



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 DEMOL  
Because of the  
Oneida Chief in  
a friendship b  
six nations and  
of Pennsylvania  
tion, the United  
made possible

Approved As  
Read/Corrected

9-11-91

## REGULAR MEETING

THURSDAY, AUGUST 1, 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 E. Powless, Jr. (Washington, D.C.)

Others: Attorney Gerald L. Hill, Mark A. Powless, Debbie Powless, Sheri King, Alan Doxtator, Pat Cornelius, Chris Doxtator, Z. Ron Skenandore, Brian Doxtator, Ken Metoxen, Louise King, Bobbie Webster, Sarah Plummer, Dale Wheelock

### PRAYER:

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

II. APPROVAL OF AGENDA Mark N. Powless approved agenda as amended:

- a. Sarah Plummer - Public Hearing Date for Sanitary District Ord.
  - b. Discussion on Genshow Letter to President Bush
  - c. Travel to Washington State Co-management Meeting
  - d. Madison testimony for record
  - e. Release of Tribal Documents
  - f. Executive Session:
    1. Gaming
    2. Dale Wheelock contract
    3. Personnel Issue
    4. American Indian Business
- Shirley Hill seconded, motion carried unanimously.

III. NEW EMPLOYEES: None

IV. MINUTES TO BE APPROVED:

- July 10, 1991 - Regular
- July 11, 1991 - Special RE: ORCOA
- July 12, 1991 - Special RE: Youth Home
- July 12, 1991 - Special RE: Treasurer's Report
- July 17, 1991 - Regular
- July 24, 1991 - Regular

Loretta Metoxen moved to defer all Business Committee minutes until next meeting, Debbie Doxtator seconded, motion carried unanimously.

V TABLED UNFINISHED BUSINESS: NONE

VI REPORTS

1 HUMAN RESOURCES -

A) Approval Requested for:

1 Creation of Casino Dealers (Exclude Procedural Exception)

Discussion on salary. Debbie Duxtator moved to defer to Executive Session seconded by Shirley Hill, motion carried unanimously.

2) Retirement Plan Information

Debbie Duxtator moved to send letter to Alan Duxtator, seconded by Julie Barton

Debbie Duxtator moved to amend the motion to have Attorney Gerald Hill redraft the letter in regard to Alan visiting tribal employees, seconded by Loretta Metoxen, motion carried unanimously.

3) Head Start Increases

Motion made by Debbie Duxtator to approve Head Start increases, seconded by Mark Powless, motion carried unanimously.

4) Conflict of Interest Resolution #9-28-91-A Disclosure Statement

Debbie Duxtator moved to refer the Disclosure Statement to the Legal Department for review and recommendation, seconded by Mark Powless, motion carried unanimously.

B. Hiring Information:

- 1) Housekeeper & Laundry Aide - Edward Carr
- 2) Quality Assurance Compliance Worker - Norma Parker
- 3) Youth Counselor - Nancy M. Radtke
- 4) Armed Security Officer - Ann Powless
- 5) Instant Tickets Cashier/Sales Clerks - 7 Cleared thru Procedural Exception, 22 on emergency temp.

C. Transfers/Promotions/Reassignments

- 1) Reassignment of Tina Metoxen to Accounts Payable Clerk in the Accounting Dept. from Junior Accounting Trainee.
- 2) Reassignment of Pamela J. Bluebird to Property Management Clerk in Accounting Dept. from Accounting Clerk Part-time.
- 3) Transfer of Tami Cornelius to Deposit Clerk from Floor Worker

TRAVEL REPORTS

- A) Amelia Cornelius - Salt Lake City for NHCO Annual Meeting on July 11-13, 1991

Travel (Cont'd)

Debbie Doxtator moved to have Jerry L. Hill and Amelia Cornelius review the Mediation Document and recommend a tribal position that can be sent to other tribes, seconded by Loretta Metoxen, motion carried. Amelia Cornelius abstain.

Debbie Doxtator moved to approve the report, seconded by Shirley Hill, motion carried. Amelia Cornelius abstained.

B) Julie Barton - Baraga, Michigan, HONOR Mtg, July 27 & 28, 1991

Debbie Doxtator moved to have Julie follow through with beer sign issue and survey sent out by HONOR, seconded by Shirley Hill, motion carried, Julie Barton abstained.

Debbie Doxtator moved to approve Julie's report, seconded by Russell Metoxen, motion carried, Julie Barton abstained.

3. OTHER REPORTS - None Scheduled

VII. NEW BUSINESS

1. RESOLUTIONS -

A) Tribal Membership into the Native American Fish & Wildlife Society - Lloyd E. Powless

WHEREAS; the Oneida Tribe, a federally recognized Indian Tribe located in Oneida, Wisconsin, desires to promote the protection and preservation of its fish and wildlife resources through proper management for the use of its members and future generations; and

WHEREAS; the Native American Fish & Wildlife Society (NAFWS) has been in existence since 1983 and has established a national office to assist the Tribes directly in:

1. Establishing new fish & wildlife programs;
2. Protection of treaty fish & wildlife rights and resources;
3. Obtaining funding for local Tribal fish & wildlife programs;
4. Educating and training Indian fish & wildlife biologists, managers, technicians, and conservation officers;
5. Promoting future Tribal fish & wildlife needs through the national Congressional process; and
6. Promoting Tribal management capabilities on a national level through an exchange of information via newsletters, technical bulletins, and a journal of Tribal fish and wildlife management;

and

WHEREAS; the Oneida Tribe of Indians of Wisconsin fully supports the efforts and activities of the Native American Fish & Wildlife Society as stated above and in the Society's Articles of Incorporation; and

WHEREAS; in order to directly benefit from the above listed services, a membership in the Society is desired which includes a monetary donation to the NAFWS;

NOW THEREFORE BE IT RESOLVED; that this Council hereby wishes to become a member of the Native American Fish & Wildlife Society and to participate in the service provided by the organization and its staff;

BE IT FURTHER RESOLVED; that a donation of \$            be submitted to the NAFWS along with the membership application;

BE IT FINALLY RESOLVED; that the Oneida Tribe of Indians of Wisconsin supports the efforts of the NAFWS to contract with agencies and organizations for funding to maintain the organization and the services that will be provided directly to Tribal Fish and Wildlife programs.

Loretta Metoxen moved to adopt Resolution. 8-2-91-A and to join N.A.F. & Wild Life Society, seconded by Debbie Doxtator, motion carried unanimously.

- B) Resolutions Regarding HUD Force Account - Larry Barton  
(Defer until Larry is present)

## 2 REQUESTS

- A) Request from Madelyn Genskow of July 24, 1991

There was expressed concern over her request not only to Business Committee, but to outside agencies including the President.

Shirley Hill moved to halt all activities of the IHS Investigation Committee until a definite Investigative policy has been completed that includes purpose of committee, seconded by Julie Barton.

Comments on action of IHS Committee. - Need policies & procedures for Ad Hoc Committees with defined responsibilities and duties. Shirley Hill withdrew her motion due to possible conflict of interest. Julie Barton agreed to withdrawal of motion.

Julie Barton moved that IHS cease and desist all activities --- until policies are developed, seconded by Debbie Doxtator.

Discussion on referring to Rules Committee for developing policy on investigations. When Committees contact outside agencies, they should contact the Business Committee first as there should not be any implications that they are speaking for the Tribe.

Julie Barton moved to amend her motion to have the Secretary write the letter to the IHS Investigation Committee for the Chairman's signature, seconded by Debbie Doxtator, motion carried. Loretta Metoxen and Shirley Hill abstained.

Main motion carried Loretta Metoxen and Shirley Hill abstained

Debbie Doxtator moved to have: (reference to M. Genskow requests)

1. Request for audit be referred to Audit Committee.
2. Refer the inspection plan to General Manager for action.
3. Conflict of Interest for providing savings versus the best interest of tribal members to the General Manager for review and recommendation
4. Quality control referred to the Facilities Committee and the Construction Committee.

Genskow (Cont.)

5 Development of an investigative policy to Rules Committee,  
motion seconded by Mark Powless motion carried Shirley Hill abstained.

Discussion of purpose of Rules Committee problem with holding regular meetings for Rules Committee. Investigation was referred to another committee composed of Shirley Hill, Debbie Doxtator, Mark N. Powless, and Arvin Prebelski. Mark N. Powless stated he was not aware of this action immediately and suggested that there is need to contact staff or individuals first. Jerry L. Hill needs to have an interested individual to develop commitment for regular meetings.

Shirley Hill recommends formalizing the Rules Committee and to develop goals and direction. Rick Hill recommends development of a Business Committee legislative Committee.

Julie Barton moved that all Committees presented for formalizing by the Business Committee have the proper structure prior to being approved, seconded by Shirley Hill. Julie Barton withdrew motion.

Chairman Hill asked Julie to develop a format for adoption by the Business Committee on the formation of Committees.

Letter to President Bush from M. Genskow. Problem with letter complaining about staff members and the relationship with Tribal projects, especially the sewer project. It was recommend that a letter be sent to IHS that the Business Committee had no knowledge of this letter and does not support this action and is not endorsed by Business Committee. Letter to President Bush, Senator Inouye, copies to IHS in Bemidji, Rhinelander, Senator Select Committee and to Madelyn. Reason for denial from IHS for Sewer & Water had nothing to do with IHS Committee but with other problems relating to individuals.

Russell Metoxen moved to send letters as recommended, seconded by Debbie Doxtator, motion carried unanimously. (Sarah Plummer Amelia Elias develop letter).

Discussion on possible loss of funds from IHS in past and future

Larry Barton presented 2 resolutions for adoption by the Business Committee for the force account of housing on the 10-10 units.

2A) Resolution. 8-1-91-B: Intent to Show Administrative and Managerial Expertise of Oneida Housing Authority and Tribe.

WHEREAS, the "Forced Account" method has been accepted by the Oneida Business Committee for the 10-10 housing project and for future housing developments the Oneida people, and

WHEREAS, the Business Committee has determined that the "Force Account Method of Home Construction" is a vital and beneficial means for home construction on the Oneida Indian Reservation, and

WHEREAS, the Oneida Tribe and Oneida Housing Authority have adequate means in Administrative and Managerial expertise as well as construction capacity to coordinate the 10-10 Housing Project and future projects using the "Forced Account Method", and

RESOLUTION #8-1-91-B (Cont.

WHEREAS, a development plan and program will be submitted for the implementation of the 10-10 project as the initial "Forced Account" project.

NOW THEREFORE BE IT RESOLVED: that the Oneida Tribe hereby authorizes the initiation of "Forced Account" plan and program in implementing the 10-10 Housing Project, and that all administrative, managerial and constructions process of the Oneida Tribe have the capacity to meet or exceed their respective responsibilities to insure success of this project.

Amelia Cornelius moved to adopt Resolution 8-1-91-B, seconded by Debbie Doxtator, motion carried, Julie Barton and Shirley Hill abstained.

2b) Resolution. 8-1-91-C: Irrevocable Letter of Credit - 10% of Total Development Cost.

Estimate - \$75,000. Force account is based on time and labor, homeowner will be responsible for any charges over the standard home cost.

WHEREAS, the Oneida Tribe has in the past by agreement with the United States Department of Housing and Urban Development addressed to the acute housing needs of the Oneida people, and

WHEREAS, the use of "forced accounting" method of home construction by tribes is provided for in HUD regulations and hereby considered in the best interests of the Oneida Tribe to accomplish the purposes of providing reasonable housing for tribal members, and

WHEREAS, the Oneida Business Committee has determined to take the financial responsibility to undertake the "Forced Account Method" providing to HUD an irrevocable letter of credit and that it has the means and resources to back this responsibility.

NOW THEREFORE BE IT RESOLVED: that the Oneida Tribe authorizes the issuance of an "irrevocable Letter of Credit" payable to HUD in the amount of 10% of the Total Development Costs (TDC), to cover any costs in excess of authorized HUD construction costs.

Loretta Metoxen moved to adopt Resolution 8-1-91-C and that required funds are incorporated in FY 92 budget process, seconded by Debbie Doxtator, motion carried. Shirley Hill abstained.

B) Letter of Support & Commitment to the Office of Community Housing for Rural Housing Development in Wisconsin. - Sherr King

Debbie Doxtator moved to support letter contingent upon matching funds being identified by Finance & Appropriations. seconded by Shirley Hill. motion carried unanimously.

C) Letter of Support for the American Indian Sub-Committee on A.O.D.A. - Roberta Kinzhuma

Motion made by Amelia Cornelius to send letter of Support, seconded by Russel Metoxen, motion carried unanimously.

- D) Renewal Premium on Public Officials Liability Insurance Policy  
Bette Gould

Amelia Cornelius moved for retroactive approval to renew premium of Public officials liability insurance, seconded by Shirley Hill, unanimously.

- E) Gaming Accounting - Gaming Facility - Arvin Prebelski

Motion by Mark N. Powless to notify Dale Wheelock of recommended action, seconded by Russell Metoxen, motion carried unanimously.

Julie Barton requested General Manager to coordinate meeting with Dale Wheelock on the accounting issue, seconded by Shirley Hill, motion carried unanimously.

- F) Request for Executive Meeting - Randy Jourdan

Shirley Hill moved to approve request and to defer setting a date as requested by Randy Jourdan to Monday's briefing schedule, seconded by Amelia Cornelius, motion carried unanimously

- G) Information: Executive Privilege Three (3) passes for the Peter and Sadie Danforth Memorial.

- H) Request for reduced passes for the Tri-State Housing Authorities Meeting (30 passes) - Arlyce Paulson

Mark N. Powless made motion to approve 30 - \$10 passes for the Tri State Housing Authority meeting, seconded by Amelia Cornelius, motion carried.

- I) Request from Mississippi Bank of Choctaw Indians

Mark Powless moved to table until Lloyd Powless returns from Washington seconded by Debbie Duxtator, motion carried unanimously.

- J) Request for Use of Tribal Logo

Julie Barton moved to allow use of Tribal Seal for specific purposes only, seconded by Mark Powless. Would like copy of items produced.

Julie Barton moved to withdraw motion to research copywrite of tribal seal and logo, - second agree's.

Debbie Duxtator moved to have Julie Barton follow up on request to use tribal logo, seconded by Loretta Metoxen, motion carried. Julie Barton abstained.

- K) Election Board Final Report of July 22 1991

Shirley Hill moved to accept report seconded by Russell Metoxen motion carried unanimously.

Amelia Cornelius will advertise for membership on Election Ordinance Committee and to include recommendations of past committees and hearings for the use of the committee, seconded by Shirley Hill, motion carried unanimously.

L) General Tribal Council Quorums - Brian A. Doxtator

Attorney Jerry L. Hill stated that you can not mandate tribal members to attend, and if you direct employees to attend, then they are attending as part of their employment and not of political choice. There is a need to advocate and inform people so they will want to attend. There are provisions in the Tribal Constitution for a quorum and action that the Business Committee can take if there is not a quorum. The Business Committee needs to attempt to motivate tribal members to attend. It was recommended to adjust the agenda to make the reports less lengthy and to give more notice of meetings. Discussion on doing a PR campaign for the tribal government and controversial issues surrounding the Tribe. Need an organized method of disseminating information. The quorum used to be 50 members, changed to 75 members in 1976 - need to review the Tribal Constitution.

Debbie Doxtator moved that the General Manager work with Communications Director to develop a plan to educate tribal members for General Tribal Council meeting, to develop a General Tribal Council manual and to beef up Kali' Wisaks, and to submit the plan in one month, seconded by Loretta Metoxen, motion carried unanimously.

Short discussion on tribal services provided to Tribal members.

M) General Tribal Council Sign-in

General Tribal Council sign in and verification of attendance and the need to develop a policy.

Amelia Cornelius moved that the Business Committee develop a policy on GTC attendance and sign in at meetings, seconded by Russell Metoxen, motion carried unanimously.

Chairman Hill appointed Russell Metoxen and Mark Powless to chair this legislative committee to develop this policy.

Debbie Powless asked for question on who can vote and participate in General Tribal Council meetings.

N) Petition RE: Tribal Secretary

Need to develop procedure on petitions. Recommended construction of cases that can be locked for GTC notices in specific locations.

Shirley Hill moved to defer scheduling a date until briefing for Special General Tribal Council on the petition on the Tribal Secretary, seconded by Julie Barton, motion carried unanimously.

3. CONTRACTS/AGREEMENTS - None Scheduled

4. TRAVEL REQUESTS (Include Cost Estimates

A) Gerald L. Hill, NIGA Executive Committee on August 26 & 27  
1991 in Reno Nevada



Travel Requests (Cont.)

Amelia Cornelius motion to approve travel for Attorney Jerry Hill and Chairman Rick Hill to attend NIGA, seconded by Russell Metoxen, motion carried unanimously.

Rick stated that NIGA By-Laws are being changed and will be sharing a resolution from NIGA to have only tribal members as members of NIGA.

5. VACATION REQUESTS

A) Kathy King August 1, 2 & 5, 1991

Motion made by Russell Metoxen to approve vacation for Kathy King, seconded by Amelia Cornelius, motion carried, unanimously.

B) Gerald L. Hill - Personal Day on July 26, 1991 & Vacation for August 5-9, 1991

Motion made by Loretta Metoxen to approved personal day and vacation for Jerry L. Hill, seconded by Russell Metoxen, motion carried, unanimously.

VIII. OTHER

A. SEWER ORDINANCE HEARING

Motion by Mark Powless to have Sewer Ordinance Hearing on August 20, seconded by Loretta Metoxen, motion carried unanimously. Shirley Hill, Julie Barton and Mark Powless will attend.

B. TRAVEL TO SEATTLE FOR CO-MANAGEMENT CONFERENCE

Motion made by Amelia Cornelius to have Julie Barton and Debbie Doxtator attend, seconded by Russell Metoxen, motion carried. Julie Barton and Debbie Doxtator abstained.

C. TESTIMONY AT STATE AFFAIRS COMMITTEE IN MADISON

Motion made by Amelia Cornelius to make testimony given by the Chairman as part of tribal record, seconded by Debbie Doxtator, motion carried unanimously.

It was recommended to send copy to the other Wisconsin tribal governments. A request was made of a Tribal member of another tribe.

D REQUEST FOR TRIBAL DOCUMENTS

Release of documents upon demand cannot always be honored as some are confidential and some are lengthy to copy. Since the GTC did not accept the policy on confidentiality the Business Committee will need to review each request individually. The Business Committee will need to develop a policy and written permission for release of specific information.

Debbie Doxtator moved to develop a policy on release of information and that specific requests for Indian Country Leasing contract be denied at this time. Seconded by Mark Powless, motion carried. Shirley Hill abstained.

Request for Tribal Documents (Cont.)

Chairman Hill requested Shirley Hill to develop this policy with assistance from Attorney Hill.

IX. EXECUTIVE SESSION

Amelia Cornelius motioned to recess for one hour, seconded by Russell Metoxen, motion carried unanimously.

Meeting reconvened at 2:00 p.m. for Executive Session (Rick Hill, Amelia Cornelius, Debbie Duxtator, Loretta Metoxen, Russell Metoxen, Julie Barton, Shirley Hill)

2:50 p.m. Loretta Metoxen excused

OUT OF SESSION:

1. Amelia Cornelius motioned to adopt Resolution 8-1-91-D on New Gaming  
Russell Metoxen seconded, motion carried unanimously.

WHEREAS; the Oneida General Tribal Council directed, on September 30, 1989, that it would approve all new gaming ventures prior to the implementation of such games with the specific understanding that the term "New Games" means any game of chance not then being currently conducted by the Oneida Gaming Enterprise, also known as 1st American Games, and

WHEREAS; Attorney Francis R. Skenandore, by memo, dated May 9, 1991, to the Oneida Business Committee set forth a criteria for the definition of new games which was accepted by the Oneida Business Committee, and

WHEREAS; the presentation of the request for Oneida General Tribal Council's permission to conduct new games was scheduled for the General Tribal Council meeting on May 31, 1991, and the notice for this meeting included this item as part of the agenda and that there was no quorum to conduct business, and

WHEREAS; it is the precedent of the Oneida Tribe that when there is not a quorum of the regular or special meeting of the Oneida General Tribal Council the agenda then becomes the responsibility of the Oneida Business Committee, and

WHEREAS; the need for new games of chance, as well as the opportunity to commence the conduct of such games, is propitious.

NOW, THEREFORE, BE IT RESOLVED; that 1st American Games is hereby authorized to commence the implementation of "New Games" of chance at the earliest reasonable time which provides; 1) integrity of games, 2) training of personnel to meet minimal standards of competence, 3) adequate security requirements, and 4) adequate accounting procedures for each new games.

BE IT FURTHER RESOLVED; that it is hereby directed that 1st American Games establish written agreements, regulations and rules, standards and procedures to accomplish the goals set forth above which will be reviewed by both the Oneida Gaming Commission and the Oneida Business Committee.

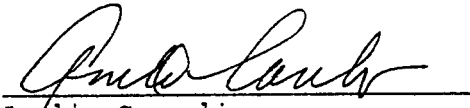
RESOLUTION #8-1-91-D (Cont.)

BE IT FURTHER RESOLVED; that it is further directed that no public statements be issued by any Tribal employee, consultant or officer until and unless the formal standards of the operation of such "New Games" has been adopted and a schedule of operation has been established.

2. Julie Barton moved to approve the Casino Dealers job description as amended and to research the DOT book, remove the Cost Of Living recommendations, to place salary cap at Grade 3-St. 1, and this position be pre-requisite for the Pit Boss and Floor Workers positions, seconded by Debbie Doxtator, motion carried unanimously.
3. Debbie Doxtator moved to advise Z. Ron to seek legal opinion and to place a stay on Personnel Hearing on situation discussed, seconded by Julie Barton, motion carried unanimously.
4. Amelia Cornelius moved to finalize Dale Wheelock's contract in one week seconded by Shirley Hill, motion carried unanimously.
5. Travel - Amelia Cornelius moved to approve travel for Debbie Doxtator and Loretta Metoxen to Madison for Gaming Compact Negotiations, seconded by Shirley Hill, motion carried. Debbie Doxtator abstained.

X RECESS/ADJOURN

Motion to recess at 4:25 p.m. by Amelia Cornelius, Seconded by Russell Metoxen, motion carried unanimously.

  
Amelia Cornelius  
Tribal Secretary  
Oneida Business Committee