

Oneidas bringing several hundred bags of corn to Washington's starving army at Valley Forge, after the colonists had consistently

Oneida Tribe of Indians of Wisconsin

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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.

ONEIDA BUSINESS COMMITTEE REGULAR MEETING WEDNESDAY, AUGUST 14, 1991

Approved As
Read/Corrected
7-11-91

REGULAR MEETING

WEDNESDAY, AUGUST 14, 1991

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

Excused: Rick Hill-Vacation; Russell Metoxen-Vacation; Mark Powless-Meeting

Others: Diane Wilson, Chris Doxtator, Sarah Plummer, Larry Barton, Margaret King-Francour, Charlene Cornelius, Arlene Benson, Jerry Kurowski, Attorney Sharon Cornelius, Ernie Stevens, Jr., Attorney Gerald L. Hill, Judy Cornelius, Ron Hill, Mike King, Bobbie Webster, Dale Wheelock, Kathy King

PRAYER:

I. CALL TO ORDER

II. APPROVAL OF AGENDA

Loretta Metoxen moved to approve agenda, second by Julie Barton, motion carried unanimously.

Oath of office administered to Bob Fresen to the Oneida Day Care Board by Amelia Cornelius

A. NEW EMPLOYEES:

B. EMPLOYEE RECOGNITION

Julie Barton wanted to recognize employees for their team work on the drainage project on the corner of Seminary Road & Hwy. 54, headed by Jerry Kurowski; Raeann Skenandore & Chas Wheelock and those from the Environmental Department

(Jackie Smith & Kathleen Kalina) who worked on the Recycling Plan; for Chris Doxtator who works in the Land Office.

MINUTES TO BE APPROVED:

V. TABLED UNFINISHED BUSINESS:

- July 10, Regular - Approved as corrected
- July 11, Special - ORCOA - Approved as written
- July 12, Special - Youth Home - Approved as written
- July 12, Special - Treasurer's Report - Approved as written
- July 17, Regular - Approved as corrected
- July 24, Regular - Approved as corrected

REPORTS

1. HUMAN RESOURCES - None scheduled
 - A) Approval Requested for:
 - B) Hiring Information:
 - C) Transfers/Promotions/Reassignments

2. TRAVEL REPORTS

A) Lloyd Powless - July 31-August 2, 1991 Lumbee Recognition Discussion on Lumbee. Loretta Metoxen moved to approve Lloyd's travel report, second by Julie Barton, motion carried, Lloyd Powless abstained.

Lloyd Powless and Attorney Gerald L. Hill will work on the federal recognition of Indian Tribes.

3. OTHER REPORTS - NONE

NEW BUSINESS

1. RESOLUTIONS -

- WHEREAS, A) Resolution 8-14-91-A the Oneida Constitution provides an Oneida Bill of Rights equally protecting all Tribal members and employees in the exercise of their civil rights, and
- WHEREAS, the Indian Civil Rights Act of 1968, (P.L. 90-284) 25USC1301, et.seq., provides that all Indian governments equally protect all persons within their jurisdiction in the exercise of their civil rights by due process of law, and
- WHEREAS, there is a need for frank and honest discussions in all open meetings of the Business Committee and other Tribal entities and that such discussions often include personal observations, evaluations and judgments of other personnel and that promiscuous discussion undermines the morale of Tribal members and employees, and
- WHEREAS, the Business Committee may close a meeting by invoking executive session where sensitive, confidential or privileged information may be disclosed and discussed, and which requires that all persons present maintain such confidence or privilege, and

WHEREAS, personnel complaints and grievances may be addressed by the Oneida Personnel Policies and Procedures which protects the rights of all persons involved and provides sanctions if any, and

WHEREAS, all persons whose performance or activities will be discussed or evaluated related to the agenda of the meeting of any Tribal entity, including the Oneida Business Committee, should be present so that a thorough and orderly discussion may be had unless the business at hand is determined to be personally or professionally confidential or privileged or a personnel complaint or grievance.

NOW, THEREFORE, BE IT RESOLVED, that it is the policy of the Oneida Tribe that discussion in open and public meetings of the Business Committee and all other entities of the Tribe be strictly conducted in an orderly, civil manner avoiding acrimony and hominum remarks, and

BE IT FURTHER RESOLVED, that all Tribal members or employees whose performance, responsibilities or activities will be discussed at open meetings of the Business Committee or other Tribal entities will be given adequate notice to appear at the meeting or that matter must be reserved for Executive Session, and

BE IT FINALLY RESOLVED, that should any information be received at any meeting of the Tribal entity, including the Business Committee, that implicated the integrity, honesty or moral turpitude of a Tribal member or employee, or which complains or grieves the actions of a Tribal employee such information shall be immediately referred to Executive Session without action or further discussion or to the Oneida Human Resources Department for processing.

Julie Barton moved to approve Resolution No. 8-14-91-A as changed, second by Loretta Metoxen, motion carried unanimously.

2. REQUESTS

A) Brigham Young University - Futuristic Symposium 1991

Lloyd Powless moved to refer to Thelma McLester, second by Shirley Hill, motion carried, unanimously.

B) Approval of UWGB's concept of a light industrial park on the Phillipson Property - Ron Hill

Need Planning for the development of a zoning policy on the new Industrial Park - Recommend applying for Community Development Grant for the Industrial Park development. Lost funding from laterals because sewer and water was not considered new. Use the opportunity to compete for \$200,000 to \$400,000 in funds. Will not know Community Development Block Grant regulations until October. Recommend roll over HUD funds until next spring which would allow for applying CDBG and OHA warehouse construction.

ALTERNATE RECOMMENDATION:

- Lease space
- Temporary/permanent structure at Building & Grounds

- Fix up Parish Hall roof for temporary storage.

Lloyd Powless moved to have OHA negotiate with Building & Grounds to construct storage building at Building & Grounds, second by Shirley Hill, motion carried unanimously.

- C) Request from Planning for Attorneys attention to Sewer & Water projects.

Recommend no action.

- D) Wild Life and Parks Grant - Mike King - Resolution 8-14-91-B

WHEREAS, the Oneida Tribe of Indians of Wisconsin is a governing body eligible to apply for contracts and grants with the Bureau of Indian Affairs, and

WHEREAS, the Oneida Tribe of Indians of Wisconsin has determined that it will exercise the ability by applying for a Parks and Wildlife Contract with the Bureau of Indian Affairs.

NOW THEREFORE BE IT RESOLVED: that the Oneida Tribe hereby desires to contract with the Bureau of Indian Affairs during the period of October 1, 1991, through September 30, 1992 of the 1992 Fiscal Year for funds to provide for the management and conservation of Parks and Wildlife and the BIA Home Garden Project on the Oneida Reservation in the amount of \$81,783.

BE IT FURTHER RESOLVED: that the Oneida Tribal chairman is authorized to negotiate and execute the contract and amendments thereto as necessary for the continuation of the contract, and

BE IT FINALLY RESOLVED: that the authorities granted herein shall be effective until such a time as the Oneida Tribal Governing Body takes further action by resolution.

Motion made by Loretta Metoxen to accept, second by Amelia Cornelius, motion carried unanimously.

- E) First Nations Financial Project-Business Alert - Gerald L. Hill

For information only.

3. CONTRACTS/AGREEMENTS - NONE

4. TRAVEL REQUESTS (Include Cost Estimates)

A) Julie Barton - Seattle, Washington

B) Debbie Doxtator - August 29 & 30th, Duluth, Minnesota

RE: Self-Governance Demonstration Project - Meeting Cancelled

Motion made by Shirley Hill to approve travel requests, second by Amelia Cornelius, motion carried, Julie Barton abstained

5. VACATION REQUESTS

A) Debbie Doxtator - August 16, 1991

Loretta Metoxen moved to approve Debbie Doxtator vacation, second by Amelia

Cornelius, motion carried, unanimously

B) Amelia Cornelius - August 15 & 16, 1991 (Afternoon)

Shirley Hill moved to approve Amelia Cornelius vacation, second by Julie Barton, motion carried, Amelia Cornelius abstained.

VIII. OTHER

1. Lobbyist Contract

Shirley Hill moved to defer until next week, August 21, 1991 meeting, second by Loretta Metoxen, motion carried unanimously.

2. Tribal Leaders Forum

Amelia Cornelius moved to have Vice Chairman attend if Rick is not available second by Shirley Hill, motion carried unanimously.

3. Minnesota Department of Revenue request - Resolution 8-14-91-C

WHEREAS, the Oneida Tribe has enacted the Oneida Gaming Ordinance pursuant to the Oneida Constitution for the purpose of regulating the conduct of gaming on the Oneida Indian Reservation, and

WHEREAS, the Oneida Business Committee has delegated to its Gaming Manager, Dale P. Wheelock, the authority to administer, conduct and oversee all games permitted by the Oneida Gaming Ordinance, including the right and authority to purchase necessary equipment and supplies from suppliers and vendors in his best professional discretion, and

WHEREAS, no other individuals or entities of any kind are authorized by the Oneida Gaming Ordinance or otherwise to conduct or operate any type of games on the Oneida Indian Reservation, or to use the name of the Oneida Tribe, or to imply or convey the impression to anyone that they are authorized to purchase gaming equipment or supplies for the Oneida Tribe, or First American Games.

NOW THEREFORE BE IT RESOLVED, that Dale P. Wheelock, Gaming Manager of the Oneida Gaming Enterprise, also known as First American Games, is exclusively delegated the responsibility to purchase all necessary equipment and supplies to conduct all games authorized by the Oneida Gaming Ordinance and pursuant to all other laws and procurement policies of the Oneida Tribe.

Amelia Cornelius moved to adopt Resolution C and send letter, second by Loretta Metoxen, motion carried unanimously.

4. Casino Dealers Job Description - Modification - Dale Wheelock

Shirley Hill moved to approve the modification of the job description for the Casino Dealers, from age 21 to age 18, second by Loretta Metoxen, motion carried unanimously.

8 additional vault specialist positions are needed. Amelia Cornelius moved to approve the 8 positions, second by Shirley Hill

8 Vault Specialist Posting, Amelia Cornelius moved to amend, contingent upon notice to employees that position may be subject to lay off, second by Shirley Hill motion carried unanimously.

Main motion carried

5. Resolution Committee

Shirley Hill moved to have a 5 member Resolution Committee and that it be posted in the Kali Wi Saks, second by Loretta Metoxen, motion carried unanimously.

6. Special General Tribal Council Meeting on Secretary

Lloyd Powless volunteered. Julie Barton moved to delegate Lloyd Powless responsibility of posting for the meeting, second by Shirley Hill, motion carried, Amelia Cornelius and Lloyd Powless abstained.

7. Finance and Appropriation Recommendations of August 14, 1991

1. Drainage Ditch - Estimated cost by McMahon & Associates \$91,620.00, but actual costs may not exceed \$49,705 (per project proposal). Town of Oneida has taken formal action to pay for 2/3 of the total costs. Total costs to the Tribe will be approximately \$17,000.00 Imperative that Tribe proceed immediately because some farmers are intending to petition against the Town board because they have a mis-interpretation that they may be assessed additional taxes. Funds can be allocated from FMHA reimbursement on the sewer project.

Lloyd Powless moved to approve \$17,000 contingent upon Chas Wheelock and Jerry Kurowski securing formal agreement with town of Oneida and obtaining Attorney review. Second by Julie Barton, motion carried unanimously.

2. Utilities (not Plumbing) deferred, no representative present.

No action

3. Microfilm Processor - Charlene Cornelius - \$7,718.45. Two file cabinets at \$386.00/each = \$772.00. Funds are available in total equipment budget (no previous purchases this FY).

Lloyd Powless moved to table until renewal of capital expenditures account is reviewed, second by Amelia Cornelius, motion carried, Julie Barton abstained.

4. Oneida Farm - Pat Cornelius - Completion of feed lot. Total cost \$27,639.80 budgeted for FY '92. Needs to be done now (See supporting documents). Internal financing suggested from Land Committee. Defer to next F & A meeting on August 21, 1991.

Lloyd Powless moved to table for review of capital expenditures, second by Amelia Cornelius, motion carried unanimously.

5. Equipment Purchases - Randy Jourdan - Radial Arm Saw \$750.00, Drill Press \$968.16. In budget for last 2 years - Radial Saw in budget. Drill Press is

not. Existing Drill Press is out of commission. Budget can be modified

Bob-cat skid-steer Loader for Buildings & Grounds. Will lower labor costs with trailer between \$18,000 - \$20,000. UDAG proposed as a source with repayment of UDAG (revolving) not to exceed 11% interest. Specified model and amount to be determined later not to exceed \$20,000.

1800 hours use per year - Lloyd Powless moves to approved from UDAG funds not to exceed \$20,000.00. Seconded by Shirley Hill carried unanimously.

Lloyd Powless moves to approve both out of existing budget contingent on revision of budget. Seconded by Shirley Hill, carried unanimously.

No action

6. Portable Radios - (Jim Danforth not present) 4-8 frequency radios total not to exceed \$4,500.00. Julie Barton moved to approve request contingent that Jim consult with Kathy King and modify budget. Seconded by Lloyd Powless carried unanimously.

Lloyd Powless motioned to approve request of Jim Danforth for 4-8 frequency radios, not to exceed \$4,500.00, second by Julie Barton, motion carried, Shirley Hill abstained.

7. (A) Smoke Control - (HVAC) and others a through d. \$17,250.00. Julie Barton moved to defer to August 21, 1991 for personnel input. Seconded by Lloyd Powless, carried unanimously.

No action

Lucky U - Don Hill, a,b,c,d - Lloyd Powless moves to refer requests a,b,c,d. to Manager, Don Hill. Seconded by Shirley Hill, carried unanimously.

Lloyd Powless moved to approve, second by Shirley Hill, motion carried unanimously.

8. E & EE Retail - Jackie Smith - Faulty installation by Unipump. Estimate range of fees \$15,100 - \$18,950. PECFA Fund request in before the State Attorney General. Lloyd moves to table for 3 bids. Second by Julie, carried unanimously. Julie Barton moves that Jackie Smith follow-up with Attorney Ahron on PECFA Status and Unipump responsibilities. Seconded by Lloyd, carried unanimously.

Miller Engineering has been doing the work on Hwy. 54 and Lucky U. Costs are reimbursable from Unipump. Need a report from Bette Gould before claim can be filed. Funds were budgeted in FY 91 and not aware of present balance.

Lloyd Powless moved to approve of Miller Engineering to do work and obtain a sole source justification for the work, second by Amelia Cornelius, motion carried unanimously.

Kathy King will go back and attempt to re-negotiate contract. Attorney Cornelius stated she felt this was important to complete as it affects the health and safety of the community.

Lloyd Powless moved to approve, second by Shirley Hill, motion carried unanimously.

9. Hotel Contribution - Kathy Hughes requested balance of contribution \$65,720.00. Lloyd Powless moves to approve Controller's recommendation Seconded by Julie Barton, carried unanimously contingent upon past UDAG payments.

Lloyd Powless moved to approve recommendation, second by Julie Barton, motion carried unanimously.

Amelia Cornelius moved to have Lynn contacted to verify payment of land lease by Hotel, second by Julie Barton, motion carried unanimously.

10. Data Financial Purchases - (See minutes of July 24, 1991). Julie Barton moves to approve option 3. Seconded by Lloyd Powless. Final cost with discount \$60,306.00. Carries unanimously. Pay cash with 50% discount from Gaming Revenues.

Lloyd Powless moved to approve requests, second by Julie Barton, motion carried unanimously.

11. Purchases Partnership in Oneida Realty Group - Julie Barton moves to defer to Lynn VandenLangenberg for further action if necessary. Seconded by Lloyd Powless, motion carried.

Amelia Cornelius moved to accept recommendation, second by Shirley Hill, motion carried unanimously.

12. Phase II Cosatron Ventilation System - Loretta Metoxen will research and advise Dale Wheelock of status.

No action.

13. Additional Cameras - Vernon Doxtator - (to those approved on July 24, 1991) 18 color cameras, 8 black and white cameras Total = \$22,237.00 also printer \$1,300.00 Grand total of \$23,837.00. No bid process - went with Corporate Security because he works with Casino Gaming. Gave us same price as earlier bid. Request for Vern to write up sole source justification. Lloyd Powless moves to approve out of Gaming revenues, seconded by Shirley Hill, carried unanimously.

Lloyd Powless moved to accept Vern Doxtator's request, second by Amelia Cornelius, motion carried.

14. OCTV Systems at Retail Outlets - Vern Doxtator - Lloyd Powless moves to defer to Don Hill and Dale Wheelock for an agreement and put on agenda for August 21st meeting. Seconded by Julie Barton, carried unanimously.

No action

15. Coopers/Lybrand-Francis Skenandore - Lloyd Powless moves to approve \$10,000.00 (of \$30,000.00 total) advance payment contingent on identification of funds by Treasurer and Controller. Seconded by Julie Barton, carried unanimously.

Coopers-Lybrand study on future revenues lost as a result of Fort Howard negotiations, Motion by Lloyd Powless, to approve recommendation, second by Amelia Cornelius, motion carried unanimously.

16. Green Bay Chamber of Commerce Dues \$2,850.00 - Lloyd Powless moves to table for additional information and put on August 21st agenda. Seconded by Shirley Hill, carried unanimously.

No action.

8. General Tribal Action - Need to correct March 4, 1991 General Tribal Council meeting. Shirley Hill will do at General Tribal Council Meeting.

9. Letter of Support for Law Enforcement Training - Lloyd Powless moved to accept, second by Julie Barton, motion carried. Loretta Metoxen opposed to last paragraph.

Lloyd Powless moved to add statement on definition of "Indian" to be added to letter, second by Shirley Hill, motion carried unanimously.

10. Resolution 8-14-91-D
Shirley Hill moved to amend 8-1-91-B as recommended by the Oneida Housing Authority, second by Julie Barton, motion carried.

NOW THEREFORE BE IT RESOLVED, that the Oneida Business Committee supports the decision of the Oneida Housing Authority to initiate a Force Account Program in compliance with HUD regulation implementing the 10-10 Housing Project, and

BE IT FURTHER RESOLVED that the Oneida Business Committee acknowledges the Administrative and managerial capacity of the Oneida Housing Authority to institute a Force Account Program in conjunction with Tribal Construction entities, and

BE IT FINALLY RESOLVED that the Oneida Housing Authority will submit a development plan and program to the Oneida Business Committee.

Shirley Hill moved that Mike Berlin meet with Business Committee regarding roads, second by Julie Barton, motion carried unanimously, Shirley Hill will follow up.

11. Forestry Project at County U. Amelia Cornelius moved to contact Ron Ackley and the contractor to immediately cease any further work on wood cutting off lands in the reformatory area until a meeting is held with Ron Ackley and Mike King, second by Loretta Metoxen, motion carried unanimously.


Lloyd Powless moved to set meeting for establishing the priority of the capital expenditures and tribal expenditures, second by Loretta Metoxen, motion carried unanimously.

Discussion on process for Finance and Appropriations, need to review present financial statements.

IX. EXECUTIVE SESSION

X. RECESS/ADJOURN

Amelia Cornelius moved to recess, second by Shirley Hill, motion carried unanimously.


Amelia Cornelius, Tribal Secretary
Oneida Business Committee