



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 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
8/14/91

REGULAR MEETING

WEDNESDAY, JULY 24, 1991

Present: Rick Hill-Chairman, Deborah Doxtator-Vice Chairperson, Loretta V. Metoxen-Treasurer, Amelia Cornelius-Secretary, Russell Metoxen, Julie Barton, Mark Powless, Shirley Hill-Council Members

Excused: Lloyd Powless (Sundance, Utah for Self-Governance Mtg.)

Others: Dale Wheelock, Arlene Benson, Chris Doxtator, Mary Dodge, Dorothy Powless, Lois Strong, Judy Cornelius, Allen Doxtator, Bobbi Webster, Sue Paremski, Alma Webster, Attorney Cornelius, Z. Ron Skenandore, Mark A. Powless, Larry Barton, Anna John, Chris Johns, Donna Richmond, Jim Van Stippen, Sarah Plummer, Louise King, Ernie Stevens Sr.

PRAYER:

I. CALL TO ORDER

Meeting convened at 9:00 a.m.

II APPROVAL OF AGENDA

Loretta Metoxen moved to adopt the agenda amended:

- A) TLC Bank Account
- B) Unauthorized Agreements
- C) Executive Session
- D) Vacation for Russell Metoxen
- E) F&A Recommendations
- F) Executive Session
- G) NCAI Discussion

Debbie Doxtator seconded Motion carried

III. NEW EMPLOYEES

Danielle Benson Anne Powless Ron Hensberg Kevin Cornelius Mary Frion

IV MINUTES TO BE APPROVED (See Tabled Unfinished Business

V. TABLED UNFINISHED BUSINESS:

1) June 27, 1991 - Special Meeting

Amelia Cornelius moved to take the June 27, 1991 Special Meeting minutes the table, Mark Powless seconded. Motion carried.

Shirley Hill moved to approve the June 27, 1991 Special Meeting Minutes as corrected, Russell Metoxen seconded. Motion carried.

2). Resolution RE: Economic & Community Development Committee (Including Policies & Procedures)

WHEREAS, this resolution provides for the establishment of an Economic and Community Development Committee to provide policy, procedural and planning direction prior to Oneida Business Committee approval, and

WHEREAS, from time to time the Oneida Business Committee finds it necessary to delegate certain advisory and review practices, and

WHEREAS, there is a need to achieve a preliminary review of economic and community development projects, and

WHEREAS, there is a need to review the establishment of comprehensive economic and community development, and

WHEREAS, members of the Oneida Business Committee have been designated advisors to the staff in certain designated areas, and

WHEREAS, there is a need for the Oneida Business Committee to monitor the permanent establishment of an organized and prioritized development planning process.

NOW THEREFORE BE IT RESOLVED: that the Oneida Business Committee hereby establishes the Economic and Community Development Committee which shall have preliminary jurisdiction over plans and projects in tribal and community economic development.

BE IT FURTHER RESOLVED: That the Oneida Business Committee desires that economic and community development planning and projects shall be placed on a priority basis; each priority to be listed in a manner which describes the project, and

BE IT FURTHER RESOLVED: That the Economic and Community Development Commi shall operate under policies and procedures which are attached, and

BE IT FURTHER RESOLVED: That five (5) representatives of the Oneida Business Committee are hereby appointed to the committee, and

BE IT FURTHER RESOLVED: That all projects, plans and agreements being proposed to the Oneida Business Committee shall be reviewed and recommended in the preliminary by the Economic and Community Development Committee.

Resolution #7-24-91-A (Continued)

BE IT FINALLY RESOLVED: That this Resolution shall supercede all previous resolutions.

Loretta Metoxen moved to adopt Resolution #7-24-91-A, Julie Barton seconded Motion carried. Debbie Duxtator abstained.

VI REPORTS

1. HUMAN RESOURCES -

A) Approval Requested for:

1) Creation of Secretary Position for the Career Center

Julie Barton moved to approve posting, contingent the posting states that the position term is until the end of the grant period which is December 31, 1991 Shirley Hill seconded. Motion carried unanimously.

2) Creation of Safety Director for the Environmental Health Services

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

3) Creation of Casino Dealer Pool

Mark Powless moved to approve, Amelia Cornelius seconded for discussion

Discussion

Mark Powless withdrew motion

Discussion: Policy on security checks and bonding needs to be developed and that these positions may not be permanent.

Debbie Duxtator moved to refer to Gaming Operations for review, Shirley Hill seconded. Motion carried.

Insurance is a concern about bonding - present policy is "convicted of a dishonest act", due to concern for potential scams and rip offs.

Request to research Item #8 - Discrimination about handicap

Chairman directed Tribal Secretary to work with Louise King.

4) Resource Information & Legal Opinion Request

Debbie Duxtator moved to refer to Attorney Cornelius for a response in one week (Due August 1, 1991), Loretta Metoxen seconded. Motion carried unanimously.

5) Request for Tribal School Teachers 5% Increase

Amelia Cornelius moved to approve the 5% increase for the Tribal School Teachers as the funds are in the BIA contract for this purpose. Debbie Duxtator seconded. Motion carried unanimously.

B) Hiring Information:

C) Transfers/Promotions/Reassignments

- 1) Reassignment of Karen King to Food Service Worker from Food Service Shift Supervisor-Bingo Kitchen

2 TRAVEL REPORTS - None Scheduled

3 OTHER REPORTS - None Scheduled

VII. NEW BUSINESS

1 RESOLUTIONS

- A) Oneida Early Childhood Education Department Application for a Child Care & Development Block Grant for Children & Families
Resolution #7-24-91-B - Chris Johns

WHEREAS, the Oneida Tribe of Indians of Wisconsin finds that the safety, care and development of children in the Oneida Community is a high priority of the Oneida Tribe; and

WHEREAS, the Oneida Tribe of Indians of Wisconsin, through the Oneida Business Committee and the Oneida Early Childhood Education Department, is constantly seeking to conduct activities which will improve the quality of child care provided to Oneida children and to increase the availability of before-and after-school services to children.

NOW, THEREFORE BE IT RESOLVED: That the Oneida Tribe of Indians of Wisconsin authorizes the Oneida Early Childhood Education Department to apply for a Child Care and Development Block Grant from the Department of Health and Human Service's Administration for Children and Families.

Amelia Cornelius moved to adopt Resolution #7-24-91-B, Julie Barton seconded Motion carried unanimously.

2 REQUESTS

- A) Economic & Community Development Committee Recommendations of July 12, 1991 - Debbie Doxtator

- 1 ECDC recommends that the Oneida Business Committee write a statement and/or policy on Inter-Departmental charging for services. It appears that there are inconsistencies in this practice at this time.

Shirley Hill moved to defer to General Manager for a policy development Julie Barton seconded. Motion carried unanimously.

Question on private sector for individual business. This is an area that the Tribe has not been able to fund or to provide adequate services.

- 2 ECDC recommends that Economic and Community Development be included in Master Financial Plan for the Tribe. They are requesting that the Treasury be delegated this responsibility.

ECDC Recommendations (Cont.)

Julie Barton moved to approve the request, Shirley Hill seconded Motion carried. Loretta Metoxen and Debbie Doxtator abstained.

- 3 ECDC recommends that the Oneida Business Committee set up a Community meeting to discuss the topic of the "Oneida Nation" possible name change

Russell Metoxen moved to approve and to refer to Julie Barton Amelia Cornelius seconded. Motion carried. Julie Barton abstained.

Discussion on sovereignty of Oneida Nation and involvement of the BIA in changing tribal names and other changes in the constitution.

ECDC recommends approval of Policies and Procedures as amended. Following is the purpose of the Economic & Community Development Committee (The Tribal Secretary will make full copies of the Policies & Procedures available upon request.)

PURPOSE: The Economic & Community Development Committee is charged with the task of conducting oversight and staff assignment in the areas of economic and community development. The Committee is also charged with the responsibility of reviewing and approving proposals and projects for final recommendations to the Oneida Business Committee.

Loretta Metoxen moved to approve policies and procedures as amended Mark Powless seconded. Motion carried unanimously.

B) T.L.C. Loan for Mr & Mrs Eric McLester - Chris Doxtator

The Land Committee recommends approval of a down-payment loan to Eric & Catherine McLester for approximately \$6,500. They are in the process of obtaining final approval to build a new home.

Russell Metoxen moved to approve, Loretta Metoxen seconded. Motion carried unanimously.

C) Board Appointment to Oneida Airport Hotel Corp. - Jim VanStippen

The Oneida Airport Hotel Corp. is recommending Bruce King to be appointed to fill the vacant position on their Board.

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

D) Phase II Sewer Project/Plumbing Enterprise - Larry Barton

Amelia Cornelius moved to approve preliminary authorization to proceed on a bid process for Phase II of the Sewer & Water project with Klaus Construction. Debbie Doxtator seconded. Motion carried. Shirley Hill, Julie Barton, Loretta Metoxen abstained.

Discussion on hiring of tribal member

Questions on involving TERO on the Reservation

Discussion on Phase I that FmHA would not change their stand on Indian Preference. Tribal support for S321 to change Indian Preference. Need to find contractors that will hire tribal members.

Discussion on FmHA authority as they control the funds for the project. The Tribe fought the issue up to the point of almost losing the funds. The Business Committee has not taken any action on TERO. It should be referred to ECDC for action.

Need to get status report on TERO to Human Resources.

E) Nursing Home Administration - Lee McLester

Issue with George Samardich and ORCOA and AJNH. Anna John provided information on past action of Wendell McLester in regard to George Samardich. She feels that committees should not be involved in other committees unless their assistance is requested.

Anna John stated that ORCOA is getting a greater percentage of tribal funds towards their budget than the AJNH. Attempts to improve ORCOA should be made before being concerned about another committee.

Anna John invited the Business Committee to visit the Nursing Home anytime

Debbie Doxtator moved to have Mark Powless set up a meeting of AJNH, ORCOA, AJNH Administrative Staff, Deanna Bauman. Shirley Hill seconded. Motion carried unanimously. Third Tuesday - Noon, August 20, 1991.

F) Fire Protection Responsibility - Kathleen Kalina

Attorney Cornelius asked if the town has a back-up plan for fire protection

Amelia Cornelius moved to delegate to the Safety Committee for the development of a back up Fire Protection Plan with the Town of Oneida, Russell Metoxen seconded. Motion carried unanimously.

Request by Julie Barton to follow up with an article on the phone # 731-1500 and 911 Number, and to Advertise in the Kalihwisaks.

G) Chief Oshkosh Beer Advertisements

Chief Oshkosh beer is being advertised on billboards throughout the Fox Valley, which entails the words "Indian Uprising" accompanying a picture of a bottle of beer being poured.

Concern is that the advertisers are insulting Indians as a whole by stereotyping "the drunken Indian".

Russell Metoxen moved to refer to Communications Department Loretta Metoxen seconded. Motion carried unanimously.

H) Request for Donation for Larry Echohawk, Attorney General

Amelia Cornelius moved to refer to Finance & Appropriations, Shirley Hill seconded. Motion carried unanimously.

Short discussion on providing information to Kalihwisaks on activity of NACo

I) Request from Matt Spencer of Bedford, Mass

Matt Spencer is organizing a symbolic "United Indian Nation: that will be able to compete in the 1996 Summer Olympic Games hosted by Atlanta. He is requesting the support of the Tribe.

Julie Barton moved to defer to Communications, Mark Powless' seconded. Motion carried unanimously.

J) Request for Support from the Western Shoshone Nation-Chas Wheelock

Amelia Cornelius moved to send a letter of support to defend the homelands of the Dann Band. Debbie Duxtator seconded. Motion carried unanimously.

K) NCAI Elections

Loretta Metoxen requests to have action deferred

Discussion on travel for the Business Committee. Oneida Tribe pays dues of \$1,000 and this provides in-roads to laws being proposed, and testimony development at Washington, D.C.

Debbie Duxtator moved to support Lloyd Powless' request to not support Loretta Metoxen in running for Chairperson of NCAI due to the volume of responsibilities that she must portray here in the Tribe and the volume that will be required by NCAI. Mark Powless seconded. 4 members for, (Debbie Duxtator, Amelia Cornelius, Russell Metoxen, Mark Powless), 3 members abstained (Loretta Metoxen, Shirley Hill and Julie Barton). Motion carried.

Discussion on position in support of the request and responsibility of Business Committee members. Need to change the way internal business is conducted as well as doing outside business. Tribe needs to determine priorities internally and nationally.

Anna John requested an article be put in the Kalihwisaks on travel made by Business Committee members. Concern whether Treasurer is spread too thin with her responsibilities. Support for tribal members to be on National Committees

Loretta Metoxen stated that Officers of NCAI are usually members of Tribal Councils. NTCA started because of concern that elected tribal officials were not involved in NCAI.

- L) Notice: Deadline for Amendments to NCAI Constitution Sept. 1 1991, and 48th Annual NCAI Convention is December 2-6, 1991, in Burlingame, California.

NCAI Constitution needs to be provided for the Business Committee to review

3 CONTRACTS/AGREEMENTS - None Scheduled

4. TRAVEL REQUESTS (Include Cost Estimates)

- A) Mark N. Powless to Spokane, WA for Tribal/IHS Consultation Conference. Health Center picking up expenses.

Loretta Metoxen moved to approve, Debbie Doxtator seconded. Motion carried
Mark Powless abstained.

5 VACATION REQUESTS

- A) Rick Hill August 8 - 16, 1991

Shirley Hill moved to approve, Mark Powless seconded Motion carried
unanimously

- B) Russell Metoxen August 12-16 1991

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

VIII OTHER

A) TLC Account

Chris Doxtator is requesting approval to transfer the T.L.C. account to Bank One of Green Bay. They are competitive in their interest rates and will shortly be certified to administer the 248-HUD program. (Only one other bank in Green Bay will be certified.)

Amelia Cornelius moved to approve contingent upon Land Committee approval
Shirley Hill seconded. Motion carried unanimously.

B) Unauthorized Agreements

Shirley Hill and Julie Barton did not follow process in contacting outside individuals and pleaded ignorance of rules & process.

Attorney Cornelius stated that it is unethical for another attorney to review another attorney's contract without informing them. Request for second opinion should be approved by the Business Committee.

Report from Attorney Montana should be provided to other Business Committee members.

Discussion on Indian Country Leasing (I.C.L.)

- Mark N. Powless asked Mark A. Powless to review contract
- Julie Barton, Shirley Hill, Mark N. Powless were appointed to be on a committee to review I.C.L.

Recommend that committees have a member of the Business Committee who has served a longer term to be on committees with new members.

Recommend that 2nd opinions be approved by Business Committee

Problem with directives given to staff through Business Committee over-riding directives and getting a consultant. Reason for second review is that Tribe should never give up tribal sovereignty. Not satisfied with explanation by tribal attorney on I.C.L. contract. No report from special meeting with tribal attorney on review of the I.C.L. Contract.

Allen Duxtator asked if there is any collusion going on with I.C.L. Business Committee needs to determine if there is any fact to the statement of collusion

Amelia Cornelius moved that Attorney Cornelius investigate the rumor of collusion as stated by Allen Duxtator, Debbie Duxtator seconded. Motion carried unanimously.

C. Finance & Appropriation Recommendations of July 17, 1991

Amelia Cornelius recommends to review item by item

- #3. TRIO Programs - Recommendation from Thelma McLester and Grace Wills is to wait and see and not participate. Recommend that STOUT apply to AILCEB for Special Projects.

Amelia Cornelius moved to approve Shirley Hill seconded Motion carried unanimously.

- #4 2nd Entrance Steps at Mobile Home Court \$2,080. Total cost is \$130 each. Approved contingent on funds reimbursed by each trailer owner. Terms can be negotiated up to one year.

Amelia Cornelius moved to approve Debbie Duxtator seconded Motion carried unanimously.

- #5a) Signage. Tabled until Ron Peterson can address

b& d) Coin counters/coin wrappers. Cummings Sorter \$11,295 - \$1,694.25. \$9,600.75. 3 Glory 100 Auto coin wrappers at \$19,995 - \$1,500.00 \$18,495, Total \$55,485, 1 Glory 10 coin wrapper @ 7,595, and 5 currency counters @ \$1,695 = \$8,475. 5 calculators @ \$1.50 ea = \$750. F&A recommends to purchase all items on a rent to purchase agreement negotiated for six months were applicable.

Amelia Cornelius moved to approve Debbie Duxtator seconded Motion carried unanimously.

F&A Recommendations (Continued)

- c) Security System. Total proposal from Corporate Security \$61,400. Second lowest bid selected and justified (\$64,000 previously approved). Lynn VandenLangenberg given authorization to issue half immediately so equipment can be purchased. Vern Doxtator will work with the MIS Committee for PC compatibility. Previously approved for \$50,000.

Shirley Hill moved to approve, Mark Powless seconded Motion carried unanimously.

- e) Reporting System for Gaming - This system will record all transactions for Bingo at point of sale. F&A recommends to take from the computer line item for gaming--capital expenditures. Total cost \$4,800. Installation will be done internally.

Mark Powless moved to approve, Julie Barton seconded. Motion carried unanimously.

- 6) NA Scholarship - \$100.00 from Business Committee donation line item contingent on modification per lobbying costs and Bob Christjohn's administrative costs.

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

- 7a) Pumper Truck - Kenworth listed at \$117,000. GSA pricing at \$62,750 including pumper and tank. Ridewell Pusher Axles additional at \$6,750. F&A recommends to lease/purchase on 3-5 year terms to check on F.E.T. and sales tax and leverage with other offers. Also consider interest rates of leasing company.

Mark Powless moved to approve Russell Metoxen seconded Motion carried unanimously.

- b) Pick-up Truck - Deferred Recommend for '92 budget (need further clarification).
- 8) Equipment for 9 Security Officers for cost of \$10,401 - guns, holsters, leather belts, belt beepers, and cases. F&A recommends to purchase as per prior approval of start up costs from capital expenditures line item

Amelia Cornelius moved to approve Mark Powless seconded Motion carried

#10 - Mark Powless moved to send a letter to Mr. Montana, Debbie Doxtator seconded. Motion carried. Julie Barton and Shirley Hill abstained.

Item # 1) NARF Donation - \$100. Support of Yakima Co. v. Confederated Tribes F&A recommends approval from the donations line item contingent on Business Committee budget modification per lobbying costs and Bob Christjohn's administrative costs.

Mark Powless moved to approve
unanimously.

F&A Recommendations (Cont.)

Item #2) CERT donation to support ANA legislation for Planning Dept. F&A recommends a Tribal Contribution contingent on approval of Planning Director.

Amelia Cornelius moved to defer to the Planning Director Shirley Hill seconded Motion carried unanimously.

- 9) Health Center -
- a) X-Ray machine \$3,025.
 - b) 3 Paper Shredders at \$1,049 ea.
 - c) Interferential Current (Electrical Stimulator
 - d) Coulter-Hematology System \$19,200
 - e) Copier \$8,373

F&A recommends approval on all items except X-Ray unless x-ray is also funded by IHS contract.

Mark Powless moved to approve recommendation. Amelia Cornelius seconded Motion carried.

- 10) Gary Montana - Review of I.C.L. Contract assistance to help clarify. F&A recommends to pay from legal services line and send a letter to Gary Montana explaining our process for retaining attorneys and about a misunderstanding.

Mark Powless moved to have Shirley Hill, with legal assistance of tribal Attorney, send a letter to Mr. Montana, Debbie Duxtator seconded. Motion carried. Julie Barton and Shirley Hill abstained.

- 11) Cost of living increase for employees grades above 7, excluding area managers and Business Committee for months of August and September. Cost \$19,000. F&A recommends funding beginning August 4, 1991.

Debbie Duxtator moved to defer to a special Business Committee meeting with date established by Secretary, Julie Barton seconded. Motion carried unanimously.

Prioritization - F&A Deferred to Financial Review Meeting

Business Committee deferred to Special meeting along with Item 11

By-laws of the Anna John Nursing Home Commission

5 Minute recess 12:25 p.m

Discussion on interview with Business Committee members by Income Maintenance - Recommend the Business Committee request what the content of the interview is regarding and get advice of legal counsel. Recommend Attorney Cornelius and Chairman Hill meet with representatives prior to meeting with Business Committee members.

Amelia Cornelius moved to direct the Communications Department to amend the policy that available Business Committee members will be spokesperson on behalf of the Tribe, Julie Barton seconded. Motion carried unanimously.

Julie Barton moved to direct the Communications Department that gaming employees are not to speak to news media about gaming issues. Shirley Hill seconded. Motion carried unanimously.

D) Meetings:

July 29, 1991 - Meeting with Menominee Legislature
July 30, 1991 - Meeting with Broydricks in Madison
July 31, 1991 - Public Hearings in Madison at 1:00 p.m.

Debbie Duxtator moved to send the full Business Committee July 30 & 31, 1991 to Madison, Mark Powless seconded. Motion carried unanimously.

E) Plumbing Dept

Russell Metoxen moved to have the General Manager provide a report on the Plumbing Dept., and to include variance in budget, Julie Barton seconded. Motion carried. Shirley Hill and Loretta Metoxen abstained.

Amelia Cornelius moved to refer the changing of the customer utility rates to Finance & Appropriations. Debbie Duxtator seconded. Motion carried unanimously.

F) IMAC Kitchen

Loretta Metoxen moved to direct the General Manager to research the possibility of NHC doing pre-preparation of food for IMAC - Debbie Duxtator seconded. Motion carried unanimously.

Shirley Hill moved to have Arvin Prebelski bring a recommendation on the accounting of IMAC Gaming to the Business Committee. Julie Barton seconded. Motion carried.

G) Business Committee Regular Meeting

Debbie Duxtator moved to change the next Business Committee meeting to August 1 1991, due to the Business Committee being in Madison on July 31, 1991, Mark N. Powless seconded. Motion carried unanimously.

H) NCAI - Meeting August 2 & 3 1991 San Francisco No one from Oneida will attend.

IX EXECUTIVE SESSION

Out of Executive Session

Mark N. Powless moved to approve the recommendation for a reconciliation agreement, Julie Barton seconded. 4 members for (Debbie Duxtator, Julie Barton, Russell Metoxen, Mark Powless) 3 members abstained (Loretta Metoxen, Shirley Hill, Amelia Cornelius).

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X RECESS/ADJOURN

Amelia Cornelius moved to recess, Russell Metoxen seconded Motion carried
unanimously

A handwritten signature in cursive script, appearing to read "Amelia Cornelius", written over a horizontal line.

Amelia Cornelius, Tribal Secretary
Oneida Business Committee