



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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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

7-27-90

SPECIAL MEETING

TUESDAY, JULY 10, 1990

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

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

Others: Attorney Gerald Hill, Silvia Cloud, Attorney Sharon Cornelius, Mark Jarvoe, Butch Rentmeester, Lynn VandenLangenberg, Sarah Plummer

Request for resolution in support of the release of Leonard Peltier.

Amelia Cornelius moved to adopt incorporating language from the two previous resolutions, David King seconded. Motion carried. (Resolution #7-10-90-A)

WHEREAS, the Oneida Tribe of Indians of Wisconsin supports justice and human rights for all people of all nations; and,

WHEREAS, Leonard Peltier, a Chippewa-Lakota, was convicted of murder for the deaths of two Federal Bureau of Investigation agents on June 26, 1975, at the Jumping Bull Ranch, Pine Ridge Reservation, South Dakota, and,

WHEREAS, Leonard Peltier has served more than twelve years in federal prison since sentencing on June 1, 1977, and

WHEREAS, it has since been revealed through use of the Freedom of Information Act that Leonard Peltier was convicted on the basis of fabricated and suppressed evidence in violation of his Constitutional and human rights;

NOW, THEREFORE BE IT RESOLVED: that the Business Committee of the Oneida Tribe of Indians of Wisconsin supports justice for Leonard Peltier in an appropriate form which may include: a new trial in which all pertinent evidence is presented, parole, executive clemency, and/or a full pardon.

BE IT FURTHER RESOLVED: that the Principal Chairman of the Oneida Business Committee, and/or his authorized designee be authorized to sign documents in support of justice for Leonard Peltier.

Litigation Budget Requirements for July - September 1990.

Extension of Jerry M. Hill Contract
Extension of New World Resources Contract
New Contract for Comprehensive Management Plan
Equipment, travel, printing, phone, misc.

for a total of \$93,950

Present balance in account is \$79,147.

Kathy Hughes stated for the record she is opposed to this request due to not meeting budget projections and that all other programs and enterprises were asked to do a 10% reduction in their budgets.

Rick Hill recommended that Jerry M. Hill and Chas Wheelock provide the Business Committee with submission of reports.

Discussion on the GIS funds.

Some are needed for the Wisconsin lands and some for the New York lands.

Lloyd Powless moved to waive the 10% budget deduction for the Litigation budget and that Jerry M. Hill present a new budget in the amount of \$79,147 for Friday's regular Business Committee meeting. Ernie Stevens seconded. Motion carried. 2 opposed (Kathy & Amelia).

Executive Session - Garnishment Hearing

Out of Session

Amelia Cornelius moved to direct Attorney Hill to revise the Garnishment Ordinance to have the School Board be the Hearing Board for school related debts and to incorporate into the Memorandum of Agreement with the School Board. David King seconded. Motion carried.

Summary of Grant/Loan With FmHA

Three main issues to be resolved with FmHA representatives:

1. Who will borrow the funds? Tribe or Utilities Committee
2. Designated collateral
3. Ability of FmHA to force payment

Utilities Commission is a sub-division of the Tribe and could have a management contract so they could be named as the Borrower. On the Shakopee Reservation the homeowners are billed for maintenance and construction costs, however, the Tribe pays that portion of the bill for construction. Purpose of the Utilities Commission is to protect tribal assets. Repayment of loan will be approximately \$38,000. FmHA timeline is in about 7-10 days to commit to the Tribal project.

Five Minutes Recess

Introduction of FmHA representatives: Bob Gregritch, Joan, Jim Suring, Ron Gottschalk, Legal counsel.

FmHA wants

1. The loan in the name of the Tribe.
 2. Would like the Tribe to be responsible for repayment of the construction loan as they felt the rates would be too high for customers.
 3. Wants Tribe to waive limited sovereignty.
- a) Tribe to pay off interest semi-annually principal annually
 - b) Tribe has several options available, but has not identified a specific source of funds.
 - c) FmHA said Tribe could pledge a source of revenue acceptable to be determined.
 - d) Tribe will get BIA approval
 - e) Waiver of sovereignty would be limited to the amount necessary to secure the loan and to make repayment to allow FmHA to sue the Tribe for collection of loan, to have insurance, collection of fees, maintain proper records, billing, etc., that is normal in the running of a sewer in a proper court of jurisdiction.


Approximately 25% of clients would be non-Indian. Grant is approximately \$1 million with a loan of over \$500,000. Repayment is approximately \$38,000 annually. Clean Water Act would provide another 90% grant of the \$500,000 leaving \$75,000 balance on the loan. The Clean Water funds would be available in about one year or less.

Discussion on issuance of tribal bonds. Tribes can issue bonds but would still need to pledge some type of security or collateral and allow for the right to sue the Tribe for collection. Bonds could be backed up by a bank and the bank make arrangement for repayment with Tribe.

Options to check include attempting to meet with LaVern Osmond, FmHA Administrator in Washington, D.C. to discuss the waiving of tribal sovereignty and submit a proposal on how the repayment would be made. Request local FmHA officers to participate in the meeting.

The Tribe will have to determine whether the Tribe will waive tribal sovereignty immunity in regard to the loan if this is not allowed.

Motion to recess, seconded and carried.



Amelia Cornelius, Tribal Secretary
Oneida Business Committee