



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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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  
10/3/90

## ONEIDA BUSINESS COMMITTEE REGULAR MEETING FRIDAY, SEPTEMBER 28, 1990

PRAYER: Steve Stevens

PRESENT: Deborah Doxtator-Vice-Chairperson, Loretta Metoxen-Treasurer, Amelia Cornelius-Secretary, Lloyd Powless, Russell Metoxen, Julie Barton, Shirley Hill, Mark N. Powless-Council Members

EXCUSED: Chairman Rick Hill (BIA reorganization meeting)

OTHERS: Chris Doxtator, Attorney. Jerry L. Hill, Chris Johns, Bobbie Webster, Margaret King, Sarah Plummer, Alan King, Steve Stevens, Ted Christjohn, Jan Malcolm, Alan Doxtator, Eric Krawczyk, Arletta Cornelius, Matt Powless, Pat Cornelius, Diane Wilson, Mary Pat Cuney, Z.Ron Skenandore, Lois Strong, Cliff Cornelius

- I. CALL TO ORDER: Vice Chairman Debbie Doxtator at 9 am
- II. APPROVAL OF AGENDA: Shirley Hill moved to adopt the agenda with the addition of the request for the veterans information, seconded by Russell Metoxen, motion carried unanimously.
- III. NEW EMPLOYEES: Lois Franklin, Jeanne Selner, Sue Dirkson, Tony Smith, Milton Smith, Larry Murphy
- IV. MINUTES TO BE APPROVED - None
- V. TABLED UNFINISHED BUSINESS

### 1. Conflict of Interest Resolution/Policy - Gerald L. Hill

Amelia Cornelius moved to remove from the table, seconded by Loretta Metoxen, motion carried unanimously.

Discussion on changes and additions. Request to change wording in Section II A. 1 and 2 the word "may" to "will". Existing conflicts if determined shall reviewed by the Business Committee.

Julie Barton moved to adopt Resolution. 9-28-90-A and to accept the revised policy including the word change, to refer to the Human Resource Manager to

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CONFLICT OF INTEREST RESOLUTION (CONTINUED)

incorporate into the Personnel Policy and Procedures, and to implement immediately, seconded by Loretta Metoxen, motion carried unanimously. Revised Resolution reads as follows:

WHEREAS, the Oneida Tribe desires that all employees, consultants, appointees, officials and all others who may have access to information or materials that are confidential or may be used by competitors of the Oneida Tribal enterprises or interests be subject to specific limitations to which such information and materials may be used in order to protect the interests of the Oneida Tribe, and

WHEREAS, the Tribe should assert its proprietary rights to client lists, trade secrets and any other confidential data generated, developed or commissioned for the Tribe in the course of an employee's duties and responsibilities and that all employees, and prospective employees, be made aware of their obligation to uphold such rights, and

WHEREAS, the Oneida Tribe should assert that no persons who work for the Tribe or are responsible for safe guarding its interests as has been defined above, nor their relatives, associates, partners, or anyone connected with such persons should in any way benefit against or in competition with the Tribe's interests without full and complete prior disclosure to the Tribe, and

WHEREAS, the Tribe, in consideration of the foregoing statements, desires that the following actions be implemented.

NOW THEREFORE BE IT RESOLVED: that the following shall be the law of the Oneida Tribe regarding Conflicts of Interest:

I. Conflicts of Interest

- A. Definition. Conflict of Interest shall mean any interest whether it be personal, financial, political, or otherwise, in which a tribal elected official, employee, consultant or appointed or elected member of any board, committee or commission, or their immediate relatives, friends or associates, or any other person with whom they have contact, have that conflicts with any right of the Oneida Tribe to property, information, or any other right to own and operate its enterprises free from undisclosed competition or other violation of such rights of the Oneida Tribe.
- B. Purpose. This shall be designed to prevent the use of inside information by which such use would be to the detriment of the Oneida Tribe.
- C. Scope.
  - 1. This shall apply to employees, consultants, members of boards, commissions, and committees, officers of the Tribe or any other persons with whom they may be associated in personal, marital, business, financial or other relationships.
  - 2. Under the protection of this resolution are the resources of the Tribe, its enterprises, programs, business interests, financial information, trade secrets and any other information that could

CONFLICT OF INTEREST RESOLUTION (CONT.)

be used against the Oneida Tribe or those duly authorized to represent its interests.

3.

This shall be operative for a period of not less than one (1) year unless otherwise permitted by the Oneida Business Committee or General Tribal Council, except that certain specified information may be permanently prohibited from personal disclosure and use.

II. Publication: the following documents shall be amended as required in order to implement this resolution.

A. Personnel Policies and Procedures for employees.

1. Prospective employees will be asked whether or not they have any conflicts of interest as defined here.
2. Employees will be asked to disclose existing conflicts of interest, if any.

B Consultant Agreements must include a provision reciting the prohibition against undisclosed conflicts of interest.

All boards, committees and commissions shall be informed in writing by the Secretary of the existence of this resolution. Forms shall be prepared upon which disclosures of conflicts which exist may be listed and returned to the Business Committee for action as indicated.

III. Penalties.

- A. Employees found to be in violation of conflicts of interest shall be suspended without pay pending a complete investigation and terminated where indicated. This action must be concluded within seven (7) days of the suspension after which the terminated employee shall have the same rights of appeal as all other employees pursuant to procedures set forth in the Personnel Policies and Procedures.
- B. Members of Boards, Committee and Commissions may be removed pursuant to the Legislatively Appointed Committee removal ordinances, or the Removal Ordinance as may be applicable.
- C. Consultants who do not disclose conflicts may be subject to termination of their consultant contracts.

BE IT FURTHER RESOLVED: that this policy shall be published in the Kalihwisaks, and

BE IT FINALLY RESOLVED: that this policy may be amended only in writing by the Oneida Business Committee or the Oneida General Tribal Council.

VI REPORTS

1. HUMAN RESOURCES

A) Approval Requested for: none

B) Hiring Information:

1. Economic Development Manager - Jim VanStippen
2. Aerobics Instructor - Julie M. Brusky
3. Food Service Supervisor - Marilyn E. Mack

C) Transfers/Promotions/Reassignments

1. Transfer of Jacquelyn M. Metoxen from Bingo Dept.
2. Transfer of Sandra L. Charles to Community Health Representative

2. TRAVEL REPORTS - None

VII. NEW BUSINESS

1. RESOLUTIONS

a) Resolution #9-28-90-B Regarding a Notice to New York Oneidas

WHEREAS, the General Tribal Council has established the Oneida Litigation Committee, comprised of four (4) Oneida Business Committee members and two (2) members elected from the General Tribal Council, and has delegated supervisory responsibility of the Litigation Committee to the Oneida Business Committee, and

WHEREAS, the Litigation Committee has been delegated the authority and responsibility for supervising all activities involved with the New York Land "Claims, and

WHEREAS, the Oneida Business Committee, from time to time, needs to take action to support the New York Land Claims negotiations and to provide direction to the Litigation Committee, and

WHEREAS, the Oneida Business Committee has determined that the Oneida Tribe of Indians of Wisconsin has historically adopted the position that it will not interfere in the internal affairs of other tribal governments, and

WHEREAS, the Oneida Business Committee recognizes that the leadership of the Oneida Indian Nation in New York will have the added responsibility, upon the settlement of the New York Land Claims for implementing the resulting benefits of the settlement in New York and for governing an additional land base and the Oneida people who decide to repatriate to the homeland.

NOW THEREFORE BE IT RESOLVED: That the Oneida Business Committee hereby takes this action to formally notify the government of the Oneida Indian Nation in New York that the Oneida Tribe of Indians of Wisconsin has no intention of establishing a government in New York; and

BE IT FURTHER RESOLVED: that the Oneida Business Committee authorizes the Chairman to communicate this action and provide an original copy of this resolution to the government of the Oneida Indian Nation in New York; and

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RESOLUTION #9-28-90-B (Cont.)

BE IT FINALLY RESOLVED: that the Oneida Business Committee authorizes the Litigation Committee to proceed with negotiations in a manner that strengthens the Oneida Nations governance so as to protect all Oneidas' rights and individual benefits that result from the land claims settlement.

Shirley Hill moved to adopt Resolution #9-28-90-B, seconded Amelia Cornelius, motion carried unanimously.

b) Budget Continuation Resolution #9-28-90-C

WHEREAS, five (5) members of the newly elected Business Committee are in an orientation process on the Tribal budget and administrative procedures, and

WHEREAS, the current tribal budget is over extended primarily due to excessive enterprise projections and interference into gaming operations by the State of Wisconsin, and

WHEREAS, the Area Managers and Directors of programs were directed to submit maintenance budgets which would adhere the previous year's spending levels, therefore requiring additional evaluation, and

WHEREAS, the General Tribal Council requires a definitive budget for consideration for final approval.

NOW THEREFORE BE IT RESOLVED: that Tribal expenditures will continue at the FY'90 level including the austerity measure set in place on July 5, 1990, and

BE IT FURTHER RESOLVED: that the FY'91 budget will be developed, approved and implemented on or before November 30, 1990.

Lloyd Powless moved to adopt Resolution. 9-28-90-C for presentation to the General Tribal Council for adoption, seconded by Russell Metoxen, motion carried unanimously.

c Resolution pertaining to the Mohawk People and the Canadian Government: Information from Red Cliff Tribal Council

Discussion on support for the Mohawk government in regard to negotiations with the Canadian government and removal of the Canadian army from Mohawk territory.

There will be a special television show with Jessie Jackson on Sat. at 12:30. Communications Dept. will be taping the show.

Amelia Cornelius moved to have Attorney Hill prepare a resolution (Resolution. 9-28-90-D) to support negotiations between the Canadian and Mohawk governments and to request the removal of the Canadian Army from Mohawk territory, seconded by Loretta Metoxen.

Lloyd Powless moved to amend the motion to send a letter to the Red Cliff Tribe in regard to Business Committee action, seconded by Loretta Metoxen amendment carried unanimously.

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Main motion carried unanimously. (Resolution 9-28-90-D attached)

2. REQUESTS

A) Finance & Appropriation Recommendations of Sept. 26, 1990  
Loretta Metoxen

1. Request to attend Great Lakes Inter-tribal Assembly, Superior, Wi. on Oct 17 & 18, 1990.

Amelia Cornelius moved to authorize Loretta Metoxen and Rick Hill to attend and to use the tribal car estimated cost is \$175, seconded by Mark Powless, motion carried. Loretta Metoxen abstain.

- 2 Sovereignty Conference, Stevens Point, Wi. on Oct 7-9, 1990. Total cost for 7 BC members to attend is \$1,450.

Amelia Cornelius moved to approve and to include Kathy King, Bobbi Webster and Sarah Plummer to attend and the cost not exceed \$1,450, seconded by Mark Powless, motion carried unanimously.

- 3 WIEA Conference at Radisson Inn on Oct. 7-10, 1990. Cost is \$45 registration each.

Lloyd Powless moved to approve Julie Barton and Shirley Hill to attend, second by Mark Powless, motion carried. Julie Barton and Shirley Hill abstain.

4. NIEA 22nd Annual Conference, San Diego, CA. for Amelia Cornelius. Cost is \$130 registration, membership. Amelia has free plane tickets to attend.

Lloyd Powless moved to approve, seconded by Shirley Hill, motion carried. Amelia Cornelius abstain.

B) Land Acquisition/T.L.C. Programs Recommendations - Chris Doxtator

Amelia Cornelius moved to approve the recommendation to acquire Prudence Doxtator's home from the funds set aside for the TLC program, seconded by Russell Metoxen, motion carried unanimously.

C) Land Committee Recommendations of September 24, 1990 - Chris Doxtator

- 1 Sharon Metz's home

Amelia Cornelius moved to refer back to the Land Committee for further review, seconded by Mark Powless, motion carried unanimously.

2. Gary Schuyler property

Negotiations Committee has rejected the offer on 9-25-90 meeting.

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Land Committee Recommendations (Cont.)

3. Extend time on Jo Swamp contract.

Russell Metoxen moved to extend the time on Jo Swamp's contract to the end of Oct. 1990, seconded by Loretta Metoxen, motion carried unanimously.

Loretta Metoxen move to request a recommendation from Attorney. Hill for re-imbusement of expenditures being spent for placing lands in trust by the Tribe from the BIA as it is the responsibility of the BIA, seconded by Amelia Cornelius, motion carried unanimously.

4. Zoning ordinance.

Amelia Cornelius moved to adopt Resolution. 9-28-90-E, seconded by Mark Powless.

Discussion on the resolution.

Amelia Cornelius moved to amend the motion to include "and some tribal managers are being disrespectful of tribal ordinances and laws" in the last Whereas and to add "and Programs" in the last Be It Further Resolved, seconded by Loretta Metoxen, amendment carried unanimously.

Main motion carried unanimously.

Sarah Plummer will again be sending copies of the Zoning Ordinance to all Area Managers, OHA, ORTEK, and Gaming.

D) Authorization for Gaming Manager Expenditures - Debbie Doxtator

Amelia Cornelius moved to refer to the Gaming Commission for recommendation, seconded by Russell Metoxen, motion carried unanimously.

E) Boxing General Provisions - Matt Powless

Amelia Cornelius moved to refer to Attorney. Hill to review and for the Treasurer to research and review insurance provisions and then the Business Committee call for a special meeting with interested individuals, seconded by Mark Powless, motion carried unanimously.

Vice Chairman Doxtator requested Alan King to provide information on Boxing to Julie Barton for the special meeting.

F) Three Bingo Passes for Oneida Printing Customer Relationship

Shirley Hill moved to approve, seconded by Amelia Cornelius, motion carried.

3. CONTRACTS/AGREEMENTS

INFORMATION:

A) UW-Oshkosh Training Contracts (Consultants) - Thelma McLester

- i) Joann Cross - Accounting for Decision Making-Part I
- ii) Terry Sebora - Essentials of Management

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- B) Consultant Agreement with Fox Valley Technical College - Ron Skenandore
  - i) Overview of Substance Abuse Services Course #550-100
  - ii) Personal/Professional Development Course #520-105
- C Consultant Agreement with Forward Service -- for participant reconciliation for the Job Opportunities and Basic Skills Program - Ron Skenandore
- D) Swim Pool Architect Contract - Amelia Cornelius

Amelia Cornelius moved to refer contract for attorney review, seconded by Mark Powless, motion carried.

- 4. TRAVEL REQUESTS (Include Cost Estimates) none

VIII. OTHER :

- 1. Oneida Veterans Display and future Oneida Veterans War Memorial- Ted Christjohn and Jan Malcolm. Budget request of \$2000 for display at the Pentagon.

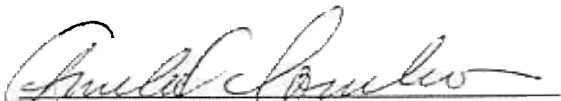
Loretta Metoxen moved to refer to F&A, seconded by Julie Barton, motion carried.

Short discussion on the display, and the memorial will include veterans from the Revolutionary War, Civil War, Korean War, World War I and II and Vietnam. Jan is holding meetings to collect as much information as possible. Display is due Oct. 15. VFW is doing fund raising for the future memorial.

IX. EXECUTIVE SESSION

X. RECESS/ADJOURN

Shirley Hill moved to recess, second by Russell Metoxen, motion carried unanimously.

  
Amelia Cornelius, Tribal Secretary  
Oneida Business Committee