



**Oneida General Tribal Council
Special Meeting
6:00 p.m., August 14, 2017
Radisson Hotel & Conference Center, Green Bay, WI**

Meeting Minutes

1. Welcome and Opening

Tehassi Hill: There's been several deaths in our community as of late, so I'd like to have a quick moment of silence for those that are grieving and to show our respect to those who have recently passed on, so just a quick moment of silence. Thank you. All right, thank you, everybody, for your indulgence in the moment of silence. At this time, I'll call on Lloyd Powless, Jr.

Lloyd Powless Jr.: Tonight our veterans are from the Wisconsin Indian Veteran's Association, Oneida Chapter. The Wisconsin Veteran's Eagle staff is carried in by Ray Elm, US Army Vietnam; US flag by Marshall Grollo, US Army Vietnam era; Oneida Nation flag, Richard Elm, US Army Vietnam; Six Nations flag, Ed Skenandore, US Army Vietnam era; Ken House, Navy Air Force, Vietnam and Desert Shield; US Navy flag, Mike Hill, Vietnam Combat Vet Navy; the POW flag, Jules Summers, US Marine Vet; Wisconsin flag, Dale Webster, US Army, Vietnam era; the US Army flag, Ben Skenandore. Present arms.

Lloyd Powless Jr.: Creator, I want to thank you for being here with us tonight. I'd like to congratulate our Business Committee, new Business Committee and their families. I hope that the Creator will be with them in these next three years. You know, in our ways, the leaders have to have seven layers of skin because they're questioned and challenged every day to make very tough decisions. I'd also like to thank and have the Creator be with our elders and have them have the courage to speak at these meetings. We need that type of long-term learning that they can share with us. Again, thank you for the women in our community. There are so many strong women and so many positions at all levels that are keeping our tribe moving. This is a good thing.

2. Announcements & Call Meeting to Order

Tehassi Hill: All right, just a few announcements before I call this meeting to order. We had 1,550 people signed in at 6:00. I guess at this time, I would like to just kind of make an announcement. On the second page of our packet that has been mailed to us, there is "GTC Attendees shall treat each other with respect. General Tribal Council meeting attendees shall not use profanity, interrupt others, heckle or threaten others, disrespect property, exhibit behavior that disrupts the meeting or endangers the safety of other attendees, be under the influence of alcohol or illegal drugs, have a weapon on their person in violation of any applicable law, take action that violates Tribal law." So these are the standards that I would like to run these meetings by, so I'll read this section before every meeting so that we have the same understanding about how I intend to run these meetings and that we can all have the same understanding of how to treat one another and to be respectful to one another in these meetings, because we're here

to conduct the business of the Nation, and it's very important that we all have as much information as possible and that information is shared respectfully amongst all of us so that we can all build a better understanding for the issues that are on our agendas. I think it's also important to note, too, that the security department will be authorized to remove people who are being disruptive and not following the orders so that they're not disrupting other people's attendance of the meeting so that they can hear the meeting and the discussion that's going on to be fully informed, so I have instructed security to remove people who are not following direction and being disruptive to others. All right with those quick announcements, I'll go ahead and call this meeting to order at 6:09. We'll be looking for a motion to adopt the agenda.

3. Adopt the Agenda

Brad Graham: Mr. Chairman?

Tehassi Hill: Brad.

Brad Graham: I'd like to adopt the agenda with the following changes. Due to the fact that the first two on the agenda, the petitioner is in the hospital and unable to attend, so I'd like to make the motion to table those two items for 60 days.

Tehassi Hill: Brad Graham, the item is already on the table, so it needs a motion to come off the table before we can take action.

Brad Graham: Which one? Both of them?

Tehassi Hill: Whatever item is on the table which is the petitioner by Mike Debraska for the Health Care Board. We can't take any action until that item is removed from the agenda, so if you leave it on the agenda, that's it. But in order to take action, we need to take it off the table, have a discussion, and if you so wish to retable the item, retable the item. But at this point, we already had the presentations and it's up to General Tribal Council to finish the discussion on the item and move forward with whatever action that is deemed appropriate today.

Brad Graham: Then I'll make the motion to approve the agenda and then I'll bring that up after it's approved.

Tehassi Hill: I'm sorry, I couldn't hear the last part.

Brad Graham: I said I'll make the motion to approve the agenda and then I'll bring the first two items after.

Tehassi Hill: Is there a second to the motion to approve the agenda? There is a second. State your name. The seconder is Julie Clark .

Nancy Skenandore: Chairman, we can't hear anything that's being said.

Tehassi Hill: Okay, I'll ask the people at the mikes to please speak up, and then is it an issue with the crowd noise?

Nancy Skenandore: That, as well, sir.

Tehassi Hill: Is it talking or is it just people getting ready to sit down.

Nancy Skenandore: Talking.

Tehassi Hill: Okay, we'll I'm going to ask that the people in the overflow room conduct themselves patiently and quietly and keep the conversations essentially to yourself because we're here to conduct the business of the meeting, and I would ask that you contact the Security officers in the room if they are not following instruction to not disturb others and otherwise not being able to hear the meeting.

Nancy Skenandore: Thank you very much.

Tehassi Hill: Just as a note, too, past practice of the General Tribal Council has been to put a 3 or 4 minute time limit per speaker in the adoption of the agenda. It's up to the motioner if he wishes to add that or if someone wants to make an amendment to the motion, but that's been the past practice. Motioner is not willing. Okay. The person at microphone A, please identify yourself.

Becky Webster: Becky Webster.

Tehassi Hill: And speak loudly, please.

Becky Webster: I make an amendment to the motion to limit the speakers from the audience to 3 minutes apiece and that no speaker can speak again until all people have spoken on an item.

Tehassi Hill: Is there a second to that motion? Terry Cornelius seconds the amendment. Is there any more discussion on the amendment? Call for the question, I'll recognize call for the question. Privileged question?

Tina Danforth: Good evening, everybody. I'm Tina Danforth. My privileged question is that it's my understanding that on February 20th, we adopted the agenda, and we made considerations around length of time and who can speak and to what extent on an issue, and so on February 20th, we adopted the agenda, and on February 20th, we also gave the Business Committee a directive that in 120 days, we would bring this item back, the Health Board item, which is now tabled, and so that was supposed to be done on June 20th, and as we all know, the Business Committee chose to cancel the June 20th meeting per the e-poll so today is a continuation of February 20th, so my point of order is have we not already adopted the agenda with the necessary parameters of how the agenda is to be conducted?

Tehassi Hill: No, we have not. There was one tabled item, and there are three additional new items, so this is a new agenda that the tabled business was added to a new agenda, so we're adopting a new agenda with three new items that have been sent out in the packet in compliance with the 10 day notice so that everybody has the information in their hands 10 days prior to the meeting.

Tina Danforth: Thank you, Tehassi. I would like a Parliamentary ruling on my privileged question. The privileged question is that is it not the case that the agenda was adopted in regards to the Mike Debraska Health Board and the Ombudsman and there was some things added which there's a lot of confusion around what happened when and to what extent, but it's still my understanding that February 20th, we did adopt the agenda that included the Debraska Health Board item and the Ombudsman position.

Tehassi Hill: Jo Anne, can I get a Parliamentary ruling?

Jo Anne House: Thank you. You've asked whether the motion to adopt the agenda is in order. The question is whether or not this is a carryover agenda from the February 20th meeting or is this a new meeting scheduled with an agenda that must be adopted. It is my understanding that this is a new meeting, that it isn't a continuation of an existing meeting, and, therefore, the agenda must be adopted. I do defer to the Secretary for further clarification if it's needed.

Tehassi Hill: Thank you, Jo Anne.

Tina Danforth: I have another privileged question. What happened to the February 20th agenda, then? It did not get completed. My understanding was that it was not completed and not adjourned, and, therefore, it needs to be continued. So what happened to that agenda?

Tehassi Hill: I don't have that information in front of me, and it's not on this particular agenda today.

Tina Danforth: I have my packet in my bag.

Tehassi Hill: I had recognized a call for the question, so I did give you the privilege of asking your privileged question so I could ascertain as to what the question was, and I answered it. The Parliamentarian answered it, and I had recognized the call for the question, so I'm going to move on to...

Tina Danforth: Thank you, Tehassi, for recognizing my privileged question, so I have a second privileged question, and the second privileged question is what happened to the February 20th agenda that was not adjourned. That is my second privileged question.

Tehassi Hill: That information isn't on this agenda, and I don't have it before me, and I don't have an answer for you, and so that is also part of the reason why we need to move on with the adoption of the agenda so we can get these items addressed

properly, and I didn't recognize the second privileged question. I had already recognized a call for the question, so I'm going to go ahead and move to the vote now.

Tina Danforth: So you're not going to answer my second privileged question? Thank you.

Cathy L. Metoxen: I appeal the Chair's decision. My name is Kathy L. Metoxen, and I don't agree with the decision you're making. I agree with the former Chairwoman, Tina Danforth, so I appeal your decision and let General Tribal Council be the true leaders who take this position and vote on it.

Mark Powless: I have a privileged question.

Tehassi Hill: We're going to have to deal with Kathy's question first for appealing the decision of the chair, and I do believe it's within my authority to run this meeting as I've been elected to Chairman to run this meeting and that it is the decision of the Chair that we will move on with the call for the question.

Cathy L. Metoxen: That right there shows me a lot.

Tehassi Hill: Madam Cathy L. Metoxen, would you please keep your disrespectful comments to yourself. We're trying to run a respectful meeting tonight and get the agenda done, so can you please take a seat so we can conduct the business of the Nation? The motion for a call for the question has been recognized, so we're going to vote on the amendment to the main motion which is to allow three minutes per speaker and can only speak once until everyone has been able to speak on the topic. Motion by Becky Webster, seconded by Terry Cornelius. All those in favor.

Unidentified Speaker: Point of order.

Tehassi Hill: We're in the middle of voting. I'm not going to recognize point of orders or privileged questions at this point because the call for the question has been recognized. So we're all going to vote right now whether to approve or not approve the amendment to the main motion. You can please raise your hands in the affirmative. Okay, put your hands down. All those that oppose. Abstentions. The amendment passes. The next up is...

Unidentified Speaker: Point of order.

Tehassi Hill: I'll call on Mark with his privileged question.

Mark Powless: Thank you, Mr. Chairman. As I understand it, the Oneida Tribe of Indians adopted Robert's Rules of Order to conduct our business. And having said that, then that means that the General Tribal Council has also adopted Robert's Rules of Order to conduct our business. Under Robert's Rules of Order, the last meeting that we had with regards to this agenda, the meeting was recessed. The meeting was not adjourned. If you adjourn the meeting, then you have a whole new meeting. However, since the

meeting was recessed, what you do is you go back into session and you continue on with that agenda items where it was left off at. So my question to the Parliamentarian is, with regards to the last General Tribal Council meeting that was adjourned...or excuse me, that was recessed to this meeting, does that not mean that we pick up the agenda where we left off when we recessed that meeting?

Tehassi Hill: Parliamentarian, do you have an answer, please?

Jo Anne House: The privileged question is whether or not the February meeting was recessed or adjourned and whether this is appropriately finishing up that February meeting or it's a new meeting in which the agenda needs to be adopted. If this is a continuation of the February meeting, the only item that's on the agenda is the petition because, by precedence, the General Tribal Council does not add new agenda items to an existing meeting agenda—it simply concludes the agenda. As a result, it is my understanding that this is a new agenda that needs to be adopted by the General Tribal Council and is not a continuation of the February 20th meeting. As I indicated in a previous ruling, I defer to the Secretary in regards to the minutes of the February 20th meeting in the event that there is clarifying information in that document.

Tehassi Hill: All right, thank you, Jo Anne. I'll recognize the point of order at microphone A, please identify yourself.

Unidentified Speaker: Privileged question.

Tehassi Hill: I already recognized the point of order at microphone A.

Toni House: I'm Toni House. I'm sitting here in the audience here, and there's a woman that threatened to take a gun out and shoot you, and she's hollering out comments here, and it's right in my ear. I'm trying to listen to the meeting, so I don't know if we need another call for respect and for a good mind and a good heart, but I don't appreciate sitting here while someone's threatening to pull out a gun and shoot you.

Tehassi Hill: Okay. All those types of, I guess comments, are not appreciated at all, and I would suggest that security look into the comments being made, because it is highly inappropriate for things like that being said at a meeting like this. It could very well start a riot or someone being trampled if something were to happen, so we're encouraging everybody to make sure that our health and the safety of all of our community members here, our General Tribal Council members, is paramount. And so....security. Security.

Nancy Skenandore: Chairman Tehassi, please. When you spoke earlier and asked everybody, to the audience especially in the overflow room, what you had said earlier, everybody quieted down. Then you mention...you said if they get loud again, just let security know. We have three security that's standing in the back of the room. The one girl left. I went to them and said, "Hello? Did you hear the Chairman?" I said, "Please, they are loud." They just all three looked at me like I'm nuts. So is it OPD we need in here or is it the security, because I want to listen to this meeting. If anybody in this room don't want to, then go home.

Tehassi Hill: Okay, again, and everybody please be respectful of the General Tribal Council as we're here to conduct the business of the Nation, and use your ears and listen to what's being said and for the presentations and discussion that happens to better inform your decisions you're going to have to make in a short amount of time, and also that we need people to take the seats, and if you have stuff holding a seat for somebody, to please remove it. We have a lot of people here tonight, and they all need to be able to find a seat, so please remove your purse and wallet or any hats, anything that are sitting on an empty seat next to you. At this point, we need to get everybody seated, so please make sure to make room for the rest of our General Tribal Council members.

LouAnn Green: I have a privileged question.

Tehassi Hill: Please identify yourself.

LouAnn Green: My name is LouAnn Green. I'm a senior. I would like to address the Business Committee and remind them that, according to the Constitution, the General Tribal Council has the power and the authority to make decisions. The Business Committee is not in session, and the Chairman is appointed to direct the meeting. You don't have any authority here. The General Tribal Council is our meeting. We have the authority. Thank you.

Tehassi Hill: Thank you for your comments. We're in the middle of trying to adopt the agenda for this meeting, so we'll move on to the next...to the main motion which is to adopt the agenda by Brad Graham and seconded by Julie Clark. So all those in favor of adopting the agenda, please signify by raising your hand. And those opposed to adopting the agenda, please raise your hand. Abstentions to adopting the agenda, please raise your hand. All right, motion to adopt the agenda has passed.

4. Tabled Business

A. Petitioner Michael Debraska: Health Care Board

Tehassi Hill: Our first order of business is the tabled business, the petitioner Mike Debraska, Health Care Board. So if we were looking to address this issue tonight, we would need a motion to remove it from the table to take action.

Nancy Skenandore: So moved.

Tehassi Hill: Please state your name for the record.

Nancy Skenandore: Nancy Skenandore.

Tehassi Hill: Is there a second? Seconded by Brad Graham. All those in favor of taking from the table petitioner Mike Debraska's Health Care Board please signify by raising your hand. All those opposed to taking from the table, please raise your hand. Abstentions, please raise your hand. Motion to take from the table has passed. We have the agenda item petitioner Michael Debraska, Health Care Board.

Brad Graham: Mr. Chairman?

Tehassi Hill: Brad Graham.

Brad Graham: I make a motion to retable this for 60 days due to the fact that the petitioner is not here. It has been done for other petitioners, therefore, I think he should deserve the same respect.

Nancy Skenandore: Can you speak up?

Brad Graham: Sure. The motion is to retable for 60 days due to the fact that the petitioner is not here. He is in the hospital. Other petitioners have been out and they had the respect that their items were tabled so that they could be here to address it. That's my motion, to retable it.

Tehassi Hill: Okay, so a motion to table means there is no discussion on that particular item. There is not a second at this point, but I would request that the motioner change the motion to table the item till the next available General Tribal Council meeting. All right, so Brad Graham made the motion to table the item 4A for 60 days, and I believe that was Tina Danforth who seconded the motion. There's no discussion on a tabled item. You either vote in favor of tabling and it moves on to another GTC meeting or you can vote to deny the tabling and we'll have discussion tonight. Those are the options. Okay, so voting in favor of the table, please raise your hand. Those voting in opposition to the table, please raise your hand. Abstentions, please raise your hand. The voting to table for 60 days has passed. We'll move on to the next item.

5. New Business

A. 120-day Directive re: Health Care Board petition

Brad Graham: Mr. Chairman?

Tehassi Hill: Brad.

Brad Graham: I make a motion to table this item for 60 days also for the same reasons, that the petitioners aren't able to be here.

Tehassi Hill: Petitioner.

Brad Graham: Well, this is part of Mike Debraska's petition, for Item A under New Business.

Tehassi Hill: Yeah, there's the New Business A is 120 directive re: Health Care Board petition.

Brad Graham: That is also Mr. Debraska's.

Tehassi Hill: No, it is not.

Brad Graham: Yes, it is.

Tehassi Hill: It's related, but it's not his petition.

Brad Graham: He brought it forward.

Tehassi Hill: This is an item that the Business Committee had put on this agenda that was requested to review the 120 day directive of the Health Care Board petition. It is not a petition of a General Tribal Council member. This is to review the decision that the Business Committee had made the previous term to cancel a General Tribal Council meeting on June 20th.

Brad Graham: Petitioner Debraska is the one that had brought this up for the Health Board.

Tehassi Hill: Yeah, but it's to do with the...it's not directly to do with the Health Board. This is a discussion about the cancellation of the meeting on June 20th.

Brad Graham: That ain't what it says here. It says 120 day directive, Health Care Board procession or petition. So it does state...

Tehassi Hill: Okay, so Brad Graham has a motion on the table to table this item, as well, for 60 days. Is there a second to that motion. It's seconded by Cathy L. Metoxen, and again, in order...so you have an informed vote, this is a tabled item. There will be no further discussion on this item. If you vote in favor of tabling this item, we'll move to another meeting in 60 days, and if you vote in opposition to this motion, we will have discussion tonight. All those in favor of tabling this item, please raise your hand. All those opposed to tabling this item. I'm going to request a hand count at this point, it's very close. Election Board, please prepare to do a hand count on the tabling of the 120 day directive re: Health Board petition. Is the Election Board prepared in the overflow room?

Election Board Member: Yes.

Tehassi Hill: All right. We're going to have a hand count here. All those in favor of tabling this item, please raise your hand to be counted. Is the Election Board ready?

Election Board Member: Yes, we're ready.

Tehassi Hill: All those opposed to tabling this item, please raise your hand.

Election Board Member: Overflow is ready.

Tehassi Hill: We're still counting in the main room. Abstentions, please raise your hand.

Election Board Member: Excuse me, Chairman Hill?

Tehassi Hill: Yes, go ahead.

Election Board Member: We had 510 votes: 451 yes, 51 no, 8 abstentions.

Tehassi Hill: Thank you from the overflow room. Please Election Board will add that to the tally in this room. Okay, the results of the hand count. There was 1,513 total votes cast. There was 972 yes to table, 493 no, and 48 abstentions, so the motion passes to table this item.

B. OBC SOP re: Conducting Electronic Voting (E-Polls)

Tehassi Hill: The next item we have on the agenda is the OBC SOP re: Conducting Electronic Voting. So with this item on the agenda, I'll go ahead and just read the Oneida Business Committee memo to General Tribal Council to give you some background information. The memo is dated July 12, 2017. It's page 93 of your packets. E-Polls utilize current technology of e-mail, internet, and Smart Phones to obtain a decision on a matter that cannot wait until the next regularly scheduled meeting or for which a special or emergency meeting cannot be called. Currently, the Oneida Business Committee, Finance Committee, and Legislative Operating Committee are the only known users of the E-polls, although other Boards, Committees, and Commissions may be using E-polls. Prior to June 2015, there were no written procedures for conducting E-polls. A member of the OBC requiring approval of an action prior to the next available meeting would send an e-mail to his or her colleagues and tally the responses received. At least five members had to vote, and the E-poll and the vote had to be presented at the next Oneida Business Committee meeting by the member. Until the March 25, 2015 Oneida Business Committee meeting, it was understood that E-polls were effective upon conclusion and receiving an affirmative vote. Although there was no consistency regarding how E-polls would be accepted for the record and it appears that the vote on the E-poll was also a vote on the subject matter of the E-poll; however, on the March 25th, 2015 Oneida Business Committee meeting, a series of E-polls resulted in a failed motion ratifying the results of an E-poll. This meant that the actions that were taken because of the E-poll decision were not approved due to a failure to vote to accept the E-poll. This led to an opinion by the Chief Counsel informing the Oneida Business Committee that E-polls could not be considered binding until the Oneida Business Committee acted on the E-poll at a meeting. We adopted a Standard Operating Procedure regarding the E-poll on June 10th, 2015. As part of the adoption, it was directed that the SOP be reviewed in one year to determine if amendments were needed to correct or improve the SOP. We adopted the amendments on October 26th, 2016 that clarified some questions regarding how E-polls were authorized. Because we were nearing the end of our term, we had conducted another review of the SOP to update and to improve the checks and balances that were already in the SOP. These amendments are on hold pending the outcome of this meeting. The current SOP contains several requirements intended to provide procedural consistency and improved information. E-polls can only be sent through the Secretary's office. E-polls must identify how long the E-poll will remain open for voting between 4 and 12 hours. E-polls must have a completed agenda request form and all backup documentation attached. E-polls must have at least five responses. E-polls can be voted on through work e-mail,

personal e-mail if on file, and the official's mobile phone. In addition, E-polls cannot be used to approve actions which waive sovereign immunity of the Oneida Nation which would exceed authorized expenditures approval levels or which does not have the approval from the requested entity such as the Division Director. Every Oneida Business Committee member has, at some point, requested the use of an E-poll, and unlike participation in the Oneida Business Committee meeting, every member of the Oneida Business Committee can vote in an E-poll, including the Chair or Vice-Chair. In addition, the SOP requires that every comment other than a "yes", "no", or "abstention" can be included in the record. In our 2014-2017 term, the Oneida Business Committee has had 3,308 agenda items presented to us for action. Of those 3,308 items, 142 were presented via E-poll, or a little over 4 percent of the total actions taken by the Oneida Business Committee. We approved 61 E-polls to authorize travel or other travel-related activity. We adopted 11 resolutions which extended the rules of law, amended pension plans, approved public statements, and one which clarified the authority to open a bank account for a newly formed fundraising entity for the Youth Leadership program. We approved 7 sets of Finance Committee meeting minutes which authorized the actions of those minutes to be carried out, thus avoiding delay in contracting, construction, and support for individual requests. We acted on 11 E-polls to approve General Tribal Council meeting agendas and GTC meeting materials, accept analysis for petitions, accept the external legal opinion regarding the per capita, approve placement of petitions on General Tribal Council meeting agendas, schedule dates for GTC meetings, and cancel General Tribal Council meetings. In 2014, we conducted 17 E-polls. In 2015, we conducted 30, and in 2016, we conducted 56, and in 2017 we have conducted 39. Looking at the E-polls conducted in 2017, the E-polls were primarily because we were unable to finish an agenda and carry over to the next meeting what would have unduly delayed an item or a matter was urgent requiring immediate attention. The E-poll process has been utilized with the organization for many years since implementation of technology that allows this type of action. We have utilized this process as cautiously as we can and only where waiting until our next regular Business Committee or schedule a special emergency meeting to act would not be in the best interests of the Nation. It is possible that we could be more restrictive regarding the use of E-polls. It is one of the items that we have discussed in a review of SOP since only a little over 4 percent of the actions taken by the Oneida Business Committee were taken through E-polls and over half of those were travel related to conferences and government scheduled meetings, we can certainly do better in identifying those activities and obtaining approval in a more timely manner. On the other hand, an E-poll objecting to the North Dakota access pipeline and supporting the Standing Rock Sioux Tribe in their objection to the pipeline were time sensitive and could not have been pre-planned. We appreciate the ability to get this information and discussion before the General Tribal Council in order to better understand the pace and pressure of the Oneida Business Committee to act on behalf of the Oneida Nation. The discussion that takes place will assist us and future Business Committees in creating and implementing better processes in order to ensure that members of the organization are aware of the actions of the government.

Nancy Cook: Privileged question.

Tehassi Hill: Privileged question. Please identify yourself.

Nancy Cook: Nancy Cook.

Tehassi Hill: You need to speak into the mike.

Nancy Cook: Nancy Cook.

Tehassi Hill: Okay, thank you.

Nancy Cook: When was the General Tribal Council initially notified about the E-poll use? When were we notified that it was going to be implemented.

Tehassi Hill: I do not have...know when...I don't think that it's ever been notified; it's just been the practice of the Business Committee. Previous to E-polls, the Oneida Business Committee put stuff on the agenda for retroactive approval which means if they had travel and they went ahead and booked it and went on the travel and came back and then put it on the BC agenda for approval so that was how much of the items were conducted before.

Nancy Cook: Well, I understand what the E-polling is. I understand that. But did the Oneida Business Committee bring it to the General Tribal Council to ask for recommendations if we wanted this implemented, and who would be using it?

Tehassi Hill: No, I don't believe that's ever gone forward from what I understand from the materials that are in front of us. This is just a business tool used to expedite the processes and decision making of the Nation to ensure that we're effectively using our time and our money such as for booking air fare and hotel stays. The further out we can book them, the better rates we can get, and so that's been, like I said, over 50 percent of the E-polls have been for travel.

Nancy Cook: What is in the budget for this cost? What does it cost us to use this?

Tehassi Hill: There is no cost to E-poll. It's a part of the systems that we already had in place.

Nancy Cook: Is it confidential?

Tehassi Hill: The information itself, once it is approved, it goes into the open session of the Business Committee. If it is deemed an appropriate open session item, then it is open to the public.

Nancy Cook: But you did not feel that you should bring it before GTC, correct? Like the Standard Operating Procedures that are being written?

Tehassi Hill: I'm sorry. I'm going to have to stop you. This is no longer a privileged question. This is just a question, so we weren't able to start the time and so I'm going to

go ahead and call on Jenny, and then if you want to continue with your questioning as a regular question, you can. But at this point, it's not a privileged question. So Jenny?

Jennifer Webster: Chairman Hill, I'd like to make a motion to accept this as FYI.

Tehassi Hill: Please identify the second. Jacob McLester seconds. Okay, so we're continuing discussion. The overflow room, microphone C. Please identify yourself.

Gina Powless: Gina Powless. You just need me to say my name?

Tehassi Hill: Yep, go ahead and ask your question.

Gina Powless: Thank you for calling on me. I have a couple of questions with this E-poll business. One of them is you mentioned over the years how many times you guys have utilized the E-poll. However, there was a particular time, I'm not sure if you were on the BC, Tehassi, however, you met once a week. Now you guys weaned your meetings down to twice a month, so I think if you went back to meeting once a week, you guys could discuss all these very important issues that have to be dealt with instead of doing it on E-poll. I don't buy into this, "Well, if we've got to travel and get airfare, then we do an E-poll." I don't buy into that one right there, because I think that travel possibly for E-poll, that's not always necessary. Number two, my issue is you're doing E-polls because you're out on travel. That's not acceptable, either. I don't think that, you know, when we're talking about budget crunches and let's bridge the gap for the budget because we're short this many millions, then everybody's flying out on all these trips, going to Washington, DC, San Diego, Palm Springs—wherever—that that doesn't tell me that we're in a budget crunch. That's not telling me that the money's tight, so with that thought, you know, I know I can't make a motion because there's a motion up there, but I really think this Business Committee, with all the issues that we have going on in the Tribe, instead of doing an E-poll, calling everyone on the phone, sending a text and saying, "Can we go here on a trip?", maybe you should stay home, number one, handle business here in your backyard. Number two, with all the issues that we have that are very prevalent on this reservation, number one, and you're very well aware of this, don't be offended because I'm not trying to disrespect anyone, but you guys know about this heroin stuff going on. Heroin addiction is very rampant on this reservation. We've got thefts, retail thefts, people going to jail, the trickle effect is people getting their kids removed, Social Service is involved, the counties are involved, it has a trickle effect. I think if you guys stay home and address these issues instead of flying off to DC, Palm Springs, wherever it is that you guys need to go every month, a bunch of you guys are flying off somewhere, you wouldn't even need to do an E-poll. That would not be necessary unless it's like truly an emergency. I also think it's inappropriate for the Business Committee to cancel a GTC meeting by E-poll. If there is not a safety issue, and health issue, or issues that endanger the lives of Oneida people, what are you doing an E-poll for? So I think that the criteria for these E-polls should be either...actually, I don't agree with it. So I can't even say there should be criteria. I think you should go back to meeting once a week, every Wednesday, handle your business. You don't need to be out of town. Thank you.

Nancy Skenandore: I have a privileged question.

Tehassi Hill: What is your privileged question? Please state your name for the record.

Nancy Skenandore: Nancy Skenandore. A motion was made by Ms. Webster. Was there? That's my question.

Tehassi Hill: Yes, there's a motion on the table to accept as FYI.

Nancy Skenandore: So can I make an amendment to that motion?

Tehassi Hill: Yes, you can.

Nancy Skenandore: Even if it conflicts with the motion, I'm not sure.

Tehassi Hill: At this point, though, that's not a privileged question, so if you want to make an amendment to the motion you have to be recognized under the normal process, so being called on while you're waiting at the microphone.

Nancy Skenandore: I just don't want you to finish talking, because we're not done talking, and that's rude for her to finish it right away, FYI.

Tehassi Hill: All right, Brandon?

Brandon Stevens: Yeah, I just want to address some of the narrative that's talking about this issue around the E-polls. I want to separate the issues and say...and not talk about the content because they're pulling the heartstrings of why we should stay home, separated from the actual E-poll process. We do E-polls to adopt resolutions, to seek funding for particular grants, and that sometimes have really short timelines, so we do an E-poll to say, "Do we want to submit this resolution so we can get this funding?" Like Trump just declared a national emergency for the opiate addiction, so for us to be able to go to DC to get that funding, what the national crisis does is it gives us access to funding in emergency situations which we're in, so that's a separate issue, but the issues of actually conducting E-polls is separate where there's business that needs to happen as it happens in real time where we can't meet. There's other meetings that are scheduled, and the other issue was the once a week. We used to do once a week meetings, but the BC—there's the five members of the council here that have a separate constitutional duty and that's in the LPA that's passed by the General Tribal Council is to do legislation, and so on the opposite Wednesdays, or the Business Committee, they have their Legislative Operating Committee which adopts legislation, and so the table is pretty full, and that's why our meetings are so...our agendas are so long on the BC Wednesdays, and so this last term, we could not finish agendas, and so those meetings were continuing and continuing, and we had to get things done, and that's why those E-polls would go out. So I wanted to separate the issues that yes, we do have an opiate issue here. Yes, I think we do have restraint when we travel, and it's absolutely necessary, and that's to go out to DC to make sure we're getting those IHS funds, making those reservations roads funds, and other general welfare funds that benefit the

General Tribal membership. The NAHASDA that's housing, those funds are trying to be pulled away from the Trump administration, and if we're not actively engaging that administration, they're going to pull that money away from Tribes, so we need to be out there and advocate for each individual here trying to get a better quality of life. So I really want to separate those issues. Yep, she's right. She's right on each individual issue. But I want to separate that so that doesn't prohibit us from our ability to do our jobs on a daily basis and proactively advocating for each individual Business Committee member. Thank you.

Tehassi Hill: Microphone A. Please identify yourself for the record.

Ed Delgado: Ed Delgado. I have a question and then a statement. The question is what does the effect of an FYI mean? Does that mean you're going to go ahead and exercise this E-poll or is it just something that you're going to go back and study? What does FYI mean?

Jennifer Webster: That means we're going to go back and use it how we've been using it. We've been using it since 2010 before the last term, and if you want more restrictions, if you would consider maybe not allowing E-polls for GTC items.

Ed Delgado: I do not want to disallow E-polls, but I do disagree with the way it's been exercised lately. When you use E-polls to go against the General Tribal Council directives, that I don't agree with, and that's what I think this issue is all about. When General Tribal Council makes a directive that an issue come back within 120 days and when the BC says, "Well, I don't think they're going to make a wise decision, I think at General Tribal Council might table it," that's why you went against the General Tribal Council directive because you thought and kind of disagreed with what General Tribal Council might do. When General Tribal Council says within 120 days, General Tribal Council is giving you a directive and an E-poll shouldn't contradict that. That's the only part I have a problem with, the exercising of E-polls in that manner. Otherwise, maybe yes, maybe no. I realize there's a lot of good in E-polls, but that latest thing about going against a directive of the GTC by E-poll, that was wrong. The General Tribal Council is mentioned in our Oneida Constitution as giving directives. The Constitution says the BC is there to carry out those directives, so 120 days is 120 days. Now if there was a tornado or something like that, we need E-polls to cancel that meeting. But there was no tornado. There was just a decision to be made and you felt as though GTC wasn't going to make the right decision, so you canceled the meeting, and that's wrong. I would disagree that you should continue doing that. Thank you.

Jennifer Webster: And I would suggest you make an amendment, then, to allow e-polls...how do I say this?

Tehassi Hill: Well, General Tribal Council has already taken action at the Semi-Annual meeting in July to limit the cancellation of General Tribal Council meetings. The only reason is for the health, safety, and welfare of our Tribal members, so that limitation has already taken place by General Tribal Council to limit the cancellation of those meetings.

Ed Delgado: That means don't do that anymore, and I think that's good enough. Thank you.

Tehassi Hill: All right, thank you, Ed. I'll call on Microphone B. Please identify yourself for the record.

Tina Danforth: Hi there, I'm Tina Danforth. I'm up here again. First of all, there was a question earlier about are E-polls confidential? E-polls are not confidential. The answer to that question was not answered. Nancy Cook had asked earlier, "are E-polls confidential." They are not confidential. Yet, when information on these polls were shared, people were chastised for sharing the information, saying it was confidential. It was not confidential. So there's been a lot of, I think, misuse of the E-poll, and I think it's been overused, as well, and time sensitive. A lot of things are not as time sensitive as has been seen in some of the E-polls. They weren't time sensitive; they were just, a lot of times, just a lack of planning. I think when you do an E-poll to approve travel, it doesn't allow for transparency, and the majority, as indicated in this report, 61 of them were for travel or travel-related items. I think E-polls should not be overly used or misused, and I know there was a matter regarding OTIE back in December of 2016, and I was driving back to Oneida, and my coverage on my phone was sporadic, and I did attempt to respond to some E-polls, and it was very difficult. In another situation, I was also...I was driving. I had somebody...my assistant with me in the car, and she was reading to me the E-poll, and I asked her to respond on my behalf, and the Business Committee rejected my response and rejected the things that I was trying to make a point of. They wouldn't accept my response, and like I said, I was driving. I had my assistant with me. She was replying on her phone on my behalf, and my response was rejected even though the SOP says "all responses are entered into the record." I had to reassert myself at a BC meeting to have my comments entered into the record. So, again, I think that's a misuse. Another time I was requesting an E-poll, and I very seldom requested them, but I did request one, and the Secretary wasn't available, and so I had to wait until she was available to read my E-poll, and then her initial response was to my office that, "I don't have time to look at this. I'll look at it tomorrow." You know, when most E-polls are just immediately because they need to be...they're supposed to be urgent. They're supposed to be time sensitive. There's supposed to be a reason why it needed to be addressed, but in that situation, I had to wait for the Secretary to get to it, so my concern is there has to be somebody other than the Secretary that can accept an E-poll request. It happened again. It happened again in...

Tehassi Hill: All right, I'm going to have to stop you, Tina. Your three minutes is up. Thank you for your comments.

Tina Danforth: I would like to make an amendment, an amendment to the motion, and the motion is to accept as FYI. My amendment is that no E-polls may be utilized for any General Tribal Council matters. Any General Tribal Council matters—whether it be budget meeting topics, dates for scheduling. No E-polls may be used for any General Tribal Council matters.

Tehassi Hill: Is there a second to that motion? David P. Jordan seconds the amendment to the motion that no E-polls may be used for any General Tribal Council matters.

Tina Danforth: And that there be an alternative...you kind of cut me off.

Tehassi Hill: You stopped talking.

Tina Danforth: I know. I'm trying to get my notes. Please be patient with me. And that somebody other than the Secretary be the designee in her absence, because, again, there were two times when my polls weren't being addressed because the Secretary was not available because she was out on travel. So there's a motion that no GTC matters be utilized for E-polls and that someone other than the Secretary be the designee in her absence. I believe that will be my amendment right now.

Tehassi Hill: Does the seconder agree with the addition to the amendment?

David P. Jordan: Yes.

Tehassi Hill: I did hear a call for the question, but recognizing that there's still a few people at the mikes who I believe were standing here for a while, I'm going to go to Microphone C in the overflow room and then over to A, and then we'll vote on the amendment.

Tina Danforth: Do I get three minutes to address the amendment at all?

Tehassi Hill: You can get back in line, and as soon as everyone's done speaking, but I'm not...there was a call for the question, so we're going to go to C, then over to A, then we're going to vote on the amendment.

Tina Danforth: Okay.

Tehassi Hill: Overflow room, please identify yourself for the record.

Nancy Skenandore: Thank you. Nancy Skenandore. May I make an amendment to Christine's amendment? Can there be two amendments?

Tehassi Hill: Two amendments are allowed.

Nancy Skenandore: Okay. So this amendment is a result of action that was taken for the duly called June 20th meeting that we all are well aware right now of...let me not even go there. The amendment is, since there was a June 20th duly called meeting and it was canceled because of the E-poll, that those that attended that June 20th meeting be paid. They did take an attendance. They did have ID cards. I don't want to be paid. I was at both of them. You don't have to pay me, but I think some of those that came from Milwaukee, came from a distance for that meeting that we had no...was not aware that it was canceled, they should at least, give them a gas card. Give them something.

But that was wrong, and I think that they should be paid for the meeting. If they live far or close, I guess. I don't care.

Tehassi Hill: All right. I'd like to thank you for your comments, Nancy, but I'm going to call that motion out of order.

Nancy Skenandore: It's an amendment. I'd like a Parliamentary review.

Tehassi Hill: I'm going to call that amendment out of order at this point being that this meeting was canceled with procedures that have been followed in the past and that no one showed up to those previously canceled General Tribal Council meetings when the same exact procedures were used, so I'm calling that amendment to the motion out of order.

Nancy Skenandore: Can I have a Parliamentary's opinion on that?

Tehassi Hill: All right, so I'll call on the Parliamentary to give her opinion on whether or not the motion is in or out of order.

Jo Anne House: So the question that is proposed is that all those that attended the June 20th canceled meeting should be paid, that there was a sign-in sheet for that meeting. That entire discussion is part of the tabled item at the beginning of this meeting, so for that reason, it would be out of order.

Nancy Skenandore: Okay, so it will be addressed, though. Thank you.

Tehassi Hill: Does that conclude your comments, Nancy?

Nancy Skenandore: Yeah, thank you.

Tehassi Hill: All right, we'll go to Microphone A and then we'll go to a vote on the amendment.

Jacob McLester: My name is Jacob McLester. I just kind of wanted to reiterate some of what Brandon was saying. These E-polls are for them to help conduct business faster, whether it be like somebody in say upper management level heard about a training that they need to get people to, and then they need to order flights and stuff. They've got to get that kind of quick so that way they can save money, so it's some of those kind of business stuff that they use this on, as well as some other things that are super time sensitive where they just need to get "are we going to do this, are we not going to do this," you know, day-to-day where you can't hold a meeting every day to figure out some of this stuff because they have their regularly stuff that they get paid for to do in their office, so while they're doing their office work, they can also go, "Oh, well, there's all these requests for travel that are coming in because they have, you know, these trainings that they've got to go to. We need to keep our people informed on what's going on, so yes, we will approve this," or "no, this is not something that the Tribe needs as a business aspect." And the business will move at the blink of an eye. It moves

second-to-second. If you...like, the stock market is good proof of this. It moves constantly. Things are constantly changing and our BC needs to be able to react, and these E-polls help them do that so it's not that they're good...I mean, do we need to limit some of their powers of what they can cancel and what they, you know, what they may or may not approve? Probably we should look into that a little bit, but for the most part, it helps them conduct day-to-day business operations a lot faster with unanimous decisions across the BC which is what we would like to see so that way we can also see their inputs later because, as Tina said, it's not confidential. We can see who voted which way when they get put into record, so a lot of this information is out there and is being transparent. Then it actually makes it a little easier because instead of having to have a stenographer, you know, dictate it and then turn that into actual things that you and I can read instead of their notes, it just instantly is already into the system as this person voted this way and made these comments about it. So I think it is a very good tool for us to have and a very good tool that our BC should continue to use, but we need to make sure that they use it in a right way by implementing some of these regulations which is part of what that memo was talking about—the SOP and how they use it and what is allowed to be used. Thanks.

Tehassi Hill: Thank you for your comments. I had said that we were going to recognize the speakers at C and A and then go to a vote on the amendment to the motion, so we're going to call for a vote on the amendment to the main motion by Tina Danforth, seconded by David P. Jordan, that no E-polls may be used for any General Tribal Council matters, and that somebody other than the Secretary be a designee in her absence. So I'm going to ask for a hand count at this time, so all those in favor of that motion, signify by raising your hand. Thank you. All those that oppose the motion, signify by raising your hand. All those abstentions, please raise your hand. All right, I'm going to call the motion...the amendment to the main motion by Tina Danforth, seconded by David P. Jordan, that no E-polls may be used for General Tribal Council matters and that somebody other than the Secretary be a designee in her absence has passed. So we're back to the main motion. Point of order by Tina Danforth. Please come to the mike.

Tina Danforth: My point of order was I thought you said, and maybe I misunderstood you, is that we are going to vote, we are going count and do a hand count, and then we did a visual. Did you not say we were going to a hand count? Maybe I misunderstood.

Tehassi Hill: I don't recall. I just asked for people to raise their hands.

Tina Danforth: Okay. I thought you said that.

Tehassi Hill: Well, if I did, I meant just the visual of raising your hands unless it appears close, I'm just going to ask for raising your hand to show in favor or in opposition to a motion, and if it looks like it's even close, I'm going to ask for a hand count at that point, that any time that General Tribal Council's taking action that overturns a previous action that requires a two-thirds vote, I will always request that those be done by hand count by the Election Board.

Tina Danforth: Thank you. With all due respect, I did think that you said you were going to do a hand count. But thank you.

Tehassi Hill: All right, thank you. So now we're back to the main motion is to accept item C5 as information and I'm going to go to A and then to Lisa and then over to B. So A, you have the floor. Please state your name for the record.

Ann Roth: My name is Ann Roth. I guess I just have a question about this E-poll thing, that with the June 20th meeting being canceled at the last minute, some of us do travel quite a distance to get here, and out of 1,500 people here tonight, we still had like 400 people to 500 people on those two nights in June when the E-polls canceled the meeting, so I guess my question is just how does the word spread that the meeting was canceled, that figure over 3/4 of the people knew that the meeting was canceled and the other 500 or so didn't?

Tehassi Hill: I'll call Brandon to answer that question.

Brandon Stevens: Well, it's similar to Nancy's question that she just asked. It's more related to something that we just tabled, so I would, you know...the E-poll, we've been restricted on how that...and so this is a process thing where we can relate this to the General Tribal Council meetings law that the General Tribal Council asked us to bring forward which is ready to present to General Tribal Council. Those would underline processes and how things would happen, and we have a directive that says we can no longer cancel a meeting unless it's health, safety, and the well-being for General Tribal Council, so that's already going to be in there, so a lot of the things that you've asked for are going to be addressed in law, so that's any BC 50 years from now will not be able to do that anymore unless GTC gives them that ability. And so I guess for the question, you know, it is like Nancy's that we're talking about a tabled item, and we tabled that item for 60 days for a particular reason, and then I kind of want to talk to or speak to your question just not to shut you down, but just kind of answer it a little bit first, but then, you know, I don't want to call for Point of Order, but then save that discussion to that 60 days when it would be more appropriate.

Ann Roth: Okay. I was just curious how the word spread that the meetings were canceled and just that not everybody got it. But I understand.

Tehassi Hill: Thank you for your questions. Lisa, and then we'll go to microphone B after Lisa.

Lisa Summers: Thank you, Mr. Chairman. Just real briefly, to add on to what Brandon said about the last question, there is a designated process in place that takes place when there is a cancellation of a General Tribal Council meeting. We've been using that same process for the entire 2014-2017 term in office. That does include providing a notice in the Kalihwisaks, and that was identified that that did go out timely. There was a notice also posted on all of the approved media sites for the nation, and so that process was also followed, and we did get several reports from individuals that did believe and did know that the meeting was canceled. It is our understanding that there

were people that did say to the contrary, so there was some confusion, and hopefully we can avoid that confusion in the future. The other point that I wanted to make, and I appreciate the amendment that was made, so just for General Tribal Council's reference, if you turn to page 97 in your packet, the Business Committee E-poll SOP is included in the packet for your reference, and if you look on Section 3.3, the adjustment that was made in the amendment asking for a designee to be in place when the Secretary is absent from the office has already been implemented. That was done after the first review because we recognized that that was a problem, so as you can see, it's already in the SOP, and we have been practicing that on a regular basis, so anytime the Secretary is not there, which is myself currently, I will designate an individual to make sure that those reviews are done when I'm not there. The other part that I wanted to just note for you is that the section which you'll be able to look at if you turn to page 98, Section 6, so it will be 6....we'll make a revision in this section, and that is where the addition will go that the amendment that was just passed by General Tribal Council so you can watch for that. One of the things that we're going to do once we're done making all the amendments is making sure that we post this information on the website so that all members will have access to it so they can see the procedure. Thank you.

Tehassi Hill: All right, thank you, Lisa. Microphone B. Please identify yourself for the record.

Mike Russo: My name's Mike Russo. I just had a couple of questions with regards to the information that you've stated has been conducted using E-poll and then the three methods utilized—work e-mail, personal e-mail, and mobile devices. I apologize—I have a tendency to be a little bit of a technical question, so the work e-mail, would every council member be able to disclose if they have anyone who has proxy access to their e-mail as that person may have accessibility to either "yes" or "no" that E-poll to the personal e-mail, would that then fall under MIS' guidelines for password policy changes due to security, potential security issues, as well as whoever you're hosting your service through—whether that's G-mail, Outlook, so on and so forth, those security items that are listed there in breach of security breaches for those public domains. How does that fall into security items for on premise MIS policy? Then three would be with your mobile devices, is that a multifactor authentication for approving that E-poll or denying that E-poll or is that simply using the e-mail on your phone to approve or deny that?

Tehassi Hill: Lisa?

Lisa Summers: Thank you, Mr. Chairman. Thank you for your questions. So thank you for pointing that out. It is in the procedure in 5.6 on page 98 how we accept those responses, and you are absolutely correct. We do utilize the safety procedures that are in place through MIS; however, you are correct in pointing out if a Business Committee member chooses to give proxy access to their assistant, that is within their authority to do that, and we would not necessarily know if that person has that proxy access or not unless we're informed of that. A majority of the time, the Business Committee members will let their colleagues know if their assistant has proxy access, and that is why we do require that it come from that e-mail or a registered personal e-mail on file so that we

can make sure that the responses actually coming from the Business Committee member versus an outside person, so thank you.

Mike Russo: Just for information, without being too technical, to find that information out from your host at Microsoft is very simple, so I just, again, am concerned with—given the items that you’ve listed as being approved or denied—having someone else on your behalf, I fully understand that’s under your discretion, and that should be disclosed as to who has access to that. Thank you.

Tehassi Hill: All right, thank you for your comments, Mike. I’ll go to microphone A. Please identify yourself for the record.

Wes Martin: Thank you. I’m Wes Martin. If you look on page 94, the fourth bullet point, it says, “E-mails must have at least five responses.” The question I have, if you have a split vote in responses, say it’s 2 and 3 one way or the other, it takes away that majority of the Business Committee because now you only have five people voting, and in this, I understand the Chair, Vice Chair, everybody votes. So it’s kind of confusing when you can have five members of the BC respond to an e-mail, and if it’s split, the majority—which would be 3 then—carries that E-poll. Am I correct, or am I wrong, because then you have only 5 members acting on that E-poll if that’s what...you only have 5 responses. My understanding is the majority of the BC has to act which is, at this point, 5 members.

Tehassi Hill: All right, thank you, Wes. I’ll call on Lisa for the answer to that question.

Lisa Summers: Thank you, Mr. Chairman. Thank you, Wes, for your question. For clarification, exactly what you said is true, but the opposite way if that makes any sense. So the Business Committee meetings, a five person quorum is required, meaning any four people and then there must be a Chair or Vice Chair, that’s five people. In order for an item to pass at a regular special BC meeting, it only takes then a majority of three people to vote in the affirmative in order for an item to pass because it must be a majority of the five. An E-poll request has a higher standard. There must be a minimum of five affirmative votes, so it actually is a higher standard. It’s not having five people vote on it and then the majority rules, it is five affirmative votes. That’s the standard, and it’s a higher standard than if it would be on a BC agenda and only having three people being a majority on an item.

Wes Martin: Then I guess the question would happen if only five people respond, and the action, say it’s emergency travel or something, then if there’s only five responded, you’re saying...then it goes to the BC, then it’s ratified but only five people have responded to it on the E-poll, so that’s where the confusing part is.

Lisa Summers: I understand what you’re asking. Yes, that is true. Only five people do need to respond, but they all must be an affirmative vote in order for it to pass.

Wes Martin: Okay. It doesn’t say that here.

Lisa Summers: It is in the procedure itself. If you look in the SOP itself on page...let me find it real quick here.

Wes Martin: I tried to look for it under there, too.

Lisa Summers: Yep, it is in here, and if you look on Section 5, 5.1, which is on page 97, 5.1, "An E-poll request must receive at least five responses in order to be an official vote." And then it goes on and explains, and so there has to be a minimum of five affirmative responses, so you're right—it's probably not real clear, but that is the standard that we have. It's five affirmative; not five to make a quorum.

Wes Martin: Thank you.

Tehassi Hill: Microphone B, please state your name for the record.

Cathy L. Metoxen: Cathy L. Metoxen. Is it on? I have a question. What is the official notification of the Oneida Nation? Is the official notification by letter or is it the official...

Tehassi Hill: We're going to go ahead and pull up the resolution which identifies the official media outlets that are used.

Cathy L. Metoxen: Is there an official spokesperson?

Tehassi Hill: Official spokesperson? Yes. There is.

Cathy L. Metoxen: But what is used for General Tribal Council? Is it a letter? Is it...

Tehassi Hill: Okay, the resolution identifying the official Oneida Nation media outlets is on the screen for your viewing pleasure. So basically, it's "Now therefore be it resolved that the Oneida Nation's website and the Kalihwisaks newspaper shall be the official media outlets of the Oneida nation."

Cathy L. Metoxen: Oh, is that new? 3/22/2017? I mean, you must have had official notification for the last 50-60 years, even the last 20, but you just now made one for 3/22/2017? That's just the way it looks to me. Is that correct or am I wrong?

Tehassi Hill: Lisa?

Lisa Summers: Thank you, Mr. Chairman. You're absolutely correct, Cathy. We did this in March of this year, and the reason that we chose to put it in resolution form is because there were questions about what is the official responses, and so is it facebook? Is it Twitter? Is it Instagram? There's different social media outlets that are available and media outlets that are available for people to communicate with one another—e-mail, text messages. We also currently have "This Week in Oneida" that's published on a regular basis, and we also have our communication, our "Daily Update", that's sent to the organization on a daily basis. So the Business Committee said absolutely. There's a lot of media venues out here, so we need to make sure that everybody is clear on what

are the official ones, and so that's when we decided that we needed to go ahead and make it official. Thank you.

Cathy L. Metoxen: Okay, but what is unclear to me—just me, I'm not talking about anybody else—is why did you wait till 2017?

Tehassi Hill: I guess my understanding is that Lisa just explained it, that the process that we use, that there was some confusion about what the official sites are, media, to where you should go to get your information officially from the Oneida Nation, so that is why we brought forward that resolution identifying specifically where to go to get your information.

Cathy L. Metoxen: I know I'm one of the people that raised those questions quite a few years ago, so that's why I'm wondering.

Tehassi Hill: All right, thank you, Cathy, for your time. Your three minutes is up.

Cathy L. Metoxen: I'm not done yet.

Tehassi Hill: It's up, so I'm going to go ahead and call on Bobbi.

Bobbi Webster: I just want to answer her question, and the Kalihwisaks has been the official communication for the Oneida Nation for over 30-40 years. I don't know where it's designated. I don't have the resolution, but trust me—that has been the official publication of the Oneida Nation.

Tehassi Hill: All right, thank you. Microphone A, please identify yourself for the record.

Dustin Fish: Dustin Fish. I'd like to agree with Gina on this to believe that, you know, you guys should stay home and take care of your own business and realize what's going on in your back yard instead of running to DC and looking for more ways to get money when you don't even know what's going on in your back yard. Thank you.

Tehassi Hill: All right, thank you for your comments, Dustin. Is there any more comments on this, the main motion to accept as FYI? Call for the question, I will recognize that as no one steps to the mikes. We will vote on the motion by show of hands. I'll make sure I get that right this time—show of hands. All those in favor of the motion by Jenny Webster, seconded by Jacob McLester, to accept item 5. C. as FYI, please raise your hand if you're in favor. Sorry, item 5. B. Okay, all those opposed to accept item 5. B. as FYI, please raise your hand. Opposed. Abstentions, please raise your hand. All right, motion has passed to accept item 5. B. as FYI.

C. Tribal Ombudsman position

Tehassi Hill: Now we're moving on to our last item, and I just wanted to make a note, too, at this time before we start item C, which is the Tribal Ombudsman position, that I'm not going to recognize a motion to adjourn until everybody is in their seats, so please stay seated for the duration of the meeting, and let the elders and disabled

people exit first, get up in line, and then the rest of us can be released. This is a constant health and safety issue that we face every General Tribal Council meeting, so I would just like everybody to stay in their seats and let the elders and disabled people leave first. Thank you. All right, so item...Tribal Ombudsman position, I'll call on Lisa.

Lisa Summers: Thank you, Mr. Chairman. Shekóli swakwek, and good evening everyone. As Tehassi mentioned, I am going to give the final presentation of the evening. You can follow along with me in your packet located on page 102 and starting on page 103 is the presentation. The presentation is all of the information that's included on page 102 in the memorandum that was provided in your packet. So basically, we'll go over a quick agenda what we're going to do in the presentation. I'm going to give you a brief historical overview, what the current situation is, the needs analysis, and then the recommendations and the options that were collaborated upon with the Human Resources department. So first and foremost, very quickly, in 2005, the Ombudsman position was created by General Tribal Council, and at that time, from what we gathered from the information, the purpose was to assist the Comprehensive Health Division patients and employees in voicing their concerns about the services and/or the work environment and to assist with getting issues around those topics resolved. Then in 2011, a process was actually developed by the Comprehensive Health Division, and it's currently being administered by the Director of Nursing. There are standard operating procedures in place which allows for issues and concerns to be brought to the appropriate party's attention in order to be resolved in a timely manner, so what it appears now is that the role of the Ombudsman position for the Comprehensive Health Division is no longer needed. The current situation is this: the Ombudsman did resign the position in January of 2017, and at this time, there are no cases relating that are pending that relate to the current Comprehensive Health Division. So when the analysis was completed, we looked at three different things: We looked at the professional opinions that were provided to us; we looked at the evidence and the number of statistics as far as the number of cases that were being held and different information as that; and then also we looked at effective and efficient processes for handling complaints that are already in place. We understand the original intent of the position has outlived its purpose, and, again, it appears that the position is not essential anymore for the Comprehensive Health Division itself. So there's three recommendations that are being provided to General Tribal Council for consideration, and those are as follows: The first consideration is to eliminate the position, and that would require a GTC motion to rescind the mandate for an Ombudsman position based on the lack of need; the second recommendation or option is to expand the scope of the position to make it a national Ombudsman position to work for the entire organization, not just for comprehensive health; and the third option that we would like you to consider as a possible alternative is to reallocate the funds for the position to the Human Resource Department to help that department expand its mediation and alternative dispute resolution services to the organization. So with that, I will turn it back over to the Chairman, and Yaw^kó for your attention.

Tehassi Hill: All right, we're about to start discussion on this particular item. I will call on microphone A. Please identify yourself for the record.

Julie Barton: Julie Barton. I had some comments about the past. When General Tribal Council became very emotional. When I say "General Tribal Council" I don't mean us in this meeting, I mean all of us that are congregated outside of the community, as well as in a position of employment and so forth, so...but the meeting that was held was by petition, and it was, like I said, very emotional because people felt that health services were not being met, and I think a lot of good changes have come about. However, there's still always need for improvement. We need more doctors and so forth, and the list could go on and on. But I know that if I said that, my three minutes would be gone. However, I believe that HR made a good recommendation in saying that this position is non-essential to the division, nor the Nation. To eliminate the position by requesting GTC to rescind the motion that created the Ombudsman based on lack of need, and one of the important things I think that we all need to recall is that this Ombudsman had no authority, and there were four or five that we went through, and they kind of left, very educated and trained people, left because they couldn't make any headway with the job because they had no authority. So I think a good recommendation has come about here, and I don't think we even need to consider Option 2 and 3 because the position has been recommended by one of our managers, then I take their word for it, and I also take the word of the people. Take the word of how many calls are made at times years ago, and acting on behalf of people who were concerned that the Ombudsman could not make any headway, and I think then, by all the emotion and all the time we spent with GTC, addressing the problem, improvements have been made, but we should know about them. We should know everything about what's going on because we have descendancies that go on endlessly using our funds, and we have a need. Our community is growing, and that is shrinking our budget to serve the people. We don't want to have to come back here with that emotional need to beg to make changes, so my motion is to go with Option 1, the recommendation from HR manager. That's the motion.

Tehassi Hill: Okay, a motion has been made by Julie Barton and seconded by Carole Liggins which was Option A or 1 to eliminate the position through a GTC motion to rescind the mandate for the Ombudsman position based on the lack of need. So that's the motion on the floor, and I will got to microphone B. Please identify yourself for the record.

Cathy L. Metoxen: My name is Cathy L. Metoxen. I recall all those days of a need for the Ombudsman. I agree, you know, maybe we can let them go, but I don't believe that it was utilized to its fullest. I think it's still needed, and I only use my own example. Somebody said something....I don't...it's really hard to come and stand up here and speak in a lot of cases, but...and it's hard tonight because it's emotional, too, I guess, but it's still badly needed because there's things that are not handled appropriately, and it's out of hand in some instances. A lot of times, I talk with a lot of people, and sometimes, even to me for myself it appears that our lives are being at risk in some instances with the Health Center, and I know that's true in some cases, but that's why I think there could be a badly needed, but people are afraid to come forward nowadays. There was a time when they used to come to me and now they tell me they don't want to lose their jobs, and they don't want their family members to lose their jobs and such, but I know I was given the wrong medication, and I almost died. I know that. But I don't know

where to go with that. Just like I don't know where to go tonight when I felt like I was threatened. I don't know who to go to. If somebody's going to make it hard for me here because they're your family members, so be it. But I have a complaint because I felt I was threatened even tonight, and I feel threatened in the Health Center, and that's why we got the Ombudsman to begin with, and there were a lot of things that I know of that weren't handled right. And I still believe there's a need for it. I still believe that people need to feel safe enough and trust to be able to come forward. And I know how hard that is, just like tonight. I don't know who to go to. You need to tell me who do I go to? Who's the top security guy, you know, the guard here that I can talk to with regard to how I felt threatened here tonight, and I don't know how else to put it, but to be bogus so that's what I believe. I believe that there is still something wrong, and I think one day it's going to happen, and we will be able to say they didn't care enough about our people. They let some people die because there are people who believe that about their family members. I've met quite a few of them, and I feel that way myself.

Tehassi Hill: Okay, Cathy. I have to interrupt you. Your time is up, and if you do feel threatened as it goes to any General Tribal Council member here today, please see security, call attention to the issue that you're having to make sure that it can be addressed properly. So I will go to microphone A. Please identify yourself for the record.

Pat Cornelius: Mr. Chairman, Pat Cornelius. I agree with Julie Barton, and I second the motion. I call for the question.

Tehassi Hill: You're going to call for the question, okay. All right, I'm going to recognize the call for the question after we get through these last two elders that were up here at the microphone, so I will go to microphone B and A, and then we'll vote on the motion.

Wes Martin: You know, for once, I agree with Cathy. As an elder, and I've been on the board, one of my understanding of the Ombudsman is to represent when there's complaints or there's a lack of something, services or whatever. I'm not condemning the Anna John but that's what it is. I agree with Julie. Unless you have some authority or some directions where you can take them complaints and they're going to be acted on and something done with them, that is what that person it, but it shouldn't be. It should be within the whole tribe that when we have questions, whether it be land use, housing, whatever, that's what that person's supposed to be doing. The state has one. When talking with them at one of the conferences, the Ombudsman says, "You know, one of the big things they do is that...what they're supposed to do is to make sure the people in the nursing homes or wherever have that voting right. We don't have that. We have our Tribal members in the nursing homes or wherever, they can't get to the things, and that is part of that Ombudsman to find some ways that them people can vote. That's their constitutional right, but because they're home bound or whatever, so we've got to give her and keep this position, but give her...he or she some powers so that whatever she's recommending, it's going to be heard. I was not aware that she had no authority. I thought she had that. You know, it's like a position without going nowhere because they don't have that authority. So I'm in favor of basically keeping it, relooking at it, revamping it, and allowing that person to have authority, but not just to the medical

clinic, but in all of our organization. It's much needed to help our people that have complaints against certain departments and they have no place to go. This would help them. Thank you.

Tehassi Hill: Thank you for your comments, Wes. I'll go to microphone A. Please identify yourself for the record.

Janet Malcolm: Yes, my name is Janet Malcolm. I'm an Oneida veteran, and I've been searching for some people for an answer throughout the Tribe, and I'm not getting anywhere. I have found out, I called billing at the Health Center. My medications are being paid by Medicare and also IHS. I have information that the VA will pay all veterans' expenses through IHS. We will be refunded, and I'm just wondering who to give this information to so it can be looked into. We're losing a lot of dollars.

Tehassi Hill: I guess I would just have to refer you to Dr. Vir or Debbie Danforth, as they are the Division Directors. If you have any information that could help our Tribal members get prescriptions paid for, I'm sure the information would be much appreciated. Thank you. All right, so we have a motion on the floor by Julie Barton, seconded by Carole Liggins, the question has been called for that I recognized before I would address the two elders that were at the microphones. The question has been called for, so we're going to go ahead with the vote.

Gina Powless: Privileged question.

Tehassi Hill: Jo Anne, does a privileged question supersede the call for the question?

Jo Anne House: The question is whether or not the Chair needs to recognize a privileged question that is called after he's begun the process of calling for the vote. Because you had not yet actively asked for hands to be raised, you should recognize the privileged question.

Tehassi Hill: All right, thank you for the clarification. Microphone in the overflow room. Please identify yourself for the record.

Gina Powless: Gina Powless. The question I had was what, in those plans or those options that Lisa provided for doing something with the Ombudsman position, what is the alternative when you have Tribal members that have issues with the Health Center, the staff, could be Debbie or Dr. Vir, whoever, the pharmacy, issues of that nature—where are they to go to vet that out because if they get bottlenecked now with the current administration that's there, for instance, they're just hitting like a brick wall and can't get any answers, can't get resolution....

Tehassi Hill: We're going to have to stop you. This is not a privileged question. That's just a regular standard question.

Gina Powless: No, I'm asking, where do they go? Where do they go then?

Tehassi Hill: A privileged question is something that you would have to ask that is overstepping the authority of the motion, something to do with the motion that is potentially out of order or that is overstepping another Tribal member's rights.

Gina Powless: I'm just asking where does that...what is their alternate option?

Tehassi Hill: That's not a privileged question, but I'm going to answer it to the best of my ability so we can get to voting on the motion.

Gina Powless: Okay.

Tehassi Hill: As far as this past...the last term, the Business Committee had directed that all the direct reports adopt complaint policies and procedures of how they're going to handle those complaints, and as far as I know in the Health Division, they have to go through the Director of Nursing to file that complaint and follow the process through that division and that's the process that they have put in place to handle complaints, is you file your complaint with the Director of Nursing. So that is not a privileged question, but I answered that part of it, so I am going to go forward with the call for the question. Privileged question at Microphone A. Please identify yourself for the record.

Barbara Cornelius: Barbara Cornelius. My question is does this have to have two-thirds majority vote because it was already processed through the GTC, right?

Tehassi Hill: Yep, that is a privileged question, and it's going to require a two-thirds vote, which I will, in turn, request the Election Board to prepare to do a hand count, as they're going to need a two-thirds vote. So that's a two-thirds vote of everybody that is voting. Is the Election Board ready in the overflow room?

Election Board Member: Not yet.

Tehassi Hill: Okay.

Election Board Member: Yes, we're ready.

Tehassi Hill: All right. We're voting on the motion by Julie Barton, seconded by Carole Liggins, to approve Option A, to eliminate the position through General Tribal Council motion to rescind the mandate for an Ombudsman position based on the lack of need. This requires a two-thirds vote. All those in favor, signify by raising your hand to be counted.

Election Board Member: We're ready.

Tehassi Hill: All right. Thank you. Everybody who wishes to oppose the motion, signify by raising your hand to be counted.

Election Board Member: We're ready.

Tehassi Hill: Okay, they're still counting in the main room.

Election Board Member: Chairman, I'm not able to hear anything you're saying if you're saying anything.

Tehassi Hill: Okay, thank you. I wasn't saying anything, but I'll just ask the crowd, the General Tribal Council members, to remain quiet while we're in the voting process. Are we ready, Election Board, in this room to continue? All right, all those that are abstaining from the vote, please raise your hand.

Election Board Member: Excuse me, Chairman Hill?

Tehassi Hill: Yes, please.

Election Board Member: Total votes of 453: 380 yes, 49 no, 24 abstentions.

Tehassi Hill: Thank you. We'll add that to the tally in this room. Could you please repeat?

Election Board Member: Total of 453: yes, that's the total votes. Total yeses was 380, nos were 49, abstentions were 24.

Tehassi Hill: Thank you. While they're tallying that vote, I would ask that the people that are starting to crowd around the door to please have a seat. We are letting the elders and disabled people exit first, so please find a seat. There are several seats up here in the front. If you can't find a seat in here, I'm sure there's room in the overflow room. Please find a seat. All right, thank you. We have a final tally on the vote on the last action, and again, I'll just remind people to please take a seat, and the people with the fluorescent pink or orange bracelets are those identified to be elders or disabled people and are going to be asked that we allow room for them to exit first, to be exiting first. So everybody please take your seat. Okay, so the total votes on this motion was...can I please have quiet in the room, please? I need quiet in the room. Thank you. The total votes was 1,329. The yes votes was 1,030, no votes was 299. So the motion passes by more than a two-thirds vote, I believe it was 886 votes was needed, and we had 1,030, so the motion passes. Thank you, General Tribal Council.

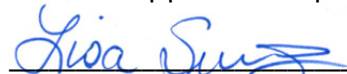
6. Adjourn

Lori Elm: Motion to adjourn. Lori Elm.

Tehassi Hill: Motion by Lori Elm. Looking for a second. Please state your name. Seconded by Bob Smith. Please remember to let your elders and disabled people exit first. All those in favor of adjourning? Opposed? Abstentions? Motion carries.

Costs Associated with this Meeting					
Printing	Mailing	Security	Room Rental/Video & Audio	Stipends/Gift Cards	TOTAL
\$30,373	\$4,919	\$1,647	\$1,000	\$187,500	\$225,439

Minutes prepared by Paulette Binion, The Binion Group, Inc.
Minutes approved as presented to the GTC on January 28, 2018.



Lisa Summers, Secretary
ONEIDA BUSINESS COMMITTEE