



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

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Oneida, WI 54155



APPROVED AS  
READ CORRECTED

2-9-90



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, JANUARY 12, 1990

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, Loretta Metoxen, Ernie Stevens, David King-Council Members

Others: Chris Johns, Bobbi Webster, Attorney Gerald L. Hill, Pearl McLester, Nancy Barton, Ted White, Sarah Plummer, Marilyn Clark, Ernie Stevens Jr., Dennis Danforth, Don McLester, Chas Wheelock, Dorothy Powless, Attorney Sharon Cornelius, Keith Skenandore, Diane Wilson

## II. APPROVAL OF AGENDA

Amelia Cornelius moved to adopt the agenda as amended:

- a) Join Item E. to Lloyd Powless' Report
- b) ORCOA Parking
- c) Travel Report - Amelia Cornelius
- d) GTC Discussion
- e) ½ Day Vacation for Rick Hill

Loretta Metoxen seconded. Motion carried.

Introduction of new employees by Chris Johns: Sam Kolosso, Mike Skenandore, Connie Metoxen, Priscilla Leverance, Debra Cornelius, Karen Nolan, Sue Doxtator, Shirley Hall, Mat Madrid

Discussion on Census Bureau led by Marlene Weisrock. Ted White is a District Office Manager, Kerry Rathburn is the Green Bay Recruiter, Lynn Brummer is Field Operations for maps. They are requesting space for testing for field workers. Compensation is \$5.50-\$6.00 an hour plus 24 cents mileage. Work would be 4-12 weeks, mainly in the summer. Space needed would be for one day for about 3 hours. This will be accommodated as needed.

## III. MINUTES TO BE APPROVED:

December 22, 1989 - Regular - Approved as Written  
December 29, 1989 - Regular - Approved as Written

IV. TABLED/UNFINISHED BUSINESS

1. Howe Property Lease for Youth Home - Chris Doxtator

Anelia Cornelius moved to take the Howe Property Lease from the table, Kathy Hughes seconded. Motion carried.

The lease is from the Oneida Tribe to the Tribal Social Services Department for the Youth Group Home. Rick Hill moved to approve, David King seconded. Motion carried.

V. REPORTS

1. HUMAN RESOURCES - Chris Johns

a) Approval Requested for:

- 1) Dr. Jus Sundlass Request to Participate in CMS Dental Plan

David King moved to approve Dr. Jus Sundlass' request Loretta Metoxen seconded Motion carried.

- 2) Job Description for Property Analyst in Land Office

David King moved to approve the job description, Kathy Hughes seconded. Motion carried.

b) Hiring Information:

- 1) Director of Family Services - Alton J. Smart
- 2) Nurses Aides - Debra J. Cornelius and Karen K. Nolan

c) Transfers/Promotions/Reassignments:

- 1) Reassignment of Retail Division Manager Michelle Peterson to Store Manager

- d) Bingo List: 55 on List: 22 applicants cleared/33 applicants incomplete.

2. Oneida Housing Authority November Monthly Report

Rick Hill moved to approve the Report and to request a joint meeting with the Housing Authority and the Business Committee. Loretta Metoxen seconded. Motion carried.

3. Travel Report - Lloyd Powless

Rick Hill moved to approve the report, Loretta Metoxen seconded. Lloyd Powless abstained. Motion carried.

Loretta Metoxen moved to approve the request to send a copy of the 1989 Indian Education Legislation in Wisconsin report to all School Districts in our area and a cover letter of support to Senate Bill 31. Ernie Stevens seconded. Motion carried.

VI. NEW BUSINESS

1. RESOLUTIONS

A Roles & By-Laws of Oneida Health Board - Resolution  
#1-12-90-A.

WHEREAS, the Oneida Business Committee was directed on February 14, 1983, by the Oneida General Tribal Council to develop a Memorandum of Agreement which would specify Health Board and the Oneida Business Committee, and

WHEREAS, the Oneida Business Committee was on March 1, 1983, directed by the Oneida General Tribal Council to restructure the membership of the Oneida Health Board, which was accomplished on March 8, 1983, and

WHEREAS, the Oneida Health Board has developed and amended Resolution #3-21-83-A - Roles and By-Laws of the Oneida Health Board, which is attached and hereby incorporated to this Resolution.

NOW THEREFORE BE IT RESOLVED: that the Roles & By-Laws attached are hereby adopted and can not be revised or amended or superceded without formal action of the Oneida Business Committee after consultation with the Oneida Health Board.

BE IT FURTHER RESOLVED: that this Resolution supercedes all prior Business Committee resolutions addressing the creation of membership of the Oneida Health Board.

Loretta Metoxen moved to approve the Resolution adopting the Roles & By-Laws of the Oneida Health Board, Kathy Hughes seconded. Motion carried.

B. Safety for Native Americans - HONOR - Resolution  
#1-12-90-C

WHEREAS, safety of persons engaged in lawful activities is a privilege ensured in the Wisconsin Constitution, and

WHEREAS, Wisconsin, being a Public Law 280 State, is responsible for the public safety of Native Americans on and off the reservations, and public safety is a shared responsibility of State Officials, County Sheriffs, Judges and District Attorneys, and

WHEREAS, safety is non-negotiable in terms of exchanging safety for other legal rights and privileges, and

WHEREAS, the experience in 1988 and 1989 has shown that Native Americans and their families are victims of harassment and physical and verbal attacks when exercising their legal rights under the treaties, and

WHEREAS, minimal fines have been assessed against perpetrators of the harassment, and assaults, and

WHEREAS, treaty rights are protected in Article VI of the U.S. Constitution and reflect the inherent rights of the indigenous people of the country, and

Resolution #1-12-90-C (Continued)

WHEREAS, the Wisconsin Attorney General is seeking an amendment to the Hate Crimes Legislation that would make interference with treaty rights a punishable offense under the Act and give the state concurrent prosecutory power.

THEREFORE BE IT RESOLVED: that HONOR (Honor Our Neighbors Origins and Rights) to call the Governor of the State of Wisconsin, Wisconsin judges, Wisconsin Sheriffs, and District Attorneys to publicly declare their intent to use all means within their power to ensure the safety of Native Americans engaged in legal exercise of treaty rights.

BE IT FURTHER RESOLVED: that copies of this resolution be sent to all members of the Wisconsin Congressional delegation, the Constitutional officers of the State of Wisconsin, members of the State Legislature, all County Sheriffs, and District Attorneys, and Judges.

David King moved to adopt the Safety Resolution #1-12-90-C, Larry Barton seconded. Motion carried.

2. REQUESTS:

A. Leon Brisk Property - Chris Doxtator

Rick Hill moved to authorize Chris Doxtator to proceed with renting the house Larry Barton seconded. Motion carried.

B. Land Committee Recommendations of 1/11/90. (Deferred until written information is presented)

C. Draw on Line of Credit with Bank One - Kathy Hughes

David King moved to authorize draw down on the line of credit from Bank One not to exceed \$500,000 to meet the current cash flow needs due to the lateness of Federal and State funding sources and season decline of gaming activities. Larry Barton seconded. Motion carried.

D. Request for Joint Meeting with Town Board of Town of Oneida

Loretta Metoxen moved to approve the request to meet with the Town of Oneida to discuss Fire and Safety in the Township to be held at the Norbert Hill Center and to invite Public Safety, Building and Grounds, and that the Tribal Secretary schedule a time for the meeting, Larry Barton seconded. Motion carried.

E. 1989 Indian Education Legislation in Wisconsin - Lloyd Powless (Action previously taken)

F. Census Discussion-Marlene Weisrock (Action previously taken)

- G. Haskell Indian Junior College Presidential Inauguration of Bob Martin Invitation, February 9, 1990.

Amelia Cornelius moved to defer, Ernie Stevens seconded. Motion carried.

- H. Request for 2 Bingo Passes for Oneida Seymour Parents Group - Grace Koehler

Larry Barton moved to approve, Amelia Cornelius seconded. Motion carried.

- I. ORCOA Parking

Discussion on parking problems at the Commission on Aging site and the need for wood storage. Chris Doxtator stated that the Land Committee has the purchase of the Ness property on their next agenda. It was also suggested that the attorneys look at the possibility of developing an ordinance on tribal parking and the issuance of citations when cars are parked in reserved spaces, handicapped spaces or in the firelanes.

Rick Hill moved that ORCOA work with the Planning Office on the development of the property at the Commission site, Lloyd Powless seconded. Motion carried.

- J. The Learning Community - Debbie Webster

Debbie Webster is promoting the present program and closer cooperation of present educational programs. Community Education takes leadership from AISES and is suggesting that the Tribe become involved. The program is a three year project. The purpose is to utilize and maximize present programs and buildings.

Lloyd Powless moved to approve of the concept, Amelia Cornelius seconded. Motion carried. Attorney Hill suggested that it be coordinated with the Education Department, an article placed in the Kalihwisaks, and that the concept include a component of Oneida Language.

- K. General Manager Resignation

Kathy Hughes moved to accept the resignation of Don Wilson as General Manager, effective April 20, 1990 and that a transitional plan be developed for a new General Manager, Rick Hill seconded. Motion carried.

Ernie Stevens moved that Rick Hill, Kathy Hughes, and Loretta Metoxen be the sub-committee of the Business Committee to develop the transitional plan. Larry Barton seconded. Rick Hill and David King abstained. Motion carried.

- L. Travel Report - Amelia Cornelius

Lobbying at Madison and request by Holperin in regards to his possible recall. No action necessary at this time.

- M. Vacation Request - Rick Hill

Amelia Cornelius moved to approve ½ day vacation for Rick Hill on January 12 1990, Kathy Hughes seconded. Rick Hill abstained. Motion carried.

N. General Tribal Council Discussion

Discussion on lack of notification of action in regard to employment of top management being made all enrolled Oneida Tribal members at the January 8, 1990 General Tribal Council Meeting..

Lloyd Powless requested a meeting with all area managers and other key staff to assure them and to interpret the action taken at the General Tribal Council meeting. Need to develop a statement from the Business Committee to all employees.

Statements by members present on racial issues, press coverage, media release of information, respect for each other, manipulation of the General Tribal Council, community meetings, conduct of General Tribal Council perception was to get rid of the non-Indian employees, different perceptions for General Tribal Council meetings, no notice given for certain subjects, tribal constitutional questions, actions of General tribal Council, due process for membership to participate in General tribal Council training situations, no repercussions to employees participating in General Tribal Council meetings, HUD rules in regard to rent, removal of incentives to increase income as it increases amount of rent paid.

Kathy Hughes moved that Amelia Cornelius chair a Committee composed of Education and Training Manager, Human Resources, Career Development staff, and other interested persons to begin drafting the training plan in conjunction with the development of the Career Policy for the Tribe, Rick Hill seconded. Motion carried.

Ernie Stevens moved that the Business Committee issue a Public Statement, by consensus of all Business Committee members, to all employees and to meet with Managers on either Monday or Tuesday, Lloyd Powless seconded. Motion carried.

3. CONTRACTS/AGREEMENTS - None

4. TRAVEL/VACATION

- A. Travel: Lloyd Powless, Milwaukee, WI 1/19-20/90 for WAC & MIEDA Meetings. Loretta Metoxen moved to approve, David King seconded. Lloyd Powless abstained. Motion carried.

VII. OTHER

1. Wisconsin Counties Association

Discussion on Wisconsin Counties Association meeting being held in Salt Lake City, on January 18-20, 1990. The purpose of the meeting is called to "modernize" the treaties. It is proposed that a task force of at least 6 people attend the meeting and take a pro-active stance and participate in the conference in whatever degree possible at the treaties give us our gaming rights among others and if they are tampered with to whatever degree the Tribe could suffer economically and that the Oneida Tribe must take a proactive stance against the WCA meeting.

RESOLUTION #1-12-90-B - Treaty Rights

WHEREAS, the Oneida Tribe maintains a policy of resolution by conciliation and negotiation of issues of governance with any other government, federal, state, or local as an act of governmental sovereignty, and

WHEREAS, issues of jurisdiction and regulation from time to time arise between governments, and

WHEREAS, the Oneida Tribe vigorously protects its Treaty Rights and the rights of all Tribes reserved pursuant to Treaties entered into with the United States and upheld by the Supreme Court, and

WHEREAS, federal legislation to limit Indian Treaty rights has been upheld by the United States Supreme Court based upon an arbitrary concept of Plenary Power, and

WHEREAS, anti-Indian forces have from time to time made a concerted effort to abrogate those governmental rights reserved to Indians by Constitutional Treaties by litigation and federal legislation, and

WHEREAS, the Wisconsin Counties Association is an organization representing all 72 county governments in Wisconsin including those effected by the Chippewa off-reservation Treaty rights, and

WHEREAS, the Wisconsin Counties Association, with whom the Oneida Tribe has worked cooperatively in the past, will participate in a meeting with their counterparts from other states and which meeting will not be open to the public, and

WHEREAS, the Oneida Tribe is gravely concerned that general and sensationalized issues generated at non-public meetings by anti-Indian and anti-Treaty partisans whose intransigent views have been publicized and are characterized by threats to seek "federally legislated" solutions to local Indian problems, and

WHEREAS, such attempts to stampede the United States Congress into ill-advised and over general legislation which will not only confuse and separate individual issues of local concern but attempts to homogenize Indians issues. Such actions are based upon a spirit of meanness and devoid of serious responsibility. The Oneida Tribe deplores and will fight these actions.

NOW THEREFORE BE IT RESOLVED: that the Oneida Tribe in protecting its sovereign governmental rights reserved by Treaty with the United States, Treaty of Oneida of 1838 (7 Stat., 566) will confront any and all attempts to abrogate our Treaty by federal legislation, including the Salt Lake City meeting on January 18, 19, and 20, 1990.

Resolution #1-12-90-B (Continued)

BE IT FURTHER RESOLVED: that the Oneida Tribe will join other Indian Tribes and National Indian Organizations in fighting, by all lawful means, any and all attempts to abrogate or limit Indian Treaty Rights.

Ernie Stevens moved to adopt Resolution #1-12-90-B, Amelia Cornelius seconded Motion carried.

Rick Hill moved to send the resolution to other Tribes throughout the nation for support at the meeting, Ernie Stevens seconded. Motion carried.

2. Fort Howard

Discussion on the final consent order with Fort Howard. The work plan has not been signed by DeMeese. Amelia Cornelius moved to have the Chairman sign after Mr. DeMeese has signed the work plan, Kathy Hughes seconded. Motion carried.

3. Christmas Party

Pearl McLester thanked the Business Committee for the Christmas Party for the elders.

4. Draft Press Release

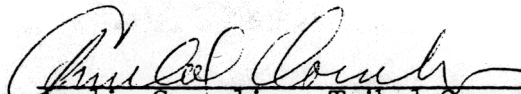
Sharon Cornelius presented a Draft Press Release to be issued after the consent order is signed.

A report on the issues with Fort Howard should be presented to the General Tribal Council membership.

VIII. EXECUTIVE SESSION

IX. RECESS/ADJOURN

David King moved to recess, seconded and carried.

  
Amelia Cornelius, Tribal  
Oneida Business Committee