

Oneida Nation Oneida Business Committee Legislative Operating Committee PO Box 365 • Oneida, WI 54155-0365 Oneida-nsn.gov



LEGISLATIVE OPERATING COMMITTEE MEETING AGENDA Business Committee Conference Room-2nd Floor Norbert Hill Center

Business Committee Conference Room-2nd Floor Norbert Hill Center December 20, 2017 9:00 a.m.

I. Call to Order and Approval of the Agenda

II. Minutes to be approved

- 1. December 6, 2017 LOC Meeting Minutes (pg. 2)
- **III.** Current Business
 - 1. Children's Code (pg. 4)

IV. New Submissions

- 1. Wellness Court (pg. 10)
- 2. Employee Protection Policy (pg. 36)
- V. Additions
- VI. Administrative Updates 1. Domestic Animals – Emergency Rule (pg. 41)
- VII. Executive Session
- VIII. Recess/Adjourn



Oneida Nation Oneida Business Committee Legislative Operating Committee PO Box 365 • Oneida, WI 54155-0365 Oneida-nsn.gov



LEGISLATIVE OPERATING COMMITTEE MEETING MINUTES

Business Committee Conference Room-2nd Floor Norbert Hill Center December 06, 2017

9:00 a.m.

Present: David P. Jordan, Kirby Metoxen, Ernest Stevens III, Jennifer Webster, Daniel Guzman King

Others Present: Clorissa Santiago, Jen Falck, Lee Cornelius, Rae Skenandore, Cathy Bachhuber, Robert Collins, Krystal John, Bonnie Pigman, Rosa Laster, Allen King Sr.

I. Call to Order and Approval of the Agenda

Motion by Jennifer Webster to approve the agenda; seconded by Daniel Guzman King. Motion carried unanimously.

II. Minutes to be approved

Motion by Kirby Metoxen to approve the November 15, 2017 LOC minutes and forward to the Oneida Business Committee for approval; seconded by Ernest Stevens III. Motion carried unanimously.

III. Current Business

1. GTC Meetings Law (1:05 – 2:35)

Motion by Jennifer Webster to approve the GTC Meeting Law status update for the January 28, 2018 GTC Annual Meeting with one addition; add a web link to the update so that readers can access the full GTC Meetings Law Survey Report; including the Facebook, Oneida Nation Page, LOC Page, and Oneida Register and forward to the Secretary's Office to be included in the meeting packet; seconded by Ernest Stevens III. Motion carried unanimously.

2. Landlord-Tenant Amendments (2:36-3:12)

Motion by Daniel Guzman King to approve the adoption packet and forward to the Business Committee for consideration; seconded by Ernest Stevens III. Motion carried unanimously.

3. Real Property Amendments (3:15 – 3:56)

Motion by Daniel Guzman King to approve the public meeting packet and forward to the Real Property Amendments to a public meeting to be held on January 11, 2018 and forward to the Finance Office for a fiscal analysis to be completed by January 10, 2018; seconded by Ernest Stevens III. Motion carried unanimously.

4. Petition: Dodge- Law Firm (3:57 -4:33)

Motion by Kirby Metoxen to approve the Petition: Dodge- Law Firm for GTC legislative analysis and forward to the Business Committee; seconded by Daniel Guzman King. Motion carried unanimously.

5. Petition: G. Powless- Banishment Law Resolution (4:35 – 5:24)

Motion by Jennifer Webster to approve the Petition: G. Powless- Banishment Law Resolution legislative analysis and forward to the Business Committee for consideration; seconded by Kirby Metoxen. Motion carried unanimously.

IV. New Submissions

1. Work Visas (5:28 – 7:23)

Motion by Ernest Stevens III to add to the active files list as a low priority and assign Daniel Guzman King as the sponsor; seconded by Jennifer Webster. Motion carried unanimously.

2. Uniform Commercial Code and Business Organizations (7:25 – 10:05)

Motion by Ernest Stevens III to add Uniform Commercial Code to the active files list as a medium priority and assign Ernest Stevens III and Daniel Guzman King as cosponsors; seconded by Jennifer Webster. Motion carried unanimously.

Motion by Daniel Guzman King to add Business Organizations to the active files list as a medium priority and Ernest Stevens III and Daniel Guzman King as co-sponsors; seconded by. Motion carried unanimously

Motion by Ernest Stevens III to remove Corporate Law, Secured Transactions Law, and Nonprofit Incorporation Law from the active files list; seconded by Jennifer Webster. Motion carried unanimously

3. Election Law Amendments (*10:08 – 13:52*)

Motion by Kirby Metoxen to add Election Law Amendments to the active files list as a high priority and assign Jennifer Webster as sponsor; seconded by Daniel Guzman King. Motion carried unanimously

Motion by Jennifer Webster to direct the LRO Director to send a memo to the Secretary's Office updating her on this action; seconded Kirby Metoxen. Motion carried unanimously

V. Additions

VI. Administrative Updates

1. Membership Ordinance Rule #1 – Enrollment (13:56 -15:25)

Motion by Jennifer Webster to certify this rule and forward to the Business Committee for consideration; seconded by Kirby Metoxen. Motion carried unanimously.

VII. Executive Session

VIII. Adjourn

Motion by Ernest Stevens III to adjourn the December 06, 2017 Legislative Operating Committee meeting at 9:15 a.m.; seconded by Daniel Guzman King. Motion carried unanimously.





Oneida Nation Oneida Business Committee Legislative Operating Committee PO Box 365 • Oneida, WI 54155-0365 Oneida-nsn.gov



Legislative Operating Committee December 20, 2017

Children's Code

Submission Date: 9/17/14	Public Meeting: 5/4/17	
LOC Sponsor: Kirby Metoxen	Adopted: 7/26/17	

Summary: This item was carried over into the current term by the LOC. The proposal seeks to develop a Children's Code which would enable the Tribe to take jurisdiction of child welfare matters involving Tribal children. The proposal seeks establishment of a Child Welfare Office and the Oneida Child Protective Board, and would address child welfare proceedings including CHIPS; termination of parental rights; adoption; and foster home licensing. OBC adopted on 7/26/17 but directed that final implementation plan be presented to the new OBC on 9/13 and that quarterly updates be provided until Code is implemented and that a 1-yr review be conducted after Code is implemented.

<u>9/6/17 LOC:</u> Motion by Jennifer Webster to add Children's Code to the active files list with Kirby Metoxen as the sponsor; seconded by Ernest Stevens III. Motion carried unanimously.

Motion by Daniel Guzman King to accept the Children's Code Implementation Plan as information and forward to the Oneida Business Committee as information; seconded by Ernest Stevens III. Motion carried unanimously.

- **<u>9</u>/7/17:** Work Meeting. Present: Clorissa Santiago, Candice Skenandore, Michelle Gordon, Jennifer Berg-Hargrove, Heather Lee, Tsyoshaaht Delgado, George Skenandore, Veronica Bruesch. The purpose of this meeting was to continue drafting a proposed memorandum of understanding.
- <u>9/12/17 OBC</u>: *Executive Session*. Children's Code Implementation Plan was discussed with the OBC during Executive Session.
- <u>9/13/17 OBC</u>: Motion by Lisa Summers to accept the Children's Code Implementation Plan as information, seconded by Ernest Stevens III. Motion carried unanimously.

EXECUTIVE SESSION: Motion by Trish King to accept the update and changes as information, seconded by Ernest Stevens III. Motion carried unanimously.

EXECUTIVE SESSION: Motion by Lisa Summers to direct the negotiating team, composed of representatives from the Law Office, Governmental Services, and Intergovernmental Affairs & Communications, to begin negotiations with Outagamie County, seconded by Kirby Metoxen. Motion carried unanimously.

9/19/17: Presentation and Meeting with Wisconsin Department of Children and Families Secretary Eloise Anderson. Present: Eloise Anderson (Secretary of DCF), Brad Wassink (Assistant Deputy Secretary of DCF), Stephanie Lozano (DCF Tribal Liaison), Tehassi Hill, Patricia

King, Jennifer Webster, Ernest Stevens III, Daniel Guzman King, Tana D. Aguirre, Nate King, Jennifer Falck, Candice Skenandore, Clorissa Santiago, Jennifer Berg-Hargrove, Heather Lee, George Skenandore, Tsyoshaaht Delgado, Jennifer Hill-Kelly, Melinda Danforth, Jessica Wallenfang. Presentation of the Children's Code was given, followed by discussion.

- **9/25/17:** Work Meeting with OBC. Present: Clorissa Santiago, Candice Skenandore, Jennifer Falck, David P. Jordan, Jennifer Webster, Daniel Guzman King, Kirby Metoxen, Brandon Stevens, Tehassi Hill, Melinda J. Danforth, Rosa Laster, Lisa Liggins, Laura Laitinen-Warren. Discussion was held regarding talking points regarding the Children's Code in relation to the FY 2018 Budget meeting.
- <u>11/1/17 LOC</u>: Motion by Kirby Metoxen approve the 60 day active files list update and continue development of all the items on the active files list; seconded by Ernie Stevens III. Motion carried unanimously.

Next Steps:

 Accept the Children's Code Quarterly Update and forward to the Oneida Business Committee.





Oneida Nation Oneida Business Committee Legislative Operating Committee PO Box 365 • Oneida, WI 54155-0365 Oneida-nsn.gov



TO:	Oneida Business Committee
FROM:	David P. Jordan, LOC Chairperson
DATE:	December 27, 2017
RE:	Children's Code Quarterly Update

The Children's Code was adopted by the Oneida Business Committee (OBC) through resolution BC-07-26-17-J with the purpose of providing for the welfare, care, and protection of Oneida children through the preservation of the family unit, by assisting parents in fulfilling their responsibilities as well as facilitating the return of Oneida children to the jurisdiction of the Nation, and acknowledging the customs and traditions of the Nation when raising an Oneida child.

On July 26, 2017, the OBC directed that a full implementation plan be submitted to the OBC, with quarterly reports submitted thereafter, and a one (1) year review of the Children's Code itself as it relates to the full implementation.

On September 13, 2017, the OBC reviewed and accepted the Children's Code Implementation plan. This implementation plan is to be used as a guideline for the affected entities to prepare for the successful implementation of the Children's Code. This implementation plan is not exhaustive, and the OBC can modify the effective date of the Children's Code and implementation plan as it deems necessary to successfully implement the Children's Code.

This memorandum serves as the first quarterly update to the OBC on the implementation of the Children's Code.

ONEIDA FAMILY COURT

In accordance with the approved implementation plan, the Oneida Family Court (OFC) was to complete the hiring process for the OFC Judge and clerk positions by the time of the first quarterly report.

Appointment of the Oneida Family Court Judge.

- The OFC has reviewed the job description for the OFC Judge and on November 30, 2017, the OBC approved the job description and directed that the Family Court Judge position be posted for fifteen (15) days. Additionally, the OBC approved revisions to the standard operating procedure (SOP) titled 'Selection of Family Court Judge' which identified the screening/selection team.
- On December 12, 2017, the OFC Judge position was posted as open to Oneida Tribal Members only.
- On December 13, 2017, the OBC selected David P. Jordan, Jennifer Webster, Kirby Metoxen, and Brandon Stevens and/or Tehassi Hill to serve as the OBC members on the screening/selection subcommittee for the Family Court Judge vacancy. In addition, Judge Marcus Zelenski, Chief Judge Gerald L. Hill, Chief Judge Denice E. Beans, and Patricia DeGrand, Court Clerk will serve as subject matter experts on the screening/selection subcommittee.

Hiring of the Oneida Family Court Clerk.

- The OFC has reviewed the job description for the OFC clerk position and requested the Human Resources Department to post for the clerk position on November 3, 2017.
- On December 12, 2017, the OFC clerk position was posted as open to Oneida Tribal Members only.
- The OFC will continue to work with Human Resources Department to fill this position.

Recruitment of GALs.

 The OFC began recruiting guardians ad litem (GALs), most recently at the Community Budget Input Session. Four (4) community members have showed an interest thus far.

ONEIDA POLICE DEPARTMENT

In accordance with the approved implementation plan, the Oneida Police Department (OPD) was to work on outreach to other law enforcement agencies, develop standards on when to communicate with the Indian Child Welfare Department (ICW), and work on entering into a memorandum of agreement with ICW and potentially the counties.

Outreach to Other Law Enforcement Agencies.

- On September 6, 2017, the Oneida Police Department met with Outagamie County law enforcement agencies, and informed them that the Nation is working on taking jurisdiction over Oneida children.
- On October 10, 2017, the Oneida Police Department had a similar meeting with the Brown County law enforcement agencies.

Memorandum of Agreement with the Indian Child Welfare Department.

 On October 6, 2017, the Oneida Police Department met with ICW and began discussions regarding entering into a memorandum of agreement that will detail the relationship, roles, communication, and responsibilities of the two departments.

ONEIDA INDIAN CHILD WELFARE DEPARTMENT

In accordance with the approved implementation plan, the ICW was to complete the hiring process for a majority of the new positions, begin obtaining outside trainings and developing internal trainings and standard operating procedures, and collaborate with various departments and agencies to develop potential memorandums of agreement.

Planning and Preparation for Indian Child Welfare Department Expansion.

- On November 6, 2017, the Director of Family Services, the Governmental Services Division Director, and the Area Manager of Social Services met to discuss and plan for the structure of the ICW program.
- On November 20, 2017, a plan to identify space to support and accommodate the expanding ICW was finalized.
- On December 8, 2017, office equipment and required furniture for new positions was delivered and set up.



Hiring.

- Four (4) out of (5) ICW job descriptions have been updated, approved, and sent to the Human Resources Department for posting. These positions include the following:
 - Child Placement Coordinator (#1559);
 - Parent Program Coordinator (#1756);
 - Family Services Supervisor (#2545); and
 - Indian Child Welfare Social Worker/Case Manager (#2541).
 - This position may be assigned a new number since this was a merger of ICW Ongoing position (#2541) and ICW Intake position (#2542) into one job description. This allows staff to be cross trained and will allow movement between an Ongoing and Intake role if needed.
- Three (3) of the ICW positions are currently posted and involved in various stages of the hiring process, they include:
 - Child Placement Coordinator;
 - Parent Program Coordinator; and
 - Family Services Supervisor.
- The fifth ICW job description, the Paralegal position, is being developed. Posting of this position will not occur until six (6) months prior to the implementation of the Children's Code.
- On November 13, 2017, two (2) internal re-assignments occurred which involved one position in ICW.
 - An individual from Domestic Abuse was reassigned into one of the ICW Social Worker/Case Manager (#2541) positions.
 - An individual moved from ICW into Prevention, and another individual was reassigned into her ICW Intake position.

Memorandum of Agreement with the Oneida Police Department.

 On October 6, 2017, ICW and OPD began discussions on entering into a memorandum of agreement that will detail the relationship, roles, communication, and responsibilities of the two departments.

Memorandum of Agreement with the Oneida Trust Enrollment Committee.

- On November 27, 2017, the attorney for the Oneida Trust Enrollment Committee (OTEC) received an approved draft of the memorandum of agreement between ICW and OTEC.
- The attorneys for ICW and OTEC have approved the memorandum of agreement, and OTEC will consider the agreement on December 28, 2017. Upon approval, it will be signed and sent over to the ICW for signature.

161 AGREEMENT SUBCOMMITTEE

The OBC reviewed the draft 161 Agreement and on September 13, 2017, the OBC made a motion to accept the update and changes to the draft 161 agreement as information, and directed the negotiating team composed of representatives from the Law Office, Governmental Services, and Intergovernmental Affairs & Communications, to begin negotiations with Outagamie County.

161 Agreement(s).

 The 161 Agreement Subcommittee met on December 5, 2017, to discuss the status of the 161 Agreement negotiations. A copy of the 161 Agreement was provided to the Outagamie₁County

8 of 54



The 161 Subcommittee plans to meet on January 2, 2018, and then on a monthly basis thereafter for the purpose of securing the 161 Agreements.

MISCELLANEOUS

Fiscal Year 2018 Budget Preparation.

- On September 25, 2017, the Legislative Reference Office and OBC met to discuss and prepare for potential talking points regarding the Children's Code in relation to the Fiscal Year (FY) 2018 Budget meeting.
- The Nation's FY 2018 Budget was adopted by the General Tribal Council on October 8, 2017.

Presentation and Meeting with the Wisconsin Department of Children and Families Secretary.

On September 19, 2017, the OBC met with the Wisconsin Department of Children and Families Secretary Eloise Anderson, Assistant Deputy Secretary Brad Wassink, and Department of Children and Families Tribal Liaison Stephanie Lozano. The Legislative Operating Committee provided a presentation regarding the Children's Code and its development, and then discussion was had related to child welfare issues and the relationship between the Nation and the State of Wisconsin.

Concerns.

- The implementation plan allowed three (3) months for the hiring process of a majority of the new positions so that the individuals in the new positions would have at least one (1) year to obtain the proper trainings and develop the proper infrastructure before the implementation of the Children's Code. There is a concern that the posting, interviewing, and hiring process for the additional positions is taking longer than expected. This will result in less time for the departments to complete the necessary trainings and actions needed to successfully implement the Children's Code.
- The implementation plan requires various departments to enter into memorandum of agreements with the Child Protectives Services of Brown and Outagamie Counties. No update has been provided on whether these agreements are currently in development.
- In September, the OBC directed that the 161 Agreement negotiations with the counties begin. To date, official negotiations have not been made. It should be noted that the Wisconsin Department of Children & Families has offered their assistance in facilitating a meeting should the Nation have difficulty negotiating with the counties to reach a 161 Agreement.

Requested Action

Accept the Children's Code Quarterly Update



Oneida Nation Oneida Business Committee Legislative Operating Committee PO Box 365 • Oneida, WI 54155-0365 Oneida-nsn.gov



AGENDA REQUEST FORM

		11 17 17
1)	Request Date:	11-17-17

- Contact Person(s): Daniel Guzman 2)
 - Dept: OBC

Email: dguzman@oneidanation.org Phone Number: 869-4366

- 3) Agenda Title: Wellness Court
- 4) Detailed description of the item and the reason/justification it is being brought before the LOC: One of the Oneida Nation's tribal action plan identifies a goal to have a wellness campus to address the alcohol and drug epidemic within the community. A wellness court that gives he Nation jurisdiction and process unique from the state/federal judicial systems will be beneficial to our community and also align with the philosophies and goals of the tribal action plan.

List any supporting materials included and submitted with the Agenda Request Form

- 3) More Info: https://www.walkingoncommonground.org/index.cfm 1) Tribal Action Plan
- 2) More Info: http://www.nadcpconference.org/
- 4)
- More Info: http://www.tribal-institute.org/lists/drug_court.htm
- 5) Please list any laws, policies or resolutions that might be affected: Judiciary, Law Enforcement
- 6) Please list all other departments or person(s) you have brought your concern to: Judiciary, Business Committee
- 7) Do you consider this request urgent? Yes No

If yes, please indicate why: Development of the law needs to coincide with the tribal action plan

I, the undersigned, have reviewed the attached materials, and understand that they are subject to action by the Legislative Operating Committee.

Signature of Requester:

Please send this form and all supporting materials to:

LOC@oneidanation.org or Legislative Operating Committee (LOC) P.O. Box 365 Oneida, WI 54155 Phone 920-869-4376



Oneida Nation Tribal Action Plan

TABLE OF CONTENTS

Tribal Action Plan Background	1-4
Brief Oneida Tribal History	5-9
Environmental Inventory	
Community Readiness	11-13
SAMHSA Technical Assistance	14
Goals, Objective, Activities and Outcomes	15-20
Evaluation and Monitoring	21
TCC Commitment	22



Contact Information	\mathbf{r}
Contact Information	23



TRIBAL ACTION PLAN BACKGROUND

Tribal Action Plan at the Federal Level

The Tribal Action Plan (TAP) is part of a collaboration of efforts by the Department of Health and Human Services (DHHS), the Secretary of the Interior and the Attorney General to address Alcohol and Substance Abuse Prevention and treatment in Native American Communities. These Collaborations are mandated through the Tribal Law and Order Act of 2010 (TLOA Public Law 111 -211

Through these collaborations, the following Federal entities have been mandated to coordinate and provide resources to assist Indian tribes to achieve their goals in the prevention, intervention and treatment of alcohol and substance abuse: Substance Abuse and Mental Health Services Administration (SAMHSA), Bureau of Indian Affairs (BIA), Bureau of Indian Education (BIE), and the Department of Justice (DOJ).

Tribal Action Plan – Oneida Nation Business Committee

On May 10, 2017, the Oneida Business Committee passed resolution #05-10-17-C declaring that the Oneida Nation has prioritized alcoholism and substance abuse prevention and treatment as a primary issue and has directed that a comprehensive program, in compliance with the anti-drug abuse act of 1986, P.L. 99-5-70, be developed to address the needs of Tribal members and other community members within the Oneida Nation Reservation. The resolution also establishes a Tribal Coordinating Committee to drive the TAP process and implementation.



TRIBAL COORDINATING COMMITTEE

The Tribal Coordinating Committee (TCC) has the primary responsibility for the implementation of the TAP, for ongoing review and evaluation of, and making recommendations to the Nation relating to the TAP. As problems arise in the development of service coordination, it will be the responsibility of the TCC to identify and address them. The BC Resolution has given the TAP organizing team the ability to request the presence of Tribal Personnel to be a part of the Oneida Nation TCC as a part of their daily job duties.

The following are the current TCC Members:

Tehassi Hill – Business Committee Chairman Brandon Yellowbird-Stevens – Business Committee Vice Chairman Daniel Guzman – Business Committee Councilman Ernest Stevens, III – Business Committee Councilman Priscilla Belisle – Grants Development Specialist/TAP Coordinator Annette Cornelius – Cultural Wellness Facilitator Randy Cornelius – Cultural Heritage Kanatihal Hill— Comprehensive Housing Division **Evangeline Danforth** – Lay Advocate Latsiklaunha Hill – Oneida Nation Police Department – Community Resource Officer Phil Wisneski—Communications Patrick Pelky – Division Director Environmental Health and Safety Jennifer Berg-Hargrove – Director Family Services Elijah Metoxen – Elder Services Manager Artley Skenandore – Oneida Nation High School Principle Layatalati Hill – Trial Court Judge Mandy Schneider – Gang Task Force/Outreach Coordinator Alebra Cornelius – Social Worker Laurie Becker – Community Advocate Manager Louise Padron – Domestic Violence Advocate (child/teen female) Melinda Danforth - Executive Assistant/ Councilman Guzman and Community Member **Racquel Hill** – Governmental Services Division – Executive Assistant Kala Cornelius – Community Health and Community Member Donna LeDesma- Community Member Judy Cornelius Hawk- Wise Women Gathering Place Mari Kriescher – Director Behavioral Health

TRIBAL ACTION PLAN

VISION

The Oneida Nation is committed to a holistic approach to inspire hope, belonging, meaning and purpose for all.

The Oneida Nation are people who are inspired to have a good heart, a good mind, and a strong fire by following the seventh generation philosophy and holding each other to our core values.

VALUE STATEMENT

MISSION

The Oneida Nation and community partners will restore balance to our families by preventing and combating substance abuse.



The Good Mind as expressed by Onnyote?a·ká

Kahletsyalúsla The heartfelt encouragement of the best in each of us Kanolukhwásla

Compassion, caring, identity, and joy of being

Ka?nikuhli·yó The openness of the good spirit and mind

Ka[?]tshatstísla The strength of belief and vision as a People

Kalihwi·yó The use of good words about ourselves, our Nation, and our future

> Yukwaha[•]tsíl<u>e</u>? Our Family and our Nation

Yukwatsístay<u>∧</u> Our fire, our spirit within each one of us



Sponsored by: LotiskAlhakehte? Office Plan for 1995-1996, Cultural Advisors Contributors: Oneida Nation Museum, Oneida Elders, and Oneida Cultural Heritage Department Iroquois Deign by Sandee Fulwilder, Governmental Services Division, Computer Graphics

CULTURE SNAPSHOT

It is a complex story to tell about how the Oneida people came into being. Our creation on Mother Earth starts in the middle of a larger story. Our eventual existence on this earth began when Sky Woman who was with child, fell through a hidden opening from Sky World.

The animals of this world caught Sky Woman on her fall and gently brought her down on Turtle's back. Soon after, numerous other animals sacrificed their lives to help Sky Woman create what is now Turtle Island.

Sky woman gave birth to a daughter who later gave birth to twin sons. The Twin sons became what we refer to as the Right and the Left twin. The Right twin was born naturally as a normal baby is born, but the Left twin killed his mother by exiting her body through her left arm pit. Sky Woman was angry with her grandson for killing her daughter. The Left twin lied to his grandmother and told her that it was the Right twin that killed their mother. Sky Woman believed the Left twin and from then on favored him over the Right twin.



The Left twin remained devious and vindictive. The Right twin created our world and ultimately the original human beings, Ukwehuwe. The Right twin is whom we call Shukwaya?ti su, our Creator. His thought was to create a sustaining world; giving each being he created a responsibility to sustain.

Our Creation story is the foundation of our belief system. This is a very brief summary of our story. Our Creation story told in full, reminds us about what balance means and also that we are all connected to one another and to all of creation. We were all given responsibilities that we are to uphold, and one responsibility the Ukwehuwe (the original human being) has is to express our thankfulness to all of creation each and every day.

As time went on, the People of the Longhouse, Haudenosaunee, developed ways of being a nation of people. The Great Law of Peace was eventually adopted by the original five Nations and they united together in peace, becoming the Iroquois Confederacy. Through the Great Law of Peace a governing system was created and Faith keepers, Clan Mothers, and Chiefs were named. The Clan System also became an important part of the way the Haudenosaunee functioned as a large society.



A Historical Perspective of Who We Are

Oneida History Department

For centuries prior to the American Revolution, the Oneida Nation controlled millions of acres of dense forests, beautiful lakes and rivers abundant with game and resources that provided their



people with prosperous livelihoods. Oneida villages were onstructed of multifamily longhouses which were protected by surrounding palisades. Within these walls dwelled entire communities complete with sophisticated agricultural beds, these were fields sometimes 700 acres outside, but near their village.

Upon returning home after the Revolutionary War, however, Oneida Warriors found their villages had been burning and pillaged by enemies who fought for Great Britain.

The Oneida Nation had ceded 6 million acres of land within the state of New York through two treaties in 1785 and 1788, prior to the Constitution. The state of New York and various land companies conspired to remove the Iroquois from their homelands, especially the Oneida, whose land was in direct route of the Erie Canal.

In 1821, a delegation of the Six Nations met with representatives from the Menominee and Winnebago Nations to negotiate for fertile and open lands along the western Great Lakes. In an 1822 Treaty, the Oneida then purchased a usufructuary right to millions of acres of land in a territory that would soon become the state of Wisconsin. Led by Eleazer Williams, an Episcopal



Minister reputed to be the long lost Dauphin of France, and Chief Daniel Bread, the first movement of Oneidas to Wisconsin settled in what is now the Grand Chute and Kaukauna area. Dubbed the First Christian Party, this group of 448 people were Tribal members who had embraced Christianity.

One year later, the Second Christian Party, sometimes called the Orchard Party – a group composed of 206 Oneidas who were primarily Methodist – arrived from New York and settled along the southern area of Duck Creek.

Official reservation boundaries were established with the *1838 Treaty with the Oneidas,* and in 1841 another migration of Oneidas arrived in Northeastern Wisconsin. This group of 44 people was referred to as the Pagan Party. As the only group that had not embraced Christianity, they settled around the area known today as Chicago Corners, north of freedom, and were more isolated than the rest.





Once again, however, Oneida lands would fall prey to United States expansion. In 1887, Congress passed the Indian Allotment Act (Dawes Act) which allocated the land to individuals.

Through the next several years, reservation lands continued to dwindle. Since the concept of taxation was so new and not understood by the Oneida people, many Oneidas lost their lands by failing to pay their taxes. Many also lost their lands due to the fraudulent methods of ruthless land companies and invasion of non-Indians who desired their fertile lands. By 1929, all but a few hundred acres had been lost.

Reorganization of the government and stopping the loss of land came with the Indian Reorganization Act (IRA) of 1934. It provided the foundation for drafting and adopting the Oneida Constitution two years later, which transformed the Tribal government to an elected system with four members serving on a Tribal government to an elected system with four members serving on a Tribal Council. This decision, however, was always questioned by the membership because a true majority of Tribal members did not participate in the vote. Traditionalists who opposed their voices were not heard.

Ultimately, however, the Oneida IRA Charter was approved by the Tribe in 1937, and 1,270 acres of land were bought back by the government and placed in trust for the Oneida Nation.

Unfortunately, these developments were unable to counter the harsh economic impact levied by the Depression. With the exception of very limited farming, the opportunity for employment on the Oneida reservation was virtually nonexistent. Substandard living conditions remained widespread well into the 1950's beyond. Many young Oneida families took advantage of the Federal Relocation Program and other opportunities to leave the reservation in the hope of finding a better way of life in the cities.

It wasn't until the 1970's, two hundred years after the Oneida people had been forced from their lands in New York that the tides began to turn. Competitive grants were received to fund healthcare and education. In 1972, a community development block grant funded the construction of the Oneida Nation Memorial Building which was originally designed as a youth recreation center. Today it is commonly known as the "Civic Center" and through the years has housed the health center, Tribal business committee offices, and social services department.

These developments began the momentum that would make the 1980's the progressive decade for the Oneida Nation in Wisconsin. A jurisdictional lawsuit that had dogged the Tribe for years was finally thrown out of court, and the Oneidas retained their sovereign right to regulate their own

lands. With the land base increased to over 6,000 acres, the addition of a Tribal school, and soaring employment opportunities, the Oneida Reservation once again has an economy.

For more information on the history of the Oneida Nation: https://oneida-nsn.gov/our-ways/our-story/historic-timeline/



BRIEF ONEIDA NATION CHRONOLOGY

Circa 56 A.D.: Peacemaker and Great Law of Peace (Kayantlakowa)

- **1613**: Two Row Wampum Treaty: This treaty declared peaceful coexistence between the Haudenosaunee (Iroquois) and Dutch settlers in the area, and became the basis for all future relationships with European powers. The belt consists of two rows of purple wampum beads on a white background. Three rows of white beads symbolizing peace, friendship, and respect separate the two purple rows. The two purple rows symbolize two vessels traveling down the same river. One row represents the Haudenosaunee people with their laws and customs while the other represents European laws and customs. As nations mov ing together side by side, they are to avoid overlapping or interfering with one another.
- July 1775: The Continental Congress sent an address to the Six Nations urging them to remain neutral in the struggle with England.
- 1788: Fort Schuyler Treaty (formerly Fort Stanwix). Oneidas cede all lands in New York to the state. Approximately 5 1/2 million acres. They reserved 300,000 acres in Madison and Onei da Countries for themselves. New York paid the Oneidas \$2,000 in cash and \$2,000 in clothing, \$1,000 in provisions and \$500 to build grist and saw mills. In addition, New York promised an annuity of \$600.
- **1822**: The Menominee negotiated 9 million acres of land to the Oneida Tribe in Wisconsin.
- **1822-1841**: The first group of Oneida people moved to Wisconsin in 1823. The last group of Oneida people moved to Wisconsin in 1841.
- March 12, 1837: Oneida was established as Duck Creek in Brown
 County, but the name was changed to Oneida on August 5, 1850. Originally known as Duck creek, Wisconsin in Brown
 County, the name was changed to Oneida, Wisconsin on
 August 5, 1850.





ONEIDA NATION CHRONOLOGY

- January 3, 1838: Census- Counted 654 Oneida People. A formula was created to give 100 acres per Oneida tribal member. The total land base is 65,430 acres.
- January 15, 1838: Treaty of Buffalo Creek-Oneidas ceded certain land in Wisconsin reducing re serve to 65,436 acres.
- **February 8, 1887**: Dawes Allotment Act was passed (Dawes Act), which divided Tribal property into 160 acres or less.
- **1910**: Oneida Reservation is divided into 2 townships- Oneida and Hobart and into 2 counties-Brown and Outagamie.
- 1924: Indian Citizenship Act
- **1934:** Passage of the Indian Reorganization Act (IRA) which enabled tribal government to function.



Current Oneida Nation Business Committee



ENVIRONMENTAL INVENTORY

In June of 2017 the Tribal Coordinating Committee (TCC) conducted an Environmental Inventory utilizing a SCOT analysis/assessment. The purpose of the SCOT analysis/assessment is:

Assessing the Nation's **needs and resources** relative to alcohol and substance abuse and treatment activities;

Identifying existing services;

Working with tribal **members and department** to identify urgent or emerging addiction issues; and

Assisting in the development of a **comprehensive strategy** to prevent and reduce alcohol and substance abuse in the Nation.

Through this process the TCC was able to identify the Oneida Nation's strengths/protective factors, opportunities, barriers, and needed funding streams in the areas of: Needs, Structures, and Potential Partners. Our main strength is the amount of resources we have. Our main weaknesses are: communication and collaboration of services, communication with the community, and the silos within and across departments. We have the opportunity for many potential partnerships, as well as restructuring our policies, procedures, resources to be more efficient.





COMMUNITY READINESS ASSESSMENT

The TCC utilized the Community Readiness Manual that was developed by Barbara A. Plested, Pamela Jumper-Thurman, and Ruth W. Edwards from The Nation Center for Community Readiness, Colorado State University, Fort Collins, Colorado.

The Community Readiness Model:

- ⇒ Provides the community "truth" about alcohol and substance abuse, which may or may not be the real "truth". Thus, setting strategies based on the community's readiness.
- ⇒ Is a model for community change that integrates our community's culture, resources, and *level* of readiness to more effectively address alcohol and substance abuse,
- \Rightarrow Allows our communities to define issues and strategies in our own contexts.
- \Rightarrow Builds cooperation among systems and individuals.
- \Rightarrow Increases capacity for alcohol and substance abuse, and intervention.
- \Rightarrow Encourages community investment in alcohol and substance abuse, and awareness.
- \Rightarrow Is a guide to the complex process of system and community change.

What Does "Readiness" Mean?

Readiness is the degree to which our community is prepared to take action on alcohol and substance abuse, . Readiness...

- ◊ Is very issue-specific.
- ◊ Is measurable.
- Is measurable across multiple dimensions.
- ♦ May vary across dimensions.
- May vary across different segments of a community.
- ◊ Can be increased successfully.
- Is essential knowledge for the development of strategies and interventions.





COMMUNITY READINESS ASSESSMENT

Why Use The Community Readiness Model?

- * Alcohol and substance abuse may have barriers at various levels.
- It conserves valuable resources (time, money, etc.) by guiding the selection of strategies that are most likely to be successful.
- * It promotes tribal and community recognition and ownership of alcohol and substance abuse.
- Strong community ownership, helps to ensure that strategies are culturally congruent It encourages the use of *local* experts and resources instead of reliance on outside experts and resources.
- The process of community change can be complex and challenging, but the model breaks down the process into a series of manageable steps.
- * It creates a community vision for healthy change.

What Should NOT Be Expected From The Model?

- \Rightarrow The model can't make people do things they don't believe in.
- ⇒ Although the model is a useful diagnostic tool, it doesn't prescribe the details of exactly what to do to meet our goals. The model defines types and intensity of strategies appropriate to each stage of readiness. Our community must then determine specific strategies consistent with our community's culture and level of readiness for each dimension.





25 of 54

COMMUNITY READINESS ASSESSMENT

During June 12th - 30th 2017, the TCC completed 29 face to face interviews with Oneida Nation service providers, youth, elders, and community members.

We assessed participant's knowledge on the alcohol and substance abuse epidemic in the areas of: community knowledge of current prevention and intervention efforts, leadership involvement, community climate, community knowledge about the epidemic, and related resources.

Interviews were scored on a scale from 1-9 with 1 indicating no awareness and 9 indicating a high level of community involvement.

The community scored a 2 in all categories meaning that we are at a stage of denial/resistance defined as: **some community members recognize that the alcohol and substance abuse epidemic is a concern, but there is little recognition that it might be occurring in Oneida.**

9 Community Ownership 8 Expansion/Confirmation Stabilization Initiation 6 Preparation 5 Preplanning Vague awareness 3 Denial/Resistance No awareness 13



SAMHSA TECHNICAL ASSISTANCE

In August of 2017 the Substance Abuse and Mental Health Services Administration (SAMHSA) facilitated the writing of the Oneida Nation's Tribal Action Plan with the TCC and other community members.

Our first exercise involved reviewing the Oneida Nation's organizational chart to ensure full involvement.

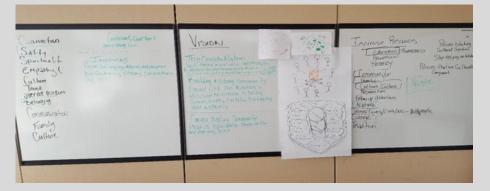
We worked together to complete our Vision.

Worked together to create our first set of goals











GOALS, OBJECTIVES, AND OUTCOMES

From the August 2017 technical assistance training the TCC and attending community members created 4 goals to focus on over the next 5 years.

- **Goal 1**: By the end of year 3, raise the awareness of the drug and alcohol epidemic in our community from Denial/Resistance (level 2) to Preplanning (level 4) on the Community Readiness Assessment Scale
 - **Objectives**: Create and implement a Communications Plan, data collection/evaluation/ assessment, and implementing a trauma informed care expectation throughout the Oneida Nation.

Outcomes:

- Short Term: Community buy in, increased community involvement and knowledge, the establishment of effective communication networks, collective pool of researched data, data informed decision making, and quality of care has increased.
 Long Term: Community is ready for change and action
- **Goal 2**: By the end of year 3, increased coordination and collaboration across systems relevant to alcohol and drugs to embrace and support the TAP goals.
 - **Objectives**: Make this goal a priority in all services and systems to promote resolution 05-10-17-C, research policies and procedures already in place that create barriers, develop a coordinated system for connection to services, hire full time TAP Coordinator

Outcomes

Short Term: Communication and Collaboration happens without barriers, awareness of the barriers and adjustments needed in the policies and procedures, a more culturally congruent staff, immediate and greater access to services, follow through, implementation, accountability, and ownership



Long Term: It will improve communications across systems and services to better align leverage and coordinate existing efforts.

GOALS, OBJECTIVES, AND OUTCOMES

- **Goal 3**: By the end of year 3 increase accessibility to and bring awareness of the services and systems for all community members
 - **Objectives**: Complete community needs assessment to evaluate programs and services and identify strengths and gaps, assess and amend current policies and procedures to ensure they are meeting accessibility needs and they are culturally congruent, improving existing programs to meet needs of the community based on results of assessment

Outcomes:

Short Term: Improved services, effective services, making more informed decisions, fill the gaps, aware of barriers, aware of adjustments needed in the policies and procedures, more culturally congruent staff, more clients will be reached, better personal outcomes, proper care

Long Term: Healthier Community

 Goal 4: By the end of year 5 The Oneida Nation will open Tsi?niyukwalihot^ Wellness Campus.
 Objectives: Establish a CIP (Capitol Improvement Project), Identify and create programming, Raise money and identify funding opportunities

Outcomes:

Short Term: Approval to proceed with CIP, Culturally congruent programming for prevention, intervention, and outreach, Resources identified

Long Term: Increase quality of life for all



Goal 1: By the end of year 3 r	aise the awareness o	Goal 1: By the end of year 3 raise the awareness of the drug and alcohol epidemic in our community from Denial/Resistance (level 2) to Preplanning (level 4) on the Com-	nunity from Denial/Resistance (level 2) to Pr	eplanning (level 4) on the Com-
munity Readiness Assessment scale. LEAD- Priscilla Belisle	it scale. LEAD- Priscill	la Belisle		
Outcome: Community is ready for change and action	ly for change and acti	uo		
Objectives	Lead	Year 1	Year 2	Outcomes
Create and implement a	Priscilla Belisle,	Work with Communications Dept. DSA's	Continue to work with Communica- Hone	Community buy in Increased community in-
communication plan:		Newsletters	Host events such as:	
(Community Events, Feasts,		Articles	Community TAP Kick Off	Increased knowledge
presentations, social me-		Facebook	Radio	Established effective com-
dia, GTC, one on one visits)		Direct Mailings	PSA	munication networks
		Host events such as:	Youth create the LOGO	Increase communication
		Community TAP Kick Off	Talent Show	outlets
		Radio	Support grass roots community	
		PSA	events	
		Youth create the LOGO		
Data Collection. evaluation	Priscilla Belisle	alent show Add guestions to OOL survey	Continue compiling data on the epi-	Collective pool of re-
and according to	Mandy Cohnoi	Begin compiling data on the epidem-		searched data
			OPD	Data informed decision
	der, Latsi Hill	OPD	Counties	making
		Counties	Social Services)
		Social Services	Courts	
		Courts	OCHD	
		OCHD	Cultural Wellness	
		Cultural Wellness	Continued Focused discussions:	
		Focused discussions:	Youth	
		Youth	Elders	
		Elders	Parents	
		Parents	Analyze and report results widely	
		Analyze and report results widely		
Trauma informed Care Ex-	Jennifer Berg-	Contact HRD	Implement into new employee ori-	Quality of care is increased
pectation	Hargrove,	Mandatory Training all employees	entation	People will be more recep-
		Open to community		tive to seek help
		ldentify trainer		Reduce stigma
		Bring in expert		
				2
				<u>29 of</u>
				<u> </u>
17				
7				

Goal 2: By the end of year 3 increase coordination and collaboration	ease coordination and colla		evant to alcohol and dr	ugs to embrace and	across systems relevant to alcohol and drugs to embrace and support the TAP goals LEAD: Mandy
Schneider and Latsi Hill	:	- - - - -		:	
Outcome: It will improve communications across systems and services to better align leverage and coordinate existing efforts Objectives Year 1 Year 1 Year 2 Year 3	unications across systems a Lead	Year 1	verage and coordinate	existing efforts Year 3	Outcomes
Make this goal a priority in all services and systems to pro- mote this resolution 05-10-17-C	OBC	Provide overview of TAP to BC Share the resolution with GTC/Kali BC shares resolution with direct re- ports Direct reports shares with staff Direct reports to BC in how to make a priority	Continue to pro- mote the resolution	Continue to pro- mote the resolu- tion	Communication and collaboration happen without barriers
Research policies and proce- dures already in place that create barriers Involving screening, place- ment, treatment, eligibility, and hiring staff Creating and amending the nations laws and policies to	Alebra Cornelius Melinda Danforth, Latsi Hill	Develop a work group Begin researching policies and pro- cedures Prioritize	Continue to priori- tize Begin evaluating the process Start recommend- ing changes	Change is in mo- tion	Aware of barriers Aware of adjustments needed in the policies and procedures More culturally congruent staff
Develop a coordinated system for connection to services (Mari Kriescher	Review existing plans Provide recommen- dation Present to division directors Empower division director to make the decision	ldentify soft- ware sys- tems Identify funding Training	resource intake center and case management system imple- mented)	Immediate and greater access to services
Hire full time TAP Coordinator 81	OBC	ldentify funds Identify who posi- tion reports to Develop job descrip- tion Work with HR			Follow through Implementation Accountability Ownership

Goal 3: By the end of year 3 increase accessibility to and bring awareness of the services and systems for all community members.	rease accessibility to and bri	ing awareness of the services an	id systems for all comr	nunity members.	
LEAD- Rocky					
Outcome: Healthier Community					
Objectives	Lead	Year 1	Year 2	Year 3	Outcomes
Complete community needs assessment to evaluate pro- grams and services and iden- tify strengths and gaps tify strengths and gaps	Jennifer Berg Hargrove	Develop a work group Identify assessment tool Identify assessors What population are we assessing Distribution Method Analyze Data Collects and report data	Utilize data to in- form decision making	Utilize data to inform deci- sion making	Improved services Effective services Making more informed decisions Fill the gaps
Assess and amend current policies and procedures to ensure they are meeting ac- cessibility needs, and they are culturally congruent	Priscilla Belisle, Twylite Moore, Michelle Hill, , Latsi Hill, Alebra Cor- nelius, Carol Bauman	Develop Work Group Collect and review Offer recommenda- tions Develop a message and disseminate Make sure culturally congruent	Continue to priori- tize Begin evaluating the process Start recommend- ing changes	Change is in motion	Aware of barriers Aware of adjustments needed in the policies and procedures More culturally congruent staff
Improving existing programs to meet needs of the commu- nity based on results of as- sessment 10	Priscilla Belisle, Twylite Moore, Michelle Hill, Latsi Hill	Contact existing pro- grams to assess current services Compile data Identify needs and gaps Making recommenda- tion to division directors	Correct needs and gaps Increase commu- nication and collaboration	Correct needs and gaps Increase com- munication and collabo- ration	More clients will be reached Better personal outcomes Proper care

31 of 54

Goal 4: By the end of year 5 The Oneida Nation will open Tsi?niyukwalihot^ Wellness Campus. LEAD: Pat Pelky and Latsi Hill Outcome: Increased quality of life for all	da Nation will open Tsi?ni all	iyukwalihot^ Wellness Campı	us. LEAD: Pat Pelky and	d Latsi Hill	
Objectives	Lead	Year 1	Year 2	Year 3	Outcomes
Establish a CIP (Capitol Improve- ment Project)	Pat Pelky	Meet with Paul to develop forms Have Paul explain CIP Process Awareness with BC as a goal and will be bringing to the BC approves CIP Approved through leasing process	Continue CIP Process	Continue CIP Pro- cess	Approval to proceed
Identify and create programming	Priscilla Belisle, An- nette Cornelius, Man- dy Schneider, Carol Bauman, Latsi Hill	Form team Brainstorm Programming First Nations Mental Wellness Con- tinuum Frame- work Adapt Framework Staffing	Continue to adapt Frame- work Staffing	Training and Implemen- tation	Culturally congruent program- ming for prevention, inter- vention, and outreach
Raise money and identify funding opportunities	Priscilla Belisle	Analyze existing re- sources Work with legislative affairs Meet with finance and treasury Identify supportive grant funding	Look for other campuses for cost compari- son Alternative fund- ing working with GTC Identify supportive grant funding	Reassign staff Alternative fund- ing working with GTC ldentify sup- portive grant fund- ing	Resources identified
20					

EVALUATION AND MONITORING

The Tribal Action Plan is a living breathing document that will constantly be assessed and evaluated to continue to fit the needs of our tribal citizens. The evaluation and monitoring of the Tribal Action Plan has various checks and balance factors that will enable us to fully implement our goals and objectives. The TCC will be expected to make continual progress on their assigned area and present their success, setbacks, and/or failures on a monthly basis to ensure the TAP is functioning properly. Changes will be made as soon as the need arises in real time as the TCC meetings are occurring.

Evaluation and monitoring strategies:

- ⇒ Monthly TCC meetings
 - ◊ TAP updates
 - Ochecks and balances
- ⇒ Quarterly Sub-committee meetings
 - Sub-committees will report on TAP progress
 - Quarterly reports submitted to BC through QOL
- ⇒ Development of databases for the lead on each goal to track progress, to be reported out at quarterly meetings
- ⇒ Community Focus groups annually (May-June), which will be analyzed and presented to the TCC in August of each year. Data will be used to evaluate progress and to align goals/objectives/ activities to achieve our mission and vision.



TCC COMMITMENT STATEMENT

The Oneida Nation Tribal Coordinating Committee is comprised of members from all areas of the Tribal community including: Business Committee, Police Department, Grants Office, Governmental Services, Judiciary, Comprehensive Health, Housing, Land Management, School System, among other departments, and the community. This Tribal Action Plan was prepared as a roadmap to achieving a system to prevent and treat substance abuse and addiction through the Oneida community. It builds on the positive qualities of our community and creates goals to address the recognized needs. The signatures below certify our commitment to implement this plan, measure its success, and if needed, revise it to better meet the needs of our Nation and our people.

TCC Member	Date	TCC Member	Date
TCC Member	Date	TCC Member	Date
TCC Member	Date	TCC Member	Date
TCC Member	Date	TCC Member	Date
TCC Member	– Date	TCC Member	Date
TCC Member	– Date	TCC Member	Date
TCC Member	Date	TCC Member	Date
TCC Member	– Date	TCC Member	Date
TCC Member	Date	TCC Member	Date
TCC Member	Date	TCC Member	Date
TCC Member	Date	TCC Member	Date
TCC Member	Date	TCC Member	Date
TCC Member	Date	TCC Member	Date 22

CONTACT INFORMATION

If you have questions, please contact one of the following core planning team members:

Priscilla Belisle TAP Coordinator/Grant Development Specialist Oneida Grants Office (920) 496-7326 pdessart@oneidanation.org

Mandy Schneider

Gang Task Force/Outreach Coordinator

Oneida Police Department

(920) 496-5334

mschnei2@oneidanation.org

Latsiklanunha Hill Community Resource Officer Oneida Police Department (920) 370-5868 Ihill12@oneidanation.org



Oneida Nation Oneida Business Committee Legislative Operating Committee PO Box 365 • Oneida, WI 54155-0365 Oneida-nsn.gov



36 of 54

AGENDA REQUEST FORM

1)	Request Date: 12/20/17
2)	Contact Person(s): Jennifer Falck
	Dept: LRO
	Phone Number: 869-4312 jfalck@oneidanation.org
3)	Agenda Title: Employee Protection Policy
4)	Detailed description of the item and the reason/justification it is being brought before the LOC: The purpose of the policy is to give protection to employees who give information that is intended to protect the Nation.
	The processes set forth in the Personnel Policies & Procedures may be sufficient protection for employees who act to
	protect the Nation's interests. This is a request that the LOC review the policy and consider rescinding or amending it.
5)	List any supporting materials included and submitted with the Agenda Request Form 1) Memo from Chief Counsel 3) 2) Draft Resolution 4) Please list any laws, policies or resolutions that might be affected:
5)	Proposed Employment Law
6)	Please list all other departments or person(s) you have brought your concern to: Law Office, LOC
7)	Do you consider this request urgent? Yes
	If yes, please indicate why:
	ndersigned, have reviewed the attached materials, and understand that they are subject to action by islative Operating Committee.

Signature of Requester: Digitally signed by Jen Falck DN: cn–Jen Falck, o, ou, email=jfalck@oneidanation.org, c=US Date: 2017.12.12 10:37:51 -06'00' Jen Falck

Please send this form and all supporting materials to:

LOC@oneidanation.org orLegislative Operating Committee (LOC) P.O. Box 365 Oneida, WI 54155 Phone 920-869-4376

Patricia M. Stevens Garvey Kelly M. McAndrews Michelle L. Gordon Krystal L. John Robert J. Collins, II 37 of 54

Law Office



MEMORANDUM

TO:	Legislative Operating Committee
FROM:	Jo Anne House, Chief Counsel
DATE:	November 27, 2017

SUBJECT: Employee Protection Policy, Chapter 211

In 1995 the Oneida Business Committee adopted the Employee Protection Policy. The purpose of the policy was to encourage and support employees to provide information to an Oneida Nation official that another employee was acting in a way that jeopardized the health, safety, or assets of the Nation. Employees would receive employee protection in order to allow them to report wrong doing in cases where making the report could subject them to retaliation. If protection were granted, the burden of proof shifted in employee grievance actions with a presumption that the grievance was the subject of retaliation. It has been brought to my attention that the policy as currently enforced may actually undermine the purpose of the policy.

211.1-1. The purpose of this policy is to give protection to employees who give information that is intended to protect the Oneida Nation, or its agencies from fraud, theft or other detrimental effects.

211.1-2. It is the policy of the Oneida Nation to extend protection to employees who act within this policy to protect the Nation's interests.

The current process being utilized by the primary "appropriate agency" is to receive an employee protection request. This request is then sent to be "investigated" by Internal Audit or external entity, to determine the accuracy of the information provided. The report is returned to the agency, which then grants the employee protection and attempts to direct corrective action. During this process, the supervisor of the employee is wholly unaware of the allegations, will not be notified that employee protection has been granted, and will have no opportunity to respond to the allegations or take corrective action in the event the allegations prove to be accurate regarding actions by other parties.

I believe that the processes set forth with the Personnel Policies and Procedures are sufficient protection for employees who act to protect the Nation's interests. Currently there is an operating and fully functioning Audit Committee/Internal Audit Department, Oneida Police Commission/Oneida Police Department, Oneida Gaming Commission and various other oversight entities within the organization. As a result, the Employee Protection Policy may have

Page 2

outlived its usefulness, and may in fact be detrimental to identifying wrongdoing in a quick and efficient manner.

There are costs to delaying notice and corrective actions as well as to conducting investigations. The policy simply requires an employee to identify with sufficient information to receive protection. The employee then must provide the information to the proper agency – such as Oneida Police Department, Audit Committee, Oneida Gaming Commission, Oneida Police Commission, Oneida Nation Commission on Aging, Arts Board, etc. Each of these entities, as well as Division Directors, Area Managers, and all employees of the Nation are required to take appropriate action, or be held accountable for failing to do so.

I am requesting the Legislative Operating Committee to review the attached draft resolution for consideration. It is recommended that the Legislative Operating Committee request comment and review from the Human Resources Department, Audit Committee, Internal Audit Department, Oneida Police Commission, and Oneida Personnel Commission. I would also recommend reviewing the comments and considerations made regarding that portion of the Employment Law.

If you have further questions, please contact me.



Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Resolution # Rescinding the Employee Protection Law, Chapter 211 of the Oneida Code

- WHEREAS, the Oneida Nation 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 Nation; and
- WHEREAS, the Oneida Business Committee has been delegated the authority of Article IV, Section 1, of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS, the Legislative Operating Committee presented, and the Oneida Business Committee adopted the Employee Protection Policy in 1995, and adopted amendments in 1999, 2004, and 2015; and
- **WHEREAS,** the purpose of the policy is to "give protection to employees who give information that is intended to protect the Oneida Nation, or its agencies from fraud, theft or other detrimental effects, *section 211.1-1*; and
- WHEREAS, the policy identified that the Tribe recognizes, "the negative impact on the employee that may arise from presenting information that protects the Oneida Tribe from adverse actions of its elected officials, employees, contractual employees, and contractors and offers the processes in this Policy to protect employees against retaliation in the event information is presented. This Policy is effective after presentation of information and protects against retaliation. No identification of a protected status is necessary when information is properly presented. And no protection can be extended unless information is properly presented, *section 211.4-1*; and
- WHEREAS, between 1995 and today, the Oneida Nation has strengthened many systems within the organization which provide oversight, review and protection to the Nation's interests and to the Nation's employees and contractors. Systems such as the Audit Committee, Oneida Police Commission and department, accounting controls and reviews through the Purchasing Department and Finance Department, to name a few; and
- WHEREAS, it is no longer necessary to maintain such a policy in light of the protections that are currently in place, and the costs associated with receiving a complaint, determining the accuracy of the complaint, and the hearings needed to determine whether to grant or deny protection, and finally the delay resulting from this added process in addressing the negative impact on the Nation's interests and employees while this is ongoing; and
- WHEREAS, the Oneida Business Committee has determined that the Employee Protection Policy simply increases the time to address adverse actions and the costs associated with adverse actions that it is in the best interests of the Oneida Nation to have employees go directly to the empowered oversight entity to file their information to protect the Nation;

NOW THEREFORE BE IT RESOLVED, the Oneida Business Committee does hereby rescind the adoption of the Employee Protection Policy effective immediately.

BE IT FURTHER RESOLVED, that the Human Resources Department is directed to develop posters or other information material that will assist employees in identifying reporting areas with the Oneida Nation regarding employment related activities that are detrimental to the interests of the Nation within 60 days of adoption of this resolution.

BE IT FURTHER RESOLVED, Treasurer shall direct the Chief Financial Officer to develop posters or other information material that will assist employees in identifying reporting areas with the Oneida Nation regarding contracting or expenditure related activities that are detrimental to the interests of the Nation within 60 days of adoption of this resolution.

BE IT FINALLY RESOLVED, that all current grants of employee protection shall remain valid for a period of six months from adoption of this resolution and that all employee protection requests that have been filed, but not yet granted or denied shall be returned to the employee to be filed with the appropriate office.



Oneida Nation Oneida Business Committee Legislative Operating Committee PO Box 365 • Oneida, WI 54155-0365 Oneida-nsn.gov



AGENDA REQUEST FORM

Request Date: 12/14/17
Contact Person(s): Kelly M. McAndrews
Dept: Law Office
Phone Number: x4327 Email: kmcandre@oneidanation.org
Agenda Title: Domestic Animals, Rule #1- Emergency Rule: Licensing Fees; Fines and Penalties
Detailed description of the item and the reason/justification it is being brought before the LOC: This is an emergency rule required to preserve the public health, safety, and/or general welfate of the Reservation population and enactment is required scorer than would be possible under the normal rulemaking process.
The new Domestic Animals law goes into effect on 01/01/18. Although licensing fees existed, a formal fee schedule did not exist. The new law also created new fees. This fee schedule is necessary to continue the
pet licensing program (which is also a rables control mechanism). Additionally, the new Domestic Animals law created new fines and penalties and better addresses dangerous and violous animals. Codification of the fine
and penalty schedule is necessary to continue to address animal problems, including dangerous and vicious animals. List any supporting materials included and submitted with the Agenda Request Form 1) Summary Report and Attachments 3)
List any supporting materials included and submitted with the Agenda Request Form 1) Summary Report and Attachments 3)
List any supporting materials included and submitted with the Agenda Request Form 1) Summary Report and Attachments 3)
List any supporting materials included and submitted with the Agenda Request Form 1) Summary Report and Attachments 3) 2) Emergency Rule and attached schedules 4) Please list any laws, policies or resolutions that might be affected:
List any supporting materials included and submitted with the Agenda Request Form 1) Summary Report and Attachments 3) 2) Emergency Rule and attached schedules 4) Please list any laws, policies or resolutions that might be affected: None Please list all other departments or person(s) you have brought your concern to:

I, the undersigned, have reviewed the attached materials, and understand that they are subject to action by the Legislative Operating Committee.

 Signature of Requester:

 Kelly M. McAndrews

 Date: 2017.12.14 14:42:45 - 06'00'

Please send this form and all supporting materials to:

LOC@oneidanation.org or Legislative Operating Committee (LOC) P.O. Box 365 Oneida, WI 54155 Phone 920-869-4376



Oneida Nation Oneida Business Committee Legislative Operating Committee PO Box 365 • Oneida, WI 54155-0365 Oneida.nsn.gov



TO:	Legislative Operating Committee (LOC)
FROM:	Clorissa N. Santiago, Legislative Reference Office Staff Attorney
DATE:	December 20, 2017
RE:	Emergency Promulgation of Domestic Animals law Rule No. 1- Licensing Fees,
	Fines and Penalties

The Legislative Reference Office has reviewed the request for emergency promulgation of the Domestic Animals law Rule No. 1- Licensing Fees, Fines and Penalties ("the Rule") provided by the Environmental Health and Safety Division and the Environmental Resource Board.

The Administrative Rulemaking law allows for the promulgation of emergency rules when an emergency situation exists that requires the enactment or amendment of a rule for the immediate preservation of the public health, safety, or general welfare of the Reservation population; and the enactment or amendment is required sooner than would be possible under the normal rulemaking procedures. [see Administrative Rulemaking law section 106.10-1].

The Environmental Health and Safety Division and the Environmental Resource Board are requesting the emergency promulgation of the Rule to preserve the public health, safety, and/or general welfare of the Reservation population and enactment is required sooner than would be possible under the normal rulemaking process. The new Domestic Animals law goes into effect on January 1, 2018, but does not included a formal fee schedule that addresses all newly required licensing fees, fines, and penalties. The Environmental Health and Safety Division and the Environmental Resource Board will require a fee schedule to continue the pet licensing program, which serves as a rabies control mechanism, in addition to continuing to address animal problems, including dangerous and vicious animals, through the use of fines as a penalty.

The Environmental Health and Safety Division and the Environmental Resource Board have provided the Legislative Operating Committee the proposed emergency rule, justification for the emergency promulgation of the rule, and the summary report as required by the Administrative Rulemaking law. [see Administrative Rulemaking law section 106.10-2].

Requested Action:

The Legislative Operating Committee shall review the submission for emergency promulgation and take one of the following actions:

- A. Reject the proposed emergency rule on the basis there is not a valid emergency; or
- B. Accept that there is a valid basis for an emergency and forward the emergency rule for the Oneida Business Committee to consider the adoption of the emergency rule on December 27, 2017.



Title 3. Health and Public Safety – Chapter 304 DOMESTIC ANIMALS Rule #1 – Emergency Rule: LICENSING FEES, FINES AND PENALITIES

Purpose and Authority
 Adoption, Amendment and Repeal
 Definitions
 Licensing and Permit Fee Schedule
 Fines and Penalty Schedule

1.1 Purpose and Authority

1.1-1. *Purpose*. The purpose of this rule is to codify the existing licensing fee schedule and establish an updated fine and penalty schedule.

1.1-2. *Authority*. The Domestic Animals law delegates joint rulemaking authority to the Environmental Health and Safety Division and the Environmental Resource Board pursuant to the Administrative Rulemaking law.

1.2. Adoption, Amendment and Repeal

1.2-1. This rule was adopted by the Environmental Health and Safety Division and the Environmental Resource Board in accordance with the procedures of the Administrative Rulemaking law.

1.2-2. This rule may be amended or repealed by the Environmental Health and Safety Division and the Environmental Resource Board pursuant to the procedures set out in the Administrative Rulemaking law.

1.2-3. Should a provision of this rule or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this rule which are considered to have legal force without the invalid portions.

1.2-4. In the event of a conflict between a provision of this rule and a provision of another rule, internal policy, procedure, or other regulation; the provisions of this rule shall control.

1.2-5. This rule supersedes all prior rules, regulations, internal policies or other requirements relating to licensing fees, fines and penalties, and citations issued pursuant to the Domestic Animals law.

1.3. Definitions

1.3-1. This section shall govern the definitions of words and phrases used within this rule. All words not defined herein shall be used in their ordinary and everyday sense.

- (a) "Citation" means a form of the Oneida Nation Citation that conforms to this rule and is approved for use by the Environmental Resources Board,
- (b) "Conservation Officer", "Conservation Warden", or "Warden" may be used interchangeably and means a Conservation Warden with the Oneida Conservation Department.

(c) "Law Enforcement Officer" means a Law Enforcement Officer with the Oneida Police Department.

1.4. Licensing and Permit Fee Schedule

1.4-1. Licenses and Permits fees required by the Domestic Animals law are incorporated in this rule as an attachment.

1.5. Fines and Penalty Schedule. Violations of the Domestic Animals law may result in the issuance of a citation by a law enforcement or conservation officer. A citation may include any or all the fines/penalties authorized in the Domestic Animals law and/or set forth in this rule; The Fines and Penalty Schedule is incorporated in this rule as an attachment.

End.

Original effective date: [add effective date established by authorized entity] (Certified by LOC on)

	Set al Sec. 2			E SCHEDULE			
License/Permit Type	Fee (per animal, unless stated otherwise)		License Period		Location to obtain Permit/License		
Cat License	\$5 if spayed/neutered; or \$10		January 1-December 31		Oneida Conservation		
Dog License	\$5 if spayed/neutered; or \$10		January 1-D	ecember 31	Oneida Conservation		
Exotic Animal Permit		\$10 (al	l exotics)	January 1-D	ecember 31	Oneida Conservation	
Hen Permit			all hens)	January 1-D			da Conservation
	DOMES	the second s	The second s	PENALTY SCH			
Violation	Reference	1st Offense	2nd Offense	3rd Offense and up	Must Appear	Restitution Possible	Other Possible Penalty*
		DOC	G/CAT REQUIRE	MENTS			
No required license	304.6-1	\$25	\$50	\$100	N		Seize/Impound**
Improperly/no attached license	304.6-1(b)	\$25	\$50	\$100	N		Seize/Impound
No current rabies vaccine	304.6-2	\$250	\$700	\$750	N		Seize/Impound
Failure to obey district guarantine	304.6-3	\$500	\$750	\$1,000	Y		Seize/Impound
Animal running at large	304.6-4	\$150	\$500	\$750	N		Seize/impound
Nuisance animal	304.6-4	\$150	\$500	\$750	Y		Seize/impound/Costs
Exceeding limit of allowed animals (per animal)	304.6-5	\$25 ea.	\$50 ea.	\$100 ea.	y		Seize/Impound
Executing mint of allowed animals (per animal)			ATMENT OF AN		У		Deize/impound
Failure to provide food/water	304.7-1	\$500	\$750	\$1,000	Y		Seize/Impound
Failure to comply with shelter standards	304.7-2(a) or (b)	\$150	\$500	\$750	Ŷ		Seize/Impound
Failure to meet enclosure space standards	304.7-1(c)	\$150	\$500	\$750	Ŷ		Seize/Impound
Failure to comply with sanitation standards	304.7-1(d)	\$150	\$500	\$750	Y		Seize/Impound
Mistreatment of animals	304.7-4	\$500	\$750	\$1,000	Y		Seize/Impound
wistreatment of animals	304.7-4	1	ROHIBITED ANI		Second and the local distance of the		Seize/impound
Keep/Release prohibited or exotic animal	304.8-1 or 2	\$500	\$750	\$1,000	Y		Seize/Impound
Possessing prohibited or exotic animal without							
required permit	304.8-3	\$150	\$500	\$750	N		Seize/Impound/Costs
Failure to provide notice of release/escape	304.8-5	\$500	\$750	\$1,000	Y		Seize/Impound
			LIVESTOCK			Section and section	
Keeping livestock with no conditional use permit	304.9-1	\$100	\$200	\$300	N		Seize/Impound
Violate livestock lot requirements	304.9-1	\$150	\$500	\$750	N		Seize/Impound
Livestock at large	304.9-2	\$150	\$500	\$750	N	Y	Seize/Impound
Keeping hens without required permit	304.9-3	\$100	\$200	\$300	N	~	Seize/Impound
Prohibited keeping of rooster(s)	304.9-3	\$150	\$500	\$750	Y		Seize/Impound
Keeping hen(s) in prohibited manner	304.9-3(a)	\$100	\$200	\$300	Ŷ		Seize/Impound
Nuisance hen(s)	304.9-3(b)	\$150	\$500	\$750	Y		Seize/Impound
			ANGEROUS ANI				locate, impound
							Seize/Impound/Declaration of
Harboring a Dangerous Animal	304.10-1 or 2	\$500	\$1,000	\$2,000	Y	Y	Dangerousness
		<i></i>	72,000	<i>+</i> 2,000			
Failure to post required dangerous animal sign(s)	304.10-2(c)	\$150	\$500	\$750	Y		Seize/Impound
Failure to spay/neuter required animal	304.10-2(d)	\$150	\$500	\$750	Y		Seize/Impound
Failure to provide/ provide proof of required liability		+	+	<i></i>			
insurance	304.10-2(e)	\$150	\$500	\$750	Y		Seize/Impound
Failure to notify of insurance policy cancelation	304.10-2(e)	\$150	\$500	\$750	Y		Seize/Impound

Failure to microchip required animal	304.10-2(f)	\$150	\$500	\$750	Y		Seize/Impound
Failure to comply with ongoing notification							
requirements	304.10-2(g)	\$150	\$500	\$750	Y		Seize/Impound
Bringing/Keeping a vicious animal	304.10-3	\$750	\$1,500	\$2,500	Y	Y	Seize/Impound/Declaration of Viciousness/ Destruction/Costs
Failure to provide required proof of destruction	304.10-3(b)(3)	\$150	\$500	\$750	Y		Seize/Impound/Declaration of Viciousness/ Destruction/Costs
Failure to notify police of animal bite	304.10-4(a)	\$150	\$500	\$750	N		
	304.10-4(a)	\$500	\$750	\$1,000	Y		Seize/Impound/Declaration of Viciousness/ Destruction/Costs
		LIAI	BILITY FOR DAM	AGE(S)	A PERSONAL PROPERTY		
							Seize/Impound/Liability for
Damage caused by animal	304.11-1	\$100	\$200	\$300	Y	У	damage up to 2x amount

*Criminal charges/referrals may be appropriate in certain cases and is not prohibited

**Seize/Impound may include forfeiture and destruction in certain cases. Owners are responsible for impound costs/fees.

Summary Report for Domestic Animals, Rule #1- Emergency Rule: Licensing Fees; Fines and Penalties

Original effective date: 01/01/2018

Amendment effective date: 01/01/2018

Name of Rule: Domestic Animals, Rule #1- Emergency Rule: Licensing Fees; Fines and Penalties

Name of law being interpreted: Domestic Animals rule

Rule Number: #1

Other Laws or Rules that may be affected: None

Brief Summary of the proposed rule: The proposed emergency rule incorporates the current licensing fees into a formal schedule as well as updates the fine and penalty schedule. Although licensing fees existed, additional licensing/permits were granted by the Domestic Animals law effective 01/01/18. Additionally, the fine and penalty schedule required updating to reflect the Domestic Animals law effective 01/01/18

Statement of Effect: Not required for emergency promulgation.

Financial Analysis: This emergency rule creates no anticipated fiscal impact. The Oneida Judiciary, Environmental Resources Board (ERB), Oneida Police Department, and Oneida Conservation provided responses to this effect.

Note: In addition- the agency must send a written request to each entity which may be affected by the rule- asking that they provide information about how the rule would financially affect them. The agency must include each entity's response in the financial analysis. If the agency does not receive a response within 10 business days after the request is made, the financial analysis can note which entities did not provide a response.

Kelly M. McAndrews

From:	Denice E. Beans
Sent:	Thursday, December 14, 2017 1:47 PM
То:	Kelly M. McAndrews; Eric H. Boulanger; Kristina A. Danforth; Shad L. Webster; Terry J. Metoxen; Harvey J. Kosowski; Eugene A. Schubert;
	Chad A. Wilson
Cc:	Richard G. Vanboxtel
Subject:	RE: Plan D

There is no financial impact to the Judiciary if the emergency rule is in place.

From: Kelly M. McAndrews
Sent: Thursday, December 14, 2017 1:40 PM
To: Eric H. Boulanger; Denice E. Beans; Kristina A. Danforth; Shad L. Webster; Terry J. Metoxen; Harvey J. Kosowski; Eugene A. Schubert; Chad A. Wilson
Cc: Richard G. Vanboxtel
Subject: FW: Plan D
Importance: High

A second thing, just for. Please review and confirm that there is no financial impact. Because this is an emergency rule I need your response ASAP. I think any fiscal effect would have been under the Domestic Animals law, rather than this Emergency Rule but I need you to confirm this is correct.

From: Kelly M. McAndrews
Sent: Thursday, December 14, 2017 1:37 PM
To: Eugene A. Schubert; Chad A. Wilson; Clorissa N. Santiago; Jennifer A. Falck
Cc: Richard G. Vanboxtel; Eric H. Boulanger; Shad L. Webster; Terry J. Metoxen; Harvey J. Kosowski; Denice E. Beans; Kristina A. Danforth
Subject: Plan D
Importance: High

After much back and forth about how to proceed with the transition of various laws to the Judiciary, we are now on to "Plan D". Plan D is basically creating a barebones emergency rule with the licensing and fine/penalty schedule pursuant to the Domestic Animals law. Please review. I think there should be no issue with approving this on an emergency basis.

1

48 of 54

Kelly M. McAndrews

From:Eugene A. SchubertSent:Thursday, December 14, 2017 2:01 PMTo:Kelly M. McAndrewsCc:Chad A. WilsonSubject:RE: Plan D

There is no financial impact to the ERB from the emergency rule.

Thanks, Gene Schubert

From: Kelly M. McAndrews
Sent: Thursday, December 14, 2017 1:40 PM
To: Eric H. Boulanger; Denice E. Beans; Kristina A. Danforth; Shad L. Webster; Terry J. Metoxen; Harvey J. Kosowski; Eugene A. Schubert; Chad A. Wilson
Cc: Richard G. Vanboxtel
Subject: FW: Plan D
Importance: High

A second thing, just for. Please review and confirm that there is no financial impact. Because this is an emergency rule I need your response ASAP. I think any fiscal effect would have been under the Domestic Animals law, rather than this Emergency Rule but I need you to confirm this is correct.

From: Kelly M. McAndrews
Sent: Thursday, December 14, 2017 1:37 PM
To: Eugene A. Schubert; Chad A. Wilson; Clorissa N. Santiago; Jennifer A. Falck
Cc: Richard G. Vanboxtel; Eric H. Boulanger; Shad L. Webster; Terry J. Metoxen; Harvey J. Kosowski; Denice E. Beans; Kristina A. Danforth
Subject: Plan D
Importance: High

After much back and forth about how to proceed with the transition of various laws to the Judiciary, we are now on to "Plan D". Plan D is basically creating a barebones emergency rule with the licensing and fine/penalty schedule pursuant to the Domestic Animals law. Please review. I think there should be no issue with approving this on an emergency basis.

49 of 54

Kelly M. McAndrews

From:	Eric H. Boulanger
Sent:	Thursday, December 14, 2017 2:30 PM
То:	Kelly M. McAndrews
Subject:	RE: Plan D

I do not foresee any additional financial burden to the Oneida Police department or the conversation department. This emergency rule does not expand our current duties or responsibilities. Thanks Kelly, it looks great.

From: Kelly M. McAndrews
Sent: Thursday, December 14, 2017 1:40 PM
To: Eric H. Boulanger; Denice E. Beans; Kristina A. Danforth; Shad L. Webster; Terry J. Metoxen; Harvey J. Kosowski; Eugene A. Schubert; Chad A. Wilson
Cc: Richard G. Vanboxtel
Subject: FW: Plan D
Importance: High

A second thing, just for. Please review and confirm that there is no financial impact. Because this is an emergency rule I need your response ASAP. I think any fiscal effect would have been under the Domestic Animals law, rather than this Emergency Rule but I need you to confirm this is correct.

From: Kelly M. McAndrews
Sent: Thursday, December 14, 2017 1:37 PM
To: Eugene A. Schubert; Chad A. Wilson; Clorissa N. Santiago; Jennifer A. Falck
Cc: Richard G. Vanboxtel; Eric H. Boulanger; Shad L. Webster; Terry J. Metoxen; Harvey J. Kosowski; Denice E. Beans; Kristina A. Danforth
Subject: Plan D
Importance: High

After much back and forth about how to proceed with the transition of various laws to the Judiciary, we are now on to "Plan D". Plan D is basically creating a barebones emergency rule with the licensing and fine/penalty schedule pursuant to the Domestic Animals law. Please review. I think there should be no issue with approving this on an emergency basis.

1

ENVIRONMENTAL RESOURCE BOARD MEETING

Ridgeview Plaza, Suite 4

December 14, 2017 – 6:00 p.m.

ATTENDANCE

ERB MEMBERS: Ted Hawk, Al Manders, Gerald Jordan, Richard Baird, Tom Oudenhoven, Isaiah Skenandore STAFF: Shad Webster, Laura Manthe, Chad Wilson, Gene Schubert

APPROVAL OF MINUTES

Meeting called to order at 6:00 pm. Motion to approve amended agenda by Ted Hawk, seconded by Gerald Jordan, motion passes. Motion to approve the minutes of 11/2/17 by Gerald Jordan, seconded by Tom Oudenhoven, motion passes.

OLD BUSINESS

1. Conservation Issues

a. Sandpit – Safety concerns over target shooting occurring at the Former Chester Smith property. Maps of the property were reviewed as well as a plan of action and correspondence to Julie Barton regarding her concerns. Possible remedies include limiting to bow hunting, control of point of access, and other details described as "phase 1". The ERB needs to review the status of the property as a natural area. ERB staff will work with Land Commission to review designation of the property and review the process for Land Commission notifying ERB on new natural areas. The land would be limited access at this time if designated as a natural area according to the Public Use of Tribal Lands law.

b. Hunting Season Totals - A handout of hunting season totals was distributed with 964 sportsman's permits issued. Non-member harvest is minimal but not exactly accounted. 150 contacts between wardens and hunters occurred. There was no damage and no injuries recorded. Conservation developed a short educational video to present on the hunting season results.

c. Migratory bird information submitted to U.S. F&WS was reviewed.

2. Hearing Transition to Judiciary

Chad included a memo submitted 12/5/17 to the OBC as part of the recommended reporting on the transition. The new citation has been printed. Domestic Animals Ordinance and Public Use of Tribal Lands law need fine schedules. Chad has been coordinating meetings with LRO, Judiciary, Law, OPD and Conservation to facilitate transition. Motion to approve emergency rule and schedule by Tom Oudenhoven,

seconded by Richard Baird. Motion fails 2 votes to 4. Further discussion on issues with some fines and need to pass a fine schedule or no fines for citations can be issued once new laws takes effect on 1/1/18. Motion by Tom Oudenhoven to approve emergency rule and schedule for the Domestic Animals Ordinance, seconded by Richard Baird. Motion passes 5 votes to 1. Motion to approve citation schedule for Public Use of Tribal Lands law by Richard Baird, seconded by Gerald Jordan, motion passes.

3. Tribal Identification Card

Chad discussed issues regarding the Tribal Identification Card/Land Use card and referencing an email from 11/28/17 by Robert Collins. Issues include expiration length, fees, and determination of member's status. Currently there is not good awareness in the community about the Land Use ID and more discussion/outreach needs to occur before taking issue to LRO.

NEW BUSINESS

- Schedule of Fine (DOA and PUTL) The emergency rule and approval of fine schedule for the Domestic Animals Ordinance and the approval of the updated fine schedule for the Public Use of Tribal Lands law were approved under #2 of New Business.
- 2. ERB Annual Report

Motion by Tom Oudenhoven to approve the ERB Annual Report which will part of the GTC packet for 1/28/18. Seconded by Richard Baird, motion passes.

 Hearings – 12/21
 2 citations will be held and officers will be Minnie Garvey, Al Manders, and Ted Hawk with Gerald Jordan as alternate.

ADJOURNMENT

Motion to adjourn at 7:52 pm by Gerald Jordan, seconded by Tom Oudenhoven, motion passes.

							53 of 54	
C)ecemt	oer 201	7		December 2017 January 2018 SuMo TuWe Th Fr Sa SuMo TuWe Th Fr Sa 1 2 3 4 5 6 7 8 10 11 12 14 15 16 17 18 18 19 24 25 21 22 23 24 25 26 31 26			
	Sun Nov 26	Mon 27	Tue 28	Wed 29	Thu 30	Fri	Sat 2	
Nov 26 - Dec 2		21	20	27	20	Dec 1	2	
	3	4	5	6	7	8	9	
Dec 3 - 9			3:00pm 4:30pm Canceled: LOC Prep (BC_Exec_Co nf_Room) - Jennifer A. F	9:00am 3:00pm LOC (BC_Conf_Ro om) - LOC				
	10	11	12	13	14	15	16	
Dec 10 - 16				8:30am 4:30pm BC Meeting (Business Committee Conference Room, 2nd Floor Norbert				
	17	18	19	20	21	22	23	
Dec 17 - 23			3:00pm 4:30pm LOC Prep (BC_Conf_Ro 3:00pm 4:30pm LOC Prep (BC_Exec_Con	9:00am 3:00pm LOC (BC_Conf_Ro om) - LOC				
	24	25	26	27	28	29	30	
Dec 24 - 30				8:30am 4:30pm BC Meeting (Business Committee Conference Room, 2nd FI				
	31	Jan 1, 18	2	3	4	5	6	
Dec 31 - Jan 6								

1

January 2018

January 2018 SuMo TuWe Th Fr Sa

 1
 2
 3
 4
 5
 6

 7
 8
 9
 10
 11
 12
 13

 14
 15
 16
 17
 18
 19
 20
 21
 22
 23
 24
 25
 26
 27

 28
 29
 30
 31

	February 2018									
SuMo TuWe Th Fr Sa										
	1 2 3									
				8						
11	12	13	14	15	16	17				
18	19	20	21	22	23	24				
25	26	27	28							

	_		_				
	Sun Dec 31	Mon Jan 1, 18	Tue 2	Wed 3	Thu 4	Fri 5	Sat 6
Dec 31 - Jan 6				9:00am 3:00pm LOC (BC_Conf_Ro om) - LOC	4		0
	7	8	9	10	11	12	13
Jan 7 - 13				8:30am 4:30pm BC Meeting (Business Committee Conference Room, 2nd Floor Norbert Hill Center)			
	14	15	16	17	18	19	20
Jan 14 - 20			3:00pm 4:30pm LOC Prep (BC_Conf_Ro 3:00pm 4:30pm LOC Prep (BC_Exec_Con 6:00pm 12:00am GTC (Radisso	9:00am 3:00pm LOC (BC_Conf_Ro om) - LOC			
	21	22	23	24	25	26	27
Jan 21 - 27				8:30am 4:30pm BC Meeting (Business Committee Conference Room, 2nd Floor Norbert Hill			
	28	29	30	31	Feb 1	2	3
Jan 28 - Feb 3	10:00am 6:00pm GTC (Radisson)						