



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

Oneida Tribe of Indians of Wisconsin

Post Office Box 365

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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

5/4/90

REGULAR MEETING

FRIDAY, APRIL 20, 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: Kathy King, Carl Rasmussen, Attorney Cornelius, Pat Misikin, Sandra Ninham, Arlene Benson, John Spangberg, Cliff Cornelius, Dorothy Powless, Debbie Powless, Sandy, Arlyce Paulson, Lois Strong, Carol Silva, Alan King, Bobbi Webster, Attorney Gerald Hill, Evelyn Elm, Z. Ron Skenandore, Chris Doxtator, Joe Bressette, Richard Powless,

New Employee Introduction: Brian Metoxen, Jennifer Hughes, David Benson, Barbara Malone, Lena John, Vicki Jordan, Geraldine Beaupre, Tina Pospychala, Paula Metoxen, Sandy Zachahosse.

II. APPROVAL OF AGENDA

David King moved to adopt the agenda as amended:

- 1) Resolution on TV Bingo
- 2) Environmental Resolution

Rick Hill seconded. Motion carried.

III. MINUTES TO BE APPROVED - None

IV. TABLED/UNFINISHED BUSINESS

1. Credit Card-Loretta V. Metoxen

Discussion on personal usage of credit cards for Business Committee. Loretta Metoxen moved to have credit card statement issued by name for each Business Committee Member, from October 1, 1987 to present. Kathy Hughes seconded. Motion carried.

Larry Barton moved that the Audit Committee & auditors procure specific rules in reference to use of credit cards by all Administration and Business Committee members, Kathy Hughes seconded. Motion carried.

CREDIT CARD ISSUES (Continued)

Ernie Stevens moved that the Audit Committee prepare a recommendation for the Business Committee for action that each Business Committee member have individual budgets and that budget and expenditures be a part of the public record. Amelia Cornelius seconded. Motion carried.

V REPORTS:

1. HUMAN RESOURCES

a) Hiring Information:

1. Delivery Person-Scott D. Hill, Donald Doxtator, Brian Metoxen, Russell Metoxen
2. Back-up Bus Driver-James M. House

2. TRAVEL REPORTS

VI. NEW BUSINESS

1. RESOLUTIONS

A. Housing Grant Resolution #4-20-90-A

WHEREAS, the Oneida Tribe of Indians of Wisconsin has determined the improvement and expansion of housing to be of utmost importance to the lives and welfare of Oneida Tribal members, and

WHEREAS, the Oneida Tribe of Indians of Wisconsin has recognized the need for expanded efforts to provide housing especially to low and moderate income-level families.

NOW, THEREFORE BE IT RESOLVED: that the Oneida Tribe of Indians of Wisconsin make application to the Wisconsin Local Housing Organization Grant Program, Phase Two: General Housing Assistance Grants, for grant assistance in the amount of up to \$25,000.00

Rick Hill moved to adopt Resolution #4-20-90-A, Kathy Hughes seconded. Motion carried.

B. Sanitary District Ordinance Resolution #4-20-90-B

WHEREAS, Article IV, Section 1(h) authorizes the Oneida Business Committee to charter subordinate organizations for economic purposes, and

WHEREAS, it is the responsibility of the Oneida Business Committee to protect and enhance the health, safety and welfare of the Oneida Tribe, as its elected officials, and

WHEREAS, an Oneida Tribal Sanitation District be established pursuant to the Oneida Constitution in order to assure that any sanitary utilities developed within the jurisdiction of the Oneida Tribe be operated and maintained in a manner that is fiscally responsible, responsive to customer needs, environmentally safe and governmentally functional, and

RESOLUTION #4-20-90-B (Continued)

WHEREAS, an Ordinance and a Utilities Commission be established in order to assure that the operation of a sanitary system be administered responsibly and pursuant to appropriate rules and regulations.

NOW, THEREFORE BE IT RESOLVED: that an Oneida Tribal Sanitary District Ordinance and an Oneida Utilities Commission is hereby established pursuant to Article IV, Section 1(h) of the Oneida Tribal Constitution.

David King moved to adopt Resolution #4-20-90-B, Larry Barton seconded. Motion carried. Amelia Cornelius abstained.

C. Comprehensive Environmental Resolution #4-20-90-C

WHEREAS, the Oneida Tribe of Indians is committed to preserving and protecting natural resources for future generations, and

WHEREAS, the Oneida Tribe desires to improve the total environment within the 1838 boundaries for it's membership, and

WHEREAS, Federal policies have a profound effect on the ability of Tribal Governments to develop programs to preserve and protect the environment.

NOW, THEREFORE BE IT RESOLVED: That the Oneida Tribe of Indians of WI petitions Congress to:

Support passage of S.2075 to fund Tribal Environmental Programs

Set a goal of achieving parity for Tribal Environmental Program by FY 2000;

Pass S.1076 (Environmental Education: Dollars for post secondary educational institutions including Tribally controlled schools);

Include specific language in H.R. 3847 (Dept of Environmental Protection Act which reorganizes EPA and gives it Cabinet level status) making one Assistant Secretary of Indian lands;

Require a parallel study for Tribal Governments to the proposed National Academy of Sciences (Senate version of H.R. 3847) on the differing impact of environmental policies and programs on minorities and low-income populations;

Appropriate, as a line-item for EPA in FY 91, \$25 million for program development of Tribal environmental program capability nationwide;

Appropriate, as a line item for EPA in FY 91, additional funds for Tribes under Section 106 Clean Water Act programs (water quality management);

RESOLUTION #4-20-90-C (Continued)

Extend the Tribal waste water treatment facilities Construction Grants program for Tribes through FY 2000 and/or fund IHS to rehabilitate and upgrade Tribal water and waste water facilities;

Require EPA to give Tribes direct access to the Resource Conservation and Recovery Act underground storage tanks trust

BE IT FURTHER RESOLVED: That the Oneida Tribe of Indians of Wisconsin petitions EPA to:

Fund a group of Tribal Governmental representatives in the same manner and at the same funding level as the states to provide advice to the agency on Tribal issues;

Allow Tribes to apply for funds directly to the individual programs or through consolidated grants;

Ask for appropriations and allocate resources to achieve state Tribal environmental program parity by FY 2000;

Increase the Section 106 (Water Quality Management - Clean Water Act) funding percentage to 6% and revise the criteria for funding;

Streamline the "treatment as a state" process and make it consistent between Regions.

Amelia Cornelius moved to adopt Resolution #4-20-90-C, Lloyd Powless seconded. Motion carried.

D. Styrofoam Ban - Resolution #4-20-90-D

WHEREAS, the environmental impacts of styrofoam are well known and documented, and

WHEREAS, the Oneida Tribe of Indians of Wisconsin is committed to the protection of Mother Earth

NOW, THEREFORE BE IT RESOLVED: that all entities within the tribe stop the use of styrofoam single service food service items, and

NOW, THEREFORE BE IT RESOLVED: that this ban shall be effective with the depletion of existing inventories within individual tribal programs and enterprises.

Loretta Metoxen moved to approve, Larry Barton seconded. Motion carried.

E. Recycling of Solid Waste Materials Resolution #4-20-90-E

WHEREAS, the Oneida Tribe is committed to the protection of Mother Earth, and

WHEREAS, solid waste disposal is becoming an environmental issue of great concern, and

RESOLUTION #4-20-90-E (Continued)

WHEREAS, recycling and waste reduction are effective methods of reducing the solid waste stream.

NOW, THEREFORE BE IT RESOLVED: That the Oneida Tribe of Indians of Wisconsin supports efforts on a tribal basis that will result in the reduction and recycling of sold waste materials.

NOW, LET IT ALSO BE RESOLVED: that the Oneida Tribe of Indians of Wisconsin is committed to the concepts of recycling, waste reduction, and reuse of materials.

Loretta Metoxen moved to adopt Resolution #4-20-90-E, David King seconded. Motion carried.

2. REQUESTS:

A. Joe Bressette-Education

David King moved to support request made by Joe Bressette, for GLITC to contract for BIA Education Program.

Lloyd Powless moved that Joe Bressett meet with the Education Department. Rick Hill seconded. Motion carried. Main motion carried.

B. Purcell Powless-Board Recommendations

1. Two vacancies on the Conservation/Environmental Board: Applicants are Cliff Cornelius and Eric McLester. The Chairman recommends both applicants for the Conservation Environmental Board.
2. Three vacancies on the Agricultural Board: Applicants are Simon DeCoteau, Al Manders and Matt Powless. Chairman recommends all three applicants for the Agricultural Board.

C. Rick Hill-Litigation

Rick Hill requests to have a joint meeting with Litigation and the Business Committee on May 24, 1990, at 4:00 p.m. in the Business Committee Conference Room, to discuss Land Claims.

Rick Hill also requests to have a Special General Tribal Council meeting on June 4, 1990 at 6:00 p.m., to discuss the Land Claims Strategy.

Lloyd Powless moved to approve, and in the event of no quorum, presentation still be given, Loretta Metoxen seconded. Motion carried.

D. Alan King-Bingo Investigation

Question on General Tribal Council Bingo Recommendation: Rick Hill, Lloyd Powless, Artley Skenandore, and Debbie Powless are the Sub-Committee to provide recommendations on Bingo Management. Recommendations are not completed yet.

E. Scott Heintz-Motor Fuel Tax Return

Recommend not paying on back inventory

Larry Barton moved to have retail manager research and formulate a plan on how to retail gas to tribal members. Loretta Metoxen seconded. Motion carried.

F. Sharon House Cornelius-Administrative Procedure Act and Appeals Commission

Rick Hill moved to table until Attorneys Skenandore and Hill prepare a report for the Business Committee in 15 days. Kathy Hughes seconded. Motion carried.

Loretta Metoxen moved to defer action of the Administrative Procedure Act until Tuesday, April 24, 1990. Kathy Hughes seconded. Motion carried.

G. Carl Rasmussen-Utilities Ordinance and Board Composition

Change composition of Utilities Commission from 3 tribal members and 2 township members to 4 tribal members and 1 township member to alternate membership of the township.

Loretta Metoxen moved to change, Ernie Stevens seconded. Motion carried.

Interim Board Membership: David King (Resident), Chris Doxtator (Resident) Rick Hill (Resident), Loretta Metoxen (Property Owner), Alternate Lloyd Powless (Resident).

David King moved to approve, Ernie Stevens seconded. Motion carried. Rick Hill abstained.

H. Carl Rasmussen-AT&T Computerized Land Records Presentation

Loretta Metoxen moved to have the Business Committee attend a meeting on May 2, 1990, for the presentation of the Computerized Land Records. Larry Barton seconded. Motion carried.

I. Sonny King-Sewer Project Design Work by McMahon

Request to waive bid process for sewer services. Larry Barton moved to approve, Loretta Metoxen seconded. Amelia Cornelius abstained. Motion carried.

J. Bernice Elm-CIAP 909

Oneida Housing Authority requests support for CIAP 909 Program application of \$192,000, for 62 units in sewage district. David King moved to approve, Loretta Metoxen seconded. Motion carried.

K. Amelia Cornelius-Silas Drive

Withdrawn from agenda.

L. Amelia Cornelius-April 27 Business Committee Meeting

Request to cancel April 27, 1990 Business Committee Meeting because of the History Conference and the ribbon cutting ceremony dedication of the Youth Home.

M. Sonny Smart-Group Home Grand Opening

Grand Opening 10:00 a.m.-2:00 p.m. with Ribbon cutting ceremony at noon April 27, 1990.

N. Ernie Stevens-Task Force Final Recommendations

The Oneida Gaming Commission, including two "ad hoc," shall be selected through individual interviews and through a vote of the Oneida Business Committee. Loretta Metoxen moved to approve, Larry Barton seconded. Motion carried.

2. The Oneida Business Committee and the Gaming Commission shall define their mutual authorities, responsibilities, and agreements through a Memorandum of Agreement pending approval of the Gaming Ordinance amendment. Rick Hill moved to approve, Amelia Cornelius seconded. Motion carried. Kathy Hughes opposed.
 3. The Gaming Manager shall be selected through a process similar to that used to screen for the General Manager's position. After the screening process is complete, there shall be three candidates who shall be interviewed and selected by the Oneida Gaming Commission and approved by the Oneida Business Committee. Loretta Metoxen moved to approve, Larry Barton seconded. 2 members for, (Loretta Metoxen, Larry Barton), 3 opposed, (Kathy Hughes, Lloyd Powless, Amelia Cornelius), 3 abstained (Ernie Stevens, David King, and Rick Hill). Motion failed.
 4. The Oneida Business Committee delegates to the Gaming Task Force the responsibility of drafting recommendations for amendments to the Oneida Gaming Ordinance for the consideration of the Oneida Gaming Commission. The Gaming Commission shall review and approve the amendments, subject to the final approval of the Oneida Business Committee. Legal counsel shall assist the Task Force in the following gaming ordinance subject areas:
 - a) A clear definition of Commission and Business Committee authorities and responsibilities, including the retained constitutional authorities of the Oneida General Tribal Council and the Oneida Business Committee
 - b) Reformatted and edited for consistency.
 - c) Insertion of definitions section
 - d) Inclusion of Investigative Commission recommendations (i.e., A thru H [Oneida Commission authorities, financial reporting, Public Safety])
 - e) Gaming Management - Clearly define Oneida Tribal membership.
 - f) Review and approve procedures throughout ordinance.
 - g) Review comments from Public Hearings.
- Rick Hill moved to approve, Loretta Metoxen seconded. Motion carried.

5. The Gaming Manager shall have all authorities specifically delegated and shall have sole authority to supervise the activities of the gaming enterprises except for authorities retained by the Oneida Gaming Commission and the Oneida Business Committee through Ordinance or through the tribal constitution. Loretta Metoxen moved to approve, Larry Barton seconded. Motion carried. Amelia Cornelius, and Kathy Hughes abstained.
6. The Gaming Manager shall report to the Business Manager for administrative reporting purposes only. The Business Manager and other executive staff have no supervisory authority over the Gaming Manager who reports to the Oneida Gaming Commission exclusively. Larry Barton moved to approve. Loretta Metoxen seconded. 3 opposed, Lloyd Powless, Kathy Hughes, Amelia Cornelius. Motion carries. Amelia Cornelius moved to table until review of the Gaming Ordinance, Kathy Hughes seconded. Loretta Metoxen, Ernie Stevens, Larry Barton, Rick Hill opposed, Amelia Cornelius, Kathy Hughes, and David King abstained. Motion fails.

The Administration of the Tribe has a service relationship with gaming operations which consists of accounting and purchasing, financial analysis, data process, logistical support and technical assistance. Loretta Metoxen moved to approve, Larry Barton seconded. Motion carried.

8. The Oneida Business Committee has the sole operating function of conducting oversight of operations through the Oneida Gaming Commission as defined by ordinance and the memorandum of agreement. Larry Barton moved to approve, Loretta Metoxen seconded. Motion carried.
9. The Gaming Manager shall supervise all development, budgets, promotions, marketing, sales and advertising through the employment of a director level person. In the alternative, a marketing and advertising department shall be placed under the direct supervision of the General Manager of the Tribe. Larry Barton moved to approve, Loretta Metoxen seconded. 4 Members for, (Larry Barton, Loretta Metoxen, Ernie Stevens, David King) 2 members opposed (Lloyd Powless and Amelia Cornelius), Kathy Hughes and Rick Hill abstained. Motion carried.
10. The original timetable which was approved by the Oneida Business Committee is amended as follows:
 - a) Selection and installation of the Gaming Commissioners, May 10, 1990.
 - b) Task Force completes proposed gaming amendment for consideration of the Oneida Gaming Commission subject to approval of OBC, May 15, 1990.
 - c) Gaming Task Force turns over remaining responsibilities to the Oneida Gaming Commission, May 15, 1990.
 - d) Selection of Gaming Manager, May 10, 1990.
 - e) Completion of and approval by the Oneida Gaming Commission, through the Gaming Manager, of a "Business Plan," including a "Gaming Expansion Plan", June 29, 1990.
 - f) Gaming Investigative Commission presents its final report to the General Tribal Council, July 2, 1990.
 - g) Development of a new financial and budget format by Gaming Manager and Commission, August 17, 1990.

Gaming Task Force Recommendations (Continued)

- h) Selection of Security Director, August 17, 1990.
- i) Police & Fire Commission Ordinance Approved for Public Hearings, September 7, 1990.
- j) Career Development Plan for Gaming Management completed in draft, September 4, 1990.
- k) Career Development Plan for Staff completed in draft, September 4, 1990.
- l. Gaming Commission submits final report to the Oneida General Tribal Council, July 2, 1990.

3. CONTRACTS/AGREEMENTS

A. Consultant Agreement for Michael Paymar

Agreement with Oneida Tribal Social Services for a two day training seminar on domestic abuse, beginning April 23, 1990 and ending on April 24, 1990. Payment for training payable to Minnesota Program Development, Inc., and shall including transportation and per diem for a total not to exceed \$1,750.00. Rick Hill moved to approve, David King seconded. Motion carried.

B. Consultant Agreement for Marlin Mousseau

Agreement with Oneida Tribal Social Services for a two day training seminar in conjunction with Michael Paymar, beginning April 23, 1990 and ending on April 24, 1990. Payment for training payable to Marlin Mousseau in the amount of \$600. Loretta Metoxen moved to approve, Ernie Stevens seconded. Motion carried.

C. Lease Agreement between Indian Country Leasing Company, and Oneida Tribe Of Indians.

Agreement to Lease Video games for two years, with gross profits from the video games being divided as Owner 70%, Vendor 30%. Amelia Cornelius moved to approve, Loretta Metoxen seconded. Motion carried.

Explanation for not following bid process is to allow flexibility in procurement in order to make deadline.

4. TRAVEL/VACATION

- A. Travel-Lloyd E. Powless- Rhinelander, WI Dept. of Health & Social Services Advisory Committee Meeting 4/24/90-4/27/90. Larry Barton moved to approve, David King seconded. Motion carried.
- B. Travel-Loretta V. Metoxen- Albuquerque, New Mexico NCAI 4/27/90-4/29/90. Larry Barton moved to approve, Rick Hill seconded. Amelia Cornelius and Loretta Metoxen abstained.
- C. Lloyd Powless to St. Paul MN for Child Abuse and Neglect Conf. 6/11/90-6/13/90. Rick Hill moved to approve, Larry Barton seconded. Lloyd Powless abstained. Motion carried.

Travel (Continued)

- D. Travel - Chairman to Las Vegas, NV for National Food Distribution Program 3rd Annual Conference, April 30 - May 4, 1990. Larry Barton moved to approve, Ernie Stevens seconded. Motion carried.

VII. OTHER

1. TV. Bingo Resolution #4-20-90-F

WHEREAS, the Oneida Tribe has determined that carefully and stringently regulated games of change, such as Oneida TV Bingo, can be operated on the Oneida Indian Reservation pursuant to the Oneida Gaming Ordinance and the Indian Gaming Regulatory Act (P.L. 100-497) where such games are not prohibited by the State, and

WHEREAS, the Oneida gaming enterprises are successful and being operated lawfully and generate revenues upon which the Tribal budget is heavily reliant, and

WHEREAS, the Oneida TV Bingo game has come under concerted attack by the State of Wisconsin, through the efforts of the Wisconsin Department of Justice which agency has refused to peacefully resolve the legal issues, thus placing our non-Indian vendors and various Oneida people employed in this enterprise in danger of arrest and otherwise harassing persons and entities associated with this game.

WHEREAS, the Oneida Tribe should take all lawful steps to protect its rights of self-government, to protect its property and to resist the unwarranted interference of the State of Wisconsin in its gaming enterprises, including Oneida TV Bingo.

NOW, THEREFORE BE IT RESOLVED: that the attorneys for the Oneida Tribe and other departments involved in the operation of Oneida TV Bingo take all necessary steps to protect the governmental rights of the Oneida Tribe to continue this game and all other Tribal gaming operations, and

BE IT FINALLY RESOLVED: that the Oneida Communications Department prepare and convey to the Oneida General Tribal Council information related to the threats of the State of Wisconsin against the Oneida Tribe, its governmental sovereignty, its employees and members and vendors with whom the Oneida Tribe contracts.

Amelia Cornelius moved to approve, Loretta Metoxen seconded. Motion carried

2. Press Conference

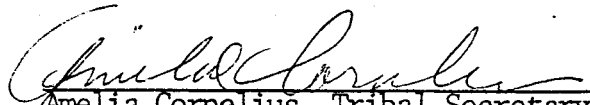
Scheduled for Monday, April 23, 1990 at 2:00 p.m. at Serb Hall in Milwaukee

VIII. EXECUTIVE SESSION

Review of Public Relations Plan on TV. Bingo

IX. RECESS/ADJOURN

Amelia Cornelius moved to recess, seconded and carried.


Amelia Cornelius, Tribal Secretary
Oneida Business Committee