

Oneida Tribe of Indians of Wisconsin

Post Office Box 365

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Oneida, WI 54155



Ojibwas bringing several hundred bags of corn to Washington's starving army at Valley Forge, after the colonists had consistently refused to aid them



APPROVED AS
READ CORRECTED

1-12-90



UGWADEMOLUM 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, DECEMBER 22, 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, Lloyd Powless, Larry Barton, Ernie Stevens, David King-Council Members

Excused: Loretta Metoxen-Council Member

Others: Lee Ninham, Chris Johns, Sarah Plummer, Ernie Stevens Jr., Debbie Powless, Bobbi Webster, Cliff Cornelius, Richard Cornelius, Thelma McLester, Sandra Ninham

Chris Johns introduced the new employees: Heidi Ferguson, Ann May, Kim Diedrick, Laura Roberts, Larry Cottrell, Dale Metoxen, Nancy Barton, Bob

APPROVAL OF AGENDA

David King moved to adopt the agenda as amended:

- a) OEI Request
- b) Vacation for Lloyd Powless
- c) Conservation Board Vacancies
- d) Creation of two new positions
- e) Environmental Request

Motion seconded and carried.

MINUTES TO BE APPROVED: None Scheduled

IV. TABLED/UNFINISHED BUSINESS

V. REPORTS:

1. HUMAN RESOURCES

- a) Information:
 - Hiring of Housekeeper & Laundry Aide - Leonard J. Stevens
 - Hiring of Records Clerk/Receptionist - Nancy Barton

Human Resources (Continued)

- Transfer of Priscilla Leverance to Administrative Asst.
 - Human Services from Health Center.
 - Promotions for Donna Denny & Connie Metoxen to positions of Instant Ticket Operations Supervisors.
- b) Creation of two new positions: Manager-Oneida Community Development Division, and Manager-Economic Development Division. Loretta Metoxen moved that both positions be filled by Oneida tribal members, Ernie Stevens seconded. Motion carried. 2 opposed (Kathy Hughes, Amelia Cornelius)

2. TRAVEL REPORTS

- a) Lloyd Powless - Meetings attended in Madison
- b) Lloyd Powless - AISC Meeting in Madison, WI, Dec. 12, 1989

VI. NEW BUSINESS

1. RESOLUTIONS

- A. Bank-One Nomination to First Nations Financial Project for Oweesco Fund.

Report is not available from the bank. Amelia Cornelius moved to defer until the report is available for Business Committee to review, David King seconded. Motion carried.

REQUESTS

- A. Tribal Trust Acquisition of Tribal Fee Lands- Chris Doxtator

Taxes for 89 will be approximately \$50,000. Hold up on process is the "Contaminant Survey" which is part of the environmental assessment. Also the 638 proposed rules may further restrict Trust Acquisition by individuals.

Kathy Hughes has sent a memo to the Attorneys requesting an opinion on whether the Tribe should continue to pay the taxes.

Loretta Metoxen moved to refer the problem to legal counsel, consult with Broydrick and Associates contingent upon estimate of cost, and to discuss the problem with GLITC. Ernie Stevens seconded. Motion carried.

Ernie Stevens moved to give the Treasurer the discretion of not paying the taxes or placing the amount due in a discretionary account, Loretta Metoxen seconded. Motion carried.

Loretta Metoxen moved to refer research on the proposed 638 rules which may further restrict the placing of lands in trust by individuals, Amelia Cornelius seconded. Motion carried.

B. January General Tribal Council Agenda

David King moved to approve the agenda as changed, Loretta Metoxen seconded. Motion carried.

C. Meeting of Tribal Government & Church Leadership - Stan Webster

Amelia Cornelius moved to defer until more information is available in January, Kathy Hughes seconded. Motion carried.

D. 638 Regulation Resolution #12-22-89-A - Bob Christjohn

WHEREAS, the Oneida Tribe of Indians have participated in P.L. 100-472 regulation process with various other Indian Nations that have been well represented from across the United States, and

WHEREAS, it has been clearly established that a single or closely worded regulation governing P.L. 100-472 by both the BIA and IHS, and

WHEREAS, it is the Oneida Tribe of Indians' position that recently released BIA regulation is not remotely close to documents reviewed during the consultation process.

NOW THEREFORE BE IT RESOLVED: that the United States Secretary of Interior direct the BIA to reassess the recent P.L. 100-472 regulations release, and

BE IT FURTHER RESOLVED: that the Oneida Tribe of Indians holds the position that P.L. 100-472 clearly indicates that 638 contracts are to be regulated via a unitary process, and

BE IT FURTHER RESOLVED: that the Oneida Tribe of Indians strongly objects to the regulation brought forward by the BIA, and

BE IT FURTHER RESOLVED: that the Oneida Tribe of Indians hold the position that the BIA has failed to hold good faith consultation as required by P.L. 100-472.

Ernie Stevens moved to adopt and that copies be sent to legislators, GLITC and other Tribes, Amelia Cornelius seconded. Motion carried.

It was suggested that information be published in the Kalihwisaks for tribal members to contact legislators in opposition.

E. Lac Vieux Desert Tribe Request for a copy of the Oneida Tribe's CDBG Grant - Debbie Doxtator

Lloyd Powless moved to approve, Larry Barton seconded. 2 members for, 5 opposed. Motion denied.

It was recommended that Debbie Doxtator inform them that they could contact HUD under the Freedom of Information Act.

F. Trust Committee Correspondence - Art Skenandore

Requests for Trust Committee correspondence is to be directed to Debbie Powless. Kathy Hughes moved to approve, motion seconded and carried.

G. Request for Support of the Lumbee Recognition Bills

The Secretary was requested to send out copies of previous letters of support

H. Request for 52 Bingo Passes for AJNH Employees - Anna John

David King moved that all tribal employees receive a Bingo Pass, and that this be coordinated by Bob Niemela and Sandra Ninham, Lloyd Powless seconded. Motion carried.

I. Enrollment Office Confidential Enrollments

Enrollment of 117 individuals, Loretta Metoxen moved to approve all, Kathy Hughes seconded. Motion carried.

3. CONTRACTS/AGREEMENTS

A. Wisconsin Preferred Provider Network Health Insurance Contract-Chris Johns

Kathy Hughes moved to table, Ernie Stevens seconded. Motion carried.

B. Snow & Ice Control Policy

PURPOSE: The purpose of this policy is to define and outline snow and ice control objectives and procedures as established by the Oneida Tribe of Indians of Wisconsin, hereinafter referred to as the Tribe. This policy supersedes any and all previously written documents or unwritten policies of the Tribe regarding snow and ice removal.

In general, the intent of the Tribe is to provide a uniform understanding of the priorities and procedures used to combat snow and ice related conditions. Each winter storm has unique characteristics that will vary the methodology used to combat the related snow and ice conditions.

During snow and ice control operations, almost all other operations of the Department of Public Works, hereinafter referred to as DPW, are of secondary importance once the program is initiated. Twelve hour shifts are the maximum lengths that safety standards allow for our operations to continue snow removal without relief. While generally all snow removal operations are performed by DPW personnel, private operations and equipment may be employed in an emergency as determined by the Director of Public Works. All tribal vehicles with plows may be used by the DPW during snow removal operations if the need arises due to equipment breakdowns or severe storm emergency conditions as determined by the Director of Public Works.

Snow & Ice Control Policy (Continued)

Snow and ice control operations are conducted on a 24 hour basis, 7 days a week. Therefore, DPW is prepared to shift from the normal work week anytime it becomes necessary to institute snow and ice control operations. The work hours can be changed as conditions warrant by the Operations Manager or Director of DPW.

In the event it becomes necessary to begin snow and ice control operations outside of the normal working day, a current telephone call list is used to notify affected personnel. Once the snow and ice control program is started, the individual who initiated the program will, at the earliest convenient time, make sure that the Director of the DPW is notified as to the starting time and the possible extent of the operation.

The sites in which DPW will be plowing and sanding are mainly parking lots and their accesses located inside the boundaries of the Oneida Reservation with the exception of Green Earth Mobile Home Park which is streets with a cul-de-sac.

See attached snowplowing schedule.

Priority No. 1 is the Nursing Home and Health Center and is to be kept open 24 hours, 7 days a week to include holidays and during the storm. During a snow emergency, the DPW will provide assistance to the AJNH staff in order to assure that relieving staff sections can get to and from the Nursing home. The Nursing Home Administrator may request this service during any snowstorm with a call to the Director of Public Works, the Operation Manager, or the Operation Supervisor.

Tribal vehicles will not be used to plow private driveways or areas except to get key personnel in to work or unplug driveways that normal plowing of roads require.

Operations will not plow snow across roads from driveways. They will not pile snow in any driveway other than the snow that is normally carried with the plow while plowing roads.

EMERGENCY SITUATIONS: Provisions must be made for situations involving emergencies. Therefore, in the event the Oneida Tribe Public Safety Department, hereinafter referred to as Public Safety, receive notification of an emergency situation, equipment necessary to handle the emergency will be dispatched immediately to assist until the emergency is resolved. In order to eliminate false emergency calls, all such calls will be routed through Public Safety.

Clean up operations will normally take place after the snowfall has stopped and these operations will be done during normal working hours.

EQUIPMENT AND OPERATOR: Equipment operators are expected to be knowledgeable about the routes they are plowing. They are to be familiar with existing conditions that would affect the speed or rate at which they plow and should use every precaution in avoiding plowing practices that would cause damage to private or public property.

Snow & Ice Control Policy (Continued)

Equipment operators are expected to inspect all equipment prior to leaving the Public Works garage or yard areas to be sure that the equipment is in proper working condition. Brakes, lights, horns, turn signals, plow and/or material handling hydraulics, steering, cutting blades, edges, chains, fluid levels, tires, etc., should be checked. Operators must check fuel tanks before taking the vehicle into the field. Any malfunction of the equipment, before or during operations must be reported to DPW immediately.

Individuals operating equipment or vehicles are expected to obey all traffic regulations during snow removal operations. Individuals operating vehicles or equipment who are involved in an accident are required to report the accident to their supervisor immediately and must complete and submit an accident report no later than the end of their shift.

The extent that the DPW or other tribal personnel will assist motorists is to notify the Public Safety Department that a motorist is in need of assistance. There will be no pushing or towing of private vehicles by tribal equipment or vehicles at any time.

This policy is to be reviewed and/or updated annually by October 1 of each year.

Following is the list in order of priority of what sites will be plowed and in what order:

Blue Truck, 4x4, I.D. #9022

Driver: Ervin John, 465-4645/Beeper, 621-3900/Truck

- (1) Maintenance Garage - open up driveways and parking for employee and school bus drivers
- (2) Oneida Health Center & Anna John Nursing Home
- (3) E&EE One Stop
- (4) Museum
- (5) Tribal Building

Clean up and complete at all sites

Grey Jeep, 4x4, I.D. #9019

Driver: Buck Stevens

- (1) Norbert Hill Center - Clean up and complete main job
- (2) 54 One Stop - Clean up and complete
- (3) Post Office - Clean up and complete
- (4) Civic Center - Clean up and complete

Also, help in other areas if needed.

Yellow Dump Truck

Driver: Dave Perrote, 465-4656/Beeper, 621-3903/Truck; or
Ervin John, 465-4645/Beeper, 621-3902/Truck

- (1) Bingo - Clean and complete, if needed, put down screening or sand and salt. Also, help out in other sites. Also, help out at Oneida Health Center, and if needed, spread screening or sand and salt.

Snow & Ice Control Policy (Continued)

IT-18 Front End Loader

In the event of a big snow storm coming, the IT-18 will be fueled and taken to Bingo. IT-18 will also help out at Norbert Hill Center to stock pile snow.

Red Chevrolet Flatbed, 621-3904/Truck

- (1) Lucky U - Clean up and complete
- (2) 54 Retail Trailer - Clean up and complete
- (3) ORTEK - Clean up and Complete
- (4) Public Safety - Clean up and complete

Yellow Tractor, I.D. #9024

- (1) Norbert Hill Center - Clean up and complete (main job)
- (2) Post Office - assist if needed to stock pile snow
- (3) Civic Center - assist if needed to clean up

Red 4x4 Truck, Cliff Cornelius Vehicle
Emergency Usage Only

Green Earth Trailer Court will be done by everyone in a very bad storm, after they have assigned areas complete.

On Friday nights or any time, if anticipating a snow storm, fill up vehicles with fuel, fill all fluid levels, put on plows and get ready to go. Driver will need to take off early and check out vehicle to take home.

Larry Barton moved to approve the Snow & Ice Control Policy, Kathy Hughes seconded. Motion carried.

4. TRAVEL/VACATION

- a) Vacation: Lloyd Powless, December 26-29, 1989. Amelia Cornelius moved to approve, Larry Barton seconded. Motion carried. Lloyd Powless abstained.

VII. OTHER

1. Conservation Board Vacancies.

Amelia Cornelius moved to post for the two vacant positions, Larry Barton seconded. Motion carried.

2. Request for Insurance Coverage for OEI Board Members

Kathy Hughes explained that the Investment Committee is presently researching this type of insurance coverage for all tribal committee members.

Amelia Cornelius moved to post for the one vacant position for OEI, David King seconded. Motion carried.

Other (Continued)

2. Environmental Policy.

This policy will be given as a handout at the January, 1990 General Tribal Council meeting. A copy will be given to Kalihwisaks for publication.


VIII. EXECUTIVE SESSION

Attorney Hill, Attorney Skenandore. Gaming compact information.

Out of session.

IX. RECESS/ADJOURN

Motion to recess, seconded and carried


Amelia Cornelius, Tribal Secretary
Oneida Business Committee