



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



APPROVED AS
READY CORRECTED

9-8-89



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

REGULAR MEETING

FRIDAY, JULY 14, 1989

I. CALL TO ORDER: Meeting called to order at 9:00 a.m.

Present: Richard Hill-Vice Chairman, Amelia Cornelius-Secretary, Lloyd Powless, Loretta Metoxen, Ernie Stevens, David King-Council Members

Excused: Purcell Powless-Chairman, Kathy Hughes-Treasurer, Larry Barton-Council Member

Others: Chris Johns, Chris Doxtator, Richard Cornelius, Bobbi Webster, Kevin Cornelius, John Spangberg, Richard Powless, Bruce King, Attorney Francis Skenandore, Wayne Skenandore, Attorney Gerald Hill

II. APPROVAL OF AGENDA

David King moved to adopt the agenda as amended:

- a) Renewal of State Lottery Contract
- b) Renew Lease with G. McLester
- c) Ed. Act. Letter
- d) IHS Letter
- e) Travel for Rick Hill, Cathy Rather, John Spangberg
- f) Travel for Jo Swamp
- g) Land Bd.

Loretta Metoxen seconded. Motion carried.

III. MINUTES TO BE APPROVED: None Scheduled

IV. TABLED/UNFINISHED BUSINESS

V. REPORTS:

1. HUMAN RESOURCES

- A. Info: Hiring of Account Clerk Valerie Doud
- B. 27 people cleared for Bingo Worker Positions (total of 58 Applicants)

HUMAN RESOURCES (Continued)

C. Creation of 'Assistant Food Service Manager Position'
Bingo Kitchen

Amelia Cornelius moved to approve of the new position of Assistant Food Service Manager, Ernie Stevens seconded.

Loretta Metoxen moved to table approval of the position, Lloyd Powless seconded. 2 members for (Loretta Metoxen, Lloyd Powless) 1 opposed (Amelia Cornelius), 2 abstained (Ernie Stevens, David King) Motion carried.

Lloyd Powless moved to request a report on the new position, Loretta Metoxen seconded. David King abstained. Motion carried.

2. JUNE HOUSING AUTHORITY REPORT

Loretta Metoxen moved to approve the June Housing Authority Report, David King seconded. Motion carried.

3. TRAVEL REPORTS:

A. Section 518 Clean Water Act Conference Rick Hill

B. G.L.I.T.C. Remains Sub-Committee Meeting Report - Rick Hill

Loretta Metoxen moved to request Terry Heide of BIA to assist in:

- a) Training for siting of cemeteries
- b) Assist in developing a policy for a tribal cemetery
- c) Other assistance as needed

Lloyd Powless seconded. Motion carried. (Loretta Metoxen will follow up on the request.

Loretta Metoxen moved to accept Rick Hill's reports, David King seconded Motion carried.

VI. NEW BUSINESS

1. RESOLUTIONS

A. Wal-Mart Sub-Lease Resolution

Deferred until Attorney Francis Skenandore is present.

B. IHS Funding Resolution - Kathy King #7-14-89-A

WHEREAS, the Oneida Business Committee, in the interest of providing Alcohol and Other Drug Abuse and Mental Health Services to its members and their families; and

RESOLUTION #7-14-89-A (Continued)

WHEREAS, the Oneida Business Committee under their management system reviews and approves all program and budgets; and,

WHEREAS, the Oneida Business Committee has established a Social Services division which administers the Alcohol and Other Drug Abuse and Mental Health services; and,

WHEREAS, the 1990 Alcohol and Other Drug Abuse and Mental Health programs are consistent with Tribal goals and objectives.

NOW, THEREFORE BE IT RESOLVED: that the Oneida Tribe of Indians of Wisconsin request to contract with Indian Health Service for the provision of Alcohol and Other Drug Abuse and Mental Health Services.

BE IT FURTHER RESOLVED: that the proposed 1990 total budget, estimated at \$81,000 for the period of October 1, 1989 through September 30, 1990, be negotiated with Indian Health Service for the delivery of Alcohol and Other Drug Abuse and Mental Health services.

Loretta Metoxen moved to adopt Resolution #7-14-89-A, Lloyd Powless seconded Motion carried.

C. FAIN INC. Resolution & Lease - Francis Skenandore
Deferred

2. REQUESTS:

A. Land Committee Recommendations of June 26 & July 10, 1989
- Chris Doxtator

1. The Land Committee requests that Fain Inc be restricted from competing with the Tribe when he develops the Mrs. Karl's property. Recommend approval of the lease to Fain, Inc. Deferred until Attorneys are present.
2. Linden Bain request for car lot lease on Town Road. Recommend to deny due to zoning restrictions and on-site waste disposal regulations. Lloyd Powless moved to approve recommendation to deny, Loretta Metoxen seconded. David King abstained. Motion carried.
3. Recommendation to assign Vickie Brown's lease to the Associated Bank of DePere for \$30,000 for home construction. Loretta Metoxen moved to approve, David King seconded. Motion carried.
4. Recommendation to refer the Erickson and Brenwell properties to the Negotiations Committee and to apply for a loan through FMHA for purchasing these properties. (They are crucial to the sewer project. Loretta Metoxen moved to approve, Lloyd Powless seconded. Motion carried.

LAND COMMITTEE RECOMMENDATIONS (Continued)

5. Recommendation to approve Lamers Bus Lines' request to park a bus with a sign for advertisement at the Bingo site. David King moved to approve, Loretta Metoxen seconded. Loretta Metoxen moved to amend approval, contingent upon Bingo Management approval and advertising in the Kalihwisaks. David King seconded. Motion carried. Main motion carried
6. Recommendation that the Environmental Program correct the leaking holding tanks on Marj Stevens residence immediately, and procedures be followed. David King moved to approve, Amelia Cornelius seconded. Motion carried.

Recommendation to approve by Resolution (#7-14-89-B), Wisconsin Land Services, who are representing Northeast Telephone to obtain an easement to bury cable on certain tribal owned lands within one (1) rod off the highway right-of-way. David King moved to approve contingent on payment of fee, Loretta Metoxen seconded. Motion carried.

8. Recommendation to accept a tractor donated by Dave Duffin provided repairs do not exceed \$500. Additional equipment needed to complete the crop harvest was discussed and it was agreed to rent the items for sixty (60) months and exercise our purchase option on the 37th month. Therefore not jeopardizing the loan. The wording should come from the Law Office and the agreement needs to be approved as soon as possible because the machinery is needed within the next two (2) weeks. Recommendation to contact the Law Office for assistance on the rental agreement for the four (4) items of machinery and that the rental payments come from the Land Office for this year's budget. Ernie Stevens moved that an agreement be amended and legal counsel is requested to amend the existing lease option agreement to protect the equity of the Land Office. Loretta Metoxen seconded. Amelia Cornelius opposed. Motion carried.

Lloyd Powless moved to have Labor Day set aside for a tribal picnic and to submit a budget to Finance & Appropriations, Loretta Metoxen seconded. Motion carried.

B. Request to Co-Sponsor "National March for Housing Now"
Roberta Kinzhuma

Loretta Metoxen moved to draft a letter with the AmerIndian Center to support and endorse "Housing Now" and request support from the Community Support for funds for the march and to designate Robert Kinzhuma as the representative. David King seconded. Motion carried.

C. Joint Meeting with Business Committee, Administration,
Housing Authority, HIP, & Construction - Don Wilson

Ernie Stevens moved to request Don Wilson to coordinate a joint meeting to be on July 26, 1989 at 8:00 a.m. to discuss housing concerns and to include discussion on the speeding in the Three Sisters site and wells and septic systems for tribal members. David King seconded. Motion carried.

- D. Request for Bingo Passes & Other Prizes for the Immaculate Conception Annual Church Picnic on August 20, 1989 - Nori Damrow

Loretta Metoxen moved to approve the request, David King seconded. Motion carried.

- E. Seymour Hamburger Celebration - Communications Dept

Bobbi Webster reported on tribal participation in Seymour's Hamburger Parade

She also informed the Business Committee that the Irene Moore Scholarship award will be presented to Jennifer Hill, Miss Oneida, on July 21, 1989.

She also expressed concerns that were personal and other concerns related to the Kalihwisaks.

Lloyd Powless moved that Bobbi Webster prepare a budget for doing the alihwisaks in newsprint for budget hearings on August 21, Amelia Cornelius seconded. Motion carried.

- F. Milwaukee Indian Community School Request for Support at Public Hearing

Lloyd Powless moved to have the Tribal Secretary prepare a package of information, and that he will present at the hearing, Amelia Cornelius seconded. Motion carried.

It was suggested that WCC work with the Community School to assist in the repair needed on the boilers.

- G. Petition by Three Sisters Housing Subdivision Residents

Petition regarding speeding by autos in the site. Lloyd Powless moved to have this as the first item for discussion at the Housing meeting on August 26, and to invite Jim Danforth to the meeting. Amelia Cornelius seconded. Motion carried.

- H. General Tribal Council Meeting Schedules, budget hearings for August with final Mark-up September 5-6-7, and to have someone chair community meeting for August.

Lloyd Powless moved to approve the schedules on the budget hearings and mark up sessions. David King seconded. Motion carried.

Ernie Stevens volunteered to chair the August community meeting and the topic would be the Tribal Constitution revision.

- I. Request from Kevin Cornelius for Well & Septic System

Kevin Cornelius has been having problems obtaining a well and septic system. Ernie Stevens moved to direct David King to help Kevin resolve his problem, Lloyd Powless seconded. Motion carried.

3. CONTRACTS/AGREEMENTS

A Client/Agency Agreement - McGlinchey & Associates

Lloyd Powless moved to table until we receive more information on the length of the contract and starting date. Ernie Stevens seconded. Motion carried.

4. TRAVEL/VACATION

- A. Travel: Lloyd Powless, to LCO for AILCEB Meeting 7/16-17/89. Loretta Metoxen moved to approve, Amelia Cornelius seconded. Motion carried.
- B. Vacation: Rick Hill, ½ day on July 14, 1989. Loretta Metoxen moved to approve, Amelia Cornelius seconded. Motion carried.

VII. OTHER

- 1. Information: Bingo Pass approved in Executive Privilege for BIA Personnel
- 2. State Lottery Contract.

Lloyd Powless moved to approve, Amelia Cornelius seconded. Motion carried.

- 3. Renewal Lease for Gordon McLesters Machine Shop for Storage.

Loretta Metoxen moved to approve the lease up to October 1, 1989, Ernie Stevens seconded. Motion carried.

- 4. IHS Letter for support on Early Intervention System

David King moved to approve submission of the letter to IHS, Loretta Metoxen seconded. Motion carried.

- 5. Fort Howard Super Fund Listing

Amelia Cornelius moved to authorize travel for Rick Hill, Cathy Rather, and John Spangberg to Denver, CO and Chicago, IL to meet with EPA Region V, Loretta Metoxen seconded. Motion carried.

- 6. Information on Invitation to Bid on Gerald Schuyler Residence

- 7. Jo Swamp's Report

Jo Swamp's Report is filled with documented problems in BIA and the process to place land in trust. It was suggested that a letter be sent to the BIA again requesting additional staff to complete the placing of lands in trust at an accelerated pace to Earl Barlow's attention.

Ernie Stevens requests approval to travel to Washington, D.C. to discuss the problem. Loretta Metoxen moved to approve the request and to send a letter to Barlow and Jaeger, and to include the amount the Tribe is paying in taxes because of the slowness in processing the lands to trust, David King seconded. Motion carried.

8. Boyle Amendment for Funds for Education

Amelia Cornelius moved to approve the letter to Governor Thompson to support the amendment, David King seconded. Motion carried.

9. Fain Lease

July 10, 1989 Land Committee requests restriction against Bo Fain on Mrs. Karls property. Restrictions on Mrs. Karls site and the outlots should be so the land cannot be used as a convenience store in competition with the Tribal store.

Amelia Cornelius moved to support the recommendation, Loretta Metoxen seconded.

Carlton Lease

- #3 add 5% additional rent
- #11 Reserve right to waive sub lessor
- #17 Remove word "secretary" in line 9

Fain has started cutting of trees and moving earth without a lease or producing approved plans or specs by the State. City has site plans only and bid documents do have Indian preference clause included.

Loretta Metoxen moved to authorize a letter of intent to lease to Fain provided Fain completes requirements with the attached lease, David King seconded. Motion carried.

Wal-Mart Sub-Lease Resolution #7-14-89-C

Amelia Cornelius moved to take from the table, Loretta Metoxen seconded. Motion carried.

WHEREAS, the Oneida Tribe of Indians of Wisconsin is the owner of a parcel of land known as the "Oneida Industrial Park", Oneida Indian Reservation, Brown County, Wisconsin, and

WHEREAS, the Oneida Tribe of Indians of Wisconsin desires that Fain Inc., 1301 Missouri Boulevard, Jefferson City, Missouri, 65109 develop the Oneida Industrial Park; and

WHEREAS, Fain Inc., will develop and construct a 240,000 square foot multi-rental retail shopping center on the Oneida Industrial Park Land, and

WHEREAS, the Oneida Tribe of Indians of Wisconsin leased the Oneida Industrial Park to Fain Inc., for the development and construction of the 240,000 square foot multi-rental retail shopping center, and

WHEREAS, Wal-Mart Properties, Inc. will be a tenant in the multi rental-retail shopping center, and

WAL-MART SUBLEASE (Continued)

WHEREAS, Wal-Mart Properties, Inc. has entered into a sublease with Fain Inc. for a 13.52 acre portion of the land to construct a Sam's Wholesale Club, and

WHEREAS, Wal-Mart Properties, Inc., has entered into a lease with Fain Inc., for a store building and appurtenances, which Fain Inc. will construction upon the property, and

WHEREAS, Wal-Mart Properties, Inc. desires that the Oneida Tribe of Indians of Wisconsin consent to the attached sublease, lease and easements and restrictions between Wal-Mart Properties, Inc. and Oak Ridge Plaza, Inc.

NOW, THEREFORE BE IT RESOLVED: that the Oneida Business Committee, in session assembled, hereby consents to the Sublease and Non-Disturbance and Attornment Agreement, Lease and Non-Disturbance and Attornment Agreement and Easements with Covenants and Restrictions Affecting Land ("ECR") between Wal-Mart Properties, Inc., Oak Ridge Plaza, Inc., and the Oneida Tribe of Indians of Wisconsin, such documents attached hereto and incorporated by reference into this resolution;

BE IT FURTHER RESOLVED: that the Chairman of the Oneida Tribe of Indians of Wisconsin is hereby authorized to execute the documents on behalf of the Oneida Tribe of Indians of Wisconsin.

Amelia Cornelius moved to adopt Resolution for the Wal-Mart Sublease and that the development be named Pine Tree Plaza. Loretta Metoxen seconded. Motion carried. David King abstained.

EXECUTIVE SESSION


1. Gerald Hill
2. Attorney Report: Richard Cornelius

Out of Session.

Loretta Metoxen moved to request TERO Workshop on Indian Civil Rights for the Business Committee, General Manager, HRD Manager, Appeals Commission. OHA Board, Personnel Commission to be held in October, and she will contact and set up the workshop. Ernie Stevens seconded. Motion carried.

RECESS/ADJOURN

Loretta Metoxen moved to recess, seconded and carried.



Amelia Cornelius, Tribal Secretary
Oneida Business Committee