



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 CORRECTED

5-5-89

## REGULAR MEETING

FRIDAY, APRIL 7, 1989

I. CALL TO ORDER: Meeting called to order at 9:00 A.M.

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

Excused: Lloyd Powless-Council Member

Others: Don Wilson, Helen Webster, Beth Ann Webster, Chris Doxtator, Bobbi Webster, John Spangberg, Chris Johns, Herb Powless, Gerald Doxtator, Judy Cornelius, Debbie Powless, Richard Powless, Thelma McLester, Richard Cornelius, Tim Cottrell, Butch Summers, Alan Danforth, Sally Doxtator, Anthony Doxtator, Deanna Bauman, Vickie Blaker, Butch Rentmeester, Randy Jordan, Chas Wheelock, Gordon McLester, Ernie Stevens Jr., Wayne Skenandore

## II. APPROVAL OF AGENDA

David King moved to adopt the agenda as amended:

- a) Tribal Organizational Chart
- b) American Indian Enterprise Development Meeting
- c)  $\frac{1}{2}$  Day Vacation for Rick Hill

Loretta Metoxen seconded. Motion carried.

## AWARD PRESENTATION FOR ELIZABETH ANN WEBSTER

Chairman Powless presented a special award to Beth Ann Webster. The plaque reads "The Oneida Tribe of Indians of Wisconsin commends Elizabeth Ann Webster this day of April 7, 1989 in recognition for her heroic actions taken in the lifesaving efforts to her brother on Saturday, March 25, 1989. The Oneida Tribe applauds her courageous actions and recognizes the exemplary example that "Beth" has set for the entire community."

MINUTES TO BE APPROVED:

March 1, 1989 - Special Meeting - Approved as Read  
March 3, 1989 - Regular Meeting - Approved as Read  
March 10, 1989 - Regular Meeting - Approved as Read  
March 17, 1989 - Regular Meeting - Approved as Read  
March 22, 1989 - Special Meeting - Approved as Read  
March 24, 1989 - Regular Meeting - Approved as Read  
March 31, 1989 - Regular Meeting - Approved as Read

TABLED/UNFINISHED BUSINESS: None

V. REPORTS:

A. HUMAN RESOURCES

1. Hiring Information:  
Operations Supervisor - Ervin C. John  
Kitchen Aide - Victoria Blaker  
Retail Accountant - Edward Brunhoefer  
Mental Health Psychotherapist - George Kamps
2. Promotion of Laura House to Administrative Assistant-Gaming

B. ONEIDA AIRPORT HOTEL FOR JAN & FEB, 1989 - Janice Hirth

Highlights: Minority employment increased to 42%

- ° New position is being developed - Personnel Director
- ° Budget projections have been exceeded in occupancy, sales, and in room rate.
- ° 70% occupancy in February.

Rick Hill moved to approve the report, David King seconded. Motion carried.

VI. NEW BUSINESS

A. RESOLUTIONS:

- 1 Home Construction Policy Statement-Resolution #4-7-89-A - Ernie Stevens

Discussion on Items 6, 7, 9, 10 & 11 of the Policy Statement.

WHEREAS, from time to time, it becomes necessary to clarify the official policies of the Oneida Tribe on issues important to the tribal membership, and

WHEREAS, the Tribe considers home building for the tribal membership utilizing the skills and labor of our own members to be a first priority, and

NOW THEREFORE BE IT RESOLVED: that the attached policy known as the "HOME BUILDING AND CONSTRUCTION POLICY OF 1989" is hereby adopted and ordered to be promulgated and published.

HOME BUILDING & CONSTRUCTION POLICY OF 1989

It has become necessary to clearly state the Tribe's policies regarding the purchase, rehabilitation, and construction of new homes on the Oneida Reservation. This policy also is appropriate to the purchase of lands by the Oneida Land Committee. The policy includes reference to related subjects of management, finance, and Oneida preference hiring. The official policy of the Tribe regarding these matters is stated as follows:

1. That in 1988, through a public opinion survey of adult tribal members, one of the first priorities was a desire to build additional homes utilizing the employment of our own tribal members through a construction company owned by a tribally chartered or licensed company.

2. That it is the Tribe's continuing priority to provide for homes for low income families, but more innovativeness and diligence must be pursued in the fulfillment of that goal including utilizing "force account" procedures in construction and determining the possibility of low income people owning their own homes.

3. That the Tribe recognizes that there are a large amount of tribal members who desire to finance and purchase their own homes and that the Oneida Tribe also considers this to be a first priority and desires to continue to expand assistance in these endeavors.

4. That the Tribe desires to build homes by using our own construction organizations and through contracting and employment preference being extended to Oneida contractors, sub-contractors, and employees.

5. That the Office of Economic Development is presently pursuing a feasibility study of a construction company consistent with the desires of the Tribe.

6. That Management of the Tribe is directed to implement this policy by finalizing a plan for construction and home building subject to approval by the Oneida Business Committee.

7. That it is the desire of the Tribe to utilize any available funds to leverage and finance land acquisition funds, reserve funds, investment funds, federal funds, loan guarantees, state funds, and any other means possible to provide financial support to purchase land, buy existing homes, or construct homes for purchase by tribal members. Methods of utilizing tribal funds for the purpose of expanding these efforts shall be a first priority of the Tribe.

8. That it is the desire of the Tribe to seek ways to expand the capital formation efforts of the Tribe in order to make more funds available for financing the purchase of land and homes for lease and ownership by the membership of the Oneida Tribe and it is the intention of the Tribe to increasingly utilize its cash deposits, savings, and reserves to generate a reservation economy.

Home Building Construction Policy (Continued)

9. That the management of the Tribe is directed to devise measures calculated to expand Oneida tribal member rights and preferential treatment in the maintenance, rehabilitation, and construction of tribal capital improvements and those preferences should be expanded in the areas of contracting and employment.

10. That the management of the Tribe is directed by the Oneida Business Committee to promulgate these policies and provide for new directions which protect the rights of Oneida Tribal members to be employed and contract for construction services.

11. That the management of the Tribe is directed to participate with the Oneida Housing Authority, the Oneida Land Committee, the Oneida Trust Committee, and other appropriate tribal entities and departments to accomplish the related tasks.

Ernie Stevens moved to adopt Resolution #4-7-89-A, Loretta Metoxen seconded. Motion carried. Amelia opposed, Kathy Hughes abstained.

2. Audit Committee - Resolution #4-7-89-B - Loretta Metoxen

WHEREAS, the Oneida Tribe sponsors and administers social and educational programs and operates various businesses and enterprises, and

WHEREAS, the total development and budget of the Oneida Tribe has increased rapidly over the last 5 years, and

WHEREAS, the Oneida Business Committee, as elected officials, has a fiduciary responsibility to ensure the integrity of the Tribe's financial reporting and auditing systems, and

WHEREAS, the Oneida Business Committee, as a primary step has established an Audit Committee and selected Ernie Stevens Sr., Larry Barton, and Loretta V. Metoxen as Audit Committee members, and

NOW THEREFORE BE IT RESOLVED: that the Oneida Business Committee hereby establishes and adopts the attached Audit Committee Operating Procedures.

Drafted 4/7/89 AUDIT COMMITTEE OPERATING PROCEDURES

I. PURPOSE:

The purpose of the Audit Committee is to ensure the integrity of the financial reporting and audit systems of the Oneida Tribe; assist in the maintenance of adequate financial reporting, automatic data processing, and audit systems; supervise the recruitment and recommendation to retain a public accounting firm for special and annual audits; and to conduct oversight over the process of investigation into any alleged or suspected improprieties and violations of fiscal and ethics policies, codes, regulations, and directives; and to report to the Oneida Business Committee and to the Oneida General Tribal Council, when appropriate, relative to audits, financial reports, management reports, and recommended corrective measures.

Audit Committee Operating Procedures (Continued)

II. DUTIES AND RESPONSIBILITIES:

A. The Audit Committee shall be responsible for recommending to the Oneida Business Committee, an independent public auditor for an annual or any special audit requested by the Tribe.

B. The Audit Committee shall coordinate with the Tribal Treasurer and the internal auditor to be assured that the management and accounting personnel of the Tribe, follow generally accepted accounting practices. The Audit Committee shall propose and periodically update tribal accounting and financial policies which shall be acted upon by the Oneida Business Committee. These policies shall provide guidelines for tribal managers.

C. The Audit Committee shall evaluate the format and accuracy of the financial statements submitted to and reported by the Tribal Treasurer to the Oneida Business Committee and the General Tribal Council.

D. The Audit Committee shall evaluate the quality and accuracy of earnings statements. The Committee shall also analyze liquidity, asset and cash management, debt management, and profitability ratios. These statements and ratios shall be reviewed by the internal auditor who shall include the findings in his (her) quarterly reports.

E. The Audit Committee shall supervise the activities of the internal auditor who shall assist the Committee and have direct involvement in the audit of the entire financial reporting process.

F. The Audit Committee shall conduct oversight over the activities of the internal auditor in that person's independent assignments related to operational auditing, appropriate reviews, and special investigations related to detecting fraudulent financial reporting and conducting investigations into fraud and theft in the Tribe's business enterprises.

G. The Audit Committee shall be informed, vigilant, and effective overseers of the financial reporting process and the Tribe's internal controls, but in so doing, shall avoid unnecessary or inappropriate interventions with the prerogatives of the internal auditor, the Tribal Treasurer and management.

H. The Audit Committee shall review and forward to the Oneida Business Committee, quarterly and annual reports from the internal auditor.

III. MEMBERSHIP:

The Audit Committee of the Oneida Business Committee shall consist of 3 members of the Committee, selected by a majority of the Oneida Business Committee. The Tribal Treasurer shall be an "ex officio" member of the Audit Committee. The Audit Committee shall choose its own chairman.

Audit Committee Operating Procedures (Continued)

IV. AUDIT COMMITTEE TENURE:

The members of the Audit Committee shall serve a three year term consistent with the regular tribal elections of the Oneida Business Committee. Each Committee member may, however, be replaced by a majority vote of the Oneida Business Committee at any time. Any Committee replacements shall serve until the following regular tribal election.

V. VOTING:

The Audit Committee will make decisions based upon the majority of a quorum presented at a regularly called meeting of the Committee.

VI. MEETINGS

The Audit Committee shall meet on a regular basis and special meetings may be called as circumstances require. The Committee shall meet privately with the internal auditor, independent auditor, legal counsel, and management as required.

VII. REPORTING TO THE ONEIDA BUSINESS COMMITTEE:

The Committee shall report its activities to the Oneida Business Committee on a regular basis, such as after each meeting, so that the Business Committee is kept informed of the Audit Committee's activities on a current basis. In the event of sensitive or confidential matters, special or executive sessions shall be held to accomplish parts of the reporting requirement.

VIII. REPORTING TO THE GENERAL TRIBAL COUNCIL:

The Audit Committee's Chairman shall submit a written report and a cover letter to the Oneida General Tribal Council annually which shall describe the activities of the Audit Committee over the previous year. This report and letter shall accompany the Tribal Treasurer's annual report to the Oneida General Tribal Council. The Audit Committee Chairman's letter shall minimally discuss:

- The composition of the Audit Committee
- The identity of each Audit Committee member
- The Audit Committee's purpose, policies & procedures, duties, objectives, and responsibilities
- The activities of the Audit Committee including matters such as the number of meetings held and the significant topics discussed with management, the internal auditor, and independent public accountants.

Audit Committee Operating Procedures (Continued)

IX. EXPAND KNOWLEDGE OF TRIBAL OPERATIONS:

A systematic and continuing learning process for Audit Committee members will increase their effectiveness. All Audit Committee members shall be required to have training in the various financial aspects of their assignment. Included shall be training in budget process and interpretation, the review and analysis of audit information, the analysis and interpretation of financial statements, and the application of performance and evaluative criteria.

X. LEGAL COUNCIL:

The Audit Committee shall meet with the Tribal Attorney and General Counsel of the Tribe as appropriate, to discuss legal matters that may have a significant impact on the Tribe's financial statements. When appropriate, legal counsel shall attend the meetings of the Audit Committee.

XI. AUDITS AND SPECIAL AUDITS:

A primary responsibility of the Audit Committee is the selection of an independent public accountant for the Tribe. After the preliminary screening, the Audit Committee, assisted by the internal auditor, Tribal Treasurer and management, shall recommend a final candidate to be approved by the Oneida Business Committee. In the screening and evaluation of firms, the Audit Committee shall first consider:

Opinions on the performance of the existing independent public accounting firm by the internal auditor, Tribal Treasurer, and management.

The expected level of participation by the partners and other management personnel in the audit examination by the proposing firms. Included, shall be an evaluation of the mix of skills and experience of their staff.

The public accounting firms' credentials, capabilities, reputation and a list of clients.

After the completion and submission of the audit, the committee shall conduct a post audit review.

Special Audits may be recommended by the Audit Committee from time to time, but such audits shall be requested in writing and the exact nature of the required special audit shall be stated in the request to the Oneida Business Committee. The Oneida Business Committee shall consider the request at a regularly scheduled meeting.

XII. ONEIDA BUSINESS COMMITTEE & MANAGEMENT EXPENSES:

The Audit Committee shall establish in-house policies and procedures for a regular review of Oneida Business Committee and principal manager's expenses and prerequisites, including any use of tribal assets. The internal auditor

Audit Committee Operating Procedures (Continued)

shall routinely conduct such reviews, and if necessary, recommend a course of action to an appropriate manager and/or the Audit Committee.

XIII. AREAS REQUIRING SPECIAL ATTENTION:

The Audit Committee shall instruct the independent public accountant and the internal auditor that the Committee expects to be advised if there are any areas that require its special attention.

Loretta Metoxen moved to adopt Resolution #4-7-89-B and corresponding operating procedures. Rick Hill seconded. Motion carried.

Discussion on involving others, the General Manager, Controller, and auditors from Wipfli and Laventhol. Rick Hill moved to amend the motion to use as interim guidelines policy and operating procedures, and to notify all partners and to formalize the procedures in 2 weeks. Kathy Hughes seconded. Motion carried. Main motion carried.

B. REQUESTS:

1. Bingo Passes:

- a) 10 Bingo Passes for DoDo Club's Annual Banquet - Loretta Metoxen moved to approve, David King seconded. Motion carried.
- b) 14 Bingo Passes for Anna John Nursing Home's Volunteer Dinner Banquet. David King moved to approve, Larry Barton seconded. Motion carried.

2. Conservation Board Recommendation

David King moved to approve the recommendation of Marvin Lucas to the Oneida Conservation Board. Kathy Hughes seconded. Motion carried.

3. Draft Letters Regarding Conservation Issues - John Spangberg

Letters to BIA, EPA, Town of Oneida, Outagamie County. David King moved to approve sending the letters, Ernie Stevens seconded. 4 members for, 2 opposed (Amelia Cornelius & Kathy Hughes), 1 abstention (Rick Hill). Motion carried.

4 Forest County Potawatomi Community Reaffirmation  
Request-Resolution #4-7-89-C

WHEREAS, the Forest County Potawatomi Tribal Chairman is requesting support in regards to placing land into trust status within the city of Milwaukee (Concordia College), and

WHEREAS, Placing these lands into trust status would not benefit only the Forest County Potawatomi, but all of the various tribes represented in the Milwaukee area.



Requests

Resolution #4-7-89-C (Continued)

NOW THEREFORE BE IT RESOLVED: that the Oneida Tribe of Indians of Wisconsin does hereby support the Forest County Potawatomi Tribal Council in their efforts to secure said property in the City of Milwaukee, Wisconsin and supports their efforts to place said property into trust status.

Loretta Metoxen moved to adopt Resolution #4-17-89-C, similar to the GLITC Resolution supporting the Potawatomi in putting lands in Milwaukee in trust status. Kathy Hughes seconded. Rick Hill abstained. Motion carried.

5. Stockbridge Munsee Comprehensive Health Invitation

Appreciation Night for Dave Besaw on June 9, 1989 in Shawano. David King moved to approve the attendance of Business Committee members to honor Mr. Besaw. Amelia Cornelius seconded. Motion carried.

6. National Tribal Chairmans Association Convention

Ernie Stevens moved to have the Chairman attend the convention on May 14-17, 1989 in Reno, Nevada, and to wait for his recommendation whether the Oneida Tribe should join the association. Loretta Metoxen seconded. Motion carried.

7. Hannahville Indian Community Request for Trust Lands

Request to place lands in trust in the city of Escanaba, Michigan. David King moved to support, Ernie Stevens seconded. Motion carried.

Discussion on supporting other tribes to place lands in trust status for purposes of establishing gaming enterprises.

Rick Hill moved to have the Tribal Chairman meet with both the Hannahville and Potawatomi tribal representatives to discuss this issue. Loretta Metoxen seconded. Motion carried.

8. St. Vincents Fund Raising Drive

David King moved to have the Chairman check out the Committee and decide if he wishes to pursue being on the committee. Loretta Metoxen seconded. Motion carried.

9. Hearing for Foreign Trade Zone May 4, 1989

Rick Hill moved to support the Chairman's attendance at the meeting, David King seconded. Motion carried. Bruce King and Carl Rasmussen will be attending also.

Requests (Continued)

10. Finance & Appropriation Recommendations of 4/5/89

- A. Lewellen Retail Outlet - Reviewed the cost projections and financial proforma for the temporary relocation of the outlet. The request is for \$100,000. F&A recommends seeking financing with this project to be completed in 45 days. David King moved to approve, Rick Hill seconded. Motion carried.
- B. Bingo Hall Addition - Low quote is from Oneida Plumbing for \$3,297 to reconnect air-conditioning chiller. F&A recommends approval from the construction budget.  
  
Also have a quote of \$2,620 for third sales counter. F&A recommends approval from the construction budget. Rick Hill moved to approve both recommendations, Larry Barton seconded. Motion carried.
- C. Proposal for On-line Lottery - Start up costs: \$152,200. Accumulated prize reserve set aside before the half-million annuity is \$92,200. The computer, moving, and terminals have already been paid. F&A recommends approval. David King moved to approve, Larry Barton seconded. Loretta Metoxen opposed. Motion carried.
- D. Info: Tower for radio equipment for Public Safety \$1,123.75. Will reduce supplies line item in operating budget.
- E. Info: Truck for Plumbing Department - Don Wilson will talk to Butch on alternatives to purchasing a new truck.
- F. 2-Photos for Nursing Home: \$100.00/ea. from Michael P. King's photography business. F&A recommends approval with funding from Business Committee budget.

Amelia Cornelius moved to direct all tribal attorneys to be at a special meeting with the Business Committee on Tuesday, April 11, 1989 at 8:30 a.m. Larry Barton seconded. Motion carried.

11. Request to Change Jan. 16, GTC Minutes - Debbie Powless

Rick Hill moved to change the unapproved minutes of January 16, 1988 General Tribal Council Meeting as requested by Debbie Powless, Ernie Stevens seconded. Motion carried.

12. Formal Request for Personnel Policies & Procedures Committee - Debbie Powless

Rick Hill moved to establish a formal review committee of the Oneida Personnel Policies and Procedures and that the Personnel Office implement this review along with anyone else that wishes to participate, Kathy Hughes seconded. Motion carried.

Requests (Continued)

13: Request for Germany Trip - Mary Edna Greendeer

Gordon McLester presented a letter asking for the request to be tabled. Loretta Metoxen moved to table, Kathy Hughes seconded. Motion carried.

14. Invitation from Fred Muscavitch - Loretta Metoxen

A letter has been sent in response previously suggesting a community meeting to be held in Milwaukee.

15. Testimony in Washington, D.C. and the Field - Loretta Metoxen

Loretta Metoxen moved to direct appropriate Area Managers to develop written testimony for the appropriate senate hearings scheduled in Washington, D.C.

16. Draft Letter to Buck Martin

Rick Hill moved to submit the letter, Kathy Hughes seconded. Motion carried

C. CONTRACTS/AGREEMENTS: None Scheduled

D. TRAVEL/VACATION

1. Travel: Kathy Hughes to Ashland, WI 4/13/89 for FY'91 IPS Meeting, Annual Budget Meeting. Loretta Metoxen moved to approve, David King seconded. Kathy Hughes abstained. Motion carried.
2. Travel: Lloyd Powless to Madison, WI 4/10/89 for AILCEB Meeting
3. Vacation: Lloyd Powless  $\frac{1}{2}$  Day on 4/11/89; 4/13 & 4/14/89. Amelia Cornelius moved to approve both travel & vacation for Lloyd Powless, Larry Barton seconded. Motion carried.
4. Vacation: Larry Barton  $\frac{1}{2}$  Day on 4/10/89. David King moved to approve, Rick Hill seconded. Larry Barton abstained. Motion carried.
5. Vacation: Rick Hill -  $\frac{1}{2}$  Day on 4/7/89, Kathy Hughes moved to approve, Amelia Cornelius seconded. Rick Hill abstained. Motion carried.
6. Travel: Rick Hill to Washington, D.C. on 4/13-14/89 for Economic Development. Kathy Hughes moved to approve, Amelia Cornelius seconded. Rick Hill abstained. Motion carried.

VII. OTHER

Organizational Chart: Rick Hill moved to adopt the new organizational chart for the Tribe, Ernie Stevens seconded. Motion carried.

VIII. EXECUTIVE SESSION


1. Laventhol & Horwath

Out of Session: Kathy Hughes moved to approve acceptance of the proposal from Laventhol & Horwath to review our gaming operation and refer to management to negotiate the contract. Ernie Stevens seconded. Motion carried.

Kathy Hughes moved not to accept the proposal from Laventhol & Horwath to review the operations in connection with tobacco products and that the Tribe refer this matter to the internal auditor and expedite the filling of this position. Loretta Metoxen seconded. Motion carried.

IX. RECESS/ADJOURN

Kathy Hughes moved to recess, Loretta Metoxen seconded. Motion carried.

  
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Amelia Cornelius, Tribal Secretary  
Oneida Business Committee