



## **Oneida Business Committee**

**Executive Session**  
**9:00 a.m. Tuesday, July 7, 2015**  
**Executive Conference Room, 2<sup>nd</sup> floor, Norbert Hill Center**

**Regular Meeting**  
**9:00 a.m. Wednesday, July 8, 2015**  
**BC Conference Room, 2<sup>nd</sup> 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**
  - A. Special Recognition of Levi Larkin**  
Sponsor: Lisa Summers, Tribal Secretary
- III. Adopt the agenda**
- IV. Oaths of Office**
  - A. Oneida Election Board** – Patricia Moore
  - B. Anna John Resident Centered Care Community Board** – Kimberly Schultz
- V. Minutes**
  - A. Approve June 24, 2015 regular meeting minutes**
  - B. Approve June 28, 2015 emergency meeting minutes**
- VI. Resolutions**
  - A. Adopt resolution titled Adopting the Motor Vehicle Registration Fee Schedule**  
Sponsor: Larry Barton, Chief Financial Officer
  - B. Adopt resolution titled Public Use of Tribal Lands Schedule of Citations**  
Sponsor: Brandon Stevens, Councilman
  - C. Adopt resolution titled Public Use of Tribal Land Law Emergency Amendments**  
Sponsor: Brandon Stevens, Councilman
- VII. Appointments**
  - A. Appoint Jacquelyn Zalim and Nicholas Reynolds to the Oneida Nation Arts Board**

Sponsor: Tina Danforth, Tribal Chairwoman

**B. Appoint Julie Barton to the Pardon and Forgiveness Screening Committee (55 and over alternate)**

Sponsor: Tina Danforth, Tribal Chairwoman

**C. Appoint Renee Zakhar to the Southeastern Oneida Tribal Services Advisory 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 June 17, 2015**

**B. Finance Committee**

Sponsor: Treasurer Trish King, Chair

**1. Approve Finance Committee meeting minutes of June 29, 2015**

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

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

**IX. General Tribal Council**

**A. Petitioner Madelyn Genskow: Special GTC meeting to address four resolutions**

Sponsor: Lisa Summers, Tribal Secretary

**Excerpt from June 10, 2015:** (1) Motion by Jennifer Webster to accept the financial analysis for resolution 1, regarding Budget Development, seconded by Lisa Summers. Motion carried unanimously. (2) Motion by Jennifer Webster to provide an additional 15 days for Finance to complete and submit the remaining three (3) analyses, seconded by Lisa Summers. Motion carried unanimously.

**Excerpt from April 22, 2015:** Lisa Summers to accept the legal analyses for resolution #3, regarding Boards, Committees, and Commissions and resolution #4 regarding Elder Home Repair and to allow an additional 30 days for the Finance office to complete their analyses, seconded by Fawn Billie. Motion carried unanimously

**Excerpt from March 25, 2015:** (1) Motion by Melinda J. Danforth to accept the legal opinion for the budget development portion of the petition, seconded by Jennifer Webster. Motion carried unanimously. (2) Motion by Jennifer Webster to accept the legal opinion for the swimming lessons portion of the petition, seconded by Tehassi Hill. Motion carried unanimously.

**Excerpt from February 11, 2015:** Motion by Lisa Summers to accept the legislative analysis and provide an additional sixty (60) days for the Law and Finance offices to submit the appropriate analyses, seconded by Tehassi Hill. Motion carried unanimously:

**Excerpt from January 28, 2015:** Motion by Tehassi Hill to accept the status update from the Legislative Reference Office, seconded by Jennifer Webster. Motion carried unanimously.

**Excerpt from December 10, 2014:** Motion by Lisa Summers to accept the verified petition submitted by Madelyn Genskow, to send the petition to the Law, Finance and Legislative Reference offices to begin work on the appropriate analyses, and that a progress report be submitted in 30 days, seconded by Jenny Webster. Motion carried unanimously.

**B. Petitioner Madelyn Genskow: Special GTC meeting to address six resolutions**

Sponsor: Lisa Summers, Tribal Secretary

**Excerpt from June 24, 2015:** Motion by David Jordan to accept the legal analysis for resolution 1 of the petition, regarding GTC meetings, and note that the remaining analyses are due back at

the July 8, 2015 regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously.

**Excerpt from May 13, 2015:** Motion by David Jordan to accept the legal analysis for resolution 2 of the petition, regarding Fee to Trust, seconded by Trish King. Motion carried unanimously.

**Excerpt from April 22, 2015:** Motion by Motion by Lisa Summers to accept the legislative analyses for Resolutions 1-6 and provide an additional 60 days for the Law and Finance offices to complete their portions of the analyses, seconded by Jennifer Webster. Motion carried unanimously.

**Excerpt from February 25, 2015:** (1) Motion by Tehassi Hill to accept the verified petitions from Petitioner Madelyn Genskow: Request Special GTC meeting to address 6 resolutions seconded by Jennifer Webster. Motion carried unanimously. (2) Motion by Tehassi Hill to send the verified petitions to the Law, Finance, Legislative Reference and Direct Report offices for the legal, financial, legislative, and administrative analyses to be completed, seconded by Fawn Billie. Motion carried unanimously. (3) Motion by Jennifer Webster to direct Law Office, Finance, and Legislative Reference Offices to submit the analyses to the Tribal Secretary's office within 60 days and that a progress report be submitted in 45 days, seconded by Lisa Summers. Motion carried unanimously. (4) Motion by Lisa Summers to direct our Direct Report offices to submit appropriate administrative analyses to the Tribal Secretary's office within 30 days, seconded by Fawn Billie. Motion carried unanimously.

### C. Petitioner Frank Cornelius: Special GTC meeting to address four resolutions

Sponsor: Lisa Summers, Tribal Secretary

**Excerpt from June 24, 2015:** Motion by Fawn Billie to defer this item to the next regular Business Committee meeting and direct the Tribal Secretary to work with the petitioner to find a solution to the concerns, seconded by Tehassi Hill. Motion carried unanimously.

**Excerpt from May 27, 2015:** Motion by David Jordan to direct the Tribal Secretary to reach out to Petitioner Frank Cornelius to request the four resolutions mentioned in the petition be submitted in 30 days, seconded by Lisa Summers. Motion carried unanimously.

**Excerpt from May 13, 2015:** (1) Motion by Trish King to acknowledge receipt of the petition submitted by Frank Cornelius, seconded by Fawn Billie. Motion carried unanimously. (2) Motion by Trish King to send the verified petition to the Law, Finance, Legislative Reference and Direct Report Offices for legal, financial, legislative and administrative analyses to be completed; to direct the Law, Finance and Legislative Offices to submit the analyses to the Tribal Secretary within 60 days and a that a progress report is submitted in 45 days, seconded by David Jordan. Motion carried unanimously. (3) Motion by David Jordan to direct the Direct Report Offices to submit the appropriate administrative analyses to the Tribal Secretary within 30 days, seconded by Trish King. Motion carried unanimously.

## X. Unfinished Business

### A. Approve the reallocation of Special Projects funds – Rites of Passage

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

**Excerpt from June 24, 2015:** Motion by Motion by Jennifer Webster to defer the detailed budget presentation for the Rites of Passage Initiative to the July 8, 2015, regular Business Committee meeting, seconded by Fawn Billie. Motion carried unanimously.

**Excerpt from June 10, 2015:** Motion by Brandon Stevens to reallocate \$2,900 from Special Projects budget to the Oneida youth lacrosse players event and that a budget detail for the remaining \$4,100 for the Rites of Passage initiative be brought back for consideration at the next Business Committee meeting, seconded by Fawn Billie. Motion carried with one opposed and one abstention.

### B. Defer Joint Marketing Team charter to Business Committee work meeting

Sponsor: Trish King, Tribal Treasurer

**Excerpt from April 22, 2015:** Motion by Lisa Summer to defer this item for 60 days, seconded by Fawn Billie. Motion carried unanimously.

**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. Determine responsible area for cemetery maintenance**

Sponsor: Brandon Stevens, Councilman

**B. Support HRA scheduling deadline of July 15, 2015 and HRA appointment deadline of September 30, 2015**

Sponsor: Larry Barton, Chief Financial Officer

**XIII. Travel**

**A. Travel Reports**

1. Accept travel report for Tribal Vice-Chairwoman Melinda J. Danforth – BIA Partners in Action Conference – Wisconsin Dells, WI – June 22-25, 2015

**B. Travel Requests**

1. Tribal Vice-Chairwoman Melinda J. Danforth – MAST: A Good Health and Resource meeting – Detroit, MI – August 11-13, 2015
2. Councilman Brandon Stevens – NIGA Summer Legislative Summit – Washington DC – July 20-22, 2015
3. Tribal Treasurer Trish King – NAFOA 2015 Fall Finance and Tribal Economies Conference – Boston, MA – September 12-16, 2015

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

**A. Operational Reports**

1. **Defer Comprehensive Health FY '15 3<sup>rd</sup> quarter report**  
Sponsor: Debra Danforth, Division Director/Comp. Health & Dr. Ravi Vir, Medical Director
2. **Accept Development FY '15 3<sup>rd</sup> quarter report**  
Sponsor: Troy Parr, Asst. Division Director/Development
3. **Accept Development Operations FY '15 3<sup>rd</sup> quarter report**  
Sponsor: Bruce Danforth, Asst. Division Director/Development Operations
4. **Accept Utilities Department FY '15 3<sup>rd</sup> quarter report**  
Sponsor: Scott Cottrell, Manager/Utilities Waste Water
5. **Accept Oneida Housing Authority FY '15 3<sup>rd</sup> quarter report**  
Sponsor: Dale Wheelock, Executive Director/Housing Authority
6. **Accept Environmental Health and Safety FY '15 3<sup>rd</sup> quarter report**

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

**7. Defer Division of Land Management FY '15 3<sup>rd</sup> quarter report**

Sponsor: Pat Pelky, Division Director/Land Management

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

**C. Boards Committees and Commissions**

**1. Accept Oneida Nation Arts Board FY '15 3<sup>rd</sup> quarter report** – Nicholas Reynolds, Chair  
(Not submitted)

Liaison: Jennifer Webster, Councilwoman

**2. Accept Anna John Resident Centered Care Community Board FY '15 3<sup>rd</sup> quarter report**

– Jacob Metoxen, Chair

Liaison: Melinda J. Danforth, Tribal Vice-Chairwoman

**3. Accept Oneida Child Protective Board FY '15 3<sup>rd</sup> quarter report** – Dale Powless, Chair

Liaison: Lisa Summers, Tribal Secretary

**4. Accept Environmental Resource Board FY '15 3<sup>rd</sup> quarter report** – Richard Baird, Chair

Liaison: Tehassi Hill, Councilman

**5. Accept Oneida Library Board FY '15 3<sup>rd</sup> quarter report** – Melinda K. Danforth, Chair

Liaison: Fawn Billie, Councilwoman

**XV. Executive Session**

**A. Reports**

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

**B. Audit Committee**

Sponsor: Councilman Tehassi Hill, Chair

**1. Accept Audit Committee meeting minutes of May 14, 2015**

**2. Accept Four Card Poker Rules of Play audit and to lift the confidentiality requirement allowing Tribal Members to view the audit**

**C. Unfinished Business**

**1. Defer detailed budget and timeline for the Land Claims strategy**

Sponsor: Nathan King, IGAC Director

**Excerpt from June 24, 2015:** Motion by Jennifer Webster to direct the Land Claims strategy team to develop a detailed plan and timeline for the July 8, 2015, regular Business Committee meeting, seconded by David Jordan. Motion carried unanimously.

**Excerpt from May 27, 2015:** Motion by Melinda J. Danforth to accept the update from Attorney Locklear and request Intergovernmental Affairs and Communications to proceed with option four as presented and develop and action plan to be brought back to the Business Committee in 30 days, seconded by Lisa Summers. Motion carried unanimously.

**2. Support new business development for Thornberry Creek at Oneida (This item is scheduled for 12:00 p.m. at Thornberry Creek at Oneida)**

Liaison: Trish King, Tribal Treasurer

**Excerpt from June 24, 2015:** Motion by Fawn Billie to defer back to Oneida Golf Enterprise and the Oneida Golf Enterprise liaison, Treasurer Trish King, to develop a plan of action for

the July 8, 2015, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously.

**Excerpt from May 27, 2015:** Motion by Lisa Summers to defer this item to the next Business Committee meeting, seconded by Jennifer Webster. Motion carried unanimously.

### **3. Discussion regarding Emergency Management Director position**

Sponsor: Lisa Summers, Tribal Secretary

**Excerpt from February 11, 2015: (1)** Motion by Lisa Summers to direct proceeding with the pre-screening of the Emergency Management Director position and designate the Chairwoman, the Vice-Chairwoman, the Secretary and Councilwoman Fawn Billie to conduct the pre-screening and interviews, seconded by Tehassi Hill. Motion carried unanimously. **(2)** Motion by Lisa Summers to request the Chairwoman to process the reorganization of the Emergency Management area, seconded by Tehassi Hill. Motion carried unanimously.

#### **A. Tabled Business (No Requested Action)**

#### **B. New Business**

##### **1. Approve Agriculture Strategy**

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

##### **2. Approve McGladrey LLP contract # 2015-0443**

Sponsor: Tehassi Hill, Councilman

##### **3. Adopt resolution titled Confirming Guaranty Commitment for OTIE**

Sponsor: Tehassi Hill, Councilman

##### **4. Approve BMC Software Inc. contract # 2015-0595 and approve limited waiver of sovereign immunity**

Sponsor: Joanie Buckley, Division Director/Internal Services

##### **5. Complaint re: DREAM home dated June 15, 2015**

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

##### **6. Approve procedural exception for offer to purchase 2 properties #2201503C and #5201404V**

Sponsor: Tehassi Hill, Councilman

##### **7. Accept Town of Oneida service agreement progress report**

Sponsor: Lisa Summers, Tribal Secretary

##### **8. Discuss HUD request for on-site monitoring review**

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

## **XVI. Adjourn**

Posted on the Tribe's official website, [www.oneida-nsn.gov](http://www.oneida-nsn.gov), at 5:30 p.m., Thursday, July 2, 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 Agenda Request

1. Meeting Date Requested: 07 / 08 / 15

## 2. General Information:

Session:  Open  Executive - See instructions for the applicable laws, then choose one:

Agenda Header:

Accept as Information only

Action - please describe:

## 3. Supporting Materials

Report  Resolution  Contract

Other:

1.

3.

2.

4.

Business Committee signature required

## 4. Budget Information

Budgeted - Tribal Contribution  Budgeted - Grant Funded  Unbudgeted

## 5. Submission

Authorized Sponsor / Liaison:

Primary Requestor: \_\_\_\_\_  
Your Name, Title / Dept. or Tribal Member

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

## Oneida Business Committee Agenda Request

### 6. Cover Memo:

Describe the purpose, background/history, and action requested:

Tribal member Levi Larkin has earned the highest rank in the Boy Scouts of America: Eagle Scout.

A special recognition and presentation of an eagle feather and case occurred on Monday, July 6, 2015, at the Operational Roundtable meeting in order to accommodate for Levi's travel schedule.

Levi's Eagle Court of Honor will be held on July 18, 2015, in Las Vegas, NV.

We congratulate Levi in his achievement.

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](mailto:BC_Agenda_Requests@oneidanation.org)

Chair Christina Danforth  
Oneida Business Committee  
P.O. Box 365  
Oneida WI 54155

Dear Mrs. Danforth,

My name is Lee Pullan, a volunteer Scoutmaster within the Las Vegas Area Council, Boy Scouts of America. This letter is to ask for your assistance in recognizing the achievements and service of Levi Larkin. Levi Larkin has earned the rank of Eagle Scout, the highest rank a young man can achieve in the Boy Scouts of America program.

Would you be so kind as to send Levi a letter of congratulations, along with any other items you wish to be presented to him. Levi's Eagle Court of Honor will be held July 18<sup>th</sup>, 2015 at 6:00 PM and will be at The Church of Jesus Christ of Latter-day Saints, 10550 Alta Drive, Las Vegas, NV 89135.

Please address your letter of recognition to Eagle Scout Levi Larkin at **9101 Alta Drive #1404, Las Vegas, NV 89145**. All of the recognitions and letters will be compiled, placed in a memory album, and will be displayed during this special occasion for Levi.

Thank you very much for taking time from your extremely busy schedule to help recognize the personal achievement and service of Eagle Scout Levi Larkin.

Sincerely,



Lee Pullan  
Scoutmaster

# Oneida Business Committee Agenda Request

1. Meeting Date Requested: 07 / 08 / 15

## 2. General Information:

Session:  Open  Executive - See instructions for the applicable laws, then choose one:

Agenda Header:

Accept as Information only

Action - please describe:

Administer Oath of Office to Patricia Moore for the Oneida Election Board as an alternate.

## 3. Supporting Materials

Report  Resolution  Contract

Other:

1.  3.

2.  4.

Business Committee signature required

## 4. Budget Information

Budgeted - Tribal Contribution  Budgeted - Grant Funded  Unbudgeted

## 5. Submission

Authorized Sponsor / Liaison:

Primary Requestor: Kathleen M. Metoxen, Executive Tribal Clerk  
Your Name, Title / Dept. or Tribal Member

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

## Oneida Business Committee Agenda Request

### 6. Cover Memo:

Describe the purpose, background/history, and action requested:

The posting for the Oneida Election Board Alternates was in the May 21, 2015 issue of the Kalihwisaks for open pool with the deadline of June 19, 2015. There were twelve (12) applicants for the open pool vacancy on the Oneida Election Board. The appointment was made at the June 28th, 2015 BC Agenda.

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](mailto:BC_Agenda_Requests@oneidanation.org)

# Oneida Business Committee Agenda Request

1. Meeting Date Requested: 07 / 08 / 15

## 2. General Information:

Session:  Open  Executive - See instructions for the applicable laws, then choose one:

Agenda Header:

Accept as Information only

Action - please describe:

Administer Oath of Office to Kimberly Schultz to the Anna John Resident Centered Care Community Board.

## 3. Supporting Materials

Report  Resolution  Contract

Other:

1.

3.

2.

4.

Business Committee signature required

## 4. Budget Information

Budgeted - Tribal Contribution  Budgeted - Grant Funded  Unbudgeted

## 5. Submission

Authorized Sponsor / Liaison:

Primary Requestor: Kathleen M. Metoxen, Executive Tribal Clerk  
Your Name, Title / Dept. or Tribal Member

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

## Oneida Business Committee Agenda Request

**6. Cover Memo:**

Describe the purpose, background/history, and action requested:

The posting for the Anna John Resident Centered Care Community Board was in the May 7, 2015 issue of the Kalihwisaks for one (1) vacancy for a three (3) year term with the deadline of June 5, 2015. There was one (1) applicant for the one (1 ) vacancy on the Anna John Resident Centered Care Community Board. The appointment was made on the June 24, 2015 BC Agenda.

- 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](mailto:BC_Agenda_Requests@oneidanation.org)

# Oneida Business Committee Agenda Request

1. Meeting Date Requested: 07 / 08 / 15

## 2. General Information:

Session:  Open  Executive - See instructions for the applicable laws, then choose one:

Agenda Header:

Accept as Information only

Action - please describe:

Approve the June 24, 2015 regular meeting minutes

## 3. Supporting Materials

Report  Resolution  Contract

Other:

- 1.
- 2.
- 3.
- 4.

Business Committee signature required

## 4. Budget Information

Budgeted - Tribal Contribution  Budgeted - Grant Funded  Unbudgeted

## 5. Submission

Authorized Sponsor / Liaison:

Primary Requestor: \_\_\_\_\_  
Your Name, Title / Dept. or Tribal Member

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.



## Oneida Business Committee

### Executive Session

8:45 a.m. Tuesday, June 23, 2015

BC Conference Room and Executive Conference Room  
2<sup>nd</sup> floor, Norbert Hill Center

### Regular Meeting

9 a.m. Wednesday, June 24, 2015

BC Conference Room, 2<sup>nd</sup> floor, Norbert Hill Center

### Minutes – DRAFT

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#### EXECUTIVE SESSION

**Present:** Vice-Chairwoman Melinda J. Danforth, Treasurer Trish King, Council members: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster;

**Not Present:** Chairwoman Tina Danforth, Secretary Lisa Summers;

**Arrived at:** ;

**Others present:** Jo Anne House, Larry Barton, Dale Wheelock, Jeff Bowman, Michele Doxtator, Janice Hirth, Josh Doxtator, Debra Danforth;

#### REGULAR MEETING

**Present:** Vice-Chairwoman Melinda J. Danforth, Treasurer Trish King, Council members: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster;

**Not Present:** Chairwoman Tina Danforth, Secretary Lisa Summers;

**Arrived at:** ;

**Others present:** Bradley Graham, Bill Graham, Florence Petri, Corinne Robelia-Zhuckkahosee, Dianne McLester-Heim, Frank Cornelius, Chris John, Dale Wheelock, Douglas McIntyre, Krystal John, Lynn Franzmeier, Chaz Wheelock, Geraldine Danforth, Marianne Close, Jeff Bowman, Josh Doxtator, Janice Hirth;

**I. Call to Order and Roll Call** by Vice-Chairwoman Melinda J. Danforth at 9:01 a.m.

**II. Opening** by Councilman Tehassi Hill

**III. Adopt the agenda**

Motion by Brandon Stevens to adopt the agenda, seconded by David Jordan. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, Trish King, David Jordan, Brandon Stevens,  
Jennifer Webster

Not Present: Tina Danforth, Lisa Summers

**IV. Oaths of Office** administered by Treasurer Trish King

**A. Oneida Environmental Resource Board** – Richard Baird

**B. Oneida Powwow Committee – Worden Shane Webster****V. Minutes****A. Approve June 10, 2015 regular meeting minutes**

Motion by David Jordan to approve the June 10, 2015 regular meeting minutes, seconded by Jennifer Webster. Motion carried unanimously:

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

**VI. Resolutions****A. Adopt resolution titled Investigative Leave Policy Amendments**

Sponsor: Brandon Stevens, Councilman

***Excerpt from June 10, 2015: Jennifer Webster to defer the resolution titled Investigative Leave Policy Amendments to the next Business Committee meeting, seconded by David Jordan. Motion carried unanimously.***

Motion by Fawn Billie to adopt resolution 06-24-15-A Investigative Leave Policy Amendments, seconded by David Jordan. Motion carried unanimously:

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

**B. Adopt resolution titled Section 8 Housing Assistance Waiver of Tribal Sovereign Immunity**

Sponsor: Don White, Division Director/GSD

Motion by Jennifer Webster to adopt resolution 06-24-15-B Section 8 Housing Assistance Waiver of Tribal Sovereign Immunity, seconded by Trish King. Motion carried unanimously:

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

**C. Adopt resolution titled Generation Indigenous (Gen-I) Tribal Leadership Acceptance Challenge**

Sponsor: Fawn Billie, Councilwoman

Motion by David Jordan to adopt resolution 06-24-15-C Generation Indigenous (Gen-I) Tribal Leadership Acceptance Challenge, seconded by Fawn Billie. Motion carried unanimously:

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

**D. Adopt resolution titled Revenue Allocation Plan FY 2015**

Sponsor: Brandon Stevens, Councilman

Motion by David Jordan to adopt resolution 06-24-15-D Revenue Allocation Plan FY 2015, seconded by Fawn Billie. Motion carried unanimously:

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

**VII. Appointments****A. Appoint Kimberly Schultz to the Anna John Resident Centered Care Community Board**

Sponsor: Tina Danforth, Tribal Chairwoman

Motion by Jennifer Webster to appoint Kimberly Schultz to the Anna John Resident Centered Care Community Board, seconded by David Jordan. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, Trish King, David Jordan, Brandon Stevens,  
Jennifer Webster

Not Present: Tina Danforth, Lisa Summers

**VIII. Standing Committees****A. Legislative Operating Committee**

Sponsor: Councilman Brandon Stevens, Chair

**1. Accept Legislative Operating Committee meeting minutes of June 3, 2015**

Motion by Brandon Stevens to accept the Legislative Operating Committee meeting minutes of June 3, 2015, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, Trish King, David Jordan, Brandon Stevens,  
Jennifer Webster

Not Present: Tina Danforth, Lisa Summers

*Treasurer Trish King departs at 9:33 a.m.***2. Accept Legislative Operating Committee FY '15 2<sup>nd</sup> quarter report**Motion by David Jordan to accept the Legislative Operating Committee FY '15 2<sup>nd</sup> quarter report, seconded by Tehassi Hill. Motion carried unanimously:Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer  
Webster

Not Present: Tina Danforth, Trish King, Lisa Summers

**B. Finance Committee**

Sponsor: Treasurer Trish King, Chair

**1. Approve Finance Committee meeting minutes of June 15, 2015**

Motion by David Jordan to approve the Finance Committee meeting minutes of June 15, 2015, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer  
Webster

Not Present: Tina Danforth, Trish King, Lisa Summers

*Treasurer Trish King returns at 9:36 a.m.***C. Community Development Planning Committee**

Sponsor: Vice-Chairwoman Melinda J. Danforth, Chair

**1. Approve Community Development Planning Committee FY '15 2<sup>nd</sup> quarter report**Motion by Jennifer Webster to approve the Community Development Planning Committee FY '15 2<sup>nd</sup> quarter report, seconded by Tehassi Hill. Motion carried unanimously:Ayes: Fawn Billie, Tehassi Hill, Trish King, David Jordan, Brandon Stevens,  
Jennifer Webster

Not Present: Tina Danforth, Lisa Summers

**D. Quality of Life**

Sponsor: Councilwoman Fawn Billie, Chair

**1. Approve Quality of Life FY '15 2<sup>nd</sup> quarter report**

Motion by Jennifer Webster to approve the Quality of Life FY '15 2<sup>nd</sup> quarter report, seconded by David Jordan. Motion carried unanimously:

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

## IX. General Tribal Council

### A. Petitioner Madelyn Genskow: Special GTC meeting to address six resolutions

Sponsor: Lisa Summers, Tribal Secretary

**Excerpt from May 13, 2015:** Motion by David Jordan to accept the legal analysis for resolution 2 of the petition, regarding Fee to Trust, seconded by Trish King. Motion carried unanimously.

**Excerpt from April 8, 2015:** Motion by Motion by Lisa Summers to accept the legislative analyses for Resolutions 1-6 and provide an additional 60 days for the Law and Finance offices to complete their portions of the analyses, seconded by Jennifer Webster. Motion carried unanimously.

**Excerpt from February 25, 2015:** (1) Motion by Tehassi Hill to accept the verified petitions from Petitioner Madelyn Genskow: Request Special GTC meeting to address 6 resolutions seconded by Jennifer Webster. Motion carried unanimously. (2) Motion by Tehassi Hill to send the verified petitions to the Law, Finance, Legislative Reference and Direct Report offices for the legal, financial, legislative, and administrative analyses to be completed, seconded by Fawn Billie. Motion carried unanimously. (3) Motion by Jennifer Webster to direct Law Office, Finance, and Legislative Reference Offices to submit the analyses to the Tribal Secretary's office within 60 days and that a progress report be submitted in 45 days, seconded by Lisa Summers. Motion carried unanimously. (4) Motion by Lisa Summers to direct our Direct Report offices to submit appropriate administrative analyses to the Tribal Secretary's office within 30 days, seconded by Fawn Billie. Motion carried unanimously.

Motion by David Jordan to accept the legal analysis for resolution 1 of the petition, regarding GTC meetings, and note that the remaining analyses are due back at the July 8, 2015 regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously:

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

### B. Petitioner Madelyn Genskow: Special GTC meeting to address three resolutions

Sponsor: Lisa Summers, Tribal Secretary

**Excerpt from June 10, 2015:** Motion by Tehassi Hill to accept the status report from the LOC as information, seconded by Jennifer Webster. Motion carried unanimously.

**Excerpt from April 8, 2015<sup>1</sup>:** Motion by Jennifer Webster to accept the verified petition submitted by Madelyn Genskow; to 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; to 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; to direct the Direct Report offices to submit the appropriate administrative analyses to the Tribal Secretary's office within 30 days, seconded by Lisa Summers.

Motion by David Jordan to accept the legislative analyses for resolutions 1-3 of the petition and to provide an additional 60 days for the Law and Finance Offices to submit the appropriate analyses, seconded by Tehassi Hill. Motion carried unanimously:

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

<sup>1</sup> Excerpt comes from April 22, 2015 meeting minutes.

**C. Petitioner Frank Cornelius: Special GTC meeting to address four resolutions**

Sponsor: Lisa Summers, Tribal Secretary

**Excerpt from May 27, 2015:** Motion by David Jordan to direct the Tribal Secretary to reach out to Petitioner Frank Cornelius to request the four resolutions mentioned in the petition be submitted in 30 days, seconded by Lisa Summers. Motion carried unanimously.

**Excerpt from May 13, 2015:** (1) Motion by Trish King to acknowledge receipt of the petition submitted by Frank Cornelius, seconded by Fawn Billie. Motion carried unanimously. (2) Motion by Trish King to send the verified petition to the Law, Finance, Legislative Reference and Direct Report Offices for legal, financial, legislative and administrative analyses to be completed; to direct the Law, Finance and Legislative Offices to submit the analyses to the Tribal Secretary within 60 days and a that a progress report is submitted in 45 days, seconded by David Jordan. Motion carried unanimously. (3) Motion by David Jordan to direct the Direct Report Offices to submit the appropriate administrative analyses to the Tribal Secretary within 30 days, seconded by Trish King. Motion carried unanimously.

Motion by Fawn Billie to defer this item to the next regular Business Committee meeting and direct the Tribal Secretary to work with the petitioner to find a solution to the concerns, seconded by Tehassi Hill. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, Trish King, David Jordan, Brandon Stevens,  
Jennifer Webster

Not Present: Tina Danforth, Lisa Summers

**D. Petitioner John E. Powless Jr: Per capita payments**

Sponsor: Lisa Summers, Tribal Secretary

Motion by David Jordan to acknowledge receipt of the verified petition submitted by John E. Powless, Jr.; to 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; to 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 be submitted in 45 days; and to direct the Direct Report Offices to submit the appropriate administrative analyses to the Tribal Secretary's office within 30 days, seconded by Tehassi Hill. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, Trish King, David Jordan, Brandon Stevens,  
Jennifer Webster

Not Present: Tina Danforth, Lisa Summers

**X. Unfinished Business****A. Approve the reallocation of Special Projects funds**

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

**Excerpt from June 10, 2015:** Motion by Brandon Stevens to reallocate \$2,900 from Special Projects budget to the Oneida youth lacrosse players event and that a budget detail for the remaining \$4,100 for the Rites of Passage initiative be brought back for consideration at the next Business Committee meeting, seconded by Fawn Billie. Motion carried with one opposed and one abstention.

Motion by Jennifer Webster to defer the detailed budget presentation for the Rites of Passage Initiative to the July 8, 2015, regular Business Committee meeting, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, Trish King, David Jordan, Brandon Stevens,  
Jennifer Webster

Not Present: Tina Danforth, Lisa Summers

**B. Approve Alternate Wage Plan**

Sponsor: Trish King, Tribal Treasurer

**Excerpt from May 13, 2015:** Motion by Trish King to refer the Alternate Wage Plan to the Treasurer's Office to develop a complete Wage Compensation Plan that will be brought back to

*the Business Committee in 30 days and to direct, for planning purposing, \$3.7 million be included into the FY-16 budget, seconded by David Jordan. Motion carried unanimously.*

Motion by Trish King to accept the follow up report (handout) and forward this item to the next Business Committee work meeting for discussion, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, Trish King, David Jordan, Brandon Stevens,  
Jennifer Webster

Not Present: Tina Danforth, Lisa Summers

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

## **XII. New Business**

### **A. Approve limited waiver of sovereign immunity for Wisconsin Public Service-Distribution Facilities Installation Agreement contract # 2015-0491**

Sponsor: Dale Wheelock, Director/OHA

Motion by David Jordan to approve the limited waiver of sovereign immunity for Wisconsin Public Service-Distribution Facilities Installation Agreement contract # 2015-0491, seconded by Jennifer Webster.

Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, Trish King, David Jordan, Brandon Stevens,  
Jennifer Webster

Not Present: Tina Danforth, Lisa Summers

### **B. Approve limited waiver of sovereign immunity for Wisconsin Public Service-Outdoor Lighting Service contract # 2015-0492**

Sponsor: Dale Wheelock, Director/OHA

Motion by David Jordan to approve the limited waiver of sovereign immunity for Wisconsin Public Service-Outdoor Lighting Service contract # 2015-0492, seconded by Jennifer Webster. Motion carried

unanimously:

Ayes: Fawn Billie, Tehassi Hill, Trish King, David Jordan, Brandon Stevens,  
Jennifer Webster

Not Present: Tina Danforth, Lisa Summers

### **C. Approve three actions regarding CIP package and CIP project #15-003 Norbert Hill Center Remodeling — Phase VIII**

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

Motion by Jennifer Webster to approve a procedural exception to forgo Phase II of the CIP process of routing the CIP Package<sup>2</sup> to the various review entities, seconded by Tehassi Hill. Motion carried

unanimously:

Ayes: Fawn Billie, Tehassi Hill, Trish King, David Jordan, Brandon Stevens,  
Jennifer Webster

Not Present: Tina Danforth, Lisa Summers

Motion by Brandon Stevens to approve of the CIP Package and CIP project #15-003 Norbert Hill Center Remodeling-Phase VIII, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, Trish King, David Jordan, Brandon Stevens,  
Jennifer Webster

Not Present: Tina Danforth, Lisa Summers

<sup>2</sup> CIP Package #15-003 Norbert Hill Center Remodeling-Phase VIII

Motion by Tehassi Hill to activate \$570,000 from the approved FY2015 CIP Budget for CIP #15-003 Norbert Hill Center Remodeling-Phase VIII, seconded by Jennifer Webster. Motion carried unanimously:  
 Ayes: Fawn Billie, Tehassi Hill, Trish King, David Jordan, Brandon Stevens, Jennifer Webster  
 Not Present: Tina Danforth, Lisa Summers

### **XIII. Travel**

#### **A. Travel Reports (No Requested Action)**

#### **B. Travel Requests**

##### **1. Tribal Chairwoman Tina Danforth – 2015 WEWIN Conference – Quapaw, OK – August 15-20, 2015**

Motion by David Jordan to approve the travel request for Tribal Chairwoman Tina Danforth or a potential alternate to attend – 2015 WEWIN Conference – Quapaw, OK – August 15-20, 2015, seconded by Jennifer Webster. Motion carried unanimously:

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

##### **2. Tribal Secretary Lisa Summers – Special Committee on State-Tribal Relations – Odana, WI – July 8-9, 2015**

Motion by Jennifer Webster to approve the travel request for Tribal Secretary Lisa Summers to attend – Special Committee on State-Tribal Relations – Odana, WI – July 8-9, 2015, seconded by Fawn Billie. Motion carried unanimously:

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

Motion by Trish King to recess at 10:50 a.m. and to reconvene at 1:30 p.m., seconded by Tehassi Hill. Motion carried unanimously:

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

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

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

*Chairwoman Tina Danforth, Councilman Brandon Stevens, and Secretary Lisa Summers are not present.*

#### **A. Operational Reports<sup>3</sup>**

##### **1. Ombudsman FY '15 2<sup>nd</sup> quarter report** – Dianne McLester-Heim, Ombudsman

Motion by Tehassi Hill to accept the Ombudsman FY '15 2<sup>nd</sup> quarter report, seconded by David Jordan. Motion carried unanimously:

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

*Councilman Brandon Stevens arrives at 1:38 p.m.*

<sup>3</sup> Internal Services Division FY '15 2<sup>nd</sup> quarter report is due at the June 24, 2015, Business Committee meeting, but was presented on June 10, 2015, due to scheduling conflicts.

**B. Corporate Reports****1. Bay Bancorporation Inc FY '15 2<sup>nd</sup> quarter report** – Jeff Bowman, President

Liaison: Tina Danforth, Tribal Chairwoman

**Excerpt from June 10, 2015:** Motion by David Jordan to defer the Bay Bancorporation Inc. FY '15 2<sup>nd</sup> quarter report to the next Business Committee meeting, seconded by Fawn Billie. Motion carried unanimously.

Motion by David Jordan to accept the Bay Bancorporation Inc FY '15 2<sup>nd</sup> quarter report, seconded by Tehassi Hill. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, Trish King, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Lisa Summers

**C. Boards Committees and Commissions****1. Oneida Land Claims Commission FY '15 2<sup>nd</sup> quarter report** – Amelia Cornelius, Chairwoman

Liaison: Brandon Stevens, Councilman

**Excerpt from June 10, 2015:** (1) Motion by David Jordan to defer the Oneida Land Claims Commission FY '15 2<sup>nd</sup> quarter report to the next regular Business Committee meeting and that the Chair, Vice-Chair or one of the other members be in attendance, seconded by Fawn Billie. Motion carried unanimously. (2) Motion by Jennifer Webster to withhold stipends to the Oneida Land Claims Commission until the Oneida Land Claims Commission FY '15 2<sup>nd</sup> quarter report is submitted and accepted by the Business Committee, seconded by David Jordan. Motion carried unanimously.

**Excerpt from May 27, 2015:** Motion by Jennifer Webster to defer the Oneida Land Claims Commission FY '15 2<sup>nd</sup> quarter report back to the Land Claims Commission and for the Land Claims Commission to report on their activities from January 1, 2015-March 31, 2015, as it is not contained within the report, seconded by Lisa Summers. Motion carried unanimously.

Motion by Jennifer Webster to accept the Oneida Land Claims Commission FY '15 2<sup>nd</sup> quarter report and to request the Treasurer to notify Accounting to lift the hold on the Oneida Land Claims Commission stipends, seconded by David Jordan. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, Trish King, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Lisa Summers

**2. Oneida Land Commission FY '15 2<sup>nd</sup> quarter report** – Amelia Cornelius, Chairwoman

Liaison: Tehassi Hill, Councilman

**Excerpt from May 27, 2015:** Motion by Lisa Summers to defer the Oneida Land Claims Commission FY '15 2<sup>nd</sup> quarter report to the June 24, 2015, Business Committee meeting, seconded by David Jordan. Motion carried unanimously.

Motion by David Jordan to accept the Oneida Land Commission FY '15 2<sup>nd</sup> quarter report, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, Trish King, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Lisa Summers

**XV. Executive Session****A. Reports****1. Bay Bancorporation Inc FY '15 2<sup>nd</sup> quarter report** – Jeff Bowman, President

Liaison: Tina Danforth, Tribal Chairwoman

**Excerpt from June 10, 2015:** Motion by David Jordan to defer the Bay Bancorporation Inc. FY '15 2<sup>nd</sup> quarter report to the next Business Committee meeting, seconded by Fawn Billie. Motion carried unanimously.

Motion by Trish King to accept the Bay Bancorporation Inc FY '15 2<sup>nd</sup> quarter report, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, Trish King, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Lisa Summers

**2. Retail Enterprise FY '15 2<sup>nd</sup> quarter report** – Michele Doxtator, Retail Profit Area Manager  
Motion by Jennifer Webster to accept the Retail Enterprise FY '15 2<sup>nd</sup> quarter report, seconded by Tehassi Hill. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, Trish King, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Lisa Summers

**3. Chief Counsel report** – Jo Anne House, Chief Counsel  
Motion by Tehassi Hill to accept the Chief Counsel reports, seconded by David Jordan. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, Trish King, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Lisa Summers

Motion by Jennifer Webster to approve the first amendment to the managing agent contract for Oneida Seven Generations Corporation, seconded by Tehassi Hill. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, Trish King, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Lisa Summers

**4. Intergovernmental Affairs and Communications report** – Nathan King, IGAC Director  
Motion by Tehassi Hill to accept the Intergovernmental Affairs and Communications report, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, Trish King, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Lisa Summers

**5. Chief Financial Officer report** – Larry Barton, Chief Financial Officer  
Motion by David Jordan to accept the Chief Financial Officer report, seconded by Tehassi Hill. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, Trish King, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Lisa Summers

Motion by Fawn Billie for the liaison, Councilman Brandon Stevens, to set up a work meeting with the Oneida Trust/Enrollment Committee regarding the Membership Ordinance and the financial impact statement, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, Trish King, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Lisa Summers

## **B. Audit Committee**

Sponsor: Councilman Tehassi Hill, Chair

### **1. Accept Audit Committee FY '15 2<sup>nd</sup> quarter report**

Motion by Tehassi Hill to accept the Audit Committee FY '15 2<sup>nd</sup> quarter report, seconded by David Jordan. Motion carried unanimously:

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

### **C. Unfinished Business**

#### **1. Housing Authority action plan for Audit Finding**

Sponsor: Dale Wheelock, Director/OHA

**Excerpt from April 8, 2015:** 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.

Motion by Tehassi Hill to defer the report to the Audit Committee, seconded by Fawn Billie. Motion carried unanimously:

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

#### **2. Update on the complaint re: Oneida Personnel Commission dated April 13, 2015**

Sponsor: Tina Danforth, Tribal Chairwoman

**Excerpt from April 22, 2015:** Motion by Lisa Summers to defer this request to the Tribal Chairwoman's office and note the request to move the complaint to the Tribal Chairwoman's office is at this request of the complainant, seconded by Jennifer Webster. Motion carried unanimously.

Motion by Jennifer Webster to accept the report and close the complaint, seconded by Fawn Billie. Motion carried unanimously:

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

#### **3. Approve action plan for Land Claims strategy (*This item is scheduled for 1:30 p.m.*)**

Sponsor: Nathan King, IGAC Director

**Excerpt from May 27, 2015:** Motion by Melinda J. Danforth to accept the update from Attorney Locklear and request Intergovernmental Affairs and Communications to proceed with option four as presented and develop an action plan to be brought back to the Business Committee in 30 days, seconded by Lisa Summers. Motion carried unanimously.

Motion by Jennifer Webster to direct the Land Claims strategy team to develop a detailed plan and timeline for the July 8, 2015, regular Business Committee meeting, seconded by David Jordan. Motion carried unanimously:

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

#### **4. Recommendation for Provider Retention Plan**

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

**Excerpt from July 23, 2014:** Motion by Patty Hoefft to defer develop long-term for compensation for health care providers and professionals to improve retention and replace trade back for cash requests to the October Business Committee meeting, seconded by David Jordan. Motion carried unanimously.

**Excerpt from June 11, 2014:** Motion by Patty Hoefft to approve a 30 day extension, seconded by Paul Ninham. Motion carried unanimously.

**Excerpt from May 5, 2014:** Motion by Greg Matson to support the request from the Oneida Health Center management to increase the providers' wage increase and to come back to the Oneida Business Committee with an update of the long term plan for retention based

upon the Health Center and Human Resource Department teams recommendation in 30 days, seconded by Paul Ninham. Motion carried with one abstention and two opposed.

**Excerpt from March 12, 2014:** Amendment to the main motion by Melinda J. Danforth to direct the Oneida Health Division Directors to come back with a long-term solution to this problem, so that we don't see this request next year and that they work in conjunction with the Human Resources Department and bring that recommendation back to the Business Committee within three months, seconded by Patty Hoef. Motion carried unanimously.

Motion by David Jordan to defer to the entire team for them to get a financial and legal analysis and for the entire team to sign off on the proposal, seconded by Jennifer Webster. Motion carried unanimously:

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

**5. Support new business development for Thornberry Creek at Oneida (*This item is scheduled for 8:45 a.m. in the BCCR*)**

Sponsor: Janice Hirth-Skenandore, OGE Agent

**Excerpt from May 27, 2015:** Motion by Lisa Summers to defer this item to the next Business Committee meeting, seconded by Jennifer Webster. Motion carried unanimously.

Motion by Fawn Billie to defer back to Oneida Golf Enterprise and the Oneida Golf Enterprise liaison, Treasurer Trish King, to develop a plan of action for the July 8, 2015, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously:

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

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

**E. New Business**

**1. Approve limited waiver of sovereign immunity for Dexis Hardware/Software contract # 2015-0485**

Sponsor: Joanie Buckley, Division Director/ISD

Motion by Jennifer Webster to approve limited waiver of sovereign immunity for Dexis Hardware/Software contract # 2015-0485, seconded by David Jordan. Motion carried unanimously:

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

**2. Approve Subordination Agreement contract # 2015-0580 and approve a limited waiver of sovereign immunity**

Sponsor: Jo Anne House, Chief Counsel

Motion by Fawn Billie to approve the Subordination Agreement contract # 2015-0580 and approve a limited waiver of sovereign immunity pending the Bank of America review, seconded by Brandon Stevens. Motion carried unanimously:

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

**3. Approve Xerox Corporation contract # 2015-0485<sup>4</sup> and approve a limited waiver of sovereign immunity**

Sponsor: Joanie Buckley, Division Director/ISD

<sup>4,4</sup> The contract reference number listed in the title and the motion is incorrect. The correct reference number, contract # 2015-0576, is included in the meeting materials.

Motion by Jennifer Webster to approve Xerox Corporation contract # 2015-0485<sup>5</sup> and approve a limited waiver of sovereign immunity, seconded by David Jordan. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, Trish King, David Jordan, Brandon Stevens,  
Jennifer Webster

Not Present: Tina Danforth, Lisa Summers

**XVI. Adjourn**

Motion by Tehassi Hill to adjourn at 2:06 p.m., seconded by Fawn Billie. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, Trish King, David Jordan, Brandon Stevens,  
Jennifer Webster

Not Present: Tina Danforth, Lisa Summers

Minutes prepared by Lisa Liggins, Executive Assistant

Minutes approved as presented/corrected on July 8, 2015.

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Lisa Summers, Tribal Secretary  
ONEIDA BUSINESS COMMITTEE

# Oneida Business Committee Agenda Request

1. Meeting Date Requested: 07 / 08 / 15

## 2. General Information:

Session:  Open  Executive - See instructions for the applicable laws, then choose one:

Agenda Header:

Accept as Information only

Action - please describe:

Approve the June 28, 2015 emergency meeting minutes

## 3. Supporting Materials

Report  Resolution  Contract

Other:

|   |                         |
|---|-------------------------|
| 1. <input type="text" value="June 28, 2015 emergency meeting minutes"/> | 3. <input type="text"/> |
| 2. <input type="text"/>   | 4. <input type="text"/> |

Business Committee signature required

## 4. Budget Information

Budgeted - Tribal Contribution  Budgeted - Grant Funded  Unbudgeted

## 5. Submission

Authorized Sponsor / Liaison:

Primary Requestor: \_\_\_\_\_  
Your Name, Title / Dept. or Tribal Member

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

**DRAFT****Oneida Business Committee**

**Emergency Meeting**  
**9:00 a.m. Sunday, June 28, 2015**  
**BC Conference Room, 2<sup>nd</sup> floor, Norbert Hill Center**

**Minutes - DRAFT****EMERGENCY MEETING**

**Present:** Vice-Chairwoman Melinda J. Danforth, Secretary Lisa Summers, Council members: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster;

**Not Present:** Chairwoman Tina Danforth, Treasurer Trish King;

**Arrived at:** Councilman David Jordan at 9:01 a.m.;

**Others present:** Henrietta Cornelius, Janet Lien, Candice Skenandore, Gina Buenrostro, Kitty Melchert, Jonathan Frion, Kristen Cornelius, Candace House, Tina Skenandore, Lori Elm, Kathy Metoxen, Jo Anne House;

**I. Call to Order and Roll Call** by Vice-Chairwoman Melinda J. Danforth at 9:00 a.m.

**II. Opening** by Councilman Tehassi Hill

**III. Adopt the agenda**

Motion by Tehassi Hill to adopt the agenda, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Trish King, David Jordan

*Councilman David Jordan arrives at 9:01 a.m.*

**IV. Oaths of Office** administered by Secretary Lisa Summers

**A. Oneida Election Board – Jackie Zalim, Janet Lien, Kitty Melchert, Pat Moore, Kristen Cornelius, Catrina Bhatti, Gina Buenrostro, Tina Skenandore, Candace House (*Pat Moore not present*)**

**V. Resolution**

**A. Adopt resolution titled Emergency Amendments to the Election Law**

Sponsor: Brandon Stevens, Councilman

Motion by Brandon Stevens to adopt resolution 06-28-15-A Emergency Amendments to the Election Law, seconded by Lisa Summers. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Trish King

**VI. Appointments**

**DRAFT**

**A. Accept the Oneida Election Board recommendation and appoint alternates to the Oneida Election Board**

Liaison: Melinda J. Danforth, Tribal Vice-Chairwoman

Motion by Lisa Summers to approve a procedural exception for the Oneida Election Board alternates definition to allow Oneida Election Board alternates to act as regular Oneida Election Board members at General Tribal Council meetings, seconded by David Jordan. Motion withdrawn.

Motion by Lisa Summers to appoint the nine recommended alternates to the Oneida Election Board; for their terms to be consistent with the Election Law for the 2015 Special Election including Jackie Zalim, Janet Lien, Kitty Melchert, Pat Moore, Kristen Cornelius, Catrina Bhatti, Gina Buenrostro, Tina Skenandore, Candace House, seconded by Tehassi Hill. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Trish King

**XVI. Adjourn**

Motion by Tehassi Hill to adjourn at 9:32 a.m., seconded by David Jordan. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Trish King

Minutes prepared by Lisa Liggins, Executive Assistant  
Minutes approved as presented/corrected on \_\_\_\_\_.

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

### Oneida Business Committee Agenda Request

1. Meeting Date Requested: 7 / 8 / 15

**2. General Information:**

Session:  Open  Executive - See instructions for the applicable laws, then choose one:

Agenda Header:

Accept as Information only

Action - please describe:

**3. Supporting Materials**

Report  Resolution  Contract

Other:

1.

3.

2.

4.

Business Committee signature required

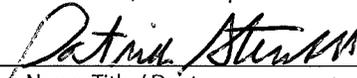
**4. Budget Information**

Budgeted - Tribal Contribution  Budgeted - Grant Funded  Unbudgeted

**5. Submission**

Authorized Sponsor / Liaison:

Primary Requestor: Tonya Webster, Licensing Administrator  
Your Name, Title / Dept. or Tribal Member

Additional Requestor:   
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

## Oneida Business Committee Agenda Request

### 6. Cover Memo:

Describe the purpose, background/history, and action requested:

We are proposing to raise Oneida Motor Vehicle's fee schedule to be more in line with industry standards. It has been over ten years since our fee schedule has been increased. There are five other tribes in the state of Wisconsin who issue their own motor vehicle registration. Three of the five Tribes which include Red Cliff, Lac Courte Oreilles, and Lac du Flambeau follow the State of Wisconsin's fee scale which is \$30 more than our current auto registration fee. Menominee and Bad River have their own fee scale which is also higher than our current schedule. Please see attached fee schedule of other other tribes.

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](mailto:BC_Agenda_Requests@oneidanation.org)

# 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 \_\_\_\_\_ 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 or 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 does list what the WI Department of Transportation's fee schedule is.

**NOW THEREFORE BE IT RESOLVED,** that the Oneida Business Committee hereby adopts the attached motor vehicle registration fee schedule to be effective October 1, 2015.

# Oneida Tribe of Indians of Wisconsin

Legislative Reference Office  
 P.O. Box 365  
 Oneida, WI 54155  
 (920) 869-4376  
 (800) 236-2214



**Committee Members**  
 Brandon Stevens, Chairperson  
 Tehassi Hill, Vice Chairperson  
 Fawn Billie, Councilmember  
 David P. Jordan, Councilmember  
 Jennifer Webster, Councilmember

Field Code Changed

## *Statement of Effect* *Adopting the Motor Vehicle Registration Fee Schedule*

### *Summary*

This Resolution adopts a new fee schedule for motor vehicle registration.

Submitted by: Douglass A. McIntyre, Staff Attorney, Legislative Reference Office

### *Analysis by the Legislative Reference Office*

Adoption of the Resolution would result in a schedule of fees for motor vehicle registration being adopted effective October 1, 2015. The fee schedule also contains a comparison of the fees charged by the Wisconsin Department of Transportation. The Motor Vehicle Registration Law at Section 51.4-2 states: "The Oneida Business Committee, upon recommendation of the [Oneida Licensing] Department, shall adopt a motor vehicle registration fee schedule."

The Oneida Licensing Department has recommended that the attached motor vehicle registration fee schedule be adopted. The adoption of this schedule will allow the Oneida Licensing Department to impose the attached fee schedule. If, in the future, the Oneida Licensing Department wishes to change the fee schedule, the Department will have to forward such request to the Oneida Business Committee for consideration.

### *Conclusion*

There are no legal bars to adopting the Resolution. In accordance with the Resolution, the fee schedule, if adopted, would not be effective until October 1, 2015.

| Fee Type                       | New Oneida Fee                                       | Previous Fee | State Fee                        | Notes  |
|--------------------------------|--|--------------|----------------------------------|--|
| Title Transfer fee (State fee) |  | \$69.50      |                                  | Revenue given to the state   |
| Replacement Title (State fee)  |  | \$20.00      |                                  | Revenue given to the state   |
| Lien Fee (State fee)           |  | \$10.00      |                                  | Revenue given to the state   |
| Title Replacement (State fee)  |  | \$20.00      |                                  | Revenue given to the state   |
| Plate Transfer                 | \$15.00  | \$5.00       | -                                | Plate Transfer fee being raised because of the added process involved now that our plates are linked up to the National Database.                |
| Late fee                       | \$10.00  | \$5.00       | \$10.00                          | Raising price to encourage customers to renew on time  |
| Replacement Plate              | \$12.00  |              | Varies                           |  |
| Personalization of plate type  | \$15.00 + Annual plate registration fee = total cost |              |                                  |  |
| Auto Plate                     | \$55.00  | \$45.00      | \$75.00                          |  |
| Cycle/Moped                    | \$23.00  |              | \$23.00*                         | Plate renewed bi-annually (State prorates*)  |
| Nation Owned Vehicle           | \$15.00  |              | \$5.00                           |  |
| Truck Plate <4500 (A)          | \$55.00  | \$48.50      | \$75.00                          |  |
| Truck Plate <6000 (B)          | \$66.00  | \$61.50      | \$84.00                          |  |
| Truck Plate <8000 (C)          | \$83.00  | \$77.50      | \$106.00                         |  |
| Truck Plate <10,000 (X)        | \$132.00   | \$119.50     | \$155.00                         | Oneida doesn't prorate like State  |
| Truck Plate <12,000 (D)        | \$187.00   | N/A          | \$209.00                         | Oneida doesn't prorate like State  |
| Truck Plate <16,000 (E)        | \$260.00   | N/A          | \$283.00                         | Oneida doesn't prorate like State  |
| Truck Plate <20,000 (F)        | \$333.00   | N/A          | \$356.00                         | Oneida doesn't prorate like State  |
| Truck Plate <26,000 (G)        | \$452.00   | N/A          | \$475.00                         | Oneida doesn't prorate like State  |
| Truck Plate <32,000 (H)        | \$586.00   | N/A          | \$609.00                         | Oneida doesn't prorate like State  |
| Truck Plate <38,000 (J)        | \$749.00   | N/A          | \$772.00                         | Oneida doesn't prorate like State  |
| Truck Plate <44,000 (K)        | \$898.00   | N/A          | \$921.00                         | Oneida doesn't prorate like State  |
| Truck Plate <50,000 (L)        | \$1040.00  | N/A          | \$1,063.00                       | Oneida doesn't prorate like State  |
| Truck Plate <54,000 (M)        | \$1,112.00   | N/A          | \$1,135.00                       | Oneida doesn't prorate like State  |
| Motor Home <5,000 (B)          | \$45.00  | \$45.00      | \$48.50                          | Oneida doesn't prorate like State  |
| Motor Home <8,000 (C)          | \$50.00  | \$51.00      | \$55.00                          | Oneida doesn't prorate like State  |
| Motor Home <12,000 (D)         | \$65.00  | \$63.00      | \$67.50                          | Oneida doesn't prorate like State  |
| Motor Home <16,000 (E)         | \$75.00  | \$75.00      | \$80.50                          | Oneida doesn't prorate like State  |
| Motor Home <20,000 (F)         | \$90.00  | \$87.00      | \$93.50                          | Oneida doesn't prorate like State  |
| Motor Home <26,000 (G)         | \$100.00   | \$99.00      | \$106.50                         | Oneida doesn't prorate like State  |
| Motor Home >26,000 (T)         | \$110.00   | \$111.00     | \$119.50                         | Oneida doesn't prorate like State  |
| Veterans Plates                | Plate type fee                                       |              | Plate Fee + \$15.00 issuance fee | Requires proof of military status  |
| Disabled Plates                | Plate type fee                                       |              |                                  | Requires sign off from Dr.   |
| Disabled Hanging Tags          | \$5.00 per tag                                       |              |                                  | Requires Sign off from Dr.   |
| Antique Plates                 | \$15.00  |              | \$5.00                           | Non-Expiring. Pre-requisites must be met, Restrictions apply   |
| Collector Plates               | 1 time fee of \$50 + 2 years plate fee               |              |                                  | Non-Expiring. Pre-requisites must be met, Restrictions apply   |
| Sample Plates                  | \$12.00  |              | \$10.00                          |  |
| Specialty Plate Design         | One time \$25 + Registration Fee                     | N/A          | Various                          | Customers would pay a one-time issuance fee of \$25 + registration, then the following years they would register as normal with the basic price. |

|   | State   | Oneida  | Menominee  | Red Cliff<br>Band of Lake<br>Superior Chippewa                                  | Lac Courte Oreilles<br>Band of Lake<br>Superior Chippewa                        | Lac du Flambeau<br>Band of Lake<br>Superior Chippewa                            | Bad River<br>Band of Lake<br>Superior Chippewa  |
|---|---|---|--|---|---|---|---|
| <b>Personalized</b>                           | Additional \$15.00  | Additional \$15.00  | Additional \$21.00   | Additional \$15.00  | Additional \$15.00  | Additional \$15.00  | \$90  |
| <i>Example of Personalized Auto Plate fee</i> | \$90.00   | \$65.00   | \$71.00  | \$90.00   | \$90.00   | \$90.00   | \$90.00   |
| <b>Antique Plate</b>                          | \$5.00 (non-expiring)   | \$15  | N/A  | \$5.00 (non-expiring)   | \$5.00 (non-expiring)   | \$5.00 (non-expiring)   | N/A   |
| <b>Automobile</b>                             | \$75.00   | \$45  | \$50.00  | \$75.00   | \$75.00   | \$75.00   | \$55.00   |
| <b>Collector Plates</b>                       | \$50 one-time issuance fee & twice the annual registration fee for vehicle type | \$50 one-time issuance fee & twice the annual registration fee for vehicle type | Prices Vary see attached list  | \$50 one-time issuance fee & twice the annual registration fee for vehicle type | \$50 one-time issuance fee & twice the annual registration fee for vehicle type | \$50 one-time issuance fee & twice the annual registration fee for vehicle type | N/A   |
| <i>Example of Collector Auto Plate fee</i>    | \$200.00  | \$140.00  | Prices Vary  | \$200.00  | \$200.00  | \$200.00  | N/A   |
| <b>Motor Cycle/ Moped</b>                     | \$23.00 (biennial)  | \$23.00   | \$28.00  | \$23.00 (biennial)  | \$23.00 (biennial)  | \$23.00 (biennial)  | \$23.00   |
| <b>Municipal</b>                              | \$5.00 (non-expiring)   | \$15.00   | \$21.00  | \$5.00 (non-expiring)   | \$5.00 (non-expiring)   | \$5.00 (non-expiring)   | \$5.00  |
| <b>Truck (4500) A Plate</b>                   | \$75.00   | \$48.50   | \$59.00  | \$75.00   | \$75.00   | \$75.00   | \$55.00   |
| <b>Truck (6000) B Plate</b>                   | \$84.00   | \$61.50   | \$75.00  | \$84.00   | \$84.00   | \$84.00   | \$61.50   |
| <b>Truck (8000) C Plate</b>                   | \$106.00  | \$77.50   | \$89.00  | \$106.00  | \$106.00  | \$106.00  | \$77.50   |
| <b>Truck (10,000) X Plate</b>                 | \$155.00  | \$119.50  | \$126.00   | \$155.00  | \$155.00  | \$155.00  | N/A   |
| <b>Motor Home (5000) B Wt Class</b>           | Prices Vary Monthly   | \$45.00   | \$55.00  | Prices Vary Monthly   | Prices Vary Monthly   | Prices Vary Monthly   | \$28.50   |
| <b>Motor Home (8000) C Wt Class</b>           | Prices Vary Monthly   | \$51.00   | \$62.00  | Prices Vary Monthly   | Prices Vary Monthly   | Prices Vary Monthly   | \$28.50   |
| <b>Motor Home (12,000) D Wt Class</b>         | Prices Vary Monthly   | \$63.00   | \$69.00  | Prices Vary Monthly   | Prices Vary Monthly   | Prices Vary Monthly   | \$28.50   |
| <b>Motor Home (16,000) E Wt Class</b>         | Prices Vary Monthly   | \$75.00   | \$83.00  | Prices Vary Monthly   | Prices Vary Monthly   | Prices Vary Monthly   | \$28.50   |
| <b>Motor Home (20,000) F Wt Class</b>         | Prices Vary Monthly   | \$87.00   | N/A  | Prices Vary Monthly   | Prices Vary Monthly   | Prices Vary Monthly   | \$28.50   |
| <b>Motor Home (26,000) G Wt Class</b>         | Prices Vary Monthly   | \$99.00   | \$89.00  | Prices Vary Monthly   | Prices Vary Monthly   | Prices Vary Monthly   | \$28.50   |
| <b>Motor Home (Over 26,000) T Wt Class</b>    | Prices Vary Monthly   | \$111.00  | \$97.00  | Prices Vary Monthly   | Prices Vary Monthly   | Prices Vary Monthly   | \$28.50   |
| <b>Title Transfer</b>                         | \$69.50   | \$69.50   | \$69.50  | \$69.50   | \$69.50   | \$69.50   | \$69.50   |
| <b>Title Replacement</b>                      | \$20.00   | \$20.00   | \$20.00  | \$20.00   | \$20.00   | \$20.00   | \$20.00   |
| <b>Loan Filing Fee (Lien)</b>                 | \$10.00   | \$10.00   | \$10.00  | \$10.00   | \$10.00   | \$10.00   | N/A   |
| <b>Late fee</b>                               | \$10.00   | \$5.00  | \$10.00  | \$10.00   | \$10.00   | \$10.00   | N/A   |
| <b>Plate Transfer Fee</b>                     | None  | \$5.00  | \$8.00   | None  | None  | None  | \$15.00   |
| <b>Temporary Plate</b>                        | \$3.00  | \$3.00<br>(only issued with pers. Plates)                                       | \$3.00   | \$3.00  | \$3.00  | \$3.00  | N/A   |
| <b>Counter Fee</b>                            | \$5.00 (Title & Reg)<br>\$3.00 (Renewal)  | None  | \$3.00 (Title & Reg)<br>\$1.00 (Renewal)   | None  | None  | None  | N/A   |
| <b>Admin Fee</b>                              |   | None  | \$1.00   | None  | None  | None  | N/A   |
| <b>Sample Plates</b>                          | \$10.00   | \$12.00   | Unknown  | Unknown   | Unknown   | Unknown   | N/A   |
| <b>Additional Notes:</b>                      |   |   | *SUV have various fees<br>6000 - \$55<br>8000 - \$62<br>10,000 - \$68<br>12,000 - \$75 | Follows State Pricing   | Follows State Pricing   | Follows State Pricing   | Trucks are only registered up to 8000<br>Motorhomes do not have specific prices based on weight. A standard fee is listed for MHs |



**Fee schedule**

- Auto = \$75
- Recreational vehicle trailer = \$15
- Motorcycle and mopeds = \$23 (biennial)
- Special design vehicle = \$5

| Vehicle registration fee chart effective February 1, 2012 |                                    |  |          |               |                            |               |            |  |                    |            |            |
|---|------------------------------------|--|----------|---------------|----------------------------|---------------|------------|--|--------------------|------------|------------|
| (Annual fees are shown)                                   |                                    |  |          |               |                            |               |            |  |                    |            |            |
|   | Vehicle gross wgt. not over (lbs.) | Truck, bus, road tractor, dual purpose vehicle dual purpose farm | Trailer  | Truck tractor | Dairy, raw forest products |               | Farm truck | Farm trailer, dairy trailer, raw forest prod. trailer, spec. "Z" | Farm truck tractor | Spec. "UX" | Motor home |
|   |                                    |  |          |               | Truck                      | Truck tractor |            |  |                    |            |            |
| All numbers in these columns are dollar amounts           |                                    |  |          |               |                            |               |            |  |                    |            |            |
| A   | 4,500                              | \$75.00  | \$37.50  | \$93.00       | \$26.00                    | \$44.00       |            | \$18.75  | \$36.75            | \$18.00    |            |
|   | 5,000                              |  |          |               |                            |               |            |  |                    |            | 48.50      |
| B   | 6,000                              | 84.00  | 42.00    | 102.00        | 36.50                      | 54.50         |            | 21.00  | 39.00              | 18.00      |            |
| C   | 8,000                              | 106.00   | 53.00    | 124.00        | 43.00                      | 61.00         |            | 26.50  | 44.50              | 18.00      | 55.00      |
| X   | 10,000                             | 155.00   | 77.50    | 173.00        | 60.00                      | 78.00         |            | 38.75  | 56.75              | 18.00      |            |
| D   | 12,000                             | 209.00   | 104.50   | 227.00        | 77.50                      | 95.50         | *45.00     | 52.25  | 70.25              | 20.90      | 67.50      |
| Y   | 14,000 (Trailers)                  |  | 246.00   |               |                            |               |            | 61.50  |                    | 24.50      |            |
| E   | 16,000                             | 283.00   | 283.00   | 301.00        | 109.50                     | 127.50        | 70.75      | 70.75  | 88.75              | 28.30      | 80.50      |
| F   | 20,000                             | 356.00   | 356.00   | 374.00        | 142.00                     | 160.00        | 89.00      | 89.00  | 107.00             | 35.60      | 93.50      |
| G   | 26,000                             | 475.00   | 475.00   | 493.00        | 190.50                     | 208.50        | 118.75     | 118.75   | 136.75             | 47.50      | 106.50     |
| H   | 32,000                             | 609.00   | 609.00   | 627.00        | 245.00                     | 263.00        | 152.25     | 152.25   | 170.25             | 60.90      | 119.50     |
| J   | 38,000                             | 772.00   | 772.00   | 790.00        | 309.50                     | 327.50        | 193.00     | 193.00   | 211.00             | 77.20      | 119.50     |
| K   | 44,000                             | 921.00   | 921.00   | 939.00        | 371.00                     | 389.00        | 230.25     | 230.25   | 248.25             | 92.10      | 119.50     |
| L   | 50,000                             | 1,063.00   | 1,063.00 | 1,081.00      | 425.50                     | 443.50        | 265.75     | 265.75   | 283.75             | 106.30     | 119.50     |
| M   | 54,000                             | 1,135.00   | 1,135.00 | 1,153.00      | 456.00                     | 474.00        | 283.75     | 283.75   | 301.75             | 113.50     | 119.50     |
| N   | 56,000                             | 1,209.00   | 1,209.00 | 1,227.00      | 487.00                     | 505.00        | 302.25     | 302.25   | 320.25             | 120.90     | 119.50     |
| P   | 62,000                             | 1,367.00   | 1,367.00 | 1,385.00      | 551.50                     | 569.50        | 341.75     | 341.75   | 359.75             | 136.70     | 119.50     |
| Q   | 68,000                             | 1,543.00   | 1,543.00 | 1,561.00      | 622.50                     | 640.50        | 385.75     | 385.75   | 403.75             | 154.30     | 119.50     |
| R   | 73,000                             | 1,755.00   | 1,755.00 | 1,773.00      | 709.50                     | 727.50        | 438.75     | 438.75   | 456.75             | 175.50     | 119.50     |

|  |        |          |          |          |          |          |        |        |        |        |        |
|--|--------|----------|----------|----------|----------|----------|--------|--------|--------|--------|--------|
| S  | 76,000 | 2,081.00 | 2,081.00 | 2,099.00 | 838.50   | 856.50   | 520.25 | 520.25 | 538.25 | 208.10 | 119.50 |
| T  | 80,000 | 2,560.00 | 2,560.00 | 2,578.00 | 1,032.00 | 1,050.00 | 640.00 | 640.00 | 658.00 | 256.00 | 119.50 |
| *12,000 lbs. gross weight farm trucks are registered biennially. |        |          |          |          |          |          |        |        |        |        |        |

- Motor truck and trailer fees are based on the gross weight of the vehicle, including load.
- Truck tractor fees are based on the gross weight of the combined unit, which consists of the tractor and semi-trailer and load.
- Trailer registration at 14,000 lbs. gross weight is effective February 1, 2012.
- Motor home and bus fees are based on the gross weight of the vehicle, including property and passengers.
- In addition to the regular annual registration fee paid for a vehicle, all vehicles with automobile registration or truck registration at 8,000 lbs. or less (except dual purpose farm registration) and kept in the municipality or county that has an approved wheel tax, are subject to the additional fee.

**Questions? Contact us: [Wisconsin DMV email service](#)**

Last modified: February 1, 2012

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# Oneida Business Committee Agenda Request

1. Meeting Date Requested: 07 / 08 / 15

## 2. General Information:

Session:  Open  Executive - See instructions for the applicable laws, then choose one:

Agenda Header:

Accept as Information only

Action - please describe:

Please adopt the revised citation schedule which includes citations based on the emergency amendments.

## 3. Supporting Materials

Report  Resolution  Contract

Other:

1.

3.

2.

4.

Business Committee signature required

## 4. Budget Information

Budgeted - Tribal Contribution  Budgeted - Grant Funded  Unbudgeted

## 5. Submission

Authorized Sponsor / Liaison:

Primary Requestor: Laura L. Manthe, Director of the Environmental Resource Board  
Your Name, Title / Dept. or Tribal Member

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

## Oneida Business Committee Agenda Request

### 6. Cover Memo:

Describe the purpose, background/history, and action requested:

Based on the Public Use of Tribal Land Law, the Oneida Business Committee is required to adopt the citation schedule for the enforcement of the Law's provisions with the Environmental Resource Board's recommendation. Based on proposed emergency amendments to the Public Use of Tribal Land Law that would permit the Environmental Resource Board to prescribe permissible and prohibited uses for tribal lands designated as Oneida Community Access, Oneida Tribal Member Access or Open Access, the Environmental Resource Board recommends adopting the attached citation schedule which will allow ERB to immediately impose additional citations pursuant to the provisions above mentioned emergency amendments.

- 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@oneidation.org](mailto:BC_Agenda_Requests@oneidation.org)

# 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 \_\_\_\_\_ Public Use of Tribal Lands Schedule of Citations

- 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,** the Oneida Business Committee adopted the Public Use of Tribal Land Law on May 15, 2015, amended it on December 10, 2014 and most recently emergency amended it on July 8, 2015; and
- WHEREAS,** the Public Use of Tribal Land Law allows the Oneida Business Committee to adopt a citation schedule for violations of the Public Use of Tribal Lands Law, based upon recommendation of the Environmental Resource Board; and
- WHEREAS,** the Oneida Business Committee adopted a citation schedule on May 15, 2014 based upon the recommendation of the Environmental Resource Board; and
- WHEREAS,** the Environmental Resource Board has recommended that the Oneida Business Committee consider adopting the attached citation schedule for violations of the Public Use of Tribal Lands Law which has been updated to include additional citations for violations of Section 38.4-1(g), which was added by the latest emergency amendments.

**NOW THEREFORE BE IT RESOLVED,** that the Oneida Business Committee hereby adopts the attached Public Use of Tribal Lands Schedule of Citations to replace the Schedule of Citations adopted by BC-05-15-14-D, effective immediately.

Legislative Reference Office  
P.O. Box 365  
Oneida, WI 54155  
(920) 869-4376  
(800) 236-2214



**Committee Members**  
Brandon Stevens, Chairperson  
Tehassi Hill, Vice Chairperson  
Fawn Billie, Councilmember  
David P. Jordan, Councilmember  
Jennifer Webster, Councilmember

**Statement of Effect**  
*Public Use of Tribal Lands Schedule of Citations*

**Summary**

This Resolution adopts an updated schedule of citations for violating the Public Use of Tribal Lands Law.

Submitted by: Krystal L. John, Staff Attorney, Legislative Reference Office

**Analysis by the Legislative Reference Office**

Adoption of the Resolution would result in an updated schedule of citations for violations of the Public Use of Tribal Land Law. The Public Use of Tribal Land Law states: “The Oneida Business Committee, upon recommendation of the Environmental Resource Board, shall adopt a citation schedule.” (Sec. 38.7-1(a))

The Oneida Environmental Resource Board has recommended including additional citations to the current citation schedule pursuant to Section 38.4-1(g), which is currently proposed to be adopted by emergency amendment. Section 38.4-1(g) states:

[The Environmental Resource Board, or its designated staff, shall] [a]s it deems appropriate, prescribe permissible and/or prohibited uses for Tribal land that it designates as Oneida Community Access, Oneida Tribal Member Access or Open Access, provided that such permissible and/or prohibited uses may not contradict the Zoning and Shoreland Protection Ordinance. Upon establishment of permissible and/or prohibited uses, the Environmental Resource Board shall report such uses to the Oneida Business Committee and shall post notice of such uses on the affected Tribal land.

The adoption of this schedule will allow the Oneida Environmental Resource Board to immediately impose the additional citations pursuant to Section 38.4-1(g) that are provided on the attached citation schedule. If, in the future, the Oneida Environmental Resource Board wishes to change the citation schedule, the Board will have to forward such request to the Oneida Business Committee for consideration.

**Conclusion**

There are no legal bars to adopting the Resolution. In accordance with the Resolution, the citation schedule would be effective immediately upon adoption.

**Public Use of Tribal Lands  
Schedule of Citations\***

| <b>Violation</b>   | <b>Reference</b> | <b>1<sup>st</sup> Offense</b> | <b>2<sup>nd</sup> Offense</b> | <b>3<sup>rd</sup> Offense</b> |
|--|------------------|-------------------------------|-------------------------------|-------------------------------|
| Refuses to leave land when requested to do so.   | §38.6-1(a)       | \$300                         | \$600                         | \$900                         |
| Enters upon land after being noticed that permission to enter land doesn't exist.  | §38.6-1(b)       | \$300                         | \$600                         | \$900                         |
| Destroys land, waters, livestock, poultry, buildings, equipment, or any property.  | §38.6-1(c)1      | \$300                         | \$600                         | \$900                         |
| Cuts or destroys any wood, timber, plant, vegetation or crop standing on the land, or carries away any wood, timber, plant, vegetation or crop on the land.                                  | §38.6-1(c)2      | \$300                         | \$600                         | \$900                         |
| Engages in any act, or attempted act of hunting, trapping or fishing.  | §38.6-1(c)3      | \$300                         | \$600                         | \$900                         |
| Digs, takes, or carries away earth, soil, minerals, cultural resources, or any other property.   | §38.6-1(c)4      | \$300                         | \$600                         | \$900                         |
| Erects, puts up, fastens, prints, or paints upon another's property, notices, advertisements, signs or other writing designed to communicate to the general public.                          | §38.6-1(c)5      | \$300                         | \$600                         | \$900                         |
| Parks or drives any vehicle on the land.   | §38.6-1(c)6      | \$300                         | \$600                         | \$900                         |
| Permits or allows livestock or any domesticated animal to enter upon or remain upon the land.  | §38.6-1(c)7      | \$300                         | \$600                         | \$900                         |
| Uses or possesses leased or subleased lands beyond the possessory rights granted by such lease or sublease.  | §38.6-1(c)8      | \$300                         | \$600                         | \$900                         |
| Dumps, deposits, places, throw, burns, emits or leaves rubbish, refuse, debris, substances, or other objects upon a highway, road, air, water or any land.                                   | §38.6-1(c)9      | \$300                         | \$600                         | \$900                         |
| Violates the prescribed permissible and/or prohibited uses for property that is designated as Oneida Community Access, Oneida Tribal Member Access or Open Access as posted on the property. | §38.4-1(g)       | \$300                         | \$600                         | \$900                         |

\*The Environmental Resource Board may, in addition to the citation, impose hearing costs and restitution against the person to whom a citation is issued for damages caused by a violation of this Law.

The frequency of offenses (i.e. 1st Offense, 2nd Offense, 3rd Offense) listed in this Schedule are re-set three calendar years from the date of the first offense.

Payment of fines collected for these violations shall be deposited with the Conservation Department.

Each violation and each day a violation continues or occurs shall constitute a separate offense.

# Oneida Business Committee Agenda Request

1. Meeting Date Requested: 7 / 8 / 15

## 2. General Information:

Session:  Open  Executive - See instructions for the applicable laws, then choose one:

Agenda Header:

Accept as Information only

Action - please describe:

## 3. Supporting Materials

Report  Resolution  Contract

Other:

1.

3.

2.

4.

Business Committee signature required

## 4. Budget Information

Budgeted - Tribal Contribution  Budgeted - Grant Funded  Unbudgeted

## 5. Submission

Authorized Sponsor / Liaison:

Primary Requestor: \_\_\_\_\_  
Your Name, Title / Dept. or Tribal Member

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

## Oneida Business Committee Agenda Request

### 6. Cover Memo:

Describe the purpose, background/history, and action requested:

See attached.

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](mailto:BC_Agenda_Requests@oneidanation.org)

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

Krystal L. John, Staff Attorney  
Douglass A. McIntyre, Staff Attorney  
Taniquele J. Thurner, Legislative Analyst  
Candice E. Skenandore, Legislative Analyst



P.O. Box 365  
Oneida, WI 54155  
(920) 869-4375  
(800) 236-2214

<https://oneida-nsn.gov/Laws>

**Memorandum**

**TO:** Oneida Business Committee  
**FROM:** Brandon Stevens, LOC Chairperson *BS*  
**DATE:** July 1, 2015  
**RE:** Public Use of Tribal Land Emergency Amendments

---

Please find the following attached backup documentation for your consideration of the Public Use of Tribal Land Emergency Amendments:

1. Resolution: Public Use of Tribal Land Emergency Amendments
2. Statement of Effect: Public Use of Tribal Land Emergency Amendments
3. Public Use of Tribal Land Emergency Amendments (redline)
4. Public Use of Tribal Land Emergency Amendments (clean)

*Overview*

The attached Resolution will adopt emergency amendments to the Public Use of Tribal Land Law (Law). Amendments to the Law were requested by the Environmental Resource Board (ERB) to include authority for ERB to prescribe permissible and prohibited uses for tribal lands that it designates as Oneida Community Access, Oneida Tribal Member Access or Open Access. The original intent of the law was to provide access restrictions based on different tribal land designations. However, in order to preserve the lands for the use and enjoyment of all authorized individuals, emergency amendments are being requested to enable the ERB to prescribe permissible and/or prohibited uses for these lands. For example, there is not currently any enforcement tool for enforcing the rules of use for Oneida Lake and as a result there has been drinking and camping at Oneida Lake. In order to allow ERB to prescribe permissible and prohibited uses for tribal lands, the following emergency amendments were made:

- Require ERB to prescribe permissible and prohibited uses for tribal lands that it designates as Oneida Community Access, Oneida Tribal Member Access or Open Access, provided that such permissible and/or prohibited uses may not contradict with the Zoning and Shoreland Protection Ordinance.
- Require ERB to report the prescribed permissible and prohibited uses for tribal land to the Oneida Business Committee and to post notice of such uses on the affect tribal land.

Emergency amendments do not require a public meeting or fiscal impact statement. If adopted, these amendments will become effective immediately and will remain in effect for six months, unless extended or permanently adopted [*See Legislative Procedures Act 16.9-5*].

**Requested Action**

Approve the Resolution: Public Use of Tribal Land Emergency Amendments

# 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 \_\_\_\_\_ Public Use of Tribal Land Law Emergency Amendments

- WHEREAS,** the Oneida General Council is the duly recognized governing body of the Oneida Tribe of Indians of Wisconsin; and
- WHEREAS,** the Oneida General 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,** the Oneida Business Committee adopted the Public Use of Tribal Land Law (Law) through resolution BC-05-15-14-D and amended it through resolution BC-12-10-14-A.
- WHEREAS,** the Land Access Map, required under the Law, has been adopted by the Environmental Resource Board and designates the Tribe's land as Limited Access, Oneida Community Access, Oneida Tribal Member Access, and Open; and
- WHEREAS,** the land designations prohibit certain individuals from accessing Tribal land if the land is designated as Limited Access, Oneida Community Access, or Oneida Tribal Member Access; and
- WHEREAS,** the Law does not specify any permissible and/or prohibited uses for these lands and does not designate any entity the authority to implement permissible and/or prohibited uses on these lands; and
- WHEREAS,** in order to preserve the lands for the use and enjoyment of all authorized individuals, emergency amendments are being requested to enable the Environmental Resource Board to prescribe permissible and/or prohibited uses for these lands; and
- WHEREAS,** the Legislative Procedures Act 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,** emergency amendments to the Public Use of Tribal Land Law are necessary for the preservation of the public health, safety, or general welfare of the reservation population, and observance of the adoption requirements under the Legislative Procedures Act for passage of laws and policies would be contrary to public interest.

**NOW THEREFORE BE IT RESOLVED,** that the following amendments to section 38.4-1 of the Public Use of Tribal Land Law are hereby adopted on an emergency basis for six (6) months, and shall take effect immediately:

(g) As it deems appropriate, prescribe permissible and/or prohibited uses for Tribal land that it designates as Oneida Community Access, Oneida Tribal Member Access or Open Access; provided that such permissible and/or prohibited uses may not contradict with the Zoning and Shoreland Protection Ordinance. Upon establishment of permissible and/or prohibited uses, the Environmental Resource Board shall notify the Oneida Business Committee of the permissible and/or prohibited uses and shall post notice of such uses on the affected Tribal land.

# Oneida Tribe of Indians of Wisconsin

## Legislative Reference Office

P.O. Box 365  
Oneida, WI 54155  
(920) 869-4376  
(800) 236-2214



## Committee Members

Brandon Stevens, Chairperson  
Tehassi Hill, Vice Chairperson  
Fawn Billie, Councilmember  
David P. Jordan, Councilmember  
Jennifer Webster, Councilmember

## Statement of Effect

### *Public Use of Tribal Land Law Emergency Amendments*

#### *Summary*

This Resolution adopts emergency amendments to the Public Use of Tribal Land Law to allow the Environmental Resource Board (ERB) to prescribe permissible and/or prohibited uses for tribal land that has been designated as Oneida Community Access, Oneida Tribal Member Access or Open Access, provided that such uses do not contradict with the Zoning and Shoreland Protection Ordinance. The emergency amendments also require ERB to report the prescribed permissible and/or prohibited uses to the Oneida Business Committee and to post the uses on the affected tribal lands.

*Submitted by Krystal L. John, Staff Attorney, Legislative Reference Office*

#### *Analysis from Legislative Reference Office*

This Resolution adopts emergency amendments to the Public Use Tribal Land Law (Law), which was adopted through resolution BC-05-15-14-D and thereafter amended through resolution BC-12-10-14-A. This Law enables the Tribe to fine individuals who improperly access, use and/or trespass on Tribal lands. ERB has created a Land Access Map which has designated Tribal lands as Limited Access, Oneida Community Access, Oneida Tribal Member Access and Open Access. While the Law currently gives ERB the authority to restrict access based on the land's designation, it does not grant ERB the authority to regulate the use of such land, regardless of designation, and thereby prevents enforcement of rules intended to regulate the use of public spaces, an example of which is Oneida Lake.

The proposed emergency amendments to this Law would specifically allow ERB to prescribe permissible and/or prohibited uses for tribal land that it designates as Oneida Community Access, Oneida Tribal Member Access or Open Access, provided that such uses do not contradict the Zoning and Shoreland Protection Ordinance. The emergency amendments also require ERB to report the prescribed permissible and/or prohibited uses to the Oneida Business Committee and to post the uses on the affected tribal lands.

This Law, in Section 38.7-1(a) already authorizes the Oneida Business Committee to adopt a citation schedule with the recommendation of ERB. Accordingly, ERB has brought forward a revised citation schedule in tandem with these emergency amendments to include citations based

on Section 38.4-1(g), which contains the authority to prescribe permissible or prohibited uses for tribal land that it designates as Oneida Community Access, Oneida Tribal Member Access or Open Access. Therefore, upon adoption of these emergency amendments and revised citation schedule, ERB will have both the authority to prescribe permissible and prohibited uses and the tools required to enforce such prescriptions, provided that notice has been provided to the public by posting such permissible and prohibited uses on the affected tribal lands.

Section 16.9-5 of the Legislative Procedures Act (LPA) allows the Oneida Business Committee to take emergency action 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, the Oneida Business Committee has issued a finding of an emergency and has stated the necessity for approving emergency amendments to this Law.

***Conclusion***

Adoption of this Resolution would not conflict with Tribal law.

**CHAPTER 38**  
**PUBLIC USE OF TRIBAL LAND**

38.1. Purpose and Policy  
38.2. Adoption, Amendment, Repeal  
38.3. Definitions  
38.4. Environmental Resource Board

38.5. Land Access Map  
38.6. Trespass  
38.7. Violations and Appeals

| <i>Analysis by the Legislative Reference Office</i> |   |                |              |                |                       |
|---|---|----------------|--------------|----------------|-----------------------|
| <b>Title</b>  | Public Use of Tribal Land   |                |              |                |                       |
| <b>Requester</b>                                    | ERB   | <b>Drafter</b> | Krystal John | <b>Analyst</b> | Candice E. Skenandore |
| <b>Reason for Request</b>                           | Give the Environmental Resource Board the authority to determine what actions are allowed or not allowed on designated Tribal properties. |                |              |                |                       |
| <b>Purpose</b>                                      | The purpose of this Law is to prevent improper access, use and trespass to Tribal lands   |                |              |                |                       |
| <b>Authorized/ Affected Entities</b>                | Environmental Resource Board or its designated staff  |                |              |                |                       |

**Overview & Proposed Emergency Amendment**

According to the Environmental Health and Safety Division and the Environmental Resource Board, people have been camping and/or consuming alcohol at the Oneida Lake. It is because of these actions that the Environmental Resource Board (ERB) has requested emergency amendments to the Public Use of Tribal Land Law (Law) in order to gain the authority to determine what actions are permissible and/or prohibited on Tribal properties. Language has been added to the Law that requires ERB or its designated staff to prescribe permissible and/or prohibited uses, as it deems necessary, for property that it designates as Oneida Community Access, Oneida Tribal Member Access or Open Access, provided that the permissible and/or prohibited uses do not contradict with the Zoning and Shoreland Protection Ordinance. In addition, ERB must inform the Oneida Business Committee of permissible and/or prohibited actions and post notice on the designated properties, informing the public of what actions are allowed and/or not allowed [See 38.4-1 (g)].

This emergency amendment does not allow the ERB or its designated staff to prescribe permissible and/or prohibited uses, as it deems necessary on Tribal property that is designated as Limited Access. Limited Access lands are open to anyone who is granted permission by the Tribe through a permit or lease for specific purposes [See 38.5-1 (a)]. Furthermore, this emergency amendment requires the Oneida Business Committee to be informed of the permissible and/or prohibited actions; however, ERB is not required to inform the Oneida Business Committee prior to 1) determining the permissible and/or prohibited actions or 2) posting the notices informing the public of permissible and/or prohibited actions.

**Miscellaneous**

A public meeting or fiscal impact statement are not required prior to consideration of emergency amendments. If adopted, these amendments will become effective immediately and will remain in effect for six months, unless extended or permanently adopted [See *Legislative Procedures Act 16.9-5*].

**38.1. Purpose and Policy**

38.1-1. *Purpose.* The purpose of this Law is to prevent improper access, use and trespass to Tribal lands.

32 38.1-2. *Policy.* It is the policy of the Tribe to limit access to Tribal land to protect and preserve  
33 the environment and natural resources including forests, wildlife, air and waters, through  
34 appropriate uses of the land.  
35

### 36 **38.2. Adoption, Amendment, Repeal**

37 38.2-1. This Law was adopted by the Oneida Business Committee by resolution BC-05-15-14-C  
38 and amended by BC-12-10-14-A.

39 38.2-2. This Law may be amended or repealed by the Oneida Business Committee pursuant to  
40 the procedures set out in the Legislative Procedures Act.

41 38.2-3. Should a provision of this Law or the application thereof to any person or circumstances  
42 be held as invalid, such invalidity shall not affect other provisions of this Law which are  
43 considered to have legal force without the invalid portions.

44 38.2-4. In the event of a conflict between a provision of this Law and a provision of another law,  
45 the provisions of this Law shall control.

46 38.2-5. This Law is adopted under authority of the Constitution of the Oneida Tribe of Indians  
47 of Wisconsin.

48 38.2-6. This Law shall not be construed to preclude the Tribe from pursuing relief for criminal  
49 trespass under applicable law.  
50

### 51 **38.3. Definitions**

52 38.3-1. This section shall govern the definitions of words and phrases used within this Law. All  
53 words not defined herein shall be used in their ordinary and everyday sense.

54 (a) “Designation” means the term used to describe the type of access granted to certain  
55 Tribal lands.

56 (b) “Lease” means any lease or agreement, including business site leases, entered into by  
57 the Tribe and any person to allow the use of Tribal lands.

58 (c) “Person” means any individual, group of individuals, corporation, partnership,  
59 limited liability company, or any other form of business organization.

60 (d) “Reservation” means all the lands and waters within the exterior boundaries of the  
61 Reservation of the Oneida Tribe of Indians of Wisconsin, as created pursuant to the 1838  
62 Treaty with the Oneida 7 Stat. 566, and any lands added thereto pursuant to federal law.

63 (e) “Trespass” means the unauthorized use or entry on Tribal lands, including  
64 unauthorized uses under a Tribal law, permit or lease.

65 (f) “Tribal” or “Tribe” means the Oneida Tribe of Indians of Wisconsin.

66 (g) “Tribal land” means all Tribal trust lands, and any land or interest in land held by the  
67 Oneida Tribe in fee or in any other form on the Reservation.  
68

### 69 **38.4. Environmental Resource Board**

70 38.4-1. The Environmental Resource Board shall have the duty and power to carry out the intent  
71 and purposes of this Law and enforce the provisions of this Law. The Environmental Resource  
72 Board, or its designated staff, shall:

73 (a) Develop, approve and maintain the Land Access Map.

74 (b) Hold public hearings on proposed amendments to the Land Access Map.

75 (c) Hear and decide, as the original hearing body, contested cases that may arise under  
76 this Law.

77 (d) Impose hearing costs and restitution against the person for damages caused by a  
78 violation of this Law.

79 (e) Determine which Tribal land will be posted and ensure the appropriate signs are  
80 posted.

81 (f) Implement and interpret the provisions of this Law.

82 (g) As it deems appropriate, prescribe permissible and/or prohibited uses for Tribal land  
83 that it designates as Oneida Community Access, Oneida Tribal Member Access or Open  
84 Access, provided that such permissible and/or prohibited uses may not contradict with the  
85 Zoning and Shoreland Protection Ordinance. Upon establishment of permissible and/or  
86 prohibited uses, the Environmental Resource Board shall notify the Oneida Business  
87 Committee of the permissible and/or prohibited uses and shall post notice of such uses on  
88 the affected Tribal land.  
89

### 90 **38.5. Land Access Map**

91 38.5-1. *Designation of Tribal Lands.* A Land Access Map shall be created which designates  
92 Tribal land as one (1) of the following:

93 (a) Limited Access: Lands designated as “Limited Access” shall be open to all persons  
94 who are granted land access permission by the Tribe through a permit or lease for  
95 specified purposes. The Environmental Resource Board may choose to designate a  
96 portion of land as Limited Access in order to manage, preserve and protect that land for  
97 environmental, cultural or other significance.

98 (b) Oneida Community Access: Lands designated as “Oneida Community Access” shall  
99 be open to Tribal members, and their spouses and descendants; members of other  
100 federally recognized Indian tribes, bands or communities; authorized employees of the  
101 Tribe; and persons who are accompanied at all times by a Tribal member, the spouse or  
102 descendant of a Tribal member, or an authorized employee of the Tribe.

103 (1) A Conservation Warden or Oneida Police Officer may require a person to  
104 demonstrate proof of eligibility to use Oneida Community Access lands.

105 (2) The Environmental Resource Board may choose to designate land as Oneida  
106 Community Access in order to manage, preserve and protect access to locations  
107 that have cultural or environmental significance.

108 (c) Oneida Tribal Member Access: Land designated as “Oneida Tribal Member Access”  
109 shall be open to Tribal members only. The Environmental Resource Board may  
110 designate land as Oneida Tribal Member Access to protect the land for Tribal member  
111 use due to the historical, spiritual, cultural and/or environmental significance of the land.

112 (d) Open: Lands designated as “Open Access” shall be generally open to all persons for  
113 the land’s designated use and enjoyment. The Environmental Resource Board may  
114 designate land as Open Access where such designation is deemed beneficial to the Tribe  
115 and where such designation does not pose significant risk of damage to the policies of the  
116 Tribe and/or the land’s cultural or environmental preservation.

117 38.5-2. Notwithstanding the restrictions of 38.5-1, nothing in this Law shall be construed as  
118 preventing the following persons from entering Tribal land, regardless of the land designation:

119 (a) Employees of the Tribe who are performing their job duties;

120 (b) Those persons who are performing grant or contractual obligations related to the  
121 Tribal land and on behalf of the Tribe;

122 (c) Emergency personnel who are providing, or attempting to provide, services; and

123 (d) Those persons who have been granted access to the land by the Environmental  
124 Resource Board.

125 38.5-3. *Development of the Land Access Map.* The Environmental Resource Board shall  
126 develop the Land Access Map in coordination with the Oneida Environmental Health and Safety

127 Division, the Oneida Division of Land Management, Geographic Land Information Systems and  
128 other such designated agencies of the Tribe. The Environmental Resource Board shall adopt the  
129 initial Land Access Map.

130 38.5-4. *General Land Designation.* Unless otherwise designated, Tribal Land shall be  
131 designated as Limited Access.

132 38.5-5. *Amending the Land Access Map.* The Environmental Resource Board may, from time to  
133 time, in the manner hereafter set forth, amend the Land Access Map, provided that due  
134 consideration shall be made for the intent and purposes of the designation.

135 (a) Amendments may be proposed by any person by filing an application with the  
136 Environmental Resource Board in such format and accompanied by such information as  
137 required by the Board.

138 (b) *Public Hearing.* The Environmental Resource Board shall hold a public hearing on  
139 each application to amend the Land Access Map.

140 (1) The Environmental Resource Board shall set a date for the public hearing and  
141 meet the notice requirements of the public hearing as soon as possible after the  
142 filing of the application is complete.

143 (A) *Notice.* Not less than ten (10) business days and not more than thirty  
144 (30) business days prior to the public hearing, notice, including the time,  
145 place and purpose of the public hearing, shall be:

146 (i) published in the Tribal newspaper; and

147 (ii) mailed to all owners of land located within twelve hundred  
148 (1,200) feet of the outer boundaries of the land that is the subject of  
149 the public hearing.

150 (B) Any person who cannot attend the public hearing may be represented  
151 by an agent, advocate or attorney at the public hearing.

152 (C) The Environmental Resource Board shall issue a decision or  
153 recommendation regarding amendments to the Land Access Map within  
154 seven (7) business days after the public hearing is held.

155 (2) The Environmental Resource Board together with the Environmental Health  
156 and Safety Division shall, after holding a public hearing and reviewing any  
157 comments received, make written findings of fact and determine whether to  
158 amend the Land Access Map.

159 (3) The Environmental Resource Board shall make findings based upon the  
160 evidence presented to it with respect to the following matters:

161 (A) Existing uses of the land and buildings within the general area of the  
162 land in question.

163 (B) Suitability of the land in question to the uses permitted under the  
164 existing Land Access Map.

165 (4) The Environmental Resource Board shall not amend the Land Access Map  
166 unless it finds that adopting such amendment is in the Tribe's best interest and is  
167 not solely for the interest of the applicant.

168 (c) The Environmental Resource Board may grant or deny any application to amend the  
169 Land Access Map; however, amendments shall require a two-thirds (2/3) vote of the  
170 Environmental Resource Board if a written protest against any amendment is presented to  
171 the Environmental Resource Board and is signed by:

172 (1) the lessees, assignees and owners of at least twenty percent (20%) of the acres  
173 of land included in such amendment; or

174 (2) the lessees, assignees and owners of at least twenty percent (20%) of the land  
175 immediately adjacent to the land included in such amendment, extending in a  
176 radius of twelve hundred (1,200) feet of the outer boundaries of the land.  
177

### 178 **38.6. Trespass**

179 38.6-1. A person trespasses if the person enters or otherwise occupies Tribal land and:

180 (a) Refuses to leave land to which the person has no reasonable claim or right of  
181 possession when requested to do so.

182 (b) Enters upon such land after being noticed by the landowner or occupant that  
183 permission for the person to enter such land does not exist, or has been expressly denied  
184 or revoked. A person has been noticed that permission by the landowner or occupant for  
185 such person to enter such land does not exist if he or she has been notified publicly, by  
186 publication of the Land Access Map on the Tribal website and/or in the Tribal  
187 newspaper, or if the land is posted. Land is considered to be posted if one (1) of the  
188 following requirements is met:

189 (1) A sign at least eleven (11) inches square is placed in at least two (2)  
190 conspicuous places for every forty (40) acres of land to be protected. The sign  
191 shall provide an appropriate notice and the name of the person giving the notice,  
192 followed by the word “owner” if the person is the holder of legal title to the land  
193 or by the word “occupant” if the person is a lawful occupant of the land, but not  
194 the holder of legal title.

195 (2) Markings at least one (1) foot long and, in a contrasting color, the phrase  
196 “private land” and the name of the owner, are made in at least two (2)  
197 conspicuous places for every forty (40) acres of land.

198 (c) Does any of the following without proper authorization through a lease, permit or as  
199 otherwise required under applicable law:<sup>1</sup>

200 (1) Destroys land, waters, livestock, poultry, buildings, equipment, or any  
201 property without consent or permission.

202 (2) Cuts or destroys any wood, timber, plant, vegetation, or crop standing on the  
203 land, or carries away any wood, timber, plant, vegetation or crop on the land.

204 (3) Engages in any act, or attempted act of hunting, trapping or fishing.

205 (4) Digs, takes, or carries away earth, soil, minerals, cultural resources, or any  
206 other property.

207 (5) Erects, puts up, fastens, prints, or paints upon another’s property, notices,  
208 advertisements, signs or other writing designed to communicate to the general  
209 public.

210 (6) Parks or drives any vehicle on the land.

211 (7) Permits or allows livestock or any domesticated animal to enter upon or  
212 remain upon the land.

213 (8) Uses or possesses leased or subleased lands beyond the possessory rights  
214 granted by such lease or sublease.

---

<sup>1</sup> Current Tribal laws that authorize conduct described in 38.6-1(c): Chapter 12, Protection and Management of Archeological and Historical Resources; Chapter 34, Oneida Tribal Regulation of Domestic Animals Ordinance; Chapter 40, Tribal Environmental Response Law; Chapter 42, Wood Cutting Ordinance; Chapter 44, Recycling and Solid Waste Disposal; Chapter 45, Hunting, Fishing and Trapping Law; Chapter 49: All-Terrain Vehicle Law; Chapter 69, Zoning and Shoreland Protection Law.

215 (9) Dumps, deposits, places, throws, burns, emits or leaves rubbish, refuse,  
 216 debris, substances, or other objects upon a highway, road, air, waters or any land.  
 217

### 218 **38.7. Violations and Appeals**

219 38.7-1. *Issuance of a Citation.* Any person who violates any provision of this Law shall be  
 220 guilty of a civil infraction, and shall be issued a citation, in writing, by a Conservation Warden or  
 221 Oneida Police Officer. The issuance of a citation or fine under any other law relating to the same  
 222 or any other matter shall not preclude the issuance of a citation under this Law.

223 (a) The Oneida Business Committee, upon recommendation of the Environmental  
 224 Resource Board, shall adopt a citation schedule.

225 (b) The citation shall specify the date, time and place of the hearing to contest the  
 226 citation. The hearing shall take place at least five (5) business days after the citation is  
 227 issued.

228 (c) The citation shall also state that the Environmental Resource Board may, in addition  
 229 to the citation, impose hearing costs and restitution against the person for damages caused  
 230 by a violation of this Law.

231 38.7-2. *Citation Hearing.* Any person issued a citation under this Law may contest the citation  
 232 by attending a hearing before the Environmental Resource Board. The person may appear in  
 233 person, or be represented by an agent, advocate or attorney.

234 (a) If the person does not wish to contest the citation, he or she shall pay the citation by  
 235 the hearing date specified on the citation.

236 (b) After the hearing, the Environmental Resource Board shall:

237 (1) determine whether the person is responsible for the citation, as was issued;

238 (2) determine whether to impose hearing costs and/or restitution against the  
 239 person for the value of any damage caused by a violation of this Law; and

240 (3) set a new date for when the citation, hearing costs and/or restitution shall be  
 241 paid, if necessary.

242 (c) Any restitution funds received shall be used to repair the damages caused by a  
 243 violation of this Law.

244 38.7-3. *Appeals from the Environmental Resource Board Decision.* Any party of interest may  
 245 appeal a decision of the Environmental Resource Board to the Tribe's judicial system.  
 246

247 *End.*  
 248

---

249 Adopted – BC-05-15-14-C

250 Emergency Amended – BC-07-23-14-C

251 Amended – BC-12-10-14-A

252 Emergency Amended – BC

**CHAPTER 38**  
**PUBLIC USE OF TRIBAL LAND**

38.1. Purpose and Policy  
38.2. Adoption, Amendment, Repeal  
38.3. Definitions  
38.4. Environmental Resource Board

38.5. Land Access Map  
38.6. Trespass  
38.7. Violations and Appeals

---

1

2 **38.1. Purpose and Policy**3 38.1-1. *Purpose.* The purpose of this Law is to prevent improper access, use and trespass to  
4 Tribal lands.5 38.1-2. *Policy.* It is the policy of the Tribe to limit access to Tribal land to protect and preserve  
6 the environment and natural resources including forests, wildlife, air and waters, through  
7 appropriate uses of the land.

8

9 **38.2. Adoption, Amendment, Repeal**10 38.2-1. This Law was adopted by the Oneida Business Committee by resolution BC-05-15-14-C  
11 and amended by BC-12-10-14-A.12 38.2-2. This Law may be amended or repealed by the Oneida Business Committee pursuant to  
13 the procedures set out in the Legislative Procedures Act.14 38.2-3. Should a provision of this Law or the application thereof to any person or circumstances  
15 be held as invalid, such invalidity shall not affect other provisions of this Law which are  
16 considered to have legal force without the invalid portions.17 38.2-4. In the event of a conflict between a provision of this Law and a provision of another law,  
18 the provisions of this Law shall control.19 38.2-5. This Law is adopted under authority of the Constitution of the Oneida Tribe of Indians  
20 of Wisconsin.21 38.2-6. This Law shall not be construed to preclude the Tribe from pursuing relief for criminal  
22 trespass under applicable law.

23

24 **38.3. Definitions**25 38.3-1. This section shall govern the definitions of words and phrases used within this Law. All  
26 words not defined herein shall be used in their ordinary and everyday sense.27 (a) “Designation” means the term used to describe the type of access granted to certain  
28 Tribal lands.29 (b) “Lease” means any lease or agreement, including business site leases, entered into by  
30 the Tribe and any person to allow the use of Tribal lands.31 (c) “Person” means any individual, group of individuals, corporation, partnership,  
32 limited liability company, or any other form of business organization.33 (d) “Reservation” means all the lands and waters within the exterior boundaries of the  
34 Reservation of the Oneida Tribe of Indians of Wisconsin, as created pursuant to the 1838  
35 Treaty with the Oneida 7 Stat. 566, and any lands added thereto pursuant to federal law.36 (e) “Trespass” means the unauthorized use or entry on Tribal lands, including  
37 unauthorized uses under a Tribal law, permit or lease.

38 (f) “Tribal” or “Tribe” means the Oneida Tribe of Indians of Wisconsin.

39 (g) “Tribal land” means all Tribal trust lands, and any land or interest in land held by the  
40 Oneida Tribe in fee or in any other form on the Reservation.

41

**42 38.4. Environmental Resource Board**

43 38.4-1. The Environmental Resource Board shall have the duty and power to carry out the intent  
44 and purposes of this Law and enforce the provisions of this Law. The Environmental Resource  
45 Board, or its designated staff, shall:

- 46 (a) Develop, approve and maintain the Land Access Map.
- 47 (b) Hold public hearings on proposed amendments to the Land Access Map.
- 48 (c) Hear and decide, as the original hearing body, contested cases that may arise under  
49 this Law.
- 50 (d) Impose hearing costs and restitution against the person for damages caused by a  
51 violation of this Law.
- 52 (e) Determine which Tribal land will be posted and ensure the appropriate signs are  
53 posted.
- 54 (f) Implement and interpret the provisions of this Law.
- 55 (g) As it deems appropriate, prescribe permissible and/or prohibited uses for Tribal land  
56 that it designates as Oneida Community Access, Oneida Tribal Member Access or Open  
57 Access, provided that such permissible and/or prohibited uses may not contradict with the  
58 Zoning and Shoreland Protection Ordinance. Upon establishment of permissible and/or  
59 prohibited uses, the Environmental Resource Board shall notify the Oneida Business  
60 Committee of the permissible and/or prohibited uses and shall post notice of such uses on  
61 the affected Tribal land.

**62 38.5. Land Access Map**

63 38.5-1. *Designation of Tribal Lands.* A Land Access Map shall be created which designates  
64 Tribal land as one (1) of the following:

- 65 (a) Limited Access: Lands designated as “Limited Access” shall be open to all persons  
66 who are granted land access permission by the Tribe through a permit or lease for  
67 specified purposes. The Environmental Resource Board may choose to designate a  
68 portion of land as Limited Access in order to manage, preserve and protect that land for  
69 environmental, cultural or other significance.
- 70 (b) Oneida Community Access: Lands designated as “Oneida Community Access” shall  
71 be open to Tribal members, and their spouses and descendants; members of other  
72 federally recognized Indian tribes, bands or communities; authorized employees of the  
73 Tribe; and persons who are accompanied at all times by a Tribal member, the spouse or  
74 descendant of a Tribal member, or an authorized employee of the Tribe.
  - 75 (1) A Conservation Warden or Oneida Police Officer may require a person to  
76 demonstrate proof of eligibility to use Oneida Community Access lands.
  - 77 (2) The Environmental Resource Board may choose to designate land as Oneida  
78 Community Access in order to manage, preserve and protect access to locations  
79 that have cultural or environmental significance.
- 80 (c) Oneida Tribal Member Access: Land designated as “Oneida Tribal Member Access”  
81 shall be open to Tribal members only. The Environmental Resource Board may  
82 designate land as Oneida Tribal Member Access to protect the land for Tribal member  
83 use due to the historical, spiritual, cultural and/or environmental significance of the land.
- 84 (d) Open: Lands designated as “Open Access” shall be generally open to all persons for  
85 the land’s designated use and enjoyment. The Environmental Resource Board may  
86 designate land as Open Access where such designation is deemed beneficial to the Tribe  
87 and where such designation does not pose significant risk of damage to the policies of the  
88 Tribe and/or the land’s cultural or environmental preservation.

Emergency Amendments Draft 01 – 06222015  
Revisions to Current Law

90 38.5-2. Notwithstanding the restrictions of 38.5-1, nothing in this Law shall be construed as  
91 preventing the following persons from entering Tribal land, regardless of the land designation:

- 92 (a) Employees of the Tribe who are performing their job duties;  
93 (b) Those persons who are performing grant or contractual obligations related to the  
94 Tribal land and on behalf of the Tribe;  
95 (c) Emergency personnel who are providing, or attempting to provide, services; and  
96 (d) Those persons who have been granted access to the land by the Environmental  
97 Resource Board.

98 38.5-3. *Development of the Land Access Map.* The Environmental Resource Board shall  
99 develop the Land Access Map in coordination with the Oneida Environmental Health and Safety  
100 Division, the Oneida Division of Land Management, Geographic Land Information Systems and  
101 other such designated agencies of the Tribe. The Environmental Resource Board shall adopt the  
102 initial Land Access Map.

103 38.5-4. *General Land Designation.* Unless otherwise designated, Tribal Land shall be  
104 designated as Limited Access.

105 38.5-5. *Amending the Land Access Map.* The Environmental Resource Board may, from time to  
106 time, in the manner hereafter set forth, amend the Land Access Map, provided that due  
107 consideration shall be made for the intent and purposes of the designation.

108 (a) Amendments may be proposed by any person by filing an application with the  
109 Environmental Resource Board in such format and accompanied by such information as  
110 required by the Board.

111 (b) *Public Hearing.* The Environmental Resource Board shall hold a public hearing on  
112 each application to amend the Land Access Map.

113 (1) The Environmental Resource Board shall set a date for the public hearing and  
114 meet the notice requirements of the public hearing as soon as possible after the  
115 filing of the application is complete.

116 (A) *Notice.* Not less than ten (10) business days and not more than thirty  
117 (30) business days prior to the public hearing, notice, including the time,  
118 place and purpose of the public hearing, shall be:

- 119 (i) published in the Tribal newspaper; and  
120 (ii) mailed to all owners of land located within twelve hundred  
121 (1,200) feet of the outer boundaries of the land that is the subject of  
122 the public hearing.

123 (B) Any person who cannot attend the public hearing may be represented  
124 by an agent, advocate or attorney at the public hearing.

125 (C) The Environmental Resource Board shall issue a decision or  
126 recommendation regarding amendments to the Land Access Map within  
127 seven (7) business days after the public hearing is held.

128 (2) The Environmental Resource Board together with the Environmental Health  
129 and Safety Division shall, after holding a public hearing and reviewing any  
130 comments received, make written findings of fact and determine whether to  
131 amend the Land Access Map.

132 (3) The Environmental Resource Board shall make findings based upon the  
133 evidence presented to it with respect to the following matters:

134 (A) Existing uses of the land and buildings within the general area of the  
135 land in question.

136 (B) Suitability of the land in question to the uses permitted under the  
137 existing Land Access Map.

138 (4) The Environmental Resource Board shall not amend the Land Access Map  
139 unless it finds that adopting such amendment is in the Tribe’s best interest and is  
140 not solely for the interest of the applicant.

141 (c) The Environmental Resource Board may grant or deny any application to amend the  
142 Land Access Map; however, amendments shall require a two-thirds (2/3) vote of the  
143 Environmental Resource Board if a written protest against any amendment is presented to  
144 the Environmental Resource Board and is signed by:

145 (1) the lessees, assignees and owners of at least twenty percent (20%) of the acres  
146 of land included in such amendment; or

147 (2) the lessees, assignees and owners of at least twenty percent (20%) of the land  
148 immediately adjacent to the land included in such amendment, extending in a  
149 radius of twelve hundred (1,200) feet of the outer boundaries of the land.

150

### 151 **38.6. Trespass**

152 38.6-1. A person trespasses if the person enters or otherwise occupies Tribal land and:

153 (a) Refuses to leave land to which the person has no reasonable claim or right of  
154 possession when requested to do so.

155 (b) Enters upon such land after being noticed by the landowner or occupant that  
156 permission for the person to enter such land does not exist, or has been expressly denied  
157 or revoked. A person has been noticed that permission by the landowner or occupant for  
158 such person to enter such land does not exist if he or she has been notified publicly, by  
159 publication of the Land Access Map on the Tribal website and/or in the Tribal  
160 newspaper, or if the land is posted. Land is considered to be posted if one (1) of the  
161 following requirements is met:

162 (1) A sign at least eleven (11) inches square is placed in at least two (2)  
163 conspicuous places for every forty (40) acres of land to be protected. The sign  
164 shall provide an appropriate notice and the name of the person giving the notice,  
165 followed by the word “owner” if the person is the holder of legal title to the land  
166 or by the word “occupant” if the person is a lawful occupant of the land, but not  
167 the holder of legal title.

168 (2) Markings at least one (1) foot long and, in a contrasting color, the phrase  
169 “private land” and the name of the owner, are made in at least two (2)  
170 conspicuous places for every forty (40) acres of land.

171 (c) Does any of the following without proper authorization through a lease, permit or as  
172 otherwise required under applicable law:<sup>1</sup>

173 (1) Destroys land, waters, livestock, poultry, buildings, equipment, or any  
174 property without consent or permission.

175 (2) Cuts or destroys any wood, timber, plant, vegetation, or crop standing on the  
176 land, or carries away any wood, timber, plant, vegetation or crop on the land.

177 (3) Engages in any act, or attempted act of hunting, trapping or fishing.

178 (4) Digs, takes, or carries away earth, soil, minerals, cultural resources, or any  
179 other property.

---

<sup>1</sup> Current Tribal laws that authorize conduct described in 38.6-1(c): Chapter 12, Protection and Management of Archeological and Historical Resources; Chapter 34, Oneida Tribal Regulation of Domestic Animals Ordinance; Chapter 40, Tribal Environmental Response Law; Chapter 42, Wood Cutting Ordinance; Chapter 44, Recycling and Solid Waste Disposal; Chapter 45, Hunting, Fishing and Trapping Law; Chapter 49: All-Terrain Vehicle Law; Chapter 69, Zoning and Shoreland Protection Law.

- 180 (5) Erects, puts up, fastens, prints, or paints upon another’s property, notices,  
181 advertisements, signs or other writing designed to communicate to the general  
182 public.  
183 (6) Parks or drives any vehicle on the land.  
184 (7) Permits or allows livestock or any domesticated animal to enter upon or  
185 remain upon the land.  
186 (8) Uses or possesses leased or subleased lands beyond the possessory rights  
187 granted by such lease or sublease.  
188 (9) Dumps, deposits, places, throws, burns, emits or leaves rubbish, refuse,  
189 debris, substances, or other objects upon a highway, road, air, waters or any land.  
190

### 191 **38.7. Violations and Appeals**

192 38.7-1. *Issuance of a Citation.* Any person who violates any provision of this Law shall be  
193 guilty of a civil infraction, and shall be issued a citation, in writing, by a Conservation Warden or  
194 Oneida Police Officer. The issuance of a citation or fine under any other law relating to the same  
195 or any other matter shall not preclude the issuance of a citation under this Law.

196 (a) The Oneida Business Committee, upon recommendation of the Environmental  
197 Resource Board, shall adopt a citation schedule.

198 (b) The citation shall specify the date, time and place of the hearing to contest the  
199 citation. The hearing shall take place at least five (5) business days after the citation is  
200 issued.

201 (c) The citation shall also state that the Environmental Resource Board may, in addition  
202 to the citation, impose hearing costs and restitution against the person for damages caused  
203 by a violation of this Law.

204 38.7-2. *Citation Hearing.* Any person issued a citation under this Law may contest the citation  
205 by attending a hearing before the Environmental Resource Board. The person may appear in  
206 person, or be represented by an agent, advocate or attorney.

207 (a) If the person does not wish to contest the citation, he or she shall pay the citation by  
208 the hearing date specified on the citation.

209 (b) After the hearing, the Environmental Resource Board shall:

210 (1) determine whether the person is responsible for the citation, as was issued;

211 (2) determine whether to impose hearing costs and/or restitution against the  
212 person for the value of any damage caused by a violation of this Law; and

213 (3) set a new date for when the citation, hearing costs and/or restitution shall be  
214 paid, if necessary.

215 (c) Any restitution funds received shall be used to repair the damages caused by a  
216 violation of this Law.

217 38.7-3. *Appeals from the Environmental Resource Board Decision.* Any party of interest may  
218 appeal a decision of the Environmental Resource Board to the Tribe’s judicial system.  
219

220 *End.*  
221

---

222 Adopted – BC-05-15-14-C

223 Emergency Amended – BC-07-23-14-C

224 Amended – BC-12-10-14-A

225 Emergency Amended – BC \_\_\_\_\_

# Oneida Business Committee Agenda Request

1. Meeting Date Requested: 07 / 08 / 15

## 2. General Information:

Session:  Open  Executive - See instructions for the applicable laws, then choose one:

Agenda Header:

Accept as Information only

Action - please describe:

BC approval to appoint Jacquelyn Zalim and Nicholas Reynolds to the Oneida Arts Board.  
  
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."

## 3. Supporting Materials

Report  Resolution  Contract

Other:

1.

3.

2.

4.

Business Committee signature required

## 4. Budget Information

Budgeted - Tribal Contribution  Budgeted - Grant Funded  Unbudgeted

## 5. Submission

Authorized Sponsor / Liaison:

Primary Requestor: \_\_\_\_\_  
Your Name, Title / Dept. or Tribal Member

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

## Oneida Business Committee Agenda Request

### 6. Cover Memo:

Describe the purpose, background/history, and action requested:

The qualifications to be appointed to the Oneida Arts Board are:

- a) A majority of the members shall be enrolled members of the Oneida Tribe.
- b) Any vacancies which cause non-Tribal members to make up the majority of the Board shall be filled within three (3) months. If such vacancies are not filled within three (3) months, a sufficient number of non-Tribal board members shall be re-designated as alternates until Tribal members again make up a majority of the Board.
- c) When non-Tribal board members are to be re-designated as alternates, all such non-Tribal members shall first be invited to volunteer to serve as an alternate. If there are not sufficient volunteers, then the members that have served the shortest time on the Board shall be selected first.

Jacquelyn Zalim in on the following boards: SEOTS, OTIE and Oneida ESC.

Nicolas Reynolds is on the Arts Board and one of these vacancies is his.

Jacquelyn Zalim is qualified to be on the Oneida Arts Board.

Nicolas Reynolds is qualified to be on the Oneida Arts Board.

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](mailto:BC_Agenda_Requests@oneidanation.org)

**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.

**MEMORANDUM**

**TO:** Oneida Business Committee  
**FROM:** Chairwoman Tina Danforth  
**DATE:** June 29, 2015  
**RE:** Oneida Arts Board

---

There were two (2) applicants for five (5) vacancies on the Oneida Arts Board. The applicants were Jacquelyn Zalim and Nicholas Reynolds.

Both candidates are qualified to serve. In accordance with Article VI., Section 6-2(c) of the Comprehensive Policy Governing Boards, Committees and Commissions, I recommend Jacquelyn Zalim and Nicholas Reynolds be appointed to serve on the Oneida Arts Board.

Note: Jacquelyn Zalim is currently on the SEOTS, OTIE and Oneida ESC Boards. Nicholas is currently on the Oneida Arts Board but his term is expiring.

Thank You.

# Oneida Business Committee Agenda Request

1. Meeting Date Requested: 07 / 08 / 15

## 2. General Information:

Session:  Open  Executive - See instructions for the applicable laws, then choose one:

Agenda Header:

Accept as Information only

Action - please describe:

BC approval to appoint Julie Barton to the Pardon and Forgiveness Screening Committee (55 and over Alternate).

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."

## 3. Supporting Materials

Report  Resolution  Contract

Other:

1.

3.

2.

4.

Business Committee signature required

## 4. Budget Information

Budgeted - Tribal Contribution  Budgeted - Grant Funded  Unbudgeted

## 5. Submission

Authorized Sponsor / Liaison:

Primary Requestor: \_\_\_\_\_  
Your Name, Title / Dept. or Tribal Member

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

## Oneida Business Committee Agenda Request

### 6. Cover Memo:

Describe the purpose, background/history, and action requested:

The qualifications to be appointed to the Pardon and Forgiveness Screening Committee (55 and over Alternate) are:

Preference for community-at-large representatives shall be given to Tribal members with a background in social services, probation/parole, law enforcement, legal services, public policy and similar fields.

Julie Barton is not on any other board.

Julie Barton is qualified to be on the Pardon and Forgiveness Screening Committee (55 and over Alternate).

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](mailto:BC_Agenda_Requests@oneidanation.org)

**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.



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**UGWA DEMOLUM YATEHE**  
Because of the help of this Oneida Chief in cementing a friendship between the six nations and the colony of Pennsylvania, a new nation, the United States was made possible.

**MEMORANDUM**

**TO:** Oneida Business Committee

**FROM:** Chairwoman Tina Danforth

**DATE:** May 4, 2015

**RE:** Pardon and Forgiveness Screening Committee (55 and over Alternate)

There was one (1) applicant for one (1) vacancy on the Pardon and Forgiveness Screening Committee (55 and over Alternate). The applicant was Julie Barton.

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 Julie Barton be appointed to serve on the Pardon and Forgiveness Screening Committee (55 and over Alternate).

**NOTE:** Julie Barton is currently not serving on another Board.

Thank You.

# Oneida Business Committee Agenda Request

1. Meeting Date Requested: 07 / 08 / 15

## 2. General Information:

Session:  Open  Executive - See instructions for the applicable laws, then choose one:

Agenda Header:

Accept as Information only

Action - please describe:

BC approval to appoint Renee Zakhar to the SEOTS Board.

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."

## 3. Supporting Materials

Report  Resolution  Contract

Other:

1.

3.

2.

4.

Business Committee signature required

## 4. Budget Information

Budgeted - Tribal Contribution  Budgeted - Grant Funded  Unbudgeted

## 5. Submission

Authorized Sponsor / Liaison:

Primary Requestor: \_\_\_\_\_  
Your Name, Title / Dept. or Tribal Member

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

## Oneida Business Committee Agenda Request

### 6. Cover Memo:

Describe the purpose, background/history, and action requested:

The qualifications to be appointed to the SEOTS Boards are:

- a) Applicants who wish to be considered for membership shall be enrolled Oneida Tribal members who are eighteen (18) years of age or older.
- b) Board members shall reside within one of the six (6) Southeastern Wisconsin counties of Milwaukee, Racine, Kenosha, Waukesha, Ozaukee and Washington.
- c) Appointments to the Board shall be made in accordance with the Comprehensive Policy Governing Boards, Committees and Commissions.
- d) Board members shall agree to firm commitments for attending the Board's meetings and General Tribal Council meetings, as well as, training, functions and other events as established by the Board, SEOTS office or the Tribe.

Renee Zakhar is not on any other Board.

Renee Zakhar is qualified to be on the SEOTS Board.

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](mailto:BC_Agenda_Requests@oneidanation.org)

**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  
**DATE:** June 29, 2015  
**RE:** SEOTS Board

---

There was one (1) applicant for two (2) vacancies on the SEOTS Board. The applicant was Renee Zakhar.

One vacancy has term ending 11/12/17, the other with term ending 01/28/18.

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 Renee Zakhar be appointed to serve on the SEOTS Board with term ending 01/28/18.

**NOTE:** Renee Zakhar is currently not serving on another Board.

Thank You.

# Oneida Business Committee Agenda Request

1. Meeting Date Requested: 7 / 8 / 15

## 2. General Information:

Session:  Open  Executive - See instructions for the applicable laws, then choose one:

Agenda Header:

Accept as Information only

Action - please describe:

Accept June 17, 2015 LOC Meeting Minutes

## 3. Supporting Materials

Report  Resolution  Contract

Other:

1.  3.

2.  4.

Business Committee signature required

## 4. Budget Information

Budgeted - Tribal Contribution  Budgeted - Grant Funded  Unbudgeted

## 5. Submission

Authorized Sponsor / Liaison:

Primary Requestor: \_\_\_\_\_  
Your Name, Title / Dept. or Tribal Member

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

## Oneida Business Committee Agenda Request

### 6. Cover Memo:

Describe the purpose, background/history, and action requested:

The purpose of this request is to ask the OBC to accept the attached June 17, 2015 LOC meeting minutes. In accordance with the LOC Bylaws, all minutes shall be submitted to the Tribal Secretary's Office within 30 calendar days after approval by the LOC [See LOC Bylaws, 4-2(a)].

Action Requested:

Accept the LOC meeting minutes of June 17, 2015

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@oneidation.org](mailto:BC_Agenda_Requests@oneidation.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  
 David P. Jordan, Councilmember  
 Jennifer Webster, Councilmember

## LEGISLATIVE OPERATING COMMITTEE MEETING MINUTES

Business Committee Conference Room-2<sup>nd</sup> Floor Norbert Hill Center

June 17, 2015 9:00 a.m.

**PRESENT:** Brandon Stevens, Fawn Billie, David P. Jordan

**EXCUSED:** Tehassi Hill, Jennifer Webster

**OTHERS PRESENT:** Candice Skenandore, Lynn Franzmeier, Krystal John, Douglass McIntyre, RC Metoxen, Rae Skenandore, Fawn Cottrell, Terry Cornelius, Daril Peters, Jordyn Rasmussen, Mike Debraska (via SEOTS)

### I. Call To Order and Approval of the Agenda

Brandon Stevens called the June 17, 2015 Legislative Operating Committee meeting to order at 9:04 a.m.

Motion by Fawn Billie to approve the agenda with the addition of the 60-day action plan for the Tribal Hearing Bodies/Administrative Court; seconded by David P. Jordan. Motion carried unanimously.

### II. Minutes to be approved

#### 1. June 3, 2015 LOC Meeting Minutes

Motion by David P. Jordan to approve the June 3, 2015 LOC meeting minutes; seconded by Fawn Billie. Motion carried unanimously.

### III. Current Business

#### 1. Petition: Genskow- OBC Accountability, Repeal Judiciary & Open Records Law (1:14-2:32)

Motion by David P. Jordan to forward the Petition: Genskow- OBC Accountability, Repeal Judiciary & Open Records Law to the Oneida Business Committee for consideration; seconded by Fawn Billie. Motion carried unanimously.

#### 2. Children's Code (2:40-7:37)

Motion by David P. Jordan to grant the 30-day extension requests and to accept the memorandum as FYI; seconded by Fawn Billie. Motion carried unanimously.

#### 3. Election Board Bylaws Amendments (7:38-17:58)

Motion by David P. Jordan to defer the Election Board Bylaws Amendments to the sponsor to bring back a report in two weeks; seconded by Fawn Billie. Motion carried unanimously.

**4. Investigative Leave Policy Amendments (18:00-37:32)**

Motion by David P. Jordan to approve the Resolution amending the Investigative Leave Policy and to forward the Investigative Leave Policy Amendments to the Oneida Business Committee for consideration; seconded by Fawn Billie. Motion carried unanimously.

**IV. New Submissions**

**1. Back Pay Policy Amendments (37:35-40:03)**

Motion by David P. Jordan to add the Back Pay Policy Amendments to the active files list with himself as the sponsor; seconded by Fawn Billie. Motion carried unanimously.

**V. Additions**

**1. Tribal Hearing Bodies/Administrative Court (40:05-45:03)**

Motion by David P. Jordan to forward the Tribal Hearings Bodies/Administrative Court to an LOC work meeting(s) to discuss the 60-day action plan; seconded by Fawn Billie. Motion carried unanimously.

**VI. Administrative Updates**

**1. LOC Quarterly Report (45:05-48:45)**

Motion by Fawn Billie to forward the LOC Quarterly Report to the Oneida Business Committee for consideration; seconded by David P. Jordan. Motion carried unanimously.

**2. LOC Priority List (48:48-59:25)**

Motion by David P. Jordan to accept the updated LOC Priority List as FYI; seconded by Fawn Billie. Motion carried unanimously.

**3. LOC Budget (59:33-1:06:22)**

Motion by David P. Jordan to approve the FY 2016 LOC Budget noting that the LOC is operating on a minimal budget; seconded by Fawn Billie. Motion carried unanimously.

**VII. Executive Session**

**VIII. Recess/Adjourn**

Motion by David P. Jordan to adjourn the June 17, 2015 Legislative Operating Committee Meeting at 10:10 a.m.; seconded by Fawn Billie. Motion carried unanimously.

### Oneida Business Committee Agenda Request

1. Meeting Date Requested: 07 / 08 / 15

2. General Information:

Session:  Open  Executive - See instructions for the applicable laws, then choose one:

Agenda Header:

Accept as Information only

Action - please describe:

BC approval of FC June 29, 2015 Minutes

3. Supporting Materials

Report  Resolution  Contract

Other:

1.  3.

2.  4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution  Budgeted - Grant Funded  Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor: \_\_\_\_\_  
Your Name, Title / Dept. or Tribal Member

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

## Oneida Business Committee Agenda Request

### 6. Cover Memo:

Describe the purpose, background/history, and action requested:

Oneida Business Committee approval is required to approve all Finance Committee meeting actions as the FC is a standing committee of the OBC

- 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](mailto: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:** June 30, 2015  
**RE:** E-Poll Results of: FC Meeting Minutes of June 29, 2015

An E-Poll vote of the Finance Committee was conducted to approve the June 29, 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., David Jordan and Chad Fuss to approve the June 29, 2015 Finance Committee Meeting Minutes.

The minutes will be placed on the next BC agenda of July 8, 2015 for approval and the next Finance Committee agenda of July 13, 2015 to accept this E-Poll action.

Yawλko

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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

June 29, 2015 – 10:00 A.M.

Business Committee Executive Conference Room

## REGULAR MEETING MINUTES

---

### Members Present:

|  |  |
|--|--|
| Patricia King, Treasurer/FC Chair      | Jenny Webster, BC Council Member           |
| David Jordan, BC Council Member        | Chad Fuss, Gam GGM Alternate/AGGM          |
| Patrick Stensloff, Purchasing Director | Wesley Martin, Jr., Community Elder member |

**Members Excused:** Larry Barton, CFO/FC Vice-Chair and Fawn Billie, BC Council Member

**Others Present:** Jason Martinez, Katsi Danforth, Anessa Boulanger & Denise Vigue, FC Recording Secretary

- I. **Call to Order:** The meeting was called to order by the FC Chair at 10:00 A.M.
- II. **Approval of Agenda:** Motion by David Jordan to approve the June 29, 2015 Finance Committee agenda with the 4 ADD ON requests. Seconded by Chad Fuss. Motion carried unanimously.
- III. **Approval of Minutes:**
  1. **June 15, 2015 (approved via FC E-Poll on June 16, 2015):**  
Motion by David Jordan to ratify the FC E-Poll action of June 16, 2015 approving the Finance Committee meeting minutes of June 15, 2015. Seconded by Patrick Stensloff. Jennifer Webster abstained. Motion carried.
- IV. **Tabled Business:** None
- V. **Capital Expenditures:**
  1. **ADD ON: Baycom Radio Purchase - Clarification**  
Owen Somers, Internal Security  
Katsi Danforth and Anessa Boulanger were present to provide details as to the two different fiscal years funding requests including; the five year radio replacement project and the reason for sole source as Baycom provides all car and maintenance as well as trade in value of old radios. There was discussion as to how radios are inventoried, how many in Gaming, the MIS replacement tower project and moving to digital with radios as old ones will no longer be available for service or parts from Motorola.  
Motion by Jennifer Webster to approve from the FY15 Gaming Capital Expenditures budget the Add On request of \$92,447.00 for scheduled radio purchases. Seconded by David Jordan. Motion carried unanimously.
- VI. **New Business:** None
- VII. **Executive Session:** None
- VIII. **Community Fund:**
  1. **UWGB Volleyball Camp for daughter**  
Motion by Wesley Martin, Jr. to approve from the Community Fund the added day's fees for the UWGB Volleyball camp for daughter of requestor in the amount of \$95.00. Seconded by Jennifer Webster. Motion carried unanimously.
  2. **Student Intern End of Year Celebration**  
Motion by Jennifer Webster to approve the product request of 8 cases of Coca-Cola product for the Student Intern End of Year Celebration. Seconded by David Jordan.  
  
There was a discussion as to the criteria noting departmental requests for departmental events are excluded; a recent request from another department that was denied was brought up as a comparison; per the discussion motioner and second withdrew their approval of this item.

Motion by Jennifer Webster to deny this request for product as it does not meet the criteria of the Community Fund. Seconded by David Jordan. Motion carried unanimously.

**3. WorldStriders Class Trip to Washington, DC for daughter**

Motion by Jennifer Webster to approve from the Community Fund the WorldStriders class trip fees for the daughter of the requestor in the amount of \$500.00. Seconded by David Jordan. Motion carried unanimously.

**4. Team Wisconsin Lacrosse Tournament fees for son**

Motion by David Jordan to approve from the Community Fund the Team Wisconsin Lacrosse tournament fees only for the son of the requestor in the amount of \$350.00. Seconded by Chad Fuss. Motion carried unanimously.

**5. A Night Out with Native Health**

The Committee discussed at length the types of fundraisers that can be considered that include those that are local and directly benefiting Oneida people and the community; it was noted that this request would better be considered as an external donation request as it does assist tribal people in general, but unfortunately there is no more funding for FY15 in the donation line.

Motion by Wesley Martin, Jr. to deny the fundraising requests for the Night Out with Native Health event as it does not meet the criteria of the Community Fund as Oneida specific nor does it benefit the local Oneida community. Seconded by Chad Fuss. Motion carried unanimously.

**6. Green Bay Boys Choir & Camp fees for son**

Motion by David Jordan to approve from the Community Fund the Green Bay Choir and camp fees for the son of the requestor in the amount of \$440.00. Seconded by Jennifer Webster. Motion carried unanimously.

**7. Jeffrey Skenandore Jr. Golf Fundraiser**

There was a discussion about departments requesting funding where proceeds would benefit other departments and if this met the criteria of the Community Fund, it was suggested that the requestor, if she re-submitted request as an individual and not part of department this could be considered, the requestor would also have to provide verification that the golf course would be willing to approve the product being brought in.

Motion by Jennifer Webster that the requestor be contacted to see if she would be willing to correct and resubmit request as an individual and to provide evidence indicating the golf course would allow the product to be brought in for the Jeffrey Skenandore Jr. Golf Fundraiser. Seconded by Wesley Martin, Jr. Motion carried unanimously.

**8. ADD ON: Marquette University Reading Program for daughter**

Motion by Jennifer Webster to approve from the Community Fund the Add On request for fees for the Marquette University Reading Program for the daughter of the requestor in the amount of \$290.18. Seconded by Patrick Stensloff. Motion carried unanimously.

**9. ADD ON: 4th Annual Oneida Baseball Tournament -Umpire fees**

Jason Martinez was present to discuss with the FC his request; dates of tournament is July 24-26, 2015 and request is specifically for umpire expenses as that is the largest expense; he volunteers his time to direct this tournament and it has grown with native and non-native teams participating; he keeps at B Level play so the Oneida kids can play and be part of activities; goal this year is to purchase new batting cage; committee commended him on his community efforts and asked him to send a flyer as to any volunteer information so it can be disseminated tribal wide.

Motion by David Jordan to approve from the Community Fund the Add On request for umpire expenses for the 4th Annual Oneida Baseball Tournament in the amount of \$1,500.00. Seconded by Wesley Martin, Jr. Motion carried unanimously.

**10. ADD ON: 4<sup>th</sup> Annual Oneida Baseball Tournament -Concession Stand**

Motion by Wesley Martin, Jr. to approve from the Community Fund the Add On request for 25 cases of Coca-Cola products to be used at the concession stand for fundraising at the 4th Annual Oneida Baseball Tournament. Seconded by David Jordan. Motion carried unanimously.

**11. ADD ON: Lacrosse America registration fees**

Motion by David Jordan to approve from the Community Fund the Add On request for the Team Wisconsin Lacrosse tournament fees only for the son of the requestor in the amount of \$350.00. Seconded by Chad Fuss. Motion carried unanimously.

**IX. Follow Up:**

**1. IEI General Contractors, Inc. - Oneida Fisheries Restoration**

Dan Skenandore, Project Manager-Engineering

Motion by Chad Fuss to accept the legal review follow up as FYI. Seconded by Patrick Stensloff. David Jordan and Jennifer Webster abstained. Motion carried.

**2. DOS Xerox - Printer Lease**

Joanie Buckley, Internal Services

Motion by David Jordan to accept the legal review follow up as FYI. Seconded by Chad Fuss. Jennifer Webster abstained. Motion carried.

**X. FYI and /or Thank You:**

**1. FYI** - Wes Martin asked to be excused from the next FC mfg. on 7/13/15 as he will out of town on personal business. Patricia King also noted she will be on vacation that week so Larry Barton will need to Chair the 7/13/15 mtg.

**XI. Adjourn:** Motion by David Jordan to adjourn. Seconded by Chad Fuss. Motion carried unanimously. Meeting ended at 10:40 A.M. The next Finance Committee meeting is scheduled for Monday, July 13, 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:* June 30, 2015

*Oneida Business Committee FC Minutes Approval Date:* \_\_\_\_\_

# Oneida Business Committee Agenda Request

1. Meeting Date Requested: 07 / 08 / 15

## 2. General Information:

Session:  Open  Executive - See instructions for the applicable laws, then choose one:

Agenda Header:

Accept as Information only

Action - please describe:

Determine next steps.

## 3. Supporting Materials

Report  Resolution  Contract

Other:

|  |                         |
|--|-------------------------|
| 1. <input type="text" value="Tribal Secretary's Status Update"/> | 3. <input type="text"/> |
| 2. <input type="text"/>  | 4. <input type="text"/> |

Business Committee signature required

## 4. Budget Information

Budgeted - Tribal Contribution  Budgeted - Grant Funded  Unbudgeted

## 5. Submission

Authorized Sponsor / Liaison:

Primary Requestor: \_\_\_\_\_  
Your Name, Title / Dept. or Tribal Member

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

# Memo

To: Oneida Business Committee

From: Lisa Summers, Tribal Secretary 

Date: June 30, 2015

Re: Petitioner Madelyn Genskow: Request Saturday meeting to address four (4) resolutions

---

The purpose of this memorandum is to provide you with the pertinent information regarding the above referenced petition and a status update on the analyses.

The Financial analyses for resolutions 2-4 are due at July 8, 2015, regular Oneida Business Committee (OBC) meeting. To date, no submissions have been received.

It is important to note that there are multiple resolutions included in this single petition. Each resolution requires its own research.

**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>Original Due Date</i> | <i>Length of Extension</i>                | <i>New Due Date</i>                             | <i>Date Accepted by the OBC</i>  |
|-----------------|--------------------------|---|---|--|
| Legislative     | Feb. 11, 2015            | n/a                                       | n/a   | February 11, 2015  |
| Legal           | Feb. 11, 2015            | 60 days                                   | April 22, 2015                                  | Resolution 1 & 2 – March 25, 2015<br>Resolution 3 & 4 – April 22, 2015 |
| Financial       | Feb. 11, 2015            | 60 days<br>30 days add'l<br>15 days add'l | April 22, 2015<br>June 10, 2015<br>July 8, 2015 | Resolution 1 – June 10, 2015   |

**Requested OBC Action**

1. Determine next steps.

# Oneida Business Committee Agenda Request

1. Meeting Date Requested: 07 / 08 / 15

## 2. General Information:

Session:  Open  Executive - See instructions for the applicable laws, then choose one:

Agenda Header:

Accept as Information only

Action - please describe:

Determine next steps.

## 3. Supporting Materials

Report  Resolution  Contract

Other:

1.

3.

2.

4.

Business Committee signature required

## 4. Budget Information

Budgeted - Tribal Contribution  Budgeted - Grant Funded  Unbudgeted

## 5. Submission

Authorized Sponsor / Liaison:

Primary Requestor: \_\_\_\_\_  
Your Name, Title / Dept. or Tribal Member

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

# Memo

To: Oneida Business Committee

From: Lisa Summers, Tribal Secretary 

Date: June 30, 2015

Re: Petitioner Madelyn Genskow: Request Special GTC meeting to address six (6) resolutions

---

The purpose of this memorandum is to provide you with the pertinent information regarding the above referenced petition and a status update on the analyses.

The Legal analyses for resolutions 3-6 and the Financial analyses for resolutions 1-6 are due at July 8, 2015, regular Oneida Business Committee (OBC) meeting. To date, no submissions have been received.

It is important to note that there are multiple resolutions included in this single petition. Each resolution requires its own research.

**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.

**Status**

| <i>Analysis</i> | <i>Original Due Date</i> | <i>Length of Extension</i> | <i>New Due Date</i> | <i>Date Accepted by the OBC</i>                             |
|-----------------|--------------------------|----------------------------|---------------------|---|
| Legislative     | May 13, 2015             | n/a                        | n/a                 | Resolutions 1-6 – April 22, 2015                            |
| Legal           | May 13, 2015             | 60 days                    | July 8, 2015        | Resolution 1 – June 24, 2015<br>Resolution 2 – May 13, 2015 |
| Financial       | May 13, 2015             | 60 days                    | July 8, 2015        |   |

**Requested OBC Action**

- Determine next steps.

# Oneida Business Committee Agenda Request

1. Meeting Date Requested: 07 / 08 / 15

## 2. General Information:

Session:  Open  Executive - See instructions for the applicable laws, then choose one:

Agenda Header:

Accept as Information only

Action - please describe:

- 1. Accept the update as information
- 2. Defer this item to the July 22, 2015, regular Business Committee meeting

## 3. Supporting Materials

Report  Resolution  Contract

Other:

1.

3.

2.

4.

Business Committee signature required

## 4. Budget Information

Budgeted - Tribal Contribution  Budgeted - Grant Funded  Unbudgeted

## 5. Submission

Authorized Sponsor / Liaison:

Primary Requestor: \_\_\_\_\_  
Your Name, Title / Dept. or Tribal Member

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

# Memo

To: Oneida Business Committee  
From: Lisa Summers, Tribal Secretary   
Date: June 19, 2015  
Re: Petitioner Frank Cornelius: Special GTC meeting to address four resolutions

---

The purpose of this memorandum is to provide you a status update on the directive my office received at the June 24, 2015, Oneida Business Committee (OBC) meeting.

## **Background**

The above referenced petition was submitted to the Tribal Secretary's Office on April 28, 2015, and verified by the Enrollment Department. The petition was submitted to the Oneida Business Committee (OBC) agenda and accepted at the May 13, 2015, meeting.

At the May 27, 2015, regular OBC meeting, the OBC reviewed a memorandum from the LOC regarding the petition. My office was directed to follow up with the petitioner to obtain the four resolutions referenced in the petition. My office contacted the petitioner by phone on Tuesday, June 16, 2015, to request the four resolutions referred to in the petition. The petitioner indicated that there are no resolutions. This information was reported to the June 24, 2015, regular OBC meeting.

My office was then directed to work with the petitioner to find a solution to the concerns discussed at the June 24, 2015, OBC meeting. These concerns surrounded the missing resolutions and how the OBC could work with the petitioner to both comply with the laws and policies and meet the petitioner's desire to report to GTC.

## **Update**

On Monday, June 29, 2015, a meeting has held with the petitioner. Treasurer Trish King and Council members Jennifer Webster and Tehassi Hill also attended this meeting. We reviewed the concerns of the OBC and the petitioner. An additional concern was brought forward by the petitioner regarding how the petitioner's last petition was handled. An agreement was reached: to research this additional concern and, realizing that additional time would be needed, for this item to be addressed with any additional information at the July 22, 2015, regular Business Committee meeting.

## **Requested OBC Action**

1. Accept the update as information
2. Defer this item to the July 22, 2015, regular Business Committee meeting.

# Oneida Business Committee Agenda Request

1. Meeting Date Requested: 07 / 08 / 15

## 2. General Information:

Session:  Open  Executive - See instructions for the applicable laws, then choose one:

Other - type reason

Agenda Header: Unfinished Business

Accept as Information only

Action - please describe:

To approve the reallocation of money from the Special Projects Budget - Culture Camp- to the Rites of Passage Initiative.

## 3. Supporting Materials

Report  Resolution  Contract

Other:

- 1. Memo from Melinda J. Danforth
- 2.
- 3.
- 4.

Business Committee signature required

## 4. Budget Information

Budgeted - Tribal Contribution  Budgeted - Grant Funded  Unbudgeted

## 5. Submission

Authorized Sponsor / Liaison: Melinda J. Danforth, Tribal Vice Chairwoman

Primary Requestor: \_\_\_\_\_  
Your Name, Title / Dept. or Tribal Member

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

**Oneida Business Committee Agenda Request**

**6. Cover Memo:**

Describe the purpose, background/history, and action requested:

The funds allocated for Culture Camp 2015 will not be used, therefore, I am requesting the \$4,100 remaining to be used for another youth culture-related initiative - the Rites of Passage.

Anita Barber has provided a summary of the initiative with approximate expenses below:

Estimate for 10 participants:

- Wampum beads \$135
- Sinew \$10
- Needles \$3.75
- Leather-tanning \$750 scraper
- Pre-tanned leather \$2000
- Deer antlers \$250
- Fabric \$1000
- Ribbon \$500
- Thread \$50
- Trade items for tobacco \$200
- Total \$4898.75

- 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: Oneida Business Committee  
From: Melinda J. Danforth, Councilwoman *MJD* (ES)  
Date: June 30, 2015  
Re: Rites of Passage Update

---

This memorandum serves as follow-up to your request from the regular Oneida Business Committee (BC) meeting on June 10, 2015 regarding the Rites of Passage using dollars from the BC Special Projects Budget.

## **Background**

Oneida and other Lotinoshoni communities conducted rites of passages since the beginning of time as a way of acknowledging the movement of one phase of life to the next. However, due to interruptions in our history, genetic makeup and assimilation attempts, those valuable learning experiences were stopped or held secret. Oneida Nation members have been conducting rites of passage ceremonies in differing forms, but not well known throughout our community.

On March 16, 2015 Mohawk Bear Clan mother, Louise McDonald held several sessions relating to how the Mohawk community utilized the cultural teachings and the challenges of our youth today (i.e. gangs, internet bullying, racism, etc.) and developed a rites of passage initiative that positively impacted their youth. The initiative wasn't one that fell on the shoulders of one individual or one entity. Their initiative is community based with the longhouse, organization (i.e. police officers, social services, health, etc.), tribal government officials, etc. all working to make this happen for the benefit of the youth. I was amazed to see the positive response from other Oneida people by welcoming her with open arms, supporting this concept, and volunteering to design this project to fit our community.

We have an opportunity to continue to learn more about the rites of passage ceremonies that were developed by the Mohawk Nation community and revive and enhance the rites of passage initiatives that are occurring here within our community.

I fully support the Rites of Passage initiative as it ties directly to the BC Strategic Direction of Advancing On^yote?aka Principles. The Rites of Passage is currently in the concept development phase and is expected to expand into fiscal year 2016 as a budgeted project.

**Update**

On July 3, 2015 Louise McDonald and a number of the youth that have gone through the Rites of Passage initiative in the Mohawk community were in Oneida to share their experiences with the Oneida community.

Also, the Cultural Heritage Area Manager, Anita Barber, has shared an itemized list of the expenses associated with an event being planned (see BC Agenda Request). I would like to utilize the un-used funds from the Special Projects Budget - Culture Camp to be used towards to off-set the initial expenses identified by Ms. Barber.

**Requested Action**

1. Approve the use of un-used funds of \$4,100 from Special Projects Budget – Culture Camp- to be used for the Rites of Passage initiative.

**Ohero:kon "Under the Husk"  
with Mohawk Bear Clan Mother Tewakierahkwa  
and past participants**

**Friday, July 3, 2015**

**10am-5pm**

**Agenda**

**Learn about:**

**In the Radisson Great Lakes Ballroom**

**Ohero:kon.**

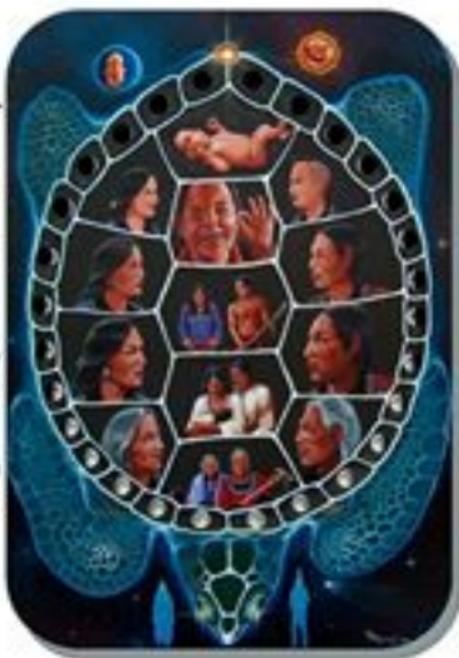
**20 weeks of age appropriate, culture based teachings & activities.**

**Getting adults ready to take an active role.**

**Explain how community members are involved.**

**Gifts given to the youth during the entire process.**

**Q & A**



**Help develop a Rites of Passage for our community**

**Ohero:kon  
Creating safe, sacred spaces to nurture the physical, emotional, and spiritual well-being of our youth and their supporters.**

*Celebrating the life of our children*

*No registration required*

**Contact information:**

**Phone: 820-486-5304 or 820-826-1988**

**E-mail: [abart@foundaton.org](mailto:abart@foundaton.org)**

**Tewakierahkwa Presents:**

**>> Ohero:kon "Under the Husk"  
Rites of Passage**

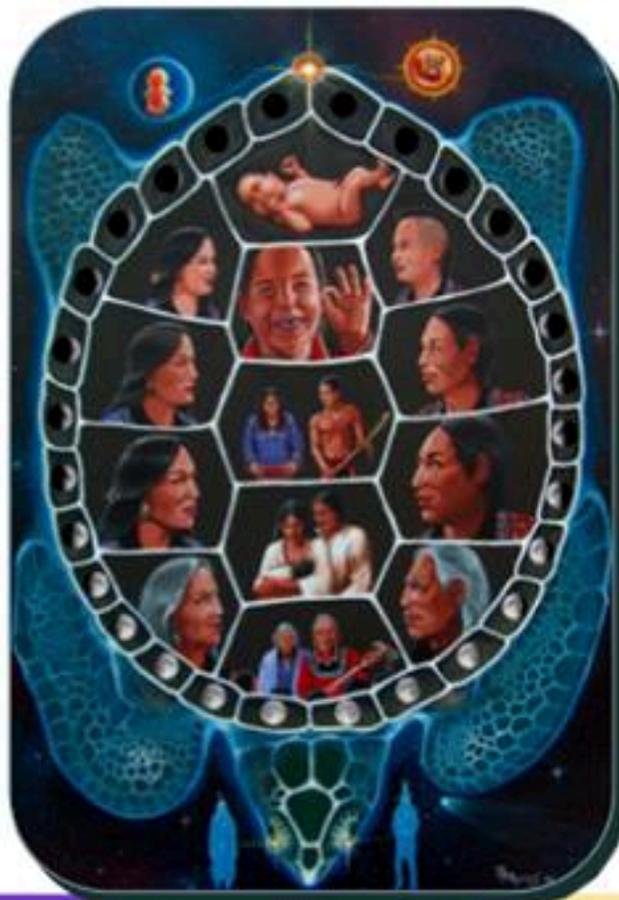
**Informational sessions:**

**March 16 from 10 am-2pm and 6 pm-9pm**

**In the  
Oneida Room  
at the Radisson**

**A planning session March 17th for people who want  
to start organizing rites of passage locally  
from 10 am-2pm**

Tewakierahkwa-Louise McDonald is the Bear Clan Mother for the Mohawk Nation and the Ceremonial lead for Ohero:kon in Akwesasne. She is also a co-founder of Kono:kwe Council.



**Ohero:kon** offers age-appropriate, culture-based teachings and activities in safe, sacred spaces to nurture the physical, emotional, and spiritual well being of Onkwehonwe youth and their supporters.

*Celebrating the life of our children*

No registration required

Contact information:

Phone: 920-496-5394 or 920-606-1968

E-mail: [abarber@oneidanation.org](mailto:abarber@oneidanation.org)

# Oneida Business Committee Agenda Request

1. Meeting Date Requested: 07 / 08 / 15

## 2. General Information:

Session:  Open  Executive - See instructions for the applicable laws, then choose one:

Agenda Header:

Accept as Information only

Action - please describe:

Defer the Joint Marketing Team charter to the next Business Committee work meeting for comments and suggestions and that the charter be brought back to the Business Committee when finalized

## 3. Supporting Materials

Report  Resolution  Contract

Other:

1.

3.

2.

4.

Business Committee signature required

## 4. Budget Information

Budgeted - Tribal Contribution

Budgeted - Grant Funded

Unbudgeted

## 5. Submission

Authorized Sponsor / Liaison:

Primary Requestor:

\_\_\_\_\_  
Your Name, Title / Dept. or Tribal Member

Additional Requestor:

\_\_\_\_\_  
Name, Title / Dept.

Additional Requestor:

\_\_\_\_\_  
Name, Title / Dept.

## Oneida Business Committee Agenda Request

### 6. Cover Memo:

Describe the purpose, background/history, and action requested:

The Joint Marketing Team has a draft charter that they would like to present to the Business Committee in order to get the Business Committee's final comments and suggestions.

After those comments and suggestions are received, the finalized charter would be brought back to a regular Business Committee meeting for approval.

Requested Action:

Defer the Joint Marketing Team charter to the next Business Committee work meeting for comments and suggestions and that the charter be brought back to the Business Committee when finalized.

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

### Oneida Business Committee Agenda Request

1. Meeting Date Requested: 07 / 08 / 15

**2. General Information:**

Session:  Open  Executive - See instructions for the applicable laws, then choose one:

Other - Oneida Tribal Cemetery Maintenance

Agenda Header: \_\_\_\_\_

Accept as Information only

Action - please describe:

Motion to request the Oneida Business Committee to finalize who will have the responsibility to maintain the Oneida Tribal Cemetery.

**3. Supporting Materials**

Report  Resolution  Contract

Other:

1. Cemetery Recommendation memo dtd 6/10/15

3. DPW Letter dtd 9/16/14 and 10/21/10 MOA

2. Cemetery Law dtd 07-23-14-B

4. 1st Choice Landscaping LLC Contract for FY-2015

Business Committee signature required

**4. Budget Information**

Budgeted - Tribal Contribution  Budgeted - Grant Funded  Unbudgeted

**5. Submission**

Authorized Sponsor / Liaison: Brandon Stevens

Primary Requestor: Susan White, Trust Director   
Your Name, Title / Dept. or Tribal Member

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

**MEMORANDUM**

TO: Cheryl Skolaski, Enrollment Director  
Susan White, Trust Director

FROM: Julie Denny, Estate Claim Assistant

DATE: June 10, 2015

RE: Tribal Cemetery

After giving this careful consideration my recommendation for the Oneida Cemetery maintenance is to keep this responsibility with Oneida Department of Public Works (DPW). The current MOA is scheduled to expire on November 1, 2015. (See attachment) and will need to be modified not less than thirty (30) days prior to the expiration date of this Agreement.

**HISTORICAL**

**September 16, 2014**, Bruce Danforth inform Oneida Enrollment Department (see attachment) that this department does not have the manpower and proper equipment to achieve the demands being requested and therefore, recommended hiring a tribal vendor who does this work and contract with them.

**April 10, 2014**-Oneida Enrollment Department assisted in the interview process of hiring a vendor to take care of the cemetery needs. 1<sup>st</sup> Choice Landscaping was selected as the vendor of choice. This contract was paid out of DPW budget in 2014 and agreed that Oneida Enrollment will place this in their budget for FY15.

**April 2014**-Oneida Enrollments informed funeral home directors they have to provide their own vendor for opening and closing of plots in our cemetery.

**April 10, 2015**-1<sup>st</sup> Choice Landscaping contract was renewed and is scheduled to expire September 2015.

To facilitate such change a number of actions need to happen. I've outlined them below

**CEMETERY LAW CHANGES**

1. Cemetery Law-There is approximately 15 references to Enrollment Department in the current law that would need to be modified to reflect Department of Public Work responsibility.
2. FYI: Land Commission approved cemetery name change to "Oneida Sacred Burial Ground" therefore, we need to change references in the current Cemetery Law of Oneida Tribal Cemetery to correct name.

**MOA CHANGES**

- 1 MOA-needs to be reflective of all duties/responsibilities in the Cemetery Law to DPW.
- 2 Additional responsibilities for DPW will include
  - a. Responsible to handle customer concerns, complaints and issues that arise.
  - b. Need to be held accountable for all established duties/responsibilities.

**BUDGETARY CHANGES**

- c. Budget-For FY15-1<sup>st</sup> Choice Landscaping contract (\$17,850) is coming out of Enrollment Dept. budget. Recommend FY16 or FY17, be transferred or absorbed by DPW.

Based on meetings Bonnie Pigman and I had with Conservation Dept., DOLM and Parks & Recreation regarding their ability to perform cemetery maintenance, only Conservation and Parks & Recreation Dept would consider the responsibility of just performing the "beautification of the grounds" but only if they have additional staff and equipment. Both expressed because the tribal organization does not foster sharing of the internal resources, staff and equipment, it would be difficult for them to meet our request.

Secondly, I make recommendation that Oneida Enrollment Department continue to maintain the administrative duties/responsibilities of Oneida Sacred Burial-Grounds Cemetery and be responsible for maintaining the cemetery plot sales, updating data base, governing the sale/transfer of plots and establish eligibility for interment.

**END OF REPORT**

To Cheryl Skolaski, Enrollments Director

From Bruce Danforth Assitant Development Director

Date September 16, 2014

Subject. Cemetery Responsibilities

The responsibility of maintaining the cemetery has come to the point that DPW does not have the man power and proper equipment to achieve the demands requested. This site needs someone who can give it the attention it needs. After this cutting season DPW will not be maintaining the cemetery or digging the graves.

My recommendation is for the cemetery board to hire a tribal vendor who does this work and contract with them. The Indian Preference office can help you choose a vendor that will fit your needs.

DPW will continue to plow the road because funds for the road were BIA IRR funds and we are responsible for maintaining and plowing the road.

If you have any questions please contact me.

Yaw^ko sahnisliyohak

**ONEIDA ENROLLMENT DEPARTMENT  
ONEIDA DEPARTMENT OF PUBLIC WORKS  
MEMORANDUM OF AGREEMENT**

This Memorandum of Agreement is entered into this 21 day of October, 2010, by and between Oneida Enrollment Department (Department) and the Oneida Department of Public Works (DPW), and both parties agree to respect and abide by the provisions set forth herein.

**SCOPE OF THE AGREEMENT:** To establish the obligations and duties of the parties with respect to the upkeep of the grounds set aside as a cemetery by the Division of Land Management.

**WHEREAS,** the Oneida Business Committee has adopted the Cemetery Law through BC Resolution 1-14-09-E; and

**WHEREAS,** the purpose of the Cemetery Law is to establish the Oneida Tribal Cemetery on the Oneida Reservation and to govern the sale of burial plots, burial eligibility and the maintenance of the grounds with the Cemetery; and

**WHEREAS,** the Enrollment Department is responsible for carrying out the provisions of the Cemetery Law and may enter into agreements with person(s) or entities, where needed, in order to carry out their responsibilities; and

**WHEREAS,** the Enrollment Department and DPW are desirous of entering into this Memorandum of Agreement for the purpose of maintaining the grounds of the Oneida Tribal Cemetery.

**NOW, THEREFORE,** in consideration of the mutual agreements and covenants contained herein, the parties hereto agree as follows:

1. The term of this Agreement will begin on November 1, 2010; and terminate on November, 2015. The Agreement may be renewed for a like period upon the same terms and conditions, or modifications as agreed upon by the parties, provided that the party seeking renewal gives the other party notice of such intent to renew not less than thirty (30) days prior to the expiration date of this Agreement.
2. DPW=s Obligations.
  - A. Prepare cemetery plots as necessary for the burial of Oneida Tribal members and their non-Oneida spouses, parents and children. Due to weather conditions it may

be necessary to postpone graveside services and/or interment of the deceased temporarily. The final decision to postpone graveside services shall be made by DPW.

- B. Oversee the planting of plants on or around burial sites in accordance with the requirements of Sec. 75.7-2 of the Cemetery Law.
  - C. Oversee the display of flags and banners in accordance with the requirements of Sec. 75.7-3 of the Cemetery Law.
  - D. Cut grass and trim trees and bushes as necessary for the improvement and beautification of Cemetery.
  - E. Snowplow all roadways in the cemetery as necessary in order to assure adequate access to plots.
  - F. Mark plots and oversee monument placement.
  - G. Establish a maintenance schedule in consultation with the Oneida Enrollment Department.
3. Enrollment=s Obligations.
- A. Compensate DPW Groundskeeping as follows:
    - 1. Plot opening and closing fee: \$200 (fee subject to change)
    - 2. Plot marking fee: \$50.00 (fee subject to change)
  - B. Approve Monument/Flush Markers.
  - C. Approve Monuments/Markers.
4. Either party may propose amendments to this Agreement. No amendment shall become effective unless it is agreed to in writing by both parties.
5. In the event that a provision of this Agreement is determined to be invalid or unenforceable, the remaining provisions shall not be affected thereby and shall remain in full force and effect.
6. This Agreement contains the entire agreement of the parties and supercedes all prior oral and written agreements between the parties on the subject matter of the upkeep of the Oneida Tribal Cemetery.

- 7. Whenever, during the term of this Agreement, any disagreement or dispute arises between the Parties as to the interpretation of this Agreement or any obligations arising hereunder, all such matters shall be resolved, whenever possible, by meeting and conferring. Any Party may request a meeting for this purpose by giving written notice to the other Party, in which case the other Party shall make themselves available for a meeting within fifteen (15) days. If the dispute is not resolved at this initial meeting, a second meeting shall be held within fifteen (15) days. In the event no agreement is reached, the matter shall be referred to a mediator, who has been mutually agreed upon by the parties to resolve the dispute.
  
- 8. All notices required by this Agreement will be in writing and sent in any commercially, reasonable manner, including certified mail, return receipt requested, facsimile, or any other customary means of communication to the other party's representative at the applicable mailing address set forth below. Service shall be effective upon receipt by the party.

Cheryl Skolaski  
 Oneida Enrollment Department  
 P.O. Box 365  
 Oneida, WI 54155

Bruce Danforth  
 Oneida Department of Public Works  
 P.O. Box 365  
 Oneida, WI 54155

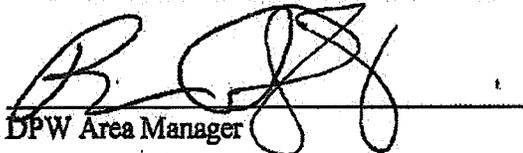
IN WITNESS WHEREOF the authorized representatives of the parties have hereunto set their hands on the date set forth below.

ONEIDA ENROLLMENT DEPARTMENT:

  
 Oneida Enrollment Director

10/21/10  
 Date

ONEIDA DEPARTMENT OF PUBLIC WORKS:

  
 DPW Area Manager

10-21-10  
 Date

references to Enrollment Dept

**Chapter 75**  
**CEMETERY LAW**  
**Tsi? Lotiya? tata Olihwa'ke**  
**The matters concerning when they bury the body**

75.1. Purpose and Policy

75.2. Adoption, Amendment, Repeal

75.3. Definitions

75.4. Administration and Authority

75.5. Tribal Cemeteries

75.6. Interment and Plots

75.7. Prohibited Items and Behavior on Cemetery Grounds

**75.1. Purpose and Policy**

75.1-1. *Purpose.* The purpose of this Law is to govern the sale of plots and establish who is eligible for interment in a Tribal cemetery on the Oneida Reservation.

75.1-2. *Policy.* It is the policy of the Tribe that all enrolled Tribal members, their families and descendants may be interred in a Tribal cemetery.

**75.2. Adoption, Amendment, Repeal**

75.2-1. This Law was adopted by the Oneida Business Committee by resolution BC-5-19-89-E and amended by resolutions BC-6-29-05-A, BC-1-14-09-E and BC-07-23-14-B.

75.2-2. This Law may be amended or repealed by the Oneida Business Committee pursuant to the procedures set out in the Legislative Procedures Act.

75.2-3. 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.

75.2-4. In the event of a conflict between a provision of this Law and a provision of another law, the provisions of this Law shall control. Provided that, this Law repeals the following:

(a) BC-03-11-98-N (Resolution regarding Opposition to Disturbance/Removal of Human Burials)

(b) BC-2-18-98-A (Repatriated Human Remains)

75.2-5. This Law is adopted under authority of the Constitution of the Oneida Tribe of Indians of Wisconsin.

**75.3. Definitions**

75.3-1. This section shall govern the definitions of words and phrases used within this Law. All words not defined herein shall be used in their ordinary and everyday sense.

(a) "Days" shall mean calendar days, unless otherwise specifically stated.

(b) "Descendant" shall mean a person who is not enrolled in the Tribe, but is a blood relative in the direct line of descent of a Tribal member.

(c) "Disinterment" shall mean to exhume buried human remains or cremated remains.

(d) "Family" shall mean a Tribal member's parent, spouse and children.

(e) "Interment" shall mean the act or ceremony of burying human remains or cremated remains.

(f) "Re-interment" shall mean to rebury human remains or cremated remains.

(g) "Tribe" or "Tribal" shall mean the Oneida Tribe of Indians of Wisconsin.

**75.4. Administration and Authority**

75.4-1. *Administrative Responsibilities.* The Enrollment Department shall be responsible for:

- (a) Maintaining vital statistics of those interred in a Tribal cemetery, creating long-term strategic plans for Tribal cemeteries and reporting such information as may be required by the Oneida Business Committee or General Tribal Council.
- (b) Causing portions of land designed to be used for a Tribal cemetery to be surveyed and mapped into plots, drives and walks.
- (c) Selling and transferring plots and restricting the use of plots.
- (d) Administering all payment activities related to the sale of a plot.
- (e) Determining how to utilize gifts to a Tribal cemetery.
- (f) Maintaining Tribal cemeteries.
- (g) Establishing regulations or entering into agreements with person(s) or entities, where needed, in order to carry out their responsibilities under this Law.

### **75.5. Tribal Cemeteries**

75.5-1. The Oneida Land Commission shall designate parcel(s) of land to be used for one (1) or more Tribal cemeteries.

75.5-2. *Eligibility.* The following may be interred in a Tribal cemetery:

- (a) A Tribal member, his or her family and descendants.
- (b) Human remains that are:
  - (1) Returned to the Tribe; or
  - (2) Discovered on the Reservation and the Enrollment Department, Cultural Heritage Department and any other interested parties have determined that the most suitable place for interment of the remains is a Tribal cemetery.

75.5-3. *Ownership of Plots.* Plots in a Tribal cemetery may be purchased by anyone for individuals eligible to be interred in a Tribal cemetery, as defined in 75.5-2. The owner of the plot shall be the individual for whom the plot was purchased. Purchase of a plot does not result in any ownership rights in the plot itself, but grants an individual the right to be interred in the plot or determine who will be interred in the plot, subject to the eligibility requirements of this Law.

- (a) In the event the owner of a plot becomes ineligible to be interred in a Tribal cemetery, he or she shall resell the plot to the Tribe in accordance with 75.5-3(c).
- (b) A plot is not inheritable, and may only be transferred from one owner to an individual eligible to be interred in a Tribal cemetery, as defined in 75.5-2. The transfer of a plot from one owner to another shall be processed through the Enrollment Department.
- (c) A plot may only be re-sold by the owner of the plot to the Tribe through the Enrollment Department. Plots re-sold to the Tribe shall be bought for the original purchase price. The following owners of plots may resell a plot to the Tribe:
  - (1) Competent individuals who are at least eighteen (18) years of age;
  - (2) Individuals who are less than eighteen (18) years of age, with the permission of the original purchaser of the plot; and
  - (3) Incompetent individuals who are at least eighteen (18) years of age, with the permission of their guardian.

### **75.6. Interment and Plots**

75.6-1. All interments shall be approved by the Enrollment Department prior to interment to ensure the health and safety of the public will not be endangered, the plot is marked and to provide information to any company or contractor providing services for the interment.

**75.6-2. Cost of Interment.** All fees for the cost of a plot and/or an interment are the responsibility of the deceased person's estate or family.

(a) Plot fees shall be paid prior to interment. The Oneida Business Committee, upon recommendation of the Enrollment Department, shall set plot fees through resolution.

(b) Marking fees shall be assessed each time an interment occurs, whether the interment is of human remains, with or without a casket, or cremated remains.

(c) Opening and closing fees shall be assessed by the vendor chosen by the deceased's family or estate.

(d) There shall be no plot fees or marking fees assessed for human remains re-buried in accordance with 75.5-2(b). If the Tribe opens or closes a plot for the re-burial of human remains in accordance with 75.5-2(b), no fees shall be assessed for the opening or closing of the plot. Any fees for opening and closing a plot assessed by an outside vendor shall be the responsibility of the Tribe.

**75.6-3. Outer Burial Containers.** Outer burial containers, such as liners and vaults, while recommended, are not required for interment, however if an outer burial container is purchased, the company shall notify the Enrollment Department before delivering and installing it in the designated plot in order to ensure the plot is properly prepared.

**75.6-4. Division of Plots.** Each plot may be used for the interment of one (1) or more human remains, with or without a casket(s) and/or the cremated remains of an individual(s) as determined by the Enrollment Department.

**75.6-5. Monuments and Flush Markers.** No more than four (4) monuments or flush markers per plot shall be allowed. The Enrollment Department shall establish maximum height, width and thickness requirements for monuments or flush markers placed at a plot. In addition, the Enrollment Department may establish the types of materials that may be used for monuments or flush markers.

**75.6-6. Decorations.** The Enrollment Department shall remove all inappropriate and deteriorated items left at a plot.

**75.6-7. Disinterment.** Disinterment from a Tribal cemetery shall only occur upon order of the Tribe's judicial system. Disinterment is an extraordinary remedy that shall only be ordered when all other reasonable means for obtaining the requester's objective have been exhausted and when the Tribe's judicial system determines that substantial cause exists to order disinterment.

(a) A request to the Tribe's judicial system to issue an order for disinterment from a Tribal cemetery may be made by the following persons, in the following order of priority:

(1) The surviving spouse of the deceased.

(2) An adult child of the deceased.

(3) A parent of the deceased.

(4) An adult sibling of the deceased.

(5) A guardian of the person of the deceased at the time of the deceased's death.

(b) A requester shall notify the Enrollment Department and all individuals of the same or a higher priority of his or her intent to request the Tribe's judicial system to issue an order of disinterment. If any member of the same or a higher priority cannot be located, this, along with the efforts taken to locate the individual, shall be reported to the Tribe's judicial system. Notification shall specifically state:

(1) the requester's intent to obtain an order of disinterment;

(2) the reason for the disinterment;

(3) the place of re-interment or intent of the requestor to have human remains cremated; and

- (4) that any objections shall be filed with the Tribe's judicial system within five
- (5) business days of the notification or may be presented at the hearing.

(c) *Disinterment Process.*

(1) The Tribe's judicial system shall set a hearing date on the disinterment request at the earliest possible time after the deadline for filing objections has passed and shall issue an order on the matter within ten (10) days after the hearing, taking into consideration:

- (A) the manner in which the deceased died;
- (B) whether disinterment would create a public health risk;
- (C) the decedent's wishes, if known;
- (D) any objections filed with the Tribe's judicial system or presented at the hearing;
- (E) whether an order of disinterment from a court other than the Tribe's judicial system has been issued; and
- (F) whether any required permits regarding re-interment have been obtained.

(2) All of the factors listed in 75.6-7(c) shall be considered when determining whether to allow disinterment, although the Tribe's judicial system may deny the request for disinterment based solely on any objections to the disinterment filed or presented by an individual with the same or a higher priority than the requester.

(3) The Tribe's judicial system may, for good cause, extend the time for an order to be issued for an additional ten (10) days.

(4) The Tribe's judicial system may issue an additional order(s) to assist the requester in obtaining his or her objective for disinterment, including testing, inspection and/or transportation of the remains.

(d) *Appeals.* An appeal of an order issued under this section shall be filed with the Tribe's judicial system within five (5) business days after the order is issued. All appeals shall be heard in accordance with the Tribe's Rules of Appellate Procedure.

(e) *Time lines for Disinterment.*

(1) If no appeal of an order issued under this section is filed, disinterment shall take place within sixty (60) days after the deadline for filing an appeal has passed.

(2) If an appeal is filed, disinterment shall take place within sixty (60) days after the final judgment has been issued.

(f) Following disinterment, the remains of the deceased person shall be reinterred or cremated within forty-eight (48) hours of disinterment.

(g) The Enrollment Department shall be present at each disinterment and re-interment that occurs in the Tribal cemetery and shall have the authority to restrict who may be present during a disinterment or re-interment.

(h) The requester shall be responsible for making all arrangements and incurring all costs associated with disinterment and re-interment.

## **75.7. Prohibited Items and Behavior on Cemetery Grounds**

75.7-1. The Enrollment Department shall establish cemetery rules which shall be posted on Tribal cemetery grounds. The Enrollment Department shall notify the Oneida Trust/Enrollment Committee of the current rules and changes to any rules.

75.7-2. The Enrollment Department, or its designee, may remove any non-conforming objects from plots, prohibit individuals who violate this Law or the cemetery rules from accessing a

Tribal cemetery and/or contact the Oneida Police Department for assistance with individuals who violate this Law or the cemetery rules.

(a) The Oneida Police Department may issue citations for violation of this Law or the cemetery rules in accordance with the Public Use of Tribal Lands Schedule of Citations adopted by the Oneida Business Committee.

(b) Criminal activity conducted at a Tribal cemetery shall be handled in accordance with applicable law.

75.7-3. *Appeals.* Enrollment Department decisions regarding the implementation and enforcement of this Law and the creation and enforcement of any cemetery rules may be appealed to the Trust/Enrollment Committee.

*End.*

- 
- BC-09-02-88-A (Adoption of the Burial Ordinance)
  - BC-05-19-89-E (Adoption of Burial Ordinance)
  - BC-02-23-05-F (Emergency Adoption of Amendments)
  - BC-06-29-05-A (Permanent Adoption of Emergency Amendments)
  - BC-1-14-09-E (Adoption of Cemetery Law)
  - BC-10-09-13-B (Adoption of Emergency Amendments)
  - BC-03-26-14-C (Extension of Emergency Amendments)
  - BC-07-23-14-B (Adoption of Amendments)

**STANDARD CONSTRUCTION AGREEMENT**  
**Small Construction, Installation, Repair or Remodel Project**

This Agreement is entered into by and between the Oneida Tribe of Indians of Wisconsin, whose mailing address is PO Box 365, Oneida, Wisconsin, 54155, hereinafter referred to as "Tribe" and

Name: 1<sup>st</sup> Choice Landscaping, LLC  
Address: P.O. Box 10654  
Green Bay, WI 54307  
Federal ID Number:  
Vendor Number: 134660  
Project Title: Oneida Tribal Cemetery Maintenance  
Project Number:  
Agreement Amount: \$ 17,850.00

hereinafter referred to as "Contractor", who hereby mutually agree as follows:

**1. Definitions.** All words and phrases contained herein shall have the meaning consistent with the *Architect's Handbook of Professional Practice* (Ed. 1996), and the *Glossary of Construction Industry Terms*, unless otherwise defined in this Agreement.

**2. Term.** The Term of this Agreement is from the 10th day of April, 2015, to the 30<sup>th</sup> day of September, 2015, and shall be effective upon the signing of both parties. No work may be commenced under this Agreement until all parties have signed and appropriate approvals have been obtained.

The contract will be for the duration of FY-2015's funding (five months and twenty days) with additional one year extension options. The award of the optional extensions will be based upon the Contractor's prior year's performance in providing the required services, the Owner's desire to continue the contract and future funding.

**3. Compensation and Payment.** The Tribe shall pay Contractor for the timely and satisfactory performance of the work under this Agreement the sum set forth herein ("Contract Sum") specified in Exhibit A. Multiple and partial payments shall be provided for in Exhibit A, which shall be attached hereto and incorporated by reference. All amounts payable by the Tribe to Contractor under this Agreement shall be payable within thirty (30) days of the Tribe's receipt of Contractor's invoice subject, however, to Contractor's complete and proper performance and delivery of all services and deliverables that are the subject of the invoice. The Tribe reserves the right to withhold payment based upon reasonable objection which shall be documented.

**4. Scope of Work.** Contractor shall perform all work promptly and as economically as practicable, including procurement, ordering, and furnishing of all the required materials, labor and equipment to perform work under this Agreement. Contractor shall perform all of the work necessary for the construction, installation, and completion of the project, which is described in Exhibit A. Any and all

specifications, drawings, and other documents that may be attached hereto are incorporated by reference (collectively "Agreement documents").

**5. Project Schedule.** Contractor shall perform the work under this Agreement in accordance with a Project Schedule submitted to the Tribe, unless determined otherwise between the parties. Where a Project Schedule is submitted, such Project Schedule shall be attached hereto and incorporated by reference, and shall be reviewed at appropriate intervals as determined between the parties. The Project Schedule may be revised as determined between the parties.

**6. Changes in the Work.** Tribe may at any time issue a written Change Order and Contractor may at any time request a written Change Order. Any Change Order shall describe the extent or scope of the work changes covered under this Agreement, changes to any drawings, specifications or other description herein, or to change the time of completion. Such Change Order shall be effective upon signature of both parties and Contractor will promptly comply.

Upon receipt of a written Change Order, Contractor shall promptly advise Tribe if the change will affect its cost of construction. If Contractor anticipates additional costs as a result of the Change Order, Contractor shall provide to Tribe 1) a breakdown of estimated costs and changes in the Agreement Sum, and 2) a written statement of necessary changes in the time of completion.

Tribe may issue a written stop work order if Contractor is in material and substantial breach of these Agreement terms and conditions, if Contractor fails to correct any defective or nonconforming work, or if Contractor fails to carry out work as required by the Agreement documents. If a written stop work order is issued, Contractor shall be excused from proceeding with the work so long as such stop work order remains in effect. The Tribe reserves the right to terminate for cause based upon a material and substantial breach of this agreement.

**7. Events of Defaults.**

a. Contractor shall pay costs of work as they are incurred. If Contractor fails to pay any costs as they are incurred, Tribe reserves the right to pay such costs directly, and with written notice to Contractor, shall deduct such costs from the Agreement Sum.

b. If Contractor is deficient in performing work under this Agreement, fails to perform the work under this Agreement, or otherwise fails to perform any provision under this Agreement, Tribe may notify Contractor in writing to remedy the deficiency or failure. If Contractor fails to remedy such deficiency or failure within 10 business days, Tribe shall be entitled to remedy such deficiency and may deduct any cost incurred thereby from the Agreement Sum.

**8. Materials and Documents; Non-Disclosure.** Unless otherwise specified, all materials shall be new and shall meet specifications. Both materials and workmanship shall be of good quality. Upon reasonable request of Tribe, Contractor shall provide samples or other satisfactory evidence as to the kind and quality of materials to be used in the performance of the work under this Agreement, and shall be documented in writing. All materials furnished by Contractor shall be in accordance with approved samples. Any substitutions require prior written approval by the Tribe consistent with section 6 above.

All plans and specifications prepared by Contractor shall be submitted to Tribe for written approval before procurement of materials or commencement of work under this Agreement. Contractor will provide copies of all plans and specifications to Tribe before commencement of work.

Unless provided otherwise, all designs, plans, specifications, improvements, inventions, and rights developed by Contractor in the course of performing work under this Agreement will be disclosed to Tribe and will become the exclusive property of Tribe. Contractor hereby assigns all rights, title and interest to Tribe and ownership shall vest in Tribe.

Contractor will provide to Tribe all drawings, specifications, electronic media (CAD files), or other documents, whether tracings or originals, which will remain the property of Tribe. Contractor will not copy or otherwise reproduce any drawings, specifications or documents, except as required during the performance of this Agreement. Any and all reproductions will be returned to Tribe upon completion or termination of this Agreement.

Any information and documents provided to Contractor by the Tribe for purposes of this Agreement shall be treated as confidential and proprietary, and subject to non-disclosure. Any Confidential Information provided to subcontractors shall be on a need to know basis and subject to non-disclosure. All Confidential and proprietary information of the Tribe shall remain the exclusive property of the Tribe.

**9. Independent Contractor.** The Contractor warrants and represents that it carries the appropriate workers compensation policy coverage and that no persons employed or performing under the terms of this Agreement are excluded under that coverage. Further, the Contractor agrees to and shall indemnify and hold the Tribe harmless against and from any and all loss, damages or costs incurred for any workers compensation claims including, but not limited to, attorneys fees. The Contractor shall be responsible for all withholding and any other employment taxes due to any taxing authority.

**10. Employees of Contractor.** Contractor shall have a qualified Project Manager on the Project site at all times during the Project while work is being performed. The Tribe shall have the right to review the qualifications of Contractor's Project Manager, including by personal interview, and reject the Project Manager at Tribe's discretion. Contractor will not be entitled to additional compensation for replacing Project Manager. Contractor shall not change the Project Manager during the course of the Project without the prior written approval of the Tribe.

**11. Use of Premises.** Tribe and Contractor shall agree in writing upon a designated storage area for Contractor's equipment and materials during performance of this Agreement. If designated storage area is contained, Contractor shall provide appropriate signage as to warnings and safety precautions, unless agreed otherwise between the parties. If Contractor will require additional storage area, or a relocation of storage area, on Tribe's premises, such changes will be made in writing and approved by Tribe before moving any equipment and materials to such area.

Contractor will perform all work under this Agreement during the hours designated by the Tribe and in such a manner to reasonably avoid inconvenience to the Tribe and not interfere with business operations. Contractor will properly supervise all work performed under this Agreement, and will require all its employees to comply with all applicable rules and regulations. Contractor will take precautions to protect work, property and persons under a reasonable standard of care. Contractor will perform all work in a professional, safe, and workman like manner, in accordance with applicable industry standards, and with due regard to ethical business practices.

**12. Indemnification.** Contractor shall indemnify and hold harmless Tribe, its officers, employees, agents, directors, and representatives, from and against any and all claims, of whatever nature, for injuries or losses, or damages arising out of Contractor's negligence, gross negligence, or intentional

misconduct, including but not limited to Contractor's breach of this agreement, or the negligence, gross negligence or intentional misconduct of Contractor's officers, employees, agents, directors, and representatives. Contractor agrees to indemnify the Tribe for actions of subcontractors.

Tribe shall indemnify and hold harmless Contractor, its officers, employees, agents, directors, and representatives, from and against any and all claims, of whatever nature, for injuries or losses, or damages arising out of Tribe's negligence, gross negligence, or intentional misconduct, or the negligence, gross negligence or intentional misconduct of Tribe's officers, employees, agents, directors, and representatives.

**13. Insurance Requirements.** Contractor, at its expense, and as a condition of this Agreement, will obtain and maintain Comprehensive General Liability coverage sufficient to cover any claims for damages, including personal injury and/or death, which may arise from the performance of work under this Agreement. Contractor shall name Tribe as Additional Insured prior to any work commencing and shall provide documentation verifying the same for a period of one year following substantial completion. Contractor shall provide Certificate of Insurance complying with the coverage limits of the Tribe, which shall be attached as an Exhibit to this Agreement. The Tribe will not issue a Notice to Proceed unless Certificates of Insurance are provided.

The Tribe reserves the right to change coverage amounts required to perform this Agreement based upon a material and substantial change in circumstances or scope of work. Certificates of Insurance may be subject to Tribe's approval for sufficiency of adequate coverage at any time upon reasonable request to Contractor. Contractor will provide the Tribe at least thirty (30) days advance written notice in the event of cancellation, termination, or material modification of the coverage. Contractor is responsible for obtaining insurance covering their tools, equipment, and materials which are not destined to be incorporated into the final project.

**14. Licensing, Permits, and Regulatory Requirements.** Contractor is required to obtain an Oneida Vendor's License from the Tribe's Licensing Department.

Contractor warrants and represents that its employees and all subcontractors shall comply with all applicable laws, rules and regulations for licensing and training as to trade and industry, and that said employees and subcontractors shall maintain licensing requirements for the Term of this Agreement. The Tribe shall have the right to review the license qualifications of Contractor's employees and subcontractors, and to reject any of Contractor's employees or subcontractors at its discretion for non-compliance.

If required by applicable laws, rules or regulations, Contractor agrees to obtain all necessary permits from the appropriate licensing authorities and provide all notices required for the performance of this Agreement prior to commencing any work. The Tribe shall have the right to review all permit applications and permits obtained by Contractor for the performance of this Agreement upon request. If Contractor and its employees, or any of its subcontractors, performs any work contrary to applicable laws, rules and regulations, Contractor will be responsible for any costs as a result of non-compliance. If Contractor is unable to obtain the necessary licenses and/or permits required for the performance of this Agreement, the Tribe reserves the right to obtain any necessary licenses and/or permits and deduct those costs from the Sum, and Contractor may proceed with work under this Agreement.

Where applicable, Contractor shall make arrangements for public and private locates prior to commencing any work, and shall notify the Tribe of completion of locates with appropriate

confirmation numbers on a regular and periodic basis until work is completed. Contractor will be responsible for maintaining documentation of appropriate confirmation numbers, and shall provide such documentation upon the Tribe's request.

Contractor agrees to the provisions of the Oneida Indian Preference Law and agrees that such provisions shall govern the performance of the Contractor under this Agreement. Where Contractor is an Indian Preference Contractor, any insurance requirements established by the Indian Preference Department shall apply to Indian Preference Contractors performing work under this Agreement. If Contractor is unable to obtain licensing from the Indian Preference Department and cannot comply with the provisions of the Indian Preference Law, then the Tribe may terminate this contract.

**15. Waste Management and Recycling.** The Contractor shall employ processes that ensure the generation of as little waste as possible due to error, poor planning, breakage, mishandling, contamination, or other factors. Contractor shall minimize trash/waste disposal in landfills; reuse, salvage, or recycle as much waste as economically feasible. Contractor shall separate, store, protect, and handle at the site recyclable waste products in order to prevent contamination of materials and to maximize recyclability of materials. Contractor shall arrange for timely pickups from the site or deliveries to recycling facility in order to prevent contamination of recyclable materials. Contractor shall comply with applicable regulatory requirements, including but not limited to Federal, State and local requirements, pertaining to legal disposal of all construction and demolition waste materials. The following may not be disposed of in landfills or by incineration and shall be recycled, salvaged, or reused:

- a. Aluminum and plastic containers.
- b. Corrugated cardboard.
- c. Wood pallets.
- d. Clean dimensional wood.
- e. Metals, including packaging banding, metal studs, sheet metal, structural steel, piping, reinforcing bars, door frames, and other items made of steel, iron, galvanized steel, stainless steel, aluminum, copper, zinc, lead, brass and bronze.

**16. Contractor Guarantee.** Contractor guarantees to Tribe that all work performed under this Agreement shall be free from all defects of any kind, nature or description on the date of completion and for a period of one year thereafter. During the period of one year after completion, Contractor agrees to indemnify and hold harmless Tribe from and against all loss or damage arising from or in connection with any such defects, and Contractor agrees to cure any such defect or defects at its cost and expense. Consistent with the statute of limitations, latent defects shall survive the warranty period and Contractor shall be responsible for cure of such defects.

**17. Subcontracts.** Contractor shall not subcontract any work under this Agreement without the express written consent of Tribe. If Contractor enters into subcontracts with Tribe's written consent, Contractor agrees to obtain the contract of any and all subcontractors to be materially and substantially bound by the terms and conditions set forth herein, unless otherwise agreed to by Tribe in writing. Upon reasonable written request, all subcontractor contracts shall be furnished to the Tribe. This Agreement shall be attached and incorporated into all subcontractor agreements.

Contractor is responsible for subcontractor compliance with all insurance requirements set forth in this Agreement. In the event of subcontractor non-compliance, such subcontractor work will not proceed under this Agreement until subcontractor is materially and substantially in compliance with the terms and conditions of this Agreement, unless otherwise agreed to by the Tribe in writing.

**18. Separate Agreements.** Tribe has the right to execute other agreements in connection with the work performed under this Agreement, upon reasonable notice to Contractor. If other Agreements are executed in connection with the work performed under this Agreement, then Tribe shall coordinate all work between Contractor and other contractors. Contractor and other contractors shall exercise good faith efforts to perform all work under this Agreement.

**19. Third Party Warranties.** Contractor grants to the Tribe any and all warranties which may exist in favor of Contractor from third party suppliers used by Contractor in performing services under this Agreement, and such warranties shall specify the period of time covered by manufacturer.

**20. Force Majeure.** If Contractor is delayed in the performance of or completion of the work under this Agreement by labor strikes, lock-outs, unavoidable casualties, or other causes beyond the control of the Contractor and without its fault or negligence, then the time for the performance or completion of said work may be extended for a reasonable period by written agreement between the parties.

**21. Dispute Resolution.** In the case of any dispute or claim arising out of or relating to this Agreement, or with respect to a breach thereof, the parties first shall seek to resolve such matter amicably through discussions between the parties, then, if necessary, by nonbinding mediation.

1) Disputes, claims, or questions arising from the performance of this Agreement shall be submitted in writing by the initiating party to the receiving party. The receiving party shall render a written response with a reasonable period of time. Upon receipt of the written response, the parties' representative shall meet at a mutually agreeable location to negotiate a settlement between them.

2) Any dispute, claim or other matter in question between the parties shall be subject to mediation upon the written request of either party. However, no demand for mediation of any such dispute, claim or other matter may be made until the earlier of (1) the date on which the receiving party has rendered a written response, or (2) the 10<sup>th</sup> (tenth) day after the initiating party has presented its documentation to the receiving party or has been given a reasonable opportunity to do so, if the receiving party has not provided a written response by that date.

3) The parties recognize that mediation proceedings are settlement negotiations, and that all offers, promises, conduct and statements, whether written or oral, made in the course of the proceedings, are inadmissible in any court proceeding, to the extent allowed by applicable law. The parties agree to not subpoena or otherwise require the mediator to testify or produce records, notes or work product in any future proceedings, and not recording or written record will be made during any mediation session(s). Evidence that is otherwise admissible or discoverable shall not be rendered inadmissible or non-discoverable as a result of its use in the mediation process. Information disclosed to the mediator in a private caucus shall remain confidential unless the parties authorize disclosure.

4) Upon demand for mediation, the parties shall select a mutually acceptable person or persons to serve as mediator. The mediator will not have any financial or personal interest in the outcome of the mediation and must disclose any circumstances which create a presumption of bias or cause delay in the mediation process.

5) All mediation proceedings shall take place at neutral location unless the parties agree otherwise. The parties will equally share the cost of the mediator. The parties will be responsible for their own reasonable costs related to a mediation proceeding.

**22. Termination.** Notwithstanding the provisions in section 6, 7, and 13, if Contractor should fail to make satisfactory progress toward the completion of work under this Agreement, or should fail to make prompt payment for any materials, or to make payment to any subcontractors or labor, or should fail to comply with any applicable laws, rules or regulations, or otherwise violate any other provisions of this Agreement, then Tribe may immediately terminate this Agreement in part or in whole with written notice to Contractor. In the event of termination, Tribe may have the work completed by another contractor and may deduct the cost of completing the work from Contractor's Agreement Sum, and Contractor shall not have any further obligations to perform any work under this agreement. All warranties and indemnification shall survive this agreement.

In addition to the provisions contained in this section, Tribe shall have the right to terminate this Agreement with at least ten (10) business days' written notice to Contractor. Tribe shall then pay Contractor a proportionate amount of the Agreement Sum for the work completed, and Contractor shall not have any further obligations for any work performed under this Agreement.

**23. Other Terms and Conditions; Miscellaneous.**

- a. The failure to insist upon performance of any term or condition of this Agreement, or to exercise any right or remedy shall not constitute a waiver of such term or condition. The waiver of any breach of any provision of this Agreement shall not be deemed a continuing waiver, and no delay in exercise of a right shall constitute a waiver.
- b. This Agreement shall be construed and interpreted in accordance with the laws of the project location, without giving effect to any conflicts or choice of law principles. Any rule of construction that a document is to be construed against the drafting party shall not apply.
- c. Nothing in this Agreement or attachments shall constitute or be construed as a waiver, express or implied, of the sovereign immunity of the Oneida Tribe of Indians of Wisconsin.
- d. Nothing in this Agreement shall be construed to create a partnership or joint venture between the Tribe and Contractor.
- e. Contractor may not assign its rights and interests in this agreement without the Tribe's express written consent. Any violation of this provision will be cause for immediate termination of this Agreement.
- f. The section headings contained herein are for convenience of reference only and are not intended to define, limit, or describe the scope or intent of any provision of this Agreement. The section headings shall not be used in interpreting this agreement.
- g. This Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original and which shall together constitute one and the same Agreement.
- h. This Agreement and any attachments hereto constitute the entire understanding and agreement between the parties. No modifications or amendments to this Agreement shall be binding unless made in writing between the parties.
- i. The invalidity of any part of this Agreement shall not affect the remaining parts hereof.
- j. In the event of any inconsistency or conflict in the language between this Agreement and any attachments to this Agreement, this Agreement shall control.

**24. Notices.** All notices required by this Agreement will be in writing and sent in any commercially reasonable manner, including certified mail, return receipt requested, facsimile, or any other customary means of communication to the other party's representative at the applicable mailing address set forth below. Notices to Tribe shall be sent to the attention of person named below. Notices to Contractor shall be sent to the attention of the person named below. The effective date of any Notice shall be the date of personal service or three days after mailing. Any notice given otherwise than in accordance

with this Article shall be deemed ineffective. Either party may change representative or address by written notice to the other party.

Tribes:  
Oneida Tribe of Indians of Wisconsin

Contractor:  
1<sup>st</sup> Choice Landscaping, LLC

Cheryl Skolaski  
(Insert Name)

Michael Nooyen  
(Insert Name)

Enrollment Director  
(Insert Title)  
Post Office Box 365  
Oneida, Wisconsin 54155

Owner  
(Insert Title)  
P.O. Box 10654  
Green Bay, WI 54307

IN WITNESS WHEREOF, Tribe and Contractor have executed this Agreement on the date below.

Oneida Tribe of Indians of Wisconsin

1<sup>st</sup> Choice Landscaping, LLC

By: *Cheryl Skolaski*  
(Signature)

By: *[Signature]*  
(Signature)

Name: Cheryl Skolaski

Name: Michael Nooyen

Title: Enrollment Director

Title: Owner

Date: 4/29/15

Date: 4/29/15

**Oneida Tribe of Indians of Wisconsin  
Exhibit A to Standard Construction Agreement**

April 10, 2015

**Compensation and Payment**

1. The Contract Sum is:

| Services Description              | Unit Cost Basis | Unit Cost  | Estimated Quantity | Total              |
|-----------------------------------|-----------------|------------|--------------------|--------------------|
| Lawn Maintenance                  | Each Occurrence | \$425.00   | 25                 | \$10,625.00        |
| Property Maintenance              | Annual Fee      | \$1,000.00 | 1                  | \$1,000.00         |
| Watering                          | Each Occurrence | \$0.00     | --                 | \$0.00             |
| Settlement Corrections (Existing) | Each Occurrence | \$150.00   | 10                 | \$1,500.00         |
| Settlement Corrections (New)      | Each Occurrence | \$150.00   | 10                 | \$1,500.00         |
| Settlement Corrections (Winter)   | Each Occurrence | \$300.00   | 5                  | \$1,500.00         |
| Marking - Plots                   | Each Occurrence | \$50.00    | 10                 | \$500.00           |
| Marking - Monuments               | Each Occurrence | \$50.00    | 10                 | \$500.00           |
| Top Soil                          | Per Yard        | \$35.00    | 5                  | \$175.00           |
| Winter Burials (Clearing of Snow) | Each Occurrence | \$110.00   | 5                  | \$550.00           |
| <b>TOTAL:</b>                     |                 |            |                    | <b>\$17,850.00</b> |

- a. The Property Maintenance Annual Fee will be paid in two (2) installments. First installment is due in May and the second installment is due in July.
- b. Each Occurrence services shall be invoiced on a monthly basis. Monthly invoices shall identify the number and dates of each occurrence of specific services.
- c. The values noted in the Estimated Quantity column above shall be adjusted based upon actual occurrences on an annual basis. Actual quantities above or below the noted value will be modified by change order. The amount of the change order will be determined by multiplying the Unit Cost by the modified Quantity.
- d. Monthly reports shall accompany the monthly invoices to include: Work performed, # of employees needed to complete tasks, time spent completing the task, and any concerns or information the owner will need to know.

**Scope of Work**

2. The following items identify the scope of services that are required under the contract (unless noted otherwise) that will be awarded for the overall care and beautification of the cemetery.
  - a. Lawn Maintenance
    - i. Lawn Mowing - Lawn shall be mowed at appropriate intervals to maintain a manicured look; at no time shall the lawn height exceed four (4) inches.
    - ii. Lawn Trimming - Trim lawn around all monuments, plots, trees, signs, etc., each time the lawn is mowed.

**Oneida Tribe of Indians of Wisconsin  
Exhibit A to Standard Construction Agreement**

- b. **Property Maintenance**
- i. **Weeding** – Remove weeds from the property, including but not limited to: along driveways, paths, monuments, etc.
  - ii. **Pruning** – Prune off-shoots of all trees and shrubs as needed to maintain a manicured look.
  - iii. **Clean-up** - Promptly remove from property dead/broken branches, lawn clippings, and weeds from property. Material suitable for compost can be brought to the Oneida Conservation Department Compost Yard located at N8085 County Road U, Oneida, WI.
  - iv. **Snow Plowing of Road** – Not in contract, Will be provided by the Oneida Department of Public Works.
  - v. **Pathways** – Maintain existing pathways from driveway to plots by removing weeds and repairing any erosion at edges.
  - vi. **Signage** – Maintain existing signage on the property to keep it vertical and professional in appearance. Notify the Owner's representative if signage is in need of major repair or replacement.
  - vii. **Cemetery Law** - Notify the Owner's representative if violations of the Cemetery Law are observed. Owner's representative will address violations with offender.
  - viii. **Personal Items** – The Contractor is to work around personal items placed at grave sites when mowing or trimming lawn. If items violate the cemetery law, notice is to be given as noted in 2.b.vii.
  - ix. **Fertilizer** – Must identify what is being used and obtain approval from Owner's representative before use on property grounds.
- c. **Watering** – On a daily basis, lawn seeding on plots with recent burials and plots that have had Soil Settlement Corrections done until lawn on has been established. There is no water source available on the property, so Contractor will be required to transport water to property for this purpose
- d. **Soil Settlement Corrections** – In the event of soil settling after a plot has been closed, add additional topsoil and reseed as required. Contractor responsible for hauling material to Cemetery and placement.
- e. **Cemetery Burial Responsibilities**
- i. **Marking Plots & Monuments** – The Contractor or an approved sub-contractor will provide marking of plots prior to burials and monuments as requested by the Owner's

**Oneida Tribe of Indians of Wisconsin  
Exhibit A to Standard Construction Agreement**

representative. Compensation for this service will be identified in the Compensation and Payment section of this agreement.

- ii. Opening of Plots – Not in contract, Will be provided by the Oneida Enrollment Department through Funeral Director.
- iii. Closing of Plots – Not in contract, Will be provided by the Oneida Enrollment Department through Funeral Director.
- iv. Settlement Corrections of Existing/New Plot/Winter burials – The Contractor will perform soil corrections for existing and new plots.
  - 1. Contractor will ensure all existing plots are maintained in a consistent manner. Providing a uniform appearance and in the event of soil settling add additional topsoil and reseed as required.
  - 2. Contractor will ensure all new plots are mounded within forty-eight (48) hours of the event and shape the mound for a period of at least one (1) year from the date of the event to allow for natural settling of the disturbed ground. After one (1) year a mound may be removed and the excess soil removed. Contractor will be responsible for proper disposal of excess soil. Additional topsoil and seeding will be required.
  - 3. For winter burials, Contractor will be responsible for contacting Owner representative within five (5) business days to identify a date when it will be possible to remove any excessive dirt clumps and identify when it may be possible to provide services required for a new plot settlement correction. Contractor will be required to provide topsoil needed for settlement corrections. Compensation for these services is identified in the Compensation and Payment section of this agreement.
- v. Winter Burials – The Contractor will clear snow from the driveway/road to and around a burial site as requested by the Owners Representative. Contractor will notify Owner Representative of desired location to place removed snow. Compensation for this service is identified in the Compensation and Payment section of this agreement.
- f. Availability / Notifications:
  - i. When Contractor is notified by Owner's representative of a maintenance issue, the Contractor shall address the issue within twenty-four (24) hours of notice.
  - ii. Contractor shall have representatives available on call at all times, including weekends and holidays.
- g. Equipment - Contractor shall provide all necessary equipment to provide the required services. Equipment shall include but not be limited to the following: lawn mower, weed trimmer, truck, trailer, miscellaneous hand tools and snow removal equipment.

**Oneida Tribe of Indians of Wisconsin  
Exhibit A to Standard Construction Agreement**

**Schedule of Exhibits**

3. Exhibit A – This page.
4. Exhibit B – Insurance Requirements, one page.
5. Exhibit C – Conflict of Interest Form
6. Exhibit D – Non-Disclosure and Confidentiality Agreement, Three pages
7. Exhibit E – Cemetery Law and BC Resolution 07-23-14-B Cemetery Law Amendments

*— Not attached as  
the current Cemetery Law  
is already included*

**Oneida Tribe of Indians of Wisconsin  
Exhibit B  
Insurance Requirements**

**CONTRACTOR INSURANCE**

- B.1. The Owner's requirements for insurance coverage are denoted below.
- B.2. Indemnification, defense, protection and hold harmless shall exceed/survive all insurance available to Owner.
- B.3. Insurance provided to satisfy the terms of this agreement shall be on a primary and non-contributory basis and include a waiver of subrogation in favor of the Owner. Insurance shall extend until the State Statute of Repose.
- B.4. Contractor shall deliver to the Owner, certificates of insurance, and other evidence of insurance as requested, which Contractor is required to purchase and maintain. Such certificates of insurance shall include waivers of subrogation and denote Contractor's insurance is on a primary and non-contributory basis.
- B.4.1. Certificates verifying the required coverages shall be provided to the Owner prior to the Work being initiated.
- B.5. The insurance shall be written for not less than the following:
- B.5.1. Workers' Compensation:
- |          |   |                            |
|----------|---|----------------------------|
| B.5.1.1. | State                                     | Statutory                  |
| B.5.1.2. | Applicable Federal (E.g., Longshoreman's) | Statutory                  |
| B.5.1.3. | Employer's Liability                      | \$ 100,000/500,000/100,000 |
- B.5.2. Comprehensive General Liability (including Premises-Operations; Protective; Products and completed Operations; Broad Form Property Damage; Contractual Liability Insurance):
- |          |                              |             |
|----------|------------------------------|-------------|
| B.5.2.1. | General Aggregate            | \$2,000,000 |
| B.5.2.2. | Products Completed Aggregate | \$2,000,000 |
| B.5.2.3. | Each Occurrence              | \$1,000,000 |
| B.5.2.4. | Personal Injury              | \$1,000,000 |
- B.5.2.5. Additional insured endorsement form CG2010, CG2037 or their equivalent must be submitted with each project.
- B.5.3. Property Damage Liability Insurance shall include coverage for hazards X (explosion), C (collapse) and/or U (underground) as applicable.
- B.5.4. Products and Completed Operations Insurance shall be maintained for one (1) year after Final Payment.
- B.5.5. Umbrella Excess Liability \$5,000,000

**Oneida Tribe of Indians of Wisconsin  
Exhibit B  
Insurance Requirements**

- B.5.6. Automobile Liability, Combined Single Limit: \$1,000,000
- B.5.7. Aircraft Liability (owned and non-owned) when applicable, as follows:
  - B.5.7.1. With limits proposed by the Architect / Engineer for the Owner's approval (\$1,000,000 minimum).
- B.5.8. Watercraft Liability (owned and non-owned) when applicable, as follows:
  - B.5.8.1. With limits proposed by the Architect / Engineer for the Owner's approval (\$1,000,000 minimum).
- B.5.9. Contractor is responsible for obtaining insurance covering their tools, equipment, and materials which are not destined to be incorporated into the final project.

EXHIBIT C

CONSULTANT/CONTRACTOR  
CONFLICT OF INTEREST  
DISCLOSURE FORM

|  |    |
|--|----|
| <i>Must Complete</i>   |    |
| Consultant/Contractor _____  | an |
| <i>is/ is not</i>  |    |
| employee of the Oneida Tribe.                                      |    |
| <i>(Must include job description if employee of Oneida Tribe.)</i> |    |

I, Michael Noyle, on behalf of 1st Choice Landscaping  
*(Name of Consultant/Contractor)* *(Name of Company, if any)*

the "Contractor"), declare this to be a full and complete disclosure of all conflicts of interest with the Oneida Tribe of Indians of Wisconsin (The "Oneida Tribe"). Conflict of interest means any interest, whether it be personal, financial, political, or otherwise, that conflicts with any right of the Oneida Tribe to property, information, or any other right to own and operate its enterprises, free from undisclosed competition or other violation of such rights of the Oneida Tribe. Therefore, I affirm to the best of my knowledge the following:

1. The Contractor is neither presently involved in, nor is it contemplating any legal actions against the Oneida Tribe.
2. The Contractor is not presently involved in any activity or has any outside interests that conflict or suggest a potential conflict with the Oneida Tribe.
3. The Contractor is neither involved in nor does it own any business investments which are related to or connected with the Oneida Tribe, its programs, departments, or enterprises
4. Neither the Contractor, nor any of its representatives, holds any positions as director or officer in any public or private groups, firms, organizations, or other entities which are substantially or wholly owned by the Oneida Tribe. No representative of the contractor sits on any board, commission, or committee of the Oneida Tribe. No officer or director of the Company has any conflict as defined above
5. The Contractor is neither applying for, nor receiving, any special services, grants, loans or other programs provided by the Oneida Tribe, and has no pending contracts with the Oneida Tribe, except as herein disclosed and listed below:

*(Attach additional pages, if necessary)*

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During the term of the contract or any extension thereof, I will promptly report any situation which may involve, suggest or appear to suggest any conflict that I may have with the Oneida Tribe. If a conflict arises, I am informed and understand that the Oneida Tribe may in its sole discretion, terminate the contract without obligation to me. Further, failure to report any conflict shall also be cause to terminate my contract.

Signed: [Signature] Date: 4/6/15

## EXHIBIT D

**NON-DISCLOSURE AND CONFIDENTIALITY AGREEMENT**

This Non-Disclosure and Confidentiality Agreement ("Agreement") is entered into by and between the Oneida Tribe of Indians of Wisconsin, whose mailing address is PO Box 365, Oneida, Wisconsin, 54155, hereinafter referred to as "Tribe" and

**Company Name:** 1st Choice Landscaping, LLC

**Address:** P.O. Box 10654  
Green Bay, WI 54307

hereinafter referred to as "Recipient", who hereby mutually agree as follows:

1. **Confidential Information.** Confidential Information means any and all information and documents, including copies, whether marked or unmarked as "Confidential", that the Tribe treats and regards, without limitation, as confidential and/or proprietary, and that is disclosed to the Recipient in writing, or if disclosed orally, is reduced to writing and delivered to the Recipient, within thirty (30) days after such oral disclosure. Unless agreed otherwise, all information and documents belonging to the Tribe, and all copies of such information, shall be returned to the Tribe promptly upon completion of the project or services provided. All Confidential Information is provided "as is" and no representation or warranty as to accuracy or completeness is provided by the Tribe.
2. **Applicability.** This Agreement shall apply to all officers, employees, agents, directors, and representatives of Recipient. Unless otherwise agreed between the parties, the provisions of this Agreement shall indefinitely survive any and all contracts, and any amendments thereto, entered into between the parties.
3. **Ownership.** All Confidential Information shall remain the property of the Tribe. Upon the Tribe's written request, all Confidential Information shall be promptly returned to the Tribe, or destroyed in accordance with the Tribe's written instructions to Recipient. Nothing in this Agreement shall be construed as granting or transferring any property ownership rights to the Recipient or any third party.
4. **Exclusions.** The parties agree that any information will not be deemed Confidential Information, and the Recipient shall have no obligation hereunder, where such information (i) was in the public domain prior to this Agreement, or subsequently came into the public domain other than as a result of disclosure by the Recipient; (ii) is independently developed by the Recipient without the use of or reliance on the Tribe's Confidential Information; (iii) is disclosed to the Recipient by a source other than the Tribe and such source is not violating any applicable confidentiality obligations; or (iv) is approved for release by written authorization of the Tribe.
5. **Standard of Care.** Recipient shall treat all Confidential Information provided by Tribe as proprietary and confidential and Recipient shall not disclose such information to any third party except Recipient's current employees, officers, directors, agents or legal, financial or business advisors or independent contractors who have a need to know such information unless and until Recipient has obtained the prior written consent of Tribe. Recipient shall safeguard all Confidential Information with at least the same degree of care to avoid disclosure as Recipient uses to protect its own proprietary

and confidential information, but no less than reasonable care. Recipient shall not use any Confidential Information other than in connection with the proposal, project, and/or services, and shall not knowingly or negligently use such information for their own benefit or for the benefit of other third parties.

**6. Disclosure to Third Parties.** Where Recipient is required to disclose Confidential Information to any third parties, such disclosure shall be on a need to know basis, and Recipient agrees to require its sub-contractors and any other third parties to be bound by the obligations set forth in this Agreement.

If Recipient or any of its officers, employees, agents, directors, and representatives is required to disclose confidential information by applicable law to a court or other tribunal, then Recipient shall immediately notify the Tribe.

**7. Equitable Relief.** Recipient acknowledges that any breach of any provisions of this Agreement to maintain the confidentiality of Tribe's Confidential Information will cause irreparable harm to the Tribe for which no adequate remedy at law exists. The parties agree that, in addition to any other remedies and rights available to Tribe, in the event of any such breach by Recipient, the Tribe shall have the right to seek a court order or injunctive relief, in addition to any other rights and remedies available at law, without further notice to protect its Confidential Information and to halt any unauthorized disclosure thereof.

**8. No Waiver.** No waiver by either party of any default or breach by the other party of any provision of this Agreement will operate as, or be deemed a continuing waiver, and no delay in exercise of a right shall constitute a waiver, of any other or subsequent default or breach.

**9. Assignment.** Neither party to this Agreement may assign or otherwise transfer any of its rights or obligations under this Agreement to any third party without the prior written consent of the other party. No permitted assignment shall relieve a party of its obligations hereunder with respect to any Confidential Information disclosed prior to the assignment. Nothing in this Agreement shall be construed to create a partnership or joint venture between the parties.

**10. Headings; Severability.** The headings contained in this Agreement are provided for convenience only and are not intended to define, alter, limit or describe the scope or intent of any provision of this Agreement. The invalidity of any part of this Agreement shall not affect the remaining parts hereof.

**11. Governing Law.** This Agreement shall be construed in accordance with the laws of the State of Wisconsin, without regard to conflict of laws principles. In the event of any inconsistency or conflict in the language between this Agreement and any attachments to this Agreement, this Agreement shall control.

**12. Entire Agreement.** This Agreement constitutes the entire agreement and understanding of the parties on the subject matter hereof and supersedes all prior or contemporaneous communications, agreements, and understandings, whether written or oral, relating hereto. This Agreement may be executed in counterparts, by original or facsimile signature, each of which shall be deemed an original and such counterparts together shall constitute one and the same Agreement.

Where a disclosure of Confidential Information is made to Recipient for bids, quotes, or proposals, which list is not all inclusive, nothing in this Agreement, or in any discussions undertaken or disclosures made pursuant hereto, shall (i) be deemed as a commitment to engage in any business

relationship, contract, or future dealings between the parties, or (ii) limit either party's right to enter into similar discussions or perform similar work to that undertaken pursuant hereto, so long as said discussions or work do not violate this Agreement.

It is further provided that if no contract agreement is entered into between the parties subsequent to this Agreement, the obligations of this Agreement shall survive indefinitely. Any obligations under this Agreement shall terminate when any Confidential Information ceases to be secret or enters into the public domain, unless such event occurs as a result of wrongful conduct or a breach of this Agreement by the Recipient.

14. **Sovereign Immunity.** Nothing in this Agreement or any attachments shall constitute or be construed as a waiver, express or implied, of the sovereign immunity of the Oneida Tribe of Indians of Wisconsin.

15. **Notices.** All notices required by this Agreement will be in writing and sent in any commercially reasonable manner, including certified mail, return receipt requested, facsimile, or any other customary means of communication to the other party's representative at the applicable mailing address set forth below. Notices to Tribe shall be sent to the attention of person named below. Notices to Recipient shall be sent to the attention of the person named below. The effective date of any Notice shall be the date of personal service or three days after mailing. Any notice given otherwise than in accordance with this Article shall be deemed ineffective. Either party may change representative or address by written notice to the other party.

Tribe:  
Oneida Tribe of Indians of Wisconsin

Recipient:  
1<sup>st</sup> Choice Landscaping, LLC

Cheryl Skolaski  
(Tribal Representative)

Michael Nooyen  
(Contractor)

Enrollment Director  
(Title)

Owner  
(Title)

Post Office Box 365  
Oneida, Wisconsin 54155

P.O. Box 10654  
Green Bay, WI 54307

IN WITNESS WHEREOF, Tribe and Recipient have executed this Agreement on the date below.

Oneida Tribe of Indians of Wisconsin

1<sup>st</sup> Choice Landscaping, LLC

By: Cheryl Skolaski  
(Signature)

By: [Signature]  
(Signature)

Name: Cheryl Skolaski

Name: Michael Nooyen

Title: Enrollment Director

Title: Owner

Date: 4/15/15

Date: 4/15/15

### Oneida Business Committee Agenda Request

1. Meeting Date Requested: 7 / 8 / 15

2. General Information:

Session:  Open  Executive - See instructions for the applicable laws, then choose one:

[Empty text box]

Agenda Header: Annoucement/Acknowledgement

Accept as Information only

Action - please describe:

Requesting that the Committee acknowledge support of the July 15 call in deadline to EHN for scheduling 2015 Health Risk Assessments. This support will enhance awareness/importance to those who have not yet scheduled their HRA appointment. In addition, asking the Committee to state that the HRA schedule, set to conclude on Sept. 30, will not be extended. Late callers for appointments who are unable to get an appointment with EHN will need to schedule with Healics during a later period (after Sept. 30) and employees will be responsible for the \$65 cost charged by Healics.

3. Supporting Materials

Report  Resolution  Contract

Other:

1. Copy-HRA announcement sent to home address 3. [Empty text box]

2. [Empty text box] 4. [Empty text box]

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution  Budgeted - Grant Funded  Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Larry Barton

Primary Requestor: Bob Keck - Director of Risk Management  
Your Name, Title / Dept. or Tribal Member

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

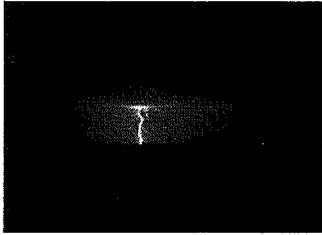
## Oneida Business Committee Agenda Request

### 6. Cover Memo:

Describe the purpose, background/history, and action requested:

We want all health plan covered employees to participate in annual health risk assessments. Unlike what happened in 2014, we want to avoid late callers being unable to get appointments. EHN has indicated they can't extend the schedule past September 30th this year because of the many issues/conflicts doing so in 2014 caused. After September 30th, those who did not participate may be able to do so, but not at no cost through EHN. We will need to bring Healics in to facilitate the biometrics, labs and reports at a cost of \$65/person, which will be the responsibility of the employees who did not heed the call to schedule announcements they have been sent (home mailings & many others) beginning in March. The \$65 payments must be done by way of a payroll deduction.

- 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](mailto:BC_Agenda_Requests@oneidanation.org)



**Check the Pulse...  
March 2015**

Call EHN to schedule your HRA as soon as you read this announcement at 405-4492...Don't Wait!

**To Participate**

- Schedule with EHN
- Complete the questionnaire
- Sign the lab consent form
- Complete HRA and receive your report

**Important Note: Please do not no-show for your appt!** For the courtesy of others - Please call EHN to cancel if you can't make your appt. - the slot can then be rescheduled

**Forms on the Intranet**

- Human Resources
- Employee Benefits Home Page

Body fat caliper measurement at OFF must be done 30 days or less prior to your HRA - you must take your measurement to your appointment - Call OFF at 490-3852

Annual HRA's are an Employee Group Health Plan program and not associated with the Oneida Community Health Center



**Employee Health Plan Participants**

**2015 Annual Health Risk Assessments  
Begin April 1, 2015**

**Early Completion Incentives**

**Drawings for 25 Retail Gift Cards Monthly**

**April - \$25**

**May - \$20**

**June - \$15**

*(Note: Gift cards are taxable)*

The Oneida Tribe is dedicated to supporting the well-being of you and your family by providing wellness education and programs. The Tribe offers an annual, CONFIDENTIAL Health Risk Assessment (HRA) that provides you with a report of your health risk factors. In addition, the Tribe provides you with opportunities to support you in taking steps to improve your health. HRA's completed every year to maintain the standard weekly health insurance premium contribution rate of 17%, or lower it based on your HRA score

**Call EHN by July 15th at 405-4492 to schedule your appointment  
Call NOW even if you want your appointment well into the schedule!**

**2015 HRA:**

- ◆ Your health insurance premium contribution rate defaults to 25% in January 2016 if you do not complete a 2015 HRA
- ◆ **You must call for your appointment by July 15th - Calls after that date are subject to availability**
- ◆ For HRA's requested after the EHN appointment schedule is full - a limited schedule with Healics may be available at employee expense (est. \$65)
- ◆ Appointments are booked on a first come - first served basis so **call NOW**
- ◆ You must schedule an appointment - no walk ins
- ◆ 15 minutes paid time to participate (NOTE: Cannot result in overtime!)
- ◆ Fasting is required - call NOW to guarantee an early appointment if you have a medical condition, i.e., diabetes
- ◆ Spouses covered under the health plan are encouraged to participate
- ◆ Participants are encouraged to share their results with their physician
- ◆ The HRA schedule with EHN ends on September 30 - call NOW!

See the following pages for additional HRA and health premium information



## 2015 Health Risk Assessments

Health risk assessments in 2015 are offered at no cost to employees. Plan covered spouses may also participate at no cost. Employees will be paid 15 minutes for participation. Your 2015 HRA score will determine your 2016 weekly health insurance premium contribution rate. The "standard" weekly premium contribution rate is 17%, but may be lower based on your HRA score.

**The non-HRA participation weekly premium contribution rate in 2016 is 25%.**

The 2016 weekly contribution rates are in the process of being projected and finalized. Information on the rates will be provided in future HRA communications. New rates go in to effect in January 2016.

### Additional Information:

- ◆ The EHN staff is scheduling a number of on-site HRA clinics. A schedule is attached.
- ◆ Body Fat Measurement - Done at EHN at time of HRA appointment. Optional body fat measurement using calipers is available at Oneida Family Fitness:
  - ◇ Call 490-3852 to schedule an appointment
  - ◇ Must be done no more than 30 days *prior* to your HRA
  - ◇ Employees are not paid for caliper measurement time
  - ◇ You must still schedule an HRA appointment with EHN!

The following HRA forms and information are attached and also available on the Intranet:

- ◆ Healics Health Risk Questionnaire / Consent and Authorization (2 pages) and
- ◆ EHN Laboratory Consent Form (1 page)

The forms can be accessed as follows:

- ⇒ Go to the Intranet
- ⇒ Go to Human Resources (HRD)
- ⇒ Go to Employee Benefits
- ⇒ Click on Home Page.....you'll find 2015 HRA forms

For any assistance needed with the forms or HRA information, contact Employee Health Nursing at 405-4492.

**Reminder** - The HRA questionnaire and consent forms should be completed **before** your HRA. Caliper measurements at Oneida Family Fitness must be given to EHN at the time of your HRA appointment - No Exceptions!

If you had an HRA in 2014 and didn't achieve the lowest premium contribution incentive rate of 10%, you are eligible to participate in the Reasonable Alternative Standards (RAS) incentive program. RAS participation and completion in 2015 gives you an opportunity to reduce your 2015 contribution rate to 10%. For information on RAS, contact Employee Health Nursing at 405-4492.

**Don't delay in calling Employee Health Nursing at 405-4492 to schedule your HRA appointment!**

**Thank you for your participation and helping to manage health care costs.**

# Oneida Business Committee Agenda Request

1. Meeting Date Requested: 07 / 08 / 15

## 2. General Information:

Session:  Open  Executive - See instructions for the applicable laws, then choose one:

Agenda Header:

Accept as Information only

Action - please describe:

Approval of Travel Report for BIA Partners in Action Conference in Wisconsin Dells, WI, June 22-25, 2015

## 3. Supporting Materials

Report  Resolution  Contract

Other:

1.

3.

2.

4.

Business Committee signature required

## 4. Budget Information

Budgeted - Tribal Contribution

Budgeted - Grant Funded

Unbudgeted

## 5. Submission

Authorized Sponsor / Liaison:

Melinda J. Danforth, Tribal Vice Chairwoman

Primary Requestor:

\_\_\_\_\_  
Your Name, Title / Dept. or Tribal Member

Additional Requestor:

\_\_\_\_\_  
Name, Title / Dept.

Additional Requestor:

\_\_\_\_\_  
Name, Title / Dept.

## Oneida Business Committee Agenda Request

### 6. Cover Memo:

Describe the purpose, background/history, and action requested:

The Oneida Business Committee approved my travel to participate in the BIA Partners in Action Conference for June 22 - 25, 2015. On June 18, 2015 the Business Committee was notified of the Chairwoman's vacation request and thus I canceled my trip in order to Chair the Business Committee meeting for June 24 & 25, 2015.

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](mailto:BC_Agenda_Requests@oneidanation.org)

# BUSINESS COMMITTEE TRAVEL REPORT



**Traveler Name:** Melinda J. Danforth  
 Enter name(s) of other Travelers OR [SPACE BAR] to delete

**Travel Event:** BIA Partners in Action Conference

**Travel Location:** Wisconsin Dells, WI

**Departure Date:** 06/22/2015      **Return Date:** 06/25/2015

**Projected Cost:** \$557.63      **Actual Cost:** 0

**Date Travel was Approved by OBC:** 05/27/2015

---

**Narrative/Background:**

The Oneida Business Committee approved my travel to participate in the BIA Partners in Action Conference for June 22 - 25, 2015. On June 18, 2015 the Business Committee was notified of the Chairwoman's vacation request and thus I canceled my trip in order to Chair the Business Committee meeting for June 24 & 25, 2015.

**Item(s) Requiring Attention:**

Click here to enter text.

**Requested Action:**

Accept the report and closeout travel.

## Oneida Business Committee Travel Request

**1. OBC Meeting Date Requested:** 07 / 08 / 15  e-poll requested

### 2. General Information:

Event Name: MAST: A Good Health & Wellness Resource Meeting

Event Location: Detroit, MI Attendee(s): Melinda J. Danforth

Departure Date: August 11, 2015 Attendee(s):

Return Date: August 13, 2015 Attendee(s):

### 3. Budget Information:

- Funds available in individual travel budget(s)  
 Unbudgeted  
 Grant Funded or Reimbursed

Cost Estimate: \$1660.50

### 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:

The Oneida Tribe nominated me as a member of the MAST Health Board. The goal was to establish an active Health Board that would be a resource for the Midwest Tribes in the area of Health. The MAST Health Board has been working in collaboration with GLITC to hire an Executive Director for the Health Board (through a grant) to advance our strategies surrounding the continued development of the MAST Health Board. Upon the recommendation of the MAST Health Board and GLITC, MAST Health Board members were encouraged to attend this conference to network with health professionals in our region. Also, we will be learning about resources that are available for the MAST Health Board to tap in to, and which resources align to the goals that we have for the Health Board.

As this travel is reimbursable by GLITC and is part of my liaison duties, I am respectfully requesting the Business Committee's approval to attend.

### 5. Submission

Sponsor: Melinda J. Danforth, Tribal Vice Chairwoman

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## Save the Date!

The Centers for Disease Control -  
A Comprehensive  
Approach to Good Health &  
Wellness in Indian Country  
Presents:  
A Good Health & Wellness  
Resource Meeting

August 12 & 13, 2015  
from 9am-5pm

@ the Detroit Marriott at  
the Renaissance Center  
400 Renaissance Drive, Detroit, MI 28243

For additional information contact:  
Traci Buechner at (715) 588-1043  
or email at: [tbuechner@glitc.org](mailto:tbuechner@glitc.org)

sponsored by Great Lakes Inter-Tribal Epi  
Center (a Division of Great Lakes Inter-Tribal Council)

## Oneida Business Committee Travel Request

1. **OBC Meeting Date Requested:** 07 / 08 / 15  e-poll requested

### 2. General Information:

Event Name: NIGA Summer Legislative Summit

Event Location: Washington D.C. Attendee(s): Brandon Stevens

Departure Date: Jul 20, 2015 Attendee(s):

Return Date: Jul 22, 2015 Attendee(s):

### 3. Budget Information:

- Funds available in individual travel budget(s)  
 Unbudgeted  
 Grant Funded or Reimbursed

Cost Estimate: Approximately \$550.00

### 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:

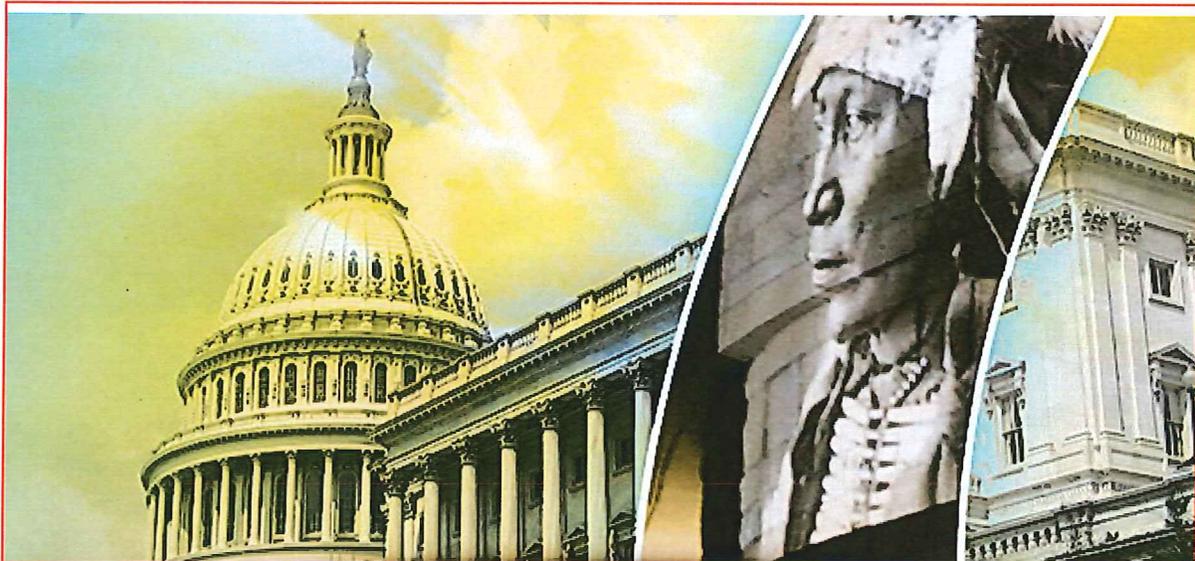
The purpose of this travel is to attend the NIGA Summer legislative Summit. This travel is relevant to committing to building a responsible nation by keeping abreast of pressing issues and concerns that may affect Indian country. Having Oneida at the table in Washington D.C. is important because the Summit provides us (myself as the Midwest Delegate) with an opportunity to meet with Senators and Representatives to discuss critical issues confronting Tribal governments.

### 5. Submission

Sponsor: Brandon Stevens

- 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

[Click here Having trouble viewing this email?](#)



**SAVE THE DATE**  
**NIGA SUMMER**  
**LEGISLATIVE SUMMIT**

**JULY 21-22, 2015**  
**WASHINGTON, D.C.**



**HOTEL INFORMATION:**  
HOLIDAY INN CAPITOL HILL  
550 C STREET, SW  
WASHINGTON, DC 20024  
CALL FOR RESERVATIONS:  
877-572-6951

You are invited to the  
**National Indian Gaming Association**  
**2015 Summer Legislative Summit**

**July 21-22, 2015**

**Register to Attend - [Click Here](#)**

Book your stay at:  
**The Holiday Inn Capitol Hill**

## Oneida Business Committee Travel Request

**1. OBC Meeting Date Requested:** 07 / 08 / 15  e-poll requested

### 2. General Information:

Event Name: NAFOA 2015 Fall Finance & Tribal Economies Conference

Event Location: Boston, MA Attendee(s): Trish King

Departure Date: Sep 12, 2015 Attendee(s):

Return Date: Sep 16, 2015 Attendee(s):

### 3. Budget Information:

Funds available in individual travel budget(s)

Unbudgeted

Grant Funded or Reimbursed

Cost Estimate: \$2,200.00

### 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:

This conference will assist in my fulfilling my fiduciary duties and responsibilities to maintain and support administrative stability and financial integrity, assure efficient and proper fiscal management practices of the Oneida Nation. Attending this conference will enable me to participate in a variety of educational sessions and give me opportunities to network with federal agencies, tribes and leading industry professionals. The conference will assist in facilitating dialogue between tribes, federal partners, non-profits, and professionals, with sessions on investment education, policy affecting tribes, accounting updates, new budgeting methods and economic development opportunities. Presentations and discussions are tailored to an audience that works on tribal finance and economic issues. The conference provides a unique opportunity for tribes, federal partners, and professionals to share their knowledge and needs. This is a great opportunity for me to gain knowledge in specific areas of refinancing, new investment methods, tax and finance policy, auditing and internal controls, portfolio management and budgeting.

### 5. Submission

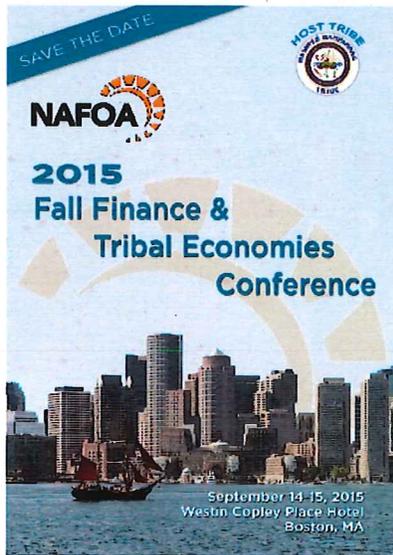
Sponsor: Trish King, Tribal Treasurer

- 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@oneidation.org

<http://nafoa.org/events/nafoa-s-201>
[oneidaintranet](#)
[NAFOA | NAFOA's 2015 Fall...](#)

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We're working to improve the NAFOA website. Please check back as we continue to roll out updates.



Westin Copley Place, Boston, MA

## NAFOA's 2015 Fall Finance & Tribal Economies Conference

NAFOA's 2015 Fall Finance & Tribal Economies Conference serves as a platform to present and contribute ideas for solutions to challenges affecting Indian Country. This event will provide an opportunity to gain a deeper understanding of important issues, including new investments opportunities, accounting regulation updates, new economic development trends, and legislative policy that may affect future economic development plans – all which are essential to the growing prosperity and improvement of the quality of life for tribal communities.

For more information, please contact Katie Johnson, Projects and Events Manager at [katie@nafoa.org](mailto:katie@nafoa.org).

- > [MEMBER TRIBE REGISTRATION FORM](#)
- > [REGISTER ONLINE](#)
- > [REGISTER BY MAIL](#)
- > [CPE FAQs](#)
- > [SAMPLE JUSTIFICATION LETTER](#)
- > [TRAVEL & HOTEL INFORMATION](#)

9:59 AM 6/30/2015

# Oneida Business Committee Agenda Request

1. Meeting Date Requested: 7 / 8 / 15

## 2. General Information:

Session:  Open  Executive - See instructions for the applicable laws, then choose one:

Agenda Header:

Accept as Information only

Action - please describe:

Motion to defer the Comprehensive Health's Quarterly report to the next Business Committee meeting of July 22, 2015.

## 3. Supporting Materials

Report  Resolution  Contract

Other:

1.

3.

2.

4.

Business Committee signature required

## 4. Budget Information

Budgeted - Tribal Contribution

Budgeted - Grant Funded

Unbudgeted

## 5. Submission

Authorized Sponsor / Liaison:

Primary Requestor:

Debra Danforth, Operations Director/Dr. Ravi Vir, Medical Director

Your Name, Title / Dept. or Tribal Member

Additional Requestor:

\_\_\_\_\_  
Name, Title / Dept.

Additional Requestor:

\_\_\_\_\_  
Name, Title / Dept.

## Oneida Business Committee Agenda Request

### 6. Cover Memo:

Describe the purpose, background/history, and action requested:

Requesting the Business Committee to defer the Comprehensive Health Divisions quarterly report to the next Business Committee meeting.

- 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](mailto:BC_Agenda_Requests@oneidanation.org)

# Oneida Business Committee Agenda Request

1. Meeting Date Requested: 07 / 08 / 15

## 2. General Information:

Session:  Open  Executive - See instructions for the applicable laws, then choose one:

Agenda Header:

Accept as Information only

Action - please describe:

## 3. Supporting Materials

Report  Resolution  Contract

Other:

1.

3.

2.

4.

Business Committee signature required

## 4. Budget Information

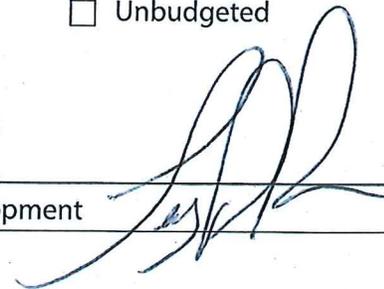
Budgeted - Tribal Contribution

Budgeted - Grant Funded

Unbudgeted

## 5. Submission

Authorized Sponsor / Liaison:



Primary Requestor:

Additional Requestor:

Additional Requestor:

# Development Division

Development Branch – Troy D. Parr

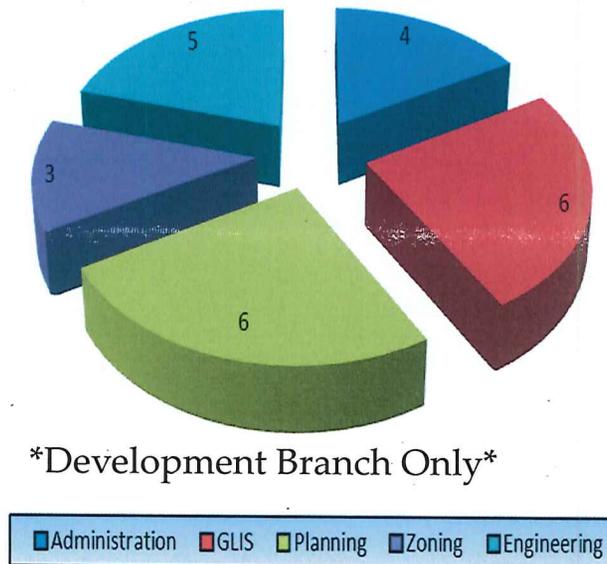
Quarterly Report: June, 2015

Revised: 06/29/15

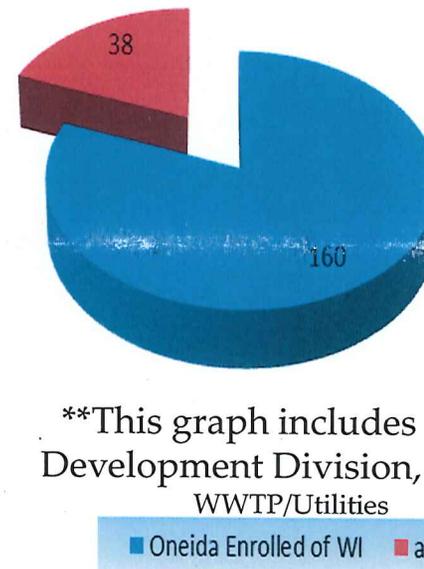
## Development Division – Quarterly report

- The strategic mission of the Development Division supports the overall physical well-being of our nation as expressed by planning, designing, constructing and maintaining the Tribal facilities, space and physical systems and provide accurate corresponding data to the nation.
- The Development Division consists of GIS, Planning, Engineering, Zoning, Department of Public Works, Waste Water Treatment Plant/Utilities and the Community Wells and Septic.
- Due to the temporary re-organization of the Development Division, the department updates of this report is only for the Development Division/Development Branch departments. This includes Zoning, Engineering, Development Administration, GLIS and the Planning Department. The Operations Branch of Development as well as the Water/Wastewater Plant Director will be submitting their own Quarterly report as requested.

### # Employees by Department



### # Tribal Members vs. all Others



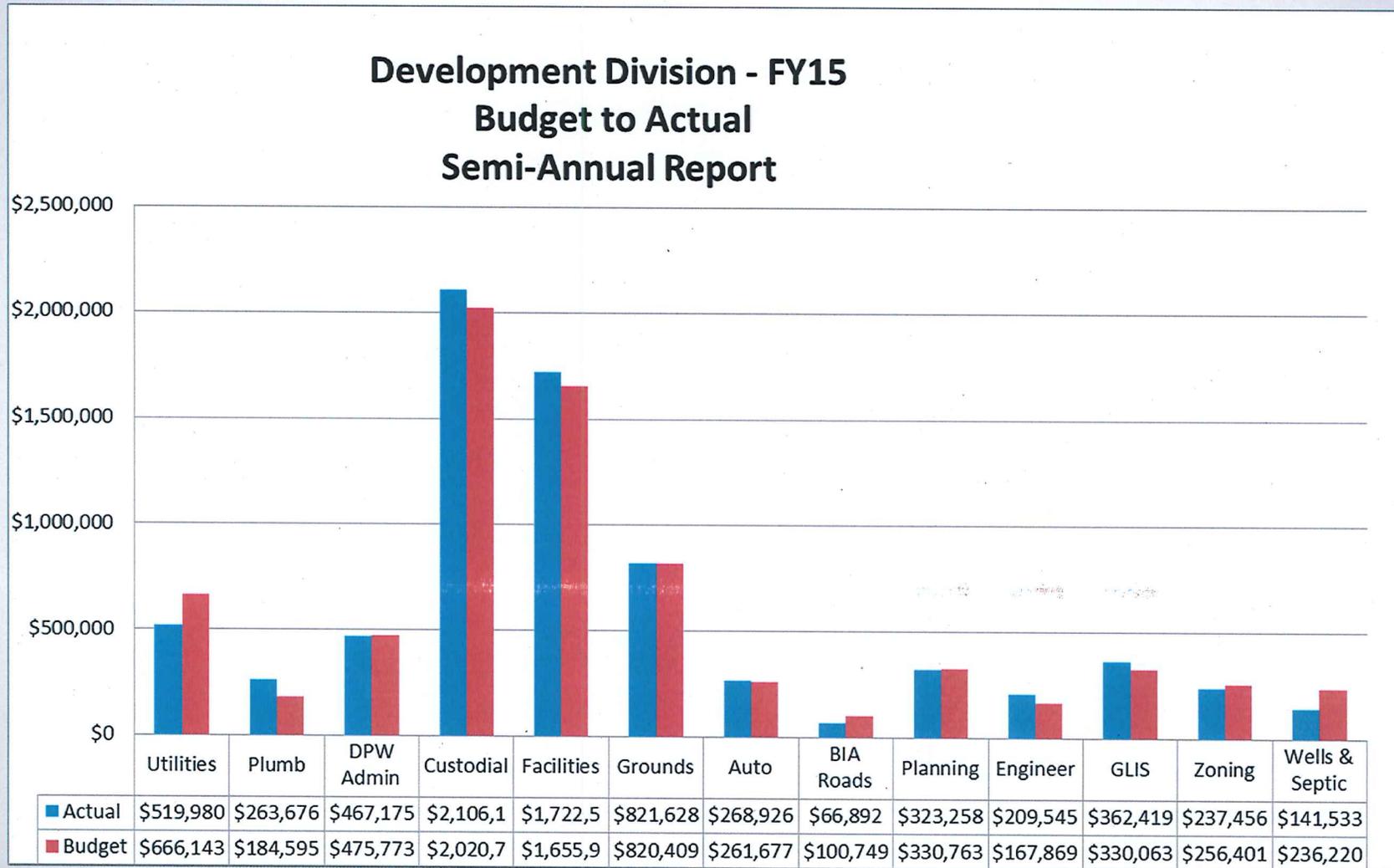
## Development Division – Quarterly report

Budget through May 31, 2015 (Development Division is .19 better then budget)

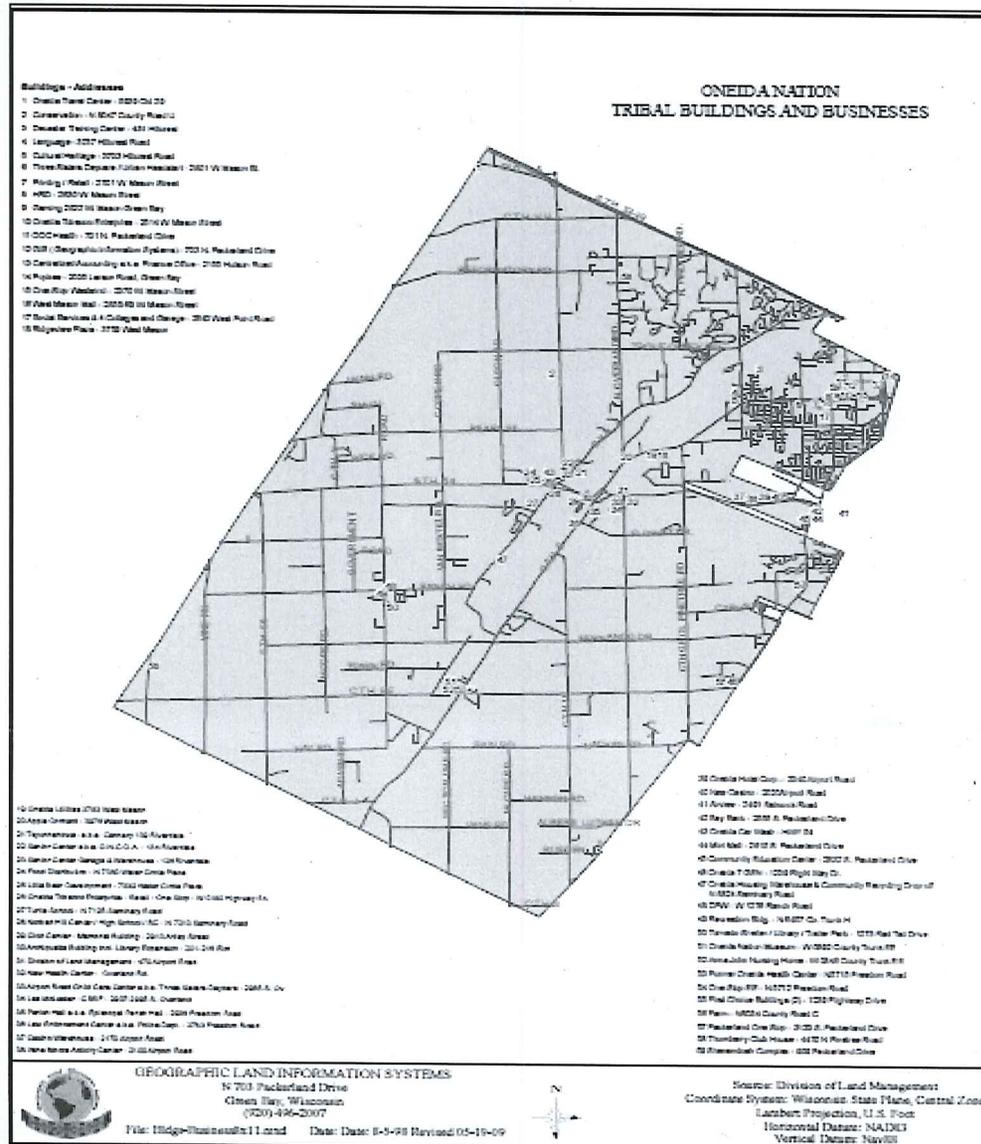
| Department                                | Budget             | Actual             | Variance        | %            |
|---|--------------------|--------------------|-----------------|--------------|
| Utilities                                 | \$519,980          | \$666,143          | -\$146,163      | -28.11%      |
| Plumb                                     | \$263,676          | \$184,595          | \$79,081        | 29.99%       |
| DPW Admin                                 | \$467,175          | \$475,773          | -\$8,598        | -1.84%       |
| Custodial                                 | \$2,106,165        | \$2,020,798        | \$85,367        | 4.05%        |
| Facilities                                | \$1,722,572        | \$1,655,921        | \$66,651        | 3.87%        |
| Grounds                                   | \$821,628          | \$820,409          | \$1,219         | 0.15%        |
| Auto                                      | \$268,926          | \$261,677          | \$7,249         | 2.70%        |
| BIA Roads                                 | \$66,892           | \$100,749          | -\$33,857       | -50.61%      |
| Planning                                  | \$323,258          | \$330,763          | -\$7,505        | -2.32%       |
| Engineer                                  | \$209,545          | \$167,869          | \$41,676        | 19.89%       |
| GLIS                                      | \$362,419          | \$330,063          | \$32,356        | 8.93%        |
| Zoning                                    | \$237,456          | \$256,401          | -\$18,945       | -7.98%       |
| Wells & Septic                            | \$141,533          | \$236,220          | -\$94,687       | -66.90%      |
| BIA Advanced Funding                      | -\$24,618          | -\$28,233          | \$3,615         | -14.68%      |
| Transportation Planning                   | \$0                | \$0                | \$0             |              |
| Tribal Transportation                     | \$0                | -\$6,045           | \$6,045         |              |
| Community Fire                            | \$0                | -\$738             | \$738           |              |
| <b>Total FY15</b>                         | <b>\$7,486,607</b> | <b>\$7,472,365</b> | <b>\$14,242</b> | <b>0.19%</b> |
| <b>Update: June 23, 2015</b>              |                    |                    |                 |              |
| <b>James Petitjean, Sr Budget Analsyt</b> |                    |                    |                 |              |

H:devmemo.ppt

## Development Division – Quarterly report



# Development Division – Quarterly report



The Map to your left depicts the names and location of buildings the Oneida Tribe is responsible for maintaining.

To view the map in larger format, please visit site: <http://arcims.otiw.org/glis.html>. Click on Maps then Oneida Buildings in the format desired.

## Development Division – Quarterly report

- Communication for the Division - We continue to get information transferred among the staff in an efficient and effective manner.
- Project List by department: Engineering – (contact Paul Witek: 920-869-4543)
  - Health Center Miscellaneous
  - Elder Services/Apartment Improvements
  - Duck Creek Trail
  - Oneida Fishery Restoration
  - Social Services Building Remodel – Phase V
  - Building Demolitions
  - Oneida Community Trails; Safe Routes to School
  - SEOTS Community Center
  - Elder Village Infrastructure
  - Oneida Community Trails; Wolf Path
  - Community Signage
  - 54 One Stop Replacement
  - Casino Clean Agent Systems
  - Oneida Nation High School
  - Park Upgrades Phase II
  - Green Earth Trailer Court Enhancements
  - Cemetery Improvements

## Development Division - Quarterly Report

### ○ Engineering Continued

- Green Valley Houses
- Elder Village Cottages
- Uskah Village Infrastructure
- Uskah Village Apartments
- OCHC Pharmacy Remodel
- Oneida Golf Enterprise Remodel – Phase II
- Water Main Loop
- NHC Remodeling – Phase VIII
- Business Park Storm Water
- Oneida Fishery Restoration – Phase II
- Oneida Judiciary Center

### ○ GLIS

- Creating and updating new layers
- Maintain elder database for services
- Provide written verifications for Tribal Members
- Complete community requests for homes
- Maintain all data within and 1 mile radius of the Oneida Nation.
- Create and maintain the Oneida Cemeteries on the reservation
- Update and maintain hunting lands as they become available
- Correct parcels, verify and record in updated database in our files

## Development Division – Quarterly Report (Departmental Updates)

- GIS: The department has added many job duties and responsibilities to their current job description without pay increases. I hope to adjust this in the 2016 budget. Our staff has always worked on projects that is above and beyond their job duties. The department has assisted Oneida Public Safety in special projects of importance. Other staff member saved the Oneida Nation over \$100,000. with his assistance in a specific project. Training is the most critical to our area and we need to keep up on monthly training. We are investing in tribal members education in the field of technology. (Vacant positions: 0 ; Celene Elm, manager)
- Engineering : Under staffed at this time. Tribal approval processes are requiring a significant amount of our time with little “added value” to the organization. This takes the Project Manager’s attention and time away from managing the projects. Heavy workload has made timely replies to requests difficult. We are managing the various CIP, Non-CIP, OHA, and other miscellaneous projects. We provide assistance to the Zoning Department with plan reviews for code compliance. In addition, we help various Tribal Departments with design and construction coordination for minor interior remodel projects. Major projects are identified on page 6 & 7 of this report. (Vacant positions: 1; Troy Parr, Assistant Director; Paul Witek, Senior Architect.)
- OHA Related: Design and Construction is managed by the Development Division. Some of the housing related projects the Engineering Department are currently overseeing are: Green Valley, Elder Village and Uskah Village. The Green Valley development consist of (8)- homes total; (5)- Duplexes and (3)- Split Level units which are nearing substantial completion. The Elder Village Development consist of (8)- homes total. These homes are Craftsman style homes with vinyl siding, shingled roof and in-floor heat, along with meeting all ADA compliance. Construction is currently underway for these homes and tentative completion is the middle of December. Uskah Village is currently in the final design phase; this will consists of a new roadway, utilities and apartment complex.
- Planning & Statistics: The department needs funding for expert assistance with concept development – models, graphics, etc. Lack of training on software to assist with visuals. Surveys: Dialysis Center – Eleven patients through OCHC referral & additional use Transit; Current group is developing survey and focus group outline; MBK initiative – Working with Councilman Brandon Stevens;

## Development Division – Quarterly Report (Departmental Updates)

- Planning & Statistics continued. Department is currently working on a communication plan for the Wellness Council; Sustain Oneida – Elaine Skenandore – Cornelius will present Enrollment statistics at brown bag event on July 23<sup>rd</sup> at the Veterans Building; Behavioral Health Surveys – staff members working with Mari Kriescher on electronic formats of several patient and staff surveys; NICSA – National Tribal Child Agency conference was held in June. Melissa Nuthals will be compiling all of the evaluation results as in the past years.; Oneida Content Management Survey; - Surveyed active webpage content. Final report was sent to Website Steering Team to help them choose a new vendor; Survey results were compiled and sent to Mark Powless for SEOTS and EH&S for Fishing Day Survey. Additional
  - ❑ Thirty seven (37) signs for buildings, parks, places of interests and natural areas being implemented. Bids are due June 30, 2015. (Vacant positions: .0 Troy Parr, Assistant Division Director – Development Branch)
  - ❑ Transportation Planning: Site I Task order completed. Bidding on July 21<sup>st</sup>, construction begins August 24, 2015. Standing Stone Subdivision – Added to TIP List for FY 2016. Design is at 90%. Site II – Placed on TIP list for project activation in 2016. Design is at 50%.
  - ❑ Design and develop housing units for single and two persons households. Status - Concept paper being developed.
  - ❑ Elder Services Improvements Assisting Construction Manager to develop Capital Improvement Package for Elder Service garages. Also assisting Construction Manager with neighborhood design, planning of housing sites and identifying infrastructure improvements. Status: several phases of the project being implemented and future elder services and micro home phase being planned.
  - ❑ Agriculture Strategy – Assisting Internal Services Director with an agriculture strategy. Status: Presented to the Community Planning Committee for feedback.
  - ❑ LUTU – Parts 1 & 2 = Rising Nation request – Preparing report for Land Use Technical Unit to review and approve or deny. Devillers Request = Preparing land use Technical Unit to review and approve or deny. Smith/Metoxen LUTU Part 2 for the HBO Program: Revising LUTU
  - ❑ Currently organizing and scheduling Community Outreach Events with Planning Staff

## Development Division – Quarterly Report (Departmental Updates)

- ❑ Planning & Statistics continued: Parks Upgrades- Team has decided to focus on building a lacrosse field at Flying Leaf Park in Site II. Afterwards, if funding is still available, the next priority will be to build a multi-purpose field at Clifford E. Webster Recreation Center. Aquaponics-Building permit is still being reviewed; a team meeting is set up for July 9th
  - ❑ Revitalizing Central Oneida Presentation- CDPC approved the strategy in the presentation on April 23, 2015. Recommendations from the Revitalizing Central Oneida presentation for 2015 are to Restore/ Clean Up BP Site, Initiate the Streetscape Project, Implement an Edible Landscape and in 2016 to move the Farmer's Market into Central Oneida. Completed initiatives include planting of pear trees on NHC grounds and E,H&S receiving grant funding to clean up the BP site. Currently working on RFP for Streetscape Project and outreach for Central Oneida
  - ❑ Wellness Council member- OBC passed Wellness Resolution (June 6, 2015); will be developing next steps at next meeting .
- Zoning: Some issues we are having is the HRD process is not allowing for this area to reassign, transfer and upgrade positions. There are many positions that will be vacant in the coming months with a goal of combining duties with existing staff. This process is slow and cumbersome and doesn't meet the needs of the department. Departmental updates: Elder Village – On going are foundation construction on 7 of the units out of 8 homes. Work will continue through framing; Green Valley – 8 units are in finish state – all interior finishes (cabinets, doors and trim, paint, fixtures, etc.); Pharmacy – Remodel is underway with phase 1 – demo of existing rooms and area of east section.; Onbase – four (4) years of Zoning documents are now available in Onbase. This project completion date is unavailable at this time; Carmody – Roll out of this new system is anticipated for August 2015; Escalator replacement – At the main casino the down – side escalator is completed. The up-side is soon to start construction; Casino Remodel – Various rooms at both locations (main & mason street) are under construction to remodel and upgrade current electrical, plumbing and rooms; Additions to Homes throughout the area - Currently at various sights there are four additional projects to homes at different stages of construction with 2 more in review; POWTS Wells & Septic are currently installing two different systems and more under review; Oneida Farm is currently building a shed to house a new water system with controls and major repair of grounding system for three (3) barns. ( 2) Inspectors; Troy Parr, Assistant Division Director- Development Branch)

# Oneida Business Committee Agenda Request

1. Meeting Date Requested: 07 / 08 / 15

## 2. General Information:

Session:  Open  Executive - See instructions for the applicable laws, then choose one:

Agenda Header:

Accept as Information only

Action - please describe:

## 3. Supporting Materials

Report  Resolution  Contract

Other:

1.

3.

2.

4.

Business Committee signature required

## 4. Budget Information

Budgeted - Tribal Contribution

Budgeted - Grant Funded

Unbudgeted

## 5. Submission

Authorized Sponsor / Liaison:

Primary Requestor:

\_\_\_\_\_  
Your Name, Title / Dept. or Tribal Member

Additional Requestor:

\_\_\_\_\_  
Name, Title / Dept.

Additional Requestor:

\_\_\_\_\_  
Name, Title / Dept.

## Oneida Business Committee Agenda Request

### 6. Cover Memo:

Describe the purpose, background/history, and action requested:

Requesting acceptance of the Quarterly Report for the Dept of Public Works - Operations

- 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](mailto:BC_Agenda_Requests@oneidanation.org)

Assistant Development Director  
of Operations



Bruce A. Danforth

# DEPARTMENT OF PUBLIC WORKS

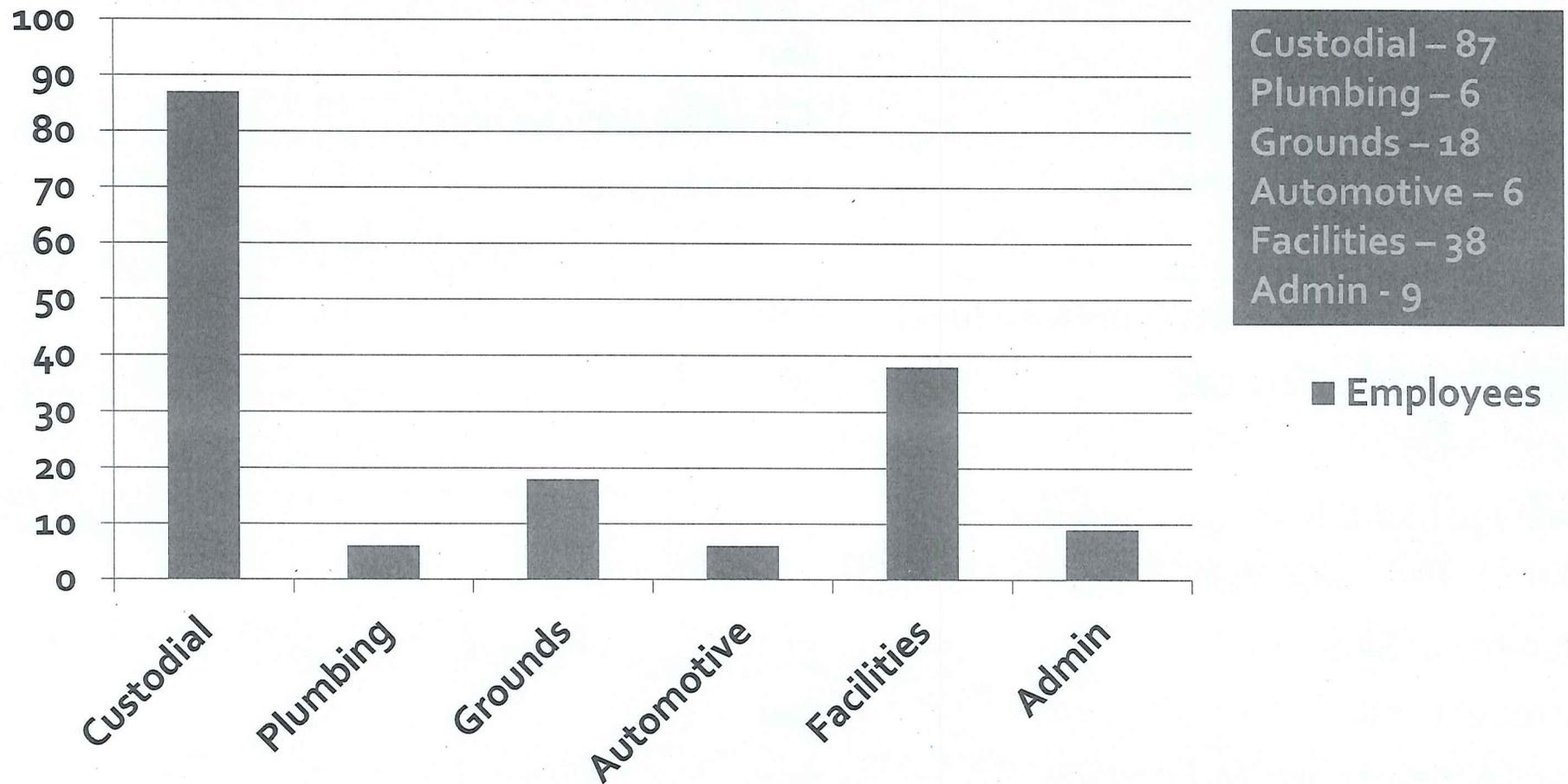
QUARTERLY REPORT:  
April/May/June  
2015

# 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



# DPW-QUARTERLY REPORT

| AREAS OF RESPONSIBILITY                   |                      |
|---|----------------------|
| ADMINISTRATION                            |                      |
| Fleet Vehicles                            | 190                  |
| Yearly Customers Serviced                 | Approximately 60,000 |
| Assets maintained in Dollars              | \$600,000,000        |
| PLUMBING                                  |                      |
| Service Calls & Requests (April May June) | 108                  |
| Tribal Buildings Serviced                 | 58                   |
| AUTOMOTIVE                                |                      |
| Average Monthly Vehicles Serviced         | 90                   |
| GROUNDSKEEPING                            |                      |
| Number of Sites                           | 55                   |
| Acres of Land                             | 300                  |
| Total Acres of Lawn Maintained            | 250                  |
| Road Inventory in Mileage                 | 312                  |

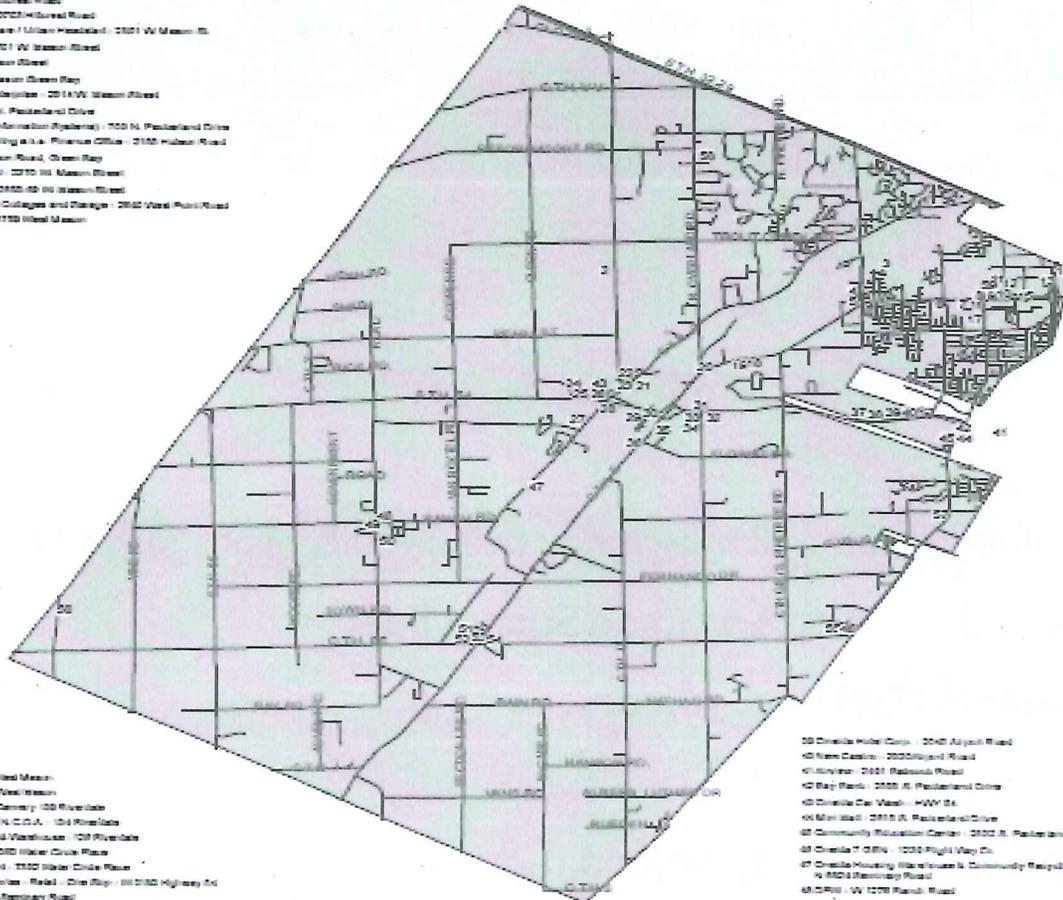
# DPW QUARTERLY REPORT

| CONTINUED.....                             |   |
|--|---|
|  |   |
| Total Miles of Snow Plowing                | 300   |
| Square Feet of Parking Lots                | 3,145,804                                   |
|  |   |
| # 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                               |
|  |   |
| 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 Tribal Center - 5000 Oak St
- 2 Convention - N 8247 County Road 12
- 3 Oneida Training Center - 401 Wilson
- 4 Language - 2727 Highway Road
- 5 Cultural Heritage - 2020 Highway Road
- 6 Three Stars Casino / Urban Headstart - 2021 W Mason St
- 7 Prodigy / Retail - 2701 W Mason Street
- 8 HRD - 2850 W Mason Street
- 9 Gaming 2027 W Mason Green Bay
- 10 Oneida Tobacco Distribution - 2014 W Mason Street
- 11 DDC Health - 701 N. Packard Drive
- 12 GIS ( Geographic Information Systems) - 700 N. Packard Drive
- 13 Centralized Accounting s.a. Finance Office - 2100 Hudson Road
- 14 Pulpiter - 2000 Larson Road, Green Bay
- 15 One Stop Veterinary - 2270 W Mason Street
- 16 Hotel Mason Hotel - 2850 W Mason Street
- 17 Rural Services & Cottages and Garage - 2850 West Point Road
- 18 Polysilver Plaza - 2150 West Mason



- 19 Oneida Millers 1120 West Mason
- 20 Apple Orchard - 2078 West Mason
- 21 Repurposes s.a. a. Cannery 100 Riverside
- 22 Rental Center s.a. a. C.N.C.C.A. - 104 Riverside
- 23 Rental Center Garage & Warehouse - 100 Riverside
- 24 Rural Distribution - N 7200 West Olive Road
- 25 Little Bear Development - 2502 State Circle Road
- 26 Oneida Tobacco Distribution - Retail - One Stop - 60100 Highway 54
- 27 Turbo School - W 7100 Ramsey Road
- 28 Nodwin's Center (High School) SC - W 7100 Ramsey Road
- 29 Club Center - Memorial Building - 2013.5 Wason Street
- 30 Oneida Building (old Library Operation) - 201.018 Wason
- 31 Division of Land Management - 270 Airport Road
- 32 New Health Center - Oneida Rd
- 33 Airport Road Child Care Center s.a. Three Stars Casino - 2001 S. Dr
- 34 Lee Walker - 2007 2000 S. Overland
- 35 Rental Hall s.a. a. Regional Public Hall - 2000 Freedom Road
- 36 Law Enforcement Center s.a. a. Public Dept. - 2000 Freedom Road
- 37 Casino Warehouse - 2170 Airport Road
- 38 Home Movie Activity Center - 2100 Airport Road

- 39 Oneida Hotel Corp. - 2040 Airport Road
- 40 Home Center - 2000 Highway Road
- 41 Review - 2021 Railroad Road
- 42 Ray Bank - 2000 S. Packard Drive
- 43 Oneida Car Wash - HWY 54
- 44 42nd St - 2010 S. Packard Drive
- 45 Community Recreation Center - 2000 S. Packard Drive
- 46 Oneida T. O'By - 1000 Flight Way Dr.
- 47 Oneida Housing (see Oneida's Community Recycling Center) - W 8200 Ramsey Road
- 48 DPA - W 1200 Ramon Road
- 49 Recreation (old) - W 8400 Co. Trunk W
- 50 Toronto Station Library (Trade Park) - 1225 Red Tail Drive
- 51 Oneida Nation Museum - W 2000 County Trunk RR
- 52 Anna John Housing Home - 60 0248 County Trunk RR
- 53 Former Oneida Health Center - 10710 Freedom Road
- 54 One Stop RR - 10710 Freedom Road
- 55 Post Office Building (2) - 1000 Pigeonary Drive
- 56 Park - 10004 County Road C
- 57 Packard One Stop - 2100 S. Packard Drive
- 58 Thunderbird Club House - 4170 N. Packard Road
- 59 Aberdeen Complex - 600 Packard Drive

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>

# Departmental Highlights and Updates

The **Administration** staff of the Department of Public Works commits 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, daily we continue to process/pay/create purchase orders and inter-tribal documents as needed. There were 1,350 phone calls that came in to DPW for this quarter. We cross trained our Admin II with the Custodial III Admin in an effort to save money; this seems to be working out very well. Budget preparation is and has been in effect this quarter. Financial analysis projects also completed this quarter with Community Wells and Septic and Construction Plumbing.

Fleet is also part of the Administration department. Their main objective is to help departments with their vehicle needs, such as; purchasing a new vehicle, cleaning out the departments vehicle or signing out a loaner vehicle from the fleet that is housed directly at the Department of Public Works. The total number of fleet vehicles to date is 190 with 36 of the vehicles kept on site.

There have been 55 vehicle requests submitted and 70 vehicles cleaned this quarter. Numbers are rising due to the warmer temperatures. There has also been discussion on contracting with Lamers Bus Lines with Head Start instead of purchasing a new bus and selling our three (3) older busses. This is in the works to date.

# Departmental Highlights and Updates

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 108 work orders completed. In April we invoiced 53 customers, in May 34 customers were invoiced and as of June 23, 21 customers have been invoiced. (See attached Archibus spreadsheet for fine details)
- Work continues on the Oneida Housing Authority HUD Projects totaling 16 units.
- As of today, Oneida Plumbing has completed 50% of the OHA-Powless Street Project. \$29,000 was billed the 1<sup>st</sup> quarter and \$70,000 is being billed as of June 23, 2015. This project is fully funded through HUD.
- We currently have two of our plumbing employees working fulltime within the Community Wells & Septic Department.

# Departmental Highlights and Updates

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 237 work orders completed in April, May and June, 2015.

Our main issues and what we strive for, are completing all the work orders that come in, in a safe, timely and efficient manner as possible.

We have been preparing our budget for the new FY.

We also continue to monitor our monthly expenses.

# Departmental Highlights and Updates

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.

We moved a full time employee over to the Social Services Building, which was needed due to the number of people attending the Oneida Family Fitness Center. There is also a daycare facility at this location.

We have been working on the Budget for this quarter.

We continue to have aging employees in our department who cannot do the physical labor required and the hiring pool is very limited. We currently have a supervisor and a custodian on medical leave. We have also been dealing with a lot of turnover in our department.

# Departmental Highlights and Updates

## Custodial Cont.....

| PROJECT UPDATE   |  |
|--|--|
| Oneida High School and Elementary School year end class room cleaning. | Currently in the progress. This is an annual occurrence after each school year.  |
| ONES Stripping and finishing floors.                                   | Floors are being stripped and finished. Only half of the floors are stripped each year with the other half being deep cleaned and recoated.  |
| Social Services Building & NHC Stripping and finishing of hard floors. | We are 2/3 complete with this SSB project and 1/4 complete with the NHC project. The floors are taking longer than anticipated due to the length of time between finishing due to cost containment. It's harder to get the wax and sealer off when it's been on so long. |
| Equipment Tech Department  | DPW Custodial has been doing inventory on all our equipment. Once this is complete we will do an end of year inventory with accounting.  |

# Departmental Highlights and Updates

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.

We are the proud owners of 2 new Toro Groundmaster commercial mowers. These will improve the amount of large land parcels that we are able to cut.

We continue working on the Anna John demolition; the separation process is complete and we are hauling our refuse and concrete and filling the area with fill and top soil.

We leveled out the ONES parking lot and added gravel.

We had 18 employees attend mandatory training.

# Departmental Highlights and Updates

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.
- ❖ Tall Feather way has had some flooding issues in the month of June. CWS connected the pump to storm sewer pipe going west to alleviate flooding in the future.
- ❖ Three homes reported having no water.
- ❖ Removed 200 loads of sand out of the Borrow Pit Project and stock piled it on Adams Drive.
- ❖ In April, 2015 we had 7 frozen pipe issues and 7 homes with failing septic systems.

# Departmental Highlights and Updates

## Community Wells & Septic Cont.....

- ❖ One IHS Site complete along with the the old AJNH and clinic.
- ❖ 12 service calls
- ❖ Well drilling for Oneida Lake Project

| Project Updates          |   |
|--------------------------|---|
| Emergency Septic Service | 33 homes were served this quarter for emergency septic system repairs.  |
| IHS Scattered Sites      | 1 home complete with new septic system  |
| POWTS Data Base          | System has been installed and we are currently working on filing in the property profiles. We received training on the database unit. |
| Well and Water Sampling  | 13 homes  |

# Departmental Highlights and Updates

## *Community Wells & Septic Cont...*

| PROJECT UPDATE                 |   |
|--------------------------------|---|
| Emergency Septic System Repair | 5 homes served for emergency septic system, frozen mounds and 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.       |
| Oneida Lake Project            | Drilled a new well for the lake site future rest rooms.   |

# Departmental Highlights and Updates

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.

- ❖ One of the two vacant positions was posted and filled in April. The other vacant position was posted the week of June 22, 2015. These vacancies have hampered our efforts to respond to all work requests in a timely manner and to keep up with the preventative maintenance needs of the facilities.
- ❖ The warm weather in the summer months creates a demand on the air conditioning systems and any system failures need to be addressed asap by our short staffed crew. In some buildings such as Social Services, window units have to be installed in each office which requires additional manpower and/or overtime to accomplish this task.
- ❖ The Facilities Department continues to be involved in the budget process by leading the Workforce Development Budget Team. Recommendations from these teams were to have LOC work on the Employment Law and proceed with implementation and also to address whether the various department leases with DOLM could be re-evaluated for a more streamlined system.
- ❖ Training- 8 attended Asbestos Training. 15 attended Lift Training. 5 attended Misc training.

# Facilities Cont...

| PROJECT UPDATES              |  |
|------------------------------|--|
| Elevator Modernization       | Involves changing doors to elevator, block work around the elevator, adding safety devices, upgrading interior. Electrical upgrade was needed. Involved in this project, MIS, UPS installation, and Cannery.   |
| Security Camera Installation | Cameras have been installed throughout the Turtle School, High School and NHC exterior. Large monitors were installed in each of the main offices and old cameras were removed.  |
| 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. This is a joint project with the Utilities Department. |

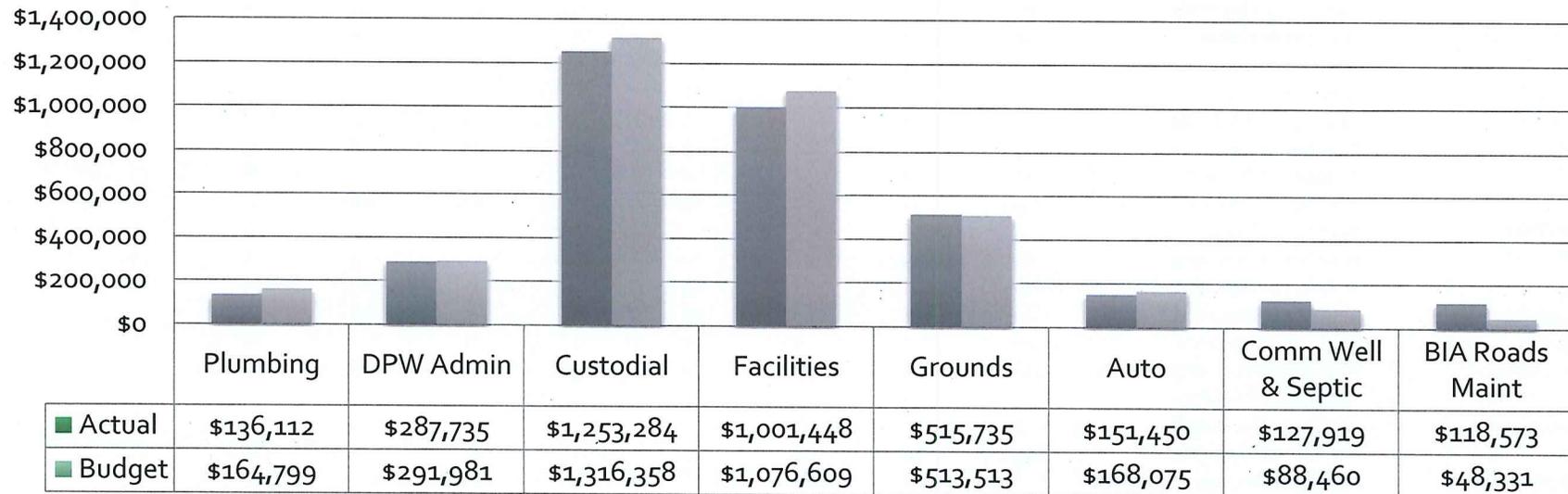
# Departmental Highlights and Updates

## Facilities Cont...

| PROJECT UPDATES       |  |
|-----------------------|--|
| LBDC Remodel Interior | Addressed walls and ceiling where water damage occurred due to leaks in the roof. Removed fountain from atrium to create useable meeting space. Re-carpeted hallways throughout the building. Installed new fixtures and computer cabling. |
| Oneida Nation Farm    | Upgraded electrical for cattle shed and added new service and feeder for well and pump house.  |
| Norbert Hill Center   | Pond pump house electrical upgrades.   |

# DPW FINANCIALS

**\*Revised YTD thru February 2015 Actuals Compared to Budget 6/19/15  
DPW Division Financials  
Actual to Budget  
YTD thru February 2015**



**\*Revised CW&S 2nd Qtr Actuals compared to Budget**

YTD DPW has an overall positive variance.

Actual: \$3,592,256  
Budget: \$3,668,126  
Variance: \$75,870

# Archibus Work Order Report

As of 6.23.15

| Problem Type     |                    | Month |         |         |         |         |         |         |         |         |         |
|------------------|--------------------|-------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
|                  |                    | Total | 2014-10 | 2014-11 | 2014-12 | 2015-01 | 2015-02 | 2015-03 | 2015-04 | 2015-05 | 2015-06 |
| Total            | Number of Requests | 1,728 | 208     | 135     | 145     | 243     | 169     | 236     | 218     | 235     | 139     |
| BLINDS           | Number of Requests | 5     |         |         |         |         | 1       | 1       | 2       | 1       |         |
| CARD ACCESS      | Number of Requests | 25    | 4       |         |         | 1       |         | 4       | 3       | 11      | 2       |
| CLEANING         | Number of Requests | 42    | 1       | 1       |         |         | 5       | 24      | 6       | 4       | 1       |
| CONSTRUCTION     | Number of Requests | 5     | 1       |         | 1       | 1       |         | 1       | 1       |         |         |
| COOLER/FREEZER   | Number of Requests | 17    | 3       | 3       | 2       | 1       |         | 1       | 3       | 2       | 2       |
| DAMAGE           | Number of Requests | 7     | 2       | 1       |         |         |         | 1       | 2       | 1       |         |
| DOOR-LOCKS-KEYS  | Number of Requests | 53    | 13      |         | 2       | 6       | 9       | 6       | 9       | 4       | 4       |
| ELECTRICAL       | Number of Requests | 93    | 1       | 1       | 3       | 35      | 20      | 11      | 6       | 7       | 9       |
| ELECTRICAL PROB  | Number of Requests | 38    | 2       | 1       |         | 19      | 4       | 3       |         | 2       | 7       |
| FINISHES         | Number of Requests | 2     | 1       |         |         | 1       |         |         |         |         |         |
| FIRE SUPPRESSION | Number of Requests | 2     |         |         | 1       |         |         |         |         |         | 1       |
| FLOORING/CEILING | Number of Requests | 14    | 1       |         | 1       | 1       | 3       | 4       | 1       | 1       | 2       |
| FURNITURE RELAT  | Number of Requests | 157   | 18      | 14      | 9       | 11      | 15      | 28      | 22      | 22      | 18      |
| FOUNDATIONS      | Number of Requests | 60    | 2       |         | 1       |         |         |         | 8       | 43      | 6       |
| HVAC             | Number of Requests | 225   | 27      | 27      | 20      | 45      | 26      | 26      | 23      | 18      | 13      |
| HVAC - INSTALL   | Number of Requests | 4     |         |         |         | 1       |         |         | 2       | 1       |         |
| HVAC-PM          | Number of Requests | 54    | 5       | 1       | 1       | 26      |         | 9       | 6       | 3       | 3       |
| LIGHTING         | Number of Requests | 114   | 15      | 10      | 13      | 17      | 13      | 13      | 14      | 9       | 10      |
| MAINTENANCE      | Number of Requests | 313   | 52      | 39      | 46      | 30      | 24      | 28      | 43      | 34      | 17      |
| OFFICE MOVE      | Number of Requests | 25    | 5       | 1       | 2       | 1       | 2       | 7       | 5       | 1       | 1       |
| OTHER            | Number of Requests | 232   | 30      | 17      | 24      | 19      | 23      | 27      | 28      | 44      | 20      |
| PAINT            | Number of Requests | 7     | 1       |         | 2       |         |         | 1       | 2       | 1       |         |
| PARKING LOT      | Number of Requests | 4     |         |         |         |         |         | 1       | 1       | 2       |         |
| PLUMBING         | Number of Requests | 145   | 14      | 14      | 7       | 21      | 18      | 17      | 19      | 15      | 20      |
| PREVENTIVE MAINT | Number of Requests | 2     | 1       | 1       |         |         |         |         |         |         |         |
| REMODELING       | Number of Requests | 6     | 1       |         |         |         | 1       | 2       | 2       |         |         |
| RODENTS-INSECTS  | Number of Requests | 29    | 1       |         |         | 2       | 5       | 12      | 7       | 2       |         |
| ROOF             | Number of Requests | 6     | 1       |         | 2       | 1       |         |         | 1       | 1       |         |
| SAFETY           | Number of Requests | 7     | 1       | 2       |         | 1       |         | 2       |         | 1       |         |
| SECURITY         | Number of Requests | 7     | 2       |         | 1       | 2       |         | 2       |         |         |         |
| SIGNS            | Number of Requests | 3     | 1       |         |         |         |         | 1       | 1       |         |         |
| SPECIAL EVENT    | Number of Requests | 15    |         | 2       | 6       |         |         | 3       | 1       | 1       | 2       |
| TABLES-CHAIRS    | Number of Requests | 7     | 2       |         | 1       |         |         |         |         | 3       | 1       |
| UNUSUAL NOISE    | Number of Requests | 1     |         |         |         | 1       |         |         |         |         |         |
| UNUSUAL SMELL    | Number of Requests | 2     |         |         |         |         |         | 1       |         | 1       |         |

# Oneida Business Committee Agenda Request

1. Meeting Date Requested: 07 / 08 / 15

## 2. General Information:

Session:  Open  Executive - See instructions for the applicable laws, then choose one:

Agenda Header:

Accept as Information only

Action - please describe:

Motion to Accept the Utilities Department FY'15 3rd Qtr Report-Mandatory Direct Report

## 3. Supporting Materials

Report  Resolution  Contract

Other:

1.

3.

2.

4.

Business Committee signature required

## 4. Budget Information

Budgeted - Tribal Contribution

Budgeted - Grant Funded

Unbudgeted

## 5. Submission

Authorized Sponsor / Liaison:

Primary Requestor:

Scott Cottrell, Manager

Your Name, Title / Dept. or Tribal Member

Additional Requestor:

\_\_\_\_\_  
Name, Title / Dept.

Additional Requestor:

\_\_\_\_\_  
Name, Title / Dept.

# Utilities Department

Scott Cottrell, Manager

**3rd Quarter – April –June 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

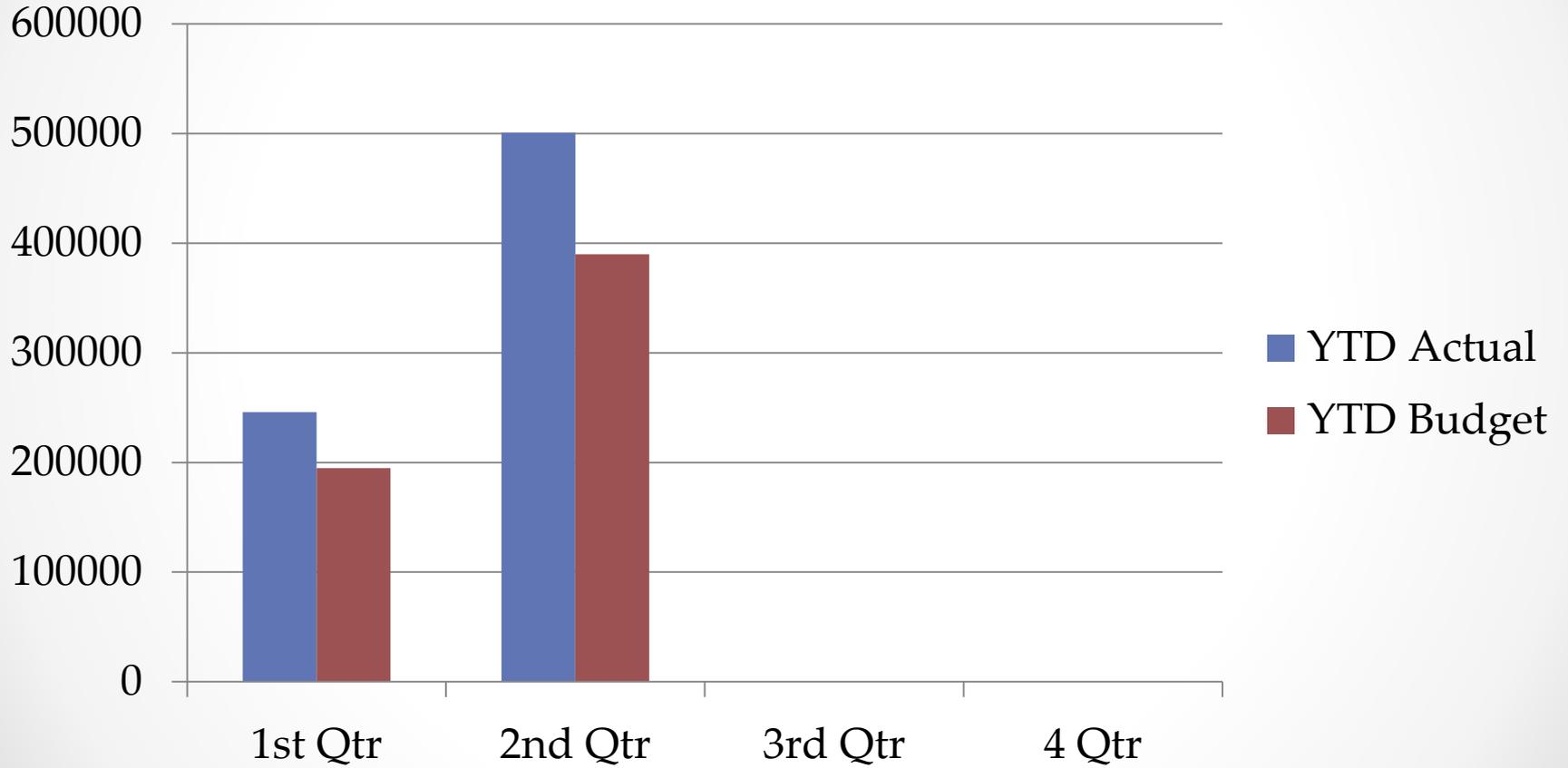
## Utilities Department– Quarterly report

- Utilities Department is currently operating at a (pending) variance for the 3rd Qtr.. of FY'15

### Major Variances:.

- Depreciation Buildings/Infrastructure-Cant do anything about this one
- Tribal Subsidies-Will be changing the age for Elder subsidy to 70 from 55 effective 7-1-15, also was added back into our budget FY'16
- Site II Water Main Break by DPW-Unexpected Emergency
- Site 1 Well Pump replacement-Unexpected Emergency
- Pavement replacement from water main break by Post Office/Little Bear that was unable previously due to weather
- Backup Generator repair-Unexpected Repair

## 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                   | 103                  |                      |
| Locate Requests-Diggers Hotline | 121                  | 79                   | 222                  |                      |
| Septic Pumping's                | 167                  | 152                  | 155                  |                      |
| Non Payment Disconnections      | 7                    |                      | 7                    |                      |
|                                 |                      |                      |                      |                      |

**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).

Plugging at the Lift Stations appear to have been resolved. Will continue to monitor daily.

We need to get additional employees hired soon to be prepared and trained for possible retiree's in the near future. Vacant positions 0.

## **Projects:**

We were awarded a \$1.2 Million grant from EPA for the Water System Analysis Project. 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 during 4<sup>th</sup> Qtr.

Finance Committee approval to replace six existing lift station panels due to obsolete items in regards to our alarm and communication system has begun. 3 of the 6 Panels have been replaced and remainder are scheduled for 4<sup>th</sup> Qtr.

8 residential/OHA Internal units have been completed and added to our system during the 3rd Quarter with 1 additional unit still being constructed. 1 duplex to be added during 4<sup>th</sup> Qtr. 44 units are expected to be built in the coming years. These will all be located in the Elder Village Area.

We were awarded a \$148,000 grant from EPA for I & I (Inflow and Infiltration). Timeline yet to be established.

Proposed Rate Change  
has been approved by BC Resolution #05-13-15-D  
and will take affect on 10/1/2015

Water

| Meter size   | Current Flat Rate | 10/1/2015 change |
|--|-------------------|------------------|
| Residential 3/4"   | 13.36             | 14.96            |
| 1"   | 23.75             | 26.60            |
| 1 1/2"   | 53.43             | 59.84            |
| 2"   | 94.98             | 106.38           |
| 2 1/2"   | 148.41            | 166.22           |
| 3"   | 213.71            | 239.36           |
| 3 1/2"   | 290.88            | 325.79           |
| 4"   | 379.92            | 425.51           |
| In addition to the flat rates the following is added per metered usage |                   |                  |
| Current Variable Cost Per Thousand gallons used                        | 1.22              | 1.36             |
| Average (6600 gal) Residential Water                                   | 21.41             | 23.93            |

Sewer

| Meter size   | Current Flat Rate | 10/1/2015 Change |
|--|-------------------|------------------|
| Residential 3/4"   | 17.76             | 19.89            |
| 1"   | 31.57             | 35.36            |
| 1 1/2"   | 71.04             | 79.56            |
| 2"   | 126.3             | 141.46           |
| 2 1/2"   | 197.34            | 221.02           |
| 3"   | 284.17            | 318.27           |
| 3 1/2"   | 386.78            | 433.19           |
| 4"   | 505.19            | 565.81           |
| In addition to the flat rates the following is added per metered usage |                   |                  |
| Current Variable Cost Per Thousand gallons used                        | 2.15              | 2.25             |
| Average (6600 gal) Residential Sewer                                   | 31.95             | 34.74            |

## Summary:

- BC Resolution #05-13-15-D was approved for Rate Increase of 12% effective 10/1/2015
- Tribal Subsidy Elder Rate will change from 55 to 70 years of age to be consistent with the Elder Service Program.
- Need to prepare for employee's that are nearing retirement and to have new employee(s) trained to fill the position(s).
- Unexpected Emergencies-Site II Water main break, Site 1 Well Pump and Backup Generator Repair.

### Oneida Business Committee Agenda Request

1. Meeting Date Requested: 06 / 30 / 15

2. General Information:

Session:  Open  Executive - See instructions for the applicable laws, then choose one:

OHA Quarterly Report

Agenda Header: Reports- Oneida Housing Authority Quarterly Report

Accept as Information only

Action - please describe:

3. Supporting Materials

Report  Resolution  Contract

Other:

1. OHA Quarterly Direct Report - Memorandum

3.

2.

4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution  Budgeted - Grant Funded  Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor:

Dale Wheelock, Executive Director Oneida Housing Authority

Your Name, Title / Dept. or Tribal Member

Additional Requestor:

Name, Title / Dept.

Additional Requestor:

Name, Title / Dept.

## Oneida Business Committee Agenda Request

### 6. Cover Memo:

Describe the purpose, background/history, and action requested:

Attached is the Oneida Housing Authority - Direct Report for the Quarter Ending June 30, 2015.

- 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](mailto:BC_Agenda_Requests@oneidanation.org)



# ONEIDA HOUSING AUTHORITY

P. O. BOX 68  
 ONEIDA, WISCONSIN 54155  
 (920) 869-2227  
 (920) 869-2836 FAX

## Memorandum

To: Oneida Business Committee/Tribally Designated Housing Entity

From: Dale Wheelock, Executive Director Oneida Housing Authority *D.W.*

Date: June 30, 2015

Subject: **OBC Direct Reports – Oneida Housing Authority**

### Demographic Information:

The Oneida Housing Authority housing stock as of June 30, 2015 includes;  
 56 Homeownership units (3 homeownership units were conveyed in the last quarter)  
 291 Rental units

3 Home Grant units

**Total 350 units.**

**The number of persons served each month this quarter is 1,151.**

The occupancy rate is **96%** of all the housing stock that is available at the Oneida Housing Authority. Vacant units reflect move outs and maintenance /or rehabilitation of the units to bring them up to occupancy standards.

The workforce for Oneida Housing Authority is 39 employees of whom 31 are enrolled Oneida Tribal members, 2 other native, and 6 non-native. There are 2 vacant OHA positions; Office Manager, and Carpenter that have not been filled due to previous cost containment measures. The Oneida Housing Authority is 100% funded by the Department of Housing and Urban Development. The revenue stream comes from rent receipts, homebuyer payments and annual HUD Indian Housing Block Grant and competitive Indian Community Development Block Grants (ICDBG). There are two open infrastructure ICDBG grants; Elder Village and Uskah Village.

### Administration:

The Oneida Housing Authority is in receipt of Housing and Urban Development (HUD) estimated FY 2016 Grant of \$3,841,554. This amount is subject to repayments and adjustments but is very useful in developing the FY 2016 Indian Housing Plan.

Key activities for the past quarter include;

- Oneida Housing Authority (OHA) provided the Tribally Designated Housing Entity (TDHE) two days of on-site HUD training in April regarding TDHE responsibilities, eligible activities under NAHASDA and housing opportunities. HUD staff providing the training that was very informative in responding to Tribal questions regarding NAHASDA. The Executive Director attended HUD sponsored training for Housing Executive Director's in May covering NAHASDA regulations and the new 2 CFR Part 200 regulations. Administration staff has been working on developing the OHA budget and Indian Housing Plan for FY 2016 this past quarter.
- Old Internal Audit High Risk Finding has been unresolved for years and has been researched by the executive director to resolve those findings. The Executive Director has submitted an Action Plan to resolve those finds to the Oneida Business Committee on June 24, 2016. No action was taken on the action plan at the OBC meeting and sent the action plan back to Internal Audit for comments.
- OHA administration has maintained positive communication and relationships with the Chicago HUD grant staff during the quarter.
- OHA Policies, Procedures and Standard Operating Procedures (SOP's) continue to be reviewed and evaluated for modification to improve rental and home ownership lease agreements as well as improve the efficiency of SOP's. To accomplish this task OHA has on staff a Vista volunteer Attorney and a Para-Legal from the Internal Services Division .

#### **New Construction Development:**

- Oneida Development Division has oversight and control of all OHA construction projects. The Project Manager has been working closely with OHA staff to ensure the construction projects at Green Valley, Elder Village and Uskah Village proceed on schedule. OHA has provided guidance to the Development Division regarding HUD requirements such as procurement and changes in HUD requirements by the 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, Final Guidance.
- In May, OHA completed the process of insurance on units under construction through AmerInd Insurance at Green Valley and Elder Village.
- OHA is in the process of completing the landscape work at the FY 2010 504 Compliant (5 duplexes) units at Green Valley.

The Development Division has a more detailed report on the infrastructure at Elder Village and Uskah Village and construction projects being worked on at Green Valley, Elder Village and Uskah Village.

## Oneida Business Committee Meeting Agenda Request Form

1. Meeting Date Requested: 07 / 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):

\_\_\_\_\_  
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)



# FY15 Third Quarter Report



Oneida Environmental, Health, and Safety Division

June 30, 2015

2 | EHSD FY15 Third Quarter Report

**Overall Impressions of the Third Quarter**

Our On^yote?a.ka Lake Opening on Saturday, May 16, 2015 was well attended. We would like to thank Health Promotions, Experiential Therapy, Engineering, ERB, Land Commission, DOLM, Parks, DPW, Finance Office and the Business Committee along with our EHSD Teams for their contribution in planning and carrying out this event. It is our hope to finalize the installation of the boat landing, fishing piers, and Restroom/changing Area for Phase I of the On^yote?a.ka Lake yet this year.

We received a grant from the Fox River/Green Bay Natural Resources Damage Assessment Co-Trustee Group for planning and designing Phase II of On^yote?a.ka Lake. We will then be able to develop a grant application to complete Phase II adding an additional 18 acres or so of water and other fishery amenities.

We completed our second edition of Our Natural Areas & Trails Guide. The Guide highlights a numbers of opportunities to use our natural areas, interact with nature, gain new respect and knowledge of natural systems, and encourage families to participate in an active lifestyle.



Top: People walking around the 0.3 hiking trail. Bottom left: Canoeing was offered by Adventure Program. Bottom right: Fish release.

**Moving Toward the Practical Vision: How EHSD contributes...**

| Practical Vision Element                   | EHSD Third Quarter Activities   |
|--|---|
| An engaged community                       | Water quality education field trip with Oneida high school students                         |
| Accountable & effective government         | Contributing to budget teams  |
| Leaders who promote positive social change | HRA readiness in the workplace project  |
| Living a good mind, Ka^nikuh=iyoo          | Collaboration with several departments for the On^yote^aka Lake Opening Ceremony            |
| Volunteerism                               | EHSD Women's Hunter Recruitment volunteer mentors. Mentors helped new hunters in the field. |
| Long term sustainability plans             | EHSD provided food safety course for participants in the food sovereignty grant             |
| Create economic systems                    | EHSD within budget and is 44% outside funded for third quarter.                             |



**April**

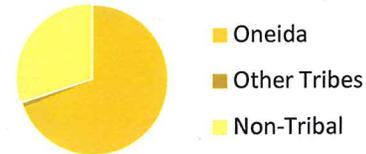
EHSD held an underground storage tank (UST) training. The trailer was used for solar energy outreach, but has been repurposed to provide UST outreach.



## 3 | EHSD FY15 Third Quarter Report

## Personnel

| FTE's | Youth Workers                                 | WTCAC Volunteers | Total |
|-------|---|------------------|-------|
| 29    | 5<br>(1-JTPA<br>1-Intern<br>3-DNR<br>workers) | 2                | 36    |

Third Quarter EHSD Workforce Demographics  
69% of EHSD staff is Oneida

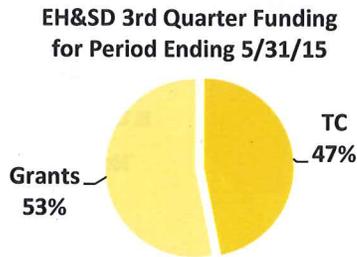
## Time-Off Accrual Management

We have 8 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.

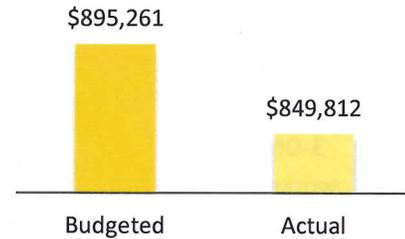
## Travel &amp; Training

| EHSD Travel for 3rd Quarter  |  |                  |         |
|--|--|------------------|---------|
| Travel costs were either reimbursed back to the tribe or funded with 100% grant dollars. |  |                  |         |
| EH&S Division Director   | WTCAC Meeting  | Gresham, WI      | No Cost |
| Environmental Specialist   | Tribal Waste & Response Assistant Program Meeting                                  | Minneapolis MN   | \$348   |
| En.v Area Manager  | EPA Tribal Env. Program Mgmt Conference  | Chicago, IL      | \$1,060 |
| Program Evaluation Analyst   | EPA Tribal Env. Program Mgmt Conference  | Chicago, IL      | \$1,060 |
| Environmental Specialist   | EPA Tribal Env. Program Mgmt Conference  | Chicago, IL      | \$1,318 |
| Water Resource Supervisor  | EPA Tribal Env. Program Mgmt Conference  | Chicago, IL      | \$678   |
| Council Member   | EPA Tribal Env. Program Mgmt Conference  | Chicago, IL      | \$776   |
| Environmental Specialist   | 4th Annual Partners In Action Conference   | Wisc. Dells, WI  | \$520   |
| Env Area Manager   | 4th Annual Partners In Action Conference   | Wisc. Dells, WI  | \$463   |
| Senior Attorney  | 4th Annual Partners In Action Conference   | Wisc. Dells, WI  | \$463   |
| Reality Specialist Coordinator   | 4th Annual Partners In Action Conference   | Wisc. Dells, WI  | \$463   |
| Water Resource Supervisor  | Society for Fresh Water Science Annual Meeting                                     | Milwaukee, WI    | \$1,198 |
| Program Evaluation Analyst   | American Evaluation Association 2015 Summer Evaluation Institute                   | Atlanta, GA      | \$1,548 |
| Env. Area Manager  | 2nd National Tribal Natural Resources Damages, Assessment & Restoration Conference | Mt Pleasant, MI  | \$234   |
| Program Manager  | 2015 Tribal Energy Program Review  | Denver, CO       | \$1,092 |
| Program Manager  | Teaching Wisconsin Wildlife Class  | Sturgeon Bay, WI | \$152   |

**Budget Update**



**EH&SD Has a Positive Variance for Period Ending 5/31/15**

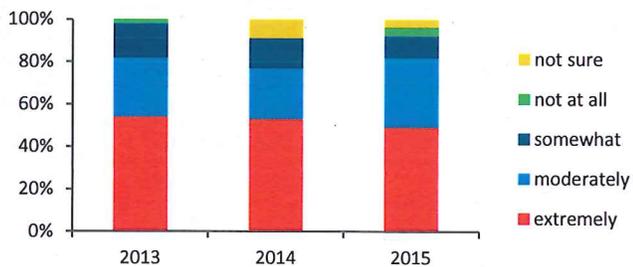


| Grants Applied for or Received in the 3rd Quarter |                            |             |
|---|----------------------------|-------------|
| Agency  | Activities                 | Amount      |
| BIA Environmental Cultural Project                | Finish BP Hilltop clean-up | \$44,000.00 |

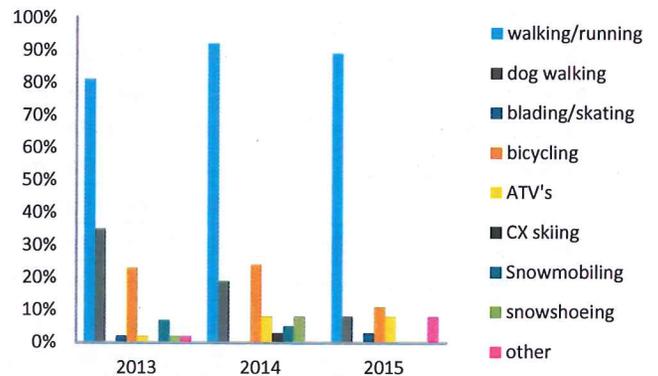
**Program Evaluation**

For the past three years, EHSD has collected survey information at the Youth & Elder Fishing Day Event. Some of the data highlights include;

**Figure 1. How important is it for you to be able to fish within the reservation boundaries?**  
Fishing on the reservation is **extremely important** to about half the people surveyed each year

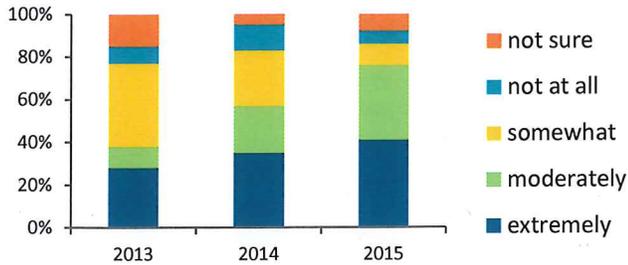


**Figure 4. Which activities do you use the trails for?**  
**Walking & running** are the most common trails uses

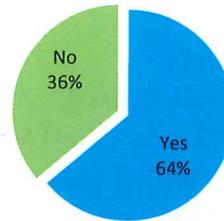


**May**  
EHSD and NEW Waters provide water quality education to about 100 ONHS and 100 W. Depere students at Pamperin Park.

**Figure 2. How important is it for you to be able to find wild onions, bergamot (#6), and other cultural significant plants within the reservation boundaries?**  
The importance has increased since 2013



**Figure 3. Would you like to see Youth & Elder Fishing Day moved to On^yotea ka Lake?**



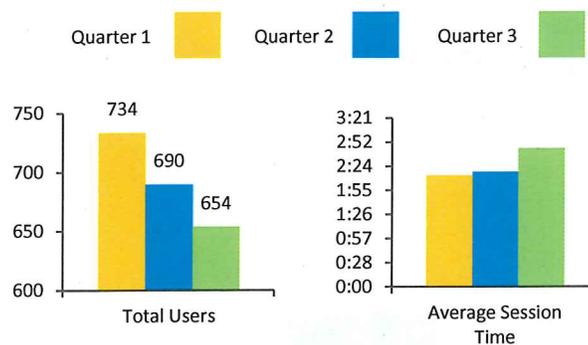
This data set is not statistically significant. We need to collect more answers to this question before we can make a decision. To be representative of tribal members living in the area:  
5% margin of error= 365 respondents  
7% margin of error= 196 respondents

**Public Outreach**

- May 7:** EHSD collaborated with NEW Waters to provide water quality education at Pamperin Park for ONHS and West Depere High School. Approximately 100 students participated.
- May 16:** On^yote?a.ka Lake Opening, over 200 people attended.
- May 30:** 16<sup>th</sup> Annual Youth & Elder Fishing Day, 164 participants
- May:** Underground Storage Tank Training was featured in "This Week in Oneida".
- June 3:** Household Annual Clean Sweep, 428 people participated, (100 for elder pick-up, 328 at event). Tonnage and waste breakdown will be available in the fourth quarter report.

**Figure 4. Social Media**

Total web site users decreased in Q3. The average session time increased. Our Facebook rating is currently 4.6 out of 5.



### Technology & Equipment

Purchased additional equipment for Adopt-A-Highway activities.

### Notable Accomplishments

- On^yote?a.ka Lake Opening
- 2015 updated Oneida Natural Areas & Trails book completed
- Annual NE DNR Region/ Oneida EHSD management team meeting
- OPD shooting range lead (Pb) clean up
- Presented to Department of Energy regarding our Solar Deployment on Tribal Facilities Work Plan, 200 people attended.
- Completed Adopt-A-Highway activities along Hwy 54 corridor through Oneida. Cooperating with Oneida youth volunteer program.
- Hosted Underground Storage Tank Training
- Training organized for EHSD/DOLM collaborative learning efforts: Oneida History Class (17 attended), Photography Class (15), History of Oneida Law Class (19).

### Plans for Fourth Quarter

Installation of the boat landing , fishing piers, and Restroom/changing Area at On^yote?a.ka Lake.

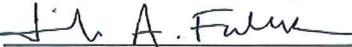
### Current local or regional collaborations

WDNR, RC&D, Outagamie Health and Human Services, Youth & Family Services, NWTC, USFWS, Brown County, UW-Superior, Clemson University, EPA Region 5 Office.

### Report Prepared By:

 June 29, 2015

Patrick Pelky, EHSD Director

 June 29, 2015

Jennifer Falck, Program Evaluation Analyst



#### May

Over 164 people attend Youth & Elder Fishing Day this year.



#### June

428 participated in the Annual Household Clean Sweep



#### June

EHSD worked with Oneida youth to complete Adopt-A-Hwy activities along Hwy 54.

# Oneida Business Committee Agenda Request

1. Meeting Date Requested: 07 / 08 / 15

## 2. General Information:

Session:  Open  Executive - See instructions for the applicable laws, then choose one:

Agenda Header:

Accept as Information only

Action - please describe:

DOLM is requests deferral to the next OBC meeting for their quarterly report.

## 3. Supporting Materials

Report  Resolution  Contract

Other:

1.

3.

2.

4.

Business Committee signature required

## 4. Budget Information

Budgeted - Tribal Contribution

Budgeted - Grant Funded

Unbudgeted

## 5. Submission

Authorized Sponsor / Liaison:

Primary Requestor:

Lori Elm, DOLM Office Manager  
Your Name, Title / Dept. or Tribal Member

Additional Requestor:

\_\_\_\_\_  
Name, Title / Dept.

Additional Requestor:

\_\_\_\_\_  
Name, Title / Dept.

## Oneida Business Committee Agenda Request

### 6. Cover Memo:

Describe the purpose, background/history, and action requested:

DOLM request a deferral to the next OBC meeting for their quarterly report.

Pat Pelky will not be available for the upcoming OBC meeting and would like to be there to present.

Also there was a request made at the June 24th OBC meeting, when the Land Commission Report was presented and DOLM would like an opportunity to provide and update on this information to the OBC, in this report.

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](mailto:BC_Agenda_Requests@oneidanation.org)

# Oneida Business Committee Agenda Request

1. Meeting Date Requested: \_\_\_ / \_\_\_ / \_\_\_

## 2. General Information:

Session:  Open  Executive - See instructions for the applicable laws, then choose one:

Agenda Header:

Accept as Information only

Action - please describe:

AJRCCC Board 3rd Quarter Report

## 3. Supporting Materials

Report  Resolution  Contract

Other:

1.

3.

2.

4.

Business Committee signature required

## 4. Budget Information

Budgeted - Tribal Contribution  Budgeted - Grant Funded  Unbudgeted

## 5. Submission

Authorized Sponsor / Liaison:

Primary Requestor: Jacob Metoxen Chairman AJRCCC  
Your Name, Title / Dept. or Tribal Member

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

## Oneida Business Committee Agenda Request

### 6. Cover Memo:

Describe the purpose, background/history, and action requested:

Attached is AJRCCC 3rd Quarter Report

- 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](mailto:BC_Agenda_Requests@oneidanation.org)

**Anna John Resident Centered Care Community Quarterly Report to OBC**

**July 2015**

**For the months of April, May, June 2015**

**Submitted by: Jacob Metoxen**

The purpose of the Anna John Resident Centered Care Community (AJRCCC) is to service in an advisory capacity ensuring operations of AJRCCC are within the guidelines and policies of the Oneida Tribe of Indians of Wisconsin and within all regulations, rules, policies governing the operation of a nursing home.

The Boards ensures the AJRCCC maintains a safe and sanitary environment while providing quality care and services to residents of the facility and as ordered by each resident's attending physician.

**Anna John Nursing Home Commission Members**

**Chairman: Jacob Metoxen**

**Vice Chair: Vacant**

**Secretary: Tracy Smith**

**Carol Elm**

**Patricia Powless**

**Yvonne Cornelius**

**Patricia Moore**

Resident Census – April 37.2, May 37.9,

(Maximum is 48 beds)

**Highlights**

- Shower floor construction has begun to alleviate drainage issue, should be complete by mid-July. Currently 14 out of the 18 showers are completed.
- As of May, the AJRCCC occupancy rate was at 80%, staff is looking into what specific statistics can be shared in compliance with HIPPA laws.
- Current staffing statistics are as follows: 37 staff, 8 Oneida, 4 Other tribe, 1 Asian, 24 Caucasian.
- Staffing concerns by community member have been addressed regarding assistant to AJRCCC Administrator. Position was put into 2016 budget and job description for position is expected to be finalized in the 4<sup>th</sup> quarter 2015.
- New census reporting was requested and is being researched based on ability for AJRCCC to provide requested information. Information requested includes: average age of residents, veteran status, average length of stay.
- One continual complaint that has yet to be addressed in the issue of phones not being answered. Multiple community members have brought up that they have called the AJRCCC only to have the phone ring continuously. One suggestion is having voicemail set up for AJRCCC.

- Goals for AJRCCC include: increasing participation with community programming and having a day set aside for AJRCCC to participate in activity with residents.
- Congratulations to Kitty Melchert for accepting the LPN position at the AJRCCC. With the acceptance of the new position, Kitty has put in for resignation from the AJRCCC Committee Board.

## Oneida Business Committee Agenda Request

1. Meeting Date Requested: 07 / 08 / 15

### 2. General Information:

Session:  Open  Executive - See instructions for the applicable laws, then choose one:

Agenda Header:

Accept as Information only

Action - please describe:

### 3. Supporting Materials

Report  Resolution  Contract

Other:

1.

3.

2.

4.

Business Committee signature required

### 4. Budget Information

Budgeted - Tribal Contribution

Budgeted - Grant Funded

Unbudgeted

### 5. Submission

Authorized Sponsor / Liaison:

Primary Requestor: Dale Powless, Chair-Child Protective board  
Your Name, Title / Dept. or Tribal Member

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

## Oneida Business Committee Agenda Request

### 6. Cover Memo:

Describe the purpose, background/history, and action requested:

Needing approval of the Oneida Child Protective Board Quarterly Report

Period: April, May June 2015

Third Quart report due June 30, 2015

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](mailto:BC_Agenda_Requests@oneidanation.org)

Oneida Child Protective Board Quarterly Report  
For Oneida Business Committee  
Period: April, May June 2015  
Third Quart report due June 30, 2015

**ONEIDA CHILD PROTECTIVE BOARD**

Dale Powless, Chairwoman  
Lois Strong, Vice Chairwoman  
Jeanette Ninham, Secretary  
Beverly Anderson, Member

Wesley Martin, Member  
Carol Silva, Member  
Beverly Skenandore, Member  
Lisa Summers, OBC Liaison

Michelle Mays, Attorney

Pat Garvey, Attorney

**MISSION:** To secure a stable environment that includes the physical, mental, cultural and financial well-being of Oneida children.

**PURPOSE:** In accordance with the Indian Child Welfare Act, 25 U.S.C. 1901, etseq. , the purpose of the Board is to protect the best interest of Oneida children and to promote the stability and security of Oneida families. When placements of such children in foster or adoptive homes or facilities are necessary, these homes must reflect the unique values of Indian culture. For this purpose, the Board may intervene in federal, state, and county courts concerning the following proceedings: foster care placement, termination of parental rights, pre-adoptive placement, adoptions and out of home placements.

**MEETING REQUIREMENTS**

Oneida Child Protective Board meets weekly and by special requests from family members, counties departments, or community members.

**MINUTES**

Due to confidentiality nature of minors, all minutes are kept in locked fireproof file cabinet.

**FINANCIALS**

The OCPB is on schedule with meeting our financial goals. The board is on budget at this time.

Dale Powless and Wes Martin attended the 2015 NICWA Annual Conference in Portland Oregon April 19-23, 2015.

Oneida Child Protective Board Quarterly Report  
For Oneida Business Committee  
Period: April, May June 2015  
Third Quart report due June 30, 2015

Jeanette Ninham, Beverly Skenandore and Beverly Anderson attended Crimes against Children in Carlton MN April 28-30, 2015.

Lois Strong, Wes Martin & Dale Powless attended the Department of Children & Families/Tribal Consultation meeting at the Radisson, Green Bay on May 13, 2015.

Carol Silva, Lois Strong, Beverly Skenandore, Wes Martin, Dale Powless & Jeanette Ninham attended the 2015 Glance "From the Darkness into the light" at the Radisson on June 24, 25 & 26<sup>th</sup>.

### GOALS AND OBJECTIVES

- Facilitate appropriate training opportunities for OCPB members for certificate/report of completion per OCPB Bylaws.
- Develop working relationship and improve judicial relationships through meetings with tribal, state, and county personnel.
- Work in accordance with the Oneida Law Office and Tribal Social services to enforce the provisions of the Indian Child Welfare Act.

### COMMENTS

- The Policy Statement resolution changes to the placement for Oneida Children for the Oneida Child Protective board have been approved by the Business Committee.
- Provided Expert Witness Testimony in Milwaukee June 8 & June 22, 2015 for an ICW hearing.
- Presently reviewing the bylaws for any needed revisions.
- The counties are currently paying anywhere from \$800 to \$1,800 per child, per month for out-of-home placement. In addition, all families with adopted Oneida children receive a special needs stipend of about \$750 a month until the child reaches 18 years of age. What is the strategic plan for the Oneida Tribe to budget for these expenses when the tribal judicial

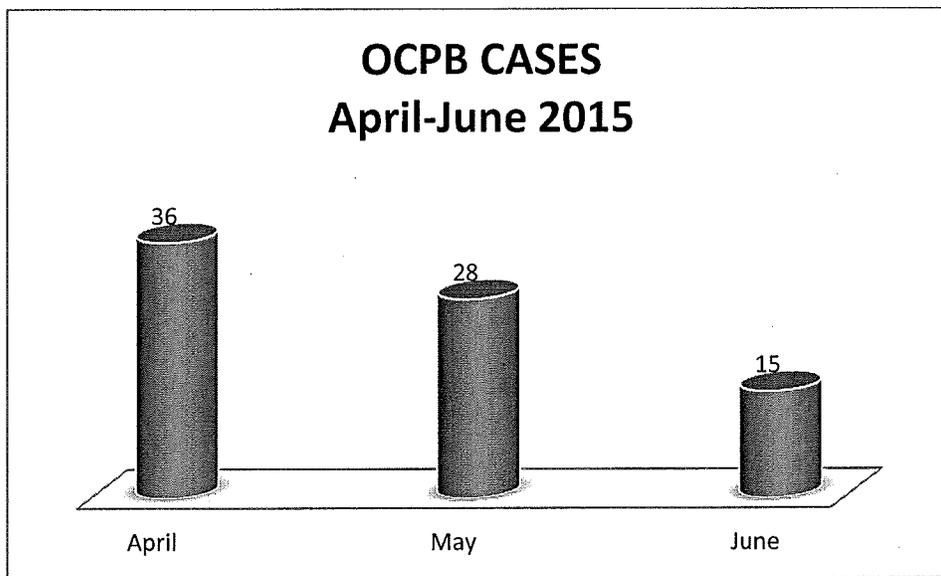
Oneida Child Protective Board Quarterly Report  
 For Oneida Business Committee  
 Period: April, May June 2015  
 Third Quart report due June 30, 2015

system is implemented? This question was asked in our September 2014 report and to date there has been no response on a strategic plan. (Attached) In a recent article from the green bay press talked about how when the children are ageing out they will still be able to receive payments. What is the strategic plan for the Oneida Tribe to budget for these expenses when the tribal judicial system is implemented? The strategy would be Tribal Contribution funds with some funds from the Title IV program.

- The remainders listed are challenges that the OCPB is facing. OCPB intervenes in cases when an Oneida child is removed from the home. What is being done in the area of prevention and intervention to prevent removal of a child from a home? What role does the Oneida Indian Child Welfare play in the prevention and intervention phases of maintaining children with their families? The Board would like to see an emphasis on active efforts being made in the area of prevention and intervention. We will work toward addressing this need by consulting with Indian Child Welfare staff and county social workers to learn where their ideas are in this matter. One idea would be to change who is being removed from the home, customary has always been the children, maybe the parents should be the one being displaced.
- Currently all Oneida foster homes are full per the past foster care coordinator worker. Note: With the new worker we feel this will be better monitored. We need more Oneida Foster Homes to ensure that placements of our Oneida children follow the Indian Child Welfare Act (ICWA) mandates
- Under the Federal Register Vol. 80 No. 63//Thursday, April 2, 2015/Proposed Rules the “Department of children & families 45 CFR Part 1355, Adoption and Foster Care Analysis & reporting system posted, “However, we did not propose that title IV-E agencies report data in AFCARS on American Indian & Alaskan Native Children related to the Indian Child Welfare Act of 1978 (ICWA). In this notice, we are announcing that we intend to publish a supplemental notice of proposed rulemaking. (see attached)
- Menominee Fostering Futures Outcome is doing a Pilot Program on Trauma informed Care, we will be following up on this, this is a new wave of looking at our families and children.

Oneida Child Protective Board Quarterly Report  
For Oneida Business Committee  
Period: April, May June 2015  
Third Quart report due June 30, 2015

- The OCPB actively heard, discussed and recommended the best solution for cases that came before us. The following chart demonstrates the approximate number of cases for the quarter:



BROWN COUNTY

# Proposed \$1 million initiative would help foster youth

Most who age out of the system end up homeless or in jail

By Adam Rodewald  
Press-Gazette Media

A proposed \$1 million initiative hopes to bridge the gap between foster care and employment for one of Brown County's most vulnerable populations.

Nearly 40 percent of the young people who age out of foster care end up homeless, according to a 2012 U.S. Department of Health and Human Services report.

Nearly 60 percent of young men are convicted of a crime, and only 48 percent are employed, according to the report.

A task force led by the Bay Area Workforce Development Board spent much of the past year studying why so many foster graduates struggle.

The overarching issue is a lack of support for individuals who never had a stable family structure to turn to for help or teach them independent living skills, said Matt Valiquette, program operations manager for the workforce development board.

"What's lost on (foster youth) is someday they'll have to provide for themselves. How does one do that? You turn 18 and are emancipated from this program, and that's it. There is no wrap-around service. There is nothing else," Valiquette said.

The task force was funded by a \$25,000 grant from the Greater Green Bay Community Foundation, Valiquette said.

The group has applied for

» See YOUTH, A10

A10 » SUNDAY, MARCH 1, 2015 » GREEN BAY PRESS-GAZETTE » GREENBAYPRESSGA

## Youth

» From Page A1

a \$300,000 grant to continue its initiative for the next three years. Partnering agencies have committed an additional \$600,000, Valiquette said.

The money will fund a position that works with foster graduates. It will also pay for basic needs, such as transportation and housing, with the goal of helping the young adults find and retain employment. Some of the money will also go toward helping them attend some sort of post-secondary education.

"It's engaging them earlier and working with them later than we've been able to do before," said Ryan Good, director of foster care in Northeastern Wisconsin for the American Foundation of Counseling Services, one of the partnering agencies.

Most youth end up in foster care because of abuse and neglect, which often hinders their development. Although they're legally adults when discharged from the system at age 18,

## FOSTER CARE INITIATIVE

There are five primary partners working on the initiative to help individuals who age out of foster care. They are:

- » Bay Area Workforce Development Board
- » American Foundation of Counseling Services
- » Brown County Human Services
- » Advocates for Healthy Transitional Living
- » Court Appointed Special Advocates of Brown County

most are still at an early adolescent level in terms of maturity, Good said. Some are struggling with mental illness and disabilities.

"Most boys who come into our home are socially and emotionally not at peer level. Many come from trauma or homes in crisis. They have a lot of making up to do, and sometimes there just isn't time before they age out of the system," said foster parent Stephanie Hanchett, of Shawano.

Hanchett said she has fostered 30 teenagers.

Three of them aged out of the system, meaning they turned 18 and no longer qualified for services. They don't receive case management from a social worker, and foster parents have no ability to check up on them without consent.

There were 361 people who aged out of foster care in Wisconsin in 2013, according to the most recent data from the state Department of Children and Families.

"They have struggled in their relationships, struggled to keep work and struggled to keep their apartment. A couple have unfortunately ended up in the legal system — in jail and prison — which is unfortunate," Hanchett said.

Most foster graduates fall off the grid.

The workforce development board has a data management system ideal for tracking them and making sure they get help when they need it, Valiquette said.

By partnering with social services agencies, the board can connect with these young adults before they're on their own, he said.

"We've created an on-ramp through this partnership by funneling kids into this program who are at risk and putting them on the path (to employment)," he said.

—arodewal@pressgazette.com and follow him on Twitter @AdamGRodewald and on Facebook at Facebook.com/AdamGRodewald.



Dated: March 13, 2015.

William C. Early,

Acting Regional Administrator, Region III.

[FR Doc. 2015-07371 Filed 4-1-15; 8:45 am]

BILLING CODE 6560-50-P

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Administration for Children and Families

#### 45 CFR Part 1355

#### Adoption and Foster Care Analysis and Reporting System

**AGENCY:** Administration on Children, Youth and Families (ACYF), Administration for Children and Families (ACF), Department of Health and Human Services (HHS).

**ACTION:** Intent to publish a supplemental notice of proposed rulemaking.

**SUMMARY:** On February 9, 2015, the Administration for Children and Families (ACF) published a Notice of Proposed Rulemaking (NPRM) to amend the Adoption and Foster Care Analysis and Reporting System (AFCARS) regulations to modify the requirements for title IV-E agencies to collect and report data to ACF on children in out-of-home care and who were adopted or in a legal guardianship with a title IV-E subsidized adoption or guardianship agreement. However, we did not propose that title IV-E agencies report data in AFCARS on American Indian and Alaskan Native children related to the Indian Child Welfare Act of 1978 (ICWA). In this notice, we are announcing that we intend to publish a supplemental notice of proposed rulemaking (SNPRM), which will propose that title IV-E agencies collect and report additional ICWA-related data

elements in AFCARS. We will consider the public comments on that SNPRM (related to ICWA-related data elements) and the February 9, 2015 NPRM (related to all other data elements) and issue one final rule on AFCARS.

**DATES:** Effective April 2, 2015, ACF announces its intent to issue a SNPRM.

**FOR FURTHER INFORMATION CONTACT:** Kathleen McHugh, Children's Bureau, Administration on Children, Youth and Families, (202) 401-5789 or by email at [cbcomments@acf.hhs.gov](mailto:cbcomments@acf.hhs.gov). Do not email comments on the NPRM to this address.

**SUPPLEMENTARY INFORMATION:** The Children's Bureau (CB) issued a Notice of Proposed Rulemaking (NPRM) on February 9, 2015 (80 FR 7132) (hereafter referred to as the 2015 NPRM) to modify the requirements for title IV-E agencies to collect and report data to ACF on children in out-of-home care and who were adopted or in a legal guardianship with a title IV-E subsidized adoption or guardianship agreement with the title IV-E agency. In that NPRM, we proposed to revise and update the AFCARS regulations at 45 CFR 1355.40 *et seq.* and the appendices to part 1355. However, we did not propose data elements that would provide information in AFCARS on American Indian and Alaskan Native children related to the Indian Child Welfare Act of 1978 (25 U.S.C. 1901 *et seq.*) (ICWA).

We received comments to a previous NPRM and on a Federal Register Notice recommending data elements to address ICWA requirements. In the *Tribal Consultation Statement* section of the preamble to the 2015 NPRM, we acknowledged that we received comments asking for additional data elements that would address ICWA requirements and provide a comprehensive picture of the well-being of tribal children including: identifying whether a child is a member of an

Indian tribe and the name of the Indian tribe, tribal notification, whether a tribal title IV-E agency intervened in a state title IV-E agency case, cultural activities that the child is participating in while away from his or her parents, judicial findings of active efforts, and preferential treatment for tribal placement resources. However, we did not propose in the 2015 NPRM to collect information related to ICWA because the enabling statute for AFCARS (section 479 of the Social Security Act (the Act)) had been interpreted as limiting data collection to information related to the title IV-B and IV-E program requirements.

Upon further consideration following the publication of the 2015 NPRM, we have determined that there is authority under the statute (section 479(c) of the Act) to collect ICWA-related data in AFCARS. Specifically, the statute permits broader data collection in order to assess the current state of adoption and foster care programs in general, as well as to develop future national policies concerning those programs. However, the statute includes limits on this broad interpretation of section 479 of the Act that we must take into consideration when contemplating collecting data related to ICWA in AFCARS, including: data collected under AFCARS must avoid an unnecessary diversion of resources from child welfare agencies (see section 479(c)(1) of the Act) and must assure the reliability and consistency of the data (see section 479(c)(2) of the Act).

Dated: March 25, 2015.

Mark H. Greenberg,

Acting Assistant Secretary for Children and Families.

[FR Doc. 2015-07574 Filed 4-1-15; 8:45 am]

BILLING CODE 4184-01-P

# Oneida Business Committee Agenda Request

1. Meeting Date Requested: 07 / 08 / 15

## 2. General Information:

Session:  Open  Executive - See instructions for the applicable laws, then choose one:

Agenda Header:

Accept as Information only

Action - please describe:

## 3. Supporting Materials

Report  Resolution  Contract

Other:

1.

3.

2.

4.

Business Committee signature required

## 4. Budget Information

Budgeted - Tribal Contribution  Budgeted - Grant Funded  Unbudgeted

## 5. Submission

Authorized Sponsor / Liaison:

Primary Requestor: Laura Manthe, Director/Environmental Resource Board  
Your Name, Title / Dept. or Tribal Member

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

## Oneida Business Committee Agenda Request

### 6. Cover Memo:

Describe the purpose, background/history, and action requested:

Mandatory quarterly reporting.

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.

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## ***ENVIRONMENTAL RESOURCE BOARD***

***FY '15 3<sup>rd</sup> Quarter Report: April, May, June***

### ERB MEMBERSHIP

|                      |                            |                           |
|----------------------|----------------------------|---------------------------|
| Richard Baird, Chair | Marlene Garvey, Vice-Chair | Nicole Steeber, Secretary |
| Shawn Skenandore     | Ted Hawk                   | Gerald Jordan             |
| Al Manders           | Tom Oudenhoven             | Megan White               |

Oneida Business Committee Liaison: Councilman Tehassi Hill

### MINUTES

Action Taken April 2:

- Motion to approve concepts and draft letter of support for Foxtails Natural Area habitat improvement concepts.
- Motion support the Silver Creek (Bread Creek) watershed concepts/pilot projects recommended by EH&SD in coordination with external partners.
- Motion to support Richard Baird, Tom Oudenhoven, Nicole Steeber and Gerald Jordan for the ERB vacancies.
- Motion to approve ERB quarterly report.

Action Taken May 7:

- Motion to work with L.O.C. to complete the changes to the Hunting, Fishing, and Trapping Law as soon as possible.

Action June 10:

- Special meeting with Police Commission about monitoring and enforcement at the new **Onyota'a:ka Lake** and collaborating on trainings for hearings.

Hearing June 18:

- Citation hearing regarding violation of Domestic Animals Ordinance

### FINANCIALS

|                                    |              |
|------------------------------------|--------------|
| FY2015 Tribal Contribution -       | \$ 255,858   |
| Current Month Transactions – April | \$ 17,165.37 |
| Current Month Transactions – May   | \$ 16,572.57 |
| Current Month Transactions – June  | \$ TBD       |

Grant Contributions:

Safe Routes to School: \$343,100

## SUMMARY OF ACTIVITIES

- The ERB held a *citation hearing* June 18 to assist in enforcing health and safety measures for the Oneida community.
- Continued work on *Hunting, Fishing, and Trapping Law* to streamline law and separate policy making and management decisions from the law as coordinated by Oneida Law office. Coordination continues on a draft to deliver to the LOC for adoption.
- Project Manager Chad Wilson provided *extensive help to the Business Committee* for coordinating the general activities, meetings, minutes, packet planning, and other essential activities of the Business Committee.
- Advisory comments for EH&SD on important *restoration and ecosystem enhancement* projects including aquatic ecosystem health, native plant communities, wetland initiatives, tree reforestation, and monitoring of non-point pollution threats.
- The *Safe Routes to School path and bridge* is being completed to link the new Green Valley Housing subdivision to Site 1 and the Oneida Schools. Walking and biking trail systems are an important part of supporting overall wellness and quality of life in Oneida. The pathway is \$443,174 project utilizing WIS-DOT and IRR funds featuring winding trails and a new pedestrian bridge spanning Silver Creek (Bread Creek) to unify the expanding central Oneida community.
- Additional signage posted to properties for Land Access Designations and other usage rules according to the Public Use of Tribal Lands law. *Access to parks, trails, and Natural Areas* in Oneida are designated under this law.
- Extensive coordination for *Onyota'a:ka Lake opening* including interdepartmental coordination, planning opening, creation of management plan and brochures, and future management considerations and outreach to Oneida community. Presentation at Elderly Services monthly staff meeting in June. Met with Police Commission on June 10 to discuss proper monitoring of Lake and other properties.
- Comprehensive activities around assisting in agriculture and land/stream stewardship opportunities regarding the project management of the *Silver Creek Watershed Project*, new grazing ventures, and a collaborative sustainable farm concept with NWTC.
- Creation of an *Updated Natural Areas and Trails guide* featuring 20 Oneida natural areas in coordination with EH&SD, GLIS, and Health Promotions. 2,000 deluxe color copies are being distributed to guide membership in recreation, exercising, and relaxation activities on these beautiful natural landscapes in Oneida.
- Assist in coordination and moderator duties for *Great Lakes Intertribal Agriculture Council meeting* at Radisson April 14-16.
- Conduct TOPS training for *Website Steering Team* and plan next steps for Oneida's perform updates to Oneida internet, Oneida intranet, and other communication venues.

■ Participation in the initiatives of the *Wellness team* to improve nutrition (food sovereignty), recreation (systems of walking trails), flex-time for fitness (tribal employee opportunities), and much more.

■ Other interdepartmental team activities include Community Development Planning Committee, Quality of Life Team, Budget teams, and the Sustainable Resource Advisory Council.

### GOALS

| # | GOAL STATEMENT  |
|---|---|
| 1 | To provide the Oneida community with environmental education through community events, workshops, and educational materials. These will include local, regional, and national issues.   |
| 2 | Monitor environmental and other projects for compliance with community goals, support Sustainable Community development projects and energy efficiency program development, and appropriately manage grant and bonding commitments. |
| 3 | Completion of hearing responsibilities related to the Oneida Hunting, Fishing, and Trapping Law, the Domestic Animal Ordinance, the ATV Law, the Water Resources Ordinance, and the Public Use of Tribal Lands Law.                 |

### OBJECTIVES

| # | OBJECTIVE STATEMENT  | MEASUREMENT  | COMPLETION DATE                          | GOAL # (above) |
|---|--|--|--|----------------|
| 1 | Oneida Earth Day and Tree Giveaway. Oneida Youth and Elder Fishing Opener, and Onyota'a:ka Lake opening. | Provide outreach and community event for over 500 tribal members                     | Events held April 25, May 16, and May 30 | 1              |
| 2 | Implement Wis-DOT grant funded Safe Routes to School trail and other Community Trails connections        | Coordination with Facilities, Engineering, and Community Trails team                 | Completion for August, 2015              | 2              |
| 3 | Creation of Natural Areas and Trails Guide. 2,000 deluxe color copies produced for Oneida community.     | Outreach to tribal members about outstanding natural resources/recreation available. | May, 2015                                | 3              |

### MEETING REQUIREMENTS

The ERB currently holds meetings once a month. Meetings are normally held on the 1st Thursday of each month. Hearings are held as required. ERB also attends Business Committee meetings, other public meetings, and performs volunteer service in the community as required or deemed appropriate by the ERB. **Yaw^ko!**

# Oneida Business Committee Agenda Request

1. Meeting Date Requested: 07 / 08 / 15

## 2. General Information:

Session:  Open  Executive - See instructions for the applicable laws, then choose one:

Agenda Header:

Accept as Information only

Action - please describe:

Motion to accept Oneida Library Quarterly Report for April, May, June 2015

## 3. Supporting Materials

Report  Resolution  Contract

Other:

1.

3.

2.

4.

Business Committee signature required

## 4. Budget Information

Budgeted - Tribal Contribution

Budgeted - Grant Funded

Unbudgeted

## 5. Submission

Authorized Sponsor / Liaison:

Primary Requestor:

Dr. Carol A. Cornelius, secretary Oneida Library Board

Your Name, Title / Dept. or Tribal Member

Additional Requestor:

---

Name, Title / Dept.

Additional Requestor:

---

Name, Title / Dept.

## Oneida Business Committee Agenda Request

### 6. Cover Memo:

Describe the purpose, background/history, and action requested:

Oneida Library Quarterly Report for April, May, June 2015

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](mailto:BC_Agenda_Requests@oneidanation.org)

**ONEIDA COMMUNITY LIBRARY BOARD  
QUARTERLY REPORT April, May, June 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:

April 9, 2015

May 28, 2015

June 11, 2015 pending approval at next meeting in July

**ACTION TAKEN:**

The Board meets at the Library, the second Wednesday of the month at 4:30 p.m.

**HIGHLIGHTS OF THE LIBRARY:**

April 2015

Recertification, Lou Williams has to be recertified every 4 years for Public Librarian status by the State of Wisconsin. This permits our library to belong to OWLSNET, which shares and borrows up to 1 million titles around the North East area of the State. This status allows for public funds for reimbursement for materials loaned to libraries outside our service area. Library Federated Award grant come from this status. 100 hours of CEU (training hours), \$50.00 and application submitted to State of Wisconsin.

Three staff are attending training sessions which allows the library to go paperless for purchase orders on the AS400 system.

Seuss-a-bration March 7th 65 community members attended.

Applied for Early Literacy Community Development grant for \$200.00 which Kimberley Pelky wrote a mini grant. Kimberley Pelky was also asked by the Nicolet Federated Library system, to help with choosing speakers and matters for this state group.

Patron Count: 2,402

May 2015

Events: National Poetry Month with a writers group, Open House with staff chili cook-off with 80 community members attending. Book Club reading group for young Adults. Sing Song Sloppy Joe

event with games, crafts, book give-away, all you can eat Sloppy Joes and good family time. 83 community members attended.

Monthly activity calendar has been added to the Library's Facebook page.

Oneida Library added as "Lenders" on the Wiscat Site, which means libraries can borrow items from our library with 10 requests in the first month.

Patron count: 2,594

June 2015

Monthly calendar of activities for June submitted for main library and Green Earth Branch library.

Library board meeting held June 11, 2015

Patron count: pending as month isn't over yet.

### **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**

Summer Reading program

### **PERSONAL COMMENTS:**

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.