



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

Phone: 869-2214



Oneida, WI 54155



UGWA DEMOLUM YATEI  
Because of the help of the  
Oneida Chief in cementing  
a friendship between the  
six nations and the Colonists  
of Pennsylvania, a new  
union, the United States, was  
formed.

Approved As  
Read/Corrected  
8/14/91

## REGULAR MEETING

WEDNESDAY, JULY 10, 1991

- Present: Deborah Doxtator-Vice Chairperson, Loretta V. Metoxen-Treasurer, Amelia Cornelius-Secretary, Lloyd Powless, Russell Metoxen, Mark Powless, Shirley Hill-Council Members
- Excused: Rick Hill-Chairman (Minneapolis, MN. for NIGA mtg.), Julie Barton (Vacation)
- Others: Z. Ron Skenandore, Sherri King, Debbie Powless, Kathy King, Chris Doxtator, Ernie Stevens Sr., Larry Barton, Chas Wheelock, Allan Doxtator, Jerry Kurowski, Rita Antone, Bobbi Webster, Jim Van Stippen

### I. CALL TO ORDER

Vice-Chairperson Debbie Doxtator called the meeting to order at 9:00 a.m.

### II. APPROVAL OF AGENDA

Shirley Hill moved to adopt the agenda as amended:

- 1) Delete Presentation by Eric McLester
- 2) Add Finance & Appropriation Recommendations
- 3) Add Schedule for Budget
- 4) Add BIA Planning Grant for Comprehensive Development Plan Resolution
- 5) Add Mark A. Powless Request
- 6) Add 15 Yd Truck - Finance & Appropriation Recommendations
- 7) Add Lap Top Computer
- 8) Add Travel for Loretta Metoxen to Bethesda, Maryland

Mark Powless seconded. Motion carried.

### III. NEW EMPLOYEES:

Sheila Baumgart, Tammy Skenandore, Mike O'Reilly, Nadine Escamea Linn Cornelius, David Danforth

IV MINUTES TO BE APPROVED

May 29, 1991 - Regular - Approved as Corrected  
Pg. 3, line 23 replace "their" with "his"  
pg. 9, line 35, add "and Tribal Attorney" after "Planning Dept."

May 30, 1991 - Special - Approved as Read

June 5, 1991 - Regular - Approved ad Corrected  
Pg. 1, line 1, replace "June 6" with "June 5"  
Pg. 4, line 16, replace "\$300" with "\$3,000"  
Pg. 4, line 36, replace "\$25,000" with "\$15,000"

12 1991 - Regular - Deferred until July 17, 1991 for review

: 19, 1991 - Regular - Approved as Corrected  
Pg. 8, line 27, delete the word "and"  
Pg. 8, line 30, change Louis to Louise

June 26, 1991 - Regular - Approved as Corrected  
Pg. 2, line 30, Change Louis to Louise  
Pg. 3, line 34, Change council to counsel

27, 1991 - Special - Deferred until July 17 1991 for review

V. TABLED UNFINISHED BUSINESS:

VI. REPORTS

HUMAN RESOURCES -

A) Approval Requested for:

1) Inclusions to Employee Orientation

Loretta Metoxen moved to develop a Conflict of Interest Form to be presented to the Business Committee for approval, Shirley Hill seconded. Motion carried.

Loretta Metoxen moved to approve the form including the Policies and Procedures and Freedom of Information Act, Mark Powless seconded. Motion carried.

Loretta Metoxen moved to amend the motion to include all employees, Shirley Hill seconded. Motion carried.

Main motion carried

Discussion on Conflict of Interest Resolution

- Penalties

- Right to know

2) Procedural Exception for Plumber's Apprentice

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

Question on process through Apprenticeship of a Plumber re: freeze on new positions, etc., and following procedure. Recommend developing an employee contract that would require a number of years of service to the Tribe once all required training is complete.

B) Hiring Information:

- 1) Communication Clerk/Typist - Health Center - Sheila Baumgart
- 2) Pump Installer - David Danforth
- 3) Tour Guide - Nadine Escamea
- 4) Receptionist/Clerk - Health Center - Tammy Skenandore
- 5) AODA Counselors - Michael F. O'Reilly & David A. Vandenberg
- 6) Tutor Aide - Glory A. LaFlex
- 7) Bingo List - 57 applicants - 21 Incomplete - 36 Cleared thru Procedural Exception Hiring Process

C) Transfers/Promotions/Reassignments

- 1) Title Reassignment of Sarah Plummer from Community Planner to Community Planner II
- 2) Reassignment of Victoria A. Jourdan from Assistant Manager in Retail Division to Cashier in Retail Division.
- 3) Transfer of Eric Krawczyk to Health Promotion Prevention Coordinator from Director of Fitness Center

2 TRAVEL REPORTS

- A) Amelia Cornelius - NIGA Meeting in Washington D.C. June 26 1991.

Russell Metoxen moved to accept the report, Shirley Hill seconded. Motion carried.

- B) Amelia Cornelius - Lobbying in Madison, WI June 27 & 28 July 1, 2 & 3, 1991.

Bobbi Webster gave an update to promote cooperation with Potawatomie Bingo. Need to become more visible in the Southern half of State. Need to do press releases - stories.

Discuss the fundamental unfairness - at this time gaming funds are to promote tribal economic enterprises.

Need to develop mobilization effort when action is needed. Need to support our legislators with a Conduit or PAC. Real issue is treaty rights of Tribe, not gaming - Need to emphasize treaty rights.

- Recommend Public Relations to develop a news release to tribal member action

Recommend Kathy King to develop mobilization action

Shirley Hill moved to include follow-up on recommendation Russell Metoxen seconded. Motion carried.

OTHER REPORTS None Scheduled

VII. NEW BUSINESS

RESOLUTIONS

- A) Retroactive Approval of Resolution #7-10-91-A RE: Nutritional Services to low-income individuals grant application - Sherri King

WHEREAS, the Oneida Tribe of Indians of Wisconsin has determined the goal of the Oneida Nation is to protect, maintain and improve the standard of living and the environment in which the Oneida people live; while maintaining and re-establishing the sovereign rights of the Oneida Nation, and

WHEREAS, the Oneida Tribe of Indians of Wisconsin has recognized the basic needs and rights of individuals and families and the need to improve the delivery of nutritional services and benefits, especially to those in greatest need.

NOW THEREFORE BE IT RESOLVED: that the Oneida Tribe of Indians of Wisconsin authorizes and submits this application to the Department of Health and Human Services in an effort to improve nutritional services to low-income individuals or families; to meet basic needs and provide nutrition benefits that will lead to better health for Oneida Tribal members.

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

2. REQUESTS

- A) Delinquent Taxes - Brown County - Chris Doxtator

Previously real estate tax foreclosures took place on properties with delinquent taxes of three (3) years or more.

The State law has been changed and counties can now foreclose on delinquent taxes of two (2) years or more.

Properties recently requested for trust acquisition will be prioritized as to the largest tax assessment. Although properties are acquired into trust status in 1991, the 1990 taxes will still have to be paid.

The Tribe's taxes have been paid in full through 1988, therefore 1989 tax foreclosure will take place December 31, 1992. Brown County taxes are approximately \$44,800, and Outagamie County taxes are not available at present, although a projection from the Land Office would be about \$12,300. Request that these taxes be brought back up to date as quickly as possible, and use any left over funds from the FY 91 budget to cover additional year of 1990 and 1991.

Shirley Hill moved to defer to Skenandore & Associates for a recommendation which will be due by July 24, 1991. Russell Metoxen seconded. Motion carried. Chris Doxtator is to submit supporting documents to Skenandore & Associates.

Recommend using a small piece of property as a test case.

B) July Enrollments - Debbie Powless

101 individuals. Problem with BIA office in holding up on providing enrollment numbers for tribal members.

Loretta Metoxen moved to send a letter to BIA written by Debbie Powless for Chairman's signature to Eddie Brown of the Minneapolis Area Office, Shirley Hill seconded. Motion carried.

Loretta Metoxen moved to approve the enrollments, Russell Metoxen seconded Motion carried.

Discussion on paternity issue

C) 1990 Fact Act (IAC letter) - Loretta V. Metoxen

Recommendation(s): That

- The attached model letter be sent to the appropriate state directors with copies sent to the Brown and Outagamie ASCS offices and the relevant FmHA offices;
- 2 Copies of the attached IAC letter and responses be sent to Pat Cornelius.
- 3 Pat Cornelius take responsive budgetary and/or other action regarding the provision of office space, and
- 4. Oneida artists be notified regarding the advertising for a graphic design.

Also that copies of correspondence be sent to IAC as requested.

Lloyd Powless moved to approve recommendations and to send information to Ernie Stevens Jr., Loretta Metoxen seconded. Motion carried.

Discussion on Ag. Board membership - there are 3 members: Matt Powless, Al Manders, Simon DeCoteau

Send Workshop Announcement to Kathy King and Pat Cornelius

Lloyd Powless moved that Kathy King convene a meeting of the Ag. Board and Director to discuss other related matters and to include Business Committee assigned. Mark Powless seconded. Motion carried.

D) Assistance for Senator Bob Kasten - Loretta Metoxen

Recommendations in regard to the political welfare of Senator Bob Kasten and the political good of the Oneida Tribe at the national level:

- 1 The Oneida PAC (Political Action Committee) be immediately activated;
- 2 The Oneida PAC be assigned the recommendations in Scott Dacey's letter. and
- 3 The Oneida PAC develop a comprehensive plan for approval by the Business Committee in three weeks.
- 4 Thank you letter be sent to Kasten on Gaming Extension through the House

Lloyd Powless moved to approve Shirley Hill seconded Motion carried

E) NCAI Memorandum of June 27, 1991 - Loretta Metoxen

Loretta Metoxen made the following recommendations:

- The Business Committee authorize letters to the Wisconsin Senators supporting S.B. 962 and 963;
- 2 The Business Committee authorize a letter to Senator Slade Gorton on our position (by counsel) regarding Duro;
  3. The Business Committee authorize letters to be sent to both Wisconsin Senators requesting support for funding for at least 3,000 Indian housing units (and that OHA also be requested to draft similar letters);
  - 4 The Business Committee authorize letters to both Wisconsin senators requesting support for H.R. 2145 (Indian Reservation Roads System).

All such letters must be copied to the General Manager and the relevant tribal programs.

The CERA news attachment should be sent to Sharon Metz and Chief Jim Danforth.

Shirley Hill moved to contact the Federal Dept. of Justice with regard to CERA, Mark Powless seconded. Motion carried.

F) Training - Minority Training Project - Kathy King

Kathy King is requesting authorization to apply and participate in the Minority Training Project. The MTP program pays for all training and related expenses. There are approximately 6 courses that are a week at a time, therefore she is requesting education/training time of approximately 6 weeks per year or as required to participate in the course.

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

G) Request from Gwich'in Steering Committee

The Gwich'in Steering Committee requests that the Oneida Tribe support the Gwich'in people by letter and resolution in regards to the permanent protection of the coastal plain of the Arctic Refuge from development, and to send these documents to our Senators, Representatives, in Washington, D.C.

Russell Metoxen moved to approve the following Resolution #7-10-91-B and to send the Resolution and a letter of support to our Senators, Representatives in Congress. Amelia Cornelius seconded. Motion carried unanimously.

WHEREAS, the Oneida Tribe of Indians of Wisconsin supports the Gwich'in Athabascan Indians of northeast Alaska and northwest Canada in their endeavors to prohibit the development in the calving and post-calving grounds of the Porcupine Caribou Herd, and

Resolution #7-10-91-B (Continued)

WHEREAS, for thousands of years the ancestors of the Gwich'in Athabascan Indians of northeast Alaska and northwest Canada, have relied on caribou for subsistence, and continue today to subsist on the Porcupine Caribou Herd which is essential to meet the nutritional, cultural and spiritual needs of their people; and

WHEREAS, the Gwich'in have the inherent right to continue their own way of life; and that this right is recognized and affirmed by civilized nations in the international covenants on human rights. Article I of both the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights read in part:

"...In no case may a people be deprived of its own means of subsistence."; and

WHEREAS, the health and productivity of the Porcupine Caribou Herd, and their availability to Gwich'in communities, and the very future of their people are endangered by proposed oil and gas exploration and development in the calving and post-calving grounds in the Arctic National Wildlife Refuge - Coastal Plain; and

WHEREAS, the entire Gwich'in Nation was called together by their Chiefs in Arctic Village June 5-10 to carefully address this issue and to seek the advice of their elders; and

WHEREAS, the Gwich'in people of every community from Arctic Village, Venetie, Fort Yukon, Beaver, Chalkyitsik, Birch Creek, Stevens Village, Circle, and Eagle Village in Alaska; from Old Crow, Fort McPherson, Arctic Red River, Aklavik and Inuvik in Canada have reached consensus in their traditional way, and now speak with a single voice.

NOW THEREFORE BE IT RESOLVED: that the Oneida Tribe of Indians of Wisconsin requests that the United States Congress and President recognize the rights of the Gwich'in people to continue to live their way of life by prohibiting development in the calving and post-calving grounds of the Porcupine Caribou Herd; and

BE IT FURTHER RESOLVED: that the 1002 acre of the Arctic National Wildlife Refuge be made Wilderness to achieve this end.

3. CONTRACTS/AGREEMENTS

A) Consultant Agreement - Ernest L. Stevens, Sr

Community Development Commerce Division. Agreement for 10 weeks, not to exceed \$8,000.00.

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

CONTRACTS (Cont.)

- B) INFO: Consultant Agreement with Joyce Abbott, Nurse Practitioner
- C) INFO: Video Directions Limited
- D) INFO: Consultant Agreement with Mike LeMere & Fitness Center

4 TRAVEL REQUESTS (Include Cost Estimates)

- A) Julie Barton & Shirley Hill to Baraga, MI for HONOR meeting July 26 & 27, 1991. (Per Diem & Lodging \$79 each + \$300 for Mileage roundtrip)

Loretta Metoxen moved to approve of Julie Barton and Mark Powless to attend the HONOR meeting, Lloyd Powless seconded. Motion Carried. Shirley Hill and Mark Powless abstained.

- B) Native American Finance Officers Conference, August 7, 8 & 9, 1991 in Las Vegas, NV. (Per Diem/Lodging/Registration/Airfare Total estimate \$841 + \$75.00 for Tribal Membership)

Lloyd Powless moved to approve travel for Loretta Metoxen and to have the General Manager coordinate travel for Lynn VandenLangenberg, Russell Metoxen seconded. Motion carried. Shirley Hill and Loretta Metoxen abstained.

VACATION REQUESTS

- A) Kathy King, July 22 & 23, 1991.

Loretta Metoxen moved to approve vacation for Kathy King Shirley Hill seconded Motion carried unanimously.

VIII. OTHER

A. Schedule for 1992 Budget Process

Lloyd Powless moved to approve the following schedule:

6/15-19/91	Accounting prepares consolidation of all budgets
6/26/91	Discuss status of first consolidation at Area Managers meeting with Business Committee.
7/17 - 7/26/91	Business Committee and General Manager hold budget hearings
7/29 - 8/2/91	Budget Hearing recommendations are included/integrated in budget process.
8/5-16/91	Final budget recommendations.
8/21/91	Special meeting to be called with Area Managers to go over final budget recommendations.
8/26-30/91	Finalize budget.
9/4/91	Special meeting with Area Managers to go over final budget
9/9-13/91	Send budget to print shop
9/16/91	Distribute final budget to managers and have copies available for General Tribal Council
9/30/91	General Tribal Council approval.

Mark Powless seconded motion carried unanimously



B. Resolution #7-10-91-C RE: 638 Planning Grant for \$98,168

WHEREAS, the Oneida Tribe of Indians of Wisconsin through the Oneida Business Committee is the chief planning agency for community development activities on the Oneida Reservation; and

WHEREAS, the Oneida Tribe of Indians of Wisconsin wishes to assume more control over programs designed to serve its constituents and to generally diminish Federal domination over programs serving Tribal members; and

WHEREAS, the Oneida Tribe of Indians of Wisconsin has demonstrated the ability to develop and implement comprehensive planning activities for the benefit of its members.

NOW THEREFORE BE IT RESOLVED: that the Oneida Tribe of Indians of Wisconsin intends to contract with the Bureau of Indian Affairs to conduct a FY 1991 Planning Grant for the purpose of developing a Comprehensive Community Development Plan for the years 1992-96 as outlined in the attached proposal.

Amelia Cornelius moved to adopt Resolution #7-10-91-C, Loretta Metoxen seconded Motion carried unanimously.

C. Request by Mark A. Powless

Mark A. Powless is requesting consideration in regards to the requirements set forth in the Oneida Appeals Commission, which he feels is in conflict with the Tribe's Constitution:

Section A.1.d. of the Oneida Appeals Commission states that: "An appointee cannot have been convicted of a felony."

Article VI, Bill of Rights of the Oneida Tribal Constitution States: "All members of the tribe shall be accorded equal opportunities to participate in the economic resources and activities of the Tribe."

Lloyd Powless moved to waive the restriction in regard to Mark A. Powless to serve on the Appeals Commission, Loretta Metoxen seconded. Motion carried. Russell Metoxen opposed. Amelia Cornelius abstained.

Request Business Committee to review previous action in regard to bondability and risk in other areas.

Amelia Cornelius moved to amend the Appeals Commission by removing the qualification that "No members shall have been or be convicted of a felony". Mark N. Powless seconded. Lloyd Powless, Shirley Hill, Loretta Metoxen, Russell Metoxen opposed. Motion fails.

Lloyd Powless moved to refer the discussion on the felony issue to an Attorney Meeting and to develop a sub-committee, Shirley Hill seconded. Motion carried Mark A. Powless abstained.

D. Amos Christjohn

Amos Christjohn is requesting authorization to stop paying social security taxes on income received from the Oneida Tribe, as per a tax ruling, Rev. Ruling 86-88 which allows him to discontinue paying the tax. This allowance will only be in effect until July 1, 1991.

Amos Christjohn is requesting the Oneida Tribe to reimburse him for the taxes paid in the years 1989, 1990, and until July 1, 1991, withholding only the employers portion of the social security taxes. Mr. Christjohn meets the criterion required to recover the taxes as he has been working continuously for the Oneida Tribe of Indians of Wisconsin prior to 3/31/86.

Lloyd Powless moved to approve the requests, Amelia Cornelius seconded. Motion carried unanimously.

E. Finance & Appropriation Recommendations of 7/8/91

- 1 15-yd Dump-Truck - Total cost is \$69,999 (Note: Approximately 5-6 Tribal employees are commercial operators). Recommendation to make a definite commitment to purchase next April and in the meantime attempt to negotiate a 10/mo lease for \$1,500/month (conditionally on the April purchase). Funds from capital expenditures.

Russell Metoxen moved to approve purchase of dump truck. Russell Metoxen withdrew motion.

Loretta Metoxen advised to act upon recommendation with funds from UDAG for internal financing.

Lloyd Powless moved to approve recommendation, Russell Metoxen seconded. Motion carried. Loretta Metoxen and Shirley Hill abstained.

2. Plumbing tools (list attached) \$15,000. F&A recommends to purchase from capital expenditures.

Amelia Cornelius moved to approve, Lloyd Powless seconded. Loretta Metoxen and Shirley Hill abstained.

3. A/C Unit for old pit area IMAC - \$10,212.62. F&A recommends to purchase out of capital expenditures from HVAC savings.

Lloyd Powless moved to approve, Russell Metoxen seconded. Motion carried unanimously.

4. Community Water System on County Trunk "H". Sub-contract to Knaus Construction for \$27,639.75. Plumbing will receive \$4,073.25 for administration. Funded totally by IHS.

Lloyd Powless moved to approve, Russell Metoxen seconded. Motion carried unanimously.

Finance & Appropriations (Cont.)

5. Safety Director Position. Total cost not yet determined. However, funding will be available from IHS funded sanitarian position (now vacant), savings from safety equipment line and/or HRD from balance of Wisconsin Job Service position.

Salary at Grade 10 is pending Klaus study and qualifications. Shirley Hill moved to approve contingent upon review of Safety Committee, and return recommendation to the Business Committee for approval prior to posting.

Various comments by Kathy King on duties and responsibilities and qualifications. Lloyd Powless seconded. Motion carried.

Amelia Cornelius moved to approve source of funds, Shirley Hill seconded. Motion carried.

F. Lap Top Computer

Loretta Metoxen is requesting that she be assigned the Lap top so that she can do some of the work related to the Litigation Committee since she is the Chairperson of Litigation and there is no staff, and that the computer was purchased with Litigation funds.

Lloyd Powless moved to approve, Russell Metoxen seconded. Motion carried. Shirley Hill and Loretta Metoxen abstained.

G. Travel Request for Loretta Metoxen to Bethesda, Maryland.

Loretta Metoxen withdrew her request for travel.

H. Vacation Requests

July 26 & 29, 1991 for Loretta Metoxen. Russell Metoxen moved to approve, Lloyd Powless seconded. Motion carried. Loretta Metoxen and Shirley Hill abstained.

July 26 & 29, 1991 for Shirley Hill. Russell Metoxen moved to approve, Lloyd Powless seconded. Motion carried. Loretta Metoxen and Shirley Hill abstained.

July 18 & 19, 1991 for Amelia Cornelius. Shirley Hill moved to approve, Lloyd Powless seconded. Motion carried. Amelia Cornelius abstained.


Statements from Debbie Powless in regard to the Trust Committee as to the Statement of Russell Metoxen.

Chas Wheelock informed the Business Committee of a meeting on Environmental issues at 9:00 - 10:30 on Thursday, July 11<sup>th</sup> 1991 in Room 1113.

IX. EXECUTIVE SESSION

X. RECESS/ADJOURN

Shirley Hill moved to recess. Russell Metoxen seconded. Motion carried

  
Amelia Cornelius, Tribal Secretary  
Oneida Business Committee