

# ***Oneida Tribe of Indians of Wisconsin***



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



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.

## **BC Meeting Materials April 22, 2015**

### **Open Session**

### **CERTIFICATION**

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the following 368 pages are the Open Session meeting materials presented at a meeting duly called, noticed and held on the 22<sup>nd</sup> day of APRIL, 2015.

A handwritten signature in blue ink that reads "Lisa Summers". The signature is written over a horizontal line.

Lisa Summers, Tribal Secretary  
Oneida Business Committee



# Oneida Business Committee

**Executive Session**  
9 a.m. Tuesday, April 21, 2015  
Executive Conference Room, 2<sup>nd</sup> floor, Norbert Hill Center

**Regular Meeting**  
9 a.m. Wednesday, April 22, 2015  
BC Conference Room, 2nd floor, Norbert Hill Center

## Agenda

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To get a copy of the agenda, go to: <http://oneida-nsn.gov/>

**I. Call to Order and Roll Call**

**II. Opening**

**III. Adopt the agenda**

*Agenda item XII. A. Declare 2015 special election to fill Oneida Business Committee vacancy final results should be moved to the top of the agenda*

**IV. Oaths of Office**

**A. Oneida Business Committee** – David Jordan

**V. Minutes**

**A. Approve April 08, 2015 regular meeting minutes**

**VI. Resolutions**

**A. Adopt resolution titled Older American Month**

Liaison: Melinda J. Danforth, Tribal Vice-Chairwoman

**B. Adopt resolution titled ONGO Emergency Amendments Extension**

Sponsor: Councilman Brandon Stevens, Chair – Legislative Operating Committee

**C. Adopt resolution titled Motor Vehicle Registration Law Amendments**

Sponsor: Councilman Brandon Stevens, Chair – Legislative Operating Committee

**D. Adopt resolution titled Motor Vehicle Registration Fee Schedule**

Sponsor: Councilman Brandon Stevens, Chair – Legislative Operating Committee

**E. Adopt resolution titled Indian Child Welfare Act Policy**

Sponsor: Lisa Summers, Tribal Secretary

**F. Adopt resolution titled Future Years Funding per Referenced Funding Agreements Under the Tribal Transportation Program**

Sponsor: Troy D. Parr, Asst. Division Director/Development

**VII. Appointments**

**A. Appoint Janice Hirth to the Airport Hotel Corporation Board**

Sponsor: Tina Danforth, Tribal Chairwoman

**B. Appoint Dakota Webster, Gerald Jordan, Gerald Cornelius, and Nicole Steeber to the Environmental Resource Board**

Sponsor: Tina Danforth, Tribal Chairwoman

**VIII. Standing Committees**

**A. Legislative Operating Committee**

Sponsor: Councilman Brandon Stevens, Chair

1. **Accept Legislative Operating Committee meeting minutes of March 18, 2015**
2. **Accept Legislative Operating Committee meeting minutes of April 03, 2015**
3. **Approve Pow-wow Committee Bylaws**

**B. Finance Committee**

Sponsor: Treasurer Trish King, Chair

1. **Approve Finance Committee meeting minutes of April 13, 2015**

**C. Community Development Planning Committee *(No Requested Action)***

Sponsor: Vice-Chairwoman Melinda J. Danforth, Chair

**D. Quality of Life *(No Requested Action)***

Sponsor: Councilwoman Fawn Billie, Chair

**IX. General Tribal Council**

**A. Petition: Genskow-Special GTC meeting to address six resolutions**

Sponsor: Lisa Summers, Tribal Secretary

**B. Place General Tribal Council Law on next available GTC agenda**

Sponsor: Councilman Brandon Stevens, Chair – Legislative Operating Committee

**C. Petition: Genskow-Special GTC meeting to address three resolutions**

Sponsor: Lisa Summers, Tribal Secretary

**D. Petition: Genskow-Special Saturday GTC meeting to address four resolutions**

Sponsor: Lisa Summers, Tribal Secretary

**E. Discuss and Approve 2015 Semi-Annual GTC meeting agenda**

Sponsor: Lisa Summers, Tribal Secretary

**X. Unfinished Business**

**A. Defer the Joint Marketing Team charter**

Sponsor: Trish King, Tribal Treasurer

***Excerpt from January 14, 2015: Motion by Lisa Summers to direct the Joint Marketing Team to become a formally chartered entity for the operations and with our corporate entities within 90 days and that the***

*Treasurer take the lead for the Business Committee since it has primarily to do with the financial planning aspect and the budgeting purposes, seconded by Jennifer Webster. Motion carried unanimously.*

**XI. Tabled Business (No Requested Action)**

**XII. New Business**

**A. Declare 2015 special election to fill Oneida Business Committee vacancy final results**

Liaison: Melinda J. Danforth, Tribal Vice-Chairwoman

**XIII. Travel**

**A. Travel Reports**

**1. Accept travel report for Tribal Vice-Chairwoman Melinda J. Danforth – MMPC & TTAG – Washington D.C., – Nov. 18-20, 2014**

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

**2. Accept travel report for Councilwoman Fawn Billie – MAST – Washington D.C., – Mar. 08-11, 2015**

Sponsor: Fawn Billie, Councilwoman

**3. Accept travel report for Councilman Tehassi Hill – UW/Madison Native Nations Summit – Madison WI, – Mar. 12-13, 2015**

Sponsor: Tehassi Hill, Councilman

**4. Accept travel report for Councilman Brandon Stevens – NIGA – Las Vegas NV, – Mar. 30-Apr. 02, 2015**

Sponsor: Brandon Stevens, Councilman

**5. Accept travel report for Councilman Brandon Stevens – Haskell Board of Regents – Lawrence KS, – Oct. 08-10, 2014**

Sponsor: Brandon Stevens, Councilman

**B. Travel Requests**

**1. Approve grant funded travel request for Councilwoman Jennifer Webster – CCDF – Washington D.C., – May. 19-21, 2015**

Sponsor: Jennifer Webster, Councilwoman

**2. Approve travel request for Councilwoman Fawn Billie, Vice-Chairwoman Melinda J. Danforth, Councilman Brandon Stevens – NCAI – St. Paul MN, – Jun. 28-Jul 01, 2015**

Sponsor: Fawn Billie, Councilwoman

**3. Approve grant funded travel request for Councilman Brandon Stevens – Haskell Spring Board of Regents – Lawrence KS, – May. 06-09, 2015**

Sponsor: Brandon Stevens, Councilman

**XIV. Reports (This section of the agenda is scheduled to begin at 1:30 p.m.)**

**A. Operational Reports**

**1. Utilities Department**

Sponsor: Scott Cottrell, Manager/Utilities

**a) Accept the Utilities Department FY '15 1<sup>st</sup> quarter report**



**Excerpt from April 08, 2015:** Motion by Lisa Summer to defer the Utilities Department FY '15 1<sup>st</sup> quarter report to the next regular Business Committee meeting, seconded by Fawn Billie. Motion carried unanimously.

**b) Accept the Utilities Department FY '15 2<sup>nd</sup> quarter report**

**2. Accept the Environmental, Health, & Safety Division FY '15 2<sup>nd</sup> quarter report**

Sponsor: Pat Pelky, Division Director/Environmental, Health, & Safety

**Excerpt from April 08, 2015:** Motion by Lisa Summers to defer the Environmental, Health, & Safety Division FY '15 2<sup>nd</sup> quarter report to the next regular Business Committee meeting on April 22, 2015, seconded by Jennifer Webster. Motion carried with one abstention:

**3. Accept the Development Division/Operations FY '15 2<sup>nd</sup> quarter report**

Sponsor: Bruce A. Danforth, Asst. Division Director/Development Operations

**Excerpt from April 08, 2015:** Motion by Lisa Summers to defer the Development Division/Operations FY '15 2<sup>nd</sup> quarter report to the next regular Business Committee meeting and to request the Tribal Secretary's Office to notify the Assistant Development Director of Operations to attend, seconded by Jennifer Webster. Motion carried unanimously.

**4. Accept the Comprehensive Health Division FY '15 2<sup>nd</sup> quarter report**

Sponsor: Debra J. Danforth, Operations Director/ Dr. Ravi Vir, Medical Director

**Excerpt from April 08, 2015:** Motion by Lisa Summers to defer the Comprehensive Health Division FY '15 2<sup>nd</sup> quarter report to the April 22, 2015 Business Committee regular meeting, seconded by Brandon Stevens. Motion carried unanimously:

**B. Corporate Reports (No Requested Action)**

**C. Boards Committees and Commissions**

**1. Accept the Oneida Community Library Board FY '15 2<sup>nd</sup>**

Liaison: Fawn Billie, Councilwoman

Melinda K. Danforth, Chairwoman

**Excerpt from April 08, 2015:** Motion by Lisa Summers to defer the Oneida Community Library Board FY '15 2<sup>nd</sup> quarter report to the next regular Business Committee meeting and have the liaison Councilwoman Fawn Billie, to follow-up with the Oneida Community Library Board to have a representative at the meeting, seconded by Fawn Billie. Motion carried unanimously.

**2. Accept the Oneida Nation Arts Board FY '15 2<sup>nd</sup> quarter report**

Liaison: Jennifer Webster, Councilwoman

Nic Reynolds, Chairman

**Excerpt from April 08, 2015:** Motion by Jennifer Webster to defer the Oneida Nation Arts Board FY '15 2<sup>nd</sup> quarter report to the next regular Business Committee meeting, seconded by Fawn Billie. Motion carried unanimously:

**3. Accept the Oneida Personnel Commission FY '15 2<sup>nd</sup> quarter report**

Liaison: Lisa Summers, Tribal Secretary

Susan Daniels, Chairwoman

**4. Accept the Oneida Pow-Wow Committee FY '15 2<sup>nd</sup> quarter report**

Liaison: Jennifer Webster, Councilwoman

Lloyd E. Powless Jr., Chairman

**5. Accept the Oneida Nation Veteran's Affairs Committee FY '15 2<sup>nd</sup> quarter report**

Liaison: Tina Danforth, Tribal Chairwoman

Mike Hill, Chairman

**6. Accept the Southeast Oneida Tribal Services Advisory Board FY '15 2<sup>nd</sup> quarter report (No report submitted)**

Liaison: Tina Danforth, Tribal Chairwoman

Daniel Schiller Chairman

**XV. Executive Session**

**A. Reports**

1. **Chief Counsel report** – Jo Anne House, Chief Counsel
2. **Defer the Chief Financial Officers report** – Larry Barton, Chief Financial Officer
3. **Intergovernmental Affairs & Communications report** – Nate King, Director

**B. Audit Committee (No Requested Action)**

Sponsor: Councilman Tehassi Hill, Chair

**C. Unfinished Business****1. Review Community Wells and Septic concerns**

Sponsor: Tina Danforth, Tribal Chairwoman

*Excerpt from April 04, 2015: Motion by Melinda J. Danforth to defer Review Community Wells and Septic agenda item to the next regular Business Committee meeting noting that there is a meeting scheduled with the Asst. Development Director/Operations and the Business Committee, seconded by Brandon Stevens. Motion carried unanimously.*

**2. Request to hear complaint # 2015-DR06-01**

Sponsor: Lisa Summers, Tribal Secretary

**D. Tabled Business (No Requested Action)****E. New Business****1. Approve the limited waiver of sovereign immunity for LexisNexius-Time Matters contract # 2015-0292**

Sponsor: Jo Anne House, Chief Counsel

**2. Approve the limited wavier of sovereign immunity for Thomson Rueters contract # 2014-0264**

Sponsor: Gerald L. Hill, Chief Judge/Appellate Court & Denice E. Beans, Chief Judge/Trial Court

**3. Review complaint re: Oneida Personnel Commission dated April 13, 2015**

Sponsor: Lisa Summers, Tribal Secretary

**4. Approve the Attorney Locklear contract renewal correspondence**

Sponsor: Lisa Summers, Tribal Secretary

**5. OSGC Agent and Corporate Charter**

Sponsor: Lisa Summers, Tribal Secretary

**6. Approve fourth amendment to attorney contract**

Sponsor: Jo Anne House, Tribal Secretary

**XVI. Adjourn**

Posted on the Tribe's official website, [www.oneida-nsn.gov](http://www.oneida-nsn.gov), at 12:00 p.m. Friday, April 17, 2015, pursuant to the Open Records and Open Meetings Law, section 7.17-1. For additional information, please call the Business Committee Support Office at (920) 869-4364.

The meeting packet of the open session materials for this meeting is available to Tribal members by going to the Members-Only section of the Tribe's official website at: [www.oneida-nsn.gov/MembersOnly](http://www.oneida-nsn.gov/MembersOnly)  
For information about this meeting, please call the Business Committee Support Office at (920) 869-4364 or (800) 236-2214.

# Oneida Business Committee Meeting Agenda Request Form

1. Meeting Date Requested: 04 / 22 / 15

## 2. Nature of request

Session:  Open  Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

Agenda Header (choose one):

Agenda item title (see instructions):

Action requested (choose one)

Information only

Action - please describe:

## 3. Justification

Why BC action is required (see instructions):

## 4. Supporting Materials

[Instructions](#)

Memo of explanation with required information (see instructions)

Report  Resolution  Contract (check the box below if signature required)

Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1.

3.

2.

4.

Business Committee signature required

## 5. Submission Authorization

Authorized sponsor (choose one):

Requestor (if different from above):

Name, Title / Dept. or Tribal Member

Additional signature (as needed):

Name, Title / Dept.

Additional signature (as needed):

Name, Title / Dept.

- 1) Save a copy of this form in a pdf format.
- 2) Email this form and all supporting materials to: BC\_Agenda\_Requests@oneidanation.org



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 BUSINESS COMMITTEE**




**P.O. Box 365 • Oneida, WI 54155  
Telephone: 920-869-4364 • Fax: 920-869-4040**



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.

### **MEMORANDUM**

**TO:** Oneida Business Committee

**FROM:** Lisa Summers, Tribal Secretary 

**DATE:** April 16, 2015

**SUBJECT:** Oath of Office for the Oneida Business Committee

The Oneida Business Committee's vacancy was created after Councilmember Ben Vieau resigned in September of 2014. A Special Election was held on April 11, 2015, to fill the vacant seat. The Oneida Election Board's tentative election results indicate that David Jordan won the vacancy.

The Oneida Election Board must submit their final report and the Oneida Business Committee shall declare the official results of the election prior to the swearing in of newly elected official.

For your reference, attached is a memo from the Oneida Election Board which includes the time table for the April 11, 2015, Special Election.

# MEMORANDUM

**To:** Business Committee

**From:** Michele Doxtator, Oneida Election Board Chairperson

**Subject:** Oneida Business Committee Vacancy Special Election

**Date:** February 26, 2015

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The Oneida Election Board (OEB) is recommending that the Special Election to fill the Oneida Business Vacancy be held on April 11, 2015 in Oneida and Milwaukee.

The April 11<sup>th</sup> time line would have the final report submitted to the Oneida Business Committee on April 22, 2015.

## OBC VACANCY SPECIAL ELECTION TIME TABLE

DAY	DATE	TIME	PURPOSE
Mon	3/2/15	9:00 a.m.	Submit recommendation dates of January 10, 2015 as special election date and January 17, 2015 as the alternate date to OBC for decision.
Mon	3/2/15	5:00 p.m.	Request Assistance from the following areas; <ul style="list-style-type: none"> <li>• OPD</li> <li>• Enrollments, Records Management</li> <li>• Alternates,</li> </ul> Post Election Notice and Ballot in Prominent locations.
Wed	4/1/15		Send notice and ballot to membership via Printshop/Mail Center
Sat	4/11/15	7a -7p	Polls open in Oneida and Milwaukee
Tues	4/14/15	4:30 p.m.	Request recount deadline
Fri	4/17/15		Deadline for OEB - Recount(s) conducted if necessary.
Tues	4/21/15		Submit results to OBC Agenda to certify results
Wed	4/22/15		Attend OBC Meeting re: certification of election results

Should you have any question the Oneida Election Board can be reached at [election\\_board@oneidanation.org](mailto:election_board@oneidanation.org)

Cc Oneida Election Board

# Oneida Business Committee Meeting Agenda Request Form

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Information only

Action - please describe:

## 3. Justification

Why BC action is required (see instructions):

## 4. Supporting Materials

[Instructions](#)

Memo of explanation with required information (see instructions)

Report    Resolution    Contract (check the box below if signature required)

Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1.

3.

2.

4.

Business Committee signature required

## 5. Submission Authorization

Authorized sponsor (choose one):

Requestor (if different from above):

Additional signature (as needed):

Additional signature (as needed):

1) Save a copy of this form in a pdf format.

2) Email this form and all supporting materials to: [BC\\_Agenda\\_Requests@oneidanation.org](mailto:BC_Agenda_Requests@oneidanation.org)

# Oneida Business Committee



**Executive Session**  
**9 a.m. Tuesday, April 07, 2015**  
**Executive Conference Room, 2<sup>nd</sup> floor, Norbert Hill Center**

**Regular Meeting**  
**9 a.m. Wednesday, April 08, 2015**  
**BC Conference Room, 2<sup>nd</sup> floor, Norbert Hill Center**

## Minutes - DRAFT

### EXECUTIVE SESSION

**Present:** Chairwoman Tina Danforth, Vice-Chairwoman Melinda J. Danforth, Treasurer Trish King, Council members: Brandon Stevens, Jennifer Webster;

**Not Present:** Councilman Tehassi Hill;

**Arrived at:** Secretary Lisa Summers at 9:19 a.m., Councilwoman Fawn Billie at 9:30 a.m.;

**Others present:** Jo Anne House, Ralinda Ninham-Lambries, James Bittorf, Becky Webster, Nathan King, Dennis Johnson, Katherine Jordan;

### REGULAR MEETING

**Present:** Vice-Chairwoman Melinda J. Danforth, Treasurer Trish King, Secretary Lisa Summers, Council members: Fawn Billie, Brandon Stevens, Jennifer Webster;

**Not Present:** Councilman Tehassi Hill;

**Arrived at:** Chairwoman Tina Danforth at 9:03 a.m.;

**Others present:** Brad Graham, Bill Graham, Debbie Danforth, Joe Danforth, Lois Strong, Dellora Cornelius, Geraldine Danforth, Dakota Webster, Kirby Metoxen, Barb Kolitsch, Regina Robinson, Shannon Stone, Nic Reynolds, Laura Manthe, Joanie Buckley, Matt Denny, Elijah Metoxen, Russell Metoxen, Ralinda Ninham-Lamberies, Troy D. Parr, Cathy L. Metoxen, Lauren Hartman, Lori Elm, Dale P. Wheelock, Beverly Anderson, Eric Boulanger, Twylite Moore;

- I. **Call to Order and Roll Call** by Vice-Chairwoman Melinda J. Danforth at 9:02 a.m.
- II. **Opening** by Tribal member Dellora Cornelius

*Chairwoman Tina Danforth arrives at 9:03 a.m. and assumes responsibilities of the Chair.*

#### **A. Special Recognition for Years of Service**

*Special Recognition by Matthew J. Denny Sr. of Eric Krawczyk (25 years of service) who was not present; Special Recognition by Michael Metoxen of Kirby Metoxen for 25 years of service; Special Recognition by Brandon Stevens of Christopher Johns (30 years of service) who was not present; Special Recognition by Tina Danforth of Geraldine Danforth for 30 years of service.*

#### **III. Adopt the agenda**

Motion by Lisa Summers to adopt the agenda with one change and two corrections (to move agenda item VII.A. Appoint Dellora Cornelius to the Oneida Nation Commission on Aging to before the Oaths of Office, and two corrections under XIV Travel Items 4 & 5 should be the year 2014 not the year 2015), seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Melinda J. Danforth, Fawn Billie, Brandon Stevens, Jennifer Webster



Not Present: Tehassi Hill

**IV. Oaths of Office** administered by Tribal Secretary Lisa Summers  
**A. Oneida Nation Commission on Aging** – Dellora Cornelius

**B. Oneida Nation Arts Board** – Dakota Webster

**V. Minutes**

**A. Approve March 25, 2015 regular meeting minutes**

Motion by Melinda J. Danforth to approve the March 25, 2015 regular meeting minutes, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Melinda J. Danforth, Fawn Billie, Brandon Stevens, Jennifer Webster

Not Present: Tehassi Hill

**B. Approve March 30, 2015 special meeting minutes**

Motion by Jennifer Webster to approve the March 30, 2015 special meeting minutes, seconded by Lisa Summers. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Melinda J. Danforth, Fawn Billie, Brandon Stevens, Jennifer Webster

Not Present: Tehassi Hill

**VI. Resolutions**

**A. Adopt resolution titled 2015 Summer Tribal Youth Program Wisconsin Department of Natural Resources**

Sponsor: Pat Pelky, Division Director/Environmental, Health & Safety

Motion by Brandon Stevens to adopt resolution 04-08-15-A 2015 Summer Tribal Youth Program Wisconsin Department of Natural Resources, seconded by Lisa Summers. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Melinda J. Danforth, Fawn Billie, Brandon Stevens, Jennifer Webster

Not Present: Tehassi Hill

**VII. Appointments**

**A. Appoint Dellora Cornelius to the Oneida Nation Commission on Aging**

Sponsor: Lisa Summers, Tribal Secretary

Motion by Melinda J. Danforth to appoint Dellora Cornelius to the Oneida Nation Commission on Aging in accordance with the memorandum, seconded by Lisa Summers. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Melinda J. Danforth, Fawn Billie, Brandon Stevens, Jennifer Webster

Not Present: Tehassi Hill

For the record: Tina Danforth stated I would like to request that all appointments come to my office for processing, has been the standard procedure.

**VIII. Continuing Resolution Reports**

**A. Accept reconciliation report for the continuing resolution closeout reports**

Sponsor: Lisa Summers, Tribal Secretary

**Excerpt from March 25, 2015:** Motion by Jennifer Webster to defer the Final Audit Memo for the continuing resolution closeout reports to the next regular scheduled Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously.

Motion by Trish King to accept the memorandum and reconciliation report as information for the continuing resolution closeout reports, seconded by Jennifer Webster. Motion carried unanimously:



Ayes: Trish King, Lisa Summers, Melinda J. Danforth, Fawn Billie, Brandon Stevens,  
Jennifer Webster  
Not Present: Tehassi Hill

**B. Delete the continuing resolution closeout reports agenda item**

Sponsor: Lisa Summers, Tribal Secretary

**Excerpt from March 25, 2015:** Motion by Tehassi Hill to defer the Delete the continuing resolution closeout reports agenda item to the next regular Business Committee meeting, seconded by Melinda J. Danforth. Motion carried unanimously.

Motion by Lisa Summers to delete the continuing resolution closeout reports section from agenda item, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Melinda J. Danforth, Fawn Billie, Brandon Stevens,  
Jennifer Webster  
Not Present: Tehassi Hill

**IX. Standing Committees**

**A. Legislative Operating Committee (No Requested Action)**

Sponsor: Councilman Brandon Stevens, Chair

**B. Finance Committee**

Sponsor: Treasurer Trish King, Chair

**1. Approve Finance Committee meeting minutes of March 30, 2015**

Motion by Jennifer Webster to approve the Finance Committee meeting minutes of March 30, 2015, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Melinda J. Danforth, Fawn Billie, Brandon Stevens,  
Jennifer Webster  
Not Present: Tehassi Hill

**2. Approve draw request for SEOTS CIP #11-002 Triad Construction**

Motion by Trish King to approve the draw request for SEOTS CIP #11-002 Triad Construction, seconded by Lisa Summers. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Melinda J. Danforth, Fawn Billie, Brandon Stevens,  
Jennifer Webster  
Not Present: Tehassi Hill

**C. Community Development Planning Committee (No Requested Action)**

Sponsor: Vice-Chairwoman Melinda J. Danforth, Chair

**D. Quality of Life (No Requested Action)**

Sponsor: Councilwoman Fawn Billie, Chair

**X. General Tribal Council**

**A. Follow-Up General Tribal Council Meeting Date**

Sponsor: Lisa Summers, Tribal Secretary

Motion by Melinda J. Danforth to approve the special GTC meeting date of Monday June 01, 2015 with a 6:00 p.m. start time, seconded by Lisa Summers. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Melinda J. Danforth, Fawn Billie, Brandon Stevens,  
Jennifer Webster  
Not Present: Tehassi Hill

Motion by Lisa Summers to direct the Secretary's office to coordinate the notice for the follow-up meeting to General Tribal Council, seconded by Trish King. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Melinda J. Danforth, Fawn Billie, Brandon Stevens,  
Jennifer Webster  
Not Present: Tehassi Hill

**XI. Unfinished Business****A. Accept Medicare Part B Research**

Sponsor: Debbie Danforth, Director Operations/Dr. Ravinder Vir, Medical Director-Consolidated Health Division

**Excerpt from February 11, 2015:** Motion by Melinda Danforth to accept the Oneida Nation Commission on Aging report and that the request from ONCOA regarding researching whether or not the Tribe should pay for Medicare Part B benefits for Tribal members who use the Oneida Health Center be assigned to the Comprehensive Health Division Directors to research and bring back in 60 days, seconded by Lisa Summers. Motion carried unanimously.

Motion by Melinda J. Danforth to defer the Medicare Part B research back to the Comprehensive Health Division Directors and to comeback with a report in 90 days that researches the opportunities we would have to provide insurance to those individuals of 65 and over that are Oneida Tribal members and have a work meeting with the directors to clarify and develop the scope, seconded by Lisa Summers. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Melinda J. Danforth, Fawn Billie, Brandon Stevens,  
Jennifer Webster  
Not Present: Tehassi Hill

**XII. Tabled Business (No Requested Action)****XIII. New Business****A. Approve activation of funds for CIP #14-002 Cemetery Improvements**

Sponsor: Troy Parr, Asst. Development Director/Development

Motion by Melinda J. Danforth to approve the activation of \$25,000 from the approved FY 2015 CIP project for CIP #14-002 Cemetery Improvements, seconded by Lisa Summers. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Melinda J. Danforth, Fawn Billie, Brandon Stevens,  
Jennifer Webster  
Not Present: Tehassi Hill

**B. Support Budget Development team assessments and outcomes**

Sponsor: Trish King, Tribal Treasurer

Motion by Lisa Summers to support the Budget Development team assessments and outcomes report, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Melinda J. Danforth, Fawn Billie, Brandon Stevens,  
Jennifer Webster  
Not Present: Tehassi Hill

**XIV. Travel****A. Travel Reports****1. Accept travel report for Tribal Chairwoman Tina Danforth – GLITC – Madison WI, – Mar. 03-05, 2015**

Sponsor: Tina Danforth, Tribal Chairwoman

Motion by Lisa Summers to accept the travel report for Tribal Chairwoman Tina Danforth – GLITC – Madison WI, – Mar. 03-05, 2015, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Melinda J. Danforth, Fawn Billie, Brandon Stevens,  
Jennifer Webster  
Not Present: Tehassi Hill

**2. Accept travel report for Tribal Chairwoman Tina Danforth – White House Tribal Nations Conference – Washington DC – Dec. 01-04, 2014**

Sponsor: Tina Danforth, Tribal Chairwoman

Motion by Brandon Stevens to accept the verbal and written travel report for Tribal Chairwoman Tina Danforth – White House Tribal Nations Conference – Washington DC – Dec. 01-04, 2014, seconded by Lisa Summers. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Melinda J. Danforth, Fawn Billie, Brandon Stevens, Jennifer Webster Tehassi Hill

Motion by Lisa Summers to send the topic of our Federal legislative issues to the next Business Committee work meeting to determine how to proceed in the future when we have representatives at the Federal level, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Melinda J. Danforth, Fawn Billie, Brandon Stevens, Jennifer Webster

Not Present: Tehassi Hill

**3. Accept travel report for Tribal Chairwoman Tina Danforth – Treaty of Canandaigua Celebration – Washington DC – Nov. 09-14, 2014**

Sponsor: Tina Danforth, Tribal Chairwoman

Motion by Brandon Stevens to accept the travel report for Tribal Chairwoman Tina Danforth – Treaty of Canandaigua Celebration – Washington DC – Nov. 09-14, 2014, seconded by Lisa Summers. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Melinda J. Danforth, Fawn Billie, Brandon Stevens, Jennifer Webster

Not Present: Tehassi Hill

**4. Accept travel report for Tribal Chairwoman Tina Danforth – G2E – Las Vegas, NV – Sep. 29-Oct. 02, 2014**

Sponsor: Tina Danforth, Tribal Chairwoman

Motion by Lisa Summers to accept the travel report for Tribal Chairwoman Tina Danforth – G2E – Las Vegas, NV – Sep. 29-Oct. 02, 2014, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Melinda J. Danforth, Fawn Billie, Brandon Stevens, Jennifer Webster

Not Present: Tehassi Hill

**5. Accept travel report for Tribal Chairwoman Tina Danforth – GLITC – Milwaukee, WI – Sep. 03-06, 2014**

Sponsor: Tina Danforth, Tribal Chairwoman

Motion by Lisa Summers to accept the travel report for Tribal Chairwoman Tina Danforth – GLITC – Milwaukee, WI – Sep. 03-06, 2014, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Melinda J. Danforth, Fawn Billie, Brandon Stevens, Jennifer Webster

Not Present: Tehassi Hill

**B. Travel Requests**

**1. Approve travel request: Chairwoman Tina Danforth – NAFOA Conference – Austin, TX – Apr. 19-22, 2015**

Sponsor: Tina Danforth, Tribal Chairwoman

Motion by Melinda J. Danforth to approve the travel request for Tribal Chairwoman Tina Danforth to attend the NAFOA Conference – Austin, TX – Apr. 19-22, 2015<sup>1</sup>, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Melinda J. Danforth, Fawn Billie, Brandon Stevens, Jennifer Webster

Not Present: Tehassi Hill

**2. Approve travel policy procedural exception: Comprehensive Health – Share the Care Cancer Conference – Odanah, WI – May 11-13, 2015**

<sup>1</sup> This is a Business Committee meeting week and the BC needs a quorum established. Melinda J. Danforth will be open to Chair the BC meeting.

Sponsor: Debbie Danforth, Division Director/Operations

Motion by Melinda J. Danforth to approve the procedural exception for hotel costs only for seven Community Health Center staff to attend the Share the Care Cancer Conference – Odanah, WI – May 11-13, 2015, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Melinda J. Danforth, Fawn Billie, Brandon Stevens, Jennifer Webster

Not Present: Tehassi Hill

**3. Approve travel request: Councilman Tehassi Hill – Food Hub Meeting – Louisville, KY – Apr. 21-24, 2015**

Sponsor: Tehassi Hill, Councilman

Motion by Lisa Summers to approve the travel request for Councilman Tehassi Hill to attend the Food Hub Meeting – Louisville, KY – Apr. 21-24, 2015, seconded by Trish King. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Melinda J. Danforth, Fawn Billie, Brandon Stevens, Jennifer Webster

Not Present: Tehassi Hill

For the record: Jennifer Webster stated that hotel and meals are paid by W.K. Kellogg Foundation and transportation is reimbursed through the grant.

**4. Approve travel request: Vice-Chairwoman Melinda J. Danforth – Rights of Passage – Akwesasne, NY – Apr. 24-May 02, 2015**

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

Motion by Fawn Billie to approve the travel request for Vice-Chairwoman Melinda J. Danforth to attend the Rights of Passage – Akwesasne, NY – Apr. 28-May 02, 2015, seconded by Jennifer Webster. Motion carried with one abstention:

Ayes: Trish King, Lisa Summers, Fawn Billie, Brandon Stevens, Jennifer Webster

Abstained: Melinda J. Danforth

Not Present: Tehassi Hill

**XV. Reports** *(This section of the agenda is scheduled to begin at 1:30 p.m.)*

Called to order at 1:30 p.m. by Vice-Chairwoman Melinda J. Danforth

*Chairwoman Tina Danforth, Councilman Brandon Stevens, and Councilman Tehassi Hill are not present.*

**A. Operational Reports**

**1. Utilities Department FY '15 1<sup>st</sup> quarter report** – Scott Cottrell, Manager

Motion by Lisa Summer to defer the Utilities Department FY '15 1<sup>st</sup> quarter report to the next regular Business Committee meeting, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Jennifer Webster

Not Present: Tina Danforth, Brandon Stevens, Tehassi Hill

*Councilman Brandon Stevens arrived at 1:32 p.m.*

**2. Environmental, Health, & Safety Division FY '15 2<sup>nd</sup> quarter report** – Pat Pelky, Division Director

Motion by Lisa Summers to defer the Environmental, Health, & Safety Division FY '15 2<sup>nd</sup> quarter report to the next regular Business Committee meeting on April 22, 2015, seconded by Jennifer Webster. Motion carried with one abstention:

Ayes: Trish King, Lisa Summers, Fawn Billie, Jennifer Webster

Abstained: Brandon Stevens

Not Present: Tina Danforth, Tehassi Hill

**3. Oneida Housing Authority FY '15 2<sup>nd</sup> quarter report** – Dale P. Wheelock, Executive Director

Motion by Lisa Summers to accept the Oneida Housing Authority FY '15 2<sup>nd</sup> quarter report, seconded by Trish King. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Brandon Stevens, Jennifer Webster  
 Not Present: Tina Danforth, Tehassi Hill

**4. Development Division/Operations FY '15 2<sup>nd</sup> quarter report** – Bruce A. Danforth, Asst. Development Director/Operations

Motion by Lisa Summers to defer the Development Division/Operations FY '15 2<sup>nd</sup> quarter report to the next regular Business Committee meeting and to request the Tribal Secretary's Office to notify the Assistant Development Director of Operations to attend, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Brandon Stevens, Jennifer Webster  
 Not Present: Tina Danforth, Tehassi Hill

**5. Development Division FY '15 2<sup>nd</sup> quarter report** – Troy D. Parr, Asst. Development Director/Development

Motion by Lisa Summers to accept the Development Division FY '15 2<sup>nd</sup> quarter report, seconded by Trish King. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Brandon Stevens, Jennifer Webster  
 Not Present: Tina Danforth, Tehassi Hill

**6. Comprehensive Health Division FY '15 2<sup>nd</sup> quarter report** – Debra J. Danforth, Operations Director/ Dr. Ravi Vir, Medical Director

Motion by Lisa Summers to defer the Comprehensive Health Division FY '15 2<sup>nd</sup> quarter report to the April 22, 2015 Business Committee regular meeting, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Brandon Stevens, Jennifer Webster  
 Not Present: Tina Danforth, Tehassi Hill

**7. Division of Land Management FY '15 2<sup>nd</sup> quarter report** – Pat Pelky, Division Director/DOLM

Motion by Jennifer Webster to accept the Division of Land Management FY '15 2<sup>nd</sup> quarter report, seconded by Lisa Summers. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Brandon Stevens, Jennifer Webster  
 Not Present: Tina Danforth, Tehassi Hill

**B. Corporate Reports**

**1. Oneida Seven Generations Corporation FY '15 1<sup>st</sup> quarter report** – Gene A. Keluche, Chairman  
*Excerpt from March 25, 2015: Motion by Melinda J. Danforth to defer the Oneida Seven Generations Corporation 1<sup>st</sup> quarter report FY '15 to the next Business Committee meeting and request the Tribal Secretary bring forward the public report as it states within the contract with Sagestone Management, seconded by Fawn Billie. Motion carried unanimously.*

Motion by Fawn Billie to defer the Oneida Seven Generations Corporation FY '15 1<sup>st</sup> quarter report to the next regular Business Committee meeting, seconded by Trish King. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Brandon Stevens, Jennifer Webster  
 Not Present: Tina Danforth, Tehassi Hill

**C. Boards Committees and Commissions**

**1. Environmental Resource Board FY '15 2<sup>nd</sup> quarter report** – Richard Baird, Chairman  
 Liaison: Tehassi Hill, Councilman

Motion by Lisa Summers to accept the Environmental Resource Board FY '15 2<sup>nd</sup> quarter report contingent upon a revision in the meeting requirements section of the report being submitted to the Tribal Secretary's Office, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Brandon Stevens, Jennifer Webster  
 Not Present: Tina Danforth, Tehassi Hill

**2. Oneida Community Library Board** – Melinda K. Danforth, Chairwoman  
 Liaison: Fawn Billie, Councilwoman

**a) Accept the amended Oneida Community Library Board FY '15 1<sup>st</sup> quarter report**

Motion by Lisa Summers to accept the amended Oneida Community Library Board FY '15 1<sup>st</sup> quarter report, seconded by Jennifer Webster. Motion carried unanimously:



Ayes: Trish King, Lisa Summers, Fawn Billie, Brandon Stevens, Jennifer Webster  
 Not Present: Tina Danforth, Tehassi Hill

**b) Accept the Oneida Community Library Board FY '15 2<sup>nd</sup> quarter report**

Motion by Jennifer Webster to accept the Oneida Community Library Board FY '15 2<sup>nd</sup> quarter report, seconded by Fawn Billie. Motion withdrawn.

Motion by Lisa Summers to defer the Oneida Community Library Board FY '15 2<sup>nd</sup> quarter report to the next regular Business Committee meeting and have the liaison Councilwoman Fawn Billie, to follow-up with the Oneida Community Library Board to have a representative at the meeting, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Brandon Stevens, Jennifer Webster  
 Not Present: Tina Danforth, Tehassi Hill

**3. Oneida Police Commission FY '15 2<sup>nd</sup> quarter report** – Bernie John-Stevens, President

Liaison: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to accept the Oneida Police Commission FY '15 2<sup>nd</sup> quarter report, seconded by Trish King. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Brandon Stevens, Jennifer Webster  
 Not Present: Tina Danforth, Tehassi Hill

**4. Oneida Child Protective Board FY '15 2<sup>nd</sup> quarter report** – Dale Powless, Chairman

Liaison: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to accept the Oneida Child Protective Board FY '15 2<sup>nd</sup> quarter report contingent upon an updated report provided to the Tribal Secretary's Office reflecting the change in the training comment, that lack of training is not due to cost containment, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Brandon Stevens, Jennifer Webster  
 Not Present: Tina Danforth, Tehassi Hill

**5. Oneida Nation Arts Board FY '15 2<sup>nd</sup> quarter report** *(no report submitted)*

Liaison: Jennifer Webster, Councilwoman

Motion by Jennifer Webster to defer the Oneida Nation Arts Board FY '15 2<sup>nd</sup> quarter report to the next regular Business Committee meeting, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Brandon Stevens, Jennifer Webster  
 Not Present: Tina Danforth, Tehassi Hill

**6. Anna John Resident Centered Care Community Board FY '15 2<sup>nd</sup> quarter report** – Jacob Metoxen, Chairman

Liaison: Melinda J. Danforth, Tribal Vice-Chairwoman

Motion by Brandon Stevens to accept the Anna John Resident Centered Care Community Board FY '15 2<sup>nd</sup> quarter report, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Brandon Stevens, Jennifer Webster  
 Not Present: Tina Danforth, Tehassi Hill

**XVI. Executive Session**

**A. Executive Session meeting minutes**

**1. Executive Session meeting minutes March 10, 2015**

**2. Executive Session meeting minutes March 24, 2015**

*Excerpt from March 25, 2015: Motion by Melinda J. Danforth to defer the Executive Session meeting minutes agenda items back to the Tribal Secretary's Office for clarification, seconded by Tehassi Hill. Motion carried unanimously.*

Motion by Melinda J. Danforth to accept the memorandum as clarification and delete items A.1 and A.2 from the agenda, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Melinda J. Danforth, Fawn Billie, Brandon Stevens, Jennifer Webster

Not Present: Tehassi Hill

## **B. Reports**

### **1. Chief Counsel report** – Jo Anne House, Chief Counsel

Motion by Melinda J. Danforth to accept the Chief Counsel's Report, seconded by Trish King. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Melinda J. Danforth, Fawn Billie, Brandon Stevens, Jennifer Webster

Not Present: Tehassi Hill

Motion by Melinda J. Danforth to approve the recommendations listed in the March 31<sup>st</sup> memorandum, seconded by Trish King. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Melinda J. Danforth, Fawn Billie, Brandon Stevens, Jennifer Webster

Not Present: Tehassi Hill

### **2. Officers' report** – Lisa Summers, Tribal Secretary

Motion by Melinda Danforth to delete the Officers' report from the agenda, seconded by Lisa Summers. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Melinda J. Danforth, Fawn Billie, Brandon Stevens, Jennifer Webster

Not Present: Tehassi Hill

For the record: Melinda J. Danforth stated that all the items contained within that report will be deferred to the April Business Committee Officers' meeting.

## **C. Audit Committee**

Sponsor: Councilman Tehassi Hill, Chair

### **1. Accept Audit Committee regular meeting minutes of February 12, 2015**

Motion by Brandon Stevens to accept the Audit Committee regular meeting minutes of February 12, 2015, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Melinda J. Danforth, Fawn Billie, Brandon Stevens, Jennifer Webster

Not Present: Tehassi Hill

### **2. Accept the February Internal Audit report with Attachment A**

Motion by Melinda J. Danforth to accept the Internal Audit report for February with Attachment A, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Melinda J. Danforth, Fawn Billie, Brandon Stevens, Jennifer Webster

Not Present: Tehassi Hill

Motion by Lisa Summers to direct the Housing Director to bring back an action plan within 60 days for the item listed in the Audit Committee regular meeting minutes for February 12, 2015 under IV. Old Business 2. Housing Audit Concern and how it will be achieved, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Melinda J. Danforth, Fawn Billie, Brandon Stevens, Jennifer Webster

Not Present: Tehassi Hill

## **D. Unfinished Business**

### **1. Approve Attorney Sweeney contract #2015-0096**

Liaison: Lisa Summers, Tribal Secretary

*Excerpt from March 25, 2015: Motion by Melinda J. Danforth to defer this item to the next regular Business Committee meeting and to direct Tribal Secretary, as the liaison to the Personnel Commission, to coordinate the answers to the questions that were given yesterday, seconded by Tehassi Hill. Motion carried unanimously.*

Motion by Melinda J. Danforth to direct the Personnel Commission liaison, Tribal Secretary Summers, to contact the Personnel Commission regarding the alternative language addressing the retainer and the maximum contract amount, seconded by Trish King. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Melinda J. Danforth, Fawn Billie, Brandon Stevens,  
Jennifer Webster

Not Present: Tehassi Hill

**2. Approve the Limited Waiver of Sovereign Immunity for Bayer Healthcare contract #2014-0854**

Sponsor: Debra J. Danforth, Operations Director

**Excerpt from March 25, 2015:** Motion by Tehassi Hill to defer the Limited Waiver of Sovereign Immunity for the Bayer Healthcare Contract #2014-0854, to the next regular Business Committee meeting in order to get the contract in the appropriate format and legal review, seconded by Melinda J. Danforth. Motion carried unanimously.

Motion by Lisa Summers to defer the Limited Waiver of Sovereign Immunity for the Bayer Healthcare contract #2014-0854 back to the submitters and have them bring it back when completed and to delete this from the agenda, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Melinda J. Danforth, Fawn Billie, Brandon Stevens,  
Jennifer Webster

Not Present: Tehassi Hill

**3. Approve the Limited Waiver of Sovereign Immunity Catamaran for National Provider Network contract #2014-048**

Sponsor: Debra J. Danforth, Operations Director

**Excerpt from March 25, 2015:** Motion by Tehassi Hill to defer the Limited Waiver of Sovereign Immunity for the Catamaran National Provider Network Contract #2014-0485, to the next regular Business Committee meeting in order to get the contract in the appropriate format and legal review, seconded by Melinda J. Danforth. Motion carried unanimously.

Motion by Jennifer Webster to defer the Limited Waiver of Sovereign Immunity Catamaran for National Provider Network contract #2014-048 back to the submitters and delete it from the agenda, seconded by Lisa Summers. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Melinda J. Danforth, Fawn Billie, Brandon Stevens,  
Jennifer Webster

Not Present: Tehassi Hill

**4. Approve the Limited Waiver of Sovereign Immunity for McKesson Supply contract #2014-1330**

Sponsor: Debra J. Danforth, Operations Director

**Excerpt from March 25, 2015:** Motion by Motion by Melinda J. Danforth to defer the Limited Waiver of Sovereign Immunity for the McKesson Supply Contract #2014-1330, to the next regular Business Committee meeting in order to get the contract in the appropriate format and legal review, seconded by Jennifer Webster. Motion carried unanimously.

Motion by Jennifer Webster to approve the Limited Waiver of Sovereign Immunity for McKesson Supply contract #2014-1330, seconded by Trish King. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Melinda J. Danforth, Fawn Billie, Brandon Stevens,  
Jennifer Webster

Not Present: Tehassi Hill

**E. Tabled Business (No Requested Action)**

**F. New Business**

**1. Approve the Limited Waiver of Sovereign Immunity for Denali Advisors LLC contract #2015-0214**

Sponsor: Larry Barton, Chief Financial Officer

Motion by Jennifer Webster to approve the Limited Waiver of Sovereign Immunity for Denali Advisors LLC contract #2015-0214, seconded by Fawn Billie. Motion carried with one abstention:

Ayes: Trish King, Lisa Summers, Fawn Billie, Brandon Stevens, Jennifer Webster  
Abstained: Melinda J. Danforth



Not Present: Tehassi Hill

## 2. Review Community Wells and Septic concerns

Sponsor: Tina Danforth, Tribal Chairwoman

Motion by Melinda J. Danforth to defer Review Community Wells and Septic agenda item to the next regular Business Committee meeting noting that there is a meeting scheduled with the Asst. Development

Director/Operations and the Business Committee, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Melinda J. Danforth, Fawn Billie, Brandon Stevens,  
Jennifer Webster

Not Present: Tehassi Hill

## 3. Approve the performance evaluation and expectations process for direct reports

Sponsor: Lisa Summers, Tribal Secretary

Motion by Brandon Stevens to approve the performance evaluation and expectations process for direct reports, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Melinda J. Danforth, Fawn Billie, Brandon Stevens,  
Jennifer Webster

Not Present: Tehassi Hill

## 4. Accept settlement proposal – J. Buckley v. Oneida Business Committee

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

Motion by Brandon Stevens to accept the settlement proposal – J. Buckley v. Oneida Business Committee, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Melinda J. Danforth, Fawn Billie, Brandon Stevens,  
Jennifer Webster

Not Present: Tehassi Hill

Motion by Lisa Summers to direct the Vice-Chairwoman's Office to complete the action with the Human Resources Department, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Melinda J. Danforth, Fawn Billie, Brandon Stevens,  
Jennifer Webster

Not Present: Tehassi Hill

## 5. Determine next steps for Chief Counsel contract

Sponsor: Lisa Summers, Tribal Secretary

**Excerpt from September 24, 2014:** Motion by Lisa Summers to have the Business Committee develop a work team to update performance benchmarks and that the team complete a follow-up review in six months and that the team be comprised of Councilwoman Fawn Billie, Councilman Brandon Stevens and Chairwoman Tina Danforth, seconded by Tehassi Hill. Motion carried unanimously.

Motion by Lisa Summers for the assigned Business Committee team members, Council members Fawn Billie and Brandon Stevens, and Chairwoman Tina Danforth, to provide an update to the Business Committee at the May 13, 2015 Business Committee regular meeting, seconded by Melinda J. Danforth. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Melinda J. Danforth, Fawn Billie, Brandon Stevens,  
Jennifer Webster

Not Present: Tehassi Hill

## 6. Determine next steps for Gaming General Manager contract

Sponsor: Lisa Summers, Tribal Secretary

**Excerpt from September 24, 2014:** Motion by Lisa Summers to have the Business Committee develop a work team to update performance benchmarks and that the team complete a follow-up review in six months and that the team be comprised of Councilwoman Fawn Billie, Councilman Brandon Stevens and Chairwoman Tina Danforth, seconded by Tehassi Hill. Motion carried unanimously.

Motion by Melinda J. Danforth for the assigned Business Committee team members, Council members Fawn Billie and Brandon Stevens, and Chairwoman Tina Danforth, to provide an update to the Business Committee at

the May 13, 2015 Business Committee regular meeting on the next steps for Gaming General Manager contract, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Melinda J. Danforth, Fawn Billie, Brandon Stevens, Jennifer Webster

Not Present: Tehassi Hill

Motion by Trish King to recess at 11:04 p.m. and to reconvene at 1:30 p.m., seconded Fawn Billie. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Melinda J. Danforth, Brandon Stevens, Jennifer Webster

Not Present: Tehassi Hill

**XVII. Adjourn**

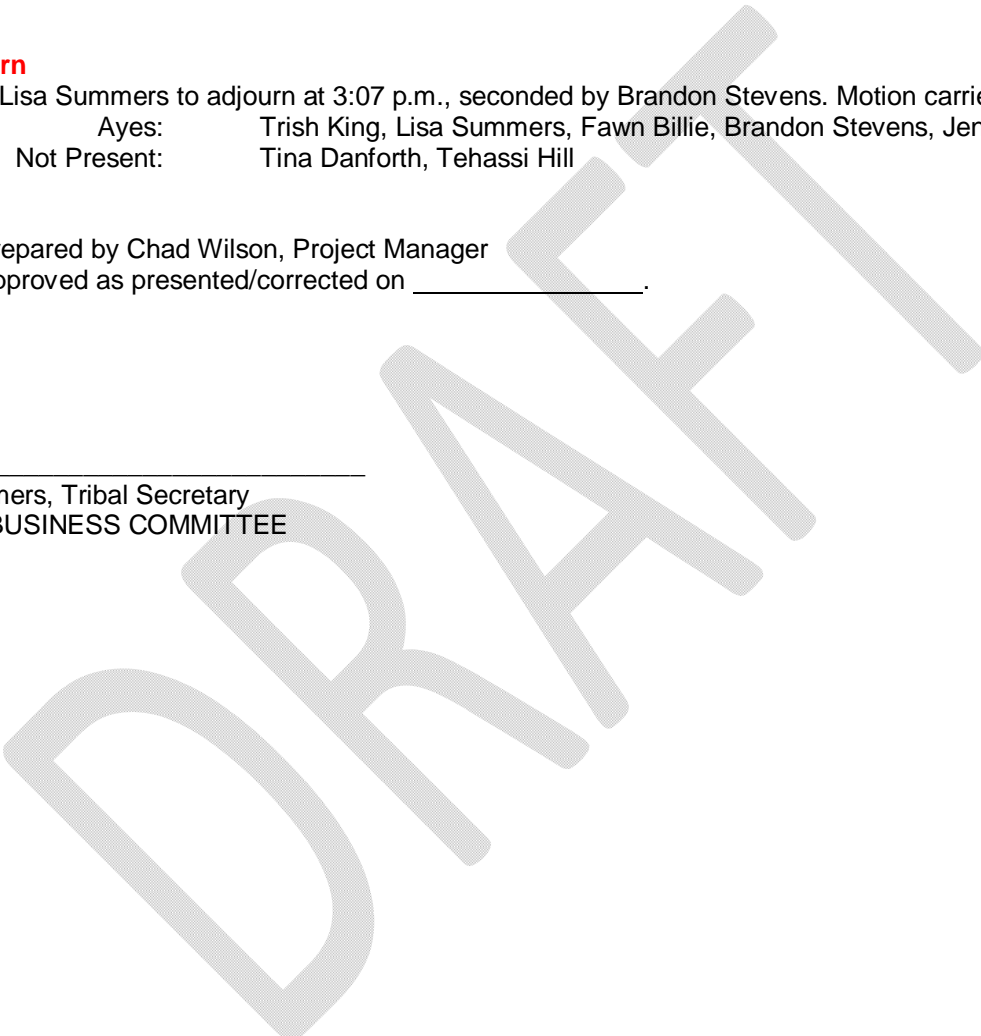
Motion by Lisa Summers to adjourn at 3:07 p.m., seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Trish King, Lisa Summers, Fawn Billie, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill

Minutes prepared by Chad Wilson, Project Manager  
Minutes approved as presented/corrected on \_\_\_\_\_.

\_\_\_\_\_  
Lisa Summers, Tribal Secretary  
ONEIDA BUSINESS COMMITTEE



# Oneida Business Committee Meeting Agenda Request Form

1. Meeting Date Requested: 4 / 15 / 15

## 2. Nature of request

Session:  Open    Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

Older American Month Proclamation 2015

Agenda Header (choose one): Resolution

Agenda item title (see instructions):

Approve resolution titled Older American Month

Action requested (choose one)

Information only

Action - please describe:

Approve resolution titled Older American Month

## 3. Justification

Why BC action is required (see instructions):

Tribal Chair signature and support requested

## 4. Supporting Materials

[Instructions](#)

Memo of explanation with required information (see instructions)

Report    Resolution    Contract (check the box below if signature required)

Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1. OAM15 Resolution

3.

2. History of Older America

4.

Business Committee signature required

## 5. Submission Authorization

Authorized sponsor (choose one):

Requestor (if different from above): Wesley Martin, Jr. ONCOA Chairman

Name, Title / Dept. or Tribal Member

Additional signature (as needed):

Name, Title / Dept.

Additional signature (as needed):

Name, Title / Dept.

1) Save a copy of this form in a pdf format.

2) Email this form and all supporting materials to: BC\_Agenda\_Requests@oneidanation.org



## May is Older Americans Month

The 2015 Older Americans Month theme is [Get into the Act](#). Visit the [2015 theme section](#) for materials and ideas to help your organization celebrate Older Americans Month.

## History of Older Americans Month

When Older Americans Month was established in 1963, only 17 million living Americans had reached their 65th birthday. About a third of older Americans lived in poverty and there were few programs to meet their needs. Interest in older Americans and their concerns was growing. A meeting in April 1963 between President John F. Kennedy and members of the National Council of Senior Citizens led to designating May as "Senior Citizens Month," the prelude to "Older Americans Month."

Historically, Older Americans Month has been a time to acknowledge the contributions of past and current older persons to our country, in particular those who defended our country. Every President since Kennedy has issued a formal proclamation during or before the month of May asking that the entire nation pay tribute in some way to older persons in their communities. Older Americans Month is celebrated across the country through ceremonies, events, fairs, and other such activities.

## Past Older Americans Month Themes

- 2014—[Safe Today. Healthy Tomorrow.](#)
- 2013—[Unleash the Power of Age](#)
- 2012—[Never Too Old to Play](#)
- 2011—[Older Americans: Connecting the Community](#)
- 2010—Age Strong! Live Long!
- 2009—Living Today for a Better Tomorrow

- 2008—Working Together for Strong, Healthy and Supportive Communities
- 2007—Making Choices for a Healthier Future
- 2006—Choices For Independence
- 2005—Celebrate Long-term Living
- 2004—Aging Well, Living Well
- 2003—What We Do Makes A Difference.
- 2002—America: “A Community for all Ages”
- 2001—The Many Faces of Aging
- 2000—In the New Century ... The Future is Aging
- 1999—Honor the Past, Imagine the Future: Towards a Society for All Ages
- 1998—Living Longer, Growing Stronger in America
- 1997—Caregiving: Compassion in Action
- 1996—Aging: A Lifetime Opportunity
- 1995—Aging: Generations of Experience
- 1994—Aging: An Experience of a Lifetime
- 1993—*No theme selected (proclamation signed on May 25, 1993)*
- 1992—Community Action Begins with You: Help Older Americans Help Themselves
- 1986—Plan on Living the Rest of Your Life
- 1985—Help Yourself to Independence
- 1984—Health: Make it Last a Lifetime
- 1978—Older Americans and the Family

# Oneida Tribe of Indians of Wisconsin



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



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.

## BC Resolution \_\_\_\_\_ Older American Month

- WHEREAS,** the Oneida Tribe of Indians of Wisconsin is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Tribe of Indians of Wisconsin; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section 1, of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** Oneida Tribe of Indians of Wisconsin includes a thriving community of older American who deserve recognition for their contributions and sacrifices to ensure a better life for future generations; and
- WHEREAS,** and Oneida Tribe of Indians of Wisconsin is committed to helping all individuals live longer, healthier lives in the communities of their choice for as long as possible;
- WHEREAS,** since 1965, the Older American Act has provided services that help older adults remain healthy and independent by complementing existing medical and health care systems, helping prevent hospital readmissions, and supporting some of life's most basic functions, such as bathing or preparing meals; and
- WHEREAS,** these programs also support family caregivers, address issues of exploitation, neglect and abuse of older adults, and adapt services to the needs of Native American elders; and
- WHEREAS,** we recognize the value of community engagement and service in helping older adults remain healthy and active while giving back to others; and
- WHEREAS,** our community can provide opportunities to enrich the lives of individuals of all ages by:
  - Promoting and engaging in activity, wellness, and social inclusion.
  - Emphasizing home- and community-based services that support independent living.
  - Ensuring community members of all ages benefit from the contributions and experience of older adults; and

**NOW THEREFORE BE IT RESOLVED,** that the Oneida Tribe of Indians of Wisconsin recognizes the importance of our elders. We urge every resident to take this month to celebrate older adults and the people who serve and support them as powerful and vital individuals who greatly contribute to the community.

**BE IT FINALLY RESOLVED,** that the Oneida Tribe of Indians of Wisconsin do hereby proclaim May 2015 to be Older Americans Month.

# Oneida Business Committee Meeting Agenda Request Form

1. Meeting Date Requested: 4 / 22 / 15

2. Nature of request

Session:  Open     Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

Agenda Header (choose one): Legislative Operating Committee

Agenda item title (see instructions):

Extension of the Oneida Nation Gaming Ordinance Emergency Amendments

Action requested (choose one)

- Information only  
 Action - please describe:

Adopt the Resolution extending the emergency amendments to ONGO

3. Justification

Why BC action is required (see instructions):

4. Supporting Materials

[Instructions](#)

- Memo of explanation with required information (see instructions)  
 Report     Resolution     Contract (check the box below if signature required)  
 Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1. Statement of Effect	3. Clean draft
2. Redline draft with legislative analysis	4.

Business Committee signature required

5. Submission Authorization

Authorized sponsor (choose one): Brandon Stevens, Council Member

Requestor (if different from above): \_\_\_\_\_  
Name, Title / Dept. or Tribal Member

Additional signature (as needed): \_\_\_\_\_  
Name, Title / Dept.

Additional signature (as needed): \_\_\_\_\_  
Name, Title / Dept.

- 1) Save a copy of this form in a pdf format.
- 2) Email this form and all supporting materials to: BC\_Agenda\_Requests@oneidanation.org

# Oneida Tribe of Indians of Wisconsin

## Legislative Reference Office


P.O. Box 365  
Oneida, WI 54155  
(920) 869-4376  
(800) 236-2214  
<http://oneida-nsn.gov/LOC>



## Committee Members

Brandon Stevens, Chairperson  
Tehassi Hill, Vice Chairperson  
Fawn Billie, Councilmember  
Jennifer Webster, Councilmember

## Memorandum

**To:** Oneida Business Committee  
**From:** Brandon Stevens, LOC Chairperson   
**Date:** April 22, 2015  
**Re:** REQUEST FOR ACTION: Extension of the Oneida Nation Gaming Ordinance  
Emergency Amendments

---

Please find attached the following for your consideration:

1. Resolution: Extension of the Oneida Nation Gaming Ordinance Emergency Amendments
2. Statement of Effect: Extension of the Oneida Nation Gaming Ordinance Emergency Amendments
3. Oneida Nation Gaming Ordinance (redline)
4. Oneida Nation Gaming Ordinance (clean)

### Overview

On September 15, 2014, the Legislative Operating Committee LOC received a request from the Oneida Gaming Commission (Commission) to process emergency amendments to the Oneida Nation Gaming Ordinance (ONGO) in order to comply with National Indian Gaming Commission (NIGC) regulations. These amendments:

- Require the identity of a person being interviewed for a background investigation to be kept confidential.
- Require the Commission to retain all applications, investigative reports and eligibility determinations for at least three years from the date the applicant's employment was terminated.
- Require the Commission to forward a copy of its decision to suspend, condition or revoke a license to NIGC within forty-five days of receiving NIGC's notification indicating that an employee is not eligible for a license.

The amendments were adopted on an emergency basis pursuant to OBC Resolution 10-08-14-C and became effective November 1, 2014 in order to meet the deadline for NIGC approval. Adoption of the attach resolution will extend these emergency amendments for an additional six months.

### Requested Action

Approve the Resolution: Extension of the Oneida Nation Gaming Ordinance Emergency Amendments.



**BC Resolution \_\_\_\_\_**

*Oneida Nation Gaming Ordinance Emergency Amendments*

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**WHEREAS,** the Oneida Tribe of Indians of Wisconsin is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and

**WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Tribe of Indians of Wisconsin; and

**WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV of the Oneida Tribal Constitution by the Oneida General Tribal Council; and

**WHEREAS,** the Oneida Nation Gaming Ordinance (ONGO) is currently in noncompliance with National Indian Gaming Commission (NIGC) regulations; and

**WHEREAS,** a request for emergency amendments to ONGO was received to allow ONGO to comply with NIGC regulations; and

**WHEREAS,** the emergency amendments would (1) add requirements to keep the identity of each person interviewed in the course of a background investigation confidential; (2) require certain documents from the Oneida Gaming Commission to be retained for at least three years from the date of an employee’s employment being terminated; and (3) if the Oneida Gaming Commission suspends, conditions or revokes a license based on information from NIGC, the Commission is required to forward that decision to NIGC within forty-five days of NIGC’s notification that an employee is not eligible for a License; and

**WHEREAS,** the Legislative Procedures Act (LPA) authorizes the Oneida Business Committee to enact legislation on an emergency basis, to be in effect for a period of six (6) months, renewable for an additional six (6) months; and

**WHEREAS,** through Resolution BC 10-08-14-C, the Oneida Business Committee adopted emergency amendments to ONGO; and

**WHEREAS,** extension of emergency amendments to ONGO is necessary for the immediate preservation of the public health, safety, or general welfare of the reservation population and amendments to ONGO are required sooner than would be possible under the LPA.

**NOW THEREFORE BE IT RESOLVED,** that the attached Oneida Nation Gaming Ordinance is adopted on an emergency basis for an additional six (6) months.

Resolution \_\_\_\_\_  
Page 2

45 **BE IT FURTHER RESOLVED**, that the attached amendments shall be effective May 1, 2015  
46 and remain in effect for six (6) months, or until permanent amendments are adopted, whichever  
47 occurs first.

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49 **BE IT FINALLY RESOLVED**, that the Oneida Gaming Commission shall present the final  
50 amendments related to ONGO to the Legislative Operating Committee by May 20, 2015 to  
51 ensure that revisions to ONGO have enough time to properly follow the process set forth in the  
52 Legislative Procedures Act.

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54 **CERTIFICATION**

55 I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the  
56 Oneida Business Committee is composed of 9 members of whom 5 members constitute a  
57 quorum. \_\_\_members were present at a meeting duly called, noticed and held on the \_\_\_ day  
58 of \_\_\_\_\_, 2014; that the foregoing resolution was duly adopted at such meeting by a vote of  
59 \_\_\_\_\_members for; \_\_\_ members against; and \_\_\_ members not voting; and that said  
60 resolution has not been rescinded or amended in any way.

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\_\_\_\_\_  
Lisa Summers, Tribal Secretary  
Oneida Business Committee

**Oneida Tribe of Indians of Wisconsin  
Legislative Reference Office**

Lynn A. Franzmeier, Attorney  
Taniquele J. Thurner, Legislative Analyst  
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**Statement of Effect**

*Extension of the Oneida Nation Gaming Ordinance Emergency Amendments*

**Summary**

This Resolution extends the adoption of emergency amendments to the Oneida Nation Gaming Ordinance for six months or when permanent amendments are adopted, whichever occurs first. This Resolution identifies an effect date of May 1, 2015. In addition, the Resolution requires the Oneida Gaming Commission to present the final amendments to ONGO to the Legislative Operating Committee by May 20, 2015 to ensure that the amendments have enough time to go through the process set forth in the Legislative Procedures Act.

*Submitted by: Candice E. Skenandore, Legislative Analyst, Legislative Reference Office*

**Analysis from Legislative Reference Office**

On June 25, 2014, pursuant to GTC Resolution 07-01-13-A, revisions which replaced the term “Appeals Commission” with the “Judiciary” were made in ONGO and then sent to the NIGC for approval. On September 9, 2014, NIGC sent back the revisions and requested further amendments be made after finding discrepancies between ONGO and NIGC regulations. NIGC gave an October 21, 2014 deadline for approving ONGO. Emergency amendments to ONGO were requested by the Commission to comply with NIGC regulations and meet the NIGC deadline. The Oneida Business Committee (OBC) adopted the requested amendments for six months on October 8, 2014; however, the adopting Resolution stated that the emergency amendments became effective November 1, 2014.

ONGO was in noncompliance with NIGC regulations due to the following discrepancies:

1. ONGO is missing the requirement to keep the identity of each person interviewed in the course of a background investigation confidential per 25 C.F.R. § 556.4(c).
2. ONGO retains all applications, background investigations, investigative reports, suitability determinations, findings and decisions of the Commission’s files for a period of at least seven years, but currently that period begins on the date of employment and not from the date of termination per 25 C.F.R. §558.3(e).
3. ONGO is missing the requirement per 25 C.F.R. §558.4(e) that a tribe notify the NIGC of its decision to revoke or reinstate a gaming license within forty-five days of receiving notification from the Commission that a key employee or primary management official is not eligible for employment under 25 C.F.R. §556.5.

To address the discrepancies, the following emergency amendments were made to ONGO to ensure compliance with NIGC regulations:

1. The identity of any person interviewed in order to conduct a background investigation shall be confidential *[see 21.10-2]*.
2. All applications, background investigations, investigative reports, suitability determinations, findings and decisions of the Commission shall be retained in the Commission's files for a period of at least three (3) years from the date the applicant's employment is terminated *[see 21.12-5(d)(4)]*.
3. If the license was suspended, conditioned or revoked based on information from the NIGC under 21.12-8(a)(1), the Commission shall forward a copy of its decision to NIGC within forty-five (45) days of NIGC's notification that an employee shall not be eligible for a license *[see 21.12-8(e)]*.

Section 16.9-5 of the Legislative Procedures Act (LPA) allows the OBC to take emergency action to amend a law where it is "necessary for the immediate preservation of the public health, safety, or general welfare of the reservation population" and when enactment or amendment of legislation is required sooner than would be possible under the LPA. Through the Resolution BC 10-08-14-C, the OBC issued a finding of an emergency and stated the necessity for these emergency amendments to ONGO. Adoption of this Resolution would extend those emergency amendments for an additional six months.

#### **Conclusion**

There are no legal bars to adopting the Resolution.

**Chapter 21**  
**Oneida Nation Gaming Ordinance**  
**Thatiwi-ʔStunya·tha Olihwa·ke**  
Matters of interest to where they make the money

21.1. Purpose and Policy	21.11. Licenses, Generally
21.2. Adoption, Amendment, Applicability, Repeal	21.12. Gaming Employee License
21.3. Jurisdiction	21.13. Gaming Services Licensing and Non-Gaming Services Permitting
21.4. Definitions	21.14. Gaming Facility License
21.5. Oneida Business Committee: Powers and Duties	21.15. Gaming Operator License
21.6. Oneida Gaming Commission	21.16. Games
21.7. Gaming Surveillance: Powers, Duties and Limitations	21.17. Allocation of Gaming Funds
21.8. [Reserved for future use.]	21.18. Audits
21.9. Gaming Security Department	21.19. Enforcement and Penalties
21.10. Background Investigations	

<i>Analysis by the Legislative Reference Office</i>					
Title	Oneida Nation Gaming Ordinance (ONGO)				
Requester	Tamara Vanschyndel (Oneida Gaming Commission)	Drafter	Lynn Franzmeier	Analyst	Taniquelle Thurner
Reason for Request	<p>On June 25, 2014, the Oneida Business Committee (OBC) adopted minor terminology amendments to ONGO, which replaced references to the Oneida Appeals Commission/Tribal Judicial System with the Tribal Judiciary, and which will go into effect on November 1, 2014.</p> <p>As required, the ONGO amendments were submitted to the National Indian Gaming Commission (NIGC) for approval. However, NIGC returned the submission after three discrepancies were found between ONGO and federal law/NIGC regulations. These amendments are being proposed to ensure that ONGO complies with NIGC requirements. These amendments will be adopted on an emergency basis and would also become effective on November 1<sup>st</sup>.</p>				
Purpose	Governs Oneida Tribal gaming				
Authorized/ Affected Entities	NIGC, Oneida Gaming Commission (OGC)				
Due Process	OGC hears appeals of licensing decisions, then Judiciary				
Related Legislation	Gaming SOPs, an HRD/OGC agreement for conducting background investigations (as required by ONGO 21.10-1)				
Policy Mechanism	Licensing				
Enforcement	Licensing Suspension, Revocation				

### Overview

The amendments make three changes to ONGO:

1. Clarify that the identity of any person interviewed in order to conduct a background investigation, is confidential. [21.10-2]
2. Require OGC to retain various records for three years after a Gaming employee's employment is terminated, instead of for seven years after the employee begins employment. [21.12-5(d)(4)]
3. If OGC decides to suspend, place a condition on or revoke a license based on information provided by NIGC that an employee is not eligible for a license; OGC will now be required to forward a copy of this final decision to NIGC within 45 days of making the decision. [21.12-8(e)].

**Proposed Amendments****Clarifying that the identity of any person interviewed in order to conduct a background investigation, is confidential.**

Currently, ONGO does not address confidentiality; however, federal law requires Tribes and their agents to “promise to keep confidential the identity of each person interviewed in the course of” a background investigation.” [25 CFR 556.4(b)] The proposed amendments add a provision stating that the identity of any person interviewed “in order to conduct” a background investigation, shall be confidential. [21.10-2]

**Retaining various records for Gaming employees for three years after the employee’s employment is terminated.**

Under 25 CFR §558.3(e), certain records must be retained by the Tribe for at least three years after each Gaming employee’s employment is terminated. Currently, ONGO requires such records to be retained by the OGC for at least seven years after the employee begins employment. Under the proposed amendments, the OGC must instead retain those records for at least three years after the employee’s employment is terminated, which matches the Federal/NIGC requirements. [21.12-5(d)(4)]

The records that the OGC is required to retain under ONGO are slightly different from the requirements under 25 CFR 558.3(e). The following chart shows the difference:

<b>Federal law (NIGC requirement) 25 CFR 558.3(e) requires the following to be retained:</b>	<b>Both the current and amended ONGO [21.12-5(d)(4)] require the following to be retained:</b>
<ul style="list-style-type: none"> <li>• Applications for licensing</li> <li>• Investigative reports</li> <li>• Eligibility determinations</li> </ul>	<ul style="list-style-type: none"> <li>• Applications</li> <li>• Background Investigations</li> <li>• Investigative reports</li> <li>• Suitability determinations</li> <li>• Findings &amp; decisions of the OGC</li> </ul>

**Notifying NIGC of a licensing decision after receiving information from NIGC**

Under federal law, if NIGC provides reliable information to the OGC that certain employees do not meet ONGO’s qualifications for licensing, then within 45 days, OGC is required to hold a hearing and notify NIGC of their licensing decision. [25 CFR §558.4]

Currently, ONGO does not require the OGC to notify NIGC whenever any licensing decisions are made following NIGC notification about any Gaming employee. Under the amendments, a new provision requires NIGC to be notified within 45 days after NIGC provides the OGC with information about the employee. [21.12-8(a)]

However there are several differences between the Federal requirements and ONGO:

<b>Federal Regulations (25 CFR 558.4)</b>	<b>ONGO 21.12-8</b>
NIGC is only required to notify the OGC when NIGC receives reliable information that a <b>key employee or primary management official</b> does not meet qualifications set out in ONGO.	ONGO sets out a process for suspending <b>any gaming employee’s</b> license - whenever reliable information is received (from NIGC <u>or any other source</u> ) about the employee.

For OBC consideration (redline)  
04/22/15

<p>Once the OGC receives such information from NIGC, it must <u>immediately suspend</u> the key employee's or primary management official's license.</p>	<p>Once the OGC receives such information from NIGC <u>or any source</u>, the OGC must <u>issue a written notice of suspension</u>, for any employee. However, ONGO does not specifically require immediate suspension - immediate suspension may only occur if OGC feels the public interest, and effective regulation and control of gaming activities requires a licensee's immediate exclusion before a hearing could be conducted.</p>
<p>The licensee must be notified of the time and place set for a <u>revocation hearing</u>.</p>	<p>The licensee must be notified of the time and place set for a <u>hearing</u>. ONGO contains additional due process requirements as to what the licensee must be notified of, including the right to review/copy their file, request a hearing, and present documents and witness testimony; the specific grounds for the licensing action, and <u>citing any relevant laws /rules</u>.</p>
<p>After the hearing, the tribe must decide to <u>either revoke or reinstate</u> the gaming license. These are the only two actions authorized.</p>	<p>After a hearing, the OGC must decide whether to <u>suspend, uphold an immediate suspension, revoke, or take other action</u> concerning the License.</p>
<p>No timeline for issuing a decision.</p>	<p>A final written licensing decision must be <u>issued</u> within 15 business days after the hearing.</p>
<p>The Tribe must <u>notify</u> NIGC of their decision within 45 days, and the decision can only be to either revoke or reinstate the license.</p>	<p>OGC is required to <u>forward a copy</u> of their decision to NIGC within 45 days if the license <u>is suspended, conditioned or revoked based on information from NIGC</u>. This appears to mean that OGC would not need to forward a copy of their decision to NIGC if:</p> <ul style="list-style-type: none"> <li>• The decision is to overturn a suspension or to take any other action besides suspending, conditioning or revoking a license.</li> <li>• The decision to suspend, condition, or revoke is not based on information from NIGC.</li> <li>• The information about the employee came from another source instead of NIGC.</li> </ul>

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### **Emergency Adoption of Amendments**

This item was added to the Active Files List at the September 17, 2014 LOC meeting, for processing on an emergency basis. In accordance with section 16.9-5 the Legislative Procedures Act (LPA), the OBC may temporarily enact an emergency law where necessary for the immediate preservation of the public health, safety or general welfare of the Reservation population and the enactment/amendment of legislation is required sooner than would be possible under the standard legislative process. Amendments adopted on an emergency basis would be in effect for up to six months, with a one-time extension of up to six additional months.

### **Consideration**

48 Although both 25 CFR 558.4 and the amended ONGO require certain hearing decisions  
49 to be sent to NIGC within 45 days, ONGO 21.12-9 also provides that "Any person aggrieved by  
50 a licensing decision of the Commission may appeal the decision by filing a request for an  
51 original hearing" before the OGC, within 15 days after receiving OGC's decision. OGC must  
52 certify the record within 30 days, and issue a written decision within 120 days after receiving the



53 request. OGC's decision may be appealed to the Judiciary as an appeal of an original hearing  
54 body. This timeline exceeds the 45 days and it is not clear whether any later decision would also  
55 need to be submitted to NIGC.

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### Miscellaneous

58 It is intended that various other (minor) revisions may be made when these proposed  
59 amendments are processed for permanent adoption; however those do not require immediate,  
60 emergency action, and so were not included with these amendments. Such revisions include:  
61 deleting the reference to the Administrative Procedures Act [21.12-8(g)]; updating sections 21.2  
62 and 21.4 for compliance with the format and language required by the LPA, and other spelling,  
63 capitalization and formatting changes.

64 A public meeting has not been held.

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## Chapter 21

### Oneida Nation Gaming Ordinance

Thatiwi'ꞥStunya'tha Olihwa'ke

70 Matters of interest to where they make the money

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#### **21.1. Purpose and Policy**

73 21.1-1. *Purpose.* The purpose of this Ordinance is to set forth the laws of the Oneida Tribe of  
74 Indians of Wisconsin regarding all Gaming Activities conducted within the jurisdiction set forth  
75 in this Ordinance. It is intended to govern the Gaming Activities of all persons, Gaming  
76 Employees, consultants, business entities, vendors, boards, committees, commissions and  
77 hearing bodies. This Ordinance does not authorize the operation of Gaming by a private person  
78 or private entity for gain. This Ordinance shall govern all Gaming Activities occurring on lands  
79 under the jurisdiction set forth in this Ordinance and all individuals or entities engaged in  
80 Gaming Activities, including those providing goods or services to any person or entity engaged  
81 in Gaming Activities

82 21.1-2. *Policy.* It is the policy of this Ordinance to ensure that the Oneida Tribe is the primary  
83 beneficiary of its Gaming Operations and has the sole proprietary interest, and that Gaming  
84 Activities within the jurisdiction set forth in this Ordinance are conducted fairly and honestly,  
85 and that all internal departments, enterprises, officials and employees of the Oneida Tribe work  
86 cooperatively to advance the best interests of the Oneida Tribe to protect the Tribe's gaming  
87 resources, protect the integrity of all gaming activities operated under the jurisdiction set forth in  
88 this Ordinance and to ensure fairness of all games offered to the Tribe's gaming patrons.

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#### **21.2. Adoption, Amendment, Applicability, Repeal**

91 21.2-1. *Adoption.* This Ordinance is adopted under the authority of the Constitution of the  
92 Oneida Tribe of Indians of Wisconsin by Oneida General Tribal Council Resolution # 7-05-04-A  
93 and amended by resolutions BC-10-06-04-D, BC-3-23-05-C, BC-9-23-09-D ~~and~~, BC-06-25-14-  
94 C, BC-10-08-14-C and.

95 21.2-2. *Amendment.* This Ordinance may be amended by the Oneida Business Committee or the  
96 General Tribal Council in accordance with Tribal law.

97 21.2-3. *Severability.* Should a provision of this Ordinance or the application of this Ordinance  
98 be held as invalid, the invalidity shall not effect other provisions of this Ordinance.



99 21.2-4. All other Oneida laws, policies, regulations, rules, resolutions, motions and all other  
100 similar actions which are inconsistent with this law are hereby repealed unless specifically re-  
101 enacted after adoption of this law. Specifically, the following resolutions are repealed by this  
102 law:

- 103 (a) BC-4-21-89-D (Adoption of the Oneida Gaming Control Ordinance);
- 104 (b) GTC-03-04-91-A (Establishing 7 elected Gaming Commissioners and Bingo  
105 standards);
- 106 (c) GTC-7-6-92-A (Amendments to Gaming SOP Manual);
- 107 (d) GTC-7-6-92-B (Adoption of the Comprehensive Gaming Ordinance);
- 108 (e) BC-3-16-94-A; (Comprehensive Gaming Ordinance Interpretation); and
- 109 (f) BC-4-5-95-D (Amendments to the Comprehensive Gaming Ordinance).

110 21.2-5. *Name*. This Ordinance shall be known as the Oneida Nation Gaming Ordinance or  
111 ONGO.

112 21.2-6. *Preemptive Authority*. The Gaming Commission shall be the original hearing body  
113 authorized to hear licensing decisions as set forth in this Ordinance.  
114

### 115 **21.3. Jurisdiction**

116 21.3-1. *Territorial Jurisdiction*. This Ordinance extends to all land within the exterior  
117 boundaries of the Reservation of the Tribe, as established pursuant to the 1838 Treaty with the  
118 Oneida, 7 Stat. 566, and any lands added thereto pursuant to federal law.

119 21.3-2. *Subject Matter Jurisdiction*. This Ordinance applies to all Gaming conducted within the  
120 territorial jurisdiction of the Oneida Tribe as set forth in section 21.3-1.

121 21.3-3. *Personal Jurisdiction*. This Ordinance shall govern:

- 122 (a) the Tribe;
- 123 (b) tribal members; and
- 124 (c) individuals and businesses leasing, occupying, or otherwise using Tribal fee land on  
125 the Reservation and all Tribal Trust Lands.  
126

### 127 **21.4. Definitions**

128 21.4-1. This section shall govern the definitions of words and phrases used in this Ordinance.  
129 Words and phrases capitalized through out this document refer to the defined words and phrases  
130 in this section. All words or phrases not defined in this section shall be interpreted based on their  
131 plain ordinary and everyday meaning.

132 21.4-2. *Applicant* means any person or entity who has applied for a License from the Oneida  
133 Gaming Commission or the Oneida Business Committee.

134 21.4-3. *Background Investigation* means a standard and thorough investigation conducted by the  
135 Oneida Tribe in compliance with this Ordinance, Commission regulations, Oneida Gaming  
136 Minimum Internal Controls, the IGRA and the Compact. Such investigations may be in  
137 cooperation with federal, state, or Tribal law enforcement agencies.

138 21.4-4. *Class I Gaming* means social games solely for prizes of minimal value or traditional  
139 forms of Indian gaming engaged in by individuals as a part of, or in connection with, Tribal  
140 ceremonies or celebrations.

141 21.4-5. *Class II Gaming* means:

- 142 (a) The game of chance commonly known as bingo (whether or not electronic, computer  
143 or other technological aids are used in connection therewith) in which:
  - 144 (1) The game is played for prizes, including monetary prizes, with cards bearing

- 145 numbers or other designations.
- 146 (2) The holder of the card covers such numbers or designations when objects,  
147 similarly numbered or designated, are drawn or electronically determined.
- 148 (3) The game is won by the first person covering a previously designated  
149 arrangement of numbers or designation on such cards, including (if played in the  
150 same location) pull-tabs, lotto, punch boards, tip jars, instant bingo and other  
151 games similar to bingo.
- 152 (b) Card games that:
- 153 (1) Are explicitly authorized by the laws of the State; or
- 154 (2) Are not explicitly prohibited by the laws of the State and are played at any  
155 location in the State, but only if such card games are played in conformity with  
156 laws and regulations (if any) of the State regarding hours or periods of operation  
157 of such card games or limitations on wagers or pot sizes in such card games.  
158 Class II Gaming does not include any banking card games, including baccarat,  
159 chemin de fer, or blackjack (twenty-one), or electronic or electro-mechanical  
160 facsimiles of any game of chance or slot machines of any kind.
- 161 21.4-6. *Class III Gaming* means all forms of Gaming that are not Class I or Class II.
- 162 21.4-7. *Commission* means the Oneida Gaming Commission as established by this Ordinance.
- 163 21.4-8. *Commissioner* means a duly elected member of the Oneida Gaming Commission.
- 164 21.4-9. *Compact* means the 1991 Tribe-State Gaming Compact between the Tribe and the State  
165 of Wisconsin as amended and any future amendments or successor compact entered into by the  
166 Tribe and State and approved by the Secretary of the United States Department of Interior.
- 167 21.4-10. *Compliance Certificate* means a certificate issued by an agency with the authority and  
168 responsibility to enforce applicable environmental, health or safety standards, which states that a  
169 Gaming Facility complies with these standards.
- 170 21.4-11. *Environmental Assessment* means a document prepared and issued in compliance with  
171 the National Environmental Policy Act of 1969, 42 U.S.C. sec. 4321 et seq., and all related  
172 Federal regulations.
- 173 21.4-12. *Fraud* means any act of trickery or deceit used to or intended to gain control or  
174 possession of the property of another.
- 175 21.4-13. *Games, Gaming, or Gaming Activity* means all forms of any activity, operation, or  
176 game of chance that is considered Class II or Class III Gaming, provided that this definition does  
177 not include Class I Gaming.
- 178 21.4-14. *Gaming Employee* means any person employed by a Gaming Operation.
- 179 21.4-15. *Gaming Facility* or *Gaming Facilities* means any location or structure, stationary or  
180 movable, wherein Gaming is permitted, performed, conducted, or operated. Gaming Facility  
181 does not include the site of a fair, carnival, exposition, or similar occasion.
- 182 21.4-16. *Gaming Operation* means the conduct of Gaming Activities and related business  
183 activities in Gaming Facilities and areas where Gaming Employees are employed or assigned.
- 184 21.4-17. *Gaming Operator* means the Tribe, an enterprise owned by the Tribe, or such other  
185 entity of the Tribe as the Tribe may from time to time designate as the wholly-owned entity  
186 having full authority and responsibility for the operation and management of Gaming  
187 Operations.
- 188 21.4-18. *Gaming Services* means the provision of any goods and services, except legal services  
189 and accounting services, to a Gaming Operation, including, but not limited to, equipment,  
190 transportation, food, linens, janitorial supplies, maintenance, or security services.

- 191 21.4-19. *Indian Gaming Regulatory Act* or *IGRA* means Public Law 100-497, 102 Stat. 2426, 25  
192 U.S.C. sec. 2701, *et seq.*, as amended.
- 193 21.4-20. “Judiciary” means the judicial system that was established by Oneida General Tribal  
194 Council resolution GTC #1-07-13-B to administer the judicial authorities and responsibilities of  
195 the Tribe.
- 196 21.4-21. *License* means a certificate or other document that represents the grant of a revocable  
197 authorization to conduct the licensed activity. A license must be supported by a physical  
198 document, badge, certification or other physical manifestation of the issuance of the revocable  
199 authorization to conduct the licensed activity.
- 200 21.4-22. *Licensee* means a person or entity issued a valid License.
- 201 21.4-23. *NIGC* means the National Indian Gaming Commission.
- 202 21.4-24. *Oneida Business Committee* means the elected governing body of the Tribe exercising  
203 authority delegated from the Oneida General Tribal Council of the Oneida Tribe of Indians of  
204 Wisconsin under Article IV of the Constitution and By-laws for the Oneida Tribe of Indians of  
205 Wisconsin, approved December 21, 1936, as thereafter amended.
- 206 21.4-25. *Oneida General Tribal Council* means the governing body of the Oneida Tribe of  
207 Indians of Wisconsin as determined by the Tribe’s Constitution.
- 208 21.4-26. *Ordinance or ONGO* means the Oneida Nation Gaming Ordinance as it may from time  
209 to time be amended.
- 210 21.4-27. *Regulatory Incident* means the occurrence of any event giving rise to a potential or  
211 alleged non-compliance with a gaming regulation, ordinance, law or policy involving any person  
212 or Licensee on the premises of a Gaming Facility.
- 213 21.4-28. *Remediation* means efforts taken to reduce the source and migration of environmental  
214 contaminants at a site.
- 215 21.4-29. *Reservation* means all lands within the exterior boundaries of the Reservation of the  
216 Oneida Tribe of Indians of Wisconsin, as created pursuant to the 1838 Treaty with the Oneida, 7  
217 Stat. 566, and any lands added thereto pursuant to federal law.
- 218 21.4-30. *Senior Gaming Management* means the gaming general manager, assistant gaming  
219 general managers, gaming directors and assistant gaming directors.
- 220 21.4-31. *State* means the State of Wisconsin, its authorized officials, agents and representatives.
- 221 21.4-32. *Tribe* means the Oneida Tribe of Indians of Wisconsin.
- 222 21.4-33. *Tribal Fee Land* means all land to which the Tribe holds title in fee simple.
- 223 21.4-34. *Tribal Trust Land* means all land to which the United States holds title for the benefit  
224 of the Tribe pursuant to federal law.

225

## 226 **21.5. Oneida Business Committee: Powers and Duties**

227 21.5-1. The Oneida Business Committee retains the power and duty to enter into agreements or  
228 compacts with the State under the Indian Gaming Regulatory Act.

229 21.5-2. The Oneida Business Committee retains the power and duty to enter into agreements  
230 with local governments and other Tribal governments for services or cooperative ventures for the  
231 Gaming Operations.

232 21.5-3. The Oneida Business Committee has the exclusive power and duty to enter into  
233 contracts and agreements affecting the assets of the Tribe, except for those assets that were  
234 placed under the responsibility of the Oneida Land Commission under Chapter 67, Real Property  
235 Law.

236 21.5-4. The Oneida Business Committee delegates to the Commission, as set out in section 21.6-

237 14, certain authorities and responsibilities for the regulation of Gaming Activities, Gaming  
238 Operations, Gaming Operators, Gaming Employees, Gaming Facilities, Gaming Services, and  
239 enforcement of laws and regulations, as identified in this Ordinance.

240 21.5-5. The Oneida Business Committee retains the duty and responsibility to safeguard all  
241 funds generated by the Gaming Operations and all other authorities and responsibilities not  
242 delegated by a specific provision of this Ordinance.

243 21.5-6. The Chairperson of the Tribe shall be the designated and registered agent to receive  
244 notice of violations, orders, or determinations which are issued pursuant to the Indian Gaming  
245 Regulatory Act and the Compact.

246

## 247 **21.6. Oneida Gaming Commission**

248 21.6-1. *Establishment and Purpose.* The Oneida Business Committee has established the Oneida  
249 Gaming Commission for the purpose of regulating all Gaming Activities. The Commission is an  
250 elected body comprised of four (4) members, provided that, the Oneida Business Committee  
251 may, upon request of the Commission, increase the number of Commissioners by resolution  
252 without requiring amendment of this Ordinance.

253 21.6-2. *Location and Place of Business.* The Commission shall maintain its offices and principal  
254 place of business within the Reservation.

255 21.6-3. *Duration and Attributes.* The Commission shall have perpetual existence and succession  
256 in its own name, unless dissolved by Tribal law. Operations of the Commission shall be  
257 conducted on behalf of the Tribe for the sole benefit of the Tribe and its members. The Tribe  
258 reserves unto itself the right to bring suit against any person or entity in its own right, on behalf  
259 of the Tribe, or on behalf of the Commission, whenever the Tribe considers it necessary to  
260 protect the sovereignty, rights, and interests of the Tribe or the Commission.

261 21.6-4. *Sovereign Immunity of the Tribe.*

262 (a) All inherent sovereign rights of the Tribe with regard to the existence and activities of  
263 the Commission are hereby expressly reserved.

264 (b) The Tribe confers upon the Commission sovereign immunity from suit as set forth in  
265 the Tribe's Sovereign Immunity Ordinance.

266 (c) Nothing in this Ordinance nor any action of the Commission shall be construed to be  
267 a waiver of its sovereign immunity or that of the Tribe, or consent by the Commission or  
268 the Tribe to the jurisdiction of the Judiciary, the United States, any state, or any other  
269 tribe, or consent by the Tribe to any suit, cause of action, case or controversy, or the levy  
270 of any judgment, lien, or attachment upon any property of the Commission or the Tribe.

271 21.6-5. *Requirements of Commission Membership.*

272 (a) *Qualifications.* Candidates for election or appointment to the Commission shall be at  
273 least twenty-one (21) years of age on the day of the election or on the day of  
274 appointment. In addition, Candidates for election to the Commission shall meet the  
275 following qualifications within five (5) business days after a caucus for elected positions  
276 on the Commission. Candidates for appointment to the Commission shall meet the  
277 following qualifications on the day of appointment to a vacancy on the Commission  
278 under 21.6-13:

279 (1) Be an enrolled member of the Tribe;

280 (2) Have a minimum of three (3) years of education experience, employment  
281 experience and/or regulatory experience in Gaming Operations related to Gaming  
282 Activity, Gaming law, Gaming control or regulation, or Gaming accounting or of

- 283 any combination of the foregoing; and  
284 (3) Meet all other qualifications set forth in this Ordinance.
- 285 (b) *Conflict of Interest*. No person shall be considered for election or appointment as a  
286 Commissioner until the candidate has disclosed all conflicts of interest as defined by the  
287 Oneida Conflict of Interest Policy.
- 288 (c) *Background Investigation*. No person shall be considered for election or appointment  
289 as a Commissioner until a preliminary background investigation has been completed and  
290 the person has been found to meet all qualifications.
- 291 (d) Swearing into office is subject to a Background Investigation regarding the  
292 qualifications set forth in sections 21.6-5 and 21.6-6 upon being elected or appointed to  
293 office.
- 294 21.6-6. Unless pardoned for activities under subsection (a) and/or (d) by the Tribe, or pardoned  
295 for an activity under subsection (a) and/or (d) by another Federally-recognized Indian Tribe for  
296 an action occurring within the jurisdiction of the Federally-recognized Indian Tribe, or pardoned  
297 for an activity under subsection (a) and/or (d) by the State or Federal government, no individual  
298 shall be eligible for election or appointment to, or to continue to serve on, the Commission, who:  
299 (a) Has been convicted of, or entered a plea of guilty or no contest to, any of the  
300 following:<sup>1</sup>
- 301 (1) Any gambling-related offense;  
302 (2) Any offense involving Fraud or misrepresentation;  
303 (3) Any offense involving a violation of any provision of chs. 562 or 565, Wis.  
304 Stats., any rule promulgated by the State of Wisconsin Department of  
305 Administration, Division of Gaming or any rule promulgated by the Wisconsin  
306 Racing Board;  
307 (4) A felony not addressed in paragraphs 1, 2, or 3, during the immediately  
308 preceding ten (10) years; or  
309 (5) Any offense involving the violation of any provision of Tribal law regulating  
310 the conduct of Gaming Activities, or any rule or regulation promulgated pursuant  
311 thereto.
- 312 (b) Has been determined by the Tribe to be a person whose prior activities, criminal  
313 record if any, or reputation, habits, and associations pose a threat to the public interest or  
314 to the effective regulation and control of Gaming, or create or enhance the dangers of  
315 unsuitable, unfair, or illegal practices, methods, or activities in the operation of Gaming  
316 or the carrying on of the business and financial arrangements incidental thereto;
- 317 (c) Possesses a financial interest in or management responsibility for any Gaming  
318 Activity or Gaming Services vendor;
- 319 (d) Has been convicted of a crime involving theft, Fraud, or conversion against the  
320 Tribe;
- 321 (e) Has been removed from any office pursuant to the Oneida Removal Law within the  
322 past five (5) years; or  
323 (f) Is a sitting Commissioner whose term is not concluded at the time of that election or

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<sup>1</sup> This section taken substantially from Section IX of the Tribe-State Gaming Compact.



324 appointment action.

325 21.6-7. *Term of Office.* Commissioners shall serve five (5) year terms and shall serve until a  
326 successor takes the oath of office. Terms of office shall be staggered.

327 21.6-8. *Official Oath.* Each Commissioner shall take the official oath at a regular or special  
328 Oneida Business Committee meeting prior to assuming office. Upon being administered the oath  
329 of office, a Commissioner shall assume the duties of office and shall be issued a security card  
330 setting forth his or her title and term of office.

331 21.6-9. *Full-time Status.* The Commission shall identify the appropriate work schedule for its  
332 members. Each Commissioner shall perform his or her duties and responsibilities on a full-time  
333 basis and will devote his or her entire work and professional time, attention and energies to  
334 Commission business, and will not, during his or her tenure in office, be engaged in any other  
335 profession or business activity that may impede the Commissioner's ability to perform duties on  
336 behalf of the Commission or that competes with the Tribe's interests.

337 21.6-10. *By-laws.* The Commission shall adopt bylaws subject to review and approval by the  
338 Oneida Business Committee.

339 21.6-11. *Budget and Compensation.* The Commission shall function pursuant to an annual  
340 budget. The Oneida Business Committee shall submit the operating budget of the Commission  
341 for approval in the same fashion as all other Tribal budgets. Compensation of Commissioners  
342 shall not be subject to the Tribe's Comprehensive Policy Governing Boards, Committees, and  
343 Commissions, but shall be established by the Commission in a manner consistent with the  
344 Commission's internal rules and by-laws. The Commission shall adopt internal rules consistent  
345 with the existing Tribal accounting practices to verify its budgetary expenditures.

346 21.6-12. *Removal.* Removal of Commissioners shall be pursuant to the Oneida Removal Law.

347 21.6-13. *Vacancies.* Any vacancy in an unexpired term of office, however caused, shall be  
348 filled by appointment by the Oneida Business Committee of a person qualified pursuant to  
349 sections 21.6-5 and 21.6-6.

350 21.6-14. *Authority and Responsibilities.* Subject to any restrictions contained in this Ordinance  
351 or other applicable law, the Commission is vested with powers including, but not limited to the  
352 following:

353 (a) To exercise all power and authority necessary to effectuate the gaming regulatory  
354 purposes of this Ordinance, IGRA, Oneida Gaming Minimum Internal Controls, and the  
355 Compact. Unless otherwise indicated in this Ordinance or Commission regulation, or  
356 authorized by majority vote of the Commission, no Commissioner shall act independently  
357 of the Commission. Any such action may constitute grounds for removal.

358 (b) To promote and ensure the integrity, security, honesty, and fairness of the regulation  
359 and administration of Gaming.

360 (c) To draft, and approve, subject to review and adoption by the Oneida Business  
361 Committee, regulations pursuant to this Ordinance for the regulation of all Gaming  
362 Activity, including processes for enforcement of such regulations consistent with Tribal  
363 law.

364 (d) To draft, and approve, subject to review and adoption by the Oneida Business  
365 Committee, the Rules of Play and Oneida Gaming Minimum Internal Controls; provided  
366 that, Rules of Play and Oneida Gaming Minimum Internal Controls shall require review  
367 and comment by the Gaming Operation prior to approval by the Commission, and those  
368 comments shall be included in any submission to the Oneida Business Committee. Rules  
369 of Play and Oneida Gaming Minimum Internal Controls are adopted and approved



- 370 industry standards for Gaming Operations.
- 371 (e) To prepare proposals, including budgetary and monetary proposals, which might
- 372 enable the Tribe to carry out the purpose and intent of this Ordinance, and to submit the
- 373 same for consideration by the Oneida Business Committee; provided, however, that no
- 374 such proposal shall have any force or effect unless it is approved by the Oneida Business
- 375 Committee.
- 376 (f) To monitor and enforce all laws and regulations governing the operation and conduct
- 377 of all Gaming Activities, including the ongoing monitoring of Licenses, subject to this
- 378 Ordinance and/or regulations setting forth hearing or enforcement processes.
- 379 (g) To monitor and investigate all Gaming Operators for compliance with internal audits,
- 380 and external audits.
- 381 (h) To inspect, examine, and photocopy all papers, books, and records of Gaming
- 382 Activities and any other matters necessary to carry out the duties pursuant hereto,
- 383 provided that, all photocopies of documents shall be maintained in a confidential manner
- 384 or in the same manner as the original.
- 385 (i) To grant, deny, revoke, condition, suspend or reinstate the Licenses of Gaming
- 386 Employees, Gaming Services vendors, and Gaming Operators.
- 387 (j) To conduct hearings relating to Licenses issued under this Ordinance by the
- 388 Commission.
- 389 (k) To review all vendors doing business with the Gaming Operator to verify that such
- 390 persons or entities hold a valid License, where required, to do business with a Gaming
- 391 Operator.
- 392 (l) To retain professional advisors such as attorneys, law enforcement specialists, and
- 393 Gaming professionals consistent with Tribal law and practices.
- 394 (m) To arbitrate, negotiate, or settle any dispute to which it is a party and which relates
- 395 to its authorized activities.
- 396 (n) To act as the designated agent to receive all regulatory notices not included in section
- 397 21.5-6.
- 398 (o) To investigate all Regulatory Incidents.
- 399 (p) To issue warnings or notices of violation, in accordance with regulations, to Gaming
- 400 Operators and Licensees for non-compliance with the Compact, Oneida Gaming
- 401 Minimum Internal Controls, Rules of Play, IGRA, or this Ordinance.
- 402 (q) To make determinations regarding suitability for licensing.
- 403 (r) To establish an administrative structure by regulation to carry out its authority and
- 404 responsibilities.
- 405 (s) To establish, where needed, additional processes for conducting licensing hearings by
- 406 regulation.
- 407 (t) To establish and collect fees for processing license applications by regulation.
- 408 (u) To establish and impose a point system for findings of regulatory violations by any
- 409 Gaming Employee by regulation.
- 410 (v) To establish and impose a fine system for findings of regulatory violations by any
- 411 Gaming Services vendor or permittee by regulation.
- 412 (w) To approve procedures that provide for the fair and impartial resolution of patron
- 413 complaints.
- 414 21.6-15. *Reporting Requirements.* The Commission shall adhere to the following reporting
- 415 requirements:

- 416 (a) A true, complete and accurate record of all proceedings of the Commission shall be  
417 kept and maintained;
- 418 (b) Complete and accurate minutes of all Commission meetings shall be filed with the  
419 Secretary of the Oneida Business Committee within thirty (30) days of their approval by  
420 the Commission;
- 421 (c) Quarterly, or as may be directed by the Oneida Business Committee, reports of the  
422 Commission's activities, including information regarding funding, income and expenses  
423 and any other matters to which the parties may agree, shall be submitted to the Oneida  
424 Business Committee.

425 21.6-16. *Oneida Gaming Commission Personnel.* The Commission shall hire an Executive  
426 Director who shall be responsible for hiring and managing the personnel of the Commission. The  
427 Executive Director shall hire such personnel as is necessary to assist the Commission to fulfill its  
428 responsibilities under this Ordinance, the IGRA, and the Compact, and all regulations including  
429 the Oneida Gaming Minimum Internal Controls. The Executive Director and personnel of the  
430 Commission shall be hired through the Tribe's regular personnel procedure and shall be subject  
431 to its personnel policies and salary schedules. The Executive Director and personnel shall be  
432 required to meet the requirements set forth in section 21.12-3 at hiring and during employment.  
433

#### 434 **21.7. Gaming Surveillance: Powers, Duties and Limitations**

435 21.7-1. *Purpose.* The purpose of Gaming Surveillance is to observe and report Regulatory  
436 Incidents to the Commission and Gaming General Manager to provide for the regulation,  
437 operation, and compliance of Gaming Activities under this Ordinance. Gaming Surveillance is a  
438 department within the Commission's administrative structure and supervision shall be identified  
439 within the organizational chart adopted by the Commission, provided that nothing in the  
440 designation of supervisory responsibility shall be deemed to prohibit the responsibility of  
441 Gaming Surveillance to provide information and/or video and/or audio records to the parties  
442 identified in section 21.7-3.

443 21.7-2. Gaming Surveillance shall be responsible for all Gaming surveillance activities  
444 including, but not limited to, equipment and maintenance of equipment, observation and  
445 reporting of all persons to include Gaming Employees, customers, consultants, and Gaming  
446 Services vendors.

447 21.7-3. Surveillance personnel shall provide to Senior Gaming Management, the Commission,  
448 or Gaming Security a copy of any time-recorded video and accompanying audio (if available)  
449 within twenty-four (24) hours of request.

450 21.7-4. Gaming Surveillance shall:

- 451 (a) Develop, implement and maintain written policies and procedures for the conduct and  
452 integrity of the Surveillance Department.
- 453 (b) Develop, implement and maintain additional procedures governing the use and  
454 release of the surveillance recordings or reports.
- 455 (c) Work cooperatively with the Gaming Security Department to carry out its official  
456 duties and to coordinate its activities in order to effectuate the protection of patrons and  
457 the assets of the Gaming Operation.
- 458 (d) Develop, implement and maintain written policies and procedures for implementation  
459 of duties and responsibilities identified with the Oneida Gaming Minimum Internal  
460 Controls, subject to approval by the Commission.  
461

462 **21.8. [Reserved for future use.]**

463

464 **21.9. Gaming Security Department**

465 21.9-1. *Purpose.* The Gaming Security Department is a department within the Oneida Police  
466 Department. The purpose of the Gaming Security Department is to protect Gaming assets,  
467 patrons and Gaming Employees from an activity, repeat activity, or ongoing activities which  
468 could injure or jeopardize Gaming assets, patrons and Gaming Employees and report these  
469 activities to the Oneida Police Department for further review and/or investigation. Provided that,  
470 all reports of the Gaming Security Department shall be copied to the Commission.

471 21.9-2. *Reporting.* The Oneida Police Department, Gaming General Manager and the  
472 Commission shall enter into an agreement, subject to ratification by the Oneida Business  
473 Committee, which describes their responsibilities and reporting requirements under this law.

474 21.9-3. The Gaming Security Department shall:

475 (a) Develop, implement and maintain written policies and procedures for the conduct and  
476 integrity of Gaming Security, as identified in the Oneida Gaming Minimum Internal  
477 Controls and subject to approval by the Commission.

478 (b) Develop, implement and maintain additional procedures governing the use and  
479 release of the investigation reports.

480 (c) Work cooperatively with Gaming Surveillance to carry out its official duties and to  
481 coordinate activities between the departments.

482 21.9-4. *Investigations.* This Section is intended to authorize report gathering, information  
483 gathering, and preliminary review, to be conducted by the Gaming Security Department.

484

485 **21.10. Background Investigations**

486 21.10-1. The Human Resources Department and the Commission shall enter into an agreement,  
487 subject to ratification by the Oneida Business Committee, for carrying out Background  
488 Investigations for employees as required under this law.

489 21.10-2. Background Investigations shall be conducted on all persons or entities as specified  
490 under this law. All Background Investigations shall be conducted to ensure that the Tribe in its  
491 Gaming Operations shall not employ or contract with persons whose prior activities, or  
492 reputation, habits and associations pose a threat to the public interest or to the effective  
493 regulation of gaming, or create or enhance the dangers of unsuitable, unfair or illegal practices  
494 and methods in the conduct of such gaming. The identity of any person interviewed in order to  
495 conduct a Background Investigation shall be confidential.

496

497 **21.11. Licenses, Generally**

498 21.11-1. The Commission shall adopt procedures that ensure the efficient and orderly processing  
499 of all applications for a License. All Gaming Employees, Gaming Services vendors, and  
500 Gaming Operators shall apply for a License from the Commission prior to their participation in  
501 any Gaming Activity. All Gaming Facilities must be licensed by the Oneida Business  
502 Committee.

503 21.11-2. *Temporary License.* All Applicants, upon receipt by the Commission of a completed  
504 application for a License and completion of a preliminary Background Investigation, may  
505 receive a temporary license for a ninety (90) day period, unless a Background Investigation of  
506 the application demonstrates grounds to disqualify the Applicant. Such temporary license, as  
507 defined in this section, shall permit the Licensee to engage in such activities and pursuant to any

508 terms and conditions imposed and specified by the Commission. The temporary license shall be  
509 valid until either replaced by a License, the ninety (90) day temporary license period has  
510 concluded, or the temporary license is cancelled by the Commission, whichever occurs first.

511 21.11-3. *Revocable*. A License is revocable only in accordance with the procedures set forth in  
512 this Ordinance. A Licensee shall have only those rights and protections regarding a License  
513 granted in this Ordinance.

514 21.11-4. All Applicants:

515 (a) Consent to the release of any information relevant to the Applicant's Background  
516 Investigation by any person or entity in possession of such information.

517 (b) Consent to the jurisdiction of the Tribe and are subject to all applicable Tribal,  
518 Federal, and State laws, regulations, and policies.

519 21.11-5. All Licensees are subject to ongoing review at least every two (2) years by the  
520 Commission.

521 21.11-6. *Status of Licenses*. The Commission shall notify the Gaming Operation of the status of  
522 all Licenses, whether temporary or permanent, including all Commission action to revoke,  
523 suspend, or condition a License.

524 21.11-7. *Commission Licensing Actions*. The Commission may grant, deny, revoke, condition,  
525 suspend or reinstate all Licenses, except for Gaming Facilities Licenses, in accordance with this  
526 Ordinance. Authority to place conditions on a license may be exercised only upon promulgation  
527 of regulations.

528 21.11-8. *Noncompliance*. The Commission may issue a notice of noncompliance when the  
529 Commission has developed regulations that identify procedures that notices of noncompliance  
530 may be issued to Licensees and permittees which provide an opportunity to correct actions. Such  
531 regulations shall include procedures for appeal of such notices. Regulations may include the  
532 ability to issue fines not to exceed one thousand dollars (\$1000.00) per violation for Gaming  
533 Services vendors and permittees.

534

### 535 **21.12. Gaming Employee License**

536 21.12-1. *Scope of Section*. This Section applies only to Gaming Employee Licenses and  
537 licensing actions.

538 21.12-2. *License Application*. Every Applicant for a License shall file with the Commission a  
539 written application in the form prescribed by the Commission, duly executed and verified, which  
540 shall certify:

541 (a) Applicant's full name and all other names used (oral or written), Social Security  
542 Number(s), place of birth, date of birth, citizenship, gender, and all languages (spoken or  
543 written).

544 (b) Currently, and for the previous five (5) years: business and employment positions  
545 held, ownership interests in those businesses, business and residence addresses, and  
546 driver's license number(s).

547 (c) The names and current addresses, of at least three (3) personal references, including  
548 one (1) personal reference, who were acquainted with the Applicant during each period of  
549 residence listed in subsection (b) above.

550 (d) Current business and residence telephone numbers.

551 (e) A description of any existing and previous business relationships with Indian Tribes,  
552 including ownership interest in those businesses.

553 (f) A description of any existing and previous business relationship with the Gaming

- 554 industry generally, including ownership interest in those businesses.
- 555 (g) The name and address of any licensing or regulatory agency with which the  
556 Applicant has filed an application for a license or permit related to gaming, whether or  
557 not such licenses or permit was granted.
- 558 (h) The name and address of any licensing or regulatory agency with which the  
559 Applicant has filed an application for an occupational license or permit, whether or not  
560 such licenses or permit was granted.
- 561 (i) For each felony conviction or ongoing prosecution or conviction, the charge, the  
562 name and address of the court involved, and the date and disposition if any.
- 563 (j) For each misdemeanor or ongoing misdemeanor prosecution (excluding violations for  
564 which jail time is not part of the potential sentence) within ten (10) years of the date of  
565 the application, the name and address of the court involved, and the date and disposition.
- 566 (k) For each criminal charge (excluding charges for which jail time is not part of the  
567 potential sentence) whether or not there is a conviction, if such criminal charge is within  
568 ten (10) years of the date of the application and is not otherwise listed pursuant to  
569 subsections (i) or (j) of this section, the criminal charge, the name and address of the  
570 court involved and the date and disposition.
- 571 (l) A photograph.
- 572 (m) Fingerprints consistent with procedures adopted by the Commission which meet the  
573 criteria set forth in 25 C.F.R. section 522.2(h).
- 574 (n) Any other information the Commission deems relevant for a Gaming Employee  
575 License.
- 576 (o) A statement that each Applicant has read and understands notices and NIGC  
577 requirements relating to:
- 578 (1) The Privacy Act of 1974;  
579 (2) Fraud and False Statements Act; and  
580 (3) Fair Credit Reporting Act.
- 581 21.12-3. *License Qualifications.* No License shall be granted if the Applicant:
- 582 (a) Is under the age of eighteen (18).
- 583 (b) Unless pardoned for activities under this subsection by the Tribe, or pardoned for  
584 activities under this subsection by another Federally-recognized Indian Tribe for an  
585 action occurring within the jurisdiction of the Federally-recognized Indian Tribe, or  
586 pardoned for activities under this subsection by the state or Federal government, has been  
587 convicted of, or entered a plea of guilty or no contest to, any of the following:
- 588 (1) Any gambling-related offense;  
589 (2) Any offense involving Fraud or misrepresentation;  
590 (3) Any offense involving a violation of any provision of chs. 562 or 565, Wis.  
591 Stats., any rule promulgated by the State of Wisconsin Department of  
592 Administration, Division of Gaming or any rule promulgated by the Wisconsin  
593 Racing Board;  
594 (4) A felony not addressed in paragraphs (1), (2), or (3), during the immediately  
595 preceding ten (10) years; or  
596 (5) Any offense involving the violation of any provision of Tribal law regulating  
597 the conduct of Gaming Activities, or any rule or regulation promulgated pursuant  
598 thereto.
- 599 (c) Is determined to be a person whose prior activities, criminal record, reputation,



600 habits, or associations pose a threat to the public interest or to the effective regulation and  
601 control of Gaming or create or enhance the dangers of unsuitable, unfair, or illegal  
602 practices, methods, or activities in the operation of Gaming Activities or the carrying on  
603 of the business and financial arrangements incidental thereto.

604 (d) Possesses a financial interest in or management responsibility for any Gaming  
605 Activity or Gaming Services vendor, or he or she has any personal, business, or legal  
606 relationship which places him or her in a conflict of interest as defined in this Ordinance  
607 or the Conflict of Interest Policy.

608 (e) Each person Licensed as a Gaming Employee shall have a continuing obligation to  
609 inform the Commission immediately upon the existence of any circumstance or the  
610 occurrence of any event which may disqualify him or her from being licensed as a  
611 Gaming Employee. Failure to report any such occurrence may result in suspension or  
612 revocation of the Gaming Employee's License.

613 21.12-4. *Initial Eligibility Determination.*

614 (a) Based on the results of the preliminary Background Investigation, the Commission  
615 shall make an initial determination regarding an Applicant's eligibility and either:

- 616 (1) Grant a temporary license, with or without conditions, to the Applicant; or  
617 (2) Deny the license application and provide notice to the Applicant that he or  
618 she may request a hearing regarding the decision consistent with subsection (b)  
619 below.

620 (b) If the Commission determines that an Applicant is ineligible for a License, the  
621 Commission shall notify the Applicant. The Commission shall set forth regulations for  
622 an Applicant to review any information discovered during the preliminary Background  
623 Investigation prior to scheduling a hearing under section 21.12-9. The suspension or  
624 revocation hearing provisions set forth at section 21.12-8 do not apply to Initial  
625 Eligibility Determinations.

626 21.12-5. *NIGC Review.* When a Gaming Employee begins employment at a Gaming Operation,  
627 the Commission shall:

628 (a) Forward to the NIGC a completed application for employment that contains the  
629 notices and information listed in section 21.12-2 and any other necessary reports.

630 (b) Review the Background Investigation of the Applicant. Based upon the results of the  
631 Background Investigation, the Commission shall determine the eligibility of the  
632 Applicant to receive a License.

633 (c) Determine eligibility for a License within sixty (60) days after an Applicant begins  
634 work at a Gaming Facility under a temporary license.

635 (d) Forward, after determination of eligibility, a report to the NIGC within sixty (60)  
636 days after the Applicant begins employment at a Gaming Facility.

637 (1) During a thirty (30) day period, beginning when the NIGC receives a report  
638 submitted pursuant to subsection (d) above, the Chairman of the NIGC may  
639 request additional information from the Commission concerning the Applicant.  
640 Such a request shall suspend the thirty (30) day period until the Chairman  
641 receives the additional information.

642 (2) If, within the thirty (30) day period described in subsection (1) above, the  
643 NIGC notifies the Commission that it has no objection to the issuance of a  
644 License, the Commission may grant the License to the Applicant.

645 (3) If, within the thirty (30) day period described in subsection (1) above, the



646 NIGC provides the Commission with a statement itemizing objections to the  
647 issuance of a License, the Commission shall reconsider the application, taking  
648 into account the objections itemized by the NIGC. The Commission shall make  
649 the final decision whether to issue a License to the Applicant.

650 (4) All applications, Background Investigations, investigative reports, suitability  
651 determinations, findings and decisions of the Commission shall be retained in the  
652 Commission's files for a period of at least ~~seven (7)~~three (3) years from the date  
653 the Gaming Employee's employment is terminated.

654 21.12-6. *License Issuance*. Any Gaming Employee License issued under this section shall be  
655 effective from the date of issuance and shall contain the Gaming Employee's photograph, the  
656 Gaming Employee's name, and the date that the License became effective. If a Gaming  
657 Employee is promoted, transferred, reassigned, or the position is reclassified, the Gaming  
658 Employee shall notify in writing the Commission, and the Commission shall review the Gaming  
659 Employee's License. The Commission retains the right to grant, deny, revoke, condition,  
660 suspend, or reinstate Licenses subject to the right to appeal the decision under the processes set  
661 forth in this Ordinance.

662 21.12-7. *Requirement to Wear License*. During working hours, all Licensees shall wear their  
663 License in a conspicuous place that is plainly visible by all employees, the Nation's gaming  
664 patrons and surveillance.

665 21.12-8. *Suspension or Revocation of Licenses*. Except as provided in section 21.12-8(c), no  
666 License can be suspended or revoked except after notice and opportunity for hearing.

667 (a) *Basis for Licensing Action*. The Commission may suspend, condition, or revoke any  
668 License issued under this Ordinance if:

669 (1) After the issuance of a License, the Commission receives from the NIGC or  
670 other source reliable information indicating that a Gaming Employee is not  
671 eligible for a License under section 21.12-3 or such information would justify the  
672 denial of the renewal of any License, the Commission shall issue a written notice  
673 of suspension;

674 (2) The Commission issues a written notice of suspension demonstrating that the  
675 Licensee:

676 (A) Has knowingly made a materially false or misleading statement in  
677 any application for a License, in any amendment thereto, or in response to  
678 a request by the Commission for supplemental information or in  
679 connection with any investigation of the Commission;

680 (B) Has knowingly promoted, played, or participated in any gaming  
681 activity operated in violation of the Compact, Tribal or federal law, and  
682 this Ordinance;

683 (C) Has bribed or attempted to bribe, or has received a bribe from, a  
684 Commissioner or any other person in an attempt to avoid or circumvent  
685 any applicable law;

686 (D) Has falsified any books or records relating to any transaction  
687 connected with the operation of Gaming Activity;

688 (E) Has refused to comply with any lawful directive of the Tribe, the  
689 Federal government, or any court of competent jurisdiction; or

690 (F) Has been convicted of, or entered a plea of guilty or no contest to, a  
691 crime involving the sale of illegal narcotics or controlled substances.

692 (b) *Suspension Notice.* The Commission's notice of suspension shall be in writing and  
693 shall, at a minimum, notify the Licensee of the following:

694 (1) The Licensee's right to review a file prior to any hearing regarding the notice  
695 of suspension, and to make copies of any documents contained in that file;

696 (2) The Licensee's right to request a hearing on the proposed licensing action, to  
697 present documents and witness testimony at that hearing to be represented by  
698 counsel;

699 (3) The specific grounds upon which the proposed licensing action is based,  
700 including citations to relevant sections of this Ordinance, the IGRA, any  
701 applicable Regulations and/or the Compact; and

702 (4) The time and place set by the Commission for the Licensee's hearing.

703 (c) *Immediate Suspension.* If, in the judgment of the Commission, the public interest,  
704 and effective regulation and control of Gaming Activities requires the immediate  
705 exclusion of a Licensee, the Commission may immediately suspend a License prior to the  
706 conduct of a hearing on the matter. Such an immediate suspension may take effect upon  
707 service of the notice of immediate suspension.

708 (d) Any notice of suspension or notice of immediate suspension shall set forth the times  
709 and dates for when the Licensee may review their file review and the date for a hearing  
710 on any proposed licensing action.

711 (e) Within fifteen (15) business days after a hearing, the Commission shall issue a final  
712 written licensing decision and decide whether to suspend, uphold an immediate  
713 suspension, revoke, or take other action concerning a License. If the License was  
714 suspended, conditioned or revoked based on information from the NIGC under 21.12-  
715 8(a)(1), the Commission shall forward a copy of its decision to NIGC within forty-five  
716 (45) days of receiving NIGC's notification indicating that a Gaming Employee is not  
717 eligible for a License.

718 (f) If a Licensee fails to appear for his or her hearing before the Commission, that right  
719 shall be deemed to have been waived and the Commission will proceed on the proposed  
720 licensing action by default.

721 (g) Unless identified in this Ordinance or regulations of the Commission, the hearing  
722 processes set forth in the Oneida Administrative Procedures Act shall apply.

723 21.12-9. *Original Hearing Body.* Any person aggrieved by a licensing decision of the  
724 Commission may appeal the decision by filing a request for an original hearing before the  
725 Commission. The Licensee must file any such request with the Commission in writing on or  
726 before the fifteenth (15th) day following receipt of the Commission's decision. The Commission  
727 shall certify the record, developed in 21.12-4 or 21.12-8(a), within thirty (30) days of the date of  
728 the filing of the request for an original hearing. The Commissioners serving on the original  
729 hearing body shall not include the Commissioners who participated in the licensing decision  
730 from which the original hearing is scheduled. The Commission may determine to review the  
731 decision solely on the licensing decision record and briefs filed regarding the request for  
732 reconsideration. The Commission may also, in its sole discretion, grant oral argument. The  
733 Commission shall issue a written decision within one hundred twenty (120) days from receipt of  
734 the request for the original hearing. The Commission's decision shall be considered an original  
735 hearing decision and an appeal may be made to the Judiciary as an appeal of an original hearing  
736 body.

737 21.12-10. *Notice to Oneida Business Committee.* Prior to any suspension or revocation of a

738 License of the gaming general manager, the Commission shall provide notice to the Oneida  
739 Business Committee twenty-four (24) hours prior to the issuance of the suspension or revocation.  
740 21.12-11. *Record of Proceedings.* The Commission shall maintain a complete and accurate  
741 record of all Licensure proceedings.

742 21.12-12. Revocation of a License is solely limited to the licensing matter. Employment related  
743 processes resulting from revocation of a license are determined solely through the personnel  
744 processes and procedures of the Tribe and are not licensing matters governed by this Ordinance.  
745

### 746 **21.13. Gaming Services Licensing and Non-Gaming Services Permitting**

747 21.13-1. *Scope of Section.* This section applies to all individuals and entities providing Gaming  
748 Services. The requirements of this Section are in addition to, and do not alter or amend any  
749 requirements imposed by the Oneida Vendor Licensing Law.<sup>2</sup>

750 21.13-2. *Gaming Services License or Non-Gaming Services Permit Required.*

751 (a) *Gaming Services License.* Any Gaming Services vendor providing gaming related  
752 contract goods or services as defined under Article VII(A) of the Compact to the Gaming  
753 Operation must possess a valid Gaming Services License.

754 (b) *Non-Gaming Services Permit.* Any vendor providing non-gaming related goods or  
755 services to the Gaming Operation must possess a valid Non-Gaming Services permit.

756 (c) Determinations regarding the issuance of a License or permit under this section shall  
757 be made by the Commission which may be subject to requests for reconsideration by the  
758 Gaming Services vendor within fourteen (14) business days of receipt by the Gaming  
759 Services vendor of the notice of License or permit determination.

760 21.13-3. *Approved Gaming Services Vendor List.* The Commission shall maintain an updated  
761 and complete list of all Gaming Services vendors that possess current and valid Gaming Services  
762 Licenses or Non-Gaming Services permits from the Commission, which shall be known as the  
763 Approved License and Permit List. Gaming Operations may only do business with vendors that  
764 possess valid and current Gaming Services Licenses or Non-Gaming Services permits and who  
765 appear on the Approved License and Permit List.

766 21.13-4. *Gaming Services License/Permit Application.* Every Applicant for a License or permit  
767 shall file with the Commission a written application in the form prescribed by the Commission,  
768 duly executed and verified which shall provide and certify the following. Provided that, non-  
769 gaming services vendors with less than two thousand five hundred dollars (\$2,500.00) in services  
770 for the prior fiscal year shall only be required to file a notice of doing business with the  
771 Commission.

772 (a) The Applicant's name and mailing address;

773 (b) The names and addresses of each officer or management official of the Applicant;

774 (c) A copy of the Applicant's articles of incorporation and by-laws, or if not a  
775 corporation, the Applicant's organizational documents;

776 (d) Identification of an agent of service for the Applicant;

777 (e) The name and address of each person having a direct or indirect financial interest in  
778 the Applicant;

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<sup>2</sup> See also Appendix 1. Vendor Licensing/Permit.

- 779 (f) The nature of the License or permit applied for, describing the activity to be engaged  
780 in under the License or permit;
- 781 (g) Explicit and detailed disclosure of any criminal record, including any delinquent  
782 taxes owed to the United States, or any state, of the Applicant, any person involved in the  
783 organization, and any person of interest whose name appears or is required to appear on  
784 the application;
- 785 (h) Whether the Applicant is or has been licensed by the state of Wisconsin Office of  
786 Indian Gaming Regulation and Compliance and, if applicable, proof of current licensure;
- 787 (i) Whether the Applicant has been licensed in the state of New Jersey, Nevada, or by  
788 any other gaming jurisdiction, including any Indian Tribe or Tribal governmental  
789 organization and, if so, proof of such licensure and the status of any such license;
- 790 (j) Whether the Applicant has been denied a license by any gaming jurisdiction and, if  
791 so, the identity of the jurisdiction, the date of such decision and the circumstances  
792 surrounding that decision;
- 793 (k) Whether any license held by the Applicant has been refused renewal, conditioned,  
794 suspended or revoked by an issuing authority and, if so, the circumstances surrounding  
795 that action;
- 796 (l) A statement of waiver allowing the Tribe to conduct a Background Investigation of  
797 the Applicant and any person whose name appears or is required to appear on the  
798 application;
- 799 (m) Whether the Applicant or any person whose name appears or is required to appear  
800 on the application has or has had any business with the Tribe or any business or personal  
801 relationship with any of the Tribe's officers or employees;
- 802 (n) The name and contact information for all Tribes or Tribal organizations with whom  
803 the Applicant or any person whose name appears or is required to appear on the  
804 application has done business;
- 805 (o) Whether the Applicant or any person whose name appears or is required to appear on  
806 the application maintains any involvement in the business of wholesale distribution of  
807 alcoholic beverages;
- 808 (p) A statement that the Applicant has read and understands notices and NIGC  
809 requirements relating to:
- 810 (1) The Privacy Act of 1974;
- 811 (2) False statements; and
- 812 (3) The Fair Credit Reporting Act.
- 813 (q) All additional information necessary to allow the Commission to investigate the  
814 Applicant and any person whose name appears or is required to appear on the application.
- 815 21.13-5. *Signature on Application.* Applications for Licenses or permits must be signed by the  
816 following person:
- 817 (a) For companies and corporations (both for profit and non-profit), the highest ranking  
818 official of the corporation, or another person to whom the authority to execute the  
819 Application has been properly delegated.
- 820 (b) For a sole proprietorship, the principal owner.
- 821 (c) For a partnership, all partners.
- 822 (d) For a limited partnership, the general partner or partners.
- 823 21.13-6. *Incomplete Applications.* Applications that do not contain all information requested,  
824 including proper signatures, will be considered incomplete. Incomplete applications will not be

825 considered by the Commission. The Commission shall notify an Applicant if an application is  
826 incomplete and what additional information is necessary to complete the application. If an  
827 Applicant who has submitted an incomplete application, and been notified of the deficiency in  
828 that application, fails to provide the information requested by the Commission, the application  
829 will be returned to the Applicant and the file closed.

830 21.13-7. *Supplemental Information.* The Commission may, in its discretion, request  
831 supplemental information from the Applicant. Supplemental information requested by the  
832 Commission shall be promptly submitted by the Applicant. An Applicant's failure or refusal to  
833 submit supplemental information requested by the Commission may constitute grounds for the  
834 denial of the application.

835 21.13-8. *Continuing Duty to Provide Information.* Applicants, permittees, and Licensees owe a  
836 continuing duty to provide the Commission with information and materials relevant to the  
837 Applicant's, permittee's, or Licensee's character or fitness to be licensed, including but not  
838 limited to any change in the licensing or permitting status of the Applicant, permittee, or  
839 Licensee in any foreign jurisdiction. An Applicant's, permittee's, or Licensee's failure to notify  
840 the Commission promptly of inaccuracies on an application or new information or materials  
841 relevant to the Applicant may constitute grounds to deny, suspend or revoke a License or permit.

842 21.13-9. *Background Investigations.* Background Investigations for Gaming Services vendors  
843 shall be conducted as follows.

844 (a) *Gaming Related Equipment Gaming Services Vendors under Fifty Thousand Dollars*  
845 *(\$50,000.00) in Goods and/or Services Annually.* The Commission shall conduct the  
846 Background Investigations that are sufficient to determine the eligibility for licensing of  
847 all Gaming Services vendors that provide or anticipate providing under fifty thousand  
848 dollars (\$50,000.00) in goods and services annually.

849 (b) *Gaming Related Equipment Gaming Services Vendors over Fifty Thousand Dollars*  
850 *(\$50,000.00) in Goods and/or Services Annually.* The Commission shall review the  
851 background investigation conducted by the Wisconsin Office of Indian Gaming  
852 Regulation, and shall conduct any necessary additional Background Investigation to  
853 ensure that the state background investigation is complete and current.

854 (c) *Other Non-Gaming Related Goods and/or Services Gaming Services Vendors.* The  
855 Commission shall conduct Background Investigations on a sufficient number of  
856 randomly selected applications in order to verify the accuracy of all applications. The  
857 random selection process shall be identified by regulation of the Commission.

858 21.13-10. *Licensing Action in a Foreign Jurisdiction.* If the states of Wisconsin, New Jersey,  
859 Nevada or any other gaming jurisdiction refuses to renew a license or permit or conditions,  
860 suspends, or revokes the license or permit of an Applicant, permittee, or Licensee, such action  
861 may constitute grounds for similar action by the Commission.

862 21.13-11. *Claim of Privilege.* At any time during the licensing or permitting process, the  
863 Applicant may claim any privilege afforded by law. An Applicant's claim of privilege with  
864 respect to the production of requested information or documents or the provision of required  
865 testimony or evidence may constitute grounds for the denial, suspension or revocation of a  
866 license or permit.

867 21.13-12. *Withdrawal of an Application.* An Applicant may request to withdraw an application  
868 by submitting a written request to the Commission. The Commission retains the right, in its  
869 exclusive discretion, to grant or deny a request for withdrawal. An Applicant who withdraws an  
870 application shall be precluded from reapplying for a Gaming Services License or Non-Gaming



871 Services permit for a period of one (1) year from the date the application was withdrawn.  
872 21.13-13. *Suspension or Revocation of Gaming Services Licenses or Permits.* Except as  
873 provided in section 21.13-13(c), no License or permit can be suspended or revoked except after  
874 notice and opportunity for hearing.

875 (a) *Basis for Licensing or Permitting Action.* The Commission may suspend, modify, or  
876 revoke any Gaming Services License or Non-Gaming Services permit issued under this  
877 Ordinance if, after issuance of the License or permit, the Commission receives reliable  
878 information that would justify denial of the issuance or renewal of a License or permit, or  
879 if the Commission determines that the Licensee or permittee has:

880 (1) Knowingly made a materially false or misleading statement in any application  
881 for a License or permit, in any amendment thereto, or in response to a request by  
882 the Commission for supplemental information or in connection with any  
883 investigation of the Commission;

884 (2) Knowingly promoted, played, or participated in any Gaming Activity  
885 operated in violation of the Compact, or any Tribal or other applicable law;

886 (3) Bribed or attempted to bribe a Commissioner or any other person in an  
887 attempt to avoid or circumvent any applicable law;

888 (4) Falsified any books or records relating to any transaction connected with  
889 operation of Gaming Activity;

890 (5) Refused to comply with a lawful directive of the Tribe, the federal  
891 government, or any court of competent jurisdiction; or

892 (6) Been convicted of, or entered a plea of guilty or no contest to, a crime  
893 involving the sale of illegal narcotics or controlled substances.

894 (b) *Suspension Notice.* The Commission shall provide a Licensee or permittee with  
895 written notice of suspension, which shall, at a minimum, notify the Licensee or permittee  
896 of the following:

897 (1) The Licensee's or permittee's right to conduct a file review prior to any  
898 hearing regarding the notice of suspension, and to make copies of any documents  
899 in that file;

900 (2) The Licensee's or permittee's right to present documents and witness  
901 testimony at the hearing and to be represented by counsel;

902 (3) The specific grounds upon which the suspension is based, including citations  
903 to relevant sections of this Ordinance, the IGRA, any applicable regulations  
904 and/or the Compact; and

905 (4) The time and place set by the Commission for the Licensee's or permittee's  
906 file review and hearing.

907 (c) *Immediate Suspension.* If, in the judgment of the Commission, the public interest,  
908 and effective regulation and control of others require the immediate exclusion of a  
909 Licensee or permittee, the Commission may immediately suspend a License or permit  
910 prior to a hearing on the matter. Such an immediate suspension shall take effect upon  
911 service of the notice of immediate suspension.

912 (d) *File Review and Hearing.* Any notice of suspension or notice of immediate  
913 suspension shall set forth the time and date for the Licensee or permittee to conduct a file  
914 review and for a hearing.

915 (e) *Final Written Decision.* Within fifteen (15) business days after a hearing, the  
916 Commission shall issue a final written decision and decide whether to suspend, uphold an



917 immediate suspension, revoke, or take other action concerning a License or permit.  
918 (f) *Default.* If a Licensee or permittee fails to appear for his or her hearing before the  
919 Commission, that right shall be deemed to have been waived and the Commission will  
920 proceed on the proposed licensing action by default.

921 (g) Unless identified in this Ordinance or regulations of the Commission, the hearing  
922 processes set forth in the Oneida Administrative Procedures Act shall apply.

923 21.13-14. *Original Hearing Body.* Any person aggrieved by a licensing or permitting decision  
924 of the Commission may appeal the decision by filing a request for an original hearing before the  
925 Commission. The Applicant, Licensee or permittee must file such request with the Commission  
926 in writing on or before the fifteenth (15<sup>th</sup>) day following the receipt of the Commission's  
927 decision. The Commission shall certify the record, developed in 21.13-9 or 21. 13 -13(a), within  
928 thirty (30) days of the date of the filing on the request for an original hearing. The  
929 Commissioners participating in the initial licensing or permitting decision shall not participate in  
930 the original hearing. The Commission may determine to review the decision solely on the  
931 licensing or permitting decision record and briefs filed regarding the request for reconsideration.  
932 The Commission may also, in its sole discretion, grant oral argument. The Commission shall  
933 issue a written decision within one hundred twenty (120) days from receipt of the request for the  
934 original hearing. The Commission's decision shall be considered an original hearing decision  
935 and an appeal may be made to the Judiciary as an appeal of an original hearing body.

936

#### 937 **21.14. Gaming Facility License**

938 21.14-1. The construction and maintenance of any Gaming Facility, and the operation of  
939 Gaming Activities, shall be conducted in a manner which adequately protects the environment  
940 and the public health and safety, and shall comply with requirements of the Compact and all  
941 other applicable health, safety, and environmental standards.

942 21.14-2. The Oneida Business Committee shall receive, review and grant or deny any  
943 application for licensing any Gaming Facilities located within the Reservation. Applicants shall  
944 provide the Oneida Business Committee sufficient information to show the following:

945 (a) The Gaming Facility meets all applicable Federal and Tribal health and safety  
946 standards.

947 (1) To show compliance with applicable health and safety standards, Gaming  
948 Operator shall submit certified copies of Compliance Certificates issued by the  
949 agencies responsible for the enforcement of the health and safety standards.

950 (2) If health and safety standards are not met, proof must be submitted by  
951 Gaming Operator that the Gaming Facility is in the process of improvements  
952 which will place the Gaming Facility in compliance with the applicable standards.

953 (b) The Gaming Facility meets applicable federal and Tribal environmental standards.

954 (1) To show compliance with applicable environmental standards, Gaming  
955 Operator shall submit certified copies of an Environmental Assessment of the  
956 Gaming Facility which were prepared by the agency responsible for the  
957 enforcement of applicable environmental standards.

958 (2) If the applicable environmental standards are not met, proof must be  
959 submitted by Gaming Operator that remediation of the Gaming Facility is being  
960 actively sought which will place the Gaming Facility in compliance with the  
961 applicable standards.

962 21.14-3. Upon receipt and review of the above information, the Oneida Business Committee

963 shall deliberate and either grant or deny for failure to meet the requirements of protecting the  
964 health and safety of patrons, public and employees of a Gaming Facility License to the  
965 Applicant. The Oneida Business Committee shall submit to the NIGC a copy of each Gaming  
966 Facility License issued.

967 21.14-4. If the Oneida Environmental, Health and Safety Department notifies the Oneida  
968 Business Committee that a Gaming Facility will be closed by a governmental agency with proper  
969 authority due to environmental, health or safety concerns, the Oneida Business Committee shall  
970 suspend the License of the Gaming Facility. The Oneida Business Committee shall re-License  
971 the Gaming Facility after receiving the information required in section 21.14-2.

972

### 973 **21.15. Gaming Operator License**

974 21.15-1. *Consent to Jurisdiction.* The application for License and the conduct of Gaming within  
975 the jurisdiction of the Tribe shall be considered consent to the jurisdiction of the Tribe in all  
976 matters arising from the conduct of Gaming, and all matters arising under any of the provisions  
977 of this Ordinance or other Tribal laws.

978 21.15-2. *License Required.* No Gaming Operator shall conduct Gaming Activity unless such  
979 entity holds a valid and current Gaming Operator License issued by the Commission.

980 21.15-3. *Types of Licenses.* The Commission may issue each of the following types of Gaming  
981 Operator Licenses:

982 (a) *Tribally-Owned or Tribally-Operated Class II.* This License shall be required of all  
983 Tribally-owned or Tribally-operated Gaming Operations operating one or more Class II  
984 Gaming Activities.

985 (b) *Tribally-Owned or Tribally-Operated Class III.* This License shall be required for all  
986 Tribally-owned or Tribally-operated Gaming Operations operating one or more Class III  
987 Gaming Activities.

988 21.15-4. *Gaming Operator License Qualifications.* The Commission shall issue a Gaming  
989 Operator License to any Gaming Operation if:

990 (a) The Gaming Operation is to be located within the Reservation, or land taken into  
991 trust after October 17, 1988, for Gaming purposes;

992 (b) The Gaming Activity proposed to be played at the Gaming Operation is Class II or  
993 Class III Gaming as defined by this Ordinance and IGRA; and

994 (c) The proposed Gaming Operation is authorized by a resolution of the Oneida Business  
995 Committee.

996 21.15-5. *Provisions of General Applicability to All Gaming Operators.*

997 (a) *Site and Gaming Operator Specified.* Each Gaming Operator License shall be  
998 applicable only to one (1) Gaming Operation and the Gaming Facility named on the  
999 License.

1000 (b) *License Not Assignable.* No Gaming Operator License shall be sold, lent, assigned or  
1001 otherwise transferred.

1002 (c) *Regulations Posted or Available.* Each Gaming Operator shall have a copy of this  
1003 Ordinance and any regulations promulgated thereunder available for inspection by any  
1004 person at each Gaming Facility.

1005 (d) *Display of License.* Each Gaming Operator shall prominently display its License at  
1006 each Gaming Facility.

1007 21.15-6. *Grandfathered Gaming Facilities.* All Gaming Operators operating on the effective  
1008 date of July 5, 2007, are hereby granted a License under this section.

1009 21.15-7. *License Application Fees and License Taxes.* No application fees or License taxes shall  
1010 be required by the Tribe for a Gaming Operator License.

1011 21.15-8. *Closure of a Gaming Operation.* If the Commission finds that any Gaming Operation  
1012 is operating in violation of this Ordinance, or otherwise presents a threat to the public, the  
1013 Commission shall immediately notify the Oneida Business Committee. The Oneida Business  
1014 Committee may close any Gaming Operation temporarily or permanently at any time with or  
1015 without cause, at its sole discretion.

1016

#### 1017 **21.16. Games**

1018 21.16-1. Class II and Class III Games are hereby authorized by this Ordinance.

1019 21.16-2. *Gaming Procedures.* Games operated under this Ordinance shall be consistent with the  
1020 Compact and any amendments thereto and the Internal Control Standards and Rules of Play of  
1021 the Gaming Operation.

1022 21.16-3. *Who May Not Play.* It is the policy of the Tribe that particular Gaming Employees,  
1023 employees of the Gaming Commission, particular governmental officials, and consultants who  
1024 directly advise the Commission or employees at Gaming Facilities regarding gaming related  
1025 activities may not participate in Gaming Activities conducted at Gaming Operations. At a  
1026 minimum, members of the Oneida Business Committee, the Commission, the gaming general  
1027 manager, assistant gaming general managers, directors of individual Games and assistant  
1028 directors of individual Games may not participate in any Gaming Activity within the  
1029 Reservation.

1030 (a) The Oneida Business Committee may identify by resolution additional positions  
1031 restrictions on Gaming Activity conducted at Gaming Facilities. Such resolution shall be  
1032 on file with the Commission.

1033 (b) The Commission and Senior Gaming Management shall each develop and maintain  
1034 their own standard operating procedure identifying other positions and any applicable  
1035 restrictions on Gaming Activity conducted at Gaming Facilities. The standard operating  
1036 procedure and the list of positions shall be on file with the Commission.

1037

#### 1038 **21.17. Allocation of Gaming Funds**

1039 21.17-1. Net Gaming revenues may only be used for the following purposes:

1040 (a) To fund Tribal government operations, programs, or services.

1041 (b) To provide for the general welfare of the Tribe and its members.

1042 (c) To promote Tribal economic development.

1043 (d) To contribute to charitable organizations.

1044 (e) To assist in funding operations of other local governments.

1045 (f) To fund programs designed to provide education, referrals, and treatment of Gaming  
1046 addiction disorders.

1047 (g) Any other purpose as determined by the Oneida General Tribal Council or the  
1048 Oneida Business Committee which is not inconsistent with the Constitution of the Tribe  
1049 and IGRA.

1050

#### 1051 **21.18. Audits**

1052 21.18-1. *Annual Audit.* An annual audit of each Gaming Operation shall be conducted by an  
1053 independent, certified public accounting firm according to generally accepted accounting  
1054 principles. Copies of the annual audit will be provided to the Oneida Business Committee, the

1055 Oneida Audit Committee, the Commission, and the NIGC by said certified public accounting  
1056 firm.

1057 (a) All contracts for supplies, services, or concessions for the Gaming Operations in  
1058 excess of twenty-five thousand dollars (\$25,000.00) are subject to audit as prescribed in  
1059 this section. Contracts for legal services and accounting services are exempt from this  
1060 requirement.

1061 21.18-2. *Other Audits.* All audits, other than the annual audit under section 21.18-1, shall be  
1062 conducted pursuant to the Oneida Audit Law or any other applicable law of the Tribe, and other  
1063 audits authorized under the Compact.

1064 21.18-3. *Request for Audits.* Any audit, except the annual audit which is mandated by IGRA,  
1065 may be authorized at any time by the Oneida General Tribal Council, the Oneida Business  
1066 Committee or the Oneida Audit Committee.

1067  
1068 **21.19. Enforcement and Penalties**

1069 21.19-1. No individual or entity may own or operate a Gaming Facility unless specifically  
1070 authorized to do so pursuant to this Ordinance.

1071 21.19-2. *Violations/Prosecutions.* Violators of this Ordinance may be subject to disciplinary  
1072 action and civil and/or criminal prosecutions.

1073 21.19-3. *Remedies.* The Oneida Business Committee may authorize commencement of an  
1074 action in any court of competent jurisdiction to recover losses, restitution, and forfeitures  
1075 resulting from violations of this Ordinance.

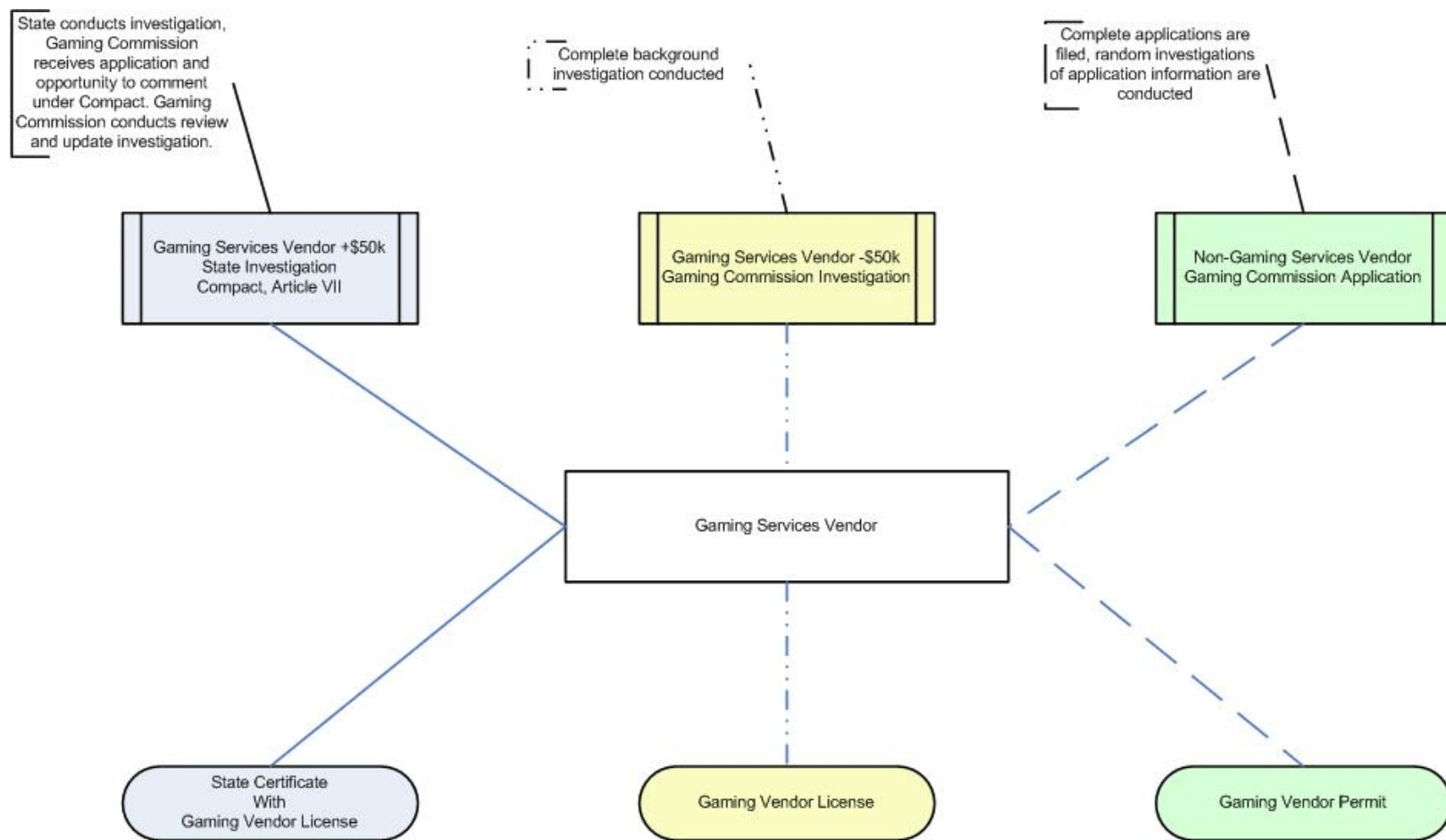
1076  
1077 *End.*

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1078		
1080	Adopted	GTC-7-05-04-A
1081	Emergency Amended	BC-7-14-04-A
1082	Amendment	BC-10-06-04-D
1083	Emergency Amended	BC-11-03-04-A
1084	Permanent Adoption	BC-3-23-05-C
1085	Amended	BC-9-23-09-D
1086	Amended	BC-06-25-14-C (effective 11 01 2014)
1087	Emergency Amended	BC-10-08-14-C (effective 11 01 2014)

For OBC consideration (redline)  
04/22/15

### Appendix 1. Vendor License/Permit



**Chapter 21**  
**Oneida Nation Gaming Ordinance**  
**Thatiwi·ʔStunya·tha Olihwa·ke**  
**Matters of interest to where they make the money**

21.1. Purpose and Policy	21.11. Licenses, Generally
21.2. Adoption, Amendment, Applicability, Repeal	21.12. Gaming Employee License
21.3. Jurisdiction	21.13. Gaming Services Licensing and Non-Gaming Services Permitting
21.4. Definitions	21.14. Gaming Facility License
21.5. Oneida Business Committee: Powers and Duties	21.15. Gaming Operator License
21.6. Oneida Gaming Commission	21.16. Games
21.7. Gaming Surveillance: Powers, Duties and Limitations	21.17. Allocation of Gaming Funds
21.8. [Reserved for future use.]	21.18. Audits
21.9. Gaming Security Department	21.19. Enforcement and Penalties
21.10. Background Investigations	

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1

2 **21.1. Purpose and Policy**

3 21.1-1. *Purpose.* The purpose of this Ordinance is to set forth the laws of the Oneida Tribe of  
4 Indians of Wisconsin regarding all Gaming Activities conducted within the jurisdiction set forth  
5 in this Ordinance. It is intended to govern the Gaming Activities of all persons, Gaming  
6 Employees, consultants, business entities, vendors, boards, committees, commissions and  
7 hearing bodies. This Ordinance does not authorize the operation of Gaming by a private person  
8 or private entity for gain. This Ordinance shall govern all Gaming Activities occurring on lands  
9 under the jurisdiction set forth in this Ordinance and all individuals or entities engaged in  
10 Gaming Activities, including those providing goods or services to any person or entity engaged  
11 in Gaming Activities

12 21.1-2. *Policy.* It is the policy of this Ordinance to ensure that the Oneida Tribe is the primary  
13 beneficiary of its Gaming Operations and has the sole proprietary interest, and that Gaming  
14 Activities within the jurisdiction set forth in this Ordinance are conducted fairly and honestly,  
15 and that all internal departments, enterprises, officials and employees of the Oneida Tribe work  
16 cooperatively to advance the best interests of the Oneida Tribe to protect the Tribe's gaming  
17 resources, protect the integrity of all gaming activities operated under the jurisdiction set forth in  
18 this Ordinance and to ensure fairness of all games offered to the Tribe's gaming patrons.

19

20 **21.2. Adoption, Amendment, Applicability, Repeal**

21 21.2-1. *Adoption.* This Ordinance is adopted under the authority of the Constitution of the  
22 Oneida Tribe of Indians of Wisconsin by Oneida General Tribal Council Resolution # 7-05-04-A  
23 and amended by resolutions BC-10-06-04-D, BC-3-23-05-C, BC-9-23-09-D, BC-06-25-14-C  
24 and BC-10-08-14-C and \_\_\_\_\_.

25 21.2-2. *Amendment.* This Ordinance may be amended by the Oneida Business Committee or the  
26 General Tribal Council in accordance with Tribal law.

27 21.2-3. *Severability.* Should a provision of this Ordinance or the application of this Ordinance  
28 be held as invalid, the invalidity shall not effect other provisions of this Ordinance.

29 21.2-4. All other Oneida laws, policies, regulations, rules, resolutions, motions and all other  
30 similar actions which are inconsistent with this law are hereby repealed unless specifically re-  
31 enacted after adoption of this law. Specifically, the following resolutions are repealed by this  
32 law:

33 (a) BC-4-21-89-D (Adoption of the Oneida Gaming Control Ordinance);

34 (b) GTC-03-04-91-A (Establishing 7 elected Gaming Commissioners and Bingo  
35 standards);



- 36 (c) GTC-7-6-92-A (Amendments to Gaming SOP Manual);  
37 (d) GTC-7-6-92-B (Adoption of the Comprehensive Gaming Ordinance);  
38 (e) BC-3-16-94-A; (Comprehensive Gaming Ordinance Interpretation); and  
39 (f) BC-4-5-95-D (Amendments to the Comprehensive Gaming Ordinance).

40 21.2-5. *Name.* This Ordinance shall be known as the Oneida Nation Gaming Ordinance or  
41 ONGO.

42 21.2-6. *Preemptive Authority.* The Gaming Commission shall be the original hearing body  
43 authorized to hear licensing decisions as set forth in this Ordinance.  
44

### 45 **21.3. Jurisdiction**

46 21.3-1. *Territorial Jurisdiction.* This Ordinance extends to all land within the exterior  
47 boundaries of the Reservation of the Tribe, as established pursuant to the 1838 Treaty with the  
48 Oneida, 7 Stat. 566, and any lands added thereto pursuant to federal law.

49 21.3-2. *Subject Matter Jurisdiction.* This Ordinance applies to all Gaming conducted within the  
50 territorial jurisdiction of the Oneida Tribe as set forth in section 21.3-1.

51 21.3-3. *Personal Jurisdiction.* This Ordinance shall govern:

- 52 (a) the Tribe;  
53 (b) tribal members; and  
54 (c) individuals and businesses leasing, occupying, or otherwise using Tribal fee land on  
55 the Reservation and all Tribal Trust Lands.  
56

### 57 **21.4. Definitions**

58 21.4-1. This section shall govern the definitions of words and phrases used in this Ordinance.  
59 Words and phrases capitalized through out this document refer to the defined words and phrases  
60 in this section. All words or phrases not defined in this section shall be interpreted based on their  
61 plain ordinary and everyday meaning.

62 21.4-2. *Applicant* means any person or entity who has applied for a License from the Oneida  
63 Gaming Commission or the Oneida Business Committee.

64 21.4-3. *Background Investigation* means a standard and thorough investigation conducted by the  
65 Oneida Tribe in compliance with this Ordinance, Commission regulations, Oneida Gaming  
66 Minimum Internal Controls, the IGRA and the Compact. Such investigations may be in  
67 cooperation with federal, state, or Tribal law enforcement agencies.

68 21.4-4. *Class I Gaming* means social games solely for prizes of minimal value or traditional  
69 forms of Indian gaming engaged in by individuals as a part of, or in connection with, Tribal  
70 ceremonies or celebrations.

71 21.4-5. *Class II Gaming* means:

- 72 (a) The game of chance commonly known as bingo (whether or not electronic, computer  
73 or other technologic aids are used in connection therewith) in which:  
74 (1) The game is played for prizes, including monetary prizes, with cards bearing  
75 numbers or other designations.  
76 (2) The holder of the card covers such numbers or designations when objects,  
77 similarly numbered or designated, are drawn or electronically determined.  
78 (3) The game is won by the first person covering a previously designated  
79 arrangement of numbers or designation on such cards, including (if played in the  
80 same location) pull-tabs, lotto, punch boards, tip jars, instant bingo and other  
81 games similar to bingo.

- 82 (b) Card games that:
- 83 (1) Are explicitly authorized by the laws of the State; or
- 84 (2) Are not explicitly prohibited by the laws of the State and are played at any
- 85 location in the State, but only if such card games are played in conformity with
- 86 laws and regulations (if any) of the State regarding hours or periods of operation
- 87 of such card games or limitations on wagers or pot sizes in such card games.
- 88 Class II Gaming does not include any banking card games, including baccarat,
- 89 chemin de fer, or blackjack (twenty-one), or electronic or electro-mechanical
- 90 facsimiles of any game of chance or slot machines of any kind.
- 91 21.4-6. *Class III Gaming* means all forms of Gaming that are not Class I or Class II.
- 92 21.4-7. *Commission* means the Oneida Gaming Commission as established by this Ordinance.
- 93 21.4-8. *Commissioner* means a duly elected member of the Oneida Gaming Commission.
- 94 21.4-9. *Compact* means the 1991 Tribe-State Gaming Compact between the Tribe and the State
- 95 of Wisconsin as amended and any future amendments or successor compact entered into by the
- 96 Tribe and State and approved by the Secretary of the United States Department of Interior.
- 97 21.4-10. *Compliance Certificate* means a certificate issued by an agency with the authority and
- 98 responsibility to enforce applicable environmental, health or safety standards, which states that a
- 99 Gaming Facility complies with these standards.
- 100 21.4-11. *Environmental Assessment* means a document prepared and issued in compliance with
- 101 the National Environmental Policy Act of 1969, 42 U.S.C. sec. 4321 et seq., and all related
- 102 Federal regulations.
- 103 21.4-12. *Fraud* means any act of trickery or deceit used to or intended to gain control or
- 104 possession of the property of another.
- 105 21.4-13. *Games, Gaming, or Gaming Activity* means all forms of any activity, operation, or
- 106 game of chance that is considered Class II or Class III Gaming, provided that this definition does
- 107 not include Class I Gaming.
- 108 21.4-14. *Gaming Employee* means any person employed by a Gaming Operation.
- 109 21.4-15. *Gaming Facility* or *Gaming Facilities* means any location or structure, stationary or
- 110 movable, wherein Gaming is permitted, performed, conducted, or operated. Gaming Facility
- 111 does not include the site of a fair, carnival, exposition, or similar occasion.
- 112 21.4-16. *Gaming Operation* means the conduct of Gaming Activities and related business
- 113 activities in Gaming Facilities and areas where Gaming Employees are employed or assigned.
- 114 21.4-17. *Gaming Operator* means the Tribe, an enterprise owned by the Tribe, or such other
- 115 entity of the Tribe as the Tribe may from time to time designate as the wholly-owned entity
- 116 having full authority and responsibility for the operation and management of Gaming
- 117 Operations.
- 118 21.4-18. *Gaming Services* means the provision of any goods and services, except legal services
- 119 and accounting services, to a Gaming Operation, including, but not limited to, equipment,
- 120 transportation, food, linens, janitorial supplies, maintenance, or security services.
- 121 21.4-19. *Indian Gaming Regulatory Act* or *IGRA* means Public Law 100-497, 102 Stat. 2426, 25
- 122 U.S.C. sec. 2701, et seq., as amended.
- 123 21.4-20. "Judiciary" means the judicial system that was established by Oneida General Tribal
- 124 Council resolution GTC #1-07-13-B to administer the judicial authorities and responsibilities of
- 125 the Tribe.
- 126 21.4-21. *License* means a certificate or other document that represents the grant of a revocable
- 127 authorization to conduct the licensed activity. A license must be supported by a physical

- 128 document, badge, certification or other physical manifestation of the issuance of the revocable  
129 authorization to conduct the licensed activity.
- 130 21.4-22. *Licensee* means a person or entity issued a valid License.
- 131 21.4-23. *NIGC* means the National Indian Gaming Commission.
- 132 21.4-24. *Oneida Business Committee* means the elected governing body of the Tribe exercising  
133 authority delegated from the Oneida General Tribal Council of the Oneida Tribe of Indians of  
134 Wisconsin under Article IV of the Constitution and By-laws for the Oneida Tribe of Indians of  
135 Wisconsin, approved December 21, 1936, as thereafter amended.
- 136 21.4-25. *Oneida General Tribal Council* means the governing body of the Oneida Tribe of  
137 Indians of Wisconsin as determined by the Tribe's Constitution.
- 138 21.4-26. *Ordinance or ONGO* means the Oneida Nation Gaming Ordinance as it may from time  
139 to time be amended.
- 140 21.4-27. *Regulatory Incident* means the occurrence of any event giving rise to a potential or  
141 alleged non-compliance with a gaming regulation, ordinance, law or policy involving any person  
142 or Licensee on the premises of a Gaming Facility.
- 143 21.4-28. *Remediation* means efforts taken to reduce the source and migration of environmental  
144 contaminants at a site.
- 145 21.4-29. *Reservation* means all lands within the exterior boundaries of the Reservation of the  
146 Oneida Tribe of Indians of Wisconsin, as created pursuant to the 1838 Treaty with the Oneida, 7  
147 Stat. 566, and any lands added thereto pursuant to federal law.
- 148 21.4-30. *Senior Gaming Management* means the gaming general manager, assistant gaming  
149 general managers, gaming directors and assistant gaming directors.
- 150 21.4-31. *State* means the State of Wisconsin, its authorized officials, agents and representatives.
- 151 21.4-32. *Tribe* means the Oneida Tribe of Indians of Wisconsin.
- 152 21.4-33. *Tribal Fee Land* means all land to which the Tribe holds title in fee simple.
- 153 21.4-34. *Tribal Trust Land* means all land to which the United States holds title for the benefit  
154 of the Tribe pursuant to federal law.

155

### 21.5. Oneida Business Committee: Powers and Duties

- 156 21.5-1. The Oneida Business Committee retains the power and duty to enter into agreements or  
157 compacts with the State under the Indian Gaming Regulatory Act.
- 158 21.5-2. The Oneida Business Committee retains the power and duty to enter into agreements  
159 with local governments and other Tribal governments for services or cooperative ventures for the  
160 Gaming Operations.
- 161 21.5-3. The Oneida Business Committee has the exclusive power and duty to enter into  
162 contracts and agreements affecting the assets of the Tribe, except for those assets that were  
163 placed under the responsibility of the Oneida Land Commission under Chapter 67, Real Property  
164 Law.
- 165 21.5-4. The Oneida Business Committee delegates to the Commission, as set out in section 21.6-  
166 14, certain authorities and responsibilities for the regulation of Gaming Activities, Gaming  
167 Operations, Gaming Operators, Gaming Employees, Gaming Facilities, Gaming Services, and  
168 enforcement of laws and regulations, as identified in this Ordinance.
- 169 21.5-5. The Oneida Business Committee retains the duty and responsibility to safeguard all  
170 funds generated by the Gaming Operations and all other authorities and responsibilities not  
171 delegated by a specific provision of this Ordinance.
- 172 21.5-6. The Chairperson of the Tribe shall be the designated and registered agent to receive  
173

174 notice of violations, orders, or determinations which are issued pursuant to the Indian Gaming  
175 Regulatory Act and the Compact.

176

## 177 **21.6. Oneida Gaming Commission**

178 21.6-1. *Establishment and Purpose.* The Oneida Business Committee has established the Oneida  
179 Gaming Commission for the purpose of regulating all Gaming Activities. The Commission is an  
180 elected body comprised of four (4) members, provided that, the Oneida Business Committee  
181 may, upon request of the Commission, increase the number of Commissioners by resolution  
182 without requiring amendment of this Ordinance.

183 21.6-2. *Location and Place of Business.* The Commission shall maintain its offices and principal  
184 place of business within the Reservation.

185 21.6-3. *Duration and Attributes.* The Commission shall have perpetual existence and succession  
186 in its own name, unless dissolved by Tribal law. Operations of the Commission shall be  
187 conducted on behalf of the Tribe for the sole benefit of the Tribe and its members. The Tribe  
188 reserves unto itself the right to bring suit against any person or entity in its own right, on behalf  
189 of the Tribe, or on behalf of the Commission, whenever the Tribe considers it necessary to  
190 protect the sovereignty, rights, and interests of the Tribe or the Commission.

191 21.6-4. *Sovereign Immunity of the Tribe.*

192 (a) All inherent sovereign rights of the Tribe with regard to the existence and activities of  
193 the Commission are hereby expressly reserved.

194 (b) The Tribe confers upon the Commission sovereign immunity from suit as set forth in  
195 the Tribe's Sovereign Immunity Ordinance.

196 (c) Nothing in this Ordinance nor any action of the Commission shall be construed to be  
197 a waiver of its sovereign immunity or that of the Tribe, or consent by the Commission or  
198 the Tribe to the jurisdiction of the Judiciary, the United States, any state, or any other  
199 tribe, or consent by the Tribe to any suit, cause of action, case or controversy, or the levy  
200 of any judgment, lien, or attachment upon any property of the Commission or the Tribe.

201 21.6-5. *Requirements of Commission Membership.*

202 (a) *Qualifications.* Candidates for election or appointment to the Commission shall be at  
203 least twenty-one (21) years of age on the day of the election or on the day of  
204 appointment. In addition, Candidates for election to the Commission shall meet the  
205 following qualifications within five (5) business days after a caucus for elected positions  
206 on the Commission. Candidates for appointment to the Commission shall meet the  
207 following qualifications on the day of appointment to a vacancy on the Commission  
208 under 21.6-13:

209 (1) Be an enrolled member of the Tribe;

210 (2) Have a minimum of three (3) years of education experience, employment  
211 experience and/or regulatory experience in Gaming Operations related to Gaming  
212 Activity, Gaming law, Gaming control or regulation, or Gaming accounting or of  
213 any combination of the foregoing; and

214 (3) Meet all other qualifications set forth in this Ordinance.

215 (b) *Conflict of Interest.* No person shall be considered for election or appointment as a  
216 Commissioner until the candidate has disclosed all conflicts of interest as defined by the  
217 Oneida Conflict of Interest Policy.

218 (c) *Background Investigation.* No person shall be considered for election or appointment  
219 as a Commissioner until a preliminary background investigation has been completed and

220 the person has been found to meet all qualifications.  
221 (d) Swearing into office is subject to a Background Investigation regarding the  
222 qualifications set forth in sections 21.6-5 and 21.6-6 upon being elected or appointed to  
223 office.  
224 21.6-6. Unless pardoned for activities under subsection (a) and/or (d) by the Tribe, or pardoned  
225 for an activity under subsection (a) and/or (d) by another Federally-recognized Indian Tribe for  
226 an action occurring within the jurisdiction of the Federally-recognized Indian Tribe, or pardoned  
227 for an activity under subsection (a) and/or (d) by the State or Federal government, no individual  
228 shall be eligible for election or appointment to, or to continue to serve on, the Commission, who:  
229 (a) Has been convicted of, or entered a plea of guilty or no contest to, any of the  
230 following:<sup>1</sup>  
231 (1) Any gambling-related offense;  
232 (2) Any offense involving Fraud or misrepresentation;  
233 (3) Any offense involving a violation of any provision of chs. 562 or 565, Wis.  
234 Stats., any rule promulgated by the State of Wisconsin Department of  
235 Administration, Division of Gaming or any rule promulgated by the Wisconsin  
236 Racing Board;  
237 (4) A felony not addressed in paragraphs 1, 2, or 3, during the immediately  
238 preceding ten (10) years; or  
239 (5) Any offense involving the violation of any provision of Tribal law regulating  
240 the conduct of Gaming Activities, or any rule or regulation promulgated pursuant  
241 thereto.  
242 (b) Has been determined by the Tribe to be a person whose prior activities, criminal  
243 record if any, or reputation, habits, and associations pose a threat to the public interest or  
244 to the effective regulation and control of Gaming, or create or enhance the dangers of  
245 unsuitable, unfair, or illegal practices, methods, or activities in the operation of Gaming  
246 or the carrying on of the business and financial arrangements incidental thereto;  
247 (c) Possesses a financial interest in or management responsibility for any Gaming  
248 Activity or Gaming Services vendor;  
249 (d) Has been convicted of a crime involving theft, Fraud, or conversion against the  
250 Tribe;  
251 (e) Has been removed from any office pursuant to the Oneida Removal Law within the  
252 past five (5) years; or  
253 (f) Is a sitting Commissioner whose term is not concluded at the time of that election or  
254 appointment action.  
255 21.6-7. *Term of Office.* Commissioners shall serve five (5) year terms and shall serve until a  
256 successor takes the oath of office. Terms of office shall be staggered.  
257 21.6-8. *Official Oath.* Each Commissioner shall take the official oath at a regular or special  
258 Oneida Business Committee meeting prior to assuming office. Upon being administered the oath  
259 of office, a Commissioner shall assume the duties of office and shall be issued a security card  
260 setting forth his or her title and term of office.

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<sup>1</sup> This section taken substantially from Section IX of the Tribe-State Gaming Compact.



261 21.6-9. *Full-time Status.* The Commission shall identify the appropriate work schedule for its  
262 members. Each Commissioner shall perform his or her duties and responsibilities on a full-time  
263 basis and will devote his or her entire work and professional time, attention and energies to  
264 Commission business, and will not, during his or her tenure in office, be engaged in any other  
265 profession or business activity that may impede the Commissioner's ability to perform duties on  
266 behalf of the Commission or that competes with the Tribe's interests.

267 21.6-10. *By-laws.* The Commission shall adopt bylaws subject to review and approval by the  
268 Oneida Business Committee.

269 21.6-11. *Budget and Compensation.* The Commission shall function pursuant to an annual  
270 budget. The Oneida Business Committee shall submit the operating budget of the Commission  
271 for approval in the same fashion as all other Tribal budgets. Compensation of Commissioners  
272 shall not be subject to the Tribe's Comprehensive Policy Governing Boards, Committees, and  
273 Commissions, but shall be established by the Commission in a manner consistent with the  
274 Commission's internal rules and by-laws. The Commission shall adopt internal rules consistent  
275 with the existing Tribal accounting practices to verify its budgetary expenditures.

276 21.6-12. *Removal.* Removal of Commissioners shall be pursuant to the Oneida Removal Law.

277 21.6-13. *Vacancies.* Any vacancy in an unexpired term of office, however caused, shall be  
278 filled by appointment by the Oneida Business Committee of a person qualified pursuant to  
279 sections 21.6-5 and 21.6-6.

280 21.6-14. *Authority and Responsibilities.* Subject to any restrictions contained in this Ordinance  
281 or other applicable law, the Commission is vested with powers including, but not limited to the  
282 following:

283 (a) To exercise all power and authority necessary to effectuate the gaming regulatory  
284 purposes of this Ordinance, IGRA, Oneida Gaming Minimum Internal Controls, and the  
285 Compact. Unless otherwise indicated in this Ordinance or Commission regulation, or  
286 authorized by majority vote of the Commission, no Commissioner shall act independently  
287 of the Commission. Any such action may constitute grounds for removal.

288 (b) To promote and ensure the integrity, security, honesty, and fairness of the regulation  
289 and administration of Gaming.

290 (c) To draft, and approve, subject to review and adoption by the Oneida Business  
291 Committee, regulations pursuant to this Ordinance for the regulation of all Gaming  
292 Activity, including processes for enforcement of such regulations consistent with Tribal  
293 law.

294 (d) To draft, and approve, subject to review and adoption by the Oneida Business  
295 Committee, the Rules of Play and Oneida Gaming Minimum Internal Controls; provided  
296 that, Rules of Play and Oneida Gaming Minimum Internal Controls shall require review  
297 and comment by the Gaming Operation prior to approval by the Commission, and those  
298 comments shall be included in any submission to the Oneida Business Committee. Rules  
299 of Play and Oneida Gaming Minimum Internal Controls are adopted and approved  
300 industry standards for Gaming Operations.

301 (e) To prepare proposals, including budgetary and monetary proposals, which might  
302 enable the Tribe to carry out the purpose and intent of this Ordinance, and to submit the  
303 same for consideration by the Oneida Business Committee; provided, however, that no  
304 such proposal shall have any force or effect unless it is approved by the Oneida Business  
305 Committee.

306 (f) To monitor and enforce all laws and regulations governing the operation and conduct



- 307 of all Gaming Activities, including the ongoing monitoring of Licenses, subject to this  
308 Ordinance and/or regulations setting forth hearing or enforcement processes.
- 309 (g) To monitor and investigate all Gaming Operators for compliance with internal audits,  
310 and external audits.
- 311 (h) To inspect, examine, and photocopy all papers, books, and records of Gaming  
312 Activities and any other matters necessary to carry out the duties pursuant hereto,  
313 provided that, all photocopies of documents shall be maintained in a confidential manner  
314 or in the same manner as the original.
- 315 (i) To grant, deny, revoke, condition, suspend or reinstate the Licenses of Gaming  
316 Employees, Gaming Services vendors, and Gaming Operators.
- 317 (j) To conduct hearings relating to Licenses issued under this Ordinance by the  
318 Commission.
- 319 (k) To review all vendors doing business with the Gaming Operator to verify that such  
320 persons or entities hold a valid License, where required, to do business with a Gaming  
321 Operator.
- 322 (l) To retain professional advisors such as attorneys, law enforcement specialists, and  
323 Gaming professionals consistent with Tribal law and practices.
- 324 (m) To arbitrate, negotiate, or settle any dispute to which it is a party and which relates  
325 to its authorized activities.
- 326 (n) To act as the designated agent to receive all regulatory notices not included in section  
327 21.5-6.
- 328 (o) To investigate all Regulatory Incidents.
- 329 (p) To issue warnings or notices of violation, in accordance with regulations, to Gaming  
330 Operators and Licensees for non-compliance with the Compact, Oneida Gaming  
331 Minimum Internal Controls, Rules of Play, IGRA, or this Ordinance.
- 332 (q) To make determinations regarding suitability for licensing.
- 333 (r) To establish an administrative structure by regulation to carry out its authority and  
334 responsibilities.
- 335 (s) To establish, where needed, additional processes for conducting licensing hearings by  
336 regulation.
- 337 (t) To establish and collect fees for processing license applications by regulation.
- 338 (u) To establish and impose a point system for findings of regulatory violations by any  
339 Gaming Employee by regulation.
- 340 (v) To establish and impose a fine system for findings of regulatory violations by any  
341 Gaming Services vendor or permittee by regulation.
- 342 (w) To approve procedures that provide for the fair and impartial resolution of patron  
343 complaints.
- 344 21.6-15. *Reporting Requirements.* The Commission shall adhere to the following reporting  
345 requirements:
- 346 (a) A true, complete and accurate record of all proceedings of the Commission shall be  
347 kept and maintained;
- 348 (b) Complete and accurate minutes of all Commission meetings shall be filed with the  
349 Secretary of the Oneida Business Committee within thirty (30) days of their approval by  
350 the Commission;
- 351 (c) Quarterly, or as may be directed by the Oneida Business Committee, reports of the  
352 Commission's activities, including information regarding funding, income and expenses

353 and any other matters to which the parties may agree, shall be submitted to the Oneida  
354 Business Committee.

355 21.6-16. *Oneida Gaming Commission Personnel.* The Commission shall hire an Executive  
356 Director who shall be responsible for hiring and managing the personnel of the Commission. The  
357 Executive Director shall hire such personnel as is necessary to assist the Commission to fulfill its  
358 responsibilities under this Ordinance, the IGRA, and the Compact, and all regulations including  
359 the Oneida Gaming Minimum Internal Controls. The Executive Director and personnel of the  
360 Commission shall be hired through the Tribe's regular personnel procedure and shall be subject  
361 to its personnel policies and salary schedules. The Executive Director and personnel shall be  
362 required to meet the requirements set forth in section 21.12-3 at hiring and during employment.  
363

### 364 **21.7. Gaming Surveillance: Powers, Duties and Limitations**

365 21.7-1. *Purpose.* The purpose of Gaming Surveillance is to observe and report Regulatory  
366 Incidents to the Commission and Gaming General Manager to provide for the regulation,  
367 operation, and compliance of Gaming Activities under this Ordinance. Gaming Surveillance is a  
368 department within the Commission's administrative structure and supervision shall be identified  
369 within the organizational chart adopted by the Commission, provided that nothing in the  
370 designation of supervisory responsibility shall be deemed to prohibit the responsibility of  
371 Gaming Surveillance to provide information and/or video and/or audio records to the parties  
372 identified in section 21.7-3.

373 21.7-2. Gaming Surveillance shall be responsible for all Gaming surveillance activities  
374 including, but not limited to, equipment and maintenance of equipment, observation and  
375 reporting of all persons to include Gaming Employees, customers, consultants, and Gaming  
376 Services vendors.

377 21.7-3. Surveillance personnel shall provide to Senior Gaming Management, the Commission,  
378 or Gaming Security a copy of any time-recorded video and accompanying audio (if available)  
379 within twenty-four (24) hours of request.

380 21.7-4. Gaming Surveillance shall:

381 (a) Develop, implement and maintain written policies and procedures for the conduct and  
382 integrity of the Surveillance Department.

383 (b) Develop, implement and maintain additional procedures governing the use and  
384 release of the surveillance recordings or reports.

385 (c) Work cooperatively with the Gaming Security Department to carry out its official  
386 duties and to coordinate its activities in order to effectuate the protection of patrons and  
387 the assets of the Gaming Operation.

388 (d) Develop, implement and maintain written policies and procedures for implementation  
389 of duties and responsibilities identified with the Oneida Gaming Minimum Internal  
390 Controls, subject to approval by the Commission.  
391

### 392 **21.8. [Reserved for future use.]**

393

### 394 **21.9. Gaming Security Department**

395 21.9-1. *Purpose.* The Gaming Security Department is a department within the Oneida Police  
396 Department. The purpose of the Gaming Security Department is to protect Gaming assets,  
397 patrons and Gaming Employees from an activity, repeat activity, or ongoing activities which  
398 could injure or jeopardize Gaming assets, patrons and Gaming Employees and report these

399 activities to the Oneida Police Department for further review and/or investigation. Provided that,  
400 all reports of the Gaming Security Department shall be copied to the Commission.

401 21.9-2. *Reporting.* The Oneida Police Department, Gaming General Manager and the  
402 Commission shall enter into an agreement, subject to ratification by the Oneida Business  
403 Committee, which describes their responsibilities and reporting requirements under this law.

404 21.9-3. The Gaming Security Department shall:

405 (a) Develop, implement and maintain written policies and procedures for the conduct and  
406 integrity of Gaming Security, as identified in the Oneida Gaming Minimum Internal  
407 Controls and subject to approval by the Commission.

408 (b) Develop, implement and maintain additional procedures governing the use and  
409 release of the investigation reports.

410 (c) Work cooperatively with Gaming Surveillance to carry out its official duties and to  
411 coordinate activities between the departments.

412 21.9-4. *Investigations.* This Section is intended to authorize report gathering, information  
413 gathering, and preliminary review, to be conducted by the Gaming Security Department.

414

### 415 **21.10. Background Investigations**

416 21.10-1. The Human Resources Department and the Commission shall enter into an agreement,  
417 subject to ratification by the Oneida Business Committee, for carrying out Background  
418 Investigations for employees as required under this law.

419 21.10-2. Background Investigations shall be conducted on all persons or entities as specified  
420 under this law. All Background Investigations shall be conducted to ensure that the Tribe in its  
421 Gaming Operations shall not employ or contract with persons whose prior activities, or  
422 reputation, habits and associations pose a threat to the public interest or to the effective  
423 regulation of gaming, or create or enhance the dangers of unsuitable, unfair or illegal practices  
424 and methods in the conduct of such gaming. The identity of any person interviewed in order to  
425 conduct a Background Investigation shall be confidential.

426

### 427 **21.11. Licenses, Generally**

428 21.11-1. The Commission shall adopt procedures that ensure the efficient and orderly processing  
429 of all applications for a License. All Gaming Employees, Gaming Services vendors, and  
430 Gaming Operators shall apply for a License from the Commission prior to their participation in  
431 any Gaming Activity. All Gaming Facilities must be licensed by the Oneida Business  
432 Committee.

433 21.11-2. *Temporary License.* All Applicants, upon receipt by the Commission of a completed  
434 application for a License and completion of a preliminary Background Investigation, may  
435 receive a temporary license for a ninety (90) day period, unless a Background Investigation of  
436 the application demonstrates grounds to disqualify the Applicant. Such temporary license, as  
437 defined in this section, shall permit the Licensee to engage in such activities and pursuant to any  
438 terms and conditions imposed and specified by the Commission. The temporary license shall be  
439 valid until either replaced by a License, the ninety (90) day temporary license period has  
440 concluded, or the temporary license is cancelled by the Commission, whichever occurs first.

441 21.11-3. *Revocable.* A License is revocable only in accordance with the procedures set forth in  
442 this Ordinance. A Licensee shall have only those rights and protections regarding a License  
443 granted in this Ordinance.

444 21.11-4. All Applicants:

445 (a) Consent to the release of any information relevant to the Applicant's Background  
446 Investigation by any person or entity in possession of such information.

447 (b) Consent to the jurisdiction of the Tribe and are subject to all applicable Tribal,  
448 Federal, and State laws, regulations, and policies.

449 21.11-5. All Licensees are subject to ongoing review at least every two (2) years by the  
450 Commission.

451 21.11-6. *Status of Licenses.* The Commission shall notify the Gaming Operation of the status of  
452 all Licenses, whether temporary or permanent, including all Commission action to revoke,  
453 suspend, or condition a License.

454 21.11-7. *Commission Licensing Actions.* The Commission may grant, deny, revoke, condition,  
455 suspend or reinstate all Licenses, except for Gaming Facilities Licenses, in accordance with this  
456 Ordinance. Authority to place conditions on a license may be exercised only upon promulgation  
457 of regulations.

458 21.11-8. *Noncompliance.* The Commission may issue a notice of noncompliance when the  
459 Commission has developed regulations that identify procedures that notices of noncompliance  
460 may be issued to Licensees and permittees which provide an opportunity to correct actions. Such  
461 regulations shall include procedures for appeal of such notices. Regulations may include the  
462 ability to issue fines not to exceed one thousand dollars (\$1000.00) per violation for Gaming  
463 Services vendors and permittees.

464

## 465 **21.12. Gaming Employee License**

466 21.12-1. *Scope of Section.* This Section applies only to Gaming Employee Licenses and  
467 licensing actions.

468 21.12-2. *License Application.* Every Applicant for a License shall file with the Commission a  
469 written application in the form prescribed by the Commission, duly executed and verified, which  
470 shall certify:

471 (a) Applicant's full name and all other names used (oral or written), Social Security  
472 Number(s), place of birth, date of birth, citizenship, gender, and all languages (spoken or  
473 written).

474 (b) Currently, and for the previous five (5) years: business and employment positions  
475 held, ownership interests in those businesses, business and residence addresses, and  
476 driver's license number(s).

477 (c) The names and current addresses, of at least three (3) personal references, including  
478 one (1) personal reference, who were acquainted with the Applicant during each period of  
479 residence listed in subsection (b) above.

480 (d) Current business and residence telephone numbers.

481 (e) A description of any existing and previous business relationships with Indian Tribes,  
482 including ownership interest in those businesses.

483 (f) A description of any existing and previous business relationship with the Gaming  
484 industry generally, including ownership interest in those businesses.

485 (g) The name and address of any licensing or regulatory agency with which the  
486 Applicant has filed an application for a license or permit related to gaming, whether or  
487 not such licenses or permit was granted.

488 (h) The name and address of any licensing or regulatory agency with which the  
489 Applicant has filed an application for an occupational license or permit, whether or not  
490 such licenses or permit was granted.

- 491 (i) For each felony conviction or ongoing prosecution or conviction, the charge, the  
492 name and address of the court involved, and the date and disposition if any.
- 493 (j) For each misdemeanor or ongoing misdemeanor prosecution (excluding violations for  
494 which jail time is not part of the potential sentence) within ten (10) years of the date of  
495 the application, the name and address of the court involved, and the date and disposition.
- 496 (k) For each criminal charge (excluding charges for which jail time is not part of the  
497 potential sentence) whether or not there is a conviction, if such criminal charge is within  
498 ten (10) years of the date of the application and is not otherwise listed pursuant to  
499 subsections (i) or (j) of this section, the criminal charge, the name and address of the  
500 court involved and the date and disposition.
- 501 (l) A photograph.
- 502 (m) Fingerprints consistent with procedures adopted by the Commission which meet the  
503 criteria set forth in 25 C.F.R. section 522.2(h).
- 504 (n) Any other information the Commission deems relevant for a Gaming Employee  
505 License.
- 506 (o) A statement that each Applicant has read and understands notices and NIGC  
507 requirements relating to:
- 508 (1) The Privacy Act of 1974;
- 509 (2) Fraud and False Statements Act; and
- 510 (3) Fair Credit Reporting Act.
- 511 21.12-3. *License Qualifications.* No License shall be granted if the Applicant:
- 512 (a) Is under the age of eighteen (18).
- 513 (b) Unless pardoned for activities under this subsection by the Tribe, or pardoned for  
514 activities under this subsection by another Federally-recognized Indian Tribe for an  
515 action occurring within the jurisdiction of the Federally-recognized Indian Tribe, or  
516 pardoned for activities under this subsection by the state or Federal government, has been  
517 convicted of, or entered a plea of guilty or no contest to, any of the following:
- 518 (1) Any gambling-related offense;
- 519 (2) Any offense involving Fraud or misrepresentation;
- 520 (3) Any offense involving a violation of any provision of chs. 562 or 565, Wis.  
521 Stats., any rule promulgated by the State of Wisconsin Department of  
522 Administration, Division of Gaming or any rule promulgated by the Wisconsin  
523 Racing Board;
- 524 (4) A felony not addressed in paragraphs (1), (2), or (3), during the immediately  
525 preceding ten (10) years; or
- 526 (5) Any offense involving the violation of any provision of Tribal law regulating  
527 the conduct of Gaming Activities, or any rule or regulation promulgated pursuant  
528 thereto.
- 529 (c) Is determined to be a person whose prior activities, criminal record, reputation,  
530 habits, or associations pose a threat to the public interest or to the effective regulation and  
531 control of Gaming or create or enhance the dangers of unsuitable, unfair, or illegal  
532 practices, methods, or activities in the operation of Gaming Activities or the carrying on  
533 of the business and financial arrangements incidental thereto.
- 534 (d) Possesses a financial interest in or management responsibility for any Gaming  
535 Activity or Gaming Services vendor, or he or she has any personal, business, or legal  
536 relationship which places him or her in a conflict of interest as defined in this Ordinance



537 or the Conflict of Interest Policy.  
538 (e) Each person Licensed as a Gaming Employee shall have a continuing obligation to  
539 inform the Commission immediately upon the existence of any circumstance or the  
540 occurrence of any event which may disqualify him or her from being licensed as a  
541 Gaming Employee. Failure to report any such occurrence may result in suspension or  
542 revocation of the Gaming Employee's License.

543 21.12-4. *Initial Eligibility Determination.*

544 (a) Based on the results of the preliminary Background Investigation, the Commission  
545 shall make an initial determination regarding an Applicant's eligibility and either:

- 546 (1) Grant a temporary license, with or without conditions, to the Applicant; or  
547 (2) Deny the license application and provide notice to the Applicant that he or  
548 she may request a hearing regarding the decision consistent with subsection (b)  
549 below.

550 (b) If the Commission determines that an Applicant is ineligible for a License, the  
551 Commission shall notify the Applicant. The Commission shall set forth regulations for  
552 an Applicant to review any information discovered during the preliminary Background  
553 Investigation prior to scheduling a hearing under section 21.12-9. The suspension or  
554 revocation hearing provisions set forth at section 21.12-8 do not apply to Initial  
555 Eligibility Determinations.

556 21.12-5. *NIGC Review.* When a Gaming Employee begins employment at a Gaming Operation,  
557 the Commission shall:

558 (a) Forward to the NIGC a completed application for employment that contains the  
559 notices and information listed in section 21.12-2 and any other necessary reports.

560 (b) Review the Background Investigation of the Applicant. Based upon the results of the  
561 Background Investigation, the Commission shall determine the eligibility of the  
562 Applicant to receive a License.

563 (c) Determine eligibility for a License within sixty (60) days after an Applicant begins  
564 work at a Gaming Facility under a temporary license.

565 (d) Forward, after determination of eligibility, a report to the NIGC within sixty (60)  
566 days after the Applicant begins employment at a Gaming Facility.

567 (1) During a thirty (30) day period, beginning when the NIGC receives a report  
568 submitted pursuant to subsection (d) above, the Chairman of the NIGC may  
569 request additional information from the Commission concerning the Applicant.  
570 Such a request shall suspend the thirty (30) day period until the Chairman  
571 receives the additional information.

572 (2) If, within the thirty (30) day period described in subsection (1) above, the  
573 NIGC notifies the Commission that it has no objection to the issuance of a  
574 License, the Commission may grant the License to the Applicant.

575 (3) If, within the thirty (30) day period described in subsection (1) above, the  
576 NIGC provides the Commission with a statement itemizing objections to the  
577 issuance of a License, the Commission shall reconsider the application, taking  
578 into account the objections itemized by the NIGC. The Commission shall make  
579 the final decision whether to issue a License to the Applicant.

580 (4) All applications, Background Investigations, investigative reports, suitability  
581 determinations, findings and decisions of the Commission shall be retained in the  
582 Commission's files for a period of at least three (3) years from the date the



- 583 Gaming Employee's employment is terminated.
- 584 21.12-6. *License Issuance.* Any Gaming Employee License issued under this section shall be  
585 effective from the date of issuance and shall contain the Gaming Employee's photograph, the  
586 Gaming Employee's name, and the date that the License became effective. If a Gaming  
587 Employee is promoted, transferred, reassigned, or the position is reclassified, the Gaming  
588 Employee shall notify in writing the Commission, and the Commission shall review the Gaming  
589 Employee's License. The Commission retains the right to grant, deny, revoke, condition,  
590 suspend, or reinstate Licenses subject to the right to appeal the decision under the processes set  
591 forth in this Ordinance.
- 592 21.12-7. *Requirement to Wear License.* During working hours, all Licensees shall wear their  
593 License in a conspicuous place that is plainly visible by all employees, the Nation's gaming  
594 patrons and surveillance.
- 595 21.12-8. *Suspension or Revocation of Licenses.* Except as provided in section 21.12-8(c), no  
596 License can be suspended or revoked except after notice and opportunity for hearing.
- 597 (a) *Basis for Licensing Action.* The Commission may suspend, condition, or revoke any  
598 License issued under this Ordinance if:
- 599 (1) After the issuance of a License, the Commission receives from the NIGC or  
600 other source reliable information indicating that a Gaming Employee is not  
601 eligible for a License under section 21.12-3 or such information would justify the  
602 denial of the renewal of any License, the Commission shall issue a written notice  
603 of suspension;
- 604 (2) The Commission issues a written notice of suspension demonstrating that the  
605 Licensee:
- 606 (A) Has knowingly made a materially false or misleading statement in  
607 any application for a License, in any amendment thereto, or in response to  
608 a request by the Commission for supplemental information or in  
609 connection with any investigation of the Commission;
- 610 (B) Has knowingly promoted, played, or participated in any gaming  
611 activity operated in violation of the Compact, Tribal or federal law, and  
612 this Ordinance;
- 613 (C) Has bribed or attempted to bribe, or has received a bribe from, a  
614 Commissioner or any other person in an attempt to avoid or circumvent  
615 any applicable law;
- 616 (D) Has falsified any books or records relating to any transaction  
617 connected with the operation of Gaming Activity;
- 618 (E) Has refused to comply with any lawful directive of the Tribe, the  
619 Federal government, or any court of competent jurisdiction; or
- 620 (F) Has been convicted of, or entered a plea of guilty or no contest to, a  
621 crime involving the sale of illegal narcotics or controlled substances.
- 622 (b) *Suspension Notice.* The Commission's notice of suspension shall be in writing and  
623 shall, at a minimum, notify the Licensee of the following:
- 624 (1) The Licensee's right to review a file prior to any hearing regarding the notice  
625 of suspension, and to make copies of any documents contained in that file;
- 626 (2) The Licensee's right to request a hearing on the proposed licensing action, to  
627 present documents and witness testimony at that hearing to be represented by  
628 counsel;

629 (3) The specific grounds upon which the proposed licensing action is based,  
630 including citations to relevant sections of this Ordinance, the IGRA, any  
631 applicable Regulations and/or the Compact; and  
632 (4) The time and place set by the Commission for the Licensee's hearing.

633 (c) *Immediate Suspension.* If, in the judgment of the Commission, the public interest,  
634 and effective regulation and control of Gaming Activities requires the immediate  
635 exclusion of a Licensee, the Commission may immediately suspend a License prior to the  
636 conduct of a hearing on the matter. Such an immediate suspension may take effect upon  
637 service of the notice of immediate suspension.

638 (d) Any notice of suspension or notice of immediate suspension shall set forth the times  
639 and dates for when the Licensee may review their file review and the date for a hearing  
640 on any proposed licensing action.

641 (e) Within fifteen (15) business days after a hearing, the Commission shall issue a final  
642 written licensing decision and decide whether to suspend, uphold an immediate  
643 suspension, revoke, or take other action concerning a License. If the License was  
644 suspended, conditioned or revoked based on information from the NIGC under 21.12-  
645 8(a)(1), the Commission shall forward a copy of its decision to NIGC within forty-five  
646 (45) days of receiving NIGC's notification indicating that a Gaming Employee is not  
647 eligible for a License.

648 (f) If a Licensee fails to appear for his or her hearing before the Commission, that right  
649 shall be deemed to have been waived and the Commission will proceed on the proposed  
650 licensing action by default.

651 (g) Unless identified in this Ordinance or regulations of the Commission, the hearing  
652 processes set forth in the Oneida Administrative Procedures Act shall apply.

653 21.12-9. *Original Hearing Body.* Any person aggrieved by a licensing decision of the  
654 Commission may appeal the decision by filing a request for an original hearing before the  
655 Commission. The Licensee must file any such request with the Commission in writing on or  
656 before the fifteenth (15th) day following receipt of the Commission's decision. The Commission  
657 shall certify the record, developed in 21.12-4 or 21.12-8(a), within thirty (30) days of the date of  
658 the filing of the request for an original hearing. The Commissioners serving on the original  
659 hearing body shall not include the Commissioners who participated in the licensing decision  
660 from which the original hearing is scheduled. The Commission may determine to review the  
661 decision solely on the licensing decision record and briefs filed regarding the request for  
662 reconsideration. The Commission may also, in its sole discretion, grant oral argument. The  
663 Commission shall issue a written decision within one hundred twenty (120) days from receipt of  
664 the request for the original hearing. The Commission's decision shall be considered an original  
665 hearing decision and an appeal may be made to the Judiciary as an appeal of an original hearing  
666 body.

667 21.12-10. *Notice to Oneida Business Committee.* Prior to any suspension or revocation of a  
668 License of the gaming general manager, the Commission shall provide notice to the Oneida  
669 Business Committee twenty-four (24) hours prior to the issuance of the suspension or revocation.

670 21.12-11. *Record of Proceedings.* The Commission shall maintain a complete and accurate  
671 record of all Licensure proceedings.

672 21.12-12. Revocation of a License is solely limited to the licensing matter. Employment related  
673 processes resulting from revocation of a license are determined solely through the personnel  
674 processes and procedures of the Tribe and are not licensing matters governed by this Ordinance.

675

**676 21.13. Gaming Services Licensing and Non-Gaming Services Permitting**

677 21.13-1. *Scope of Section.* This section applies to all individuals and entities providing Gaming  
678 Services. The requirements of this Section are in addition to, and do not alter or amend any  
679 requirements imposed by the Oneida Vendor Licensing Law.<sup>2</sup>

680 21.13-2. *Gaming Services License or Non-Gaming Services Permit Required.*

681 (a) *Gaming Services License.* Any Gaming Services vendor providing gaming related  
682 contract goods or services as defined under Article VII(A) of the Compact to the Gaming  
683 Operation must possess a valid Gaming Services License.

684 (b) *Non-Gaming Services Permit.* Any vendor providing non-gaming related goods or  
685 services to the Gaming Operation must possess a valid Non-Gaming Services permit.

686 (c) Determinations regarding the issuance of a License or permit under this section shall  
687 be made by the Commission which may be subject to requests for reconsideration by the  
688 Gaming Services vendor within fourteen (14) business days of receipt by the Gaming  
689 Services vendor of the notice of License or permit determination.

690 21.13-3. *Approved Gaming Services Vendor List.* The Commission shall maintain an updated  
691 and complete list of all Gaming Services vendors that possess current and valid Gaming Services  
692 Licenses or Non-Gaming Services permits from the Commission, which shall be known as the  
693 Approved License and Permit List. Gaming Operations may only do business with vendors that  
694 possess valid and current Gaming Services Licenses or Non-Gaming Services permits and who  
695 appear on the Approved License and Permit List.

696 21.13-4. *Gaming Services License/Permit Application.* Every Applicant for a License or permit  
697 shall file with the Commission a written application in the form prescribed by the Commission,  
698 duly executed and verified which shall provide and certify the following. Provided that, non-  
699 gaming services vendors with less than two thousand five hundred dollars (\$2,500.00) in services  
700 for the prior fiscal year shall only be required to file a notice of doing business with the  
701 Commission.

702 (a) The Applicant's name and mailing address;

703 (b) The names and addresses of each officer or management official of the Applicant;

704 (c) A copy of the Applicant's articles of incorporation and by-laws, or if not a  
705 corporation, the Applicant's organizational documents;

706 (d) Identification of an agent of service for the Applicant;

707 (e) The name and address of each person having a direct or indirect financial interest in  
708 the Applicant;

709 (f) The nature of the License or permit applied for, describing the activity to be engaged  
710 in under the License or permit;

711 (g) Explicit and detailed disclosure of any criminal record, including any delinquent  
712 taxes owed to the United States, or any state, of the Applicant, any person involved in the  
713 organization, and any person of interest whose name appears or is required to appear on  
714 the application;

715 (h) Whether the Applicant is or has been licensed by the state of Wisconsin Office of

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<sup>2</sup> See also Appendix 1. Vendor Licensing/Permit.

- 716 Indian Gaming Regulation and Compliance and, if applicable, proof of current licensure;  
717 (i) Whether the Applicant has been licensed in the state of New Jersey, Nevada, or by  
718 any other gaming jurisdiction, including any Indian Tribe or Tribal governmental  
719 organization and, if so, proof of such licensure and the status of any such license;  
720 (j) Whether the Applicant has been denied a license by any gaming jurisdiction and, if  
721 so, the identity of the jurisdiction, the date of such decision and the circumstances  
722 surrounding that decision;  
723 (k) Whether any license held by the Applicant has been refused renewal, conditioned,  
724 suspended or revoked by an issuing authority and, if so, the circumstances surrounding  
725 that action;  
726 (l) A statement of waiver allowing the Tribe to conduct a Background Investigation of  
727 the Applicant and any person whose name appears or is required to appear on the  
728 application;  
729 (m) Whether the Applicant or any person whose name appears or is required to appear  
730 on the application has or has had any business with the Tribe or any business or personal  
731 relationship with any of the Tribe's officers or employees;  
732 (n) The name and contact information for all Tribes or Tribal organizations with whom  
733 the Applicant or any person whose name appears or is required to appear on the  
734 application has done business;  
735 (o) Whether the Applicant or any person whose name appears or is required to appear on  
736 the application maintains any involvement in the business of wholesale distribution of  
737 alcoholic beverages;  
738 (p) A statement that the Applicant has read and understands notices and NIGC  
739 requirements relating to:  
740 (1) The Privacy Act of 1974;  
741 (2) False statements; and  
742 (3) The Fair Credit Reporting Act.  
743 (q) All additional information necessary to allow the Commission to investigate the  
744 Applicant and any person whose name appears or is required to appear on the application.
- 745 21.13-5. *Signature on Application.* Applications for Licenses or permits must be signed by the  
746 following person:  
747 (a) For companies and corporations (both for profit and non-profit), the highest ranking  
748 official of the corporation, or another person to whom the authority to execute the  
749 Application has been properly delegated.  
750 (b) For a sole proprietorship, the principal owner.  
751 (c) For a partnership, all partners.  
752 (d) For a limited partnership, the general partner or partners.
- 753 21.13-6. *Incomplete Applications.* Applications that do not contain all information requested,  
754 including proper signatures, will be considered incomplete. Incomplete applications will not be  
755 considered by the Commission. The Commission shall notify an Applicant if an application is  
756 incomplete and what additional information is necessary to complete the application. If an  
757 Applicant who has submitted an incomplete application, and been notified of the deficiency in  
758 that application, fails to provide the information requested by the Commission, the application  
759 will be returned to the Applicant and the file closed.
- 760 21.13-7. *Supplemental Information.* The Commission may, in its discretion, request  
761 supplemental information from the Applicant. Supplemental information requested by the

762 Commission shall be promptly submitted by the Applicant. An Applicant's failure or refusal to  
763 submit supplemental information requested by the Commission may constitute grounds for the  
764 denial of the application.

765 21.13-8. *Continuing Duty to Provide Information.* Applicants, permittees, and Licensees owe a  
766 continuing duty to provide the Commission with information and materials relevant to the  
767 Applicant's, permittee's, or Licensee's character or fitness to be licensed, including but not  
768 limited to any change in the licensing or permitting status of the Applicant, permittee, or  
769 Licensee in any foreign jurisdiction. An Applicant's, permittee's, or Licensee's failure to notify  
770 the Commission promptly of inaccuracies on an application or new information or materials  
771 relevant to the Applicant may constitute grounds to deny, suspend or revoke a License or permit.

772 21.13-9. *Background Investigations.* Background Investigations for Gaming Services vendors  
773 shall be conducted as follows.

774 (a) *Gaming Related Equipment Gaming Services Vendors under Fifty Thousand Dollars*  
775 *(\$50,000.00) in Goods and/or Services Annually.* The Commission shall conduct the  
776 Background Investigations that are sufficient to determine the eligibility for licensing of  
777 all Gaming Services vendors that provide or anticipate providing under fifty thousand  
778 dollars (\$50,000.00) in goods and services annually.

779 (b) *Gaming Related Equipment Gaming Services Vendors over Fifty Thousand Dollars*  
780 *(\$50,000.00) in Goods and/or Services Annually.* The Commission shall review the  
781 background investigation conducted by the Wisconsin Office of Indian Gaming  
782 Regulation, and shall conduct any necessary additional Background Investigation to  
783 ensure that the state background investigation is complete and current.

784 (c) *Other Non-Gaming Related Goods and/or Services Gaming Services Vendors.* The  
785 Commission shall conduct Background Investigations on a sufficient number of  
786 randomly selected applications in order to verify the accuracy of all applications. The  
787 random selection process shall be identified by regulation of the Commission.

788 21.13-10. *Licensing Action in a Foreign Jurisdiction.* If the states of Wisconsin, New Jersey,  
789 Nevada or any other gaming jurisdiction refuses to renew a license or permit or conditions,  
790 suspends, or revokes the license or permit of an Applicant, permittee, or Licensee, such action  
791 may constitute grounds for similar action by the Commission.

792 21.13-11. *Claim of Privilege.* At any time during the licensing or permitting process, the  
793 Applicant may claim any privilege afforded by law. An Applicant's claim of privilege with  
794 respect to the production of requested information or documents or the provision of required  
795 testimony or evidence may constitute grounds for the denial, suspension or revocation of a  
796 license or permit.

797 21.13-12. *Withdrawal of an Application.* An Applicant may request to withdraw an application  
798 by submitting a written request to the Commission. The Commission retains the right, in its  
799 exclusive discretion, to grant or deny a request for withdrawal. An Applicant who withdraws an  
800 application shall be precluded from reapplying for a Gaming Services License or Non-Gaming  
801 Services permit for a period of one (1) year from the date the application was withdrawn.

802 21.13-13. *Suspension or Revocation of Gaming Services Licenses or Permits.* Except as  
803 provided in section 21.13-13(c), no License or permit can be suspended or revoked except after  
804 notice and opportunity for hearing.

805 (a) *Basis for Licensing or Permitting Action.* The Commission may suspend, modify, or  
806 revoke any Gaming Services License or Non-Gaming Services permit issued under this  
807 Ordinance if, after issuance of the License or permit, the Commission receives reliable



808 information that would justify denial of the issuance or renewal of a License or permit, or  
809 if the Commission determines that the Licensee or permittee has:

810 (1) Knowingly made a materially false or misleading statement in any application  
811 for a License or permit, in any amendment thereto, or in response to a request by  
812 the Commission for supplemental information or in connection with any  
813 investigation of the Commission;

814 (2) Knowingly promoted, played, or participated in any Gaming Activity  
815 operated in violation of the Compact, or any Tribal or other applicable law;

816 (3) Bribed or attempted to bribe a Commissioner or any other person in an  
817 attempt to avoid or circumvent any applicable law;

818 (4) Falsified any books or records relating to any transaction connected with  
819 operation of Gaming Activity;

820 (5) Refused to comply with a lawful directive of the Tribe, the federal  
821 government, or any court of competent jurisdiction; or

822 (6) Been convicted of, or entered a plea of guilty or no contest to, a crime  
823 involving the sale of illegal narcotics or controlled substances.

824 (b) *Suspension Notice.* The Commission shall provide a Licensee or permittee with  
825 written notice of suspension, which shall, at a minimum, notify the Licensee or permittee  
826 of the following:

827 (1) The Licensee's or permittee's right to conduct a file review prior to any  
828 hearing regarding the notice of suspension, and to make copies of any documents  
829 in that file;

830 (2) The Licensee's or permittee's right to present documents and witness  
831 testimony at the hearing and to be represented by counsel;

832 (3) The specific grounds upon which the suspension is based, including citations  
833 to relevant sections of this Ordinance, the IGRA, any applicable regulations  
834 and/or the Compact; and

835 (4) The time and place set by the Commission for the Licensee's or permittee's  
836 file review and hearing.

837 (c) *Immediate Suspension.* If, in the judgment of the Commission, the public interest,  
838 and effective regulation and control of others require the immediate exclusion of a  
839 Licensee or permittee, the Commission may immediately suspend a License or permit  
840 prior to a hearing on the matter. Such an immediate suspension shall take effect upon  
841 service of the notice of immediate suspension.

842 (d) *File Review and Hearing.* Any notice of suspension or notice of immediate  
843 suspension shall set forth the time and date for the Licensee or permittee to conduct a file  
844 review and for a hearing.

845 (e) *Final Written Decision.* Within fifteen (15) business days after a hearing, the  
846 Commission shall issue a final written decision and decide whether to suspend, uphold an  
847 immediate suspension, revoke, or take other action concerning a License or permit.

848 (f) *Default.* If a Licensee or permittee fails to appear for his or her hearing before the  
849 Commission, that right shall be deemed to have been waived and the Commission will  
850 proceed on the proposed licensing action by default.

851 (g) Unless identified in this Ordinance or regulations of the Commission, the hearing  
852 processes set forth in the Oneida Administrative Procedures Act shall apply.

853 21.13-14. *Original Hearing Body.* Any person aggrieved by a licensing or permitting decision



854 of the Commission may appeal the decision by filing a request for an original hearing before the  
855 Commission. The Applicant, Licensee or permittee must file such request with the Commission  
856 in writing on or before the fifteenth (15<sup>th</sup>) day following the receipt of the Commission's  
857 decision. The Commission shall certify the record, developed in 21.13-9 or 21. 13 -13(a), within  
858 thirty (30) days of the date of the filing on the request for an original hearing. The  
859 Commissioners participating in the initial licensing or permitting decision shall not participate in  
860 the original hearing. The Commission may determine to review the decision solely on the  
861 licensing or permitting decision record and briefs filed regarding the request for reconsideration.  
862 The Commission may also, in its sole discretion, grant oral argument. The Commission shall  
863 issue a written decision within one hundred twenty (120) days from receipt of the request for the  
864 original hearing. The Commission's decision shall be considered an original hearing decision  
865 and an appeal may be made to the Judiciary as an appeal of an original hearing body.  
866

#### 867 **21.14. Gaming Facility License**

868 21.14-1. The construction and maintenance of any Gaming Facility, and the operation of  
869 Gaming Activities, shall be conducted in a manner which adequately protects the environment  
870 and the public health and safety, and shall comply with requirements of the Compact and all  
871 other applicable health, safety, and environmental standards.

872 21.14-2. The Oneida Business Committee shall receive, review and grant or deny any  
873 application for licensing any Gaming Facilities located within the Reservation. Applicants shall  
874 provide the Oneida Business Committee sufficient information to show the following:

875 (a) The Gaming Facility meets all applicable Federal and Tribal health and safety  
876 standards.

877 (1) To show compliance with applicable health and safety standards, Gaming  
878 Operator shall submit certified copies of Compliance Certificates issued by the  
879 agencies responsible for the enforcement of the health and safety standards.

880 (2) If health and safety standards are not met, proof must be submitted by  
881 Gaming Operator that the Gaming Facility is in the process of improvements  
882 which will place the Gaming Facility in compliance with the applicable standards.

883 (b) The Gaming Facility meets applicable federal and Tribal environmental standards.

884 (1) To show compliance with applicable environmental standards, Gaming  
885 Operator shall submit certified copies of an Environmental Assessment of the  
886 Gaming Facility which were prepared by the agency responsible for the  
887 enforcement of applicable environmental standards.

888 (2) If the applicable environmental standards are not met, proof must be  
889 submitted by Gaming Operator that remediation of the Gaming Facility is being  
890 actively sought which will place the Gaming Facility in compliance with the  
891 applicable standards.

892 21.14-3. Upon receipt and review of the above information, the Oneida Business Committee  
893 shall deliberate and either grant or deny for failure to meet the requirements of protecting the  
894 health and safety of patrons, public and employees of a Gaming Facility License to the  
895 Applicant. The Oneida Business Committee shall submit to the NIGC a copy of each Gaming  
896 Facility License issued.

897 21.14-4. If the Oneida Environmental, Health and Safety Department notifies the Oneida  
898 Business Committee that a Gaming Facility will be closed by a governmental agency with proper  
899 authority due to environmental, health or safety concerns, the Oneida Business Committee shall

900 suspend the License of the Gaming Facility. The Oneida Business Committee shall re-License  
901 the Gaming Facility after receiving the information required in section 21.14-2.

902

### 903 **21.15. Gaming Operator License**

904 21.15-1. *Consent to Jurisdiction.* The application for License and the conduct of Gaming within  
905 the jurisdiction of the Tribe shall be considered consent to the jurisdiction of the Tribe in all  
906 matters arising from the conduct of Gaming, and all matters arising under any of the provisions  
907 of this Ordinance or other Tribal laws.

908 21.15-2. *License Required.* No Gaming Operator shall conduct Gaming Activity unless such  
909 entity holds a valid and current Gaming Operator License issued by the Commission.

910 21.15-3. *Types of Licenses.* The Commission may issue each of the following types of Gaming  
911 Operator Licenses:

912 (a) *Tribally-Owned or Tribally-Operated Class II.* This License shall be required of all  
913 Tribally-owned or Tribally-operated Gaming Operations operating one or more Class II  
914 Gaming Activities.

915 (b) *Tribally-Owned or Tribally-Operated Class III.* This License shall be required for all  
916 Tribally-owned or Tribally-operated Gaming Operations operating one or more Class III  
917 Gaming Activities.

918 21.15-4. *Gaming Operator License Qualifications.* The Commission shall issue a Gaming  
919 Operator License to any Gaming Operation if:

920 (a) The Gaming Operation is to be located within the Reservation, or land taken into  
921 trust after October 17, 1988, for Gaming purposes;

922 (b) The Gaming Activity proposed to be played at the Gaming Operation is Class II or  
923 Class III Gaming as defined by this Ordinance and IGRA; and

924 (c) The proposed Gaming Operation is authorized by a resolution of the Oneida Business  
925 Committee.

926 21.15-5. *Provisions of General Applicability to All Gaming Operators.*

927 (a) *Site and Gaming Operator Specified.* Each Gaming Operator License shall be  
928 applicable only to one (1) Gaming Operation and the Gaming Facility named on the  
929 License.

930 (b) *License Not Assignable.* No Gaming Operator License shall be sold, lent, assigned or  
931 otherwise transferred.

932 (c) *Regulations Posted or Available.* Each Gaming Operator shall have a copy of this  
933 Ordinance and any regulations promulgated thereunder available for inspection by any  
934 person at each Gaming Facility.

935 (d) *Display of License.* Each Gaming Operator shall prominently display its License at  
936 each Gaming Facility.

937 21.15-6. *Grandfathered Gaming Facilities.* All Gaming Operators operating on the effective  
938 date of July 5, 2007, are hereby granted a License under this section.

939 21.15-7. *License Application Fees and License Taxes.* No application fees or License taxes shall  
940 be required by the Tribe for a Gaming Operator License.

941 21.15-8. *Closure of a Gaming Operation.* If the Commission finds that any Gaming Operation  
942 is operating in violation of this Ordinance, or otherwise presents a threat to the public, the  
943 Commission shall immediately notify the Oneida Business Committee. The Oneida Business  
944 Committee may close any Gaming Operation temporarily or permanently at any time with or  
945 without cause, at its sole discretion.

946

947 **21.16. Games**

948 21.16-1. Class II and Class III Games are hereby authorized by this Ordinance.

949 21.16-2. *Gaming Procedures*. Games operated under this Ordinance shall be consistent with the  
950 Compact and any amendments thereto and the Internal Control Standards and Rules of Play of  
951 the Gaming Operation.952 21.16-3. *Who May Not Play*. It is the policy of the Tribe that particular Gaming Employees,  
953 employees of the Gaming Commission, particular governmental officials, and consultants who  
954 directly advise the Commission or employees at Gaming Facilities regarding gaming related  
955 activities may not participate in Gaming Activities conducted at Gaming Operations. At a  
956 minimum, members of the Oneida Business Committee, the Commission, the gaming general  
957 manager, assistant gaming general managers, directors of individual Games and assistant  
958 directors of individual Games may not participate in any Gaming Activity within the  
959 Reservation.960 (a) The Oneida Business Committee may identify by resolution additional positions  
961 restrictions on Gaming Activity conducted at Gaming Facilities. Such resolution shall be  
962 on file with the Commission.963 (b) The Commission and Senior Gaming Management shall each develop and maintain  
964 their own standard operating procedure identifying other positions and any applicable  
965 restrictions on Gaming Activity conducted at Gaming Facilities. The standard operating  
966 procedure and the list of positions shall be on file with the Commission.

967

968 **21.17. Allocation of Gaming Funds**

969 21.17-1. Net Gaming revenues may only be used for the following purposes:

970 (a) To fund Tribal government operations, programs, or services.

971 (b) To provide for the general welfare of the Tribe and its members.

972 (c) To promote Tribal economic development.

973 (d) To contribute to charitable organizations.

974 (e) To assist in funding operations of other local governments.

975 (f) To fund programs designed to provide education, referrals, and treatment of Gaming  
976 addiction disorders.977 (g) Any other purpose as determined by the Oneida General Tribal Council or the  
978 Oneida Business Committee which is not inconsistent with the Constitution of the Tribe  
979 and IGRA.

980

981 **21.18. Audits**982 21.18-1. *Annual Audit*. An annual audit of each Gaming Operation shall be conducted by an  
983 independent, certified public accounting firm according to generally accepted accounting  
984 principles. Copies of the annual audit will be provided to the Oneida Business Committee, the  
985 Oneida Audit Committee, the Commission, and the NIGC by said certified public accounting  
986 firm.987 (a) All contracts for supplies, services, or concessions for the Gaming Operations in  
988 excess of twenty-five thousand dollars (\$25,000.00) are subject to audit as prescribed in  
989 this section. Contracts for legal services and accounting services are exempt from this  
990 requirement.991 21.18-2. *Other Audits*. All audits, other than the annual audit under section 21.18-1, shall be

992 conducted pursuant to the Oneida Audit Law or any other applicable law of the Tribe, and other  
993 audits authorized under the Compact.

994 21.18-3. *Request for Audits.* Any audit, except the annual audit which is mandated by IGRA,  
995 may be authorized at any time by the Oneida General Tribal Council, the Oneida Business  
996 Committee or the Oneida Audit Committee.

997  
998 **21.19. Enforcement and Penalties**

999 21.19-1. No individual or entity may own or operate a Gaming Facility unless specifically  
1000 authorized to do so pursuant to this Ordinance.

1001 21.19-2. *Violations/Prosecutions.* Violators of this Ordinance may be subject to disciplinary  
1002 action and civil and/or criminal prosecutions.

1003 21.19-3. *Remedies.* The Oneida Business Committee may authorize commencement of an  
1004 action in any court of competent jurisdiction to recover losses, restitution, and forfeitures  
1005 resulting from violations of this Ordinance.

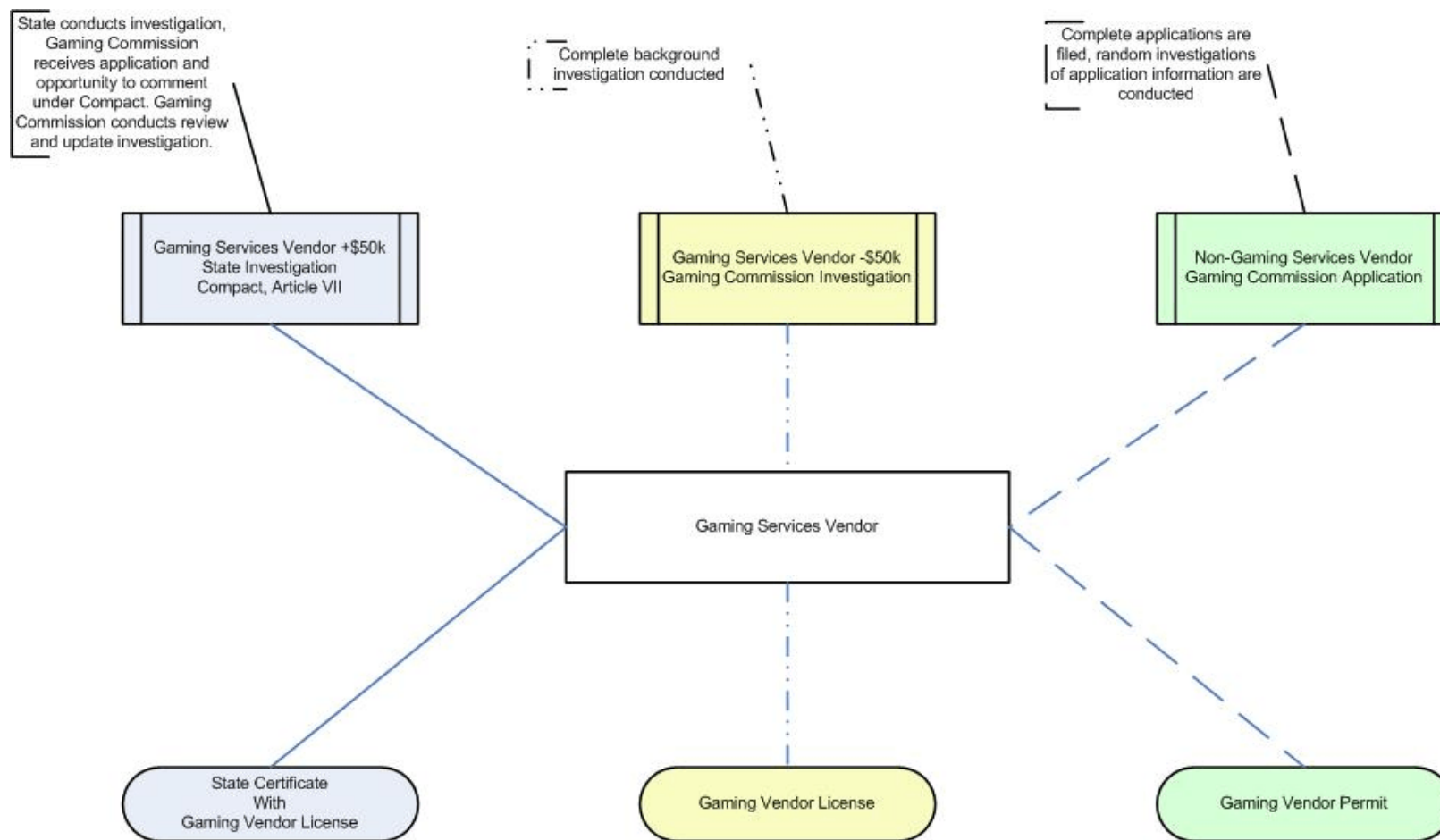
1006  
1007 *End.*

---

1008		
1010	Adopted	GTC-7-05-04-A
1011	Emergency Amended	BC-7-14-04-A
1012	Amendment	BC-10-06-04-D
1013	Emergency Amended	BC-11-03-04-A
1014	Permanent Adoption	BC-3-23-05-C
1015	Amended	BC-9-23-09-D
1016	Amended	BC-06-25-14-C (effective 11 01 2014)
1017	Emergency Amended	BC-10-08-14-C (effective 11 01 2014)

For OBC consideration (clean)  
04/22/15

### Appendix 1. Vendor License/Permit



# Oneida Business Committee Meeting Agenda Request Form

1. Meeting Date Requested: 4 / 22 / 15

## 2. Nature of request

Session:  Open  Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

Agenda Header (choose one):

Agenda item title (see instructions):

Action requested (choose one)

Information only

Action - please describe:

## 3. Justification

Why BC action is required (see instructions):

## 4. Supporting Materials

[Instructions](#)

Memo of explanation with required information (see instructions)

Report  Resolution  Contract (check the box below if signature required)

Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1.  3.

2.  4.

Business Committee signature required

## 5. Submission Authorization

Authorized sponsor (choose one):

Requestor (if different from above): \_\_\_\_\_  
Name, Title / Dept. or Tribal Member

Additional signature (as needed): \_\_\_\_\_  
Name, Title / Dept.

Additional signature (as needed): \_\_\_\_\_  
Name, Title / Dept.

- 1) Save a copy of this form in a pdf format.
- 2) Email this form and all supporting materials to: BC\_Agenda\_Requests@oneidanation.org




# Oneida Tribe of Indians of Wisconsin

**Legislative Reference Office**  
 P.O. Box 365  
 Oneida, WI 54155  
 (920) 869-4376  
 (800) 236-2214  
<http://oneida-nsn.gov/LOC>



**Committee Members**  
 Brandon Stevens, Chairperson  
 Tehassi Hill, Vice Chairperson  
 Fawn Billie, Councilmember  
 Jennifer Webster, Councilmember

## Memorandum

**To:** Oneida Business Committee  
**From:** Brandon Stevens, LOC Chairperson   
**Date:** April 22, 2015  
**Re:** Motor Vehicle Registration Law Amendments

Please find attached the following for your consideration:

1. Resolution: Motor Vehicle Registration Law Amendments
2. Statement of Effect: Motor Vehicle Registration Law Amendments
3. Fiscal Impact: Motor Vehicle Registration Law Amendments
4. Motor Vehicle Registration Law Amendments (redline)
5. Motor Vehicle Registration Law Amendments (clean)

### *Overview*

On November 5, 2014 the Legislative Operating Committee (LOC) considered a request from the Oneida Licensing Department (Department) to amend the Motor Vehicle Registration Ordinance. The request was to remove the motor vehicle registration prices from the Motor Vehicle Registration Ordinance so that the prices could change without having to amend the Ordinance. In addition, the Department requested that this Ordinance be updated since it has not been updated since 1999.

This Ordinance will now be known as the Motor Vehicle Registration Law (Law). Other significant amendments include the following:

- The Law is now enforced through the Oneida Police Department and other law enforcement agencies through citations;
- Specific fees found within the Law have been removed and instead, the Oneida Business Committee will adopt the motor vehicle fee schedule which allows the fees to change without having to amend the Law;
- Tribal members that reside on the Reservation are no longer required to register their motor vehicles with the Tribe so long as the motor vehicles are registered in another jurisdiction; and
- Other amendments were made to update the Law, including removing process language.

A public meeting on the proposed amendments was held on February 19, 2015 in accordance with the Legislative Procedures Act.

### **Requested Action**

Approve the Resolution: Motor Vehicle Registration Law Amendments.

**BC Resolution \_\_\_\_\_***Amendments to the Motor Vehicle Registration Law – Chapter 51*

- WHEREAS,** the Oneida Tribe of Indians of Wisconsin is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Tribe of Indians of Wisconsin; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** the Oneida Business Committee adopted the Motor Vehicle Reciprocal Agreement with the State of Wisconsin on March 27, 1996, for the exclusive registration of motor vehicles by Tribal Members who reside within the exterior boundaries of the Reservation; and
- WHEREAS,** to implement the Reciprocal Agreement, a law was needed to implement a regulatory system for those Tribal members who reside within the exterior boundaries of the Reservation to register their motor vehicles with the Tribe for issuance of Tribal license plates to qualified applicants; and
- WHEREAS,** the Oneida Business Committee originally adopted the Oneida Nation Motor Vehicle Registration Ordinance on April 2, 1997; and
- WHEREAS,** the Oneida Business Committee adopted the Oneida Reciprocal Agreement and Oneida Motor Vehicle Registration Ordinance on July 29, 1998 which was approved by the Wisconsin State Joint Committee on Finance on September 24, 1998; and
- WHEREAS,** the Oneida Business Committee amended the Oneida Motor Vehicle Registration Ordinance on January 27, 1999; and
- WHEREAS,** the Oneida Licensing Department has sought amendments to the Oneida Motor Vehicle Registration Ordinance; and
- WHEREAS,** amendments include changing name of the Oneida Motor Vehicle Registration Ordinance to the Motor Vehicle Law (Law) and;
- WHEREAS,** amendments to the Law remove specific fees and instead authorize the Oneida Business Committee to adopt the motor vehicle registration fee schedule which allows the fees to change without requiring the Law to change; and
- WHEREAS,** amendments to the Law no longer require Tribal members that live within the exterior boundaries of the Reservation to register their vehicles with the Tribe; and

Resolution BC-\_\_\_\_\_  
Page 2

**WHEREAS**, a public meeting on these amendments was held on February 19, 2015, in accordance with the Legislative Procedures Act

**NOW THEREFORE BE IT RESOLVED**, that effective June 1, 2015, the attached amendments to the Motor Vehicle Law are hereby adopted.

**NOW THEREFORE BE IT FURTHER RESOLVED**, that the Oneida Licensing Department shall place a public notice in the Tribal newspaper for at least three issues identifying that amendments to the Law have been adopted and where the amended Law can be obtained.

### **CERTIFICATION**

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum; \_\_\_ members were present at a meeting duly called, noticed and held on the \_\_\_ day of \_\_\_\_\_, 2014; that the foregoing resolution was duly adopted at such meeting by a vote of \_\_\_ members for; \_\_\_ members against; and \_\_\_ members not voting; and that said resolution has not been rescinded or amended in any way.

\_\_\_\_\_  
Lisa Summers, Tribal Secretary  
Oneida Business Committee

\*According to the By-Laws, Article I, Section 1, the Chair votes “only in the case of a tie.”

**Oneida Tribe of Indians of Wisconsin  
Legislative Reference Office**

Lynn A. Franzmeier, Staff Attorney  
Taniquele J. Thurner, Legislative Analyst  
Candice E. Skenandore, Legislative Analyst



P.O. Box 365  
Oneida, WI 54155  
(920) 869-4376  
(800) 236-2214  
<https://oneida-nsn.gov/Laws>

**Statement of Effect**

*Adoption of Amendments to the Motor Vehicle Registration Law*

**Summary**

This Resolution adopts amendments to the Motor Vehicle Registration Law (Law), effective June 1, 2015, to allow the motor vehicle registration fees to change without having to amend the Law. The Resolution also requires the Oneida Licensing Department to place a public notice in the Tribal newspaper for at least three issues identifying that amendments to the Law have been adopted and where the amended Law can be obtained.

*Submitted by: Candice E. Skenandore, Legislative Analyst, Legislative Reference Office*

***Analysis by the Legislative Reference Office***

The Oneida Licensing Department Administrator (Administrator) requested that amendments to the Motor Vehicle Registration Ordinance regarding removal of the motor vehicle registration fees be considered to allow flexibility in changing the motor vehicle registration fees without having to amend the Ordinance. The Administrator also requested that this Ordinance, adopted in 1999, be updated to reflect changes in motor vehicle registration processes and organizational change.

Amendments include changing the name of this legislation to the Motor Vehicle Registration Law (Law). In addition, the Oneida Licensing Department is no longer responsible for enforcing this Law; this has been transferred to a law enforcement responsibility. Furthermore, the specific fees found within the Law have been removed and instead the Oneida Business Committee can adopt the motor vehicle fee schedule which allows the fees to change without having to amend the Law. Additionally, Tribal members that reside on the Reservation are no longer required to register their motor vehicles with the Tribe so long as their vehicles are registered with another jurisdiction. Other amendments were also made, including removing process language from the Law.

A public meeting on the proposed amendments was held on February 19, 2015 in accordance with the Legislative Procedures Act.

**Conclusion**

Adoption of the amendments to this Law will not conflict with any other Tribal law or policy.

# ONEIDA TRIBE OF INDIANS Page 88 of 367 OF WISCONSIN



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



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 FINANCE OFFICE  
Office: (920) 869-4325 • Toll Free: 1-800-236-2214  
FAX # (920) 869-4024

## MEMORANDUM

DATE: March 27, 2015

FROM: Rae Skenandore, Project Manager

TO: Larry Barton, Chief Financial Officer  
Ralinda Ninham-Lamberies, Assistant Chief Financial Officer

RE: **Fiscal Impact of Motor Vehicle Registration Amendments**

### I. Background

The Motor Vehicle Registration Ordinance was adopted by BC resolution 04-02-97-D and amended by BC resolution 12-07-99-E. Under consideration are changes to the existing Motor Vehicle Registration Ordinance. The Licensing Administrator has requested the ability to adjust the fee schedule without the need to amend the law. The law has not been updated since 1999.

### II. Executive Summary of Findings

It has become common practice for LOC to remove fee schedules from the laws and designate that authority to the entity responsible for administration. It appears that upon review, a number of other areas of the law were addressed to update law, allow administrative flexibility, and remove repetitive or ineffective requirements (see Legislative Analysis). Oneida Licensing does not foresee any additional startup costs to implement the amendments. No additional personnel or space is required and the amendments can be implemented immediately upon adoption.

### III. Financial Impact

No fiscal impact.

### RECOMMENDATION

The Finance Department does not make a recommendation in regards to course of action in this matter. Rather, it is the purpose of this report to disclose potential financial impact of an action, so that General Tribal Council has sufficient information to render a decision.

**Chapter 51**  
**MOTOR VEHICLE REGISTRATION ORDINANCE**  
 Tehalaht@tst k@sleht olihw@-ke  
 matters concerning operating a vehicle

51.1. Purpose and Policy

51.2. Adoption, Amendment, Repeal

51.3. Definitions

51.4. Department Authority and Responsibilities

51.5. Registration of Motor Vehicles

51.6. Grounds For Refusing Registration

51.7. Design, Procurement and Issuance of Registration Plates

51.8. Display of Registration Plates

51.9. Penalties and Appeals

<i>Analysis by the Legislative Reference Office</i>					
<b>Title</b>	Motor Vehicle Registration (Law)				
<b>Requester</b>	Licensing Administrator	<b>Drafter</b>	Lynn A. Franzmeier	<b>Analyst</b>	Candice E. Skenandore
<b>Reason for Request</b>	The Licensing Department would like to change the motor vehicle registration prices without having to amend the Law. In addition, the Law has not been updated since 1999.				
<b>Purpose</b>	The purpose of this Law is to create a system for Tribal members who reside on the Reservation to register their motor vehicles within the Tribe [See 51.1-1].				
<b>Authorized/ Affected Entities</b>	Tribal members who reside on the Reservation and need to register their motor vehicles; Licensing Department or any other department of the Tribe that has the authority to implement and administer this Law (Department); Oneida Business Committee (OBC); Oneida Police Department/Law Enforcement and Tribal Judiciary				
<b>Due Process</b>	A person who received a fine under this Law can appeal to the Tribal Judiciary [See 51.9-3].				
<b>Related Legislation</b>	Open Records and Open Meetings Law, Wisconsin Statutes 341.05 (22), 341.409, 110.20 (6)				
<b>Policy Mechanism</b>	Issuance of registration plates and renewal decals for a motor vehicle [See 51.7-1 & 51.7-2].				
<b>Enforcement</b>	The Department has the authority to suspend registration and issue fines [See 51.9-1 & 51.9-2].				

### Overview

This Law was adopted by the OBC pursuant to OBC Resolution 04-08-97-D and was amended by OBC Resolution 12-07-99-E. This Law:

- Authorizes the Department to administer and implement this Law [See 51.3-1 (b) & 51.4-1].
- Allows the OBC, upon recommendation of the Department, to adopt a motor vehicle registration fee schedule [See 51.4-2].
- Requires the Department to maintain a list of registrations [See 51.4-4].
- Allows the Tribe to enter into reciprocal agreements [See 51.5-1].
- Permits Tribal members, who live on the Reservation, to have their automobiles registered with the Department [See 51.5-2 & 51.5-9].
- Sets out how registrations are handled including applications renewal requests and re-registrations [See 51.5-3 through 51.5-8].
- Specifies when the Department must refuse a vehicle registration [See 51.6-1].
- Identifies the process in which the Department issues registration plates and registration renewal tags, decals or other identifications including the Department's authority to



- 17 determine the size, color and design of the registration plates *[See 51.7-1 through 51.7-*  
 18 *4]*.
- 19 ■ Allows the Department to issue the following types of registration plates: special plates  
 20 (disabled person plates, veteran plates and other special plates), antique motor vehicle  
 21 plates, special interest plates and personalized plates *[See 51.7-5 through 51.7-8]*.
  - 22 ■ Explains when the Department may issue replacement plates and the process for doing  
 23 so *[See 51.7-9]*.
  - 24 ■ Dictates the placement of the registration plates and decals on motor vehicles *[See 51.8]*.
  - 25 ■ Specifies when the Department must suspend the registration of vehicle *[See 51.9-1]*
  - 26 ■ Gives the Department the authority to issue a fine of no more than \$500 for any person  
 27 who violates this Law unless otherwise specified within the Law *[See 51.9-2]*.

### 28 29 **Proposed Amendments**

30 The following are proposed amendments to the Law:

- 31 ■ The title of this legislation has been changed; this legislation will no longer be an  
 32 ordinance but a law.
- 33 ■ This Law no longer states that the General Tribal Council can amend or repeal this Law  
 34 *[See 51.2-2]*.
- 35 ■ The Department is no longer responsible for enforcing this Law *[See Redline 51.3-1 (b)]*.
- 36 ■ The definition section has been expanded and the definitions for “automobile”, “moped”  
 37 and “motorcycle” have been amended. An automobile is, among other things, a motor  
 38 vehicle that has a curb weight of at least 1500 pounds, not 1600 pounds, which is  
 39 currently specified. For a bicycle-type vehicle to be considered “moped”, the engine size  
 40 cannot be more than 130 centimeters which is greater than the current maximum allowed  
 41 engine size of 50 cubic centimeters. In addition, this Law clearly states that a utility  
 42 terrain vehicle is not considered a motorcycle *[See 51.3-1 (a) (2), 51.3-1 (f) (1) and 51.3-*  
 43 *1 (i)]*.
- 44 ■ The Department will no longer have the authority to draft policies to implement this Law;  
 45 however, the Department can now create rules for implementation *[See Redline 51.4-1]*.
- 46 ■ Specific fees (i.e. annual registration fee, application fee, personalized plates fee, etc.) are  
 47 removed from the Law and language has been added to clarify that the OBC, upon  
 48 recommendation of the Department, will adopt the motor vehicle registration fee  
 49 schedule. This amendment will allow the fee schedule to change without having to  
 50 amend the Law. *[See 51.4-2 and redline 51.10-5, 51.18-1(b), 51.11-3, 51.11-5, 51.13-*  
 51 *1(a), 51.15-1 through 51.19-1, 51.22-1 through 51.27-1 and 51.33-1]*.
- 52 ■ Language has been added that states that registration fees are nonrefundable; the current  
 53 Law does not address refundable fees *[See 51.4-2]*.
- 54 ■ The Department can recommend separate fees based on different scenarios listed within  
 55 this Law *[See 54.4-2 (a-c)]*.
- 56 ■ The Open Records and Open Meetings Law will dictate how registration applications and  
 57 renewal requests will be retained *[See 51.4-3]*. The current Law requires the Department  
 58 to hold on to the applications and requests for one year before forwarding them to  
 59 Records to hold for an additional seven years *[See Redline 51.4-5]*.
- 60 ■ The Law now specifies the types of reciprocal agreements the Tribe can enter into with  
 61 the State of Wisconsin (State); they include, but are not limited to, registration and  
 62 licensing of any motor vehicle like automobiles, trucks, motorcycling, busses or official  
 63 vehicles with government jurisdiction pursuant to State law *[See 51.5-1 (a)]*.
- 64 ■ The Department will have the authority to determine the registration period. The current

- 65 Law requires 12 registration periods designated by a calendar month as well as special  
 66 registration periods of vehicles other than private automobiles [See 51.5-2 and redline  
 67 51.20-1 & 51.21-1].
- 68 ■ Many of the fines (i.e. failure to notify of new address, obtaining guardian consent  
 69 violations, operating an unregistered/improperly registered vehicle, etc.) have been removed  
 70 from the Law. Unless otherwise specified in this Law, the Department can now issue a  
 71 fine of up to \$500 for violating this Law [See redline 51.25-1 (b), 51.7-4, 51.5-1 (a) (1) &  
 72 51.5-1 (a) (2)].
  - 73 ■ If a vehicle is registered in another jurisdiction, it does not have to be registered with the  
 74 Tribe. The current Law requires Tribal members that live on the Reservation to register  
 75 their vehicles with the Tribe [See 51.5-9 (a) and redline 51.1-1 & 51.21-1 (b)].
  - 76 ■ Language has been added that requires a vehicle to be kept on the Reservation for six  
 77 months out of the year in order for it to be registered with the Department. This Law also  
 78 specifies that if an applicant has an unpaid citation for any nonmoving traffic violations,  
 79 the Department can refuse registration [See 51.6-1 (f)].
  - 80 ■ The Department will continue to offer disabled person plates and veteran plates but the  
 81 Law no longer specifies that a disabled veteran, Oneida Veteran/Congressional Medal of  
 82 Honor or Prisoner of War plate will be available. The Department can; however, issue  
 83 additional special plates which may include these special plates [See 51.7-5 (a) (3) and  
 84 redline 51.10-1 (b) through 51.10-4].
  - 85 ■ Before the Department can issue personalized registration plates the proper paperwork, as  
 86 determined by the Department must accompany the required fee [See 51.7-8 (a) (1)].
  - 87 ■ A person who was issued a fine can appeal to the Tribe's judiciary [See 51.9-3].
  - 88 ■ Process language has been removed from the Law. For example the current Law spells  
 89 out exactly what information needs to be on a registration application but amendments  
 90 remove the process and simply state that the Department will prescribe the form.  
 91 Similarly, the process for how the Department creates and maintains the registration list  
 92 was removed as well as plate designs and what happens when a person fails to appear in  
 93 court [See 51.4-3 (a) & (b) and 51.5-3, redline 51.7-1, 51.11-1 and 51.32-1].

### 94 Considerations

95 The LOC may want to consider the following:

- 96 ■ This Law only allows Tribal members that reside on the Reservation and customarily  
 97 keep their vehicles on the Reservation for at least six months out of the year to register  
 98 their vehicles with the Department [See 51.6-1 (a)]. Lac du Flambeau Band of Lake  
 99 Superior Chippewa Indians (Lac du Flambeau) allows non-members to register their  
 100 vehicles with the Tribe so long as the non-members reside on the reservation [See *Lac du*  
 101 *Flambeau Motor Vehicle Code, 71.103 (1)*]. By expanding those eligible to register their  
 102 vehicles with the Tribe may increase revenue generation.
- 103 ■ This Law does not specify how often the registration fees need to be reviewed, just that  
 104 the OBC, upon recommendation by the Department, must adopt a fee schedule. The  
 105 current Law requires the Department to submit annualized fees to the OBC for approval  
 106 but this language was omitted in the proposed Law [See 51.4-2 and redline 51.33-3].

### 107 Miscellaneous

108 A public meeting was held on February 19, 2015. Minor language and formatting  
 109 changes have been made in order to comply with the Legislative Procedures Act. The Oneida  
 110 Licensing Department supports these proposed amendments.  
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### **51.1-1. Purpose and Policy**

51.1-1. The purpose of this ~~law~~Law is to create a system for ~~enrolled Oneida Tribal~~ members who reside on the ~~Oneida Nation~~ Reservation ~~in Wisconsin~~ to register their motor vehicles ~~exclusively with the Oneida Nation, for the issuance of Oneida license plates to qualified applicants, and for the Oneida Nation to regulate the public roads within its sovereign jurisdiction~~Tribe.

51.1-2. It is the policy of this ~~law~~Law to clarify jurisdictional sovereignty and to generate revenue for the ~~Oneida Nation~~Tribe.

~~**51.2-1. Adoption, Amendment, Repeal, Review.** The Oneida Nation, a sovereign nation and federally recognized Indian tribe, has the authority to enter into reciprocal agreements regarding the registration and licensing of any motor vehicle, including but not limited to, automobiles, trucks, motoreycles, buses or official vehicles with any governmental jurisdiction and pursuant to Section 341.05 (22) and 341.409, Wis. Stats.~~

### **51.2. Adoption, Amendment, Repeal**

~~51.2-2.~~ The Oneida Nation has the power and authority to license and register motor vehicles pursuant to the sovereign jurisdiction status of the Oneida Nation and a reciprocal registration exemption agreement that has been entered into between the Oneida Nation and the State of Wisconsin with parallel laws and statues for cross administration and enforcement purposes.

~~51.2-31.~~ This ~~law~~Law was adopted by the ~~Oneida~~ Business Committee ~~and is effective contingent upon the reciprocal agreement~~by resolution BC # 3-27-96-B, entered into and signed by the State of Wisconsin and the Oneida Tribe of Indians of Wisconsin.

~~-04-02-97-D and 51.2-4.~~ This ~~law~~Law may be amended by resolutions BC-12-07-99-E and

51.2-2. This ~~Law~~Law may be amended or repealed by the ~~Oneida Business Committee~~ pursuant to the procedures set out in the ~~Oneida Administrative~~Legislative Procedures Act ~~by the Oneida Business Committee or the Oneida General Tribal Council.~~

51.2-~~53.~~ Should a provision of this ~~law~~Law or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this ~~law~~Law which are considered to have legal force without the invalid portions.

~~51.2-4. 51.2-6.~~ All other Oneida laws, policies, regulations, rules, resolutions, motions and all other similar actions which are inconsistent with this policy are hereby repealed unless specifically re-enacted after adoption of this policy.

In the event of a conflict between a provision of this Law and a provision of another Tribal law, the provisions of this Law shall control. Provided that, nothing in this Law is intended to repeal or modify any existing law, ordinance, policy, regulation, rule, resolution or motion.

51.2-~~75.~~ This ~~law~~Law is adopted under authority of the Constitution of the Oneida Tribe of Indians of Wisconsin.

~~51.2-8.~~ All information given for purposes of obtaining a license under the ~~Oneida Motor Vehicle Ordinance~~ may be subject to review or internal audit.

### **51.3-1. Definitions**

51.3-1. This ~~article~~section shall govern the definitions of words and phrases used within the ~~law~~Law. All words not defined herein shall be used in their ordinary and everyday sense.

~~51.3-2.~~ “Oneida Nation” means ~~Oneida Tribe of Indians of Wisconsin.~~

51.3-3.(a) “Automobile” means any of the following:

161 | (a~~1~~) A motor vehicle designed and used primarily for carrying persons but  
 162 | which does not come within the definition of a motor bus, motorcycle, or moped.  
 163 | (b~~2~~) A motor vehicle capable of speeds in excess of thirty (30) miles per hour on  
 164 | a dry, level, hard surface with no wind, designed and built to have at least three  
 165 | (3) wheels in contact with the ground, a power source as an integral part of the  
 166 | vehicle, a curb weight of at least ~~1,600~~one thousand, five hundred (1,500)  
 167 | pounds, and a passenger and operator area with sides permanently enclosed with  
 168 | rigid construction and a top which may be convertible.

169 | ~~51.3-4.(b)~~ “Department” means the Licensing Department, or any other department of  
 170 | the ~~Oneida Nation~~Tribe, with the authority to implement, ~~and~~ administer ~~and enforce~~ this  
 171 | ~~law~~Law.

172 | ~~51.3-5. “Oneida member” means a member of the Oneida Nation who is on the Oneida~~  
 173 | ~~enrollment list and has an Oneida enrollment number.~~

174 | ~~51.3-6.(c)~~ “Gross weight” means the weight of the vehicle equipped for service plus the  
 175 | weight which the vehicle is carrying as load.

176 | ~~51.3-7.(d)~~ “Highway” means all public ways and thoroughfares and bridges on the same.  
 177 | It includes the entire width between the boundary lines of every way open to the use of  
 178 | the public as a matter of right for the purposes of vehicular travel.

179 | ~~51.3-8.(e)~~ “Identification number” means the numbers, letters or combination of  
 180 | numbers and letters assigned by the manufacturer of a vehicle or vehicle part or by the  
 181 | ~~department~~Department and stamped upon or affixed to a vehicle or vehicle part for the  
 182 | purpose of identification.

183 | ~~51.3-9. “Junked” means dismantled for parts or scrapped.~~

184 | ~~51.3-10.(f)~~ “Moped” means any of the following motor vehicles capable of speeds of not  
 185 | more than thirty (30) miles per hour with a one hundred fifty (150-) pound rider on a dry,  
 186 | level hard surface with no wind, excluding a tractor, a power source as an integral part of  
 187 | the vehicle and a seat for the operator:

188 | (a~~1~~) A bicycle-type vehicle with fully operative pedals for propulsion by human  
 189 | power and an engine certified by the manufacturer at not more than ~~50~~one  
 190 | hundred thirty (130) cubic centimeters or an equivalent power unit.

191 | (b~~2~~) A Type 1 motorcycle with an automatic transmission and an engine certified  
 192 | by the manufacturer at not more than fifty (50) cubic centimeters or an equivalent  
 193 | power unit.

194 | ~~51.3-11.(g)~~ “Motor home” means a motor vehicle designed to be operated upon a  
 195 | highway for use as a temporary or recreational dwelling and having the same internal  
 196 | characteristics and equipment as a mobile home.

197 | (h) “Motor vehicle” means every device in, upon or which any person or property is or  
 198 | may be transported or drawn upon a highway, except railroad trains. A snowmobile shall  
 199 | not be considered a motor vehicle.

200 | (i) “Motorcycle” means a motor vehicle, excluding a tractor-~~or an~~, all-terrain vehicle or a  
 201 | utility terrain vehicle, which is capable of speeds in excess of thirty (30) miles per hour  
 202 | with a one hundred fifty (150-) pound rider on a dry, level, hard surface with no wind,  
 203 | with a power source as an integral part of the vehicle, and which meets any of the  
 204 | following conditions ~~under par. (a) or (b):~~

205 | (a~~1~~) Type 1 is a motor vehicle which meets either of the following conditions:

206 | (A) Is designed and built with two (2) wheels in tandem and a seat for  
 207 | the operator, and may be modified to have no more than three (3) wheels

208 by attaching a sidecar to one of the side the wheels in tandem without  
209 changing the location of the power source.

210 ~~(a)(2B)~~ Is designed and built to have no more than three (3) wheels,  
211 seating for the operator and no more than three (3) passengers, and does  
212 not have the operator area enclosed.

213 ~~(b2)~~ Type 2 is a motor vehicle designed and built to have at least three (3) wheels  
214 in contact with the ground, a curb weight of less than one thousand five hundred  
215 (1,500) pounds, and a passenger and operator area with sides permanently  
216 enclosed with rigid construction and a top which may be convertible.

217 ~~51.3-12. “Motor home(j) “Nonmoving traffic violation” means a citation for parking a~~  
218 ~~motor vehicle designed to be operated upon a highway for use as a temporary in violation~~  
219 ~~of a statute, ordinance or recreational dwelling and having resolution of the same internal~~  
220 ~~characteristics and equipment as a mobile home Tribe or the state of Wisconsin.~~

221 ~~51.3-13.(k)~~ “Nonresident” means a person who is not a resident of the Reservation.

222 ~~51.3-14.(l)~~ “Other jurisdiction” or “another jurisdiction” means territory other than the  
223 ~~Oneida Nation~~ Reservation, including the State of Wisconsin and any State other than  
224 Wisconsin.

225 ~~51.3-15.(m)~~ “Owner” means a person who holds the legal title of a motor vehicle, except  
226 that if legal title is held by a secured party with the immediate right of possession of the  
227 motor vehicle vested in the debtor, the debtor is the owner for the purposes of this  
228 law Law.

229 ~~51.3-16. “Personal identifier” means a name, street address, post office box number or 9 digit~~  
230 ~~extended zip code.~~

231 ~~51.3-17.(n)~~ “Person with a disability that limits or impairs the ability to walk” means any  
232 person with a disability as defined by the ~~federal American~~ Americans with disabilities  
233 act Disabilities Act of 1990, 42 USC 12101 et. seq., so far as applicable, or any persons  
234 who meet the following conditions:

235 ~~(a1)~~ Cannot walk ~~200~~ two hundred feet (200’) or more without stopping to rest.

236 ~~(b2)~~ Cannot walk without the use of, or assistance from, another person or brace,  
237 cane, crutch, prosthetic device, wheelchair or other assistive device.

238 ~~(c3)~~ Is restricted by lung disease.

239 ~~(d4)~~ Uses portable oxygen.

240 ~~(e5)~~ Has cardiac condition to the extent that functional limitations are present.

241 ~~(f6)~~ Is severely limited in the ability to walk due to an arthritic, neurological or  
242 orthopedic condition.

243 ~~(g7)~~ Has a degree of disability equal to that specified in ~~pars. (a(1) to (f), 6)~~  
244 above.

245 ~~51.3-18.(o) “Personal identifier” means a name, street address, post office box number or~~  
246 ~~nine (9) digit extended zip code.~~

247 ~~(p) “Personalized registration plates” means registration plates for a motor vehicle~~  
248 ~~registered under this Law which display a registration composed of letters or numbers, or~~  
249 ~~both, requested by the applicant.~~

250 ~~(q) “Registrant” means a person who has applied for and received registration plates for~~  
251 ~~a motor vehicle under this Law.~~

252 ~~(r) “Reservation” means all land within the exterior boundaries of the Reservation of the~~  
253 ~~Oneida Tribe of Indians of Wisconsin, as created pursuant to the 1838 Treaty with the~~  
254 ~~Oneida, 7 Stat. 566, and any lands added thereto pursuant to federal law.~~



255 | (s) “Special interest vehicle” means a motor vehicle of any age which has not been  
 256 | altered or modified from original manufacturing specifications and, because of its historic  
 257 | interest, is being preserved by hobbyists.

258 | ~~51.3-19. “Vehicle” means every device in, upon or which any person or property is or may be~~  
 259 | ~~transported or drawn upon a highway, except railroad trains. A snowmobile shall not be~~  
 260 | ~~considered a vehicle except for purposes made specifically applicable by this law.~~

261 | 51.3-20.(t) “Tribal member” means an enrolled member of the Oneida Tribe of Indians  
 262 | of Wisconsin.

263 | (u) “Tribe” means the Oneida Tribe of Indians of Wisconsin.

264 | (v) “Truck” means every motor vehicle ten thousand (10,000) pounds or ~~underless~~  
 265 | designed, used or maintained primarily for the transportation of property.

266 |

#### 267 | **51.4. Department Authority and Responsibilities**

268 | ~~51.4-1. 3-21. “Reservation” means~~The Department shall be responsible for the  
 269 | Reservation administration of this Law and is delegated the authority to create rules to allow for  
 270 | the implementation of this Law.

271 | ~~51.4-2. the Fees. The Oneida Tribe of Indians~~Business Committee, upon recommendation of  
 272 | Wisconsin and includes all lands within the exterior boundaries and any other lands ownedthe  
 273 | Department, shall adopt a motor vehicle registration fee schedule. The fee schedule shall be  
 274 | published in the Kalihwisaks upon adoption and whenever fees are changed. All registration  
 275 | fees shall be non-refundable and shall be paid to and retained by the ~~Oneida Nation~~Department.  
 276 | The Department may recommend separate fees based on any combination of the following:

277 | (a) The type of motor vehicle being registered.

278 | (b) The maximum gross weight of the motor vehicle. Upon payment of the fee, a motor  
 279 | vehicle subject to registration on the basis of gross weight may be registered at a weight  
 280 | in excess of the manufacturer’s maximum gross weight rating, but such registration does  
 281 | not exempt such vehicle from compliance with weight limitations imposed by law or by  
 282 | state, local or tribal authorities pursuant to authority of law.

283 | (c) Whether the motor vehicle’s registration was previously suspended under this Law.

284 | 51.4-3. *Records Retention.* All registration applications and renewal requests shall be retained  
 285 | in accordance with the Open Records and Open Meetings Law.

286 | 51.4-4. *Registration Lists.* The Department shall maintain a list of registrations. The list shall  
 287 | give the name and address of each registrant, the registration number assigned, and other  
 288 | identifying information as the Department deems necessary.

289 | (a) Upon request, the Department shall distribute, free of charge, registration lists  
 290 | compiled under this section to the following:

291 | (1) The Oneida Police Department.

292 | (2) Any other person, agency or public officer that provides, in writing, a  
 293 | reasonable request for the lists.

294 | (b) Any person who has received a personal identifier of any person under 51.4-4(a)  
 295 | shall keep the personal identifier confidential and may not disclose it except:

296 | (1) To perform a legally authorized function;

297 | (2) To issue or renew a property and/or casualty insurance policy and related  
 298 | underwriting, billing, processing or paying a claim; or

299 | (3) To conduct a vehicle recall by the manufacturer of a vehicle or his or her  
 300 | agent.



301 (c) Any person who discloses a personal identifier in violation of this section may be  
302 subject to a fine of not more than five hundred dollars (\$500.00) for each violation.

303 (d) Any person who requests or obtains a personal identifier from the Department under  
304 false pretenses may be required to forfeit not more than five hundred dollars (\$500.00)  
305 for each violation.

## 307 51.5. Registration of Motor Vehicles

### 308 51.5-1.

#### 309 ~~51.4.1. Registration of Automobiles.~~

##### 310 ~~Regular automobiles.~~

311 ~~(a) All~~ The Tribe has the authority to enter into reciprocal agreements regarding:

312 (a) the registration and licensing of any motor vehicle, including but not limited to  
313 automobiles, trucks, motorcycles, buses or official vehicles with any governmental  
314 jurisdiction and pursuant to Sections 341.05 (22) and 341.409, Wis. Stats; and

315 (b) the exemption from Wisconsin state registration requirements of designated classes  
316 of motor vehicles registered by the Department.

317 51.5-2. Except as provided in 51.5-9, all automobiles customarily owned by Oneida Tribal  
318 members residing on the Reservation shall be registered with the department  
319 Department in accordance with the registration period determined by the Department.

320 51.5-3. Registration applications and registration renewal requests shall be submitted to the  
321 Department upon forms prescribed by the Department and shall be accompanied by the required  
322 fee.

323 (a) All information obtained by the Department for purposes of registering a motor  
324 vehicle under this Law shall be subject to review or internal audit.

325 (b) If the registrant has an unpaid citation for any non-moving traffic violation, he or she  
326 shall be notified that the registration may not be issued or renewed until the citation is  
327 paid or the registrant appears in court to respond to the citation.

328 (c) Whenever any person, after applying for and receiving registration plates, has a  
329 change of address or of his or her name, the person shall, within ten (10) days of such  
330 change, notify the Department in writing of the old and new address or of such former  
331 and new names and of all registration plate numbers held.

#### 332 51.5-4. Original Registration.

333 (a) Applications for original registration of a motor vehicle shall contain the following  
334 information:

335 (1) The name of the owner.

336 (2) A description of the vehicle, including make, model, identification number  
337 and any other information which the Department may reasonably require for  
338 proper identification of the vehicle.

339 (3) Such further information as the Department may reasonably require to enable  
340 it to determine whether the vehicle is by law entitled to registration or to enable it  
341 to determine the proper registration fee for the vehicle.

342 (b) The Department may accept an application and complete registration of a motor  
343 vehicle when the evidence of ownership is held by a nonresident lien holder or for other  
344 reasons not immediately available if the Department is satisfied as to ownership of the  
345 vehicle.

346 (c) Minors. If the applicant for registration is under eighteen (18) years of age, the  
347 application shall be accompanied by a notarized statement made and signed by a guardian  
348 of the applicant, stating that the applicant has the guardian's consent to register the motor

349 vehicle in the applicant's name. The signature on the statement shall not impute any  
 350 liability for the negligence of misconduct of the applicant while operating such motor  
 351 vehicle on the highways. ~~(b) The annual fee for each automobile registered in this~~  
 352 ~~jurisdiction and under this Article shall be \$40 for two plates.~~

353  
 354 51.5-5. Registration Renewal.

355 (a) At least thirty (30) days prior to the expiration of a motor vehicle's registration, the  
 356 Department shall mail to ~~51.4-2. Registration Periods for Private Automobiles.~~

357 ~~(a) All automobiles shall be registered by the department according to a monthly series~~  
 358 ~~system the last-known address of registrations.~~

359 ~~(b) There are established 12 registration periods, each to be designated by a calendar~~  
 360 ~~month and to start on the first day the registrant a notice of such month and end on the last~~  
 361 ~~day of the twelfth month from the date of commencing. The department shall so~~  
 362 ~~administer the monthly series system of registration so as to distribute the work of~~  
 363 ~~registering automobiles as uniformly as practicable throughout the calendar year.~~

364 ~~(c) All automobiles subject to registration under monthly series systems shall be~~  
 365 ~~registered by the department for a period of twelve consecutive calendar months except~~  
 366 ~~as follows:~~

367 ~~(1) If the applicant holds current registration plates upon which were removed from an~~  
 368 ~~automobile which the applicant no longer owns or which has been junked, is no longer~~  
 369 ~~used on the highways or has been registered as a special interest vehicle or a~~  
 370 ~~reconstructed, replica, street modified or homemade vehicle and the plates were issued~~  
 371 ~~under the monthly series system, the department shall register the automobile which is~~  
 372 ~~the subject of the application for the remainder of the unexpired registration period the~~  
 373 ~~registration must be renewed and instructions for renewal of registration.~~

374 ~~(2) If the applicant does not hold current registration plates under the~~  
 375 ~~circumstances described in par. (a) and the application is an original rather than~~  
 376 ~~renewal application, the department may register the automobile which is subject~~  
 377 ~~to the application for such period or part thereof as the department determines will~~  
 378 ~~help to equalize the registration and renewal work load of the department.~~

379 ~~51.4-3. All registration fees, applicable fines, penalties, forfeitures and assessments shall be paid~~  
 380 ~~to and retained by the department, for the operation of such department.~~

381 ~~51.4-4. The department shall be responsible for the administration of this ordinance and~~  
 382 ~~delegated authority to draft policies to allow for the full implementation of this law.~~

383 ~~51.4-5. All applications and registrations shall be retained by the department for one year after~~  
 384 ~~the application has been submitted or registration filed, thereafter all applications and~~  
 385 ~~registrations shall be retained by Oneida Records Management for seven years.~~

386  
 387 ~~51.5-1-~~ (b) In order to renew a registration, the registrant shall provide the Department  
 388 with any updates to information required on the application for registration to ensure the  
 389 proper registration of the motor vehicle. The Department may require that requests for  
 390 renewal of registration be accompanied by the certificate of title issued for the motor  
 391 vehicle if true ownership or proper registration of the motor vehicle is in doubt and  
 392 cannot be resolved from records maintained by the Department.

393 51.5-6. Re-registration Required For Motor Vehicles Subject To A Different Fee. Whenever the  
 394 construction or the use of a registered motor vehicle is changed in a manner which makes the  
 395 motor vehicle subject to a different registration fee, the owner shall immediately apply for a new

396 registration. The fee payable upon such re-registration shall be computed as if the motor vehicle  
 397 was not previously registered by the Tribe, but a credit shall be allowed for the unused portion of  
 398 the fee paid for the previous registration so long as the registration plates issued upon the  
 399 previous registration are returned to the Department. The credit shall be computed on the basis  
 400 of one-twelfth (1/12) of the annual registration fee or one twenty-fourth (1/24) of the biennial  
 401 registration fee prescribed for the vehicle as previously registered multiplied by the number of  
 402 months of registration which have not fully expired on the date the motor vehicle became subject  
 403 to the different fee. The credit may be applied toward the re-registration of the motor vehicle  
 404 only up to the date when the previous registration would have expired.

405 51.5-7. Operating Unregistered or Improperly Registered ~~Vehicle.~~—Penalty for Operating  
 406 Unregistered or Improperly Registered Vehicle.

407 (a) Motor Vehicle. It is unlawful for any person to operate or for an owner to consent to being  
 408 operated on any highway of this jurisdiction the Reservation any motor vehicle, mobile home,  
 409 trailer, or any other vehicle for which a registration fee is specifically prescribed unless at the  
 410 time of operation the motor vehicle in question either is registered in this jurisdiction by the  
 411 Department, or, a complete application for registration, including evidence of any inspection  
 412 required by the jurisdiction Department, accompanied by the required fee has been delivered to  
 413 the department Department or deposited in the mail properly addressed with postage prepaid, and  
 414 if the motor vehicle is an automobile, station wagon or motor truck having a registered weight of  
 415 eight thousand (8,000) pounds or less, the vehicle displays a temporary operation plate issued for  
 416 the vehicle unless the operator or owner of the motor vehicle displays a temporary operation  
 417 plate issued by the Department for the motor vehicle unless the operator or owner of the motor  
 418 vehicle produces proof that operation of the motor vehicle is within two (2) business days of the  
 419 motor vehicle's sale or transfer, or the motor vehicle in question ~~or~~ is exempt from registration.

420 (1a) A motor vehicle may be operated by a private person after the date of purchase of  
 421 such vehicle by such private person or after the date such person the owner moved to this  
 422 jurisdiction the Reservation if application for registration and certificate of title has been  
 423 made.

424 (2b) All motor vehicles subject to renewal ~~or registration~~ may be operated provided that  
 425 application for re-registration renewal request has been made.

426 (b)(c) Any person who violates 51.5-7, where the motor vehicle used is an automobile,  
 427 station wagon, or any other motor vehicle having a gross weight of ten thousand (10,000)  
 428 pounds or less, may be required to forfeit not more than two hundred dollars (\$200.00).

429 (d) Any person who violates 51.5-7, where the motor vehicle used is not enumerated  
 430 under 51.5-7(c), may be required to forfeit not more than five hundred dollars (\$500.00).

431 51.5-8. Unless application for re-registration has been made as required by ~~sec. 23-4~~ 51.5-6, it is  
 432 unlawful for any person to operate or for the owner to consent to being operated on any highway  
 433 ~~of this jurisdiction~~ any registered motor vehicle the construction or use of which has been  
 434 changed so as to make the vehicle subject to a higher fee than the fee at which it currently is  
 435 registered or which is carrying a greater load than that permitted under the current registration.

436 (1) ~~Any person who violates par. (a) or (b), where the vehicle used is an~~  
 437 ~~automobile, station wagon, or any other vehicle having a gross weight of 10,000~~  
 438 ~~pounds or less, may be required to forfeit not more than \$200.~~

439 (2) ~~Any person who violates par. (a) or (b), where the vehicle used is vehicle not~~  
 440 ~~enumerated under sub. (1), may be required to forfeit not more than \$500.~~

441 51.6-15-9. Vehicles Exempt From Registration. A motor vehicle ~~even though~~ operated on a  
 442 highway ~~of the Reservation~~, is exempt from registration when such vehicle:

- 443 (a) Is registered in another jurisdiction and the vehicle has a registration plate indicating  
 444 it is validly registration in such other jurisdiction.  
 445 (b) Is operated in accordance with the provisions 51.7-6 exempting nonresident or foreign  
 446 registered-motor vehicles from registration, or  
 447 (bc) Is a farm tractor used exclusively in agricultural operations, including threshing, or  
 448 used exclusively to provide power to drive other machinery, or to transport from job to  
 449 job machinery driven by such tractor; or  
 450 (ed) Is a trailer or semi-trailer used exclusively for the transportation of farm machinery,  
 451 implements, produce or supplies on a farm or between farms; or  
 452 (de) Is a fork-lift truck, a specially constructed road or truck tractor used for shunting  
 453 trailers; or semi-trailer used exclusively for the transportation of farm machinery,  
 454 implements, produce or supplies on a farm or between farms; or  
 455 (e-f) Is a trailer or camping trailer having a gross weight of three thousand (3,000)  
 456 pounds or less and not used for hire or rental; or  
 457 (fg) Is a trailer not operated in conjunction with a motor vehicle; or  
 458 (gh) Is a new motor vehicle being operated only across a highway from point of  
 459 manufacture or assembly; or  
 460 (hi) Is a piece of road machinery.

461  
 462 **51.7-1. Application For Registration. ~~Applications in General.~~**

- 463 (a) ~~Application for original registration and for renewal of registration shall be made to~~  
 464 ~~the department upon forms prescribed by it and shall be accompanied by the required fee.~~  
 465 (b) ~~The forms for application for original registration and for renewal of registration~~  
 466 ~~shall be provided by the department and shall include a place for an applicant or~~  
 467 ~~registrant under this chapter to designate that the applicant's or registrant's name, street~~  
 468 ~~address, post office box number and 9 digit extended zip code may not be disclosed, a~~  
 469 ~~statement indicating the effect of making such a designation and a place for an applicant~~  
 470 ~~or registrant who made a designation under this subsection to reverse the designation.~~

471 **51.7-2. ~~Original Applications.~~**

- 472 (a) ~~Applications for original registration of a vehicle shall contain the following~~  
 473 ~~information:~~  
 474 (a)(1) ~~The name of the owner.~~  
 475 (a)(2) ~~A description of the vehicle, including make, model, identification number~~  
 476 ~~and any other information which the department may reasonably require for~~  
 477 ~~proper identification of the vehicle.~~  
 478 (a)(3) ~~Such further information as the department may reasonably require to~~  
 479 ~~enable it to determine whether the vehicle is by law entitled to registration or to~~  
 480 ~~enable it to determine the proper registration fee for the vehicle.~~  
 481 (b) ~~The department may accept an application and complete registration of a vehicle~~  
 482 ~~when the evidence of ownership is held by a nonresident lien holder or for other reasons~~  
 483 ~~not immediately available if the department is satisfied as to ownership of the vehicle.~~  
 484 ~~The title fee shall be collected at the time of registration and retained even though~~  
 485 ~~certificate of title is not issued.~~

486 **51.7-3. ~~Renewal Applications~~**

- 487 (a) ~~Applications for renewal of registration shall contain the information required in~~  
 488 ~~sec.7 2(a) for original applications, or such parts thereof as the department deems~~  
 489 ~~necessary to assure the proper registration of the vehicle. The department may require~~  
 490 ~~that applications for renewal of registration be accompanied by the certificate of title~~

491 | ~~issued for the vehicle only when the true ownership or proper registration of the vehicle~~  
 492 | ~~is in doubt and cannot be resolved from records maintained by the department.~~

493 | ~~(b) At least 30 days prior to the expiration of a vehicle's registration, the department~~  
 494 | ~~shall mail to the last known address of the registrant a notice of the date upon which the~~  
 495 | ~~registration must be renewed and an application form for renewal of registration.~~

496 | ~~(b)(1) The application form or an accompanying document shall include a list of~~  
 497 | ~~any unpaid citations for nonmoving traffic violations, or any violations of~~  
 498 | ~~administrative rules of the department, or parking violations, entered against the~~  
 499 | ~~registrant which remain unpaid.~~

500 | ~~(b)(2) If there is a citation for any nonmoving traffic violation entered against the~~  
 501 | ~~registrant which is unpaid, he or she shall be notified that the vehicle may not be~~  
 502 | ~~registered until the citation is paid or the registrant appears in court to respond to~~  
 503 | ~~the citation.~~

504 | ~~51.7-4. Applicants Under 18. If the applicant for a certificate of registration is under 18 years of~~  
 505 | ~~age, the application shall be accompanied by a statement made and signed by either of the~~  
 506 | ~~applicant's parents, if such parent has custody of the minor; or if neither parent has custody, then~~  
 507 | ~~by the person having custody, stating that the applicant has the signer's consent to register the~~  
 508 | ~~vehicle in the applicant's name. 6The signature on the statement shall not impute any liability~~  
 509 | ~~for the negligence or misconduct of the applicant while operating such motor vehicle on the~~  
 510 | ~~highways. Any person who violates this section may be required to forfeit not more than \$200.~~

#### 512 | ~~51.8-1. Grounds For Refusing Registration~~

513 | ~~51.6-1.~~ The ~~department~~Department shall refuse registration of a vehicle under any of the  
 514 | following circumstances:

515 | (a) The ~~vehicle~~ owner applying for registration is not ~~an Oneida~~a Tribal member, does  
 516 | not reside on the Reservation ~~and/or~~ the motor vehicle is not customarily kept on the  
 517 | Reservation for at least six (6) months out of the year.

518 | (b) The required motor vehicle registration fee ~~imposed by the department for a vehicle~~  
 519 | ~~customarily kept on the Reservation and owned by an enrolled Oneida member,~~ has not  
 520 | been paid for the specific vehicle, ~~and the department may refuse registration of a vehicle~~  
 521 | ~~ifor~~ such fees for the current period or for any previous period for which payment of a  
 522 | registration fee is required by law have not been paid on any other vehicles owned ~~or~~  
 523 | ~~leased~~ by the applicant ~~for registration.~~

524 | (c) The applicant has failed to furnish any of the following:

525 | (1) Unless exempted by rule of the document, the mileage disclosure from the  
 526 | most recent titled owner and of all subsequent non-titled owners of the motor  
 527 | vehicle.

528 | (2) Other information or documents required by law or by the  
 529 | ~~department~~Department pursuant to authority of law.

530 | (3) Proof of Oneida membership by enrollment card or number.

531 | (d) ~~Where the~~The applicant does not hold a valid certificate of title and is not entitled to  
 532 | the issuance of a certificate of title.

533 | (e) The applicant's registration has been suspended ~~or revoked~~ and such suspension ~~or~~  
 534 | ~~revocation~~is still ~~is~~ in effect.

535 | (f) The applicant has an unpaid citation for any nonmoving traffic violation.

536 | (g) The vehicle is exempt from registration ~~and voluntary registration of the vehicle is~~  
 537 | ~~not expressly authorized.~~

538 |



539 **51.9-17. Design, Procurement and Issuance of Registration Plates**

540 ~~51.7-1.~~ The ~~department~~Department, upon registering a motor vehicle ~~pursuant to Article IV and~~  
 541 ~~Article XIX,~~ shall issue to the applicant two (2) registration plates for an automobile, truck, or  
 542 motor home, and one (1) plate for other motor vehicles. ~~The department upon registering~~

543 ~~51.7-2. In lieu of issuing a vehicle pursuant to any other section shall issue one new~~ plate  
 544 ~~unless upon each renewal of registration of a motor vehicle, the Department may issue a tag,~~  
 545 ~~decal or other identification per motor vehicle to indicate~~ the ~~department determines that two (2)~~  
 546 ~~plates will better serve the interests of law enforcement~~period of registration. The tag, decal or  
 547 other identification shall be used only if the outstanding plate is in suitable condition for further  
 548 usage.

549 ~~51.9-27-3.~~ The ~~department~~Department shall determine the size, color and design of registration  
 550 plates with a view toward making ~~them~~the following visible ~~evidence of:~~ the period for which  
 551 the motor vehicle is registered and the fee class into which the motor vehicle falls ~~as well as~~  
 552 ~~making them.~~ The registration plates shall also be a ready means of identifying the specific  
 553 motor vehicle or owner for which the ~~plated~~plates were issued.

554 ~~51.9-37-4.~~ All registration plates shall have displayed upon them the following:

555 (a) The registration number assigned to the motor vehicle or owner. The registration  
 556 number ~~shall~~may be composed of numbers or letters or both.

557 (b) The name "Oneida Nation"."

558 (c) An indication of the period for which the specific plate is issued or the date of  
 559 expiration of registration.

560 ~~51.9 4. In lieu of issuing a new plate upon each renewal of registration of a vehicle, the~~  
 561 ~~department may issue one insert tag, decal or other identification per vehicle to indicate the~~  
 562 ~~period of registration. The tag, decal or other identification shall be provided by the department~~  
 563 ~~and used only if the outstanding plate is in suitable condition for further usage.~~

565 ~~51.10-1. Application For and Issuance of Special Plates.~~ The department shall issue special  
 566 plates as specified in this section under the following circumstances:

567 ~~(a) Disabled Oneida Residents. If any Oneida member, who is a resident of the Reservation and~~  
 568 ~~who is registering or has registered an automobile or truck or a motor home,~~51.7-5. Special  
 569 Plates.

570 (a) The Department may issue the following special plates:

571 (1) Disabled Person Plates. If a registrant submits a statement once every four  
 572 (4) years, from a physician licensed to practice medicine in any state, or from a  
 573 chiropractor licensed to practice chiropractic in any state, that the  
 574 ~~resident~~registrant is a person with a disability that limits or impairs the ability to  
 575 walk, the ~~department~~Department shall ~~procure, issue and deliver to the disabled~~  
 576 ~~person~~or renew plates of a special design in lieu of plates which ordinarily would  
 577 be issued for the motor vehicle, ~~and shall renew the plates.~~ The plates shall be so  
 578 designed as to readily ~~apprize~~apprize law enforcement officers of the fact that the  
 579 motor vehicle is owned by a ~~non-veteran~~ disabled person and is entitled to  
 580 parking privileges specified in other laws. No charge in addition to the  
 581 registration fee shall be made for the issuance or renewal of such plates.

582 ~~(b) Disabled Oneida Veterans. If any resident of the Reservation who is registering or~~  
 583 ~~has registered an automobile, truck, or a motor home submits a statement once every four~~  
 584 ~~(4) years, from the Oneida Nation Department of Veterans Affairs certifying to the~~  
 585 ~~department that the resident is, by reason of injuries sustained while in the active U.S.~~  
 586 ~~military service, a person with a disability that limits or impairs the ability to walk, the~~



587 ~~department shall procure, issue and deliver to the veteran, plates of a special design in~~  
 588 ~~lieu of the plates which ordinarily would be issued for the vehicle, and shall renew the~~  
 589 ~~plates. The plates shall be so designed as to readily apprise law enforcement officers of~~  
 590 ~~the fact that the vehicle is owned by a disabled veteran and is entitled to parking~~  
 591 ~~privileges specified in other laws. No charge in addition to the registration fee shall be~~  
 592 ~~made for the issuance or renewal of such plates.~~

593 ~~51.10 2. Oneida Veteran/Congressional Medal of Honor. Upon application by any person~~  
 594 ~~awarded the congressional medal of honor and submission of proper proof thereof, the~~  
 595 ~~department shall issue special plates so designed as to indicate such award. No charge whatever~~  
 596 ~~shall be made for the issuance of such plates.~~

597 ~~51.10 3. Prisoner of War:~~

598 ~~(a) Upon application to register an automobile or truck by any Oneida member residing~~  
 599 ~~on the Reservation who was a member of any of the U.S. armed services and who was~~  
 600 ~~held as a prisoner of war during any of the conflicts described as World War II, Vietnam,~~  
 601 ~~Persian Gulf, Operation Desert (Shield) Storm, or in Grenada, Lebanon, Panama, Somalia~~  
 602 ~~or a Middle East crisis, and upon submission of a statement from the Oneida Nation~~  
 603 ~~Department of Veterans Affairs certifying that the person was a prisoner of war during~~  
 604 ~~one of the conflicts described, the department shall issue to the person a special plate~~  
 605 ~~which is colored (to be determined by the department) and which has the words "ex-~~  
 606 ~~prisoner of war" placed on the plate in the manner designated by the department.~~

607 ~~(b) If a registration plate has been issued to a person under par (a), upon application by~~  
 608 ~~the surviving spouse of the person, the department may permit the surviving spouse to~~  
 609 ~~retain the plate. If the plate has been returned to the department or surrendered to another~~  
 610 ~~state, the department may reissue the plate to the surviving spouse. The department shall~~  
 611 ~~charge an additional fee of \$10 to reissue the plate.~~

612 ~~(c) A person who maintains no more than one registration under this subsection at one~~  
 613 ~~time shall not be charged a fee for registration of the vehicle or issuance of plates.~~

614 ~~(d) For each additional vehicle, a person who maintains more than one registration under~~  
 615 ~~this subsection at one time shall be charged a fee of \$10 for issuance of the plates in~~  
 616 ~~addition to the annual registration fee for the vehicle.~~

617 ~~(e) The department shall charge a fee of \$10 for re-issuance of any plate under par. (d).~~

618 ~~51.10 4. Veterans Plates. The department shall issue special veterans/military plates under this~~  
 619 ~~subsection for the following authorized special groups:~~

620 ~~(a) World War II veterans~~

621 ~~(b) Korean War veterans~~

622 ~~(c) Vietnam War veterans~~

623 ~~(d) Persian Gulf War veterans~~

624 ~~(e) Air force Retired~~

625 ~~(f) Air force Veteran~~

626 ~~(g) Army Retired~~

627 ~~(h) Army Veteran~~

628 ~~(i) U.S. Coast Guard~~

629 ~~(j) Marine Corps Retired~~

630 ~~(k) Marine Corps Veteran~~

631 ~~(l) Navy Retired~~

632 ~~(m) Navy Veteran~~

633 ~~(n) Purple Heart~~

634 ~~(o) Medal of Honor~~

635 ~~51.10-5. The annual registration fee shall be \$40.00. There shall be an additional fee of \$10.00~~  
 636 ~~for the issuance of the initial registration of Special Veteran/Military plates. \$40.00 plus \$10.00~~  
 637 ~~for the first plate. Renewal fees for these plates shall be \$40.00.~~

638 51.10-6.(2) Veterans Plates. The Department shall issue special veteran plates  
 639 for veterans of the various branches of the military, specific wars or military  
 640 conflicts.

641 (3) Other Special Plates. The Department may issue additional special plates if  
 642 the Department determines the demand for such special plates would justify the  
 643 issuance of such plates and the Department has the ability to determine who is  
 644 qualified to receive the plates.

645 (b) If an individual in possession of special plates ~~or of personalized plates under this~~  
 646 ~~article does not maintain membership in the applicable authorized special groups during~~  
 647 ~~the year which is not a plate issuance year~~ no longer qualifies for the special plates, the  
 648 individual shall:

649 (a1) Dispose of the special plates in a manner prescribed by the  
 650 department;Department; and

651 (b) In addition to the regular ~~2) Submit an~~ application and registration fee, for  
 652 plates he or she qualifies for and pay a ~~\$4~~ fee for the issuance of replacement  
 653 plates; ~~and.~~

654 51.7-6. Antique Motor Vehicle Plates. A motor vehicle which has a model year of 1945 or  
 655 earlier and which has not been altered or modified from the original manufacturers'  
 656 specifications may register the vehicle as an antique motor vehicle upon payment of a fee, and be  
 657 furnished registration plates of a distinctive design, in lieu of the usual registration plates, which  
 658 shall show, in addition to the requirements of 51.7-4, that the motor vehicle is an antique. The  
 659 registration shall be valid while the motor vehicle is owned by the applicant without payment of  
 660 any additional fee. The motor vehicle shall only be used for special occasions such as display  
 661 and parade purposes or for necessary testing, maintenance and storage purposes.

662 (a) Any person who registers an antique motor vehicle may furnish and display on the  
 663 motor vehicle a historical plate from or representing the model year of the motor vehicle  
 664 if the registration and plates issued by the Department are simultaneously carried in the  
 665 motor vehicle and are available for inspection.

666 (b) Unless inconsistent with this section, the provisions applicable to other motor  
 667 vehicles apply to antique motor vehicles.

668 51.7-7. Special Interest Vehicles. Any owner who has a motor vehicle registered through the  
 669 Tribe and uses for regular transportation at least one (1) vehicle that has regular registration  
 670 plates may apply to register a vehicle he or she owns as a special interest vehicle if the vehicle is  
 671 at least twenty (20) years old.

672 (a) The Department shall furnish the owner of the vehicle with registrations plates of a  
 673 distinctive design in lieu of the usual registration plates, and those shall show that the  
 674 vehicle is a special interest vehicle owned by a collector. Upon application, the owner  
 675 may re-register the vehicle without the payment of any additional fee.

676 (b) Each collector applying for special interest vehicle registration plates will be issued a  
 677 collector's identification number which will appear on each plate.

678 (c) The vehicle may be used as are other vehicles of the same type except:

679 (1) Motor vehicles may not transport passengers for hire.

680 (2) Trucks may not haul material weighing more than ~~(c) Return the certificate of title to~~  
 681 ~~the department for correction.~~

682 five hundred (500) pounds.

(3) No special interest vehicle may be operated upon any highway during the month of January unless the owner of the vehicle re-registers the vehicle with regular registration plates or transfers regular registration plates to the vehicle.

(d) Unless inconsistent with this section, the provisions applicable to other vehicles shall apply to special interest vehicles.

~~51.11-17-8. Personalized LicenseRegistration Plates.—In this article, “personalized registration plates” means either of the following:~~

~~(a) A registration plate for a motor vehicle registered under this ordinance which displays a registration composed of letters or numbers, or both, requested by the applicant. Personalized registration plates under this paragraph shall be of the same color and design as regular registration plates and shall consist of numbers or letters, or both, not exceeding 5 positions and not less than one position for a plate issued for a motorcycle or not exceeding 7 positions and not less than 1 position for all other plates.~~

~~(b) A registration plate of the same color and design as provided in Article X for (a vehicle specified under Article X which displays the applicable symbol of the authorized special group to which the person belongs and a registration number composed of letters or numbers, or both, not exceeding 6 positions and not less than 1 position, requested by the applicant.~~

~~51.11-2.) The departmentDepartment shall issue personalized registration plates only upon request and if:~~

~~(a) The request and alternate thereto is received by the department in writing by mail by the 15th day of the month in which the vehicle is to be registered;~~

~~(b)(1) The request is accompanied by the proper fee, an application for original or renewal vehicle registration and the proper registration fee; and paperwork as required by the Department; and~~

~~(e2) The requested combination of numbers or letters has not already been issued.~~

~~51.11-3. In addition to the regular application fee provided for in this ordinance, the applicant for a personalized registration plate issued on an annual basis shall pay a fee of \$15 for the issuance of the plate and \$15 in each succeeding year to maintain the plate.~~

~~51.11-4.(b) The Department may refuse to issue any combination of letters or numbers, or both, which carry connotations offensive to Oneida heritage or traditions, to good taste or decency, or which would be misleading or in conflict with the issuance of any other registration plates. All decisions of the Department with respect to personalized registration plate applications shall be final and not subject to judicial review.~~

~~(c) Each personalized registration plate issued shall be reserved for the recipient in succeeding registration periods and shall not be duplicated for issuance to any other person if the recipient maintains the plate, unless the recipient authorizes the issuance of the plate to another person. If the recipient does not maintain the plate for two (2) successive years ~~which are not plate issuance years~~ or if the recipient does not specifically request re-issuance of the personalized licenseregistration plate by the end of the month in which the plate expires ~~in a plate issuance year~~, the departmentDepartment may reissue the personalized registration plate to another applicant.~~

~~51.11-5. If an individual in possession of a personalized registration plate does not maintain the personalized registration plate during a year which is not plate issuance year, the individual shall:~~

~~(a) Dispose of the personalized plate in a manner prescribed by the department;~~

~~(b) In addition to the regular application fee, pay a \$4 fee for the issuance of replacements plates; and~~

~~(c) Return the certificate of title to the department for correction.~~

~~51.11 6. The department may refuse to issue any combination of letters or numbers, or both, which carry connotations offensive to Oneida heritage or traditions, to good taste or decency, or which would be misleading or in conflict with the issuance of any other registration plates. All decisions of the department with respect to personalized registration plate applications shall be final and not subject to judicial review.~~

~~51.11 7. The department~~(d) The Department may cancel and order the return of any personalized registration plates issued which contain any combination of letters or numbers, or both, which the ~~department~~Department determines may carry connotations that are offensive to the Oneida heritage or traditions, good taste and decency or which may be misleading. Any person ordered to return such plate shall either be reimbursed for any additional fees they paid for the plates for the registration year in which they are recalled, or be given at no additional cost replacement personalized registration plates, the issuance of which is in compliance with this ~~ordinance~~Law. A person who fails to return personalized registration plates upon request of the ~~department~~Department may be required forfeit not more than ~~\$two hundred dollars (\$200.00)~~.

#### 51.7-9. Replacement Plates.

(a) Lost or Destroyed Plates. Whenever a current registration plate is lost or destroyed, the owner of the motor vehicle to which the plate was attached shall immediately apply to the Department for a replacement. Except as further provided in this Law, upon satisfactory proof of the loss or destruction of each plate and upon payment of a fee for each plate, the Department shall issue a replacement.

(b) Illegible Plates. Whenever a current registration plate becomes illegible, the owner of the motor vehicle to which the plate is attached shall apply to the Department for a replacement. Upon receipt of satisfactory proof of illegibility, and upon payment of a fee for each plate, the Department shall issue a replacement. Upon receipt of a replacement plate, the applicant shall return the illegible plate to the Department for recycling.

(c) When issuing replacement plates, the Department may assign a new number and issue a new plate rather than a duplicate of the original if in its judgment that is in the best interests of economy or prevention of fraud. Upon receipt of a replacement plate, the applicant shall return the illegible plate to the Department for recycling.

#### ~~51.812-1.~~ **Display of Registration Plates**

##### ~~51.8-1.~~ *Placement of Plates or Decals on Motor Vehicles.*

(a) Whenever two (2) registration plates are licensed for a motor vehicle, one (1) plate shall be attached to the front and one (1) to the rear of the motor vehicle. Whenever only one (1) registration plate is issued for a motor vehicle, the plate shall be attached to the rear of the motor vehicle.

(b) Any registration decal or tag issued by the ~~department~~Department shall be placed on the rear registration plate of the vehicle in the manner directed by the ~~department~~Department.

~~51.128-2.~~ Registration plates shall be attached firmly and rigidly in a horizontal position and conspicuous place. The plates shall at all times be maintained in a legible condition and shall be so displayed that they can be readily and distinctly read. Any ~~peace~~law enforcement officer may require the operator of any vehicle on which plates are not properly displayed to display such plates as required by this section.

777 ~~51.12 3. Any of the following may be required to forfeit not more than \$200:~~  
778 ~~(a) A person who operates a vehicle for which a current registration plate or insert tag~~  
779 ~~has been issued without such plate or tag being attached to the vehicle.~~  
780 ~~(b) A person who operates a vehicle with a registration plate attached in a non-rigid or~~  
781 ~~non-horizontal manner or in an inconspicuous place so as to make it difficult to see and~~  
782 ~~read the plate;~~  
783 ~~(c) A person who operates a vehicle with the registration plate in an illegible condition~~  
784 ~~due to the accumulation of dirt or other foreign matter.~~

785  
786 ~~**51.13-1. Issuance of Replacement Plates.** *Lost or Destroyed Plates.*~~

787 ~~(a) Whenever a current registration plate is lost or destroyed, the owner of the vehicle to~~  
788 ~~which the plate was attached shall immediately apply to the department for replacement~~  
789 ~~Except as further provided in this article, upon satisfactory proof of the loss or destruction~~  
790 ~~of each plate and upon payment of a fee of \$2 for each plate, the department shall issue a~~  
791 ~~replacement.~~

792 ~~(b) Upon satisfactory proof of the loss or destruction of a specialized plate or a~~  
793 ~~personalized plate issued under sec.10, and upon payment of a fee of \$5 for each plate, the~~  
794 ~~department shall issue a replacement.~~

795 ~~51.13-2. *Illegible Plates.* Whenever a current registration plate becomes illegible, the owner of~~  
796 ~~the vehicle to which the plate is attached shall apply to the department for a replacement. Upon~~  
797 ~~receipt of satisfactory proof of illegibility, and upon payment of a fee of \$2 for each plate, the~~  
798 ~~department shall issue a replacement. Upon receipt of a replacement plate, the applicant shall~~  
799 ~~return the illegible plate to the department for recycling.~~

800 ~~51.13-3. *Replacement Plates.* When issuing a replacement plate, the department may assign a~~  
801 ~~new number and issue a new plate rather than a duplicate of the original if in its judgment that is~~  
802 ~~in the best interests of economy or prevention of fraud. Upon receipt of a replacement plate, the~~  
803 ~~applicant shall return the illegible plate to the department for recycling.~~

804 ~~51.13-4. Any person issued replacement plates who fails to return the original plates to the~~  
805 ~~department as required by this Article may be required to forfeit not more than \$200.~~

806 ~~**51.14-1. Department to Compile Registration Lists.** *Maintaining of Lists.*~~

807 ~~(a) At intervals selected by the department, the department shall compile a list of~~  
808 ~~registrations made during that interval pursuant to the monthly series system of~~  
809 ~~registering automobiles. The list shall give the name and address of each registrant, the~~  
810 ~~registration number assigned, and other identifying information as the department deems~~  
811 ~~necessary.~~

812 ~~(b) The department shall compile a list of new automobile and motor truck registrations.~~  
813 ~~Registrations for other new vehicles may be included if deemed necessary by the~~  
814 ~~department. Such lists shall be compiled at such intervals during the month as is deemed~~  
815 ~~necessary by the department but the final list compiled each month shall include the~~  
816 ~~listing of the last day of the month. Such list shall contain only those vehicles being~~  
817 ~~registered for the first time after sale by a dealer. Such list shall contain the name and~~  
818 ~~address of the owner, the make, body type, identification number of the vehicle, and the~~  
819 ~~date of sale.~~

820 ~~51.14-2. *Access to Lists.*~~

821 ~~(a) Upon request, the department shall distribute free of charge registration lists~~  
822 ~~compiled under this section as follows:~~

823 ~~(1) To the Oneida Police Department, one copy of each automobile registration~~  
824 ~~list under sec.14-1.~~

825 ~~(2) To any other public officer or agency that provides in writing reasonable~~  
 826 ~~requests for the lists, one copy of each automobile registration list under sec.14-1.~~

827 ~~(b) Except as provided in sec. 14-3(c) public officers and agencies receiving free copies~~  
 828 ~~of registration lists under par. (a) shall keep such lists current and open to public~~  
 829 ~~inspection.~~

830 ~~51.14-3. Limitations in Disclosure.~~

831 ~~(a) In providing copies under this section of any written information collected or~~  
 832 ~~prepared under this law which consists in whole or in part of the personal identifiers of 10~~  
 833 ~~or more persons, the department may not disclose a personal identifier of any person who~~  
 834 ~~has made a designation that his or her personal identifiers may not be disclosed as~~  
 835 ~~provided in this Article.~~

836 ~~(b) Paragraph (a) does not apply to any of the following:~~

837 ~~(1) A person receiving a registration list under sec. 14-2(a-b) to perform a legally~~  
 838 ~~authorized function.~~

839 ~~(2) A law enforcement agency~~

840 ~~(3) An insurer authorized to write property and casualty insurance in the State of~~  
 841 ~~Wisconsin or an agent of the insurer, if the insurer or agent uses the personal~~  
 842 ~~identifier designated for non-disclosure under sec. 7-1(b) for purposes of issuing~~  
 843 ~~or renewing a policy and related underwriting, billing or processing or paying a~~  
 844 ~~claim.~~

845 ~~(4) A person obtaining registration or title information for use in the conduct of a~~  
 846 ~~vehicle recall by the manufacturer of the vehicle or an agent of the manufacturer,~~  
 847 ~~if the person uses the personal identifiers designated for non-disclosure under sec.~~  
 848 ~~7-1(b).~~

849 ~~(c) Any person who has received under par. (b) a personal identifier of any person who~~  
 850 ~~has made a designation under sec. 7-1(b) shall keep the personal identifier confidential~~  
 851 ~~and may not disclose it except for a purpose applicable to that person under par. (b).~~

852 ~~(1) Any person who willfully discloses a personal identifier in violation of this~~  
 853 ~~section may be subject to a fine of not more than \$500 for each violation.~~

854 ~~(2) Any person who wilfully requests or obtains a personal identifier from the~~  
 855 ~~department under this subsection under false pretenses may be required to forfeit~~  
 856 ~~not more than \$500 for each violation.~~

857

858 ~~**51.15-1. Annual Registration Fees; Biennial Motorcycle Fees.** Unless a different fee is~~  
 859 ~~prescribed for a particular vehicle under this ordinance, the following registration fees shall be~~  
 860 ~~paid to the department for the annual registration of each vehicle not exempted by Article VI of~~  
 861 ~~this ordinance.~~

862

Maximum gross weight in pounds	Annual Fee
Not more than 4,500	\$ 45
Not more than 6,000	\$ 57
Not more than 8,000	\$ 72
Not more than 10,000	\$ 111



In excess of 10,000	\$ 150
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Figure 1

~~(a) For each automobile or station wagon, a fee of \$40.~~

~~(b) For each motorcycle or moped with a curb weight of 1,499 pounds or less, which is designed for the transportation of persons rather than property, a biennial fee of \$20.~~

~~(1) Registration plates under this article expire on April 30 of even numbered years.~~

~~(2) One license plate is sent by the department of each cycle registered.~~

~~51.15 2. Calculation of Registration Fees Relating to Gross Weight: Trucks.~~

~~(a) Unless otherwise noted, for each truck under this article, a yearly registration fee is to be determined on the basis of the maximum gross weight of the vehicle. Each vehicle registered will receive one license plate. Maximum gross weight shall be determined by adding together the weight in pounds of the vehicle when equipped to carry a load as a motor truck and the maximum load in pounds which the applicant proposes to carry on the vehicle when used as a motor truck.~~

~~(b) The following schedule shall be used in determining fees based on gross weight, provided that a surcharge of \$18 shall be added to and collected with the fee for each truck as listed in Figure 1.~~

~~51.15 3. Motor Homes.~~

~~(a) For each motor home, including any vehicle which is converted to be used as a motor home, an annual fee based on gross weight as set out in Figure 2.~~

Gross weight in pounds:	Annual Fee:
Not more than 5,000	\$ 45
Not more than 8,000	\$ 51
Not more than 12,000	\$ 63
Not more than 16,000	\$ 75
Not more than 20,000	\$ 87
Not more than 26,000	\$ 99
More than 26,000	\$ 111

Figure 2

~~51.15 4. Upon payment of the fee prescribed by law, a vehicle subject to registration on the basis of gross weight may be registered at a weight in excess of the manufacturer's maximum gross weight rating, but such registration does not exempt such vehicle from compliance with weight limitations imposed by law or by state, local or tribal authorities pursuant to authority of law.~~

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**~~51.16-1. Special Registration Fees For Certain Vehicles. Oneida Government Vehicles.~~**

~~(a) A fee of \$5 shall be paid to the department for the original issuance of a registration plate for any vehicle owned by the Oneida Nation and operated exclusively in service of the public.~~

~~(b) A fee of \$5 shall be paid to the department for the original issuance of a registration plate for vehicles used by the Oneida Police Department exclusively in the performance of their duties.~~

**~~51.17-1. Antique Motor Vehicles; Registration, Plates, Use. Antique Motor Vehicles.~~**

~~(a) Any person who is a resident of the Reservation and the owner or subsequent transferee of a motor vehicle which has a model year of 1945 or earlier and which has not been altered or modified from the original manufacturers' specifications may upon application register the same as an antique vehicle upon payment of a fee of \$5, and be furnished registration plates of a distinctive design, in lieu of the usual registration plates, which shall show in addition to the registration number that the vehicle is an antique. The registration shall be valid while the vehicle is owned by the applicant without payment of any additional fee. The vehicle shall only be used for special occasions such as display and parade purposes or for necessary testing, maintenance and storage purposes.~~

~~(b) Any person who registers an antique motor vehicle under par. (a) may furnish and display on the vehicle a historical plate from or representing the model year of the vehicle if the registration and plates issued by the department are simultaneously carried in the vehicle and are available for inspection.~~

~~(c) Unless inconsistent with this section, the provisions applicable to other motor vehicles apply to antique motor vehicles.~~

**~~51.18-1. Special Interest Vehicles: Registration, Plates, Use. Special Interest Vehicle/Collectors Special Vehicle.~~**

~~(a) Any person who is the owner of a special interest vehicle which is 20 or more years old at the time of making application for registration or transfer of title of the vehicle and who, has registered in Oneida and uses for regular transportation at least one vehicle that has regular registration plates may upon application register the vehicle as a special interest vehicle upon payment of a fee under par. (b).~~

~~(b) The fee to register a vehicle under par. (b) is twice the regular annual fee for this type of vehicle, except that the fee for a vehicle that has a gross weight of more than 8,000 pounds may be no more than twice the annual fee for a similar vehicle that has a gross weight of not more than twice the annual fee for a similar vehicle that has a gross weight of not more than 8,000 pounds.~~

~~(c) The department shall furnish the owner of the vehicle with registrations plates of a distinctive design in lieu of the usual registration plates, and those shall show that the vehicle is a special interest vehicle owned by a collector. Upon application, the owner may re-register the vehicle without the payment of any additional fee.~~

~~(d) Each collector applying for special interest vehicle registration plates will be issued a collector's identification number which will appear on each plate. Second and all subsequent registrations under this section by the same collector will bear the same collector's identification number followed by a suffix letter for vehicle identification.~~

(e

**51.9. Penalties and Appeals**

940 51.9-1. Suspension of Registration

941 ~~(a) The Department) The vehicle may be used as are other vehicles of the same type~~  
942 ~~except:~~

943 ~~(1) Motor vehicles may not transport passengers for hire.~~

944 ~~(2) Trucks may not haul material weighing more than 500 pounds.~~

945 ~~(3) No special interest vehicle may be operated upon any highway within the~~  
946 ~~Reservation during the month of January unless the owner of the vehicle re-~~  
947 ~~registers the vehicle with regular registration plates or transfers regular~~  
948 ~~registration plates to the vehicle.~~

949 ~~(f) Unless inconsistent with this section, the provisions applicable to other vehicles shall~~  
950 ~~apply to special interest vehicles.~~

951

952 ~~51.19-1. Part Year Fees For Private Automobiles. Calculation of Partial Fees.~~

953 ~~(a) The applicant for registration of an automobile under the monthly series system shall~~  
954 ~~pay in full the annual registration fee prescribed by law, except as otherwise provided in~~  
955 ~~this article.~~

956 ~~(b) If the applicant for registration holds current registration plates which were removed~~  
957 ~~from an automobile which the applicant no longer owns or which has been junked, is no~~  
958 ~~longer being used on the highways or has been registered as a special interest vehicle the~~  
959 ~~applicant is exempt from the payment of a registration fee, except in the following cases:~~

960 ~~(1) If the annual fee prescribed for the automobile being registered is higher than~~  
961 ~~the annual fee prescribed for the automobile from which the plates were~~  
962 ~~removed, the applicant shall pay a fee computed on the basis of one twelfth of~~  
963 ~~the difference between the two annual fees multiplied by the number of months~~  
964 ~~for which the automobile which is the subject of the application is being~~  
965 ~~registered. The start of the new registration, for the purpose of computing the~~  
966 ~~fee, shall be determined in accordance with par. (c).~~

967 ~~(c) For the purpose of computing the registration fee payable upon registration of an~~  
968 ~~automobile under circumstances described in par. (b) & (c), the beginning of the current~~  
969 ~~registration period shall be determined as follows:~~

970 ~~(1) If the first operation of an automobile under circumstances making the owner~~  
971 ~~liable for its registration by the Oneida Nation occurs on or before the 15th day of~~  
972 ~~a given month, the registration period commences on the first day of such month.~~  
973 ~~If the first operation occurs on or after the 16th day of a given month, the~~  
974 ~~registration period commences on the first day of the following month. "First~~  
975 ~~operation" means operation of an automobile for the first time after it was~~  
976 ~~transferred to the applicant or after it was registered in another jurisdiction or after~~  
977 ~~the expiration of 12 months of non-operation since expiration of the last~~  
978 ~~registration by the Oneida Nation or after it was no longer used on the highways.~~

979 ~~(2) In the case of an automobile which has not previously been registered or~~  
980 ~~which has not been registered by the Oneida Nation by the present owner since~~  
981 ~~the last owner last acquired ownership of the automobile, the department shall~~  
982 ~~assume that the date of first operation within the meaning of sub. (1) is the date of~~  
983 ~~the bill of sale evidencing the transfer of ownership to the applicant unless the~~  
984 ~~applicant files with the department a statement that the automobile was not so~~  
985 ~~operated until a later date, specifying the date of such first operation. In the case~~  
986 ~~of at least 12 months of non-operation of an automobile previously registered by~~  
987 ~~the applicant, the applicant must file with the department a statement that he or~~

988 ~~she did not operate or consent to the operation of the automobile under~~  
 989 ~~circumstances making it subject to registration in this state during such 12 month~~  
 990 ~~period and must specify the date following such period when the automobile was~~  
 991 ~~first so operated. The department may refuse to accept a statement which projects~~  
 992 ~~the date of first operation into the future.~~

994 ~~**51.20-1. Special Registration Period for Vehicles Other Than Private Automobiles.**~~ *Special*  
 995 *Registration Periods.*

996 ~~(a) The department shall require that any vehicle other than private automobiles, shall be~~  
 997 ~~registered according to the monthly series system of registration prescribed by this~~  
 998 ~~section.~~

999 ~~(b) There are established 12 registration periods, each to be designed by a calendar~~  
 1000 ~~month and to start on the first day of such month and end on the last day of the 12th~~  
 1001 ~~month from the date of commencing. The department shall so administer the monthly~~  
 1002 ~~series system of registration as to distribute the work of registration throughout the~~  
 1003 ~~calendar year.~~

1004 ~~(c) All vehicles subject to registration under the monthly series system under this section~~  
 1005 ~~shall be registered by the department for a period of 12 consecutive calendar months~~  
 1006 ~~except as follows:~~

1007 ~~(1) If the applicant holds registration plates which were removed from a vehicle~~  
 1008 ~~under section 22 and the plates were issued under the monthly series system, the~~  
 1009 ~~department shall register a replacement vehicle of the same type and gross weight~~  
 1010 ~~which is the subject of the application for the remainder of the unexpired~~  
 1011 ~~registration period.~~

1012 ~~(2) If the applicant does not hold current registration plates under the~~  
 1013 ~~circumstances described in par. (1) and the application is an original rather than~~  
 1014 ~~renewal application, the department may register the vehicle which is the subject~~  
 1015 ~~of the application for such period or part of a period as the department determines~~  
 1016 ~~will help to equalized the registration and renewal workload of the department.~~

1017 ~~(d) Section 22 applies to any vehicles registered according to the monthly series system~~  
 1018 ~~under this section.~~

1020 ~~**51.21-1. Biennial Registration.**~~ The following vehicles shall be registered on a biennial basis:

1021 ~~(a) A motorcycle or moped, as specified in sec. 15-1(b). The registration period for a~~  
 1022 ~~motorcycle or moped begins on May 1 of an even numbered year and ends on April 30 of~~  
 1023 ~~the next even numbered year.~~

1025 ~~**51.22-1. When Part-Period Fees Payable for Vehicles Other Than Automobiles;**~~  
 1026 ~~**Computation of Part-Period Fees.**~~ The annual registration fee shall be paid in full on all  
 1027 ~~vehicles registered pursuant to section 20, unless the vehicles comes within one of the following~~  
 1028 ~~categories, in which event the applicant is liable for the payment of only a part period fee to be~~  
 1029 ~~computed in accordance with sec. 22-2(a):~~

1030 ~~(a) The vehicle has not previously been registered within this Reservation; or~~

1031 ~~(b) The vehicle previously was registered within this Reservation; but~~

1032 ~~(1) The vehicles in the meantime has been registered in another jurisdiction and~~  
 1033 ~~such foreign registration was in effect during or subsequent to the expiration of~~  
 1034 ~~the previous registration in this state; or~~

- 1035 ~~(2) The vehicle was transferred to the applicant after the expiration of the last~~  
 1036 ~~registration in this state; or~~  
 1037 ~~(3) At least 12 months have elapsed since the end of the period for which the~~  
 1038 ~~vehicle previously was registered and the applicant files with the department a~~  
 1039 ~~statement that did not, during such 12-month period, operate or consent to the~~  
 1040 ~~operation of the vehicle under circumstances making the vehicle subject to~~  
 1041 ~~registration in this state; or~~  
 1042 ~~(4) The vehicle is a motorcycle which has been transferred to the applicant and~~  
 1043 ~~for which current registration plates had been issued to the previous owner; or~~  
 1044 ~~(5) The vehicle which has been transferred to the applicant is a motor home or a~~  
 1045 ~~truck; or~~  
 1046 ~~(6) The vehicle is subject to the provisions of sub. (5); or~~  
 1047 ~~(c) The vehicle is a replacement for a registered vehicle which has been junked or is no~~  
 1048 ~~longer used on the highway; or~~  
 1049 ~~(d) The vehicle is owned by a person who has been in active military service and less~~  
 1050 ~~than 12 months of non-operation have elapsed since the end of the period for which the~~  
 1051 ~~vehicle was previously registered, provided the applicant files with the department a~~  
 1052 ~~statement of such non-operation.~~

1053 ~~51.22-2. Part period registration fees shall be computed as follows:~~

- 1054 ~~(a) For vehicles registered under the conditions in sec. 22-2(a), (b), or (d), the fee for the~~  
 1055 ~~current registration period shall be computed on the basis of one twelfth of the annual~~  
 1056 ~~registration fee or one twenty fourth of the biennial registration fee prescribed for the~~  
 1057 ~~vehicle multiplied by the number of months of the current registration period which have~~  
 1058 ~~not fully expired on the date the vehicle first is operated by or with the consent of the~~  
 1059 ~~applicant under circumstances making it subject to registration by the Oneida Nation. In~~  
 1060 ~~the case of a vehicle which has not previously been registered or which has not been~~  
 1061 ~~registered within this Reservation by the present owner since the owner last acquired~~  
 1062 ~~ownership of the vehicle, the department shall assume that the date of first operation bill~~  
 1063 ~~of sales evidencing transfer of ownership to the applicant unless he or she files with the~~  
 1064 ~~department a statement that the vehicle was not so operated until a later date, specifying~~  
 1065 ~~the date of such first operation. The department may refuse to accept any statement~~  
 1066 ~~which projects the date of first operation into the future.~~  
 1067 ~~(b) For the registration of a replacement vehicle under the conditions set forth in sec. 22-~~  
 1068 ~~1(c), or the fee shall be computed as for a vehicle not previously registered in this state~~  
 1069 ~~but a credit shall be allowed for the unused portion of the fee paid for the vehicle being~~  
 1070 ~~replaced. Such credit shall be computed on the basis of one twelfth of the annual~~  
 1071 ~~registration fee or one twenty fourth of the biennial registration fee prescribed for the~~  
 1072 ~~vehicle being replaced multiplied by the number of months of registration which have not~~  
 1073 ~~fully expired at the time the vehicle being replaced was junked, traded, sold or removed~~  
 1074 ~~from jurisdiction of the Oneida Nation. Except for a vehicle registered on a biennial~~  
 1075 ~~basis, it is not necessary that the replacement vehicle be of the same type as the one being~~  
 1076 ~~replaced in order for the applicant to take advantage of the credit but the credit may be~~  
 1077 ~~applied toward registration of the replacement vehicle only up to the date when the~~  
 1078 ~~registration of the vehicle being replaced would have expired.~~

1079 ~~51.22-3. Transferred Plates or Plates no Longer in Use.~~

- 1080 ~~(a) The transferee of a vehicle registered as provided in Article XX is not subject to the~~  
 1081 ~~payment of any registration fee for the remainder of the period for which the vehicle is~~  
 1082 ~~registered unless, by reason of his or her status or the use to which the vehicle is put, the~~

1083 fee prescribed by law is higher than that paid by the former owner. In such event, the fee  
1084 shall be computed on the basis of one twelfth of the difference between the two (2)  
1085 annual fees multiplied by the number of months of the current registration period which  
1086 have not fully expired on the date, after the vehicle is acquired by the applicant, when  
1087 such vehicle is first operated by him or her with his or her consent under circumstances  
1088 making it subject to registration by the Oneida Nation.

1089 (b) A person retaining a set of plates removed from a vehicle which was junked or  
1090 transferred, is no longer used on the highways or has been registered as a special interest  
1091 vehicle under sec. 18-1(b) may receive credit for the unused portion of the registration  
1092 fee paid when registering a replacement vehicle of the same type and gross weight.

1093 (c) A person retaining a set of plates removed from a motorcycle may receive credit for  
1094 the unused portion of the registration fee paid when registering a replacement  
1095 motorcycle.

1096 ~~51.22-4. This section does not apply to vehicles registered at a fee of \$5 under Article XVI.  
1097 Such vehicles, whether registered for a full period or part thereof and whether or not previously  
1098 registered, shall be registered at the full fee. If a person authorized to register a vehicle at a fee  
1099 of \$5 under Article XVI transfers the vehicle to a person not so authorized, the fee payable by  
1100 the transferee shall be computed as for a vehicle not previously registered by the Oneida Nation.~~

1101 ~~51.22-5. The credit or plate transfer provisions authorized under this section do not apply if the  
1102 applicant has, within the preceding 12 months, transferred or received credit for registration  
1103 plates removed from the motor vehicle which is the subject of the application.~~

1104  
1105 ~~**51.23-1. Re-registration Required For Vehicles Subject To A Different Fee.** Whenever the  
1106 construction or the use of a registered vehicle is changed in a manner making the vehicle subject  
1107 to a different registration fee than the fee for which the vehicle currently is registered, the owner  
1108 shall immediately make application for registration. The fee payable upon such re-registration  
1109 shall be computed as for a vehicle not previously registered in this jurisdiction but a credit shall  
1110 be allowed for the unused portion of the fee paid for the previous registration if the registration  
1111 plates issued upon the previous registration are returned to the department. The credit shall be  
1112 computed on the basis of one twelfth of the annual registration fee or one twenty fourth of the  
1113 biennial registration fee prescribed for the vehicle as previously registered multiplied by the  
1114 number of months of registration which have not fully expired on the date the vehicle became  
1115 subject to the different fee. The credit may be applied toward the re-registration of the vehicle  
1116 only up to the date when the previous registration would have expired.~~

1117  
1118 ~~**51.24-1. Refundable Fees.** *Refundable Fees.*~~

1119 (a) ~~The department shall not refund a fee paid to it except when expressly authorized or  
1120 directed by this section or some other provision of this ordinance to do so.~~

1121 (b) ~~Upon request, the department shall refund 50 percent of a registration fee paid for a  
1122 vehicle registered on a biennial basis if the person who registered the vehicle furnishes  
1123 such proof as the department requires that the person has transferred his or her interest in  
1124 the vehicle before the beginning of the second year of the period for which the vehicle is  
1125 registered or that the vehicle will not be operated within the jurisdiction of the Oneida  
1126 Nation after the beginning of the second year of the period for which the vehicle is  
1127 registered. The department may require the person to return the certificate of registration  
1128 and registration plates for the vehicle to the department.~~

1129  
1130 ~~**51.25-1. Notice of Change of Address.** *Change of Address.*~~



1131 ~~(a) Whenever any person, after applying for and receiving registration plates, moves~~  
 1132 ~~from the address named in the application for the registration plates or when the name of~~  
 1133 ~~the licensee is changed by marriage or otherwise, the person shall within 10 days notify~~  
 1134 ~~the department in writing of the old and new address or of such former and new names~~  
 1135 ~~and of all registration plate numbers held.~~

1136 ~~(b) Any person who fails to comply with any of the requirements of par. (a) may be~~  
 1137 ~~required to forfeit not more than \$25.~~

1138  
 1139 ~~**51.26-1. Fee to Reinstate Suspended or Revoked Registration.** *Reinstatement of Suspended*~~  
 1140 ~~*or Revoked Registration.*~~

1141 ~~(a) Except as provided in par. (b), the department shall charge a fee of \$25 to reinstate a~~  
 1142 ~~registration previously suspended or revoked under this law. The fee under this~~  
 1143 ~~subsection is in addition to any other fee required to complete the registration of the~~  
 1144 ~~vehicle.~~

1145 ~~(b) Par. (a) does not apply to the reinstatement of a registration suspended or revoked as~~  
 1146 ~~a result of an error by the department.~~

1147  
 1148 ~~**51.27-1. Exemption of Nonresidents And Foreign Registered Vehicles.** Any vehicle which is~~  
 1149 ~~registered in another jurisdiction is exempt from the Oneida Nation Motor Vehicle Registration~~  
 1150 ~~Ordinance providing for the registration of such vehicles if:~~

1151 ~~(a) The vehicle carries a registration plate indicating the registration in such other~~  
 1152 ~~jurisdiction, and~~

1153 ~~(b) The vehicle is owned by a nonresident of the Reservation.~~

1154 ~~51.27-2. If the owner of such vehicle moves within the jurisdiction Oneida Nation or if the~~  
 1155 ~~vehicle is purchased by an Oneida member, the vehicle immediately becomes subject to the laws~~  
 1156 ~~of the Oneida Nation providing for registration of vehicles.~~

1157  
 1158 ~~**51.28-1. Reciprocal agreements.** The Oneida Nation may enter into a reciprocal exemption~~  
 1159 ~~agreement with the State of Wisconsin. The reciprocal agreement may exempt designated~~  
 1160 ~~classes of vehicles registered by the department from the registration requirements of the State of~~  
 1161 ~~Wisconsin.~~

1162  
 1163 ~~**51.29-1. Penalties. Fraudulent Applications.** Any person who gives a false or fictitious name,~~  
 1164 ~~address or location where a vehicle is customarily kept in an application for license or~~  
 1165 ~~registration or who makes application for license or registration in the name of a person other~~  
 1166 ~~than the true owner, or true owner and lessee, may be fined not more than \$200.~~

1167 ~~51.29-2. *Improper Use of Evidence of Registration.* Any person who does any of the following~~  
 1168 ~~may be subject to a fine of not more than \$500:~~

1169 ~~(a) Lends to another a registration plate for display upon a vehicle for which the plate~~  
 1170 ~~has not been issued.~~

1171 ~~(b) Displays upon a vehicle a registration plate not issued for such vehicle or not~~  
 1172 ~~otherwise authorized by law to be used thereon.~~

1173 ~~(c) Willfully twists, paints, alters or adds to or cuts off any portion of a registration plate~~  
 1174 ~~or sticker; or who places or deposits, or causes to be placed or deposited on such plate or~~  
 1175 ~~sticker any substance to hinder the normal reading of such plate; or who defaces,~~  
 1176 ~~disfigures, covers, obstruct, changes or attempts to change any letter or figure thereon; or~~  
 1177 ~~who causes such plate or sticker to appear to be a different color.~~

1178 ~~51.29 3. Special Registration Plates. Any person who fraudulently procures or uses special~~  
 1179 ~~registration plates issued under Article XX of this ordinance shall forfeit not less than \$200, nor~~  
 1180 ~~more than \$500.~~

1181  
 1182 ~~51.30 1. When Registration Is to Be Suspended. When Suspended.~~

1183 ~~(a) The department shall suspend the registration of a vehicle when:~~

1184 (1) The registration was completed through fraud or error and the person who  
 1185 registered the vehicle does not or cannot register the vehicle properly; or

1186 (2) ~~The required fee has not been paid and the same is not paid upon reasonable~~  
 1187 ~~notice and demand.~~

1188 (3) ~~Suspension of registration is specified by an authority under section 32.~~

1189 (4) ~~The applicant fails, upon reasonable notice and demand, to furnish proof of~~  
 1190 ~~payment, in the form prescribed by the U.S. Secretary of Treasury, that the federal~~  
 1191 ~~heavy vehicle use tax imposed by section 4481 of the Internal Revenue Code has~~  
 1192 ~~been paid.~~

1193 (5) ~~The licensee of a vehicle registered under section 14 has not been compiled~~  
 1194 ~~with the~~ Any applicable test or inspection requirements of the State of Wisconsin  
 1195 under s.110.20(6)Wis. Stats have not been met.

1196 (b) Any registration suspended pursuant to this section continues to be suspended until  
 1197 reinstated by the ~~department~~ Department. The ~~department~~ Department shall reinstate the  
 1198 registration when the reason for the suspension has been removed.

1199 (c) Whenever the registration of a vehicle is suspended under this section, the  
 1200 ~~department~~ Department may order the owner or person in possession of the registration  
 1201 plates to return them to the ~~department~~. ~~Any person who fails to return the plates when~~  
 1202 ~~ordered to do so by the department may be required to forfeit not more than~~  
 1203 ~~\$200~~ Department.

1204  
 1205 ~~51.31 1. Transfer Of Vehicle Ownership While Registration Is Suspended. Transfer of~~  
 1206 ~~Vehicle Ownership While Registration Suspended.~~

1207 ~~(a)(d)~~ No owner may transfer the ownership or registration of any vehicle whose  
 1208 registration is suspended under ~~Article XXX~~ this section until the registration is reinstated  
 1209 ~~under sec. 30 1(b)~~ or until the ~~department~~ Department is satisfied that such transfer is  
 1210 proposed in good faith and not for the purpose or with the effect of defeating the purposes  
 1211 of ~~sec. 30~~ 51.12-1(a)(3).

1212 ~~(b) An person violating this section may be subject to a fine of not more than \$200.~~

1213 ~~(e)(f)~~ This section does not apply to or affect the registration of any vehicle sold by a  
 1214 person who, pursuant to the terms or conditions of any written instrument giving a right  
 1215 of repossession, has exercised such right and has repossessed such vehicle from a person  
 1216 who registration has been suspended under ~~sec. 30~~ 51.12-1(a)(3).

1217

1218 ~~51.32 1. Nonmoving Violations.~~

1219 ~~Non-Moving Violation.~~

1220 ~~(a) As used in this section:~~

1221 ~~(a)(1) "Authority" means a Tribal Authority, a local authority, or a state agency.~~

1222 ~~(a)(2) "Forfeiture" includes a fine established under this ordinance.~~

1223 (a)(3) ~~“Nonmoving traffic violation” is any parking of a vehicle in.~~ Any person  
 1224 who violates a provision of this Law, the violation of a statute, an ordinance, or a  
 1225 resolution of the Oneida Nation or the state of Wisconsin.

1226 (b) ~~If the person~~ which ~~does not pay the forfeiture or appear in court in response to the~~  
 1227 citation for a nonmoving traffic violation on the date have a ~~specified in the citation or, if~~  
 1228 ~~no date is specified in the citation, within 28 days after the citation is~~ fine may be subject  
 1229 to a fine ~~issued, the authority which issued the citation may issue a summons to the~~  
 1230 person and, in lieu of or in addition to issuing the summons, may proceed but, except as  
 1231 provided in this section, no warrant may be issued for the person. ~~If the person appears~~  
 1232 ~~in response to a summons for a nonmoving traffic violation, the procedures under the~~  
 1233 ~~current Oneida Court rules and regulations shall apply.~~

1234 (c) ~~If the person does not pay the forfeiture or appear in court in response to the citation~~  
 1235 ~~for a nonmoving traffic violation on the date specified in the citation or, if no date is~~  
 1236 ~~specified in the citation, within 28 days after the citation is issued, the authority may~~  
 1237 ~~notify the department in the form and manner prescribed by the department that a citation~~  
 1238 ~~has been issued to the person and the citation remains unpaid. The authority shall specify~~  
 1239 ~~whether the department is to suspend the registration of the vehicle involved under~~  
 1240 ~~Article XXX or refuse registration of any vehicle owned by the person.~~

1241  
 1242 ~~51.33 1. *In Reference to All License Fees of the Oneida Nation Motor Vehicle Registration*~~  
 1243 ~~*Ordinance.* This Article supersedes all prior references to license fee dollar amounts within the~~  
 1244 ~~Oneida Motor Vehicle Registration Ordinance. Specifically, sections 4 1, 10 5, 10 6, 11 3, 13~~  
 1245 ~~1, 13 2, 15 1, 15 2, 15 3, 16 1, 17 1, 22 4, and 26 1.~~

1246 ~~51.33 2. All license fees of this Ordinance will be reviewed and set by the Department~~  
 1247 ~~annually.~~ of not more than five hundred dollars (\$500.00).

1248 ~~51.33 3. The Department will submit the annualized fees to the Oneida Business Committee for~~  
 1249 ~~approval.~~

1250 ~~51.33 4. Upon approval, the fees will be placed on the policy and procedures manual of the~~  
 1251 ~~Department.~~

1252 ~~51.33 5. The approved fees will be published on the Oneida Nation’s newspaper.~~

1253 51.9-3. Appeals. A person issued a fine under this Law may appeal such fine to the Tribe’s  
 1254 Judiciary in accordance with applicable rules of appellate procedure.

1255  
 1256 *End.*

---

1257  
 1258  
 1259 Permanent Adoption - BC-4-2-97-D  
 1260 Reciprocal Agreement with WI DOT: - BC-07-29-98-C  
 1261 Amendment - BC-1-27-99-E  
 1262 Related Resolutions - BC-1-27-99-D (Fee Schedule)

**Chapter 51**  
**MOTOR VEHICLE REGISTRATION**  
 Tehalaht@tst k@sleht olihw@-ke  
 matters concerning operating a vehicle

51.1. Purpose and Policy

51.2. Adoption, Amendment, Repeal

51.3. Definitions

51.4. Department Authority and Responsibilities

51.5. Registration of Motor Vehicles

51.6. Grounds For Refusing Registration

51.7. Design, Procurement and Issuance of Registration Plates

51.8. Display of Registration Plates

51.9. Penalties and Appeals

**51.1. Purpose and Policy**

51.1-1. The purpose of this Law is to create a system for Tribal members who reside on the Reservation to register their motor vehicles with the Tribe.

51.1-2. It is the policy of this Law to clarify jurisdictional sovereignty and to generate revenue for the Tribe.

**51.2. Adoption, Amendment, Repeal**

51.2-1. This Law was adopted by the Oneida Business Committee by resolution BC-04-02-97-D and amended by resolutions BC-12-07-99-E and \_\_\_\_\_.

51.2-2. This Law may be amended or repealed by the Oneida Business Committee pursuant to the procedures set out in the Legislative Procedures Act.

51.2-3. Should a provision of this Law or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this Law which are considered to have legal force without the invalid portions.

51.2-4. In the event of a conflict between a provision of this Law and a provision of another Tribal law, the provisions of this Law shall control. Provided that, nothing in this Law is intended to repeal or modify any existing law, ordinance, policy, regulation, rule, resolution or motion.

51.2-5. This Law is adopted under authority of the Constitution of the Oneida Tribe of Indians of Wisconsin.

**51.3. Definitions**

51.3-1. This section shall govern the definitions of words and phrases used within the Law. All words not defined herein shall be used in their ordinary and everyday sense.

(a) "Automobile" means any of the following:

(1) A motor vehicle designed and used primarily for carrying persons but which does not come within the definition of a motor bus, motorcycle, or moped.

(2) A motor vehicle capable of speeds in excess of thirty (30) miles per hour on a dry, level, hard surface with no wind, designed and built to have at least three

(3) wheels in contact with the ground, a power source as an integral part of the vehicle, a curb weight of at least one thousand, five hundred (1,500) pounds, and a passenger and operator area with sides permanently enclosed with rigid construction and a top which may be convertible.

(b) "Department" means the Licensing Department, or any other department of the Tribe, with the authority to implement and administer this Law.

(c) "Gross weight" means the weight of the vehicle equipped for service plus the weight which the vehicle is carrying as load.

- 40 (d) "Highway" means all public ways and thoroughfares and bridges on the same. It  
41 includes the entire width between the boundary lines of every way open to the use of the  
42 public as a matter of right for the purposes of vehicular travel.
- 43 (e) "Identification number" means the numbers, letters or combination of numbers and  
44 letters assigned by the manufacturer of a vehicle or vehicle part or by the Department and  
45 stamped upon or affixed to a vehicle or vehicle part for the purpose of identification.
- 46 (f) "Moped" means any of the following motor vehicles capable of speeds of not more  
47 than thirty (30) miles per hour with a one hundred fifty (150) pound rider on a dry, level  
48 hard surface with no wind, excluding a tractor, a power source as an integral part of the  
49 vehicle and a seat for the operator:
- 50 (1) A bicycle-type vehicle with fully operative pedals for propulsion by human  
51 power and an engine certified by the manufacturer at not more than one hundred  
52 thirty (130) cubic centimeters or an equivalent power unit.
- 53 (2) A Type 1 motorcycle with an automatic transmission and an engine certified  
54 by the manufacturer at not more than fifty (50) cubic centimeters or an equivalent  
55 power unit.
- 56 (g) "Motor home" means a motor vehicle designed to be operated upon a highway for  
57 use as a temporary or recreational dwelling and having the same internal characteristics  
58 and equipment as a mobile home.
- 59 (h) "Motor vehicle" means every device in, upon or which any person or property is or  
60 may be transported or drawn upon a highway, except railroad trains. A snowmobile shall  
61 not be considered a motor vehicle.
- 62 (i) "Motorcycle" means a motor vehicle, excluding a tractor, all-terrain vehicle or a  
63 utility terrain vehicle, which is capable of speeds in excess of thirty (30) miles per hour  
64 with a one hundred fifty (150) pound rider on a dry, level, hard surface with no wind,  
65 with a power source as an integral part of the vehicle, and which meets any of the  
66 following conditions:
- 67 (1) Type 1 is a motor vehicle which meets either of the following conditions:
- 68 (A) Is designed and built with two (2) wheels in tandem and a seat for the  
69 operator, and may be modified to have no more than three (3) wheels by  
70 attaching a sidecar to one of the side the wheels in tandem without  
71 changing the location of the power source.
- 72 (B) Is designed and built to have no more than three (3) wheels, seating  
73 for the operator and no more than three (3) passengers, and does not have  
74 the operator area enclosed.
- 75 (2) Type 2 is a motor vehicle designed and built to have at least three (3) wheels  
76 in contact with the ground, a curb weight of less than one thousand five hundred  
77 (1,500) pounds, and a passenger and operator area with sides permanently  
78 enclosed with rigid construction and a top which may be convertible.
- 79 (j) "Nonmoving traffic violation" means a citation for parking a motor vehicle in  
80 violation of a statute, ordinance or resolution of the Tribe or the state of Wisconsin.
- 81 (k) "Nonresident" means a person who is not a resident of the Reservation.
- 82 (l) "Other jurisdiction" or "another jurisdiction" means territory other than the  
83 Reservation, including the State of Wisconsin and any State other than Wisconsin.
- 84 (m) "Owner" means a person who holds the legal title of a motor vehicle, except that if  
85 legal title is held by a secured party with the immediate right of possession of the motor  
86 vehicle vested in the debtor, the debtor is the owner for the purposes of this Law.

87 (n) “Person with a disability that limits or impairs the ability to walk” means any person  
88 with a disability as defined by the Americans with Disabilities Act of 1990, 42 USC  
89 12101 et. seq., so far as applicable, or any persons who meet the following conditions:

90 (1) Cannot walk two hundred feet (200’) or more without stopping to rest.

91 (2) Cannot walk without the use of, or assistance from, another person or brace,  
92 cane, crutch, prosthetic device, wheelchair or other assistive device.

93 (3) Is restricted by lung disease.

94 (4) Uses portable oxygen.

95 (5) Has cardiac condition to the extent that functional limitations are present.

96 (6) Is severely limited in the ability to walk due to an arthritic, neurological or  
97 orthopedic condition.

98 (7) Has a degree of disability equal to that specified in (1) to (6) above.

99 (o) “Personal identifier” means a name, street address, post office box number or nine  
100 (9) digit extended zip code.

101 (p) “Personalized registration plates” means registration plates for a motor vehicle  
102 registered under this Law which display a registration composed of letters or numbers, or  
103 both, requested by the applicant.

104 (q) “Registrant” means a person who has applied for and received registration plates for  
105 a motor vehicle under this Law.

106 (r) “Reservation” means all land within the exterior boundaries of the Reservation of the  
107 Oneida Tribe of Indians of Wisconsin, as created pursuant to the 1838 Treaty with the  
108 Oneida, 7 Stat. 566, and any lands added thereto pursuant to federal law.

109 (s) “Special interest vehicle” means a motor vehicle of any age which has not been  
110 altered or modified from original manufacturing specifications and, because of its historic  
111 interest, is being preserved by hobbyists.

112 (t) “Tribal member” means an enrolled member of the Oneida Tribe of Indians of  
113 Wisconsin.

114 (u) “Tribe” means the Oneida Tribe of Indians of Wisconsin.

115 (v) “Truck” means every motor vehicle ten thousand (10,000) pounds or less designed,  
116 used or maintained primarily for the transportation of property.

#### 117 118 **51.4. Department Authority and Responsibilities**

119 51.4-1. The Department shall be responsible for the administration of this Law and is delegated  
120 the authority to create rules to allow for the implementation of this Law.

121 51.4-2. *Fees.* The Oneida Business Committee, upon recommendation of the Department, shall  
122 adopt a motor vehicle registration fee schedule. The fee schedule shall be published in the  
123 Kalihwisaks upon adoption and whenever fees are changed. All registration fees shall be non-  
124 refundable and shall be paid to and retained by the Department. The Department may  
125 recommend separate fees based on any combination of the following:

126 (a) The type of motor vehicle being registered.

127 (b) The maximum gross weight of the motor vehicle. Upon payment of the fee, a motor  
128 vehicle subject to registration on the basis of gross weight may be registered at a weight  
129 in excess of the manufacturer’s maximum gross weight rating, but such registration does  
130 not exempt such vehicle from compliance with weight limitations imposed by law or by  
131 state, local or tribal authorities pursuant to authority of law.

132 (c) Whether the motor vehicle’s registration was previously suspended under this Law.



133 51.4-3. *Records Retention.* All registration applications and renewal requests shall be retained  
134 in accordance with the Open Records and Open Meetings Law.

135 51.4-4. *Registration Lists.* The Department shall maintain a list of registrations. The list shall  
136 give the name and address of each registrant, the registration number assigned, and other  
137 identifying information as the Department deems necessary.

138 (a) Upon request, the Department shall distribute, free of charge, registration lists  
139 compiled under this section to the following:

140 (1) The Oneida Police Department.

141 (2) Any other person, agency or public officer that provides, in writing, a  
142 reasonable request for the lists.

143 (b) Any person who has received a personal identifier of any person under 51.4-4(a)  
144 shall keep the personal identifier confidential and may not disclose it except:

145 (1) To perform a legally authorized function;

146 (2) To issue or renew a property and/or casualty insurance policy and related  
147 underwriting, billing, processing or paying a claim; or

148 (3) To conduct a vehicle recall by the manufacturer of a vehicle or his or her  
149 agent.

150 (c) Any person who discloses a personal identifier in violation of this section may be  
151 subject to a fine of not more than five hundred dollars (\$500.00) for each violation.

152 (d) Any person who requests or obtains a personal identifier from the Department under  
153 false pretenses may be required to forfeit not more than five hundred dollars (\$500.00)  
154 for each violation.

155

## 156 **51.5. Registration of Motor Vehicles**

157 51.5-1. The Tribe has the authority to enter into reciprocal agreements regarding:

158 (a) the registration and licensing of any motor vehicle, including but not limited to  
159 automobiles, trucks, motorcycles, buses or official vehicles with any governmental  
160 jurisdiction and pursuant to Sections 341.05 (22) and 341.409, Wis. Stats; and

161 (b) the exemption from Wisconsin state registration requirements of designated classes  
162 of motor vehicles registered by the Department.

163 51.5-2. Except as provided in 51.5-9, all automobiles owned by Tribal members residing on the  
164 Reservation shall be registered with the Department in accordance with the registration period  
165 determined by the Department.

166 51.5-3. Registration applications and registration renewal requests shall be submitted to the  
167 Department upon forms prescribed by the Department and shall be accompanied by the required  
168 fee.

169 (a) All information obtained by the Department for purposes of registering a motor  
170 vehicle under this Law shall be subject to review or internal audit.

171 (b) If the registrant has an unpaid citation for any non-moving traffic violation, he or she  
172 shall be notified that the registration may not be issued or renewed until the citation is  
173 paid or the registrant appears in court to respond to the citation.

174 (c) Whenever any person, after applying for and receiving registration plates, has a  
175 change of address or of his or her name, the person shall, within ten (10) days of such  
176 change, notify the Department in writing of the old and new address or of such former  
177 and new names and of all registration plate numbers held.

178 51.5-4. *Original Registration.*

179 (a) Applications for original registration of a motor vehicle shall contain the following  
180 information:

- 181 (1) The name of the owner.
- 182 (2) A description of the vehicle, including make, model, identification number  
183 and any other information which the Department may reasonably require for  
184 proper identification of the vehicle.
- 185 (3) Such further information as the Department may reasonably require to enable  
186 it to determine whether the vehicle is by law entitled to registration or to enable it  
187 to determine the proper registration fee for the vehicle.
- 188 (b) The Department may accept an application and complete registration of a motor  
189 vehicle when the evidence of ownership is held by a nonresident lien holder or for other  
190 reasons not immediately available if the Department is satisfied as to ownership of the  
191 vehicle.
- 192 (c) *Minors.* If the applicant for registration is under eighteen (18) years of age, the  
193 application shall be accompanied by a notarized statement made and signed by a guardian  
194 of the applicant, stating that the applicant has the guardian's consent to register the motor  
195 vehicle in the applicant's name. The signature on the statement shall not impute any  
196 liability for the negligence of misconduct of the applicant while operating such motor  
197 vehicle on the highways.

198 51.5-5. *Registration Renewal.*

- 199 (a) At least thirty (30) days prior to the expiration of a motor vehicle's registration, the  
200 Department shall mail to the last-known address of the registrant a notice of the date  
201 upon which the registration must be renewed and instructions for renewal of registration.
- 202 (b) In order to renew a registration, the registrant shall provide the Department with any  
203 updates to information required on the application for registration to ensure the proper  
204 registration of the motor vehicle. The Department may require that requests for renewal  
205 of registration be accompanied by the certificate of title issued for the motor vehicle if  
206 true ownership or proper registration of the motor vehicle is in doubt and cannot be  
207 resolved from records maintained by the Department.

208 51.5-6. *Re-registration Required For Motor Vehicles Subject To A Different Fee.* Whenever the  
209 construction or the use of a registered motor vehicle is changed in a manner which makes the  
210 motor vehicle subject to a different registration fee, the owner shall immediately apply for a new  
211 registration. The fee payable upon such re-registration shall be computed as if the motor vehicle  
212 was not previously registered by the Tribe, but a credit shall be allowed for the unused portion of  
213 the fee paid for the previous registration so long as the registration plates issued upon the  
214 previous registration are returned to the Department. The credit shall be computed on the basis  
215 of one-twelfth (1/12) of the annual registration fee or one twenty-fourth (1/24) of the biennial  
216 registration fee prescribed for the vehicle as previously registered multiplied by the number of  
217 months of registration which have not fully expired on the date the motor vehicle became subject  
218 to the different fee. The credit may be applied toward the re-registration of the motor vehicle  
219 only up to the date when the previous registration would have expired.

220 51.5-7. *Operating Unregistered or Improperly Registered Motor Vehicle.* It is unlawful for any  
221 person to operate or for an owner to consent to being operated on the Reservation any motor  
222 vehicle, for which a registration fee is specifically prescribed unless at the time of operation the  
223 motor vehicle in question either is registered by the Department, or, a complete application for  
224 registration, including evidence of any inspection required by the Department, accompanied by  
225 the required fee has been delivered to the Department or deposited in the mail properly addressed  
226 with postage prepaid, and if the motor vehicle is an automobile or truck having a registered  
227 weight of eight thousand (8,000) pounds or less, the motor vehicle displays a temporary  
228 operation plate issued by the Department for the motor vehicle unless the operator or owner of

229 the motor vehicle produces proof that operation of the motor vehicle is within two (2) business  
230 days of the motor vehicle's sale or transfer, or the motor vehicle in question is exempt from  
231 registration.

232 (a) A motor vehicle may be operated after the date of purchase of such vehicle or after  
233 the date the owner moved to the Reservation if application for registration and certificate  
234 of title has been made.

235 (b) All motor vehicles subject to renewal may be operated provided that registration  
236 renewal request has been made.

237 (c) Any person who violates 51.5-7, where the motor vehicle used is an automobile,  
238 station wagon, or any other motor vehicle having a gross weight of ten thousand (10,000)  
239 pounds or less, may be required to forfeit not more than two hundred dollars (\$200.00).

240 (d) Any person who violates 51.5-7, where the motor vehicle used is not enumerated  
241 under 51.5-7(c), may be required to forfeit not more than five hundred dollars (\$500.00).

242 51.5-8. Unless application for re-registration has been made as required by 51.5-6, it is unlawful  
243 for any person to operate or for the owner to consent to being operated on any highway any  
244 registered motor vehicle the construction or use of which has been changed so as to make the  
245 vehicle subject to a higher fee than the fee at which it currently is registered or which is carrying  
246 a greater load than that permitted under the current registration.

247 51.5-9. *Vehicles Exempt From Registration.* A motor vehicle operated on a highway is exempt  
248 from registration when such vehicle:

249 (a) Is registered in another jurisdiction and the vehicle has a registration plate indicating  
250 it is validly registration in such other jurisdiction.

251 (b) Is operated in accordance with 51.7-6 exempting motor vehicles from registration, or

252 (c) Is a farm tractor used exclusively in agricultural operations or used exclusively to  
253 provide power to drive other machinery, or to transport from job to job machinery driven  
254 by such tractor; or

255 (d) Is a trailer or semi-trailer used exclusively for the transportation of farm machinery,  
256 implements, produce or supplies on a farm or between farms; or

257 (e) Is a fork-lift truck, a specially constructed road or truck tractor used for shunting  
258 trailers; or

259 (f) Is a trailer or camping trailer having a gross weight of three thousand (3,000) pounds  
260 or less and not used for hire or rental; or

261 (g) Is a trailer not operated in conjunction with a motor vehicle; or

262 (h) Is a new motor vehicle being operated only across a highway from point of  
263 manufacture or assembly; or

264 (i) Is a piece of road machinery.

265

## 266 **51.6. Grounds For Refusing Registration**

267 51.6-1. The Department shall refuse registration of a vehicle under any of the following  
268 circumstances:

269 (a) The owner applying for registration is not a Tribal member, does not reside on the  
270 Reservation or the motor vehicle is not customarily kept on the Reservation for at least  
271 six (6) months out of the year.

272 (b) The required motor vehicle registration fee has not been paid for the specific vehicle,  
273 or such fees have not been paid on any other vehicles owned by the applicant.

274 (c) The applicant has failed to furnish any of the following:

- 275 (1) Unless exempted by rule of the document, the mileage disclosure from the  
276 most recent titled owner and of all subsequent non-titled owners of the motor  
277 vehicle.
- 278 (2) Other information or documents required by law or by the Department  
279 pursuant to authority of law.
- 280 (3) Proof of Oneida membership by enrollment card or number.
- 281 (d) The applicant does not hold a valid certificate of title and is not entitled to the  
282 issuance of a certificate of title.
- 283 (e) The applicant's registration has been suspended and such suspension is still in effect.
- 284 (f) The applicant has an unpaid citation for any nonmoving traffic violation.
- 285 (g) The vehicle is exempt from registration.
- 286

### 287 **51.7. Design, Procurement and Issuance of Registration Plates**

288 51.7-1. The Department, upon registering a motor vehicle, shall issue to the applicant two (2)  
289 registration plates for an automobile, truck, or motor home, and one (1) plate for other motor  
290 vehicles.

291 51.7-2. In lieu of issuing a new plate upon each renewal of registration of a motor vehicle, the  
292 Department may issue a tag, decal or other identification per motor vehicle to indicate the period  
293 of registration. The tag, decal or other identification shall be used only if the outstanding plate is  
294 in suitable condition for further usage.

295 51.7-3. The Department shall determine the size, color and design of registration plates with a  
296 view toward making the following visible: the period for which the motor vehicle is registered  
297 and the fee class into which the motor vehicle falls. The registration plates shall also be a ready  
298 means of identifying the specific motor vehicle or owner for which the plates were issued.

299 51.7-4. All registration plates shall have displayed upon them the following:

- 300 (a) The registration number assigned to the motor vehicle or owner. The registration  
301 number may be composed of numbers or letters or both.
- 302 (b) The name "Oneida Nation."
- 303 (c) An indication of the period for which the specific plate is issued or the date of  
304 expiration of registration.

305 51.7-5. *Special Plates.*

306 (a) The Department may issue the following special plates:

307 (1) *Disabled Person Plates.* If a registrant submits a statement once every four  
308 (4) years, from a physician licensed to practice medicine in any state, or from a  
309 chiropractor licensed to practice chiropractic in any state, that the registrant is a  
310 person with a disability that limits or impairs the ability to walk, the Department  
311 shall issue or renew plates of a special design in lieu of plates which ordinarily  
312 would be issued for the motor vehicle. The plates shall be so designed as to  
313 readily apprise law enforcement officers of the fact that the motor vehicle is  
314 owned by a disabled person and is entitled to parking privileges specified in other  
315 laws. No charge in addition to the registration fee shall be made for the issuance  
316 or renewal of such plates.

317 (2) *Veterans Plates.* The Department shall issue special veteran plates for  
318 veterans of the various branches of the military, specific wars or military  
319 conflicts.

320 (3) *Other Special Plates.* The Department may issue additional special plates if  
321 the Department determines the demand for such special plates would justify the

322 issuance of such plates and the Department has the ability to determine who is  
323 qualified to receive the plates.

324 (b) If an individual in possession of special plates no longer qualifies for the special  
325 plates, the individual shall:

326 (1) Dispose of the special plates in a manner prescribed by the Department; and

327 (2) Submit an application and registration fee for plates he or she qualifies for  
328 and pay a fee for the issuance of replacement plates.

329 *51.7-6. Antique Motor Vehicle Plates.* A motor vehicle which has a model year of 1945 or  
330 earlier and which has not been altered or modified from the original manufacturers'  
331 specifications may register the vehicle as an antique motor vehicle upon payment of a fee, and be  
332 furnished registration plates of a distinctive design, in lieu of the usual registration plates, which  
333 shall show, in addition to the requirements of 51.7-4, that the motor vehicle is an antique. The  
334 registration shall be valid while the motor vehicle is owned by the applicant without payment of  
335 any additional fee. The motor vehicle shall only be used for special occasions such as display  
336 and parade purposes or for necessary testing, maintenance and storage purposes.

337 (a) Any person who registers an antique motor vehicle may furnish and display on the  
338 motor vehicle a historical plate from or representing the model year of the motor vehicle  
339 if the registration and plates issued by the Department are simultaneously carried in the  
340 motor vehicle and are available for inspection.

341 (b) Unless inconsistent with this section, the provisions applicable to other motor  
342 vehicles apply to antique motor vehicles.

343 *51.7-7. Special Interest Vehicles.* Any owner who has a motor vehicle registered through the  
344 Tribe and uses for regular transportation at least one (1) vehicle that has regular registration  
345 plates may apply to register a vehicle he or she owns as a special interest vehicle if the vehicle is  
346 at least twenty (20) years old.

347 (a) The Department shall furnish the owner of the vehicle with registrations plates of a  
348 distinctive design in lieu of the usual registration plates, and those shall show that the  
349 vehicle is a special interest vehicle owned by a collector. Upon application, the owner  
350 may re-register the vehicle without the payment of any additional fee.

351 (b) Each collector applying for special interest vehicle registration plates will be issued a  
352 collector's identification number which will appear on each plate.

353 (c) The vehicle may be used as are other vehicles of the same type except:

354 (1) Motor vehicles may not transport passengers for hire.

355 (2) Trucks may not haul material weighing more than five hundred (500) pounds.

356 (3) No special interest vehicle may be operated upon any highway during the  
357 month of January unless the owner of the vehicle re-registers the vehicle with  
358 regular registration plates or transfers regular registration plates to the vehicle.

359 (d) Unless inconsistent with this section, the provisions applicable to other vehicles shall  
360 apply to special interest vehicles.

361 *51.7-8. Personalized Registration Plates.* Personalized registration plates shall be of the same  
362 color and design as regular registration plates and shall consist of numbers or letters, or both.

363 (a) The Department shall issue personalized registration plates only upon request and if:

364 (1) The request is accompanied by the proper fee and paperwork as required by  
365 the Department; and

366 (2) The requested combination of numbers or letters has not already been issued.

367 (b) The Department may refuse to issue any combination of letters or numbers, or both,  
368 which carry connotations offensive to Oneida heritage or traditions, to good taste or  
369 decency, or which would be misleading or in conflict with the issuance of any other



370 registration plates. All decisions of the Department with respect to personalized  
371 registration plate applications shall be final and not subject to judicial review.

372 (c) Each personalized registration plate issued shall be reserved for the recipient in  
373 succeeding registration periods and shall not be duplicated for issuance to any other  
374 person if the recipient maintains the plate, unless the recipient authorizes the issuance of  
375 the plate to another person. If the recipient does not maintain the plate for two (2)  
376 successive years or if the recipient does not specifically request re-issuance of the  
377 personalized registration plate by the end of the month in which the plate expires, the  
378 Department may reissue the personalized registration plate to another applicant.

379 (d) The Department may cancel and order the return of any personalized registration  
380 plates issued which contain any combination of letters or numbers, or both, which the  
381 Department determines may carry connotations that are offensive to the Oneida heritage  
382 or traditions, good taste and decency or which may be misleading. Any person ordered to  
383 return such plate shall either be reimbursed for any additional fees they paid for the plates  
384 for the registration year in which they are recalled, or be given at no additional cost  
385 replacement personalized registration plates, the issuance of which is in compliance with  
386 this Law. A person who fails to return personalized registration plates upon request of  
387 the Department may be required forfeit not more than two hundred dollars (\$200.00).

#### 388 51.7-9. *Replacement Plates.*

389 (a) Lost or Destroyed Plates. Whenever a current registration plate is lost or destroyed,  
390 the owner of the motor vehicle to which the plate was attached shall immediately apply to  
391 the Department for a replacement. Except as further provided in this Law, upon  
392 satisfactory proof of the loss or destruction of each plate and upon payment of a fee for  
393 each plate, the Department shall issue a replacement.

394 (b) Illegible Plates. Whenever a current registration plate becomes illegible, the owner  
395 of the motor vehicle to which the plate is attached shall apply to the Department for a  
396 replacement. Upon receipt of satisfactory proof of illegibility, and upon payment of a fee  
397 for each plate, the Department shall issue a replacement. Upon receipt of a replacement  
398 plate, the applicant shall return the illegible plate to the Department for recycling.

399 (c) When issuing replacement plates, the Department may assign a new number and  
400 issue a new plate rather than a duplicate of the original if in its judgment that is in the  
401 best interests of economy or prevention of fraud. Upon receipt of a replacement plate,  
402 the applicant shall return the illegible plate to the Department for recycling.

403

### 404 **51.8. Display of Registration Plates**

#### 405 51.8-1. *Placement of Plates or Decals on Motor Vehicles.*

406 (a) Whenever two (2) registration plates are licensed for a motor vehicle, one (1) plate  
407 shall be attached to the front and one (1) to the rear of the motor vehicle. Whenever only  
408 one (1) registration plate is issued for a motor vehicle, the plate shall be attached to the  
409 rear of the motor vehicle.

410 (b) Any registration decal or tag issued by the Department shall be placed on the rear  
411 registration plate of the vehicle in the manner directed by the Department.

412 51.8-2. Registration plates shall be attached firmly and rigidly in a horizontal position and  
413 conspicuous place. The plates shall at all times be maintained in a legible condition and shall be  
414 so displayed that they can be readily and distinctly read. Any law enforcement officer may  
415 require the operator of any vehicle on which plates are not properly displayed to display such  
416 plates as required by this section.



417

418 **51.9. Penalties and Appeals**419 51.9-1. *Suspension of Registration*

420 (a) The Department shall suspend the registration of a vehicle when:

421 (1) The registration was completed through fraud or error and the person who  
422 registered the vehicle does not or cannot register the vehicle properly; or423 (2) Any applicable test or inspection requirements of the State of Wisconsin  
424 under s.110.20(6)Wis. Stats have not been met.425 (b) Any registration suspended pursuant to this section continues to be suspended until  
426 reinstated by the Department. The Department shall reinstate the registration when the  
427 reason for the suspension has been removed.428 (c) Whenever the registration of a vehicle is suspended under this section, the  
429 Department may order the owner or person in possession of the registration plates to  
430 return them to the Department.431 (d) No owner may transfer the ownership or registration of any vehicle whose  
432 registration is suspended under this section until the registration is reinstated or until the  
433 Department is satisfied that such transfer is proposed in good faith and not for the  
434 purpose or with the effect of defeating the purposes of 51.12-1(a).435 (f) This section does not apply to or affect the registration of any vehicle sold by a  
436 person who, pursuant to the terms or conditions of any written instrument giving a right  
437 of repossession, has exercised such right and has repossessed such vehicle from a person  
438 who registration has been suspended under 51.12-1(a).439 51.9-2. Any person who violates a provision of this Law, the violation of which does not have a  
440 specified fine may be subject to a fine issued by the Department of not more than five hundred  
441 dollars (\$500.00).442 51.9-3. *Appeals.* A person issued a fine under this Law may appeal such fine to the Tribe's  
443 Judiciary in accordance with applicable rules of appellate procedure.

444

445 *End.*

446

447

448 Permanent Adoption - BC-4-2-97-D

449 Reciprocal Agreement with WI DOT: - BC-07-29-98-C

450 Amendment - BC-1-27-99-E

451 Related Resolutions - BC-1-27-99-D (Fee Schedule)

# Oneida Business Committee Meeting Agenda Request Form

1. Meeting Date Requested: 4 / 22 / 15

## 2. Nature of request

Session:  Open  Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

Agenda Header (choose one): Resolution

Agenda item title (see instructions):

Resolution: Motor Vehicle Registration Fee Schedule

Action requested (choose one)

Information only

Action - please describe:

Approve the Resolution adopting the Motor Vehicle Registration Fee Schedule

## 3. Justification

Why BC action is required (see instructions):

## 4. Supporting Materials

[Instructions](#)

Memo of explanation with required information (see instructions)

Report  Resolution  Contract (check the box below if signature required)

Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1. Statement of Effect

3.

2. Motor Vehicle Registration Fee Schedule

4.

Business Committee signature required

## 5. Submission Authorization

Authorized sponsor (choose one):

Requestor (if different from above): Tonya Webster, Licensing Administrator

Name, Title / Dept. or Tribal Member

Additional signature (as needed):

Name, Title / Dept.

Additional signature (as needed):

Name, Title / Dept.

- 1) Save a copy of this form in a pdf format.
- 2) Email this form and all supporting materials to: BC\_Agenda\_Requests@oneidanation.org

**BC Resolution \_\_\_\_\_**  
*Adopting the Motor Vehicle Registration Fee Schedule*

**WHEREAS,** the Oneida Tribe of Indians of Wisconsin is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and

**WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Tribe of Indians of Wisconsin; and

**WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV of the Oneida Tribal Constitution by the Oneida General Tribal Council; and

**WHEREAS,** the Oneida Business Committee adopted amendments to the Motor Vehicle Registration Law on April 22, 2015; and

**WHEREAS,** the amendments to the Motor Vehicle Registration Law allows the Oneida Business Committee to adopt a motor vehicle registration fee schedule, based upon recommendation of the Oneida Licensing Department; and

**WHEREAS,** the Oneida Licensing Department has recommended that the Oneida Business Committee consider adopting the attached motor vehicle registration fee schedule; and

**WHEREAS,** the recommended fee schedule is the same fee schedule the Oneida Licensing Department is currently using.

**NOW THEREFORE BE IT RESOLVED,** that the Oneida Business Committee hereby adopts the attached motor vehicle registration fee schedule to be effective June 1, 2015.

**CERTIFICATION**

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum. \_\_\_ members were present at a meeting duly called, noticed and held on the \_\_\_ day of \_\_\_\_\_, 2015; that the foregoing resolution was duly adopted at such meeting by a vote of \_\_\_ members for; \_\_\_ members against; and \_\_\_ members not voting; and that said resolution has not been rescinded or amended in any way.

---

Lisa Summers, Tribal Secretary  
Oneida Business Committee

\*According to the Bylaw, Article I, Section 1, the Chair votes “only in the case of a tie.”

**Oneida Tribe of Indians of Wisconsin  
Legislative Reference Office**

Lynn A. Franzmeier, Staff Attorney  
Taniquele J. Thurner, Legislative Analyst  
Candice E. Skenandore, Legislative Analyst



P.O. Box 365  
Oneida, WI 54155  
(920) 869-4376  
(800) 236-2214  
<https://oneida-nsn.gov/Laws>

**Statement of Effect**

*Resolution: Adopting the Motor Vehicle Registration Fee Schedule*

**Summary**

This Resolution adopts the Motor Vehicle Registration Fee Schedule, effective June 1, 2015.

*Submitted by: Candice E. Skenandore, Legislative Analyst, Legislative Reference Office*

***Analysis from Legislative Reference Office***

The Oneida Business Committee is considering adopting amendments to the Motor Vehicle Registration Law on April 22, 2015. Upon adoption of these amendments, the Oneida Business Committee will be given the authority to adopt a motor vehicle registration fee schedule, upon recommendation by the Oneida Licensing Department.

This Resolution adopts the attached motor vehicle registration fee schedule effective June 1, 2015. The current motor vehicle registration fees are found within the Motor Vehicle Registration Law; however, an amendment to the Motor Vehicle Registration Law removes the motor vehicle registration fees and instead allows the Oneida Business Committee to adopt, upon recommendation by the Oneida Licensing Department, a motor vehicle registration fee schedule. The Oneida Licensing Department has recommended that the attached motor vehicle registration fee schedule be adopted. The attached fee schedule is the same fee schedule that the Oneida Licensing Department is currently using.

***Conclusion***

There are no legal bars adopting this Resolution.

# ONEIDA NATION MOTOR VEHICLE REGISTRATION FEES

TYPE OF PLATE	ONEIDA FEE	D.O.T. FEE
Automobile License (ANNUAL)	\$45.00	\$75.00
Motorcycle (EVERY TWO YEARS)	\$23.00	\$23.00
Moped (EVERY TWO YEARS)	\$23.00	\$23.00
Nation Owned Vehicle (NON EXPIRING)	\$15.00	\$5.00
Disabled (ANNUAL)	\$45.00	\$45.00

(\$5.00 Plate Transfer Fee applies to all plates being transferred from one vehicle to another vehicle. If plates are expired the renewal fee will apply. Standard rules apply - auto plates cannot be transferred to trucks.)

TRUCK	ONEIDA FEE	D.O.T. FEE
(Maximum gross weight in pounds (ANNUAL))		
Not more than 4,500	\$48.50	\$75.00
Not more than 6,000	\$61.50	\$84.50
Not more than 8,000	\$77.50	\$106.00
Not more than 10,000	\$119.50	\$119.50

(Autos, Trucks, Disabled, Motorcycles Mopeds, Motor Homes, and Veteran plates can be personalized for an additional \$15.00 per year.)

MOTOR HOMES	ONEIDA FEE	D.O.T. FEE
(Gross weight in pounds (ANNUAL))		
Not more than 5,000	\$45.00	\$45.00
Not more than 8,000	\$51.00	\$51.00
Not more than 12,000	\$63.00	\$63.00
Not more than 16,000	\$75.00	\$75.00
Not more than 20,000	\$87.00	\$87.00
Not more than 26,000	\$99.00	\$99.00
More than 26,000	\$111.00	\$111.00

- Special Plates** - Military/Veterans are available to all Oneida Veterans for \$45.00. Military/Veterans plates can be personalized for an additional \$15.00 per year. (Truck military plates prices starting at \$48.50 depending on the weight.)
- Collector** - One time fee \$50.00 application fee plus twice the annual registration fee for specific vehicle type. – Must have another vehicle registered with regular plates to qualify.
- Antique** - \$15.00 non-expiring
- Sample Plates** - \$12.00
- Issuance of Replacement plates** - \$12.00 per plate.
- Title Transfer Fee** - \$69.50 (Wisconsin State Fee)
- Lien Fee** - \$10.00 (Wisconsin State Fee)
- Late Fee** - \$5.00 late fee applies to all registrations which are past due.

# Oneida Business Committee Meeting Agenda Request Form

1. Meeting Date Requested: 04 / 22 / 15

## 2. Nature of request

Session:  Open    Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

Agenda Header (choose one): Resolution

Agenda item title (see instructions):

Adopt resolution titled Indian Child Welfare Act Policy

Action requested (choose one)

Information only

Action - please describe:

Adopt resolution titled Indian Child Welfare Act Policy

## 3. Justification

Why BC action is required (see instructions):

## 4. Supporting Materials

[Instructions](#)

Memo of explanation with required information (see instructions)

Report    Resolution    Contract (check the box below if signature required)

Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1.

3.

2.

4.

Business Committee signature required

## 5. Submission Authorization

Authorized sponsor (choose one): Lisa Summers, Tribal Secretary

Requestor (if different from above):

\_\_\_\_\_  
Name, Title / Dept. or Tribal Member

Additional signature (as needed):

\_\_\_\_\_  
Name, Title / Dept.

Additional signature (as needed):

\_\_\_\_\_  
Name, Title / Dept.

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# Oneida Tribe of Indians of Wisconsin



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



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.

## BC Resolution \_\_\_\_\_ Indian Child Welfare Act Policy

- WHEREAS,** the Oneida Tribe of Indians of Wisconsin is a federally recognized Indian government and a treaty Tribe recognized by the laws of the United States of America; and
- WHEREAS,** the Oneida General Tribal Council is the duly recognized governing body of the Oneida Tribe of Indians of Wisconsin; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section I, of the Oneida Constitution by the Oneida General Tribal Council; and
- WHEREAS,** the Oneida Business Committee on September 25, 1981 passed Resolution # BC-9-25-81 which is entitled "Oneida Child Protective Board Ordinance"; and
- WHEREAS,** the September 25, 1981 resolution delegated the powers conferred upon the Tribe by the Congress of the United States under the Indian Child Welfare Act to the Oneida Child Protective Board; and
- WHEREAS,** the September 25, 1981 resolution, does not set forth the policy of the Oneida Tribe of Indians of Wisconsin to provide direction to the Oneida Child Protective Board for how the Board should approach such cases; and
- WHEREAS,** the Oneida Business Committee previously recognized in Resolution #BC-5-24-84-C that it took "steps to protect the best interests of children and to promote the stability and security of Indian tribes and families by establishing the Oneida Child Protective Board; and
- WHEREAS,** the State of Wisconsin, on December 7, 2009 codified the Wisconsin Indian Child Welfare Act, which essentially mirrors the Indian Child Welfare Act and implements the minimum standards referenced in the Indian Child Welfare Act: and
- WHEREAS,** 25 U.S.C. §1915(c) (Indian Child Welfare Act) allows an Indian Tribe to establish a different order of placement preference for foster care placements and adoptive placements than those set out in §1915(a) and (b) of the Indian Child Welfare Act; and
- WHEREAS,** the Oneida Business Committee finds that it is critical for the protection of our Oneida children to establish a policy statement to provide direction to the Oneida Child Protective Board, Indian Child Welfare Workers, and the Oneida Law Office.

**NOW THEREFORE BE IT RESOLVED,** the Oneida Business Committee hereby sets forth the following as the Policy of the Oneida Tribe of Indians of Wisconsin as it pertains to the Indian Child Welfare Act (ICWA) and the Wisconsin Indian Child Welfare Act (WICWA):

- 1) The Oneida Tribe of Indians of Wisconsin shall intervene in all ICWA/WICWA cases involving children that are enrolled members or eligible for enrollment unless such intervention would be

impracticable under the circumstances of the case as decided by the Oneida Child Protection Board.

- 2) The Oneida Tribe of Indians of Wisconsin hereby establishes the following as the placement preferences should it be necessary to place a child outside of the child's home:
  - (a) A member of the Child's immediate or extended family
  - (b) A family Clan member
  - (c) A member of the Oneida Tribe of Indians of Wisconsin
  - (d) Descendants of the Oneida Tribe of Indians of Wisconsin
  - (e) A member of another federally recognized Tribe
  - (f) Fictive Kin within the Oneida tribal community
  - (g) Fictive Kin outside the Oneida tribal community
    - (1) Fictive Kin shall be defined as a person or persons who, to the biological parents of the minor child at issue, have an emotional tie to that parent wherein they are like family.
  - (h) Other person or persons not listed above as approved by the Oneida Child Protection Board.
- 3) When considering placement recommendations, the Oneida Child Protective Board shall take the best interests of the child as the most paramount in each case, even if this creates a choice not to follow the placement preferences listed above.
  - (a) Best interests of the child shall be defined as placement decisions that are made with the purpose of maintaining a cultural attachment for the child(ren) and with the ultimate goal of fostering and encouraging the child's happiness, security, mental health, and emotional development including maintaining a close and loving relationship with both parents as much as possible.
- 4) For cases where the parent(s) are voluntarily terminating their parental rights, if no family or other native home is available for adoptive placement, the Tribe shall not seek to intervene in that adoption proceeding.

**NOW THEREFORE BE IT FURTHER RESOLVED**, all those who work with Indian Child Welfare Cases, including the Oneida Child Protective Board, the Social Services Department, and the Law Office shall be bound by and required to follow the above policy statement.

**NOW THEREFORE BE IT FINALLY RESOLVED**, that the Tribe shall continue to follow and adhere to Federal Law, Court opinions which interpret Federal Law, the Bureau of Indian Affairs Guidelines, and the Bureau of Indian Affairs Regulations.

# Oneida Business Committee Meeting Agenda Request Form

1. Meeting Date Requested: 04 / 22 / 15

2. Nature of request

Session:  Open  Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

[Empty box for session justification]

Agenda Header (choose one): Resolution

Agenda item title (see instructions):

Future Years Funding per Referenced Funding Agreements Under the Tribal Transportation Program

Action requested (choose one)

Information only

Action - please describe:

Request approval of Future years funding for Referenced Funding Agreements

3. Justification

Why BC action is required (see instructions):

Required approval under the Oneida Nation Transportation Program

4. Supporting Materials

Instructions

Memo of explanation with required information (see instructions)

Report  Resolution  Contract (check the box below if signature required)

Other - please list (Note: multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1. Legal comments	3.
2.	4.

Business Committee signature required

5. Submission Authorization

TROY D. PARR, [Signature]

Authorized sponsor (choose one): Butch Rentmeester, Division Director/Development

Requestor (if different from above): Mike Finn, Transportation Planner, Development division  
Name, Title / Dept. or Tribal Member

Additional signature (as needed):  
Name, Title / Dept.

Additional signature (as needed):  
Name, Title / Dept.

- 1) Save a copy of this form in a pdf format.
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**INTEROFFICE MEMORANDUM**

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**TO:** ONEIDA BUSINESS COMMITTEE  
**FROM:** MIKE FINN, DEVELOPMENT DIVISION  
**SUBJECT:** RESOLUTION APPROVAL FOR FUTURE YEAR FUNDING ALLOCATION  
**DATE:** APRIL 13, 2015

---

Requesting approval of the Resolution supporting all Future Years for the continuing Referenced Funding Agreements(RFA) under the Oneida Nation's Tribal Transportation Program (TTP). In the past, each year, the Oneida Nation receives an RFA requesting continuance of the Government to Government relations, lump sum funding, and control of the Oneida's road program under the TTP. Each year the Oneida Nation must sign a new RFA and also submit a new Resolution supporting that decision. This year (2015) the Bureau of Indian Affairs, under the guidance of the Federal Highways Administration, has requested that all Tribes participating in the TTP submit a new resolution stating they would like to continue Government to Government process and control over the TTP for all "future years". This new "future years" resolution will allow the Oneida Nation to sign the new RFA each year without continually submitting a resolution of support.

# Oneida Tribe of Indians of Wisconsin

Post Office Box 365



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

Phone: (920) 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.

## BC Resolution Future Years Funding per Referenced Funding Agreements Under the Tribal Transportation Program

**WHEREAS,** the Oneida Tribe of Indians of Wisconsin is a federally recognized Indian government and a treaty Tribe recognized by the laws of the United States of America; and

**WHEREAS,** the Oneida General tribal Council is the duly recognized governing body of the Oneida Tribe of Indians of Wisconsin; and

**WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section 1, of the Oneida Tribal Constitution by the Oneida General Tribal Council; and

**WHEREAS,** the United States Government has adopted laws, including the Moving ahead for Progress in the 21<sup>st</sup> Century Act (“MAP-21”), Pub. L. 112-141, that acknowledges the Oneida Tribe of Indians of Wisconsin to enter into Tribal Transportation Program Agreements under MAP-21 that maintains Government-to-Government relationships;

**WHEREAS,** the Oneida Tribe of Indians of Wisconsin entered into the Tribal Transportation Program Agreement with the Bureau Of Indian Affairs pursuant to 23 U.S.C. 202 (a) (2) (B), 25 CFR part 170 and as authorized under Pub. L. 93-638, as amended, in 2013;

**WHEREAS,** the Oneida Tribe of Indians of Wisconsin chooses to continue Referenced Funding Agreements with the Bureau of Indian Affairs for future years that identifies programs, functions, services and activities that will be performed by the Oneida Tribe of Indians of Wisconsin;

**NOW THEREFORE BE IT RESOLVED,** that the Oneida Business Committee approves the adoption of the Resolution between the Oneida Tribe of Indians of Wisconsin and the United States Department of the Interior Bureau of Indian Affairs for Referenced Funding Agreements for all future years.

**Michael A. Finn**

---

**From:** Michelle L. Mays  
**Sent:** Tuesday, April 14, 2015 11:16 AM  
**To:** Michael A. Finn  
**Subject:** RE: new resolution and memo

No need to resubmit.

*Michelle L. Mays*  
**Staff Attorney**  
**Oneida Law Office**  
**(920) 869-4492**

---

**From:** Michael A. Finn  
**Sent:** Tuesday, April 14, 2015 11:11 AM  
**To:** Michelle L. Mays  
**Subject:** RE: new resolution and memo

Michelle,  
Do I need to resubmit for a full legal review? Or is this response good enough?

---

**From:** Michelle L. Mays  
**Sent:** Tuesday, April 14, 2015 11:09 AM  
**To:** Michael A. Finn; Lisa M. Summers  
**Subject:** RE: new resolution and memo

Looks fine to me.

*Michelle L. Mays*  
**Staff Attorney**  
**Oneida Law Office**  
**(920) 869-4492**

---

**From:** Michael A. Finn  
**Sent:** Tuesday, April 14, 2015 10:57 AM  
**To:** Lisa M. Summers; Michelle L. Mays  
**Subject:** new resolution and memo

Hi Lisa, Michelle,  
I rewrote the resolution for the future years funding for the Referenced Funding Agreement for future years. I also rewrote the memo, will this work? Please advise...Mike



**Michael A. Finn**

---

**To:** Michelle L. Mays  
**Subject:** RE: new resolution and memo

---

**From:** Michelle L. Mays  
**Sent:** Tuesday, April 14, 2015 11:09 AM  
**To:** Michael A. Finn; Lisa M. Summers  
**Subject:** RE: new resolution and memo

Looks fine to me.

*Michelle L. Mays*  
**Staff Attorney**  
**Oneida Law Office**  
**(920) 869-4492**

---

**From:** Michael A. Finn  
**Sent:** Tuesday, April 14, 2015 10:57 AM  
**To:** Lisa M. Summers; Michelle L. Mays  
**Subject:** new resolution and memo

Hi Lisa, Michelle,  
I rewrote the resolution for the future years funding for the Referenced Funding Agreement for future years. I also rewrote the memo, will this work? Please advise...Mike

**Michael A. Finn**

---

**From:** Lisa M. Summers  
**Sent:** Tuesday, April 14, 2015 11:42 AM  
**To:** Michael A. Finn  
**Subject:** RE: new resolution and memo

Yep, we are still good if you get it into today.

---

**From:** Michael A. Finn  
**Sent:** Tuesday, April 14, 2015 11:38 AM  
**To:** Lisa M. Summers  
**Subject:** RE: new resolution and memo

I mean the 22<sup>nd</sup>

---

**From:** Lisa M. Summers  
**Sent:** Tuesday, April 14, 2015 11:26 AM  
**To:** Michael A. Finn  
**Subject:** RE: new resolution and memo

I agree it looks good and is more clear. Please resubmit to the BC\_Agenda\_Request. Thanks!

---

**From:** Michael A. Finn  
**Sent:** Tuesday, April 14, 2015 11:21 AM  
**To:** Lisa M. Summers  
**Subject:** FW: new resolution and memo

FYI

---

**From:** Michelle L. Mays  
**Sent:** Tuesday, April 14, 2015 11:16 AM  
**To:** Michael A. Finn  
**Subject:** RE: new resolution and memo

No need to resubmit.

*Michelle L. Mays*  
*Staff Attorney*  
*Oneida Law Office*  
*(920) 869-4492*

---

**From:** Michael A. Finn  
**Sent:** Tuesday, April 14, 2015 11:11 AM  
**To:** Michelle L. Mays  
**Subject:** RE: new resolution and memo

Michelle,  
Do I need to resubmit for a full legal review? Or is this response good enough?

# Oneida Business Committee Meeting Agenda Request Form

1. Meeting Date Requested: 04 / 22 / 15

2. Nature of request

Session:  Open  Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

[Empty text box for session justification]

Agenda Header (choose one): New Business/Request

Agenda item title (see instructions):

Oneida Airport Hotel Corporation Board

Action requested (choose one)

Information only

Action - please describe:

BC approval to appoint Janice Hirth to the Oneida Airport Hotel Corporation Board.

3. Justification

Why BC action is required (see instructions):

BC approval is required for appointments made to the Oneida Airport Hotel Corporation Board.

4. Supporting Materials

[Instructions](#)

Memo of explanation with required information (see instructions)

Report  Resolution  Contract (check the box below if signature required)

Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1. [Empty text box]

3. [Empty text box]

2. [Empty text box]

4. [Empty text box]

Business Committee signature required

5. Submission Authorization

Authorized sponsor (choose one): Cristina Danforth, Tribal Chairwoman

Requestor (if different from above):

Name, Title / Dept. or Tribal Member

Additional signature (as needed):

Name, Title / Dept.

Additional signature (as needed):

Name, Title / Dept.

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**Oneida Tribe of Indians of Wisconsin  
BUSINESS COMMITTEE**



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



**P.O. Box 365 • Oneida, WI 54155  
Telephone: 920-869-4364 • Fax: 920-869-4040**



**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.

TO: Oneida Business Committee  
FROM: Cristina Danforth, OBC Chairwoman  
DATE: April 9, 2015  
RE: Oneida Airport Hotel Corporation Board

---

There were two (2) applicants for one (1) vacancy on the Oneida Airport Hotel Corporation Board. The applicants were Janice Hirth and Patricia Lassila.

Both candidates are qualified to serve. In accordance with the Corporate Charter, I recommend Janice Hirth be appointed to serve on the Oneida Airport Hotel Corporation Board.

Thank you.

# Oneida Business Committee Meeting Agenda Request Form

1. Meeting Date Requested: 04 / 22 / 15

2. Nature of request

Session:  Open    Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

[Empty box for session justification]

Agenda Header (choose one): New Business/Request

Agenda item title (see instructions):

Environmental Resource Board Appointment

Action requested (choose one)

Information only

Action - please describe:

BC approval to appoint Dakota Webster, Gerald Jordan, Gerald Cornelius and Nicole Steeber to the Environmental Resource Board.

3. Justification

Why BC action is required (see instructions):

According to the Comprehensive Policy Governing Boards, Committees and Commissions, Article VI. Appointed Positions, c. "forward choice of applicants to all Council members prior to appointment."

4. Supporting Materials

[Instructions](#)

Memo of explanation with required information (see instructions)

Report    Resolution    Contract (check the box below if signature required)

Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

- 1. [Empty box]
- 2. [Empty box]
- 3. [Empty box]
- 4. [Empty box]

Business Committee signature required

5. Submission Authorization

Authorized sponsor (choose one): Cristina Danforth, Tribal Chairwoman

Requestor (if different from above): \_\_\_\_\_  
Name, Title / Dept. or Tribal Member

Additional signature (as needed): \_\_\_\_\_  
Name, Title / Dept.

Additional signature (as needed): \_\_\_\_\_  
Name, Title / Dept.

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**Oneida Tribe of Indians of Wisconsin  
BUSINESS COMMITTEE**



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Telephone: 920-869-4364 • Fax: 920-869-4040**



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.

**MEMORANDUM**

TO: Oneida Business Committee

FROM: Chairwoman Tina Danforth *CSJ*

DATE: April 9, 2015

RE: Environmental Resource Board

---

There were six (6) applicants for four (4) vacancies on the Environmental Resource Board. The applicants were Dakota Webster, Thomas Oudenhoven, Richard Baird, Gerald Jordan, Gerald Cornelius and Nicole Steeber.

The candidate is qualified to serve. In accordance with Article VI., Section 6-2(c) of the Comprehensive Policy Governing Boards, Committees and Commissions, I recommend Dakota Webster, Gerald Jordan, Gerald Cornelius, and Nicole Steeber be appointed to serve on the Environmental Resource Board.

Thank You.



# Oneida Business Committee Meeting Agenda Request Form

1. Meeting Date Requested: 4 / 22 / 15

## 2. Nature of request

Session:  Open    Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

Agenda Header (choose one):

Agenda item title (see instructions):

Action requested (choose one)

Information only

Action - please describe:

## 3. Justification

Why BC action is required (see instructions):

## 4. Supporting Materials

[Instructions](#)

Memo of explanation with required information (see instructions)

Report    Resolution    Contract (check the box below if signature required)

Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1.

3.

2.

4.

Business Committee signature required

## 5. Submission Authorization

Authorized sponsor (choose one):

Requestor (if different from above):

Additional signature (as needed):

Additional signature (as needed):

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# Oneida Tribe of Indians of Wisconsin

## Legislative Reference Office

P.O. Box 365  
 Oneida, WI 54155  
 (920) 869-4376  
 (800) 236-2214  
<http://oneida-nsn.gov/LOC>



## Committee Members

Brandon Stevens, Chairperson  
 Tehassi Hill, Vice Chairperson  
 Fawn Billie, Councilmember  
 Jennifer Webster, Councilmember

## LEGISLATIVE OPERATING COMMITTEE MEETING MINUTES

Business Committee Conference Room-2<sup>nd</sup> Floor Norbert Hill Center

March 18, 2015 10:00 a.m.

**PRESENT:** Fawn Billie, Tehassi Hill, Brandon Stevens, Jennifer Webster

**OTHERS PRESENT:** Candice Skenandore, Danelle Wilson, Taniquelle Thurner, Fawn Cottrell, JoAnne House, RC Metoxen, Bob Keck, Shannon Stone, Michelle Mays

### I. Call To Order and Approval of the Agenda

Brandon Stevens called the March 18, 2015 Legislative Operating Committee meeting to order at 10:02 a.m.

Motion by Fawn Billie to approve the agenda; seconded by Tehassi Hill. Motion carried unanimously.

### II. Minutes to be approved

#### 1. March 4, 2015 LOC Meeting Minutes

Motion by Jennifer Webster to approve the March 4, 2015 LOC Meeting minutes; seconded by Tehassi Hill. Motion carried unanimously.

### III. Current Business

#### 1. Hunting, Fishing and Trapping Law Amendments (00:58- 02:02)

Motion by Jennifer Webster to defer the Hunting, Fishing and Trapping Law Amendments for a legislative analysis and fiscal impact statement; seconded by Fawn Billie. Motion carried unanimously.

#### 2. Petition: Child Care Department Consumer Complaint Policy (02:02-03:46)

Motion by Fawn Billie to defer the Child Care Department Consumer Complaint Policy for a legislative analysis and fiscal impact statement; seconded by Tehassi Hill. Motion carried unanimously.

#### 3. Motor Vehicle Law Amendments (03:49-07:28)

Motion by Jennifer Webster to defer the Motor Vehicle Law Amendments back to the Legislative Reference Office to make the noted changes and prepare the item for adoption; seconded by Tehassi Hill. Motion carried unanimously.

#### 4. Vehicle Driver Certification and Fleet Management (07:30-08:47)

Motion by Jennifer Webster to accept the Vehicle Driver Certification and Fleet Management

public meeting comments and defer those comments to an LOC work meeting to be held immediately following the completion of this LOC meeting; seconded by Fawn Billie. Motion carried unanimously.

#### IV. New Submissions

##### 1. Election Board Bylaws Amendments (08:52-12:40)

Motion by Jennifer Webster to add the Election Board Bylaws Amendments to the active files list, and to defer this item to the Legislative Reference Office for processing and to bring back when ready; seconded by Tehassi Hill. Motion carried unanimously.

*Note: Brandon Stevens will be the sponsor.*

##### 2. Violence Against Women Act (VAWA) (12:47-15:24)

Motion by Tehassi Hill to add the Violence Against Women Act to the active files list; second by Fawn Billie. Motion carried unanimously.

*Note: Jennifer Webster will be the sponsor.*

##### 3. Industrial Hemp Law (15:30-21:06)

Motion by Jennifer Webster to add the Industrial Hemp Law to the active files list with Tehassi Hill as the sponsor; seconded by Tehassi Hill. Motion carried unanimously.

##### 4. Personnel Commission Bylaws Amendments (21:08-23:46)

Motion by Fawn Billie to add the Personnel Commission Bylaws Amendments to the active files list; seconded by Jennifer Webster. Motion carried unanimously.

*Note: Fawn Billie will be the sponsor.*

#### V. Additions

#### VI. Administrative Updates

##### 1. Kalihwisaks Article (23:48-25:05)

Motion by Jennifer Webster to accept the Kalihwisaks article as FYI; seconded by Tehassi Hill. Motion carried unanimously.

#### VII. Executive Session

##### 1. Personnel Commission Complaint (25:08-25:38 & 00:04-00:57 [Part II])

Motion by Tehassi Hill to go into executive session at 10:27 a.m.; seconded by Fawn Billie. Motion carried unanimously.

Motion by Tehassi Hill to come out of executive session at 10:55 a.m.; seconded by Jennifer Webster. Motion carried unanimously.

Motion by Tehassi Hill to accept the Personnel Commission Complaint discussion as FYI; seconded by Jennifer Webster. Motion carried unanimously.

#### VIII. Recess/Adjourn

Motion by Tehassi Hill to adjourn the March 18, 2015 Legislative Operating Committee Meeting at 10:56 a.m.; seconded by Fawn Billie. Motion carried unanimously.

# Oneida Business Committee Meeting Agenda Request Form

1. Meeting Date Requested: 4 / 22 / 15

## 2. Nature of request

Session:  Open  Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

Agenda Header (choose one):

Agenda item title (see instructions):

Action requested (choose one)

Information only

Action - please describe:

## 3. Justification

Why BC action is required (see instructions):

## 4. Supporting Materials

[Instructions](#)

Memo of explanation with required information (see instructions)

Report  Resolution  Contract (check the box below if signature required)

Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

- 1.  3.
- 2.  4.

Business Committee signature required

## 5. Submission Authorization

Authorized sponsor (choose one):

Requestor (if different from above): \_\_\_\_\_  
Name, Title / Dept. or Tribal Member

Additional signature (as needed): \_\_\_\_\_  
Name, Title / Dept.

Additional signature (as needed): \_\_\_\_\_  
Name, Title / Dept.

- 1) Save a copy of this form in a pdf format.
- 2) Email this form and all supporting materials to: BC\_Agenda\_Requests@oneidanation.org

# Oneida Tribe of Indians of Wisconsin

## Legislative Reference Office

P.O. Box 365  
 Oneida, WI 54155  
 (920) 869-4376  
 (800) 236-2214  
<http://oneida-nsn.gov/LOC>



## Committee Members

Brandon Stevens, Chairperson  
 Tehassi Hill, Vice Chairperson  
 Fawn Billie, Councilmember  
 Jennifer Webster, Councilmember

## LEGISLATIVE OPERATING COMMITTEE MEETING MINUTES

Business Committee Conference Room-2<sup>nd</sup> Floor Norbert Hill Center

April 3, 2015 9:00 a.m.

**PRESENT:** Brandon Stevens, Tehassi Hill, Jennifer Webster

**OTHERS PRESENT:** Candice Skenandore, Taniquelle Thurner, Danelle Wilson, Jo Anne House, Michelle Mays, Jacob Metoxen, Mike Debraska (via SEOTS)

### I. Call To Order and Approval of the Agenda

Brandon Stevens called the April 3, 2015 Legislative Operating Committee meeting to order at 9:09 a.m.

Motion by Tehassi Hill to approve the agenda; seconded by Jennifer Webster. Motion carried unanimously.

### II. Minutes to be approved

#### 1. March 18, 2015 LOC Meeting Minutes

Motion by Tehassi Hill to approve the March 18, 2015 LOC Meeting minutes; seconded by Jennifer Webster. Motion carried unanimously.

### III. Current Business

#### 1. GTC Meetings Law (01:50-03:27)

Motion by Jennifer Webster to forward the GTC Meetings Law to the Oneida Business Committee to put on the next GTC agenda; seconded by Tehassi Hill. Motion carried unanimously.

#### 2. Motor Vehicle Law Amendments (03:28-04:27)

Motion by Tehassi Hill to forward the Motor Vehicle Law Amendments to the Oneida Business Committee for consideration; seconded by Jennifer Webster. Motion carried unanimously.

#### 3. Investigative Leave Policy Amendments (04:29-21:20)

Motion by Jennifer Webster to make the changes as discussed and forward to an April 30<sup>th</sup>, 2015 Public Meeting; seconded by Tehassi Hill. Motion carried unanimously.

#### 4. Removal Law Amendments (21:21-26:53)

Motion by Jennifer Webster to forward the Removal Law Amendments to an April 30<sup>th</sup>, 2015 Public Meeting; seconded by Tehassi Hill. Motion carried unanimously.

**5. Pow-wow Committee Bylaws (26:54-27:45)**

Motion by Jennifer Webster to approve the Pow-wow Committee Bylaws and forward to the Oneida Business Committee for consideration; seconded by Tehassi Hill. Motion carried unanimously.

**IV. New Submissions**

**1. Petition: Genskow-Request Special GTC Meeting to Address 6 Resolutions (27:52-30:08)**

Motion by Jennifer Webster to add the Petition: Genskow-Request Special GTC Meeting to Address 6 Resolutions to the active files list; seconded by Tehassi Hill. Motion carried unanimously.

*Note: Jennifer Webster will be the sponsor.*

Motion by Tehassi Hill to forward the Statements of Effect to the Oneida Business Committee for consideration; seconded by Jennifer Webster. Motion carried unanimously.

**V. Additions**

**VI. Administrative Updates**

**1. LOC Sponsor List (30:12-30:55)**

Motion by Jennifer Webster to accept the LOC Sponsor List as FYI; seconded by Tehassi Hill. Motion carried unanimously.

**VII. Executive Session**

**VIII. Recess/Adjourn**

Motion by Tehassi Hill to adjourn the April 3, 2015 Legislative Operating Committee Meeting at 9:40 a.m.; seconded by Jennifer Webster. Motion carried unanimously.



# Oneida Business Committee Meeting Agenda Request Form

1. Meeting Date Requested: 4 / 22 / 15

## 2. Nature of request

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Agenda Header (choose one):

Agenda item title (see instructions):

Action requested (choose one)

Information only

Action - please describe:

## 3. Justification

Why BC action is required (see instructions):

## 4. Supporting Materials

[Instructions](#)

Memo of explanation with required information (see instructions)

Report    Resolution    Contract (check the box below if signature required)

Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1.

3.

2.

4.

Business Committee signature required

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Additional signature (as needed):

Additional signature (as needed):

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**Committee Members**  
Brandon Stevens, Chairperson  
Tehassi Hill, Vice Chairperson  
Fawn Billie, Councilmember  
Jennifer Webster, Councilmember

## Memorandum

**TO:** Oneida Business Committee  
**FROM:** Brandon Stevens, LOC Chair   
**DATE:** April 22, 2015  
**RE:** REQUEST FOR ACTION: Adoption of Amendments to the Oneida Pow-wow Committee Bylaws

---

Please find the attached for your consideration:

1. Oneida Pow-wow Committee Bylaws (redline)
2. Oneida Pow-wow Committee Bylaws (clean)

### *Overview*

On October 1, 2014, the Legislative Operating Committee (LOC) approved a request from the Oneida Pow-wow Committee (Committee) for the LOC to review the revised Committee Bylaws. The Committee approved the attached Bylaws on March 17, 2015. These Bylaws include the amendments recommended by the Committee as well as additional amendments which were made in accordance the Comprehensive Policy Governing Boards, Committees and Commissions. The main amendments:

- Require a Committee member to be a member of a federally-recognized Indian tribe and have Pow-wow knowledge through experience coordinating or participating in a Pow-wow or experience coordinating a community event.
- Require qualified Tribal members to be appointed over other qualified applicants.
- Allow the Committee to recommend the Tribal Chairperson terminate a Committee member's appointment if the Committee member fails to adhere to his/her Oath of Office or receives unexcused absences for three consecutive meetings or receives five unexcused absences within his/her term.

The LOC approved forwarding the attached Bylaws to the Oneida Business Committee on April 3, 2015.

### **Requested Action**

Approve amendments to the Oneida Pow-wow Committee Bylaws.

## Oneida Pow-wow Committee Bylaws

### *Analysis by the Legislative Reference Office*

<b>Entity</b>	Pow-wow Committee ("the Committee")				
<b>Requestor</b>	Rosa Laster	<b>Drafter</b>	Lynn Franzmeier	<b>Analyst</b>	Taniquele J. Thurner
<b>Reason for Request</b>	The Pow-wow Committee requested amendments to the bylaws that would add qualifications and expectations for membership.				
<b>Members</b>	9	<b>Stipends</b>	\$50 for 1 meeting/month	<b>Elected/ Appointed</b>	Appointed
<b>Authority</b>	Established/officially recognized as an entity by OBC Resolution 04-13-90-B, and through amending the bylaws in 1997, 1999, 2005, and 2010. The Committee has the authority to hire personnel to conduct a pow-wow, such as emcees, arena directors, tabulators, and judges for drum and dance.				
<b>Hearing Authority</b>	None				

### Overview

These proposed amendments to the Pow-wow Committee Bylaws, were approved by the Pow-Wow Committee on March 17, 2015. In accordance with section 8-4(e) of the Comprehensive Policy Governing Boards, Committees and Commissions (Comprehensive Policy); bylaws for Tribal Boards, Committees and Commissions are required to be approved by the Oneida Business Committee [OBC] prior to implementation. These bylaws also provide that "Amendments are effective upon adoption of the Committee and approval by the Oneida Business Committee." [5-1]

### Proposed Amendments

#### *Added Qualifications*

The amendments add that in order to be appointed to serve on the Committee, a person must:

- Be a member of a federally-recognized Indian Tribe; and qualified Oneida applicants will be appointed over other qualified applicants.
- Have Pow-wow knowledge or experience in coordinating a community event. Pow-wow knowledge is demonstrated through experience coordinating a Pow-wow or participating in a Pow-wow. [1-4(b) and (c)]

#### *Recommending Termination of Appointment*

A new provision requires the Committee to recommend to the Tribal Chair that a member's appointment be terminated in two situations:

- Failure to adhere to the oath of office, including the duty to uphold the Tribe's laws.
- Three unexcused absences for three consecutive meetings; or five unexcused absences in a term - an absence is unexcused if the member does not attend the meeting and does not notify the Committee Chair before the start of the meeting that s/he will be absent. [1-4(e)]

However, a member's appointment will not necessarily be terminated just because the Committee makes this recommendation. The Comprehensive Policy provides that appointed members of boards, committees and commissions serve at the discretion of the OBC; and an appointed official's appointment can only be terminated if the Tribal Chair makes a recommendation to terminate that appointment; and if a 2/3 vote of the entire OBC then approves terminating the appointment. [Comprehensive Policy, 6-5]

#### *Setting terms for officers*

Currently, officers are appointed for a term "as determined by the Committee" but the amendments change that to a three-year term. [2-6]

35 Currently, the bylaws state that each officer holds their office until a successor is appointed, or  
 36 until the member resigns, or is removed per the Removal Law. Under the amendments, an officer  
 37 holds their office until s/he resigns or his/her appointment is terminated. Replacing references to the  
 38 Removal Law with references to termination of appointment reflects the fact that Committee  
 39 members are appointed, not elected. However, by deleting the provision stating that an officer holds  
 40 office until their successor is appointed; there may be confusion over when an officer's duties are  
 41 complete at the end of a term. [2-6(a)]

#### 42 **Other Changes**

43 Various other changes were made to the bylaws to ensure compliance with the Comprehensive  
 44 Policy, to improve clarity, and to make these bylaws more consistent with standardized drafting  
 45 practices. These changes resulted in various additions and clarifications:

##### 46 *New Additions:*

- 47 • A "Purpose" statement - the purpose of the Committee is to coordinate and manage annual Pow-  
 48 wows in order to encourage people to enjoy and participate in social activities, including  
 49 dancing, singing, visiting, renewing old friendships and making new ones. [1-6]
- 50 • How subcommittees are created - the Chair may create subcommittees when necessary, with  
 51 Committee approval. A subcommittee serves until its assigned duties are discharged or a final  
 52 report is given. [2-7]
- 53 • Meeting preparation - For regular meetings, the notice, meeting agenda and materials are  
 54 forwarded by the Chair with the assistance of the Committee's Secretary. [3-1]

##### 55 *Clarifications:*

- 56 • The Committee's Chair, Vice-Chair and Treasurer are authorized to sign and execute contracts or  
 57 other instruments, "as needed" - they are not all required to sign every instrument. [2-2(c), 2-3(b)  
 58 and 2-4(b)].
- 59 • Committee members are compensated \$25/hour for services they provide during the pow-wow;  
 60 instead of \$25/hour "during" a pow-wow. [1-7]
- 61 • Meeting stipends are capped at \$50 per month, not \$50 per meeting, and can only be received if  
 62 the meeting establishes quorum for at least one hour and the member was present for at least one  
 63 hour of the established quorum. [1-5]
- 64 • The Committee Chair only votes in case of a tie. [3-6]
- 65 • The Committee can hire personnel "to conduct a pow-wow," instead of hiring personnel "for the  
 66 benefit of the Committee." [2-8]

#### 67 **Miscellaneous**

68 In 2010, the bylaws were amended to reflect that appointed members are subject to  
 69 termination of appointment, not removal. However one reference to the Removal Law appears to  
 70 have been overlooked. The amendments update that one provision. [2-6(b)]

71 Various other minor changes have been made to improve consistency and flow of the  
 72 document. These minor changes do not affect the content of the bylaws.

73 A public meeting is not required for bylaws.

---

## 76 **Oneida Pow-Wow Committee By-laws**

---

### 78 **Article I. Authority**

79 1-1. *Name.* The name of this committee shall be the Oneida Pow-Wow Committee, hereinafter  
 80 referred to as "Committee."

81 1-2. *Authority.* This Committee was ~~created~~officially recognized by the Oneida Business  
 82 Committee through adoption of resolution #BC-04-13-90-B and ~~B~~by-laws were approved by  
 83 the Oneida Business Committee on October 15, 1997, and amended on February 3, 1999,  
 84 February 23, 2005~~and~~, June 23, 2010 ~~and~~\_\_\_\_\_.

85 1-3. *Office.*—

86 The official mailing address of ~~this entity~~the Committee shall be:

87 Oneida Pow-~~W~~wow Committee

88 P.O. Box 365

89 Oneida, WI 54155

90 The physical meeting place shall be determined at the first meeting of the Committee and  
 91 may change from time to time as determined by the Committee but shall be within the  
 92 Reservation boundaries.

93 1-4. *Membership.*

94 (a) *Number of Members.* The Committee shall be made up of nine (9) members with  
 95 voting powers.

96 (1) The Committee shall in no event be comprised of less than five (5) members.

97 (2) Each member shall hold office until his or her term expires, until his or her  
 98 resignation, or until his or her appointment is terminated in accordance with  
 99 the Comprehensive Policy Governing Boards, Committees and Commissions.

100 ~~(b)~~ (b) *Qualifications.* In order to be appointed to the Committee, an individual shall:

101 (1) Be a member of a federally-recognized Indian tribe; and

102 (2) Have Pow-wow knowledge, as demonstrated through experience coordinating  
 103 a Pow-wow or participating in a Pow-wow; or have experience in  
 104 coordinating a community event.

105 ~~(b)(c)~~ (c) *How Elected or Appointed.* Each Committee member shall be appointed in  
 106 accordance with the Comprehensive Policy Governing Boards, Committees and  
 107 Commissions to serve a three (3) year term. Qualified applicants who are members  
 108 of the Oneida Tribe of Indians of Wisconsin shall be appointed to the Committee over  
 109 other qualified applicants. Committee members shall not be limited in the number of  
 110 terms that can be served consecutively or otherwise.

111 ~~(e)~~ (d) *Vacancies.*

112 (1) *Filling of Vacancies, Generally.* If a vacancy occurs on the Committee, ~~and~~  
 113 ~~based on the needs of~~ the Committee, ~~the Committee may~~ shall provide  
 114 written notice to the Oneida Tribal Secretary so that the Oneida Business  
 115 Committee may fill the vacancy; however, the ~~Committee is allowed to~~ filling  
 116 of a vacancy may be timed to correspond with the activities and the needs of  
 117 the Committee. The Committee may make recommendations as to possible  
 118 candidates.

119 (2) *Resignation.* A member may resign at any time verbally or by delivering  
 120 written notice to the Committee.

121 (A) *Effective Date of Resignation.* A resignation is effective upon  
 122 acceptance by motion or delivery of notice.

123 (B) *Filling of Vacancies if Resignation is Deferred.* A vacancy that may  
 124 occur at a specific later date by reason of resignation may be filled  
 125 before the vacancy occurs, but the new member cannot take office  
 126 until the vacancy occurs.

127 ~~(2)~~ (3) *Terms of Replacement Member.* A replacement member shall hold office

128 through the unexpired portion of the term of the member whom he or she has  
129 replaced or until his or her earlier exit.

130 ~~(3)~~(4) *Termination of Appointment.* A member's appointment may be terminated in  
131 accordance with the Comprehensive Policy Governing Boards, Committees  
132 and Commissions.

133 (e) *Recommendation for Termination of Appointment.* Upon approval from the  
134 Committee, the Chairperson shall forward a recommendation to the Chairperson of  
135 the Tribe that a member's appointment be terminated. The Committee shall  
136 recommend a member's appointment be terminated upon any of the following:

137 (1) A member's failure to adhere to his or her Oath of Office, including the duty  
138 to uphold the laws of the Tribe.

139 (2) A member receives unexcused absences for three (3) consecutive meetings or  
140 receives five (5) unexcused absences within his or her term. An absence is  
141 considered unexcused if the member does not attend the meeting and does not  
142 notify the Chairperson of the Committee before the start of the meeting that he  
143 or she will be absent.

144 ~~(1) *Resignation.* A member may resign at any time by delivering written notice to~~  
145 ~~the Committee or upon the acceptance by motion of the Committee of a verbal~~  
146 ~~resignation. A resignation is effective upon delivery of notice unless a later~~  
147 ~~effective date is specified.~~

148 1-5. *Meeting Stipends.* Dependent upon available budgeted funds, ~~the~~each Committee  
149 member shall be compensated at a rate of ~~\$no more than fifty dollars (\$50.00)~~ per  
150 meeting month when ~~a quorum is~~ at least one (1) meeting is conducted, provided that the  
151 meeting has established a quorum for a minimum of one (1) hour and the Committee  
152 member collecting the stipend was present for at least one (1) hour of the established  
153 quorum, in accordance with ~~these By laws and~~ the Comprehensive Policy Governing  
154 Boards, Committees and Commissions.-

155 ~~1-6.~~ 1-6. *Pow-Wow Activities.* 1-6. *Purpose.* The purpose of the Committee is to coordinate  
156 and manage annual Pow-wows in order to encourage people to enjoy and participate in  
157 social activities, including dancing, singing, visiting, renewing old friendships and  
158 making new ones.

159 1-7. *Pow-wow Activities.* The Committee shall, at a duly called meeting by motion and  
160 recorded within the minutes, identify each member, the services he or she shall provide  
161 during each Pow-~~W~~wow and the specific dates and times during which the member shall  
162 perform such services. A member shall be compensated ~~twenty-five dollars (\$25.00)~~ per  
163 hour ~~for services he or she provides during each Pow-wow,~~ not to exceed ~~two hundred~~  
164 dollars (\$200.00) per day, contingent upon available budgeted funds.

## 165 Article II. Officers.

166 2-1. *Officers.* The officers of the Committee shall consist of a Chairperson, Vice-  
167 Chairperson, Treasurer and Secretary, ~~each of whom shall be elected by Committee~~  
168 ~~members at a duly called meeting.~~ The Committee may ~~appoint~~elect such other officers  
169 and assistant officers as it deems necessary.

170 2-2. *Chairperson Duties.* The responsibility, duties and powers of the Chairperson of the  
171 Committee are as follows:

172 (a) Preside at all meetings of the Committee.

173 (b) Shall be an ex officio member of all subcommittees of the Committee, may call  
174



- 175 | emergency and special meetings, and keep the Committee informed as to the  
 176 | business of the Committee and Pow-~~W~~wows.
- 177 | (c) Sign and execute all contracts or other instruments which the Committee has  
 178 | authorized, as needed.
- 179 | (d) The Chairperson and the Secretary shall submit reports to the Oneida Business  
 180 | Committee for publication in the General Tribal Council annual and semi-annual  
 181 | reports, and shall submit quarterly reports to the Oneida Business Committee.
- 182 | 2-3. *Vice-Chairperson Duties.* The Vice-Chairperson shall:
- 183 | (a) In the absence of the Chairperson, ~~shall~~ conduct meetings of the Committee.  
 184 | (b) Sign and execute all contracts or other instruments which the Committee has  
 185 | authorized, as needed.
- 186 | 2-4. *Treasurer Duties.* The responsibilities, duties and powers of the Treasurer are as follows:
- 187 | (a) Be aware of and have primary knowledge of all funds and securities of the  
 188 | Committee and deposit of such funds.  
 189 | (b) Sign and execute all contracts or other instruments which the Committee has  
 190 | authorized, as needed.  
 191 | (c) Report on the condition of the finances of the Committee at each regular meeting  
 192 | and at other times as required or requested.
- 193 | 2-5. *Secretary Duties.* The responsibilities, duties and powers of the Secretary are as follows:
- 194 | (a) Keep minutes of the Committee meetings in an appropriate format.  
 195 | (b) ~~Providing~~Provide notice of regular, emergency and special meetings of the  
 196 | Committee.  
 197 | (c) Act as custodian of the records.  
 198 | (d) Attest to the execution of instruments on behalf of the Committee by the proper  
 199 | officer.  
 200 | (e) Attend to all correspondence and present to the Committee all official  
 201 | communications received by the ~~Secretary~~Committee.  
 202 | (f) Along with the Chairperson, submit reports to the Oneida Business Committee for  
 203 | publication in the General Tribal Council annual and semi-annual reports, and  
 204 | ~~shall~~ submit quarterly reports to the Oneida Business Committee.
- 205 | 2-6. *How Chosen and Length of Term.* The officers of the Committee shall be appointed by  
 206 | the Committee for a ~~term as determined by the Committee.~~ three (3) year term.  
 207 | (a) If no term is specified, they ~~Each officer~~ shall hold his or her office until ~~their term~~  
 208 | as Committee;  
 209 | (1) the member ~~expires.~~ resigns; or  
 210 | (2) the member has his or her appointment terminated in the manner set out in  
 211 | the Comprehensive Policy Governing Boards, Committees and  
 212 | Commissions.  
 213 | ~~(a)~~(b) A vacancy of any officer shall be filled by the Committee for the unexpired term.  
 214 | ~~(b) — Each officer shall hold their office until a successor has been appointed, or until~~  
 215 | ~~the member resigns, or is removed in the manner set out in the Oneida Removal~~  
 216 | ~~Law.~~  
 217 | (c) The designation of a term shall not grant to the officer any vested or contractual  
 218 | rights in serving the term.
- 219 | 2-7. Subcommittees. Subcommittees shall be created when necessary by the Chairperson with  
 220 | the approval of the Committee. A subcommittee shall serve until the duties it has been  
 221 | assigned are discharged or a final report is given.
- 222 | 2-8. Personnel. The Committee has the authority, dependent upon budgeted funds, to hire

223 | personnel ~~for the benefit of the Committee~~ to conduct a Pow-wow, such as: emcees,  
224 | arena directors, tabulators, and judges for drum and dance.

### 225 | **Article III. Meetings**

227 | 3-1. *Regular Meetings.* Regular meetings shall be determined by the Committee. The regular  
228 | meeting time, place and agenda shall be determined at a regular meeting. If no alternate  
229 | designation is made by the Committee, the regular meetings shall be the last Tuesday of  
230 | every month. Notice of meeting location, agenda and materials shall be forwarded by the  
231 | Chairperson with the assistance of the Secretary. Meetings shall be run in accordance  
232 | with Robert's Rules of Order.

233 | ~~Meetings shall be run in accordance with Robert's Rules of Order.~~

234 | 3-2. *Emergency and Special Meetings.* ~~Special~~ Emergency or special meetings of the  
235 | Committee may be called by the Chairperson or upon written request of any two (2)  
236 | members. The Chairperson ~~may~~ shall designate a time and place for holding an  
237 | emergency or special meeting.

238 | 3-3. *Notice of Emergency or Special Meeting.* Notice of an emergency or special meeting  
239 | shall be given at least forty-eight (48) hours prior to the date set for any such meeting.  
240 | Notice may be communicated in person, by facsimile or other wire or wireless  
241 | communication, or by mail.

242 | 3-4. *Quorum.* Five (5) of the Committee members shall constitute a quorum for transaction of  
243 | business, which shall include the Chairperson or Vice-Chairperson.

244 | 3-5. *Order of Business.* The regular meetings of the Committee shall follow the order of  
245 | business at set out herein:

246 | (a) Call to Order

247 | (b) Roll Call

248 | (c) Approving of Previous Meeting Minutes

249 | (d) ~~Standing and Special Committee~~ Subcommittee Reports

250 | (e) Old Business

251 | (f) New Business

252 | (g) Adjournment

253 | 3-6. *Voting.* ~~The affirmative~~ Voting shall be in accordance with the simple majority vote of  
254 | the ~~majority of the Committee~~ Board members present at a duly called meeting ~~at which a~~  
255 | ~~quorum is present when the~~ The Chairperson shall vote ~~is taken shall be the act of the~~  
256 | Committee only in case of a tie.

### 257 | **Article IV Reporting.**

259 | 4-1. *Format.* Agenda items shall be in an identified format.

260 | 4-2. *Minutes.* Minutes shall be typed and in a consistent format designed to generate the most  
261 | informative record of the meetings of the Committee.

262 | 4-3. *Attachments.* Handouts, reports, memoranda, and the like may be attached to the minutes  
263 | and agenda, or may be kept separately, provided that all materials can be identified to the  
264 | meeting in which they were presented.

265 | 4-4. *Reporting.* The Chairperson shall report to the Oneida Business Committee Liaison, if  
266 | one ~~(1)~~ is designated.

### 267 | **Article V. Amendments.**

269 | 5-1. *Amendments to By-laws.* Amendments shall be made to these By-laws at a regular

270 meeting of the Committee provided that written notice of the proposed amendments was  
271 | made at a prior regular meeting. The Committee may amend ~~or repeal~~ the By-laws by  
272 the affirmative vote of the majority of the members. Amendments are effective upon  
273 adoption of the Committee and approval by the Oneida Business Committee.  
274

275 **Article VI. Contracting and Accounting**

276 | 6-1. *Budgets.* The Chairman and Treasurer of the Committee shall oversee the Pow-~~W~~wow  
277 | budgets and have sign-off authority according to the accounting procedures of the Tribe.

278 6-2. *Contracts.* The Committee may authorize the Chairperson, Vice-Chairperson or  
279 Treasurer to enter into any contract or execute and deliver any instrument in the name of  
280 and on behalf of the Committee, and such authority may be general to specific instances  
281 within the purpose for which this Committee is formed. Any contract over ten thousand  
282 | dollars (\$10,000) ~~must~~ 00 shall be approved by vote of the Committee.

283 6-3. *Checks, Appropriations and Other Orders of Payment.* All checks and other order of  
284 payment shall follow the accounting procedures designated by the Tribe. All  
285 appropriation requests shall be prepared by the Treasurer of the Committee.

286 6-4. *Deposits.* All funds of the Committee not otherwise obligated, shall be deposited back  
287 | into the Pow-~~W~~wow budget. The Committee shall adopt policies and procedures for  
288 | handling cash, accounting and record keeping for and during all Pow-~~W~~wows.

289 6-5. *Books and Records.* The Committee-s books and records shall be maintained by the  
290 Chairman and Treasurer of the Committee and shall be available for examination by any  
291 | Committee member, ~~officer~~ or any member of the Oneida Business Committee.  
292

293  
294  
295

296 These Bylaws, as amended and revised, are hereby attested to as adopted by the Pow-wow  
297 Committee at a duly called meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2015.  
298

299  
300 \_\_\_\_\_  
301 Lloyd E. Powless, Jr. Chairperson  
302 Oneida Pow-wow Committee  
303

304  
305 and approved by the Oneida Business Committee at a duly called meeting held on the  
306 \_\_\_\_\_ day of \_\_\_\_\_, 2015.  
307

308  
309 \_\_\_\_\_  
310 Lisa Summers, Tribal Secretary  
311 Oneida Business Committee

## Oneida Pow-wow Committee Bylaws

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### Article I. Authority

- 1-1. *Name.* The name of this committee shall be the Oneida Pow-wow Committee, hereinafter referred to as "Committee."
- 1-2. *Authority.* This Committee was officially recognized by the Oneida Business Committee through adoption of resolution BC-04-13-90-B and bylaws were approved by the Oneida Business Committee on October 15, 1997, and amended on February 3, 1999, February 23, 2005, June 23, 2010 and \_\_\_\_\_.
- 1-3. *Office.*  
The official mailing address of the Committee shall be:  
     Oneida Pow-wow Committee  
     P.O. Box 365  
     Oneida, WI 54155  
 The physical meeting place shall be determined at the first meeting of the Committee and may change from time to time as determined by the Committee but shall be within the Reservation boundaries.
- 1-4. *Membership.*
- (a) *Number of Members.* The Committee shall be made up of nine (9) members with voting powers.
- (1) The Committee shall in no event be comprised of less than five (5) members.
- (2) Each member shall hold office until his or her term expires, until his or her resignation, or until his or her appointment is terminated in accordance with the Comprehensive Policy Governing Boards, Committees and Commissions.
- (b) *Qualifications.* In order to be appointed to the Committee, an individual shall:
- (1) Be a member of a federally-recognized Indian tribe; and
- (2) Have Pow-wow knowledge, as demonstrated through experience coordinating a Pow-wow or participating in a Pow-wow; or have experience in coordinating a community event.
- (c) *How Appointed.* Each Committee member shall be appointed in accordance with the Comprehensive Policy Governing Boards, Committees and Commissions to serve a three (3) year term. Qualified applicants who are members of the Oneida Tribe of Indians of Wisconsin shall be appointed to the Committee over other qualified applicants. Committee members shall not be limited in the number of terms that can be served consecutively or otherwise.
- (d) *Vacancies.*
- (1) *Filling of Vacancies, Generally.* If a vacancy occurs on the Committee, the Committee shall provide written notice to the Oneida Tribal Secretary so that the Oneida Business Committee may fill the vacancy; however, the filling of a vacancy may be timed to correspond with the activities and the needs of the Committee. The Committee may make recommendations as to possible candidates.
- (2) *Resignation.* A member may resign at any time verbally or by delivering written notice to the Committee.
- (A) *Effective Date of Resignation.* A resignation is effective upon acceptance by motion or delivery of notice.

- 49 (B) *Filling of Vacancies if Resignation is Deferred.* A vacancy that  
 50 may occur at a specific later date by reason of resignation may be  
 51 filled before the vacancy occurs, but the new member cannot take  
 52 office until the vacancy occurs.
- 53 (3) *Terms of Replacement Member.* A replacement member shall hold office  
 54 through the unexpired portion of the term of the member whom he or she  
 55 has replaced or until his or her earlier exit.
- 56 (4) *Termination of Appointment.* A member's appointment may be terminated  
 57 in accordance with the Comprehensive Policy Governing Boards,  
 58 Committees and Commissions.
- 59 (e) *Recommendation for Termination of Appointment.* Upon approval from the  
 60 Committee, the Chairperson shall forward a recommendation to the Chairperson  
 61 of the Tribe that a member's appointment be terminated. The Committee shall  
 62 recommend a member's appointment be terminated upon any of the following:
- 63 (1) A member's failure to adhere to his or her Oath of Office, including the  
 64 duty to uphold the laws of the Tribe.
- 65 (2) A member receives unexcused absences for three (3) consecutive meetings  
 66 or receives five (5) unexcused absences within his or her term. An  
 67 absence is considered unexcused if the member does not attend the  
 68 meeting and does not notify the Chairperson of the Committee before the  
 69 start of the meeting that he or she will be absent.
- 70 1-5. *Meeting Stipends.* Dependent upon available budgeted funds, each Committee member  
 71 shall be compensated at a rate of no more than fifty dollars (\$50.00) per month when at  
 72 least one (1) meeting is conducted, provided that the meeting has established a quorum  
 73 for a minimum of one (1) hour and the Committee member collecting the stipend was  
 74 present for at least one (1) hour of the established quorum, in accordance with the  
 75 Comprehensive Policy Governing Boards, Committees and Commissions.
- 76 1-6. *Purpose.* The purpose of the Committee is to coordinate and manage annual Pow-wows  
 77 in order to encourage people to enjoy and participate in social activities, including  
 78 dancing, singing, visiting, renewing old friendships and making new ones.
- 79 1-7. *Pow-wow Activities.* The Committee shall, at a duly called meeting by motion and  
 80 recorded within the minutes, identify each member, the services he or she shall provide  
 81 during each Pow-wow and the specific dates and times during which the member shall  
 82 perform such services. A member shall be compensated twenty-five dollars (\$25.00) per  
 83 hour for services he or she provides during each Pow-wow, not to exceed two hundred  
 84 dollars (\$200.00) per day, contingent upon available budgeted funds.

85  
 86 **Article II. Officers.**

- 87 2-1. *Officers.* The officers of the Committee shall consist of a Chairperson, Vice-  
 88 Chairperson, Treasurer and Secretary. The Committee may elect such other officers and  
 89 assistant officers as it deems necessary.
- 90 2-2. *Chairperson Duties.* The responsibility, duties and powers of the Chairperson of the  
 91 Committee are as follows:
- 92 (a) Preside at all meetings of the Committee.
- 93 (b) Shall be an ex officio member of all subcommittees of the Committee, may call  
 94 emergency and special meetings, and keep the Committee informed as to the  
 95 business of the Committee and Pow-wows.
- 96 (c) Sign and execute all contracts or other instruments which the Committee has

- 97 authorized, as needed.
- 98 (d) The Chairperson and the Secretary shall submit reports to the Oneida Business  
99 Committee for publication in the General Tribal Council annual and semi-annual  
100 reports, and shall submit quarterly reports to the Oneida Business Committee.
- 101 2-3. *Vice-Chairperson Duties.* The Vice-Chairperson shall:
- 102 (a) In the absence of the Chairperson, conduct meetings of the Committee.
- 103 (b) Sign and execute all contracts or other instruments which the Committee has  
104 authorized, as needed.
- 105 2-4. *Treasurer Duties.* The responsibilities, duties and powers of the Treasurer are as follows:
- 106 (a) Be aware of and have primary knowledge of all funds and securities of the  
107 Committee and deposit of such funds.
- 108 (b) Sign and execute all contracts or other instruments which the Committee has  
109 authorized, as needed.
- 110 (c) Report on the condition of the finances of the Committee at each regular meeting  
111 and at other times as required or requested.
- 112 2-5. *Secretary Duties.* The responsibilities, duties and powers of the Secretary are as follows:
- 113 (a) Keep minutes of the Committee meetings in an appropriate format.
- 114 (b) Provide notice of regular, emergency and special meetings of the Committee.
- 115 (c) Act as custodian of the records.
- 116 (d) Attest to the execution of instruments on behalf of the Committee by the proper  
117 officer.
- 118 (e) Attend to all correspondence and present to the Committee all official  
119 communications received by the Committee.
- 120 (f) Along with the Chairperson, submit reports to the Oneida Business Committee for  
121 publication in the General Tribal Council annual and semi-annual reports, and  
122 submit quarterly reports to the Oneida Business Committee.
- 123 2-6. *How Chosen and Length of Term.* The officers of the Committee shall be appointed by  
124 the Committee for a three (3) year term.
- 125 (a) Each officer shall hold his or her office until:
- 126 (1) the member resigns; or
- 127 (2) the member has his or her appointment terminated in the manner set out in  
128 the Comprehensive Policy Governing Boards, Committees and  
129 Commissions.
- 130 (b) A vacancy of any officer shall be filled by the Committee for the unexpired term.
- 131 (c) The designation of a term shall not grant to the officer any vested or contractual  
132 rights in serving the term.
- 133 2-7. *Subcommittees.* Subcommittees shall be created when necessary by the Chairperson with  
134 the approval of the Committee. A subcommittee shall serve until the duties it has been  
135 assigned are discharged or a final report is given.
- 136 2-8. *Personnel.* The Committee has the authority, dependent upon budgeted funds, to hire  
137 personnel to conduct a Pow-wow, such as: emcees, arena directors, tabulators, and  
138 judges for drum and dance.

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**Article III. Meetings**

- 141 3-1. *Regular Meetings.* Regular meetings shall be determined by the Committee. The regular  
142 meeting time, place and agenda shall be determined at a regular meeting. If no alternate  
143 designation is made by the Committee, the regular meetings shall be the last Tuesday of  
144 every month. Notice of meeting location, agenda and materials shall be forwarded by the



- 145 Chairperson with the assistance of the Secretary. Meetings shall be run in accordance  
 146 with Robert's Rules of Order.
- 147 3-2. *Emergency and Special Meetings.* Emergency or special meetings of the Committee may  
 148 be called by the Chairperson or upon written request of any two (2) members. The  
 149 Chairperson shall designate a time and place for holding an emergency or special  
 150 meeting.
- 151 3-3. *Notice of Emergency or Special Meeting.* Notice of an emergency or special meeting  
 152 shall be given at least forty-eight (48) hours prior to the date set for any such meeting.  
 153 Notice may be communicated in person, by facsimile or other wire or wireless  
 154 communication, or by mail.
- 155 3-4. *Quorum.* Five (5) of the Committee members shall constitute a quorum for transaction of  
 156 business, which shall include the Chairperson or Vice-Chairperson.
- 157 3-5. *Order of Business.* The regular meetings of the Committee shall follow the order of  
 158 business at set out herein:
- 159 (a) Call to Order  
 160 (b) Roll Call  
 161 (c) Approving of Previous Meeting Minutes  
 162 (d) Subcommittee Reports  
 163 (e) Old Business  
 164 (f) New Business  
 165 (g) Adjournment
- 166 3-6. *Voting.* Voting shall be in accordance with the simple majority vote of the Board  
 167 members present at a duly called meeting. The Chairperson shall vote only in case of a  
 168 tie.  
 169

#### 170 **Article IV Reporting.**

- 171 4-1. *Format.* Agenda items shall be in an identified format.
- 172 4-2. *Minutes.* Minutes shall be typed and in a consistent format designed to generate the most  
 173 informative record of the meetings of the Committee.
- 174 4-3. *Attachments.* Handouts, reports, memoranda, and the like may be attached to the minutes  
 175 and agenda, or may be kept separately, provided that all materials can be identified to the  
 176 meeting in which they were presented.
- 177 4-4. *Reporting.* The Chairperson shall report to the Oneida Business Committee Liaison, if  
 178 one is designated.  
 179

#### 180 **Article V. Amendments.**

- 181 5-1. *Amendments to Bylaws.* Amendments shall be made to these Bylaws at a regular meeting  
 182 of the Committee provided that written notice of the proposed amendments was made at a  
 183 prior regular meeting. The Committee may amend the Bylaws by the affirmative vote of  
 184 the majority of the members. Amendments are effective upon adoption of the Committee  
 185 and approval by the Oneida Business Committee.  
 186

#### 187 **Article VI. Contracting and Accounting**

- 188 6-1. *Budgets.* The Chairman and Treasurer of the Committee shall oversee the Pow-wow  
 189 budgets and have sign-off authority according to the accounting procedures of the Tribe.
- 190 6-2. *Contracts.* The Committee may authorize the Chairperson, Vice-Chairperson or  
 191 Treasurer to enter into any contract or execute and deliver any instrument in the name of  
 192 and on behalf of the Committee, and such authority may be general to specific instances

193 within the purpose for which this Committee is formed. Any contract over ten thousand  
194 dollars (\$10,000.00) shall be approved by vote of the Committee.

195 6-3. *Checks, Appropriations and Other Orders of Payment.* All checks and other order of  
196 payment shall follow the accounting procedures designated by the Tribe. All  
197 appropriation requests shall be prepared by the Treasurer of the Committee.

198 6-4. *Deposits.* All funds of the Committee not otherwise obligated, shall be deposited back  
199 into the Pow-wow budget. The Committee shall adopt policies and procedures for  
200 handling cash, accounting and record keeping for and during all Pow-wows.

201 6-5. *Books and Records.* The Committee's books and records shall be maintained by the  
202 Chairman and Treasurer of the Committee and shall be available for examination by any  
203 Committee member or any member of the Oneida Business Committee.  
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208 These Bylaws, as amended and revised, are hereby attested to as adopted by the Pow-wow  
209 Committee at a duly called meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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212 \_\_\_\_\_  
213 Lloyd E. Powless, Jr. Chairperson  
214 Oneida Pow-wow Committee  
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216  
217 and approved by the Oneida Business Committee at a duly called meeting held on the  
218 \_\_\_\_\_ day of \_\_\_\_\_, 2015.

219  
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221 \_\_\_\_\_  
222 Lisa Summers, Tribal Secretary  
223 Oneida Business Committee

# Oneida Business Committee Meeting Agenda Request Form

1. Meeting Date Requested: 04 / 22 / 15

2. Nature of request

Session:  Open  Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

Agenda Header (choose one): Finance Committee

Agenda item title (see instructions):

FC Meeting Minutes of 04/13/15 & FC E-Poll Approving Minutes

Action requested (choose one)

Information only

Action - please describe:

Approve Finance Committee meeting minutes of April 13, 2015

3. Justification

Why BC action is required (see instructions):

OBC approval mandatory

4. Supporting Materials

[Instructions](#)

Memo of explanation with required information (see instructions)

Report  Resolution  Contract (check the box below if signature required)

Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1. FC Meeting Minutes of 04/13/15 3.

2. FC E-Poll Approving 04/13/15 Minutes 4.

Business Committee signature required

5. Submission Authorization

Authorized sponsor (choose one): Trish King, Tribal Treasurer

Requestor (if different from above):  
Name, Title / Dept. or Tribal Member

Additional signature (as needed):  
Name, Title / Dept.

Additional signature (as needed):  
Name, Title / Dept.

- 1) Save a copy of this form in a pdf format.
- 2) Email this form and all supporting materials to: BC\_Agenda\_Requests@oneidanation.org



# Oneida Tribe of Indians of Wisconsin

Finance Administration Office

Phone: 920- 869-4325

[FAO@oneidanation.org](mailto:FAO@oneidanation.org)

## MEMORANDUM

**TO:** Finance Committee  
**CC:** Business Committee  
**FR:** Denise Vigue, Executive Assistant  
**DT:** April 14, 2015  
**RE:** E-Poll Results of: FC Meeting Minutes of April 13, 2015

An E-Poll vote of the Finance Committee was conducted to approve the April 13, 2015 Finance Committee meeting minutes. The results of the completed E-Poll are as follows:

### **E-POLL RESULTS:**

**There was a Majority 5 YES votes from Patrick Stensloff, Jennifer Webster, Wesley Martin, Jr., Fawn Billie, and Chad Fuss to approve the April 13, 2015 Finance Committee Meeting Minutes.**

The minutes will be placed on the next BC agenda of April 22, 2015 for approval and the next Finance Committee agenda of May 4, 2015 to accept this E-Poll action.

Yaw\ko

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\* Per the Finance Committee By-Laws Article III-Meetings, 3-4 Quorum. Four (4) members of the Finance Committee shall constitute a quorum & 3-6 Voting. (d) The Finance Committee shall act by a majority of vote of the quorum present at any meeting.

# ONEIDA FINANCE COMMITTEE

April 13, 2015 – 10:00 A.M.

Business Committee Conference Room

## REGULAR MEETING MINUTES

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### Members Present:

Larry Barton, CFO/FC Vice-Chair

Fawn Billie, BC Council Member

Patrick Stensloff, Purchasing Director

Chad Fuss, Gam. AGGM

Jenny Webster, BC Council Member

Wesley Martin, Jr., Community Elder Member

**Members Excused:** Patricia King, Treasurer/FC Chair

**Others Present:** Chad Cornelius, Sid White, Nicole Rommel, Venessa Cardish, Andrew Doxtator, and Denise Vigue, FC Recording Secretary

- I. **Call to Order:** The meeting was called to order by the FC Vice-Chair at 10:00 A.M.
- II. **Approval of Agenda:** Motion by Wesley Martin, Jr. to approve the April 13, 2015 Finance Committee agenda with the update on the Jude Schimmel basketball camp added at the end of the agenda. Seconded by Chad Fuss. Motion carried unanimously.
- III. **Approval of Minutes:**
  1. **March 30, 2015 (approved via FC E-Poll on Mar. 31, 2015):**  
Motion by Patrick Stensloff to ratify the FC E-Poll action of March 31, 2015 approving the Finance Committee meeting minutes of March 30, 2015. Seconded by Chad Fuss. Wesley Martin, Jr. abstained. Motion carried.

**BC Council members Jennifer Webster and Fawn Billie arrive at 10:10 A.M.**

### IV. Tabled Business:

#### 1. Green Bay Packers-Suite /Licensing fees

Chad Fuss, AGGM, Gaming Administration

Motion by Patrick Stensloff to take item from the table for discussion. Seconded by Wesley Martin, Jr. Motion carried unanimously.

Chad Cornelius was present to discuss payment being requested; this is a contract for five years, this is payment for year two; suite is incentive and reward to Gold Members in the player club; bringing back today after GTC approved this year's budget as payment could not be approved until fy2015; there was discussion of other contract of this nature, Gaming has nothing to do with that one; Chad Fuss also noted that player data indicates there is a ROI with increased play; Larry noted that some metric should be provided in the documentation as well as criteria used for player selection and SOP's.

Motion by Wesley Martin, Jr. to approve this year's licensing fee payment for the Green Bay Packers Suite that is utilized by Gaming for their Player Club Gold members in the amount of \$82,600.00. Seconded by Patrick Stensloff. Motion carried unanimously.

V. **Capital Expenditures:** No items submitted

### VI. New Business:

#### A. Internal Requests:

#### 1. Data Financial Business Services, Inc.

Chad Fuss, AGGM, Gaming Administration

Andrew Doxtator was present to explain request; payment is for services vendor provides to maintain all money counting machines and other machines that extract money from slot machines; this is the 2nd year of the contract, payment same as first year; excellent service with someone onsite within 15 minutes as needed; maintenance benefit to extent life of machines up to 15 years.

Motion by Jennifer Webster to approve the second year contract payment with Data Financial Business Services, Inc. in the amount of \$423,518.50. Seconded by Wesley Martin Jr. Motion carried unanimously.

**2. Home Depot – Blanket PO Increase**

Nicole Rommel, DOLM

Nicole Rommel was present to explain need for PO increase; she explained how DOLM is changing how they are selling Dream Homes to provide maintenance and repair to fit their definition of "Move in Ready"; current process is for DOLM to purchase the supplies and vendor to provide labor; they have a budget estimate per home that is formed from inspection process; there were questions on tracking based on project ID; can be expensed out per home for both Dream Homes and Rentals. There was a discussion on fee to trust process and guidance for prospective buyers; Nicole briefly explained their efforts over the past few years to initiate the 18 step process needed to put land into trust; at the present they are in litigation with Hobart and Green Bay individual homeowners opposing action so most applications are pending.

Motion by Chad Fuss to approve the Blanket PO increase with Home Depot in the amount of \$80,000.00. Seconded by Patrick Stensloff. Motion carried unanimously.

**3. Kraus-Anderson-Payment #25 (AJRCCC)**

Dan Skenandore, Project Mgr-Engineering

There was no one present from Engineering to present information about this request. Larry Barton explained this project is completed, costs are for the showers that needed repair as well as the doors; costs are within bond funding limits; there should be one more final report to close out this project in June and issues related to prior vendor and how they were mitigated should be included, Larry will ask for this to be part of that report and for Dan to be present to review report with Committee.

Motion by Jennifer Webster to approve payment #25 to Kraus-Anderson in the amount of \$26,415.00 for work at the Anna John Residential Community Care Center. Seconded by Fawn Billie. Motion carried unanimously.

**B. External Donation Requests:**

**1. GB Southwest Lacrosse Club**

Requestor: Sidney White

Sid White was present to discuss his donation request including the make-up of players in the club, their status as a sport, other fundraising efforts, budget of expenses, costs to parents, & if approved payment will go directly into the account for the club at Green Bay Southwest High School. There was discussion on the status of future WIAA designation as well as future expansion for indoor lacrosse. The FC thanked representatives for their hard work and continued efforts for the youth to participate.

Motion by Jennifer Webster to approve from the Finance Committee donation line \$4,705.33 for the Green Bay Southwest Lacrosse Club for player equipment, maintenance, and fees. Seconded by Wesley Martin, Jr. Motion carried unanimously.

**VII. Executive Session:** No items submitted

**VIII. Follow Up:**

**1. E-Poll: Triad Construction Draw-SEOTS Community Center**

Paul Witek, Project Manager, Engineering

Motion by Jennifer Webster to ratify the E-poll action of the FC on March 31, 2015 approving the draw request for Triad Construction for work at the SEOTS Community Center. Seconded by Fawn Billie. Motion carried unanimously.

**IX. FYI and /or Thank You:**

**1. Thank You: Indian Community School**

Cindy Janechek, Family Resource Ctr. Director



Motion by Jennifer Webster to accept as FYI the thank you for the donation letter from the requestor. Seconded by Chad Fuss. Motion carried unanimously.

**2. ADD ON: FYI: Update re: Jude Schimmel Basketball Camp**

Larry Barton, CFO

Larry Barton wanted to again reiterate as a point of clarification previous action taken by the Finance Committee that the donation that was approved is to be paid directly to vendor (Ms. Schimmel) upon receipt to invoicing and contract.

- X. Adjourn:** Motion by Wesley Martin, Jr. to adjourn. Seconded by Chad Fuss. Motion carried unanimously. Meeting ended at 10:50 A.M. The next Finance Committee meeting is scheduled for Monday, May 4, 2015 at 10:00 A.M. in the BC-Executive Conference Room.

Minutes taken and transcribed by:  
Denise Vigue, Executive Assistant in Finance  
& Finance Committee Recording Secretary

*Finance Committee E-Poll Minutes Approval Date:* April 14, 2015

*Oneida Business Committee FC Minutes Approval Date:* \_\_\_\_\_

# Oneida Business Committee Meeting Agenda Request Form

1. Meeting Date Requested: 4 / 22 / 15

## 2. Nature of request

Session:  Open  Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

Agenda Header (choose one):

Agenda item title (see instructions):

Action requested (choose one)

Information only

Action - please describe:

## 3. Justification

Why BC action is required (see instructions):

## 4. Supporting Materials

[Instructions](#)

Memo of explanation with required information (see instructions)

Report  Resolution  Contract (check the box below if signature required)

Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

- 1.
- 2.
- 3.
- 4.

Business Committee signature required

## 5. Submission Authorization

Authorized sponsor (choose one):

Requestor (if different from above): \_\_\_\_\_  
Name, Title / Dept. or Tribal Member


Additional signature (as needed): \_\_\_\_\_  
Name, Title / Dept.

Additional signature (as needed): \_\_\_\_\_  
Name, Title / Dept.

- 1) Save a copy of this form in a pdf format.
- 2) Email this form and all supporting materials to: BC\_Agenda\_Requests@oneidanation.org

# Memo

To: Oneida Business Committee

From: Lisa Summers, Tribal Secretary 

Date: April 15, 2015

Re: Petitioner Madelyn Genskow: Request Special GTC meeting to address 6 resolutions

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## **Background**

The above referenced petition was submitted to the Tribal Secretary's Office on February 10, 2015, and verified by the Enrollment Department. The petition was submitted to the Oneida Business Committee (OBC) agenda and accepted at the February 25, 2015, meeting. The Legislative, Legal and Financial analyses were requested in 60 days (April 26, 2015).

## **Status**

<i>Analysis</i>	<i>Status</i>	<i>Date Accepted by the OBC</i>
Legislative	Complete	
Legal		
Financial		

The legislative analyses for Resolutions 1-6 have been submitted and require acceptance by OBC.

The legal analyses are in process but require an additional time. This, in turn, will also push back the preparation of the financial analyses. It is important to note that there are multiple resolutions included in this single petition. Each resolution requires its own research as demonstrated in the legislative analyses.

## **Requested OBC Action**

1. Accept the legislative analyses for Resolutions 1-6 of the petition.
2. Provide an additional 60 days for the Law and Finance Offices to submit the appropriate analyses.

## Oneida Tribe of Indians of Wisconsin Legislative Reference Office

Lynn A. Franzmeier, Staff Attorney  
Taniquelle J. Thurner, Legislative Analyst  
Candice E. Skenandore, Legislative Analyst



P.O. Box 365  
Oneida, WI 54155  
(920) 869-4376  
(800) 236-2214  
<https://oneida-nsn.gov/Laws>

### Statement of Effect

#### *Petition Resolution 1: GTC Meetings*

#### *Summary*

On February 10, 2015, the Tribal Secretary's Office received a petition which and states "we the under signed General Tribal Council members request a special GTC meeting to review and consider the attached resolutions. In the event that public hearings are required we direct the Business Committee to hold the required Public hearings and bring these resolutions to the GTC intact."

The Petition was verified by the Enrollment Director on February 11, 2015, and on February 25, 2015, the Oneida Business Committee (OBC) directed the Legislative Reference Office to complete a legislative analysis on the petition. This Statement of Effect focuses on Resolution 1, pertaining to the budget meeting and how other General Tribal Council (GTC) meetings should be held.

*Submitted by: Lynn A Franzmeier, Staff Attorney, Legislative Reference Office*

#### *Legislative Analysis*

According to the Resolution, the GTC meeting held on January 19, 2015 to approve the budget did not end until after midnight due to how the meeting was conducted by the Chair and because old business regarding the Highway 54 One Stop was placed on the agenda before the budget. In addition, the Resolution states GTC did not know what would be involved in addressing the old business when they approved the agenda as presented.

The Resolution directs a variety of action be taken upon its adoption. With regards to future budget meetings and the annual budget, the Resolution states:

1. The budget meeting must be held on a Saturday, starting at 10:00 a.m.
2. Only the budget can be on the agenda.
3. The budget must be presented to GTC in September before spending begins in October.
4. There are no acceptable excuses for not presenting the budget on time.

As to other GTC meetings, the Resolution directs the following:

1. Except for meetings required to be held on a Monday by the Constitution or emergency meetings, GTC meetings must be held on a Saturday.
2. Monday night GTC meetings cannot go past 10:00 p.m.
3. If an item is on a GTC approved agenda, but that item is not completed, the OBC may not remove the item from the agenda, but must schedule a GTC meeting to complete the agenda.

4. The OBC cannot limit the number of GTC meetings held in a year because this causes an over packed agenda and results in GTC meetings that challenge the endurance of disabled GTC members.

This Resolution has no legislative impact. Please consult the legal and fiscal analyses to determine if this Resolution has any legal or fiscal impacts.

***Conclusion***

Adoption of this Resolution would not affect any current Tribal legislation.

## Oneida Tribe of Indians of Wisconsin Legislative Reference Office

Lynn A. Franzmeier, Staff Attorney  
Taniquele J. Thurner, Legislative Analyst  
Candice E. Skenandore, Legislative Analyst



P.O. Box 365  
Oneida, WI 54155  
(920) 869-4376  
(800) 236-2214  
<https://oneida-nsn.gov/Laws>

### Statement of Effect

#### *Petition Resolution 2: Fee to Trust Applications*

#### *Summary*

On February 10, 2015, the Tribal Secretary's Office received a petition which states "we the under signed General Tribal Council members request a special GTC meeting to review and consider the attached resolutions. In the event that public hearings are required we direct the Business Committee to hold the required Public hearings and bring these resolutions to the GTC intact."

The petition was verified by the Enrollment Director on February 11, 2015, and on February 25, 2015, the Oneida Business Committee (OBC) directed the Legislative Reference Office to complete a legislative analysis on the petition. This Statement of Effect focuses on Resolution 2, pertaining to fee-to-trust applications and the hiring and termination of a land surveyor and terminating the employment of attorneys.

*Submitted by: Lynn A Franzmeier, Staff Attorney, Legislative Reference Office*

#### *Legislative Analysis*

According to the Resolution, the Tribe entered into a consortium with other Tribes to fund staff for the Regional Bureau of Indian Affairs (BIA) Office to process fee-to-trust land applications. The Resolution also states the Interior Board of Indian Appeals ruled the Tribe's fee-to-trust applications incomplete and sent them back to the BIA and the Tribe.

The Resolution directs various action be taken upon its adoption. The Land Department is directed to hire a certified land surveyor as an employee of the Tribe to survey all land that will be purchased. If a fee-to-trust application fails due to a survey not being accurate, the Resolution directs the land surveyor's employment to be terminated. In addition, the Resolution directs that all land descriptions must be read and certified by a licensed attorney who is employed by the Tribe and if a fee-to-trust application fails because of bad advice given to the Oneida Business Committee or Land Department by the attorney, or due to the attorney failing to read the land descriptions, the attorney's employment must be terminated. The Resolution does not take into consideration the termination provisions of the Tribe's personnel policies and procedures or any termination provisions contained within any applicable attorney contracts, which should be adhered to when an individual's employment with the Tribe is terminated.

This Resolution has no legislative impact. Please consult the legal and fiscal analyses to determine if this Resolution has any legal or fiscal impacts.

#### *Conclusion*

Adoption of this Resolution would not affect any current Tribal legislation.



## Oneida Tribe of Indians of Wisconsin Legislative Reference Office

Lynn A. Franzmeier, Staff Attorney  
Taniquele J. Thurner, Legislative Analyst  
Candice E. Skenandore, Legislative Analyst



P.O. Box 365  
Oneida, WI 54155  
(920) 869-4376  
(800) 236-2214  
<https://oneida-nsn.gov/Laws>

### Statement of Effect

#### *Petition Resolution 3: Elder Services Program*

#### *Summary*

On February 10, 2015, the Tribal Secretary's Office received a petition which states "we the under signed General Tribal Council members request a special GTC meeting to review and consider the attached resolutions. In the event that public hearings are required we direct the Business Committee to hold the required Public hearings and bring these resolutions to the GTC intact."

The petition was verified by the Enrollment Director on February 11, 2015 and on February 25, 2015, the Oneida Business Committee directed the Legislative Reference Office to complete a legislative analysis on the petition. This Statement of Effect focuses on Resolution 3, pertaining to the services offered by the Oneida Elder Services program.

*Submitted by: Lynn A Franzmeier, Staff Attorney, Legislative Reference Office*

#### *Legislative Analysis*

According to the Resolution, the Oneida Commission on Aging (ONCOA) has established a priority of serving elders age 70 and older and handicapped elders before other elders. The Resolution states income guidelines or means testing is not used and some elders age 70 and older have good income, land holdings and/or own their own home. In addition, ONCOA's priority list does not take into consideration the combined income of persons living in the home or whether the elder is capable of doing the work being requested from the Oneida Elder Services program. The Resolution lists various services being offered by the Oneida Elder Services program and states that elders age 55 to 70 who live on the Reservation and are poor or not in good health may not get any help from the program if no money is available after the 70 and older elders receive services.

The Resolution directs the following upon its adoption:

1. All Oneida elders who live on the Reservation and apply for elder services will be subject to income and means testing and an analysis as to whether there are people living in the house who can do the work.
2. All Oneida elders who live on the Reservation must be provided with emergency response system-lifeline, Benefits Specialist Assistance and Elder Abuse Services and Assessments upon request and regardless of income.
3. Oneida elders who live on the Reservation and meet the income guidelines and means testing will be eligible for roof repair or replacement.
4. A generalist employee will be hired to fill in when a regular staff member is ill or on vacation in the Elderly Services Program.

5. The Economic Support Program will be responsible for recommending options regarding income guidelines to General Tribal Council. General Tribal Council will determine the income guidelines and when several people live in the same house, the entire income of the household must meet the income guidelines.

This Resolution has no legislative impact. Please consult the legal and fiscal analyses to determine if this Resolution has any legal or fiscal impacts.

***Conclusion***

Adoption of this Resolution would not affect any current Tribal legislation.

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### Statement of Effect

#### *Petition Resolution 4: Recording Sub-Committee Meetings of the Oneida Business Committee*

#### *Summary*

On February 10, 2015, the Tribal Secretary's Office received a petition which states "we the under signed General Tribal Council members request a special GTC meeting to review and consider the attached resolutions. In the event that public hearings are required we direct the Business Committee to hold the required Public hearings and bring these resolutions to the GTC intact."

The petition was verified by the Enrollment Director on February 11, 2015 and on February 25, 2015, the Oneida Business Committee directed the Legislative Reference Office to complete a legislative analysis on the petition. This Statement of Effect focuses on Resolution 4, pertaining to the recording of sub-committee meetings of the Oneida Business Committee.

*Submitted by: Lynn A Franzmeier, Staff Attorney, Legislative Reference Office*

#### *Legislative Analysis*

According to the Resolution, the Oneida Business Committee (OBC) has been holding Officer meetings in 2014 and 2015 and there has been confusion after these meetings because they are not recorded. In addition, the Resolution states that in 2008, two Officers signed a contract for \$575,500 without the consent of the full OBC and, after discovering the contract, it was canceled by the full OBC.

Based on these statements, the Resolution directs any sub-committee of the OBC be voice recorded and Records Management keep the recordings. Under the Open Records and Open Meetings law, the Tribal Secretary is named as the legal custodian of all records of the Oneida Business Committee. The Records Management Office, an area under the Tribal Secretary's Office, has been delegated this responsibility and the Resolution is in line with how records of the Oneida Business Committee are currently being stored.

Although the Resolution would now require sub-committee meetings to be recorded, the Open Records and Open Meetings law sets out the rights of requesters to inspect any record, including voice recordings, and would continue to govern the limitations that apply to the release of those records. There are currently four standing committees of the OBC that meet regularly – Audit Committee, Community Development Planning Committee, Finance Committee and Legislative Operating Committee. Out of these four, two of the Committees record their meetings. The Resolution does not define "sub-committee of the OBC" and it may be beneficial to define this term as the Resolution implies that a contract signed by two members of the OBC could constitute a sub-committee of the OBC.

This Resolution has no legislative impact. Please consult the legal and fiscal analyses to determine if this Resolution has any legal or fiscal impacts.

***Conclusion***

Adoption of this Resolution would not affect any current Tribal legislation.

**Oneida Tribe of Indians of Wisconsin  
Legislative Reference Office**

Lynn A. Franzmeier, Staff Attorney  
Taniquele J. Thurner, Legislative Analyst  
Candice E. Skenandore, Legislative Analyst



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**Statement of Effect**

*Petition Resolution 5: Chain of Command System*

***Summary***

On February 10, 2015, the Tribal Secretary's Office received a petition which states "we the under signed General Tribal Council members request a special GTC meeting to review and consider the attached resolutions. In the event that public hearings are required we direct the Business Committee to hold the required Public hearings and bring these resolutions to the GTC intact."

The petition was verified by the Enrollment Director on February 11, 2015, and on February 25, 2015, the Oneida Business Committee directed the Legislative Reference Office to complete a legislative analysis on the petition. This Statement of Effect focuses on Resolution 5, pertaining to the Chain of Command System.

*Submitted by: Lynn A Franzmeier, Staff Attorney, Legislative Reference Office*

***Legislative Analysis***

According to the Resolution, in December of 2014 after all the departments of the Tribe had turned in their budgets with the cuts required, there was \$800,000 remaining to be spent. The Treasurer sent out a memo informing departments they could request more funds by a certain date. The Resolution states the Oneida Chain of Command System required that the request for more funds go from the Elder Director to the Area Manager, Governmental Services Division Director, then the Oneida Business Committee. The Resolution further states this system is not set up to make sure that a request sent up the Chain of Command is documented as received at the next stop and forwarded on to the next stop of the chain of command, until it reaches the Business Committee.

The Resolution directs various action be taken upon its adoption, including:

1. Important items sent from a Program Director to the next stop on the chain of command must be emailed by 9:00 a.m. and an email that it has been received must be sent to the sender in two hours and so it must go at each stop including the Business Committee.
2. If a person in charge is ill or on vacation, he or she must ensure a line of responsibility in their office is established to make the return email to the sender which confirms that the email was received.
3. If the item that was emailed is time sensitive, a line of responsibility must be established in each office of the person in charge so that if the person in charge is not there everything does not stop.
4. The Governmental Services Division office, which has three employees, must be moved from the cottage behind the Fitness Center to Little Bear, Norbert Hill Center or Skenandoah Complex where Tribal members can find it if they have concerns about issues in Governmental Services Division Director.

5. The Governmental Services Division Director must return phone calls to Tribal members who have issues about Governmental Services.
6. The Governmental Division Services must ensure someone handles issues if all of it's employees are ill.

This Resolution has no legislative impact. Please consult the legal and fiscal analyses to determine if this Resolution has any legal or fiscal impacts.

***Conclusion***

Adoption of this Resolution would not affect any current Tribal legislation.



**Oneida Tribe of Indians of Wisconsin  
Legislative Reference Office**

Lynn A. Franzmeier, Staff Attorney  
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**Statement of Effect**

*Petition Resolution 6: Allocation of Unclaimed Per Capita Payment Funds*

**Summary**

On February 10, 2015, the Tribal Secretary's Office received a petition which and states "we the under signed General Tribal Council members request a special GTC meeting to review and consider the attached resolutions. In the event that public hearings are required we direct the Business Committee to hold the required Public hearings and bring these resolutions to the GTC intact."

The Petition was verified by the Enrollment Director on February 11, 2015, and on February 25, 2015, the Oneida Business Committee (OBC) directed the Legislative Reference Office to complete a legislative analysis on the petition. This Statement of Effect focuses on Resolution 6, pertaining to the allocation of unclaimed per capita payment funds.

*Submitted by: Lynn A Franzmeier, Staff Attorney, Legislative Reference Office*

**Legislative Analysis**

According to the Resolution, sufficient numbers of home sites for Oneida Tribal members which are located on water and sewer lines have not been provided by the Tribe. The Resolution directs unclaimed funds from per capita payments be placed into a fund to provide more sewer and water home sites for Oneida Tribal members who do not qualify for US Department of Housing and Urban Development services (HUD). In addition, the Resolution states that Tribal members who can get their own funding can build their own homes.

According to section 9.5-6 of the Per Capita law, any unclaimed funds from per capita payments will be "deposited in a pooled account to be used for a purpose designated by the General Tribal Council." At the July 2003 Semi-annual meeting, the Trust Committee requested direction from General Tribal Council (GTC) on how to allocate unallocated and unclaimed per capita funds. GTC directed the Oneida Business Committee (OBC) to investigate the question and bring back a recommendation to the 2004 GTC Annual meeting. A resolution directing the unclaimed or unallocated per capita funds be used to fund the Oneida Language Revitalization was included in the materials for the 2004 GTC Annual meeting. Although the meeting was not held due to a lack of quorum, the OBC held a special meeting on January 28, 2004 and adopted the resolution. The Resolution contained within the current petition would overturn the previously adopted resolution.

This Resolution has no legislative impact. Please consult the legal and fiscal analyses to determine if this Resolution has any legal or fiscal impacts.

**Conclusion**

Adoption of this Resolution would not affect any current Tribal legislation.

# Oneida Business Committee Meeting Agenda Request Form

1. Meeting Date Requested: 04 / 22 / 15

## 2. Nature of request

Session:  Open  Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

Agenda Header (choose one):

Agenda item title (see instructions):

Action requested (choose one)

Information only

Action - please describe:

## 3. Justification

Why BC action is required (see instructions):

## 4. Supporting Materials

[Instructions](#)

Memo of explanation with required information (see instructions)

Report  Resolution  Contract (check the box below if signature required)

Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1.

3.

2.

4.

Business Committee signature required

## 5. Submission Authorization

Authorized sponsor (choose one):

Requestor (if different from above):

\_\_\_\_\_  
Name, Title / Dept. or Tribal Member

Additional signature (as needed):

\_\_\_\_\_  
Name, Title / Dept.

Additional signature (as needed):

\_\_\_\_\_  
Name, Title / Dept.

1) Save a copy of this form in a pdf format.

2) Email this form and all supporting materials to: BC\_Agenda\_Requests@oneidanation.org

# Oneida Tribe of Indians of Wisconsin

## Legislative Reference Office

P.O. Box 365  
Oneida, WI 54155  
(920) 869-4240  
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## Executive Summary

### *Adoption of the General Tribal Council Meetings Law*

## Committee Members

Melinda J. Danforth  
Vince DelaRosa  
David P. Jordan  
Paul Ninham  
Brandon Stevens

## Current Draft Summary

The Law creates a schedule of GTC meeting dates; sets a general agenda for those meetings; outlines the petition process; sets standards of conduct for meeting attendees; and outlines the duties of those who help prepare for and assist with GTC meetings. The Law requires that at least four GTC meetings be held each year (annual, semi-annual, and 2 special meetings). In addition to these four meetings, a budget meeting is also required to be held as necessary. Additional GTC meetings can be called in accordance with the Constitution – by the Tribal Chairman or through petition. The Law limits GTC meeting attendees to those individuals who are: (1) enrolled Tribal members who are eligible to vote or (2) non-enrolled individuals who have a business-related need to attend the meeting and are approved by GTC.

The Law outlines a general agenda for GTC meetings and also sets out how a petition is processed. The process includes analyses of the petition being conducted, deadlines for when a petition must be presented to the GTC, required communication between the petitioner and the Tribal Secretary's Office, and ability of petitioner to attend an OBC meeting to discuss the petition. A petition received at least sixty days before a GTC meeting will be placed on the upcoming GTC meeting agenda; the petition must be considered by GTC within six months after it is submitted. GTC meeting attendees are required to be respectful of others, be free from the influence of alcohol or illegal drugs, and remain in compliance with Tribal law – anyone violating these provisions may be removed from a GTC meeting. In addition, the OBC will designate a Sergeant of Arms to oversee the Security Department during GTC meetings.

The Law also sets out the process for when the Chairperson calls a special GTC meeting in accordance with the Constitution. Analyses are required to be conducted on items the Chairperson of the Tribe requests be placed on a GTC meeting agenda. The OBC is responsible for approving the meeting date when the Chairperson's items will be addressed.

## Fiscal Impact

The Finance Department has provided a fiscal impact of the proposed law (attached) and, due to the Law requiring at least 3 GTC meetings be held each year, in addition to the Annual and Semi-Annual meetings, states the theoretical impact of the Law is approximately \$750,000. Minor changes have been made to the Law since the fiscal impact was submitted, however, those

changes should not have a fiscal impact as they do not affect the number of GTC meetings held in a year.

**Legislative Analysis and Legal Opinion**

The legislative analysis conducted on the Law does not raise any major issues and a legal analysis has not been conducted on this draft.

**Proposed GTC Action**

Approve the Resolution: Adoption of the General Tribal Council Meetings Law.

**GTC Resolution \_\_\_\_\_**

*Adoption of the General Tribal Council Meetings Law*

**WHEREAS,** the Oneida Tribe of Indians of Wisconsin is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and

**WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Tribe of Indians of Wisconsin; and

**WHEREAS,** the Oneida Constitution requires the General Tribal Council to meet at least twice a year and allows special meetings to be called by the Chairman or fifty (50) qualified voters; and

**WHEREAS,** the attached General Tribal Council Meetings Law (Law) would provide a schedule of General Tribal Council meeting dates; set an agenda for General Tribal Council meetings; outline the petition process; set out a process for when the Chairperson calls a special General Tribal Council meeting; set standards of conduct for those attending General Tribal Council meetings; authorize the Oneida Business Committee to designate a Sergeant of Arms to oversee the Security Department during a General Tribal Council meeting; and outline the duties of those preparing and assisting with General Tribal Council meetings; and

**WHEREAS,** a public hearing on the Law was held on December 6, 2012 in accordance with Tribal law.

**NOW THEREFORE BE IT RESOLVED,** that the attached General Tribal Council Meetings Law is hereby adopted.

**CERTIFICATION**

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida General Tribal Council in session with a quorum of \_\_\_ members present at a meeting duly called, noticed and held on the \_\_\_ day of \_\_\_\_\_, 2013; that the foregoing resolution was duly adopted at such meeting by a majority vote of those present; and that said resolution has not been rescinded or amended in any way.

\_\_\_\_\_  
Patricia Hoeft, Tribal Secretary  
Oneida Business Committee

# Oneida Tribe of Indians of Wisconsin

## Legislative Reference Office

P.O. Box 365  
Oneida, WI 54155  
(920) 869-4240  
(800) 236-2214



## Committee Members

Melinda J. Danforth  
Vince DelaRosa  
David P. Jordan  
Paul Ninham  
Brandon Stevens

## Statement of Effect

### *Adoption of the General Tribal Council Meetings Law*

### Summary

This Resolution adopts the General Tribal Council Meetings Law which provides a schedule of General Tribal Council meeting dates; sets an agenda for General Tribal Council meetings; outlines the petition process; requires analyses of items the Chairperson requests to be placed on a General Tribal Council meeting agenda; sets standards of conduct for those attending General Tribal Council meetings; and outlines the duties of those preparing and assisting with General Tribal Council meetings

Submitted by: Lynn Franzmeier, Staff Attorney, Legislative Reference Office

### *Analysis by the Legislative Reference Office*

Under the Oneida Constitution, General Tribal Council is required to meet at least twice a year and is able to hold special meetings when called by the Chairman or fifty (50) qualified voters. From 2008 through 2012, there was an average of just over 6 GTC meetings held each year. This Resolution adopts the General Tribal Council Meetings Law (Law) to provide a schedule of General Tribal Council meeting dates by requiring that at least 5 General Tribal Council Meetings be held or scheduled each year; this includes the annual and semi-annual meetings, a budget meeting and at least two special meetings.

The Law also sets an agenda for General Tribal Council meetings; outlines the petition process; sets out a process for when the Chairperson calls a special General Tribal Council meeting; sets standards of conduct for those attending General Tribal Council meetings; authorizes the Oneida Business Committee to designate a Sergeant of Arms to oversee the Security Department during a General Tribal Council meeting; and outlines the duties of those preparing and assisting with General Tribal Council meetings. A public hearing on the proposed law was held on December 6, 2012 in accordance with Tribal law.

### Conclusion

There are no legal bars to adopting the Resolution.



**Oneida Tribe of Indians of Wisconsin**

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Oneida, WI 54155



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



**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.

**DATE:** July 15, 2013  
**FROM:** Larry Barton, Chief Financial Officer  
**TO:** Tina Danforth, Treasurer  
 Oneida Business Committee  
**RE:** **Financial Impact of Proposed Law – General Tribal Council Meetings**

**I. Background**

Under consideration is a proposed law to govern General Tribal Council Meetings. The purpose statement of the proposed law is given as follows: "The purpose of this law is to create a schedule of General Tribal Council meeting dates, set a general agenda for those meetings, outline the petition process, set standards of conduct for those attending meetings and outline the duties of those preparing and assisting with the meetings."

**II. Executive Summary of Findings**

According to the current approved version of the Constitution and By-laws of the Oneida Tribe of Indians of Wisconsin, the General Tribal Council is required to convene two meetings per year. In compliance with Article III section 4 of the Oneida Constitution, General Tribal Council meetings are convened on the first Monday in January and July. Section 11.4 of this proposed Law would require that there is also a Budget Meeting convened each year, as well as a minimum of two special meetings each year. We will defer to a legal opinion to answer whether it is appropriate to require additional General Tribal Council Meetings outside of a Constitutional Amendment.

In FY 2013, there have been five General Tribal Council Meetings held. Besides GTC Meeting Stipends we must also consider other costs such as printing & mailing, security, room rental, Election Board, audio/visual and Police Department. When adding all these costs, the average cost of the five meetings to date has been \$238,508. Other costs that are not in this figure include departmental expenses from Department of Public Works, Management Information Systems, Gaming Maintenance, Gaming Shuttle, Oneida Transit, Enrollments Staff and Business Committee Staff. A reasonable estimate of total costs per GTC meeting is \$250,000.

**III. Financial Impact**

In recent practice there is no direct Financial Impact of this proposed Law. While the Oneida Constitution requires only two meetings, we have been scheduling a special GTC meeting to adopt the budget for many years. Further, via the Petition process, we have held more than two additional special meetings each year for some time now. However, if passed, this Law would require the Tribe to convene three more meetings than specified by the Constitution. Therefore, the theoretical impact is approximately **\$750,000**, unless meetings become unnecessary due to a lack of pending agenda items or petitions.

**RECOMMENDATION**

The Finance Department does not make a recommendation in regards to course of action in this matter. Rather, it is the purpose of this report to disclose potential financial impact of an action, so that General Tribal Council has sufficient information to render a decision.

**Chapter 11**  
**General Tribal Council Meetings**

11.1. Purpose and Policy	9	11.6. Special General Tribal Council Meetings Called by the
11.2. Adoption, Amendment, Repeal	10	Chairperson
11.3. Definitions	11	11.7. Holding a General Tribal Council Meeting
11.4. Setting General Tribal Council Meeting Dates	12	11.8. General Tribal Council Meeting Agenda
11.5. Petitions	13	11.9. Additional Responsibilities

***Analysis by the Legislative Reference Office***

The proposed General Tribal Council Meetings law (the Law) is a new Tribal law that establishes standard procedures and rules to govern various aspects of General Tribal Council (GTC) meetings. The Law states that the policy of the Tribe is to hold consistent, organized GTC meetings and to enable members to participate and provide input in a respectful and meaningful way. The Law establishes rules intended to support that policy. *See 11.1-1 and 11.1-2.*

**Summary of the Law**

This law identifies various GTC meetings that must or may be held each year, and establishes requirements for various aspects of those meetings, including:

- Registration and attendance at GTC meetings.
- Conducting GTC meetings, including a standard meeting agenda format.
- Submitting, processing and presenting petitions.
- Identifying the process by which the Chairperson or 50 qualified voters can “call” special GTC meetings, in accordance with the Tribal Constitution.
- Identifying the meeting-related responsibilities of the Tribal Secretary and other entities, including behavior expectations for members attending meetings.
- Cancelling and re-scheduling GTC meetings.
- Establishing a new position for a Sergeant of Arms, and identifying its responsibilities.

This Law would be adopted by the GTC. Therefore, in accordance with the Ten Day Notice Policy, once it is adopted, it would require a 2/3 vote to amend or overturn.

**Potential Considerations**

Section 11.4 appears to identify the different types of GTC meetings. Section 11.4-3 states that special meetings shall be scheduled at least twice a year in order to address General Tribal Council business, including petitions. However, this revised draft of the Law not only identifies a process for how 50 Tribal members can petition to add an item to a GTC agenda, but it also identifies how the Tribal Chair can bring an item to the GTC (which is referred to in the Law as “calling” a meeting, but appears to actually mean the Chair’s item would be added to a GTC agenda). The language “including petitions” raises the question of whether this would also include items submitted by the Chair; or if meetings called by the Chair are a separate type of meeting.

Section 11.4 also states: “Additional special meetings may be called in accordance with the Constitution.” However, the Constitution only states that the Chair or 50 qualified voters can call meetings. If the intent of this Law is to set out the process by which the Chair or 50 qualified voters can call meetings, then that last sentence may cause confusion, because it appears to refer to a different process for calling a meeting “in accordance with the Constitution”, as opposed to the process set out in this Law.

The Law is not clear about what a Sergeant at Arms entails. The term is not defined. This position appears to be created by this Law, and has never been mentioned in previous Tribal laws. The general definition found in online dictionaries is “a person who is appointed to keep, maintain or preserve order within an organization, such as a legislative, judicial or social body.” However, the various related details vary by organization. It is recommended that, since this position only appears to apply for GTC meetings, that the provisions related to the Sergeant of

For GTC consideration

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57 Arms be expanded to identify things related to this position, such as the term of service, the  
 58 extent of the Sergeant of Arms' authority/powers, who has supervisory/oversight authority over  
 59 this position, how a Sergeant of Arms could be removed from this position, and to more clearly  
 60 identify how this person would be chosen – “designate” does not identify whether this is an  
 61 appointment, an employee, etc.

### 62 Related Laws and Policies

63 The GTC has adopted other Tribal laws/policies that also contain requirements that relate  
 64 to GTC meetings. Those laws/policies will remain in effect and it is not intended that they be  
 65 affected by this new Law. Specifically:

	Relevant History	What the Law/Policy does
Removal Law	GTC adopted on January 9, 2006	Sets a process of petitioning for a GTC meeting to consider the removal of an elected official.
GTC Meeting Stipend Payment Policy	Created by GTC directive on August 11, 2007	Governs the process of paying stipends to GTC members who attend a GTC meeting.
GTC Ten Day Notice Policy	GTC adopted on March 4, 1991	Addresses how notice will be provided of business to be conducted or action taken at a GTC meeting.
Election Law	Originally adopted on June 19, 1993; most recent amendments adopted by GTC on January 4, 2010	Governs elections, referenda, and the petition process for being placed on a ballot for elections.

66 There are some overlapping or parallel provisions between those other laws/policies and  
 67 this proposed Law. For example, the Ten Day Notice Policy, I.3., states that its purpose is to  
 68 “Provide a clear and concise statement of procedures to be followed by the GTC and the Oneida  
 69 Business Committee during conducting of GTC meetings,” which also seems to be the purpose  
 70 of this Law. That policy also addresses how *resolutions* are introduced to the GTC, while this  
 71 Law addresses how *petitions* are introduced to the GTC.

### 72 Meetings

73 The Oneida Tribal Constitution (the Constitution) requires that two GTC meetings be  
 74 held each year, on the first Mondays in January and July. This Law states that annual and semi-  
 75 annual GTC meetings will be held in January and July, in accordance with the Constitution. *See*  
 76 *11.4-1 and the Constitution, Art. III, Sec. 4.*

77 The Law also requires additional GTC meetings that are not mentioned in the Constitution;  
 78 so in total, at least five GTC meetings would be required to be held or scheduled each year, and  
 79 more meetings may be held as necessary. In addition to the semi-annual and annual meetings,  
 80 this Law provides for:

- 81 • A special GTC meeting for the primary purpose of adopting the budget for the upcoming  
 82 fiscal year(s). *See 11.4-2.*
- 83 • Special meetings must be scheduled at least twice a year to address GTC business,  
 84 including petitions. *See 11.4-3.*
- 85 • Additional special meetings may be called in accordance with the Constitution, which  
 86 provides that the Tribal chairman or 50 qualified voters may, by written notice, call  
 87 special GTC meetings. *See 11.4-3 and the Constitution, Article III, section 4.*

88 This Law requires notice for a GTC meeting to be provided in accordance with the Ten Day  
 89 Notice Policy. *See 11.7-1.*

### 90 Registration and Attendance

91 All individuals attending a GTC meeting are required to register with the Enrollment  
 92 Department (Enrollments), which is required to verify the identity of all individuals who will

For GTC consideration

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93 attend the meeting, even those ineligible to vote. Tribal or state-issued identification may be  
 94 required to verify identity. *See 11.7-4 and 11.7-5.*

95 The Law only authorizes two categories of people to attend a GTC meeting. Any person  
 96 who is not eligible to attend the meeting is required to be escorted out by the Sergeant of Arms  
 97 or a designee. *See 11.7-3.*

98 Under the Law, the only people who can attend a GTC meeting are:

- 99 • Tribal members eligible to vote per the Constitution. This means all enrolled members  
 100 age 21 or over. Enrolled members who are less than 21 years old would not be able to  
 101 attend GTC meetings, unless their attendance is business-related.
- 102 • Other individuals who have a business-related need to attend the meeting and are  
 103 approved to attend either certain parts of the meeting, or the entire meeting, by a  
 104 majority vote of the GTC. *See 11.7-3.*

### 105 **Conducting GTC Meetings**

106 The Law sets out a model agenda that must be used for all GTC meetings, and makes the  
 107 Tribal Secretary's Office (the Secretary) responsible for developing a process to address GTC  
 108 meeting agenda development. *See 11.8-1.*

109 The model agenda set out in the Law includes the following requirements:

- 110 1. Before the meeting opens (with an opening prayer and/or color guard), the Chair may  
 111 allow for announcements which do not directly relate to the agenda, as long as they last  
 112 no more than 15 minutes and do not delay the start of the meeting. *See 11.8-2.*
- 113 2. **Opening Prayer and/or Color Guard.** *See 11.8-1(a).*
- 114 3. **Call to Order.** The Chair must call a meeting to order at the noticed meeting time or  
 115 once it is confirmed that there is quorum, whichever is later. If quorum is not met within  
 116 15 minutes after the scheduled meeting start time, the meeting will not be held<sup>1</sup>. Quorum  
 117 shall be established by the Constitution, which in turn provides that 75 members  
 118 constitute a quorum. *See 11.8-3, 11.7-2 and the Constitution, Art. III Sec.4.*
- 119 4. **Agenda.** Amendments may be made before the agenda is adopted. *See 11.8-4.*
- 120 5. **Unfinished Business and New Business.** Each item under each of these categories must  
 121 be presented in the following order:
  - 122 a. A brief summary. This includes the purpose of the request and the action  
 123 requested. *See 11.8-5(a).*
  - 124 b. A full presentation of the item. This includes the legal, fiscal, administrative and  
 125 legislative impacts of the item. *See 11.8-5(b).*
  - 126 c. Question-and-answer period. *See 11.8-5(c).*
  - 127 d. Action. The Law states that GTC action taken in accordance with the Constitution  
 128 and Tribal law is binding on the OBC or other appropriate Tribal program,  
 129 division, department, board, committee, commission and similar business unit<sup>2</sup>.  
 130 *See 11.8-5(d) and 11.3-1(d).*
- 131 6. **Reports.** The Law requires each Tribal program, division, department, board, committee,  
 132 commission and similar business unit; and each Tribally-chartered corporation, to file an  
 133 Annual and Semi Annual report with the Secretary, to be made available to the GTC  
 134 either electronically or in the meeting materials. The OBC identifies the format for such  
 135 reports, as well as what information must be included. *See 11.8-6 and 11.3-1(d).*
- 136 7. **Adjourn.** Items not completed by the time a meeting adjourns will be forwarded to the  
 137 OBC for action. *See 11.8-7.*

<sup>1</sup> This is also stated in the GTC Stipend Payment Policy.

<sup>2</sup> This is similar to language in section VI.5.a of the Ten Day Notice Policy, which states that "Resolutions that have been passed by GTC shall be implemented whole heartedly by the Business Committee or as directed by the GTC."

138

### Code of Conduct for GTC Meetings

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In line with the traditional Good Mind Principle of Kalihwi-y%, people who attend GTC meetings are expected to treat each other with respect and kindness.

140

The Law also specifically prohibits attendees from:

141

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1. Using profanity, interrupting others, heckling or threatening people, disrespecting property or behaving disruptively or in a way that endangers others.

143

2. Being under the influence of alcohol or illegal drugs.

144

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3. Having a weapon in violation of any applicable law. This would apply to most weapons, as OBC Resolution #10-26-11-C prohibits weapons at any Tribally-sponsored event.

146

4. Taking action that violates Tribal law. *See 11.9-2.*

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148

The OBC is required to designate an individual to serve as the Sergeant of Arms at GTC meetings. The Sergeant of Arms is required to oversee the Security Department during GTC meetings. *See 11.9-1.*

149

Any person that violates the conduct requirements above may be prohibited from attending a GTC meeting, or may be removed from a meeting for the remainder of the meeting. Upon discovery of a violation, or if directed to do so by the Chairperson of the meeting, the Sergeant of Arms or their designee is responsible for prohibiting the person from attending the meeting or for removing the person from the meeting. *See 11.9-2(b).*

150

#### Calling a GTC Meeting – The Petition Process and Chairman Authority

151

Article III, section 4 of the Constitution provides that “The chairman or fifty (50) qualified voters may, by written notice, call special meetings of the General Tribal Council.” This Law sets out the processes by which the Tribal chair or 50 qualified voters can exercise that Constitutional right; but these processes don’t specifically enable the fifty qualified voters or the Chair to call a specific meeting. Instead, these processes enable the Chair or 50 qualified voters to add an item(s) to a GTC meeting agenda, and leave the OBC responsible for scheduling meetings and determining when an item will be placed on an agenda.

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The Law uses different terminology for the Chair than it does for the 50 qualified voters, and identifies slightly different requirements for each process.

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50 qualified voters (section 11.5)	Chairman (section 11.6)
<p>A Tribal member may <b>request to place an item(s) on a GTC meeting agenda</b> by submitting a completed petition to the Secretary’s Office. <i>11.5-1</i></p> <p>If at least 50 qualified voters have signed the petition, the Secretary’s Office must:</p> <ul style="list-style-type: none"> <li>Place the verified petition on the next available OBC agenda for review and determination of the meeting date when the petition will be considered by GTC. <i>11.5-3(c)(1)</i></li> </ul>	<p>If the Chairperson of the Tribe calls a special GTC meeting in accordance with the Constitution, <b>to address an item(s)</b> the Secretary’s Office must:</p> <ul style="list-style-type: none"> <li>Place the item(s) on the next available OBC agenda for review and determination of the meeting date when the item(s) will be considered by the GTC. <i>11.6-1</i></li> </ul>
<p>The [OBC] shall determine the meeting date when a petition will be considered.</p> <ul style="list-style-type: none"> <li>Petitions submitted at least 60 days before an upcoming GTC meeting must be placed on that meeting’s agenda.</li> <li>A petition must be considered by the GTC no more than six months after it is submitted to the Secretary. <i>11.5-4</i></li> </ul>	<p>After the Chairperson calls a special GTC meeting, the OBC shall approve the meeting date when the item(s) will be addressed. <i>11.6-2</i></p>
<p>If at least 50 qualified voters have signed the petition, the Secretary’s Office shall request the petitioner attend an OBC meeting to discuss the issues raised by the petition. <i>11.5-3(c)(3)</i></p>	<p><i>No similar requirement.</i></p>



166 As the chart above shows, there are a few differences.

- 167 • Although the Constitution grants identical rights to both the 50 qualified voters and the
- 168 Chairman; the Law sets out how the Chairman can “call” a meeting, and how the 50 qualified
- 169 voters can “request to place an item on a GTC agenda”.
- 170 • The OBC will “determine” the meeting date when a petition will be considered, but must
- 171 both “determine” and “approve” a GTC meeting date when the Chairman has submitted an
- 172 item. This appears to specifically require OBC determination and approval of the date of any
- 173 GTC meeting called by the Chair. The Constitution does not require OBC approval of a
- 174 meeting date when the Chair calls a meeting, so this is a new requirement.
- 175 • A petition must be considered by GTC within six months after it is submitted to the
- 176 Secretary, and petitions submitted at least 60 days before an upcoming GTC meeting must be
- 177 placed on that meeting’s agenda. By comparison, the Law does not identify a timeline or
- 178 deadlines for the Chair’s item to be considered by the GTC.
- 179 • For petitions, the Law also requires the Secretary to request the petitioner attend an OBC
- 180 meeting to discuss the issues raised by the petition.

#### 181 *Special Provision – Cancelling a GTC Meeting*

182 As discussed below, this Law gives the OBC authority to cancel a GTC meeting in  
 183 various circumstances, including when there are no agenda items to discuss or there are so few  
 184 items on the agenda that it would be fiscally irresponsible to hold the meeting. However, the Law  
 185 also provides that this particular provision shall not apply to a meeting called by the Chairperson.  
 186 This appears to mean that once the OBC has set a date for a GTC meeting called by the Chair, it  
 187 cannot be cancelled, even if there are no agenda items to discuss or if there are so few items on  
 188 the agenda that it would be fiscally irresponsible to hold the meeting. *See 11.7-6(c).*

#### 189 *“Calling” a GTC Meeting*

190 In August of 2002, a job description was issued for the Tribal Chair position. One of the  
 191 items identified as a responsibility of the Tribal Chair was to “Call any special meetings of the  
 192 Tribal Council or General Tribal Council” – this appears to require all special GTC meetings to  
 193 be called by the Chair, even when the meeting is called to address a petition submitted by 50  
 194 qualified voters. That description may conflict with this Law, and with the Tribal Constitution,  
 195 because it does not address the constitutional right of 50 qualified voters to call a meeting.

196 Overall, there may be some difficulty with this Law, in identifying exactly what the act of  
 197 calling a meeting entails – who calls it, what is the specific action done to call a meeting, etc.

#### 198 *Required Statement of Effect and Analyses*

199 For both petitions and the Chairman’s items, the Law contains the same analysis  
 200 requirement: The Secretary must forward a copy of the verified petition (for the 50 qualified  
 201 voters) or a copy of the “item(s)” (for a meeting called by the Chair) to the appropriate  
 202 individuals who directly report to the OBC. These individuals are required to prepare or have  
 203 prepared any required statement of effect and legal, fiscal, administrative and legislative  
 204 analyses. The Secretary must provide those individuals with a deadline for submitting those to  
 205 the Secretary’s Office. The deadline has to be at least 10 business days after the petition or  
 206 item(s) are forwarded to those individuals. *See 11.5-3(c)(2).*

207 The Secretary is required to forward a *petition* to those appropriate individuals within one  
 208 business day after Enrollments verifies the petition. There is no deadline for the Secretary to  
 209 forward *item(s)* when the Tribal Chair calls a meeting. *See 11.5-3(c)(2) and 11.6-1(b).*

210  
 211 The Law also defines what each of these items will include:

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 213



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Item	Who prepares?	Description	Similar requirements in other Tribal Legislation
<b>Statement of effect</b> <i>11.3-1(i)</i>	<i>Not stated in the Law.</i>	An analysis to explain the effect that adopting a resolution will have on the Tribe.	This definition is similar to the language found in OBC Resolution #06-01-05-C, which requires a statement of effect for most OBC/GTC resolutions.
<b>Administrative analysis</b> <i>11.3-1(a)</i>	Affected Tribal divisions, departments or other areas.	<ul style="list-style-type: none"> <li>• How that area would be affected by the changes sought by the petition – administrative processes, Tribal resources, etc.</li> <li>• How to implement the petition.</li> <li>• The benefits/risks of implementing the petition</li> <li>• Alternatives to any action requested in the petition.</li> </ul>	No similar requirements or definitions were found in other Tribal legislation.
<b>Legislative analysis</b> <i>11.3-1(g)</i>	Legislative Reference Office	<ul style="list-style-type: none"> <li>• How a petition will affect current Tribal legislation, or how the petition would result in new legislation.</li> <li>• The petition’s terms, substance, intent, key issues, potential impacts and subjects involved.</li> <li>• It <u>may</u> identify policy considerations and/or conflicts with other laws</li> </ul>	This is similar to requirements found in the Legislative Procedures Act (LPA), which requires legislative analyses for proposed laws and policies (or changes to laws and policies) that are sent to the OBC for consideration or published for public review. However, the LPA <i>requires</i> a legislative analysis to identify policy considerations and/or conflicts with other laws. <i>See the LPA, 16.3-1.</i>
<b>Fiscal analysis</b> <i>11.3-1(e)</i>	Finance Department	<ul style="list-style-type: none"> <li>• Total fiscal year financial effects associated with the petition.</li> <li>• An estimate of the amount of time necessary for an individual or agency to comply with the proposed changes.</li> </ul>	This is similar to requirements found in the LPA, which requires one or more <i>fiscal impact statements</i> for nearly all proposed laws or amendments to existing laws. The LPA defines <i>fiscal impact statements</i> almost exactly like this Law defines a <i>fiscal analysis</i> , but the LPA requires fiscal impact statements to be prepared by any potentially affected Tribal department, division or other entity. Under the LPA, the Finance Department may also prepare a fiscal impact statement, but only upon request of the LOC.
<b>Legal analysis</b> <i>11.3-1(f)</i>	Tribe’s Law Office	Discusses the ability to legally take action requested by the petition, based on parliamentary issues, including prior GTC actions, conflicts with federal law and/or the Tribal Constitution and Tribal law).	The definition is new and there are no similar requirements or definitions in other Tribal legislation.

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### *Incomplete Analyses*

For petitions, if any required analyses are not completed in time for the GTC meeting, then any completed analyses and an explanation for any incomplete analyses must still be placed on the agenda for that scheduled meeting, and then the petition and all completed analyses must also be placed on the subsequent GTC agenda. The Law does not identify a process for what

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220 would happen if any of the analyses of an item requested by the Chair are not completed in time  
 221 for the GTC meeting. *See 11.5-5.*

222 *Additional Requirements for the Petition Process*

223 The petition process contains additional, procedural requirements which are not  
 224 addressed for the process of the Chair calling a special GTC meeting:

- 225 • Petitions must be on forms approved by the Tribal Secretary's Office. *11.5-1.*
- 226 • Upon request, the Legislative Reference Office must assist a Tribal member with drafting  
 227 a petition. *11.5-1(a).*
- 228 • Completed petitions must contain the petitioner's name, address, and enrollment number;  
 229 a summary of the reason for the petition and the action requested; any supporting  
 230 documentation; and at least 50 original signatures from Tribal members who are qualified  
 231 voters; including their printed names, addresses and enrollment numbers or birth dates.  
 232 *11.5-2.*
- 233 • Within one business day after a petition is submitted, the Secretary must forward it to  
 234 Enrollments, who must return the verification results to the Secretary within five business  
 235 days after receiving the petition. *11.5-3.*
- 236 • The Secretary must provide various notices and information to a petitioner – including:  
 237
  - 238 ○ the date of the GTC meeting where the petition will be considered
  - 239 ○ the deadline for submitting any additional information to be included in the packet
  - 240 ○ the date that any analyses are due
  - 241 ○ copies of any analyses that are submitted to the Secretary
  - 242 ○ Notice when any required analyses are not completed in time. *See 11.5-5 and 5-6.*

243 **Responsibilities of the Secretary's Office**

244 This Law identifies GTC meeting-related responsibilities of the Secretary's Office. Although  
 245 other responsibilities are listed throughout the Law, section 11.9-4 identifies five different and  
 246 specific responsibilities, which are:

- 247 1. Ensuring each GTC meeting is recorded. The Secretary's Office must also make any  
 248 video and audio recordings available to Tribal members within five business days after a  
 249 GTC meeting.
- 250 2. Placing draft minutes from previous GTC meetings on the agenda for approval.
- 251 3. Creating an action report, transcript and draft minutes of each meeting.
  - 252 • The action report, which must contain a summary of the actions taken by GTC,  
 253 must be available in accordance with the Open Records and Open Meetings law  
 254 within five business days after the meeting.
  - 255 • The transcript and draft minutes must be available within 60 days after a GTC  
 256 meeting. The draft minutes must contain, at a minimum, the meeting start/end  
 257 times, a quorum count, actions taken, and the signature of the person submitting  
 258 the minutes for approval.
- 259 4. Placing all GTC actions that require follow-up before the OBC within 30 days after a  
 260 GTC meeting.
- 261 5. Scheduling and organizing GTC meetings. The Secretary's Office must create and  
 262 approve standard operating procedures to determine specific roles and responsibilities to  
 263 carry out and enforce this Law; including procedures involving those entities that assist  
 264 with the meetings.

265 In August of 2002, a job description was created for the Tribal Secretary position, which  
 266 identifies various responsibilities of the Tribal Secretary. The Secretary duties identified in this  
 267 Law all appear to fall under that job description, either under particular identified duties, or  
 through item #22 on that list, which makes the Secretary responsible for "All other job related

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268 duties as assigned by the” GTC. By adopting this Law, the GTC would be assigning these duties  
 269 to the Tribal Secretary.

### 270 **Cancelling/Rescheduling GTC Meetings**

271 The Law authorizes the OBC to cancel a GTC meeting in three circumstances:

- 272 1. Neither the OBC Chair, nor the Vice Chair, can be present due to circumstances beyond  
 273 their control.
- 274 2. Holding the meeting would endanger attendees, due to circumstances that cannot be  
 275 controlled, (i.e. weather or public health dangers).
- 276 3. There are no agenda items or there are so few items on the agenda that it would be  
 277 fiscally irresponsible to hold the meeting (however, as discussed above, this would not  
 278 apply to meetings called by the Chairperson.) *See 11.7-6.*

279 GTC meetings must be cancelled at least 24 hours before the scheduled starting time, if  
 280 possible. The OBC is required to give as much advance notice of cancellations as possible  
 281 through any practicable media outlet, such as newspapers, internet, mail, radio and television.  
 282 *See 11.7-6.*

283 When a GTC meeting is canceled, the OBC is required to either reschedule the meeting  
 284 as soon as practicable, or to place the items from the cancelled meeting’s agenda on to the next  
 285 available GTC meeting agenda or agendas. *See 11.7-7.*

### 286 **Other**

287 A public hearing was held on December 6, 2012, and the comments received during the  
 288 Public Comment Period have been incorporated into this draft.

289  
 290 Submitted by: Taniquelle J. Turner, Legislative Analyst  
 291 Legislative Reference Office

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## 294 **Chapter 11**

### 295 **General Tribal Council Meetings**

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#### 297 **11.1. Purpose and Policy**

298 11.1-1. *Purpose.* The purpose of this law is to create a schedule of General Tribal Council  
 299 meeting dates, set a general agenda for those meetings, outline the petition process, set standards  
 300 of conduct for those attending meetings and outline the duties of those preparing and assisting  
 301 with the meetings.

302 11.1-2. *Policy.* It is the policy of the Tribe to hold consistent, organized General Tribal Council  
 303 meetings to enable General Tribal Council members to participate and provide input in a  
 304 respectful and meaningful way.

305

#### 306 **11.2. Adoption, Amendment, Repeal**

307 11.2-1. This law was adopted by the General Tribal Council by resolution \_\_\_\_\_.

308 11.2-2. This law may be amended or repealed by the Oneida General Tribal Council pursuant to  
 309 the procedures set out in the Legislative Procedures Act.

310 11.2-3. Should a provision of this law or the application thereof to any person or circumstances  
 311 be held as invalid, such invalidity shall not affect other provisions of this law which are  
 312 considered to have legal force without the invalid portions.

313 11.2-4. In the event of a conflict between a provision of this law and a provision of another law,  
 314 the provisions of this law shall control.

315 11.2-5. This law is adopted under authority of the Constitution of the Oneida Tribe of Indians of  
 316 Wisconsin.

317

**318 11.3. Definitions**

319 11.3-1. This section shall govern the definitions of words and phrases used within this law. All  
320 words not defined herein shall be used in their ordinary and everyday sense.

321 (a) “Administrative analysis” means an analysis prepared by the appropriate division(s),  
322 department(s) or other area(s) of the Tribe which describes the effect a petition would  
323 have on that division, department or area, the Tribe’s administrative processes, and/or  
324 Tribal resources, including employees, equipment and/or finances; discusses how to  
325 implement the petition, benefits and risks of implementing the petition and alternatives to  
326 any action requested in the petition.

327 (b) “Chairperson” means the Chairperson of the Tribe, or in the Chairperson’s absence,  
328 the Vice-Chairperson of the Tribe.

329 (c) “Constitution” means the Constitution and By-laws of the Oneida Tribe of Indians of  
330 Wisconsin, as amended.

331 (d) “Entity” means a Tribal program, division, department, board, committee,  
332 commission or similar business unit.

333 (e) “Fiscal analysis” means an analysis, prepared by the Tribe’s Finance Department, of  
334 the total fiscal year financial effects associated with a petition, and shall include startup  
335 costs, personnel, office, documentation costs, as well as an estimate of the amount of time  
336 necessary for an individual or agency to comply with the petition after implementation.

337 (f) “Legal analysis” means an analysis prepared by the Tribe’s Law Office which  
338 discusses the ability to legally take action requested in a petition, based on  
339 parliamentary issues, including prior GTC actions and conflicts with federal law and/or  
340 the Constitution or Tribal law.

341 (g) “Legislative analysis” means an analysis prepared by the Legislative Reference  
342 Office describing how a petition will affect current Tribal laws or policies or result in  
343 new legislation being developed. A legislative analysis may also include a statement of  
344 the petition’s terms and substance; intent of the petition; a description of the subject(s)  
345 involved, including any conflicts with Oneida or other law, key issues, potential impacts  
346 of the petition and policy considerations.

347 (h) “Petition” means a document signed by not less than fifty (50) Tribal members who  
348 are eligible voters which requests a special General Tribal Council meeting be held, in  
349 accordance with the Constitution, to address a specific item(s).

350 (i) “Statement of effect” means the analysis prepared to explain the effect adopting a  
351 resolution will have on the Tribe.

352 (j) “Tribe” means the Oneida Tribe of Indians of Wisconsin.

353

**354 11.4. Setting General Tribal Council Meeting Dates**

355 11.4-1. *Annual and Semi-Annual Meetings.* Annual and semi-annual General Tribal Council  
356 meetings shall be held in January and July, in accordance with the Constitution.

357 11.4-2. *Budget Meeting.* A special General Tribal Council meeting shall be held as required for  
358 the primary purpose of adopting the Tribal budget for the upcoming fiscal year(s).

359 11.4-3. *Special Meetings.* Special meetings shall be scheduled at least twice a year in order to  
360 address General Tribal Council business, including petitions. Additional special meetings may  
361 be called in accordance with the Constitution.

362

**363 11.5. Petitions**

364 11.5-1. *Petition Requests.* A Tribal member may request to place an item(s) on a General Tribal  
365 Council meeting agenda by submitting a completed petition to the Tribal Secretary’s Office.

366 Petitions shall be on the forms approved by the Tribal Secretary's Office.

367 (a) At a Tribal member's request, the Legislative Reference Office shall assist the Tribal  
368 member with drafting a petition.

369 11.5-2. *Completed Petitions.* A completed petition shall contain the following:

370 (a) Name, address and enrollment number of the petitioner;

371 (b) A summary of the reason for the petition, including the action being requested and  
372 whether additional documents are attached;

373 (c) Any additional documents, if applicable; and

374 (d) At least fifty (50) original signatures from Tribal members who are qualified voters.  
375 In order for a Tribal member's signature to count towards the minimum requirement, an  
376 individual shall:

377 (1) sign and print his or her name;

378 (2) provide his or her address; and

379 (3) provide his or her enrollment number or birth date.

380 11.5-3. *Processing a Petition.*

381 (a) The Tribal Secretary's Office shall forward a completed petition to the Enrollment  
382 Department no later than one (1) business day after receiving the petition.

383 (b) The Enrollment Department shall verify the number of qualified voters that have  
384 signed the petition and return the petition and the verification results to the Tribal  
385 Secretary's Office no later than five (5) business days after receiving the petition.

386 (c) If at least fifty (50) qualified voters have signed the petition, the Tribal Secretary's  
387 Office shall:

388 (1) place the verified petition on the next available Oneida Business Committee  
389 agenda for review and determination of the meeting date when the petition will be  
390 considered by the General Tribal Council; and

391 (2) forward a copy of the verified petition to the appropriate individuals who  
392 directly report to the Oneida Business Committee within one (1) business day of  
393 receiving the verification results from the Enrollment Department.

394 (A) These individuals shall prepare or have prepared any required  
395 statement of effect and legal, fiscal, administrative and legislative  
396 analyses.

397 (B) The Tribal Secretary's Office shall also provide the appropriate  
398 individuals with the deadline date to submit the statement of effect and  
399 analyses to the Tribal Secretary's Office, which shall be at least ten (10)  
400 business days after the Tribal Secretary's Office forwards the petition to  
401 the appropriate individuals.

402 (3) request the petitioner attend an Oneida Business Committee meeting to  
403 discuss the issues raised by the petition

404 11.5-4. *Placing a Petition on a General Tribal Council Meeting Agenda.* The Oneida Business  
405 Committee shall determine the meeting date when a petition will be considered.

406 (a) A petition submitted at least sixty (60) days before an upcoming General Tribal  
407 Council meeting shall be placed on that meeting's agenda.

408 (b) A petition shall be considered by the General Tribal Council no later than six (6)  
409 months after it is submitted to the Tribal Secretary's Office.

410 11.5-5. *Incomplete Analyses.* In the event that the required analyses of the petition are not  
411 completed in time for the General Tribal Council meeting the Tribal Secretary's Office shall:

412 (a) notify the petitioner and place the petition, any completed analyses and the reasons  
413 for the incomplete legal, fiscal, administrative and/or legislative analyses on the General  
414 Tribal Council meeting agenda.



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415 (b) place the petition and the required analyses on the subsequent General Tribal Council  
416 meeting agenda.

417 11.5-6. *Notification to the Petitioner.* The Tribal Secretary's Office shall provide the petitioner  
418 with the following information as soon as it becomes available:

419 (a) the meeting date when the petition will be considered;

420 (b) the date the required analyses are due to the Tribal Secretary's Office;

421 (c) any analyses that are submitted to the Tribal Secretary's Office; and

422 (d) the deadline date for the petitioner to provide any additional information to be  
423 included in the General Tribal Council meeting packet.

424

## 425 **11.6. Special General Tribal Council Meetings Called by the Chairperson**

426 11.6-1. If the Chairperson of the Tribe calls a special General Tribal Council meeting in  
427 accordance with the Constitution, to address an item(s) the Tribal Secretary's Office shall:

428 (a) place the item(s) on the next available Oneida Business Committee agenda for review  
429 and determination of the meeting date when the item(s) will be considered by the General  
430 Tribal Council; and

431 (b) forward a copy of the item(s) to the appropriate individuals who directly report to the  
432 Oneida Business Committee.

433 (1) These individuals shall prepare or have prepared any required statement of  
434 effect and legal, fiscal, administrative and legislative analyses.

435 (2) The Tribal Secretary's Office shall also provide the appropriate individuals  
436 with the deadline date to submit the statement of effect and analyses to the Tribal  
437 Secretary's Office, which shall be at least ten (10) business days after the Tribal  
438 Secretary's Office forwards the item(s) to the appropriate individuals.

439 11.6-2. *Setting a General Tribal Council Meeting Date.* After the Chairperson calls a special  
440 General Tribal Council meeting, the Oneida Business Committee shall approve the meeting date  
441 when the item(s) will be addressed.

442

## 443 **11.7. Holding a General Tribal Council Meeting**

444 11.7-1. *Notice.* Notice of a General Tribal Council meeting shall be provided in accordance  
445 with the Oneida General Tribal Council Ten Day Notice Policy.

446 11.7-2. *Quorum.* The quorum for a General Tribal Council meeting shall be established by the  
447 Constitution.

448 11.7-3. *Eligibility to Attend a General Tribal Council Meeting.*

449 (a) The following individuals are eligible to attend a General Tribal Council meeting:

450 (1) Tribal members eligible to vote per the Constitution.

451 (2) Other individuals who have a business-related need to attend the meeting and  
452 are approved to attend the meeting by majority vote of the General Tribal  
453 Council. When an individual received General Tribal Council approval to attend  
454 the meeting, the General Tribal Council shall approve the individual to attend  
455 either all or a certain part(s) of the meeting.

456 (b) Any individual who is not approved to attend the meeting in accordance with this  
457 section shall be escorted from the meeting by the Sergeant of Arms, or designee.

458 11.7-4. *Verifying Eligibility to Attend a General Tribal Council Meeting.* The Enrollment  
459 Department shall verify the identity of all individuals attending a General Tribal Council  
460 meeting, even those individuals who are ineligible to vote.

461 (a) An Oneida Tribal Identification Card or state issued identification card may be  
462 required to verify the identity of an individual attending a General Tribal Council  
463 meeting.



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464 11.7-5. *Registration.* All individuals who attend a General Tribal Council meeting shall be  
465 required to register with the Enrollment Department.

466 11.7-6. *Canceling a Meeting.* When a General Tribal Council meeting is canceled, it shall be  
467 canceled at least twenty-four (24) hours in advance of the meeting start time unless, for good  
468 cause, such notice is impossible or impractical, in which case shorter notice may be given.  
469 Notice shall be provided through any practicable media outlet, including, but not limited to:  
470 newspapers, internet, mail, radio and television. The Oneida Business Committee may cancel a  
471 meeting if one (1) of the following occurs:

472 (a) Neither the Chairperson nor the Vice-Chairperson of the Oneida Business Committee  
473 can be present due to circumstances beyond their control.

474 (b) Holding the meeting would endanger those individuals who attend the meeting, due  
475 to circumstances that cannot be controlled, such as the weather or public health dangers.

476 (c) There are no agenda items to discuss or there are so few items on the agenda that it  
477 would be fiscally irresponsible to hold the meeting. However, this shall not apply to a  
478 meeting called by the Chairperson in accordance with 11.6.

479 11.7-7. *Rescheduling a Meeting.* When a General Tribal Council meeting is canceled, the  
480 Oneida Business Committee shall:

481 (a) re-schedule the meeting as soon as practicable; or

482 (b) place the agenda items from the meeting on the next available General Tribal Council  
483 meeting agenda(s).

484

### 485 **11.8. General Tribal Council Meeting Agenda**

486 11.8-1. The Tribal Secretary's Office shall develop a process to address General Tribal Council  
487 meeting agenda development. The order of the agenda for each General Tribal Council meeting  
488 shall be as follows, provided when there is no business in a listed category, it shall be noted on  
489 the agenda:

490 (a) Opening Prayer and/or Color Guard

491 (b) Call to Order

492 (c) Approval of Agenda

493 (d) Approval of Minutes

494 (e) Unfinished Business

495 (f) New Business

496 (g) Reports

497 (h) Other

498 (i) Adjourn

499 11.8-2. *Announcements.* The Chairperson may allow time, prior to the opening prayer and/or  
500 color guard, for announcements to be made which do not directly relate to the agenda, provided  
501 the announcements last no more than fifteen (15) minutes and do not delay the start of the  
502 meeting.

503 11.8-3. *Call to Order.* The Chairperson shall call General Tribal Council meetings to order at  
504 the noticed meeting time or upon confirmation of a quorum, whichever occurs later. If a quorum  
505 has not been established within fifteen (15) minutes after the noticed meeting time, the meeting  
506 shall not be held.

507 11.8-4. *Approval of Agenda.* Amendments to the agenda may be made prior to the agenda being  
508 adopted.

509 11.8-5. *Unfinished Business and New Business.* Each item under Unfinished Business and New  
510 Business shall be presented in the following order:

511 (a) Summary of item being presented.

512 (1) Should be no longer than five (5) minutes in length.

For GTC consideration

11/06/13

513 (2) Shall include the purpose of the request and the action requested of the  
514 General Tribal Council.

515 (b) A presentation of the item, including, at a minimum, the legal, fiscal, administrative  
516 and legislative impacts of the item.

517 (c) Question and answer period.

518 (d) Action. General Tribal Council action taken in accordance with the Constitution and  
519 Tribal law shall be binding on the Oneida Business Committee or other appropriate  
520 entity.

521 11.8-6. *Reports.* Each entity and Tribally chartered corporation shall file an Annual and Semi  
522 Annual Report with the Tribal Secretary's Office to be made available to Tribal members, either  
523 electronically or through inclusion in the meeting materials provided to Tribal members. Reports  
524 shall conform to the format and contain information as required by the Oneida Business  
525 Committee.

526 11.8-7. *Adjourn.* Items not completed by the adjournment of a meeting shall be forwarded to the  
527 Oneida Business Committee for action.

528

### 529 **11.9. Additional Responsibilities**

530 11.9-1. *Sergeant of Arms.* The Oneida Business Committee shall designate an individual to  
531 serve as the Sergeant of Arms at General Tribal Council meetings. The Sergeant of Arms shall  
532 oversee the Security Department during General Tribal Council meetings.

533 11.9-2. *General Tribal Council Meeting Attendees.*

534 (a) Keeping in line with the Oneida principle of Kalihwi=y%,<sup>3</sup> General Tribal Council  
535 meeting attendees are expected to treat each other with respect and kindness. In  
536 addition, General Tribal Council meeting attendees shall not:

537 (1) Use profanity, interrupt others, heckle or threaten people, disrespect property  
538 or exhibit behavior that disrupts the meeting or endangers the safety of other  
539 attendees.

540 (2) Be under the influence of alcohol or illegal drugs.

541 (3) Have a weapon on their person in violation of any applicable law.

542 (4) Take action that violates Tribal law.

543 (b) Any individual who violates 11.9-2(a) may be prohibited from attending a General  
544 Tribal Council meeting or may be removed from a General Tribal Council meeting by the  
545 Sergeant of Arms, or designee, upon discovery of a violation or at the direction of the  
546 Chairperson of the meeting. An individual removed from a General Tribal Council  
547 meeting shall not be allowed to return for the duration of the meeting.

548 11.9-3. *Tribal Secretary's Office.* The Tribal Secretary's Office shall be responsible for:

549 (a) Scheduling and organizing General Tribal Council meetings. The Tribal Secretary's  
550 Office shall create and approve standard operating procedures to determine specific roles  
551 and responsibilities to carry out and enforce this law, including procedures involving  
552 those entities which assist with the General Tribal Council meetings.

553 (b) Ensuring each General Tribal Council meeting is recorded and making any video and  
554 audio recordings available to Tribal members within five (5) business days after a  
555 General Tribal Council meeting.

556 (c) Creating an action report, transcript and draft minutes of the General Tribal Council  
557 meeting.

558 (1) The action report shall be available in accordance with the Open Records and  
559 Open Meetings law within five (5) business days after a General Tribal Council

---

<sup>3</sup> The use of the good words about ourselves, our Nation, and our future.

For GTC consideration

11/06/13

560 meeting and shall contain a summary of action taken by the General Tribal  
561 Council.

562 (2) The transcript and draft minutes shall be available in accordance with the  
563 Open Records and Open Meetings law within sixty (60) days after a General  
564 Tribal Council meeting. The draft minutes shall contain, at a minimum:

565 (A) The start and end time of the meeting;

566 (B) A quorum count from the meeting;

567 (C) Action taken by the General Tribal Council; and

568 (D) Signature of the person submitting the minutes for approval.

569 (d) Placing draft minutes from previous General Tribal Council meetings on the agenda  
570 for approval.

571 (e) Placing General Tribal Council actions which require follow-up before the Oneida  
572 Business Committee within thirty (30) days after the General Tribal Council meeting.

573

574 *End.*

---

575

# Oneida Business Committee Meeting Agenda Request Form

1. Meeting Date Requested: 03 / 22 / 15

2. Nature of request

Session:  Open  Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

[Empty box for session selection]

Agenda Header (choose one): General Tribal Council

Agenda item title (see instructions):

Petitioner Madelyn Genksow: Request Special GTC meeting to address 3 resolutions

Action requested (choose one)

- Information only
- Action - please describe:

To acknowledge receipt of the petition and direct the appropriate analyses be completed.

3. Justification

Why BC action is required (see instructions):

The attached petition with 3 resolutions was submitted to the Tribal Secretary's Office on March 30, 2015. The Enrollment Department verified all enrollment numbers on the petition. There are 60 signatures. The OBC needs to verify receipt of the verified petition and direct the appropriate analyses be completed.

4. Supporting Materials

[Instructions](#)

- Memo of explanation with required information (see instructions)
- Report  Resolution  Contract (check the box below if signature required)
- Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1. redacted, verified petition 3. [Empty box]  
2. [Empty box] 4. [Empty box]

Business Committee signature required

5. Submission Authorization

Authorized sponsor (choose one): Lisa Summers, Tribal Secretary

Requestor (if different from above): \_\_\_\_\_  
Name, Title / Dept. or Tribal Member

Additional signature (as needed): \_\_\_\_\_  
Name, Title / Dept.

Additional signature (as needed): \_\_\_\_\_  
Name, Title / Dept.

- 1) Save a copy of this form in a pdf format.
- 2) Email this form and all supporting materials to: [BC\\_Agenda\\_Requests@oneidanation.org](mailto:BC_Agenda_Requests@oneidanation.org)

# Memo

To: Oneida Business Committee

From: Lisa Summers, Tribal Secretary *L.S.*

Date: February 13, 2015

Re: Petition to request Special GTC meeting to review and consider 3 resolutions

---

This memorandum serves as a request for the Oneida Business Committee (OBC) to formally acknowledge receipt of a verified petition, and to send this petition to the Law, Finance, Legislative Reference and Direct Report Office for analyses.

## **Background**

On March 30, 2015, the Tribal Secretary's office received a petition which states the following:

*We the undersigned General Tribal Council members request a special GTC meeting to review and consider the attached resolutions. In the event that public hearings are required we direct the Business Committee to hold the required public hearings and bring these resolutions to the GTC intact.*

The petition was submitted to the Enrollment Department for verification Article III, Section 4 of Oneida's Constitution requirement for requesting a Special General Tribal Council (GTC) meeting were met. The Enrollment Department completed and submitted the required verification.

The next step is for the OBC to acknowledge receipt of the verified petition and then send the petition to the Law, Finance, Legislative Reference and Direct Report Offices for all appropriate analyses to be completed.

Once the analyses are complete, they will be submitted to the OBC agenda for acceptance. The final step will be for the OBC to determine an available GTC meeting date where the identified petition issues can be addressed.

## **Requested OBC Action**

1. Accept the verified petition submitted by Madelyn Genskow.
2. Send the verified petition to the Law, Finance, Legislative Reference and Direct Report Offices for the legal, financial, legislative and administrative analyses to be completed.
3. Direct the Law, Finance and Legislative Reference Offices to submit the analyses to the Tribal Secretary's office within 60 days, and that a progress report is submitted in 45 days.
4. Direct the Direct Report Offices to submit the appropriate administrative analyses to the Tribal Secretary's office within 30 days.

c: JoAnne House, Chief Counsel  
Larry Barton, Chief Financial Officer  
GTC Petitions File



Oneida Tribe of Indians of Wisconsin  
**ENROLLMENT DEPARTMENT**  
 Lat'ʔshanalo'loks  
 (They Gather the Names)

P.O. BOX 365, ONEIDA, WI 54155-0365

PHONE: (920) 869-6200 \* 1-800-571-9902 FAX: (920) 869-2995  
[www.oneidanation.org/enrollment](http://www.oneidanation.org/enrollment)



TO: Oneida Tribal Secretary

FROM: Brooke Doxtator

DATE: 3/31/2015

SUBJECT: GTC Petition Verification Results

On 3/31/2015 the Oneida Enrollment Department received a petition authored by Madelyn Genskow regarding 3 Resolutions: BC Accountability, Repeal the Judiciary Law and Open Records Law.

Results:

61	Number of Printed Names on petition
60	Number of Printed Names verified as Enrolled Tribal Members
0	Number of Tribal Members that did not meet the age criteria of 21 years
1	Number of Printed Names that could not be verified
0	Number of Tribal Members invalidated due to Incompetency (See Attached Legal Opinion dated 9/4/2014)

Verified by:

Brooke Doxtator, Project Specialist      3/31/2015  
 Signature and Title      Date

If there are any questions please contact the Enrollment Department.



**PETITION FORM**

NAME OF PETITIONER: MADELYN GENSKOW

*B.C. Coordinate  
with madelyn on  
We request that the [unclear] of the meeting*

PURPOSE: We the under signed General Tribal Council members request a special GTC meeting to review and consider the attached resolutions. In the event that Public hearings are required we direct the Business Committee to hold the required Public Hearings and bring these resolutions to

DATE SUBMITTED TO ONEIDA TRIBAL SECRETARY:

**RECEIVED**

RECEIVED BY THE OFFICE  
OF TRIBAL SECRETARY  
ONEIDA BUSINESS COMMITTEE

MAR 31 2015

MAR 30 2015

WE REQUEST A SAT. MEETING.

Please Print Clearly - Use Full Given Name  
Oneida Enrollment Dept.

Printed Name	Address	D.O.B.	Enrollment #	Signature
			151426 ✓	ONEIDA TRIBE OF INDIANS OF WISCONSIN
			5707 ✓	
			0997 ✓	
			1269 ✓	
			1276 ✓	
			14126 ✓	
			11315 X	
			11311 ✓	
			19578 <del>14950</del> ✓	
			8063 ✓	
			14975 ✓	

Timberfield

Printed Name	Address	D.O.B.	Enrollment #	Signature
			13218 ✓	A A
			10974 ✓	
			4037 ✓	
			12752 ✓	
			12455 ✓	
			12427 ✓	
			17680 ✓	
			58062 ✓	
			33622 ✓	
			8517 ✓	
			19304 ✓	
			15161 ✓	
			11179 ✓	

Enrollment Numbers verified by: Brook Waples

Date: 3/31/2015 RECEIVED

(13) verified

MAR 31 2015

Oneida Enrollment Dept.

NAME OF PETITIONER: Madeline Genkow

ADDRESS:

PHONE #:

RECEIVED BY THE OFFICE  
OF TRIBAL SECRETARY  
ONEIDA BUSINESS COMMITTEE

MAR 30 2015

ONEIDA TRIBE OF  
INDIANS OF WISCONSIN

INITIALS K

**RECEIVED**

MAR 31 2015

Oneida Enrollment Dept.

**PETITION FORM**

NAME OF PETITIONER: MADELYN GENSKOW

PURPOSE: We the under signed General Tribal Council members request a special GTC meeting to review and consider the attached resolutions. In the event that Public hearings are required we

direct the Business Committee to hold the required Public Hearings and bring these resolutions to the GTC.

DATE SUBMITTED TO ONEIDA TRIBAL SECRETARY: \_\_\_\_\_

WE REQUEST A SAT. MEETING.

RECEIVED BY THE OFFICE OF TRIBAL SECRETARY ONEIDA BUSINESS COMMITTEE

MAR 30 2015

*Please Print Clearly - Use Full Given Name*

Printed Name	Address	D.O.B.	Enrollment #	Signature INITIALS
			949 ✓	
			3709 ✓	
			9118 ✓	
			9925 ✓	
			1051 ✓	
			4630 ✓/a	
			5024 ✓	
			5019 ✓	
			10712 ✓	
			11711 ✓	
			8080 ✓	
			4043 ✓	

ONEIDA TRIBE OF INDIANS OF WISCONSIN

(1 of 1) Verified

Printed Name	Address	D.O.B.	Enrollment #	Signature
			10065 ✓	
			4227 ✓	
			9099 ✓ 9094 ✓	
			5494 ✓	
			5516 ✓	
			10435 ✓	
			10433 ✓	
			0517 ✓	
			10702 ✓	
			9170 ✓	
			9168 ✓	
			9167 ✓	
			8471 ✓	

Enrollment Numbers verified by: Brook Nattis

Date: 3/31/2015

(13) Verified

RECEIVED BY THE OFFICE  
OF TRIBAL SECRETARY  
ONEIDA BUSINESS COMMITTEE

MAR 30 2015

ONEIDA TRIBE OF  
INDIANS OF WISCONSIN

INITIALS K

NAME OF PETITIONER: Madelyn Genskow

ADDR: \_\_\_\_\_

PHON: \_\_\_\_\_

RECEIVED

MAR 31 2015

Oneida Enrollment Dept.

RECEIVED

MAR 31 2015

PETITION FORM

Oneida Enrollment Dept.

NAME OF PETITIONER: MADELYN GENSKOW

PURPOSE: We the under signed General Tribal Council members request a special GTC meeting to review and consider the attached resolutions. In the event that Public hearings are required we direct the Business Committee to hold the required Public Hearings and bring these resolutions to the GTC.

DATE SUBMITTED TO ONEIDA TRIBAL SECRETARY:

RECEIVED BY THE OFFICE OF TRIBAL SECRETARY ONEIDA BUSINESS COMMITTEE

WE REQUEST A SAT. MEETING.

MAR 30 2015

Please Print Clearly - Use Full Given Name

Printed Name	Address	D.O.B.	Enrollment #	Signature
			11635 ✓	
			11728 ✓	
			11730 ✓	
			10985 ✓	
			5036 ✓	
			5051 ✓	
			10179 ✓	
			10914 ✓	
			5076 ✓	
			<del>624</del>	
			9511 ✓	
			6106 ✓	

ONEIDA TRIBE OF INDIANS OF WISCONSIN

(12) Verified

Printed Name	Address	D.O.B.	Enrollment #	Signature
13.				
14.				
15.				
16.				
17.				
18.				
19.				
20.				
21.				
22.				
23.				
24.				
25.				

Enrollment Numbers verified by: *Bruce DeWitt* Date: 3/31/2015

RECEIVED BY THE OFFICE  
OF TRIBAL SECRETARY  
ONEIDA BUSINESS COMMITTEE

MAR 30 2015

ONEIDA TRIBE OF  
INDIANS OF WISCONSIN

INITIALS *[Signature]*

⓪ Verified

NAME OF PETITIONER: *Madelyn Genslow*

ADDRESS:

PHONE #:

RECEIVED

MAR 31 2015

Oneida Enrollment Dept.



**ONEIDA BUSINESS COMMITTEE Accountability Resolution**

**WHEREAS**, it appears that the members of the **Business Committee** cannot make public statements regarding certain problems in the **Tribe** without a majority vote of the **Business Committee** and

**WHEREAS**, this has caused **Oneida General Tribal directives** to not be carried out because the **General Tribal Council** is not informed and

**WHEREAS**, it is documented that the **Resolution 11-15-08 C** requiring full disclosure was never carried out

**NOW THEREFORE BE IT RESOLVED** . The first item on every **Agenda** of the **Annual** and **Semi-Annual** meetings shall be that each individual member of the **Business Committee** must verbally report to the **GTC** if they, as an individual member of the **Business Committee**, know if there are any **GTC Directives** that are not being carried out.

**BE IT FINALLY RESOLVED** this item may not be deleted from the agenda.

RECEIVED BY THE OFFICE  
OF TRIBAL SECRETARY  
ONEIDA BUSINESS COMMITTEE

MAR 30 2015

ONEIDA TRIBE OF  
INDIANS OF WISCONSIN

INITIALS

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MAR 31 2015

Oneida Enrollment Dept.

RECEIVED

MAR 31 2015

Oneida Enrollment Dept.

**Resolution to Repeal the Judiciary Law, GTC Resolution 01-07-13-B, and GTC Resolution 07-01-13-A titled Adoption of Corrective Amendments to the Oneida Code of Laws and Oneida Tribal Policies regarding references to the Oneida Appeals Commission and/or Oneida Tribal Judicial System, and Business Committee Resolution 06-25-14-B.**

**Whereas, the Oneida General Tribal Council always has been and always shall be the Supreme power of the Oneida Indian Tribe of Wisconsin.**

**Whereas, in 2008 there was a StrateGlobe contract signed by officers of the Oneida Business Committee of \$575,500.00 without the knowledge of all the Business Committee and**

**Whereas, the fact that the StrateGlobe contract for \$575,500.00 is documented in Business Committee minutes dated May 14, 2008 page 12, and there is more discussion regarding StrateGlobe contract on May 28, 2008 minutes pages 8 and 9, and Business Committee minutes of June 11, 2008 page 6 document that Councilman Ed Delgado request the Oneida Business Committee have access to the StrateGlobe contract for information, and that a motion was made by a Business Committee member which was approved for the Business Committee to view the contract and**

**Whereas, this documents that the Oneida Tribal Attorneys allowed a situation where even the Oneida Business Committee did not have access to see the contract without a motion being made and**

**Whereas, Business Committee minutes dated June 11, 2008 page 9 document that after the Business Committee came out of Executive Session, the StrateGlobe contract was terminated and**

**Whereas, on November 15, 2008 the General Tribal Council approved a resolution submitted by Madelyn Genskow, Resolution 11-15-08-C, which read in part "no agent of the Tribe shall enter into any agreement with any corporation that prohibits full disclosure of all transactions (receipts and expenditures, and the nature of such funds) and that such an agreement is not binding to the Tribe and**

**Whereas, on January 7, 2013 the General Tribal Council adopted the Judiciary Act by Resolution 01-07-13-B and**

*page 1 of 5*

<p>RECEIVED BY THE OFFICE OF TRIBAL SECRETARY ONEIDA BUSINESS COMMITTEE</p> <p>MAR 30 2015</p> <p>ONEIDA TRIBE OF INDIANS OF WISCONSIN</p> <p>INITIALS <i>K</i></p>
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RECEIVED

MAR 31 2015

Oneida Enrollment Dept.

Whereas, on July 1, 2013 the Business Committee presented Resolution 07-01-13-A titled Adoption of Corrective Amendments to the Oneida Code of Laws and Oneida Tribal Policies Regarding References to the Oneida Appeals Commission and/or Oneida Judicial System, to the General Tribal Council, and the General Tribal Council adopted it and

Whereas, the Oneida Business Committee used GTC Resolution 07-01-13-A as authority to pass Business Committee Resolution 06-25-14-B and

Whereas, in Resolution 06-25-14-B, which included the following words: now therefore let it be resolved that the attached amendments to the Garnishment Law, Oneida Nation Gaming Ordinance, Open Records and Open Meeting Law, Oneida Worker's Compensation Law, and Zoning and Shoreland Protection Law were adopted by the B.C. effective November 1, 2014 and

Whereas, the Open Records and Open Meetings Law under 7.4 titled "Limitations Upon Access and Exceptions" the following is stated: The following shall be exempt from inspection and copying, Item (b) states: Contracts or other agreements which specifically prohibit disclosure of the content of the contract or agreement to third parties and

Whereas, this law under 7.18 titled Enforcement states "The Judiciary shall have the power, in its discretion and upon good cause shown, to issue an appropriate order, injunction or prohibition to declare any action taken in violation of this law void in whole or in part" and

Whereas, the Business Committee has misled the Oneida General Tribal Council and now the contracts and how the Oneida tribal money is spent is once again kept secret from the Oneida people.

Now therefore be it resolved, the General Tribal Council will regain its authority as the supreme power of the Oneida Tribe.

Be it further resolved, the GTC Resolution 01-07-13B that approved the Judiciary, etc. is repealed effective immediately.

page 2 of 5

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OF THE JUDICIARY  
ONEIDA BUSINESS COMMITTEE  
MAR 30 2015  
ONEIDA TRIBE OF  
INDIANS OF WISCONSIN  
INITIALS *K*

**Be it further resolved, that GTC Resolution 07-01-13A which the Business Committee used abusively is repealed effective immediately.**

**Be it further resolved, that GTC Resolution 11-15-08C is restored, which will provide full disclosure to the Oneida people regarding how their money is spent.**

**Be it finally resolved, this resolution will provide full disclosure to all contracts, not just corporate.**

**RECEIVED**

**MAR 31 2015**

**Oneida Enrollment Dept.**

RECEIVED BY THE OFFICE  
OF TRIBAL SECRETARY  
ONEIDA BUSINESS COMMITTEE

MAR 30 2015

ONEIDA TRIBE OF  
INDIANS OF WISCONSIN

INITIALS *K*

*page 3 of 5*

# Oneida Tribe of Indians of Wisconsin

BUSINESS COMMITTEE



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

RECEIVED BY THE OFFICE OF TRIBAL SECRETARY ONEIDA BUSINESS COMMITTEE

MAR 30 2015



RECEIVED

MAR 31 2015

Oneida Enrollment Dept.



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 TRIBE OF INDIANS OF WISCONSIN P.O. Box 365 • Oneida, WI 54155

Telephone: 920-869-4364 • Fax: 920-869-4040

INITIALS *K*

## ( General Tribal Council Resolution 11-15-08-C )

Treasurer's Report to include all Receipts and Expenditures and the Amount and Nature of all Funds in the Treasurer's Possession and Custody

- Whereas, the Oneida General Tribal Council is the duly recognized governing body of the Oneida Tribe of Indians of Wisconsin, and
- Whereas, the Oneida General Tribal Council has been delegated the authority of Article IV, Section I of the Oneida Tribal Constitution, and
- Whereas, the Oneida Business Committee may be delegated duties and responsibilities by the Oneida General Tribal Council and is at all times subject to the review powers of the Oneida General Tribal Council, and
- Whereas, Article I, Section 4 of the bylaws of the Tribe establishes that the Treasurer of the Oneida General Tribal Council shall accept, receive, receipt for, preserve and safeguard all funds in the custody of the Oneida General Tribal Council, whether such funds be Tribal funds or special funds for which the Oneida General Tribal Council is acting as trustee or custodian, and
- Whereas, aforementioned article and section of the bylaws of the Tribe further establishes that the Treasurer of the Oneida General Tribal Council shall deposit all funds in such depository as the Oneida General Tribal Council shall direct and shall make and preserve a faithful record of such funds and shall report on all receipts and expenditures and the amount and nature of all funds in his or her possession and custody at each regular meeting of the Oneida General Tribal Council and at such other times as requested by the Oneida General Tribal Council or the Oneida Business Committee, and
- Whereas, while in session, the Oneida General Tribal Council in the past has been denied information regarding all receipts and expenditures of the Tribe including receipts and expenditures of all and including, but not limited to, component units (tribally chartered corporations and autonomous entities, limited liability companies, state chartered corporations, any tribal economic development authority, boards, committees and commissions, vendors and consultants) in the semi-annual and

( PAGE TO SEE THE FULL DISCLOSURE RESOLVE. ) page 2

①

page 4 of 5

RECEIVED

MAR 31 2015

Oneida Enrollment Dept.

Page Two Resolution 11-15-08-C

annual reports provided to the Oneida General Tribal Council at regularly scheduled Oneida General Tribal Council meetings, and

Now Therefore Be It Resolved, that the Oneida General Tribal Council hereby directs that all Treasurer reports hereinafter include an independently audited annual statement that provides the status or conclusion of all the receipts and debits in possession of the Treasurer of the Tribe including, but not limited to, all corporations owned in full or in part by the Tribe, and

Be It Further Resolved, that the Oneida General Tribal Council hereby directs that all Treasurer's reports to the Oneida General Tribal Council at the semi- annual and annual Oneida General Tribal Council meetings hereinafter include an independently audited annual financial statement that provides the status or conclusion of all receipts and debits in possession of the Treasurer of the Tribe and including, but not limited to component units (Tribally chartered corporations and autonomous entities, limited liability companies, state chartered corporations, any tribal economic development authority, boards, committees and commissions, vendors and consultants) owned in full or in part by the Tribe; and

~~Be It Further Resolved, that no "agent" of the Tribe shall enter into any agreement with any corporation that prohibits full disclosure of all transactions (receipts and expenditures and the nature of such funds) and that such an agreement is not binding to the Tribe, and~~

Be It Finally Resolved, that the Oneida General Tribal Council hereby directs implementation of this resolution at the next regular Oneida General Tribal Council meeting or at such special meeting of the Oneida General Tribal Council whereby a Treasurer's report is requested.

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida General Tribal Council in session with a quorum of 1,254 members present at a meeting duly called, noticed and held on the 15<sup>th</sup> day of November 2008, that the foregoing resolution was duly adopted at such meeting by a unanimous vote of those present and that said resolution has not been rescinded or amended in any way.

Patricia Hoeff  
Patricia Hoeff, Tribal Secretary  
ONEIDA BUSINESS COMMITTEE

RECEIVED BY THE OFFICE  
OF TRIBAL SECRETARY  
ONEIDA BUSINESS COMMITTEE  
MAR 30 2015  
ONEIDA TRIBE OF  
INDIANS OF WISCONSIN  
INITIALS h



RECEIVED BY THE OFFICE  
OF TRIBAL SECRETARY  
ONEIDA BUSINESS COMMITTEE

MAR 30 2015

ONEIDA TRIBE OF  
INDIANS OF WISCONSIN

INITIALS

# Resolution Regarding the Open Records Law

RECEIVED

MAR 31 2015

Oneida Enrollment Dept.

Where as, on March 25<sup>th</sup>, 2015 Oneida tribal member Yvonne Metivier, requested from the Oneida Records Dept. Research for minutes and audio for General Tribal Council meetings where by a motion was made to create the position of Ombudsman, and

Where as, Yvonne Metivier also on March 25<sup>th</sup>, 2015 requested, was there and General Tribal Council action to create the position of Internal Services Position? And

Where as, the request was denied by the Director of the Oneida Tribal records Department who cited the Open Records and Open Meeting Law 7.7.7. and

Where as, in the past requests have been made for research of minutes and audio of GTC meetings by tribal member Madelyn Genskow regarding GTC minutes and audio and Business Committee minutes, and requests were honored prior to March 25<sup>th</sup> 2015 and

Where as, the members of the General Tribal Council need access to tribal records in order to hold the Business Committee and Management accountable to the General Tribal Council.

Where as, when Madelyn Genskow requested information regarding the General Manager boxes and their content and who was in possession of those record boxes, she was told that the Internal Services Director could have access to those boxes but tribal members could not and

Where as the types of issues the Position of Ombudsman deals with has been radically changed since it was started by the GTC to address concerns at the Health Center and

Now therefore, be it resolved, the GTC orders that the GTC must approve the Open Records and Open Meetings Law in its entirety.

# Oneida Business Committee Meeting Agenda Request Form

1. Meeting Date Requested: 04 / 22 / 15

## 2. Nature of request

Session:  Open  Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

Agenda Header (choose one):

Agenda item title (see instructions):

Action requested (choose one)

Information only

Action - please describe:

## 3. Justification

Why BC action is required (see instructions):

## 4. Supporting Materials

[Instructions](#)

Memo of explanation with required information (see instructions)

Report  Resolution  Contract (check the box below if signature required)

Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1.

3.

2.

4.

Business Committee signature required

## 5. Submission Authorization

Authorized sponsor (choose one):

Requestor (if different from above):

Additional signature (as needed):

Additional signature (as needed):

- 1) Save a copy of this form in a pdf format.
- 2) Email this form and all supporting materials to: BC\_Agenda\_Requests@oneidanation.org

# Memo

To: Oneida Business Committee

From: Lisa Summers, Tribal Secretary



Date: April 15, 2015

Re: Petitioner Madelyn Genskow: Request Saturday meeting to address 4 resolutions

## **Background**

The above referenced petition was submitted to the Tribal Secretary's Office on November 17, 2014, and verified by the Enrollment Department. The petition was submitted to the Oneida Business Committee (OBC) Agenda for the December 10, 2014, meeting.

## **Status**

<i>Analysis</i>	<i>Status</i>	<i>Date Accepted by the OBC</i>
Legislative	Complete	February 11, 2015
Legal	Due April 12, 2015	Resolution 1 & 2 – March 25, 2015 Resolution 3 & 4 – not yet accepted
Financial	Due April 12, 2015	

The Legal analyses on Resolutions 1 and 2 were submitted and accepted at the regular Business Committee meeting on March 25, 2015. The Legal analyses for Resolution 3 and 4 have been submitted and requires acceptance by OBC.

An update from the Finance Office indicates an additional 30 days to submit the required Financial analyses is needed. It is important to note that there are multiple resolutions included in this single petition. Each resolution requires its own research as demonstrated in the legislative and legal analyses.

## **Requested OBC Action**

1. Accept the legal analyses for resolution 3, regarding Boards, Committees and Commissions and resolution 4, regarding Elder Home Repair.
2. Provide an additional 30 days for the Finance Offices to submit the appropriate analyses.

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### MEMORANDUM

**TO:** Oneida Business Committee

**FROM:** Jo Anne House, Chief Counsel 

**DATE:** April 15, 2015

**SUBJECT:** Genskow – Petition – Boards, Committees, Commissions Carry out GTC Actions

You have requested a legal review regarding a petition submitted by Madelyn Genskow. The petition contains four resolutions. The legal opinion will review only the resolution identified above. The Enrollment Department has verified a sufficient number of signatures on the petition.

The resolution contains a single Whereas section.

- "the Oneida General Tribal Council is the Supreme Power of the Oneida Tribe"

Whereas sections are intended to provide legislative history and background regarding why the resolution is brought forward. Whereas sections are not enforceable.

The resolution contains a single Resolve section.

- "all boards, committee and commissions of the Oneida Tribe must carry out directives given by the Oneida General Tribal Council unless it conflicts with Federal or State laws."

To draft this opinion, I have reviewed prior actions of the General Tribal Council, the Comprehensive Policy Governing Boards, Committees, and Commissions, Tribal policies and procedures, and various other resources.

This opinion does not include corporate boards of directors as these are not an entities of the Tribe. A corporate board is governed by the corporate charter and is not subject to the Comprehensive Policy Governing Boards, Committees or Commissions. In addition, this opinion does not include standing committees of the Oneida Business Committee such as the Legislative Operating Committee, Community Development and Planning Committee and the Quality of Life Committee. These entities may have by-laws or charters and are also not subject to the Comprehensive Policy since they are made up of members of the Oneida Business Committee. Finally, task forces, work groups and ad hoc entities are not included in this opinion. This would include groups created solely for the purpose of a grant (such as the Parent Policy Committee) or for the purpose of gathering a cross-functional team (such as the Facilities Management Team).

### Background

#### *General Information*

Boards, committees and commissions of the Tribe are created by the adoption of by-laws and governed by the Comprehensive Policy Governing Boards, Committees and Commission

(*Comprehensive Policy*). In some circumstances the entity is also governed by a specific law – such as the Gaming Commission and the Gaming Ordinance. In addition to the Comprehensive Policy, entities are also responsible for complying with generally applicable Tribal law – such as the Code of Ethics.

The Comprehensive Policy is intended to create a standard foundation for all activities of entities. This policy covers by-law requirements, appointment processes, oath of office, dissolution of entities, compensation, confidential information and conflicts of interest. Whether appointed or elected, every member of every entity must take an oath of office to have the authority of their membership on the entity conferred. The oath, taken at an Oneida Business Committee meeting, is as follows.

I, [name], do hereby promise to uphold the laws and regulations of the Oneida Tribe of Indians of Wisconsin, the General Tribal Council, and the Tribal Constitution. I will perform my duties to the best of my ability and on behalf of the Oneida people with honor, respect, dignity, and sincerity and with the strictest confidentiality.

I will carry out the duties and responsibilities as a member of the [entity], and all recommendations shall be in the best interest of the Oneida Tribe as a whole.

Section 6-3 of the Comprehensive Policy allows the oath of office to be modified to meet the specific demand of an entity. However, that modification must meet the requirement that it is “sufficient to make the appointee aware of their duty to the Oneida Tribe and as members of the entity.”

### ***Boards, Committees and Commissions of the Tribe***

The following tables list the boards, committees and commissions of the Tribe. The tables also identify the number of members on each board and whether they are appointed or elected. The tables also identify where a law is in place that creates the entity. For example, the Audit Committee is created in the Audit Law. If there is a law delegating authority or responsibility to an entity it is listed separately under bullets. A blank space in the governing law column means the entity is generally guided by the adopted by-laws.

	Members	Governing Law
<b>Appointed Boards, Commissions and Commissions</b>		
Anna John Nursing Home Board	7	
Child Protective Board	7	
Community Library Board	5	
Environmental Resources Board	9	Hunting, Fishing, Trapping Law <ul style="list-style-type: none"> <li>• All-Terrain Vehicle Law</li> <li>• Regulation of Domestic Animals Ordinance</li> <li>• Water Resources Ordinance</li> <li>• Well Abandonment Law</li> </ul>
Arts Board	7	
Veterans Affairs Committee	9	
Personnel Commission	12-15	<ul style="list-style-type: none"> <li>• Personnel Policies and Procedures</li> </ul>
Police Commission	5	Law Enforcement Ordinance
Powwow Committee	9	
Pardon & Forgiveness Steering Committee	4	Pardon & Forgiveness Ordinance
Southeastern Oneida Tribal Advisory Board	7	

Audit Committee	5	Audit Law <ul style="list-style-type: none"> <li>• Small Business Loans</li> </ul>
Finance Committee		
Selection Committee*	varies	Hall of Fame Ordinance
Advisory Review Board*	5	Protection and Management of Archeological & Historic Resources
License Commission*	--	Vendor Licensing

The Selection Committee exists for a short period of time every three years to recommend members to be inducted into the Hall of Fame. The Advisory Review Board and License Commission do not have by-laws and do not appear to have had appointments made. However, the laws creating these entities have not been amended to address this issue of nonfunctional entities. In regards to the Licensing Commission, the Oneida Appeals Commission determined in Skenandore v. Stevens, 12-TC-051 (Oneida Appeals 6/27/2012), that in the absence of the commission the original hearing body was the Oneida Appeals Commission. There is no case law interpreting the Protection and Management of Archeological & Historic Resources Ordinance, as a result it is not clear where an original decision is made or an appeal might be brought.

	Members	Governing Law
<b>Elected Boards, Committees and Commissions</b>		
Commission on Aging	9	
Election Board	9	Election Law
Gaming Commission	4	Gaming Ordinance
Land Commission	7	Real Property Law <ul style="list-style-type: none"> <li>• Building Code</li> <li>• Cemetery Law</li> <li>• Condominium Ordinance</li> <li>• Woodcutting Ordinance</li> <li>• Zoning Ordinance</li> </ul>
Land Claims Commission	7	
School Board	9	
Trust & Enrollment Committee	9	<ul style="list-style-type: none"> <li>• Membership Ordinance</li> <li>• Cemetery Law</li> <li>• Endowment Law</li> <li>• Per Capita Law</li> </ul>

The by-laws for each entity are located on the Tribe's website along with notices of vacancies. In addition, entities submit a quarterly report to the Oneida Business Committee detailing activities and concerns. The schedule for these reports is available on the Tribe's website. The Secretary's Office is in the process of making these available on-line for access and review.

### ***External Laws and Rules Regarding Boards, Committees and Commissions***

In addition to the laws of the Tribe, entities are sometimes governed by state or federal laws. This may arise as a result of grants received which accept the oversight of the granting agency, accepting licensing from the professional licensing agency, or as a result of the activity being conducted. It is not possible to identify the grants awarded to and accepted by entities of the Tribe as there are far too many of them. The table below identifies an overview of external governing laws and rules that must be followed by entities.



	<b>External Governing Requirements</b>
Anna John Nursing Home Board	Federal regulations regarding Medicare/Medicaid reimbursement, professional licensing of doctors/nurses, insurance coverage requirements, facility licensing requirements
Child Protective Board	Indian Child Welfare Act
Community Library Board	Inter-library book transfer lending agreements
Environmental Resources Board	Federal environmental laws
Arts Board	State of Wisconsin grant requirements
Police Commission	BIA law enforcement grants, MOU/A with local governments
Audit Committee	Internal Auditing Standards, GASB/FASB standards, federal circulars and regulations
Gaming Commission	Indian Gaming Regulatory Act, National Indian Gaming Commission
Land Commission	BIA land and fee-to-trust regulations, probate regulations on trust land, leasing and easements
School Board	Bureau of Indian Education requirements

Boards, committees and commissions of the Tribe are created to address specific subject matters. The authority delegated ranges from oversight and regulatory to providing policy direction. Each member of every entity of the Tribe takes an oath to carry out the laws of the Tribe in the best interest of the Tribe. Failure to do so could subject the member of the entity to removal. If the member of the entity was appointed, removal would be conducted by the Oneida Business Committee under the Comprehensive Policy. If the member of the entity was elected, removal would be conducted under the Removal Law by the General Tribal Council.

### ***Two Examples of Prior General Tribal Council Directives***

Hymn singing is an example of a prior directive of the General Tribal Council. In 1993, the General Tribal Council adopted a resolution that directed Oneida Hymnals be developed which contained the words and music to Oneida hymns. In a 2008 report to the General Tribal Council, it was identified that the members primarily involved in Oneida hymn singing did not want books with written musical scores because it would undermine the creative nature of Oneida hymn singing. The Oneida Hymnals were eventually published without musical scores and continue to be available today for purchase.

In 2000, the General Tribal Council adopted a resolution which included a directive to develop a plan to include Oneida hymn singing, among other language programming, in the Tribal schools. The Tribal School created programming for Oneida hymn singing but found that there was a lack of interest in such instruction. Although there were later offers to provide Oneida hymn singing instruction for free, that offer was withdrawn and a request for paid teaching services was made. At that time, the Tribal School no longer budgeted for Oneida hymn singing instruction and, based on the lack of interest, declined the offer. The school continues to focus on providing an education which includes Oneida history and language, as well as meeting educational standards required of Bureau of Indian Education funded schools. Since 2003, unclaimed per capita funds are earmarked for Oneida language preservation.

### **Analysis**

The resolution directs that boards, committees, and commissions “must carry out directives given by the Oneida General Tribal Council.” The resolution also states that there is an exception

where such directive would conflict with state or federal laws. However, there is no such exception where the directive may conflict with existing Tribal laws.

It is troublesome that this proposed resolution does not hold Tribal laws in the same regard as state or federal laws. The General Tribal Council is delegated authority by the members when they adopted the Constitution of the Oneida Tribe of Indians of Wisconsin. It is subject to the Constitution and the actions taken in accordance with the Constitution. Primarily, this means the General Tribal Council exists as a body when a meeting is duly called and a quorum is met and carries the constitutional responsibilities delegated to it.

This includes further delegations of authority or actions taken consistent with that constitutionally delegated authority. This includes the Ten Day Notice Policy as well as a host of other laws and actions during the course of its existence. The Ten Day Notice Policy states that a duly called meeting is limited to the subject matters provided in notice presented at least ten days prior to the meeting. It also includes the limitation that the meeting must be held within the Reservation boundaries.

In addition, delegated authority includes the adoption of laws and regulations of the Tribe under the Legislative Procedures Act and its predecessor the Administrative Procedures Act. Both of these laws delegated authority to adopt laws on behalf of the Tribe and directed procedures for that action. While it is presumed that the General Tribal Council would not take action that would conflict with its own directives or delegated authority, failure to include this in the resolution could cast question on that limitation.

This resolution, like its 2008 predecessor regarding the Oneida Business Committee and a 1989 General Tribal Council motion, states and directs an obvious truth. Boards, committees, and commissions must comply with the applicable laws and directives in carrying out actions. As identified in the oath of office, each member takes an oath to do so. Further, the Comprehensive Policy states that oaths may be modified, but modification may not be made such that members are not made aware of their duty to the Tribe and its members. As a result, the resolution is unnecessary.

### **Conclusion**

The resolution proposes direction which is already a required action of boards, committees and commissions. It does leave out reference to compliance with Tribal law. This resolution would require a simple majority vote to adopt. It is recommended that reference to "Tribal law" be included in the resolution if adopted.

If you have further questions, please contact me.

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### MEMORANDUM

**TO:** Oneida Business Committee

**FROM:** Jo Anne House, Chief Counsel 

**DATE:** April 10, 2015

**SUBJECT:** Genskow – Petition – Elder Services – Home Repair

---

You have requested a legal review regarding a petition submitted by Madelyn Genskow. The petition contains four resolutions. The legal opinion will review only the resolution identified above. The Enrollment Department has verified a sufficient number of signatures on the petition.

The resolution contains two Whereas sections.

- "the Oneida Tribe is always saying they care for the Elderly and"
- "there are Oneida Elders living on the reservation who live in homes that they own and want to continue to live in."

Whereas sections are intended to provide legislative history and background regarding why the resolution is brought forward. Whereas sections are not enforceable.

The resolution contains two Resolve sections.

- "that the Oneida Business Committee and management may not refuse to help with home repairs assistance to Oneida elders who live on the reservation boundaries even if the home is old and management feels it is not worth it."
- "that if they do so they must provide free homes for low income Oneida elders in the reservation boundaries."

To draft this opinion, I have reviewed prior actions of the General Tribal Council, the Elder's Services Program information, policies and procedures, the budget and various other resources. This opinion contains two sections setting forth information – "elder programming" which presents general information and "elder home repair programs" which presents information specific to the minor and major home repair programs in the Elder Services Program.

#### Elder Programming

Elder programming is provided primarily through the Elder Services Program. However, there are also services provided by other departments. Examples include -

- Health Division – Anna John nursing home facility
- Fitness Center – various elder focused exercise activities
- Transit – transportation

The Elder Services Program provides four informational resources.

- Drums – a monthly newsletter.
- Website – contact information, programming, and resources.
- Services Book – information regarding the programming of Elder Services.
- Resources Book – contact information regarding elder services programming in the local community.

### ***Elder Services Program***

The Elder Services Program offers a broad array of tribal and grant funded services to elders. These services include in home care to elders through meals, investigation and reporting of elder abuse, training and support for family elder care providers, meals both delivered and at the Anna John nursing home.

In addition to the above, the Elder Services Program manages elder apartments and offers two home repair programs. The home repair programs are explained more fully below.

The Tribe also offers elder aging in place housing options through the Anna John nursing home, transitional facilities and independent living solutions in the Lee McLester II Building. Other programs also offer elder specific housing, such as the Housing Authority which provides low income elder housing.

In addition to the above, many programs of the Tribe offer elder specific programming. For example, the Fitness Center offers such options as Ease Those Aches swimming classes and chair yoga.

### ***Elder Programming and Budgeting***

The budget of the Tribe includes tribal revenues and external funding through self-governance contracts and grant funds. The information below identifies tribal contributions to elder programming.

- Approximately \$2.1 million in funding allocated to elder services and programming
- \$4.6 in age 62 and over elder per capita
- \$2.25 million in funding allocated to general membership per capita
- \$500,000 to the Elder Per Capita Trust fund.

This is equal to about 4% of the total budget for programming, about 23% of the total per capita budget, and about 8% of the total budget specifically focused on elderly services. This does not include portions of Tribal programming that has an elder focus but is not included in Elder Services or that is funded through federal or state grant funding.

In comparison, the budget allocates funding to various other membership groups as follows.

- \$13 million in higher education which is available to:
  - 77% of the membership made up of members age 21 and older
  - 55% of the membership made up of members age 21 to age 54

- \$10.7 in kindergarten through 12<sup>th</sup> grade Tribal school
  - 23% of the membership made up of members up to age 20

These funding levels include tribal contribution and grant funds. In addition, many of the funds made available to the organization also assist elder programming, whether specifically directed to elder programming or as programming elders can access.

The membership of the Tribe is made up of the following statistics based on data collected on December of 2014.

- There are 16,995 members.
- 13% of the members are age 62 and older
  - 6% of the members are age 70 and over, the focus of Elder Services Programming.
- 44% of the members live in Brown and Outagamie Counties.
- 12% of the members living in Brown and Outagamie Counties are age 62 and older.
  - 6% of the members living in Brown and Outagamie Counties are age 70 and over, the focus of Elder Services Programming.
- 23% of the members are between ages 0 and 20 which would be the focus of a primary amount of education related funding and potentially inaccessible to elders.
- 54% of the members are between the ages of 21 and 54 which is likely to be the focus of higher education funding and other programming activities of the Tribe.

In light of the above information, elders have access to almost 60% of the funding allocations of the Tribe made for General Welfare purposes.<sup>1</sup>

### ***Elder Survey Results***

The Tribe conducts a survey of the membership on a regular basis to identify trends in regards to the population work, health, and home environment. The 2009 Housing Assessment survey had 315 elders age 55 and over responding out of a population of 3,822 elders. The information below is based only on the responses of members age 55 and over.

The following information is in regards to home ownership. However, it should be clarified that this does not differentiate low income home ownership programs which would be addressed differently than other home ownership options.

- 77% of the respondents live in a house that would qualify under the Major Home Repair Policy – approximately 243 of the 315 respondents.
- 5% of the respondents live in an ineligible mobile home – approximately 16 of 315 respondents.
- 60% of those living in home own it – approximately 146 of 315 respondents.
- The average number of people living in the house is 2.25.
- 31% of the respondents indicate they live alone – approximately 98 of 315 respondents.

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<sup>1</sup> This information is taken from the Revenue Allocation Plan. That plan identifies that 28% of the budget is allocated to Tribal government operations

- 77% of those members responding pay less than \$600 per month for housing, and 58% pay less than \$400 a month for housing.

Members were asked –

- If they needed handicap modifications to their homes – 56% of those members age 55 and older responding either said no, or they were not sure.
- If they needed repairs to their home – 43% said no.
  - The most frequent responses regarding the type of repairs needed were roof (17%), plumbing (11%) and electrical (12%)

A survey conducted by the Elder Services Program in 2012 was fairly consistent with the responses found in the 2009 membership survey. There were 295 responses, an “elder” is not defined, and there is no separation between on-Reservation and off-Reservation respondents.

- 44% of the respondents had lived in their homes for less than 10 years.
- 35% of the respondents had lived in their homes for more than 20 years.
- 69% of the respondents do not have a family member providing care to them.
- 80% of the respondents do not take care of grandchildren.

### **Elder Home Repair Programs**

The Elder Services Program provides two different home repair programs. Additional programming services are available through other areas of the Tribe. Examples of other programming activities include septic system replacement through the Wells & Septic Department, home repairs regarding low income housing sites, home equity loans through the Division of Land Management, and veteran specific loans. This section will focus on the two home repair programs provided by the Elder Services Program.

#### ***Minor Home Repair Program***

The Minor Home Repair program involves “low cost minor home repairs to Oneida elders age 70 and over. *Services Book*, p.8. “Elders under the age of 70 will be assisted, but any cost of materials must be purchased by the elder prior work performed.” The Home Repair Standard Operating Procedure was approved in 2011.<sup>2</sup> The program provides assistance for repair costs up to \$400 to elders age 70 and over. *Home Repairs, SOP 3.4*. Anything over the \$400 maximum cost must be paid by the elder.

The program identifies the acceptable minor repairs. An example of types of repairs are as follows.

- Installation of grab bars, smoke alarms, cabinet safety latches, door knobs/locks
- Build handicap ramps
- Replace wood steps

<sup>2</sup> The Elder Services Program has identified that they are in the process of reviewing and updating the Home Repair Standard Operating Procedure.



- Minor plumbing repairs
- Minor electrical repairs

The Elder Services Program manages most requests with tribal employees.<sup>3</sup> However, some of the repairs are outsourced, specifically those that require trained, licensed or otherwise skilled craftsmen to complete the project. Further, in cases where the cost exceeds \$400, the elder must agree to pay the cost in excess of \$400 before the request is approved or completed.

### ***Major Home Repair Program***

The Major Home Repair program is set forth in a Standard Operating Procedure, but is not identified on the website or on the Services Book. The program is funded through tribal contributions; no external funding sources are utilized. This program provides up to \$10,000 maximum lifetime benefit in home repairs that are a health and safety related, with elders age 70 and over set as a priority. *Home Repair Program. SOP 3.4.* Eligible repairs, a health and safety issue of the main living space is described as affecting a “main living space” and includes, in section 3.6.4 –

- Roof repair or replacement
- Standard walk-in shower with grab bars
- Interior household electrical repair
- Interior household plumbing repair
- Window replacement
- Subfloor repair or replacement
- Construct a handicap ramp
- Add insulation for proper R-value

The elder applicant must have owned the home for at least five years, and the home must be a stick built or prefabricated home located within the Reservation boundaries. This program does not apply to repairs needed as a result of a natural disaster or personal property damage.<sup>4</sup> There are other programs which would address this issue, such as accessing the Community Support Fund regarding catastrophic events.

Neither of the home repair programs contains an income minimum or maximum. The programs are available to all persons meeting the age, homeownership and maximum allowable costs requirements.

### ***Budget for Major Home Repair Program***

The Elder Services Program has since 2011, budgeted \$190,000 for the Major Home Repair Program. Although, since 2012, the Tribe has been in cost containment or constraints on spending which has resulted in only about half of the budget being spent.

<sup>3</sup> The tribal employees utilized for this program are basic “handyman” services and do not include licensed employees such as electricians and similar professions.

<sup>4</sup> The primary reason for this limitation may be that many of these types of repairs are covered through homeowner’s insurance. The Standard Operating Procedure identifies that the elder applicant must, “exhaust all other resources first, i.e. homeowner’s insurance.” *Section 3.5.7.* It is presumed that this program would meet the remaining repair needs so long as it is a health safety issue and the elder applicant has not reached the \$10,000 maximum benefit.

	2011	2012	2013	2014
<b>Budgeted</b>	\$190,000	\$190,000	\$190,000	\$190,000
<b>Expensed</b>	\$189,378	\$90,695	\$95,283	\$93,181
<b>Homes Repaired</b>	31	13	12	18
<b>Average Cost</b>	\$6,109	\$6,977	\$7,940	\$5,177

Although there were budget constraints that limited the amount of funding for the Major Home Repair Program, some funds were unspent as a result of other actions. The Elder Services Program identified some of those delays as follows.

- Paperwork from elder applicants not completed
- Timing and processing of paperwork too close to fiscal year end
- Bad weather

The types of repairs approved under this project include – steps, walk-in showers, roof replacement, roof insulation, floor supports, window replacement, electrical repairs and installation of ramps.

#### ***Applicant Denials***

The Tribe does not have sufficient funding to meet every need in any of its programs. For example, the Higher Education Scholarship approved by the General Tribal Council is capped at \$20,000 and \$30,000 per year even with some schools having education costs exceeding \$40,000. As a result, the limited funding means that some applicants for the Minor Home Repair Program and the Major Home Repair Program are denied.

A review of the denials from 2011 to 2014 identifies the following reasons for denials.

- 22 applicants did not meet the age requirement
- 4 applicants had already used the \$10,000 maximum allowed
- 4 applicants were applying for repairs to trailer homes
- 1 applicant sold their home
- 2 applicants failed to meet the 5 year home ownership requirement
- 1 applicant passed away
- 1 applicant was referred to the Minor Home Repair Program
- 2 applicants were ineligible because the repairs did not meet the health and safety requirement

Of the applicants received, the following chart shows the approval and denial rates from 2011 to 2014.

	2011	2012	2013	2014
<b>Approved</b>	31	13	12	18
<b>Denied</b>	22	0	2	15
<b>Total</b>	53	13	12	33

*Minor Home Repair Denial Letters*

A review of a single year of denial letters for the Minor Home Repair Program identifies the following information. Three of the requests did not involve health or safety issues and two of the requests were made by applicants that did not meet the age eligibility requirement. Six of the requests involved ineligible repairs. There were three requests that were denied because the repair would require additional repairs that exceeded the program guidelines, that the repair would cause damage if carried out, and that the program did not have the proper equipment to carry out the repair.

*Major Home Repair Denial Letters*

A review of four denial letters for the Major Home Repair program identified that two of the applicants had already received the maximum benefit of \$10,000. One of the applicants was not in the priority age group or disabled. And finally, one of the applicants had not owned the home for a minimum of five years.

In addition to the above information, members are encouraged to review the budget, and the annual reports presented by Tribal programs in order to get a broad understanding of funding allocations and programming offered by the Tribe. This information is available on the Tribe's website in the Member's Only section.

**Analysis**

The Whereas portion of the resolution alleges that, "the Oneida Tribe is always saying they care for the Elderly" and that elders wish to continue living in their own homes.

The information above identifies that funding had been made available for elder specific programming and is included in other programming that has an elder focus. In addition, elders are eligible to participate in all other tribal programming for which they meet eligibility requirements – such as elder specific low income housing. Further, such funding levels appear to be closely associated with the percentage of members who are elders.

The resolution alleges that the Elder Services Program has "refuse[d] to help with home repair assistance to Oneida elders...[because] there home is old and management feels it is not worth it."

There are two issues arising out of this Resolve. First, the information received from the Elder Services Department suggest that the reasons for denial are that the applicant, home, and/or type of repair does not meet the requirements of the program. Second, there is no indication in the records reviewed that "management feels it is not worth it." The information presented above identifies that based on limited funding, they have prioritized for the age group 70 of older, they have prioritized for home repairs that meet health or safety needs, and they have prioritized homes that have been owned for five years or more. All of which are objective decisions regarding an application.

The Elder Services Program offers two home repair programs. The minor home repair program utilizes handyman services of tribal employees to install products purchased by the elder. These

services are limited in availability in part based on the amount of time available with existing employees. The major home repair program has a maximum award amount of \$10,000. Based on the information above, the Elder Services Program has expended almost all available funding in each fiscal year. It appears that based on available funding, repairs are being authorized.

Notwithstanding the above, it is not clear what the phrase “it is not worth it” is referring to. For example, both programs have limitations on available funding. This is simply because there are limited funds available to be allocated to a program. If the manager determines that the repair would not correct the underlying problem in the home, or if the cost of the repair exceeds the amount of funding which is authorized; is that a determination that the home “is not worth it”? This criterion requires clarification in order to identify its application.

The second Resolve in this resolution identifies that if “management” denies a home repair because they feel the home “is not worth it”, then the Tribe must provide “free homes for low income Oneida elders in the Reservation boundaries.” This analysis will presume that the resolution proposes that the ‘free home’ is to be given to the elder denied services and not to all elders simply because one applicant was denied.

Low income housing specifically for elders is already provided through the Housing Authority. Rent is based on the income levels of the individual as set forth in Standard Operating Procedures or regulations governing the use of federal funds. It is not clear if this resolution is expanding the existing program, or creating another program. This analysis will presume that this is a new program.

It is presumed that “low income” would be based on a standard definition. Not every applicant applying for a home repair meets low income thresholds. The resolution does not identify what income level would be set to identify low income elders. This opinion will presume that federal guidelines regarding low income programming would be utilized to set that threshold.

As identified above, the Elder Services Program provides two home repair programs – handyman level services and major home repairs. Presuming that a manager makes a decision that a home is not worth it to repair a basic light fixture, under this resolution, that would result in a new home for the low income elder. This would conflict with the premise in the Whereas section which states that the elder wishes to remain in their home. It is not clear if this proposed resolution will have the intended result of elders getting repairs to homes they wish to live in. The clearer response would be to require the manager to make a decision that is based on the existing program guidelines and support that decision with the appropriate documentation. As a result, the elder applicant would either receive the home repair, or would have the reasons for the denial clearly identified. However, the review of the correspondence above identifies that sufficient information and/or reasons for the denial based on the program criteria are included in the letter.

This proposed resolution also contains budget impacts. Members are encouraged to review the Fiscal Impact Statement to have a better understanding of that impact. However, if we presume that every denial made in 2014 was for the inappropriate reason that the manager decided the home “is not worth it,” that would mean 15 free new homes would be given to elders. If each home is with approximately \$100,000, then a budget impact of \$1.5 million. The resolution does

not address what happens to the elder's current home. As a result, the financial impact to the elder may affect other resources being received that are based on income or net worth.<sup>5</sup>

It is not possible to accurately predict the cost of this program since we cannot predict the type of "new home" that would be received by the elder. As identified above, the 2009 and 2012 surveys identified that the number of people living in an elder home is about 2.25, most do not have caregivers who are family members, and most do not watch over grandchildren. However, this also means that some homes require more than one bedroom, and in some cases more than two bedrooms. Is the new home given under this program equivalent to the number of bedrooms or square footage as the existing home, or is it sized sufficient to meet the elder's needs, or is it some other criteria?

### **Conclusion**

This resolution proposes action in the event a decision is made in a home repair program that is based on the personal subjective decision of "management" that the home "is not worth it." This would also result in giving an elder a new home if they were low income. The resolution is not clear regarding the criteria for denial, low income level, or type of replacement home. As a result, it does not provide sufficient clarity in regards to the application or the cost. In addition, the resolution will not have the intended effect of the elder remaining in their home.

The General Tribal Council is not provided sufficient information in which to act on this resolution. Further, corrections or clarification to the resolution would lead to questions regarding the signatories to the petition agreeing with such clarifications. As identified in prior legal opinions, individuals signing a petition are presumed to have read and understood what they were signing, and that they wanted that brought forward for discussion. Changing the nature of the resolution casts doubt on that presumption. However, if the petitioner provides additional documentation clarifying the intent of the resolution, this legal opinion can be reviewed and revised in light of that clarification.

The resolution has a budget impact, if it were sufficiently clear for adoption, it would require a two-thirds vote.

If you have further questions, please contact me.

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<sup>5</sup> However, since this program is primarily focused on elders age 70 or older, this impact may be somewhat limited. It is not possible to identify or predict what impact on an elder's resources this potential new home would have.

# Oneida Business Committee Meeting Agenda Request Form

1. Meeting Date Requested: 04 / 22 / 15

## 2. Nature of request

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Agenda Header (choose one):

Agenda item title (see instructions):

Action requested (choose one)

Information only

Action - please describe:

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Why BC action is required (see instructions):

## 4. Supporting Materials

[Instructions](#)

Memo of explanation with required information (see instructions)

Report  Resolution  Contract (check the box below if signature required)

Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1.  3.

2.  4.

Business Committee signature required

## 5. Submission Authorization

Authorized sponsor (choose one):

Requestor (if different from above): \_\_\_\_\_  
Name, Title / Dept. or Tribal Member

Additional signature (as needed): \_\_\_\_\_  
Name, Title / Dept.

Additional signature (as needed): \_\_\_\_\_  
Name, Title / Dept.

- 1) Save a copy of this form in a pdf format.
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# Memo

To: Oneida Business Committee

From: Lisa Summers, Tribal Secretary

Date: April 15, 2015

Re: DRAFT 2015 Semi-Annual meeting agenda

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Attached you will find a DRAFT agenda for the 2015 Semi-Annual GTC meeting.

A decision must be made on the final agenda as there deadlines that will need to be met in order to follow the production schedule for the 2015 Semi-Annual GTC meeting. That schedule is also attached for your reference. It has been reviewed by the Tribal Secretary's Office and agreed upon by Printing and Mail Center staff.

Please note: The back-up for all items that need to be included in the meeting packet must be submitted to the Tribal Secretary's Office on Friday, May 8, 2015.

**Requested Action:**

- 1) To discuss and approve the 2015 Semi-Annual GTC meeting agenda

**Attachments:**

DRAFT 2015 Semi-Annual GTC meeting agenda

2015 Semi-Annual GTC meeting packet - production schedule

# ONEIDA GENERAL TRIBAL COUNCIL

## AGENDA - DRAFT

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### SPECIAL MEETING

Monday, July 6, 2015

6:00 p.m.

### LOCATION

Radisson Hotel & Conference  
Center  
2040 Airport Dr., Green Bay, WI

### DIRECTIONS

Radisson Website:

<http://www.radisson.com/green-bay-hotel-wi-54313/greenbay>

Map Quest Directions:

[www.mapquest.com/us/wisconsin/hotels-motels-green-bay/radisson-hotel-conference-center-304148266](http://www.mapquest.com/us/wisconsin/hotels-motels-green-bay/radisson-hotel-conference-center-304148266)

1. Welcome and opening prayer
2. Announcements and call meeting to order
3. Adopt the agenda
4. Approve GTC meeting minutes
  - A. Tabled Minutes
    1. December 15, 2013 Special Meeting
  - B. New Minutes
    1. November 15, 2014 Special Meeting
    2. January 19, 2015 Special Meeting
    3. February 9, 2015 Annual Meeting
    4. March 28, 2015 Special Meeting
5. Reports
  - A. Tribal Treasurer's semi-annual report for FY' 15
  - B. Annual Reports
  - C.
6. Old Business
  - A. General Tribal Council Meetings Law
  - B.
7. New Business
  - A. Tickets and Merchandise Contract
  - B.
8. Adjourn

## 2015 Semi-Annual GTC Meeting Packet - Production Schedule

April 2015			
Date	Task	Responsible Party	Notes
4/10/2015	Send Notification to Organization	Lisa Liggins	Deadline will be 5/8/15
4/14/2015	Draft agenda submitted to BC agenda	Lisa Liggins	
4/22/2015	Draft agenda considered by BC	BC	Need in advance so notice can be sent for submission deadline.

May 2015			
Date	Task	Responsible Party	Notes
5/1/2015	Send reminder notice to organization	Lisa Liggins	Deadline in 1 week
5/8/2015	Submission deadline for other agenda items	BC	No exceptions can be made
5/8/2015	Report deadline for organization	All Areas	No exceptions can be made
5/11/2015	Compilation of reports begins	Lisa Liggins	Name files, format agenda and other pages of book.
5/19/2015	Draft packet submitted for BC agenda	Lisa Liggins	Packet will not be in final production format.
5/27/2015	Draft packet considered by BC	BC	Looking for approval of content so Printing can finish.
5/28/2015	Request final count from Enrollments	Lisa Liggins	Using GTC code, not TRIB
5/29/2015	BC send files to Printing	Lisa Liggins	

June 2015			
Date	Task	Responsible Party	Notes
6/1/2015	Pre-press work begins	Sue Koch	Need to order +50 copies
6/5/2015	Pre-press finalized	Sue Koch/Lisa Liggins	
6/8/2015	Printing begins	Print Shop	
6/15/2015	Printing completed	Print Shop	
xxx	Mail preparation begins	Mail Center	
xxx	Mail preparation completed	Mail Center	
6/19/2015	Packet is mailed	Mail Center	7 days to 10-day notice deadline
6/26/2015	10-day Notice deadline	FYI	

July 2015			
Date	Name	Responsible Party	Notes
7/6/2015	Semi-Annual GTC Meeting	BC	Thank you everyone for your hard work!

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Agenda Header (choose one):

Agenda item title (see instructions):

Action requested (choose one)

Information only

Action - please describe:

## 3. Justification

Why BC action is required (see instructions):

## 4. Supporting Materials

[Instructions](#)

Memo of explanation with required information (see instructions)

Report    Resolution    Contract (check the box below if signature required)

Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1.

3.

2.

4.

Business Committee signature required

## 5. Submission Authorization

Authorized sponsor (choose one):

Requestor (if different from above):

Additional signature (as needed):

Additional signature (as needed):

1) Save a copy of this form in a pdf format.

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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  
BUSINESS COMMITTEE**



**P.O. Box 365 • Oneida, WI 54155  
Telephone: 920-869-4364 • Fax: 920-869-4040**



**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.

## Office of the Treasurer Memorandum

**To:** Oneida Business Committee  
**From:** Trish King, Treasurer *TK*,  
**Date:** 4/17/2015  
**Re:** Joint Marketing Charter - Update

On January 14, 2015, the Oneida Business Committee motioned:

*“the Joint Marketing Team to become a formally chartered entity for the operations and with our corporate entities within 90 days and that the Treasurer take the lead for the Business Committee since it has primarily to do with the financial planning aspect and the budgeting purposes.”*

The Joint Marketing Team began dialogue and review of their charter on March 12, 2015. A revised charter was drafted and reviewed on April 9, 2015; and presented to the Oneida Business Committee work meeting on Tuesday, April 14, 2015.

Therefore, I am respectfully requesting a 60 day extension so that the team has timely opportunity to review comments received by the Oneida Business Committee.

Yaw^ko for your time and assistance in this matter.

# Oneida Business Committee Meeting Agenda Request Form

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## 4. Supporting Materials **HANDOUT**

[Instructions](#)

Memo of explanation with required information (see instructions)

Report  Resolution  Contract (check the box below if signature required)

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Business Committee signature required

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Name, Title / Dept. or Tribal Member

Additional signature (as needed):

Name, Title / Dept.

Additional signature (as needed):

Name, Title / Dept.

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**From:** Racquel L. Hill  
**Sent:** Monday, April 13, 2015 11:44 AM  
**To:** BC\_Agenda\_Requests  
**Cc:** Melinda K. Danforth; Lori A. Elm  
**Subject:** Agenda Request for 04/22/15 Regular BC Meeting  
**Attachments:** 04-13-15bcagendarequest.pdf

Please find attached completed BC agenda request form regarding the 2015 Special Election to Fill OBC Vacancy election results. The back-up information will be provided as a handout at the meeting. Any questions or concerns, let me know.

Racquel Hill, Chairperson  
Election Board

# Oneida Business Committee Meeting Agenda Request Form

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# BUSINESS COMMITTEE TRAVEL REPORT



Traveler Name: Melinda J. Danforth  
 Enter name(s) of other Travelers OR [SPACE BAR] to delete

**Medicare, Medicaid and Health Reform Policy  
Committee (MMPC) & Tribal Technical Advisory  
Group (TTAG)**

Travel Event: \_\_\_\_\_

Travel Location: Washington D.C.

Departure Date: 11/18/2014 Return Date: 11/20/2014

Projected Cost: Enter Cost Actual Cost: \$346.50

Date Travel was Approved by OBC: 09/24/2014

**Narrative/Background:**  
**MMPC & TTAG Purpose**

The Medicare, Medicaid and Health Reform Policy Committee (MMPC) is a standing committee of the National Indian Health Board (NIHB) with the purpose of providing technical support to the TTAG. TTAG is a group codified by the ARRA of 2009 and is composed of formally appointed representatives from each Indian Health Service (IHS) area as well as from specific national Indian organizations such as the National Indian Health Board. TTAG advises the Centers for Medicare and Medicaid Services (CMS) on Indian issues related to Medicare, Medicaid, the Children's Health Insurance Program (CHIP), and any other health care program funded by CMS.

MMPC's focus is on the Affordable Care Act (ACA) and Indian Health Improvement Act (IHICA) health policy issues, regulation review, and the development of draft positions with the greatest opportunities and highest priority of the Indian Health System. MMPC also acts as a national forum to identify, discuss, advise and act on issues that will improve the health of American Indians and Alaska Natives.

### **TTAG Strategic Goals for 2013-2018**

TTAG Strategic goals for 2013-2018 are as follows;

1. CMS engages in meaningful **consultation** with Tribes and works closely with the TTAG.
2. CMS enacts and implements **policy** through regulation, guidance, review and enforcement to align CMS programs to serve AI/ANs by improving enrollment processes, assuring access to care, having efficient payment systems, and increasing the I/T/U capacity to deliver integrated, comprehensive programs.
3. CMS improves and expands opportunities for development and delivery of **Long Term Services and Support** throughout Indian communities.
4. Through **outreach and enrollment** activities, all I/T/U programs are fully informed about CMS programs and AI/ANs know about benefits to which they are entitled.
5. Develop and improve CMS **data systems to evaluate** and expand the capacity of CMS to serve American Indians and Alaska Natives.

The entire strategic plan can be found at [http://www.nihb.org/tribalhealthreform/wp-content/uploads/2013/02/AIAN-Strategic-Plan\\_Eval\\_FINAL\\_2-20\\_2014.pdf](http://www.nihb.org/tribalhealthreform/wp-content/uploads/2013/02/AIAN-Strategic-Plan_Eval_FINAL_2-20_2014.pdf)

### **Meeting Highlights**

1. CMS Administration changes led to having to educate individuals about TTAG and allowing them time to catch up on the issues relating to AI/AN. Andrew Slavitt, CMS' new Principal Deputy Administrator, was brought up to speed by TTAG regarding the issues that we are facing and how we would like to work closely with him on AI/AN issues.
2. Definition of Indian – MMPC discussed developing a new strategy around resolving the issue for definition of Indian. There are multiple definitions of “Indian” contained within the Affordable Care Act, and conflict with IHS definition of Indian. This issue has been raised with the President’s advisors and with CMS from a legislative and administrative perspective for the past few years and has yet to be fully resolved.
3. Division of Tribal Affairs was moved into the Medicaid area. The Tribes were supportive of this move, as they are hopeful that this will give Tribal Affairs area much more authority in the decision making process for issues that impact AI/AN.
4. CMS will be reviewing the Medicare Manual Chapter 19 which is the enrollment and payment section. The Tribes were very adamant that we would want to be involved in that review and be able to fully participate as a member of the review team.
5. Qualified Health Plans – the Oneida Tribe was denied to participate in Prevea 360, a newly formed HMO. According to the ACA, the Tribe should be offered to participate through an Indian addendum which we were not. We were able to raise this issue with CMS Administration and the CCHIO and a conference call is to be set up with CMS and Oneida to discuss this issue.
6. Qualified Health Plans – Tribes voiced their concern that the QHP’s are not being motivated to offer contracts to Native providers (health clinics). CMS indicated that the

States and QHP providers have told them that they have made offers to I/T/U's but this has not been audited. Also, QHP's are all not making offers through the Indian Addendum but rather their own addendums.

7. CCIIO has about 60,000 exemption applications accepted to date. 45,000 are processed and 15,000 are in process. Tribes were concerned as this impacted their ability to encourage tribal members to apply for exemptions as they have been waiting so long to get exemptions that they truly do not want to consider purchasing insurance via Helthcare.gov
8. Tribes payment of premiums – CMS indicated that there was guidance issued regarding this and the Tribes requested immediate follow up and communication
9. CMS Consultation process – Tribes concerned that States do not consult with the Tribes timely on issues that impact the Tribes directly. CMS consultation policy is not leveling the playing field for the Tribes.

#### KXL Pipeline Vote

Tammy Baldwin's office provided tickets to attend the KXL pipeline vote. Debra Danforth and I attended the event with our national lobbyist's office.

#### Item(s) Requiring Attention:

Continue to monitor the legislation and regulations via MMPC & TTAG.

Note: DHHS paid for my airfare upfront. The \$346.50 was for per diem and taxi. DHHS reimbursed the per diem and part of the taxi money.

#### Requested Action:

Accept report

# Oneida Business Committee Meeting Agenda Request Form

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- Information only
- Action - please describe:

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Why BC action is required (see instructions):

4. Supporting Materials

[Instructions](#)

- Memo of explanation with required information (see instructions)
- Report  Resolution  Contract (check the box below if signature required)
- Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1. <input type="text"/>	3. <input type="text"/>
2. <input type="text"/>	4. <input type="text"/>

Business Committee signature required

5. Submission Authorization

Authorized sponsor (choose one):

Requestor (if different from above): \_\_\_\_\_  
Name, Title / Dept. or Tribal Member

Additional signature (as needed): \_\_\_\_\_  
Name, Title / Dept.

Additional signature (as needed): \_\_\_\_\_  
Name, Title / Dept.

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# BUSINESS COMMITTEE TRAVEL REPORT



**Traveler Name:** Fawn Billie  
 Enter name(s) of other Travelers OR [SPACE BAR] to delete

**Travel Event:** Midwest Alliance of Sovereign Tribes (MAST)

**Travel Location:** Washington D.C. AUFW 8-11, 2015

**Departure Date:** 03/08/2015      **Return Date:** 03/11/2015

**Projected Cost:** 2335.5      **Actual Cost:** 1931.63

**Date Travel was Approved by OBC:** 12/10/2014

## Narrative/Background:

On March 8-11, 2015 I attended the MAST impact week in Washington D.C. The meeting consisted of a meet and greet with other Tribal leaders on Sunday evening. Monday consisted of different speakers addressing items pertaining to Indian Country. Topics affecting youth; drugs, gangs and suicide. Tribal leaders spoke of issues that they are coping with on a daily basis. Associate Director in the White House Office of Intergovernmental Affairs, Raina Thiele addressed items from President Obama's office concerning Indian Country. Key items were "My Brother's Keeper" initiative and the Generation Indigenuous (Gen-I) Challenge which I recently took on after returning from Washington D.C. Gen-I is an initiative for tribal leaders to get involved with the youth in their community. One initiative I would like to do with our youth is cleaning up the reservation. I have contacted a few departments and want to collaborate with them who have scheduled events of cleaning up the reservation. This will encourage our youth to want to volunteer and show stewardship towards their community. President Obama's goal is to focus on improving the lives of native youth by removing barriers that stand between our youth and their opportunity to succeed. With all discussion at the end of the day, this prepared us for the next of lobbying at Capitol Hill.

During our lobbying day, our team spoke with the office's of Congressman Tim Walz D-MN, Congresswoman Gwen Moore D-WI, Raul Grivalva, House Committee on natural Resources, Ranking Democratic Member and Reid Ribble R-WI. With the Congress office staff available, we addressed three major topics. 1. Congress to support President Obama's budget 2. The need of a Carcieri fix 3. Special Diabetes Program

for Indians. When time allotted, I shared the pilot program that we are doing here in Oneida re: safe runoffs and assisting phosphorus clean up.

The last day was the closing remarks and additional speakers and follow ups that needed to be addressed. For any MAST June agenda items, please contact Scott Vele at 715-787-4494 or [m.a.s.t@frontiernet.net](mailto:m.a.s.t@frontiernet.net)

**Item(s) Requiring Attention:**

1. Oneida is hosting MAST June 3-4. Leadership support/reception requested.

**Requested Action:**

Motion to approve Councilwoman Fawn Billie's travel report to MAST-Washington D.C. April 8-11, 2015.

# Oneida Business Committee Meeting Agenda Request Form

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Memo of explanation with required information (see instructions)

Report  Resolution  Contract (check the box below if signature required)

Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

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Business Committee signature required

## 5. Submission Authorization

Authorized sponsor (choose one):

Requestor (if different from above):

Additional signature (as needed):

Additional signature (as needed):

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# BUSINESS COMMITTEE TRAVEL REPORT



**Traveler Name:** Tehassi Hill  
**Travel Event:** UW/Native Nations Summit on Environment and Health  
**Travel Location:** Fluno Center, 601 University Ave Madison  
**Departure Date:** 03/12/2015      **Return Date:** 03/13/2015  
**Projected Cost:** \$175.38 (mileage-grant funded)      **Actual Cost:** \$50.00 (per diem)  
**Date Travel was Approved by OBC:** 03/25/2015

## Narrative/Background:

I attended the reception Thursday night where I listened to the keynote lecture by Jacqueline Pata, Executive Director of NCAI. She spoke at length about the decisions tribal nations are facing in regard to several areas including; genomic testing, who owns the data, partnerships, and special review boards.

Lawrence Roberts, Principle Assistant Deputy Secretary for Indian affairs, US Department of Interior, was a special speaker at the event. Mr. Roberts presented the President's proposed budget numbers for the BIA. Much of the proposed increase would be around climate change and the impacts on tribal nations.

On Friday I participated in the Leadership Roundtable, where tribal leadership addressed the UW-M staff and public. Each tribe talked about their challenges, some specific to that tribe, many challenges we all share. I talked about some of the environmental remediation we have done here on the reservation. I shared our concerns about health care, and a little about our successful diabetes prevention program. I also talked about agriculture and food systems, how all these areas are connected, and are required for healthy people and environment.

We had lunch with UW-Madison Chancellor Rebecca Blank. From 2009 to 2013 Ms. Blank served in top positions at the U.S. Department of Commerce, where she focused on promoting economic development with an emphasis on connecting research and innovation with job creation and economic growth. Most of the conversation revolved

around the low number of tribal students attending UW-Madison and student retention. It was made known to the Chancellor that there is a key vacant position that needs to be filled and the position is for recruiting, but not necessarily a position for a tribal member. Chancellor Blank agreed to pressure this position to be filled. We shared the importance of summer camps for high school aged children to attend, not just having traditional classroom instruction, but project based learning experiences.

In topical break out session 1, I attended the Culturally Appropriate Economic Development.

In topical break out session 2, I attended Traditional Agriculture and Food Security.

Contacts: Jessie Conaway-Nelson Institute for Environmental Studies.  
David Hart-Senior scientist-Aqua Sciences Center.  
Aaron Bird Bear-Recruitment and Retention Specialist.  
Pam McGranahan-School of Nursing.

**Item(s) Requiring Attention:**

- 1)UW-Madison is looking for partnerships in any department with Wisconsin Tribes.
- 2)We had many conversations around food sovereignty, invited many people to our Food Sovereignty Summit in October. I would request Intergovernmental Affairs and Communication extend an invite to Michelle Obama to attend this fall as a possible keynote speaker at the Food Sovereignty Summit.
- 3)There is an opportunity to partner with Nelson Institute to apply for the Climate Change grant, if interested. Grant deadline is April 24.
  - a) Should we choose to partner with them a resolution would be needed
  - b) Should we choose to just be a participant, then a letter of support would be appreciated (please see attachment)

**Requested Action:**

Accept the report

Summary of goals and objectives for BIA Climate Change and Tribes RFP:  
Prepared by Henning and Conaway, April 10, 2015

The March 2013 UW-Native Nations Summit on Environment and Health Sovereignty affirmed the need for both local and collective actions by Wisconsin tribes to confront the effects of climate change. Tribal participants emphasized the need for leveraging traditional knowledge side by side with western science for capacity-building on issues as diverse as phenology and treaty rights.

UW Madison Nelson Institute and School of Human Ecology are looking to develop partnerships with coastal and inland tribes in Wisconsin to apply to the Bureau of Indian Affairs for a grant that requires a tribal-education partnership.

This work will involve implementing initiatives that are tribally-led and university supported. In response to summit outcomes about tribal goals for climate change resilience, we aim to collaborate, share expertise, and build relationships and capacity.

#### Goals for climate change adaptation planning:

- Build capacity within Wisconsin tribes to assess potential impacts of climate change, including threats to wildlife, sovereignty, and cultural heritage.
- Facilitate discussion between tribes to build trust, partnerships, and working plans for climate change preparedness.
- Link tribes to available planning and assessment resources at UW-Madison, UW Extension, and other relevant state agencies.
- Pursue these goals using methods that prioritize traditional ecological knowledge and elder knowledge.

#### Objectives for climate change adaptation planning:

- **three consultations between the Nelson Institute faculty/staff and Red Cliff's Treaty Natural Resources** division, to plan for:
  - collaborative research opportunities/ long-term research planning related to Lake Superior
  - review and plan future actions related to Red Cliff's natural resources and climate change
  - one in Red Cliff, one conference call, one in Madison
- Develop **three capacity-building webinars** with a broad target audience – including tribal administration, tribal natural resources, and tribal clinics -- across both coastal and inland tribes of the upper Midwest.
- Potential topics include:
  - the **human health effects** of climate change,
  - threats to **sovereignty** and/or treaty rights
  - mapping and leveraging **traditional ecological knowledge**
    - **tribes with experience with this can present, Conaway can assist**
  - **tribal governance** in the context of climate change
  - **funding opportunities and resources** (NIACS, regional climate, showcasing other tribes' projects and successes) for this work
  - **intertribal youth education** on tribes on climate change adaptation
    - *pilot this with Bayfield High School (Trevor will contact)*
    - *youth-led webinar (bring Patty Loew in here, or Reynaldo Morales)*
    - *incorporating citizen science and climate monitoring technology (Bring Justin Hougham in here)*
- Host a 2016 workshop on climate change adaptation and resilience (as a part of larger summit?)



**Timeline:**

**Fall 2015**

- One face to face meeting with tribal and university partners
- Four virtual meetings for workshop planning
- Draft workshop formats by December 1, 2015

**Winter 2015/16**

- Finalize webinars by Feb 1, 2016
- Deliver webinars Feb 15 – April 15, 2016

**Fall 2016**

- Final workshop (as a strand within larger summit, 2016?)

**Deadline for grant submission to BIA is April 24, 2015**

Levels of involvement for Wisconsin tribes and university partners include:

- be involved in **webinar / workshop design**
  - this option needs a tribal resolution
- be involved as **webinar / workshop participants**, once they are designed
  - this option needs a letter of support

# Oneida Business Committee Meeting Agenda Request Form

1. Meeting Date Requested: 04 / 22 / 15

2. Nature of request

Session:  Open  Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

Agenda Header (choose one): Travel Report

Agenda item title (see instructions):

3/30-04/02/2015 NIGA Tradeshow and convention

Action requested (choose one)

Information only

Action - please describe:

Accept Travel Report

3. Justification

Why BC action is required (see instructions):

4. Supporting Materials

Instructions

Memo of explanation with required information (see instructions)

Report  Resolution  Contract (check the box below if signature required)

Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

- |   |   |
|---|---|
| 1. <span style="border: 1px solid black; padding: 2px;">Travel Report attached</span> | 3. <span style="border: 1px solid black; padding: 2px;"></span> |
| 2. <span style="border: 1px solid black; padding: 2px;"></span>                       | 4. <span style="border: 1px solid black; padding: 2px;"></span> |

Business Committee signature required

5. Submission Authorization

Authorized sponsor (choose one): Brandon Stevens, Council Member

Requestor (if different from above): \_\_\_\_\_  
Name, Title / Dept. or Tribal Member

Additional signature (as needed): \_\_\_\_\_  
Name, Title / Dept.

Additional signature (as needed): \_\_\_\_\_  
Name, Title / Dept.

- 1) Save a copy of this form in a pdf format.
- 2) Email this form and all supporting materials to: BC\_Agenda\_Requests@oneidanation.org

# BUSINESS COMMITTEE TRAVEL REPORT



**Traveler Name:** Brandon Stevens  
 Enter name(s) of other Travelers OR [SPACE BAR] to delete

**Travel Event:** 03/30-04/02/2015 NIGA Tradeshow and Convention

**Travel Location:** San Diego, California

**Departure Date:** 03/29/2015      **Return Date:** 04/02/2015

**Projected Cost:** N/A      **Actual Cost:** N/A

**Date Travel was Approved by OBC:** 02/25/2015

## Narrative/Background:

I traveled to the National Indian Gaming Association Annual Tradeshow and Convention as Delegate for the Tribe as well as the Delegate of the 33 tribes of the Midwest. Sunday I attended the Executive Board meeting (agenda attached). At the general assembly there were a number of Issues were discussed:

With the passage of the Tribal General Welfare Exclusion Act into law, focus now turns to implementation/interpretation of the Act by the Department of the Treasury and IRS. We need to continue to work with Congress to ensure that the Act is fully implemented as Congress intended to provide the maximum flexibility and deference to local tribal government decision-making regarding programs and services that will be covered by the "general welfare" exemption from federal income taxation.

On March 4, 2015, the Internal Revenue Service (IRS) issued a proposed rule to change the current requirements for casino operators to report winnings from bingo, keno, and slot machines. The IRS is accepting comments on the proposal through Tuesday, June 2, 2015. The IRS will hold a public hearing on the proposal on Wednesday, June 17th at the IRS headquarters.

On May 28, 2004, the National Labor Relations Board (NLRB), in NLRB v. San Manuel Band of Mission Indians, overturned three decades of its own precedent

in ruling that the National Labor Relations Act (NLRA) applies to Indian gaming establishments wholly owned and operated by tribal governments. The 113th Congress, Senator Jerry Moran (R-KS) and Rep. Kristi Noem (R-SD) introduced companion bills (S. 1477 and H.R. 1226 respectively) entitled the Tribal Labor Sovereignty Act. Senators Thune (R-SD) and Fischer (R-NE) co-sponsored the Senate bill. The House bill gathered 41 co-sponsors. The Act would amend the NLRA to include any enterprise or institution of an Indian tribe located on Indian lands from the application of the NLRA.

#### Internet Gaming:

In 2014, we saw Congressional action on the internet gaming issue, but not in the direction it had been in previous years. There is now a movement to amend the Wire Act and prohibit internet gaming across the country. This "prohibition" would come with an exception for the horse racing industry. In California, Tribes continue to push for internet gaming within the State and they hope to join New Jersey, Nevada and Delaware, as jurisdictions with legalized internet gaming. Meanwhile, state lotteries and the commercial industry are pursuing legalized internet gaming on a state by state basis.

The Midwest caucus of Tribal Delegates reelected me to serve as Midwest Delegate to represent the Tribes of the Midwest on the Executive Board.

Members of the Gaming Commission, Gaming Management and myself met with the National Indian Gaming Commission's Acting Chairman Jonodev Osceola Chaudhuri. The issue of consolidating financial reports for each location was discussed and was agreed upon that a formula based model on reporting could be a compromise. The NIGC has committed to send an auditor to do a sight visit in the near future, as Liaison I will provide a more detailed report as more information comes forward.

#### Item(s) Requiring Attention:

No action required, I have forwarded the information to departments

#### Requested Action:

Approve Report

# Oneida Business Committee Meeting Agenda Request Form

1. Meeting Date Requested: 04 / 22 / 15

2. Nature of request

Session:  Open  Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

[Empty text box]

Agenda Header (choose one): Travel Report

Agenda item title (see instructions):

10/08-10/2014 Haskell Board of Regents

Action requested (choose one)

Information only

Action - please describe:

Accept Travel Report

3. Justification

Why BC action is required (see instructions):

[Empty text box]

4. Supporting Materials

[Instructions](#)

Memo of explanation with required information (see instructions)

Report  Resolution  Contract (check the box below if signature required)

Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1. Travel Report attached

3. [Empty text box]

2. [Empty text box]

4. [Empty text box]

Business Committee signature required

5. Submission Authorization

Authorized sponsor (choose one): Brandon Stevens, Council Member

Requestor (if different from above):

Name, Title / Dept. or Tribal Member

Additional signature (as needed):

Name, Title / Dept.

Additional signature (as needed):

Name, Title / Dept.

1) Save a copy of this form in a pdf format.

2) Email this form and all supporting materials to: [BC\\_Agenda\\_Requests@oneidanation.org](mailto:BC_Agenda_Requests@oneidanation.org)

# BUSINESS COMMITTEE TRAVEL REPORT



**Traveler Name:** Brandon Stevens  
Enter name(s) of other Travelers OR [SPACE BAR] to delete

**Travel Event:** 10/08-10/2014 Haskell Boards of Regents

**Travel Location:** Lawrence, Kansas

**Departure Date:** 10/08/2014      **Return Date:** 10/10/2014

**Projected Cost:** N/A      **Actual Cost:** N/A

**Date Travel was Approved by OBC:** 09/24/2014

### Narrative/Background:

The Fall Haskell Board of Regents (BOR) meeting was held October 8-9, 2014 in Lawrence, KS. The first day we broke into to four sessions; Advocacy, Long Range Planning, Student Affairs and Haskell Foundation oversight. Other important highlights include the approval of Haskell 2020 Strategic plan with changes in vision, mission, institutional values, guiding principles and strategic initiatives. The BOR also approved an amendment to the constitution and by-laws to conduct meetings using alternative means of communication, including conference calls, telecommunication devices and technology. The BOR would also approved an amendment that wil require BOR's to provide Haskell with bi-annual report on their individual efforts in support of Haskell students. Currently Haskell is undergoing a comprehensive evaluation by the Higher Learning Commission (HLC), Haskell has consistently been accredited since 1979. Accreditation is the most import way to assure accountability for the University and is completely voluntary. The HLC is one of six accrediting agencies in the United States and the are recognized by the U.S. Department of Educaiton.

### Item(s) Requiring Attention:

Request to move forward with drafting a resolution for Norbert Hill to serve as an alternate on the Haskell Board of Regents.

### Requested Action:

Approve Travel Report



## Oneida Business Committee Travel Request

**1. OBC Meeting Date Requested:** 04 / 22 / 15  e-poll requested

### 2. General Information:

Event Name: Child Care Development Fund (CCDF) Reauthorization/Consultation

Event Location: Washington, D.C. Attendee(s):

Departure Date:  Attendee(s):

Return Date:  Attendee(s):

### 3. Budget Information:

- Funds available in individual travel budget(s)  
 Unbudgeted  
 Grant Funded or Reimbursed

Cost Estimate: Unknown - CCDF Grant funded

### 4. Justification:

- Liaison Appointment Responsibilities

To which Strategic Direction(s) does this travel relate?

- Advancing Principles  Creating a Positive Organizational Culture  
 Committing to Building a Responsible Nation  Implementing Good Governance Processes

Describe the purpose of Travel and how it relates to the Strategic Direction(s) and/or your liaison area:

Councilwoman, Jennifer Webster, is a liaison for Head Start/Early Head Start. In addition, CCDF is the main source of funding for child care across Indian Country and it's critical to understand and give input to the impacts of the changes. CCDF is important to Oneida because it promotes families' economic self-sufficiency by making child care more affordable, and fostering healthy child development and school success by improving the overall quality of early learning and after school programs. This grant affects Oneida CCDF, Head Start, Early Head Start and our Tribal child care center.

Travel is paid for by the CCDF grant, managed by Trina Schuyler, Economic Support Director in Social Services.

### 5. Submission

Sponsor:

- 1) Save a copy of this form for your records.
- 2) Print this form as a \*.pdf OR print and scan this form in as \*.pdf.
- 3) E-mail this form and all supporting materials in a **SINGLE** \*.pdf file to: BC\_Agenda\_Requests@oneidanation.org

# MEMO

**To:** Jenny Webster, Oneida Tribe Council Member  
**CC:** Trina Schuyler, Interim Director Economic Support  
**From:** Mary Motquin, Child Care Services Program Manager  
**Date:** 4/6/2015  
**Re:** Request for Liaison for Child Care Development Fund Reauthorization  
/Consultation

---

After 18 years the Child Care Developmental Fund has been reauthorized by Congress and signed into Law by President Obama. This is the main source of funding for child care across Indian Country and all States as well. The law makes important statutory changes focused on better balancing the dual purposes of CCDF – to promote families' economic self-sufficiency by making child care more affordable, and fostering healthy child development and school success by improving the overall quality of early learning and afterschool programs. It also makes significant advancements by defining health and safety requirements for child care providers, outlining family-friendly eligibility policies, and ensuring parents and the general public have transparent information about the child care choices available to them.

The impacts of the changes are substantial and affect not only the Oneida CCDF program but Head Start, Early Head Start and our tribal child care center. For this reason, the CCDF Program is respectfully requesting that a BC member be appointed as our liaison to participate in the phone consultations that are scheduled for **April 22<sup>nd</sup>** and **May 7<sup>th</sup>**, as well as the in person consultation in **Washington D.C. on May 20, 2015**. Grant money may be used to cover the travel expenses. This is an urgent matter and the timelines are short.

As the program manager for the CCDF grant, I will be available to work directly with the liaison to provide the information of how the law directly impacts Oneida families utilizing the CCDF program. I have attached the general points of the law and other pertinent information. There is more detailed information from the Administration of Children and Families, and the Office of Child Care on their website specifically for the purpose of the reauthorization;  
<http://www.acf.hhs.gov/programs/occ/ccdf-reauthorization>.

Thank you for your consideration.

Mary Motquin  
Child Care Services  
Program Manager  
920-490-3738  
[mmotquin@oneidanation.org](mailto:mmotquin@oneidanation.org)

Trina Schuyler  
Economic Support  
Interim Director  
920-490-3776  
[trinaschuyle@oneidanation.org](mailto:trinaschuyle@oneidanation.org)



Listen

## CCDF Reauthorization Consultation Invitation

Published: February 23, 2015

Topics: ACF-401, Tribes

Types: Webinars

February 23, 2015

Dear Tribal Leader:

Earlier this year, I sent you a letter about the reauthorization of the Child Care and Development Block Grant (CCDBG) Act and inviting you to join one or more consultation sessions regarding this historic reform. The law reauthorizes the Child Care and Development Fund (CCDF) and makes expansive changes to the program that when fully implemented will benefit children, families, and communities. The changes emphasize the dual goals of promoting families' economic stability by making child care more affordable, and fostering healthy child development and school success by improving the quality of child care. The law makes significant advancements by defining health and safety requirements, outlining policies for continuity of care, and promoting investments in quality and professional development.

While this new law provides a much-needed comprehensive update to the CCDF program, the law does not explicitly indicate the extent to which many provisions apply to tribes. The Office of Child Care will be consulting with tribal leaders and their designated representatives before issuing regulations and policy guidance on how these provisions would apply to Tribes. I am pleased to announce these consultation sessions:

March 25th, 1:00-2:00 PM EST

April 22nd, 1:00-2:00 PM EST

May 7th, 3:00-4:00 PM EST

All three of these consultation sessions will be held via conference call. Registration and call-in information is available on the OCC website at: <http://www.acf.hhs.gov/programs/occ/ccdf-reauthorization> (<https://www.acf.hhs.gov/programs/occ/ccdf-reauthorization>). We are also planning an additional in-person consultation session and will send out more information when it is finalized.

We are attaching to this letter a summary of the new provisions in the law and a draft agenda of tentative topics we would like to discuss. Please let us know if there are any other topics pertaining to the CCDBG Act you would like to discuss. More information on the new law, including frequently asked questions, is available on the OCC website at: <http://www.acf.hhs.gov/programs/occ/ccdf-reauthorization>. (<http://www.acf.hhs.gov/programs/occ/ccdf-reauthorization>)

We will also post consultation updates to the CCDF Reauthorization page. Tribal leaders and their designees are welcome to attend any and all sessions. We also encourage written questions and testimonies which can be submitted by email address at [ccdf.reauthorization@acf.hhs.gov](mailto:ccdf.reauthorization@acf.hhs.gov).

The Administration for Children and Families is committed to effective and meaningful consultation with Tribes. If you have any questions or concerns, please feel free to contact James Henry at (202)-401-1484 or [james.henry@acf.hhs.gov](mailto:james.henry@acf.hhs.gov). Thank you for the important work that you do. I look forward to working with you as we move to strengthen child care programs and enhance early childhood development in Tribal communities across the nation.

/s/

\_\_\_\_\_  
Sincerely,  
Rachel Schumacher  
Director  
Office of Child Care

## Oneida Business Committee Travel Request

**1. OBC Meeting Date Requested:** 04 / 22 / 15  e-poll requested

### 2. General Information:

Event Name: NCAI Mid Year Conference

Event Location: St. Paul, Minnesota Attendee(s): Fawn Billie

Departure Date: Jun 28, 2015 Attendee(s): Melinda J. Danforth

Return Date: Jul 1, 2015 Attendee(s): Brandon Stevens

### 3. Budget Information:

- Funds available in individual travel budget(s)  
 Unbudgeted  
 Grant Funded or Reimbursed

Cost Estimate: \$1000 per person

### 4. Justification:

- Liaison Appointment Responsibilities

To which Strategic Direction(s) does this travel relate?

- Advancing Principles  Creating a Positive Organizational Culture  
 Committing to Building a Responsible Nation  Implementing Good Governance Processes

Describe the purpose of Travel and how it relates to the Strategic Direction(s) and/or your liaison area:

We are Committed to building a responsible nation by attending this conference that addresses tribal issues among other tribal leaders. The Tribal Leader/Scholar Forum is exclusive to this conference and offers a "innovative research methods and relevant findings for local and national policymaking. A unique component of this forum is the dialogue between tribal representatives and researchers." MAST officers also recommended MAST attendees to also attend NCAI mid year conference. Councilwoman Fawn Billie was also invited to sit on the NCAI Mid Year Local Planning Committee.

### 5. Submission

Sponsor: Fawn Billie, Council Member

- 1) Save a copy of this form for your records.
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- 3) E-mail this form and all supporting materials in a **SINGLE** \*.pdf file to: BC\_Agenda\_Requests@oneidanation.org



# 2015 NCAI Mid Year Conference & Marketplace | St. Paul, MN | June 28 - July 1

## St. Paul River Centre | 175 W Kellogg Blvd, St. Paul, MN 55102

### Sunday, June 28

- 9:00am - 5:00pm Pre-Meetings
- 12:00pm - 1:00pm New Member Orientation
- 1:00pm - 5:00pm Registration/Rules & Credentials/Resolutions Open
- 6:00pm - 8:00pm Welcome Reception

### Monday, June 29

- 7:30am - 5:00pm Registration/Rules & Credentials/Resolutions Open
- 8:30am - 12:00pm First General Assembly
- 10:00am - 6:30pm Marketplace Open to Public
- 1:30pm - 4:00pm Concurrent Breakouts
- 4:15pm - 6:15pm Subcommittee Meetings
- 6:30pm - 8:00pm Special Evening Receptions, Sessions, & Meetings

### Tuesday, June 30

- 7:15am - 8:15am Regional Caucus Meetings
- 7:30am - 5:00pm Registration/Rules & Credentials/Resolutions Open
- 8:30am - 12:00pm Second General Assembly & 10th Annual Tribal Leader/Scholar Forum
- 10:00am - 6:30pm Marketplace Open to Public
- 1:30pm - 4:00pm Concurrent Breakouts
- 4:15pm - 6:15pm Full Committee Meetings
- 7:00pm - 9:00pm Cultural Night

### Wednesday, July 1

- 7:15am - 8:15am Regional Caucus Meeting (Optional)
- 8:30am - 12:30pm Third General Assembly
- 9:00am - 12:00pm Indian Arts and Crafts Open
- 12:30pm Adjourn

**DRAFT 3/10/2015**

## Oneida Business Committee Travel Request

1. **OBC Meeting Date Requested:** 04 / 22 / 15  e-poll requested

### 2. General Information:

Event Name: Haskell Spring Board of Regents Meeting

Event Location: Lawrence, KS Attendee(s): Brandon Stevens

Departure Date: May 6, 2015 Attendee(s):

Return Date: May 9, 2015 Attendee(s):

### 3. Budget Information:

- Funds available in individual travel budget(s)  
 Unbudgeted  
 Grant Funded or Reimbursed

Cost Estimate: \$300

### 4. Justification:

- Liaison Appointment Responsibilities

To which Strategic Direction(s) does this travel relate?

- Advancing Principles  Creating a Positive Organizational Culture  
 Committing to Building a Responsible Nation  Implementing Good Governance Processes

Describe the purpose of Travel and how it relates to the Strategic Direction(s) and/or your liaison area:

Oneida has the ability to affect major policy changes in Indian Education with direct access to the Secretary of the Department of the Interior as well as Bureau of Indian Education Director. Continuation of Board membership will put Oneida in an advantage of being a resource for the Administration in overall Education matters that can positively influence our Reservation educational needs.

### 5. Submission

Sponsor: Brandon Stevens, Council Member

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## Oneida Business Committee Travel Request

**1. OBC Meeting Date Requested:** 04 / 22 / 15  e-poll requested

### 2. General Information:

Event Name: NCAI Mid Year Conference

Event Location: St. Paul, Minnesota Attendee(s): Fawn Billie

Departure Date: Jun 28, 2015 Attendee(s): Melinda J. Danforth

Return Date: Jul 1, 2015 Attendee(s): Brandon Stevens

### 3. Budget Information:

- Funds available in individual travel budget(s)  
 Unbudgeted  
 Grant Funded or Reimbursed

Cost Estimate: \$1000 per person

### 4. Justification:

- Liaison Appointment Responsibilities

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### 5. Submission

Sponsor: Fawn Billie, Council Member

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- 12:30pm Adjourn

**DRAFT 3/10/2015**

# Oneida Business Committee Meeting Agenda Request Form

04 / 22 / 15

Excerpt from BC meeting 04/08/15: Motion by Lisa Summer to defer the Utilities Department FY '15 1st quarter report to the next regular Business Committee meeting, seconded by Fawn Billie. Motion carried unanimously

1. Meeting Date Requested: ~~04 / 08 / 15~~

## 2. Nature of request

Session:  Open  Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

Agenda Header (choose one):

Agenda item title (see instructions):

Action requested (choose one)

- Information only
- Action - please describe:

## 3. Justification

Why BC action is required (see instructions):

## 4. Supporting Materials

[Instructions](#)

- Memo of explanation with required information (see instructions)
- Report  Resolution  Contract (check the box below if signature required)
- Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1. <input type="text"/>	3. <input type="text"/>
2. <input type="text"/>	4. <input type="text"/>

Business Committee signature required

## 5. Submission Authorization

Authorized sponsor (choose one):

Requestor (if different from above): Scott Cottrell, Manager  
Name, Title / Dept. or Tribal Member

Additional signature (as needed): \_\_\_\_\_  
Name, Title / Dept.

Additional signature (as needed): \_\_\_\_\_  
Name, Title / Dept.

- 1) Save a copy of this form in a pdf format.
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# Utilities Department

Scott Cottrell, Manager

**1<sup>st</sup> Quarter – October 2014 to December 2014  
FY' 2015**

## **Utilities Department– Quarterly report**

### **Mission Statement:**

The Oneida Utilities Department has an obligation to provide safe drinking water and environmentally safe wastewater treatment for the Oneida Nation and other persons it serves through routine testing, observations, maintenance, and continuous education and training.

### **Major Functions:**

Provide safe drinking water, environmentally safe wastewater treatment, Septage Removal and Billing to our customers.

## Utilities Department– Quarterly report

- The Oneida Utilities Department employ's 8 Full time positions. All Oneida Tribal Members.

Scott Cottrell, Utilities - Manager

Paul Danforth - Field Supervisor

Bridget John – Administrative/Account Supervisor

Dale Metoxen - Water/Wastewater Operator

Luann King-Skenandore - Lab Coordinator

Jeff Rentmeester - Maintenance Worker

William Stevens - Septic System Technician

Nancy Metoxen - Administrative Assistant I



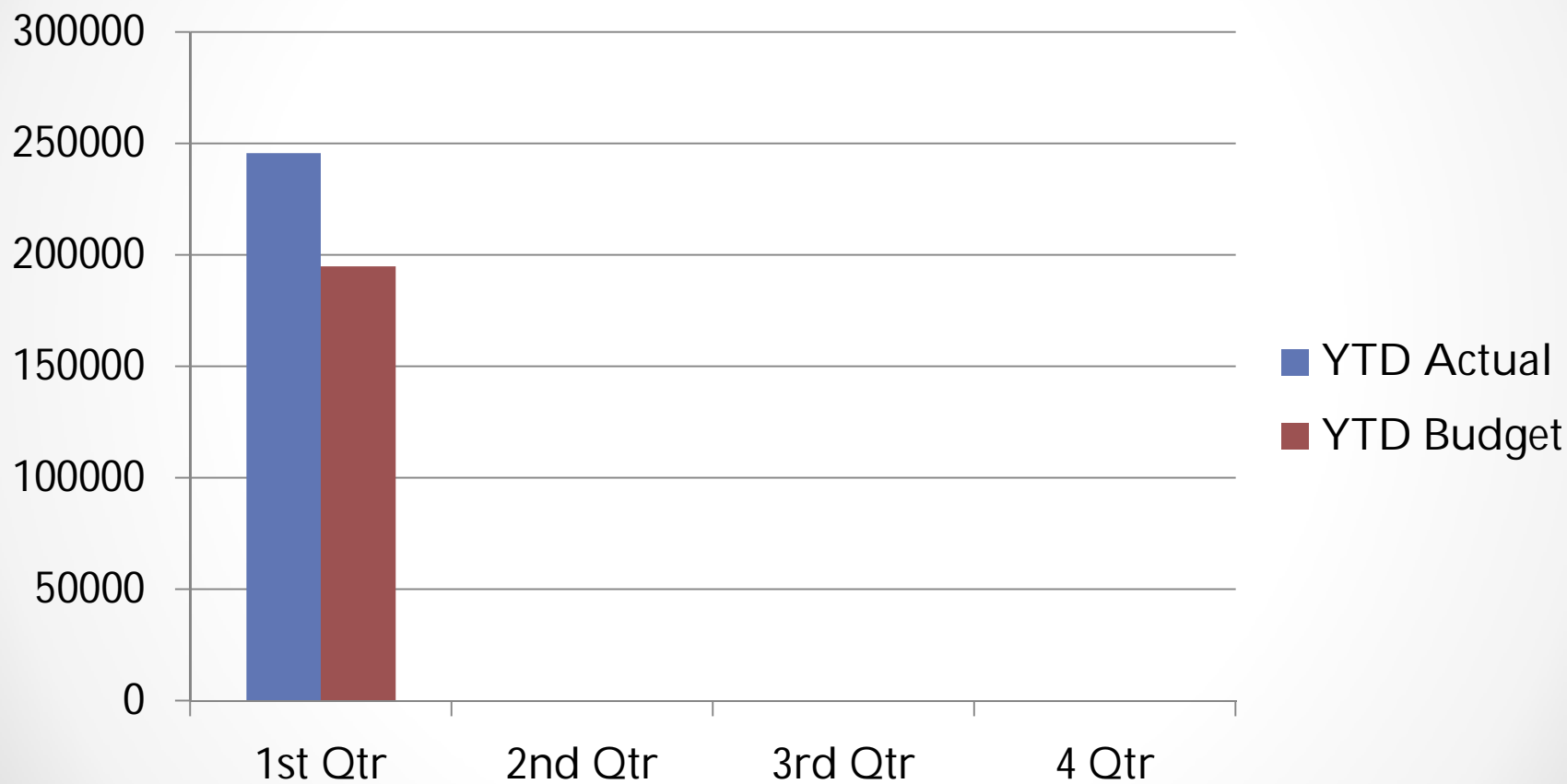
## Utilities Department– Quarterly report

- Utilities Department is currently operating at a -20.71% (\$50,932) variance for the 1<sup>st</sup> Qtr.. of FY'15

### Major Variances::

- Tribal Subsidies \$17,298  
 (These were eliminated from our budget during the 12% cut, we need to address customers before totally eliminating or find a source to subsidize the costs)  
 (These subsidize low income, disabled and elderly Sewer and Water charges as well as Elderly Septic Pumping)
- Repairs /Maintenance Equipment \$15,573.12
  - Broken Valve Repair/Water Break by Oneida Post Office \$5,673.12
  - Urgent Valve 3 replacements needed by Little Bear and Oneida Post Office \$9,900.00
- Non Cash Items
  - Depreciation Infrastructure \$18,060.88  
 (line item was reduced during the 12% cut)

### Utilities Department– Quarterly report



## Utilities Department– Quarterly report

- **Number of Work Orders for the reporting quarter:**

	1 <sup>ST</sup> Qtr.	2 <sup>nd</sup> Qtr.	3 <sup>rd</sup> Qtr.	4 <sup>th</sup> Qtr.
Work Orders completed	97			
Locate Requests-Diggers Hotline	121			
Septic Pumping's	167			

## Utilities Department– Quarterly report

### Statistics:

- **Water Customers Total: 635**
  - Residential 564
  - Commercial 20
  - Internal Public Gov't 51
- **Sewer Customers Total 563**
  - Residential 496
  - Commercial 21
  - Internal Public Gov't 46
- **Refuse/Recycling Customers Total 979**
- **Lift Stations Total 13**
- **Well Houses Total 5**
- **Centralized WWTP**
- **Sandhill Circle Wastewater Plant**
- **Site 1 & 2 Water Booster Station**
- **Rolling Hills Water Tower**
- **Little Bear Water Tower**

## Utilities Department– Quarterly report

### **WWTP/Utilities :**

Staff continues to be extremely busy with day to day activities and maintenance of Utilities and WWTP duties; Serving 635 Water customers (564 Residential, 20 Commercial and 51 Public Gov't) and 563 Sewer Customers (496 Residential, 21 Commercial and 46 Public Gov't).

We have been dealing with Lift Stations plugging up which can lead to some costly repairs and replacements of equipment. We have been meeting with ORCCC staff to address the problems with the Lift Station located near the center.

We've recently had an employee on medical leave which leave's us short on employees for on call needs, emergencies, repairs and maintenance. We also need to get additional employees hired soon to be prepared for possible retiree's in the near future. Vacant positions 0.

### **Projects:**

Water System Analysis – LUTU II process has been completed to obtain land on King Lane as well as the drill test wells for the new pump house and wells for the Nations public drinking water. Next process will be to construct the 2 new wells, pump house and watermain loop for this project.

We've been approved through the Finance Committee to replace six existing lift station panels due to obsolete items in regards to our alarm and communication system. Installation will begin Spring of 2015.

13 residential units should be completed and added to our system during the 2<sup>nd</sup> Quarter. We are expecting to have an additional 8 units and 1 duplex to be added this summer. 44 units are expected to be built in the coming years. These will all be located in the Elder Village Area.

## Proposed Rate Change

would create an additional Revenue of \$20,500 per Quarter

### Water

Meter size	Current Flat Rate	No Contribution	Without Depr/Amor	Proposed change
Residential 3/4"	13.36	59.73	29.69	14.96
1"	23.75	106.18	52.79	26.60
1 1/2"	53.43	238.91	118.77	59.84
2"	94.98	424.72	211.14	106.38
2 1/2"	148.41	663.63	329.91	166.22
3"	213.71	955.63	475.07	239.36
3 1/2"	290.88	1300.71	646.63	325.79
4"	379.92	1698.89	844.58	425.51
In addition to the flat rates the following is added per metered usage				
Current Variable Cost Per Thousand gallons used	1.22	2.20	2.20	2.20
Average (6600 gal) Residential Water	21.41	74.26	44.23	29.48

### Sewer

Meter size	Current Flat Rate	No Contribution	Without Depr/Amor	Proposed Change
Residential 3/4"	17.76	60.13	30.23	19.89
1"	31.57	106.90	53.75	35.36
1 1/2"	71.04	240.53	120.93	79.56
2"	126.3	427.60	214.98	141.46
2 1/2"	197.34	668.13	335.91	221.02
3"	284.17	962.11	483.71	318.27
3 1/2"	386.78	1309.53	658.38	433.19
4"	505.19	1710.41	859.93	565.81
In addition to the flat rates the following is added per metered usage				
Current Variable Cost Per Thousand gallons used	2.15	2.24	2.25	2.25
Average (6600 gal) Residential Sewer	31.95	74.92	45.05	34.74



## Summary:

- Need to determine if Tribal Subsidies should be eliminated per the 12% cut that was required during the budget process or if there is another entity that can cover these expenses
- Request BC approval for Rate increase which would allow for an additional \$82,000.00 per year Revenue to reduce Tribal Contribution-Last increase was in 2004.
- Need to prepare for employee's that are nearing retirement and to have new employee(s) trained to fill the position(s).

# Oneida Business Committee Meeting Agenda Request Form

1. Meeting Date Requested: 04 / 22 / 15

2. Nature of request

Session:  Open  Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

Agenda Header (choose one): Report

Agenda item title (see instructions):

Action requested (choose one)

Information only

Action - please describe:

3. Justification

Why BC action is required (see instructions):

4. Supporting Materials

[Instructions](#)

Memo of explanation with required information (see instructions)

Report  Resolution  Contract (check the box below if signature required)

Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1.  3.

2.  4.

Business Committee signature required

5. Submission Authorization

Authorized sponsor (choose one):

Requestor (if different from above): Scott Cottrell, Manager  
Name, Title / Dept. or Tribal Member

Additional signature (as needed): \_\_\_\_\_  
Name, Title / Dept.

Additional signature (as needed): \_\_\_\_\_  
Name, Title / Dept.

- 1) Save a copy of this form in a pdf format.
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# Utilities Department

Scott Cottrell, Manager

**2nd Quarter – January 2015-March 2015  
FY' 2015**

## **Mission Statement:**

The Oneida Utilities Department has an obligation to provide safe drinking water and environmentally safe wastewater treatment for the Oneida Nation and other persons it serves through routine testing, observations, maintenance, and continuous education and training.

## **Major Functions:**

Provide safe drinking water, environmentally safe wastewater treatment, Septage Removal and Billing to our customers.

## Utilities Department– Quarterly report

- **The Oneida Utilities Department employ's 8 Full time positions. All Oneida Tribal Members .**

Scott Cottrell, Utilities - Manager

Paul Danforth - Field Supervisor

Bridget John – Administrative/Account Supervisor

Dale Metoxen - Water/Wastewater Operator

Luann King-Skenandore - Lab Coordinator

Jeff Rentmeester - Maintenance Worker

William Stevens - Septic System Technician

Nancy Metoxen - Administrative Assistant I

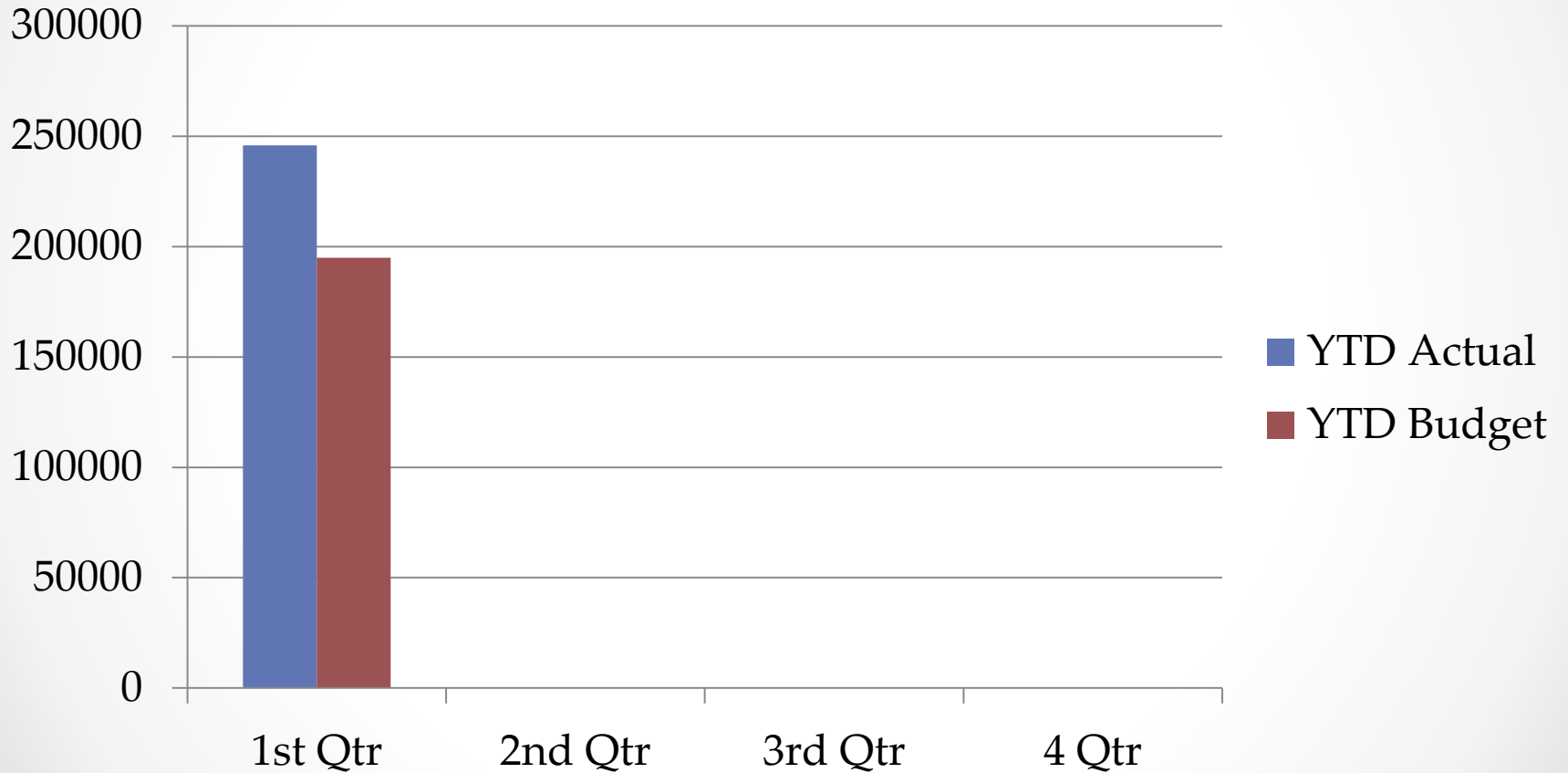
## Utilities Department– Quarterly report

- Utilities Department is currently operating at a (pending) variance for the 2nd Qtr.. of FY'15

### Major Variances::

- 2<sup>nd</sup> Qtr Financials unavailable at this time

## Utilities Department– Quarterly report





## Utilities Department– Quarterly report

- **Number of Work Orders for the reporting quarter:**

	1 <sup>ST</sup> Qtr.	2 <sup>nd</sup> Qtr.	3 <sup>rd</sup> Qtr.	4 <sup>th</sup> Qtr.
Work Orders completed	97	87		
Locate Requests-Diggers Hotline	121	79		
Septic Pumping's	167	152		

**Statistics:**

- **Water Customers Total: 635**
  - Residential 564
  - Commercial 20
  - Internal Public Gov't 51
- **Sewer Customers Total 563**
  - Residential 496
  - Commercial 21
  - Internal Public Gov't 46
- **Refuse/Recycling Customers Total 979**
- **Lift Stations Total 13**
- **Well Houses Total 5**
- **Centralized WWTP**
- **Sandhill Circle Wastewater Plant**
- **Site 1 & 2 Water Booster Station**
- **Rolling Hills Water Tower**
- **Little Bear Water Tower**

# Utilities Department– Quarterly report

## **WWTP/Utilities :**

Staff continues to be extremely busy with day to day activities and maintenance of Utilities and WWTP duties; Serving 647 Water customers (565 Residential, 20 Commercial and 62 Public Gov't) and 575 Sewer Customers (497 Residential, 21 Commercial and 57 Public Gov't).

We have been dealing with Lift Stations plugging up which can lead to some costly repairs and replacements of equipment. We have been meeting with ORCCC staff to address the problems with the Lift Station located near the center.

We've recently had an employee on medical leave which leave's us short on employees for on call needs, emergencies, repairs and maintenance. We also need to get additional employees hired soon to be prepared for possible retiree's in the near future. Vacant positions 0.

## **Projects:**

Water System Analysis – LUTU II process has been completed to obtain land on King Lane as well as the drill test wells for the new pump house and wells for the Nations public drinking water. Next process will be to construct the 2 new wells, pump house and watermain loop for this project.

We've been approved through the Finance Committee to replace six existing lift station panels due to obsolete items in regards to our alarm and communication system. Installation will begin Spring of 2015.

12 residential/OHA Internal units have been completed and added to our system during the 2<sup>nd</sup> Quarter with 1 additional unit still being constructed. We are expecting to have an additional 8 units and 1 duplex to be added this summer. 44 units are expected to be built in the coming years. These will all be located in the Elder Village Area.

Proposed Rate Change  
 would create an additional Revenue of \$20,500 per Quarter  
 Based on 1st Quarter Operations

Water

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Why BC action is required (see instructions):

## 4. Supporting Materials

[Instructions](#)

Memo of explanation with required information (see instructions)

Report     Resolution     Contract (check the box below if signature required)

Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1.

3.

2.

4.

Business Committee signature required

## 5. Submission Authorization

Authorized sponsor (choose one):

Requestor (if different from above):

Additional signature (as needed):

Additional signature (as needed):

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# FY15 Second Quarter Report



Oneida Environmental, Health, and Safety Division  
March 31, 2015



## Overall Impressions of the Second Quarter

With winter finally coming to the end, we are planning on having another big field season, if the weather cooperates with us. One of those projects is our pilot phosphorus project in the Silver Creek Watershed with NEW Water. All of the various agencies (NEW Water, EHSD, Oneida Farm, Brown County Conservation Office, U.S. FW&S, and many more) are meeting to review soil information and water monitoring results. Conservation plans will be changed to reflect that information. Other activities will include: vegetated water treatment systems, wetland development, agricultural best management practices, stream crossing, and edge of field monitoring.

As a reminder, the **On^yote?aka Lake Opening will be on Saturday, May 16, 2015** starting at 9:00 a.m. with an opening ceremony. We have invited the NRDA Co-Trustee Group to be part of the opening. Other activities sponsored by the Lake Planning Team (ERB, EHSD, Health Promotion & Oneida Adventures): Group Stretch, 1- 3 mile Group Walk, Canoe/Kayak Demonstrations & tours and learn more about lake by taking a nice walk.

## Personnel

### Full-time Employees as of March 31, 2015:

- 27 regular full-time employees, 3 seasonal employees
- Total workforce of 30: 63% are Oneida, 7% are members of other tribes totaling 70%

### Accrual Time-Off Management for Staff:

We have 7 employees over the 200 hours for vacation and personal time accruals. Each of these employees is encouraged to take time off monthly by their supervisor and to review their hours on the Employee Self Services computer site.



January  
EHSD staff and others participate in a snowshoe clinic. RAS points were awarded to each participant.



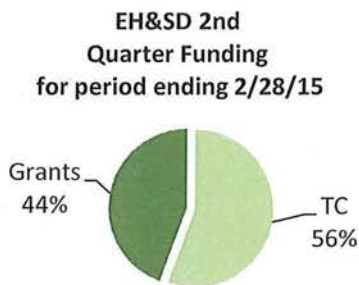
3 | EHSD FY15 Second Quarter Report

**Travel & Training**

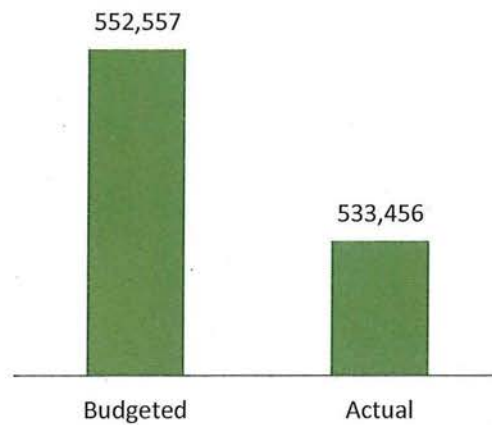
\*\*All quarter travel costs were either reimbursed back to the tribe or funded with 100% grant dollars.

EHSD Travel for 1st Quarter			
Staff	Event	Location	Cost
Env. Specialist	Tribal Waste & Response Assistance Program National Steering Committee	Wash. D.C.	Expense Free
Sr. Warden	Native American Fish & Wildlife snowmobile training & Chief CO/Warden Meeting	Lac du Flambeau, WI	211.00
Warden	Native American Fish & Wildlife snowmobile training & Chief CO/Warden Meeting	Lac du Flambeau, WI	211.00
Water Resource Specialist	Wisconsin Wetland Association Science Conference	Madison, WI	446.72
Env. Specialist	Wisconsin Integrated Resource Management Conference	Oconomowoc, WI	572.54
Natural Resource Tech Trainee	Understanding & Evaluation of Groundwater Flow Models Training	Carlton. MN	207.00
Env. Specialist	Understanding & Evaluation of Groundwater Flow Models Training	Carlton. MN	262.89

**Budget Update**



**EHSD has a positive variance of \$19,101 for period ending 2/2/15**





Grants Applied for or Received in the Second Quarter		
Agency	Activities	Amount
Dept. of Energy	Install solar electric systems	\$1,000,000 AWARDED
WiDNR	Youth Summer Program related to natural resources	\$22,700
BIA/GLRI	Various Natural resources initiatives	\$181,000 AWARDED

### Public Outreach

- Oneida Market Green Cleaning presentation- 9 participants
- Woodland Owner's Conference- 12- attendees

### Technology & Equipment

Nothing to report

### Notable Accomplishments

- Submitted final report to the State Energy Office regarding the pellet furnace grant
- Environmental Area Manager Attended UW Tribal Environmental Health Summit
- Began the Silver Creek Restoration Design phase
- Completed 2012 benthos sampling and cataloging
- Farm Recall Policy draft completed and moved to SOP approval process
- 6 food vendors certified in food safety for the USDA Agriculture Marketing Service Grant.
- Pollution Prevention Environmental Specialist attended Project Wet and Project Learning Tree environmental workshops, and Wisconsin Hazardous Materials and Waste Disposal Awareness Training
- Industrial Hygienist completed ACM removal and management for AJNH demolition project
- Maintained Sugar Camp for Turtle Schools and NHC
- Built a car wash model for the 2015 Safety Town Event
- Improved access to the Longhouse for winter ceremonies



February  
EHSD's Hunter Recruitment Program is teaching women new to hunting with class time, field experience, and free hunting permits.

**Plans for Third Quarter**

Provide an Oneida History Class to EHSD and DOLM staff  
-Develop course and train staff on basic photography

**Current local or regional collaborations**

- Midwest Tribal Energy Resources Association
- NEW Waters, Green Bay Conservation Partners, Nature Conservancy
- US Fish & Wildlife Service
- Wisconsin Tribal Environmental Managers
- EPA Region 5 Tribal Operating Committee
- Tribal Steering Committee
- NE Climate Change Center

**Report Prepared By:**

Patrick Pelky

4/14/15

Patrick Pelky, EHSD Director

Date

J. A. Falck

4-14-15

Jennifer Falck, Program Evaluation Analyst

Date



March  
EHSD staff and other  
departments took a week  
long tractor safety training  
course at the Oneida Nation  
Farm site.



# Oneida Business Committee Meeting Agenda Request Form

Excerpt from BC meeting April 08, 2015: Motion by Lisa Summers to defer the Development Division/Operations FY '15 2nd quarter report to the next regular Business Committee meeting and to request the Tribal Secretary's Office to notify the Assistant Development Director of Operations to attend, seconded by Jennifer Webster. Motion carried unanimously

04 / 22 / 15

1. Meeting Date Requested: ~~04 / 08 / 14~~

## 2. Nature of request

Session:  Open  Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

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Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1.

3.

2.

4.

Business Committee signature required

## 5. Submission Authorization

Authorized sponsor (choose one):

Requestor (if different from above): Bruce A. Danforth, Asst. Development Director/Operations

Name, Title / Dept. or Tribal Member

Additional signature (as needed): \_\_\_\_\_

Name, Title / Dept.

Additional signature (as needed): \_\_\_\_\_

Name, Title / Dept.

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# DEPARTMENT OF PUBLIC WORKS

**Assistant Development Director-Operations:  
Bruce Danforth**

**QUARTERLY REPORT:  
January/February/March  
2015**

Created 3.20.2015





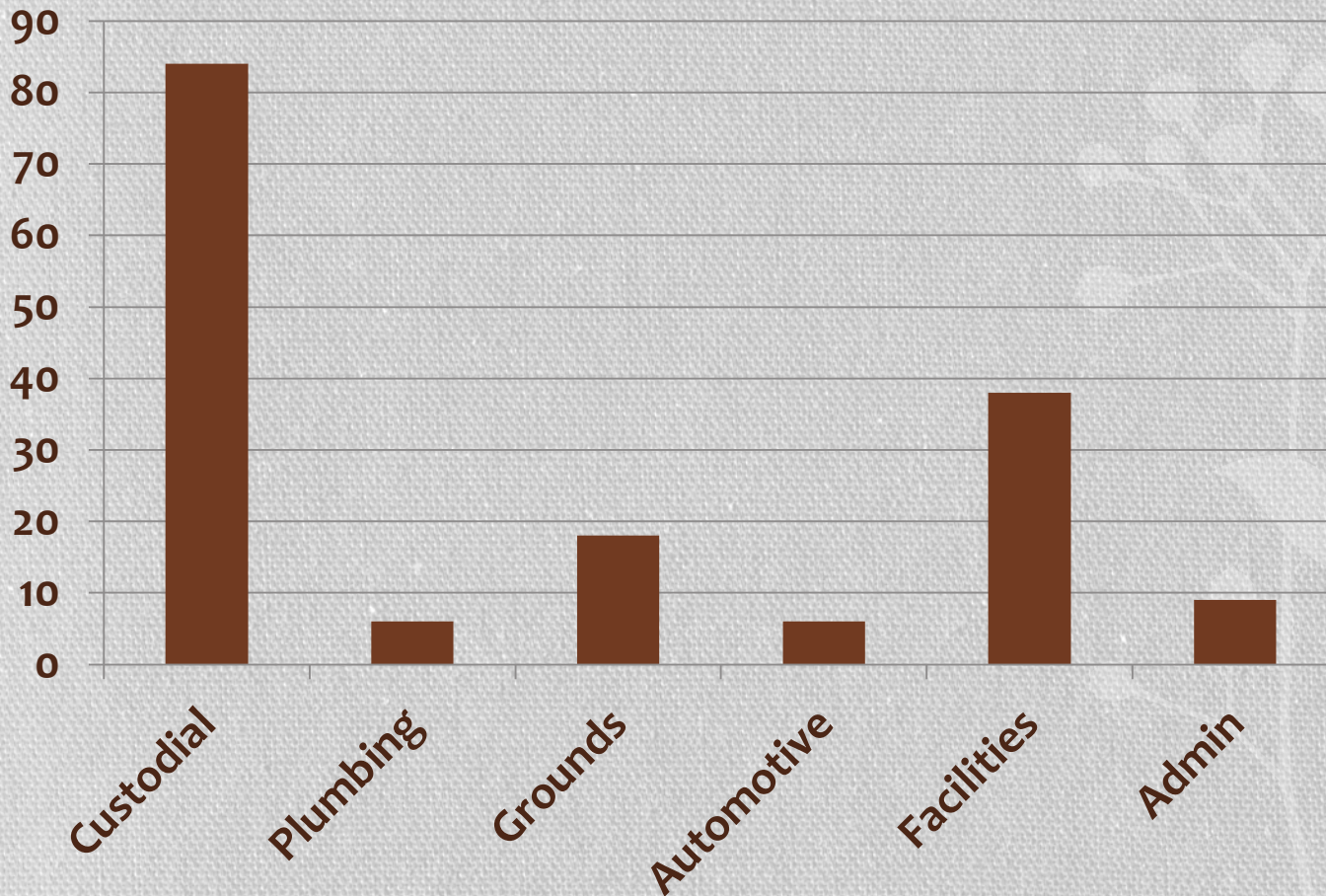
# DEPARTMENT OF PUBLIC WORKS

- The mission of the Department of Public Works is to effectively maintain public infrastructure with the utmost efficiency. We provide essential services in the area of Facilities Management and all health and safety code enforcement, Fleet Management, Plumbing Services, and Vehicle Repair & Maintenance. We at Public Works, strive to enhance the appearance of the Oneida Nation by maintaining landscape of all tribal entities along with providing safe roads and pathways for community members, employees and visitors in the utmost practical, useful, economical, safe and beneficial way.
- The Department of Public Works consists of Administration, Groundskeeping, Automotive, Custodial, Facilities, Plumbing and Community Wells & Septic.



# Total # of Employees by Department

## Employees



Custodial – 84  
Plumbing – 6  
Grounds – 18  
Automotive – 6  
Facilities – 38  
Admin - 9

■ Employees

# DPW-QUARTERLY REPORT

AREAS OF RESPONSIBILITY	
<b>ADMINISTRATION</b>	
Fleet Vehicles	191
Yearly Customers Serviced	60,000
Assets maintained in Dollars	\$600,000,000
<b>PLUMBING</b>	
Yearly Service Calls	600
Tribal Buildings Serviced	58
<b>AUTOMOTIVE</b>	
Average Monthly Vehicles Serviced	190
<b>GROUNDSKEEPING</b>	
Number of Sites	55
Acres of Land	300
Total Acres of Lawn Maintained	250
Road Inventory in Mileage	312

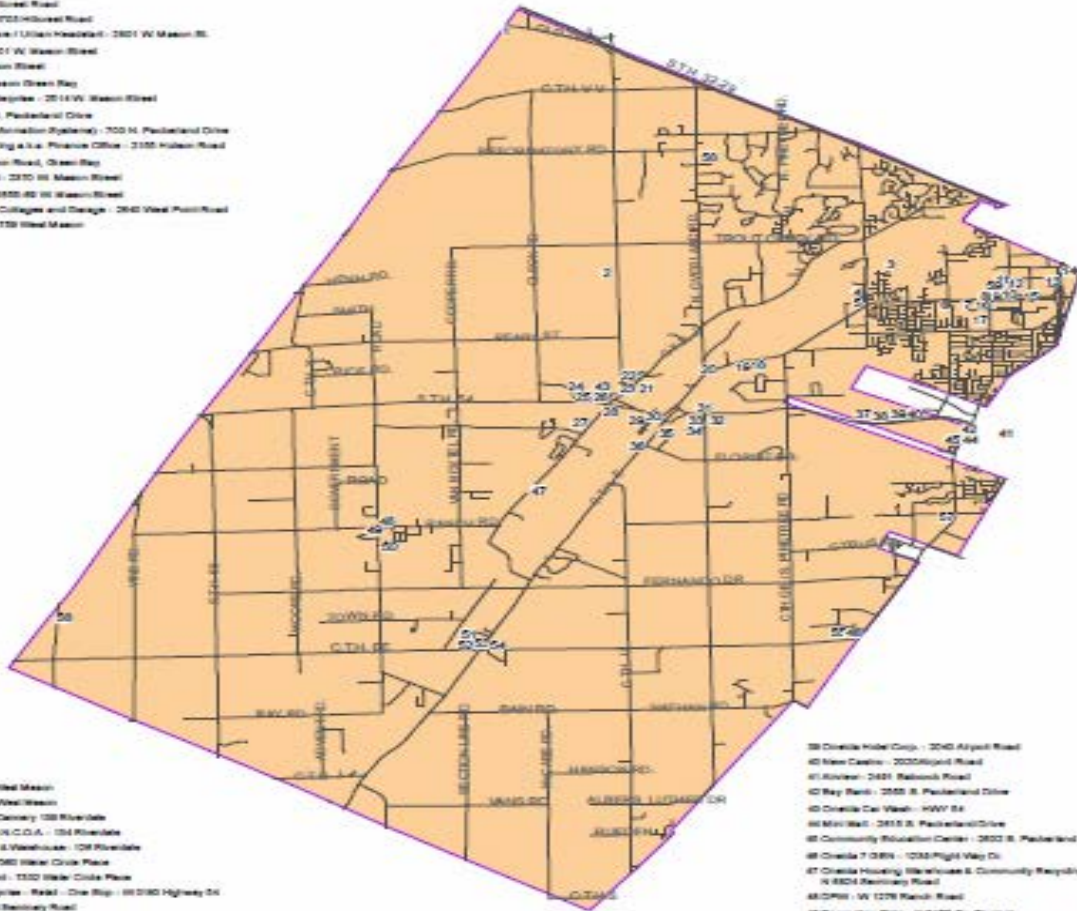


# DPW QUARTERLY REPORT

CONTINUED.....	
<b>GROUNDSKEEPING</b>	
Total Miles of Snow Plowing	300
Square Feet of Parking Lots	3,145,804
<b>FACILITIES</b>	
# of Facilities/Structures Maintained	82 (Includes occupied & Storage Facilities)
Square Feet of Facilities Maintained	1,172,500 Square Feet
Value of Facilities and Improvements (Est)	\$150,000,000
<b>CUSTODIAL</b>	
Number of 8 hour shifts	2
Square Feet of Buildings Cleaned	1,500,000
Number of Buildings Serviced	62
Number of Vehicles	7

ONEIDA NATION  
TRIBAL BUILDINGS AND BUSINESSES

- Buildings - Addresses**
- 1 Oneida Travel Center - 3228 Oak St
  - 2 Conservation - N 8042 County Road 12
  - 3 Oneida Talking Center - 431 Hillside
  - 4 Language - 3737 Hillside Road
  - 5 Cultural Heritage - 3737 Hillside Road
  - 6 Three Sisters Depense / Urban Headquarters - 2801 W Mason St.
  - 7 Postage / Retail - 2701 W Mason Street
  - 8 HRD - 2822 W Mason Street
  - 9 Bowling 3222 W Mason Street Bldg
  - 10 Oneida Tobacco Warehouse - 2514 W Mason Street
  - 11 ODC Health - 701 N. Packerland Drive
  - 12 OIR (Geographic Information Systems) - 700 N. Packerland Drive
  - 13 Centralized Accounting & Finance Office - 2155 Hillside Road
  - 14 Popper - 2025 Larkin Road, Green Bay
  - 15 One Stop Veterinary - 2370 W Mason Street
  - 16 West Mason Bldg - 2822 W Mason Street
  - 17 Social Services & Child Care and Design - 2842 West Post Road
  - 18 Ridgeway Plaza - 2729 West Mason



- 19 Oneida Lodges 3737 Hillside Mason
- 20 Light District - 3278 West Mason
- 21 ToysRUs - a.k.a. Century 128 Riverside
- 22 Senior Center a.k.a. OIA C.O.A. - 124 Riverside
- 23 Senior Center Garage & Warehouse - 128 Riverside
- 24 Post Distribution - N 7265 Water Creek Place
- 25 Little Bear Development - 1532 Water Creek Place
- 26 Oneida Tobacco Warehouse - Retail - One Stop - W 2380 Highway 24
- 27 Tuttle School - N 7125 Secondary Road
- 28 Northside Center / High School / MC - N 7210 Secondary Road
- 29 Child Center - Memorial Building - 2812 Arbye Road
- 30 Niquette Building (incl. Library Expansion) - 201-219 Elm
- 31 Division of Land Management - 470 Airport Road
- 32 New Health Center - Oneida/HRD
- 33 Airport Road OIAI Care Center a.k.a. Three Sisters Depense - 2885 S. Co
- 34 Lee Walker - 2827-2885 S. Overland
- 35 Parkin Hall a.k.a. Expanded Parkin Hall - 2828 Precision Road
- 36 Lee Enforcement Center a.k.a. Police Dept. - 2763 Precision Road
- 37 Casino Village - 2170 Airport Road
- 38 Ince Moore Activity Center - 2122 Airport Road

- 39 Oneida Hotel Corp - 2040 Airport Road
- 40 New Casino - 2020 Airport Road
- 41 Review - 2421 Redbank Road
- 42 Bay Bank - 2555 S. Packerland Drive
- 43 Oneida Car Wash - HWY 24
- 44 Mini Mart - 2815 S. Packerland Drive
- 45 Community Education Center - 2822 S. Packerland Drive
- 46 Oneida 7 Store - 1035 Right Way Dr
- 47 Oneida Housing Warehouse & Community Recycling Depot - N 8504 Secondary Road
- 48 OPRM - W 1278 Marsh Road
- 49 Recreation Bldg - N 8427 Co. Trunk W
- 50 Tomahawk Shelter / Library / Trailer Park - 675 Red Tail Drive
- 51 Oneida Nation Museum - W 2862 County Trunk RR
- 52 Anna John Nursing Home - W 2848 County Trunk RR
- 53 Pioneer Oneida Health Center - 1671 E Precision Road
- 54 One Stop RR - 1671 E Precision Road
- 55 Prior Drive Buildings (2) - 1028 Pghway Drive
- 56 Park - N 8204 County Road C
- 57 Packerland One Stop - 3122 S. Packerland Drive
- 58 Thriftway Club House - 4420 N. Packerland Road
- 59 Riverbank Complex - 823 Packerland Drive

GEOGRAPHIC LAND INFORMATION SYSTEMS

N 703 Packerland Drive  
Green Bay, Wisconsin  
(920) 496-2007



File: Ridge-Business8x11.mxd Date: 8-5-98 Revised 05-19-09

Source: Division of Land Management  
Coordinate System: Wisconsin State Plane, Central Zone  
Lambert Projection, U.S. Foot  
Horizontal Datum: NAD83  
Vertical Datum: NAV85

The map to your left depicts the names and location of buildings the Oneida Tribe is responsible for maintaining.

To view the map in a larger format, please visit <http://arcims.otiw.org/glis.html>



The **Administration** staff of the Department of Public Works is the commitment to enhance support and develop teamwork, communication and quality customer service to the Oneida Nation that provides an approachable friendly atmosphere.

Along with all day to day requests, a completed DPW Business Unit December oversight Report has been completed. March financials for DPW Business Units have also been reviewed and entered. Completed DPW close out report for the OBC. Also started review and preparation for the next FY budget along with attending budget meetings. We are in the beginning stages of cross training a staff member to assist with Custodial Admin work in an effort to save money within the department. Daily we continue to process/pay/create purchase orders and inter-tribal documents as needed. There where 1,519 phone calls that came in to DPW for this quarter.

Fleet is also part of the Administration department. Their main objective is to help departments with there vehicle needs, such as; purchasing a new vehicle, cleaning out the departments vehicle or signing out a loaner vehicle from the fleet that is kept directly at the Department of Public Works. The total number of fleet vehicles to date is 191 with 37 of the vehicles kept on site.

There have been 26 vehicle requests and 96 vehicles cleaned this quarter. Numbers are lower due to the cold temperatures. We don't want vehicle locks and doors to freeze.



The **Plumbing Departments** main objective is to install and maintain plumbing to protect the public's health, safety, and welfare of our people and our customers.

For this quarter, there have been 67 work orders completed. In January we invoiced 51 customers, in February 40 customers were invoiced and as of March 20<sup>th</sup>, 21 customers have been invoiced, totalling 112 for the quarter. (See attached Archibus spreadsheet)

Work has been started on the Oneida Housing Authority HUD Projects totaling 16 units.

As of today, Oneida Plumbing has completed 20% of the OHA-Powless Street Project. \$29,000 has been billed towards the completed work so far. This project is fully funded through HUD.



The **Automotive** Department is here to provide professional and quality service with all Tribal businesses in maintenance and repairs of all Tribal Vehicles.

There have been a total of 197 work orders complete as of March 16, 2015.

Our main issues and what we strive for, are completing all the work orders that come in, in a timely and efficient manner as possible.

We also continue to monitor our monthly expenses.



The ***Custodial Department*** makes up for the majority of our employee population here at DPW. Their main objective is the cleanliness of all spaces occupied by Oneida Tribal Employees.

With many employees on medical leave, and the winter weather combined with not having enough healthy and productive employees due to age and physical limitations, it causes us to be short staffed and not as productive as we could and should be with a full staff. Custodial pool applicants tend not to bring the best employees. We are currently down eight (8) employees.

With all the vacancies, we have been moving employees around to the best of our ability. We have had one complaint regarding custodians not being very helpful. I'm in the process of setting up a training with HRD.



The main duties of the **Groundskeeping Department** is to establish a reputable and self-sufficient department for the Oneida Nation in maintaining all the tribal grounds by means of Cutting grass in warmer weather and snow and ice removal in the winter months.

As of March 16, 2015 we have delivered a total of 240 bags of salt to different departments.

So far we have had a very mild winter and have not utilized all the road salt for the year.

We worked on the demolition of the old Health Center and we continue to work on the demolition of the old Anna John Nursing Home. We are in the material separation phase.



The primary objective of the **Community Wells & Septic** (CWS) Department is the emergency repair or replacement of septic systems. New/replacement systems are funded by IHS/EPA.

We currently have 2 temporary plumbers that assist in the CWS and IHS facilities construction. They attended 3 Pump Installer Classes.

The freezing temperatures have caused some frozen sewer pipes and septic systems. This has also caused frozen water lines for homes on private well water.

An urgent issue we are working on is a site on Service Rd. With the warmer weather coming up the water will be coming closer to the home with the frozen ice very close to the basement.

We are currently assisting in the demo work of the old Anna John Nursing Home.



## Community Wells & Septic Cont...

PROJECT UPDATE	
Emergency Septic System Repair	5 homes served for emergency septic system, frozen mounds, frozen laterals. Sites put on emergency pumping until warm weather melts the ground
Septic Pumping Sites	7 homes served for emergency pumping. 3 homes with failing septic systems, 2 homes with frozen septic systems/laterals and 1 about to fail.
Emergency Existing Private Well System	4 homes served for emergency private wells. No water, unthaw well casing, install whole house water filter, install new well pumps and replace pressure tank. Project complete.

## Community Wells & Septic Cont....

PROJECT UPDATE	
Well Water Sampling	3 samples for WSLH
IHS Scattered Sites	2 new sites to add to new construction list. Not much work for sited due to the weather, snow & rain. Site are not accessible.
EPA/IHS BE-12-G98	4 Applications for POWTS replacements
BE-12-G98 POWTS Database	Carmody Database approved contract and Purchase Order. This is a regulatory requirement to protect the groundwater & tribes sovereignty.



The **Facilities Department** provides preventative and on-demand maintenance of facilities. The facilities are maintained according to all building codes, licensing requirements, and funding agency specifications so that they may continue to support the delivery of a wide range of governmental services. By coordinating the maintenance, inspection, and permitting of the life safety systems through DPW Facilities, the tribe incurs financial savings through efficient scheduling, volume discounts on supplies, and extended life of equipment.

The two vacant positions have affected our efficiency in completing work orders and keeping up on scheduled preventative maintenance. Maintenance personnel are being moved around to accomplish work requests on a priority basis. Also, the budget constraints and budget cuts have impacted the work requests that we are able to complete due to lack of resources and needing to prioritize the requests based on impact on maintenance of buildings.

The cold weather in February makes any heating system failure an urgent matter due to the possibility of freezing pipes. The crew has done well at maintaining the boilers and furnaces and responding to emergency situations. We had one incident at Elder Service where a sprinkler pipe broke in the attic and required the ceiling to be replaced due to water damage.



- ❖ Facilities department is participating in the budget team meetings and is a member of the Strategic Workforce Development team recommending initiatives that can be accomplished in that area.
- ❖ Moved the Appeals/Judicial Personnel to the new Judicial Center.
- ❖ Assisted Groundskeeping Department with Snow removal as needed.
- ❖ We have 8 employees attending required training for their positions and 16 employees attending other trainings.

## PROJECT UPDATES

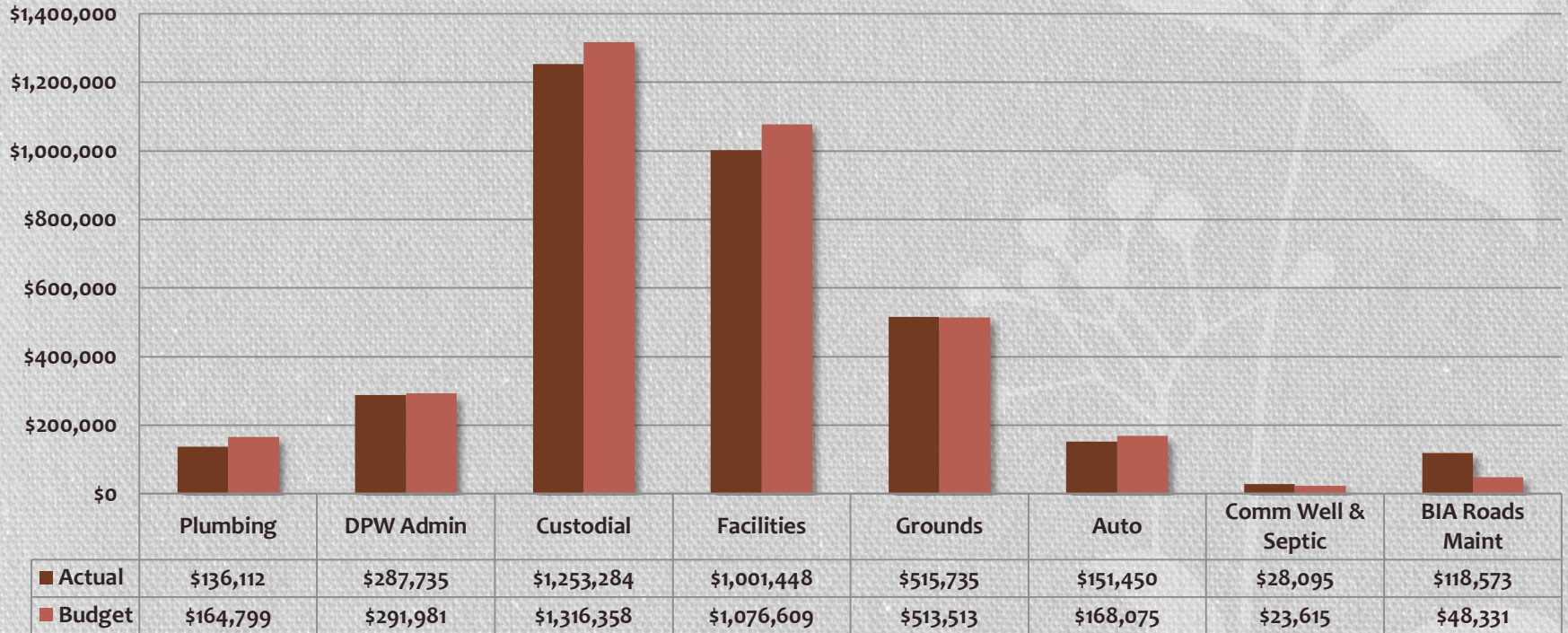
Elevator Modernization	Started February 18 <sup>th</sup> and scheduled to be completed April 13 <sup>th</sup> . Involves changing doors to elevator, blockwork around elevator, adding safety devices, and upgrading interior.
Security Camera Installation	Cameras have been installed throughout the Turtle School, High School, and NHC exterior. We have a few large monitors that still need to be connected, but system has been operational for several months. Anticipated completion is March 2015. <span style="float: right;">16</span>

## Facilities Cont...

### PROJECT UPDATES

Utility Lift Station Upgrade	Panels for lift stations have been received and Electricians are performing work to have them installed. This will increase the reliability of the lift stations and improve the monitoring of their operation. Emergency generator has been ordered for backup purposes.
LBDC Remodel Interior	Addressed walls and ceilings where water damage occurred due to leaks in the roof. Removed fountain from atrium to create useable meeting space. Currently re-carpeting hallways throughout the building. Need to install new fixtures when they are received. Expected completion is April 2015.





YTD DPW has an overall positive variance.

Actual: \$3,492,432

Budget: \$3,603,281

Variance: \$110,849

## Archived Work Requests by Problem Type

		Month							
Problem Type		Total	2014-10	2014-11	2014-12	2015-01	2015-02	2015-03	
Total	Number of Requests	1,052	208		135	145	243	169	152
BLINDS	Number of Requests	2						1	1
CARD ACCESS	Number of Requests	8	4				1		3
CLEANING	Number of Requests	31	1	1				5	24
CONSTRUCTION	Number of Requests	3	1			1	1		
COOLER/FREEZER	Number of Requests	10	3		3	2	1		1
DAMAGE	Number of Requests	4	2	1					1
DOOR-LOCKS-KEYS	Number of Requests	32	13			2	6	9	2
ELECTRICAL	Number of Requests	68	1		1	3	35	20	8
ELECTRICAL PROB	Number of Requests	29	2		1		19	4	3
FINISHES	Number of Requests	2	1				1		
FIRE SUPPRESSION	Number of Requests	1				1			
FLOORING/CEILING	Number of Requests	9	1			1	1	3	3
FURNITURE RELAT	Number of Requests	82	18		14	9	11	15	15
FOUNDATIONS	Number of Requests	3	2			1			
HVAC	Number of Requests	164	27		27	20	45	26	19
HVAC - INSTALL	Number of Requests	1					1		
HVAC-PM	Number of Requests	34	5	1		1	26		1
LIGHTING	Number of Requests	72	15		10	13	17	13	4
MAINTENANCE	Number of Requests	208	52		39	46	30	24	17
OFFICE MOVE	Number of Requests	16	5		1	2	1	2	5
OTHER	Number of Requests	133	30		17	24	19	23	20
PAINT	Number of Requests	3	1			2			
PARKING LOT	Number of Requests	1							1
PLUMBING	Number of Requests	80	14		14	7	21	18	6
PREVENTIVE MAINT	Number of Requests	2	1		1				
REMODELING	Number of Requests	3	1					1	1
RODENTS-INSECTS	Number of Requests	19	1				2	5	11
ROOF	Number of Requests	4	1			2	1		
SAFETY	Number of Requests	6	1		2		1		2
SECURITY	Number of Requests	7	2			1	2		2
SIGNS	Number of Requests	2	1						1
SPECIAL EVENT	Number of Requests	8			2	6			
TABLES-CHAIRS	Number of Requests	3	2			1			
UNUSUAL NOISE	Number of Requests	1					1		
UNUSUAL SMELL	Number of Requests	1							1

# Oneida Business Committee Meeting Agenda Request Form

Excerpt from April 08, 2015 BC meeting: Motion by Lisa Summers to defer the Comprehensive Health Division FY '15 2nd quarter report to the April 22, 2015 Business Committee regular meeting, seconded by Brandon Stevens. Motion carried unanimously:

**1. Meeting Date Requested:** 4 / 22 / 15

**2. Nature of request**

Session:  Open     Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

Agenda Header (choose one): Report

Agenda item title (see instructions):

Consolidated Health FY 2015 2nd Quarter Report

Action requested (choose one)

Information only

Action - please describe:

Motion to approve Consolidated Health FY 2015 2nd Quarter Report

**3. Justification**

Why BC action is required (see instructions):

Mandatory quarterly reporting.

**4. Supporting Materials**

[Instructions](#)

Memo of explanation with required information (see instructions)

Report     Resolution     Contract (check the box below if signature required)

Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1.       3.

2.       4.

Business Committee signature required

**5. Submission Authorization**

Authorized sponsor (choose one): Dr. Vir, Division Director/Medical

Requestor (if different from above): Debbie Danforth, Operations Director/Comprehensive Health  
Name, Title / Dept. or Tribal Member

Additional signature (as needed): \_\_\_\_\_  
Name, Title / Dept.

Additional signature (as needed): \_\_\_\_\_  
Name, Title / Dept.

- 1) Save a copy of this form in a pdf format.
- 2) Email this form and all supporting materials to: BC\_Agenda\_Requests@oneidanation.org



**ONEIDA COMPREHENSIVE HEALTH DIVISION  
DR. RAVINDER VIR MEDICAL DIRECTOR  
DEBRA DANFORTH, RN, BSN, OPERATIONS DIRECTOR  
DIVISION UPDATE QUARTER 2  
January, February, March, 2015**



**Executive Management Team:**

<b>Division Dir-Operations,</b> Debra Danforth RN, BSN,	869-4807
<b>Division Dir-Medical,</b> Ravinder Vir, MD,	869-4808
<b>Asst. Operations Director,</b> Judi Skenandore,	869-4809
<b>Executive Assistant,</b> Mercie Danforth	869-4810
<b>Business Operations Director,</b> Jeff Carlson,	869-4805
<b>Ancillary Services Director,</b> Dave Larson,	869-4820
<b>Director of Nursing-OCHC,</b> Sandra Schuyler,	869-4906
<b>Behavioral Health Manager,</b> Mari Kriescher,	490-3737
<b>Employee Health Manager,</b> Mary Cornelissen	405-4492
<b>AJRCCC Nursing Home Administrator,</b> Nola Feldkamp,	869-2797
<b>Public Health Officer,</b> Eric Krawczyk,	869-4812



**THE ONEIDA COMPREHENSIVE HEALTH DIVISION IS COMPRISED OF:**

*Oneida Community Health Center (OCHC)  
Anna John Resident Centered Care Community (AJRCCC)  
Oneida Behavioral Health (OBH)  
Employee Health Services (EHS)*

**VISION:**

*We provide the highest quality, holistic health care to ensure the wellness of OUR Oneida Community.*

**VALUES:**

**Responsive Leadership:** *Consistent attentive listening, honesty, doing the right thing, timely decision making and seeing issues resolved to completion.*

**Culturally Sensitive:** *Meeting people where they are and being sensitive to their unique needs as human beings within the Oneida Community.*

**Continuous Improvement:** *Striving to achieve a higher quality of health care and a higher performing workforce through our Commitment to Learning and Growth.*

**Communication:** *Fostering honest, respectful and timely communication with the appropriate level of transparency.*

**Safety:** *Striving for an environment that provides the highest level of physical and emotional safety for our patients, employees and community in an environment free of fear, retaliation and repercussion.*

**Respect:** *Create a welcoming and compassionate environment focused on the individual needs of OUR community and Health Care Team*

## OUR 2013-2016 STRATEGIC PLAN IS FOCUSED IN FOUR SPECIFIC AREAS:

1. Improve Access to care across the Health Division
2. Continuous Quality Improvement
3. Optimize Technology
4. Enhance Our Workforce

## OUR 2014-2015 INITIATIVES THAT WILL BE FOCUSED TO ACHIEVE OUR STRATEGIES:

1. **Accreditation:** The Comprehensive Health Division will validate and assure the community the delivery of the highest quality health care services in achieving AAHC (Accreditation Association for Ambulatory Health Care) accreditation by September 2015 through team work, leadership and commitment.
2. **Advancing Technology:** Utilize innovative State of the Art technology and data analytics to continuously improve wellness and health outcomes.
3. **Optimize staffing processes:** To work collaboratively with HRD to enhance the Division processes for recruitment, hiring, and retention and provide recommendation (s) for change to the Oneida Business Committee by September 20, 2015.

### **IMPROVE ACCESS TO CARE ACROSS THE HEALTH DIVISION**

#### **Initiatives: Optimizing staffing processes and Accreditation**

No show rates continue to be high and we continue to educate the community on the importance to keep their appointments. We have developed a new no show policy in the Medical Clinic which is ready to be implemented.

- Routine appointments are currently booking **4-6 weeks out for the Medical Clinic**
- Routine appointments are currently booking **6-8 weeks out for Behavioral Health**
- Routine exams are booking **5 months out for Optical**
  - Optical does have a walk-in clinic on Monday and Thursday mornings for patients who needs their appointments sooner. A sign-up begins at 7:45 AM and the patient will need to wait to be seen.
  - Optical also sees emergencies as needed
- Routine exam & filling appointments are currently booking **1-2 weeks out for Dental Clinic**
- Dental Clinic **cleaning appointments, are 24 weeks (6months) out**
  - Patients are called to come in sooner if there are cancelations in the schedules
- Access to care remains sub optimal across the Health Division.
- We continue to recruit for vacancies in Primary Care including Pediatrics, Family Practice and Internal Medicine
- The HR/OCHD Management team have been meeting to develop a Recruitment and Retention Plan and have requested assistance of the Chief Financial Officer in reviewing the financial feasibility of such a proposal to be presented to the Business Committee
- Recruitment and retention of Health Care Providers and professionals continues to be a challenge
- The October 2013 Government Shut Down exposed our organizations' lack of health contingency funding. The Health Division Leadership took pro-active steps to maintain operations that were constrained by lack of contingency funds and a tight cash flow situation within the organization. The Finance office and Tribal Leadership have verbalized their support to fund a Health Emergency Contingency Fund. Comprehensive Health Leadership will continue to work with the Oneida Business Committee to fill this critical gap

and reduce exposure to our community of the possibility of interruption of health services in the future. The carryover funds may be a consideration to fund the contingency health fund. Will continue further discussions with Oneida Business Committee

- Lack of dedicated Information Technology (MIS) resources continues to be major risk for continued operations in an environment where all records are now electronic. We have only one security officer for the whole organization! Our Electronic Medical Records policies have been difficult to complete/finalize due to lack of dedicated resources
- Not providing market competitive compensation to healthcare professionals poses a challenge in retaining dedicated staff and morale is low throughout the Division
- Limited Succession planning for future retirements of staff with longevity and the restraints within the organization limit options available

### **ANNA JOHN RESIDENT CENTERED CARE COMMUNITY (AJRCCC) UPDATE:**



- Shared activities between AJRCCC and Elder Services continue on a scheduled plan.
- The Congregate Mealsite hours of operation are Monday through Friday from 8:00 AM to 4:30 PM and continues to average 80-100 per day in attendance.
- We are awaiting “official” approval of the VA certification. All site visits have been completed and follow up paperwork submitted.
- Current census is on average 42-44 as of March, 2015. There will be continued need for the use of Agency staffing based upon resident acuity and staffing needs.
- The following positions continue to be filled through the use of Stat Agency staff to be in compliance with the State license requirements based upon patient acuity and number of admissions: Certified Nursing Assistants and some Nursing positions.
- Work began in March for the bathroom floors that are having issues with improper drainage. There has been extensive research completed by the staff in conjunction with the Planning department and Engineering to determine the correct and least costly approach to fix the problem. At this point, it is anticipated that 15 bathrooms will need to be repaired.

- The Finance Coordinators have been doing an excellent job in submission and recoupment of third party revenues for the facility and have made tremendous progress in collections.

## **OPTIMIZE TECHNOLOGY**

### **Initiatives: Advancing Technology and Accreditation**

#### **ELECTRONIC MEDICAL RECORD (EMR):**

- The EMR continues its work within the Oneida Community Health Center and Oneida Behavioral Health. The Clinic continues ongoing review and updating of the system on a quarterly basis. Every update requires numerous testing and implementation to assure that all the kinks are worked through before going live each quarter. The most recent upgrade was made to Centricity Practice System (CPS-Version 12.06).
- My Health Oneida (GE) Patient Portal went live in December of 2014. The portal allows patients to be more involved in their healthcare. Communication to the community and patients has been an ongoing effort. The registration staff have been issuing Portal Personal Identification Numbers (PIN) to all patients who desire to have access. There is information on the website under Comprehensive Health, and follow up articles in the Kalihwisaks. We strongly encourage all our patients to check out the portal.
- Electronic Signature Capture is in process. We have had the software installed and continue to work on the departmental workflows, project plan rollout and choosing the technical hardware that will be used with the Electronic Signature Capture once it is implemented.
- HIPAA Security Policies/Procedures are in the process of being completed through the coordination of Administration, MIS and the Law Office. The next step will be education of the staff on all policies and procedures.
- Immslink- is the selected vendor and is assisting us with our interface with the Wisconsin Immunization Registry (WIR). The interface will be complete as of 3/24/15. However, there are still issues related to the WIR system and inventory for the place of care. Until this is resolved, the Super Users will not be trained. Testing, QA and a training plan will be developed once the training of the Super Users is completed. A date for full implementation and training for the staff has not yet been finalized.
- Access to all other areas that are in need of EMR access is still in process.

#### **CONCERNS and/or ACTIONS NEEDED BY THE OBC:**

There remains a lack of future allocation of funding for ongoing resources & support of EMR. Oneida Comprehensive Health Division's (OCHD) Management recommends the long-term need for an additional Clinical Applications Coordinator and the Link logic manager roles in Medical and Behavioral Health environment. The Health information technology area remains under resourced resulting in potential risk for the division and the organization.

#### **PATIENT MANAGEMENT SYSTEM (PMS)**

- Batch Eligibility- Emedapps is continuing to work on getting the Test file through without receiving errors. As of today, test files are still having errors due to the way Emedapps is putting together the data in the 271 Submission file
- Contract Health Services base software-the upgrades for the Medicare Like Rate software and the fees have been completed by MIS.
- No CHEF cases have been submitted to date, we have not received authorization from Bemidji to begin submissions.



- Optical is testing the Meaningful Use version of Compulink V 12. There are still a number of errors that Compulink must fix before the new version install can be completed for production
- We are still awaiting final hiring of the Comprehensive Health Business Systems Analyst position which was vacated by Mark Osterberg who continues to work with the Division to finalize various projects that he was working on.

**CONCERNS and/or ACTIONS NEEDED BY THE OBC:** No formal action required, just continued awareness and support .

## **CONTINUOUS QUALITY IMPROVEMENT**

### **Initiatives: Accreditation**

#### **Accreditation of the Health Division**

- We have added an additional hour each month to the Quality Assurance (QA) meeting time to accommodate for the necessary time to address only issues related to accreditation on a monthly basis.
- Initial planning is taking place on creating a reporting structure for the additional Health Division Committees i.e. Pharmacy and Therapeutics, Infection Control etc to report their meeting minutes to the QA team.
- Continuing to work on Accreditation Association for Ambulatory Health Care (AAHC) Standards

#### **Public Health Accreditation**

- Community Health's two main focus areas are on Public Health Accreditation and the development of our Family Care and Personal Care agency.
- We are focusing on completing the Community Health Services Strategic Plan and the development of Community Health's Continuous Quality Improvement Plan.
- We are also developing a comprehensive Performance Management Plan for Community Health.
- Reviewing of all policies and procedures within Community Health as part of the Accreditation process.
- Development of the Public Health Accreditation Advisory Team which will continue to be a part of the OCHD Quarterly Report as we move towards the Accreditation of Public Health.
- Public Health Accreditation requires that specific standards are met similar to AAHC accreditation.

## **ENHANCE OUR WORKFORCE**

### **Initiative: Optimizing our staffing processes**

#### **HUMAN RESOURCE MANAGEMENT**

- **Number As of 03/01/15 Comprehensive Health Division Employees: 291**
  - **\*\* ( 1<sup>st</sup> quarter 2014-292, 2<sup>nd</sup> quarter 2014-289, 3<sup>rd</sup> quarter 2014-290 4<sup>th</sup> quarter 2014-292)**
    - 97 Oneida Enrolled**
    - 24 American Indian/Alaskan**
    - 3 Black/African American**
    - 1 Asian**

**2 Hispanic/Latino  
164 Caucasian/other**

**Positions recently filled and/or in process as of 03/01/15:**

- **The following positions are in process and/or have been finalized during this quarter reporting period:**
  - Receiving Clerk
  - Contract Health Supervisor
  - Psychotherapist
  - Dual Diagnosis Therapist
  - Triage Counselor
  - Clinical Substance Abuse Counselor
  - Youth/Adolescent Social Worker
  - Pharmacist
  - Dental Assistant
  - Administrative Assistant III

**Vacancies as of 03/01/15 :**

- **OCHC Medical Clinic**
  - Diabetes Supervisor
  - Certified Medical Assistant-on hold until after January, 2015
  - Physician Internal Medicine
  - Physician Family Practice (2)
  - Registered Nurse
  - Pediatrician
  - Nurse Practitioner
- **Dental**
  - Dental Hygienist
  - ET Dental Assistants
- **Behavioral Health**
  - Clinical Psychologist
- **CONCERNS and/or ACTIONS NEEDED BY THE OBC:** No formal action required at this time. Continued support and awareness of the need to continue to fill vacancies as they occur. Competitive wages continue to be a concern across the Division.
- The critical vacancies that will need to continue to be filled to achieve our Strategic Plan are all Direct Care Providers which are identified as Revenue generating.
- The need to remain competitive with wages is becoming more critical. We are having difficulties filling positions and retaining positions due to wage stagnation.
- With the continued census averaging 41-44, we will be ramping up permanent staffing which is in our FY 2015 budget for the AJRCCC. We will begin filling RN, LPN and CNA positions and are currently revising job descriptions. Use of Agency Staffing for AJRCCC will continue until permanent positions are filled. If we are not able to utilize Agency staff, then we will be unable to fulfill the needs of our residents based upon our acuity levels which could jeopardize patient safety and patient care as well as our licensure for the AJRCCC.



YTD FINANCIAL Revenue REPORT										
AS OF 2 / 28 / 2015										
	Tribal Contribution		Grants		Other Income		External Sales		TOTAL	
	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual
Consolidated Health	0	0	8,197,919	8,189,519	11,478	4,209	8,837,831	6,837,738	17,047,228	15,031,466
Anna John Nursing Home	256,009	(178,440)					1,579,210	1,924,914	1,835,219	1,746,474
Employee Health Nursing	335,905	258,103						125	335,905	258,228
Misc Grants	105,416	107,410	870,892	775,798					976,308	883,208
<b>TOTAL</b>	<b>697,330</b>	<b>187,073</b>	<b>9,068,811</b>	<b>8,965,317</b>	<b>11,478</b>	<b>4,209</b>	<b>10,417,041</b>	<b>8,762,777</b>	<b>20,194,660</b>	<b>17,919,376</b>
* NOTE: From Infinium Report DIVSUMHLT Budget and Actual Report										
<b>Annual TC Funding*</b>	T/C									
Consolidated Health	0	0.00%								
Anna John Nursing Home	1,024,036	23.61%								
Employee Health Nursing	1,343,620	30.98%								
Misc Grants	421,664	9.72%								
<b>TOTAL</b>	<b>2,789,320</b>	<b>64.32%</b>								

## SUCCESSSES OR CELEBRATIONS:

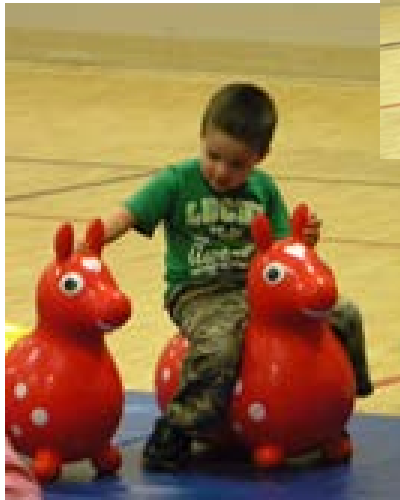
- AJRCCC- Average occupancy fluctuates between 40-44 with full capacity at 48 beds.
- Conducted three successful community flu clinics at the Oneida Nation Elementary School. Used these clinics as grant objectives to validate continuous funding.
- Completed annual Public Health calendar and distributed 500 plus copies to Oneida residents.
- Developed and participated in a regional table-top exercise in Wausau on mass fatality.
- Obtained a five year "Healthy Start" grant thru GLITC, also partnering with the Menominee Nation.
- Designed and implemented four new mission statements for all four areas within Community Health Services Department.
- Dealt with Ebola outbreak scenario in a pro-active and educational manner.
- Completed "Speed of Trust" Leadership training with management team and HRD.
- Significant progress is being accomplished with regard to the current and retro billing of our Accounts Receivable for the AJRCCC
- Dr. Dzubinski rescinded his resignation. His new start date 2/11/15
- Full Time Youth/Adolescent Social Worker posted- Christina Courtney started Full Time 3/8/15
- Clinical Substance Abuse Counselors-Rebecca Krueger started. 3/16/15. We have Carmen Collier starting 5/10/15
- Awareness Group Presentations for the RAS program by Behavioral health
- There is continued uncertainty surrounding the direction the Tribe will be taking with Family Care or the Tribal Waiver Option. Currently we are planning for 1 of 3 options not knowing which direction CMS and the State will send us in. This is consuming large amounts of time with planning and implementation meetings across the Health Division and Governmental Services.
- Celebration of 29 years of service on 4.07.2015 for Dr. Bill Stempki
- Anna Lemke has started the recycling of amalgam on a daily bases, 5 gal pail to collect & is shipped at 20# weight
- Anna Lemke also has requested the water testing of water from the well into the OCHC on a monthly bases, along with the testing of the water in the dental lines in the department.
- 1/12/15: Health Promotion Department completed the Food Handler's renewal certification.
- OBC support for the provider retention initiative proposal
- New OBC engaged in Organizational Culture change and formulating a strategy driven budget process
- Celebrate National Laboratory Week April 20-24
- All storage and clinical staff relocated for pending Pharmacy re-build.
- Job-Share of Nurses between OBH and OCHC was successful during An OBH medical leave and an educational time.
- AJRCCC- Average occupancy fluctuates between 40-44 with full capacity at 48 beds. Valley Bay Therapy for Occupational Therapy and Speech Therapy with a back-up for Physical Therapy continues to demonstrate very positive reimbursements. The AJRCCC as a whole has been doing

very well with the AR and the justification for the LTE Finance Coordinator has certainly justified the need to continue and make this a permanent position.

- Awaiting results of the Veterans Administration site visit which took place in February, 2015.
- Reorganization of the Community Health Nursing Area team is working hard toward accreditation.
- The Management Team completed “leading at the speed of trust” training and will be participating with the Directors and Supervisors in the training within the next month.
- Congratulations to Eric Krawczyk who celebrated 25 years with the Oneida organization in January!
- A second Purchased/Referred Care office has been set up in room MC160 to assist with medical referrals, patient walk-in's, and patient phone calls. The extension for room MC160 is x4942. The desk at window 1 of the PARS area is no longer in use by Purchased/Referred Care.
- The first CHEF case of 2015 has been approved by the Bemidji area office for reimbursement. CHEF Case # 15-BE-001 SG received 100% reimbursement totaling \$105,856.00.
- Sid White, PT and Connie Danforth, PTA completed 4 hours of Ethics and Jurisprudence Continuing Education, February 2015
- Increase reimbursement through Medicare part A and part B patients at AJRCCC.
- Ergonomic assessments done on 3 Health Center employees, 4 footrests given out.
- Ergonomic assessment done in dental for their placement of computer monitors. Adjustable arms for monitors in 10 exam rooms are ordered and to be installed in April. This will eliminate current neck and shoulder pain employees are currently having.
- Car seats – 74 seats with education was provided by 5 technicians. 41 old seats were destroyed. The FACE program received 6 booster seats for their program. They were given education on proper installation.
- Superbowl of Safety was held on February 21st at the KI Center. Oneida was represented by 4 technicians doing education and demonstrations at a car seat booth. 400 people attended the event.
- Recordable Incidents (Lost time, Medical treatment) – 4. None of the injuries were recordable. Two of the incidents involved slipping on the sidewalk by the employee entrance. I let maintenance know when it happened and they fixed the problem right away.
- Public Health Accreditation Status:
  - Completed strategic planning for Community Health Services Department in January 2015.
  - Approval signatures on PHA Project Charter February 2015. Provided an introduction to what is PHA, activities involved, and purpose of the PHA Work team.
  - 1st PHA Work Team meeting was 02/25/15.
  - 1st Workforce Development Team meeting was 02/25/15. Began working through first draft of Workforce Development Plan for Community Health Services Department. Will added another team member for next meeting from HRD training- Regina Robinson.
  - 1st PHA Advisory Team meeting was 03/25/15. Provided an introduction to what is PHA, activities involved, and purpose of the PHA Advisory Team. First decision from Advisory team was to develop an Oneida specific video to educate the community on Public Health.



**ONEIDA  
FAMILY  
FUN  
NIGHT  
2015**



# Oneida Business Committee Meeting Agenda Request Form

Motion by Lisa Summers to defer the Oneida Community Library Board FY '15 2nd quarter report to the next regular Business Committee meeting and have the liaison Councilwoman Fawn Billie, to follow-up with the Oneida Community Library Board to have a representative at the meeting, seconded by Fawn Billie. Motion carried unanimously:

04 / 22 / 15

1. Meeting Date Requested: ~~04 / 08 / 14~~

## 2. Nature of request

Session:  Open  Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

Agenda Header (choose one): BCC Report

Agenda item title (see instructions):

Accept the Oneida Community Library FY '15 2nd Quarter Report

Action requested (choose one)

Information only

Action - please describe:

Motion to accept the Oneida Community Library FY '15 2nd Quarter Report

## 3. Justification

Why BC action is required (see instructions):

Mandatory quarterly reporting.

## 4. Supporting Materials

[Instructions](#)

Memo of explanation with required information (see instructions)

Report  Resolution  Contract (check the box below if signature required)

Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1.

3.

2.

4.

Business Committee signature required

## 5. Submission Authorization

Authorized sponsor (choose one):

Requestor (if different from above): Carol Cornelius, Secretary

Name, Title / Dept. or Tribal Member

Additional signature (as needed): Melinda K. Danforth, Chairwoman

Name, Title / Dept.

Additional signature (as needed):

Name, Title / Dept.

- 1) Save a copy of this form in a pdf format.
- 2) Email this form and all supporting materials to: BC\_Agenda\_Requests@oneidanation.org

**ONEIDA COMMUNITY LIBRARY BOARD**  
**2<sup>nd</sup> QUARTER REPORT FY'15 Jan. Feb. March 2015**

**MISSION STATEMENT:** Provide for the informational needs of the Oneida Community while building a collection that reflects our unique Oneida heritage. All persons will have access to current, balanced materials, services and programs that will enrich their information, cultural and recreational needs.

**NAME OF BOARD:** Oneida Community Library Board

**CONTACT:** Melinda K. Danforth, Chairperson

**MEMBERS:** Roxanne Anderson, Vice Chairperson  
 Dr. Carol Cornelius, Secretary  
 Kitty Melchert Member  
 Bridget John , Member

**BC LIAISON:** Fawn Billie

**MINUTES:**

The following meeting minutes have been approved by the Oneida Community Library Board and sent to Kathy Metoxen:

January 14, 2015

Feb. 12, 2015

March 12, 2015 pending approval at next meeting

**ACTION TAKEN:**

The Board meets at the Library, the second Wednesday of the month at 4:30 p.m.

**HIGHLIGHTS OF THE LIBRARY:**

January 2015

The Library staff is in the process of developing the Strategic Plan for the 21st Century.

A two page listing of Oneida Community Library/Green Earth Branch Library Services was submitted.

Events were put on Facebook.

The Library Board held its monthly meeting at Green Earth Branch Library and enjoyed a presentation of all the events held regularly at Green Earth. The monthly Elder day continues to be a successful event as well as many literacy programs and events for children.

A puppet show event was well attended and children had a lot of fun.

Patron count: 2,846

February 2015

Update on the Strategic Plan for the 21st Century program outcomes were discussed. A suggestion for those hard to measure outcomes was to link those outcomes with specific events

A Webinar for staff training included a series of hour programs to update libraries

Events: Midwinter Music and Tale Telling Time,

A new incentive program for reading gives \$5.00 move pass for every 5 hours of reading.

We now have a full library board and elections were held.

Patron count: 2,549 computer use 751/wireless 226, circulation 874, lending and borrowing 1,262

March 2015

Introduce new library aide funded by grant, Chantelle Kucta

Health Center free box project going well.

Suessubration held March 7th. Yearly celebration with green eggs and ham was well attended.

Green Earth branch library provides an Elder day on the second Tuesday of each month from 1:30-3 pm which the Elders enjoy and it is well attended.

March meeting minutes will be approved at April 9, meeting

Discussion on putting the events calendar on the front page of the library web site or have a link.

Patron count: 2,462

#### **FINANCIAL:**

The Library will continue to apply for grants and will follow purchasing guidelines to stay within the budget. The Library is taking great care to abide by cost containment guidelines.

#### **SPECIAL EVENTS AND TRAVEL:**

Reference Highlights of the Library above.

#### **UPCOMING EVENTS**

Suessubration on March 7th

#### **PERSONAL COMMENTS:**

The newly remodeled adult area is so much brighter with the paint, shelves, and carpeting.

The Board would like to commend the Library Staff for the valuable services they provide to the community.

The Oneida Library provides a safe, welcoming, and positive place for our young people and the community.

# Oneida Business Committee Meeting Agenda Request Form

Motion by Jennifer Webster to defer the Oneida Nation Arts Board FY '15 2nd quarter report to the next regular Business Committee meeting, seconded by Fawn Billie. Motion carried unanimously:

1. Meeting Date Requested: 04 / 22 / 15

## 2. Nature of request

Session:  Open  Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

Agenda Header (choose one): BCC Report

Agenda item title (see instructions):

Accept the Oneida Nation Arts Board FY '15 2nd quarter report

Action requested (choose one)

Information only

Action - please describe:

Accept the Oneida Nation Arts Board FY '15 2nd quarter report

## 3. Justification

Why BC action is required (see instructions):

Mandatory quarterly reporting

## 4. Supporting Materials

[Instructions](#)

Memo of explanation with required information (see instructions)

Report  Resolution  Contract (check the box below if signature required)

Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1. February 17, 2015 meeting minutes

3.

2.

4.

Business Committee signature required

## 5. Submission Authorization

Authorized sponsor (choose one):

Requestor (if different from above): Nic Reynolds, Chairman of Oneida Nation Arts Board

Name, Title / Dept. or Tribal Member

Additional signature (as needed):

Name, Title / Dept.

Additional signature (as needed):

Name, Title / Dept.

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**Oneida Business Committee**

## **Quarterly Board Report – 2nd Quarter (Jan, Feb, March 2015)**

**April 6, 2015**

### **NAME**

*Oneida Nation Arts Board*

Submitted by:

Nic Reynolds, Chair (Exp. 2015)

Dawn Walschinski, Chair Elect (Exp. 2015)

Pat Moore, Secretary (Exp. 2015)

Sylvia Cornelius (Exp. 2015)

Sapatis Menomin (Exp. 2017)

Tamara J Vanschyndel (Exp. 2017)

### **MISSION STATEMENT**

To promote diverse artistic expression within the community reflecting our heritage and spirit for future generations.

### **MEETING REQUIREMENTS**

Oneida Nation Arts Board meets per quarter and is allowed to call special and/or emergency meetings as needed.

Stipends: \$0.00

Meeting Expense: \$0.00

### **MEETING DATES:**

January 15, 2015 (no minutes, this was a holiday meeting)

February 17, 2015 (minutes attached)

### **MINUTES**

**Board Chair Update**

In addition to my duty as the Chair, I had the pleasure to assist the Arts Program at the 1<sup>st</sup> Wisconsin Native American Playwright Festival. With funding from the Wisconsin Arts Board, five excerpts from Wisconsin Native Americans were featured in a night of staged readings on March 28. The festival brought together Native people from the Stockbridge-Munsee, Menominee, Oneida, and Lac Courte Oreilles reservations. Playwrights, directors, and actors donated their time and talents to telling stories. It was a great night and it reminded me why the arts are important to this community. It brings people together on a positive shared focus. It is something we can share with others. And it remains uniquely ours.

**Program Update**

- Arts Committee from SEOTS: Mark Powless is meeting with a group of arts people about creating an auxiliary Oneida Nation Arts Board committee for Milwaukee. ONAB sent an MOU to the organization, with the partnership parameters.
- Music from Our Culture: The Oneida Nation Arts Program is helping coordinate efforts between tribal programs: Planning, Tourism, Museum, Land Management, and Environmental, to identify joint projects. The group submitted a letter of intent to a national funder on November 3. If selected, the complete application will be due in February.
- Woodland Indian Arts Show and Market: They have received their 501c3 status from the federal government. This organization has established a strong foundation.

**New Business**

- Action Planning for the Arts Board
- DAP Application Revision

**Old Business**

- SEOTS arts committee
- DAP FY14 final report
- Board Recruitment

**Upcoming Events in the Program**

- Summer Art Camps: June 29 – July 9 Arts and Wellness Camp; July 27 – August 13 Music from Our Culture Camp.
- Music from Our Culture: Performance June 14, 3:00pm at the Woodland Indian Arts Show and Market.
- Watercolor Painting Class: Tuesday, June 23 – July 14

"In my own philanthropy and business endeavors, I have seen the critical role that the arts play in stimulating creativity and in developing vital communities...the arts have a crucial impact on our economy and are an important catalyst for learning, discovery, and achievement in our country."

–Paul G. Allen, Co-Founder, Microsoft

"A broad education in the arts helps give children a better understanding of their world...We need students who are culturally literate as well as math and science literate."

–Paul Ostergard, Vice President, Citicorp

**Oneida Nation Arts Board  
Meeting Minutes of Tuesday, February 17, 2015**

Location: ONAP Cottage/Office

ONAB Present: Nic Reynolds, Dawn Walschinski, Tammy VanSchyndel, Sylvia Cornelius-Wapoose , Sapatis Menomin; ONAB Excused: Pat Moore; Staff: Beth Bashara, ONAP Director

Thanks to Dawn for the Fat Tuesday donuts!

- I. Welcome (Nic) Meeting called to order at 5:05 pm.
- II. Approval of Minutes–tabled
- III. Directors Report – March 28 is Soup and Staged Reading from our First Native Theatre Playwright Festival; Music from Our Culture will be hosting a kick-off Social for our Spring Session on Monday, March 16 at 5:00pm at the Long House; Music from Our Culture will start its session on Monday, March 30 from 5:00 – 6:30pm; Music from Our Culture parents are planning a trip out east in June; ONAP is working with Yuntle Mclester and Debbie Santiago in coordinating the MOC program.
- IV. Old business
  - A. Volunteer Recruitment
    1. Review of MOA draft for the Milwaukee arts Ad Hoc Committee
      - a. Include the start and end date of the agreement
      - b. Clarify that this is a volunteer position
      - c. Additions to Ad Hoc Committee responsibility
        - + agree how they manage their meeting
        - + designate roles and communicate to ONAB (such as note taker or meeting leader)
        - + develop a work plan in alignment with ONAPs mission and a budget breakdown for ONAB
        - + include that they are able to fund raise their own dollars
        - + to report annually to ONAB on outcomes of the work plan
      - d. Additions to ONAB responsibility
        - + review with comment and suggestion committee’s work plan
        - + to recognize the contributions of the committee
        - + to coordinate meeting times between the groups
        - + to appoint volunteers
      - e. Process: minutes, reports, officers
      - f. Ad Hoc function at finding the Native artists in Milwaukee
  - B. Strategic Planning
    1. The creation of an Ad Hoc Committee in Milwaukee is a great first step to having a more state-wide presents in Native arts.
    2. ONAB mission evolving to supporting Ad Hoc Native arts committees in other areas of the state.
    3. ONAP is writing a grant to WAB for a state-wide conference on Native arts.
    4. Possibility of ONAB becoming an “ad hoc” committee of WAB for redistribution of the Indian Gaming Compact Funds.

C. Re-Granting Policies (tabled)

V. New business:

- A. Board Training – the First Nation Development Fund is offering grants to leaders (board members) and staff to attend professional development training. Grant deadline is February 26, 2015.
- B. Board Terms and Recruitment. Dawn, Sylvia, and Nic’s positions are up this winter. They have been cordially asked to reapply. They will remain on the board until a formal appointment.
- C. Date of Next Meeting – Next Meeting is a Strategic Planning Meeting on March 3. We are changing to the 1<sup>st</sup> Tuesday of the month.

VI. Meeting Adjourned at 6:45pm

Next Meeting is a Strategic Planning Meeting with past ONAB chair, Laura Laitinen- Warren.

Tuesday, March 3

5:00pm – 7:00pm

Arts Cottage

(Pizza and soda will be provided)

## Oneida Business Committee Meeting Agenda Request Form

1. Meeting Date Requested: 04 / 22 / 15

2. Nature of request

Session:  Open     Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

Agenda Header (choose one): Report

Agenda item title (see instructions):

Oneida Personnel Commission 2nd Quarterly Report

Action requested (choose one)

Information only

Action - please describe:

Acceptance by OBC

3. Justification

Why BC action is required (see instructions):

4. Supporting Materials

Instructions

Memo of explanation with required information (see instructions)

Report     Resolution     Contract (check the box below if signature required)

Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1. R & E's-January and February 2015

3.

2. Meeting Minutes of Jan, Feb, Mar-2015

4.

Business Committee signature required

5. Submission Authorization

Authorized sponsor (choose one): Lisa Summers, Tribal Secretary

Requestor (if different from above): Susan Daniels, Chairperson of the Oneida Personnel Commission  
Name, Title / Dept. or Tribal Member

Additional signature (as needed):  
Name, Title / Dept.

Additional signature (as needed):  
Name, Title / Dept.

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ONEIDA PERSONNEL COMMISSION  
 FY 2015 Quarterly Report Second Quarter  
 January, February and March 2015  
 Submitted by: Susan Daniels

**NAMES**

Officers: Susan Daniels, Chairperson  
 Yvonne Jourdan, Vice-Chairperson  
 Kevin Shilka, Treasurer  
 Rochelle Powless, Secretary

Members: Arlene Danforth  
 Clifford Danforth  
 Julie Clark  
 Sandra Dennett  
 Eric Krawczyk  
 Pearl Webster

Carol Smith  
 Gary Smith  
 Dorothy Skenandore

**MINUTES**

All approved minutes have been submitted to the Office of the Tribal Secretary.

January 13, 2015	Regular Meeting	(Approved)
February 10, 2015	Regular Meeting	(Approved)
March 10, 2015	Regular Meeting	(Approved)

**FINANCIAL**

See attached R&E statements for the months of January, February and March 2015. (March's R & E's have not been received from Accounting at the time of this submission.)

**SPECIAL EVENTS AND TRAVEL**

No out-of-state travel/training occurred during this quarter.

**LOCAL TRAINING**

Training for the third quarter of this fiscal year included standard initial reviews, grievance hearings, and grievance decisions training which took place in October, November and December.

**ACTIVITY REPORT****Oneida Personnel Commission**

Activity	January	February	March	Totals
Pre-Screens	4	27	21	52
Interviews	5	15	14	34
Reassignments	4	7	7	18
Initial Reviews	2	0	4	6
Grievances	0	1	0	1
Deliberations	0	0	0	0

Decision Writing	0	1	0	1
Motion Decisions	2	3	0	5
Regular Meetings	1	1	1	3
Special Meetings	0	0	0	0
Training*	2	1	3	6
Non-Gaming Employees with an advocate	0	2	0	2
Non-Gaming Employees without an advocate	0	0	0	0
Gaming Employees with an advocate	1	0	0	1
Gaming Employees without an advocate	0	0	0	0
Non-Gaming Management with an advocate	0	0	0	0
Non-Gaming Management without an advocate	0	2	0	2
Gaming Management with an advocate	0	0	0	0
Gaming Management without an advocate	0	0	0	0

Training could mean attending out-of-state, local training, or in-house training. New commissioners are mentored by existing commissioners during Initial Reviews, Grievance Hearings, Decision Writing, Hearing Officer Responsibilities, and Motion Decisions. This type of involvement is also considered training.

**PERSONAL COMMENTS - Susan Daniels, Chairperson - OPC**

The Oneida Personnel Commission currently has three positions that need to be filled. Postings were made; however, there was an error in that posting regarding composition of the membership. A second posting took place with a deadline date of April 17, which is yet to come for this reporting period. A letter was sent to the OBC Chairperson requesting she take into consideration the qualifications and vetting process that was approved by the OPC during this quarter.

The Oneida Personnel Commission has developed a new training plan which was approved. Efforts now need to be made to create a concise, a comprehensive schedule pulling from all available resources within the Tribe. HRD's Training and Development component has assisted greatly in the development of this plan and will play a significant

role in providing several of the training sessions.

The Oneida Personnel Commission is also pursuing its appeal with the Oneida Judiciary System in its efforts to address internal posting concerns. The OPC has filed a brief for a Declaratory Ruling in order to understand how these matters should be interpreted. This case is still pending until the new judiciary takes it up for consideration.

The Oneida Personnel Commission is making inquiry into representation for supervisors and managers during the OPC hearing process. At one time, the effort was to make sure employees had representation, now that concern has flipped. Oftentimes, managers, as respondents, appear before the commission without representation. A request was made to both the Oneida Law Office and our liaison. We have received no response to date. A deadline date for responses was given for a date in January.

The Oneida Personnel Commission has retained an attorney who is currently in the process of providing interpretation of the newly adopted laws and how they apply to the work performed by the commission. The attorney contract has gone before the OBC twice and has been returned for further clarification.

The Oneida Personnel Commission is concerned about its present physical location. Although our office was temporarily located from the NHC to the OLC for what was to be a six month period, several years have transpired and we are currently faced with yet another situation that creates a transient environment. Administrative staff of the OPC is working with appropriate internal departmental staff to identify a more permanent location that is conducive to the work done by the OPC.

#### **GOALS AND OBJECTIVES – FY2015**

1. Personnel Commission By-Laws	REVIEWING
2. Training Manual	IN PROGRESS
3. Updating Qualifications for Commissioners	IN PROGRESS
3. Interdepartmental Relationships	NEEDS IMPROVEMENT
4. Updating Personnel Commission SOP's	IN PROGRESS

#### **OBJECTIVE STATEMENT – FY 2015**

1. Optimize organizational efficiency and effectiveness
2. Learning and growth perspective
3. Owner/customer/stakeholder perspective

#### **MEETING REQUIREMENTS**

*Oneida Personnel Commission By-Laws, Article III. Meetings.*

3-1 *Regular Meetings.* The OPC officers shall establish a schedule of regular meetings for the upcoming year beginning in November. Notice of meeting location, agenda and materials shall be forwarded by the Chairperson with the assistance of the Administrator. Robert's Rules of Order shall be used as a guideline for conducting meetings.

3-2 *Special Meetings.* Special meetings shall be called not less than three (3) days prior to the date of the special meeting.

3-3. *Emergency meetings.* Emergency meetings shall be scheduled as needed and provide details of the emergency.

3-4 *Legislative Sessions.* When considering revisions or suggestions to the OPC regarding the labor laws of the Tribe, a Legislative Session may be scheduled to devote a focused exclusive convened working meeting of the OPC to specifically address amendment or revision of existing or proposed labor laws of the Tribe. An internal OPC SOP may be drafted governing the procedures to be followed in implementing such Legislative Session.

3-5 *Quorum.* A quorum shall consist of a majority of the OPC members. In the absence of the Chairperson and the Vice-Chairperson, the members present at the meeting shall elect a Chairperson *Pro Tem* to preside over the meeting.

#### **FOLLOW-UP**

- Amendment of OPC by-laws to incorporate approved commissioner qualifications.
- Bring forward findings of statistical analysis regarding advocates/representatives for supervisors and managers during OPC hearing process.
- Follow up and tracking of training to be provided by judges of the Oneida Judiciary
- Tracking of status of Declaratory Ruling filed with the Oneida Judiciary

4273007 - PERSONNEL BOARD  
 STATEMENTS PRODUCED PRIOR TO PERIOD CLOSING DATES ARE SUBJECT TO CHANGE  
 REPORT RUNDATE/TIME: 2/12/2015 14:39:45 ONEIDA TRIBE OF INDIANS OF WISCONSIN

CBRUNE01  
 04JAN/2015

REPORT NAME: PRG\_REVEXP

4273007 - PERSONNEL BOARD  
 REVENUE AND EXPENSE SUMMARY  
 FOR THE PERIOD ENDING: 1/31/2015

CURRENT MONTH

YEAR TO DATE

CLASS DESCRIPTION	PRT-ACCNT#-SUB	ACTUAL	BUDGET	VARIANCE	ACTUAL	BUDGET	VARIANCE
REVENUE							
TRIBAL CONTRIBUTION	000-458100-000	16,150.84	25,084.00	8,933	70,921	100,317	29,396
INTRA/SAME SERVICE FEE REVENUE	000-480001-000				30		(30)
<b>TOTAL REVENUE</b>		<b>16,150.84</b>	<b>25,084.00</b>	<b>(8,933)</b>	<b>70,951</b>	<b>100,317</b>	<b>(29,366)</b>
EXPENSES (LABOR/PAYROLL)							
PERSONNEL	000-502100-000	7,092.44	7,263.00	171	25,670	29,052	3,382
WAGE ACCRUAL EXPENSE	000-502100-999	(1,002.24)		1,002	(668)		668
SALARIES - TRAINING	000-502110-000				36		(36)
PAID TIME OFF	000-504000-000	1,259.56		(1,260)	4,361		(4,361)
FRINGE BENEFIT	000-505000-000	3,420.26	2,934.00	(486)	11,894	11,730	(164)
FRINGE ACCRUAL EXPENSE	000-505000-999	(391.03)		391	(261)		261
<b>TOTAL LABOR/PAYROLL EXP.</b>		<b>10,378.99</b>	<b>10,197.00</b>	<b>(182)</b>	<b>41,032</b>	<b>40,782</b>	<b>(250)</b>
EXPENSES (PURCHASES)							
<b>TOTAL PURCHASES</b>							
EXPENSES (EXTERNAL & INTERNAL)							
SUPPLIES & MATERIALS	000-700001-000	227.70	70.00	(158)	323	280	(43)
COPY CHARGES	000-700010-000		34.00	34		138	138
OUTSIDE SERVICES	000-702010-000	57.16	63.00	6	150	256	106
LEGAL SERVICES	000-702400-000		3,500.00	3,500		14,000	14,000
TRAINING & EDUCATION	000-705010-000		167.00	167		664	664
RENTAL USAGE	000-705202-000	128.68	96.00	(33)	515	382	(133)
HEAT & LIGHTS	000-705211-000	327.50	375.00	48	1,136	1,500	364
WATER & SEWER	000-705212-000	8.39	5.00	(3)	30	20	(10)
TELEPHONE	000-705213-000	38.23	36.00	(2)	127	142	15
BUSINESS EXPENSE	000-705300-000		17.00	17		64	64
INSURANCE	000-705500-000	56.54	56.00	(1)	226	222	(4)
I/T SUPPLIES & MATERIALS	000-750001-000		8.00	8		36	36
I/T - PRINTING	000-750009-000		8.00	8		36	36
I/T RENT EXPENSE	000-755201-000	286.87	292.00	5	1,147	1,164	17
I/T UTILITIES EXPENSE	000-755210-000	.16			1		(1)
INDIRECT COSTS	000-758300-000	1,409.80	1,226.00	(184)	5,075	4,903	(172)
INDIRECT COST ACCRUAL EXPENSE	000-758300-999	(169.18)		169	(113)		113
STIPENDS	100-705305-000	1,500.00	5,298.00	3,798	11,875	21,194	9,319



4273007 - PERSONNEL BOARD  
 STATEMENTS PRODUCED PRIOR TO PERIOD CLOSING DATES ARE SUBJECT TO CHANGE  
 REPORT RUNDATE/TIME: 2/12/2015 14:39:45 ONEIDA TRIBE OF INDIANS OF WISCONSIN

CBRUNE01  
 04JAN/2015

REPORT NAME: PRG\_REVEXP

4273007 - PERSONNEL BOARD  
 REVENUE AND EXPENSE SUMMARY  
 FOR THE PERIOD ENDING: 1/31/2015

CURRENT MONTH

YEAR TO DATE

CLASS DESCRIPTION	PRT-ACCNT#-SUB	ACTUAL	BUDGET	VARIANCE	ACTUAL	BUDGET	VARIANCE
STIPENDS	200-705305-000		417.00	417		1,664	1,664
STIPENDS	400-705305-000	500.00	692.00	192	2,050	2,764	714
STIPENDS	500-705305-000	1,050.00	2,087.00	1,037	4,500	8,346	3,846
STIPENDS	600-705305-000	350.00	440.00	90	2,875	1,760	(1,115)
TOTAL EXT./INT. EXPENSES		5,771.85	14,887.00	9,115	29,917	59,535	29,618
TOTAL EXPENSES		16,150.84	25,084.00	8,933	70,949	100,317	29,368
NET TOTALS					2		2

4273007 - PERSONNEL BOARD  
 STATEMENTS PRODUCED PRIOR TO PERIOD CLOSING DATES ARE SUBJECT TO CHANGE  
 REPORT RUNDATE/TIME: 3/12/2015 13:20:27 ONEIDA TRIBE OF INDIANS OF WISCONSIN

CBRUNE01  
 05FEB/2015

REPORT NAME: PRG\_REVEXP

4273007 - PERSONNEL BOARD  
 REVENUE AND EXPENSE SUMMARY  
 FOR THE PERIOD ENDING: 2/28/2015

CLASS DESCRIPTION	PRT-ACCNT#-SUB	CURRENT MONTH			YEAR TO DATE		
		ACTUAL	BUDGET	VARIANCE	ACTUAL	BUDGET	VARIANCE
<b>REVENUE</b>							
TRIBAL CONTRIBUTION	000-458100-000	17,123.34	25,084.00	7,961	88,045	125,401	37,356
INTRA/SAME SERVICE FEE REVENUE	000-480001-000				30		(30)
<b>TOTAL REVENUE</b>		<b>17,123.34</b>	<b>25,084.00</b>	<b>(7,961)</b>	<b>88,075</b>	<b>125,401</b>	<b>(37,326)</b>
<b>EXPENSES (LABOR/PAYROLL)</b>							
PERSONNEL	000-502100-000	4,397.12	7,263.00	2,866	30,067	36,315	6,248
WAGE ACCRUAL EXPENSE	000-502100-999				(668)		668
SALARIES - TRAINING	000-502110-000				36		(36)
PAID TIME OFF	000-504000-000	2,284.48		(2,284)	6,645		(6,645)
FRINGE BENEFIT	000-505000-000	2,806.81	2,934.00	127	14,701	14,664	(37)
FRINGE ACCRUAL EXPENSE	000-505000-999				(261)		261
<b>TOTAL LABOR/PAYROLL EXP.</b>		<b>9,488.41</b>	<b>10,197.00</b>	<b>709</b>	<b>50,520</b>	<b>50,979</b>	<b>459</b>
<b>EXPENSES (PURCHASES)</b>							
<b>TOTAL PURCHASES</b>							
<b>EXPENSES (EXTERNAL &amp; INTERNAL)</b>							
SUPPLIES & MATERIALS	000-700001-000		70.00	70	323	350	27
COPY CHARGES	000-700010-000	197.78	34.00	(164)	198	172	(26)
OUTSIDE SERVICES	000-702010-000	18.44	63.00	45	169	319	150
LEGAL SERVICES	000-702400-000		3,500.00	3,500		17,500	17,500
TRAINING & EDUCATION	000-705010-000		167.00	167		831	831
RENTAL USAGE	000-705202-000	131.78	96.00	(36)	647	478	(169)
HEAT & LIGHTS	000-705211-000	467.22	375.00	(92)	1,604	1,875	271
WATER & SEWER	000-705212-000	11.02	5.00	(6)	41	25	(16)
TELEPHONE	000-705213-000	37.28	36.00	(1)	165	178	13
BUSINESS EXPENSE	000-705300-000		17.00	17		81	81
INSURANCE	000-705500-000	56.54	56.00	(1)	283	278	(5)
I/T SUPPLIES & MATERIALS	000-750001-000		8.00	8		44	44
I/T - PRINTING	000-750009-000		8.00	8		44	44
I/T RENT EXPENSE	000-755201-000	286.87	292.00	5	1,434	1,456	22
I/T UTILITIES EXPENSE	000-755210-000	.16			1		(1)
INDIRECT COSTS	000-758300-000	1,127.84	1,226.00	98	6,203	6,129	(74)
INDIRECT COST ACCRUAL EXPENSE	000-758300-999				(113)		113
STIPENDS	100-705305-000	1,750.00	5,298.00	3,548	13,625	26,492	12,867

4273007 - PERSONNEL BOARD

STATEMENTS PRODUCED PRIOR TO PERIOD CLOSING DATES ARE SUBJECT TO CHANGE

REPORT RUNDATE/TIME: 3/12/2015 13:20:27

ONEIDA TRIBE OF INDIANS OF WISCONSIN

CERUNE01  
05FEB/2015

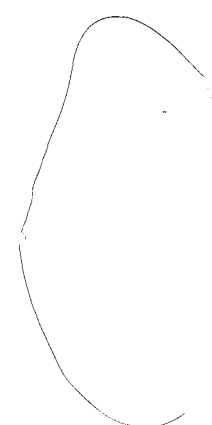
REPORT NAME: PRG\_REVEXP

4273007 - PERSONNEL BOARD  
REVENUE AND EXPENSE SUMMARY  
FOR THE PERIOD ENDING: 2/28/2015

CURRENT MONTH

YEAR TO DATE

CLASS DESCRIPTION	PRT-ACCNT#-SUB	ACTUAL	BUDGET	VARIANCE	ACTUAL	BUDGET	VARIANCE
STIPENDS	200-705305-000		417.00	417		2,081	2,081
STIPENDS	400-705305-000	600.00	692.00	92	2,650	3,456	806
STIPENDS	500-705305-000	2,900.00	2,087.00	(813)	7,400	10,433	3,033
STIPENDS	600-705305-000	50.00	440.00	390	2,925	2,200	(725)
TOTAL EXT./INT. EXPENSES		7,634.93	14,887.00	7,252	37,555	74,422	36,867
TOTAL EXPENSES		17,123.34	25,084.00	7,961	88,075	125,401	37,326
NET TOTALS							



ONEIDA PERSONNEL COMMISSION REGULAR MEETING  
JANUARY 13, 2015  
EAST WING CONFERENCE ROOM

**Mission Statement**

**To develop an employment system that is orderly and fair and one that will benefit the individual workers and strengthen Tribal Programs and Tribal Government.**

**I. CALL TO ORDER (12:00p.m.)**

- a. Sue Daniels, Chairwoman, called the meeting to order at 12:05p.m.
- b. Gate Keeper assigned: Kevin Shilka

**II. ATTENDANCE**

Susan Daniels, Chairwoman	Yvonne Jourdan, Vice Chairwoman
Kevin Shilka, Treasurer	Rochelle A. Powless, Secretary
Pearl Webster, Member	Eric Krawczyk, Member
Julie Clark, Member	Arlene Danforth, Member
Carol Smith, Member	Gary Smith, Member
Dorothy A. Skenandore, Member (arrived 12:55p.m.)	

**ABSENT:** Clifford Danforth, Member

**MEDICAL LEAVE:** Sandy Dennett, Member

**MOTION:** Gary Smith motioned to approve the attendance of 01/13/15.

**SECOND:** Kevin Shilka seconded the motion.

**MOTION CARRIED**

**III. APPROVAL OF AGENDA (5 minutes)**

Add F. New Business, 1. d. OPC Attendance Issues, Gary Smith

Add F. New Business, 1. e. FYI ONLY, Pearl Webster

**MOTION:** Gary Smith motioned to approve:

Add F. New Business, 1. d. OPC Attendance Issues, Gary Smith

Add F. New Business, 1. e. FYI ONLY, Pearl Webster

**SECOND:** Kevin Shilka seconded the motion.

**MOTION CARRIED**

**IV. MINUTES (2) (10 minutes)**

- c. December 9, 2014 OPC Regular Meeting Minutes,

**Rochelle A. Powless, OPC Secretary**

**MOTION:** Gary Smith motioned to approve December 9, 2014 OPC Regular Meeting Minutes with change from "Erik" to "Eric" in attendance.

**SECOND:** Yvonne Jourdan seconded the motion.

**MOTION CARRIED**

ONEIDA PERSONNEL COMMISSION REGULAR MEETING  
JANUARY 13, 2015  
EAST WING CONFERENCE ROOM

**d. December 29, 2014 OPC Special Meeting Minutes,  
Rochelle A. Powless, OPC Secretary**

**MOTION:** Julie Clark motioned to approve the December 29, 2014 OPC Special Meeting Minutes with change from 'ONCOA' to 'OPC' on Page 4 of the minutes.

**SECOND:** Pearl Webster seconded the motion.

**ABSTENTIONS:** Sue Daniels was not in attendance at this meeting.  
Eric Krawczyk gave no reason.

**MOTION CARRIED**

**V. TABLED BUSINESS (1)**

**a. Advocacy Issue – (Susan Daniels, Gina Buenrostro, and  
Bridget Cornelius - 10 minutes)**

**MOTION:** Julie Clark motioned to take a. Advocacy Issue off of the Table.

**SECOND:** Eric Krawczyk seconded the motion.

**MOTION CARRIED**

**MOTION:** Julie Clark motioned to extend discussion for 5 for minutes.

**SECOND:** Gary Smith seconded the motion.

**MOTION CARRIED**

**MOTION:** Eric Krawczyk motioned for the Sue Daniels, Chairwoman, to draft a cover memo (cc: OBC) with attachment of OPC Statistics and ask the Law Office's criteria for accepting cases? How do they interpret their criteria in regard to these statistics? Respond within 30 days. It is important to let the Law Office know that the Blue Book states "Representation for Respondents".

**SECOND:** Rochelle A. Powless seconded the motion.

**MOTION CARRIED**

**VI. OLD BUSINESS (1)**

**a. Proposed Amendments to the OPC By-Laws and Qualifications for  
Oneida Personnel Commissioners (Oneida Personnel Commission  
and Susan Daniels - 20 minutes)**

Sue Daniels, OPC Chairwoman, said that HRD was enthusiastic about having a better vetting service. Barb Kolitsch will help with a better training plan. The Interview Process – Sue Daniels still needs help with.

Discussion on Qualification of Commissioners ensued. The OPC has taken on more responsibility now and needs Commissioners that can seriously undertake those kinds of responsibilities. Probationary step was supported. Others were not enthusiastic about strict qualifications. The OPC anticipates being part of the process in appointing OPC Members. It has been brought to Brandon Steven's attention at a previous meeting.



ONEIDA PERSONNEL COMMISSION REGULAR MEETING  
JANUARY 13, 2015  
EAST WING CONFERENCE ROOM

**VII. NEW BUSINESS (5)**

**1. Scheduling Initial Reviews, Grievances, Reassignments and Housekeeping  
(Gina Buenrostro – 45 minutes)**

**MOTION:** Julie Clark motioned to go Into Executive Session at 12:55p.m.

**SECOND:** Kevin Shilka seconded the motion.

**MOTION CARRIED**

**MOTION:** Rochelle A. Powless motioned to come Out of Executive Session at  
1:00p.m.

**SECOND:** Gary Smith seconded the motion.

**MOTION CARRIED**

- a. **Update on Declaratory Ruling. Gina Buenrostro** – Nothing to report.
- b. **Training Updates** – Nothing to Report. Sue Daniels and Julie Clark will meet this week and report back to OPC.
- c. **Grievance Hearing Rules, Gina Buenrostro** – Corrected version of Grievance Hearing Rules on Pages 10-12. Share with Geraldine Danforth-HRD, ERR, Gaming ERR, Paralegals, Donna Smith – Management Representative for Gaming, and Judiciary – Rae Ann Skenandore.
- d. **OPC Attendance Issues, Gary Smith** – Discussion of importance of attending meetings.
- e. **FYI ONLY, Pearl Webster** – Interview Concerns

**MOTION:** Gary Smith motioned to go Into Executive Session at 1:20p.m.

**SECOND:** Dorothy A. Skenandore seconded the motion.

**MOTION CARRIED**

**MOTION:** Eric Krawczyk motioned to come Out of Executive Session at  
1:51p.m.

**SECOND:** Julie Clark seconded the motion.

**MOTION CARRIED**

**MOTION:** Julie Clark motioned for Kevin Shilka and Pearl Webster to go back to HR Representative and ask Fact Finding Questions about Executive Session discussion. If Oneida was not in the top two applicants Kevin Shilka will contact Sue Daniels, Chairwoman.

**SECOND:** Gary Smith seconded this motion.

**MOTION CARRIED**

ONEIDA PERSONNEL COMMISSION REGULAR MEETING  
JANUARY 13, 2015  
EAST WING CONFERENCE ROOM

**VIII. STANDING AND SPECIAL COMMITTEE REPORTS**

- a. **FY Budget Planning – Chairperson, Treasurer, Administrator**
  
- b. **Quarterly Reports to the OBC – Due 2<sup>nd</sup> Wednesday of the Month in January, April, July, and October.**

**MOTION:** Eric Krawczyk motioned to approve the OPC Quarterly Report with corrections.

**SECOND:** Rochelle A. Powless seconded the motion.

**MOTION CARRIED**

- c. **Semi-Annual and Annual Reports due to G.T.C. – Due October and April**
  - 1. **Quarterly Report – 1<sup>st</sup> Quarter (Entire Commission- 15 minutes)**
  - 2. **Financial Report – November, 2014 (Gina Buenrostro – 5 minutes)**

**MOTION:** Dorothy A. Skenandore motioned to approve the OPCA Financial Report – November, 2014.

**SECOND:** Arlene Danforth seconded the motion.

**MOTION CARRIED**

- 3. **Activity Report – and Training Log, December, 2014 (Gina Buenrostro and Bridget Cornelius – 10 minutes)**

**MOTION:** Gary Smith motioned to approve OPC Activity Report and Training Log, December, 2014.

**SECOND:** Carol Smith seconded the motion.

**MOTION CARRIED**

**IX. CORRESPONDENCE: Primarily distributed into OPC Members mailboxes**

**X. STANDING AND SPECIAL COMMITTEE REPORTS**

- a. **FY Budget Planning – Chairperson, Treasurer, Administrator**
- b. **Quarterly Reports to OBC – Due 2<sup>nd</sup> Wednesday of the Month in January, April, July, and October**
- c. **Semi-Annual and Annual Reports to GTC – Due October and April**

ONEIDA PERSONNEL COMMISSION REGULAR MEETING  
JANUARY 13, 2015  
EAST WING CONFERENCE ROOM

**XI. OTHER**

- a. Next OPC Regular Meeting – February 10, 2015
- b. Pot Luck – Person In Charge – Arlene Danforth


**XII. ADJOURN**

**MOTION:** Dorothy A. Skenandore motioned to adjourn at 2:04p.m.

**SECOND:** Arlene Danforth seconded the motion.

**MOTION CARRIED**

Respectfully Submitted by:

  
Rochelle A. Powless, OPC Secretary

Approved/Revised: FEBRUARY 10, 2015 OPC REGULAR MEETING

Submitted by: Sue Daniels, OPC Chairwoman

Submitted by Susan Daniels, OPC Chairwoman

PERSONNEL COMMISSION REGULAR MEETING  
FEBRUARY 10, 2015-- NOON  
EAST WING CONFERENCE ROOM

**MISSION STATEMENT**  
**TO DEVELOP AN EMPLOYMENT SYSTEM THAT IS ORDERLY AND FAIR**  
**AND ONE THAT WILL BENEFIT THE INDIVIDUAL WORKER**  
**AND STRENGTHEN TRIBAL PROGRAMS AND TRIBAL GOVERNMENT.**

A. Call To Order: Attendance (11:59a.m.) Gate Keeper assigned: Kevin Shilka

**PRESENT:**

- |                                 |                           |
|---------------------------------|---------------------------|
| Julie Clark, Member             | Arlene Danforth, Member   |
| Clifford Danforth, Member       | Susan Daniels, Chairwoman |
| Yvonne Jourdan, Vice Chairwoman | Eric Krawczyk, Member     |
| Rochelle A. Powless, Secretary  | Kevin Shilka, Member      |
| Dorothy Skenandore, Member      | Carol Smith, Member       |
| Gary Smith, Member              | Pearl Webster, Member     |

**EXCUSED:**

Sandy Dennett, Member

**MOTION:** Eric Krawczyk motioned to approve the OPC Attendance.

**SECOND:** Gary Smith seconded the motion.

**MOTION CARRIED**

B. Approval of Agenda (5 minutes)

**MOTION:** Carol Smith motioned to add F.1.e. to the agenda.

**SECOND:** Gary Smith seconded the motion.

**MOTION CARRIED**

**AGENDA**

C. Review\Approval Minutes – January 13, 2015 Regular Meeting Minutes

Rochelle A. Powless (10 minutes)

**MOTION:** Eric Krawczyk motioned to approve the January 13, 2015 Regular OPC Minutes.

**SECOND:** Dorothy Skenandore seconded the motion.

**MOTION CARRIED**

D. Tabled Business (1)

1. Advocacy Issue-(Susan Daniels, Gina Buenrostro, and Bridget Cornelius  
10 minutes)

**(Left on the Table\No Action Taken)**

E. Old Business (1)

1. Proposed Amendments to the OPC By-Laws and Qualifications for Oneida Personnel Commissioners (Oneida Personnel Commission and Susan Daniels 20 minutes)

**“EEO Training” has been changed to “New Employee Orientation” 3.5 hours,  
Page 14, OPC Training Matrix.**

E Learning offered – Barb Kolitsch is working on OPC Members gaining access through OPC Computers in OPC Office. Sue Daniels will follow up on the status.

PERSONNEL COMMISSION REGULAR MEETING  
FEBRUARY 10, 2015– NOON  
EAST WING CONFERENCE ROOM

F. New Business (5)

1. Scheduling Initial Reviews, Grievances, Reassignments  
And Housekeeping (Gina Buenrostro 45 minutes)

**EXECUTIVE SESSION INTO**

**MOTION:** Julie Clark motioned to go into Executive Session at 1:16p.m.

**SECOND:** Gary Smith seconded the motion.

**MOTION CARRIED**

**EXECUTIVE SESSION OUT**

**MOTION:** Erik Krawczyk motioned to come out of Executive Session at 1:45p.m.

**SECOND:** Pearl Webster seconded the motion.

**MOTION CARRIED**

- a. Update on Declaratory Ruling  
Minimal information was received at this time.

- b. Training Updates

(See page 20-21 of the 02/10/15 OPC Agenda).

Draft Resolution 5-17-11-A, To Adopt a OPC Training Matrix.

**“This resolution has been previously approved on June 14, 2011 under E. Old Business (3) Training Plan Proposal: Motion by Erick Krawczyk to adopt Resolution #5-17-11-A to support a training matrix for the OPC. Seconded by Shannon Hill. Motion carried unanimously. Motion by Shannon Hill to have the first training session on May 31<sup>st</sup> from 4:00p.m. to 6:00p.m. The subject will be Ethics Training”.**

It is recommended to change and remove “of for 2011” from the 5<sup>th</sup> line from the top; Paragraph 6; Paragraph 9; Paragraph 10; and Paragraph 12 of this document.

The OPC took a vote on the recommended change. There are eleven (11) OPC Members present for the 02/10/15 OPC Meeting.

FOR: 11 votes – Unanimous

ABSTAIN: 0

NOT VOTING: 0

OPPOSED: 0

**MOTION:** Kevin Shilka motioned to extend “Training” discussion for 5 minutes.

**SECOND:** Dorothy Skenandore seconded the motion.

**MOTION CARRIED**

- c. Interview Concerns-Indian Preference (Kevin Shilka and Pearl Webster)

**MOTION:** Dorothy Skenandore motioned to TABLE Interview Concerns-Indian Preference (Kevin Shilka and Pearl Webster) until March 10, 2015 OPC Regular Meeting.

**SECOND:** Gary Smith seconded the motion.

**MOTION CARRIED**

PERSONNEL COMMISSION REGULAR MEETING  
FEBRUARY 10, 2015– NOON  
EAST WING CONFERENCE ROOM

d. Stipend Issues (Kevin Shilka)

**MOTION:** Julie Clark motioned to approve Kevin Shilka's Stipend Form.-  
Interview for Gaming Director of Marketing on January 12, 2015  
for \$100.00, 8:30-17:10.

**SECOND:** Dorothy Skenandore seconded the motion.

**MOTION CARRIED**

e. Approval of OPC Appointment Process FYI ONLY (Sue Daniels)

Sue Daniels term ends in April, 2015. Sue Daniels will not be seeking a new  
Term due to Health Issues.

**MOTION:** Julie Clark motioned to extend discussion for 3 more minutes.

**SECOND:** Kevin Shilka seconded the motion.

**MOTION CARRIED**

**MOTION:** Julie Clark motioned to change the title from "OPC Appointment" to  
"OPC Appointment Process".

**SECOND:** Rochelle A. Powless seconded the motion.

**MOTION CARRIED**

**MOTION:** Arlene Danforth motioned to approve the following amendment to the seventh  
(7) WHEREAS, in the OPC Resolution 2-10-15, To Adopt a OPC Training  
Matrix. **Amended Change:**

**"WHEREAS, the OPC is aware of the various complex schedules of the  
Commissioners, and the need for cost-effective training. The training  
schedules, and locations for each month be determined at the regular  
monthly meeting of the OPC for the following month, and"**

**SECOND:** Clifford Danforth seconded the motion.

**MOTION CARRIED**

**MOTION:** Dorothy A. Skenandore motioned to approve the OPC Training Matrix  
with changes to remove all date references, i.e., "~~of~~for 2011" and  
"**December 31, 2011**" and also change "**Required**" to  
"**Preferred**"(Paragraph 4). (See page 20 and 21 of 02/10/15 Agenda).

**SECOND:** Rochelle A. Powless seconded the motion.

**MOTION CARRIED**

f. Revision of the Complaint Process SOP (Entire Commission-15 minutes)

**MOTION:** Gary Smith motioned to suspend the Revision of the Complaint Process  
Standard Operating Procedure until the OPC can come up with revisions for  
April OPC Regular Meeting Agenda, 2015.

**SECOND:** Kevin Shilka seconded the motion.

**ABSTAIN:** Eric Krawczyk

**MOTION CARRIED**



PERSONNEL COMMISSION REGULAR MEETING  
FEBRUARY 10, 2015- NOON  
EAST WING CONFERENCE ROOM

g. Draft SOP's (Entire Commission-15 minutes)

**FYI ONLY – HANDOUTS PROVIDED AT THIS MEETING.**

**PLEASE HAVE AMENDMENTS\CHANGES READY FOR MARCH, 2015  
OPC REGULAR MEETING.**

h. Financial Report-December, 2014 (Entire Commission-5 minutes)

**MOTION:** Gary Smith motioned to approve the Financial Report – December, 2014.

**SECOND:** Dorothy A. Skenandore seconded the motion.

**MOTION CARRIED**

i. Activity Report and Training Log - December, 2014

**MOTION:** Julie Clark motioned to approve the Activity Report – December 2014.

**SECOND:** Carol Smith seconded the motion.

**MOTION CARRIED**

**MOTION:** Julie Clark motioned to TABLE the Training Report for clarification.

(Grievance Hearing, Employee Protection, Attorney may train).

**SECOND:** Carol Smith seconded the motion.

**MOTION CARRIED**

b. Correspondence: Primarily distributed into PC Members mailboxes.

c. Standing and Special Committee Reports:

1. FY Budget Planning – Chairperson, Treasurer, Administrator

2. Quarterly Reports due to the OBC – Due 2<sup>nd</sup> Wednesday of the Month in January, April, July, and October.

3. Semi-Annual and Annual Reports due to G.T.C. – Due October and April.

d. Other:

1. Next OPC REGULAR MEETING – MARCH 10, 2015 at NOON.

2. POT LUCK -- PERSON IN CHARGE: CLIFFORD DANFORTH

**MOTION:** Julie Clark motioned to adjourn at 2:07p.m.

**SECOND:** Gary Smith seconded the motion.

**MOTION CARRIED**

Respectfully Submitted by:

  
Rochelle A. Powless, OPC Secretary

Approved/Revised: MARCH 10, 2015 OPC REGULAR MEETING

Submitted by: Sue Daniels, OPC Chairwoman

ONEIDA PERSONNEL COMMISSION REGULAR MEETING  
MARCH 10, 2015 – NOON  
East Wing Conference Room

**Mission Statement**

**To develop an employment system that is orderly and fair and one that will benefit the individual worker and strengthen Tribal Programs and Tribal Government.**

A. Call to Order: Attendance (12:02p.m.) Gate Keeper: Kevin Shilka  
Susan Daniels, Chairwoman, called the meeting to order at 12:02p.m.

B. Approval of Agenda (5 minutes)

- |                     |                 |
|---------------------|-----------------|
| Susan Daniels       | Chairwoman      |
| Yvonne Jourdan      | Vice Chairwoman |
| Rochelle A. Powless | Secretary       |
| Clifford Danforth   | Member          |
| Julie Clark         | Member          |
| Carol Smith         | Member          |
| Sandra Dennett      | Member          |
| Kevin Shilka        | Member          |
| Pearl Webster       | Member          |
| Gary Smith          | Member          |

**EXCUSED:**

- |                    |        |
|--------------------|--------|
| Eric Krawczyk      | Member |
| Dorothy Skenandore | Member |
| Arlene Danforth    | Member |

**OTHERS:**

- |                            |                     |
|----------------------------|---------------------|
| Gina Buenrostro            | Administrator       |
| Bridget Mendolla-Cornelius | Executive Assistant |
| Lisa Liggins               | OBC Representative  |

**MOTION:** Sandra Dennett motioned to approve the attendance.

**SECOND:** Rochelle A. Powless seconded the motion.

**MOTION CARRIED**

**AGENDA**

**MOTION:** Gary Smith motioned to approve the agenda with changes:

Addition: D. OBC Liaison Report, Lisa Summers (Lisa Liggins replaced Lisa Summers ~ emergency in the family).

**SECOND:** Carol Smith seconded the motion.

**MOTION CARRIED**

ONEIDA PERSONNEL COMMISSION REGULAR MEETING  
MARCH 10, 2015 – NOON  
East Wing Conference Room

**C. Review\Approval of Minutes: February 10, 2015 - OPC Regular Meeting  
(Gina Buenrostro 10 minutes)**

**MOTION:** Julie Clark motioned to approve the February 10, 2015 OPC Regular Meeting Minutes

**SECOND:** Carol Smith seconded the motion.

**ABSTAINED:** Sandra Dennett

**MOTION CARRIED**

**OBC Liaison, Lisa Summers, OBC** (Lisa Liggins replaced Lisa Summers ~ emergency in the family).

Lisa Summer's report as Liaison to OBC is a general communication that shows scheduled events that are happening right now and may not be privy to the OPC.

- March 28, 2015 – GTC Meeting – 10:00a.m.
  - Update of the Secretarial Election
  - Update Budget Core Team
  - Update for LOC Meetings scheduled\Items for discussion
    - o BC Sanctions & Penalties, Brandon Stevens
    - o Budget Managements and Control Law, Brandon Stevens
    - o Children's Code, Fawn Billie
    - o Code of Ethics Law Amendments, Tehassi Hill
    - o Employment Law, Brandon Stevens
    - o Removal Law Amendments, Fawn Billie

Items not on the priority list will not be ignored. The LOC will continue to work on all items on the active files list; however, the identified legislation will take first priority.
  - 4 Petitions
    - o Dialysis Center, John Powless
    - o Tribal Elections, Leah Dodge, et al
    - o Advocate for Judiciary
    - o Wage Increase, Yvonne Metivier

**OTHER:**

- April 10, 2015 Programs\Services inventory is complete
- April 24, 2015 Prioritized Ranking of the inventory is complete
- May 7, 2015 Budget Forms, Operational Plan, & Training is complete
- May 8, 2015 AS400 is opened to enter individual FY-16 Budgets
- May 21, 2015 AS400 is closed
- June 19, 2015 OBC receives and begins review of full FY-16 Budget
- July 2, 2015 OBC forwards FY-16 Budget to July 22, 2015, OBC Agenda
- July 22, 2015 OBC adopts FY-16 Budget for GTC consideration
- August 28, 2015 Budget Packet is mailed
- September 21, 2015 GTC reviews FY-16 Budget Packet
- October 1, 2015 Fiscal Year 2016 Begins

ONEIDA PERSONNEL COMMISSION REGULAR MEETING  
 MARCH 10, 2015 – NOON  
 East Wing Conference Room

Susan Daniels, OPC Chairwoman, requested more details regarding

1. “Operational Plan” and “Budget Strategies”.
2. Dale Wheelock vs Ed Delgado Case – OBC acts as a supervisor. Review using Resolution 22582 restricts the OBC from getting into day to day business. Further, January 7, 2013 the Oneida Judiciary Law upholds Dale Wheelock vs Ed Delgado Case. The OBC is violating GTC directives – prohibits OBC in day to day business. The decision came out in November, 2014. The OBC Resolutions came out in January, 2015. The OPC needs an answer from the OBC regarding this issue. The current OBC Members came in and structure had previously been set up by prior OBC Members. The previous OBC Members had passed a resolution where instead of one OBC Officer being assigned for supervision – working piece to get OBC through the year. (OPC assigned Melanie Burkhart to correct this issue and set up process. The overall goal at the end to get reorganization taken care of.
3. The OBC Treasurer, Patricia King, sent out a two (2) page packet clarifying Budget mandates. If a department does not put in mandates there will be no Budget. Budget is due on April 10, 2015, everything needs to be complete. Short presentation for Budget Presentation. Brian Doxtator, Budget person, is responsible person to contact about the Budget and can provide a quick review of Budget issues. Need to know impact on current organization and structure.
4. In 2009, OPC was moved to OLC – intended temporary for 6 months. It is 2015. Jackie Boyle, CDPC-Community Planning Development Committee, is the right person to work with regarding a space for the OPC. Issues regarding space allocations are of concern as furniture has been totally removed from the OPC Hearing Room where the OPC holds hearings. Knowledge has not been forthcoming in any way in regard to the removal of furniture in the OPC Hearing Room.
5. Linda Torres is supervisor over OLC and will be retiring soon.
6. Lisa Liggins will request for the OPC issue to be placed first on the CDPC Agenda.
7. Lisa Liggins has scheduled Quarterly Meetings with Lisa Summers, OBC Liaison, for the Oneida Personnel Commission. The next OPC Meeting, April 14, 2015 at Noon, Lisa Summers, OBC Liaison will be in attendance.
8. Employment Law – two months ago Susan Daniels and Gary Smith met with Brandon Stevens, OBC, regarding the Employment Law. Brandon Stevens assured the two OPC Members that the LOC was in no way considering the Employment Law. He assured them that the Employment Law was not a priority of the LOC.

ONEIDA PERSONNEL COMMISSION REGULAR MEETING  
MARCH 10, 2015 – NOON  
East Wing Conference Room

9. The OBC met in Executive Session and followed their SOP's in regard to Complaints and process. The matter is in the Law Office for review and investigation, it will return to the OBC if it has any merit. The OPC stated there is a resolution that speaks to meeting about a person who is not present, and the person cannot defend themselves.
10. Budget Packet (20 pages) Definitions have not been done yet. Program Inventories – the OBC is defining and measuring the priorities of programs. "Operational Plan" fit within the "Budget Strategies" - look at programs and values driving a Budget – dollar amount drives the budget. Zero Based Budgeting.
11. January OPC Quarterly Report – Advocate for Supervisors – Programs. There is no representation for Program Supervisors up to a certain level. There is a very selective who is represented. Gaming has an Advocate for their employees.

**D. Tabled Business (4)**

**1. Advocacy Issue (Susan Daniels, Gina Buenrostro, and Bridget Cornelius (10 Minutes) – NONE**

**MOTION:** Julie Clark motioned to remove Advocacy Issue from the TABLE.

**SECOND:** Rochelle A. Powless seconded the motion.

**MOTION CARRIED**

**2. Interview Concerns-Indian Preference (Kevin Shilka and Pearl Webster 10 Minutes) –**

Kevin Shilka and Pearl Webster are not getting answers to their questions. Discussion about their concerns has resulted in the reposting of the Position in question, Gaming Marketing Director. Oneida person was offered the job and turned it down. He wanted a 2-3 Contract for job security. Melinda Danforth, OBC, was in attendance at the Interview for Gaming Marketing Director. The position is advertised as a second posting.

**MOTION:** Sandy Dennett motioned to TABLE. Commissioners must read report handed out at today's meeting, and bring back recommendations on the Interview Concerns for Indian Preference at the next regular meeting, April 14, 2015.

**SECOND:** Gary Smith seconded the motion.

**MOTION CARRIED**

**3. Revision of the Complaint Process (due on the April 14, 2015 agenda-Gina Buenrostro)**

**MOTION:** Julie Clark motioned to remove Interview Concerns – Indian Preference (Kevin Shilka and Pearl Webster) from the Table.

**SECOND:** Rochelle A. Powless seconded the motion.

**MOTION CARRIED**

ONEIDA PERSONNEL COMMISSION REGULAR MEETING  
MARCH 10, 2015 – NOON  
East Wing Conference Room

4. **Training Report\Log form the Agenda of February 10, 2015. (Entire Commission, needs clarification, 10 minutes Bridget Cornelius)**

**E. Old Business (4)**

1. **Proposed Amendments to the OPC By-Laws and Qualifications for Oneida Personnel Commissioners (Oneida Personnel Commission and Susan Daniels-20 minutes) - NONE**

Discussion on what issues were identified and written down for this meeting. No one had a written document. The full Commission needs to get together to make clarifications for qualifications by brainstorming.

2. **Training Updates (Entire Commission-10 minutes)**

**MOTION:** Sandy Dennett motioned to remove Training Updates from the TABLE.

**SECOND:** Gary Smith seconded the motion.

**MOTION CARRIED**

**MOTION:** Sandy Dennett motioned to approve the Training Report for February, 2015.

**SECOND:** Kevin Shilka seconded the motion.

**MOTION CARRIED**

**MOTION:** Sandy Dennett motioned to schedule Grievance Hearing and Initial Review Training by Gina Buenrostro for March 24, 2015, at 11:00a.m.-1:00p.m.

**SECOND:** Gary Smith seconded the motion.

**ABSTENTION:** Clifford Danforth abstains.

**MOTION CARRIED**

**MOTION:** Gary Smith motioned to leave the Training Times at 11:00a.m.-1:00p.m.

**SECOND:** Kevin Shilka seconded the motion.

**ABSTENTION:** Clifford Danforth abstains.

**MOTION CARRIED**

3. **Update on Declaratory Ruling (Entire Commission-5 minutes)**

Nothing Has Been Received To Date.

4. **Draft SOP's (Handouts were provided at the meeting, amendments and changes will be made at the OPC Meeting on March 10, 2015 by the entire Commission-20 minutes)**

Standard Operating Procedures were found to be previously approved at an earlier OPC Meeting. Revision dates need to be made and signed. Work needs to continue on the rest of the SOP's. Updates to Binders: Commissioners bring your binders to the OPC Office, %Bridget Cornelius and she will update your binders for you.



ONEIDA PERSONNEL COMMISSION REGULAR MEETING  
MARCH 10, 2015 – NOON  
East Wing Conference Room

Updates of the following will be added to your binders (Revision date: need to be made by 4<sup>th</sup> week in May, 2015).

1. Table of Contents
2. Conflict of Interest
3. Grievance Hearings Process
4. Training Resolution

**MOTION:** Gary Smith motioned to approve the revision of OPC Standard Operating Procedures for 2015.

**SECOND:** Yvonne Jourdan seconded the motion.

**MOTION CARRIED**

**F. New Business (4)**

**1. Scheduling Initial Reviews, Grievances, Reassignmens and Housekeeping- (Gina Buenrostro 10 minutes)**

**EXECUTIVE SESSION IN**

**MOTION:** Sandy Dennett motioned to go into EXECUTIVE SESSION at 1:47p.m.

**SECOND:** Julie Clark seconded the motion.

**MOTION CARRIED**

**MOTION:** Kevin Shilka motioned to come out of EXECUTIVE SESSION at 2:03p.m.

**SECOND:** Carol Smith seconded the motion.

**MOTION CARRIED**

**EXECUTIVE SESSION OUT**

**2. Review of Docket 14-AC-004, Edward Delgado, Geraldine Danforth and Christina Danforth, along with BC Resolution 10-22-14-A, and Disciplinary Process for Director Reports to the Business Committee SOP and the Complaint Process for Direct Reports to the Business Committee SOP-(Entire Commission- 30 minutes)**

Discussion on the process to reject and set precedents on the Initial Review. Two GTC Resolutions along with Dale Wheelock Case reaffirms the OPC decision to take this kind of action. The case was dismissed in favor of the employee. The OPC Declaratory Ruling has never come back yet. It has been sent to the Judiciary. Ask Bob Sweeney, Attorney, about the process to reject the case and overturn the discipline.

ONEIDA PERSONNEL COMMISSION REGULAR MEETING  
MARCH 10, 2015 – NOON  
East Wing Conference Room

**MOTION:** Sandy Dennett motioned that pending approval of Bob Sweeney, Attorney's Contract, a request will be made to clarify the OPC's right to refuse a case at the Initial Review Level when it involves the OBC as Supervisors and find in favor of the employee\petitioner when the OBC acts as Supervisor.

**SECOND:** Julie Clark seconded the motion.

**MOTION CARRIED**

**MOTION:** Clifford Danforth motioned to get an article ready for the Kaliwisaks regarding the Oneida Business Committee's involvement in day to day business and have Susan Daniels write the article.

**SECOND:** Carol Smith seconded the motion.

**MOTION CARRIED**

**3. Financial Report-January, 2015 (Entire Commission-5 minutes)**

**4. Activity Report for January, 2015 (Gina Buenrostro and Bridget Cornelius-10 minutes)**

**MOTION:** Gary Smith motioned to approve the Activity Report for January, 2015.

**SECOND:** Sandy Dennett seconded the motion.

**MOTION CARRIED**

**G. Correspondence: Primarily distributed into PC members mail boxes**

**H. Standing and Special Committee Reports**

- 1. FY Budget Planning-Chairperson, Treasurer, Administrator**
- 2. Quarterly Reports due to the OBC – Due 2<sup>nd</sup> Wednesday of the Month in January, April, July, and October.**
- 3. Semi-Annual and Annual Report to GTC-Due October and April**

**I. OTHER:**

- 1. Next Regular Meeting – April 14, 2015 at Noon.**
- 2. Pot Luck-Person In Charge: For April 14, 2015 is Gina Buenrostro**

**J. ADJOURNMENT**

**MOTION:** Gary Smith motioned to adjourn at 2:38p.m.

**SECOND:** Carol Smith seconded the motion.

**MOTION CARRIED**

ONEIDA PERSONNEL COMMISSION REGULAR MEETING  
MARCH 10, 2015 – NOON  
East Wing Conference Room

Respectfully Submitted by:



Rochelle A. Powless, OPC Secretary

Approved/Revised: MARCH 10, 2015 OPC REGULAR MEETING

Submitted by: Susan Daniels, Chairperson

# Oneida Business Committee Meeting Agenda Request Form

1. Meeting Date Requested: 04 / 22 / 15

## 2. Nature of request

Session:  Open  Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

Agenda Header (choose one): Report

Agenda item title (see instructions):

Accept the Oneida Powwow Committee FY '15 2nd quarter report

Action requested (choose one)

Information only

Action - please describe:

Motion to accept the Oneida Powwow Committee FY '15 2nd quarter report

## 3. Justification

Why BC action is required (see instructions):

Mandatory quarterly reporting

## 4. Supporting Materials

[Instructions](#)

Memo of explanation with required information (see instructions)

Report  Resolution  Contract (check the box below if signature required)

Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1.

3.

2.

4.

Business Committee signature required

## 5. Submission Authorization

Authorized sponsor (choose one):

Requestor (if different from above): Lloyd E. Powless Jr., Chairman/Powwow Committee

Name, Title / Dept. or Tribal Member

Additional signature (as needed):

Name, Title / Dept.

Additional signature (as needed):

Name, Title / Dept.

- 1) Save a copy of this form in a pdf format.
- 2) Email this form and all supporting materials to: BC\_Agenda\_Requests@oneidanation.org

## ONEIDA POWWOW COMMITTEE REPORT

FY '15 2nd Quarter Report (Jan, Feb, March)

Lloyd E Powless Jr – Chairman reporting

Tonya Webster – Vice-Chairwoman

Rosa Laster – Secretary- Treasurer

OBC Liaison – Fawn Billie and alternate Melinda Danforth

### MEETING REQUIREMENTS

The Powwow Committee shall be appointed by the OBC. The regular monthly meeting time, place, and agenda shall be determined by the committee. If no designation is made by the Powwow Committee, the regular meeting shall be the last Thursday of the month. Stipends are currently \$50 per monthly meeting. During powwows there is a stipend of \$200 per day for members “in charge of services”.(security, carts, parking, tabulation, admissions, registration, etc.)

### MINUTES

Our monthly minutes and meeting announcements are being sent to the Powwow Committee members, Tourism Dept., and OBC Liaison and alternative.

### ACTIONS TAKEN

Our bylaws are in the final stages and ready for OBC approval.

We are preparing for July 3-5, 2015 Powwow. Our theme is Honoring our Oneida Code Talkers. We have agreed upon payouts, head staff, and flyer.

We would like to request procedural exception to meet every week in June before the powwow.

### FINANCIAL

We continue to do our fundraising efforts. We have completed two of our three annual powwows for FY 2015. Current budget statement will be passed at OBC meeting.

### GOALS AND OBJECTIVES

Our main goal is to coordinate 3 annual powwows with budgeted allocation and fundraising activities.

# Oneida Business Committee Meeting Agenda Request Form

**1. Meeting Date Requested:** 4 / 22 / 15

**2. Nature of request**

Session:  Open     Executive - justification required. See instructions for the applicable laws that define what is considered "executive" information, then choose from the list:

Agenda Header (choose one):

Agenda item title (see instructions):

Action requested (choose one)

Information only

Action - please describe:

**3. Justification**

Why BC action is required (see instructions):

**4. Supporting Materials**

[Instructions](#)

Memo of explanation with required information (see instructions)

Report     Resolution     Contract (check the box below if signature required)

Other - please list (**Note:** multi-media presentations due to Tribal Clerk 2 days prior to meeting)

1.

3.

2.

4.

Business Committee signature required

**5. Submission Authorization**

Authorized sponsor (choose one):

Requestor (if different from above):

Name, Title / Dept. or Tribal Member

Additional signature (as needed):

Name, Title / Dept.

Additional signature (as needed):

Name, Title / Dept.

1) Save a copy of this form in a pdf format.

2) Email this form and all supporting materials to: [BC\\_Agenda\\_Requests@oneidanation.org](mailto:BC_Agenda_Requests@oneidanation.org)



# ONEIDA NATION VETERANS AFFAIRS COMMITTEE

Mike Hill, Chairman  
James Martin, Vice-Chairman  
John Breuninger, Secretary  
Arthur Cornelius, Member  
Gerald Cornelius, Member  
Kenneth House, Member  
Loretta V. Metoxen, Member  
Nathan Smith, Member  
Carol Silva, Member

**onayote?a'ka**  
P O Box 365,  
Oneida WI 54155

**VSO DEPARTMENT**  
Kerry Metoxen, Veterans Director  
Carolyn Miller, Benefits Specialist  
Jennifer Webster, Liaison  
Fawn Billie, Alternate

## ONVAC Jan, Feb, Mar, 2015 2<sup>nd</sup> QUARTERLY REPORT – FY 2015

**SUBMITTED BY:** ONVAC CHAIRMAN, Mike Hill

### ONVAC MEMBERS

**OFFICERS:** Mike Hill - Chairman  
Jim Martin – Vice Chairman,  
John Breuninger, Secretary

**MEMBERS:** Gerald Cornelius, Member                      Arthur Cornelius, Member  
Kenneth House, Member                                      Carol Silva, Member  
Loretta V. Metoxen, Member                                  Nathan Smith, Board Member

**OBC LIAISON:** Jennifer Webster  
Alternate: Fawn Billie

### MINUTES

Meetings: January 13, February 9 and March 10, 2015

#### Summary Points for the 2nd Quarter, FY 2015

- I. ONVAC – FY 2015 Budget. The Tribal Budget has been approved and the ONVAC reported as requested and are living within the parameters of the approved FY 2015 Budget
- II. A sub-committee of the ONVAC members has been established for the purpose of 1) reviewing and recommending appropriate modifications to the ONVAC By-Laws, 2) establish and recommend a Color Guard and Flag Protocol, 3) develop, recommend and implement an ONVAC Policy and Procedure for responding to financial support requests from veterans, community members, tribal organizations, etc., and, to coordinate our efforts with the OBC Liaison to the ONVAC. One additional task was added to the sub-committee’s list and that is to work with the Pow-Wow Committee on Recommendations to Consider for the Recognition of the Oneida Code Talkers and their families at this year’s Annual Pow-Wow. This sub-committee will begin our work in March of 2015 with monthly reports to the ONVAC and subsequently, the OBC in our Quarterly Reports.

- III. ONVAC Member Loretta Metoxen has been appointed to the Governor's State Veteran's Museum Board, which meets quarterly. ONVAC financially supports her travel for these meetings. Ms. Metoxen was selected to represent all Wisconsin Tribes and their respective veterans organizations. Ms. Metoxen makes monthly verbal reports to the ONVAC and those notes are captured within our monthly meeting minutes.
- IV. The ONVAC continues to work with the Veterans Service Office (VSO) on paver sales, reporting and monument upgrades. As of 8-12-14 there is a total of 196 pavers sold. We will continue to market and advertise in the Kalihwisaks in order to support all veteran's families in providing the recognition due their family members.
- V. All Veteran Monument projects. ONVAC continues to work with the VSO, individual Veterans Organizations and the Oneida Tourism Department to enhance our Veterans Memorial site. We would also like to thank the Grounds Keeping Department of the Department of Public Works and the Tourism Department for their assistance in maintaining the landscaping of the site.
- VI. ONVAC continues to work with the VSO to have all Civil War headstones replaced at all local cemeteries. This is a continuing process.
- VII. The ONVAC and VSO continue to collaborate with all of the Oneida Veterans Organizations in serving as Honor and Color Guards for GTC and other Organizational Meetings, external Veterans Activities, meetings, funerals, etc.
- VIII. ONVAC representatives continue to assist the Security Department with "exiting procedures" for GTC meetings.

### **SPECIAL EVENTS**

ONVAC Members along with Veterans from our Oneida Veterans Organizations participated in the "soft" opening ceremony of the Oneida Judiciary Courts Building in March.

ONVAC is working with the Pow-Wow Committee in determining and implementing special recognition of the Oneida Code Talkers and their respective families in the Annual Pow-Wow in 2015.

ONVAC Members participated in the State of the Tribes march with "colors" event at the State Capital in Madison.

### **ISSUE FOR DISCUSSION**

It has been brought to the attention of ONVAC that the "Spirit of the Northwest Statue", located on the grounds of the historic Brown County Courthouse in Green Bay has been damaged (the feather atop of the Native Figure has been removed). The ONVAC would like to bring this issue to whomever is responsible for this statue, either Green Bay or Brown County, and request that it be repaired. Our issue is that this perhaps is a government-to-government issue and we would like to discuss this with the OBC, i.e., how this message should be forwarded to the responsible entity and by whom?

## **GOALS AND OBJECTIVES**

It is the Mission of ONVAC to ensure the Oneida Veterans are provided with quality service and assistance in the delivery of entitlement and benefits due the Oneida Veteran and their families. ONVAC accepts the responsibility to advocate for Oneida Veterans and their families, while protecting the integrity of the Veteran Community of the Oneida Nation

## **MEETING REQUIREMENTS**

ONVAC meetings are held the second Tuesday of each month at 5:00 pm at the Oneida Veterans Office at 134 Riverdale Drive, Oneida.

ONVAC also holds “special meetings” as appropriate, to conduct business on issues of immediate concern and/or is directed by the Oneida Business Committee.

All meetings are open to the public.

## WFC Spirit of the Northwest Statue, Green Bay, Wisconsin



This statue is located on the grounds of the historic Brown County Courthouse, Green Bay, Wisconsin

The plaque on its base reads as follows:

### The Spirit of the Northwest

This statue, designed by Suamico native, Sydney Bedore, and dedicated on June 10, 1931 with Governor Phillip LaFollette among the speakers, represents a Fox Indian, Claude Allouez and Nicholas Perrot.

Native Americans lived in Wisconsin for about ten thousand years before the arrival of Europeans. These original settlers were ancestors of the Winnebago, Menominee and Santee Dakota. Other tribes, such as the Fox, Sauk, Mascouten, Kickapoo, Miami, and Chippewa moved into this region during the 1600's.

Father Claude Allouez, a Jesuit missionary, arrived in Green Bay in 1668. He established the St Francis Xavier mission at what is now De Pere. The following year he led an expedition to explore the Fox and the Wisconsin rivers.

Nicholas Perrot, a French explorer and fur trader, first arrived in Green Bay about 1664. Commissioned by the government of Canada, he took formal possession of the Bay and its surrounding land in the name of the King of France in 1689.

If you look closely, you may notice that the Indian's feather has been broken off. This happened once before and it was replaced in 1984 for the 350th anniversary of the arrival of Jean Nicolet at Red Banks, just north of Green Bay. If you stop to see this statue, be sure to go inside the Court house. A famous mural of Nicolet's landing can be seen on the wall of the foyer.

[See article on the statue and its sculptor from the Green Bay Press-Gazette](#)

[\[Return to Photo Album\]](#)

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photographer: Ken Fleurant

page added: September 12, 1997, modified May 6, 1999

Business Committee Meeting

9:00 a.m. April 22, 2015

Thank you for printing clearly

BRAD GRAHAM

OF WEN VOSTO

BILL GRAHAM

Arlie Dextater

Lloyd E Fowler

Mary Ann Kuehler

Herb J. Hill

Jeff Meads

Ron Skerandore

Racour Hill

Kerry Kennedy

Carne Elm

Lynn Orosus

TROY PARR

MICHAEL FISH

Michelle Mays

Laura Manthe

Jennifer Falck

John L. Breuninger

Debbie Dyer

BUDGET

2015

2015