of Paul Barber, Stacey Doxtater, and Colleen Cottrell and to vacate and invalidate the penalties imposed by the Personnel Commission as violations of procedures in that no process was provided to authorize the

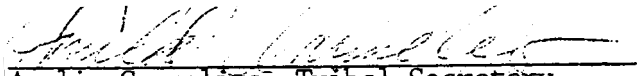
Personnel (Continued)

penalties and that reinstatement rights provided for be instituted including back pay less any amounts received in Unemployment Compensation during that period. Lloyd Powless seconded. Six members for, one opposed. (Action must be unanimous to be able to overturn the decision of the PSC).

Kathy Hughes moved to return the appeals back to the PSC for a final hearing Amelia Cornelius seconded. Motion carried. Rick Hill, Ernie Stevens and David King abstained.

IX RECESS/ADJOURN

Motion to recess, seconded and carried.



Amelia Cornelius, Tribal Secretary
Oneida Business Committee