



Oneida Business Committee

Executive Session
8:30 AM Tuesday, March 12, 2019
Executive Conference Room, 2nd floor, Norbert Hill Center

Regular Meeting
8:30 AM Wednesday, March 13, 2019
BC Conference Room, 2nd floor, Norbert Hill Center

Agenda

Meeting agenda is available here: oneida-nsn.gov/government/business-committee/agendas-packets/. Materials for the "General Tribal Council" section of the agenda, if any, are available to enrolled members of the Oneida Nation; to obtain a copy, visit the BC Support Office, 2nd floor, Norbert Hill Center and present a valid Tribal I.D. or go to <https://goo.gl/uLp2jE>. Scheduled times are subject to change.

I. CALL TO ORDER

II. OPENING

- A. **Kahletsyalúsia - Oneida Nation High School Thunderhawk recognition**
Sponsor: Lisa Liggins, Chair/Oneida Nation School Board

III. ADOPT THE AGENDA

IV. OATH OF OFFICE

- A. **Oneida Personnel Commission - Barbara Cornelius, Carole Liggins, and Nancy Skenandore**
Sponsor: Lisa Summers, Secretary
- B. **Southeastern Wisconsin Oneida Tribal Services Advisory Board - Tracie Sparks**
Sponsor: Lisa Summers, Secretary
- C. **Oneida Pow-wow Committee - Sonny Nacotee**
Sponsor: Lisa Summers, Secretary

V. MINUTES

- A. **Approve the February 28, 2019, quarterly reports Business Committee meeting minutes**
Sponsor: Lisa Summers, Secretary
- B. **Approve the February 27, 2019, regular Business Committee meeting minutes**
Sponsor: Lisa Summers, Secretary

VI. RESOLUTIONS

- A. Adopt resolution entitled The Oneida Nation's Policy for Making Expenditures under its Compact and Funding Agreement with the U.S. Department of Health and Human Services**
Sponsor: Jennifer Webster, Councilwoman
- B. Adopt resolution entitled Supporting the Tribal AmeriCorps Program**
Sponsor: Lisa Summers, Secretary
- C. Appointing Representative to the Nuclear Energy Tribal Working Group and the Tribal Radioactive Materials Transportation Committee**
Sponsor: Patrick Pelky, Division Director/Environmental, Health, Safety & Land
- D. Adopt resolution entitled Amending Resolution BC-09-26-18-F Rescission of the Dissolution of the Oneida Personnel Commission and Related Emergency Amendments in Accordance with General Tribal Council's August 27, 2018 Directive**
Sponsor: David P. Jordan, Councilman

VII. APPOINTMENTS

- A. Determine next steps regarding one (1) vacancy - Oneida Election Board**
Sponsor: Lisa Summers, Secretary

VIII. STANDING COMMITTEES**A. FINANCE COMMITTEE**

- 1. Approve the March 4, 2019, regular Finance Committee meeting minutes**
Sponsor: Trish King, Treasurer

B. LEGISLATIVE OPERATING COMMITTEE

- 1. Accept the February 20, 2019, regular Legislative Operating Committee meeting minutes**
Sponsor: David P. Jordan, Councilman
- 2. Approve the Oneida Police Commission bylaws (11:30 a.m.)**
Sponsor: David P. Jordan, Councilman
- 3. Approve the Oneida Election Board bylaws**
Sponsor: David P. Jordan, Councilman
- 4. Approve the Oneida Personnel Commission bylaws amendments**
Sponsor: David P. Jordan, Councilman

IX. TRAVEL REPORTS

- A. Approve the travel report - Vice-Chairman Brandon Stevens, Councilman Daniel Guzman King, and Councilman Kirby Metoxen - National Congress of American Indians 2019 Executive Council Winter Session - Washington DC - February 11-15, 2019**
Sponsor: Daniel Guzman King, Councilman
- B. Approve the travel report - Councilman Daniel Guzman King - Indigenous Farming and Hemp Conference - Callaway, MN - February 28-March 3, 2019**
Sponsor: Daniel Guzman King, Councilman

X. TRAVEL REQUESTS

- A. Approve the travel request - Councilman Kirby Metoxen - Wisconsin Governor's Conference on Tourism - Wisconsin Dells, WI - March 17-20, 2019**
Sponsor: Kirby Metoxen, Councilman
- B. Approve the travel request - Councilman Ernie Stevens III - 2019 Great Lakes Intertribal Food Summit - Dowagiac, MI - April 24-29, 2019**
Sponsor: Ernie Stevens III, Councilman

XI. NEW BUSINESS

- A. Accept the Oneida Retail Enterprise updated mission statement**
Sponsor: Michele Doxtator, Area Manager/Retail Profits
- B. Repost one (1) vacancy - Oneida Community Library Board**
Sponsor: Lisa Summers, Secretary
- C. Approve requested action regarding the University of Wisconsin-Green Bay 2019 STEM summer camps**
Sponsor: Tehassi Hill, Chairman

XII. EXECUTIVE SESSION**A. REPORTS**

- 1. Accept the Chief Counsel report**
Sponsor: Jo Anne House, Chief Counsel
- 2. Accept the report - Midwest Alliance of Sovereign Tribes Impact executive update**
Sponsor: Lisa Summers, Secretary

B. STANDING ITEMS**1. ONEIDA GOLF ENTERPRISE CORPORATION - LADIES PROFESSIONAL GOLF ASSOCIATION**

- a. Accept the Thornberry Creek LPGA Classic February 2019 report (8:30 a.m.)**

Sponsor: Chad Fuss, Agent/Oneida Golf Enterprise

EXCERPT FROM FEBRUARY 27, 2019: Motion by David P. Jordan to defer the Thornberry Creek LPGA Classic February 2019 report to the March 13, 2019, regular Business Committee meeting, seconded by Lisa Summers. Motion carried.

C. AUDIT COMMITTEE

- 1. Accept the January 17, 2019, regular Audit Committee meeting minutes**

Sponsor: David P. Jordan, Councilman

- 2. Accept the Cage/Vault/Kiosk annual and year end compliance audit and lift the confidentiality requirement**

Sponsor: David P. Jordan, Councilman

- 3. Accept the Card Games and Poker compliance audit and lift the confidentiality requirement**

Sponsor: David P. Jordan, Councilman

- 4. Accept the Roulette Rules of Play compliance audit and lift the confidentiality requirement**

Sponsor: Daniel Guzman King, Councilman

D. UNFINISHED BUSINESS

- 1. File # 2018-DR06-02 - Accept the update and determine the appropriate next steps (11:00 a.m.)**

Sponsor: Lisa Summers, Secretary

EXCERPT FROM FEBRUARY 27, 2019: Motion by Kirby Metoxen to direct the BC Officers to request an update to be brought back by the Division Director to the March 13, 2019, regular Business Committee meeting in executive session, seconded by David P. Jordan. Motion carried.

- 2. Discuss planning and next steps related to area under to DR16**

Sponsor: Brandon Stevens, Vice-Chairman

EXCERPT FROM NOVEMBER 14, 2018: Motion by Jennifer Webster to approve the requested action listed in the memorandum dated November 13, 2018, seconded by David P. Jordan. Motion carried.

E. NEW BUSINESS

1. **Approve forty (40) new enrollments and one (1) relinquishment**
Sponsor: Barbara Webster, Chair/Oneida Trust Enrollment Committee
2. **Approve the limited term employment contract for DR06**
Sponsor: Tehassi Hill, Chairman
3. **Approve the 2nd amendment to attorney contract with Kelly McAndrews - file # 2013-0873**
Sponsor: Jo Anne House, Chief Counsel
4. **Approve the 1st amendment to attorney contract with James Bittorf - file # 2018-0235**
Sponsor: Jo Anne House, Chief Counsel
5. **Approve the attorney contract with Arlinda Locklear - file # 2019-0245**
Sponsor: Jo Anne House, Chief Counsel
6. **Review Thornberry Creek at Oneida's operational position and determine next steps (8:30 a.m.)**
Sponsor: Chad Fuss, Agenda/Oneida Golf Enterprise
7. **Review application(s) for one (1) vacancy - Oneida Election Board - for term ending July 31, 2020**
Sponsor: Lisa Summers, Secretary
8. **Deliberations regarding pardon application - Thomas Lee**
Sponsor: Lisa Summers, Secretary
9. **Deliberations regarding pardon application - Cody Cornelius**
Sponsor: Lisa Summers, Secretary

XIII. ADJOURN

Posted on the Oneida Nation's official website, www.oneida-nsn.gov pursuant to the Open Records and Open Meetings law (§ 107.14.)

The meeting packet of the open session materials for this meeting is available by going to the Oneida Nation's official website at: oneida-nsn.gov/government/business-committee/agendas-packets/

For information about this meeting, please call the Business Committee Support Office at (920) 869-4364 or (800) 236-2214

Oneida Business Committee Agenda Request

Kahletsyalúsla - Oneida Nation High School Thunderhawk recognition

1. Meeting Date Requested: 03 / 13 / 19**2. General Information:**Session: ☒ Open ☐ Executive - See instructions for the applicable laws, then choose one:Agenda Header: ☐ Accept as Information only☐ Action - please describe:**3. Supporting Materials**☐ Report ☐ Resolution ☐ Contract☐ Other:1. 3. 2. 4. ☐ Business Committee signature required**4. Budget Information**☐ Budgeted - Tribal Contribution☐ Budgeted - Grant Funded☐ Unbudgeted**5. Submission**Authorized Sponsor / Liaison: Primary Requestor/Submitter:

Your Name, Title / Dept. or Tribal Member

Additional Requestor:

Additional Requestor:

Oneida Business Committee Agenda Request

Oneida Personnel Commission - Barbara Cornelius, Carole Liggins, and Nancy Skenandore

1. Meeting Date Requested: 03 / 13 / 19**2. General Information:**Session: ☒ Open ☐ Executive - See instructions for the applicable laws, then choose one:Agenda Header: ☐ Accept as Information only☒ Action - please describe:**3. Supporting Materials**☐ Report ☐ Resolution ☐ Contract☐ Other:1. 3. 2. 4. ☐ Business Committee signature required**4. Budget Information**☐ Budgeted - Tribal Contribution☐ Budgeted - Grant Funded☐ Unbudgeted**5. Submission**Authorized Sponsor / Liaison: Primary Requestor/Submitter:
Your Name, Title / Dept. or Tribal MemberAdditional Requestor:
Name, Title / Dept.Additional Requestor:
Name, Title / Dept.

Oneida Business Committee Agenda Request

Southeastern Wisconsin Oneida Tribal Services Advisory Board - Tracie Sparks

1. Meeting Date Requested: 03 / 13 / 19**2. General Information:**Session: ☒ Open ☐ Executive - See instructions for the applicable laws, then choose one:Agenda Header: ☐ Accept as Information only☒ Action - please describe:**3. Supporting Materials**☐ Report ☐ Resolution ☐ Contract☐ Other:1. 3. 2. 4. ☐ Business Committee signature required**4. Budget Information**☐ Budgeted - Tribal Contribution☐ Budgeted - Grant Funded☐ Unbudgeted**5. Submission**Authorized Sponsor / Liaison: Primary Requestor/Submitter:
Your Name, Title / Dept. or Tribal MemberAdditional Requestor:
Name, Title / Dept.Additional Requestor:
Name, Title / Dept.

Oneida Business Committee Agenda Request

Oneida Pow-wow Committee - Sonny Nacotee

1. Meeting Date Requested: 03 / 13 / 19

2. General Information:

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

Agenda Header: Oaths of Office

- ☐ Accept as Information only
☒ Action - please describe:

Administer Oath of Office to Sonny Nacotee for the Oneida Pow Wow Committee

3. Supporting Materials

- ☐ Report ☐ Resolution ☐ Contract
☐ Other:

1. 3.
2. 4.

☐ Business Committee signature required

4. Budget Information

- ☐ Budgeted - Tribal Contribution ☐ Budgeted - Grant Funded ☐ Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Lisa Summers, Secretary

Primary Requestor/Submitter: Brooke Doxtator, BCC Supervisor
Your Name, Title / Dept. or Tribal Member

Additional Requestor: Name, Title / Dept.

Additional Requestor: Name, Title / Dept.

Oneida Business Committee Agenda Request

Approve the February 28, 2019, quarterly reports Business Committee meeting minutes

1. Meeting Date Requested: 03 / 13 / 19

2. General Information:

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

Agenda Header:

☐ Accept as Information only

☒ Action - please describe:

Approve the February 28, 2019, quarterly reports Business Committee meeting minutes

3. Supporting Materials

☐ Report ☐ Resolution ☐ Contract

☒ Other:

1.

3.

2.

4.

☐ Business Committee signature required

4. Budget Information

☐ Budgeted - Tribal Contribution

☐ Budgeted - Grant Funded

☐ Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter: Submitted by: Lisa Liggins, Info. Mgmt. Spec./BC Support Office
Your Name, Title / Dept. or Tribal Member

Additional Requestor: _____
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.

DRAFT**Oneida Business Committee**

Quarterly Reports Meeting
8:00 AM Thursday, February 28, 2019
BC Conference Room, 2nd floor, Norbert Hill Center

Minutes**QUARTERLY REPORTS MEETING**

Present: Chairman Tehassi Hill, Vice-Chairman Brandon Stevens, Secretary Lisa Summers, Council members: David Jordan, Kirby Metoxen;

Not Present: Treasurer Trish King, Council members: Daniel Guzman King, Ernest Stevens III, Jennifer Webster;

Arrived at: n/a

Others present: Jo Anne House, Lisa Liggins, Valerie Groleau, Chad Wilson, Jameson Wilson, Candace House, Sandra Reveles, Aliskwet Ellis, James Martin, Lois Strong, Pat Lassila, Matt W. Denny, Loretta V. Metoxen, Chris Cornelius, Christina Liggins, Tina Skenandore, Tonya Webster, Donald McLester, Brent Truttmann, Jeff Bowman, Nathan King, Jacquelyn Zalim, Pete King III, Justin Fox, Dena Skenandore, Cheryl Stevens;

I. CALL TO ORDER

Meeting called to order by Chairman Tehassi Hill at 8:10 a.m.

For the record: Treasurer Trish King is out sick. Councilman Daniel Guzman King is on approved travel attending the Annual Indigenous Farming and Anishinaabe Hemp Conference in Callaway, MN. Council members are Jennifer Webster and Ernie Stevens III are attending the Creating Placemaking Conference in Green Bay, WI.

II. OPENING (00:00:12)

Opening provided by Chairman Tehassi Hill.

III. ADOPT THE AGENDA (00:03:50)

Motion by David P. Jordan to adopt the agenda as presented, seconded by Kirby Metoxen. Motion carried:

Ayes:	Brandon Stevens, David P. Jordan, Kirby Metoxen, Lisa Summers
Not Present:	Daniel Guzman King, Trish King, Ernie Stevens III, Jennifer Webster

DRAFT

IV. REPORTS

A. APPOINTED BOARDS, COMMITTEES, COMMISSIONS

1. Accept the Anna John Resident Centered Care Community Board FY-2019 1st quarter report (00:04:11)

Sponsor: Candace House, Chair/AJRCCC Board

Motion by Brandon Stevens to accept the Anna John Resident Centered Care Community Board FY-2019 1st quarter report, seconded by David P. Jordan. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Lisa Summers
Not Present: Daniel Guzman King, Trish King, Ernie Stevens III, Jennifer Webster

2. Accept the Oneida Nation Arts Board FY-2019 1st quarter report (00:05:58)

Sponsor: Desirae Hill, Chair/ONAB

Motion by Brandon Stevens to accept the Oneida Nation Arts Board FY-2019 1st quarter report, seconded by Kirby Metoxen. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Lisa Summers
Not Present: Daniel Guzman King, Trish King, Ernie Stevens III, Jennifer Webster

3. Accept the Environmental Resource Board FY-2019 1st quarter report (00:07:20)

Sponsor: Jameson Wilson, Chair/Environmental Resource Board

Motion by David P. Jordan to accept the Environmental Resource Board FY-2019 1st quarter report, seconded by Kirby Metoxen. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Lisa Summers
Not Present: Daniel Guzman King, Trish King, Ernie Stevens III, Jennifer Webster

4. Accept the Oneida Community Library Board FY-2019 1st quarter report (00:14:30)

Sponsor: Dylan Benton, Chair/OCLB

Motion by Kirby Metoxen to accept the Oneida Community Library Board FY-2019 1st quarter report, seconded by Brandon Stevens. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Lisa Summers
Not Present: Daniel Guzman King, Trish King, Ernie Stevens III, Jennifer Webster

5. Accept the Oneida Police Commission FY-2019 1st quarter report (00:16:18)

Sponsor: Sandra Reveles, Chair/OPC

Motion by David P. Jordan to accept the Oneida Police Commission FY-2019 1st quarter report, seconded by Brandon Stevens. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Lisa Summers
Not Present: Daniel Guzman King, Trish King, Ernie Stevens III, Jennifer Webster

DRAFT**6. Accept the Oneida Pow-wow Committee FY-2019 1st quarter report (00:19:25)**

Sponsor: Tonya Webster, Chair/OPC

Motion by Brandon Stevens to accept the Oneida Pow-wow Committee FY-2019 1st quarter report, seconded by David P. Jordan. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Lisa Summers
Not Present: Daniel Guzman King, Trish King, Ernie Stevens III, Jennifer Webster

For the record: The Oneida Pow-wow Committee Chair provided notice of their absence via e-mail.

7. Accept the Oneida Nation Veterans Affairs Committee FY-2019 1st quarter report (00:22:40)

Sponsor: James Martin, Chair/ONVAC

Motion by Brandon Stevens to accept the Oneida Nation Veterans Affairs Committee FY-2019 1st quarter report, seconded by David P. Jordan. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Lisa Summers
Not Present: Daniel Guzman King, Trish King, Ernie Stevens III, Jennifer Webster

8. Accept the Southeastern Wisconsin Oneida Tribal Services Advisory Board FY-2019 1st quarter report (00:26:12)

Sponsor: Kathryn LaRoque, Chair/SEOTS Advisory Board

Motion by Brandon Stevens to accept the Southeastern Wisconsin Oneida Tribal Services Advisory Board FY-2019 1st quarter report, seconded by Kirby Metoxen. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Lisa Summers
Not Present: Daniel Guzman King, Trish King, Ernie Stevens III, Jennifer Webster

9. Accept the Pardon and Forgiveness Screening Committee FY-2019 1st quarter report (00:33:52)

Sponsor: Eric Boulanger, Chair/PFSC

Motion by Kirby Metoxen to accept the Pardon and Forgiveness Screening Committee FY-2019 1st quarter report, seconded by Brandon Stevens. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Lisa Summers
Not Present: Daniel Guzman King, Trish King, Ernie Stevens III, Jennifer Webster

Item IV.B.6. is addressed next.

B. ELECTED BOARDS, COMMITTEES, COMMISSIONS**1. Accept the Oneida Nation Commission on Aging FY-2019 1st quarter report (00:56:28)**

Sponsor: Patricia Lassila, Chair/ONCOA

Motion by David P. Jordan to accept the Oneida Nation Commission on Aging FY-2019 1st quarter report, seconded by Kirby Metoxen. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Lisa Summers
Not Present: Daniel Guzman King, Trish King, Ernie Stevens III, Jennifer Webster

Item IV.B.4. is addressed next.

DRAFT**2. Accept the Oneida Gaming Commission FY-2019 1st quarter report (01:15:24)**

Sponsor: Matthew W. Denny, Chair/OGC

Motion by David P. Jordan to accept the Oneida Gaming Commission FY-2019 1st quarter report, seconded by Kirby Metoxen. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Lisa Summers
Not Present: Daniel Guzman King, Trish King, Ernie Stevens III, Jennifer Webster

3. Accept the Oneida Land Claims Commission FY-2019 1st quarter report (01:19:34)

Sponsor: Loretta V. Metoxen, Chair/OLCC

Motion by Kirby Metoxen to accept the Oneida Land Claims Commission FY-2019 1st quarter report, seconded by Brandon Stevens. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Lisa Summers
Not Present: Daniel Guzman King, Trish King, Ernie Stevens III, Jennifer Webster

Item IV.B.5. is addressed next.

4. Accept the Oneida Nation School Board FY-2019 1st quarter report (01:08:13)

Sponsor: Lisa Liggins, Chair/ONSB

Motion by David P. Jordan to accept the Oneida Nation School Board FY-2019 1st quarter report, seconded by Kirby Metoxen. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Lisa Summers
Not Present: Daniel Guzman King, Trish King, Ernie Stevens III, Jennifer Webster

Chairman Tehassi Hill recessed the meeting for five (5) minutes until 9:30 a.m.

Meeting called to order by Chairman Tehassi Hill at 9:34 a.m.

Roll call for the record:

Present: Chairman Tehassi Hill; Vice-Chairman Brandon Stevens; Councilman David P. Jordan; Councilman Kirby Metoxen; Secretary Lisa Summers;

Not Present: Councilman Daniel Guzman King; Treasurer Trish King; Councilman Ernie Stevens III; Councilwoman Jennifer Webster;

Item IV.B.2. is addressed next.

5. Accept the Oneida Election Board FY-2019 1st quarter report (01:29:52)

Sponsor: Vicki Cornelius, Chair/OEB

Motion by David P. Jordan to accept the Oneida Election Board FY-2019 1st quarter report, seconded by Brandon Stevens. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Lisa Summers
Not Present: Daniel Guzman King, Trish King, Ernie Stevens III, Jennifer Webster

Item IV.B.7. is addressed next.

DRAFT**6. Accept the Oneida Land Commission FY-2019 1st quarter report (00:36:20)**

Sponsor: Rae Skenandore, Chair/OLC

Motion by David P. Jordan to accept the Oneida Land Commission FY-2019 1st quarter report, seconded by Kirby Metoxen. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Lisa Summers
Not Present: Daniel Guzman King, Trish King, Ernie Stevens III, Jennifer Webster

Item IV.D.1. is addressed next.

7. Accept the Oneida Trust Enrollment Committee FY-2019 1st quarter report (01:33:28)

Sponsor: Barbara Webster, Chair/OTEC

Motion by David P. Jordan to accept the Oneida Trust Enrollment Committee FY-2019 1st quarter report, seconded by Kirby Metoxen. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Lisa Summers
Not Present: Daniel Guzman King, Trish King, Ernie Stevens III, Jennifer Webster

Item IV.C.4. is addressed next.

C. CORPORATE BOARDS**1. Accept the Bay Bancorporation, Inc. FY-2019 1st quarter report (01:59:42)**

Sponsor: Jeff Bowman, President/Bay Bank

Motion by Kirby Metoxen to accept the Bay Bancorporation, Inc. FY-2019 1st quarter report, seconded by David P. Jordan. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Lisa Summers
Not Present: Daniel Guzman King, Trish King, Ernie Stevens III, Jennifer Webster

Item IV.C.5. is addressed next.

2. Accept the Oneida ESC Group, LLC. FY-2019 1st quarter report (01:51:15)

Sponsor: Jacquelyn Zalim, Chair/OESC Board of Managers

Motion by Brandon Stevens to accept the Oneida ESC Group, LLC. FY-2019 1st quarter report, seconded by David P. Jordan. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Lisa Summers
Not Present: Daniel Guzman King, Trish King, Ernie Stevens III, Jennifer Webster

Item IV.C.1. is addressed next.

3. Accept the Oneida Seven Generations Corporation FY-2019 1st quarter report (01:49:15)

Sponsor: Pete King III, Agenda/OSGC

Motion by Brandon Stevens to accept the Oneida Seven Generations Corporation FY-2019 1st quarter report, seconded by David P. Jordan. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Lisa Summers
Not Present: Daniel Guzman King, Trish King, Ernie Stevens III, Jennifer Webster

Item IV.C.2. is addressed next.

DRAFT**4. Accept the Oneida Airport Hotel Corporation FY-2019 1st quarter report (01:47:15)**

Sponsor: Robert Barton, President/OAHC

Motion by David P. Jordan to accept the Oneida Airport Hotel Corporation FY-2019 1st quarter report, seconded by Kirby Metoxen. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Lisa Summers
Not Present: Daniel Guzman King, Trish King, Ernie Stevens III, Jennifer Webster

5. Accept the Oneida Golf Enterprise FY-2019 1st quarter report (02:02:54)

Sponsor: Chad Fuss, Agent/OGE

Motion by Brandon Stevens to accept the Oneida Golf Enterprise FY-2019 1st quarter report, seconded by Kirby Metoxen. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Lisa Summers
Not Present: Daniel Guzman King, Trish King, Ernie Stevens III, Jennifer Webster

Chairman Tehassi Hill recessed the meeting for five (5) minutes until 10:30 a.m.

Meeting called to order by Chairman Tehassi Hill at 10:33 a.m.

Roll call for the record:

Present: Chairman Tehassi Hill; Vice-Chairman Brandon Stevens; Councilman David P. Jordan; Councilman Kirby Metoxen; Secretary Lisa Summers;

Not Present: Councilman Daniel Guzman King; Treasurer Trish King; Councilman Ernie Stevens III; Councilwoman Jennifer Webster;

Item IV.E.1. is addressed next.

D. STANDING COMMITTEES**1. Accept the Community Development Planning Committee FY-2019 1st quarter report (00:44:16)**

Sponsor: Ernie Stevens III, Councilman

Motion by Kirby Metoxen to accept the Community Development Planning Committee FY-2019 1st quarter report, seconded by Brandon Stevens. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Lisa Summers
Not Present: Daniel Guzman King, Trish King, Ernie Stevens III, Jennifer Webster

2. Accept the Legislative Operating Committee FY-2019 1st quarter report (00:44:28)

Sponsor: David P. Jordan, Councilman

Motion by Brandon Stevens to accept the Legislative Operating Committee FY-2019 1st quarter report, seconded by Kirby Metoxen. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Lisa Summers
Not Present: Daniel Guzman King, Trish King, Ernie Stevens III, Jennifer Webster

DRAFT**3. Accept the Quality of Life Committee FY-2019 1st quarter report (00:54:30)**

Sponsor: Brandon Stevens, Vice-Chairman

Motion by Brandon Stevens to accept the Quality of Life Committee FY-2019 1st quarter report, seconded by David P. Jordan. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Lisa Summers
Not Present: Daniel Guzman King, Trish King, Ernie Stevens III, Jennifer Webster

4. Accept the Finance Committee FY-2019 1st quarter report (00:55:14)

Sponsor: Trish King, Treasurer

Motion by David P. Jordan to accept the Finance Committee FY-2019 1st quarter report, seconded by Kirby Metoxen. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Lisa Summers
Not Present: Daniel Guzman King, Trish King, Ernie Stevens III, Jennifer Webster

Item IV.B.1. is addressed next.

E. OTHER**1. Accept the Oneida Youth Leadership Institute FY-2019 1st quarter report (02:05:41)**

Sponsor: Richard Elm-Hill, President/OYLI Board of Directors

Motion by Brandon Stevens to accept the Oneida Youth Leadership Institute FY-2019 1st quarter report, seconded by David P. Jordan. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Lisa Summers
Not Present: Daniel Guzman King, Trish King, Ernie Stevens III, Jennifer Webster

V. ADJOURN (02:11:02)

Motion by Kirby Metoxen to adjourn at 10:38 a.m., seconded by David P. Jordan. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Lisa Summers
Not Present: Daniel Guzman King, Trish King, Ernie Stevens III, Jennifer Webster

Minutes prepared by Lisa Liggins, Information Management Specialist
Minutes approved as presented on _____.

Lisa Summers, Secretary
ONEIDA BUSINESS COMMITTEE

Oneida Business Committee Agenda Request

Approve the February 27, 2019, regular Business Committee meeting minutes

1. Meeting Date Requested: 03 / 13 / 19**2. General Information:**Session: ☒ Open ☐ Executive - See instructions for the applicable laws, then choose one:Agenda Header: ☐ Accept as Information only☒ Action - please describe:**3. Supporting Materials**☐ Report ☐ Resolution ☐ Contract☒ Other:1. 3. 2. 4. ☐ Business Committee signature required**4. Budget Information**☐ Budgeted - Tribal Contribution☐ Budgeted - Grant Funded☐ Unbudgeted**5. Submission**Authorized Sponsor / Liaison: Primary Requestor/Submitter: Submitted by: Lisa Liggins, Info. Mgmt. Spec./BC Support Office
Your Name, Title / Dept. or Tribal MemberAdditional Requestor: _____
Name, Title / Dept.Additional Requestor: _____
Name, Title / Dept.

DRAFT**Oneida Business Committee****Executive Session****8:30 AM Tuesday, February 26, 2019****Executive Conference Room, 2nd floor, Norbert Hill Center****Regular Meeting****8:30 AM Wednesday, February 27, 2019****BC Conference Room, 2nd floor, Norbert Hill Center****Minutes****EXECUTIVE SESSION**

Present: Chairman Tehassi Hill, Vice-Chairman Brandon Stevens, Secretary Lisa Summers, Councilmembers: Daniel Guzman King, David Jordan, Kirby Metoxen, Ernest Stevens III;

Not Present: Treasurer Trish King;

Arrived at: Jennifer Webster at 9:30 a.m.;

Others present: Jo Anne House, Larry Barton, Lisa Liggins, Jeff Bowman, Nate King, Jeff House, Jackie Zalim, John Breuninger, Leslie Wheelock (via phone), Pete King III, Becky Demmith, Robert Barton, Lisa Tillman, Steve Ninham, Mary Shaw, Louise Cornelius, Pat Pelky, Dana McLester, Geraldine Danforth, Michele Doxtator, Kaylynn Gresham, Tana Aguirre, Candice Skenandore, Troy Parr;

REGULAR MEETING

Present: Chairman Tehassi Hill, Secretary Lisa Summers, Council members: David Jordan, Kirby Metoxen, Ernest Stevens III, Jennifer Webster;

Not Present: Treasurer Trish King, Councilman Daniel Guzman King;

Arrived at: Vice-Chairman Brandon Stevens at 8:38 a.m.;

Others present: Jo Anne House, Larry Barton, Lisa Liggins, Geraldine Danforth, Christopher Johnson, Chris J. Cornelius, Henriette Oudenhoven, Amy Cooper, Clorissa Santiago, Worden Shane Webster, Floyd Silas Jr., Alva Fiddler, George Greendeer, Tonya Webster, Keith Doxtator, Chad Wilson, Troy Parr, Scott Denny, Gary Schaumberg, Glen Olson, Cliff Webster, Timothy Mertens, Cherice Santiago, Sharon Legare, Lisa McDonald, Sandra Mauer, Katsitsiyo Danforth, Deanna Klescewski, Theresa Torrez, Chantel McLeod, James Martin, Arthur Elm III (via polycom), Michael Coleman (via polycom), Jen Falck, Warren Stevens, James Petitjean, Candice Skenandore, Kristen Hooker, Mike Troge, William Vervoort, Vicki Cornelius, Eric Boulanger, George Skenandore, Jacque Boyle, Scott Cottrell, Dennis Johnson, Brian Doxtator, Joanie Buckley;

I. CALL TO ORDER

Meeting called to order by Chairman Tehassi Hill at 8:30 a.m.

For the record: Vice-Chairman Brandon Stevens is running late. Treasurer Trish King is out sick. Councilman Daniel Guzman King is on approved travel attending the Annual Indigenous Farming and Anishinaabe Hemp Conference in Callaway, MN.

DRAFT**II. OPENING (00:00:21)**

Opening provided by Chairman Tehassi Hill.

A. Presentation of donation to the Town of Oneida by the Oneida Nation

Sponsor: Lisa Summers, Secretary

Chairman Tehassi Hill and Secretary Lisa Summers presented a \$88,699.42 donation to Gary Schaumburg, Chairman/Town of Oneida Board, and Glen Olson, Chief/Town of Oneida Volunteer Fire Department, for Community Fire Protection services from FY 2011-2018.

Vice-Chairman Brandon Stevens arrives at 8:36 a.m.

B. Present Certificate of Appreciation for Public Service

Sponsor: Tehassi Hill, Chairman

Chairman Tehassi Hill presented a Certification of Appreciation for Public Service to Secretary Lisa Summers for her work on the State of Wisconsin Joint Legislative Council's Special Committee on State-Tribal Relations.

C. Special Recognition for Years of Service

Sponsor: Geraldine Danforth, Area Manager/Human Resources

Special recognition by Cliff Webster of Timothy Mertens (25 years of service); Special recognition by Cherice Santiago of Sharon Legare (25 years of service); Special recognition by Cherice Santiago of Lisa McDonald (25 years of service); Special recognition by Cherice Santiago of Sandra Mauer (25 years of service); Special recognition by Katsitsiyo Danforth of Deanna Klescewski (25 years of service); Special recognition by Theresa Torrez of Chantel McLeod (25 years of service); Special recognition of the following individuals who could not be present: Orin Askenette (25 years of service); Duane Berger (25 years of service); William Duffy (25 years of service); Yia Xiong (25 years of service); Mary Hamm (25 years of service); Diana Caldwell (25 years of service); Laura Bosacki (25 years of service); Lorna Denny (25 years of service); Beth Schrick Smith (25 years of service); Dawn Lara (25 years of service); Joan Larock (25 years of service); Harold Bebeau (25 years of service); Lawrence Larscheid (25 years of service); William Torres (25 years of service); Kevin Schoenebeck (25 years of service); Daniel W. Skenandore (25 years of service);

III. ADOPT THE AGENDA (00:22:25)

Motion by Ernie Stevens III to adopt the agenda with four (4) changes [1) correct title of item VIII.C.3. to "Accept..."; 2) move a portion of executive session item XIV.A.13. to open session as item XI.O. Determine next steps regarding the Memorandum of Understanding with National Indian Carbon Coalition; 3) correct numbering of item XIV.D.b3. to "XIV.D.3"; and 4) add item XIV.D.6. File # ED18-008 - Discuss proposal and business plan], noting the supporting documents for item V.D. are a handout, seconded by David P. Jordan. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

DRAFT**IV. OATH OF OFFICE (00:25:10)**

Oath of Office administered by Secretary Lisa Summers. George Greendeer, James Martin, Worden Shane Webster, Alva Fiddler, Floyd Silas Jr., Arthur Elm III (via polycom), Michael Coleman (via polycom) were present. Sonny Nacotee and Tracie Sparks were not present.

- A. Oneida Nation Veterans Affairs Committee - George Greendeer and James Martin**
Sponsor: Lisa Summers, Secretary
- B. Oneida Pow-wow Committee - Worden Shane Webster, Alva Fiddler, Sonny Nacotee, and Floyd Silas Jr.**
Sponsor: Lisa Summers, Secretary
- C. Southeastern Wisconsin Oneida Tribal Services Advisory Board - Arthur Elm III, Michael Coleman, and Tracie Sparks**
Sponsor: Lisa Summers, Secretary

V. MINUTES

- A. Approve the January 18, 2019, special Business Committee meeting minutes (00:30:32)**
Sponsor: Lisa Summers, Secretary

Motion by Jennifer Webster to approve the January 18, 2019, special Business Committee meeting minutes, seconded by Ernie Stevens III. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

- B. Approve the January 23, 2019, regular Business Committee meeting minutes (00:30:59)**
Sponsor: Lisa Summers, Secretary

Motion by Lisa Summers to approve the January 23, 2019, regular Business Committee meeting minutes with one (1) correction [add Councilman Kirby Metoxen to the "Arrived at:" section of the Executive Session attendance on page 1], seconded by David P. Jordan. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

- C. Approve the February 8, 2019, special Business Committee meeting minutes (00:31:41)**
Sponsor: Lisa Summers, Secretary

Motion by Kirby Metoxen to approve the February 8, 2019, special Business Committee meeting minutes, seconded by David P. Jordan. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

DRAFT**D. Approve the February 12, 2019, regular Business Committee meeting minutes (00:32:10)**

Sponsor: Lisa Summers, Secretary

Motion by Lisa Summers to approve the February 12, 2019, regular Business Committee meeting minutes, seconded by Jennifer Webster. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

VI. RESOLUTIONS**A. Adopt resolution entitled Silver Creek Trail (00:32:34)**

Sponsor: Troy Parr, Division Director/Community & Economic Development

Motion by Lisa Summers to adopt resolution 02-27-19-A Silver Creek Trail with one (1) correction [in line 11, add the word "Committee" after "Oneida Business"], seconded by Ernie Stevens III. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

B. Adopt resolution entitled Creation of the Oneida Nation School System Endowment in Accordance with the Endowments Law (00:36:36)

Sponsor: Trish King, Treasurer

Motion by David P. Jordan to adopt resolution 02-27-19-B Creation of the Oneida Nation School System Endowment in Accordance with the Endowments Law, seconded by Lisa Summers. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

Motion by Jennifer Webster to that all interest income accrued be included, up to the date the fund is transferred, along with the settlement funds, to the Oneida Trust Enrollment Committee, seconded by Lisa Summers. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

C. Adopt resolution entitled Supporting Dental Therapy as a Solution to the Oneida Nation's Oral Health Challenges (00:39:01)

Sponsor: Jennifer Webster, Councilwoman

Motion by Lisa Summers to adopt resolution 02-27-19-C Supporting Dental Therapy as a Solution to the Oneida Nation's Oral Health Challenges, seconded by Jennifer Webster. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

DRAFT**D. Adopt resolution entitled Approving a limited waiver of sovereign immunity for a Premium Stabilization Fund Agreement between the Oneida Nation and Epic Life Insurance Company (00:40:58)**

Sponsor: Barbara Webster, Chair/Oneida Trust Enrollment Committee

Motion by Brandon Stevens to adopt resolution 02-27-19-D Approving a limited waiver of sovereign immunity for a Premium Stabilization Fund Agreement between the Oneida Nation and Epic Life Insurance Company, noting today's date will be inserted in line 88 and line 92, seconded by Lisa Summers. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

E. Adopt resolution entitled Office of Special Trustee - Sign Off Authority (00:43:16)

Sponsor: Barbara Webster, Chair/Oneida Trust Enrollment Committee

Motion by Jennifer Webster to adopt resolution 02-27-19-E Office of Special Trustee - Sign Off Authority, seconded by Kirby Metoxen. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

VII. APPOINTMENTS (00:44:15)

Motion by Lisa Summers to defer item VII.A. to later in the meeting, seconded by David P. Jordan.

Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

Item VIII.A.1. is addressed next.

A. Determine next steps regarding five (5) vacancies - Oneida Personnel Commission (04:07:57)

Sponsor: Lisa Summers, Secretary

Motion by Lisa Summers to appoint Barbara Cornelius to the Oneida Personnel Commission with a term ending 2024, Carole Liggins to the Oneida Personnel Commission with a term ending in 2023, and Nancy Skenandore to the Oneida Personnel Commission with a term ending 2022, based on their experience identified as in their applications, seconded by Kirby Metoxen. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

Motion by David P. Jordan to repost the remaining two (2) vacancies on the Oneida Personnel Commission, seconded by Lisa Summers. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

Item XV. is addressed next.

DRAFT**VIII. STANDING COMMITTEES****A. COMMUNITY DEVELOPMENT PLANNING COMMITTEE**

1. **Accept the December 6, 2018, regular Community Development Planning Committee meeting minutes (00:44:39)**

Sponsor: Ernie Stevens III, Councilman

Motion by David P. Jordan to accept the December 6, 2018, regular Community Development Planning Committee meeting minutes, seconded by Kirby Metoxen. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

2. **Accept the January 3, 2019, regular Community Development Planning Committee meeting minutes (00:45:20)**

Sponsor: Ernie Stevens III, Councilman

Motion by Jennifer Webster to accept the January 3, 2019, regular Community Development Planning Committee meeting minutes, seconded by David P. Jordan. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

B. FINANCE COMMITTEE

1. **Approve the February 18, 2019, regular Finance Committee meeting minutes (00:45:46)**

Sponsor: Trish King, Treasurer

Motion by David P. Jordan to approve the February 18, 2019, regular Finance Committee meeting minutes, seconded by Ernie Stevens III. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

C. LEGISLATIVE OPERATING COMMITTEE

1. **Accept the January 16, 2019, regular Legislative Operating Committee meeting minutes (00:46:15)**

Sponsor: David P. Jordan, Councilman

Motion by Kirby Metoxen to accept the January 16, 2019, regular Legislative Operating Committee meeting minutes, seconded by Lisa Summers. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

DRAFT**2. Accept the February 6, 2019, regular Legislative Operating Committee meeting minutes (00:46:46)**

Sponsor: David P. Jordan, Councilman

Motion by Kirby Metoxen to accept the February 6, 2019, regular Legislative Operating Committee meeting minutes, seconded by Lisa Summers. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

3. Approve the Anna John Resident Centered Care Community Board Bylaws (00:47:07); (01:48:45)

Sponsor: David P. Jordan, Councilman

Motion by Lisa Summers to approve the Anna John Resident Centered Care Community Board Bylaws, with one (1) change [on line 370 insert language regarding the frequency of the update/review of the bylaws which will be formulated by the Legislative Reference Office based on the discussion today], seconded by Kirby Metoxen. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

Item VIII.C.4. is addressed next.

Motion by Lisa Summers to revise the approval of the Anna John Resident Centered Care Community Bylaws to include one (1) additional change [remove references to specific dollar amounts for stipends and compensation throughout], seconded by Jennifer Webster. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Lisa Summers,
Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Ernie Stevens III

Item VIII.C.5. is addressed next.

DRAFT**4. Approve the Oneida Pow-wow Committee Bylaws (01:09:02)**

Sponsor: David P. Jordan, Councilman

Motion by David P. Jordan to approve the Oneida Pow-wow Committee Bylaws, with the three (3) changes [1) insert language regarding the frequency of the update/review of the bylaws which will be formulated by the Legislative Reference Office based on the discussion today; 2) remove references to specific dollar amounts for stipends and compensation throughout; and 3) in section 1-5.(d) include a requirement that the majority of current members be enrolled members of the Oneida Nation], seconded by Ernie Stevens III. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster
Not Present: Daniel Guzman King, Trish King

Councilman Ernie Stevens III left at 10:17 a.m.

Motion by Lisa Summers to that item VIII.C.3 is revisited to re-open that discussion, seconded by David P. Jordan. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Lisa Summers,
Jennifer Webster
Not Present: Daniel Guzman King, Trish King, Ernie Stevens III

Item VIII.C.3. is addressed next.

5. Approve the Pardon and Forgiveness Screening Committee Bylaws (01:49:20)

Sponsor: David P. Jordan, Councilman

Motion by Jennifer Webster to approve the Pardon and Forgiveness Screening Committee Bylaws, with one (1) change [insert language regarding the frequency of the update/review of the bylaws which will be formulated by the Legislative Reference Office based on the discussion today], seconded by Kirby Metoxen. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Lisa Summers,
Jennifer Webster
Not Present: Daniel Guzman King, Trish King, Ernie Stevens III

IX. TRAVEL REPORTS**A. Approve the travel report - Vice-Chairman Brandon Stevens, Councilman Kirby Metoxen, and Councilwoman Jennifer Webster - Haaland & Davids reception - Washington DC - January 3-4, 2019 (01:51:13)**

Sponsor: Brandon Stevens, Vice-Chairman

Secretary Lisa Summers left at 10:21 a.m.

Motion by David P. Jordan to approve the travel report from Vice-Chairman Brandon Stevens, Councilman Kirby Metoxen, and Councilwoman Jennifer Webster for the Haaland & Davids reception in Washington DC - January 3-4, 2019, seconded by Brandon Stevens. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Jennifer Webster
Abstained: Kirby Metoxen
Not Present: Daniel Guzman King, Trish King, Ernie Stevens III, Lisa Summers

DRAFT**X. TRAVEL REQUESTS**

- A. Approve the travel request - Councilman Ernie Stevens III - Midwest Tribal Energy Regional Association (MTERA) Regional Energy Workshop for Midwest Tribes - Milwaukee, WI - April 8-9, 2019 (01:54:06)**
Sponsor: Ernie Stevens III, Councilman

Secretary Lisa Summers returned at 10:24 a.m.

Motion by David P. Jordan to approve the travel request for Councilman Ernie Stevens III to attend the Midwest Tribal Energy Regional Association (MTERA) Regional Energy Workshop for Midwest Tribes in Milwaukee, WI - April 8-9, 2019, seconded by Kirby Metoxen. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Ernie Stevens III

- B. Approve the travel request - Treasurer Trish King - 21st National Intertribal Tax Alliance Conference - Santa Fe, NM - August 13-16, 2019 (01:56:09)**
Sponsor: Trish King, Treasurer

Motion by Jennifer Webster to approve the travel request for Treasurer Trish King to attend the 21st National Intertribal Tax Alliance Conference in Santa Fe, NM - August 13-16, 2019, seconded by David P. Jordan. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Ernie Stevens III

- C. Enter the e-poll results into the record for the approved travel request for Chairman Tehassi Hill to attend the Opioid Litigation Briefing in Atlanta, GA - February 14-15, 2019 (01:56:44)**
Sponsor: Lisa Summers, Secretary

Motion by David P. Jordan to enter the e-poll results into the record for the approved travel request for Chairman Tehassi Hill to attend the Opioid Litigation Briefing in Atlanta, GA - February 14-15, 2019, seconded by Lisa Summers. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Ernie Stevens III

- D. Enter the e-poll results into the record for the approved travel request for Secretary Lisa Summers to attend the WIEA Legislative Breakfast Meeting in Madison WI - February 19-20, 2019 (01:57:12)**
Sponsor: Lisa Summers, Secretary

Motion by Kirby Metoxen to enter the e-poll results into the record for the approved travel request for Secretary Lisa Summers to attend the WIEA Legislative Breakfast Meeting in Madison WI - February 19-20, 2019, seconded by David P. Jordan. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Ernie Stevens III

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- E. Enter the e-poll results into the record for the approved travel request for Councilman Kirby Metoxen to attend NATOW 2020-2021 Strategic and 2019 Conference Planning in Danbury, WI - February 19-21, 2019 (01:57:40)**
Sponsor: Lisa Summers, Secretary

Motion by Lisa Summers to enter the e-poll results into the record for the approved travel request for Councilman Kirby Metoxen to attend NATOW 2020-2021 Strategic and 2019 Conference Planning in Danbury, WI - February 19-21, 2019, seconded by Jennifer Webster. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Lisa Summers, Jennifer Webster
Abstained: Kirby Metoxen
Not Present: Daniel Guzman King, Trish King, Ernie Stevens III

XI. NEW BUSINESS

- A. Set the date for the 2019 Special Election (01:58:15)**
Sponsor: Vicki Cornelius, Chair/Oneida Election Board

Councilman Ernie Stevens III returned at 10:31 a.m.

Motion by David P. Jordan to set the 2019 Special Election on July 20, 2019, seconded by Jennifer Webster. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster
Not Present: Daniel Guzman King, Trish King

- B. Approve the Deputization Agreement Between the Oneida Nation and the Brown County Sheriff (02:02:19)**
Sponsor: Lisa Summers, Secretary

Motion by David P. Jordan to approve the Deputization Agreement Between the Oneida Nation and the Brown County Sheriff, seconded by Lisa Summers. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster
Not Present: Daniel Guzman King, Trish King

- C. Approve the Deputization Agreement Between the Oneida Nation and the Outagamie County Sheriff (02:03:11)**
Sponsor: Lisa Summers, Secretary

Motion by David P. Jordan to approve the Deputization Agreement Between the Oneida Nation and the Outagamie County Sheriff, seconded by Kirby Metoxen. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster
Not Present: Daniel Guzman King, Trish King

DRAFT

- D. Approve a limited waiver of sovereign immunity - Wisconsin State-Department of Transportation MACH Sub-User's Agreement - file # 2019-0038 (02:03:36)**
Sponsor: Lisa Summers, Secretary

Motion by Jennifer Webster to approve a limited waiver of sovereign immunity for the Wisconsin State-Department of Transportation MACH Sub-User's Agreement - file # 2019-0038, seconded by Lisa Summers. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster
Not Present: Daniel Guzman King, Trish King

- E. Approve a limited waiver of sovereign immunity - Wisconsin State-Department of Transportation TraCS Sublicense Agreement - file # 2019-0039 (02:04:56)**
Sponsor: Lisa Summers, Secretary

Motion by Ernie Stevens III to approve a limited waiver of sovereign immunity for the Wisconsin State-Department of Transportation TraCS Sublicense Agreement - file # 2019-0039, seconded by Kirby Metoxen. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster
Not Present: Daniel Guzman King, Trish King

- F. Approve a limited waiver of sovereign immunity - Wisconsin State-Agriculture, Trade & Consumer Protection - file # 2019-0064 (02:06:14)**
Sponsor: Patrick Pelky, Division Director/Environmental, Health, Safety & Land

Vice-Chairman Brandon Stevens left at 10:51 a.m.

Motion by Lisa Summers to approve a limited waiver of sovereign immunity for the Wisconsin State-Agriculture, Trade & Consumer Protection - file # 2019-0064, seconded by Ernie Stevens III. Motion carried:

Ayes: David P. Jordan, Kirby Metoxen, Ernie Stevens III, Lisa Summers,
Jennifer Webster
Not Present: Brandon Stevens, Daniel Guzman King, Trish King

- G. Approve the Oneida Trust Enrollment Committee/Oneida Business Committee Memorandum of Agreement (02:22:54)**
Sponsor: Barbara Webster, Chair/Oneida Trust Enrollment Committee

Motion by Lisa Summers to approve the Oneida Trust Enrollment Committee/Oneida Business Committee Memorandum of Agreement, seconded by David P. Jordan. Motion carried:

Ayes: David P. Jordan, Kirby Metoxen, Ernie Stevens III, Lisa Summers,
Jennifer Webster
Not Present: Brandon Stevens, Daniel Guzman King, Trish King

DRAFT

- H. Approve an exception to resolution # BC-12-27-16-A and start the executive discussion meeting on Tuesday, March 26, 2019, at 10:00 a.m. (02:24:02)**
Sponsor: Lisa Summers, Secretary

Councilman Kirby Metoxen left at 10:54 a.m.

Motion by David P. Jordan to approve an exception to resolution # BC-12-27-16-A and start the executive discussion meeting on Tuesday, March 26, 2019, at 10:00 a.m., seconded by Lisa Summers. Motion carried:

Ayes: David P. Jordan, Ernie Stevens III, Lisa Summers, Jennifer Webster
Not Present: Brandon Stevens, Daniel Guzman King, Trish King, Kirby Metoxen

- I. Approve the memorandum of understanding - Big Brothers Big Sisters of Northeast Wisconsin - file # 2019-0059 (02:24:54)**
Sponsor: Ernie Stevens III, Councilman

Motion by Lisa Summers to approve the memorandum of understanding for the Big Brothers Big Sisters of Northeast Wisconsin - file # 2019-0059, noting the entity within the organization as identified by the legal review is the Governmental Services Division, seconded by Ernie Stevens III. Motion carried:

Ayes: David P. Jordan, Ernie Stevens III, Lisa Summers, Jennifer Webster
Not Present: Brandon Stevens, Daniel Guzman King, Trish King, Kirby Metoxen

- J. Approve a credit limit increase for OBC corporate credit cards (02:26:16)**
Sponsor: Lisa Summers, Secretary

Councilman Kirby Metoxen returned 10:59 a.m.

Vice-Chairman Brandon Stevens returned at 11:01 a.m.

Chairman Tehassi Hill left at 11:02 a.m. Vice-Chairman Brandon Stevens assumes the role of the Chair.

Motion by Jennifer Webster to approve a credit limit increase for OBC corporate credit cards from \$2,000 to \$6,000, seconded by Lisa Summers. Motion carried:

Ayes: David P. Jordan, Kirby Metoxen, Ernie Stevens III, Lisa Summers, Jennifer Webster
Not Present: Daniel Guzman King, Tehassi Hill, Trish King

- K. Repost one (1) vacancy to complete the term ending June 30, 2019 - Oneida Youth Leadership Institute Board of Directors (02:34:55)**
Sponsor: Lisa Summers, Secretary

Motion by Ernie Stevens III to repost one (1) vacancy to complete the term ending June 30, 2019, on the Oneida Youth Leadership Institute Board of Directors, seconded by David P. Jordan. Motion carried:

Ayes: David P. Jordan, Kirby Metoxen, Ernie Stevens III, Lisa Summers, Jennifer Webster
Not Present: Daniel Guzman King, Tehassi Hill, Trish King

DRAFT

- L. Repost two (2) vacancies to complete the terms ending July 31, 2019, and one (1) vacancy to complete the term ending July 31, 2020 - Oneida Nation School Board (02:35:26)**

Sponsor: Lisa Summers, Secretary

Motion by Jennifer Webster to repost two (2) vacancies to complete the terms ending July 31, 2019, and one (1) vacancy to complete the term ending July 31, 2020 on the Oneida Nation School Board, seconded by Kirby Metoxen. Motion carried:

Ayes: David P. Jordan, Kirby Metoxen, Ernie Stevens III, Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Tehassi Hill, Trish King

- M. Enter the e-poll results into the record for the approved exception to resolution # BC-12-27-16-A and hold both the regular and executive discussion meetings on Tuesday, February 12, 2019, at 10:00 a.m. (02:35:51)**

Sponsor: Lisa Summers, Secretary

Motion by Jennifer Webster to enter the e-poll results into the record for the approved exception to resolution # BC-12-27-16-A and hold both the regular and executive discussion meetings on Tuesday, February 12, 2019, at 10:00 a.m., seconded by Lisa Summers. Motion carried:

Ayes: David P. Jordan, Kirby Metoxen, Ernie Stevens III, Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Tehassi Hill, Trish King

- N. Enter the e-poll results into the record for the approved exception to resolution # BC-12-27-16-A and hold both the regular and executive discussion meetings on Tuesday, February 12, 2019, at 1:00 p.m. (02:36:20)**

Sponsor: Lisa Summers, Secretary

Motion by Jennifer Webster to enter the e-poll results into the record for the approved exception to resolution # BC-12-27-16-A and hold both the regular and executive discussion meetings on Tuesday, February 12, 2019, at 1:00 p.m., seconded by Lisa Summers. Motion carried:

Ayes: David P. Jordan, Kirby Metoxen, Ernie Stevens III, Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Tehassi Hill, Trish King

- O. Determine next steps regarding the Memorandum of Understanding with National Indian Carbon Coalition (02:37:08)**

Sponsor: Ernie Stevens III, Councilman

Chairman Tehassi Hill returned at 11:07 p.m. and resumes the role of the Chair.

Motion by Lisa Summers to send the Memorandum of Understanding with National Indian Carbon Coalition to the Community and Economic Development Division Director to address the two (2) identified items in the review and for that response to come back with the proposal when completed, seconded by Jennifer Webster. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Lisa Summers, Jennifer Webster

Opposed: Ernie Stevens III

Not Present: Daniel Guzman King, Trish King

Item XIII.A. is addressed next.

DRAFT**XII. REPORTS****A. OPERATIONAL****1. Accept the Human Services FY-2019 1st quarter report (03:17:54)**

Sponsor: George Skenandore, Division Director/Governmental Services

Chairman Tehassi Hill returned at 2:12 p.m. and resumed the role of the Chair.

Motion by Brandon Stevens to accept the Human Services FY-2019 1st quarter report, seconded by Kirby Metoxen. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

2. Accept the Public Safety FY-2019 1st quarter report (03:26:50)

Sponsor: Lisa Summers, Secretary

Motion by David P. Jordan to accept the Public Safety FY-2019 1st quarter report, seconded by Lisa Summers. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

Item XII.A.5. is addressed next.

3. Accept the Housing FY-2019 1st quarter report (03:05:42)

Sponsor: Dana McLester, Division Director/Comprehensive Housing

Councilman David P. Jordan left 1:57 p.m.

Councilman Ernie Stevens III left at 1:58 p.m.

Councilman David P. Jordan returned at 2:01 p.m.

Councilman Ernie Stevens III returned at 2:01 p.m.

Councilman Kirby Metoxen returned at 2:03 p.m.

Chairman Tehassi Hill left at 2:07 p.m. Vice-Chairman Brandon Stevens assumed the role of the Chair.

Motion by Lisa Summers to accept the Housing FY-2019 1st quarter report, seconded by Jennifer Webster. Motion carried:

Ayes: David P. Jordan, Kirby Metoxen, Ernie Stevens III, Lisa Summers,
Jennifer Webster

Not Present: Daniel Guzman King, Tehassi Hill, Trish King

Item XII.A.1. is addressed next.

DRAFT**4. Accept the Utilities, Wells, Wastewater and Septic FY-2019 1st quarter report (02:57:54)**

Sponsor: Jacque Boyle, Division Director/Public Works

Councilman Kirby Metoxen left at 1:54 p.m.

Motion by David P. Jordan to accept the Utilities, Wells, Wastewater and Septic FY-2019 1st quarter report, seconded by Lisa Summers. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Ernie Stevens III, Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King, Kirby Metoxen

Item XII.A.3. is addressed next.

5. Accept the Planning, Zoning and Development FY-2019 1st quarter report (03:36:20)

Sponsor: Troy Parr, Division Director/Community & Economic Development

Motion by Brandon Stevens to accept the Planning, Zoning and Development FY-2019 1st quarter report, seconded by David P. Jordan. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III, Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

Secretary Lisa Summers left at 2:28 p.m.

Secretary Lisa Summers returned at 2:31 p.m.

6. Accept the Government Administration FY-2019 1st quarter report (03:41:40)

Sponsor: Trish King, Treasurer

Councilman Kirby Metoxen left at 2:33 p.m.

Vice-Chairman Brandon Stevens left at 2:37 p.m.

Motion by Lisa Summers to accept the Government Administration FY-2019 1st quarter report, seconded by Jennifer Webster. Motion carried:

Ayes: David P. Jordan, Ernie Stevens III, Lisa Summers, Jennifer Webster

Not Present: Brandon Stevens, Daniel Guzman King, Trish King, Kirby Metoxen

Item XIV.A.1. is addressed next.

DRAFT**XIII. GENERAL TRIBAL COUNCIL****A. Approve tentative GTC meeting dates through January 2021 (02:39:05)**

Sponsor: Lisa Summers, Secretary

Motion by Lisa Summers to schedule a tentative semi-annual General Tribal Council meeting on Monday, July 29, 2019, at 6:00 p.m., seconded by David P. Jordan. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

Motion by David P. Jordan to schedule a tentative special General Tribal Council meeting on Monday, December 2, 2019, at 6:00 p.m. and identify Monday, January 6, 2020, at 6:00 p.m. as the inclement weather date, seconded by Lisa Summers. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

Motion by David P. Jordan to schedule a tentative annual General Tribal Council meeting on Monday, January 20, 2020, at 6:00 p.m. and identify Monday, March 2, 2020, at 6:00 p.m. as the inclement weather date, seconded by Jennifer Webster. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

Motion by David P. Jordan to schedule a tentative special General Tribal Council meeting on Monday, March 16, 2020, at 6:00 p.m. and identify Monday, June 1, 2020, at 6:00 p.m. as the inclement weather date, seconded by Lisa Summers. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

Motion by David P. Jordan to schedule a tentative special General Tribal Council meeting on Monday, June 22, 2020, at 6:00 p.m., seconded by Lisa Summers. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

Motion by David P. Jordan to schedule a tentative semi-annual General Tribal Council meeting on Thursday, July 23, 2020 at 6:00 p.m., seconded by Kirby Metoxen. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

Motion by David P. Jordan to schedule a tentative special General Tribal Council meeting on Monday, September 14, 2020, at 6:00 p.m. to address the annual budget, seconded by Lisa Summers. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

DRAFT

Continued motions regarding item XII.A. Approve tentative GTC meeting dates through January 2021:

Motion by David P. Jordan to schedule a tentative special General Tribal Council meeting on Monday, December 14, 2020, at 6:00 p.m. and identify Thursday, January 7, 2021, at 6:00 p.m. as the inclement weather date, seconded by Lisa Summers. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster
Not Present: Daniel Guzman King, Trish King

Motion by David P. Jordan to schedule a tentative annual General Tribal Council meeting on Monday, January 18, 2021, at 6:00 p.m. and request the Secretary to with Radisson to identify an appropriate inclement weather date in March, seconded by Lisa Summers. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster
Not Present: Daniel Guzman King, Trish King

Motion by David P. Jordan to recess at 11:25 a.m. and to reconvene at 1:00 p.m., seconded by Brandon Stevens. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster
Not Present: Daniel Guzman King, Trish King

XIV. EXECUTIVE SESSION (02:55:33)

Meeting called to order by Vice-Chairman Brandon Stevens at 1:04 p.m.

Roll call for the record:

Present: Vice-Chairman Brandon Stevens; Councilman David P. Jordan; Councilman Kirby Metoxen; Councilman Ernie Stevens III; Secretary Lisa Summers; Councilwoman Jennifer Webster;

Not Present: Councilman Daniel Guzman King; Chairman Tehassi Hill, Treasurer Trish King;

Motion by Lisa Summers to go into executive session at 1:04 p.m., seconded by Kirby Metoxen. Motion carried:

Ayes: David P. Jordan, Kirby Metoxen, Ernie Stevens III, Lisa Summers,
Jennifer Webster
Not Present: Daniel Guzman King, Tehassi Hill, Trish King

Chairman Tehassi Hill returned at 1:20 p.m. and resumed the role of the Chair.

Motion by Brandon Stevens to come out of executive session at 1:47 p.m., seconded by David P. Jordan. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster
Not Present: Daniel Guzman King, Trish King

Item XII.A.4. is addressed next.

DRAFT**A. REPORTS****1. Accept the Bay Bancorporation, Inc. FY-2019 1st quarter executive report (03:53:23)**

Sponsor: Jeff Bowman, President/Bay Bank

Motion by Lisa Summers to accept the Bay Bancorporation, Inc. FY-2019 1st quarter executive report, seconded by Jennifer Webster. Motion carried:

Ayes: David P. Jordan, Ernie Stevens III, Lisa Summers, Jennifer Webster
Not Present: Brandon Stevens, Daniel Guzman King, Trish King, Kirby Metoxen

2. Accept the Oneida ESC Group, LLC. FY-2019 1st quarter executive report (03:53:46)

Sponsor: Jacquelyn Zalim, Chair/OESC Board of Managers

Motion by Lisa Summers to accept the Oneida ESC Group, LLC. FY-2019 1st quarter executive report, seconded by Ernie Stevens III. Motion carried:

Ayes: David P. Jordan, Ernie Stevens III, Lisa Summers, Jennifer Webster
Not Present: Brandon Stevens, Daniel Guzman King, Trish King, Kirby Metoxen

Motion by Ernie Stevens III to send Chapter 502 Indian Preference in Contracting to the Legislative Operating Committee to address the identified concern regarding the definition of Tribal Entities, seconded by Lisa Summers. Motion carried:

Ayes: David P. Jordan, Ernie Stevens III, Lisa Summers, Jennifer Webster
Not Present: Brandon Stevens, Daniel Guzman King, Trish King, Kirby Metoxen

3. Accept the Oneida Seven Generations Corporation FY-2019 1st quarter executive report (03:54:25)

Sponsor: Pete King III, Agent/OSGC

Motion by David P. Jordan to accept the Oneida Seven Generations Corporation FY-2019 1st quarter executive report, seconded by Lisa Summers. Motion carried:

Ayes: David P. Jordan, Ernie Stevens III, Lisa Summers, Jennifer Webster
Not Present: Brandon Stevens, Daniel Guzman King, Trish King, Kirby Metoxen

4. Accept the Oneida Airport Hotel Corporation FY-2019 1st quarter executive report (03:54:41)

Sponsor: Robert Barton, President/OAHC

Motion by David P. Jordan to accept the Oneida Airport Hotel Corporation FY-2019 1st quarter executive report, seconded by Lisa Summers. Motion carried:

Ayes: David P. Jordan, Ernie Stevens III, Lisa Summers, Jennifer Webster
Not Present: Brandon Stevens, Daniel Guzman King, Trish King, Kirby Metoxen

Motion by Lisa Summers to direct the BC Officers to follow up with the Community & Economic Development Division Director on the identified concern regarding invoicing, seconded by David P. Jordan. Motion carried:

Ayes: David P. Jordan, Ernie Stevens III, Lisa Summers, Jennifer Webster
Not Present: Brandon Stevens, Daniel Guzman King, Trish King, Kirby Metoxen

DRAFT**5. Accept the Oneida Golf Enterprise FY-2019 1st quarter executive report (03:55:19)**

Sponsor: Chad Fuss, Agent/OGE

Motion by Jennifer Webster to accept the Oneida Golf Enterprise FY-2019 1st quarter executive report, seconded by Lisa Summers. Motion carried:

Ayes: David P. Jordan, Ernie Stevens III, Lisa Summers, Jennifer Webster
Not Present: Brandon Stevens, Daniel Guzman King, Trish King, Kirby Metoxen

6. Accept the Environmental, Health, Safety & Land FY-2019 1st quarter executive report (03:55:37)

Sponsor: Patrick Pelky, Division Director/Environmental, Health, Safety & Land

Motion by Jennifer Webster to accept the Environmental, Health, Safety & Land FY-2019 1st quarter executive report, seconded by David P. Jordan. Motion carried:

Ayes: David P. Jordan, Ernie Stevens III, Lisa Summers, Jennifer Webster
Not Present: Brandon Stevens, Daniel Guzman King, Trish King, Kirby Metoxen

Motion by Lisa Summers to approve a limited waiver of sovereign immunity regarding the following contracts – file # 2019-0227, file # 2019-0232, file # 2019-0225, file # 2019-0224, file # 2019-0226, and file # 2019-0223 in regards to contract file # 2019-0208, seconded by Jennifer Webster. Motion carried:

Ayes: David P. Jordan, Ernie Stevens III, Lisa Summers, Jennifer Webster
Not Present: Brandon Stevens, Daniel Guzman King, Trish King, Kirby Metoxen

7. Accept the Comprehensive Housing FY-2019 1st quarter executive report (03:56:49)

Sponsor: Dana McLester, Division Director/Comprehensive Housing

Motion by David P. Jordan to accept the Comprehensive Housing FY-2019 1st quarter executive report, seconded by Lisa Summers. Motion carried:

Ayes: David P. Jordan, Ernie Stevens III, Lisa Summers, Jennifer Webster
Not Present: Brandon Stevens, Daniel Guzman King, Trish King, Kirby Metoxen

8. Accept the Human Resources FY-2019 1st quarter executive report (03:57:05)

Sponsor: Geraldine Danforth, Area Manager/Human Resources

Vice-Chairman Brandon Stevens returned at 2:48 p.m.

Motion by Jennifer Webster to accept the Human Resources FY-2019 1st quarter executive report, seconded by Lisa Summers. Motion carried:

Ayes: David P. Jordan, Ernie Stevens III, Lisa Summers, Jennifer Webster
Not Present: Brandon Stevens, Daniel Guzman King, Trish King, Kirby Metoxen

9. Accept the Retail Enterprise FY-2019 1st quarter executive report (03:57:20)

Sponsor: Michele Doxtator, Area Manager/Retail Profits

Motion by David P. Jordan to accept the Retail Enterprise FY-2019 1st quarter executive report, seconded by Lisa Summers. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Ernie Stevens III, Lisa Summers, Jennifer Webster
Not Present: Daniel Guzman King, Trish King, Kirby Metoxen

DRAFT**10. Accept the Gaming General Manager FY-2019 1st quarter executive report (03:57:36)**

Sponsor: Louise Cornelius, Gaming General Manager

Councilman Kirby Metoxen returned at 2:49 p.m.

Motion by Jennifer Webster to accept the Gaming General Manager FY-2019 1st quarter executive report, seconded by Lisa Summers. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster
Not Present: Daniel Guzman King, Trish King

11. Accept the Emergency Management FY-2019 1st quarter executive report (03:57:51)

Sponsor: Kaylynn Gresham, Director/Emergency Management

Motion by Ernie Stevens III to accept the Emergency Management FY-2019 1st quarter executive report, seconded by David P. Jordan. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster
Not Present: Daniel Guzman King, Trish King

Motion by Jennifer Webster to direct the BC Officers to follow up on the outstanding request to post, seconded by Lisa Summers. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster
Not Present: Daniel Guzman King, Trish King

12. Accept the Intergovernmental Affairs, Communications, and Self-Governance February 2019 report (03:58:20)

Sponsor: Melinda J. Danforth, Director/Intergovernmental Affairs

Motion by Jennifer Webster to accept the Intergovernmental Affairs, Communications, and Self-Governance February 2019 report, seconded by Lisa Summers. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster
Not Present: Daniel Guzman King, Trish King

DRAFT**13. Accept the Chief Counsel report (03:59:00)**

Sponsor: Jo Anne House, Chief Counsel

Motion by Jennifer Webster to accept the Chief Counsel report, seconded by Lisa Summers. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster
Not Present: Daniel Guzman King, Trish King

Motion by Kirby Metoxen to approve the travel request for Chairman Tehassi Hill to attend the moot court and oral arguments in the Texas ICWA appeal in New Orleans, LA - March 12-14, 2019, seconded by Jennifer Webster. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster
Not Present: Daniel Guzman King, Trish King

Motion by Lisa Summers to authorize the action to amend the complaint as identified in the memo from Chief Counsel dated February 25, 2019, presented in Executive Session, seconded by Jennifer Webster. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster
Not Present: Daniel Guzman King, Trish King

Motion by David P. Jordan to approve the 3rd amendment to attorney contract with Patricia Garvey - file # 2011-0313, seconded by Kirby Metoxen. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster
Not Present: Daniel Guzman King, Trish King

B. STANDING ITEMS**1. ONEIDA GOLF ENTERPRISE CORPORATION - LADIES PROFESSIONAL GOLF ASSOCIATION****a. Accept the Thornberry Creek LPGA Classic February 2019 report (04:01:20)**

Motion by David P. Jordan to defer the Thornberry Creek LPGA Classic February 2019 report to the March 13, 2019, regular Business Committee meeting, seconded by Lisa Summers. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster
Not Present: Daniel Guzman King, Trish King

DRAFT**C. AUDIT COMMITTEE****1. Accept the November 15, 2018, regular Audit Committee meeting minutes (04:01:44)**

Sponsor: David P. Jordan, Councilman

Motion by Jennifer Webster to accept the November 15, 2018, regular Audit Committee meeting minutes, seconded by Ernie Stevens III. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

2. Accept the Gaming Contracts compliance/financial audit and lift the confidentiality requirement (04:02:04)

Sponsor: David P. Jordan, Councilman

Motion by Kirby Metoxen to accept the Gaming Contracts compliance/financial audit and lift the confidentiality requirement, seconded by Lisa Summers. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

3. Accept the Bingo compliance audit and lift the confidentiality requirement (04:02:25)

Sponsor: David P. Jordan, Councilman

Motion by Jennifer Webster to accept the Bingo compliance audit and lift the confidentiality requirement, seconded by Lisa Summers. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

4. Accept the Player Tracking compliance audit and lift the confidentiality requirement (04:02:41)

Sponsor: David P. Jordan, Councilman

Motion by Kirby Metoxen to accept the Player Tracking compliance audit and lift the confidentiality requirement, seconded by Lisa Summers. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

5. Accept the Slots Year End compliance audit and lift the confidentiality requirement (04:02:55)

Sponsor: David P. Jordan, Councilman

Motion by Jennifer Webster to accept the Slots Year End compliance audit and lift the confidentiality requirement, seconded by Lisa Summers. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

DRAFT**6. Accept the Table Games compliance audit and lift the confidentiality requirement (04:03:12)**

Sponsor: David P. Jordan, Councilman

Motion by Lisa Summers to accept the Table Games compliance audit and lift the confidentiality requirement, seconded by Brandon Stevens. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

7. Accept the Title 31 compliance audit and lift the confidentiality requirement (04:03:29)

Sponsor: David P. Jordan, Councilman

Motion by Jennifer Webster to accept the Title 31 compliance audit and lift the confidentiality requirement, seconded by Trish King. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

8. Accept the Behavioral Health performance assurance audit and lift the confidentiality requirement (04:03:44)

Sponsor: David P. Jordan, Councilman

Motion by Ernie Stevens III to accept the Behavioral Health performance assurance audit and lift the confidentiality requirement, seconded by Kirby Metoxen. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

9. Accept the Audit Committee FY-2019 1st quarter report (04:04:01)

Sponsor: David P. Jordan, Councilman

Motion by Jennifer Webster to accept the Audit Committee FY-2019 1st quarter report, seconded by Lisa Summers. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

D. NEW BUSINESS**1. Approve the attorney contract - Hobb Straus Dean and Walker LLP - file # 2019-0139 (04:04:18)**

Sponsor: Jo Anne House, Chief Counsel

Motion by Lisa Summers to approve the attorney contract for Hobb Straus Dean and Walker LLP - file # 2019-0139, seconded by David P. Jordan. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

DRAFT**2. Review application(s) for five (5) vacancies - Oneida Personnel Commission (04:04:43)**

Sponsor: Lisa Summers, Secretary

Motion by David P. Jordan to accept the discussion regarding the application(s) for five (5) vacancies on the Oneida Personnel Commission, as information, seconded by Lisa Summers. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

3. File # 2018-DR06-02 - Accept the update and determine the appropriate next steps (04:05:05)

Sponsor: Lisa Summers, Secretary

Motion by Kirby Metoxen to direct the BC Officers to request an update to be brought back by the Division Director to the March 13, 2019, regular Business Committee meeting in executive session, seconded by David P. Jordan. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

4. Enter the e-poll results into the record for the approved requested action listed the memorandum dated February 13, 2019, regarding the OGE Agent (04:05:34)

Sponsor: Lisa Summers, Secretary

Motion by David P. Jordan to enter the e-poll results into the record for the approved requested action listed the memorandum dated February 13, 2019, regarding the OGE Agent, seconded by Lisa Summers. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

5. Enter the e-poll results into the record for the approved requested action listed the memorandum dated February 14, 2019, regarding the 2004 judgement - case # 5:70-cv-00035-LEK (04:06:00)

Sponsor: Lisa Summers, Secretary

Motion by Lisa Summers to enter the e-poll results into the record for the approved requested action listed the memorandum dated February 14, 2019, regarding the 2004 judgement - case # 5:70-cv-00035-LEK, seconded by Jennifer Webster. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

DRAFT**6. File # ED18-008 - Discuss proposal and business plan (04:06:33)**

Sponsor:

Motion by Ernie Stevens III to send file # ED18-008 to the Community & Economic Development Division Director for a Tier 1 review, seconded by Brandon Stevens. Motion carried:

Ayes: Tehassi Hill, Brandon Stevens, David P. Jordan, Ernie Stevens III
Opposed: Kirby Metoxen, Lisa Summers, Jennifer Webster
Not Present: Daniel Guzman King, Trish King

For the record: Secretary Lisa Summers stated I am opposed to the motion on file # ED18-008 due to the expense and the timing of the requested action.

Item VII.A. is addressed next.

XV. ADJOURN (04:10:13)

Motion by David P. Jordan to adjourn at 3:01 p.m., seconded by Ernie Stevens III. Motion carried:

Ayes: Brandon Stevens, David P. Jordan, Kirby Metoxen, Ernie Stevens III,
Lisa Summers, Jennifer Webster
Not Present: Daniel Guzman King, Trish King

DRAFT

Minutes prepared by Lisa Liggins, Information Management Specialist
Minutes approved as presented on _____.

Lisa Summers, Secretary
ONEIDA BUSINESS COMMITTEE

Oneida Business Committee Agenda Request

Adopt resolution entitled The Oneida Nation's Policy for Making Expenditures under its Compact and...

1. Meeting Date Requested: 03 / 13 / 19

2. General Information:

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

Agenda Header:

☐ Accept as Information only

☒ Action - please describe:

Approve Resolution **The Oneida Nation's Policy for Making Expenditures under its Compact and Funding Agreement with the U.S. Department of Health and Human Services**

3. Supporting Materials

☐ Report ☒ Resolution ☐ Contract

☐ Other:

1.

3.

2.

4.

☒ Business Committee signature required

4. Budget Information

☐ Budgeted - Tribal Contribution ☐ Budgeted - Grant Funded ☐ Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

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

Additional Requestor:
Name, Title / Dept.

Additional Requestor:
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

Approve BC Resolution The Oneida Nation's Policy for Making Expenditures under its Compact and Funding Agreement with the U.S. Department of Health and Human Services. This Resolution identifies how the Nation spends its base funding which generates Contract Support Costs.

The Nation receives Contract Support Costs funding to cover costs associated with providing programs, services, functions, and activities in accordance with the funding agreement with the US Department of Health and Human Services and when making expenditures pursuant to the Compact and Funding Agreement, the Nation expends IHS funds first, third-party revenue second, and tribal contribution last.

The Resolution states that the Nation will continue to expend IHS first, third-party revenue second and that any shortfall be covered by tribal contribution and directs the Oneida Accounting Department to structure tribal accounts to accurately reflect this practice.

On December 6, 2018, the Oneida Business Committee, Comprehensive Health Division, Finance, Law Office, and Self-Governance had a meeting to discuss how the Nation currently utilizes IHS funds and third-party revenue to pay for contract support costs. It was determined at that meeting that a Resolution be developed to specify how the Nation expends IHS funds.

A statement of effect is not required for IHS resolutions pursuant to BC Resolution 06-01-05-C.

1) Save a copy of this form for your records.

2) Print this form as a *.pdf OR print and scan this form in as *.pdf.

3) E-mail this form and all supporting materials in a **SINGLE** *.pdf file to: BC_Agenda_Requests@oneidanation.org

Oneida Nation

Post Office Box 365

Phone: (920) 869-2214



Oneida, WI 54155

BC Resolution # _____

The Oneida Nation's Policy for Making Expenditures under its Compact and Funding Agreement with the U.S. Department of Health and Human Services

- 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 Oneida Nation is a Self-Governance tribe and has entered into a Compact with the US Department of Health and Human Services; and
- WHEREAS,** the Oneida Nation receives funding on an annual basis to cover costs associated with providing programs, services, functions and activities pursuant to a Funding Agreement between the Oneida Nation and the U.S. Department of Health and Human Services under the Indian Self-Determination and Education Assistance Act; and
- WHEREAS,** the Oneida Nation receives contract support costs funding to cover costs associated with providing programs, services, functions, and activities pursuant to the Funding Agreement between the Oneida Nation and the US Department of Health and Human Services; and
- WHEREAS,** when making expenditures under its Compact and Funding Agreement the Oneida Nation expends IHS funds first, third-party revenue second, and tribal contribution last.

NOW THEREFORE BE IT RESOLVED, that the Oneida Nation shall continue to expend IHS funding first, third-party revenue second, with any shortfall to be covered by tribal contribution.

NOW THEREFORE BE IT FINALLY RESOLVED, in expending funds for salaries and related costs, the Oneida Nation shall continue to first use IHS funding to the maximum amount allowable, and then utilize third-party revenue and then tribal contribution to cover any shortfall and the Oneida Accounting Department shall structure tribal accounts to accurately reflect this practice.

Oneida Business Committee Agenda Request

Adopt resolution entitled Supporting the Tribal AmeriCorps Program

1. Meeting Date Requested: 03 / 13 / 19

2. General Information:

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

Agenda Header: Resolutions

- ☐ Accept as Information only
- ☒ Action - please describe:

Requesting the Oneida Business Committee to adopt the resolution entitled "Supporting the Tribal AmeriCorps program."

3. Supporting Materials

- ☐ Report ☒ Resolution ☐ Contract
- ☒ Other:

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

☐ Business Committee signature required

4. Budget Information

- ☐ Budgeted - Tribal Contribution ☐ Budgeted - Grant Funded ☐ Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Lisa Summers, Secretary

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

Additional Requestor: Name, Title / Dept.

Additional Requestor: Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

The Oneida Nation received a request from the Northwoods NiiJii Enterprise Community for the Nation to consider supporting their application to continue the Tribal AmeriCorps program for years 2019-2022.

Attached is a resolution of support that I am respectfully requesting the Oneida Business Committee to adopt.

1) Save a copy of this form for your records.

2) Print this form as a *.pdf *OR* print and scan this form in as *.pdf.

3) E-mail this form and all supporting materials in a **SINGLE** *.pdf file to: BC_Agenda_Requests@oneidanation.org

Oneida Nation

Post Office Box 365

Phone: (920) 869-2214



Oneida, WI 54155

BC Resolution # _____ Supporting the Tribal AmeriCorps Program

- 1
2
3 **WHEREAS,** the Oneida Nation is a federally recognized Indian government and a treaty tribe
4 recognized by the laws of the United States of America; and
5
6 **WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
7
8 **WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section 1,
9 of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
10
11 **WHEREAS,** the Oneida Nation has determined that the overall goal of the Oneida Nation is to protect,
12 maintain and improve the standard of living and the environment in which the Oneida
13 people live; and
14
15 **WHEREAS,** our Vision is a Nation of strong families built on Tsi? niyukwalihot? (Our Ways) and a strong
16 economy; and
17
18 **WHEREAS,** it is important to the Oneida Nation community to prevent and reduce substance abuse
19 among our members; and
20
21 **WHEREAS,** a collaborative of the eleven sovereign American Indian Tribes in Wisconsin received a
22 national planning grant (2009) and subsequent implementation grants (2010-2018) to
23 develop a multi-site Tribal AmeriCorps Project from the Corporation for National Service;
24 and
25
26 **WHEREAS,** the Northwoods NiiJii Enterprise Community Inc. has served as the fiscal agent for the
27 project since 2013; and
28
29 **WHEREAS,** the Northwoods NiiJii Enterprise Community Inc. will be submitting an application in May
30 of 2019 to continue the Tribal AmeriCorps program for years 2019-2022 (start date
31 September 1, 2019); and
32
33 **WHEREAS,** the Tribal State Collaboration for Positive Change (TSCPC) is a collaborative consisting of
34 behavioral health professionals from all eleven Wisconsin Tribes and Wisconsin
35 Department of Health Services working to integrate prevention and treatment services has
36 and will continue to serve as the Tribal Advisory Board for the Tribal AmeriCorps Program;
37 and
38
39 **WHEREAS,** Kovar Consulting Company, Inc. has and will continue to provide all programmatic
40 leadership for the project under the guidance of the fiscal agent and the Tribal AmeriCorps
41 Program Tribal Advisory Board; and
42

43 **WHEREAS,** the Northwoods NiiJii Enterprise Community Inc. a grassroots organization with a strong
44 history of serving Tribes in northern Wisconsin wants to continue as the fiscal agent for the
45 Tribal AmeriCorps Program; and
46

47 **WHEREAS,** the Northwoods NiiJii Enterprise Community, Inc. is a 501(c)(3) corporation chartered by
48 the State of Wisconsin and is not considered a “tribal organization” by the Corporation for
49 National and Community Service; and
50

51 **WHEREAS,** passage of a Tribal Resolution of Support is a Tribal AmeriCorps Program requirement for
52 Wisconsin Tribes to be eligible to receive AmeriCorps members in their communities; and
53

54 **WHEREAS,** the Tribal AmeriCorps Program works with local tribal substance abuse prevention
55 coalitions to recruit local tribal AmeriCorps members to build capacity to prevent and
56 reduce substance abuse, and;
57

58 **NOW THEREFORE BE IT RESOLVED,** the Oneida Nation, although it maintains no control over the
59 activities of Northwoods NiiJii Enterprises Community, and Northwoods NiiJii Enterprises Community is not
60 a chartered entity of the Oneida Nation, does hereby fully support Northwoods NiiJii Enterprise Community,
61 Inc. as a “tribal organization” as that term is defined in 45 CFR § 2510.20 and authorizes Northwoods NiiJii
62 Enterprise Community, Inc. to be the legal applicant for and act on behalf of and include the Oneida Nation
63 in the Tribal AmeriCorps Program CNCS grant program solely for the purpose of conducting the activities
64 and providing the services described in the application in conformance with all requirements of the funding
65 agency, and all applicable laws and regulations.
66

67 **BE IT FURTHER RESOLVED,** that the Oneida Nation supports continuing participation in the Tribal
68 AmeriCorps Program for the Tribes of Wisconsin for program years 2019-2022, which will continue to focus
69 on addressing the significant substance abuse prevention needs of tribal communities.
70

71 **BE IT FINALLY RESOLVED,** that the Oneida Nation hereby authorizes the Northwoods NiiJii Enterprise
72 Community Inc. to sign all necessary documents as fiscal agent in furtherance of the Tribal AmeriCorps
73 Program.

Appointing Representative to the Nuclear Energy Tribal Working Group and the Tribal Radioactive...
Oneida Business Committee Agenda Request

1. Meeting Date Requested: 3 / 13 / 19

2. General Information:

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

Agenda Header: New Business

☐ Accept as Information only

☒ Action - please describe:

Requesting a Letter stating that Daniel King will be the Oneida Nation Tribal Representative for the NETWG (Nuclear Energy Tribal Working Group) and TRMTC (Tribal Radioactive Materials Transportation Committee) Address to the Dept of Energy.

****Request to adopt resolution entitled Appointing Representative to the Nuclear Energy Tribal Working Group and the Tribal Radioactive Materials Transportation Committee****

3. Supporting Materials

☐ Report ☒ Resolution ☐ Contract

☒ Other:

1. Letter Requesting Appointment

3. TRMTC-Fact Sheet

2. NETWG -Mission, Goals & Objectives

4.

☐ Business Committee signature required

4. Budget Information

☐ Budgeted - Tribal Contribution ☐ Budgeted - Grant Funded ☐ Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Patrick Pelky, Division Director/EHS

Primary Requestor: Daniel King-Tribal Member
Your Name, Title / Dept. or Tribal Member

Additional Requestor: _____
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.

To; Oneida Business Committee

From; Daniel A. King

Re; Request to appointed as the Oneida Tribal Community Representative

I am requesting to be appointed to the Department of Energy's - Nuclear Energy Tribal Working Group (NETWG) which is the core group (1994) and Tribal Radioactive Materials Transportation Committee (TRMTC) which is the tribal committee of 24 Tribal Nations. I have been involved since the working group was back in 2012, after a brief time of a shutdown of the Yucca Mountain project.

Part of the working group and committees focus is to give the tribes a voice in policy, training, transportation issues and the effects on a cultural level. Tribes meet to discuss transportation of high-level waste (radiological or nuclear) through tribal lands and what the long-term effects are to the area. Information on grants, tribal problems with States, sharing information with other tribes on programs to solutions for problem solving within the tribes. Training opportunities specific to tribes, and to evaluate the training before it is given.

The tentative date to start transporting high level waste is 2021, the area around the Oneida Nation maybe chosen as one of the routes since two Nuclear Plants are in the area, Two Rivers and Kewanee, both shut down.

There is no cost to the Oneida Nation, I am reimbursed by the National Council of State Legislators (NCSL) who coordinate and set up the meetings and conference calls. If I cannot make a meeting, Jeff Mears, Environmental Deputy Director is the alternate.

Oneida Tribe of Indians of Wisconsin
Environmental, Health & Safety Division

Little Bear Development Office
 PO Box 365
 N7332 Water Circle Place
 Oneida, WI 54155
 Phone (920) 869-4591
 FAX (920) 869-1610



Conservation Field Office
 PO Box 365
 N8047 County Road U
 Oneida, WI 54155
 Phone (920) 869-1450
 FAX (920) 869-2743

To; Oneida Business Committee
 From; Daniel King, Safety Coordinator
 Re; To be appointed as Tribal Representative

I am requesting to be appointed to the Department of Energy's - Nuclear Energy Tribal Working Group (NETWG), I have been involved since the start in 1994, at that time it was the National Indian Nuclear Waste Policy Committee, coordinated by the National Congress of American Indians with funding provided by the U.S. Department of Energy, to give the tribes a voice in policy, training, transportation issues and the effects on a cultural level. Tribes meet to discuss transportation of high level waste (radiological or nuclear) through tribal lands and what the long term effects are to the area. Information on grants, tribal problems with States, sharing information with other tribes on programs to solutions for problem solving within the tribes. Training opportunities specific to tribes, and to evaluate the training before it is given.

- 1994 Attended first meeting in Milwaukee, WI, invited by NCAI. After finding out Oneida was on a list for hauling high level nuclear waste through the reservation. Oneida was on the list since 1987 and was never notified.
- 1995 NINWPC made first draft of DOE's Indian Policy
- 1996 NINWPC challenge FEMA (Federal Emergency Management Agency) and the Stafford Act which is the law they follow, why Tribes are not included in the act, instead tribes are define as local governments.
- 1997 Challenged DOE's 180(c) consolidated grant request, which tribes had no involvement in the formula or process.
- 1998 DOE's Native American and Eskimo, Alaska Native Indian Policy Passed
- 1999 The Transportation of Radioactive Materials: Issues Related To Advance Notification Survey of Governor's Designees: Questions and Responses. This survey was conducted by Urban Energy & Transportation Corporation by facsimile in late May and early June 1998 . Keep in mind the response's that the state gives, not one tribe has been notified.
- 2000 "Advance Notification to Native American Tribes of Transportation of Nuclear Waste" tribal group demands that states follow the DOE's Indian Policy on notifying tribes also.
- Discuss FEMA's rejection of the White Mountain Apache's application for emergency aid that was denied last September. This decision affects all tribes throughout Indian County. Tribal group wants to send an amendment to the Stafford Act, through NCAI for the change.
- 2001 - 2003 No meetings everything on hold, federal budget cuts.
- 2004 Dan King presented a letter of protest from NCAI to DOE Secretary Spencer Abraham

about the untimely meeting that coincided with the opening of the American Indian Museum in D.C. It was also announced that more tribes have been added to the list on the transportation routes, this included Forest County Potawatomi, and the Ho-Chunk Nation. One of the main issues is the 180(c) grant, which is now going to be included in the Tribal Group instead of the 180(c) group. The States wants a greater share, 97% and the Tribes would get a 3% set aside.

PURPOSE OF ORGANIZATION:

Department of Energy TEC/WG purpose is to bring together Industry, Public, Medical, Railroad, States, and Tribes that were on the potential list that high level nuclear may be transported through, tribes were not included until 1994 when problems started to effect the western part of the U.S., Tribal Nations were stopping shipments through their land, because they were not being notified, the members were to meet and come up with proposals or idea to overcome problems that may arise with the transportation of nuclear waste through states and tribal lands, ideas on what type of training is needed to respond to an transportation incident if needed, how grant monies could be utilized better, and make comments on DOE or NRC policies.

Everything was stopped in 2006; Yucca Mountain was put on hold. I received a call late 2013 and asked if I could attend a new group meeting pertaining to the transportation of nuclear waste from a representative of the Department of Energy, since then the Tribal Caucus has been meeting a few times, all travel expense is covered by D.O.E.

Since we stated meeting again the group has come up with Tribal Goals for the 180(c) exercise grant and the Tribal Expectations, this document conveys the expectations and understanding of how DOE will implement Section 180(c) of the Nuclear Waste Policy Act with respect to Indian tribes.



U.S. DEPARTMENT OF ENERGY OFFICE OF NUCLEAR ENERGY

NUCLEAR ENERGY TRIBAL WORKING GROUP

NETWG

MISSION

The mission of the Nuclear Energy Tribal Working Group (NETWG) is to engage federally-recognized tribal governments and their designated representatives in U.S. Department of Energy (DOE) Office of Nuclear Energy activities. NETWG will serve as a conduit to foster communication, education of all generations, and promote active involvement of tribal governments. NETWG is dedicated to assisting in developing and maintaining the government-to-government relationship between DOE and Indian Tribes, consistent with DOE's American Indian Policy.

GOALS AND OBJECTIVES

NETWG explores activities under the authority of the Office of Nuclear Energy (NE), with participation from senior NE advisors. Such activities include but are not limited to expanded educational opportunities for all generations; management, storage, disposal, transportation of spent nuclear fuel and high-level radioactive waste; nuclear research and development; small modular reactors; stakeholder outreach; emergency response and planning activities; and potential economic business opportunities.

The Working Group shall exchange information, guidance and recommendations on nuclear energy topic areas, including but not limited to:

- Expanded educational opportunities and scholarships
- Small modular reactors or other emerging technologies
- Emergency management functions to include mitigation, planning, preparedness, response, recovery, and related funding allocations
- Management, storage, disposal, transportation of spent nuclear fuel and high-level radioactive waste
- Nuclear research and development
- Cultural resource management
- Stakeholder outreach
- Economic business opportunities
- Other related topics under the authority of DOE-NE that may arise



CORE MEMBER TRIBES

Confederated Tribes of the Umatilla Indian Reservation

Consolidated Group of Tribes and Organizations

Nez Perce Tribe

Omaha Tribe of Nebraska

Oneida Nation of Wisconsin

Prairie Island Indian Community

Pueblo of Jemez

Pueblo of Pojoaque

Shoshone-Bannock Tribes

Timbisha Shoshone Tribe

DOE OFFICE OF NUCLEAR ENERGY REPRESENTATIVES

Andrew Richards

Chief of Staff

Jay Jones

Physical Scientist and Tribal Liaison

NATIONAL CONFERENCE OF STATE LEGISLATURES STAFF SUPPORT

Tanksi Clairmont

Tribal Working Groups Coordinator

Kim Tyrrell

Program Director

Tribal Radioactive Materials Transportation Committee (TRMTC)

Fact Sheet

Mission

To provide Tribal input to the U.S. Department of Energy on programs and activities relating to the transportation and storage of radioactive materials and spent nuclear fuel.

Active Members

- Agua Caliente Band of Cahuilla Indians
- Catawba Indian Nation
- Confederated Tribes of the Umatilla Indian Reservation
- Mashpee-Wampanoog
- Morongo Band of Mission Indians
- Navajo Nation
- Nez Perce Tribe
- Omaha Tribe of Nebraska
- Oneida Nation of Wisconsin
- Consolidated Group of Tribes and Organizations
- Prairie Island Indian Community
- Pueblo de San Ildefonso
- Pueblo of Jemez
- Pueblo of Laguna
- Pueblo of Pojoaque
- Santa Clara Pueblo
- Seneca Nation of Indians
- Shoshone-Bannock Tribes

About TRMTC

TRMTC consists of representatives from Tribal Nations throughout the United States that are potentially impacted by Department of Energy's (DOE) transportation or storage of radioactive materials and spent nuclear fuel.

TRMTC focus areas include but are not limited to:

- Cultural considerations
- Public health and safety
- Packaging
- Transportation
- Emergency management

TRMTC meetings provide an opportunity for participating tribal members to interact with DOE headquarters senior-level staff, other federal agencies, state representatives, stakeholders, and interested parties involved in transportation and storage of radioactive materials.

Membership and Meetings

TRMTC membership consists of tribal leaders and tribal government staff from federally recognized tribes impacted by DOE shipments of radioactive and hazardous materials. Staff support and resource development are furnished through the National Conference of State Legislatures (NCSL) via a cooperative agreement with DOE.

TRMTC meets semi-annually, generally during the winter and summer, concurrent with the National Transportation Stakeholders Forum (NTSF) Annual Meeting. TRMTC hosts conference calls and webinars throughout the year.

Key Accomplishments

- Created a guidance document on Tribal expectations for consultation and cooperation with DOE.
- Developed a webinar and white paper on The Role and Authority of Tribes in the Transportation of High-Level Radioactive Waste and Spent Fuel.
- Provided guidance to U.S. Nuclear Regulatory Commission on Tribal Policy Statement, Tribal Protocol Manual, and Advanced Notification to Tribal governments.

Tribal Radioactive Materials Transportation Committee Fact Sheet | February 2019

<http://www.ncsl.org/research/energy/ncsltribal-caucus.aspx>

Oneida Nation

Post Office Box 365

Phone: (920) 869-2214



Oneida, WI 54155

BC Resolution # _____

Appointing Representative to the Nuclear Energy Tribal Working Group and the Tribal Radioactive Materials Transportation Committee

- 1 **WHEREAS,** the Oneida Nation is a federally recognized Indian government and a treaty tribe
2 recognized by the laws of the United States of America; and
3
- 4 **WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
5
- 6 **WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section 1,
7 of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
8
- 9 **WHEREAS,** the U.S. Department of Energy Office of Nuclear Energy has created the Nuclear Energy
10 Tribal Working Group for which the National Conference of State Legislatures provides
11 support; and
12
- 13 **WHEREAS,** the National Conference of State Legislatures has created the Tribal Radioactive Materials
14 Transportation Committee; and
15
- 16 **WHEREAS,** the Nuclear Energy Tribal Working Group and the Tribal Radioactive Materials
17 Transportation Committee are made up of Tribal leaders throughout the United States; and
18
- 19 **WHEREAS,** the Nuclear Energy Tribal Working Group serves as a conduit to foster communication and
20 education with the goal of developing and maintaining government-to-government
21 relationships between the U.S. Department of Energy and American Indian tribes; and
22
- 23 **WHEREAS,** the Tribal Radioactive Materials Transportation Committee serves as a forum for American
24 Indian tribes to provide input to the U.S. Department of Energy on programs and activities
25 relating to the transportation and storage of radioactive materials and spent nuclear fuel
26 from federally recognized Tribes impacted by shipments of radioactive and hazardous
27 materials; and
28
- 29 **WHEREAS,** it is possible that shipments of radioactive and hazardous materials could be transported
30 through or near the Oneida Nation Reservation as a result of two closed nuclear energy
31 plants within the State of Wisconsin; and
32
- 33 **WHEREAS,** Daniel A. King, former Safety Coordinator/Environmental Health Safety & Land Division,
34 wishes to remain involved as the Oneida Nation's representative on the Nuclear Energy
35 Tribal Working Group and the Tribal Radioactive Materials Transportation Committee
36 following his retirement on March 6, 2019; and
37
- 38 **NOW THEREFORE BE IT RESOLVED,** that the Oneida Business Committee hereby appoints Daniel A.
39 King, Tribal member, as the Nation's representative on the Nuclear Energy Tribal Working Group and
40 the Tribal Radioactive Materials Transportation Committee.

BC Resolution # _____

**Appointing Representative to the Nuclear Energy Tribal Working Group and the Tribal Radioactive
Materials Transportation Committee**
Page 2 of 2

BE IT FURTHER RESOLVED, that the Oneida Business Committee hereby appoints Jeffrey Mears, Deputy Director/Environmental Health Safety & Land Division, as the alternate representative on the Nuclear Energy Tribal Working Group and the Tribal Radioactive Materials Transportation Committee.

BE IT FINALLY RESOLVED, that the Nation's representative shall provide the following information to the Oneida Business Committee:

1. Notice of all schedule meetings and attendance;
2. Timely notice of issues discussed presented to the Intergovernmental Affairs and Communications Director in order to obtain position decisions from the Oneida Business Committee; and
3. Written reports on all meetings and actions taken.

Oneida Business Committee Agenda Request

Adopt resolution entitled Amending Resolution BC-09-26-18-F Rescission of the Dissolution of the Oneida

1. Meeting Date Requested: 03 / 13 / 19**2. General Information:**Session: ☒ Open ☐ Executive - See instructions for the applicable laws, then choose one:Agenda Header: ☐ Accept as Information only☒ Action - please describe:

Consider the adoption of the resolution titled, "Amending Resolution BC-09-26-18-F Rescission of the Dissolution of the Oneida Personnel Commission and Related Emergency Amendments in Accordance with General Tribal Council's August 27, 2018 Directive"

3. Supporting Materials☐ Report ☐ Resolution ☐ Contract☒ Other:1. 3. 2. 4. ☐ Business Committee signature required**4. Budget Information**☐ Budgeted - Tribal Contribution☐ Budgeted - Grant Funded☐ Unbudgeted**5. Submission**Authorized Sponsor / Liaison: Primary Requestor/Submitter: Your Name, Title / Dept. or Tribal Member

Additional Requestor:

Name, Title / Dept.

Additional Requestor:

Name, Title / Dept.

Oneida Business Committee Agenda Request**6. Cover Memo:**

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

See attached.

1) Save a copy of this form for your records.

2) Print this form as a *.pdf *OR* print and scan this form in as *.pdf.

3) E-mail this form and all supporting materials in a **SINGLE** *.pdf file to: BC_Agenda_Requests@oneidanation.org

Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Resolution # _____

Amending Resolution BC-09-26-18-F Rescission of the Dissolution of the Oneida Personnel Commission and Related Emergency Amendments in Accordance with General Tribal Council's August 27, 2018 Directive

- 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 Personnel Selection Committee was created by the General Tribal Council to monitor the hiring process to protect against issues of nepotism, and to enforce Oneida and Indian preference; and
- WHEREAS,** in an effort to provide for a tribal employment system that is operated in an orderly and fair manner, the Oneida Business Committee re-designated the Personnel Selection Committee as the Oneida Personnel Commission through resolution BC-04-13-90-A; and
- WHEREAS,** resolution BC-04-13-90-A delegated the Oneida Personnel Commission the responsibility to generate personnel policies to be presented and recommended to the Oneida Business Committee for the Oneida Business Committee to review, take formal action to approve, disapprove, change and/or amend said personnel policy recommendations; and
- WHEREAS,** through resolution BC-05-12-93-J, the Oneida Business Committee, in conjunction with the Nation's Human Resources Department and the Oneida Personnel Commission, revised the Nation's Personnel Policies and Procedures to allow the Oneida Personnel Commission to serve as a grievance hearing body for employment matters; and
- WHEREAS,** the Oneida Personnel Commission then served the Oneida Nation as a hearing body for employee grievances, with appeals of those hearings authorized to be made to the Oneida Appeals Commission after its creation in 1991 by the General Tribal Council; and
- WHEREAS,** the Oneida Business Committee, through resolution BC-03-06-01-B, temporarily rescinded authority delegated to the Oneida Personnel Commission contained within the Oneida Personnel Policies and Procedures as it pertained to the role of the Oneida Personnel Commission as representatives of the community at large, the commissioners' responsibility to serve on the Screening Committee, the Interview Committee, the Personnel Screening Committee, and as the Grievance Hearing Body; and
- WHEREAS,** resolution BC-03-06-01-B required that the hiring process of the Nation continue without interruption under the auspices of the Human Resources Department, and that the Oneida Appeal Commission be delegated the first level hearing body for employment related actions as referenced in the Oneida Personnel Policies and Procedures; and

- WHEREAS,** although the Oneida Personnel Commission served the Nation as a hearing body for employee grievances since the early 1990s, except for the period when the Oneida Personnel Commissions' authority was temporarily rescinded, the Nation has been moving towards consolidating all hearing responsibilities to the Oneida Nation Judiciary; and
- WHEREAS,** the Oneida General Tribal Council adopted the Judiciary law as the next step in formalizing the hearing authority of the Oneida Nation in an independent judicial body; and
- WHEREAS,** the membership approved amendments to the Constitution which adopted Article V, Judiciary, which established "a judiciary to exercise the judicial authority of the Oneida Nation"; and
- WHEREAS,** the Oneida General Tribal Council adopted resolution GTC-03-19-17-A which designated the Oneida Judiciary as the judiciary authorized pursuant to Article V of the Constitution; and
- WHEREAS,** the Oneida Business Committee has presented reports, and the General Tribal Council has accepted such reports, regarding the consolidation of administrative hearing and judicial hearing responsibilities in the Judiciary for the purpose of increasing consistency in hearing processes, efficiency, and reducing overall costs to the Nation; and
- WHEREAS,** the Oneida Business Committee notified the Judiciary of its intention to consolidate all judicial functions and the Judiciary identified that it is prepared to accept such responsibilities; and
- WHEREAS,** the Oneida Business Committee has adopted amendments to laws that transferred the hearing authority of the Environmental Resources Board and the Land Commission to the Judiciary; and
- WHEREAS,** the Oneida Business Committee determined it was appropriate to begin consolidating employment related grievance hearings into the Judiciary as the number of current cases in the Oneida Personnel Commission was low and the costs of maintaining judicial hearing authorities continues to increase; and
- WHEREAS,** the Oneida Business Committee dissolved the Oneida Personnel Commission on April 11, 2018, through resolution BC-04-11-18-A in an effort to consolidate employment related grievance hearings into the Judiciary; and
- WHEREAS,** resolution BC-04-11-18-A required the Legislative Operating Committee to develop and present emergency legislative amendments to fully address the impact of this resolution by the April 25, 2018, Oneida Business Committee meeting for consideration of adoption; and
- WHEREAS,** resolution BC-04-11-18-A required that all personnel matters pending, scheduled, and for which timelines were running were hereby tolled until the emergency amendments could be brought forward by the Legislative Operating Committee regarding laws impacted by the dissolution of the Oneida Personnel Commission, with the tolling of time interpreted and applied in the best interests of the employee; and
- WHEREAS,** although the Oneida Personnel Commission was dissolved, the Oneida Business Committee recognized the valuable service the Personnel Selection Committee provided in its original form before being expanded to include hearing authority; and
- WHEREAS,** the Oneida Business Committee determined that the valuable service the Personnel Selection Committee provided remained necessary in the hiring process, and therefore

recreating the Personnel Selection Committee was in the best interest of the Oneida Nation; and

WHEREAS, the Oneida Business Committee recreated the Personnel Selection Committee on April 11, 2018, through resolution BC-04-11-18-B; and

WHEREAS, resolution BC-04-11-18-B provided that bylaws for the Personnel Selection Committee be placed on the May 23, 2018 Oneida Business Committee meeting agenda, and that the Human Resources Department consider not scheduling screening or interviews until the Personnel Selection Committee is created and members are appointed, provided that, the Human Resources Department may schedule screening and interviewing where it would be unreasonable to delay or further delay that action; and

WHEREAS, the Oneida Business Committee approved the Personnel Selection Committee bylaws on May 23, 2018; and

WHEREAS, the Oneida Business Committee adopted emergency amendments to the Military Service Employee Protection Policy, the Oneida Personnel Policies and Procedures, the Oneida Judiciary Rules of Civil Procedures, and the Employee Protection Policy on April 25, 2018, through resolutions BC-04-25-18-D, BC-04-25-18-E, BC-04-25-18-F, and BC-04-25-18-G; and

WHEREAS, the emergency amendments to the above mentioned laws replaced any reference to the Oneida Personnel Commission which referred to actions affecting employees involving adverse employment actions for which a hearing is authorized with a reference to the Judiciary – Trial Court, thereby transferring the hearing authority to the Judiciary – Trial Court; and

WHEREAS, the emergency amendments to the above mentioned laws replaced any reference to the Oneida Personnel Commission which referred to actions involving hiring, including screening and interviews, with a reference to the Personnel Selection Committee; and

WHEREAS, the Oneida Business Committee determined emergency adoption of the amendments to the Military Service Employee Protection Policy, the Oneida Personnel Policies and Procedures, the Oneida Judiciary Rules of Civil Procedures, and the Employee Protection Policy were necessary for the preservation of the public health, safety, or general welfare of the reservation population as required by the Legislative Procedures Act in order to ensure that the general welfare and due process rights of employees of the Nation were preserved in absence of the Oneida Personnel Commission; and

WHEREAS, the Oneida Business Committee adopted a plan for the process of transitioning cases from the Oneida Personnel Commission to the Judiciary – Trial Court through resolution BC-04-25-18-H;

WHEREAS, resolution BC-04-25-18-H required that the Judiciary Trial Court utilize prior decisions of the Oneida Personnel Commission as precedent in its hearing and decision-making process, and that hearing procedures shall follow those set forth in the Oneida Judiciary Rules of Civil Procedure, provided that, in circumstances where the Oneida Personnel Policies and Procedures conflict with the Oneida Judiciary Rules of Civil Procedure, the deadlines in the Oneida Personnel Policies and Procedures shall govern; and

WHEREAS, resolution BC-04-25-18-H set forth a process to be used to transfer matters to the Judiciary from the Oneida Personnel Commission including:

1. All active cases for which at least one hearing had been held was transferred to the Judiciary Trial Court effective immediately.

- a. The employee had, by close of business on May 11, 2018, to file a notice with the Judiciary Trial Court stating either they wish to maintain the current hearing body or have their case assigned to a judicial officer of the Trial Court and the Trial Court shall begin the hearing from the beginning, or at the request of the employee, continue the existing hearing with the judicial officer replacing the hearing body.
 - b. In all circumstances, the Judiciary was required to receive active case files and hearing records for active cases and begin management of the case.
2. All cases which had been accepted, but no hearing had yet been conducted or no hearing officers selected, had been transferred to the Judiciary Trial Court and a judicial officer of the Trial Court was assigned.
3. All cases which had been concluded and for which no appeal time remains, were transferred to the Records Management Department which worked with the Judiciary to assist in managing those records.
4. All matters filed, but for which no determination has been made regarding acceptance was immediately forwarded to the Judiciary Trial Court.
5. The Oneida Personnel Commission administration was required to deliver a complete record of all decisions of the Oneida Personnel Commission to the Judiciary and a copy to Records Management Department; and

WHEREAS, on May 14, 2018, the Petition: G. Powless – Oneida Personnel Commission Dissolution was submitted to the Business Committee Support Office by Gina Powless and was verified by the Trust Enrollment Department; and

WHEREAS, the petition requested General Tribal Council “to address the actions of the Oneida Business Committee’s (OBC) Dissolving the Oneida Personnel Commission (OPC) by BC Resolution #04-11-18-A, BC Resolution #04-11-18-B. The OBC has intentionally violated their authority, they do not have the right to make a decision to dissolve the OPC which was created and approved by General Tribal Council (GTC). The only body that can dissolve the OPC is GTC. The OBC has abused their power and directly violated the Oneida Constitution, their Oath of Office, Oneida’s Code of Ethics, the Oneida Blue Book, to name a few. The OBC has deliberately undermined the authority of GTC. The OBC has cited in their BC resolutions that there is an emergency, yet have not cited any real emergency. The GTC hereby rescinds the action of the OBC, by rescinding BC Resolutions: 04-11-18-A, 04-11-18-B, 04-25-18-D, 04-25-18-E, 04-25-18-E, 04-25-18-F, 04-25-18-G, 04-25-18-H, placing the OPC back into the grievance and hiring practice, per the Oneida Blue Book, until GTC determines otherwise. Further, GTC takes corrective measures pertaining to the OBC, by suspending the OBC Members without pay that approved the mentioned Resolutions for a period of 90 days”; and

WHEREAS, the Oneida Business Committee accepted the verified Petition: G. Powless – Oneida Personnel Commission Dissolution on May 23, 2018, and directed that the petition be sent to the Law, Finance, Legislative Reference, and Direct Report Offices' for legal, financial, legislative, and administrative analyses to be completed, and that a General Tribal Council Meeting be scheduled for this matter on August 27, 2018; and

WHEREAS, the Petition: G. Powless – Oneida Personnel Commission Dissolution was presented to the General Tribal Council on August 27, 2018; and

WHEREAS, the General Tribal Council adopted a motion to “rescind the actions of the Oneida Business Committee related to the dissolution of the Oneida Personnel Commission, and to rescind the amendments related to the Blue Book from April 11, 2018 to today”; and

WHEREAS, the Oneida Business Committee held an emergency Oneida Business Committee Meeting on August 29, 2018, for the purpose of identifying the next steps to implement the August

27, 2018, GTC motion in an effort to implement the directives in a clear and timely transition protecting employee's due process; and

WHEREAS, at the August 29, 2018, emergency Oneida Business Committee meeting the Oneida Business Committee adopted the transition steps outlined to implement the August 27, 2018, General Tribal Council action with two (2) noted additions: 1) under the "Judiciary" section, include a task for communication regarding the Indirect Contempt Order; and 2) under the "Business Committee" section, include a task to address the concerns regarding training; and

WHEREAS, the transition steps provided direction to the Legislative Operating Committee and the Legislative Reference Office, the Judiciary, the Treasurer and Finance Office, and the Oneida Business Committee on how to proceed with implementing General Tribal Council's directive; and

WHEREAS, in recognition of the rescission of the dissolution of the Oneida Personnel Commission, on September 12, 2018, the Oneida Business Committee adopted a motion to terminate the appointments of the remaining members of the Oneida Personnel Commission: Carol Smith, Erik Krawczyk, Gary Smith, Gerald Decorah, Jason Martinez, Jennifer Hill, Patricia Powless, Pearl Webster, Sharon Alvarez, Stacey M. Nieto, Tina M Moore, and Yvonne Jourdan; and

WHEREAS, the Oneida Business Committee terminated the appointment of all Oneida Personnel Commission members under the authority granted by the Comprehensive Policy Governing Boards, Committees, and Commissions, and based the decision to terminate the appointments on the documentation submitted by members of the Oneida Personnel Commission, the decisions of the Judiciary, and the Oneida Business Committee's findings before and after the dissolution of the Oneida Personnel Commission; and

WHEREAS, on September 12, 2018, the Oneida Business Committee adopted a motion which directed the Legislative Operating Committee to present the bylaws for the Oneida Personnel Commission at the next regular Oneida Business Committee meeting with updated qualifications to address the issue of understanding hearing authorities and responsibilities; and

WHEREAS, the Oneida Business Committee adopted a further motion to defer posting the vacancies for the Oneida Personnel Commission until the updated bylaws are presented and approved by the Oneida Business Committee; and.

WHEREAS, since the adoption of Oneida Business Committee resolution BC-09-26-18-F the Oneida Business Committee has determined additional changes are needed to address which entity of the Nation shall assist the Oneida Personnel Commission with administrative duties related to the grievance process as authorized by the Oneida Personnel Policies and Procedures; and

WHEREAS, the Oneida Business Committee determined the delegation of responsibility to assist the Oneida Personnel Commission with administrative duties related to the grievance process should be amended from the Judiciary – Trial Court to the Nation's Human Resources Department.

Recognition of General Tribal Council's August 27, 2018 Directive

NOW THEREFORE BE IT RESOLVED, that this resolution formally recognizes for the record General Tribal Council's directive to rescind the actions of the Oneida Business Committee related to the dissolution of the Oneida Personnel Commission, and to rescind the related emergency amendments.

Rescission of the Dissolution of the Oneida Personnel Commission

NOW THEREFORE BE IT FURTHER RESOLVED, to recognize General Tribal Council's directive to rescind the dissolution of the Oneida Personnel Commission, resolution BC-04-11-18-A, which dissolved the Oneida Personnel Commission, is hereby formally repealed and the Oneida Personnel Commission is formally reinstated.

NOW THEREFORE BE IT FURTHER RESOLVED, that resolution BC-04-25-18-H, which sets forth a process to be used to transfer matters to the Judiciary from the Oneida Personnel Commission, is hereby repealed.

NOW THEREFORE BE IT FURTHER RESOLVED, the Oneida Business Committee requests the Human Resources Department consider not scheduling screening or interviews until a minimum number of members of the Oneida Personnel Commission can be appointed and sworn into office. Provided that, the Human Resources Department may schedule screening and interviewing where it would be unreasonable to delay or further delay that action and shall ensure that employment laws of the Oneida Nation are enforced in the selection process.

NOW THEREFORE BE IT FURTHER RESOLVED, once a minimum number of members of the Oneida Personnel Commission are appointed and sworn into office, the Human Resources Department shall provide administrative assistance to the Oneida Personnel Commission in regard to the hiring and selection of employees, which shall include, but is not limited to, scheduling pre-screens and interviews, and coordinating Oneida Personnel Commission members to conduct hiring and selection activities.

NOW THEREFORE BE IT FURTHER RESOLVED, in recognition of the time necessary to appoint members to the Oneida Personnel Commission and allow members to obtain the necessary required training, the Judiciary – Trial Court shall continue to hear employee grievance matters until the Oneida Personnel Commission is prepared to begin exercising hearing authority.

NOW THEREFORE BE IT FURTHER RESOLVED, the Judiciary – Trial Court shall develop and provide training and/or ensure training is provided to members of the Oneida Personnel Commission on hearing processes and procedures.

NOW THEREFORE BE IT FURTHER RESOLVED, the Oneida Personnel Commission shall be prepared to exercise hearing authority over employee grievance matters when the Oneida Personnel Commission informs the Oneida Business Committee that the minimum number of Oneida Personnel Commission members have been appointed and have obtained all required trainings.

NOW THEREFORE BE IT FURTHER RESOLVED, the Legislative Operating Committee shall provide updates on the progress of the Oneida Personnel Commission to the Oneida Business Committee on a bi-monthly basis, at the second Oneida Business Committee meeting of the month.

NOW THEREFORE BE IT FURTHER RESOLVED, the Nation's Human Resources Department shall draft an interpretation of Section V.D. of the Oneida Personnel Policies and Procedures which clarifies that in regard to employee grievance matters the term "Oneida Personnel Commission" shall be interpreted to mean the "Judiciary – Trial Court" until such time that the Oneida Personnel Commission informs the Oneida Business Committee that they are prepared to begin exercising hearing authority.

NOW THEREFORE BE IT FURTHER RESOLVED, once the Oneida Personnel Commission informs the Oneida Business Committee that they are prepared to begin exercising hearing authority, the following transition process shall be used to transfer matters from the Judiciary – Trial Court back to the Oneida Personnel Commission including:

1. All active cases for which at least one hearing has been held are transferred to the Oneida Personnel Commission effective immediately.

- a. The employee shall have ten (10) business days to file a notice with the Judiciary - Trial Court stating either they wish to maintain his or her case at the Judiciary - Trial Court or have their case assigned to the Oneida Personnel Commission and the Oneida Personnel Commission shall begin the hearing from the beginning, or at the request of the employee, continue the existing hearing with the Oneida Personnel Commission replacing the Judiciary - Trial Court.
 - b. In all circumstances, the Oneida Personnel Commission shall receive active case files and hearing records for active cases and begin management of the case.
2. All cases which have been accepted, but no hearing has yet been conducted, shall be transferred to the Oneida Personnel Commission.
3. All cases which have been concluded and for which no appeal time remains, shall be transferred to the Records Management Department which will work with the Oneida Personnel Commission to assist in managing those records.
4. All matters filed, but for which no determination has been made regarding acceptance shall be immediately forwarded to the Oneida Personnel Commission.
5. The Judiciary's administration shall deliver a complete record of all decisions of the Judiciary – Trial Court to the Oneida Personnel Commission and a copy to Records Management Department.

NOW THEREFORE BE IT FURTHER RESOLVED, once the Oneida Personnel Commission begins exercising hearing authority, the ~~Judiciary—Trial Court~~Human Resources Department shall provide administrative support to the Oneida Personnel Commission in regard to employee grievance hearings, including, but not limited to, accepting filings on behalf of the Oneida Personnel Commission, scheduling hearings, coordinating Oneida Personnel Commission members to serve as the hearing body, and providing a hearing room.

NOW THEREFORE BE IT FURTHER RESOLVED, the Oneida Personnel Commission shall use the following employment grievance process ~~in conjunction with~~as provided for in the Oneida Personnel Policies and Procedures with the following clarifications:

1. *Filing of a Complaint.*
 - a. ~~An Employee shall fill out a complaint for Personnel/Employment Action form and shall may appeal the Area Manager's decision to the Oneida Personnel Commission by filing the a~~ complaint with ~~Judiciary—Trial Court~~the Human Resources Department on the behalf of the Oneida Personnel Commission.
 - a.i. The employee shall file the appeal within ten (10) working days from the employee's receipt of the Area Manager's decision.
 - ~~b. Judiciary—Trial Court Clerk shall review complaint form for completion.~~
 - ~~c.b. Judiciary—Trial Court Clerk~~The Human Resources Department shall ~~send the Notice of Filing notification to the Human Resources Department, Equal Employment Opportunity Department, Immediate Supervisor, and Area Manager~~notify the Human Resources Department Manager of receipt of the appeal within one (1) business day of receipt of the appeal.
2. *Collection of Information.*
 - ~~a.~~ The Human Resources Department shall ~~send~~collect all information the Area Manager used in making the decision ~~to the Judiciary—Trial Court Clerk to uphold the disciplinary action.~~
 - ~~b. The Immediate Supervisor/Area Manager shall immediately notify the Employee Advocacy Department.~~
3. *Review of the Complaint.*
 - a. The ~~Judiciary—Trial Court Clerk~~Human Resources Department shall provide the information obtained to the Oneida Personnel Commission members selected to serve as the hearing body for the complaint, and the Oneida Personnel Commissioners shall review all the information submitted by the Petitioner and the Human Resources Department to determine if one or both conditions exist:

- i. The decision of the Area Manager is clearly against the weight of the evidence; and/or
 - ii. Procedural irregularities were exhibited during the appeal process that were harmful to one of the parties to the grievance.
 - b. If Oneida Personnel Commission members selected to serve as the hearing body for the complaint finds one or both conditions exist, the ~~Judiciary—Trial Clerk~~ Human Resources Department shall ~~schedule a hearing and send notice to the parties~~ convene the Oneida Personnel Commission to hear the grievance.
 - c. If the Oneida Personnel Commission members find~~s~~ that neither condition~~s~~ exist~~s~~, the Oneida Personnel Commission will ~~issue a decision without a hearing~~ deny the appeal for a hearing and affirm the decision of the Area Manager.
4. Convening a Hearing.
- a. The Human Resources Department shall schedule a time and location for the grievance hearing and shall confirm the participation of the Oneida Personnel Commission members selected to serve as the hearing body for the complaint.
 - b. The Human Resources Department shall send notice of the hearing to the petitioner, respondent, and Oneida Personnel Commission members at least five (5) working days prior to the hearing date.
 - c. The Human Resources Department shall provide copies of all information on the subject case upon which the disciplinary action was upheld to the members of the Oneida Personnel Commission at least two (2) working days prior to the appeal date.
 - d. The Human Resources Department shall allow the petitioner and respondent access to this information in the Human Resources Department Office at least two (2) days prior to the appeal date.
- 4.5. Hearing Procedure.
- ~~a. If hearing is scheduled, The Judiciary—Trial Court Clerk shall send the hearing notice no later than five (5) business days prior to the hearing to all parties.~~
 - ~~b.~~ a. The order of presentation for the hearing shall be:
 - i. Plaintiff's opening statement;
 - ii. ~~Defendant's~~ Respondent's opening statement;
 - iii. The Plaintiff's case;
 - iv. The ~~Defendant's~~ Respondent's case;
 - v. Plaintiff's closing statement
 - vi. ~~Defendant's~~ Respondent's closing statement
 - b. The petitioner shall have the right to be represented by an advocate, at his or her own expense. The respondent and/or area manager who is party to the grievance action shall have access to an advocate for consultation and/or representation. Should the petitioner engage outside professional legal representation, the respondent and/or area manager shall have access to professional legal representation.
 - i. Should the petitioner and his or her representative both fail to appear for any scheduled hearing without justifiable cause, the decision of the Area Manager shall be upheld and the grievance dismissed.
 - ~~v.~~ ii. Should the respondent and his/her representative both fail to appear for any scheduled hearing without justifiable cause, the decision of the Area Manager shall be overturned.
 - c. If new evidence which was previously unavailable is introduced at any point during the hearing process, the Oneida Personnel Commission hearing shall be suspended, and the case will be remanded to the Area Manager for reconsideration.
 - i. The Area Manager shall reconsider the decision in light of the new evidence and issue a decision within three (3) working days.
 - ii. This procedure may be invoked only once.
 - iii. Thereafter, the appeal process shall continue to a conclusion based on the information originally presented and the newly introduced evidence.

1. If the Area Manager overturns her or her decision ~~is overturned~~, the case would not come back for a hearing.
2. If ~~decision is~~ the Area Manager affirms his or her decision, then the case will come back to the Oneida Personnel Commission to complete the hearing. ~~This will only happen one time.~~
- d. The Oneida Personnel Commission's decision shall be based solely on the information presented to them before the appeal hearing, the record of the prior proceedings, and any new evidence if introduced appropriately.
- e. The Oneida Personnel Commission may:
 - i. Uphold the disciplinary action; or
 - ii. Overturn the disciplinary action and:
 1. Reinstate the employee (petitioner) with full back pay for any lost time; or
 2. Reinstate the employee (petitioner) without back pay.
- f. The Oneida Personnel Commission shall provide notification of the final decision within five (5) working days following the hearing. Notification of the final decision shall include:
 - i. The final decision;
 - ii. The reason(s) for the final decision; and
 - iii. The action to be taken as a result of the final decision.
- ~~d.~~g. The Human Resources Department shall keep records of the hearing, and provide copies of administrative advocacy rules, procedural rules, and time line rules to interested parties.

Dissolution of the Personnel Selection Committee

NOW THEREFORE BE IT FURTHER RESOLVED, that resolution BC-04-11-18-B, which created the Personnel Selection Committee, is hereby repealed and the Personnel Selection Committee is hereby dissolved effective immediately.

NOW THEREFORE BE IT FURTHER RESOLVED, within five (5) business days of the adoption of this resolution the Oneida Business Committee shall provide the Personnel Selection Committee written notice of this dissolution.

NOW THEREFORE BE IT FURTHER RESOLVED, that the Personnel Selection Committee shall have up to two (2) weeks from the date of the dissolution to close out any open business and forward all materials and records to the Business Committee Support Office for proper storage and disposal.

Rescission of the Emergency Amendments

NOW THEREFORE BE IT FURTHER RESOLVED, in recognition of General Tribal Council's directive to rescind the emergency amendments related to the dissolution of the Oneida Personnel Commission, resolution BC-04-25-18-D, which adopted emergency amendments to the Military Service Employee Protection Policy, is hereby repealed.

NOW THEREFORE BE IT FURTHER RESOLVED, the Military Service Employee Protection Policy adopted prior to the emergency amendments, through resolution BC-10-24-07-E, is hereby reinstated and effective immediately.

NOW THEREFORE BE IT FURTHER RESOLVED, in recognition of General Tribal Council's directive to rescind the emergency amendments related to the dissolution of the Oneida Personnel Commission, resolution BC-04-25-18-E, which adopted emergency amendments to the Oneida Personnel Policies and Procedures, is hereby repealed.

NOW THEREFORE BE IT FURTHER RESOLVED, the Oneida Personnel Policies and Procedures adopted prior to the emergency amendments, is hereby reinstated and effective immediately.

NOW THEREFORE BE IT FURTHER RESOLVED, in recognition of General Tribal Council's directive to rescind the emergency amendments related to the dissolution of the Oneida Personnel Commission, resolution BC-04-25-18-F, which adopted emergency amendments to the Oneida Judiciary Rules of Civil Procedure, is hereby repealed.

NOW THEREFORE BE IT FURTHER RESOLVED, the Oneida Judiciary Rules of Civil Procedure adopted prior to the emergency amendments, through resolution BC-04-24-14-A, is hereby reinstated and effective immediately.

NOW THEREFORE BE IT FURTHER RESOLVED, in recognition of General Tribal Council's directive to rescind the emergency amendments related to the dissolution of the Oneida Personnel Commission, resolution BC-04-25-18-G, which adopted emergency amendments to the Employee Protection Policy, is hereby repealed.

NOW THEREFORE BE IT FURTHER RESOLVED, the Employee Protection Policy adopted prior to the emergency amendments, through resolution BC-02-25-15-C, is hereby reinstated and effective immediately.

NOW THEREFORE BE IT FURTHER RESOLVED, the Legislative Reference Office shall update the Oneida Register to reflect the proper versions of the Military Service Employee Protection Policy, the Oneida Judiciary Rules of Civil Procedures, and the Employee Protection Policy.

NOW THEREFORE BE IT FURTHER RESOLVED, the Human Resources Department shall update all sources to reflect the proper version of the Oneida Personnel Policies and Procedures.

Future Consolidation of Hearing Authority to the Judiciary

NOW THEREFORE BE IT ~~FINALLY~~ FURTHER RESOLVED, the Oneida Business Committee recognizes the importance of continuing to pursue the consolidation of all hearing authority to the Judiciary in the future, in order to properly recognize and implement the Judiciary's purpose of administering the judicial authorities and responsibilities of the Nation.

Amendment to Resolution BC-09-26-18-F

NOW THEREFORE BE IT FINALLY RESOLVED, adoption of this resolution will amend and supersede Oneida Business Committee resolution BC-09-26-18-F.

Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Resolution # _____

Amending Resolution BC-09-26-18-F Rescission of the Dissolution of the Oneida Personnel Commission and Related Emergency Amendments in Accordance with General Tribal Council's August 27, 2018 Directive

- 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 Personnel Selection Committee was created by the General Tribal Council to monitor the hiring process to protect against issues of nepotism, and to enforce Oneida and Indian preference; and
- WHEREAS,** in an effort to provide for a tribal employment system that is operated in an orderly and fair manner, the Oneida Business Committee re-designated the Personnel Selection Committee as the Oneida Personnel Commission through resolution BC-04-13-90-A; and
- WHEREAS,** resolution BC-04-13-90-A delegated the Oneida Personnel Commission the responsibility to generate personnel policies to be presented and recommended to the Oneida Business Committee for the Oneida Business Committee to review, take formal action to approve, disapprove, change and/or amend said personnel policy recommendations; and
- WHEREAS,** through resolution BC-05-12-93-J, the Oneida Business Committee, in conjunction with the Nation's Human Resources Department and the Oneida Personnel Commission, revised the Nation's Personnel Policies and Procedures to allow the Oneida Personnel Commission to serve as a grievance hearing body for employment matters; and
- WHEREAS,** the Oneida Personnel Commission then served the Oneida Nation as a hearing body for employee grievances, with appeals of those hearings authorized to be made to the Oneida Appeals Commission after its creation in 1991 by the General Tribal Council; and
- WHEREAS,** the Oneida Business Committee, through resolution BC-03-06-01-B, temporarily rescinded authority delegated to the Oneida Personnel Commission contained within the Oneida Personnel Policies and Procedures as it pertained to the role of the Oneida Personnel Commission as representatives of the community at large, the commissioners' responsibility to serve on the Screening Committee, the Interview Committee, the Personnel Screening Committee, and as the Grievance Hearing Body; and
- WHEREAS,** resolution BC-03-06-01-B required that the hiring process of the Nation continue without interruption under the auspices of the Human Resources Department, and that the Oneida Appeal Commission be delegated the first level hearing body for employment related actions as referenced in the Oneida Personnel Policies and Procedures; and

- WHEREAS,** although the Oneida Personnel Commission served the Nation as a hearing body for employee grievances since the early 1990s, except for the period when the Oneida Personnel Commissions' authority was temporarily rescinded, the Nation has been moving towards consolidating all hearing responsibilities to the Oneida Nation Judiciary; and
- WHEREAS,** the Oneida General Tribal Council adopted the Judiciary law as the next step in formalizing the hearing authority of the Oneida Nation in an independent judicial body; and
- WHEREAS,** the membership approved amendments to the Constitution which adopted Article V, Judiciary, which established "a judiciary to exercise the judicial authority of the Oneida Nation"; and
- WHEREAS,** the Oneida General Tribal Council adopted resolution GTC-03-19-17-A which designated the Oneida Judiciary as the judiciary authorized pursuant to Article V of the Constitution; and
- WHEREAS,** the Oneida Business Committee has presented reports, and the General Tribal Council has accepted such reports, regarding the consolidation of administrative hearing and judicial hearing responsibilities in the Judiciary for the purpose of increasing consistency in hearing processes, efficiency, and reducing overall costs to the Nation; and
- WHEREAS,** the Oneida Business Committee notified the Judiciary of its intention to consolidate all judicial functions and the Judiciary identified that it is prepared to accept such responsibilities; and
- WHEREAS,** the Oneida Business Committee has adopted amendments to laws that transferred the hearing authority of the Environmental Resources Board and the Land Commission to the Judiciary; and
- WHEREAS,** the Oneida Business Committee determined it was appropriate to begin consolidating employment related grievance hearings into the Judiciary as the number of current cases in the Oneida Personnel Commission was low and the costs of maintaining judicial hearing authorities continues to increase; and
- WHEREAS,** the Oneida Business Committee dissolved the Oneida Personnel Commission on April 11, 2018, through resolution BC-04-11-18-A in an effort to consolidate employment related grievance hearings into the Judiciary; and
- WHEREAS,** resolution BC-04-11-18-A required the Legislative Operating Committee to develop and present emergency legislative amendments to fully address the impact of this resolution by the April 25, 2018, Oneida Business Committee meeting for consideration of adoption; and
- WHEREAS,** resolution BC-04-11-18-A required that all personnel matters pending, scheduled, and for which timelines were running were hereby tolled until the emergency amendments could be brought forward by the Legislative Operating Committee regarding laws impacted by the dissolution of the Oneida Personnel Commission, with the tolling of time interpreted and applied in the best interests of the employee; and
- WHEREAS,** although the Oneida Personnel Commission was dissolved, the Oneida Business Committee recognized the valuable service the Personnel Selection Committee provided in its original form before being expanded to include hearing authority; and
- WHEREAS,** the Oneida Business Committee determined that the valuable service the Personnel Selection Committee provided remained necessary in the hiring process, and therefore

recreating the Personnel Selection Committee was in the best interest of the Oneida Nation; and

WHEREAS, the Oneida Business Committee recreated the Personnel Selection Committee on April 11, 2018, through resolution BC-04-11-18-B; and

WHEREAS, resolution BC-04-11-18-B provided that bylaws for the Personnel Selection Committee be placed on the May 23, 2018 Oneida Business Committee meeting agenda, and that the Human Resources Department consider not scheduling screening or interviews until the Personnel Selection Committee is created and members are appointed, provided that, the Human Resources Department may schedule screening and interviewing where it would be unreasonable to delay or further delay that action; and

WHEREAS, the Oneida Business Committee approved the Personnel Selection Committee bylaws on May 23, 2018; and

WHEREAS, the Oneida Business Committee adopted emergency amendments to the Military Service Employee Protection Policy, the Oneida Personnel Policies and Procedures, the Oneida Judiciary Rules of Civil Procedures, and the Employee Protection Policy on April 25, 2018, through resolutions BC-04-25-18-D, BC-04-25-18-E, BC-04-25-18-F, and BC-04-25-18-G; and

WHEREAS, the emergency amendments to the above mentioned laws replaced any reference to the Oneida Personnel Commission which referred to actions affecting employees involving adverse employment actions for which a hearing is authorized with a reference to the Judiciary – Trial Court, thereby transferring the hearing authority to the Judiciary – Trial Court; and

WHEREAS, the emergency amendments to the above mentioned laws replaced any reference to the Oneida Personnel Commission which referred to actions involving hiring, including screening and interviews, with a reference to the Personnel Selection Committee; and

WHEREAS, the Oneida Business Committee determined emergency adoption of the amendments to the Military Service Employee Protection Policy, the Oneida Personnel Policies and Procedures, the Oneida Judiciary Rules of Civil Procedures, and the Employee Protection Policy were necessary for the preservation of the public health, safety, or general welfare of the reservation population as required by the Legislative Procedures Act in order to ensure that the general welfare and due process rights of employees of the Nation were preserved in absence of the Oneida Personnel Commission; and

WHEREAS, the Oneida Business Committee adopted a plan for the process of transitioning cases from the Oneida Personnel Commission to the Judiciary – Trial Court through resolution BC-04-25-18-H;

WHEREAS, resolution BC-04-25-18-H required that the Judiciary Trial Court utilize prior decisions of the Oneida Personnel Commission as precedent in its hearing and decision-making process, and that hearing procedures shall follow those set forth in the Oneida Judiciary Rules of Civil Procedure, provided that, in circumstances where the Oneida Personnel Policies and Procedures conflict with the Oneida Judiciary Rules of Civil Procedure, the deadlines in the Oneida Personnel Policies and Procedures shall govern; and

WHEREAS, resolution BC-04-25-18-H set forth a process to be used to transfer matters to the Judiciary from the Oneida Personnel Commission including:

1. All active cases for which at least one hearing had been held was transferred to the Judiciary Trial Court effective immediately.

- a. The employee had, by close of business on May 11, 2018, to file a notice with the Judiciary Trial Court stating either they wish to maintain the current hearing body or have their case assigned to a judicial officer of the Trial Court and the Trial Court shall begin the hearing from the beginning, or at the request of the employee, continue the existing hearing with the judicial officer replacing the hearing body.
 - b. In all circumstances, the Judiciary was required to receive active case files and hearing records for active cases and begin management of the case.
2. All cases which had been accepted, but no hearing had yet been conducted or no hearing officers selected, had been transferred to the Judiciary Trial Court and a judicial officer of the Trial Court was assigned.
3. All cases which had been concluded and for which no appeal time remains, were transferred to the Records Management Department which worked with the Judiciary to assist in managing those records.
4. All matters filed, but for which no determination has been made regarding acceptance was immediately forwarded to the Judiciary Trial Court.
5. The Oneida Personnel Commission administration was required to deliver a complete record of all decisions of the Oneida Personnel Commission to the Judiciary and a copy to Records Management Department; and

WHEREAS, on May 14, 2018, the Petition: G. Powless – Oneida Personnel Commission Dissolution was submitted to the Business Committee Support Office by Gina Powless and was verified by the Trust Enrollment Department; and

WHEREAS, the petition requested General Tribal Council “to address the actions of the Oneida Business Committee’s (OBC) Dissolving the Oneida Personnel Commission (OPC) by BC Resolution #04-11-18-A, BC Resolution #04-11-18-B. The OBC has intentionally violated their authority, they do not have the right to make a decision to dissolve the OPC which was created and approved by General Tribal Council (GTC). The only body that can dissolve the OPC is GTC. The OBC has abused their power and directly violated the Oneida Constitution, their Oath of Office, Oneida’s Code of Ethics, the Oneida Blue Book, to name a few. The OBC has deliberately undermined the authority of GTC. The OBC has cited in their BC resolutions that there is an emergency, yet have not cited any real emergency. The GTC hereby rescinds the action of the OBC, by rescinding BC Resolutions: 04-11-18-A, 04-11-18-B, 04-25-18-D, 04-25-18-E, 04-25-18-E, 04-25-18-F, 04-25-18-G, 04-25-18-H, placing the OPC back into the grievance and hiring practice, per the Oneida Blue Book, until GTC determines otherwise. Further, GTC takes corrective measures pertaining to the OBC, by suspending the OBC Members without pay that approved the mentioned Resolutions for a period of 90 days”; and

WHEREAS, the Oneida Business Committee accepted the verified Petition: G. Powless – Oneida Personnel Commission Dissolution on May 23, 2018, and directed that the petition be sent to the Law, Finance, Legislative Reference, and Direct Report Offices' for legal, financial, legislative, and administrative analyses to be completed, and that a General Tribal Council Meeting be scheduled for this matter on August 27, 2018; and

WHEREAS, the Petition: G. Powless – Oneida Personnel Commission Dissolution was presented to the General Tribal Council on August 27, 2018; and

WHEREAS, the General Tribal Council adopted a motion to “rescind the actions of the Oneida Business Committee related to the dissolution of the Oneida Personnel Commission, and to rescind the amendments related to the Blue Book from April 11, 2018 to today”; and

WHEREAS, the Oneida Business Committee held an emergency Oneida Business Committee Meeting on August 29, 2018, for the purpose of identifying the next steps to implement the August

27, 2018, GTC motion in an effort to implement the directives in a clear and timely transition protecting employee's due process; and

WHEREAS, at the August 29, 2018, emergency Oneida Business Committee meeting the Oneida Business Committee adopted the transition steps outlined to implement the August 27, 2018, General Tribal Council action with two (2) noted additions: 1) under the "Judiciary" section, include a task for communication regarding the Indirect Contempt Order; and 2) under the "Business Committee" section, include a task to address the concerns regarding training; and

WHEREAS, the transition steps provided direction to the Legislative Operating Committee and the Legislative Reference Office, the Judiciary, the Treasurer and Finance Office, and the Oneida Business Committee on how to proceed with implementing General Tribal Council's directive; and

WHEREAS, in recognition of the rescission of the dissolution of the Oneida Personnel Commission, on September 12, 2018, the Oneida Business Committee adopted a motion to terminate the appointments of the remaining members of the Oneida Personnel Commission: Carol Smith, Erik Krawczyk, Gary Smith, Gerald Decorah, Jason Martinez, Jennifer Hill, Patricia Powless, Pearl Webster, Sharon Alvarez, Stacey M. Nieto, Tina M Moore, and Yvonne Jourdan; and

WHEREAS, the Oneida Business Committee terminated the appointment of all Oneida Personnel Commission members under the authority granted by the Comprehensive Policy Governing Boards, Committees, and Commissions, and based the decision to terminate the appointments on the documentation submitted by members of the Oneida Personnel Commission, the decisions of the Judiciary, and the Oneida Business Committee's findings before and after the dissolution of the Oneida Personnel Commission; and

WHEREAS, on September 12, 2018, the Oneida Business Committee adopted a motion which directed the Legislative Operating Committee to present the bylaws for the Oneida Personnel Commission at the next regular Oneida Business Committee meeting with updated qualifications to address the issue of understanding hearing authorities and responsibilities; and

WHEREAS, the Oneida Business Committee adopted a further motion to defer posting the vacancies for the Oneida Personnel Commission until the updated bylaws are presented and approved by the Oneida Business Committee; and

WHEREAS, since the adoption of Oneida Business Committee resolution BC-09-26-18-F the Oneida Business Committee has determined additional changes are needed to address which entity of the Nation shall assist the Oneida Personnel Commission with administrative duties related to the grievance process as authorized by the Oneida Personnel Policies and Procedures; and

WHEREAS, the Oneida Business Committee determined the delegation of responsibility to assist the Oneida Personnel Commission with administrative duties related to the grievance process should be amended from the Judiciary – Trial Court to the Nation's Human Resources Department.

Recognition of General Tribal Council's August 27, 2018 Directive

NOW THEREFORE BE IT RESOLVED, that this resolution formally recognizes for the record General Tribal Council's directive to rescind the actions of the Oneida Business Committee related to the dissolution of the Oneida Personnel Commission, and to rescind the related emergency amendments.

Rescission of the Dissolution of the Oneida Personnel Commission

NOW THEREFORE BE IT FURTHER RESOLVED, to recognize General Tribal Council's directive to rescind the dissolution of the Oneida Personnel Commission, resolution BC-04-11-18-A, which dissolved the Oneida Personnel Commission, is hereby formally repealed and the Oneida Personnel Commission is formally reinstated.

NOW THEREFORE BE IT FURTHER RESOLVED, that resolution BC-04-25-18-H, which sets forth a process to be used to transfer matters to the Judiciary from the Oneida Personnel Commission, is hereby repealed.

NOW THEREFORE BE IT FURTHER RESOLVED, the Oneida Business Committee requests the Human Resources Department consider not scheduling screening or interviews until a minimum number of members of the Oneida Personnel Commission can be appointed and sworn into office. Provided that, the Human Resources Department may schedule screening and interviewing where it would be unreasonable to delay or further delay that action and shall ensure that employment laws of the Oneida Nation are enforced in the selection process.

NOW THEREFORE BE IT FURTHER RESOLVED, once a minimum number of members of the Oneida Personnel Commission are appointed and sworn into office, the Human Resources Department shall provide administrative assistance to the Oneida Personnel Commission in regard to the hiring and selection of employees, which shall include, but is not limited to, scheduling pre-screens and interviews, and coordinating Oneida Personnel Commission members to conduct hiring and selection activities.

NOW THEREFORE BE IT FURTHER RESOLVED, in recognition of the time necessary to appoint members to the Oneida Personnel Commission and allow members to obtain the necessary required training, the Judiciary – Trial Court shall continue to hear employee grievance matters until the Oneida Personnel Commission is prepared to begin exercising hearing authority.

NOW THEREFORE BE IT FURTHER RESOLVED, the Judiciary – Trial Court shall develop and provide training and/or ensure training is provided to members of the Oneida Personnel Commission on hearing processes and procedures.

NOW THEREFORE BE IT FURTHER RESOLVED, the Oneida Personnel Commission shall be prepared to exercise hearing authority over employee grievance matters when the Oneida Personnel Commission informs the Oneida Business Committee that the minimum number of Oneida Personnel Commission members have been appointed and have obtained all required trainings.

NOW THEREFORE BE IT FURTHER RESOLVED, the Legislative Operating Committee shall provide updates on the progress of the Oneida Personnel Commission to the Oneida Business Committee on a bi-monthly basis, at the second Oneida Business Committee meeting of the month.

NOW THEREFORE BE IT FURTHER RESOLVED, the Nation's Human Resources Department shall draft an interpretation of Section V.D. of the Oneida Personnel Policies and Procedures which clarifies that in regard to employee grievance matters the term "Oneida Personnel Commission" shall be interpreted to mean the "Judiciary – Trial Court" until such time that the Oneida Personnel Commission informs the Oneida Business Committee that they are prepared to begin exercising hearing authority.

NOW THEREFORE BE IT FURTHER RESOLVED, once the Oneida Personnel Commission informs the Oneida Business Committee that they are prepared to begin exercising hearing authority, the following transition process shall be used to transfer matters from the Judiciary – Trial Court back to the Oneida Personnel Commission including:

1. All active cases for which at least one hearing has been held are transferred to the Oneida Personnel Commission effective immediately.

- a. The employee shall have ten (10) business days to file a notice with the Judiciary - Trial Court stating either they wish to maintain his or her case at the Judiciary - Trial Court or have their case assigned to the Oneida Personnel Commission and the Oneida Personnel Commission shall begin the hearing from the beginning, or at the request of the employee, continue the existing hearing with the Oneida Personnel Commission replacing the Judiciary - Trial Court.
 - b. In all circumstances, the Oneida Personnel Commission shall receive active case files and hearing records for active cases and begin management of the case.
2. All cases which have been accepted, but no hearing has yet been conducted, shall be transferred to the Oneida Personnel Commission.
3. All cases which have been concluded and for which no appeal time remains, shall be transferred to the Records Management Department which will work with the Oneida Personnel Commission to assist in managing those records.
4. All matters filed, but for which no determination has been made regarding acceptance shall be immediately forwarded to the Oneida Personnel Commission.
5. The Judiciary's administration shall deliver a complete record of all decisions of the Judiciary – Trial Court to the Oneida Personnel Commission and a copy to Records Management Department.

NOW THEREFORE BE IT FURTHER RESOLVED, once the Oneida Personnel Commission begins exercising hearing authority, the Human Resources Department shall provide administrative support to the Oneida Personnel Commission in regard to employee grievance hearings, including, but not limited to, accepting filings on behalf of the Oneida Personnel Commission, scheduling hearings, coordinating Oneida Personnel Commission members to serve as the hearing body, and providing a hearing room.

NOW THEREFORE BE IT FURTHER RESOLVED, the Oneida Personnel Commission shall use the following employment grievance process as provided for in the Oneida Personnel Policies and Procedures with the following clarifications:

1. *Filing of a Complaint.*
 - a. An employee may appeal the Area Manager's decision to the Oneida Personnel Commission by filing a complaint with the Human Resources Department on the behalf of the Oneida Personnel Commission.
 - i. The employee shall file the appeal within ten (10) working days from the employee's receipt of the Area Manager's decision.
 - b. The Human Resources Department shall notify the Human Resources Department Manager of receipt of the appeal within one (1) business day of receipt of the appeal.
2. *Collection of Information.*
 - a. The Human Resources Department shall collect all information the Area Manager used in making the decision to uphold the disciplinary action.
3. *Review of the Complaint.*
 - a. The Human Resources Department shall provide the information obtained to the Oneida Personnel Commission members selected to serve as the hearing body for the complaint, and the Oneida Personnel Commissioners shall review all the information submitted by the Petitioner and the Human Resources Department to determine if one or both conditions exist:
 - i. The decision of the Area Manager is clearly against the weight of the evidence; and/or
 - ii. Procedural irregularities were exhibited during the appeal process that were harmful to one of the parties to the grievance.
 - b. If Oneida Personnel Commission members selected to serve as the hearing body for the complaint finds one or both conditions exist, the Human Resources Department shall convene the Oneida Personnel Commission to hear the grievance.
 - c. If the Oneida Personnel Commission members find that neither condition exists, the Oneida Personnel Commission will deny the appeal for a hearing and affirm the decision of the Area Manager.
4. *Convening a Hearing.*

- a. The Human Resources Department shall schedule a time and location for the grievance hearing and shall confirm the participation of the Oneida Personnel Commission members selected to serve as the hearing body for the complaint.
 - b. The Human Resources Department shall send notice of the hearing to the petitioner, respondent, and Oneida Personnel Commission members at least five (5) working days prior to the hearing date.
 - c. The Human Resources Department shall provide copies of all information on the subject case upon which the disciplinary action was upheld to the members of the Oneida Personnel Commission at least two (2) working days prior to the appeal date.
 - d. The Human Resources Department shall allow the petitioner and respondent access to this information in the Human Resources Department Office at least two (2) days prior to the appeal date.
5. *Hearing Procedure.*
- a. The order of presentation for the hearing shall be:
 - i. Plaintiff's opening statement;
 - ii. Respondent's opening statement;
 - iii. The Plaintiff's case;
 - iv. The Respondent's case;
 - v. Plaintiff's closing statement
 - vi. Respondent's closing statement
 - b. The petitioner shall have the right to be represented by an advocate, at his or her own expense. The respondent and/or area manager who is party to the grievance action shall have access to an advocate for consultation and/or representation. Should the petitioner engage outside professional legal representation, the respondent and/or area manager shall have access to professional legal representation.
 - i. Should the petitioner and his or her representative both fail to appear for any scheduled hearing without justifiable cause, the decision of the Area Manager shall be upheld and the grievance dismissed.
 - ii. Should the respondent and his/her representative both fail to appear for any scheduled hearing without justifiable cause, the decision of the Area Manager shall be overturned.
 - c. If new evidence which was previously unavailable is introduced at any point during the hearing process, the Oneida Personnel Commission hearing shall be suspended, and the case will be remanded to the Area Manager for reconsideration.
 - i. The Area Manager shall reconsider the decision in light of the new evidence and issue a decision within three (3) working days.
 - ii. This procedure may be invoked only once.
 - iii. Thereafter, the appeal process shall continue to a conclusion based on the information originally presented and the newly introduced evidence.
 1. If the Area Manager overturns her or her decision, the case would not come back for a hearing.
 2. If is the Area Manager affirms his or her decision, then the case will come back to the Oneida Personnel Commission to complete the hearing.
 - d. The Oneida Personnel Commission's decision shall be based solely on the information presented to them before the appeal hearing, the record of the prior proceedings, and any new evidence if introduced appropriately.
 - e. The Oneida Personnel Commission may:
 - i. Uphold the disciplinary action; or
 - ii. Overturn the disciplinary action and:
 1. Reinstate the employee (petitioner) with full back pay for any lost time; or
 2. Reinstate the employee (petitioner) without back pay.
 - f. The Oneida Personnel Commission shall provide notification of the final decision within five (5) working days following the hearing. Notification of the final decision shall include:
 - i. The final decision;
 - ii. The reason(s) for the final decision; and

- iii. The action to be taken as a result of the final decision.
- g. The Human Resources Department shall keep records of the hearing, and provide copies of administrative advocacy rules, procedural rules, and time line rules to interested parties.

Dissolution of the Personnel Selection Committee

NOW THEREFORE BE IT FURTHER RESOLVED, that resolution BC-04-11-18-B, which created the Personnel Selection Committee, is hereby repealed and the Personnel Selection Committee is hereby dissolved effective immediately.

NOW THEREFORE BE IT FURTHER RESOLVED, within five (5) business days of the adoption of this resolution the Oneida Business Committee shall provide the Personnel Selection Committee written notice of this dissolution.

NOW THEREFORE BE IT FURTHER RESOLVED, that the Personnel Selection Committee shall have up to two (2) weeks from the date of the dissolution to close out any open business and forward all materials and records to the Business Committee Support Office for proper storage and disposal.

Rescission of the Emergency Amendments

NOW THEREFORE BE IT FURTHER RESOLVED, in recognition of General Tribal Council's directive to rescind the emergency amendments related to the dissolution of the Oneida Personnel Commission, resolution BC-04-25-18-D, which adopted emergency amendments to the Military Service Employee Protection Policy, is hereby repealed.

NOW THEREFORE BE IT FURTHER RESOLVED, the Military Service Employee Protection Policy adopted prior to the emergency amendments, through resolution BC-10-24-07-E, is hereby reinstated and effective immediately.

NOW THEREFORE BE IT FURTHER RESOLVED, in recognition of General Tribal Council's directive to rescind the emergency amendments related to the dissolution of the Oneida Personnel Commission, resolution BC-04-25-18-E, which adopted emergency amendments to the Oneida Personnel Policies and Procedures, is hereby repealed.

NOW THEREFORE BE IT FURTHER RESOLVED, the Oneida Personnel Policies and Procedures adopted prior to the emergency amendments, is hereby reinstated and effective immediately.

NOW THEREFORE BE IT FURTHER RESOLVED, in recognition of General Tribal Council's directive to rescind the emergency amendments related to the dissolution of the Oneida Personnel Commission, resolution BC-04-25-18-F, which adopted emergency amendments to the Oneida Judiciary Rules of Civil Procedure, is hereby repealed.

NOW THEREFORE BE IT FURTHER RESOLVED, the Oneida Judiciary Rules of Civil Procedure adopted prior to the emergency amendments, through resolution BC-04-24-14-A, is hereby reinstated and effective immediately.

NOW THEREFORE BE IT FURTHER RESOLVED, in recognition of General Tribal Council's directive to rescind the emergency amendments related to the dissolution of the Oneida Personnel Commission, resolution BC-04-25-18-G, which adopted emergency amendments to the Employee Protection Policy, is hereby repealed.

NOW THEREFORE BE IT FURTHER RESOLVED, the Employee Protection Policy adopted prior to the emergency amendments, through resolution BC-02-25-15-C, is hereby reinstated and effective immediately.

NOW THEREFORE BE IT FURTHER RESOLVED, the Legislative Reference Office shall update the Oneida Register to reflect the proper versions of the Military Service Employee Protection Policy, the Oneida Judiciary Rules of Civil Procedures, and the Employee Protection Policy.

NOW THEREFORE BE IT FURTHER RESOLVED, the Human Resources Department shall update all sources to reflect the proper version of the Oneida Personnel Policies and Procedures.

Future Consolidation of Hearing Authority to the Judiciary

NOW THEREFORE BE IT FURTHER RESOLVED, the Oneida Business Committee recognizes the importance of continuing to pursue the consolidation of all hearing authority to the Judiciary in the future, in order to properly recognize and implement the Judiciary's purpose of administering the judicial authorities and responsibilities of the Nation.

Amendment to Resolution BC-09-26-18-F

NOW THEREFORE BE IT FINALLY RESOLVED, adoption of this resolution will amend and supersede Oneida Business Committee resolution BC-09-26-18-F.



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



Statement of Effect

Amending Resolution BC-09-26-18-F Rescission of the Dissolution of the Oneida Personnel Commission and Related Emergency Amendments in Accordance with General Tribal Council's August 27, 2018 Directive

Summary

This resolution amends resolution BC-09-26-18-F which formally recognized General Tribal Council's directive to rescind the actions of the Oneida Business Committee related to the dissolution of the Oneida Personnel Commission and the related emergency amendments, while demonstrating what has already occurred to implement this directive, and providing for what further actions shall occur to properly and effectively implement the directive from General Tribal Council.

Submitted by: Clorissa N. Santiago, Staff Attorney, Legislative Reference Office
Date: March 7, 2018

Analysis by the Legislative Reference Office

This resolution amends and supersedes Oneida Business Committee resolution BC-09-26-18-F titled, "Rescission of the Dissolution of the Oneida Personnel Commission and Related Emergency Amendments in Accordance with General Tribal Council's August 27, 2018 Directive."

Background on Resolution BC-09-26-18-F

On August 27, 2018, the General Tribal Council adopted a motion to "rescind the actions of the Oneida Business Committee related to the dissolution of the Oneida Personnel Commission, and to rescind the amendments related to the Blue Book from April 11, 2018 to today." This action was taken by the General Tribal Council under authority expressed in Article IV, Section 1(h) of the Constitution and Bylaws of the Oneida Nation, which allows the General Tribal Council to review any action taken by virtue of power that was delegated to a board or official of the Nation.

Resolution BC-09-26-18-F formally recognized General Tribal Council's directive to rescind the actions of the Oneida Business Committee related to the dissolution of the Oneida Personnel Commission, and to rescind the related emergency amendments.

Resolution BC-09-26-18-F took action to implement General Tribal Council's directive by:

- Repealing resolution BC-04-11-18-A, which dissolved the Oneida Personnel Commission, to formally reinstate the Oneida Personnel Commission;
- Repealing resolution BC-04-25-18-H, which sets forth a process to be used to transfer matters to the Judiciary from the Oneida Personnel Commission;
- Requesting the Human Resources Department consider not scheduling screening or interviews until a minimum number of members of the Oneida Personnel Commission can be appointed and sworn into office. Provided that, the Human Resources Department may schedule screening and interviewing where it would be unreasonable to delay or further delay that action and shall ensure that employment laws of the Oneida Nation are enforced in the selection process;
- Directing the Human Resources Department to provide administrative assistance to the Oneida Personnel Commission in regard to the hiring and selection of employees;

- Directing the Judiciary – Trial Court to continue hearing employee grievance matters until the Oneida Personnel Commission is prepared to begin exercising hearing authority;
- Directing the Judiciary – Trial Court to develop and provide training and/or ensure training is provided to members of the Oneida Personnel Commission on hearing processes and procedures;
- Directing the Human Resources Department to draft an interpretation of Section V.D. of the Oneida Personnel Policies and Procedures which clarifies that in regard to employee grievance matters the term “Oneida Personnel Commission” shall be interpreted to mean the “Judiciary – Trial Court” until such time that the Oneida Personnel Commission informs the Oneida Business Committee that they are prepared to begin exercising hearing authority;
- Setting forth a transition process to transfer matters from the Judiciary – Trial Court back to the Oneida Personnel Commission when the Oneida Personnel Commission informs the Oneida Business Committee that they are prepared to begin exercising hearing authority;
- Directing the Judiciary – Trial Court to provide administrative support to the Oneida Personnel Commission in regard to employee grievance hearings;
- Providing an employment grievance process to be used in conjunction with the Oneida Personnel Policies and Procedures;
- Dissolving the Personnel Selection Committee in accordance with the Boards, Committees, and Commissions law [1 O.C. 105.17]; and
- Recognizing the rescission of the emergency amendments by repealing the resolutions that adopted emergency amendments to Military Service Employee Protection Policy, the Oneida Personnel Policies and Procedures, the Oneida Judiciary Rules of Civil Procedures, and the Employee Protection Policy.

Amending Resolution BC-09-26-18-F

Since the adoption of Oneida Business Committee resolution BC-09-26-18-F the Oneida Business Committee has determined amendments to the resolution are needed to address which entity of the Nation shall assist the Oneida Personnel Commission with administrative duties related to the grievance process as authorized by the Oneida Personnel Policies and Procedures.

Resolution BC-09-26-18-F delegated responsibility to the Judiciary – Trial Court to provide administrative support to the Oneida Personnel Commission in regard to employee grievance hearings, including, but not limited to, accepting filings on behalf of the Oneida Personnel Commission, scheduling hearings, coordinating Oneida Personnel Commission members to serve as the hearing body, and providing a hearing room. The resolution also provided a clarified employment grievance process to be used by the Oneida Personnel Commission in conjunction with the Oneida Personnel Policies and Procedures which recognized the Judiciary – Trial Court’s role in the administrative functions.

The Oneida Business Committee determined that the Nation’s Human Resources Department should be delegated the responsibility to assist the Oneida Personnel Commission with administrative duties related to the grievance process. Therefore, resolution BC-09-26-18-F has been amended to change the delegation of responsibility to provide administrative duties in regard to the grievance process from the Judiciary – Trial Court to the Nation’s Human Resources Department. Resolution BC-09-26-18-F has also been amended to clarify the employment grievance process to be used by the Oneida Personnel Commission in conjunction with the Oneida Personnel Policies and Procedures which recognizes the Human Resources Department’s role in the administrative functions.

Conclusion

Adoption of this resolution would not conflict with any of the Nation’s laws.

Oneida Business Committee Agenda Request

Determine next steps regarding one (1) vacancy - Oneida Election Board

1. Meeting Date Requested: 03 / 13 / 19

2. General Information:

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

Agenda Header: Appointments

- ☐ Accept as Information only
☒ Action - please describe:

Determine next steps regarding one (1) vacancy - Oneida Election Board

3. Supporting Materials

- ☐ Report ☐ Resolution ☐ Contract
☐ Other:

1. 3.
2. 4.

☐ Business Committee signature required

4. Budget Information

- ☐ Budgeted - Tribal Contribution ☐ Budgeted - Grant Funded ☐ Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Lisa Summers, Secretary

Primary Requestor/Submitter: Brooke Doxtator, Boards, Committees, and Commissions Supervisor
Your Name, Title / Dept. or Tribal Member

Additional Requestor: Name, Title / Dept.

Additional Requestor: Name, Title / Dept.

Oneida Business Committee Agenda Request**6. Cover Memo:**

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

One (1) vacancy was posted for the Oneida Election Board to complete a term ending July 31, 2020.

The application deadline was March 1, 2019 and two (2) applications were received for the following individuals:

Tracy Smith
Candace House

Request to appoint one (1) applicant, reject the applicants, or to re-post the vacancy.

1) Save a copy of this form for your records.

2) Print this form as a *.pdf *OR* print and scan this form in as *.pdf.

3) E-mail this form and all supporting materials in a **SINGLE** *.pdf file to: BC_Agenda_Requests@oneidanation.org

Approve the March 4, 2019 regular Finance Committee meeting minutes

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 03 / 13 / 19

2. General Information:

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

Agenda Header:

☐ Accept as Information only

☒ Action - please describe:

BC approval of Finance Committee Meeting Minutes of March 4, 2019

3. Supporting Materials

☐ Report ☐ Resolution ☐ Contract

☒ Other:

1.

3.

2.

4.

☐ Business Committee signature required

4. Budget Information

☐ Budgeted - Tribal Contribution ☐ Budgeted - Grant Funded ☐ Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor: Denise Vigue, Executive Assistant to the CFO /Finance Administration
Your Name, Title / Dept. or Tribal Member

Additional Requestor: _____
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

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

- 1) Save a copy of this form for your records.
- 2) Print this form as a *.pdf *OR* print and scan this form in as *.pdf.
- 3) E-mail this form and all supporting materials in a **SINGLE** *.pdf file to: BC_Agenda_Requests@oneidanation.org



MEMORANDUM

TO: Finance Committee
CC: Business Committee
FR: Denise Vigue, Executive Assistant
DT: Mar. 5, 2019
RE: E-Poll Results of: FC Meeting Minutes of MARCH 4, 2019

An E-Poll vote of the Finance Committee was conducted to approve the 3/4/19 Finance Committee meeting minutes. The results of the completed E-Poll are as follows:

E-POLL RESULTS:

There was a Majority 4 YES votes from Patrick Stensloff, Jennifer Webster, Daniel Guzman King and Shirley Barber to approve the March 4, 2019 Finance Committee Meeting Minutes.

The minutes will be placed on the next Business Committee agenda of 3/13/19 for approval and placed on the next Finance Committee agenda of 3/18/19 to ratify this E-Poll action.

Per the Finance Committee By-Laws Article III-Meetings; Sect: 3-4 Quorum. Four (4) members of the Finance Committee shall constitute a quorum. & Sect: 3-6 Voting. (d) The Finance Committee shall act by a majority of vote of the quorum present at any meeting.



ONEIDA

FINANCE COMMITTEE

FC REGULAR MEETING
 Mar. 4, 2019 ▪ Time: 9:00 A.M.
 BC Executive Conference Room

REGULAR MEETING MINUTES

FC REGULAR MEETING:

Terry Cornelius, CFA/CFO Alt.

Jennifer Webster, BC Council Member

Daniel Guzman King, BC Council Member

Patrick Stensloff, Purchasing Director

Shirley Barber, FC Elder Member

EXCUSED: Patricia King, Treasurer/FC Chair; Larry Barton, CFO/FC Vice-Chair and Chad Fuss, AGGM-Finance (Gam. Alt.)

OTHERS PRESENT: David Emerson, John Breuninger, Gabrielle Metoxen, Loucinda Conway and Denise J. Vigue taking Minutes

I. CALL TO ORDER: The Regular FC Meeting was called to order by the FC Vice Chair (Alt.) at 9:00 A.M.

II. APPROVAL OF AGENDA: MARCH 4, 2019

Motion by Jennifer Webster to approve the Finance Committee Meeting Agenda of Mar. 4, 2019. Seconded by Patrick Stensloff. Motion carried unanimously.

III. APPROVAL OF MINUTES: FEBRUARY 18, 2019 (Approved via E-Poll on 2/19/19):

Motion by Patrick Stensloff to ratify the FC E-Poll action taken on 2/19/19 approving the 2/18/19 Finance Committee Meeting Minutes. Seconded by Jennifer Webster. Motion carried unanimously.

IV. TABLED BUSINESS: None

V. CAPITAL EXPENDITURES: None

VI. COMMUNITY FUND:

REPORT(S):

1. Community Fund Report for March 2019

Denise J. Vigue, Finance

Motion by Jennifer Webster to approve the March 2019 Community Fund report. Seconded by Patrick Stensloff. Motion carried unanimously.

REQUESTS:

1. Waunekee Baseball Team Fees

Amount: \$210.

Requestor: Lois Barker for son, Jonathan

Motion by Patrick Stensloff to approve from the Community Fund the Waunekee Baseball Team fees for the son of the requestor in the amount of \$210.00. Seconded by Jennifer Webster. Motion carried unanimously.

2. Waunekee Soccer & Gymnastics Fees

Amount: \$226.00

Requestor: Lois Barker for son, Calvin

Motion by Jennifer Webster to approve from the Community Fund the Waunekee Soccer & Gymnastics Team fees for the son of the requestor in the amount of \$226.00. Seconded by Shirley Barber. Motion carried unanimously.

3. Legends Basketball AAU Registration

Amount: \$373.50

Requestor: Margaret Ellis for daughter, MarjaRia

Motion by Shirley Barber to approve from the Community Fund the Legends Basketball AAU registration for the daughter of the requestor in the amount of \$373.50. Seconded by Daniel Guzman King. Motion carried unanimously.

4. Zumba Basic I Certification Class Fee

Amount: \$225.

Requestor: Kelly M. McAndrews

Motion by Jennifer Webster to approve from the Community Fund the Zumba Basic I Certification class fees in the amount of \$225.00. Seconded by Patrick Stensloff. Motion carried unanimously.

5. Fourth of July Powwow in Oneida

Amount: 25 Cases

Requestor: Tonya Webster, PWC

Motion by Shirley Barber to approve from the Community Fund up to 100 Cases of Coca-Cola Product for fundraising & volunteers at the Fourth of July Powwow with more documentation provided. Seconded by Jennifer Webster. Motion carried unanimously.

6. Oneida Community Lacrosse Fees

Amount: \$85.

Requestor: Luther Laster for son Mason

Motion by Shirley Barber to approve from the Community Fund the Oneida Community Lacrosse registration and membership fees for the son of the requestor in the amount of \$85.00. Seconded by Jennifer Webster. Motion carried unanimously.

7. Bitty Ballers Basketball Fees

Amount: \$162.

Requestor: Vanessa Miller for daughter, Journee

Motion by Jennifer Webster to approve from the Community Fund the WorkSomeMore Bitty Ballers Basketball fees for the daughter of the requestor in the amount of \$162.00. Seconded by Daniel Guzman King. Motion carried unanimously.

8. Green Bay Purple Aces Basketball Player Fees

Amount: \$500.

Requestor: Sherry Flauger for daughter, Sheridan

Motion by Shirley Barber to approve from the Community Fund the Green Bay Purple Aces Basketball Player fees for the daughter of the requestor in the amount of \$500.00. Seconded by Jennifer Webster. Motion carried unanimously.

9. Green Bay Metro Basketball Registration

Amount: \$275.

Requestor: Alfonso Starr for son, Araylius

Motion by Patrick Stensloff to approve from the Community Fund the Green Bay Metro Basketball registration fees for the son of the requestor in the amount of \$275.00. Seconded by Daniel Guzman King. Motion carried unanimously.

10. Air Force Gymnastics Fees

Amount: \$500.

Requestor: Daniel Stevens for daughter, Olivia

Motion by Jennifer Webster to approve from the Community Fund the Air Force Gymnastics Fees for the daughter of the requestor in the amount of \$500.00. Seconded by Shirley Barber. Motion carried unanimously.

11. Oneida Nation High School – Prom

Amount: 10 Cases

Requestor: Susan Hayes, ONHS Prom Coord.

Motion by Shirley Barber to approve from the Community Fund 10 Cases of Coca-Cola Products for refreshments at the Oneida Nation High School Prom. Seconded by Patrick Stensloff. Motion carried unanimously.

12. Wisconsin Indian Art Show & Market

Amount: 25 Cases

Requestor: Gabrielle Metoxen, WIA Board Admin.

Representatives from the WIA, Inc. were present and provided details of request and of this years' event; Art Show is at the Radisson and is May 24, 25, 26, 2019; they have an all Native Board of Directors and have formed partnerships with other state tribal groups for expanded coverage of Woodland Arts.

Motion by Jennifer Webster to approve from the Community Fund 25 Cases of Coca-Cola Products for use at the Wisconsin Indian Art Show and Market. Seconded by Daniel Guzman King. Motion carried unanimously.

13. Wisconsin Blaze AAU Basketball Registration Fees

Amount: \$500.

Requestor: Debra Cloud for daughter, Mariah

Motion by Daniel Guzman King to approve from the Community Fund the Wisconsin Blaze AAU Basketball registration for the daughter of the requestor in the amount of \$500.00. Seconded by Jennifer Webster. Motion carried unanimously.

14. ADD-On: YMCA Tennis Lessons-2

Amount: \$147.

Requestor: Andrew Doxtater for son, Tristan

This same request was approved by the FC in January, requestor didn't realize he could ask for the whole season so is resubmitting for remainder of lessons; only used \$147 so there is a \$353 balance for each son.

Motion by Patrick Stensloff to approve from the Community Fund the YMCA Tennis Lesson fees for the two sons of the requestor in the amounts of \$147.00 each. Seconded by Jennifer Webster. Motion carried unanimously.

15. ADD-On: YMCA Tennis Lessons-2

Amount: \$147.

Requestor: Andrew Doxtater for son, Amos

- See Action taken in CF Request #14.

16. LATE ADD-On: Wisconsin Blaze AAU Basketball Registration Fees Amount: \$500.

Requestor: Erika Sommers for daughter, Harmony

Motion by Jennifer Webster to approve from the Community Fund the Wisconsin Blaze AAU Basketball registration for the daughter of the requestor in the amount of \$500.00. Seconded by Shirley Barber. Motion carried unanimously.

VII. NEW BUSINESS:

1. **AGS LLC (8) Conversion Kits** Amount: \$28,250.
David Emerson, Gaming – Slots

David relayed this expense comes out of their operating budget, the kits simply change the theme of games, no other equipment needed; more cost efficient than purchasing new slots; budgeted and pay as needed; this is newer reporting to the FC based on the request from the Treasurer.

Motion by Patrick Stensloff to approve the AGS LLC purchase of eight (8) Conversion Kits in the amount of \$28,250.00. Seconded by Jennifer Webster. Motion carried unanimously.

2. **RSM US LLP – Contract Addendum** Amount: \$270,000.
Loucinda Conway, Internal Audit

Loucinda was present to provide details of this request; addendum is for one year extension, vendor is to conduct the FY2019 Audit; request approved by the Audit Committee; this has already had a one year extension; next year Purchasing will lead the Requests for Proposals (RFP) for a new vendor.

Motion by Jennifer Webster to approve the RSM US LLP contract addendum in the amount of \$270,000.00. Seconded by Shirley Barber. Motion carried unanimously.

3. **Hobbs, Straus, Dean & Walker PO Increase** Amount: \$20,000.
Candice E. Skenandore, Self-Governance

This PO increase is to assist the self-governance area in renegotiating Nations' funding agreement and is additional services to existing contract.

Motion by Daniel Guzman King to approve the Purchase Order increase with Hobbs, Straus, Dean & Walker in the amount of \$20,000.00. Seconded by Patrick Stensloff. Motion carried unanimously.

4. **IGS Blanket PO Increase** Amount: \$15,000.
David Emerson, Gaming – Slots

David explained this is also if from the operating budget and is for slot parts; there are several distributors, this one provided best prices; no new funds as there will simply be a decrease from another vendor.

Motion by Patrick Stensloff to approve the Blanket Purchase Order increase with IGS in the amount of \$15,000.00. Seconded by Shirley Barber. Motion carried unanimously.

VIII. EXECUTIVE SESSION: None**IX. FOLLOW UP:**

1. **GLIHC, Inc. – Red Shawl Gala Fundraiser** Amount: \$2,500.
Requestor: Dr. Lyle Ignace, CEO

2/18/19 Motion by Jennifer Webster to approve from the Finance Committee Donation Line the request from the Gerald L. Ignace Indian Health Center, Inc for a donation to the Red Shawl Gala fundraiser in the amount of \$2,500.00 contingent upon this request is not already funded by the BC Special Events line for FY2019. Seconded by Daniel Guzman King. Motion carried unanimously.

UPDATE: After contacting the BC Support Office it was confirmed this was part of their Special Events Line for FY2019 and they would process a donation request for \$1,000.00 which would provide one table of 8 for the event. The donation request information was forwarded to the BCSO on 2/19/19 for their follow up.

Motion by Jennifer Webster to accept the updated information that the FC will not be funding this request as it is already being funded by the BC. Seconded by Patrick Stensloff. Motion carried unanimously.

X. FOR INFORMATION ONLY:

1. IGT (1) WOF – percentage of gross handle

David Emerson, Gaming - Slots

Motion by Jennifer Webster to accept as information only the IGT (1) WOF percentage slot game request. Seconded by Patrick Stensloff. Motion carried unanimously.

XI. ADJOURN: Motion by Patrick Stensloff to adjourn. Seconded by Daniel Guzman King. Motion carried unanimously. Time: 9:30 A.M.

➤ **NOTE:** The Finance Committee Work Meeting was canceled as there is a special meeting of the BC and Gaming this morning.

Minutes transcribed by:
Denise Vigue, Executive Assistant to the CFO
& Finance Committee Contact/Recording Secretary

Finance Committee-E-Poll Minutes Approval Date: March 5, 2019

Oneida Business Committee's FC Minutes Approval Date: _____

Oneida Business Committee Agenda Request

Accept the February 20, 2019, regular Legislative Operating Committee meeting minutes

1. Meeting Date Requested: 3 / 13 / 19

2. General Information:

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

Agenda Header:

☒ Accept as Information only

☐ Action - please describe:

Accept the February 20, 2019 Legislative Operating Committee meeting minutes

3. Supporting Materials

☐ Report ☐ Resolution ☐ Contract

☒ Other:

1.

3.

2.

4.

☐ Business Committee signature required

4. Budget Information

☐ Budgeted - Tribal Contribution ☐ Budgeted - Grant Funded ☐ Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

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

Additional Requestor:
Name, Title / Dept.

Additional Requestor:
Name, Title / Dept.



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



LEGISLATIVE OPERATING COMMITTEE MEETING MINUTES
 Oneida Business Committee Conference Room-2nd Floor Norbert Hill Center
 February 20, 2019
 9:00 a.m.

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

Excused: Kirby Metoxen

Others Present: Maureen Perkins, Brandon Wisneski, Clorissa Santiago, Jennifer Falck, Kristen Hooker, Lee Cornelius, Leyne Orosco, Ralinda Ninham-Lamberies, Joshua Hicks, Rae Skenandore

I. Call to Order and Approval of the Agenda

David P. Jordan called the February 20, 2019 Legislative Operating Committee meeting to order at 9:00 a.m.

Motion by Ernest Stevens III to approve the agenda with a change to item III.2, the name of the agenda item should read “Anna John Resident Centered Care Community Board Bylaws Amendments”; seconded by Jennifer Webster. Motion carried unanimously.

II. Minutes to be Approved

1. February 6, 2019 LOC Meeting Minutes

Motion by Jennifer Webster to approve the February 6, 2019 Legislative Operating Committee meeting minutes and forward to the Oneida Business Committee for consideration; seconded by Ernest Stevens III. Motion carried unanimously.

III. Current Business

1. Curfew Law (1:09-3:05)

Motion by Daniel Guzman King to approve the community meeting notice and direct that a community meeting for the proposed Curfew Law be held on Thursday, March 21, 2019; seconded by Ernest Stevens III. Motion carried unanimously.

2. Anna John Resident Centered Care Community Board Bylaws Amendments (3:09-13:00)

Motion by Jennifer Webster to accept the Anna John Resident Centered Care Community Board Bylaws Amendments and forward to the Oneida Business Committee for consideration; seconded by Ernest Stevens III. Motion carried unanimously.

3. Oneida Pow-wow Committee Bylaws Amendments (13:02-19:12)

Motion by Jennifer Webster to accept the Oneida Powwow Committee Bylaws Amendments and forward to the Oneida Business Committee for consideration; seconded by Ernest Stevens III. Motion carried unanimously.



4. **Pardon and Forgiveness Screening Committee Bylaws Amendments (19:23-20:28)**
Motion by Jennifer Webster to accept the Pardon and Forgiveness Screening Committee Bylaws Amendments and forward to the Oneida Business Committee for consideration; seconded by Ernest Stevens III. Motion carried unanimously.

IV. New Submissions

1. **Attorney Contract Policy Amendments (20:31-22:12)**
Motion by Jennifer Webster to add Attorney Contract Policy Amendments to the Active Files List with David P. Jordan as the sponsor; seconded by Daniel Guzman King. Motion carried unanimously.

V. Additions

VI. Administrative Updates

VII. Executive Session

VIII. Adjourn

Motion by Daniel Guzman King to adjourn the February 20, 2019 Legislative Operating Committee meeting at 9:22 a.m.; seconded by Ernest Stevens III. Motion carried unanimously.

Oneida Business Committee Agenda Request

Approve the Oneida Police Commission bylaws

1. Meeting Date Requested: 3 / 13 / 19

2. General Information:

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

Agenda Header: Standing Committees

- ☐ Accept as Information only
☒ Action - please describe:

Consider adoption of the Oneida Police Commission Bylaws Amendments

3. Supporting Materials

- ☐ Report ☐ Resolution ☐ Contract
☒ Other:

1. Police Commission Bylaws Amendments Packet 3.
2. 4.

☐ Business Committee signature required

4. Budget Information

- ☐ Budgeted - Tribal Contribution ☐ Budgeted - Grant Funded ☐ Unbudgeted

5. Submission

Authorized Sponsor / Liaison: David P. Jordan, LOC Chairman

Primary Requestor/Submitter: Jen Falck, LRO Director
Your Name, Title / Dept. or Tribal Member

Additional Requestor:
Name, Title / Dept.

Additional Requestor:
Name, Title / Dept.

HANDOUT

ONEIDA POLICE COMMISSION BYLAWS

Article I. Authority

- 1-1. *Name.* The name of this entity shall be the Oneida Police Commission and may be referred to as the Police Commission.
- 1-2. *Establishment.* The Police Commission was established under the Oneida Nation Law Enforcement Ordinance, adopted by the Oneida Business Committee through resolution BC-10-10-01-C and amended by resolution BC-02-25-15-C.
- 1-3. *Authority.*
- (a) *Purpose of Entity.* The purpose of the Police Commission is to regulate the conduct of the Oneida Nation law enforcement personnel according to the highest professional standards. The Police Commission was established to provide oversight regarding the activities and actions of the law enforcement operations to provide the greatest possible professional services to the Oneida community and to allow for community input regarding those law enforcement services through its representatives on the Police Commission. The Police Commission is an oversight body and does not involve decision making processes on day-to-day activities of those law enforcement services.
 - (b) *Powers and Duties.* The Police Commission has all delegated authority established through the laws, policies, rules and resolutions of the Nation, including but not limited to, the Oneida Nation Law Enforcement Ordinance.
- 1-4. *Office.* The official mailing address of the Police Commission shall be:
Oneida Police Commission
P.O. Box 365
Oneida, WI 54155
- 1-5. *Membership.*
- (a) *Number of Members.* The Police Commission shall consist of five (5) members.
 - (b) *Appointed.* All members of the Police Commission shall be appointed in accordance with the Boards, Committees and Commissions law to serve a five (5) year term.
 - (1) Members of the Police Commission may serve more than one (1) term, but not more than three (3) consecutive terms.
 - (2) The Chairperson of the Police Commission shall provide the Oneida Business Committee with a recommendation on all applications for appointment before the executive session in which the appointment is intended to be made.
 - (A) The Chairperson shall include in the recommendation whether the applicant meets the qualifications set forth in these bylaws.
 - (c) *Vacancies.* Vacancies on the Police Commission shall be filled by appointment by the Oneida Business Committee in accordance with the Boards, Committees and Commissions law.

- 47 (1) The Chairperson of the Police Commission shall provide the Oneida Business
48 Committee with a recommendation on all applications for appointment to fill
49 a vacancy before the executive session in which the appointment is intended
50 to be made.
51 (A) The Chairperson shall include in the recommendation whether the
52 applicant meets the qualifications set forth in these bylaws.
- 53 (2) *Resignations.* A member may resign from the Police Commission at any time
54 verbally at a meeting or by delivering written notice to the Oneida Business
55 Committee Support Office and the Police Commission Chairperson or his/her
56 designee.
57 (A) A resignation is effective upon acceptance by motion of a member's
58 verbal resignation or upon delivery of the written notices.
59 (B) A replacement member shall hold office through the unexpired
60 portion of the term of the member whom he or she has replaced.
- 61 (d) *Qualifications.* All Police Commission members:
62 (1) Must be an enrolled member of the Oneida Nation.
63 (2) Must be twenty-five (25) years of age or older.
64 (3) Must submit to a complete background investigation. The following would
65 disqualify any person from serving on the Oneida Police Commission:
66 (A) A felony conviction in the State of Wisconsin or any conviction of a
67 crime in another state that would be considered a felony conviction if
68 the offense and adjudication occurred in the State of Wisconsin.
69 (B) A felony arrest which results in a misdemeanor conviction due to a
70 plea arrangement.
71 (C) A conviction of any ordinance violation that could bring discredit to
72 the Police Commission, including, but not limited to:
73 i. Domestic Abuse; or
74 ii. Child Abuse.
75 (D) Any pardon issued by the Nation or the governor of any state for an
76 offense specified above shall not deem a person as "exonerated" for
77 the purposes of membership on the Police Commission.
- 78 (4) Must submit to drug testing prior to appointment and on an annual basis.
79 (5) Must not be an employee of the Oneida Police Department or have been
80 terminated from the Oneida Police Department.
81 (6) Must be a person of known good standing in the community.
- 82 (e) *Duties/Responsibilities.*
83 (1) Members shall attend regular Police Commission meetings, emergency
84 meetings, trainings and conferences as directed by the Police Commission.
85 (2) Members shall provide direction; participate in discussion; review Police
86 Commission reports and minutes prior to the meetings; and perform other
87 duties assigned by the Police Commission.
88 (3) *Attendance.* The Police Commission has high expectations when it comes to
89 attendance; therefore, attendance will be closely monitored.
90 (A) Six (6) excused absences of a member from any duly called meeting
91 of the Police Commission within a one (1) year period may be cause
92 for a recommendation by the Police Commission to the Oneida
93 Business Committee for termination of that member in accordance
94 with the Boards, Committees and Commissions law.

- (B) Four (4) unexcused absences of a member from any duly called meeting of the Police Commission within a one (1) year period shall be cause for a recommendation by the Police Commission to the Oneida Business Committee for termination of that member in accordance with the Boards, Committees and Commissions law.
- i. Failure to contact the Police Commission or staff at least fifteen (15) minutes before a duly called meeting of the Police Commission constitutes an unexcused absence.
- (4) Members shall perform all other responsibilities assigned under the Oneida Law Enforcement Ordinance, including, but not limited to:
- (A) Appointing, suspending or removing the Police Chief of the Oneida Police Department;
- (B) Approving all law enforcement officer appointments made by the Police Chief including the promotion of subordinates;
- (C) Adopting, modifying and repealing rules governing how lists of individuals, deemed eligible for appointment to law enforcement officer and promotion, are established;
- (D) Approving competitive examinations used to judge suitability for appointment or promotion of law enforcement officers;
- (E) Approving an eligibility list of individuals determined to be eligible for appointment as a law enforcement officer or promotion;
- (F) Suspending law enforcement officers or other appointed personnel of the Oneida Police Department pending the filing and hearing of charges against them;
- (G) Initiating charges against law enforcement officers or other appointed personnel of the Oneida Police Department;
- (H) Hearing charges filed against law enforcement officers or other appointed personnel of the Oneida Police Department, whether filed by the Police Commission or the Police Chief, making findings and determinations, and imposing penalties, up to and including termination;
- (I) Hearing appeals of disciplinary actions against any law enforcement personnel or non-sworn personnel;
- (J) Adopting rules governing the Police Commission's management of its own activities;
- (K) Reviewing and forwarding for approval contracts to the Oneida Business Committee relating to cross-deputization, dispatch function and mutual aid pacts which are made between the Oneida Police Department and a non-tribal agency; and
- (L) Approving Standard Operating Procedures of the Oneida Police Department.

1-6. *Termination.* A member of the Police Commission may be terminated in accordance with the Boards, Committees and Commissions law.

- (a) The Police Commission may recommend termination of a member from the Police Commission to the Oneida Business Committee for the following:

(1) Misconduct or wrong doing as a member of the Police Commission;

- (2) Conduct which could jeopardize the reputation of the Oneida Nation, the Police Commission or the law enforcement system;
- (3) Any change in status which would place the member of the Police Commission in conflict with the qualifications for membership set forth in these bylaws;
- (4) Violation of the confidentiality of closed hearings or any other information declared "confidential" by the Police Commission; and
- (5) A disclosure of confidential information acquired by reason of a member's relationship or status with the Police Commission for personal advantage, gain or profit, or for the advantage, gain or profit of a member's relative or associate.

1-7. *Trainings and Conferences.* Contingent upon funding, the following trainings/conferences shall be mandatory for members of the Police Commission:

- (a) 1-4 HRD training to save on any travel;
- (b) Investigation Case Management;
- (c) National Alliance for Drug Endangered Children;
- (d) Legal Responsibilities;
- (e) Protecting Due Process;
- (f) Confidentiality and Reporting;
- (g) Disciplinary Measures;
- (h) Report Writing;
- (i) Ethics;
- (j) Hearings;
- (k) Gangs;
- (l) Youth Interaction;
- (m) Suicide;
- (n) School Threats;
- (o) First Responders;
- (p) Evidence Processing;
- (q) Drug Related Death;
- (r) Interviews and Child Death;
- (s) Crime Scene;
- (t) Unresolved Cases;
- (u) Prosecution and Role of the Prosecutor;
- (v) Media Relations;
- (w) Cultural Differences to Build Stronger Communities;
- (x) Terrorism & Police Measures;
- (y) Victim Assistance;
- (z) Shared Jurisdiction;
- (aa) Consent Searches;
- (bb) Substance Abuse Prevention;
- (cc) Case Study;
- (dd) Trauma;
- (ee) UWSP Outreach Annual Crisis Conference;
- (ff) UWGB Training; and
- (gg) UW – Fox Valley Training.

- (1) Reimbursement for conferences and trainings shall be in accordance with the Boards, Committees and Commissions law.

Article II. Officers

- 2-1. *Officers.* The Officer positions of the Police Commission shall consist of a Chairperson, a Vice-Chairperson and a Secretary.
- 2-2. *Responsibilities of the Chairperson.* The duties, responsibilities and limitations of the Chairperson are as follows:
- (a) Shall, with the assistance of the Secretary, be responsible for calling meetings and notifying members of the Police Commission;
 - (b) Shall preside over all meetings and hearings of the Police Commission;
 - (c) Shall sign or designate one to sign all official Police Commission documents;
 - (d) Shall be the liaison to the Business Committee and other department heads;
 - (e) Shall seek clearance from the Oneida Business Committee via the Communications Department for any media requests made of the Police Commission per the Communications Department Media Policy;
 - (f) Shall perform any and all duties assigned by the Police Commission;
 - (g) Shall submit the recommendations for appointment referred to in section 1-5 and conduct the e-polls referred to section 3-6 of these bylaws; and
 - (h) Shall, with assistance of the Secretary or through a designee of the Chairperson, submit annual and semi-annual reports to the General Tribal Council, as well as quarterly reports to the Oneida Business Committee, as required by the Boards, Committees and Commissions law and shall attend all Oneida Business Committee meetings in which the quarterly report is an agenda item.
- 2-3. *Responsibilities of the Vice-Chairperson.* The duties, responsibilities and limitations of the Vice-Chairperson are as follows:
- (a) Shall preside at all meetings in the absence of the Chairperson and appoint a Vice-Chairperson for that meeting;
 - (b) Shall be responsible for conducting e-polls in the absence of the Chairperson.
 - (c) Shall work with the Chairperson in all matters that concern the Police Commission; and
 - (d) In the event of the resignation, removal from office or death of the Chairperson, shall assume the role of Chairperson until such time as the Chairperson's term would have expired.
- 2-4. *Responsibilities of the Secretary.* The duties, responsibilities and limitations of the Secretary are as follows:
- (a) Shall keep accurate minutes of all regular, emergency and joint meetings, assuring that the minutes are reported in proper format and consistent with the Boards, Committees and Commissions law;
 - (b) Shall assist the Chairperson with the calling and notification of meetings and the submission of the annual, semi-annual and quarterly reports required by the Boards, Committees and Commissions law;
 - (c) Shall ensure that all standard operating procedures established by the Police Commission are submitted to the Oneida Business Committee Support Office; and

- (d) In the absence of the Chairperson and the Vice-Chairperson, shall preside over all meetings until the immediate election of a Chair Pro Tem.

2-5. *Selection of Officers.* The Officers shall serve terms of one (1) year and shall be elected by a majority vote of the quorum at the annual meeting which shall be held in September of each year. Terms of office run from the beginning of the fiscal year.

- (a) Officers may hold only one (1) Officer position at a time.

2-6. *Budgetary Sign-Off Authority and Travel.* The Police Commission shall follow the Nation's policies and procedures regarding purchasing and sign-off authority.

- (a) When the Chairperson is unavailable, all members shall have sign-off authority and staff sign-off authority is based on the type of document, the level and authorized sign-off will vary.

- (b) Travel requests on behalf of the Police Commission shall be approved by majority vote of the quorum in attendance at a duly called meeting or subsequently approved at the next regular meeting.

2-7. *Personnel.* The Police Commission has the authority to hire personnel for the benefit of the Police Commission so long as such position is provided for in the annual Police Commission budget.

- (a) The hiring of personnel shall be done in accordance with the Oneida Personnel Policies and Procedures.

- (b) *Staff of the Oneida Police Commission.*

(1) The Administrative Assistant shall be the Executive Administrator of the Police Commission and shall be supervised and evaluated by the Chairperson or the Chairperson's designee from the Police Commission.

(2) The Executive Administrator shall read and answer all mail and abide by the decision of the Police Commission.

(3) The Executive Administrator must meet the requirements of the Police Commission's job description for the position.

(4) The Executive Administrator shall report at each monthly meeting on the financial status of the Police Commission's budget.

Article III. Meetings

3-1. *Regular Meetings.* The physical meeting place shall be determined at the first meeting of the Police Commission and may change from time to time as determined by the Police Commission but shall be within the Oneida Nation Reservation boundaries unless noticed to the membership prior to designating the meeting location.

- (a) The regular meetings of the Police Commission shall be held on the fourth (4th) Wednesday of every month. If the fourth (4th) Wednesday of the month falls on a holiday, then an alternative date may be selected by the Police Commission.

- (b) Notice of meeting location, agenda, documents and minutes shall be forwarded by the Chairperson with the assistance of the Executive Administrator.

- (c) *Interview meetings.* Additional meetings for the purpose of the applicant interviews for Police Chief or law enforcement officers may be called by the Chairperson with approval of a majority of the membership quorum.

3-2. *Emergency Meetings.*

- (a) An emergency meeting shall be called to address specific issues of the Police Commission that will be identified in the notice for the meeting when time sensitive issues require immediate action.
- (1) Emergency meetings shall require at least a twenty-four (24) hour verbal or written notice to each member of the Police Commission by the Chairperson or the Chairperson's designee.
- (b) Within seventy-two (72) hours after an emergency meeting, the Police Commission shall provide the Nation's Secretary with notice of the meeting, the reason for the emergency meeting, and an explanation of why the matter could not wait for a regular meeting.

3-3. *Joint Meetings.* Joint meetings with the Oneida Business Committee will be held at the Norbert Hill Center, Business Committee Conference Room and will be requested by the Chairperson based on need or if requested by the Oneida Business Committee.

- (a) The Chairperson of the Police Commission shall provide notice of meeting agenda, documents and minutes for joint meetings requested by the Police Commission and the Oneida Business Committee Support Office shall provide notice of meeting agenda, documents and minutes for joint meetings requested by the Oneida Business Committee.
- (b) Notice of meeting agenda, documents and minutes shall be provided by email.

3-4. *Quorum.* A quorum shall consist of three (3) members which shall include an Officer. In the absence of the Chairperson and Vice-Chairperson, the Secretary may call the meeting to order and preside until the immediate election of a Chair Pro Tem.

3-5. *Order of Business.* The regular meetings of the Police Commission shall follow the order of business as set out herein:

- (a) Call to order
- (b) Approval of the agenda
- (c) Approval of the minutes
- (d) Correction and approval of the minutes
- (e) Correspondence and mail
- (f) Standing and Special Committee Reports
- (g) Old business
- (h) New business
- (i) Other
- (j) Adjournment
- (1) To facilitate the Police Commission's proceedings, the order of business may be amended or suspended at any time by a majority of the member quorum.
- (2) *Executive Session.* During any meeting, with proper notice, an executive session may be called by any single member of the Police Commission for the purpose of a confidential nature. Executive sessions are limited to members and such invited persons as the Police Commission deems necessary. The meeting must be returned to "open session" following the "executive session".

3-6. *Voting.* Decisions of the Police Commission shall be based on a majority vote of the quorum present at a regular or emergency meeting.

- (a) The Chairperson or Officer presiding at the meeting in the Chairperson's absence shall vote only in the case of a tie.
- (b) E-Polls are permitted and shall be conducted in accordance with the requirements listed in the Boards, Committees and Commissions law.
- (1) In the Chairperson's absence, the Vice-Chairperson shall serve as the designee for conducting e-polls.

Article IV. Expectations

4-1. *Behaviors of Members.* Members of the Police Commission shall act in accordance with the Oneida Code of Ethics.

- (a) *Enforcement.* Any member of the Police Commission found to be in violation of these bylaws may be subject to a recommendation from the Police Commission to the Oneida Business Committee for termination of that member in accordance with the Boards, Committees and Commissions law and/or the imposition of sanctions and/or penalties according to the laws and policies of the Nation governing sanctions and penalties for appointed officials.

4-2. *Prohibition of Violence.* Intentionally violent acts committed by a member of the Police Commission that inflicts, attempts to inflict, or threatens to inflict emotional or bodily harm on another person, or damage to property, during a meeting or when acting in an official capacity are strictly prohibited and grounds for an immediate recommendation for termination of appointment from the Police Commission and/or the imposition of sanctions and/or penalties according to the laws and policies of the Nation governing sanctions and penalties for appointed officials.

4-3. *Drug and Alcohol Use.* Use of alcohol and prohibited drugs by members of the Police Commission when acting in their official capacity is strictly prohibited. Prohibited drugs are defined as marijuana, cocaine, opiates, amphetamines, phencyclidine (PCP), hallucinogens, methaqualone, barbiturates, narcotics, and any other substances included in Schedules I through V, as defined by Section 812 of Title 21 of the United States Code. This also includes prescription medication or over-the-counter medicine used in an unauthorized or unlawful manner.

4-4. *Social Media.* Police Commission members shall abide by the Nation's Social Media Policy.

4-5. *Conflict of Interest.* Police Commission members shall abide by all laws of the Nation governing conflicts of interest. Members must submit a Conflict of Interest form upon Oath of Office and annually.

Article V. Stipends and Compensation

5-1. *Stipends.* Police Commission members are eligible for the following stipends as set forth in the Boards, Committees and Commissions law and resolution BC-09-26-18-D, titled Boards, Committees and Commissions Law Stipends:

- (a) A stipend for attending a duly called meeting of the Police Commission for up to one (1) meeting per month.
- (b) A stipend for attending a hearing of the Oneida Judiciary if the member's attendance at the hearing is required by official subpoena.
- (c) A stipend for conducting an official hearing of the Police Commission.

(d) A stipend for attending a duly called joint meeting between the Police Commission and the Oneida Business Committee.

(e) A stipend for each full day a member is present at a conference or training when attendance at the conference or training is required by law, bylaws or resolution.

5-2. *Compensation.* Besides per diem and travel expenses authorized by the Nation's polices, members of the Police Commission shall not be eligible for any other form of compensation for duties/activities they perform on behalf of the Police Commission.

Article VI. Records and Reporting

6.1. *Agenda Items.* Agenda items shall be maintained in the format provided by the Oneida Business Committee Support Office.

6-2. *Minutes.* Minutes shall be typed in the format provided by the Oneida Business Committee Support Office to generate the most informative record of the meetings of the Police Commission.

(a) All minutes shall be submitted to the Oneida Business Committee Support Office within thirty (30) calendar days of the Police Commission's approval.

6-3. *Attachments.* Handouts, reports, memoranda and the like may be kept separately, provided that all materials can be identified to the meeting in which they were presented.

6-4. *Oneida Business Committee Liaison.* The Chairperson shall regularly report to the Oneida Business Committee member who is the Police Commission's designated liaison.

(a) The reporting format and frequency for communication shall be as the liaison and the Police Commission agree to, but not less than that required in any law of the Nation or policy on reporting developed by the Oneida Business Committee or Oneida General Tribal Council.

(b) Reports shall be made within a reasonable time after a meeting is held, or as the Oneida Business Committee member liaison and the Police Commission agree, provided that the agreement is aimed at upholding the ability of the liaison to act as a support to the Police Commission.

6-5. *Audio Recordings.* All meetings of the Police Commission shall be audio recorded using a recording device approved and/or supplied by the Oneida Business Committee Support Office. The audio recordings shall be sent to the Oneida Business Committee Support Office quarterly, for purposes of maintaining, when the minutes are approved by the Police Commission.

(a) Audio recordings of executive session portions of a meeting are not required.

Article VII. Amendments

7-1. *Amendments to the Bylaws.* Amendments shall be made to these bylaws at a regular meeting of the Police Commission provided that written notice of proposed amendments was given at a prior regular meeting and that the amendments conform to the Boards, Committees and Commissions law, as well as any other policy of the Nation.

(a) Amendments are effective upon adoption of the Police Commission and approval by the Oneida Business Committee.

427 (b) The Police Commission shall review these bylaws from time to time as needed, but
428 no less than each time a vacancy on the Police Commission is filled by a new
429 member.

430
431
432 These bylaws as amended and revised are hereby attested to as adopted by the Oneida Police Commission
433 at a duly called meeting by the Chairperson's signature on this ____ day of _____, 2019

434 _____
435 Chairperson, Oneida Police Commission

436
437
438 and by approval of the Oneida Business Committee at a duly called meeting held on this _____ day of
439 _____, 2019 by the Secretary of the Oneida Business Committee's signature.

440
441 _____
442 Secretary, Oneida Business Committee

443
444

Oneida Police Commission By-Laws

Article I. Authority

1.1. *Name.* The name of this entity shall be the Oneida Police Commission and may be referred to as the Police Commission.

1-2. *Authority.* This entity was established under the Oneida Law Enforcement Ordinance, adopted by BC Resolution # 10-10-01-C.

1-3. *Office.* The official mailing address of this entity shall be:

Oneida Police Commission

P.O. Box 376

Oneida, WI 54155

1-4. *Membership.* The Police Commission will be made up of five (5) Oneida Tribal members:

(a) *How appointed.* All members of the Police Commission shall be appointed by the Oneida Business Committee. All appointments to the Police Commission shall be for five (5) year terms.

(b) *How vacancies are filled.* Vacancies on the Police Commission shall be filled by appointment by the Oneida Business Committee in accordance with the Comprehensive Policy Governing Boards, Committees and Commissions.

(c) *Qualifications.* All Police Commission members:

(1) Must be a member of the Oneida Tribe.

(2) Must be 25 years of age or older.

(3) Must submit to a complete background investigation. The following would prohibit any person from serving on the Oneida Police Commission:

(A) A felony conviction in the State of Wisconsin or any conviction of a crime in another state that would be considered a felony conviction if the offense and adjudication occurred in the State of Wisconsin.

(B) A felony arrest which results in a misdemeanor conviction due to a plea arrangement.

(C) A conviction of any ordinance violation that could bring discredit to the Commission.

(D) Any pardon issued by the Oneida Tribe or the governor of any State, for an offense specified in section 1-4(c)(3)(A)-(C) shall not deem a person as "exonerated" for the purposes of membership on the Oneida Police Commission.

(4) Must submit to drug testing prior to appointment and on an annual basis.

(5) Must not be an employee of the Oneida Police Department

(6) Shall attend applicable training.

(7) Must be a person of known good standing in the community.

(d) *Removal from office.* In addition to the Removal Law standards, a Commissioner may be removed for:

(1) Malfeasance in office.

(2) Conduct which could jeopardize the reputation of the Oneida Tribe, the Oneida Police Commission or the law enforcement system.

(3) Any change in status which would place the Commissioner in conflict with the qualifications specified in section 1-4(c).

(4) Violation of the confidentiality of closed hearings or any other information declared "confidential" by the Oneida Police Commission..

(e) *Resignation.* Resignations from the Police Commission shall be in writing and presented to the Police Commission for acceptance.

Article II. Officers

2-1. *Officers.* This entity shall have three (3) officers - President, Vice-President and Secretary/Treasurer.

2-2. *President Duties.* Responsible for calling meetings and notifying members with the assistance of the Secretary/Treasurer. The President shall preside over all regular and special meetings, shall sign all official Police Commission documents, shall be the liaison to the Business Committee and other departments heads and shall perform any and all duties assigned by the Police Commission. The President shall seek clearance from the Oneida Business Committee via the Communications Department for any media requests made of the Police Commission per the Communication Department Media Policy.

2-3. *Vice-President duties.* The Vice-President shall preside at all meetings in the absence of the President and appoint a Vice-President for that meeting. The Vice-President shall work with the President in all matters that concern the Police Commission. In the event of the resignation, removal from office or death of the President, the Vice-President shall assume the role of President until such time as the term of the President would have expired.

2-4. *Secretary/Treasurer Duties.* The Secretary/Treasurer shall keep accurate minutes of all meetings, both regular and special, assuring that the minutes are reported in the proper format. The Secretary/Treasurer shall read and answer all mail abiding by/to the decision of the Police Commission. The Secretary/Treasurer shall report at each monthly meeting on the financial status of the Police Commission's funds.

2-5. *How chosen and length of term.* The officers shall serve terms of one (1) year and shall be elected by a majority vote at the annual meeting which shall be held in September of each year. Terms of office run from the beginning of the fiscal year. No officer shall serve for more than two (2) consecutive terms. In the event of a vacancy, the successor shall be appointed by the Police Commission for the duration of the unexpired term.

2-6. *Personnel.* Any and all hiring of personnel shall be done in accordance with all applicable Oneida personnel policies and procedures and shall be dependent on available funding.

Article III. Meetings

3-1. *Regular meetings.* The physical meeting place shall be determined at the first meeting of this entity and may change from time to time as determined by the entity but shall be within the Oneida Nation Reservation boundaries unless noticed to the membership prior to designating the meeting location.

(a) The regular meeting of the Police Commission shall be held on the first (1st) Thursday of every month. If the first (1st) Thursday falls on a holiday, then an alternative date may be selected by the Commission.

(b) Notice of meeting location, agenda and materials shall be forwarded by the President with the assistance of the Secretary/Treasurer.

3-2. *Emergency/Special meetings.* Special meetings may be called by the President or any three (3) members with at least a one (1) day notice.

3-3. *Interview meetings.* Additional meetings for the purpose of applicant interviews may be called by the President with the approval of a majority of the membership.

86 3-4. *Quorum*. A quorum shall consist of three (3) members which shall include the President or the Vice-
87 President.

88 3-5. *Order of Business*. The regular meetings of the Police Commission shall follow the order of business as
89 set out herein:

- 90 (a) Call to order
- 91 (b) Approval of the Agenda
- 92 (c) Reading of Minutes
- 93 (d) Correction and Approval of Minutes
- 94 (e) Correspondence and Mail
- 95 (f) Standing and Special Committee Reports
- 96 (g) Old Business
- 97 (h) New business
- 98 (i) Other
- 99 (j) Adjournment

100 In order to facilitate the Police Commission's proceedings, the order of business may be amended or suspended
101 at any time by a majority of the members.

102 3-6. *Closed Session*. During any meeting, with proper notice, a closed session may be called for by any single
103 member of the Police Commission for the purpose of discussing matters of a confidential nature. Closed
104 Sessions are limited to members and such invited persons as the Police Commission deems necessary. The
105 meeting must be returned to "open session" following the "closed session."

106

107 **Article IV. Stipend**

108 4-1. All members of the Police Commission shall receive reimbursement for expenses and stipends as set out
109 in this Article according to procedures for payment as set by the Comprehensive Policy Governing Boards,
110 Committees, and Commissions.

111 (a) Members of the Police Commission shall be paid a stipend for each meeting which has established
112 a quorum in the amount specified under *Sec. 11-3* of the Comprehensive Policy Governing Boards,
113 Committees and Commissions, providing such quorum be established for a minimum of one hour, and
114 providing further, that any member(s) collecting a stipend be present for at least one hour.

115 (b) Under *Sec. 11-5* of the Comprehensive Policy Governing Boards, Committees and Commissions,
116 Members of the Police Commission are entitled to payment of stipends, in addition to any per diem, for
117 travel approved by the Commission. The stipend shall be at a rate of \$100.00 for each full day they are
118 present at the conference. No stipend payments shall be made for those days spent traveling to and from
119 the conference.

120

121 **Article V. Reporting**

122 5-1. *Format*. Agenda items shall be in an identified format.

123 5-2. *Minutes*. Minutes shall be typed and in a consistent format designed to generate the most informative record
124 of the meetings of the Commission.

125 5-3. *Attachments*. Handouts, reports, memoranda and the like may be attached to the minutes and agenda, or
126 may be kept separately, provided that all materials can be identified to the meeting in which they are presented.

127 5-4. *Reporting*. The President will report to the Oneida Business Committee per the Comprehensive Policy
128 Governing Boards, Committees and Commissions. The reporting format may be as the liaison and the Police

129 Commission agree to, but not less than that required in any policy on reporting developed by the Oneida Business
130 Committee or Oneida General Tribal Council. Reports shall be made within a reasonable time after a meeting
131 is held, or as the Oneida Business Committee member liaison and the Police Commission agree. Provided that,
132 the agreement is to uphold the ability of the liaison to act as a support to that Police Commission.
133

134 **Article VI. Responsibilities**

135 6-1. *Responsibilities.* The Oneida Police Commission shall perform other responsibilities as listed in the Oneida
136 Law Enforcement Ordinance:

- 137 (a) Appoint, suspend or remove the Police Chief of the Oneida Police Department.
- 138 (b) Approve all law enforcement officer appointments made by the Police Chief including the promotion
139 of subordinates.
- 140 (c) Adopt, modify and repeal rules governing how lists of individuals, concluded to be eligible for
141 appointment to law enforcement officer and promotion, are established.
- 142 (d) Approve competitive examinations used to judge suitability for appointment or promotion of law
143 enforcement officers.
- 144 (e) Approve an eligibility list of individuals determined to be eligible for appointment as a law
145 enforcement officer or promotion.
- 146 (f) Suspend law enforcement officers or other appointed personnel of the Police Department pending the
147 filing and hearing of charges against them, subject to the provisions of Oneida Law Enforcement
148 Ordinance 37.10-1.
- 149 (g) Initiate charges against law enforcement officers or other appointed personnel of the Police
150 Department.
- 151 (h) Hear charges filed against law enforcement officers or other appointed personnel of the Police
152 Department, whether filed by the Commission or the Police Chief, make findings and determinations,
153 and impose penalties, up to and including termination. Such actions are independent of and exempt from
154 the Oneida Blue Book, as provided in 37.9-1 of the Oneida Nation Law Enforcement Ordinance.
- 155 (i) Hear appeals of disciplinary actions against any law enforcement personnel or non-sworn personnel.
- 156 (j) Adopt rules governing the Oneida Police Commission's management of its own activities.
- 157 (k) Review contracts, and forward to the Oneida Business Committee for approval, concerning cross-
158 deputization, dispatch function and mutual aid pacts which are made between the Oneida Police
159 Department and a non-tribal agency, per Oneida Law.
- 160 (l) Approve Standard Operating Procedures of the Oneida Police Department.

172 **Article VII. Amendments**

173 7-1. *Amendments to the By-Laws.* Amendments shall be made to these by-laws at a regular meeting of the Police
174 Commission provided that written notice of proposed amendments was made at a prior regular meeting.
175 Amendments are effective upon adoption of the Police Commission and approval by the Oneida Business
176 Committee.

177
178 These by-laws as amended and revised are hereby attested to as adopted by the Police Commission
179 at a duly called meeting by the President's signature on this 4th day of March, 2007.

180
181 
182 _____
183 President, Oneida Police Commission

184
185 and by approval of the Oneida Business Committee at a duly called meeting held on this 3rd
186 day of March, 2007 by the Secretary of the Oneida Business Committee's signature.

187
188 
189 _____
190 Secretary, Oneida Business Committee



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Oneida Police Commission Bylaws Amendments Legislative Analysis

SECTION 1. EXECUTIVE SUMMARY

REQUESTER: Legislative Reference Office	SPONSOR: David P. Jordan	DRAFTER: Kristen M. Hooker	ANALYST: Maureen Perkins
Complies with Boards, Committees and Commissions Law	These amendments comply with the Oneida Business Committee (OBC) directive established by resolution BC-09-26-18-C that all boards, committees and commissions of the Nation; excluding the OBC or standing committees of the OBC and the Nation's corporations, amend their bylaws to comply with the requirements established by the Boards, Committees and Commissions law. Additional information and requirements included in these bylaws beyond what is required in the Boards, Committees and Commissions law is not prohibited <i>[see O.C. 105.10]</i> .		
Intent of the Bylaws	The bylaws provide a framework for the operation and management of the Oneida Police Commission (Police Commission) to govern the standard procedures regarding the way the Police Commission conducts its affairs, including: the appointment of persons to the Police Commission, the membership qualifications, duties and responsibilities of both members and officers, terms and filling vacancies of members, selection of officers, establishment of expectations of members, maintenance of official records, stipends, termination process, required training, and how the bylaws are amended.		
Purpose	The purpose of the Police Commission is to provide oversight regarding the activities and actions of the law enforcement operations to provide the greatest possible professional services to the Oneida community and to allow for community input regarding those law enforcement services through its representatives on the Police Commission. This entity is created as an oversight body and does not involve decision making processes on day-to-day activities of those law enforcement services <i>[see O.C. 301.4-7]</i> .		
Related Legislation	Oneida Nation Law Enforcement Ordinance, Boards, Committees and Commissions law, Conflict of Interest law, Code of Ethics law, Social Media Policy, Computer Resources Ordinance, Travel and Expense Policy, Open Records and Open Meetings law, Budget Management and Control law		
Enforcement/Due Process	A member of the Police Commission serves at the discretion of the OBC. Upon the recommendation of a member of the OBC or the Police Commission, a member of the Police Commission may have his or her appointment terminated by the OBC. (a) A two-thirds majority vote of the OBC shall be required in order to terminate the appointment of a member. (b) The OBC's decision to terminate an appointment is final and not subject to appeal <i>[see O.C. 105-7-4]</i> .		
Public Meeting	Public meetings are not required for bylaws.		
Fiscal Impact	A Fiscal Impact Statement is not required for bylaws.		

SECTION 2. BACKGROUND

- A. The Police Commission bylaws amendments were added to the Active Files List on October 3, 2018 with David P. Jordan as the sponsor.
- B. The Police Commission is established by the Oneida Nation Law Enforcement Ordinance adopted October 10, 2001 by Resolution BC-10-10-01-C and amended by Resolution BC-02-25-15-C which contains specific details related to the role and requirements of members of the Police Commission.
- C. The most recent bylaws were approved by the OBC on March 3, 2004.

SECTION 3. COMPLIANCE WITH THE BOARDS, COMMITTEES AND COMMISSIONS LAW

- A. The bylaws comply with the Boards, Committees and Commissions law.
- B. The bylaws comply with OBC Resolution BC-09-26-18-D Boards, Committees and Commissions Law Stipends.

SECTION 4. AMENDMENTS

This section details the changes to the bylaws from the previously adopted bylaws.

A. ARTICLE I. AUTHORITY

- a. The authority section was expanded to include the purpose of the Police Commission established in the Oneida Nation Law Enforcement Ordinance *[see Article I. 1-3]*.
- b. The membership section changed as follows:
 - The reference to the Removal Law was removed *[see Article I. 1-4(d) of the current bylaws]*. Members of the Police Commission are appointed by the OBC and the termination of an appointment follows the Boards, Committees and Commissions law *[see O.C. 105]*.
 - Clarification was added that a member may serve more than one term but not more than three consecutive terms *[see Article I. 1-5(b)(1)]* in accordance with the Oneida Nation Law Enforcement Ordinance *[see 301.6-2]*.
 - A provision was added that the Chairperson will make a recommendation to fill vacancies on behalf of the Police Commission to the OBC that includes verification that the applicant meets the qualifications set forth in these bylaws *[see Article I. 1-5(b)(2) and Article I. 1-5(c)(1)]*.
 - The Business Committee Support Office (BCSO) was added as a receiving entity of a written resignation in addition to the Chairperson and the resignation is now effective when the written notice is received or the verbal resignation is accepted by motion of the Police Commission *[see Article I. 1-5(c)(2)]*.
 - Domestic abuse and child abuse were added as examples of convictions of ordinance violations that would prohibit a person from being appointed to the Police Commission *[see Article I. 1-5(d)(3)(C)]*.
 - A requirement was added that anyone terminated from the Oneida Police Department is disqualified from membership on the Police Commission *[see Article I. 1-5(d)(5)]*.
- c. A section detailing duties and responsibilities was added to the bylaws *[see Article I. 1-5(d)]*.
 - Attendance requirements are established along with consequences for failure to abide by the requirements.
- d. A list of thirty-three (33) mandatory training and conferences was added *[see Article I. 1-7(a) to (gg)]* and may be eligible for a training stipend upon available funding in accordance with the Boards, Committees and Commissions law *[see O.C. 105]*.

49
50 **B. ARTICLE II. OFFICERS**

- 51 a. The officer positions were changed from President, Vice-President and Secretary/Treasurer
52 to Chairperson, Vice-Chairperson and Secretary.
53 • Additional duties of the Chairperson include:
54 ○ making a recommendation for vacancies on behalf of the Police
55 Commission to the OBC
56 ○ submission of required annual and semi-annual reports to the General
57 Tribal Council with the assistance of the Secretary in accordance with
58 the Boards, Committees and Commissions law.
59 ○ attendance or designate a Police Commission member to attend OBC
60 meetings where the quarterly report is on the agenda, and
61 ○ conducting e-polls with the Vice-Chairperson as the backup in
62 accordance with the Boards, Committees and Commissions law [see
63 *Article II. 2-2*].
64 • The financial reporting requirement was removed from the Secretary position
65 and these duties are assigned to the Administrative Assistant [see *Article II. 2-*
66 *7(b)(4)*].
67 • A provision was added that allows the Secretary to preside over a meeting until
68 a Pro-tem chair is elected to chair the meeting [see *Article II. 2-4(d)*] and [see
69 *Article III. 3-4*].
70 b. Two provisions were removed from the current bylaws [see *Article II. 2-5 of current*
71 *bylaws*]:
72 • the provision in the current bylaws related to an officer not being able to serve
73 more than two (2) consecutive terms, and
74 • detail related to the successor being appointed to fill for the duration of the
75 unexpired officer term.
76 c. A provision was added that prevents a member from holding more than one officer position
77 at the same time on the Police Commission [see *Article II. 2-5(a)*].
78 d. The budgetary and sign off authority and travel section is new to these bylaws based on
79 requirements in the Boards, Committees and Commissions law. This requirement creates
80 accountability regarding Police Commission action related to travel and authority to make
81 budgetary decisions [see *Article II. 2-6*].
82

83 **C. ARTICLE III. MEETINGS**

- 84 a. Special meetings were removed and joint meetings with the OBC were added to the bylaws
85 in accordance with the Boards, Committees and Commissions law [see *105.10-3(c)*]. The
86 Police Commission Chairperson shall provide notice of the meeting agenda, documents
87 and minutes by email for joint meetings called by the Police Commission and the BCSO
88 shall provide the same for joint meetings called by the OBC [see *Article III. 3-3(a) and*
89 *(b)*].
90 b. A provision was added per the Boards, Committees and Commissions law that the Police
91 Commission will notify the Nation's Secretary with notice and the reason for an emergency
92 meeting, and an explanation of why the matter could not wait for a regular meeting [see
93 *Article III. 3-2(b)*].
94 c. The Secretary was added to call meetings to order and preside until the immediate election
95 of a Chair Pro Tem [see *Article III. 3-4*].
96 d. The use of e-polls was added to the bylaws. The Chairperson shall conduct e-polls and the
97 Vice-Chairperson shall serve as designee in the absence or discretion of the Chairperson
98 [see *Article III. 3-6(b)*]. The bylaws require the Police Commission to follow the

procedures for conducting e-polls that is included in the Boards, Committees and Commissions law *[see 105.11]*.

D. ARTICLE IV. EXPECTATIONS

This section is new to these bylaws based on the requirements established in the Boards, Committees and Commissions law.

- a. Behavioral requirements were added to govern members during Police Commission meetings and related activities *[see Article IV. 4-1]*. Enforcement of behavioral expectations includes recommendation by the Police Commission for termination of the member's appointment by the OBC and sanctions or penalties according to any applicable laws and policies of the Nation *[see Article IV. 4-1(a)]*.
- b. Intentional acts of violence that inflicts, attempts to inflict or threatens to inflict emotional or bodily harm or damage to property are prohibited and violations could result in the Police Commission's recommendation to the OBC to terminate the member from the Police Commission or imposition of sanctions or penalties according to any applicable laws and policies of the Nation *[see Article IV. 4-2]*.
- c. Drug and alcohol use by a Police Commission member when acting in an official capacity is prohibited *[see Article IV. 4-3]*.
- d. Police Commission members must follow the Nation's Social Media Policy *[see Article IV. 4-4]*.
- e. The Police Commission will be required to abide by the Nation's Conflict of Interest law and the Boards, Committees and Commissions law which includes disclosure of conflicts of interest annually *[see Article IV. 4-5]*.

E. ARTICLE V. STIPENDS AND COMPENSATION

- a. This section provides a list of eligible stipends members of the Police Commission are eligible to receive, in addition to clarification that a full day of training is required to receive a training stipend *[see Article V. 5-2]*.

F. ARTICLE VI. RECORDS AND REPORTING

- a. A requirement was added that agenda items will use the format provided by the BCSO *[see Article VI. 6-1]*.
- b. A requirement was added that minutes will be submitted to the BCSO within thirty (30) days after the Police Commission's approval *[see Article VI. 6-2(a)]*.
- c. Regular communication with the OBC Liaison was added with the Police Commission Chair reporting to the Liaison *[see Article VI. 6-4]*.
- d. A requirement was added in accordance with the Boards, Committees, and Commissions law that all meetings are to be audio recorded. The BCSO will provide the recording device. All audio recordings shall be sent to the BCSO when the minutes are approved by the Police Commission. Executive session is not required to be recorded *[see Article VI. 6-5]*.

G. ARTICLE VII. AMENDMENTS

- a. A provision was added requiring that amendments follow the Boards, Committees and Commissions law and any other policy of the Nation and that the bylaws be reviewed as needed and each time a vacancy is filled *[see Article VII. 7-1]*.

SECTION 5. LEGISLATION RELATED TO BOARDS, COMMITTEES AND COMMISSIONS

There are no conflicts between these bylaws and the Oneida Code of Laws. Below is a detailed list of laws that establish requirements related to boards, committees and commissions generally and the Police Commission specifically.

A. Oneida Nation Law Enforcement Ordinance [see O.C. Chapter 301]

The bylaws meet the requirements established in this ordinance and there are no conflicts between the bylaws and the Ordinance.

- a. This law establishes the hearing procedure used by the Police Commission for disciplinary proceedings.
- b. This law establishes the Police Commission and qualifications are included in the bylaws [see Article I. 1-5(e)(4)].
- c. Police Commissioners are appointed by the OBC for a five-year term. Police Commissioners may serve more than one term, but not more than three consecutive terms.
- d. The responsibilities of the Police Commission are included in the bylaws [see Article I. 1-5(e)(4)].

B. Boards, Committees and Commissions [see O.C. Chapter 105]

- a. This law establishes all requirements related to elected and appointed boards, committees and commissions of the Nation. The law governs the procedures regarding the appointment and election of persons to boards, committees and commissions, creation of bylaws, maintenance of official records, compensation, and other items related to boards, committees and commissions. The Police Commission members are appointed by the OBC. The requirements for the Police Commission's bylaws including the required format are contained in this law as well as the requirement to present the bylaws for adoption by the OBC within a reasonable timeframe. These Police Commission bylaws comply with the Boards, Committees and Commissions law and there are no conflicts between the bylaws and the Boards, Committees and Commissions law.

C. Conflict of Interest [see O.C. Chapter 217]

- a. This law applies to the Police Commission and establishes specific limitations to which information or materials that are confidential or may be used by a competitor of the Nation's enterprises or interests may be used to protect the interests of the Nation. The Boards, Committees and Commissions law establishes that amended bylaws require members to disclose potential or real conflicts annually [see O.C. Chapter 105]. This requirement is met in Article IV. 4-5 of the bylaws. There are no conflicts between the bylaws and the Conflict of Interest law.

D. Code of Ethics [see O.C. Chapter 103]

- a. The Police Commission members are required to abide by the Code of Ethics law and Article IV of the bylaws addresses the behavioral expectations of members some of which are covered in the Code of Ethics law. This law promotes the highest ethical conduct from elected and appointed government officials and expects that officials will demonstrate the highest standards of personal integrity, truthfulness, honesty, and fortitude in all public activities in order to inspire public confidence and trust in the governmental officials of the Oneida Nation. Government officials are also expected to adhere to the laws, customs, and traditions of the Nation. There are no conflicts between these bylaws and the Code of Ethics.

E. Social Media Policy [see O.C. Chapter 218]

- a. The bylaws require the Police Commission to abide by this law [see Article IV. 4-4]. This law regulates social media accounts including how content is managed and who has

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authority to post on social media on behalf of the Nation. Boards, committees and commissions must register social media accounts with the Nation's Secretary's Office to include specific information related to access to the account, acknowledgment and compliance with the Computer Resource Ordinance and this policy, use a Nation issued email address or ask for the Secretary to allow the entity to operate the account utilizing the current e-mail address, and ensure all content complies with all applicable laws of the Nation, state or federal laws. There are no conflicts between the bylaws and the Social Media Policy.

F. Computer Resources Ordinance [see O.C. Chapter 215]

- a. Police Commission members are considered users under this law and must comply with the established requirements to ensure appropriate use of the Nation's computer resources. There are no conflicts between these bylaws and the Computer Resources Ordinance.

G. Travel and Expense Policy [see O.C. Chapter 219]

- a. Members of the Police Commission are eligible for reimbursement of approved travel related expenses and per diem to attend a conference or training in accordance with the Nation's travel policies. There are no conflicts between the bylaws and the Travel and Expense Policy.

H. Open Records and Open Meetings [see O.C. Chapter 107]

- a. Portions of the Police Commission meetings may be considered closed meeting sessions if exception in this law related to personnel matters or contracts are being discussed and deemed confidential. Maintenance of minutes and audio recordings of the Police Commission comply with this law and there are no conflicts between the bylaws and this law.

I. Budget Management and Control [see O.C. Chapter 121]

- a. The Police Commission is considered a fund unit of the Nation under this law. Fund unit managers are required to develop, submit and maintain a triennial strategic plan for the fund unit's operations which aligns with the triennial strategic plan established by the OBC. The Police Commission is required to comply with this law. There are no conflicts between the bylaws and the Budget Management and Control law.

Oneida Business Committee Agenda Request

Approve the Oneida Election Board bylaws

1. Meeting Date Requested: 3 / 13 / 19 **2. General Information:**Session: ☒ Open ☐ Executive - See instructions for the applicable laws, then choose one:Agenda Header: ☐ Accept as Information only☒ Action - please describe:**3. Supporting Materials**☐ Report ☐ Resolution ☐ Contract☒ Other:1. 3. 2. 4. ☐ Business Committee signature required**4. Budget Information**☐ Budgeted - Tribal Contribution☐ Budgeted - Grant Funded☐ Unbudgeted**5. Submission**Authorized Sponsor / Liaison: Primary Requestor/Submitter: Your Name, Title / Dept. or Tribal Member

Additional Requestor:

Name, Title / Dept.

Additional Requestor:

Name, Title / Dept.

ONEIDA ELECTION BOARD BYLAWS**Article I. Authority**

1-1. *Name.* The name of this entity shall be the Oneida Election Board and may be referred to as the Board.

1-2. *Establishment.* This Board was established under the Election law, adopted by the Oneida General Tribal Council (GTC) through resolution GTC-07-06-98-A and amended by resolutions GTC-01-04-10-A, BC-02-25-15-C and GTC-04-23-17-A.

1-3. *Authority.*

(a) *Purpose.* The Board was created to carry out the provisions of the Election law and Article III, Sections 2 & 3 of the Constitution of the Oneida Nation. The purpose of the Board is to conduct the Nation's elections in compliance with the laws of the Nation and assist with GTC meetings in reference to voting.

(b) *Powers and Duties.* The Board is responsible to conduct elections and to govern all procedures used in the election process along with attending GTC meetings. The Board has all delegated authority established through the laws, policies, rules and resolutions of the Nation, including, but not limited to, the Election law.

1-4. *Office.* The official mailing address of the Election Board shall be:
Oneida Election Board
P.O. Box 413
Oneida, Wisconsin 54155

1-5. *Membership.*

(a) *Number of Members.* The Election Board shall consist of nine (9) members.

(1) *Board Alternates.* The Oneida Business Committee may appoint or reappoint a sufficient number of alternates to the Board, as recommended by the Board, to assist with election day and pre-election activities.

(b) *Elected.* Members of the Board shall be elected by enrolled members of the Nation in accordance with the laws and/or policies of the Nation governing elections.

(1) Members of the Board shall serve terms of three (3) years, not to exceed two (2) consecutive terms.

(c) *Vacancies.* Any vacancy in an unexpired term shall be filled by appointment by the Oneida Business Committee, pursuant to the Boards, Committees and Commissions law, for the balance of the unexpired term.

(1) The Board's Chairperson shall provide the Oneida Business Committee recommendations on all applications for appointment to fill a vacancy before the executive session in which the appointment is intended to be made.

- 47 (2) The filling of a vacancy may be timed to correspond with the pre-
48 election activities and the needs of the Board.
- 49 (d) *Qualifications of Members.* All Board members must be:
50 (1) An enrolled member of the Nation; and
51 (2) At least 18 years of age.
- 52 (e) *Duties/Responsibilities.*
53 (1) Board members shall carry out all duties delegated by the Election
54 law, including, but not limited to:
55 (A) Ensuring that the election polling equipment and ballots are
56 maintained in a locked and secured area when not in use for
57 an election;
58 (B) Developing and adhering to standard operating procedures
59 regarding election activities and responsibilities;
60 (C) Assisting individuals with disabilities throughout the voting
61 process;
62 (D) Being in charge of all registration and election procedures;
63 (E) Upon completion of an election, making a final report on the
64 election results and posting/publishing the election results in
65 accordance with the Election law; and
66 (F) Attending all Board meetings.
- 67
- 68 1-6. *Termination or Removal.* A member of the Board found to be in violation of these bylaws
69 or the Election law may be subject to the following:
70 (a) If the Board member was elected, the Board's filing of a petition for his or
71 her removal pursuant to the Removal law and/or any other law of the Nation
72 governing removal of elected officials;
73 (1) A member who is removed from the Board shall be ineligible to
74 serve on the Board for three (3) years from the time he or she is
75 removed from the Board.
- 76 (b) If the Board member was appointed, the Board's recommendation to the
77 Oneida Business Committee for termination of his or her appointment
78 pursuant to the Boards, Committees and Commissions law and/or any other
79 law of the Nation governing termination of appointed officials.
- 80
- 81 1-7. *Trainings and Conferences.* Mandatory trainings/conferences for members of the Board
82 shall be as follows:
83 (a) Roberts Rules of Order training on an annual basis or as needed, not to
84 exceed five (5) full days per Board member; and/or
85 (b) Other Tribal Affiliated Election conferences/trainings as approved by the
86 Board, not to exceed three (3) full days per Board member, per term.
- 87

88 **Article II. Officers & Non-Officer Positions**

- 89 2-1. *Officers.* The Officer positions of the Board shall consist of a Chairperson, a Vice-
90 Chairperson and a Secretary.
- 91

- 92 2-2. *Responsibilities of the Chairperson.* The duties, responsibilities and limitations of the
93 Chairperson are as follows:
- 94 (a) Call meetings and notify Board members with the assistance of the Vice-
95 Chairperson and/or Secretary;
 - 96 (b) Preside over all meetings and hearings of the Board;
 - 97 (c) Oversee the conduct of the election;
 - 98 (d) Decide issues of voter eligibility with the assistance of the Election
99 Judge(s);
 - 100 (e) Select the hearing body for applicants found to be ineligible in accordance
101 with the Election law in the event of an appeal;
 - 102 (f) Dismiss the alternates and Trust Enrollment Department personnel when
103 their election day duties are complete;
 - 104 (g) Post and report the results of all elections; and
 - 105 (h) Carry out any other duty assigned to the Chairperson by the Board or the
106 Election law.
- 107
- 108 2-3. *Responsibilities of the Vice-Chairperson.* The duties, responsibilities and limitations of the
109 Vice-Chairperson are as follows:
- 110 (a) Preside over all meetings in the absence of the Chairperson and assist the
111 Chairperson in forwarding notice of meeting location, agenda, minutes and
112 materials; and
 - 113 (b) Work with the Chairperson in all matters that concern the Board.
- 114
- 115 2-4. *Responsibilities of the Secretary.* The duties, responsibilities and limitations of the
116 Secretary are as follows:
- 117 (a) Keep accurate minutes of all Board meetings and make them available to
118 the Nation's Secretary, other Board members and the public as required by
119 the Nation's Open Records and Open Meetings law;
 - 120 (b) Assure that minutes are reported in the proper format;
 - 121 (c) Oversee mail received and inform the Board of all correspondence;
 - 122 (d) Preside over all Board meetings in the absence of the Chairperson and Vice-
123 Chairperson and assist the Chairperson in forwarding notice of meeting
124 location, agenda, minutes and materials; and
 - 125 (e) As applicable, the Oneida Business Committee Support Office will assist
126 the Secretary with certain administrative duties and responsibilities.
- 127
- 128 2-5. *Selection of Officers.* The Officers shall serve one (1) year terms and shall be elected by a
129 majority vote of the meeting quorum.
- 130 (a) The Chairperson shall be elected at the first meeting of the Board.
 - 131 (1) Upon his or her election, the Chairperson shall direct the Board to
132 elect a Vice-Chairperson and Secretary.
 - 133 (b) In the event of a vacancy in the position of a Board Officer, a successor
134 shall be voted in by the majority vote of a meeting quorum for the duration
135 of the Officer's unexpired term.
 - 136 (c) Officers may hold only one (1) Officer position per Officer term.

- 137 2-6. *Ad Hoc Committee of the Board.* The Board shall create an Ad Hoc Committee for the
138 limited purpose of maintaining a pool of qualified candidates that the Board
139 may choose from, when needed, to assist with its duties relating to GTC
140 meetings. On or before the date of its creation, the Board shall develop a
141 mission statement that reflects the Ad Hoc Committee's limited purpose
142 stated herein.
- 143 (a) Members of the Ad Hoc Committee shall be appointed and reappointed by
144 the Oneida Business Committee, as recommended by the Board, for one (1)
145 year terms in accordance with the Boards, Committees and Commissions
146 law.
- 147 (1) Members of the Ad Hoc Committee shall not be limited in the
148 number of terms they can serve, consecutively or otherwise.
- 149 (b) Members of the Ad Hoc Committee must possess the same qualifications
150 required of Board members under the Election law and these bylaws.
- 151 (c) Upon appointment, members of the Ad Hoc Committee must take an oath
152 during a regular or special meeting of the Oneida Business Committee.
- 153 (1) Members of the Ad Hoc Committee shall be subject to the applicable
154 portions of section 4-1 and all of sections 4-2 through 4-5 of these
155 bylaws to the same extent as appointed members of the Board,
156 including the provisions relating to enforcement and discipline.
- 157 (d) Members of the Ad Hoc Committee shall receive a stipend of fifty dollars
158 (\$50) for each GTC meeting that:
- 159 (1) The Board asked them to attend to assist with its duties relating to
160 GTC meetings;
- 161 (2) They did attend for the entirety of the meeting; and
- 162 (3) They did assist with the Board's duties relating to GTC meetings.
- 163 (e) Dissolution of the Ad Hoc Committee shall be in accordance with the
164 Boards, Committees and Commissions law.
- 165
- 166 2-7. *Non-Officer Positions.* The Board shall identify Board members who shall serve in the non-
167 Officer positions of tellers, Election Judges and clerks in advance of an
168 election.
- 169 (a) Non-Officers shall be identified in accordance with the Election law.
- 170
- 171 2-8. *Responsibilities of the Election Judge.* The duties, responsibilities and limitations of the
172 Election Judge are as follows:
- 173 (a) Inform and advise the Chairperson of all aspects of elections conducted
174 under the Election law;
- 175 (b) In accordance with the Election law, meet with the Trust Enrollment
176 Department personnel who are registering voters to answer questions
177 arising over voter eligibility; and
- 178 (1) When disputes among Board members, or between members of the
179 Nation and Board members, or any controversy regarding voter
180 eligibility arise, the Election Judge shall assist the Chairperson in
181 making a determination.

- (c) Ensure that all ballots of voters whose eligibility may be in question remain confidential.

2-9. *Responsibilities of the Teller.* The duties, responsibilities and limitations of the teller are as follows:

- (a) Collect and keep safe all ballots until the election is complete, as determined by the Election law; and
- (b) Assist the Chairperson as directed in conducting the election.

2-10. *Responsibilities of the Clerk.* The duties, responsibilities and limitations of the clerk are as follows:

- (a) Implement the requirements of identifying and registering all voters and determining voter eligibility;
- (b) Work in conjunction with the Trust Enrollment Department personnel in the registration process;
- (c) Assist the Chairperson as directed in conducting the election; and
- (d) Not be currently employed in the Trust Enrollment Department.

2-11. *Budgetary Sign-Off Authority and Travel.* The Board shall follow the Nation's policies and procedures regarding purchasing and sign-off authority.

- (a) Budgetary sign-off authority for the Board shall be as follows:
 - (1) For budgeted items up to five hundred dollars (\$500), the Secretary shall sign-off;
 - (2) For budgeted items up to three thousand dollars (\$3,000) and unbudgeted or budgeted selected/sole source items up to one thousand dollars (\$1,000), the Secretary and Vice-Chairperson shall sign-off; and
 - (3) For budgeted items up to fifty thousand dollars (\$50,000) and unbudgeted or budgeted selected/sole source items up to ten thousand dollars (\$10,000), the Secretary, Vice-Chairperson and Chairperson shall sign-off.
- (b) The Board shall approve a Board member's request to travel on behalf of the Board by majority vote of the quorum in attendance at a regular or emergency meeting of the Board.

2-12. *Personnel.* The Board shall not have the authority to hire personnel for the benefit of the Board.

Article III. Meetings

3-1. *Regular Meetings.* The regular meetings of the Board shall be held at a location to be determined at the first meeting of the Board and may change from time to time as determined by the Board but shall be within the Reservation boundaries unless noticed by the membership prior to designating the meeting location.

- (a) The regular meetings of the Board shall be held on the second (2nd) Monday of every month.

(b) Notice of meeting location, agenda, minutes and materials shall be forwarded by the Chairperson with the assistance of the Vice-Chairperson and/or Secretary.

(c) Meetings shall be run in accordance with Robert's Rules of Order.

3-2. *Emergency Meetings.* An emergency meeting may be called by the Chairperson when time sensitive issues require immediate action.

(a) The Chairperson or Chairperson's designee shall notify all Board members of an emergency meeting through email and/or phone call.

(b) Within seventy-two (72) hours after an emergency meeting, the Board Chairperson or Chairperson's designee shall provide the Nation's Secretary with notice of the meeting, the reason for the emergency meeting, and an explanation as to why the meeting could not wait until the next regular meeting.

3-3. *Joint Meetings.* Joint Meetings shall not be held.

3-4. *Quorum.* A quorum shall consist of a majority of current Board members and shall include at least one (1) of either the Chairperson, Vice-Chairperson or Secretary.

3-5. *Order of Business.* The order of business, as far as applicable, is:

- (a) Call to Order
- (b) Adopt the Agenda
- (c) Approval of Minutes
- (d) Old Business
- (e) New Business
- (f) Other Concerns/Announcements
- (g) Executive Session
- (h) Adjournment

3-6. *Voting.* Voting shall be in accordance with a majority vote of the quorum of Board members present at the duly called meeting.

(a) All members of the Board shall have one (1) equal vote.

(b) The Chairperson or Vice-Chairperson, when presiding in the absence of the Chairperson, and Secretary, when presiding in the absence of the Vice-Chairperson, can only vote when a tie needs to be broken.

(c) E-polls are permitted so long as conducted in accordance with the Boards, Committees and Commissions law.

(1) The Vice-Chairperson, in the absence or discretion of the Chairperson, and the Secretary, in the absence of the Vice-Chairperson or discretion of the Chairperson, shall be responsible for conducting e-polls.

Article IV. Expectations

4-1. *Behavior of Members.* Members of the Board are expected to behave as follows:

- 274 (a) They shall not miss three (3) consecutive unexcused meetings within a
275 twelve (12) month period.
- 276 (1) A member who fails to notify any other Board member of his or her
277 absence in advance of the meeting in which he or she will be absent
278 shall be deemed unexcused.
- 279 (b) They shall follow the Election Board's Code of Conduct.
- 280 (c) They shall not speak or act in the name of the Board except when, by
281 majority vote of a meeting quorum, the Board has specifically delegated
282 that responsibility.
- 283 (d) *Enforcement.* Any member of the Board found to be in violation of these
284 behaviors/expectations may be subject to:
- 285 (1) Sanctions and penalties in accordance with any laws or policies of
286 the Nation governing sanctions and/or penalties of officials.
- 287 (2) If the Board member was elected, the Board's filing of a petition for
288 his or her removal pursuant to the Removal law and/or any other
289 laws or policies of the Nation governing the removal of elected
290 officials.
- 291 (3) If the Board member was appointed, the Board's recommendation
292 to the Oneida Business Committee for termination of his or her
293 appointment pursuant to the Boards, Committees and Commissions
294 law and/or any other laws or policies of the Nation governing the
295 termination of appointed officials.
- 296
- 297 4-2. *Prohibition of Violence.* Any violent intentional act committed by a member of the Board
298 that inflicts, attempts to inflict or threatens to inflict emotional or bodily
299 harm on another person, or damage to property, when acting in his or her
300 official capacity is strictly prohibited.
- 301
- 302 4-3. *Drug and Alcohol Use.* Members of the Board are prohibited from using alcohol and/or
303 illegal drugs when acting in their official capacity.
- 304
- 305 4-4. *Social Media.* Social media shall be used in accordance with any laws or policies of the
306 Nation governing social media.
- 307 (a) No member of the Board shall post any Election Board information on his
308 or her Facebook page or other social media outlets.
- 309
- 310 4-5. *Conflict of Interest.* Members of the Board shall abide by all applicable laws of the Nation
311 governing conflicts of interest.
- 312 (a) A Board member shall recuse himself or herself from participating as a
313 Board member in any pre-election, election day, or post-election activities
314 when:
- 315 (1) He or she is a petitioner, applicant or candidate in any election;
- 316 (2) A petitioner, applicant, or candidate in any election is an immediate
317 family member of the Board member; or
- 318 (3) There is otherwise a conflict of interest.

- (b) Any conflicts will be handled by recommendation of the majority vote of a quorum of the Board.

Article V. Stipends and Compensation

5-1. *Stipends.* Board members are eligible for the following stipends as set forth in the Boards, Committees and Commissions law and resolution BC-09-26-18-D, titled Boards, Committees and Commissions Law Stipends:

- (a) Two (2) monthly meeting stipends;
- (b) Stipends for conducting hearings on appeals of eligibility determinations;
- (c) Stipends for attending Judiciary hearings;
 - (1) A member of the Board may only receive a stipend for attending an Oneida Judiciary hearing if that member is specifically subpoenaed.
- (d) A stipend for attendance at each full day of a training/conference that is required by law, bylaw or resolution.
- (e) An hourly stipend for services that he or she provides during an election, including, but not limited to, managing the polling site, recounts and lot drawings; and
- (f) A stipend for attending and providing service at a General Tribal Council meeting of the Nation.

5-2. *Compensation.* Besides per diem and travel expenses authorized by the Nation's policies, Board members shall not be eligible for any other form of compensation for duties/activities they perform on behalf of the Board.

Article VI. Records and Reporting

6-1. *Agenda Items.* Agenda items shall be maintained in a format provided by the Oneida Business Committee Support Office.

6-2. *Minutes.* Minutes of the Board shall be typed in a format designed by the Oneida Business Committee Support Office to generate the most informative record of the Board's meetings, including a summary of the actions taken by the Board during its meetings.

- (a) Minutes shall be submitted to the Oneida Business Committee Support Office within five (5) days of the meeting date.

6-3. *Attachments.* Any handouts, reports, or documents shall be turned in to be filed with the minutes and agenda for the meeting in which they were presented.

- (a) All handouts, reports, and documents shall be kept in electronic format in the Board's shared folder.

6-4. *Oneida Business Committee Liaison.* The Board shall regularly communicate with the Oneida Business Committee member who is its designated liaison.

- (a) The frequency and method of communication shall be as agreed upon by the Board and the liaison, but not less than that required in any law or policy on reporting developed by the Oneida Business Committee or Oneida General Tribal Council.

- 365
366 6-5. *Audio Recordings.* All meetings of the Board shall be audio recorded using a recording
367 device supplied by the Oneida Business Committee Support Office.
368 (a) Audio recordings shall be submitted to the Oneida Business Committee
369 Support Office by the Chairperson or Chairperson's designee for purposes
370 of maintaining in accordance with the applicable laws of the Nation.
371 (b) *Exception.* Audio recordings of executive session portions of a Board
372 meeting shall not be required.
373

374 **Article VII. Amendments**

- 375 7-1. *Amendments to Bylaws.* Amendments shall be made to these bylaws at a regular meeting
376 of the Board provided that a written notice of proposed amendments was
377 made at a prior regular meeting.
378 (a) Amendments to these bylaws must conform to the requirements of the
379 Boards, Committees and Commissions law, as well as any other policy of
380 the Nation.
381 (b) Amendments to these bylaws are effective upon approval by the Oneida
382 Business Committee before implementation.
383 (c) The Board shall review these bylaws from time to time as needed, but no
384 less than each time a Board vacancy is filled by a new member, whether
385 through election or appointment.
386

ONEIDA ELECTION BOARD BY-LAWS

Article I. Authority

1-1. Name. The name of this entity will be the Oneida Election Board and may be referred to as the Board.

1-2. Authority. This entity is re-recognized by the Oneida Business Committee by adoption of these by-laws on December 30, 1998 and amended on May 21, 2003 and February 25, 2009.

1-3. Office. The official mailing address of this entity shall be:

Oneida Election Board
P.O. Box 413
Oneida, Wisconsin 54155

The physical meeting place shall be determined at the first meeting of this entity and may change from time to time as determined by the entity, but shall be within the reservation boundaries unless noticed to the membership prior to designating the meeting location.

1-4. Membership. The Board will:

- a. Consist of 12 (twelve) voting members.
- b. Be selected in accordance with the Election Law, Section 4-2, provided that the following processes shall be used:
 - i. *More nominations than vacancies.* At the General Tribal Council Meeting, members shall be nominated at the meeting. The nominated person shall either accept or decline. Upon closure of the acceptance of nominations for members, the Tribal Secretary and Election Board Chairperson, or designee, shall number the candidates consecutively for members. The General Tribal Council shall then utilize ballots prepared for this purpose and shall cast their ballots choosing the appropriate number of names from each set.
 - ii. *Less nominations than vacancies.* In the event that less candidates are nominated than there are vacant positions, no voting is needed.
 - iii. *Ties.* In the event of a tie, the tie shall be broken by the flip of a coin.
- c. Fill vacancies in accordance with the Election Law, Section 4-2a.
- d. Remove members from the Board due to unexcused absence's in accordance with the Removal Law.
- e. Accept resignation's when submitted in writing and presented to the Board in accordance with the Election Law, Section 4-6.

1-5. Elections. The Board is responsible for holding elections of the Oneida Tribe and conducting secret ballots of General Tribal Council Meetings.

Article II. Officers

2-1. Officers. This entity shall have three officers -- Chairperson, Vice Chairperson, and Secretary.

2-2. Chair duties. Responsible for calling meetings and notifying members with the assistance of the Secretary. The Chairperson shall preside over all regular and special meetings, shall oversee the conduct of the election, and shall post the results of all elections.

2-3. Vice Chair duties. The Vice Chairperson shall preside at all meetings in the absence of the Chairperson. The Vice Chairperson shall work with the Chairperson in all matters that concern the Board.

2-4. Secretary duties. The Secretary shall keep accurate minutes of all meetings, both regular and

special meetings. Assure that minutes are reported in the proper format. Read and answer all mail abiding by/to the decisions of the Board.

2-5. *How chosen and length of term.* The officers shall serve terms of three (3) years and shall be elected by a majority vote at the first meeting of the Election Board following their selection by the GTC. In the event of a vacancy, the successor shall be voted in by the voting members for the duration of the unexpired term.

2-6. *Members.* Members shall serve a term of three (3) years and shall be selected by the GTC. Members of the Board shall have voting powers. No Member shall serve for more than two consecutive terms. In the event of a vacancy of a Member, a request shall be submitted to the Oneida Business Committee requesting the vacancy be posted.

a. Upon declaration of candidacy for elected office, members shall take a leave of absence which shall last until the Final Report is approved by the Board.

2-7. *Standing and Special Committees.* Standing and special committees shall be created when necessary.

2-8. *Compensation.* The Board shall be compensated as defined by the Comprehensive Policy Governing Boards, Committees, and Commissions for all meetings, including General Tribal Council meetings, at the rate of \$50.00 per meeting and paid at an hourly rate of \$10.00 per hour for all Elections.

2-9. *Conflict of Interest.* Any board member who may be related to¹ a candidate on the ballot for the current election shall recuse themselves from the actual election and any recounts relative to that election.

Article III. Meetings

3-1. *Regular meetings.* The regular meeting of the Board shall be held as called for by the Chairperson. Notice of meeting location, agenda, and materials shall be forwarded by the Chairperson with the assistance of the Secretary. Meetings shall be run in accordance with Roberts Rule's of Order.

a. Members may contact another member in any fashion to identify that they wish to be excused prior to the meeting. After a meeting, the Board may identify that a member may be excused from the prior meeting by majority vote.

3-2. *Emergency meetings.* Emergency or special meetings may be called by the Chairperson with at least a one hour notice.

3-3. *Quorum.* A quorum shall consist of a majority of current members and shall include the Chairperson or Vice-Chairperson.

3-4. *Order of Business.* The regular meetings of the Board shall follow the order of business as set out herein:

- a. Call to order
- b. Approve/Amend Agenda
- c. Approve/Amend Minutes
- d. Tabled Business

¹The term "related to" shall be defined as a Board member's Father, Father-in-law, Daughter-in-law, Mother, Mother-in-law, Son-in-law, Husband, Brother-in-law, Sister-in-law, Wife, Brother, Sister, Son, Grandparent, Grandchild or Daughter.

- e. Old Business
- f. New Business
- g. Other Concerns/Announcements
- h. Next Meeting & Adjournment

3-5. Voting. Voting shall be in accordance with Roberts Rule's of Order or by a majority vote of the voting members.

Article IV. Reporting

4-1. Format. Agenda items shall be in an identified format.

4-2. Minutes. Minutes shall be typed and in a consistent format designed to generate the most informative record of the meetings of the entity.

4-3. Attachments. Handouts, reports, memoranda, and the like may be attached to the minutes and agenda, or may be kept separately, provided that all materials can be identified to the meeting in which they were presented.

4-4. Reporting. The Chairperson will report to the Tribal Secretary, who is the designated liaison. This reporting format may be as the Tribal Secretary and Board agree to, but not less than that required in any policy on reporting developed by the Oneida Business Committee or Oneida General Tribal Council. Reports shall be made within a reasonable time after a meeting is held, or as the Tribal Secretary and the Board agree.

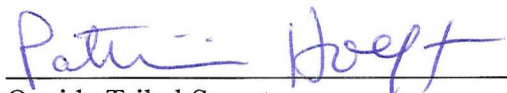
Article V. Amendments

5-1. Amendments to By-Laws. Amendments shall be made to these by-laws at a regular meeting of the Board provided that written notice of proposed amendments was made at a prior regular meeting. Amendments are effective upon adoption by the Board and approved by the Oneida Business Committee.

These by-laws, as amended and revised, are hereby attested to as adopted by the Board at a duly called meeting by the Chairperson's signature on February 9, 2009, and approved by the Oneida Business Committee at a duly called meeting held on February 25, 2009, signed by the Tribal Secretary of the Oneida Business Committee.



Oneida Election Board Chairperson



Oneida Tribal Secretary

Oneida Tribe of Indians of Wisconsin



HANDOUT
Analysis to Proposed Draft
2019 03 04

Oneida Election Board Bylaws Amendments Legislative Analysis

SECTION 1. EXECUTIVE SUMMARY

REQUESTER: Legislative Reference Office	SPONSOR: Kirby Metoxen	DRAFTER: Kristen M. Hooker	ANALYST: Maureen Perkins
Complies with Boards, Committees and Commissions Law	These bylaws amendments comply with the Oneida Business Committee (OBC) directive established by resolution BC-09-26-18-C that all boards, committees and commissions of the Nation; excluding the OBC or standing committees of the OBC and the Nation's corporations, amend their bylaws to comply with the requirements established by the Boards, Committees and Commissions law. Additional information and requirements included in these bylaws beyond what is required in the Boards, Committees and Commissions law is not prohibited <i>[see O.C. 105.10]</i> .		
Intent of the Bylaws	The bylaws provide a framework for the operation and management of the Oneida Election Board (Board) to govern the standard procedures regarding the way the Board conducts its affairs, including: the election and appointment of persons to the Board, the membership qualifications, duties and responsibilities of both members and officers, terms and filling vacancies of members, selection of officers, establishment of expectations of members, maintenance of official records, stipends, removal process, required training, and how the bylaws are amended.		
Purpose	The Board was created to carry out the provisions of the Election law as established by the Constitution of the Oneida Nation. The purpose of the Board is to conduct the Nation's elections in compliance with the laws of the Nation and assist with General Tribal Council meetings in reference to voting.		
Related Legislation	Election law, Boards, Committees and Commissions law, Removal Law, Code of Ethics law, Social Media Policy, Computer Resources Ordinance, Travel and Expense Policy, Conflict of Interest law, Open Records and Open Meetings law, Budget Management and Control law		
Enforcement/Due Process	Removal from an elected position follows the Removal Law. The Board included behavioral expectations that if not followed may result in a petition for removal <i>[see Boards, Committees and Commissions law, O.C. Chapter 105]</i> and <i>[see Article IV. 4-1(d)]</i> . The Removal Law contains due process measures related to specific causes for removal, petition requirements, preliminary review by the Judiciary, a hearing that includes potential witnesses and a burden of proof by a person seeking the removal by clear and convincing evidence that ground(s) for removal exist and a Special GTC Meeting that requires a 2/3 affirmative majority vote <i>[see Removal Law, O.C. Chapter 104]</i> . Board members appointed by the OBC to serve an unexpired vacant position will be subject to the Boards, Committees and Commissions law regarding termination of appointment and the Board may recommend termination of members from the Board to the OBC if behavioral requirements are not met <i>[see Article IV. 4-1(d)]</i> .		
Public Meeting	Public meetings are not required for bylaws.		
Fiscal Impact	A Fiscal Impact Statement is not required for bylaws.		

SECTION 2. BACKGROUND

- A. The Board bylaws amendments were added to the Active Files List on September 6, 2017 with Kirby Metoxen as the sponsor.
- B. The Board was established by motion of the OBC on November 16, 1977.
- C. The current Board bylaws were approved by the OBC on February 25, 2009.

SECTION 3. COMPLIANCE WITH THE BOARDS, COMMITTEES AND COMMISSIONS LAW

- A. The Board bylaws comply with the Boards, Committees and Commissions law.
- B. The Board bylaws comply with OBC Resolution BC-09-26-18-D Boards, Committees and Commission Law Stipends.

SECTION 4. AMENDMENTS

The Board bylaws were expanded to include duties delegated by the Election law. This section details the changes to the bylaws from the previously adopted bylaws.

A. ARTICLE I. MEMBERSHIP

- a. The number of members changed from twelve (12) to nine (9) with a sufficient number of alternate members as recommended by the Board to assist with election day and pre-election activities *[see Article I. 1-5(a)(1)]*.
- b. A qualification of at least 18 years of age was added in accordance with the Boards, Committees and Commissions law *[see Article I. 1-5(d)(2)]*.
- c. The duties and responsibilities of members were expanded to include duties delegated by the Election law *[see Article I. 1-5(e)]*.
- d. Conference and training requirements were added with specific training areas and requirements including *[see Article I. 1-7]*:
 - Not more than five (5) full days of training per member annually or as needed for Robert's Rules of Order, and
 - Not more than three (3) days of training per member per term for other Tribal affiliated election conferences.

B. ARTICLE II. OFFICERS

- a. Additional duties were added to the Chairperson, Vice-Chairperson and Secretary positions as delegated in the Election law.
- b. The Secretary will preside over meetings in the absence of the Chairperson and Vice-Chairperson *[see Article II. 2-4(d)]*.
- c. The Business Committee Support Office was added to assist the Secretary with administrative duties *[see Article II. 2-4(e)]*.
- d. Ad Hoc Committee members were added to maintain a pool of qualified applicants to assist with duties related to GTC meetings *[see Article II. 2-6]*. Ad Hoc Committee members shall:
 - Be appointed by the OBC for one (1) year terms with no limitations on the number of terms served.
 - Be required to take an oath of office and abide by all requirements of regular Board members.
 - Be required to possess the same qualifications as members of the Board.
 - Receive a stipend in the amount of fifty dollars (\$50) for duties performed at the direction of the Board if all attendance and participation requirements are met.
 - The dissolution of the Ad Hoc Committee will follow the Boards, Committees and Commissions law.

- e. Non-officer Board member positions of Election Judge, Teller and Clerk were added with duty descriptions and shall be identified in accordance with the Election law *[see Article II. 2-7 through 2-10]*.
- f. The budgetary and sign off authority and travel section is new to these bylaws based on requirements in the amended Boards, Committees and Commissions law. This requirement creates accountability regarding Board action related to travel and authority to make budgetary decisions *[see Article II. 2-11]*.

C. ARTICLE III. MEETINGS

- a. Special meetings were removed, and clarification that no joint meetings with the OBC will be held was added to the bylaws *[see Article III. 3-3]* in accordance with the Boards, Committees and Commissions law *[see 105.10-3(c)]*.
- b. A provision was added per the Boards, Committees and Commissions law that the Board will notify the Nation's Secretary with notice of the meeting, the reason for the emergency meeting, and an explanation of why the matter could not wait for a regular meeting *[see Article III. 3-2(b)]*.
- c. The Secretary position was added to create a quorum in the absence of the Chairperson and Vice-Chairperson *[see Article III. 3-4]*.
- d. A provision was added that the Officer position chairing the meeting can only vote to break a tie *[see Article III. 3-6(b)]*.
- e. E-polls were added and will be conducted by the Chairperson or the Vice-Chairperson or Secretary in the Chairperson's absence or discretion *[see Article III. 3-6(c)]* in accordance with the Boards, Committees and Commissions law.

D. ARTICLE IV. EXPECTATIONS

This section is new to these bylaws based on the requirements established in the Boards, Committees and Commissions law.

- a. Behavioral requirements were added to govern members during Board meetings and Board related activities *[see Article IV. 4-1]*. Enforcement of behavioral expectations include sanctions and/or penalties according to any applicable law of the Nation, removal petition if elected and recommendation from the Board for termination of appointment by the OBC *[see Article IV. 4-1(d)]*.
- a. Intentional acts of violence that inflicts, attempts to inflict or threatens to inflict emotional or bodily harm or damage to property are prohibited and violations could result in a termination from the Board *[see Article IV. 4-2]*.
- b. Drug and alcohol use by a Board member when acting in an official capacity is prohibited *[see Article IV. 4-3]*.
- c. Board members are required to follow the laws and policies of the Nation with respect to Social Media. Board members are prohibited from posting Board information on his or her Facebook page or other social media outlet *[see Article IV. 4-4]*.
- d. The Board will be required to abide by all laws of the Nation regarding Conflict of Interest *[see Article IV. 4-5]*. The Board bylaws include a provision that requires a conflicted member to recuse himself or herself from participation in Board activities if they or an immediate family member are a petitioner, applicant or candidate in an election or for any other conflict *[see Article IV. 4-5(a)]*. Conflicts will be decided by majority vote of the Board *[see Article IV. 4-5(b)]*. This aligns with the Conflict of Interest law of the Nation which allows for entities to outline further prohibited activities resulting in conflicts of interest *[see O.C. 217.7-2]*.
 - The current bylaws contain a term and definition for "related to" and this term and definition was removed *[see footnote on page 3]*. A new term for

“immediate family member” was used in the current draft bylaws but a definition was not included.

E. ARTICLE V. STIPENDS AND COMPENSATION

- a. This section provides a list of eligible stipends members of the Board are eligible to receive, in addition to clarification that a full day of training is required to receive a training stipend *[see Article V. 5-1]*. This section complies with Resolution BC-09-26-18-D.

F. ARTICLE VI. RECORDS AND REPORTING

- a. The requirement was added that agenda items will follow a consistent format provided by the Business Committee Support Office (BCSO) *[see Article VI. 6-1]*.
- b. The requirement was added to submit minutes to the BCSO within five (5) days of the meeting *[see Article VI. 6-2(a)]*.
- c. Clarification was added that attachments will be filed with the minutes and kept electronically in the Board’s shared folder *[see Article VI. 6-3]*.
- d. A provision was added that the Board will meet with the OBC Liaison as jointly agreed upon *[see Article VI. 6-4]*.
- e. A requirement was added in accordance with the Boards, Committees, and Commissions law that all meetings are to be audio recorded and audio files maintained by the BCSO. Executive session is not required to be recorded. The BCSO will supply the recording device *[see Article VI. 6-5]*.

G. ARTICLE VII. AMENDMENTS

- a. A provision was added requiring that amendments follow the Boards, Committees and Commissions law and any other policy of the Nation and that the Board review the bylaws from time to time but no less than each time a Board vacancy is filled by a new member *[see Article VII. 7(a) and (c)]*.

SECTION 5. LEGISLATION RELATED TO BOARDS, COMMITTEES AND COMMISSIONS

There are no conflicts between these bylaws and the Oneida Code of Laws. Below is a detailed list of laws that establish requirements related to boards, committees and commissions generally and the Board specifically.

A. Election *[see O.C. Chapter 102]*

- a. The Election law governs the procedures for the conduct of orderly elections of the Nation, including pre-election activities such as caucuses and nominations *[see 102.1-1]*. This law defines the duties and responsibilities of the Board members and other persons employed by the Oneida Nation in the conduct of elections. The law governs all procedures used in the election process *[see 102.1-2]*. The law creates the Board, defines their role, contains requirements related to how the Board functions, establishes qualifications of Board members and specific duties, establishes term of member as well as the election procedures and reporting requirements. The bylaws comply with the requirements established in the Election law and there are no conflicts between the bylaws and the Election law.

B. Boards, Committees and Commissions *[see O.C. Chapter 105]*

- a. This law establishes all requirements related to elected and appointed boards, committees and commissions of the Nation; excluding the OBC or standing committees of the OBC and the Nation’s corporations. The law governs the procedures regarding the appointment and election of persons to boards, committees and commissions, creation of bylaws, maintenance of official records, compensation, and other items related to boards, committees and commissions. The Board is elected by the Nation’s qualified voting

membership and vacancies are appointed by the OBC for the duration of the unexpired term. The requirements for the Board bylaws are contained in this law as well as a requirement that all existing entities of the Nation comply with the format detailed in the law and present the bylaws for adoption by the OBC within a reasonable timeframe. These bylaws comply with the Boards, Committees and Commissions law and there are no conflicts between the bylaws and the Boards, Committees and Commissions law.

C. Removal Law [see O.C. Chapter 104]

- a. This law governs the removal process related to an elected Board member from the Board. Board members that are elected by the qualified voting membership of the Nation are subject to this law. This law contains due process measures related to specific causes for removal, petition requirements, preliminary review by the Judiciary, a hearing that includes potential witnesses and a burden of proof by a person seeking the removal by clear and convincing evidence that ground(s) for removal exist and a Special GTC Meeting that requires a 2/3 affirmative majority vote. The Board bylaws include additional behavioral expectations that if not followed may result in a petition for removal [see Article IV. 4-1(d)]. This aligns with the Boards, Committees and Commissions law [see Boards, Committees and Commissions law, O.C. Chapter 105.10-3(d)]. There are no conflicts between these bylaws and the Removal Law.

D. Code of Ethics [see O.C. Chapter 103]

- a. The Board members are required to abide by the Code of Ethics law and Article IV of the bylaws addresses the behavioral expectations of members, some of which are covered in the Code of Ethics law. This law promotes the highest ethical conduct from elected and appointed government officials and expects that officials will demonstrate the highest standards of personal integrity, truthfulness, honesty, and fortitude in all public activities to inspire public confidence and trust in the governmental officials of the Oneida Nation. Government officials are also expected to adhere to the laws, customs, and traditions of the Nation. There are no conflicts between these bylaws and the Code of Ethics.

E. Social Media Policy [see O.C. Chapter 218]

- a. This law applies to the Board and regulates social media accounts including how content is managed and who has authority to post on social media on behalf of the Nation. The Board must register social media accounts with the Nation's Secretary's Office to include specific information related to access to the account, acknowledgment and compliance with the Computer Resource Ordinance and this policy, use a Nation issued email address or ask for the Secretary to allow the entity to operate the account utilizing the current e-mail address, and ensure all content complies with all applicable laws of the Nation, state or federal laws. The bylaws prohibit Board members from posting Board information to their Facebook or any other social media outlet [see Article IV. 4-4(a)]. There are no conflicts between the bylaws and the Social Media Policy.

F. Computer Resources Ordinance [see O.C. Chapter 215]

- a. Board members are considered users under this law which regulates and ensures appropriate the use of the Nation's computer resources. There are no conflicts between these bylaws and the Computer Resources Ordinance.

G. Travel and Expense Policy [see O.C. Chapter 219]

- 198 a. Board members are eligible to be reimbursed for travel and per diem expenses to attend an
199 approved conference or training in accordance with this policy. There are no conflicts
200 between the bylaws and the Travel and Expense Policy.
201
- 202 H. Conflict of Interest [see O.C. Chapter 217]
- 203 b. This law applies to the Board and establishes specific limitations to which information or
204 materials that are confidential or may be used by a competitor of the Nation's enterprises
205 or interests may be used to protect the interests of the Nation. The Boards, Committees
206 and Commissions law establishes that amended bylaws require members to disclose
207 potential or real conflicts annually [see O.C. Chapter 105]. The Board bylaws include a
208 provision that requires a conflicted member to recuse himself or herself from participation
209 in Board activities if they or an immediate family member are a petitioner, applicant or
210 candidate in an election or for any other conflict [see Article IV. 4-5(a)]. Conflicts will be
211 decided by majority vote of the Board [see Article IV. 4-5(b)]. This aligns with the Conflict
212 of Interest law of the Nation which allows for entities to outline further prohibited activities
213 resulting in conflicts of interest [see O.C. 217.7-2]. There are no conflicts between the
214 bylaws and the Conflict of Interest law.
215
- 216 I. Open Records and Open Meetings [see O.C. Chapter 107]
- 217 a. The Board must comply with the Open Meetings and Open Records law. This law details
218 how records must be maintained. The Board bylaws delegates the maintenance of the
219 records to the Secretary [see Article II. 2-4(a)]. Portions of the Board meetings may be
220 considered closed meeting sessions if exception in this law related to personnel matters or
221 contracts are being discussed and deemed confidential. There are no conflicts between the
222 bylaws and the Open Records and Open Meetings law.
223
- 224 J. Budget Management and Control [see O.C. Chapter 121]
- 225 a. The Board is considered a fund unit of the Nation under this law. Fund unit managers are
226 required to develop, submit and maintain a triennial strategic plan for the fund unit's
227 operations which aligns with the triennial strategic plan established by the OBC. The
228 Board is required to comply with this law. There are no conflicts between the bylaws and
229 the Budget Management and Control law.
230

Oneida Business Committee Agenda Request

Approve the Oneida Personnel Commission bylaws amendments

1. Meeting Date Requested: 03 / 13 / 19**2. General Information:**Session: ☐ Open ☐ Executive - See instructions for the applicable laws, then choose one:Agenda Header: ☐ Accept as Information only☒ Action - please describe:**3. Supporting Materials**☐ Report ☐ Resolution ☐ Contract☒ Other:1. 3. 2. 4. ☐ Business Committee signature required**4. Budget Information**☐ Budgeted - Tribal Contribution☐ Budgeted - Grant Funded☐ Unbudgeted**5. Submission**Authorized Sponsor / Liaison: Primary Requestor/Submitter: Your Name, Title / Dept. or Tribal MemberAdditional Requestor: Name, Title / Dept.Additional Requestor: Name, Title / Dept.

ONEIDA PERSONNEL COMMISSION BY-LAWS

Article I. Authority

- 1-1. *Name.* The name of this entity shall be the Oneida Personnel Commission, and may be referred to as the OPC.
- 1-2. *Establishment.* The OPC was created by the General Tribal Council as the Personnel Selection Committee and renamed the Personnel Commission by the Oneida Business Committee through resolution BC-04-13-90-A. The Oneida Business Committee dissolved the Personnel Commission on April 11, 2018 through resolution BC-04-11-18-A. On August 27, 2018, the General Tribal Council rescinded the dissolution of the Personnel Commission and the OPC was recreated by the Oneida Business Committee through resolution BC-09-26-18-F.
- 1-3. *Authority.*
- (a) The OPC was created by the General Tribal Council to represent the Oneida community-at-large in the selection of the Nation's employees and to shield those employees from inconsistent and unfair treatment by:
 - (1) Protecting against issues of nepotism;
 - (2) Enforcing Oneida and Indian preference;
 - (3) Hearing and deciding appeals of disciplinary action filed by employees of the Nation; and
 - (4) Carrying out all other powers and duties delegated by the laws of the Nation, including but not limited to, the Oneida Personnel Policies and Procedures.
 - (b) The OPC does not have authority to:
 - (1) Enter into contracts;
 - (2) Create policy or legislative rules; or
 - (3) Evaluate or rate a candidate on criteria qualifications unrelated to the following subject matter during candidate interviews:
 - (A) Oneida/Indian preference;
 - (B) Nepotism;
 - (C) Conflicts of interest;
 - (D) Veteran status; and
 - (E) Physical capacity requirements.
- 1-4. *Office.* The official mailing address of the OPC shall be:
Oneida Personnel Commission
P.O. Box 365
Oneida, WI 54155
- 1-5. *Membership.*
- (a) *Number of Members.* The OPC shall be made up of five (5) members and Pro Tem members to be selected by the Oneida Business Committee

- 46 Support Office in the event of an incumbent member's recusal based on a
47 conflict of interest.
- 48 (1) Each member shall hold office until his or her term expires, until his
49 or her resignation, or until his or her appointment is terminated in
50 accordance with the Boards, Committees and Commissions law.
- 51 (b) *Appointment.* Each member shall be appointed in accordance with the
52 Boards, Committees and Commissions law to serve a five (5) year term.
53 The first term shall be staggered with one (1) member receiving a one (1)
54 year term; one (1) member receiving a two (2) year term; one (1) member
55 receiving a three (3) year term; one (1) member receiving a four (4) year
56 term and one (1) member receiving a five (5) year term. Each appointment
57 after the initial staggered terms shall receive a five (5) year term.
- 58 (c) *Vacancies.*
- 59 (1) *Filling of Vacancies.* Vacancies shall be filled in accordance with
60 the Boards, Committees and Commissions law.
- 61 (2) *Resignation.* A member may resign at any time verbally at a meeting
62 or by delivering written notice to the Oneida Business Committee
63 Support Office and the OPC Chairperson or his/her designee.
- 64 (A) *Effective Date of Resignation.* A resignation is effective
65 upon acceptance by motion of a member's verbal resignation
66 or upon delivery of the written notices.
- 67 (3) *Terms of Replacement Member.* A replacement member shall hold
68 office through the unexpired portion of the term of the member
69 whom he or she has replaced.
- 70 (A) A replacement member is defined as a member who fills a
71 vacancy caused by resignation, removal or termination.
- 72 (d) *Qualifications.* OPC members shall meet the following qualifications:
- 73 (1) Be an enrolled member of the Oneida Nation;
- 74 (2) Be at least twenty-one (21) years of age;
- 75 (3) Shall not be an employee of the Nation;
- 76 (4) Be available for meetings, training, interviews, prescreening,
77 reassignments, grievance hearings and other duties as needed. Three
78 (3) unexcused absences to attend to such duties may be reported to
79 the Oneida Business Committee, if deemed appropriate by the OPC,
80 for recommended termination;
- 81 (5) Be free of any and all direct conflicts of interest or appearances of
82 conflict as defined under various laws and policies of the Nation,
83 including but not limited to, the oath of office, the Oneida Rules of
84 Civil Procedure, the Oneida Personnel Policies and Procedures and
85 other laws/policies regarding employment, the Code of Ethics, and
86 the Boards, Committees and Commissions law; and
- 87 (6) Have a minimum of two (2) years supervisory experience along with
88 hiring experience, an Associate Degree, or equivalent experience or
89 education.
- 90 (e) *Duties and Responsibilities.* OPC members shall abide by the following:
- 91 (1) Both formal and informal communications to any entity on behalf

Proposed Bylaws for OBC Consideration

2019 03 13

of the OPC must come from a member of the OPC through OPC directive. Specific policy governing all communications of the OPC may be set forth in an OPC Communications SOP to provide procedural guidance, consistent herewith, on determining when, how, and by which OPC member(s) communications are made;

(2) Uphold all laws and policies of the Nation, including but not limited to, the Boards, Committees and Commissions law;

(3) Participate in the hiring selection process, including, job description pre-screens and interviews, in accordance with the Oneida Personnel Policies and Procedures;

(4) Conduct grievance hearings in accordance with the Oneida Personnel Policies and Procedures, the Oneida Judiciary Rules of Civil Procedure, and Oneida Business Committee resolution BC-__-__-__-__-__-__;

(A) If a conflict exists between the Oneida Personnel Policies and Procedures and the Oneida Judiciary Rules of Civil Procedure, the Oneida Personnel Policies and Procedures shall govern.

(B) Appeals from OPC decisions to the Judiciary as authorized by the Nation's Judiciary law shall be governed by the Rules of Appellate Procedure.

(5) Exclusively use the official Oneida e-mail address provided by the Nation upon appointment to the OPC to electronically conduct business on behalf of the OPC; and

(6) *Dress Code.* OPC members are expected to be clean, well-groomed and dressed in business casual attire when conducting activities on behalf of the OPC, including but not limited to, employee interviews and grievance hearings.

(A) By way of example, business casual attire does not include:

(i) Tattered jeans or shorts;

(ii) Shirts with language or graphics that are vulgar; sexually explicit, or may otherwise be offensive;

(iii) Attire that is revealing or provocative;

(iv) Flip-flops or any type of loose footwear;

(v) Sweat suits;

(vi) See-through blouses or shirts;

(vii) Sports bras, halter tops, or similar attire;

(viii) Tank tops;

(ix) Clothing that allows bare midriffs; or

(x) Clothing that is ripped or stained.

1-6. *Termination.* An OPC member's appointment may be terminated in accordance with the Boards, Committees and Commissions law.

(a) Any member whose appointment is terminated by the Oneida Business Committee after the adoption of these bylaws, as may be amended from time to time, shall not be eligible for re-appointment to the OPC for a

minimum of five (5) years following his or her termination.

1-7. *Trainings.*

- (a) OPC members must complete the following training prior to participating in any screenings, interviews and/or grievance hearings on behalf of the OPC:
 - (1) Four (4) hours of e-Learning on interview certification and four (4) hours of orientation through the Oneida Human Resources Department, which shall include:
 - (A) EEO training;
 - (B) Training on Tribal laws, rules and regulations; and
 - (C) Training on the Oneida Personnel Policies and Procedures.
 - (2) Training on the grievance process, which shall include:
 - (A) A presentation developed by the Oneida Judicial System on the Oneida Judiciary Rules of Civil Procedure, an estimated three (3) hours in length;
 - (B) Up to three (3) hours of training in formal opinion writing and the basics of evidence; and
 - (C) Two (2) hours of training in professional ethics, including issues of confidentiality.
 - (3) Any other training deemed necessary by the Oneida Business Committee.
- (b) After serving on the OPC for one (1) year, all OPC members shall either accumulate a minimum of eight (8) hours of training annually in the above subject matter or shall review annually the lessons and materials connected with the above subjects.
- (c) Completion of all training, including training under Section 1-7(b), shall be confirmed by receipt of a certificate or some other written documentation and kept on file with the OPC.

Article II. Officers

2-1. *Officers.* There shall be a Chairperson, a Vice-Chairperson and a Secretary.

2-2. *Responsibilities of the Chairperson.* The duties, responsibilities and limitations of the Chairperson are as follows:

- (a) Shall preside over all meetings of the OPC;
- (b) Shall be a member of all subcommittees of the OPC, may call emergency meetings, and shall keep the OPC informed as to the business of the OPC;
- (c) Shall, with the assistance of the Secretary, submit annual and semi-annual reports to the General Tribal Council as required by the Boards, Committees and Commissions law;
- (d) Shall, with the assistance of the Secretary, submit quarterly reports to the Oneida Business Committee as required by the Boards, Committees and Commissions law; and
- (e) Shall, with the assistance of the Secretary, forward notice of meeting location, agenda and materials in the manner prescribed herein.

- 184
185 2-3. *Responsibilities of the Vice-Chairperson.* The duties, responsibilities and limitations of the
186 Vice-Chairperson are as follows:
187 (a) In the absence of the Chairperson, shall conduct meetings of the OPC and
188 appoint a temporary Vice-Chairperson for those meetings; and
189 (b) Shall work with the Chairperson in all matters that concern the OPC.
190
- 191 2-4. *Responsibilities of the Secretary.* The duties, responsibilities and limitations of the
192 Secretary are as follows:
193 (a) Shall keep accurate minutes and/or assure that accurate minutes are kept of
194 all OPC meetings as required by the Boards, Committees and Commissions
195 law and as further prescribed herein;
196 (b) Along with the Chairperson, shall provide notice of regular, joint and
197 emergency meetings, as well as agendas and materials, in the manner
198 prescribed herein;
199 (c) Shall act as custodian of the records;
200 (d) Shall attend to, or ensure proper attendance to, all correspondence and
201 present to the OPC all official communications received by the OPC;
202 (e) Shall, along with the Chairperson, submit annual and semi-annual reports
203 to the General Tribal Council, as well as quarterly reports to the Oneida
204 Business Committee as required by the Boards, Committees and
205 Commissions law; and
206 (g) Shall work with the Business Committee Support Office to administer the
207 budget.
208
- 209 2-5. *Standing and Special Committees.* Standing and special committees may be created when
210 deemed necessary by the OPC. In accordance with the Boards, Committees
211 and Commissions law, OPC members who attend any meetings of a
212 standing or special committee shall not be eligible to receive a stipend for
213 their attendance.
214
- 215 2-6. *Selection of Officers.* Officers of the OPC shall be appointed by the OPC for two (2) year
216 terms. Officers may hold only one (1) officer position.
217 (a) Each officer shall hold his or her office until:
218 (1) The member resigns; or
219 (2) The member has his or her appointment terminated in the manner
220 set forth in the Boards, Committees and Commissions law.
221 (b) A vacancy of any officer position shall be filled by the OPC for the
222 unexpired term at the next regular or emergency meeting.
223
- 224 2-7. *Budgetary Sign-Off Authority and Travel.*
225 (a) Two (2) of the three (3) OPC Officers must sign-off on budgetary requests.
226 (b) The OPC shall follow the Nation's policies and procedures regarding
227 purchasing, travel and sign-off authority.
228 (c) The OPC shall approve a member's request to travel on behalf of the OPC
229 by a majority vote at a regular or emergency OPC meeting.

- (d) The OPC must review its budget on a monthly basis and have one or more members in attendance at all budget meetings.

2-8. *No Authorized Personnel.* The OPC shall not be authorized to hire personnel. The Oneida Business Committee Support Office and the Oneida Human Resources Department shall assist the OPC with administrative duties.

- (a) The Oneida Human Resources Department shall provide administrative assistance to the OPC in regard to the hiring and selection of employees, which shall include, but is not limited to, scheduling pre-screens and interviews, and coordinating OPC members to conduct hiring and selection activities.

- (b) The Oneida Human Resources Department shall provide administrative support to the OPC in regard to employee grievance hearings, including, but not limited to, accepting filings on behalf of the OPC, scheduling hearings, coordinating OPC members to serve as the hearing body, and providing a hearing room.

Article III. Meetings

3-1. *Regular Meetings.* Regular meetings shall occur on a monthly-basis. The regular meeting time, place and agenda shall be determined by the OPC at a regular meeting. If no alternative designation is made by the OPC, the regular meeting shall be the last Tuesday of every month. Notice of meeting location, agenda and materials shall be forwarded by the Chairperson with the assistance of the Secretary. Meetings shall run in accordance with Robert's Rules of Order or another method approved by the Oneida Business Committee. Meetings shall comply with the Nation's Open Records and Open Meetings law.

3-2. *Emergency Meetings.* Emergency meetings shall only be called when time sensitive issues require immediate action. Emergency meetings of the OPC may be called by the Chairperson or upon written request of any two (2) members. Notice of the meeting location, agenda and materials shall be forwarded by the Chairperson with the assistance of the Secretary.

- (a) Within seventy-two (72) hours after an emergency meeting, the OPC shall provide the Nation's Secretary with notice of the meeting, the reason for the emergency meeting, and an explanation of why the matter could not wait for a regular meeting.

3-3. *Joint Meetings.* Joint meetings with the Oneida Business Committee shall be held in March and September of each year. Notice of the meeting location, agenda and materials shall be forwarded by the Chairperson with the assistance of the Secretary.

3-4. *Quorum.* A majority of the OPC members shall constitute a quorum for the transaction of business, which shall include the Chairperson or Vice-Chairperson.

3-5. *Order of Business.* The regular meetings of the OPC shall follow the order of business as set out herein:

- (a) Call to Order
- (b) Roll Call
- (c) Approving of Previous Meeting Minutes
- (d) Reports
- (e) Old Business
- (f) New Business
- (g) Adjournment

3-6. *Voting.* Voting shall be in accordance with the simple majority vote of the OPC members present at a duly called meeting.

- (a) The Chairperson shall vote only in case of a tie.
- (b) The OPC is permitted to e-poll; provided, it does so in accordance with the procedures set forth in the Boards, Committees and Commissions law.

Article IV. Expectations

4-1. *Behavior of Members.* Members are expected to treat each other in accordance with the Nation's core values of The Good Mind as expressed by On̓ayote'a'ka, which includes:

- (a) Kahletsyalúsla. The heart felt encouragement of the best in each of us.
- (b) Kanolukhwásla. Compassion, caring, identity, and joy of being.
- (c) Ka'nikuhli·yó. The openness of the good spirit and mind.
- (d) Ka'tshatstásla. The strength of belief and vision as a People.
- (e) Kalihwi·yó. The use of the good words about ourselves, our Nation, and our future.
- (f) TwahwahtsíláyΛ. All of us are family.
- (g) YukwatsístayΛ. Our fire, our spirit within each one of us.

Failure to treat each other with respect shall be cause for a recommendation for termination from the OPC. Appointed members of the OPC serve at the discretion of the Oneida Business Committee. Upon the recommendation of a member of the Oneida Business Committee or the OPC, a member of the OPC may have his or her appointment terminated by the Oneida Business Committee.

4-2. *Prohibition of Violence.* Intentionally violent acts committed by a member of the OPC that inflicts, attempts to inflict, or threatens to inflict emotional or bodily harm on another person, or damage to property during a meeting or when acting in an official capacity are strictly prohibited and grounds for an immediate recommendation for termination of appointment from the OPC and/or the imposition of sanctions and/or penalties according to laws and policies of the Nation.

4-3. *Drug and Alcohol Use.* Use of alcohol and prohibited drugs by a member of the OPC when acting in his or her official capacity is strictly prohibited. Prohibited drugs

are defined as marijuana, cocaine, opiates, amphetamines, phencyclidine (PCP), hallucinogens, methaqualone, barbiturates, narcotics, and any other substance included in Schedules I through V, as defined by Section 812 of Title 21 of the United States Code. This also includes prescription medication or over-the-counter medicine used in an unauthorized or unlawful manner.

4-4. *Social Media.* OPC members shall abide by the Nation's Social Media Policy. OPC members shall further refrain from posting, attaching or writing anything relating to OPC business or activities on any social media outlet except for notices of meetings and notices of meeting cancellations.

4-5. *Conflict of Interest.* OPC members shall abide by all laws of the Nation governing conflicts of interest. Members must submit a Conflict of Interest Disclosure form upon Oath of Office and annually.

Article V. Stipends and Compensation

5-1. *Stipends.* OPC members are eligible for the following stipends as set forth in the Boards, Committees and Commissions law and resolution BC-09-26-18-D, titled Boards, Committees and Commissions Law Stipends:

- (a) One (1) monthly meeting stipend.
- (b) One (1) stipend per day for participating in interviews and/or job description pre-screens conducted by the Human Resources Department.
- (c) Stipends for holding grievance hearings.
- (d) Stipends for Judiciary hearings.
 - (1) A member of the OPC may receive a stipend for attending an Oneida Judiciary hearing if that member is specifically subpoenaed.
- (e) Stipend for each full day of training that is required by law, bylaw or resolution.
- (f) A member shall receive a stipend for his or her attendance at a duly called joint meeting as defined under the Boards, Committees and Commissions law.

5-2. *Compensation.* OPC members are not eligible for any other type of compensation for duties /activities they perform as members of the OPC.

- (a) OPC members shall not act in any other official or personal business capacity or on behalf of any other entity or individual while acting in the capacity of an OPC member or on behalf of the OPC.

Article VI. Records and Reporting

6-1. *Agenda Items.* Agendas shall be maintained in a consistent format as identified in Article III, Section 3-5 of these bylaws.

6-2. *Minutes.* All minutes shall be typed in a consistent format and shall be submitted to the Oneida Business Committee Support Office within thirty (30) days after approval by the OPC.

368
369 6-3. *Attachments.* Handouts, attachments, memoranda, etc. shall be attached to the
370 corresponding minutes and the agenda, minutes and attachments shall be
371 kept electronically by the Oneida Business Committee Support Office.
372

373 6-4. *Oneida Business Committee Liaison.* The OPC shall regularly communicate with the
374 Oneida Business Committee member who is their designated liaison. The
375 frequency and method of communication shall be agreed upon by the OPC
376 and the Liaison.
377

378 6-5. *Audio Recordings.* The OPC shall audio record meetings and submit the recordings to the
379 Oneida Business Committee Support Office within two (2) business days
380 for purposes of maintaining the audio records.

- 381 (a) Audio recordings of executive session portions of a meeting are not
382 required.
383

384 **Article VII. Amendments**

385 7-1. *Amendments to Bylaws.* Any amendments to these bylaws shall conform to the
386 requirements of the Boards, Committees and Commissions law and any
387 other policy of the Nation. Amendments to these bylaws shall be approved
388 by the Oneida Business Committee prior to implementation.

- 389 (a) The OPC shall review these bylaws from time to time as needed, but no less
390 than each time a vacancy on the OPC is filled by a new member.
391

392
393 These By-laws, as amended and revised, are hereby approved by the Oneida Business Committee
394 at a duly called meeting held on _____, 2019, signed by the Tribal Secretary of the Oneida
395 Business Committee.
396
397
398

399 Oneida Tribal Secretary

400 Oneida Business Committee

ONEIDA PERSONNEL COMMISSION BY-LAWS

Article I. Authority

1-1. *Name.* The name of this entity shall be the Oneida Personnel Commission, and may be referred to as the OPC.

1-2. *Establishment.* The OPC was created by the General Tribal Council as the Personnel Selection Committee and renamed the Personnel Commission by the Oneida Business Committee through resolution BC-04-13-90-A. The Oneida Business Committee dissolved the Personnel Commission on April 11, 2018 through resolution BC-04-11-18-A. On August 27, 2018, the General Tribal Council rescinded the dissolution of the Personnel Commission and the OPC was recreated by the Oneida Business Committee through resolution BC-09-26-18-F.

1-3. *Authority.*

(a) The OPC was created by the General Tribal Council to represent the Oneida community-at-large in the selection of the Nation's employees and to shield those employees from inconsistent and unfair treatment by:

- (1) Protecting against issues of nepotism;
- (2) Enforcing Oneida and Indian preference;
- (3) Hearing and deciding appeals of disciplinary action filed by employees of the Nation; and
- (4) Carrying out all other powers and duties delegated by the laws of the Nation, including but not limited to, the Oneida Personnel Policies and Procedures.

(b) The OPC does not have authority to:

- (1) Enter into contracts;
- (2) Create policy or legislative rules; or
- (3) Evaluate or rate a candidate on criteria qualifications unrelated to the following subject matter during candidate interviews:
 - (A) Oneida/Indian preference;
 - (B) Nepotism;
 - (C) Conflicts of interest;
 - (D) Veteran status; and
 - (E) Physical capacity requirements.

1-4. *Office.* The official mailing address of the OPC shall be:
Oneida Personnel Commission
P.O. Box 365
Oneida, WI 54155

1-5. *Membership.*

(a) *Number of Members.* The OPC shall be made up of five (5) members and Pro Tem members to be selected by the Oneida Business Committee

- 46 Support Office in the event of an incumbent member's recusal based on a
47 conflict of interest.
- 48 (1) Each member shall hold office until his or her term expires, until his
49 or her resignation, or until his or her appointment is terminated in
50 accordance with the Boards, Committees and Commissions law.
- 51 (b) *Appointment.* Each member shall be appointed in accordance with the
52 Boards, Committees and Commissions law to serve a five (5) year term.
53 The first term shall be staggered with one (1) member receiving a one (1)
54 year term; one (1) member receiving a two (2) year term; one (1) member
55 receiving a three (3) year term; one (1) member receiving a four (4) year
56 term and one (1) member receiving a five (5) year term. Each appointment
57 after the initial staggered terms shall receive a five (5) year term.
- 58 (c) *Vacancies.*
- 59 (1) *Filling of Vacancies.* Vacancies shall be filled in accordance with
60 the Boards, Committees and Commissions law.
- 61 (2) *Resignation.* A member may resign at any time verbally at a meeting
62 or by delivering written notice to the Oneida Business Committee
63 Support Office and the OPC Chairperson or his/her designee.
- 64 (A) *Effective Date of Resignation.* A resignation is effective
65 upon acceptance by motion of a member's verbal resignation
66 or upon delivery of the written notices.
- 67 (3) *Terms of Replacement Member.* A replacement member shall hold
68 office through the unexpired portion of the term of the member
69 whom he or she has replaced.
- 70 (A) A replacement member is defined as a member who fills a
71 vacancy caused by resignation, removal or termination.
- 72 (d) *Qualifications.* OPC members shall meet the following qualifications:
- 73 (1) Be an enrolled member of the Oneida Nation;
- 74 (2) Be at least twenty-one (21) years of age;
- 75 (3) Shall not be an employee of the Nation;
- 76 (4) Be available for meetings, training, interviews, prescreening,
77 reassignments, grievance hearings and other duties as needed. Three
78 (3) unexcused absences to attend to such duties may be reported to
79 the Oneida Business Committee, if deemed appropriate by the OPC,
80 for recommended termination;
- 81 (5) Be free of any and all direct conflicts of interest or appearances of
82 conflict as defined under various laws and policies of the Nation,
83 including but not limited to, the oath of office, the Oneida Rules of
84 Civil Procedure, the Oneida Personnel Policies and Procedures and
85 other laws/policies regarding employment, the Code of Ethics, and
86 the Boards, Committees and Commissions law; and
- 87 (6) Have a minimum of two (2) years supervisory experience along with
88 hiring experience, an Associate Degree, or equivalent experience or
89 education.
- 90 (e) *Duties and Responsibilities.* OPC members shall abide by the following:
- 91 (1) Both formal and informal communications to any entity on behalf

Proposed Bylaws for OBC Consideration2019 03 13

of the OPC must come from a member of the OPC through OPC directive. Specific policy governing all communications of the OPC may be set forth in an OPC Communications SOP to provide procedural guidance, consistent herewith, on determining when, how, and by which OPC member(s) communications are made;

- (2) Uphold all laws and policies of the Nation, including but not limited to, the Boards, Committees and Commissions law;

~~(3)~~ Participate in the hiring selection process, including, job description pre-screens and interviews, in accordance with the Oneida Personnel Policies and Procedures;

~~(3)(4)~~ Conduct grievance hearings in accordance with the Oneida Personnel Policies and Procedures ~~and~~ the Oneida Judiciary Rules of Civil Procedure; and Oneida Business Committee resolution BC-
- - - ;

(A) If a conflict exists between the Oneida Personnel Policies and Procedures and the Oneida Judiciary Rules of Civil Procedure, the Oneida Personnel Policies and Procedures shall govern.

(B) Appeals from OPC decisions to the Judiciary as authorized by the Nation's Judiciary law shall be governed by the ~~Oneida Code Rules~~ of ~~Laws, Title 8. Judicial System~~ Appellate Procedure.

~~(4)(5)~~ Exclusively use the official Oneida e-mail address provided by the Nation upon appointment to the OPC to electronically conduct business on behalf of the OPC; and

~~(5)(6)~~ Dress Code. OPC members are expected to be clean, well-groomed and dressed in business casual attire when conducting activities on behalf of the OPC, including but not limited to, employee interviews and grievance hearings.

(A) By way of example, business casual attire does not include:

- (i) Tattered jeans or shorts;
- (ii) Shirts with language or graphics that are vulgar; sexually explicit, or may otherwise be offensive;
- (iii) Attire that is revealing or provocative;
- (iv) Flip-flops or any type of loose footwear;
- (v) Sweat suits;
- (vi) See-through blouses or shirts;
- (vii) Sports bras, halter tops, or similar attire;
- (viii) Tank tops;
- (ix) Clothing that allows bare midriffs; or
- (x) Clothing that is ripped or stained.

1-6. *Termination.* An OPC member's appointment may be terminated in accordance with the Boards, Committees and Commissions law.

- (a) Any member whose appointment is terminated by the Oneida Business Committee after the adoption of these bylaws, as may be amended from

time to time, shall not be eligible for re-appointment to the OPC for a minimum of five (5) years following his or her termination.

1-7. *Trainings.*

- (a) OPC members must complete the following training prior to participating in any screenings, interviews and/or grievance hearings on behalf of the OPC:
 - (1) Four (4) hours of e-Learning on interview certification and four (4) hours of orientation through the Oneida Human Resources Department, which shall include:
 - (A) EEO training;
 - (B) Training on Tribal laws, rules and regulations; and
 - (C) Training on the Oneida Personnel Policies and Procedures.
 - (2) Training on the grievance process, which shall include:
 - (A) A presentation developed by the Oneida Judicial System on the Oneida Judiciary Rules of Civil Procedure, an estimated three (3) hours in length;
 - (B) Up to three (3) hours of training in formal opinion writing and the basics of evidence; and
 - (C) Two (2) hours of training in professional ethics, including issues of confidentiality.
 - (3) Any other training deemed necessary by the Oneida Business Committee.
- (b) After serving on the OPC for one (1) year, all OPC members shall either accumulate a minimum of eight (8) hours of training annually in the above subject matter or shall review annually the lessons and materials connected with the above subjects.
- (c) Completion of all training, including training under Section 1-7(b), shall be confirmed by receipt of a certificate or some other written documentation and kept on file with the OPC.

Article II. Officers

2-1. *Officers.* There shall be a Chairperson, a Vice-Chairperson and a Secretary.

2-2. *Responsibilities of the Chairperson.* The duties, responsibilities and limitations of the Chairperson are as follows:

- (a) Shall preside over all meetings of the OPC;
- (b) Shall be a member of all subcommittees of the OPC, may call emergency meetings, and shall keep the OPC informed as to the business of the OPC;
- (c) Shall, with the assistance of the Secretary, submit annual and semi-annual reports to the General Tribal Council as required by the Boards, Committees and Commissions law;
- (d) Shall, with the assistance of the Secretary, submit quarterly reports to the Oneida Business Committee as required by the Boards, Committees and Commissions law; and
- (e) Shall, with the assistance of the Secretary, forward notice of meeting

location, agenda and materials in the manner prescribed herein.

2-3. *Responsibilities of the Vice-Chairperson.* The duties, responsibilities and limitations of the Vice-Chairperson are as follows:

- (a) In the absence of the Chairperson, shall conduct meetings of the OPC and appoint a temporary Vice-Chairperson for those meetings; and
- (b) Shall work with the Chairperson in all matters that concern the OPC.

2-4. *Responsibilities of the Secretary.* The duties, responsibilities and limitations of the Secretary are as follows:

- (a) Shall keep accurate minutes and/or assure that accurate minutes are kept of all OPC meetings as required by the Boards, Committees and Commissions law and as further prescribed herein;
- (b) Along with the Chairperson, shall provide notice of regular, joint and emergency meetings, as well as agendas and materials, in the manner prescribed herein;
- (c) Shall act as custodian of the records;
- (d) Shall attend to, or ensure proper attendance to, all correspondence and present to the OPC all official communications received by the OPC;
- (e) Shall, along with the Chairperson, submit annual and semi-annual reports to the General Tribal Council, as well as quarterly reports to the Oneida Business Committee as required by the Boards, Committees and Commissions law; and
- (g) Shall work with the Business Committee Support Office to administer the budget.

2-5. *Standing and Special Committees.* Standing and special committees may be created when deemed necessary by the OPC. In accordance with the Boards, Committees and Commissions law, OPC members who attend any meetings of a standing or special committee shall not be eligible to receive a stipend for their attendance.

2-6. *Selection of Officers.* Officers of the OPC shall be appointed by the OPC for two (2) year terms. Officers may hold only one (1) officer position.

- (a) Each officer shall hold his or her office until:
 - (1) The member resigns; or
 - (2) The member has his or her appointment terminated in the manner set forth in the Boards, Committees and Commissions law.
- (b) A vacancy of any officer position shall be filled by the OPC for the unexpired term at the next regular or emergency meeting.

2-7. *Budgetary Sign-Off Authority and Travel.*

- (a) Two (2) of the three (3) OPC Officers must sign-off on budgetary requests.
- (b) The OPC shall follow the Nation's policies and procedures regarding purchasing, travel and sign-off authority.
- (c) The OPC shall approve a member's request to travel on behalf of the OPC

- 230 by a majority vote at a regular or emergency OPC meeting.
- 231 (d) The OPC must review its budget on a monthly basis and have one or more
- 232 members in attendance at all budget meetings.

233

234 2-8. ~~_____~~ No Authorized Personnel. The OPC shall not be authorized to hire

235 personnel. The Oneida Business Committee Support Office and the Oneida

236 _____ Human Resources Department shall assist the OPC

237 with administrative _____ duties ~~relating to the~~

238 ~~employee selection and grievance process.~~

- 239 (a) ~~_____~~ (a) The Oneida Human Resources Department shall ~~be~~
- 240 ~~responsible for~~ provide administrative assistance to the _____
- 241 OPC in regard to the hiring and selection of employees, which shall
- 242 include, but is not limited to, scheduling of employee pre-screens and
- 243 interviews. _____, and coordinating OPC members to conduct hiring
- 244 and selection activities.

- 245 (b) The Oneida Human Resources Department shall provide administrative
- 246 support to the OPC in regard to employee grievance hearings, including, but
- 247 not limited to, accepting filings on behalf of the OPC, scheduling hearings,
- 248 coordinating OPC members to serve as the hearing body, and providing a
- 249 hearing room.

251 Article III. Meetings

252 3-1. *Regular Meetings.* Regular meetings shall occur on a monthly-basis. The regular meeting

253 time, place and agenda shall be determined by the OPC at a regular meeting.

254 If no alternative designation is made by the OPC, the regular meeting shall

255 be the last Tuesday of every month. Notice of meeting location, agenda and

256 materials shall be forwarded by the Chairperson with the assistance of the

257 Secretary. Meetings shall run in accordance with Robert's Rules of Order

258 or another method approved by the Oneida Business Committee. Meetings

259 shall comply with the Nation's Open Records and Open Meetings law.

260

261 3-2. *Emergency Meetings.* Emergency meetings shall only be called when time sensitive issues

262 require immediate action. Emergency meetings of the OPC may be called

263 by the Chairperson or upon written request of any two (2) members. Notice

264 of the meeting location, agenda and materials shall be forwarded by the

265 Chairperson with the assistance of the Secretary.

- 266 (a) Within seventy-two (72) hours after an emergency meeting, the OPC shall
- 267 provide the Nation's Secretary with notice of the meeting, the reason for the
- 268 emergency meeting, and an explanation of why the matter could not wait
- 269 for a regular meeting.

270

271 3-3. *Joint Meetings.* Joint meetings with the Oneida Business Committee shall be held in March

272 and September of each year. Notice of the meeting location, agenda and

273 materials shall be forwarded by the Chairperson with the assistance of the

274 Secretary.

275

276 3-4. *Quorum.* A majority of the OPC members shall constitute a quorum for the
 277 transaction of business, which shall include the Chairperson or Vice-
 278 Chairperson.
 279

280 3-5. *Order of Business.* The regular meetings of the OPC shall follow the order of business as
 281 set out herein:

- 282 (a) Call to Order
- 283 (b) Roll Call
- 284 (c) Approving of Previous Meeting Minutes
- 285 (d) Reports
- 286 (e) Old Business
- 287 (f) New Business
- 288 (g) Adjournment
- 289

290 3-6. *Voting.* Voting shall be in accordance with the simple majority vote of the OPC
 291 members present at a duly called meeting.

- 292 (a) The Chairperson shall vote only in case of a tie.
- 293 (b) The OPC is permitted to e-poll; provided, it does so in accordance with the
- 294 procedures set forth in the Boards, Committees and Commissions law.
- 295

296 **Article IV. Expectations**

297 4-1. *Behavior of Members.* Members are expected to treat each other in accordance with the
 298 Nation's core values of The Good Mind as expressed by Onʼayoteʼaʼka,
 299 which includes:

- 300 (a) Kahletsyalúsla. The heart felt encouragement of the best in each of us.
- 301 (b) Kanolukhwásla. Compassion, caring, identity, and joy of being.
- 302 (c) Kaʼnikuhli:yó. The openness of the good spirit and mind.
- 303 (d) Kaʼtshatstásla. The strength of belief and vision as a People.
- 304 (e) Kalihwi:yó. The use of the good words about ourselves, our Nation, and our
- 305 future.
- 306 (f) Twahwahtsílalayʼ. All of us are family.
- 307 (g) Yukwatsístayʼ. Our fire, our spirit within each one of us.
- 308

309 Failure to treat each other with respect shall be cause for a recommendation
 310 for termination from the OPC. Appointed members of the OPC serve at the
 311 discretion of the Oneida Business Committee. Upon the recommendation of
 312 a member of the Oneida Business Committee or the OPC, a member of the
 313 OPC may have his or her appointment terminated by the Oneida Business
 314 Committee.
 315

316 4-2. *Prohibition of Violence.* Intentionally violent acts committed by a member of the OPC that
 317 inflicts, attempts to inflict, or threatens to inflict emotional or bodily harm
 318 on another person, or damage to property during a meeting or when acting
 319 in an official capacity are strictly prohibited and grounds for an immediate
 320 recommendation for termination of appointment from the OPC and/or the
 321 imposition of sanctions and/or penalties according to laws and policies of

the Nation.

4-3. *Drug and Alcohol Use.* Use of alcohol and prohibited drugs by a member of the OPC when acting in his or her official capacity is strictly prohibited. Prohibited drugs are defined as marijuana, cocaine, opiates, amphetamines, phencyclidine (PCP), hallucinogens, methaqualone, barbiturates, narcotics, and any other substance included in Schedules I through V, as defined by Section 812 of Title 21 of the United States Code. This also includes prescription medication or over-the-counter medicine used in an unauthorized or unlawful manner.

4-4. *Social Media.* OPC members shall abide by the Nation's Social Media Policy. OPC members shall further refrain from posting, attaching or writing anything relating to OPC business or activities on any social media outlet except for notices of meetings and notices of meeting cancellations.

4-5. *Conflict of Interest.* OPC members shall abide by all laws of the Nation governing conflicts of interest. Members must submit a Conflict of Interest Disclosure form upon Oath of Office and annually.

Article V. Stipends and Compensation

5-1. *Stipends.* OPC members are eligible for the following stipends as set forth in the Boards, Committees and Commissions law and resolution BC-09-26-18-D, titled Boards, Committees and Commissions Law Stipends:

- (a) One (1) monthly meeting stipend.
- (b) One (1) stipend per day for participating in interviews and/or job description pre-screens conducted by the Human Resources Department.
- (c) Stipends for holding grievance hearings.
- (d) Stipends for Judiciary hearings.
 - (1) A member of the OPC may receive a stipend for attending an Oneida Judiciary hearing if that member is specifically subpoenaed.
- (e) Stipend for each full day of training that is required by law, bylaw or resolution.
- (f) A member shall receive a stipend for his or her attendance at a duly called joint meeting as defined under the Boards, Committees and Commissions law.

5-2. *Compensation.* OPC members are not eligible for any other type of compensation for duties /activities they perform as members of the OPC.

- (a) OPC members shall not act in any other official or personal business capacity or on behalf of any other entity or individual while acting in the capacity of an OPC member or on behalf of the OPC.

Article VI. Records and Reporting

6-1. *Agenda Items.* Agendas shall be maintained in a consistent format as identified in Article III, Section 3-5 of these bylaws.

368
369 6-2. *Minutes.* All minutes shall be typed in a consistent format and shall be submitted to
370 the Oneida Business Committee Support Office within thirty (30) days after
371 approval by the OPC.
372

373 6-3. *Attachments.* Handouts, attachments, memoranda, etc. shall be attached to the
374 corresponding minutes and the agenda, minutes and attachments shall be
375 kept electronically by the Oneida Business Committee Support Office.
376

377 6-4. *Oneida Business Committee Liaison.* The OPC shall regularly communicate with the
378 Oneida Business Committee member who is their designated liaison. The
379 frequency and method of communication shall be agreed upon by the OPC
380 and the Liaison.
381

382 6-5. *Audio Recordings.* The OPC shall audio record meetings and submit the recordings to the
383 Oneida Business Committee Support Office within two (2) business days
384 for purposes of maintaining the audio records.

- 385 (a) Audio recordings of executive session portions of a meeting are not
386 required.
387

388 **Article VII. Amendments**

389 7-1. *Amendments to Bylaws.* Any amendments to these bylaws shall conform to the
390 requirements of the Boards, Committees and Commissions law and any
391 other policy of the Nation. Amendments to these bylaws shall be approved
392 by the Oneida Business Committee prior to implementation.
393

- 394 (a) The OPC shall review these bylaws from time to time as needed, but no less
395 than each time a vacancy on the OPC is filled by a new member.
396

397
398 These By-laws, as amended and revised, are hereby approved by the Oneida Business Committee
399 at a duly called meeting held on January 9, 2019, signed by the Tribal Secretary of the
400 Oneida
401 Business Committee.
402
403
404

405 _____
406 Oneida Tribal Secretary
Oneida Business Committee



Oneida Personnel Commission Bylaws Amendments Legislative Analysis

SECTION 1. EXECUTIVE SUMMARY

REQUESTER: Legislative Operating Committee	DRAFTER: Clorissa N. Santiago	ANALYST: Brandon Wisneski
Intent of the Amendments	<ul style="list-style-type: none"> ▪ To clarify that the Human Resources Department (HRD) is responsible for providing administrative support to the Oneida Personnel Commission (OPC) and to outline the specific duties HRD will perform; ▪ To add a reference to Resolution BC-09-26-18-F, which provides a process for how employee grievance cases will be transferred to and accepted by the OPC once commissioners are appointed and trained; ▪ To add updated references to the Nation's Judiciary laws for clarity regarding appeals; ▪ To add a requirement that the Oneida Personnel Commission review their bylaws on a regular basis. 	
Purpose	<p>The purpose of the Oneida Personnel Commission (OPC) is to represent the community-at-large in the selection of the Nation's employees and to shield those employees from inconsistent and unfair treatment by:</p> <ul style="list-style-type: none"> ▪ Protecting against issues of nepotism; ▪ Enforcing Oneida and Indian preference; ▪ Hearing and deciding appeals of disciplinary action filed by employees of the Nation; ▪ Carrying out all other powers and duties delegated by laws of the Nation <i>[see OPC Bylaws 1-3]</i>. 	
Related Legislation	Personnel Policies and Procedures (Blue Book); Oneida Judiciary Rules of Civil Procedure; Boards, Committees and Commissions law; Judiciary law.	
Enforcement/Due Process	An OPC member's appointment may be terminated in accordance with the Boards, Committees and Commissions law <i>[see 1 O.C. 105.7-4]</i> .	

SECTION 2. BACKGROUND

- 1 A. Bylaws provide a framework for the operation and management of a board, committee or
- 2 commission of the Nation, the government of its members and the regulation of its affairs *[see*
- 3 *1 O.C. 105.3-1(d)]*.
- 4 B. The Oneida Personnel Commission's bylaws were most recently amended by the Oneida
- 5 Business Committee on January 9, 2019. Since that time, the Oneida Business Committee
- 6 determined that additional changes were needed to clarify who is responsible for providing
- 7 administrative support to the Personnel Commission.
- 8

- C. The Oneida Personnel Commission bylaws were added to the Active Files List on March 4, 2019 for further amendments.

SECTION 3. COMPLIANCE WITH THE BOARDS, COMMITTEES AND COMMISSIONS LAW

- A. These bylaws comply with the requirements of the Boards, Committees and Commissions Law *[see 1 O.C. 105.10]*.

SECTION 4. AMENDMENTS

The following provides a summary of the proposed changes to the bylaws:

- A. Oneida Personnel Commission Duties – Hiring & Selection.** The Oneida Personnel Commission is responsible for participating in the Nation's hiring and selection process, as required by the Personnel Policies and Procedures. A reference to these duties was added for clarity *[see OPC Bylaws 1-5(e)(3)]*.

- B. Oneida Personnel Commission Duties – Grievance Hearings.** One of the Oneida Personnel Commission's duties is to conduct employee grievance hearings in accordance with the Personnel Policies and Procedures and Oneida Judiciary Rules of Civil Procedure. This section has been amended to add a reference Resolution BC-09-26-18-F titled, "Rescission of the Dissolution of the Oneida Personnel Commission and Related Emergency Amendments in Accordance with General Tribal Council's August 27, 2018 Directive" *[see OPC Bylaws 1-5(e)(4)]*. This resolution includes the following relevant information:

- A process for how interviews and grievance hearings will be conducted until Personnel Commissioners are appointed, trained and prepared to assume their duties;
- A process for how any existing cases will be transferred to the Oneida Personnel Commission once the Personnel Commission is prepared to accept cases;
- Directives to the Nation's departments, including Oneida Human Resources Department (HRD) and the Business Committee Support Office, to provide administrative support to the Personnel Commission.

- C. Administrative Support Provided by HRD.** Under the current bylaws, the Oneida Personnel Commission is not authorized to hire personnel. Administrative duties are provided by the Oneida Human Resources Department (HRD) and the Business Committee Support Office. These amendments provide additional clarification regarding the specific duties that HRD will provide to the Oneida Personnel Commission:

- *Hiring and Selection of Employees.* HRD will provide administrative assistance including, but not limited to: scheduling of pre-screens and interviews and coordinating OPC members to conduct hiring and selection activities *[see OPC Bylaws 2-8(a)]*.
- *Grievance Hearings.* HRD will accept grievance filings on behalf of the Oneida Personnel Commission; schedule grievance hearings; coordinate Oneida Personnel Commission members to serve as a hearing body; and provide a hearing room for the Oneida Personnel Commission to conduct grievance hearings *[see OPC Bylaws 2-8(b)]*.

- D. Future Amendments.** A new provision has been added requiring members of the Oneida Personnel Commission to review their bylaws from time to time, including each time a vacancy is filled. The Oneida Business Committee has requested that this standard language be added to the bylaws of every board, committee and commission as they come up for amendment [see *OPC Bylaws 7-1(a)*].
- E. Updated References to Judiciary Laws.** In the section regarding appeals of Oneida Personnel Commission decisions to the Judiciary, specific references to the Judiciary Law and Rules of Appellate Procedure were added for clarity [see *OPC Bylaws 1-5(e)(4)*].
- Although the Personnel Policies and Procedures state that the decision of the Oneida Personnel Commission shall be final [see *Personnel Policies and Procedures - Section V(D)(6)(b)(7)*], the Judiciary law provides that case law precedent set by the Oneida Appeals Commission/Oneida Tribal Judicial System, including the acceptance of appeals from Personnel Commission decisions, shall remain precedent [see *8 O.C. 801.2-6*].

SECTION 5. RELATED LEGISLATION & RESOLUTIONS

There is a conflict between the proposed bylaw amendments and a resolution previously adopted by the Oneida Business Committee:

- A. Resolution BC-09-26-18-F Rescission of the Dissolution of the OPC.** This resolution rescinded the dissolution of the Oneida Personnel Commission and directed the Judiciary Trial Court to provide administrative support to the Oneida Personnel Commission for grievance hearings. That resolution conflicts with these bylaws, which state that HRD will provide administrative support.

Chart 1. Comparison of Administrative Support to OPC

	Personnel Commission Bylaws (draft)	Resolution BC-09-26-18-F
<i>Who is responsible for providing administrative support to the Oneida Personnel Commission for the employee grievance process?</i>	Oneida Human Resources Department (HRD)	Judiciary Trial Court

Conclusion: At the time this analysis was drafted, it is the LOC's intent to amend the resolution to clarify that HRD, not the Judiciary, will provide administrative support to the Personnel Commission [see *BC Resolution 09-26-18-F*].

There are no other conflicts between the proposed bylaw amendments and any of the Nation's laws. Below is a summary of relevant laws that apply to or reference the Personnel Commission:

- B. Personnel Policies and Procedures.** The Personnel Policies and Procedures, also known as "the blue book," describes the Oneida Personnel Commission's responsibilities with regard to the hiring and selection of employees and employee grievance hearings:

- 81 ▪ *Hiring and Selection of Employees.* The Personnel Policies and Procedures provides the
82 following with regard to the hiring and selection of employees:
- 83 ○ *Hiring Procedures:* The Oneida Personnel Commission represents the Oneida
84 Community-at large in the selection of employees. The OPC is directed to seek
85 out the best-matched applicants for each available position and consider only job-
86 related factors when selecting applicants [*See Personnel Policies and Procedures*
87 *- Section III(B)*].
- 88 ○ *Screening of Applicants:* One (1) member of the Oneida Personnel Commission
89 participates in the screening committee to conduct screening of applicants. [*See*
90 *Personnel Policies and Procedures - Section III(B)*].
- 91 ○ *Candidate Interviews:* Two (2) members of the Oneida Personnel Commission
92 participate in the interview committee to interview candidates. [*See Personnel*
93 *Policies and Procedures - Section III(B)*].
- 94 ▪ *Employee Grievance Process:* Decisions of the Area Manager regarding employee
95 grievances may be appealed to the Oneida Personnel Commission. The Personnel Policies
96 and Procedures outline the hearing process for conducting employee grievance hearings.
97 [*See Personnel Policies and Procedures - Section V(D)(6)*].
- 98 ○ The OPC bylaws require the Oneida Personnel Commission to conduct grievance
99 hearings in accordance with the Oneida Personnel Policies and Procedures, in
100 addition to the Oneida Judiciary Rules of Civil Procedures and resolution BC-09-
101 26-18-F.
- 102 C. **Rules of Civil Procedure.** The Rules of Civil Procedure state that the Rules of Civil Procedure
103 shall apply to proceedings conducted by the Oneida Personnel Commission, except where the
104 Personnel Policies and Procedures are more specific [*see 803.4-6*].
- 105 ▪ This means that the Personnel Commission must first and foremost follow the process
106 outlined in the Personnel Policies and Procedures. However, if the Personnel Policies and
107 Procedures do not include details regarding a certain process, the Personnel Commission
108 will next look to the Rules of Civil Procedure. For example, the Personnel Policies and
109 Procedures do not describe the order of presentation during a hearing, so the Personnel
110 Commission would utilize the order of presentation in the Rules of Civil Procedure.
- 111

Approve the travel report for **Oneida Business Committee Agenda Request** for Daniel Guzman King, and...

1. Meeting Date Requested: 3 / 13 / 19

2. General Information:

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

Agenda Header:

☐ Accept as Information only

☒ Action - please describe:

To accept the travel report for NCAI-Tribal Nations Policy Summit and lobbying February 11th-15th, 2019.

3. Supporting Materials

☒ Report ☐ Resolution ☐ Contract

☐ Other:

1.

3.

2.

4.

☐ Business Committee signature required

4. Budget Information

☐ Budgeted - Tribal Contribution

☐ Budgeted - Grant Funded

☐ Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter:

Additional Requestor:

Additional Requestor:

BUSINESS COMMITTEE TRAVEL REPORT



Travel Report for: Kirby Metoxen Brandon Stevens
Daniel Guzman

Travel Event: NCAI-Tribal Nations Policy Summit

Travel Location: Washington DC

Departure Date: 02/11/2019 **Return Date:** 02/15/2019

KM- \$2966.00

KM-\$3221.24

BS-\$2921.00

BS-\$2715.15

Projected Cost: DG-\$2921.00 **Actual Cost:** DG-\$2555.40

Date Travel was Approved by OBC: 01/23/2019

Narrative/Background:

Councilman Kirby Metoxen, Vice-Chair Brandon Stevens and Councilman Daniel Guzman attended the National Congress of American Indians Tribal Nations Policy Summit 116th Congress Executive Council and lobbying with PACE Government Relations.

Rep. Xotchil Torres-Small Reception

Business Committee members met Rep. Torres-Small, a newly elected Democrat from rural, southern New Mexico. The setting was a fundraiser, but knowing that it was NCAI week, Congresswoman Torres-Small opened the event up to tribal leaders in an effort to build stronger relationships in this community. While she is not on the House Resources Committee, which has primary jurisdiction over tribal matters, she does sit on Armed Services, which takes an active role in the 8(a) program that Oneida participates in.

Rep. Sharice Davids and Rep. Deb Haaland Meet and Greet

Business Committee Members had an opportunity to say hello to the first two native women elected to congress in a reception setting. Tribal leaders from across the country were present, but they managed to get a good picture or two with the Members and say thank you for their early work on behalf of Indian Country.

Rep. Bryan Steil Dinner

The fundraising dinner was attended by Vice-Chairman Stevens and we discussed job development opportunities on the Oneida Reservation relative to the FoxxConn efforts in Wisconsin. We also discussed tribal housing issues.

DSCC Chair Catherine Cortez-Masto Meet & Greet: NIGA Headquarters

Vice Chairman Stevens and Councilmen Metoxen and Guzman had an opportunity to meet with Democratic Senate Campaign Committee Chairwoman Catherine Cortez Masto (D-NV). In addition to her role as DSCC Chairwoman, she also sits on the Senate Indian Affairs Committee and is actively engaged in tribal issues. Vice Chairman Stevens led the discussion about the Indian Child Welfare Act case, as well as the need for advance appropriations. Sen. Cortez Masto is supportive of Advance appropriations and is happy to work with us on ways to defend ICWA.

Meeting with Rep. Bryan Steil

Vice-Chairman Stevens and Councilmen Metoxen and Guzman discussed matters relating to the Indian Child Welfare Act, and southern bridge project. With respect to the government shutdown, Congressman Steil has introduced legislation to have government funded at the previous year's level, less one percent, rather no funding at all when Congress is unable to complete the appropriations process. Essentially, this would create an automatic continuing resolution (CR).

Meeting with Olivia Kirchberg, Office of Rep. Ron Kind

The Committee members had the opportunity to meet with Congressman Ron Kind's new tribal staff, Olivia. We were literally her first meeting on the subject ever, so spend much of the time giving a tribal policy 101 rather than focusing on Oneida-specific issues. This early contact with the new staff will be critical, as we will now be seen as a reference and guidepost to help inform future decisions in the office.

Meeting with Sen. Tammy Baldwin

Vice-Chairman Stevens and Councilmen Metoxen and Guzman talked with Senator Baldwin about the government shutdown and specific instances where tribal members have been impacted by the exercise. The Senator asked about the amount of money Oneida has had to use to cover expenses associated with the shutdown (\$3 million). We updated her about the waivers from CMS and she stands ready to continue to be helpful. Finally we discussed the fee to trust issue with her at length, including all the Nation's efforts to offset any loss of revenues that might otherwise flow to impacted municipalities and counties. She agreed to be helpful should we need her support.

Meeting with Rep. Mike Gallagher

Vice-Chairman Stevens and Councilmen Metoxen and Guzman discussed matters relating to the Indian Child Welfare Act, and southern bridge project. Gallagher appears to have a very good contact within the Secretary's office at Transportation and is willing to be helpful with Oneida's efforts on this issue. Finally, we talked with

the Congressman about the status of the CMS waivers and he committed to continue to be help with us on this issue.

Joining us in the meeting was Alison King, a congressional fellow who has joined Mike's staff from the Department of Defense for the next 11 months or so. She is Lumbee and Standing Rock Sioux. To the degree we can keep her in the loop on issues we talk with Emma (from the district office) about, it would be helpful.

National Republican Congressional Committee Native American Breakfast

Business Committee members met Rep. David Joyce (R-OH), Ranking Member of the Interior Appropriations subcommittee, and discussed various appropriations issues important to tribes. Joyce is a strong supporter of the Great Lakes Restoration Initiative and expressed that he will work to ensure it is fully funded. We were also able to have breakfast with Mike Gallagher and Congressman John Moolanar (R-MI), who represents the Saginaw Chippewa Tribe. We talked at length about the southern bridge as Gallagher was able to meet with the Green Bay Chamber of Commerce since our earlier meeting with him and the Chamber has expressed their desire to be helpful to Oneida in any way possible to make this project come to fruition.

Senate Indian Affairs Committee Democratic Staff Jennifer Romero

Easily the most substantive and far ranging of the meetings this week, SCIA Committee Democratic Staff Director Jennifer Romero spent nearly an hour discussing Advance Appropriations, the Indian Child Welfare Act case, the Nomination of Eric Miller for the 9th Circuit, fee to trust, and other issues. The Vice Chairman offered to help facilitate a letter of support from the tribe for Senator Udall's bill that authorized advance appropriations (memo/letter submitted to BC this week). Additionally, there was a very useful strategy discussion on how to ensure that DOJ remains engaged in a productive way to support ICWA.

Senate Indian Affairs Republican Staff

BC members met with Holmes Whalen and Jacqueline Bisille to discuss fee to trust/deed restrictions and defense of the Indian Child Welfare Act. On the issue of deed restrictions, staff were supportive but did offer the common refrain that if they did investigate this publically, it could backfire and make it a more commonly used foil for Indian Country. On ICWA, we reviewed the status of the case but the staff offered no affirmative help on the issue.

Meeting with Alex Sabater, Office of Rep. Gallego, Chairman, Subcommittee for Indigenous Peoples of the United States

Alex Sabater is the senior personal office staff that works on tribal issues, so our discussion was wide-ranging and respectful. She was excited to take on the new responsibility of meeting with tribes from around the country now that her boss has the Subcommittee gavel.

Meeting with Josh Jackson, Chief of Staff, Office of Rep. Tom Cole

We discussed the Hobart deed restriction issue with their office and they would like us to keep them well informed on this issue, as they are concerned other communities will follow suit with similar action. We talked with them about the possibility of having Congressman Cole write an opinion/editorial to push back on a recent article written by the Attorney General of Texas regarding the Indian Child Welfare Act and in support of the District Court's decision in that matter. Cole's staff was initially hesitant to have the Congressman write such an article, until we explained that it was the Congressman's idea to us. We will have to keep working with his office to get that letter out.

Meeting with Rep. Deb Haaland

Congresswoman Haaland met with Councilmen Metoxen and Guzman to discuss advance appropriations and the Indian Child Welfare Act. On advance appropriations, Congresswoman Haaland indicated that she just recently had cosponsored the bill to provide this authority to IHS and BIA. On ICWA, she was reluctant to praise the administration, but in the end agreed to send a letter with other members if and when we made a dispositive ask of her.

Meeting with Annie Chestnut, Office of Sen. Ron Johnson

We simply reviewed the Oneida issues with this relatively new staff member. No commitments were made to assist on any of the concerns we raised.

Item(s) Requiring Attention:Requested Action:

Motion to approve travel report for NCAI-Tribal Nations Policy Summit and Lobbying February 11th-15th, 2019.

Approve the travel report - Councilman Daniel Guzman King - Indigenous Farming and Hemp Conference
Oneida Business Committee Agenda Request**1. Meeting Date Requested:** 03 / 13 / 19**2. General Information:**Session: ☒ Open ☐ Executive - See instructions for the applicable laws, then choose one:Agenda Header: ☐ Accept as Information only☒ Action - please describe:

Motion to approve Councilman Daniel Guzman-King's travel report, Indigenous Farming and Hemp Conference in Callaway, MN February 28-March 3, 2019.

3. Supporting Materials☒ Report ☐ Resolution ☐ Contract☐ Other:1. 3. 2. 4. ☐ Business Committee signature required**4. Budget Information**☐ Budgeted - Tribal Contribution☐ Budgeted - Grant Funded☐ Unbudgeted**5. Submission**Authorized Sponsor / Liaison: Primary Requestor/Submitter:
Your Name, Title / Dept. or Tribal MemberAdditional Requestor:
Name, Title / Dept.Additional Requestor:
Name, Title / Dept.

BUSINESS COMMITTEE TRAVEL REPORT



Travel Report for:

Daniel Guzman King
Enter name(s) of other
Travelers OR [SPACE BAR] to
delete

Enter name(s) of other
Travelers OR [SPACE BAR] to
delete

Enter name(s) of other
Travelers OR [SPACE BAR] to
delete

Travel Event: 16th Annual Indigenous Farming & Hemp Conference

Travel Location: Callaway, MN

Departure Date: 02/27/2019 **Return Date:** 03/03/2019

Projected Cost: \$1490.81 **Actual Cost:** \$1487.83

Date Travel was Approved by OBC: 08/17/2017

Narrative/Background:

I attended the Indigenous Farming and Hemp Conference in Callaway, MN. This conference was hosted by the White Earth Recovery Project. The project focuses on facilitating the recovery of the original land base of the White Earth Indian Reservation while preserving and restoring traditional practices of sound land stewardship, language fluency, community development, and strengthening our spiritual and cultural heritage. The work of this project was founded by Winona LaDuke, where her and her team continue to revive, protect native seeds, crops, naturally grown fruits, animals, wild plants, traditions and knowledge of indigenous and land-based communities. They strive to maintain the culture, resist the global, industrialized food system that corrupts health, freedom through inappropriate food production and genetic engineering. I was able to connect with numerous people working within the hemp industry from those who write the legislation for tribes and those who test the various strands of hemp. I was also able to connect with various individuals working on indigenous food sovereignty and am working on bringing several of them to Oneida for our Food Sovereignty Summit where I believe we can certainly learn from and collaborate with.

The sessions that I attended were:

1. There was a One day hemp conference with Winona LaDuke and her team, with networking, hemp workshops, regional hemp experts to discuss the roles of hemp for

tribal economics. Topics discussed were cultivation, seeds, refining and products with a focus on paper, fiber, CBD's and tribal regulations. One of the main speakers was Attorney Brad Bartlett, who is a senior counsel at McAllister Garfield, a full service law firm in Denver, CO. This is the only law firm in the nation that has legal services dedicated to tribal communities in the cannabis space.

2. The American Indian Community Housing Organization. The presenters shared their stories of how supportive housing, community space and food sovereignty are tied together to build a community into economic development in Duluth area.

3. Native Foods, Native People, Native Pollinators: This initiative focused on the issues of food sovereignty, intersection of wild and cultivated foods, cultural traditions, food sovereignty, healthy lands and people.

4. Innovate Policy Solutions for Tribes in Food Agriculture: This was a presentation that featured policy topics for tribal governments and individual producers to consider as they implement or upscale their on-reservation food systems. There was a brief overview of a Model Food and Agriculture Code released by the Indigenous Food & Agriculture initiative, the 2018 Farm Bill provisions concerning industrial hemp production in Indian country. I would be interested to take the lead if the Business Committee would support a development of a Model Food and Ag Code.

5. Advancing Native Agriculture into the Future: This was discussion of a tribal provisions that were done to the Farm Bill 2018 directly related to tribal producers.

6. Re-matriating Seeds: This was a workshop designated for communities and institutions to rematriate corn varieties. We had dialogue about current efforts and best practices for people to share their stories. An upcoming cohort program will kick-off in winter 2019 for those interested in learning to steward seed varieties and how to be a resource for your community.

7. Niibi Center: This was a discussion about the topic of Rights of Nature Protection in Indian Country. Tribes have done this by constitutional reform or legislation.

8. Manidoo Ojigitaan: This was a presentation by a grassroots non-profit group from Bemidji, MN. They work with communities to preserve and revitalize the language, culture and health.

Item(s) Requiring Attention:

1. Bring in law firm McAllister Garfield, P.C. to discuss development of hemp legislation, ordinances, and regulation.
2. Recommend any staff working directly with farm/agriculture, seeds/hemp, natural foods to attend future conferences
3. Would like more information for a Model Food & Agriculture Code for the Nation.
4. Would like more information and discussion for a law for the Rights of Nature Protection for the Nation.
5. Monitor Farm Bill provisions

Requested Action:

Motion to approve Councilman Guzman-King's travel report, Indigenous Farming & Hemp Conference in Callaway, MN February 28-March 3, 2019.

16th Annual Indigenous Farming Conference
Aanji-bímaa'jitoon Gídi'baa'jímowinínaan
Revitalizing Our Story



March 1st-3rd 2019
Maplelag Resort | Callaway, Minnesota
White Earth Reservation

HOSTED BY THE WHITE EARTH LAND RECOVERY PROJECT



**2nd Annual
Anishinaabe Hemp
Conference
February 28, 2019
Mapleleg Resort
Callaway MN**

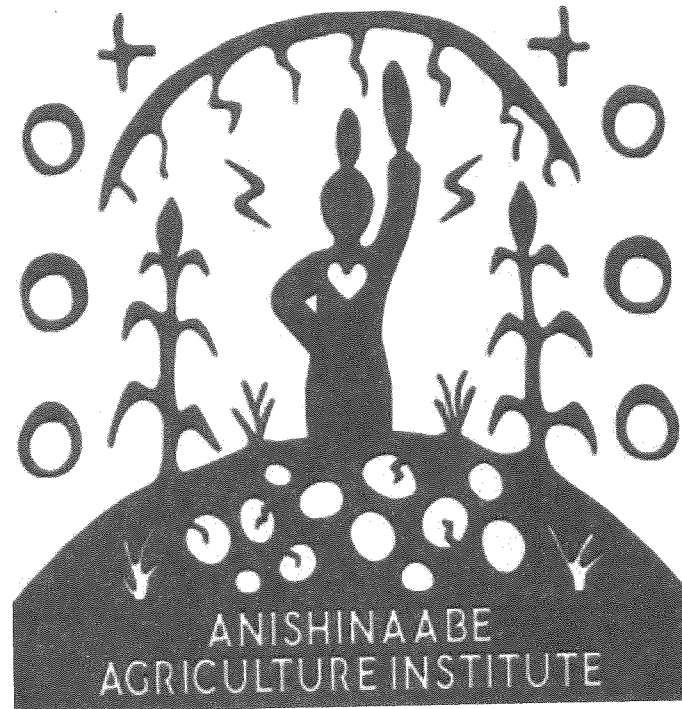


Learning, networking, and workshopping. Local and regional hemp experts will join us to discuss the possible roles hemp can for tribal economies.

Topics will include:

- **Cultivation + seeds + varieties**
- **Refining**
- **Products, with a focus on: Paper + Fiber + CBD's**
- **Tribal regulations**

**PRESENTED BY
WINONA'S HEMP & HERITAGE FARM
ANISHINAABE AGRICULTURE INSTITUTE.**



Winona LaDuke's Hemp and Heritage Farm with Anishinaabe Agriculture Institute will generate local wealth in our community by establishing a training institute for indigenous foods and hemp farming and working with our youth to create the next generation of Anishinaabe farmers.



Approve the travel request: **Oneida Business Committee Travel Request** Councilmember Kirby Metoxen Governor's Conference on Tourism

1. **OBC Meeting Date Requested:** 03 / 13 / 19 ☐ e-poll requested

2. General Information:

Event Name: Wisconsin Governor's Conference on Tourism

Event Location: Wisconsin Dells, WI Attendee(s): Kirby Metoxen

Departure Date: Mar 17, 2019 Attendee(s):

Return Date: Mar 20, 2019 Attendee(s):

3. Budget Information:

☐ Funds available in individual travel budget(s)

☐ Unbudgeted

☒ Grant Funded or Reimbursed

Cost Estimate: \$0.00 - Grant Funded by NATOW

4. Justification:

Describe the justification of this Travel Request:

Justification: WIGCOT 2019, Wisconsin Governor's Conference on Tourism is one of the substantial event on Industry, Hospitality, Travel, Tourism and Recreation practices. We will meet with representatives on the Governor's Council on Tourism during their quarterly meeting to discuss issues facing the tourism industry, review ongoing programs and strategic plans with the Department staff and the Council.

Kirby Was nominated for the Governor's Tourism Legacy Award

The Governor's Tourism Legacy Award is presented to an individual who has shown a long lasting and permanent contribution to the industry over the years. Awards will be presented during the Governor's Dinner & Awards Celebration on Tuesday, March 19, 2019.

5. Submission

Sponsor: Kirby Metoxen, Councilmember

- 1) Save a copy of this form for your records.
- 2) Print this form as a *.pdf OR print and scan this form in as *.pdf.
- 3) E-mail this form and all supporting materials in a **SINGLE** *.pdf file to: BC_Agenda_Requests@oneidanation.org

CONFERENCE AGENDA

The agenda is subject to change as we finalize the 2019 programming. Please check back for updates.

Sunday, March 17, 2019

Track 1

Track 2

2:00 PM - 7:00 PM

Registration Open - Sunday

3:30 PM - 4:30 PM

Governor's Council on Tourism Meeting

4:30 PM - 5:30 PM

First-Timers Meet & Greet

6:00 PM - 9:00 PM

Opening Reception
Join us at the WIGCOT County Fair!

Monday, March 18, 2019

Track 1

Track 2

6:30 AM - 3:30 PM

Registration Open - Monday

7:30 AM - 8:30 AM

Kick-Off Breakfast

8:45 AM - 9:45 AM

Forward with Purpose - Secretary-designee Sara Meaney

9:45 AM - 10:00 AM

Monday Networking Break

10:00 AM - 11:00 AM

Keynote Presentation - Kaplan Mobray
Stop the Head Counting: Making Diversity an Engine for Growth and Innovation in your Organization

11:00 AM - 11:15 AM

Monday Networking Break II

11:15 AM - 12:15 PM

General Session - Andrew Davis
The Laws of Attraction: How Daring Destinations Turn Serendipity into Success

12:30 PM - 1:30 PM

Monday's Networking Lunch

Monday Breakouts
2:00 PM - 3:15 PM

Earn Your Audience: Using Effective
Storytelling to Increase User
Engagement and Visitation

Measuring the Way Media Moves Us
Arrivalist

2:00 PM – 3:30 PM

How to Protect Your Brand During a Crisis

The Loyalty Loop: How Small Things Add Up to Big Business

Executive Program – Kaplan Mobray

The 10L's of Leadership: Maximizing Your Leadership Qualities to Become a Leader Others Want to Follow

3:30 PM – 6:00 PM

Information Marketplace

6:00 PM – 10:00 PM

Open Night

Tuesday, March 19, 2019

Track 1

Track 2

Wear Your Pride!

6:30 AM – 10:30 AM

Registration Open – Tuesday

8:00 AM – 9:15 AM

Governor's Tourism Award Nominee Breakfast
Hosted by the Governor's Council on Tourism & the Wisconsin Arts Board

10:30 AM – 10:45 AM

Tuesday Networking Break

11:00 AM – 12:15 PM

Tuesday Keynote Presentation by Judi Holler
Fear Is My Homeboy®: How to Transform Fear Into Your Secret Weapon

12:30 PM – 1:15 PM

Tuesday's Lunch
Hosted by our 2020 Destination

Tuesday Workshops I
1:30 PM – 2:30 PM

Balanced By Design: 5 Habits Fear Uses to Keep You "Crazy Busy"

The Power of Funding

Stop Re-launching Websites

What's Your Outdoor IQ: Elevate Your Destination's Marketing with a Better Understanding of Outdoor Recreation

Tuesday Workshops II
2:45 PM – 3:45 PM

The Power of Social Media Influencers

Among the Wonders of the Dells: A Historical View of Art and Placemaking

Visually Marketing Your Destination with Strong Photography

Capitol Talk

5:30 PM – 6:30 PM

Dinner Reception

6:45 PM – 9:00 PM

Governor's Dinner & Awards Celebration

9:00 PM – 11:30 PM

Post Reception

Questions?

Contact Dawn Zanoni at (608) 266-3978 or dzanoni@travelwisconsin.com.

Approve the travel request for Councilman Ernie Stevens III - 2019 Great Lakes Intertribal Food Summit - ...
Oneida Business Committee Travel Request

1. OBC Meeting Date Requested: 3 / 13 / 19 ☐ e-poll requested

2. General Information:

Event Name: 2019 Great Lakes Intertribal Food Summit

Event Location: Dowagiac, MI Attendee(s): Ernest L. Stevens III

Departure Date: Apr 24, 2019 Attendee(s):

Return Date: Apr 29, 2019 Attendee(s):

3. Budget Information:

☒ Funds available in individual travel budget(s)

☐ Unbudgeted

☐ Grant Funded or Reimbursed

Cost Estimate: 1200.00

4. Justification:

Describe the justification of this Travel Request:

Request to attend the Great Lakes Inter-tribal Food Summit April 25th-28th at the Pokagon Band of Potawatomi Indians in Dowagiac, MI.

5. Submission

Sponsor: Ernest L. Stevens III, Councilmember

- 1) Save a copy of this form for your records.
- 2) Print this form as a *.pdf OR print and scan this form in as *.pdf.
- 3) E-mail this form and all supporting materials in a **SINGLE** *.pdf file to: BC_Agenda_Requests@oneidanation.org

Great Lakes Region IAC Website

The place to learn about opportunities for Tribal agriculture in Michigan, Minnesota, and Wisconsin

2019 Great Lakes Intertribal Food Summit

The Great Lakes Intertribal Food Summit 2019 will be held at the Pokagon Band of Potawatomi Indians in Dowagiac, Michigan from April 25-28, 2019.

We are also partnering with the Native American Food Sovereignty Alliance (NAFSA) and their Mentorship Program in accepting culinary mentor and mentee applications, which offers an excellent opportunity to share and learn skills while making new connections. Limited travel funding may be available for selected applicants.

Input can also be shared through this input survey, or through the comment box at the bottom of this page.

Travel and Accommodations

The Great Lakes Intertribal Food Summit will be held at the Pokagon Band's amazing Carter Lake location (58620 Sink Road | Dowagiac, MI 49047) that is home to the the Band's powwow grounds.

The closest airport is South Bend, Indiana, which is about a 30-45 minute drive. Chicago is about 2 hours and Detroit is close to 4 hours.

Cost to fly (airfare + car rental) = \$1,205.45 Price would increase by approval date.

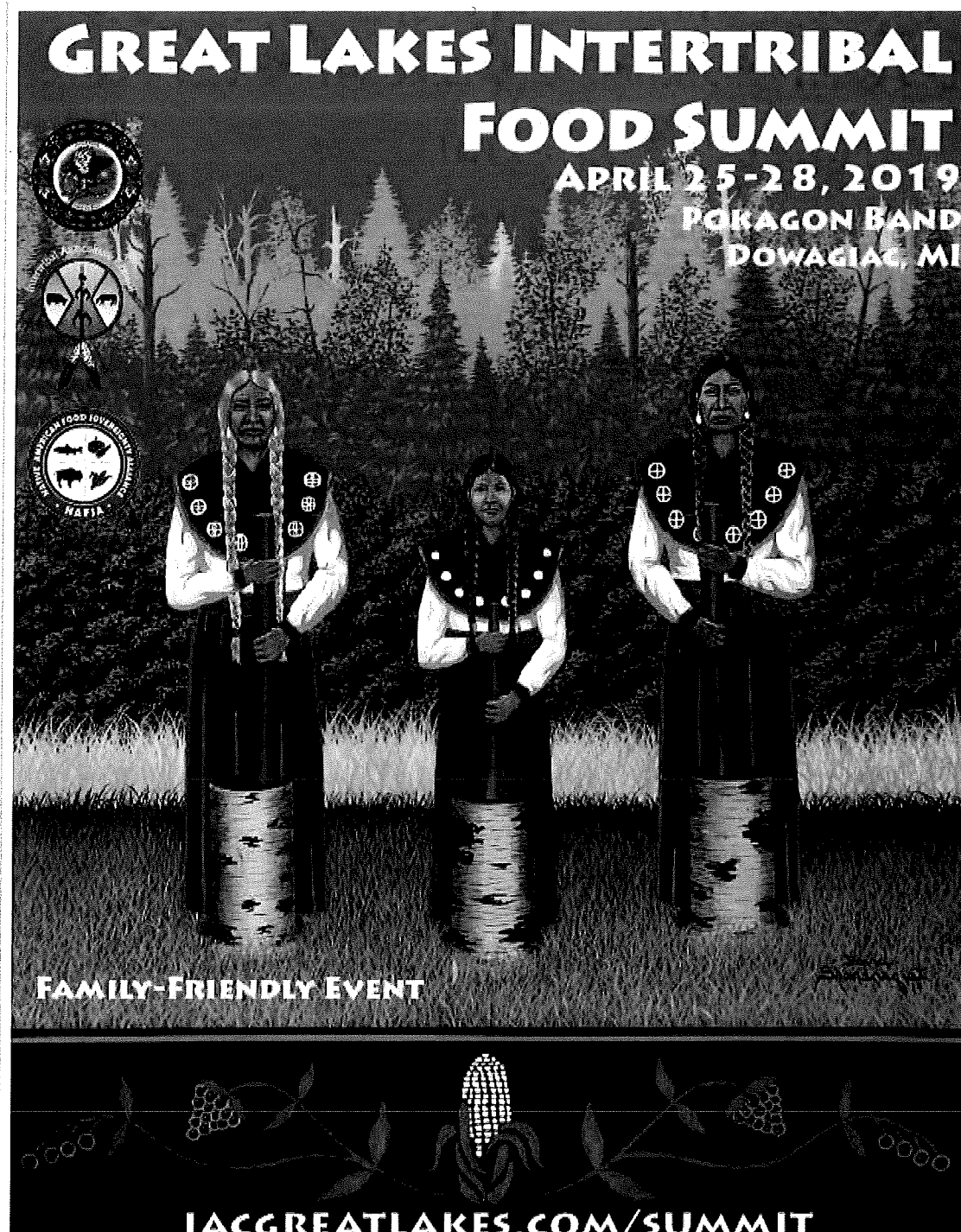
Lodging is not included in the event registration, but there are room blocks at

Cost to drive = \$1173.30 Price could decrease if tribal vehicle is available

- Baymont Inn. 29291 Amerihost Dr, Dowagiac, MI 49047 (269) 782-4270.
- Quality Inn. 1265 S 11th, Niles, MI, 49120. 269-684-3900 Click here for reservations.
- Holiday Inn Express. 1000 Moore Street, Niles, MI, 49120. Click here or call 269-684-0300

Please note that most event activities will be held on the outdoor side, so prepare and dress accordingly.
Registration is now open.

#foodsummit #pokagon #IntertribalAg



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Great Lakes Intertribal Food Summit 2019

by Intertribal Agriculture Council, Pokagon Band of Potawatomi Indians, Native...

\$0 – \$250

Great Lakes Intertrib...

Thu, Apr 25, 2019, 8:00 ...

\$0 – \$250

Tickets



Date And Time

Thu, Apr 25, 2019, 8:00 AM –
Sun, Apr 28, 2019, 1:00 PM EDT[Add to Calendar](#)

Location

Pokagon Band of Potawatomi
58620 Sink Road
Dowagiac, MI 49047
[View Map](#)



Description

The 2019 Great Lakes Intertribal Food Summit will bring together Native food producers, chefs, community members, and agricultural professionals for four days of learning, sharing, and hands-on education. There will also be a concurrent regional youth summit. Registration includes event meals.

Lodging is not included in the event registration, but there are room blocks at

- Baymont Inn. 29291 Amerihost Dr, Dowagiac, MI 49047(269) 782-4270.
- Quality Inn. 1265 S 11th, Niles, MI, 49120. 269-684-3900 [Click here for reservations.](#)
- Holiday Inn Express. 1000 Moore Street, Niles, MI, 49120. [Click here](#) or call 269-684-0300 for reservations. Code is PBF or tell them Pokagon Band Food Summit
- Camping and RV sites are available onsite at no cost. However, please be sure to make your reservation by adding that option during the registration process.

Please note that most event activities will be held outside, so prepare and dress accordingly. You can register by clicking the green box toward the right side of your screen.

Date And Time

Thu, Apr 25, 2019, 8:00 AM –

Sun, Apr 28, 2019, 1:00 PM EDT

[Add to Calendar](#)

Location

Pokagon Band of Potawatomi

58620 Sink Road

Dowagiac, MI 49047

[View Map](#)

Oneida Business Committee Agenda Request

Accept the Oneida Retail Enterprise updated mission statement

1. Meeting Date Requested: 3 / 13 / 19**2. General Information:**Session: ☒ Open ☐ Executive - See instructions for the applicable laws, then choose one:Agenda Header: ☐ Accept as Information only☒ Action - please describe:

Approve the Oneida Retail Enterprise updated mission statement.

The Mission of Retail Enterprise is to contribute to the prosperity of the Oneida Nation by providing quality products & services, exceptional customer service, and meaningful employment opportunities to our community.

3. Supporting Materials☐ Report ☐ Resolution ☐ Contract☒ Other:1. 3. 2. 4. ☐ Business Committee signature required**4. Budget Information**☐ Budgeted - Tribal Contribution☐ Budgeted - Grant Funded☐ Unbudgeted**5. Submission**Authorized Sponsor / Liaison:

Primary Requestor/Submitter:

Additional Requestor:

Additional Requestor:

Oneida Business Committee Agenda Request**6. Cover Memo:**

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

In the 2019 Performance Audit there was a recommendation to update the current Oneida Retail Enterprise' mission statement that includes all aspects of the Retail Division.

1) Save a copy of this form for your records.

2) Print this form as a *.pdf *OR* print and scan this form in as *.pdf.

3) E-mail this form and all supporting materials in a **SINGLE** *.pdf file to: BC_Agenda_Requests@oneidanation.org

Oneida Nation – Oneida Retail Enterprise

Interoffice

MEMORANDUM

[REDACTED]

To: Oneida Business Committee
From: Michele Doxtator, Retail Area Profit Manager *Michele*
Date: February 21, 2019
Subject: Oneida Retail Enterprise Mission Statement

I am requesting the Oneida Business Committee approve the Oneida Retail Enterprise Division's updated mission statement. In the 2019 Performance Audit, the Audit Department recommended that, "Management should create a mission statement that includes all aspect of the Retail Division."

The current mission statement is:

The Mission of Oneida Retail Enterprise is to contribute to the prosperity of the Oneida Nation.

Oneida Retail Administration met on February 11, 2019 to review the current mission statement and create a new mission statement. Oneida Retail Administration's recommendation for a new mission statement is:

The Mission of Retail Enterprise is to contribute to the prosperity of the Oneida Nation by providing quality products & services, exceptional customer service, and meaningful employment opportunities to our community.

Upon approval of the mission statement, Oneida Retail will incorporate the mission by posting in the employee areas in each location, add to each employee newsletter, annual & semi reports to the General Tribal Council and quarterly reports to the Oneida Business Committee.

Should you have any questions I can be reached at 920.496.7301 or mdoxtat3@oneidanation.org

Cc Retail Administration
 Internal Audit

Oneida Business Committee Agenda Request

Repost one (1) vacancy - Oneida Community Library Board

1. Meeting Date Requested: 3 / 13 / 19 **2. General Information:**Session: ☒ Open ☐ Executive - See instructions for the applicable laws, then choose one:Agenda Header: ☐ Accept as Information only☒ Action - please describe:**3. Supporting Materials**☐ Report ☐ Resolution ☐ Contract☐ Other:1. 3. 2. 4. ☐ Business Committee signature required**4. Budget Information**☐ Budgeted - Tribal Contribution☐ Budgeted - Grant Funded☐ Unbudgeted**5. Submission**Authorized Sponsor / Liaison: Primary Requestor/Submitter:
Your Name, Title / Dept. or Tribal MemberAdditional Requestor:
Name, Title / Dept.Additional Requestor:
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

There is one (1) vacancy on the Oneida Community Library Board. This vacancy was posted with an application deadline of March 1, 2019, however no applications were received.

105.5-5. Insufficient Applicants. In the event that there are an insufficient number of applicants after the deadline date has passed for appointed positions, the Oneida Business Committee may elect to:

- (a) include within the pool of appointed persons late applications, or
- (b) repost for an additional time period. In the event of reposting, prior applicants will be considered to have filed applications within the deadline period.

Action requested: Approve request to re-post one (1) vacancy for the Oneida Community Library Board.

1) Save a copy of this form for your records.

2) Print this form as a *.pdf OR print and scan this form in as *.pdf.

3) E-mail this form and all supporting materials in a **SINGLE** *.pdf file to: BC_Agenda_Requests@oneidanation.org

Oneida Business Committee Agenda Request

Approve requested action regarding the University of Wisconsin-Green Bay 2019 STEM summer camps

1. Meeting Date Requested: 03 / 13 / 19**2. General Information:**Session: ☒ Open ☐ Executive - See instructions for the applicable laws, then choose one:Agenda Header: ☐ Accept as Information only☒ Action - please describe:

Requested motion: To release the UWGB set aside funds and have the Governmental Services Director work with Jason Mathwig, Director of Camps and Conferences at UW-Green Bay, to finalize the details for the 2019 summer camps.

3. Supporting Materials☐ Report ☐ Resolution ☐ Contract☒ Other:1. 3. 2. 4. ☐ Business Committee signature required**4. Budget Information**☐ Budgeted - Tribal Contribution ☐ Budgeted - Grant Funded ☐ Unbudgeted**5. Submission**Authorized Sponsor / Liaison: Primary Requestor/Submitter:
Your Name, Title / Dept. or Tribal MemberAdditional Requestor:
Name, Title / Dept.Additional Requestor:
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

March 1st, Chairman Hill and Vice Chairman Stevens met with UWGB Director of Camps and Conference, Jason Mathwig and Assistant Vice Chancellor, Joy Ruzek, who were asked to put together some potential STEM summer camp options for youth. Attached are proposals for five STEM summer camps, along with a college credit program. The request will be to release the UWGB set aside funds and for the Governmental Services Division Director to work with UWGB on the selection of the summer camps.

- 1) Save a copy of this form for your records.
- 2) Print this form as a *.pdf OR print and scan this form in as *.pdf.
- 3) E-mail this form and all supporting materials in a **SINGLE** *.pdf file to: BC_Agenda_Requests@oneidanation.org

To: Oneida Business Committee

From: Tehassi Hill, Chairman

Date: March 7, 2019

Re: University of Green Bay Camp Proposals

Background

The University of Wisconsin Green Bay had received \$247, 000 from the gaming compact dollars for programming at the University of Wisconsin Green Bay that is jointly developed by Oneida Nation and UWGB. These appropriations grew out of a Memorandum of Understanding signed by then Governor Tommy Thompson, which provided these funds be shared by the Nation and UWGB.

In 2001 there was an informal understanding that the appropriation would be used to support basketball tournaments hosted by UWGB. However, after the 2006-07 season, under new NCAA rules we no longer were able to sponsor an annual basketball tournament and Bayfest, became a community, rather than university event. The university consulted with tribal leadership at that time and it was agreed upon that the compact money would be used to continue to help defray the rent at the Resch and pay for game guarantees for non-conference visiting teams.

However, in 2013, the Nation attempted to engage with UWGB to truly develop formal process for determining how the funds are used; and develop a formalize agreement. Those efforts did not come to any formal agreement.

Overview

During the 2015-17 biennial budget process the Governor had recommended eliminating these funds beginning in fiscal year 2016, but we were able to restore the funding provision through our lobbying efforts. However, the Governor has once again recommended, in his proposed 2017-2019 biennial budget elimination of the funds. The funding for 2017 was allocated however the 2018 funding was eliminated.

In August of 2017, the Nation entered into an agreement with UWGB stating the Parties agree that monies assigned to UWGB as an annual appropriation from the Tribal Gaming Revenue Appropriations (\$247,000) shall be used by the Parties to encourage tourism, and economic development, and to support educational opportunities in Brown and Outagamie Counties. The Parties agree that these monies shall be split equally on an annual basis (\$123,500) to be used at the discretion of each party in the fulfillment of the mutually agreed mission. The Nation received its portion of the funding but did not allocate the funding.

Current Status

The Business Committee directed the Intergovernmental Affairs and Communications office to work with UWGB to develop STEM camps for the Oneida Community and those proposals are attached.

The total amount of the camps equal \$123,500 and includes all cost associated with camp: fees, staff, food, t-shirt, and bus transportation.

Recommendation

Direct the Governmental Services Director to work with Jason Mathwig Director of Camps and Conferences at UW Green Bay to 1) identify how access to the Stem Summer Camps will be granted in the event that the number of interested members is greater than the number of available spaces and 2) finalize the details for the 2019 summer camps.

Mathwig, Jason

From: Mathwig, Jason
Sent: Thursday, January 31, 2019 2:29 PM
To: 'taguirre@oneidanation.org'
Cc: Ruzek, Joy
Subject: Oneida Camps
Attachments: Engineering by Land, Sea, and Air.docx; Environmental Science Camp.docx; Intro to Engineering Camp.docx; Robotics and STEM Camp.docx; Summer Scholars.docx; Sustainability and Agriculture Camp.docx; STEM Camps at UWGB.docx

Hey Tana,

My name is Jason Mathwig and I am the Director of Camps here at UW-Green Bay. I was tasked to help put together some potential STEM summer camp options to offer your students this upcoming summer of 2019. First, we want to thank you for looking to partner with us on these camps. We hope to be able to offer a great array of STEM camps for your students.

Attached are proposals for five STEM summer camps and a college credit program called Summer Scholars. Each document will outline the type of camp, age group, individual camp cost, summary of what the camp would entail and an outline of the schedule. In addition, it will include a max enrollment for each camp, however, it is a little flexible depending on how many each camp would be able to enroll. Lastly, at this time, we haven't selected dates, but we are somewhat flexible in June, July, and August.

The total investment in all of these camps and program, comes just under your \$123,000 budget at \$122,993.52. Below is a list of what is included in the costs of camp.

What's included in each camp?

- Camp and Curriculum Design
- Instructor payroll and fringe
- Student payroll and fringe
- Field trip costs (includes bussing)
- Bussing from and to Oneida each day
- Facility and lab rental
- T-Shirts
- Backpacks
- Water bottles
- Supplies for camp
- CECE Administrative Fee
 - o Website and registration set-up
 - o Marketing and promotions
 - o General Expenses
- Background checks
- Printing costs
- Student Insurance
- Meal cards
- Lunch
- Afternoon snacks

Lastly, another option to consider would be to scholarship your students to attend one or more of our pre-existing summer camps. You can take a look at the array of camp opportunities we are offering this summer here:

www.uwgb.edu/camps. In addition, I have attached a document (STEM Camps at UWGB) that highlights the STEM specific camps we offer.

Of course, if you have any questions on anything, please don't hesitate to let me know. We would also be happy to meet in person to discuss if you would like to go that route.

Thanks again for thinking of us.

Best,

Jason Mathwig

DIRECTOR OF CAMPS AND CONFERENCES

.....
Division of Continuing Education & Community Engagement
UW-Green Bay, 2420 Nicolet Drive, Green Bay, WI 54311
tel: (920) 465-2267 | e-mail: mathwigj@uwgb.edu
web: www.uwgb.edu/continuing-education

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CSET SCIENCE CAMPS

Summer 2019

SUSTAINABILITY AND AGRICULTURE (Grades 9-12)

Location: UW-Green Bay Campus
Length: 4 days (9:00 AM – 4:00 PM)
Type: Commuter
Max Participants: 30
Estimated total cost: \$18,917.42
Est. cost per participant: \$630.58

Course Description: This course provides an overview of environmental science utilizing hands-on learning opportunities in the classroom, laboratory, and the Cofrin Arboretum. Multiple aspects of environmental science will be covered during the course, including environmental, electrical, and mechanical. The course may also include field trips to local manufacturing facilities, NEW Water, etc.

Proposed Schedule:

- DAY 1 Introduction to sustainability
- Agricultural Practices
 - Economic, environmental, and social impacts
 - Life Cycle Exercise
- DAY 2 Production Agriculture
- Visit a large dairy farm (Pagel's Ponderosa)
- DAY 3 Food Processing
- Visit a food processing facility
- DAY 4 Nutrition and Health
- Visit to a grocery store

CSET SCIENCE CAMPS

Summer 2019

Summer Scholars Program

Location:	UW-Green Bay Campus
Length:	15 days (9:00 AM – 3:00 PM)
Type:	Commuter
Max Participants:	15
Estimated total cost:	\$36,215.45
Est. cost per participant:	\$2,414.36

Course Description: The Summer Scholars Program provides an opportunity for current high school sophomores, juniors and seniors to earn college credit at UW-Green Bay, while having access to academic support and enrichment opportunities to prepare them for their future college careers. Students enrolled in the four-week scholarly program will have the opportunity to earn transcribed college credit, develop college success skills, learn about the college process and explore topics such as diversity, leadership and careers.

Proposed Schedule:

June 17-July 11, 2019, Monday-Thursday, 9:00 a.m. to 3:00 p.m.

Daily Schedule:

9:00 a.m. – 12:00 p.m. Class- Students attend a UW-Green Bay class

12:00 – 1:00 p.m. Lunch- Students have access to the Cloud Commons, our all-you-can-eat dining room.

1:00 - 3:00 p.m. Academic Support & Enrichment

Monday & Wednesday: Academic Support- Students will work with academic mentors or use the time to complete course work.

Tuesdays & Thursday: Enrichment Programming- Students will attend workshops on college prep, including:

- Financial Aid 101
- College Life Skills
- Career Exploration
- College Application Process
- Leadership Skills
- Exploring Diversity

CSET SCIENCE CAMPS

Summer 2019

Robotics & STEM (Grades 6-9)

Location:	UW-Green Bay Campus
Length:	3 days (8:30 AM – 4:00 PM)
Type:	Commuter
Max Participants:	24
Estimated total cost:	\$13,473.02
Est. cost per participant:	\$561.38

Course Description: Campers will be partnered together with youth of similar programming knowledge. Each team will be provided a computer and a Lego Mindstorm NXT kit. Teams will be given missions (challenges) to complete, requiring them to build a robot and develop programming to allow the robot to “solve” the real world challenges. To further connect this camp to real life practices, campers will participate in a field trip to a business using robots in their business practice.

Each camper will be divided into beginner and advanced divisions; instruction for beginners will include basic building and programming, and advanced divisions will include more in-depth programming tips and pointers for success. On the final day of camp, teams will compete with and against all other teams in the camp and a winner will be crowned at the end of the matches. Teams will also receive awards based on the creativity, ingenuity, problem-solving, communications, and teamwork skills they demonstrate throughout the course of the camp.

Proposed Schedule:

- | | |
|-------|--|
| DAY 1 | Introduction to Robotics (skills, tools, careers, etc.) |
| DAY 2 | Start Programming Robots for Competition <ul style="list-style-type: none">• KI Tour |
| DAY 3 | Finalize robot programming for competition <ul style="list-style-type: none">• Final Competition |

CSET SCIENCE CAMPS

Summer 2019

INTRODUCTION TO ENGINEERING (Grades 9-12)

Location:	UW-Green Bay Campus
Length:	4 days (9:00 AM – 4:00 PM)
Type:	Commuter
Max Participants:	30
Estimated total cost:	\$18,845.42
Est. cost per participant:	\$628.18

Course Description: This course provides an overview of engineering careers utilizing hands-on learning opportunities in the classroom and laboratory. Several different engineering disciplines are explored during the course, including environmental, electrical, and mechanical. The course may also include field trips to local manufacturing facilities, NEW Water, etc.

Proposed Schedule:

DAY 1	Introduction to engineering (skills, tools, careers, etc.)
DAY 2	Environmental Engineering <ul style="list-style-type: none">• NEW Water Tour
DAY 3	Mechanical Engineering <ul style="list-style-type: none">• Georgia Pacific Tour
DAY 4	Electrical Engineering

CSET SCIENCE CAMPS**Summer 2019****ENVIRONMENTAL SCIENCE (Grades 3-5)**

Location: UW-Green Bay Campus
Length: 3 days (9:00 AM – 3:00 PM)
Type: Commuter
Max Participants: 30
Estimated total cost: \$16,046.89
Est. cost per participant: \$534.90

Course Description: This course provides an overview of environmental science utilizing hands-on learning opportunities in the classroom, laboratory, and the Cofrin Arboretum. Multiple aspects of environmental science will be covered during the course, including environmental, electrical, and mechanical. The course may also include field trips to local manufacturing facilities, NEW Water, etc.

Proposed Schedule:

- DAY 1 Introduction to environmental science (skills, tools, etc.)
- Ecology focus
 - Visit the Richter Museum and Herbarium
 - Utilize arboretum for exploration, sample collection, etc.
- DAY 2 Physical Sciences
- Geoscience and water focus
 - Trip to Wequiock Falls
- DAY 3 Physical Sciences
- Pollution and renewable energy focused
 - Campus tour on renewable energy (MAC, Kress, etc.)

CSET SCIENCE CAMPS**Summer 2019****ENGINEERING BY LAND, SEA AND AIR (Grades 6-8)**

Location:	UW-Green Bay Campus
Length:	4 days (9:00 AM – 4:00 PM)
Type:	Commuter
Max Participants:	20
Estimated total cost:	\$19,495.32
Est. cost per participant:	\$974.77

Course Description: This course will allow students to explore engineering from the perspective of transportation through the use of rockets, ROVs, and land based vehicles.

Proposed Schedule:

DAY 1	Introduction to technology
DAY 2	ROVs – Sea Perch
DAY 3	Drones / Rocketry
DAY 4	Ground vehicles

Life's a Lab Medical Camp

- Commuter and Residential
- Grades 10 – 12

UW-Green Bay offers Life's a Lab Medical Camp. Campers will explore careers in the health sciences, specifically in physical therapy, sports medicine, emergency medical fields, radiology/oncology, mortuary, and research science. This camp offers high school campers entering grades 10-12 an ideal experience for those interested in pursuing a college degree in science or a profession that requires a science foundation. If you have a science aptitude and are looking for a future in health sciences this camp is for you! Campers will spend half of their day in UW-Green Bay's state-of-the-art science labs for anatomy and physiology classes. Campers will experience hands-on science including but not limited to sheep hearts and brain dissection, patellar/Achilles reflex testing, cat muscle and vascular dissection, iWorx reflex testing lab and muscle contraction/fatigue. These classes will be taught by UW-Green Bay faculty member Amanda Nelson and her team, from the UW-Green Bay Human Biology Department. On the other half of the day, there will be coordinated community site tours for campers to observe and encounter an array of health science professions including the following fields: oncology, radiology, sports medicine, physical therapy, research, EMT, paramedics and trauma flight services.

Robotics and STEM Camp

- Commuter and Residential
- Grades 6 – 9

Join us for an intense, hands-on, interactive camp! Campers will be partnered together with youth of similar programming knowledge. Each team will be provided a computer and a Lego Mindstorm NXT kit. Teams will be given missions (challenges) to complete, requiring them to build a robot and develop programming to allow the robot to "solve" the real world challenges. To further connect this camp to real life practices, campers will participate in a field trip to a business using robots in their business practice.

Each camp will be divided into beginner and advanced divisions; instruction for beginners will include basic building and programming, and advanced divisions will include more in-depth programming tips and pointers for success. On the final day of camp, teams will compete with and against all other teams in the camp and a winner will be crowned at the end of the matches. Teams will also receive awards based on the creativity, ingenuity, problem-solving, communications, and teamwork skills they demonstrate throughout the course of the camp.

Video Game Programming, Level 1

- Commuter and Residential
- Grades 8 – 12

Join campers entering grades 8-12 on the UW-Green Bay campus as you learn about the world of object-oriented programming and an introduction to developing software in a gaming environment. Campers will learn basic techniques to creating games and will be introduced to object-oriented programming. Campers will learn how to make objects interact with each other through events and will learn how to program some basic games.

Video Game Programming, Level 2

- Commuter and Residential
- Grades 8 – 12

In this exciting continuation of Video Game Programming Camp (Level 2), you will join advanced campers on the UW-Green Bay campus as you delve further into the world of game development. Campers will learn about the Unreal Game Engine 4, a gaming industry standard, as they will create their own immersive 3D games. In addition to learning the basics of game design, campers will learn to program events and gameplay logic. At the end of camp they will have a chance to play each other's games.

GenCyber Teacher Camp 2018

- Commuter
- Teachers/Educators K-12

GenCyber Teacher Camp is for teachers who are passionate about providing students with the tools they need to be safe and responsible online. A team of cybersecurity experts will guide you through hands-on activities using current technologies, introduce the concept of digital citizenship and give you online safety information to share in your classrooms. Walk away from camp with a comprehensive set of teaching materials mapped to appropriate standards, including lesson plans, a Raspberry-Pi starter kit, project ideas for your classrooms and a network of like-minded teachers in your area to share ideas in the future. Participants will learn cybersecurity curriculum that they can take back to their classrooms to help students understand correct and safe on-line behavior, increase diversity and interest in cybersecurity and careers in the cybersecurity workforce of the Nation.

GenCyber Teacher Camp 2019 (pending grant award)

- Commuter and Residential
- Middle School Teachers/Educators

GenCyber Teacher Camp is for teachers who are passionate about providing students with the tools they need to be safe and responsible online. A team of cybersecurity experts will guide you through hands-on activities using current technologies, introduce the concept of digital citizenship and give you online safety information to share in your classrooms. Walk away from camp with a comprehensive set of teaching materials mapped to appropriate standards, including lesson plans, a Raspberry-Pi starter kit, project ideas for your classrooms and a network of like-minded teachers in your area to share ideas in the future. Participants will learn cybersecurity curriculum that they can take back to their classrooms to help students understand correct and safe on-line behavior, increase diversity and interest in cybersecurity and careers in the cybersecurity workforce of the Nation.

GenCyber Girls Camp 2019 (pending grant award)

- Commuter
- Grades 6 – 8

The University of Wisconsin-Green Bay (UW-Green Bay) GenCyber Student Program is designed to immerse a diverse group of 25 female students, grades 6- 8, in an intensive, one- week day camp cybersecurity educational camp experience. The no-cost camp targets recruitment of northeastern Wisconsin female students traditionally underrepresented in Computer Science fields of study and careers. The mission of the program is to attract, educate, and inspire a new generation of female students to the critical field of cybersecurity. Guided by Gen-Cyber's 10 Security Principles, the UW-Green Bay Gen Cyber camp provides opportunities for participants to increase their knowledge of cybersecurity concepts, ethics and principles, increase student interest in pursuing a career in cybersecurity, and to educate students about correct and safe on-line behavior. The UW- Green Bay GenCyber Student Program camp is designed and instructed by the UW- Green Bay Information and Computer Sciences Unit, and implemented by the UW- Green Bay Division of Continuing Education and Community Engagement (CECE), in collaboration with cybersecurity industry experts, the National Security Agency and the National Science Foundation.

