



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
5-1-91

REGULAR MEETING

FRIDAY, APRIL 19, 1991

Present: Rick Hill-Chairman, Deborah Doxtator-Vice Chairperson, Loretta V. Metoxen-Treasurer, Lloyd Powless, Russell Metoxen, Julie Barton, Shirley Hill-Council Members, Patricia Farmer-Recording Secretary

Excused: Amelia Cornelius-Secretary (ill), Mark N. Powless-Council Member (Vac)

Others: Z. Ron Skenandore, Chris Doxtator, Vern Doxtator, Jerry Kurowski, Sue Paremski, Louise King, Ernie Stevens, Sr., Ernie Stevens Jr., Vera Wilson, Dorothy Powless, Chas Wheelock, Heidi Ferguson

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

APPROVAL OF AGENDA

Shirley Hill moved to adopt the agenda as amended:

- a) John Powless Marriage Request
 - b) Housing Demolitions - LVM - Review
 - c) Board Vacancies
 - d) Litigation Travel
 - e) Informational Report of Gaming Commission Investigation
- Julie Barton seconded. Motion carried unanimously.

NEW EMPLOYEES: None

MINUTES TO BE APPROVED: None Scheduled

V. TABLED UNFINISHED BUSINESS: None

REPORTS

A) HUMAN RESOURCES

- 1) Approval Requested for:
 - i) Director of Accounting - Gaming Division Job Description

Julie Barton moved to defer the job description to a team of the Treasurer, Human Resources and Louise King to make the qualifications match the responsibilities. Shirley Hill seconded.

Director of Accounting - Gaming Job Position (Continued)

Debbie Duxtator moved to amend the motion to include Lynn VandenLangenberg and to return a recommendation back to the Business Committee for next Friday's Agenda, (4/26/91). Shirley Hill seconded.

Main motion carried unanimously.

Amendment carried unanimously.

- 2) Hiring Information: None
- 3) Transfers/Reassignments/Promotions: None

B) TRAVEL REPORTS

- 1) Debbie Duxtator - 1st Annual Minneapolis Area Credit Conference

Russell Metoxen moved to approve Debbie's Report, Shirley Hill seconded. Motion carried. Debbie Duxtator abstained.

- 2) Russell Metoxen - Denver, CO - April 7-11, 1991

Shirley Hill moved to approve Russell's report, Julie Barton seconded. Motion carried. Russell Metoxen abstained.

- 3) Rick Hill-Haskell Junior College Report - April 17, 1991

Debbie Duxtator moved to approve Rick's report, Shirley Hill seconded. Motion carried.

VII. NEW BUSINESS

1. RESOLUTIONS

- A) Codes and Environmental Standards Resolution - Shirley Hill

WHEREAS, the general goal of the Oneida Tribe is to protect, maintain, and improve the standard of living and the environment in which the Oneida people live, while maintaining and enforcing their sovereign rights, and

WHEREAS, the Facilities and Construction Planning Committee and the Construction Committee, appointed committees of the Oneida Tribe, will work jointly to ensure that codes and environmental standards are met for an on site system placement and replacement of well and septic systems for resident applicants within the Oneida Tribal boundaries, and

WHEREAS, a point system has been developed for prioritizing applicant residents according to need, date, elderly, or handicapped status for the property which they occupy, and

WHEREAS, the code and the environmental standard of the property and the systems are the actual considerations of the application, not the occupants, and

Resolution #4-19-91-A (Continued)

WHEREAS, if the resident applicant should vacate the premises and another resident occupy, the new resident will have to reapply for reprioritization.

WHEREAS, the occupant may be reprioritized according to the point system but will remain on the list of origin, and

WHEREAS, to ensure code and environmental standards of the property and system are met when occupant/owner is not on the list at the same time of sale or reassignment or changes occupancy in any manner, upon notification of such exchange of occupants to the Public Works Department, an inspection and review shall be initiated and the property will be placed on the list, if warranted, and

WHEREAS, to further guarantee that code and environmental standards are upheld upon property changing occupants, the present occupant/seller may escrow a sum of money to cover the cost of the systems repair or replacement, and

WHEREAS, an alternate action by written agreement that the new tenant/buyer will assume the cost of repair and replacement prior to the transfer and possession of the property with an appropriate amount of money in escrow prior to actual occupancy.

NOW THEREFORE BE IT RESOLVED: that the Oneida Tribal Business Committee supports and enforces the regulations stipulated for the protection of Mother Earth, our environment for a healthier atmosphere now, and for several generations to come.

After discussion, Loretta Metoxen moved to approve Resolution #4-19-91-A as amended, Debbie Duxtator seconded. Motion carried unanimously.

2. REQUESTS

A) Land Office Concerns:

i) Land Committee Recommendations of April 8, 1991

Statement by Chairman Hill, that once a Committee comes out of Executive Session, the motion made by that Committee should be incorporated into their Minutes.

1. Wishart Property Easement. No cost or increase in taxes for this easement. The Land Committee recommends approval.

Debbie Duxtator moved to approve, Russell Metoxen seconded. Motion carried unanimously.

2. Cancellation of Ken & Carolyn Skenandore and request to sell their improvements. The Land Committee approved the cancellation and the sale contingent upon clarification of the on-system system replacement and the well and septic list. (4-19-91-C)

Shirley Hill moved to approve, Julie Barton seconded. Motion carried. Debbie Duxtator abstained.

Land Committee Recommendations (Continued)

Kathy Hughes is requesting authority to sub-lease her home at Jonas Circle to her sister. The Land Committee recommends approval and that the sub-lease not exceed two years.

Lloyd Powless moved to approve, Russell Metoxen seconded. Shirley Hill opposed. Motion carried.

Shirley Hill opposed because she is not clear about owning residential property and Sub-leasing.

Loretta Metoxen moved to have the Land Committee write into the lease policy a clarification on owning and sub-leasing a residential property. Shirley Hill seconded. Motion carried unanimously.

- 4 Gerald A. Cornelius proposed lease. The Land Committee recommends approval (Residential Lease #74-19-91-B)

Russell Metoxen moved to approve, Shirley Hill seconded. Motion carried.

- 5 Application for residential lease for Michelle Peterson and Jeff Duxtator. (Ken & Carolyn Skenandore property.) The Land Committee recommends approval of application contingent upon clarification of on-site systems and the well & septic list, and the meeting of the appropriate codes.

Shirley Hill moved to approve, Loretta Metoxen seconded. Motion carried. Debbie Duxtator abstained.

6. Mobile Home - 2nd Entrances/Steps: The Land Committee recommends to request building and Grounds to prepare a list of options for providing back stairs to the Green Earth Trailer Court residents, and to authorize Chris Duxtator to approve an expenditure and plans not to exceed \$4,000.

After discussion, Debbie Duxtator moved to approve the recommendation, and to have the Land Committee Minutes amended to state the fact that the Tribe will pay for the steps and the residents will pay back the Tribe on a payment plan. Loretta Metoxen seconded. Motion carried unanimously.

- 7 Farm Project Sign-off Authority - The Land Committee recommends authorizing Pat Cornelius to enter into USCRP and ASCS program contracts from March 1 through May 13, 1991.

Loretta Metoxen moved to defer to Legal Council to draft up an agreement indicating timelimits, amount of acreage, rates, etc. Debbie Duxtator seconded.

Lloyd Powless moved to amend the motion that clarification be made in the agreement of the above and that two Tribal Officers be included in the sign-off. Loretta Metoxen seconded. Motion carried unanimously.

Main motion carried unanimously

Land Committee Recommendations (Cont.)

8. The Land Committee is requesting the Business Committee to locate and assign an additional \$27,000 to the Land Acquisition Fund, because the of the restraint that was put on the Land Committee from purchasing land, and the Land Committee was forced to pay over \$26,000 on an accident claim.

After lengthy discussion, Lloyd Powless moved to refer to Finance & Appropriations for a recommendation of funds, also that Bette Gould of the Accounting Department develop a Claims Policy and define where and who is responsible should a claim be made against the Tribe. Julie Barton seconded motion carried unanimously.

9. Conflict of Interest investigation. Deferred to Executive Session.

Leasing of Land to Oneida Housing Authority

The Land Committee recommends to renew the letter of support which promises to provide sites for the funded housing projects.

Shirley Hill moved to have the Land Committee have three alternate sites available before approval is made, and that the sites be presented back to the Business Committee. Debbie Doxtator seconded. Motion carried unanimously.

iii) TLC. Loan Percent Reduction for P. Cornelius

The Land Committee recommends approval to reduce the T.L.C. Loan agreement interest rate from seven percent to six percent during Phillip Cornelius' term of Active Military Services (1 year beginning October 11, 1991) Debbie Doxtator moved to approve, Julie Barton seconded. Motion carried. Loretta Metoxen and Shirley Hill abstained.

Addendum to T.L.C. Agreement for B. King

Addendum to T.L.C. Agreement for Bruce and Sherry King. Addendum reads: "This amount reflects the interest to the Tribe for the two-year period ending September 28, 1992." Shirley Hill moved to approve, Debbie Doxtator seconded. Motion carried unanimously.

v) Request for Right of Way by Wisconsin Bell

Shirley Hill moved to approve the Right-of-Way easement for Wisconsin Bell, Russell Metoxen seconded.

Chairman questioned if this is a normal practice for all tribes to allow utility & phone companies a right-of-way easement without charging them. Attorney Gerald Hill responded that in most cases, there is an exchange of a benefit received by a Tribe, or else there could be a charge assessed or some sort of service allowed in exchange for the easements.

Shirley Hill withdrew her motion, second agreed, to refer to the Tribal Attorney for a legal opinion on easements and rights of way. Russell Metoxen seconded. Motion carried unanimously.

B) Timber Management - Reformatory & Olson Road - Chris Doxtator

There is a need to inform the community of Timber Management program, and to define the difference between Clear Cutting and Select Sites.

Julie Barton moved to have Chas Wheelock work with Mike King, Terry Metoxen, and the Communication Department to get the word out to the Community, and that Chas Wheelock coordinate the meetings for this team. Shirley Hill seconded. Motion carried unanimously.

C) Environmental Policy - Chas F. Wheelock

This particular policy has been through four Public Hearings and has been submitted to the Business Committee for review, and is now being submitted for approval.

The Chairman has some comments on the wording:

- Page 7 - Change Conservation Board to Environmental Resource Board
- Page 4 - Use of Large Quantities -- Need to be defined
- Page 3 - Dwarf Corn - Organic Farming -- Needs to be defined
- Page 2 - Need to be more specific on responsibility and Toxic Trucks passing through the Reservation.

Discussion followed on recycling. Loretta Metoxen questioned Heidi Ferguson on the possibility of utilizing shredded office paper for animal bedding. Response is that the shredded paper is worth more than and should not be utilized for animal bedding.

Grants are available for recycling, but the Environmental Health and the Economic Development programs do not have enough staff to do the required research to coordinate a business plan.

Julie Barton moved to have Chas Wheelock develop some Community Education on the environmental policy and the recycling issues and to look into acquiring grants.

Russell Metoxen suggested Jim VanStippen also work with Chas on acquiring grants for recycling.

Debbie Doxtator moved to adopt the Environmental Policy, Julie Barton seconded

Lloyd Powless moved to amend the motion to include Chairman's comments. Debbie Doxtator seconded. Motion carried unanimously.

Ernie Stevens Sr offered to provide a statement paper to the Business Committee to clarify his comments on the recycling business and the possibility of offers made to him regarding land and recycling by area businesses.

Loretta Metoxen is in favor of the Policy but feels that it needs to be more clarified, and will also wait for Ernie Steven's comments, therefore recommends to table for one week, Shirley Hill seconded. Debbie Doxtator opposed. Motion carried.

Environmental Policy (Cont.)

Lloyd Powless moved to have the Environmental Sub-committee, Planning and the Environmental Department meet to make the requested recommendations. Loretta Metoxen seconded. Motion carried.

Debbie Doxtator opposed because the timeline started in 1989, and several attempts to inform the Tribal Community have been made. Also several statements have been made informing the Community of the policy.

D) Special General Tribal Council Recommendation

Debbie Doxtator moved to have the General Tribal Council meeting on May 13, 1991 at 6:30 p.m. in the NHC Auditorium, in regard to informing the General Membership that Gaming Management has requested to have a new game. The plan and financial projections would be presented to the General Tribal Council for action.

A Community Meeting is being held on Monday, April 22, 1991 at 6:30 p.m. to inform the General Membership of the new games.

Chairman directed Attorney Hill to have a statement available in regards to the Legal opinion of what is a new game vs. an extension of games.

E) Gaming Concerns:

1) Computer Need

Shirley Hill moved to defer the computer need until the Director of Accounting is on Board, Loretta Metoxen seconded for discussion.

Bingo is in dire need for a computer mainly for inventory. Instant Tickets, TV.Bingo/Lottery each have their own computers, and there is one in the Bingo office which is used for general correspondence and reports, and one pc for stores and retail. Bingo has a need for a computer for Inventory only. General tribal Council also directed Bingo to be computerized within the next six months.

Lloyd Powless opposed deferring the computer request because of the immediate need, and because several studies have been completed on the need of computers

Chairman's comments:

- 1) Accounting, Financial and Management can define what is needed.
- 2) F&A needs to be prioritized for this year and next
- 3) Coin Counters -- Paying too much

Cal for question. 2 members for, 3 members against, 1 abstained

Show of hands: Loretta Metoxen and Shirley Hill for, Debbie Doxtator, Russell Metoxen and Lloyd Powless opposed, Julie Barton abstained. Motion fails.

Lloyd Powless moved to approve the request for the computers and to refer to finance & Appropriations to find funding, and that the Gaming Manager work with MIS to draft a plan to computerize Gaming, within 30 days. Loretta Metoxen seconded. Motion carried.

Computer Need (Cont

Lloyd Powless moved to have Loretta Metoxen and Louise King work on acquiring coin wrapper machines, Debbie Doxtator seconded. Loretta Metoxen abstained. Motion carried.

2) Bonding Insurance

Information only. Lloyd Powless moved to refer back to Z. Ron Skenandore and Vern Doxtator to do more study, or indepth research, and bring back a recommendation within two weeks. Debbie Doxtator seconded. Motion carried.

3) INFO: Bomb Threat Evacuation

Vern Doxtator will provide more information and present a full package to the Business Committee.

Louise King invited to the Business Committee to Gaming for Public Relations tonight to view the new machines and games.

Debbie Doxtator extended a thank you to Vern Doxtator for a good job done on the issues brought forth of the Bonding Insurance and Bomb Threat Evacuation.

F) Recent Workshop with Community Prevention Program

Lloyd Powless will write an apology letter to the Community Prevention Program, and invite them to a Briefing meeting if there is still a need to do the training.

Debbie Doxtator mentioned that some grants require that the Governing Body be educated in order to receive the grants.

G) Request for Support from the Native Consulting Services

Debbie Doxtator moved to have the General Manager work with the Student Advocate for Seymour, to explain the rationale for keeping the Mascot. Loretta Metoxen seconded. Motion carried.

Loretta Metoxen moved to have Julie Barton work with Thelma McLester to invite Donna to come and talk with the parents to see how they feel about the Mascot, and come back to the Business Committee with a recommendation.

Jerry L. Hill stated that this is an important issue for the Tribal governing Body to take a Policy Stand both Nationally and internally to assist the parents in making a positive decision for our future generations.

Julie Barton moved to work with Thelma McLester and the Parent Committees and bring a recommendation back for formal action of the Business Committee. Loretta Metoxen seconded. Motion carried.

H) Request from WIEA Board of Directors

Loretta Metoxen moved to have the General Manager request Sherri Mousseau and Thelma McLester to facilitate positions. Julie Barton seconded. Motion carried unanimously.

I) Bingo Pass Request for Friday Nite Swingers Bowling League Annual Banquet

Shirley Hill moved to approve eight (8) bingo passes for the Annual Banquet. Julie Barton seconded. Motion carried.

J) Info: Four Bingo passes approved thru Exec. Privilege for Communication Dept. for Coordination of Oneida/Milwaukee Meeting

3. CONTRACTS/AGREEMENTS

A) INFORMATION ONLY:

- i) UW-Oshkosh - Interpersonal Communication
- ii) Consultant Agreement with Donna Powless

4. TRAVEL REQUESTS

A) Rationale for Travel for Shirley Hill & Julie Barton

Lloyd Powless moved to approve travel for Shirley Hill and Julie Barton to attend the Tribal Court Procedures at the Falmouth Institute May 5-9, 1991. Loretta Metoxen seconded. Julie Barton and Shirley Hill abstained.

B) Request for Debbie Doxtator to attend the Self-Governance Demonstration Project Workshop on April 22-23, 1991 in Reno Nevada

Loretta Metoxen moved to approve, Shirley Hill seconded. Motion carried

5. VACATION REQUESTS

A) Mark Powless - April 19, 1991

Shirley Hill moved to approve, Julie Barton seconded. Motion carried.

B) Julie Barton - Retroactive Approval for April 15 & 1/2 day on April 16, 1991

Shirley Hill moved to approve, Lloyd Powless seconded. Motion carried. Julie Barton abstained.

XIII. OTHER

1. John Powless - Marriage Ceremony

Jerry L. Hill stated that the Tribe does not have its own laws regarding authenticity of marriage. Marriage, Death and Birth Certificates are recognized from outside the Tribe but we do not have our own system.

John Powless Request (Cont.)

If we authorize a wedding, we would need to draft a law that would have to be submitted to the BIA for vital statistics. The necessary Law would not be available in time.

Shirley Hill moved to refer to Reverend Moffet of the Methodist Church for the Marriage ceremony.

Julie Barton moved to refer the request to Attorney Hill to write a letter explaining the Tribe's position in this matter. Lloyd Powless will assist. Lloyd Powless seconded. Motion carried.

2. BOARD VACANCIES

Oneida Group Home - 1 Vacancy
Applicants: Marilyn Clark

Recommendation: Marilyn Clark

Oneida Health Board - 2 Vacancies
Applicants: Carol Smith
Wanda Webster

Ruth Miller
Pearl McLester

Recommendations: 1. Carol Smith
2. Ruth Miller

Oneida Child Protective Board - 1 Vacancy
Applicants: Dorothy Powless
Henrietta Oudenhoven

Recommendation: Dorothy Powless

Anna John Nursing Home Commission - 3 Vacancies
Applicants: Carol Silva
Ella Sauer

Recommendations: 1. Carol Silva
2. Ella Sauer
3. Repost

Environmental Resources Board - 4 vacancies
Applicants: Marvin Lucas
Dennis Danforth
Ronald Hill

Matt Powless
David Danforth
Cheryl Skolaski

Recommendations: 1. Marvin Lucas
2. Ron Hill
3. Dennis Danforth
4. Dave Danforth

Board Vacancies (Continued)

Land Committee - 1 Vacancy

Applicants: Elizabeth Dennison
Mark A. Powless
Debra Powless

Recommendations: Referred to Executive Session

Oneida Housing Authority - 1 Vacancy

Applicants: Kathy Hughes
Dorothy Powless
Ernest Stevens, Jr.

Recommendation: Ernest Stevens Jr.

Shirley Hill moved to approve all recommendations, Russell Metoxen seconded.
Motion carried.

3. Travel for Litigation

Shirley Hill moved to approve travel for Loretta Metoxen, Mark N. Powless, and Gerald L. Hill to Syracuse, N.Y. Julie Barton seconded. Motion carried.
Loretta Metoxen abstained.

IX. EXECUTIVE SESSION

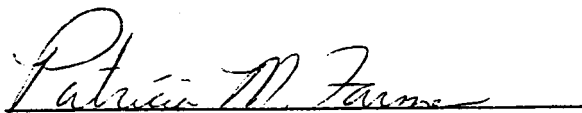
1 Land Committee Vacancy

Out of Session. Chairman Hill recommends Elizabeth Dennisson to the Land Committee and to have Attorney Gerald Hill explain the Conflict of Interest to the Land Committee. Shirley Hill moved to approve recommendation, Debbie Doxtator seconded. Motion carried unanimously.

Lloyd Powless moved to repost the Anna John Nursing Home vacancy, Debbie Doxtator seconded. Motion carried unanimously.

X. RECESS/ADJOURN

Shirley Hill moved to recess, Julie Barton seconded Motion carried.



Patricia Farmer, Recording Secretary
Oneida Business Committee