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Oneida Business Committee

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

Regular Meeting 8:30 AM Wednesday, November 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
- III. ADOPT THE AGENDA

IV. OATH OF OFFICE

A. Oneida Election Board - Patricia Moore Sponsor: Lisa Summers, Secretary

B. Oneida Police Commission - Lois Strong Sponsor: Lisa Summers, Secretary

V. MINUTES

A. Approve the October 23, 2019, regular Business Committee meeting minutes Sponsor: Lisa Summers, Secretary

VI. RESOLUTIONS

- A. Adopt resolution entitled Older Americans Act, Title VI 2020-23 Grant Program Sponsor: Debbie Thundercloud, General Manager
- B. Adopt resolution entitled Amendment to the Creation of Acheson Education Endowment in Accordance with the Endowments Law Sponsor: Debra J. Danforth, Chair/Oneida Trust Enrollment Committee

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VII. APPOINTMENTS

A. Determine next steps regarding one (1) vacancy – Oneida Nation Arts Board Sponsor: Lisa Summers, Secretary

B. Determine next steps regarding one (1) vacancy – Oneida Youth Leadership Institute Board

Sponsor: Lisa Summers, Secretary

VIII. STANDING COMMITTEES

A. LEGISLATIVE OPERATING COMMITTEE

1. Accept the October 16, 2019, regular Legislative Operating Committee meeting minutes

Sponsor: David P. Jordan, Councilman

IX. TRAVEL REPORTS

A. Approve the travel report - Councilman Ernie Stevens III - AISES National Conference - Milwaukee, WI - October 9-13, 2019

Sponsor: Ernie Stevens III, Councilman

B. Approve the travel report - Vice-Chairman Brandon Stevens and Councilman David P. Jordan - 2019 Nation Congress of American Indians Mid Year Conference and Marketplace - Sparks, NV - June 2019; and accept the NCAI Youth Commission summary report

Sponsor: Vice-Chairman Brandon Stevens and Councilman David P. Jordan

C. Approve the travel report - Chairman Tehassi Hill and Vice-Chairman Brandon Stevens - Detroit Democratic Presidential Primary Debate - Detroit, MI - July 30-August 1, 2019

Sponsor: Tehassi Hill, Chairman and Brandon Stevens, Vice-Chairman

- D. Approve the travel report Vice-Chairman Brandon Stevens Two (2) events Sponsor: Vice-Chairman Brandon Stevens
 - Frank LaMere Native American Presidential 2019 forum Sioux City, IA August 19-20, 2019
 - Dental Therapy testimony at the Senate Health Committee hearing Madison, WI – August 21, 2019

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X. TRAVEL REQUESTS

A. Approve the travel request - Vice-Chairman Brandon Stevens - 2019 Fall Haskell Board of Regents meeting - Lawrence, KS - December 10-13, 2019

Sponsor: Brandon Stevens, Vice-Chairman

B. Enter e-poll results into the record regarding the approved travel request - Vice-Chairman Brandon Stevens - Kansas City NFL Stadium Visit - Kansas City, KS - October 26-28, 2019

Sponsor: Lisa Summers, Secretary

XI. NEW BUSINESS

A. Review the Table Games (Chapter 4) Oneida Gaming Minimum Internal Controls and determine appropriate next steps

Sponsor: Mark A. Powless Sr., Chair/Oneida Gaming Commission

B. CDC #09-011 Oneida Community Health Center Expansion - Approve the concept paper

Sponsor: Debbie Thundercloud, General Manager

C. CDC #19-004 Amelia Cornelius Culture Park Site Improvements - Approve three (3) actions

Sponsor: Debbie Thundercloud, General Manager

D. Approve the BIA and Oneida Nation cooperative agreement for Wildland Fire Management-Non-recurring funds - file # 2019-1092

Sponsor: Debbie Thundercloud, General Manager

E. Approve a letter of interest and letter of support for Councilman Daniel Guzman King to serve on the Great Lakes Area Tribal Health Board, with Councilwoman Jennifer Webster as alternate

Sponsor: Tehassi Hill, Chairman

F. Review request regarding General Tribal Council meeting facility and determine next steps

Sponsor: Trish King, Treasurer

G. Approve two (2) actions regarding the definition of "No New Employees"

Sponsor: Trish King, Treasurer

H. Research Request: Coleman-Univ. of Montana-Hemp Production - Review recommendation and determine next steps

Sponsor: Jo Anne House, Chief Counsel

I. Research Request: Dempsey-Univ. of Wisconsin/Madison-Stroke Risk Prevention - Review recommendation and determine next steps

Sponsor: Debbie Thundercloud, General Manager

J. Post one (1) vacancy - Oneida Nation Arts Board

Sponsor: Lisa Summers, Secretary

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- K. Re-post one (1) vacancy Oneida Community Library Board Sponsor: Lisa Summers, Secretary
- L. Post eight (8) vacancies for alternates Oneida Election Board Sponsor: Lisa Summers, Secretary
- M. Schedule a special Business Committee meeting on December 4, 2019, at 3:00 p.m. Sponsor: Lisa Summers, Secretary

XII. REPORTS

A. OPERATIONAL

- 1. Accept the Housing Service Group FY-2019 4th quarter report (10:30 a.m.)
- 2. Accept the Health Care Service Group FY-2019 4th quarter report (10:30 a.m.)
- 3. Accept the Government Administration Service Group FY-2019 4th quarter report (10:30 a.m.)
- 4. Accept the Planning, Zoning and Development Service Group FY-2019 4th quarter report (10:30 a.m.)
- 5. Accept the Education and Literacy Service Group FY-2019 4th quarter report (10:30 a.m.)
- 6. Accept the Human Services Service Group FY-2019 4th quarter report (10:30 a.m.)
- 7. Accept the Protection and Preservation of Oneida Culture and Language Service Group FY-2019 4th quarter report (1:30 p.m.)
- 8. Accept the Public Safety Service Group FY-2019 4th quarter report (1:30 p.m.)
- 9. Accept the Economic Enterprises Service Group FY-2019 4th quarter report (1:30 p.m.)
- 10. Accept the Protection and Preservation of Natural Resources Service Group FY-2019 4th quarter report (1:30 p.m.)
- 11. Accept the Building and Property Maintenance Service Group FY-2019 4th quarter report (1:30 p.m.)
- 12. Accept the Utilities, Wells, Wastewater and Septic Service Group FY-2019 4th quarter report (1:30 p.m.)

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XIII. EXECUTIVE SESSION

A. REPORTS

1. Accept Gaming General Manager FY-2019 4th quarter executive report (8:30 a.m.)

Sponsor: Louise Cornelius, Gaming General Manager

- 2. Accept the Retail Enterprise FY-2019 4th quarter executive report (9:00 a.m.)
 Sponsor: Michele Doxtator, Area Manager/Retail Profits
- 3. Accept the Human Resource 2019 4th quarter executive report (9:30 a.m.)
 Sponsor: Geraldine Danforth, Area Manager/Human Resources
- Defer the Emergency Mangement FY-2019 4th quarter report to the November
 26, 2019, regular Business Committee meeting agenda
 Sponsor: Kaylynn Gresham, Director/Emergency Management
- 5. Accept the Comprehensive Housing FY-2019 4th quarter executive report (1:30 p.m.)

Sponsor: Debbie Thundercloud, General Manager

6. Accept the Environmental, Health, Safety & Land FY-2019 4th quarter executive report (2:00 p.m.)

Sponsor: Debbie Thundercloud, General Manager

- 7. Accept the Public Works FY-2019 4th quarter report (2:30 p.m.)
 Sponsor: Debbie Thundercloud, General Manager
- 8. Accept the Chief Counsel report
 Sponsor: Jo Anne House, Chief Counsel

B. STANDING ITEMS

- 1. ONEIDA GOLF ENTERPRISE CORPORATION LADIES PROFESSIONAL GOLF ASSOCIATION
 - Accept the Thornberry Creek LPGA Classic
 September/October/November 2019 report (11:00 a.m.)
 Sponsor: Eric McLester, Business Compliance Analyst

EXCERPT FROM OCTOBER 23, 2019: Motion by Ernie Stevens III to defer the Thornberry Creek LPGA Classic September/October 2019 report to the November 13, 2019, regular Business Committee meeting [agenda], seconded by David P. Jordan. Motion carried.

EXCERPT FROM SEPTEMBER 25, 2019: Motion by Kirby Metoxen to defer the Thornberry Creek LPGA Classic September 2019 report to the October 23, 2019, regular Business Committee meeting, seconded by Jennifer Webster. Motion carried.

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C. UNFINISHED BUSINESS

 Determine next steps regarding long-term recommendations for Oneida Golf Enterprise financial needs and loans (11:00 a.m.)

Sponsor: Oneida Business Committee

EXCERPT FROM OCTOBER 23, 2019: Motion by David P. Jordan to defer the report regarding the long-term recommendations for Oneida Golf Enterprise's (OGE) financial needs and loans to the November 13, 2019, regular Business Committee meeting agenda and to request the Treasurer, as liaison to OGE, to follow up with the OGE agent, seconded by Ernie Stevens III. Motion carried.

EXCERPT FROM FEBRUARY 8, 2019: Motion by Lisa Summers to direct the Oneida Golf Enterprise Agent to meet with the Oneida Nation's Chief Financial Officer and report on the long-term recommendations regarding the financial needs, loans at the second Executive Session meeting in October 2019, seconded by Trish King. Motion carried.

D. **NEW BUSINESS**

- 1. Accept the Kemper Sports 2020 business plan as information (11:00 a.m.)
 Sponsor: Eric McLester, Business Compliance Analyst
- 2. Accept the Detroit Democratic Presidential Primary Debate talking points for the record

Sponsor: Tehassi Hill, Chairman and Brandon Stevens, Vice-Chairman

- 3. Review application(s) for one (1) vacancy Oneida Nation Arts Board Sponsor: Lisa Summers, Secretary
- 4. Review application(s) for four (4) vacancies Oneida Youth Leadership Institute Board

Sponsor: Lisa Summers, Secretary

XIV. 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

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Oneida Business Committee Agenda Request

Oneida Election Board - Patricia Moore

1. Meeting Date Requested: 11 / 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 Patricia Moore for the 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, BCC Supervisor Your Name, Title / Dept. or Tribal Member
Additional Requestor: Name, Title / Dept.
Additional Requestor: Name, Title / Dept.

	C	BA		
D.	Cove	r ıvı	em	o:

Describe the purpose, background/history, and action requested: On October 9, 2019 the Oneida Business Committee appointed Patricia Moore to the Oneida Election Board.			
October 9, 2019 the	Offeida Busifiess Committee a	ppointed Patricia Moore to	the Oneida Election 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 Police Commission - Lois Strong

1. Meeting Date Requested: 11	/ <u>13</u> / <u>19</u>
2. General Information: Session: ○ Open ○ Executive	e - 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 Lois	Strong for the Oneida Police Commission.
3. Supporting Materials Report Resolution Other:	Contract
1.	3.
2.	4.
☐ Business Committee signature re	quired
4. Budget Information Budgeted - Tribal Contribution	☐ Budgeted - Grant Funded ☐ Unbudgeted
5. Submission	
Authorized Sponsor / Liaison: Lis	a Summers, Secretary
	oke Doxtator, BCC Supervisor our Name, Title / Dept. or Tribal Member
Additional Requestor:	lame, Title / Dept.
Additional Requestor:	lame, Title / Dept.

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u.		/ -			u.

Describe the purpose, background/history, and action requested:				
On October 23, 2019 the Oneida Business Committee appointed Lois Strong to the Oneida Police Commission.				

- 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

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Approve the October 23, 2019, regular Business Committee meeting minutes

Business Committee Agenda Request

1.	Meeting Date Requested:	11/13/19	
2.	General Information: Session:	<u>—</u>	must qualify under §107.4-1. oose reason for Executive.
3.	Supporting Documents:		
	Contract Document(s	Legal Review	Resolution
	Correspondence		Statement of Effect
	Fiscal Impact Stateme	ent Report	Travel Documents
	Other: Describe		
	_		
4.	Budget Information:		
	Budgeted	Budgeted – Grant F	- unded Unbudgeted
	Not Applicable	Other: Describe	
5.	Submission:		
	Authorized Sponsor:	Lisa Summers, Secreta	ry
	Primary Requestor:		
	Additional Requestor:	(Name, Title/Entity)	
	Additional Requestor:	(Name, Title/Entity)	
	·		
	Submitted By:	LLIGGINS	



Oneida Business Committee

Regular Meeting¹ 8:30 AM Wednesday, October 23, 2019 BC Conference Room, 2nd floor, Norbert Hill Center

Minutes

REGULAR MEETING

Present: Vice-Chairman Brandon Stevens, Treasurer Trish King, Council members: David P. Jordan, Ernie Stevens III, Jennifer Webster;

Not Present: Chairman Tehassi Hill, Secretary Lisa Summers, Council members: Daniel Guzman King,

Kirby Metoxen; Arrived at: n/a

Others present: Jo Anne House, Larry Barton, Debbie Thundercloud, Lisa Liggins, Geraldine Danforth, Sharon Mousseau, Matt W. Denny, Chris Johnson, Dorothy Skenandore, Cathy L. Metoxen, Paul Witek, Tsyoshaaht C. Delgado, Michele Doxtator, Jack Denny, Sarah White, Troy Parr, Susan House, Melinda J. Danforth, Bobbi Webster:

I. CALL TO ORDER

Meeting called to order by Vice-Chairman Brandon Stevens at 8:31 a.m.

For the record: Chairman Tehassi Hill, Secretary Summers, and Councilman Daniel Guzman King are on approved travel attending the National Congress of American Indians 76th Annual Convention & Marketplace in Albuquerque, NM. Councilman Kirby Metoxen is out on a personal day.

A. Special recognition for years of service (00:00:11)
Sponsor: Geraldine Danforth, Area Manager/Human Resources

Special recognition by Wendy Alvarez of Wanita Decorah for 25 years of service; Special recognition by Derrick King of Donna Smith for 25 years of service; Special recognition by Debra Kurowski of Anthony Holzendorf for 25 years of service; Special recognition by Debra Kurowski of Anthony Holzendorf for 25 years of service; Special recognition by Georgianna Mielke of Tina Pospychala for 25 years of service; Special recognition by Joann Ninham of Heidi Smith for 25 years of service; Special recognition by Sharon Mousseau of Denis Gullickson for 25 years of service; Special recognition by Lee Thomas of Jennifer Anderson for 25 years of service; Special recognition by Vicki Vanlaanen of Catherine Helton-Ahnen for 25 years of service; Special recognition by Pat Pelky of Jacy Rasmussen for 25 years of service; Special recognition by Cheryl Skolaski of Janice Decorah for 25 years of service; Special recognition by Geraldine Danforth of Michael Martin for 25 years of service;

Special recognition of those who could not be present: Jeffrey Mears for 25 years of service; Robert Sundquist for 25 years of service; Victoria Sloan for 25 years of service; Janet Bigfire for 25 years of service; Maria Martirosyan for 25 years of service; Jeffrey Webster for 25 years of service; Cherice Santiago for 25 years of service; Lance Hill for 25 years of service;

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¹ On October 9, 2019, the Oneida Business Committee approved an exception to resolution # BC-12-27-16-A to hold both the regular and executive discussion meetings on Wednesday, October 23, 2019, at 8:30 a.m.

II. OPENING (00:23:55)

Opening provided by Vice-Chairman Brandon Stevens.

III. ADOPT THE AGENDA (00:24:28)

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

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

IV. OATH OF OFFICE (00:24:54)

Oaths of office administered by Councilwoman Jennifer Webster. Racquel Hill, Lisa Huff, Renee Zakhar, Matthew W. Denny, Gerald DeCoteau were present. Patricia Moore was not present.

A. Oneida Election Board - Racquel Hill, Patricia Moore, and Lisa Huff Sponsor: Lisa Summers, Secretary

B. Oneida Personnel Commission (Pro Tem Members) - Renee Zakhar, Matthew W. Denny, and Gerald DeCoteau

Sponsor: Lisa Summers, Secretary

V. MINUTES

A. Approve the October 3, 2019, emergency Business Committee meeting minutes (00:27:44)

Sponsor: Lisa Summers, Secretary

Motion by David P. Jordan to approve the October 3, 2019, emergency Business Committee meeting minutes, seconded by Trish King. Motion carried:

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

B. Approve the October 9, 2019, regular Business Committee meeting minutes (00:28:03)

Sponsor: Lisa Summers, Secretary

Motion by Jennifer Webster to approve the October 9, 2019, regular Business Committee meeting minutes, seconded by Ernie Stevens III. Motion carried:

VI. RESOLUTIONS

A. Consider resolution entitled Approval of Use of Economic Development,
Diversification and Community Development Fund for Project ED19-022, Central
Oneida Site Clean-up (00:28:25)

Sponsor: Debbie Thundercloud, General Manager

Motion by David P. Jordan to adopt resolution 10-23-19-A Approval of Use of Economic Development, Diversification and Community Development Fund for Project ED19-022, Central Oneida Site Cleanup, seconded by Ernie Stevens III. Motion carried:

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

B. Adopt resolution entitled Authorizing Discretion Regarding Implementation of Children's Code, Chapter 708 (00:30:31)

Sponsor: Debbie Thundercloud, General Manager

Motion by Jennifer Webster to adopt resolution 10-23-19-B Authorizing Discretion Regarding Implementation of Children's Code, Chapter 708, seconded by Ernie Stevens III. Motion carried:

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

VII. APPOINTMENTS

A. Determine next steps regarding one (1) vacancy - Oneida Police Commission - term ending July 31, 2023 (00:31:45); (01:46:30)

Sponsor: Lisa Summers, Secretary

Motion by Jennifer Webster to table this item until after exective session, seconded by David P. Jordan. Motion carried:

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

Item VIII.A.1. is addressed next.

Motion by David P. Jordan to take this item from the table, seconded by Trish King. Motion carried:

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

Motion by David P. Jordan to appoint Lois Strong to the Oneida Police Commission with term ending July 31, 2023, seconded by Trish King. Motion carried:

Ayes: David P. Jordan, Trish King

Opposed: Jennifer Webster
Abstained: Ernie Stevens III

Not Present: Daniel Guzman King, Tehassi Hill, Kirby Metoxen, Lisa Summers

Item XIII. is addressed next.

VIII. STANDING COMMITTEES

A. FINANCE COMMITTEE

1. Accept the October 1, 2019, regular Finance Committee meeting minutes (00:32:14)

Sponsor: Trish King, Treasurer

Motion by David P. Jordan to accept the October 1, 2019, regular Finance Committee meeting minutes, seconded by Jennifer Webster. Motion carried:

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

2. Accept the October 14, 2019, regular Finance Committee meeting minutes (00:32:36)

Sponsor: Trish King, Treasurer

Motion by Jennifer Webster to accept the October 14, 2019, regular Finance Committee meeting minutes, seconded by David P. Jordan. Motion carried:

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

B. LEGISLATIVE OPERATING COMMITTEE

1. Accept the October 2, 2019, regular Legislative Operating Committee meeting minutes (00:32:58)

Sponsor: David P. Jordan, Councilman

Motion by Jennifer Webster to accept the October 2, 2019, regular Legislative Operating Committee meeting minutes, seconded by Ernie Stevens III. Motion carried:

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

2. Accept the Children's Code Implementation October 2019 quarterly update (00:36:06)

Sponsor: David P. Jordan, Councilman

Motion by Jennifer Webster to accept the Children's Code Implementation October 2019 quarterly update, noting this is the final update, seconded by David P. Jordan. Motion carried:

3. Approve the Oneida Environmental Resource Board bylaws amendments (00:40:39)

Sponsor: David P. Jordan, Councilman

Motion by Jennifer Webster to approve the Oneida Environmental Resource Board bylaws amendments, seconded by Trish King. Motion carried:

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

4. Approve the Oneida Land Claims Commission bylaws amendments (00:51:39)
Sponsor: David P. Jordan, Councilman

Motion by Ernie Stevens III to approve the Oneida Land Claims Commission bylaws amendments, seconded by Trish King. Motion carried:

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

Approve the Oneida Personnel Commission bylaws amendments (01:05:45)
 Sponsor: David P. Jordan, Councilman

Motion by Jennifer Webster to approve the Oneida Personnel Commission bylaws amendments, seconded by Trish King. Motion carried:

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

IX. TRAVEL REPORTS

A. Approve the travel report - Councilman Kirby Metoxen - Treaty Days - Bayfield, WI - September 29-30, 2019 (01:07:40)

Sponsor: Kirby Metoxen, Councilman

Motion by Jennifer Webster to approve the travel report from Councilman Kirby Metoxen for Treaty Days in Bayfield, WI - September 29-30, 2019, seconded by Ernie Stevens III. Motion carried:

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

B. Approve the travel report - Councilman Kirby Metoxen - Repatriation of Oneida Children from Carlisle Boarding School - Hudson, WI - October 5-6, 2019 (01:08:14)

Sponsor: Kirby Metoxen, Councilman

Motion by David P. Jordan to approve the travel report from Councilman Kirby Metoxen for the Repatriation of Oneida Children from Carlisle Boarding School in Hudson, WI - October 5-6, 2019, noting the cost was for mileage reibursement only, seconded by Trish King. Motion carried:

C. Approve the travel report and one (1) additional action - Treasurer Trish King - 2019 Fall Finance & Tribal Economies Conference - Prior Lake, MN - October 6-9, 2019 (01:08:50)

Sponsor: Trish King, Treasurer

Motion by David P. Jordan to approve the travel report from Treasurer Trish King for the 2019 Fall Finance & Tribal Economies Conference in Prior Lake, MN - October 6-9, 2019, seconded by Ernie Stevens III. Motion carried:

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

Motion by Jennifer Webster to send the General Welfare [Exclusion] topic to the November 19, 2019, Business Committee work session and request the Chief Financial Officer to provide an updated report regarding the status of his research and needed next steps to implement General Welfare [Exclusion provisions] within the Oneida Nation, seconded by Ernie Stevens III. Motion carried:

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

D. Approve the travel report - Councilman Daniel Guzman King - AISES National Conference - Milwaukee, WI - October 9-12 2019 (01:14:46)

Sponsor: Daniel Guzman King, Councilman

Motion by Jennifer Webster to approve the travel report from Councilman Daniel Guzman King for the AISES National Conference in Milwaukee, WI - October 9-12 2019, seconded by Trish King. Motion carried:

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

X. TRAVEL REQUESTS

A. Approve the travel request in accordance with § 216.16-1 - Five (5) Oneida Gaming Commission members/staff - Tours and Wisconsin Gaming Regulators Association - Madison, WI - November 13-14, 2019 (01:15:15)

Sponsor: Mark A. Powless, Chair/Oneida Gaming Commission

Motion by Jennifer Webster to approve the travel request in accordance with § 216.16-1 for five (5) Oneida Gaming Commission members/staff to attend Tours and Wisconsin Gaming Regulators Association meeting in Madison, WI - November 13-14, 2019, seconded by David P. Jordan. Motion carried:

B. Approve the travel request - Councilwoman Jennifer Webster - Administration of Children & Families Tribal Advisory Committee meeting - Washington DC - November 17-22, 2019 (01:16:23)

Sponsor: Jennifer Webster, Councilwoman

Motion by David P. Jordan to approve the travel request for Councilwoman Jennifer Webster to attend the Administration of Children & Families Tribal Advisory Committee meeting in Washington DC - [corrected dates] November 19-21, 2019, seconded by Trish King. Motion carried:

Ayes: David P. Jordan, Trish King, Ernie Stevens III

Abstained: Jennifer Webster

Not Present: Daniel Guzman King, Tehassi Hill, Kirby Metoxen, Lisa Summers

C. Enter the e-poll results into the record regarding the approved BC SOP exception and the approved travel request in accordance with § 216.16-1 for four (4) Oneida Gaming Commission members/staff (01:18:26)

Sponsor: Lisa Summers, Secretary

Motion by David P. Jordan to enter the e-poll results into the record regarding the approved BC SOP exception and the approved travel request in accordance with § 216.16-1 for four (4) Oneida Gaming Commission members/staff, seconded by Trish King. Motion carried:

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

XI. NEW BUSINESS

A. Schedule a special Business Committee meeting on December 13, 2019, at 9:00 a.m. (01:18:56)

Sponsor: David P. Jordan, Councilman

Motion by Jennifer Webster to schedule a special Business Committee meeting on December 13, 2019, at 9:00 a.m., seconded by David P. Jordan. Motion carried:

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

B. CIP # 15-002 Oneida Community Wells - Approve three (3) actions (01:19:39)
Sponsor: Debbie Thundercloud, General Manager

Motion by Jennifer Webster to approve a procedural exception to forgo Phase II of the CIP process of routing the CIP Package to the various review entities, to approve the CIP Package for project CIP #15-002 Oneida Community Wells, and to activate \$1,877,000 from the approved FY2019 CIP Budget for CIP # 15-002 Oneida Community Wells, seconded by Ernie Stevens III. Motion carried:

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

C. CIP #16-008 O.F.F. Facility Improvements - Activate FY-2020 funds (01:29:04)
Sponsor: Debbie Thundercloud, General Manager

Motion by Jennifer Webster to activate \$736,000 from the approved FY2020 CIP Budget for CIP #16-008 O.F.F. Facility Improvements, seconded by Ernie Stevens III. Motion carried:

D. CIP # 18-010 Food Distribution Store Concept - Activate FY-2020 funds (01:30:06)

Sponsor: Debbie Thundercloud, General Manager

Motion by Ernie Stevens III to activate \$53,000 from the approved FY2020 CIP Budget for CIP # 18-010 Food Distribution Store Concept, seconded by David P. Jordan. Motion carried:

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

E. Approve two (2) actions regarding the 2020 Business Committee Standing Meeting Schedule (01:31:10)

Sponsor: Lisa Summers, Secretary

Motion by Jennifer Webster to approve the 2020 BC Standing Meeting Schedule including exceptions to resolutions # BC-12-27-16-A and BC-09-27-17-D in November 2020 and to any revisions to the 2020 BC Standing Meeting Schedule to the BC Work Session agenda as information, seconded by Trish King. Motion carried:

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

F. Approve the 2020 Reporting Schedules (01:32:56)

Sponsor: Lisa Summers, Secretary

Motion by David P. Jordan to approve the 2020 Reporting Schedules, seconded by Jennifer Webster. Motion carried:

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

G. Approve two (2) actions regarding the annual inspection report (01:33:42)

Sponsor: Debbie Thundercloud, General Manager

Motion by David P. Jordan to approve the information packet in compliance with Oneida Nation and the State of Wisconsin Gaming Compact of 1991 and to authorize the Chairman to sign the enclosed letter signaling that the information packet has been approved by the OBC and authorizing the Oneida Gaming Commission to submit such information to the State of Wisconsin, seconded by Ernie Stevens III. Motion carried:

XII. EXECUTIVE SESSION (01:34:34)

Motion by David P. Jordan to go into executive session at 10:05 a.m., seconded by Jennifer Webster. Motion carried:

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

The Oneida Business Committee, by consensus, recessed for lunch from 12:13 p.m. to 1:30 p.m.

Meeting called to order by Vice-Chairman Brandon Stevens at 1:30 p.m.

Roll call for the record:

Present: Councilman David P. Jordan; Treasurer Trish King; Vice-Chairman Brandon Stevens; Councilman Ernie Stevens III: Councilwoman Jennifer Webster;

Not Present: Councilman Daniel Guzman King; Chairman Tehassi Hill; Councilman Kirby Metoxen; Secretary Lisa Summers;

Motion by Jennifer Webster to come out of executive session at 3:32 p.m., seconded by Trish King. Motion carried:

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

A. REPORTS

1. Accept the Community & Economic Development FY-2019 4th quarter executive report (01:35:36)

Sponsor: Debbie Thundercloud, General Manager

Motion by Jennifer Webster to accept the Community & Economic Development FY-2019 4th quarter executive report, seconded by Ernie Stevens III. Motion carried:

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

2. Accept the Governmental Services FY-2019 3rd quarter executive report (01:36:05)

Sponsor: Debbie Thundercloud, General Manager

Motion by Jennifer Webster to accept the Governmental Services FY-2019 3rd quarter executive report, seconded by Ernie Stevens III. Motion carried:

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

3. Accept the Internal Services FY-2019 3rd quarter executive report (01:36:25)
Sponsor: Debbie Thundercloud, General Manager

Motion by Ernie Stevens III to accept the Internal Services FY-2019 3rd quarter executive report, seconded by Trish King. Motion carried:

4. Accept the Chief Counsel report (01:36:48)

Sponsor: Jo Anne House, Chief Counsel

Motion by Jennifer Webster to accept the Chief Counsel report, seconded by Trish King. Motion carried:

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

Motion by Jennifer Webster to retro-approve the attorney contract – Husch Blackwell LLP – file # 2019-1188 to October 14, 2019, seconded by Trish King. Motion carried:

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

5. Accept the Chief Financial Officer October 2019 report (01:37:40)

Sponsor: Larry Barton, Chief Financial Officer

Motion by David P. Jordan to accept the Chief Financial Officer October 2019 report, seconded by Trish King. Motion carried:

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

6. Accept the Intergovernmental Affairs, Communications, and Self-Governance October 2019 report (01:37:57)

Sponsor: Melinda J. Danforth, Director/Intergovernmental Affairs

Motion by Jennifer Webster to accept the Intergovernmental Affairs, Communications, and Self-Governance October 2019 report and to approve the four (4) additional actions listed in the report, seconded by David P. Jordan. Motion carried:

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

B. STANDING ITEMS

- 1. ONEIDA GOLF ENTERPRISE CORPORATION LADIES PROFESSIONAL GOLF ASSOCIATION
 - a. Defer the Thornberry Creek LPGA Classic September/October 2019 report to the November 13, 2019, regular Business Committee meeting (01:39:16)

Motion by Ernie Stevens III to defer the Thornberry Creek LPGA Classic September/October 2019 report to the November 13, 2019, regular Business Committee meeting [agenda], seconded by David P. Jordan. Motion carried:

C. AUDIT COMMITTEE

1. Accept the September 19, 2019, regular Audit Committee meeting minutes (01:39:44)

Sponsor: David P. Jordan, Councilman

Motion by Trish King to accept the September 19, 2019, regular Audit Committee meeting minutes, seconded by Jennifer Webster. Motion carried:

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

2. Accept the Slots compliance audit and lift the confidentiality requirement (01:40:06)

Sponsor: David P. Jordan, Councilman

Motion by Ernie Stevens III to accept the Slots compliance audit and lift the confidentiality requirement, seconded by Jennifer Webster. Motion carried:

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

3. Accept the Central Accounting performance assurance audit and lift the confidentiality requirement (01:40:24)

Sponsor: David P. Jordan, Councilman

Motion by David P. Jordan to accept the Central Accounting performance assurance audit and lift the confidentiality requirement, seconded by Jennifer Webster. Motion carried:

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

4. Accept the Emergency Management performance assurance audit and lift the confidentiality requirement (01:40:47)

Sponsor: David P. Jordan, Councilman

Motion by David P. Jordan to accept the Emergency Management performance assurance audit and lift the confidentiality requirement, seconded by Ernie Stevens III. Motion carried:

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

5. Accept the Gaming Valet performance assurance audit and lift the confidentiality requirement (01:41:10)

Sponsor: David P. Jordan, Councilman

Motion by Jennifer Webster to accept the Gaming Valet performance assurance audit and lift the confidentiality requirement, seconded by Trish King. Motion carried:

6. Accept the Oneida Experiential Adventures performance assurance audit and lift the confidentiality requirement (01:41:31)

Sponsor: David P. Jordan, Councilman

Motion by David P. Jordan to accept the Oneida Experiential Adventures performance assurance audit and lift the confidentiality requirement, seconded by Jennifer Webster. Motion carried:

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

D. UNFINISHED BUSINESS

1. Consider resolution entitled Approval of Use of Economic Development, Diversification and Community Development Fund for ED19-020 Retail – Business & Marketing Plan (01:41:57)

Sponsor: Michele Doxtator, Area Manager/Retail Profits

Motion by Jennifer Webster to deny the use of the Economic Development, Diversification and Community Development Fund for ED19-020 Retail – Business & Marketing Plan, seconded by Ernie Stevens III. Motion carried:

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

2. Determine next steps regarding long-term recommendations for Oneida Golf Enterprise financial needs and loans (01:42:48)

Sponsor: Oneida Business Committee

Motion by David P. Jordan to defer the report regarding the long-term recommendations for Oneida Golf Enterprise's (OGE) financial needs and loans to the November 13, 2019, regular Business Committee meeting agenda and to request the Treasurer, as liaison to OGE, to follow up with the OGE agent, seconded by Ernie Stevens III. Motion carried:

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

E. NEW BUSINESS

1. Determine next steps regarding Per Capita Plan proposal and sub-team (01:43:24)

Sponsor: Trish King, Treasurer

Motion by David P. Jordan to assign Treasurer Trish King, Councilman Kirby Metoxen, Councilwoman Jennifer Webster, Councilman David P. Jordan, Councilman Daniel Guzman King, Chief Financial Officer Larry Barton, Assistant Chief Financial Ralinda Ninham-Lamberies, General Manager Debbie Thundercloud, and Intergovernmental Affairs Director Melinda J. Danforth to the Revenue Allocation Plan/General Welfare Exclusion sub-team, seconded by Jennifer Webster. Motion carried:

2. File # 2015-1037 - Determine next steps (01:44:14)

Sponsor: Larry Barton, Chief Financial Officer

Motion by Jennifer Webster to adopt resolution 10-23-19-C Authorization to Write-off Oneida Golf Enterprise Loan regarding the LPGA Thornberry Creek at Oneida Tournament and move the resolution to open session, seconded by Ernie Stevens III. Motion carried:

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

3. Deliberations regarding pardon application - Crystal M. Flores (01:45:20)
Sponsor: Lisa Summers, Secretary

Motion by David P. Jordan to accept the Pardon and Forgiveness Screening Committee's recommendation regarding a pardon application submitted by Crystal M. Flores, to move the resolution entitled Regarding Pardon of Crystal M. Flores to open session, and to adopt resolution 10-23-19-D Regarding Pardon of Crystal M. Flores, seconded by Jennifer Webster. Motion carried:

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

4. Review applications for one (1) vacancy - Oneida Police Commission (01:46:04)
Sponsor: Lisa Summers, Secretary

Motion by Jennifer Webster to accept the discussion regarding the application for the Oneida Police Commission vacancy [as information], seconded by Trish King. Motion carried:

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

Item VII.A. is re-addressed next.

XIII. ADJOURN (01:48:25)

Motion by Ernie Stevens III to adjourn at 3:45 p.m., seconded by David P. Jordan. Motion carried:

Ayes: David P. Jordan, Trish King, Ernie Stevens III, Jennifer Webster

Not Present: Daniel Guzman King, Tehassi Hill, Kirby Metoxen, Lisa Summers

Minutes prepared by L	isa Liggins,	Information	Management	Specialist
Minutes approved as p	resented o	n		

Lisa Summers, Secretary ONEIDA BUSINESS COMMITTEE

Oneida Business Committee Agenda Request Adopt resolution entitled Older Americans Act, Title VI 2020-23 Grant Program

1. Meeting Date Requested:	<u>11</u> / <u>13</u> / <u>19</u>
2. General Information: Session: Open Exec	cutive - See instructions for the applicable laws, then choose one:
Agenda Header: New Busines	SS
Accept as Information only	
Action - please describe:	
Adoption of a resolution (at	tached) is required to be submitted with the application.
3. Supporting Materials ☐ Report ☑ Resolution ☑ Other:	☐ Contract
1. Grant Authorization for	m 3.
2.	4.
Business Committee signatu	ire required
4. Budget Information	
☐ Budgeted - Tribal Contributi	on Budgeted - Grant Funded Unbudgeted
5. Submission	
Authorized Sponsor / Liaison:	Deborah Thundercloud, General Manager
Primary Requestor/Submitter:	Susan House, Interim Division Director - Governmental Services Division Your Name, Title / Dept. or Tribal Member
Additional Requestor:	Elijah Metoxen, Area Manager - Oneida Elderly Services Name, Title / Dept.
Additional Requestor:	Name, Title / Dept.

6. Cover Memo:

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

The Older American Act Title VI grant program is a three-year grant that provides funding to Elder Services so they may provide many services to the Oneida elder population including nutritional services, housing related services, educational and other services are also provided.
Oneida Elder Services has applied for, and been awarded, this grant in the past, with the most recent award just now coming to an end.
As part of the application process, a resolution allowing Elder Services to apply for the grant is required and we respectfully request that the Oneida Business Committee consent to this application and approve the adoption of this resolution request.

- 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

GRANT PROPOSAL AUTHORIZATION FORM

ONEIDA GRANTS OFFICE

PH: (920) 496-7330 FAX: (920) 496-7494

Form instructions: Double click on the grey area; a drop down called "form field option box" box will appear. In the "items drop-down list" click on which one you want; then click on the "up" arrow move it to the top and click on ok. In the reporting area; Double click on the box you want to put an "x" in. A "check box form field" box will appear, in "under default value" click on "checked" then ok.

PROGRAM INFORMATION

Department: Elder Services	Division/Non-Divisi	Division/Non-Division: Governmental Services	
Program: Title VI	Program Accountant: Pat Fisken		
Person Responsible for Proposal Dev	elopment: Tracy Smith	Phone: (920) 869-6846	
Person Responsible for Grant Administration: Elijah Metoxen		Phone: (920) 869-2448	
Project Title: 2019 Elder Services Title	e VI Program		

GRANT INFORMATION

	GMANT IN CHIMATION	
Name of Funding Source: DHHS - Administration for Community Living		Type (pick one): Grant
Title of Grant: Funding for Older Ar	nericans Act Title VI Native American Programs	CFDA No: 93.047
Application Deadline: December		Grant Amount: \$1,505,000.00
Project Period: 36 months	Budget Period: (3) 12 months	Project Type (pick one): New
Match Requested (% or \$): No	Match Type (pick one): None	
Is a Tribal resolution required?	If yes, please notify Grants Office imm	ediately. Yes
Will this grant create a: New p	osition No Committee No Commissio	n No Board No
Will this grant fund an existing	position? No Name of Position(s):	·
Will this grant fund a new position/employee	tion? If YES, attach draft job description foo	or all positions in the grant. ding ends.

Project Proposal Summary (must answer all these questions): The purpose, benefit(s), where is the match coming from, are there any other programs collaborating, travel justification, position justification, or pertinent information: The purpose of Title VI of the OAA is to promote the delivery of nutrition, supportive and caregiver services to American Indians that are comparable to services provided under Title III of the OAA. This will support the efforts of the Oneida Elder Services Department to provide services for Oneida Elders living on or near the reservation.

List any capital expenditures (cap ex), technology expenses & CIP purchases (NOTE: Must follow the appropriate Cap ex, CIP or Technology SOP for each purchase request.):		
Vendors: Verified that Vendors contracted with are NOT suspended/debarred: Yes No NA *Prior to entering into contracts with vendors, they will be cross referenced at www.sam.gov to ensure the vendors are not suspended or debarred.		
Reporting: Quarterly Semi-Annually	☐ Yearly ☐ Narrative ☐ Financial ☐	
SIGNATURES		
Your signature authorizes the person responsible for proposal development to work with the Grants Office when applying for funding and acknowledges your responsibility to successfully administer all requirements of this grant throughout the project period and budget period.		
Elijah G Metoxen Elder Digitally signed by Elijah G Metoxen Elder Services Program Manager Digitally signed by Elijah G Metoxen Elder Services Program Manager Digitally signed by Elijah G Metoxen Elder Services Program Manager Digitally signed by Elijah G Metoxen Elder Services Program Manager Digitally signed by Elijah G Metoxen Elder Services Program Manager Digitally signed by Elijah G Metoxen Elder Services Program Manager Digitally signed by Elijah G Metoxen Elder Services Program Manager Digitally signed by Elijah G Metoxen Elder Services Program Manager Digitally signed by Elijah G Metoxen Elder Services Program Manager Digitally signed by Elijah G Metoxen Elder Services Program Manager Digitally signed by Elijah G Metoxen Elder Services Program Manager Digitally signed by Elijah G Metoxen Elder Services Program Manager Digitally signed by Elijah G Metoxen Elder Services Program Manager Digitally signed by Elijah G Metoxen Elder Services Program Manager Digitally signed by Elijah G Metoxen Elder Services Program Manager Digitally signed by Elijah G Metoxen Elder Services Program Manager Digitally signed by Elijah G Metoxen Elder Services Program Manager Digitally signed by Elijah G Metoxen Elder Services Program Manager Digitally signed by Elijah G Metoxen Elder Services Program Manager Digitally signed by Elijah G Metoxen Elder Services Program Manager Digitally signed by Elijah G Metoxen Elder Digitally signed b	Susan M. House 2019.10.22 13:30:30 -05'00'	
1. Supervisor Signature Date SIGNATURE VERIFIES & APPROVES MATCH	2. Division/Non-Division Director Signature Date SIGNATURE APPROVES GRANT PROJECT & MATCH	
Deborah Thundercloud 2019.10.23 08:52:27-05'00' 3. General Manager Signature Date	4. Grants Office Signature Date FINAL SIGNATURE PRIOR TO OBTAINING OBC SIGNATURES	
**************************************	· · · · · · · · · · · · · · · · · · ·	

Revised: 9/12/19

GO-001

Public Packet

Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Resolution # Leave this line blank Older Americans Act, Title VI 2020-23 Grant Program

1 2 3 4 5 6 7 8 9 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 the Oneida Business Committee has been delegated the authority of Article IV, Section 1, WHEREAS, 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 12 protect, maintain and improve the standard of living and the environment in which the 13 Oneida people live; and 14 15 WHEREAS, long-term care, category that includes health promotion, home health services, personal 16 care, housekeeping assistance, home delivered meals, skilled nursing care, assisted 17 living, and other in-home services, is an emerging unmet need in Indian Country; and 18 19 WHEREAS. The Oneida Nation supports fully the efforts of the Oneida Elder Services department to 20 provide these services to the elders of the Oneida Nation: and NOW THEREFORE BE IT RESOLVED, That the Oneida Business Committee authorizes and supports 23

21 22

the Oneida Elder Service Department's application to the Department of Health and Human services for grant support under the Older Americans Act, Title VI 2020-23 grant program.

Oneida Business Committee Agenda Request
Adopt resolution entitled Amendment to the Creation of Acheson Education Endowment in Accordance...

1. Meeting Date Requested: 11 / 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: □ Amendment to the Creation of Acheson Education Endowment in Accordance with the Endowment Law
Amendment to the Creation of Acheson Education Endowment in Accordance with the Endowment Law
3. Supporting Materials ☐ Report ☐ Resolution ☐ Contract ☐ Other:
1. BC Resolution 12-13-17-C 3. OTEC 10/22/19 Regular Mtg Minutes - redacted
2. Redline & Clean Copy of Amended BC Resolution 4. Legal Review and Statement of Effect
Business Committee signature required
4. Budget Information ☑ Budgeted - Tribal Contribution ☐ Budgeted - Grant Funded ☐ Unbudgeted
5. Submission
Authorized Sponsor / Liaison: Debra J. Danforth, Chair/Oneida Trust Enrollment Committee
Primary Requestor/Submitter: Keith Doxtator, Trust Enrollment Director Your Name, Title / Dept. or Tribal Member
Additional Requestor: Name, Title / Dept.
Additional Requestor: Name, Title / Dept.

6. Cover Memo:

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

9/26/2019: At the Joint OTEC/OBC meeting there was discussion about the Acheson Education Endowment Fund. One concern was that Priority 1 in the Endowment excluded the Oneida Nation high school students. There seemed to be agreement there was no intent to exclude the Oneida Nation high school students, but rather to identify that currently the Oneida Nation high school has budgeted monies to cover these costs. Since no actions can occur at Joint meetings per BC Resolution 3-27-19-D, both respective committees would be responsible to take this matter up by making a formal motion at a duly called regular meeting. The motion should identify that the language in the Acheson Education Endowment Fund is to be amended so costs associated with advanced placement and college level courses would be available to the Oneida Nation high school students in the event they no longer have monies budgeted by the school for this purpose.

10/22/2019: At the OTEC Regular meeting the Committee approved a motion directing the Trust Enrollment Director to work with the OTEC Chair to submit a BC agenda request to amend the BC Resolution regarding the 1st priority identified in the Endowment.

Following the recommended process for amending Priority 1 in the Amendment to the Creation of Acheson Education Endowment in Accordance with the Endowment Law BC Resolution, the OTEC respectfully requests OBC approve the amendment.

The Trust Enrollment Department has submitted the MS Word document with this BC agenda request for your convenience and respectfully requests a copy of the signed document for their files.

- 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 # 12-13-17-C Creation of Acheson Education Endowment in Accordance with the Endowments Law

WHEREAS, the Oneida General Tribal Council is the duly recognized governing body of the Oneida Nation, and

WHEREAS, the General Tribal Council has been delegated the authority of Article IV, Section I of the Constitution of the Oneida Nation, and

WHEREAS, the Oneida Business Committee may be delegated duties and responsibilities by the Oneida General Tribal Council and is at all times subject to the review powers of the Oneida General Tribal Council, and

Endowments Law

whereas, the Oneida Business Committee adopted the Endowments law in February 2005 by resolution # BC-02-23-05-G which sets forth how endowments are created and managed endowment fund accounts which "are intended as a perpetual source of funding for specific purposes[, and] endowment fund accounts could be used to provide funding for areas such as health, education and support for Tribal members for burial and housing" Whereas # 6 and 7; and

the Trust Enrollment Committee, which has been delegated by the General Tribal Council to manage the trust funds of the Nation and has been given specific responsibilities under tribal laws such as the Per Capita law and the Endowments law, has identified that it is now time to begin formally creating the endowments under the Endowments law and as has been previously directed by General Tribal Council by actions such as resolution # GTC-06-30-90-A and addendum; and

Floyd Acheson Bequest

WHEREAS, in 1980 Floyd Acheson bequeathed his estate to the "Floyd Acheson Oneida Indian Foundation;" and

WHEREAS, the will was contested and all parties settled with the Oneida Nation receiving approximately \$155,000 in mortgage notes; and

WHEREAS, Floyd Acheson desired the funds to be used for "loans and scholarships for enrolled Oneida Indians and the general welfare and benefit of the Oneida Tribe of Indians of Wisconsin, Inc." Oneida Business Committee minutes, July 3, 1980, p. 3; and

WHEREAS, the Oneida Business Committee had authorized some uses of the funds in the intervening years and investment of the funds such that there is now approximately \$1.05 million in current principle; and

Education and Scholarships

WHEREAS, the Oneida Nation has committed to education as a method of creating long term improvements for individuals, families and the community; and

BC Resolution # 12-13-17-C
Creation of Acheson Education Endowment in Accordance with the Endowments Law
Page 2 of 5

WHEREAS, the General Tribal Council had directed the development of an independent K-12 school system which is currently in place and operations exceed current standards for Bureau of Indian Education school systems with greater numbers of students graduating and attending higher education schools; and

WHEREAS, the General Tribal Council has created the Oneida Higher Education Scholarship which provides non-needs based scholarships for members attending secondary and graduate level schools; and

WHEREAS, the Higher Education Department has created programs to assist members in obtaining technical certificates and degrees; and

WHEREAS, the Higher Education Department has identified that more members in high school are taking advance placement and college level courses who are not eligible for the Oneida Higher Education Scholarship or the departmental program but who require financial assistance to offset the costs of advanced placement and college level courses; and

Purpose of Acheson Education Fund

WHEREAS, the Education and Training Department has requested the development of an endowment utilizing the Floyd Acheson bequest for the purposes of assisting members in creating opportunities in the vocational and trades area of study; and

WHEREAS, the Treasurer has identified a need to assist high school students in paying for advanced placement and college level courses while in high school; and

WHEREAS, the Oneida Business Committee has determined that long term strategic stewardship of the funds would allow all educational goals of the Nation to be met; and

whereas, the Oneida Business Committee has recommended that the Acheson Education Endowment be created to fund educational opportunities beginning with funding educational opportunities for high school juniors and seniors pursuing vocation and trade careers, and high school juniors and seniors pursuing advanced placement and college level courses for high school students, assisting with expenses related to professional exams and licensing, funding higher education scholarships and eventually all education needs; and

Creating Endowments

WHEREAS, the Endowments law directs that the Oneida Business Committee shall approve or disapprove an endowment recommendation made by the Finance Committee (131.4-1(a)): and

WHEREAS, the Oneida Business Committee believes that the funds set aside for the creation of an education trust from the Acheson bequest should be formally developed into an endowment and that additional funds should be identified for allocation to that fund; and

whereas, the Endowments law identifies that "the establishment of endowment fund accounts from private donors shall take no more than 120 calendar days from the date of notification from the Finance Committee of the donation received for the purpose of establishing an endowment fund account. These endowment fund accounts shall be exempt from the community meeting requirements" (131.5-1(b)); and

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BC Resolution # 12-13-17-C
Creation of Acheson Education Endowment in Accordance with the Endowments Law
Page 3 of 5

WHEREAS, the Finance Committee, at a meeting on November 13, 2017, adopted a motion recommending the creation of the Acheson Education Endowment¹; and

Endowment Created

NOW THEREFORE BE IT RESOLVED, the Oneida Business Committee does hereby establish, in accordance with section 131.4-1(a) of the Endowments law, the Acheson Education Endowment, and directs that such funds held and invested from the Floyd Acheson bequest, approximately \$1.05 million, be placed in the Acheson Education Endowment.

Purpose of Endowment

BE IT FURTHER RESOLVED, the Oneida Business Committee does hereby further direct that the Acheson Education Endowment shall be used for the purposes of creating programs and activities which shall support –

- Priority 1:² costs associated with vocational and technical trades for adult members, and advanced placement and college level courses for members who are high school students outside of the Oneida Nation School System;³ and
- Priority 2: upon generating sufficient income to pay for Priority 1 expenses, excess disbursements shall be allocated for costs associated with professional exams and licensing; and
- Priority 3: upon generating sufficient income to fund Priority 1 and Priority 2 expenses, excess disbursements shall be allocated to fund the higher education scholarship program; and
- Priority 4: upon generating sufficient income to fund Priority 1, Priority 2, and Priority 3 expenses, excess disbursements shall be allocated to fund expenses related to all educational needs.

The Trust Enrollment Committee, in accordance with sections 131.6 and section 131.8-1 of the Endowments law, shall develop the appropriate Standard Operating Procedures and necessary endowment documentation to fully implement the investment goals to fund the priorities set forth in this resolution.

Disbursements of Endowment Income

BE IT FURTHER RESOLVED, the Oneida Business Committee directs that no disbursements from the Acheson Education Endowment shall be made until Fiscal Year 2028 at which point disbursements will be made at 50% of the interest income as calculated according to section 131.8-2 of the Endowment Law. This disbursement level may be increased up to 75% or decreased down to 0% by a two-thirds vote of the total number of members of the Finance Committee and a subsequent two-thirds vote of the total number of members of the Oneida Business Committee.

BE IT FURTHER RESOLVED, the Chief Financial Officer may approve more specific Standard Operating Procedures to implement the general rules outlined in this Resolve.

- 1. Programs shall forward a list of adopted rules and the priority addressed to the Treasurer and Chief Financial Officer on or before November 1st of each year.
- 2. On or before January 31st of each year the Trust Enrollment Department shall forward to the Treasurer and Chief Financial Officer an estimated disbursement from the endowment.
- The Treasurer and Chief Financial Officer shall notify programs which have rules adopted under the Administrative Rulemaking law in accordance with the purpose of the Acheson Education Endowment Fund of the availability of funds.
- 4. Programs with adopted rules under the Administrative Rulemaking law shall cooperatively identify how such funds shall be allocated within the proposed budget and forward the allocation determinations to the Chief Financial Officer on or before February 28th of each year. Failure to



¹ Motion by Jennifer Webster to adopt the Acheson Endowment Resolution with the discussed changes to the final resolved section and forward to the Oneida Business Committee. Seconded by Daniel Guzman King, Motion carried unanimously.

² Assuming this need is \$150,000.00, this priority would be reached (using a 5% return and 50% disbursement, and no additional contributions). If the tribal contribution is \$100,000.00 with a 5% return, this becomes year 32, at 6% return it becomes year 25.

³ It has been identified by the Oneida Nation School System that students in their schools are already fully covered for these

expenses.

This can be increased up to 75% which increases disbursement but slows growth.

BC Resolution #12-13-17-C
Creation of Acheson Education Endowment in Accordance with the Endowments Law
Page 4 of 5

- submit a cooperatively developed allocation by the deadline shall result in the funds being returned to the endowment as principle.
- 5. The Trust Enrollment Department shall provide an update on the estimated disbursement on or before July 1st of each year to the Treasurer and Chief Financial Officer, who shall notify programs with adopted rules under the Administrative Rulemaking law of the updated estimated disbursement amount. Excess over the initial disbursement estimate shall be returned to the endowment as principle; shortages under the initial disbursement estimate shall require all programs utilizing the funds to collaboratively determine how expenses shall be reduced. No additional tribal contribution shall be made. Failure to submit a cooperatively developed reduced allocation by July 30th shall result in the funds being returned to the endowment as principle.
- 6. The Trust Enrollment Department shall make the authorized disbursement to the Nation's banking account(s) as identified by the Chief Financial Officer during the month of October.
- 7. Funds disbursed from an endowment shall not displace tribal contribution from the Nation's general fund until such time as the fund disbursements reach Priority #3. Provided that, reductions to programs based on budgeting processes shall not be prohibited.

BE IT FURTHER RESOLVED, that rules developed by programs shall specifically identify this resolution number, title of the resolution, and the specific priority being addressed by the rule.

BE IT FURTHER RESOLVED, that endowment disbursements under Rules cannot be allocated to costs associated with program delivery or personnel until Priority 4.

BE IT FURTHER RESOLVED, that in any year in which there are no programming rules approved under the Administrative Rulemaking law or in which there are insufficient specific requests based on existing programming rules approved under the Administrative Rulemaking law, or the program fails to fully utilize the funds for the purpose for which the funds were disbursed in the fiscal year the funds were disbursed, excess funds shall be returned to the endowment as principle.

Endowment Reporting

BE IT FURTHER RESOLVED, that the Trust Enrollment Committee shall report to the General Tribal Council, in the Annual meeting materials, the status of the endowment with the following minimum information.

- 1. *Principle*. Current principle and history of the growth of the principle in reasonable increments from the establishment of the endowment.
- 2. *Investment Income*. Current investment income and history of investment income in reasonable increments from the establishment of the endowment.
- 3. *Disbursements.* Current disbursement and history of disbursement in reasonable increments from the establishment of the endowment.
- 4. Future/Trends. Projects of estimated future growth of the principle and investment income in reasonable increments for a minimum of 20 years.
- 5. Investment policy. The investment policy and types of investments made regarding the endowment.

BE IT FURTHER RESOLVED, that the Trust Enrollment Committee shall maintain a history of the original allocation and additions to the principle with the pro rata share of gain/loss allocated to each original principle allocation for historical tracking. The original principle allocation shall be labeled Acheson bequest and any additional tribal contribution made shall be reported as a separate principle allocation titled Acheson Education Endowment - Tribal Contribution funds.

BE IT FURTHER RESOLVED, that the Treasurer shall include in the Annual Report a list of endowments and how disbursements were allocated in the budget, including a list of Rules regarding the use of the funds.

BE IT FURTHER RESOLVED, that the any program which utilizes Acheson Education Endowment Funds shall include in the quarterly reports to the Oneida Business Committee and the Annual Report a

BC Resolution # 12-13-17-C Creation of Acheson Education Endowment in Accordance with the Endowments Law Page 5 of 5

list of Rules regarding the use of the funds, the amount of endowment funding allocated, and disbursements made during the reporting period for quarterly reports and an aggregate reporting in the Annual Report.

Funding Endowment

BE IT FINALLY RESOLVED, that the Oneida Business Committee directs the Treasurer to budget at least \$100,000.00 each fiscal year to the Acheson Education Endowment for a minimum of 10 years. At the end of 10 years, the Finance Committee shall review the fund to determine whether additional contributions are necessary to help reach the long-term goals for education.

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum; 8 members were present at a meeting duly called, noticed and held on the 13th day of December, 2017; that the forgoing resolution was duly adopted at such meeting by a vote of 6 members for, 1 member against, and 0 members not voting; and that said resolution has not been rescinded or amended in any way.

isa Summers, Tribal Secretary Oneida Business Committee

*According to the By-Laws, Article I, Section 1, the Chair votes "only in the case of a tie."

WHEREAS,

Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Resolution # 12-13-17-C Amendment to the Creation of Acheson Education Endowment in Accordance with the Endowments Law

WHEREAS, the Oneida General Tribal Council is the duly recognized governing body of the Oneida Nation, and

WHEREAS, the General Tribal Council has been delegated the authority of Article IV, Section I of the Constitution of the Oneida Nation, and

WHEREAS, the Oneida Business Committee may be delegated duties and responsibilities by the Oneida General Tribal Council and is at all times subject to the review powers of the Oneida General Tribal Council, and

Endowments Law

whereas, the Oneida Business Committee adopted the Endowments law in February 2005 by resolution # BC-02-23-05-G which sets forth how endowments are created and managed endowment fund accounts which "are intended as a perpetual source of funding for specific purposes[, and] endowment fund accounts could be used to provide funding for areas such as health, education and support for Tribal members for burial and housing" Whereas # 6 and 7; and

the Trust Enrollment Committee, which has been delegated by the General Tribal Council to manage the trust funds of the Nation and has been given specific responsibilities under tribal laws such as the Per Capita law and the Endowments law, has identified that it is now time to begin formally creating the endowments under the Endowments law and as has been previously directed by General Tribal Council by actions such as resolution # GTC-06-30-90-A and addendum; and

Floyd Acheson Bequest

WHEREAS, in 1980 Floyd Acheson bequeathed his estate to the "Floyd Acheson Oneida Indian Foundation;" and

WHEREAS, the will was contested and all parties settled with the Oneida Nation receiving approximately \$155,000 in mortgage notes; and

WHEREAS, Floyd Acheson desired the funds to be used for "loans and scholarships for enrolled Oneida Indians and the general welfare and benefit of the Oneida Tribe of Indians of Wisconsin, Inc." Oneida Business Committee minutes, July 3, 1980, p. 3; and

WHEREAS, the Oneida Business Committee had authorized some uses of the funds in the intervening years and investment of the funds such that there is now approximately \$1.05 million in current principle; and

Education and Scholarships

WHEREAS, the Oneida Nation has committed to education as a method of creating long term improvements for individuals, families and the community; and

- WHEREAS, the General Tribal Council had directed the development of an independent K-12 school system which is currently in place and operations exceed current standards for Bureau of Indian Education school systems with greater numbers of students graduating and attending higher education schools; and
- WHEREAS, the General Tribal Council has created the Oneida Higher Education Scholarship which provides non-needs based scholarships for members attending secondary and graduate level schools; and
- **WHEREAS,** the Higher Education Department has created programs to assist members in obtaining technical certificates and degrees; and
- the Higher Education Department has identified that more members in high school are taking advance placement and college level courses who are not eligible for the Oneida Higher Education Scholarship or the departmental program but who require financial assistance to offset the costs of advanced placement and college level courses; and

Purpose of Acheson Education Fund

- whereas, the Education and Training Department has requested the development of an endowment utilizing the Floyd Acheson bequest for the purposes of assisting members in creating opportunities in the vocational and trades area of study; and
- WHEREAS, the Treasurer has identified a need to assist high school students in paying for advanced placement and college level courses while in high school; and
- **WHEREAS,** the Oneida Business Committee has determined that long term strategic stewardship of the funds would allow all educational goals of the Nation to be met; and
- the Oneida Business Committee has recommended that the Acheson Education Endowment be created to fund educational opportunities beginning with funding educational opportunities for high school juniors and seniors pursuing vocation and trade careers, and high school juniors and seniors pursuing advanced placement and college level courses for high school students, assisting with expenses related to professional exams and licensing, funding higher education scholarships and eventually all education needs; and

Creating Endowments

- WHEREAS, the Endowments law directs that the Oneida Business Committee shall approve or disapprove an endowment recommendation made by the Finance Committee (131.4-1(a)): and
- WHEREAS, the Oneida Business Committee believes that the funds set aside for the creation of an education trust from the Acheson bequest should be formally developed into an endowment and that additional funds should be identified for allocation to that fund; and
- the Endowments law identifies that "the establishment of endowment fund accounts from private donors shall take no more than 120 calendar days from the date of notification from the Finance Committee of the donation received for the purpose of establishing an endowment fund account. These endowment fund accounts shall be exempt from the community meeting requirements" (131.5-1(b)); and

BC Resolution # 12-13-17-C Amendment to the Creation of Acheson Education Endowment in Accordance with the **Endowments Law Page 3 of 5**

the Finance Committee, at a meeting on November 13, 2017, adopted a motion WHEREAS. recommending the creation of the Acheson Education Endowment¹; and

Endowment Created

NOW THEREFORE BE IT RESOLVED, the Oneida Business Committee does hereby establish, in accordance with section 131.4-1(a) of the Endowments law, the Acheson Education Endowment, and directs that such funds held and invested from the Floyd Acheson beguest, approximately \$1.05 million, be placed in the Acheson Education Endowment.

Purpose of Endowment

BE IT FURTHER RESOLVED, the Oneida Business Committee does hereby further direct that the Acheson Education Endowment shall be used for the purposes of creating programs and activities which

- Priority 1:2 costs associated with vocational and technical trades for adult members, and advanced placement and college level courses for members who are high school students outside of the Oneida Nation School System;3 and
- Priority 2: upon generating sufficient income to pay for Priority 1 expenses, excess disbursements shall be allocated for costs associated with professional exams and licensing; and
- Priority 3: upon generating sufficient income to fund Priority 1 and Priority 2 expenses, excess disbursements shall be allocated to fund the higher education scholarship program; and
- Priority 4: upon generating sufficient income to fund Priority 1, Priority 2, and Priority 3 expenses, excess disbursements shall be allocated to fund expenses related to all educational needs.

The Trust Enrollment Committee, in accordance with sections 131.6 and section 131.8-1 of the Endowments law, shall develop the appropriate Standard Operating Procedures and necessary endowment documentation to fully implement the investment goals to fund the priorities set forth in this resolution.

Disbursements of Endowment Income

BE IT FURTHER RESOLVED, the Oneida Business Committee directs that no disbursements from the Acheson Education Endowment shall be made until Fiscal Year 2028 at which point disbursements will be made at 50%4 of the interest income as calculated according to section 131.8-2 of the Endowment Law. This disbursement level may be increased up to 75% or decreased down to 0% by a two-thirds vote of the total number of members of the Finance Committee and a subsequent two-thirds vote of the total number of members of the Oneida Business Committee.

BE IT FURTHER RESOLVED, the Chief Financial Officer may approve more specific Standard Operating Procedures to implement the general rules outlined in this Resolve.

- 1. Programs shall forward a list of adopted rules and the priority addressed to the Treasurer and Chief Financial Officer on or before November 1st of each year.
- 2. On or before January 31st of each year the Trust Enrollment Department shall forward to the Treasurer and Chief Financial Officer an estimated disbursement from the endowment.
- 3. The Treasurer and Chief Financial Officer shall notify programs which have rules adopted under the Administrative Rulemaking law in accordance with the purpose of the Acheson Education Endowment Fund of the availability of funds.
- 4. Programs with adopted rules under the Administrative Rulemaking law shall cooperatively identify how such funds shall be allocated within the proposed budget and forward the allocation determinations to the Chief Financial Officer on or before February 28th of each year. Failure to

¹ Motion by Jennifer Webster to adopt the Acheson Endowment Resolution with the discussed changes to the final resolved section and forward to the Oneida Business Committee. Seconded by Daniel Guzman King. Motion carried unanimously.

Assuming this need is \$150,000.00, this priority would be reached (using a 5% return and 50% disbursement, and no additional contributions). If the tribal contribution is \$100,000.00 with a 5% return, this becomes year 32, at 6% return it becomes year 25.

3 It has been identified by the Oneida Nation School System that students in their schools are already fully covered for these

expenses.

This can be increased up to 75% which increases disbursement but slows growth.

BC Resolution # 12-13-17-C

<u>Amendment to the Creation of Acheson Education Endowment in Accordance with the Endowments Law Page 4 of 5</u>

- submit a cooperatively developed allocation by the deadline shall result in the funds being returned to the endowment as principle.
- 5. The Trust Enrollment Department shall provide an update on the estimated disbursement on or before July 1st of each year to the Treasurer and Chief Financial Officer, who shall notify programs with adopted rules under the Administrative Rulemaking law of the updated estimated disbursement amount. Excess over the initial disbursement estimate shall be returned to the endowment as principle; shortages under the initial disbursement estimate shall require all programs utilizing the funds to collaboratively determine how expenses shall be reduced. No additional tribal contribution shall be made. Failure to submit a cooperatively developed reduced allocation by July 30th shall result in the funds being returned to the endowment as principle.
- 6. The Trust Enrollment Department shall make the authorized disbursement to the Nation's banking account(s) as identified by the Chief Financial Officer during the month of October.
- 7. Funds disbursed from an endowment shall not displace tribal contribution from the Nation's general fund until such time as the fund disbursements reach Priority #3. Provided that, reductions to programs based on budgeting processes shall not be prohibited.

BE IT FURTHER RESOLVED, that rules developed by programs shall specifically identify this resolution number, title of the resolution, and the specific priority being addressed by the rule.

BE IT FURTHER RESOLVED, that endowment disbursements under Rules cannot be allocated to costs associated with program delivery or personnel until Priority 4.

BE IT FURTHER RESOLVED, that in any year in which there are no programming rules approved under the Administrative Rulemaking law or in which there are insufficient specific requests based on existing programming rules approved under the Administrative Rulemaking law, or the program fails to fully utilize the funds for the purpose for which the funds were disbursed in the fiscal year the funds were disbursed, excess funds shall be returned to the endowment as principle.

Endowment Reporting

BE IT FURTHER RESOLVED, that the Trust Enrollment Committee shall report to the General Tribal Council, in the Annual meeting materials, the status of the endowment with the following minimum information.

- 1. *Principle*. Current principle and history of the growth of the principle in reasonable increments from the establishment of the endowment.
- 2. *Investment Income*. Current investment income and history of investment income in reasonable increments from the establishment of the endowment.
- 3. *Disbursements*. Current disbursement and history of disbursement in reasonable increments from the establishment of the endowment.
- 4. Future/Trends. Projects of estimated future growth of the principle and investment income in reasonable increments for a minimum of 20 years.
- 5. Investment policy. The investment policy and types of investments made regarding the endowment.

BE IT FURTHER RESOLVED, that the Trust Enrollment Committee shall maintain a history of the original allocation and additions to the principle with the pro rata share of gain/loss allocated to each original principle allocation for historical tracking. The original principle allocation shall be labeled Acheson bequest and any additional tribal contribution made shall be reported as a separate principle allocation titled Acheson Education Endowment - Tribal Contribution funds.

BE IT FURTHER RESOLVED, that the Treasurer shall include in the Annual Report a list of endowments and how disbursements were allocated in the budget, including a list of Rules regarding the use of the funds.

BE IT FURTHER RESOLVED, that the any program which utilizes Acheson Education Endowment Funds shall include in the quarterly reports to the Oneida Business Committee and the Annual Report a

BC Resolution # 12-13-17-C

<u>Amendment to the Creation of Acheson Education Endowment in Accordance with the Endowments Law Page 5 of 5</u>

list of Rules regarding the use of the funds, the amount of endowment funding allocated, and disbursements made during the reporting period for quarterly reports and an aggregate reporting in the Annual Report.

Funding Endowment

BE IT FINALLY RESOLVED, that the Oneida Business Committee directs the Treasurer to budget at least \$100,000.00 each fiscal year to the Acheson Education Endowment for a minimum of 10 years. At the end of 10 years, the Finance Committee shall review the fund to determine whether additional contributions are necessary to help reach the long-term goals for education.

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify tha	
Business Committee is composed of 9 members of whom 5 members constitute a quorum;	members
were present at a meeting duly called, noticed and held on the day of,	, that the
forgoing resolution was duly adopted at such meeting by a vote of _ members for,member	against, and
members not voting; and that said resolution has not been rescinded or amended in any w	∕ay.

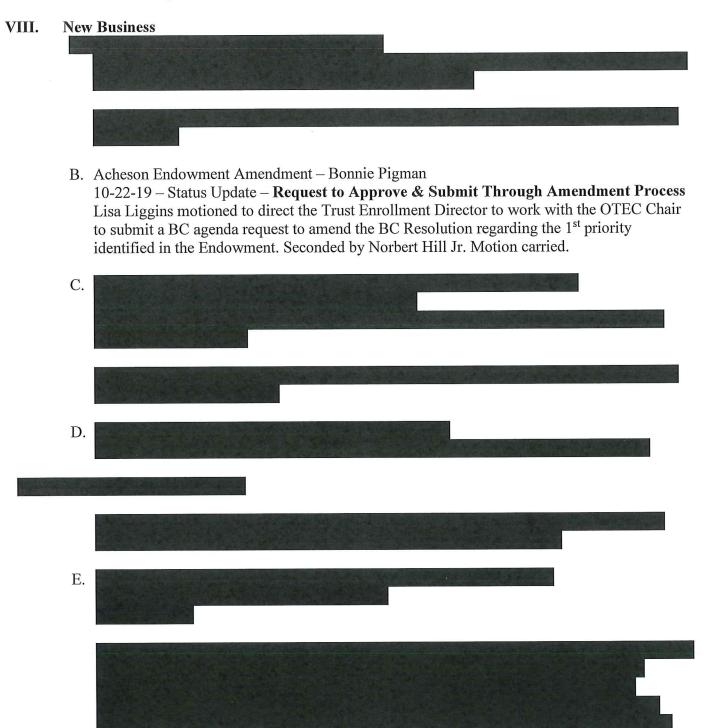
Lisa Summers, Tribal Secretary Oneida Business Committee

*According to the By-Laws, Article I, Section 1, the Chair votes "only in the case of a tie."

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Regular Trust Enrollment Committee Minutes 22 October 2019 Page 5 of 7

10-22-19 – Status Update – **Request to Approve Update**Lisa Liggins motioned to accept update. Seconded by Loretta Metoxen. Motion carried unanimously





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Bonnie M. Pigman

From:

Carl J. Artman

Sent:

Wednesday, October 30, 2019 4:44 PM

To: Cc: Bonnie M. Pigman Keith A. Doxtator

Subject:

RE: Amending BC Resolution for the Acheson Education Endowment Fund

Keith and Bonnie,

I reviewed the Acheson Education Endowment Material in your email and the Endowments Law.

I agree with Ms. Santiago the Fund must be amended through a Business Committee Resolution and it would not be subject to the LPA process, as the creating resolution was not a law as defined by the LPA. However, tribal resolutions may be laws with the same weight as ordinances or laws.

Your statement regarding the rules is correct. Oneida Trust and Enrollment does not need to create any additional rules.

Do you need assistance with drafting the amendments? I think the amendment in the Word document is well drafted as a supplement to the version submitted to the OBC. Do you need assistance with the Statement of Effect?

Carl J. Artman Oneida Law Office Office (920) 869-4473 Mobile (301) 219-4141 cartman@oneidanation.org

From: Bonnie M. Pigman

 bpigman@oneidanation.org>

Sent: Tuesday, October 29, 2019 1:44 PM

To: Carl J. Artman <cartman@oneidanation.org> **Cc:** Keith A. Doxtator <kdoxtat1@oneidanation.org>

Subject: Amending BC Resolution for the Acheson Education Endowment Fund

Shekoli Carl,

As motioned by the OTEC at the meeting held 10/22/2019, I am requesting your assistance on preparing an amended BC resolution for the Acheson Education Endowment Fund.

I previously copied you the 10/21/19 email response from LRO Attorney Santiago on my request for the protocol to amend.

I am attaching BC Resolution 12-13-17-C and my draft reflecting suggested changes for the amended resolution.

So, first things first:

- 1. Can you confirm if you agree with Attorney Santiago's response dated 10/21/19? I believe I saw you nod in agreement at the OTEC meeting, but would like for you to verify that you do.
- 2. If you agree with the # 1, I believe the next step would be to finalize the draft amended resolution and send it along with the request for a Statement of Effect.
- 3. Once the Statement of Effect has been received then we can proceed with attaching all pertinent documents to a BC Agenda Request (for the next regular BC meeting)

One last question: I see there exists language about creating rules in this document, but only applies to other programs desiring to use this fund. It doesn't appear that the Trust Enrollment Department needs to create any. Would you recommend we need to? If so, I haven't created any language in my draft that identifies this.

I appreciate your prompt response. Thanks

Public Packet 45 of 327

Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

1 2 2	Amendn	BC Resolution # nent to the Creation of Acheson Education Endowment in Accordance with the Endowments Law
2 3 4 5	WHEREAS,	the Oneida General Tribal Council is the duly recognized governing body of the Oneida Nation, and
6 7 8 9	WHEREAS,	the General Tribal Council has been delegated the authority of Article IV, Section I of the Constitution of the Oneida Nation, and
10 11 12 13	WHEREAS,	the Oneida Business Committee may be delegated duties and responsibilities by the Oneida General Tribal Council and is at all times subject to the review powers of the Oneida General Tribal Council, and
14 15 16 17 18 19 20 21	WHEREAS,	Endowments Law the Oneida Business Committee adopted the Endowments law in February 2005 by resolution # BC-02-23-05-G which sets forth how endowments are created and managed endowment fund accounts which "are intended as a perpetual source of funding for specific purposes[, and] endowment fund accounts could be used to provide funding for areas such as health, education and support for Tribal members for burial and housing" Whereas # 6 and 7; and
21 22 23 24 25 26 27 28	WHEREAS,	the Trust Enrollment Committee, which has been delegated by the General Tribal Council to manage the trust funds of the Nation and has been given specific responsibilities under tribal laws such as the Per Capita law and the Endowments law, has identified that it is now time to begin formally creating the endowments under the Endowments law and as has been previously directed by General Tribal Council by actions such as resolution # GTC-06-30-90-A and addendum; and
29 30 31 32	WHEREAS,	Floyd Acheson Bequest in 1980 Floyd Acheson bequeathed his estate to the "Floyd Acheson Oneida Indian Foundation;" and
33 34 35	WHEREAS,	the will was contested and all parties settled with the Oneida Nation receiving approximately \$155,000 in mortgage notes; and
36 37 38 39	WHEREAS,	Floyd Acheson desired the funds to be used for "loans and scholarships for enrolled Oneida Indians and the general welfare and benefit of the Oneida Tribe of Indians of Wisconsin, Inc." Oneida Business Committee minutes, July 3, 1980, p. 3; and
40 41 42 43	WHEREAS,	the Oneida Business Committee had authorized some uses of the funds in the intervening years and investment of the funds such that there is now approximately \$1.05 million in current principle; and

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BC Resolution # ____ Amendment to the Creation of Acheson Education Endowment in Accordance with the Endowments Law Page 2 of 5

44 Education and Scholarships 45 WHEREAS. the Oneida Nation has committed to education as a method of creating long term 46 improvements for individuals, families and the community; and 47 48 WHEREAS. the General Tribal Council had directed the development of an independent K-12 school 49 system which is currently in place and operations exceed current standards for Bureau of 50 Indian Education school systems with greater numbers of students graduating and 51 attending higher education schools; and 52 53 WHEREAS, the General Tribal Council has created the Oneida Higher Education Scholarship which 54 provides non-needs based scholarships for members attending secondary and graduate 55 level schools; and 56 57 WHEREAS. the Higher Education Department has created programs to assist members in obtaining 58 technical certificates and degrees; and 59 60 WHEREAS. the Higher Education Department has identified that more members in high school are 61 taking advance placement and college level courses who are not eligible for the Oneida 62 Higher Education Scholarship or the departmental program but who require financial 63 assistance to offset the costs of advanced placement and college level courses; and 64 65 Purpose of Acheson Education Fund the Education and Training Department has requested the development of an endowment 66 WHEREAS. 67 utilizing the Floyd Acheson bequest for the purposes of assisting members in creating 68 opportunities in the vocational and trades area of study; and 69 70 WHEREAS. the Treasurer has identified a need to assist high school students in paying for advanced 71 placement and college level courses while in high school; and 72 73 74 WHEREAS. the Oneida Business Committee has determined that long term strategic stewardship of the funds would allow all educational goals of the Nation to be met; and 75 76 WHEREAS. the Oneida Business Committee has recommended that the Acheson Education 77 Endowment be created to fund educational opportunities beginning with funding 78 educational opportunities for high school juniors and seniors pursuing vocation and trade 79 careers, and high school juniors and seniors pursuing advanced placement and college 80 level courses for high school students, assisting with expenses related to professional 81 exams and licensing, funding higher education scholarships and eventually all education 82 needs; and 83 84 Creating Endowments 85 WHEREAS, the Endowments law directs that the Oneida Business Committee shall approve or 86 disapprove an endowment recommendation made by the Finance Committee (131.4-1(a)): 87 88 89 WHEREAS, the Oneida Business Committee believes that the funds set aside for the creation of an 90 education trust from the Acheson bequest should be formally developed into an 91 endowment and that additional funds should be identified for allocation to that fund; and 92 93 WHEREAS. the Endowments law identifies that "the establishment of endowment fund accounts from 94 private donors shall take no more than 120 calendar days from the date of notification from

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BC Resolution #

Amendment to the Creation of Acheson Education Endowment in Accordance with the Endowments Law Page 3 of 5

the Finance Committee of the donation received for the purpose of establishing an endowment fund account. These endowment fund accounts shall be exempt from the community meeting requirements" (131.5-1(b)); and

WHEREAS.

the Finance Committee, at a meeting on November 13, 2017, adopted a motion recommending the creation of the Acheson Education Endowment¹; and

Endowment Created

 NOW THEREFORE BE IT RESOLVED, the Oneida Business Committee does hereby establish, in accordance with section 131.4-1(a) of the Endowments law, the Acheson Education Endowment, and directs that such funds held and invested from the Floyd Acheson bequest, approximately \$1.05 million, be placed in the Acheson Education Endowment.

Purpose of Endowment

BE IT FURTHER RESOLVED, the Oneida Business Committee does hereby further direct that the Acheson Education Endowment shall be used for the purposes of creating programs and activities which shall support –

 Priority 1:² costs associated with vocational and technical trades for adult members, and advanced placement and college level courses for members who are high school students; and

 Priority 2: upon generating sufficient income to pay for Priority 1 expenses, excess disbursements shall be allocated for costs associated with professional exams and licensing; and

 • Priority 3: upon generating sufficient income to fund Priority 1 and Priority 2 expenses, excess disbursements shall be allocated to fund the higher education scholarship program; and

Priority 4: upon generating sufficient income to fund Priority 1, Priority 2, and Priority 3 expenses, excess disbursements shall be allocated to fund expenses related to all educational needs.

 The Trust Enrollment Committee, in accordance with sections 131.6 and section 131.8-1 of the Endowments law, shall develop the appropriate Standard Operating Procedures and necessary endowment documentation to fully implement the investment goals to fund the priorities set forth in this resolution.

Disbursements of Endowment Income

BE IT FURTHER RESOLVED, the Oneida Business Committee directs that no disbursements from the Acheson Education Endowment shall be made until Fiscal Year 2028 at which point disbursements will be made at 50%³ of the interest income as calculated according to section 131.8-2 of the Endowment Law. This disbursement level may be increased up to 75% or decreased down to 0% by a two-thirds vote of the total number of members of the Finance Committee and a subsequent two-thirds vote of the total number of members of the Oneida Business Committee.

BE IT FURTHER RESOLVED, the Chief Financial Officer may approve more specific Standard Operating Procedures to implement the general rules outlined in this Resolve.

 Programs shall forward a list of adopted rules and the priority addressed to the Treasurer and Chief Financial Officer on or before November 1st of each year.

 2. On or before January 31st of each year the Trust Enrollment Department shall forward to the Treasurer and Chief Financial Officer an estimated disbursement from the endowment.

-

¹ Motion by Jennifer Webster to adopt the Acheson Endowment Resolution with the discussed changes to the final resolved section and forward to the Oneida Business Committee. Seconded by Daniel Guzman King. Motion carried unanimously.

² Assuming this need is \$150,000.00, this priority would be reached (using a 5% return and 50% disbursement, and no additional contributions). If the tribal contribution is \$100,000.00 with a 5% return, this becomes year 32, at 6% return it becomes year 25.

³ This can be increased up to 75% which increases disbursement but slows growth.

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BC Resolution # ____ Amendment to the Creation of Acheson Education Endowment in Accordance with the Endowments Law

Page 4 of 5

3. The Treasurer and Chief Financial Officer shall notify programs which have rules adopted under the Administrative Rulemaking law in accordance with the purpose of the Acheson Education Endowment Fund of the availability of funds.

- 4. Programs with adopted rules under the Administrative Rulemaking law shall cooperatively identify how such funds shall be allocated within the proposed budget and forward the allocation determinations to the Chief Financial Officer on or before February 28th of each year. Failure to submit a cooperatively developed allocation by the deadline shall result in the funds being returned to the endowment as principle.
- 5. The Trust Enrollment Department shall provide an update on the estimated disbursement on or before July 1st of each year to the Treasurer and Chief Financial Officer, who shall notify programs with adopted rules under the Administrative Rulemaking law of the updated estimated disbursement amount. Excess over the initial disbursement estimate shall be returned to the endowment as principle; shortages under the initial disbursement estimate shall require all programs utilizing the funds to collaboratively determine how expenses shall be reduced. No additional tribal contribution shall be made. Failure to submit a cooperatively developed reduced allocation by July 30th shall result in the funds being returned to the endowment as principle.
- 6. The Trust Enrollment Department shall make the authorized disbursement to the Nation's banking account(s) as identified by the Chief Financial Officer during the month of October.
- 7. Funds disbursed from an endowment shall not displace tribal contribution from the Nation's general fund until such time as the fund disbursements reach Priority #3. Provided that, reductions to programs based on budgeting processes shall not be prohibited.

BE IT FURTHER RESOLVED, that rules developed by programs shall specifically identify this resolution number, title of the resolution, and the specific priority being addressed by the rule.

BE IT FURTHER RESOLVED, that endowment disbursements under Rules cannot be allocated to costs associated with program delivery or personnel until Priority 4.

BE IT FURTHER RESOLVED, that in any year in which there are no programming rules approved under the Administrative Rulemaking law or in which there are insufficient specific requests based on existing programming rules approved under the Administrative Rulemaking law, or the program fails to fully utilize the funds for the purpose for which the funds were disbursed in the fiscal year the funds were disbursed, excess funds shall be returned to the endowment as principle.

Endowment Reporting

BE IT FURTHER RESOLVED, that the Trust Enrollment Committee shall report to the General Tribal Council, in the Annual meeting materials, the status of the endowment with the following minimum information.

- 1. *Principle*. Current principle and history of the growth of the principle in reasonable increments from the establishment of the endowment.
- 2. *Investment Income*. Current investment income and history of investment income in reasonable increments from the establishment of the endowment.
- 3. *Disbursements*. Current disbursement and history of disbursement in reasonable increments from the establishment of the endowment.
- 4. *Future/Trends*. Projects of estimated future growth of the principle and investment income in reasonable increments for a minimum of 20 years.
- 5. Investment policy. The investment policy and types of investments made regarding the endowment.

BE IT FURTHER RESOLVED, that the Trust Enrollment Committee shall maintain a history of the original allocation and additions to the principle with the pro rata share of gain/loss allocated to each original principle allocation for historical tracking. The original principle allocation shall be labeled Acheson bequest

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BC Resolution # ____ Amendment to the Creation of Acheson Education Endowment in Accordance with the Endowments Law Page 5 of 5

and any additional tribal contribution made shall be reported as a separate principle allocation titled Acheson Education Endowment - Tribal Contribution funds.

BE IT FURTHER RESOLVED, that the Treasurer shall include in the Annual Report a list of endowments and how disbursements were allocated in the budget, including a list of Rules regarding the use of the funds.

BE IT FURTHER RESOLVED, that the any program which utilizes Acheson Education Endowment Funds shall include in the quarterly reports to the Oneida Business Committee and the Annual Report a list of Rules regarding the use of the funds, the amount of endowment funding allocated, and disbursements made during the reporting period for quarterly reports and an aggregate reporting in the Annual Report.

Funding Endowment

BE IT FINALLY RESOLVED, that the Oneida Business Committee directs the Treasurer to budget at least \$100,000.00 each fiscal year to the Acheson Education Endowment for a minimum of 10 years. At the end of 10 years, the Finance Committee shall review the fund to determine whether additional contributions are necessary to help reach the long-term goals for education.



Oneida Nation

Oneida Business Committee Legislative Operating Committee PO Box 365 • Oneida, WI 54155-0365



Statement of Effect

Amendment to the Creation of Acheson Education Endowment in Accordance with the Endowments Law

Summary

This resolution amends resolution BC-12-13-17-C titled, "Creation of Acheson Education Endowment in Accordance with the Endowments Law."

Submitted by: Clorissa N. Santiago, Staff Attorney, Legislative Reference Office

Date: November 5, 2019

Analysis by the Legislative Reference Office

The Oneida Business Committee created the Acheson Education Endowment through the adoption of resolution BC-12-13-17-C in accordance with the Endowments law. The purpose of the Acheson Endowment is to fund educational opportunities beginning with finding educational opportunities for high school juniors and seniors pursuing vocation and trade careers, and high school juniors and seniors pursuing advanced placement and college level courses for high school students, assisting with expenses related to professional exams and licensing, funding higher education scholarships, and eventually all education needs. Resolution BC-12-13-17-C then provides the purpose and priorities of the endowment, the disbursement of endowment income, requirements for rules developed for the endowment, endowment reporting, as well as how the endowment will be funded.

Resolution BC-12-13-17-C provides that Priority 1 of the Acheson Education Endowment is to create programs and activities which shall support costs associated with vocational and technical trades for adult members, and advanced placement and college level courses for members who are high school students outside of the Oneida Nation School System. A footnote on resolution BC-12-13-17-C provided that the Oneida Nation School System identified that students in their schools are already covered for these expenses, and that is why the first priority excludes those students within the Oneida Nation School System.

This resolution amends resolution BC-12-13-17-C to remove the reference in Priority 1 that it applies to students outside of the Oneida Nation School System. Now Priority 1 will apply to students within the Oneida Nation School System.

Conclusion

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

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Oneida Business Committee Agenda Request

Determine next steps regarding one (1) vacancy – Oneida Nation Arts Board

1. Meeting Date Requested: 11 / 13 / 19

2. General Information: Session: ☑ Open ☐ Executive - See instructions for the applicable laws, then choose one:	
Session.	
<u>l</u>	
Agenda Header: Appointments	
☐ Accept as Information only☒ Action - please describe:	
Action - please describe: Determine next steps regarding one (1) vacancy - Oneida Nation Arts Board	
Determine next steps regarding one (1) vacancy - Offeida Nation Arts Board	
3. Supporting Materials Report Resolution Contract	
Other:	
1. 3.	
2. 4.	
Dusing and Committees signs at the principle of	
☐ 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.	
name, ritie / 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 Nation Arts Board to complete term(s) ending February 28, 2021.			
The application deadline was October 25, 2019 and two (2) application(s) were received for the following applicant(s):			
Xavier Horkman Amy Wilde			
Select action(s) provided below:			
 (1) accept the selected the applicant(s) and appoint to term ending February 28, 2021; OR (a) reject the selected applicant(s) and oppose the vote**; OR 			
(2) repost the vacancy(ies) in accordance with § 105.5-5. due to an insufficient number of applicants; OR			
(3) request the Secretary to re-notice the vacancy(ies) in accordance with §105.7-1.(c)(2) due to ineligible, unqualified, or under qualified applicants			

- 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

Public Packet 53 of 327

Oneida Business Committee Agenda Request

Determine next steps regarding one (1) vacancy – Oneida Youth Leadership Institute Board

1. Meeting Date Requested:	<u>11</u> / <u>13</u> / <u>19</u>
2. General Information: Session: Open Exe	cutive - See instructions for the applicable laws, then choose one:
Agenda Header: Appointme	ents
☐ Accept as Information only☒ Action - please describe:	,
Determine next steps rega	rding four (4) vacancies - Oneida Youth Leadership Institute Board
3. Supporting Materials Report Resolution Other:	☐ Contract
1.	3.
2	4.
2.	4
☐ Business Committee signat	cure required
4. Budget Information Budgeted - Tribal Contribu	tion 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:

Four (4) vacancies were posted for the Oneida Youth Leadership Institute Board in total. Two (2) vacancies to complete term(s) ending June 30, 2022 and two (2) vacancies to complete term(s) ending June 30, 2023.

The application deadline was October 25, 2019 and one (1) application(s) was received for the following applicant(s):

Paul K. Ninham

According to OYLI's Charter

Section I.A. Creation. The Oneida Youth Leadership Institute ("OYLI") is hereby established as a wholly owned unincorporated agency of the Oneida Nation (the "Nation"), and shall be governed and managed by a Board of Directors, subject to the provisions of this Charter; the Board of Directors is not a board, committee or commission for purposes of the Comprehensive Policy Governing Boards, Committees and Commissions.

Action requested:

(1)	accept tl	he sel	ected [·]	the app	licant(s)	and	appoint	Paul K	(. Ninham	to term	ending	June 3	0, 2022	OR Ju	ıne 30,
20	23; AND														

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1 11	ranact the remaining three	1	ICIAS TAR THA	i india v	ALITH I	Dandrenin	Inctitita	KAZIA
\ ∠ /	repost the remaining three	(J) vacai	וכובש וטו נוופ	Official	Outil	-cadel3ilib	montate	Duai u.

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- 2) Print this form as a *.pdf OR print and scan this form in as *.pdf.
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Oneida Business Committee Agenda Request

Accept the October 16, 2019, regular Legislative Operating Committee meeting minutes

1. Meeting Date Requested: 11 / 13 / 19
2. General Information: Session: Open Executive - See instructions for the applicable laws, then choose one:
Agenda Header: Standing Committees
Agenda Header. Standing Committees
⊠ Accept as Information only
Action - please describe:
Accept the October 16, 2019 Legislative Operating Committee meeting minutes
3. Supporting Materials Report Resolution Contract Other: 1. 10/16/19 LOC meeting minutes 3.
1. 10/10/17 Loc meeting minutes
2.
☐ 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: Jennifer Falck, LRO Director Your Name, Title / Dept. or Tribal Member
Additional Requestor:
Name, Title / Dept. Additional Requestor:
Name, Title / Dept.



Oneida Nation Oneida Business Committee Slative Operating Committee

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



LEGISLATIVE OPERATING COMMITTEE MEETING MINUTES

Oneida Business Committee Executive Conference Room-2nd Floor Norbert Hill Center October 16, 2019
9:00 a.m.

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

Excused: Ernest Stevens III

Others Present: Maureen Perkins, Brandon Wisneski, Clorissa Santiago, Jennifer Falck, Kristen

Hooker, Rae Skenandore, JoAnne House, Lee Cornelius, Leyne Orosco

I. Call to Order and Approval of the Agenda

David P. Jordan called the October 16, 2019, Legislative Operating Committee meeting to order at 9:00 a.m.

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

II. Minutes to be Approved

Motion by Jennifer Webster to approve the October 02, 2019, Legislative Operating Committee meeting minutes and forward to the Business Committee for consideration; seconded by Kirby Metoxen. Motion carried unanimously.

III. Current Business

1. Citations Law (1:05-3:17)

Motion by Jennifer Webster to approve the public meeting packet, with the updated draft and analysis, and forward the Citation Law to a public meeting to be held on November 22, 2019; seconded by Daniel Guzman King. Motion carried unanimously.

2. Oneida Environmental Resources Board Bylaws Amendments (3:19-6:33)

Motion by Kirby Metoxen to accept the Oneida Environmental Resources Board Bylaws Amendments and forward to the Oneida Business Committee for consideration; seconded by Jennifer Webster. Motion carried unanimously.

3. Oneida Personnel Commission Bylaws Amendments (6:34-8:08)

Motion by Jennifer Webster to accept the Oneida Personnel Commission Bylaws Amendments and forward to the Business Committee for consideration; seconded by Daniel Guzman King. Motion carried unanimously.

4. Oneida Land Claims Commission Bylaws Amendments (8:09-10:26)

Motion by Kirby Metoxen to accept the Oneida Land Claims Commission Bylaws Amendments and forward to the Oneida Business Committee for consideration; seconded by Daniel Guzman King. Motion carried unanimously.



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IV. New Submissions

V. Additions

VI. Administrative Items

1. Children's Code Update (10:29-13:39)

Motion by Kirby Metoxen to accept the eighth and final Children's Code Implementation Plan Quarterly Update and forward to the Oneida Business Committee; seconded by Jennifer Webster. Motion carried unanimously.

VII. Executive Session

VIII. Adjourn

Motion by Jennifer Webster to adjourn the October 16, 2019, Legislative Operating Committee meeting at 9:14 a.m.; seconded by Kirby Metoxen. Motion carried unanimously.

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Oneida Business Committee Agenda Request

Approve the travel report - Councilman Ernie Stevens III - AISES National Conference - Milwaukee, WI -..

1. Meeting Date Requested: 11 / 13 / 19
2. General Information: Session: Open Executive - See instructions for the applicable laws, then choose one:
Agenda Header: Travel Report
 ☐ Accept as Information only ☐ Action - please describe:
Motion to approve Councilman Stevens' travel report from October 9th-13th for the American Indian Science Engineering Society (AISES) Conference in Milwaukee, WI.
3. Supporting Materials Report Resolution Contract Other: 1. Travel report AISES 10/9-10/13/2019 3.
2. 4.
☐ Business Committee signature required
4. Budget Information
5. Submission
Authorized Sponsor / Liaison: Ernest L. Stevens III, Councilmember
Primary Requestor/Submitter: Jameson Wilson, Executive Assistant Your Name, Title / Dept. or Tribal Member
Additional Requestor: Name, Title / Dept.
Additional Requestor: Name, Title / Dept.

Public Packet 59 of 327

BUSINESS COMMITTEE TRAVEL REPORT



Trave	l Report f	for:	Ernest L.	Stevens III
-------	------------	------	-----------	-------------

Travel Event:	AISES Conference				
Travel Location:		Milwaukee, WI			
Departure Date:	10/09/2019	Return Date:	10/13/2019		
Projected Cost:	1621.75	Actual Cost:	667.28		
Date Travel was App	proved by OBC:	09/11/2019	-		

Narrative/Background:

The American Indian Science and Engineering Society (AISES) is a one-of-a-kind, three day event focusing on educational, professional and workforce development. Attendees include American Indian high school and college students, educators, professionals, tribal nations and tribal enterprises, universities, corporations and government agencies. The AISES National conference has become the premier event for American Indian Science, Technology, Engineering and Math (STEM) students and professionals attracting 2,200 attendees from across the country.

The conference was the second highest attended AISES event to date. I was thoroughly impressed with the balance of students higher education professionals and professional executives and government officials in attendance. I was also impressed with the job fair which was a great networking site for all levels of attendees. There was a vastly diverse set of breakout sessions and tracts covering a wide assortment of issues and topics which made it difficult to attend and engage. I would recommend this event for any student, high school and above, or any higher ed professional in any field of study or any professional of any kind, given the future of STEM and all aspects of the workforce.

Item(s) Requiring Attention:

-Collaborate with the General Manager and Education areas to formulate a planning team to work with AISES to potentially bring a Wisconsin Tribal STEM Summit to Oneida.

- -Oneida to begin the process of becoming full members of AISES and sending more youth and higher ed representation to AISES Conference.
- -Oneida to become more active with AISES by sending more professionals, government officials and higher ed representaives as panelists or any form of contributors for the conference.

Requested Action:

Motion to approve Councilman Stevens' travel report to the 2019 AISES National Conference in Milwaukee, WI October 9-13, 2019.

PRELIMINARY AGENDA

Wednesday, October 9, 2019

hackAISES

Registration/Check-in Opens

STEM Activity Day

Thursday, October 10, 2019

Academic Advisory Council (AAC) Meeting

Canadian Indigenous Advisory Council

(CIAC) Meeting

Corporate Advisory Council

(CAC) Meeting

Exhibitor Orientation

Gemstone Reception

Government Relations Council

(GRC) Meeting

Industry Partner/University Tours

Native Artisan Marketplace

Networking Suites

Opening Ceremony

Professional Chapters Council

(PCC) Meeting

Resume Room

Sessions for Selected Tracks

Student Orientation

Talking Circles

Tribal Nations Advisory Council

(TNAC) Meeting

Friday, October 11, 2019

College and Career Fair

Morning Blessing Ceremony

Professional Members Dinner

Resume Room

Sessions for All Tracks

Student Caucuses

Student Poster and Oral Research Presentations and Competition

Student Social Event

Wellness Activity

Saturday, October 12, 2019

Closing Banquet

Closing Talking Circle

Professional Members Meeting

Sequoyah Fellows Breakfast

Sessions for All Tracks

Student Awards Luncheon Traditional Native Powwow

Wellness Activity

Agenda is Subject to Change – The 2019 AISES National Conference Program, including all sessions and presentations, will be posted online prior to the start of the conference.



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Oneida Business Committee Agenda Request

Approve the travel report - Vice-Chairman Brandon Stevens and Councilman David P. Jordan - 2019...

1. Meeting Date Requested: 11 / 13 / 19
2. General Information: Session: Open Executive - See instructions for the applicable laws, then choose one:
Agenda Header: Travel Report
 ☐ Accept as Information only ☑ Action - please describe: Requested Action: To approve travel report for NCAI Mid-Year Convention & Youth Commission, Sparks, Nevada, for Vice Chairman Stevens & Council Member Jordan.
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 Unbudgeted
5. Submission
Authorized Sponsor / Liaison: Tehassi Hill, Chairman
Primary Requestor/Submitter: Laura Laitinen-Warren, Senior Policy Advisor Your Name, Title / Dept. or Tribal Member
Additional Requestor: Name, Title / Dept.
Additional Requestor: Name, Title / Dept.

Oneida Business Committee Agenda Request

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Describe the purpose,	background/history, a	and action reques	ted:

for Vice Chairman Stevens & Council Member Jordan.

- 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

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BUSINESS COMMITTEE TRAVEL REPORT



Travel Report for:

Brandon Stevens

Enter name(s) of other

delete

Enter name(s) of other Travelers OR [SPACE BAR] to delete Enter name(s) of other

Travelers OR [SPACE BAR] to Travelers OR [SPACE BAR] to

delete

Travel Event: NCAI		2019 Mid-Year Conference		
Travel Location:		Sparks, Nevada		
Departure Date:	06/25/2019	Return Date:	06/27/2019	
Projected Cost:	\$1,745.00	Actual Cost:	\$1,792.48	
Date Travel was App	proved by OBC:	04/10/2019		

Narrative/Background:

Please see attached

Item(s) Requiring Attention:

Requested Action:

Approve Travel Report

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BUSINESS COMMITTEE TRAVEL REPORT



Travel Event:		NCAI	
Travel Location:		Sparks, NV	
Departure Date:	06/22/2010	Return Date:	06/27/2010

David P. Jordan

Projected Cost: \$1,917.00 **Actual Cost:** \$1,627.55

Date Travel was Approved by OBC: 04/10/2019

Narrative/Background:

Travel Report for:

See Attachment

Item(s) Requiring Attention:

N/A

Requested Action:

Approve Travel Report

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National Congress of American Indians Mid-Year Conference & Youth Commission Summary Report June 23 through June 27, 2019 Sparks, Nevada

Oneida Youth Attendees:

Kaylee Schuyler, Eleciah Danforth, Logan Hill, Joseph Powless

BC Attendees:

Vice Chairman Brandon Stevens (6/25-6/27) & Council Member David Jordan

Chaperones:

Laura Laitinen-Warren & Renita Hernandez

Narrative/Background:

The Oneida Business Committee supported the opportunity for up to six youth to attend the National Congress of American Indians Mid-Year Conference and Marketplace Youth Commission in Sparks, Nevada, June 23-27, 2019. Funding for the conference, travel, lodging and meals was covered through the Business Committee's Special Projects budget.

The NCAI Youth Commission is designed specifically for college and high school students aged 16-23; however, Oneida invited Juniors and Seniors to apply to provide exposure to the possibilities in tribal government prior to entering post-secondary education. The NCAI Youth Commission includes all interested youth and provides a unique perspective on issues relevant to them as tribal youth as they will have an opportunity to network, discuss challenges within their community and throughout Indian Country as well as share possible solutions.

A desired outcome of sponsoring youth to attend NCAI was to create an interest in government and leadership for the Oneida Youth in attendance and to contribute to the skill set and knowledge of those youth so they can begin to prepare to lead the Oneida Nation and be active and engaged citizens.

Sessions attended:

Monday, June 24

Breakout Session: Addiction Task Force

At NCAI's 2016 Annual Convention, a session on the opioid epidemic stirred discussion among tribal leaders that underscored the importance of continually addressing substance abuse issues.

Breakout Session: Climate Action Task Force

At the National Congress of American Indians (NCAI) Executive Council Winter Session in February 2019, NCAI President Jefferson Keel announced the establishment of the NCAI Climate Action Task Force (CATF). The working mission of the Task Force is to "document, inform, and support the climate action efforts of tribal nations and Native organizations, and identify and advocate for policies and funding designed to empower their ability to engage in effective, sustainable climate action." At this inaugural meeting of the Task Force, CATF's Co-Chairs will work with participants to refine and finalize CATC's draft mission and key functions and will lead a discussion about Indian Country's policy priorities for climate action at both the national and international levels, and how NCAI can advance with its partners to advance those priorities.

National Congress of American Indians Mid-Year Conference & Youth Commission Summary Report June 23 through June 27, 2019 Sparks, Nevada

Youth Commission Returns from Task Force Meetings – Group Report Out Welcome Reception

Tuesday, June 25

First General Assembly

- Presentation of the Colors
- Honor Song
- Invocation
- Welcome: Arlan D. Melendez, Chairman, Reno-Sparks Indian Colony
- Rules of the Convention: Yvonne Oberly, Chair, NCAI Rules & Credentials Committee
- Resolutions Process Report: Juanita Ahtone, Chair, NCAI Resolutions Committee
- President's Report: Jefferson Keel, President, National Congress of American Indians

Youth Commission Sessions: College and Career Readiness & Tribal Resolutions

Breakout Session: The Battle to Protect Native Children: the Indian Child Welfare Act (ICWA) and How Your Tribal Nation Can Make an Impact

During this past year, American Indian and Alaska Native children and families endured one of the largest coordinated attacks at the federal district and circuit levels. While the battle has raged in the courts, the public narrative of the issues surrounding Native children and ICWA will have an impact on the outcome of the case. In this breakout session speakers

Youth Commission History, Purpose & Bylaws

The Social hosted by the Youth Commission

Wednesday, June 26

Youth Commission Working Session: Youth Work on Youth Policy Projects

NCAI Youth Commission Panel Discussion

Panel: Sophie Tiger, NCAI Youth Commission Officer, Rory Wheeler, NCAI Youth Commission Officer, Michael Charles CNAY Fellow, & Rani Williams Wilma Mankiller Fellow

Youth Commission Q&A: What Youth Are Experiencing in their Communities

Youth Commission Discussion: Achieving Goals Through Adversity

Youth End of Day Gathering

Public Packet 68 of 327

National Congress of American Indians Mid-Year Conference & Youth Commission Summary Report June 23 through June 27, 2019 Sparks, Nevada

Ideas from Wrap up meeting with BC & Youth.

What can Oneida Nation do to support youth in the community?

- Set up a youth commission
- Have a gym that is open so we can go scrimmage somewhere.
- Create safe places for them to go so they can hang out.
- Including the youth in the GTC meetings so they are prepared to attend and be involved and know what is going on in the community.
- Look at what other communities do for detox centers to help with addiction.
- Could there be a youth voice on the TAP?
- Open gym area, more youth recreation centers, more events for kids that are not cost prohibitive.
- More activities like cleaning up the parks, cook outs, box Lacrosse.
- Improved communication can be a change.

How can tribal leaders engage youth more?

- Once a school quarter reach out and let them know what is going on.
- Have a social.
- Could the older youth reach out to the younger ones?
- Youth Commission here or youth council that would feed in to the larger—GTC.

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Oneida Business Committee Agenda Request

Approve the travel report - Chairman Tehassi Hill and Vice-Chairman Brandon Stevens - Detroit...

1. Meeting Date Requested: 11 / 13 / 19
2. General Information: Session: Open Executive - See instructions for the applicable laws, then choose one:
Agenda Header: Travel Report
 ☐ Accept as Information only ☑ Action - please describe: Motion to approve the Travel Report for Vice-Chairman Brandon Stevens and Chairman Tehassi Hill who attended the Democratic Primary Debate in Detroit, MI July 30th - August 1st, 2019
3. Supporting Materials Report Resolution Contract Other: 1. Travel Report 3.
2.
4. Budget Information
5. Submission
Authorized Sponsor / Liaison: Tehassi Hill, Chairman & Brandon Stevens, Vice-Chairman
Primary Requestor/Submitter: Tehassi Hill, Chairman Your Name, Title / Dept. or Tribal Member
Additional Requestor: Name, Title / Dept.
Additional Requestor: Name, Title / Dept.

Oneida Business Committee Agenda Request

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Describe the purpose,	background/history, a	and action reques	ted:

This travel request was approved by the Oneida Business Committee at the July 17th, 2019 Special BC Meeting. Travel Report 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

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BUSINESS COMMITTEE TRAVEL REPORT



\$992.95 - BYS

Travel Report for: Brandon Stevens Tehassi Hill

Travel Event: Democratic National Committee - Debates

Travel Location: Detroit, Michigan

Departure Date: 07/30/2019 **Return Date:** 08/01/2019

\$992.95 - BYS

Projected Cost: \$1,652.00 - TH **Actual Cost:** \$1,721.81 - TH

Date Travel was Approved by OBC: 07/17/2019

Narrative/Background:

Chairman Hill and I attended the Democratic Presidential debates in Detriot, Michigan at the historic Fox Theatre. We were invited by the Chairman of the Democratic National Committee's Native American Caucus. During the day we met with 4 of 5 top polling candidates for a Tribal Leader's Caucus pre-debate program (attached). We share our concerns and requests with each candidates and worked with Pace to develop the talking points (see 11/13/19 BC Executive Session submission). We also met with the National Democratic Committee Chairman Tom Perez and talked about the Convention next year and the need for a strong Tribal presence and he committed to continue consulting the tribes for our input.

Debate lineup:

Tuesday, July 30

Steve Bullock, Pete Buttigieg, John Delaney, John Hickenlooper, Amy Klobuchar, Beto O'Rourke, Tim Ryan, Bernie Sanders, Elizabeth Warren, Marianne Williamson

Wednesday, July 31

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Michael Bennet, Joe Biden, Bill de Blasio, Cory Booker, Julián Castro, Tulsi Gabbard, Kirsten Gillibrand, Kamala Harris, Jay Inslee, Andrew Yang

Item(s) Requiring Attention:

N/A

Requested Action:

Motion to approve the Travel Report for Vice-Chairman Brandon Stevens and Chairman Tehassi Hill who attended the Democratic Primary Debate in Detroit, MI July 30th - August 1st, 2019

From: Ramirez, Rion J
To: Ramirez, Rion J

Cc: Keith M. Harper (Keith) (Kharper@kilpatricktownsend.com); "EThompson@kilpatrickstockton.com"; Bookataub.

Susan

Subject: Updated Program: DNC Debate-Native American Caucus Program

Date: Monday, July 29, 2019 11:07:57 PM

Attachments: <u>image001.png</u>



Native American Caucus Program

Updated Program

Details: The Debates will be held at the Fox Theater located at Fox Theatre, 2211 Woodward Ave, Detroit, MI 48201.

Tuesday, July 30

12:30 p.m. | Pre-Debate discussion with Senator Bernie Sanders DoubleTree Suites the meeting will be in "Fort Drummond" | 525 West Lafayette Blvd, Detroit, MI (Please arrive no later than 12:15 p.m.)

Wednesday, July 31

Thank you to the Puyallup Tribe of Indians for sponsoring the meeting room at the Westin Book Cadillac Detroit Hotel for these important conversations and thank you to the Mashantucket Pequot Tribal Nation and the Agua Caliente Band of Cahuilla Indians for sponsoring the lunch.

9:15 a.m. – 9:45 a.m. | Post-Debate discussion with Mayor Pete Buttigieg The Westin Book Cadillac Detroit Hotel the meeting will be in "Boulevard A" | 1114 Washington Blvd, Detroit, MI (Please arrive no later than 9:00 a.m.)

10:00 a.m. – 10:45 a.m. | Post-Debate discussion with Senator Elizabeth Warren The Westin Book Cadillac Detroit Hotel the meeting will be in "Boulevard A" | 1114 Washington Blvd, Detroit, MI

11:00 a.m. – 11:30 a.m. | Discussion with DNC Chairman Tom Perez The Westin Book Cadillac Detroit Hotel the meeting will be in "Boulevard A" | 1114 Washington Blvd, Detroit, MI

12:00 Noon - 1:30 LUNCH

2:30 p.m. – 3:15 p.m. | Post-Debate discussion with Governor Steve Bullock The Westin Book Cadillac Detroit Hotel the meeting will be in "Boulevard A" | 1114 Washington Blvd, Detroit, MI

Thursday, August 1

10:30 a.m. – 11:30 a.m. | Post-Debate discussion with Senator Kamala Harris MGM Grand Hotel | Detroit 1777 Third Street Detroit, MI 48226 Detroit, MI

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(Please arrive no later 10:15 a.m.) Please meet in the lobby of the hotel and a staffer for Senator Harris will escort you to the meeting room.

****Times are subject to change. We will notify you immediately of any amendments and please be on the look out for additional candidate meeting confirmations

Please RSVP to Evelyn Thompson at <u>EThompson@kilpatrickstockton.com</u> if you have not already done so. For any questions on the day of the events, please call Rion Ramirez at (360) 340-2770.

Thank you - and we look forward to seeing you in Detroit!

Rion J. Ramirez

General Counsel

MPTN Office of Legal Counsel

Mashantucket Pequot Tribal Nation

2 Matt's Path, P.O. Box 3060, Mashantucket, CT 06338 TEL: 860-396-2099 RionRamirez@mptn-nsn.gov

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Public Packet 75 of 327

Oneida Business Committee Agenda Request

Approve the travel report - Vice-Chairman Brandon Stevens - Two (2) events

1. Meeting Date Requested: 11 / 13 / 19

2. General Information: Session: ☑ Open ☐ Executive - S	see instructions for the applicable laws, then choose one:
Jession. Sopen Sexedive s	ce instructions for the applicable laws, then choose one.
Agenda Header: Travel Report	
Accept as Information only	
★ Action - please describe: ★ Action - please des	
the Nation. The Frank LaMere Na	port for Vice-Chairman Brandon Stevens who two events on behalf of ative American Presidential Forum in Sioux City, IA 8/19-20/2019 Hearing in Madison, WI 8/21/2019.
☑ Cther:	Contract
1. Travel Report	3.
2	
2.	4.
☐ Business Committee signature requ	ired
4. Budget Information	
Budgeted - Tribal Contribution	☐ Budgeted - Grant Funded ☐ Unbudgeted
5. Submission	
Authorized Sponsor / Liaison: Brand	on Stevens, Vice-Chairman
Primary Requestor/Submitter: Your	Name, Title / Dept. or Tribal Member
Additional Requestor:	
	e, Title / Dept.
Additional Requestor: Nam	e, Title / Dept.

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BUSINESS COMMITTEE TRAVEL REPORT



Travel Report for: Brandon Stevens

Two Events:

Frank LaMere Native American Presidential forum in Sioux City, IA 8/19-20/2019 and Senate Health Cmte hearing

Travel Event: Madison, WI 8/21/2019

Travel Location: Sioux City, IA and Madison, WI

Departure Date: 08/18/2019 **Return Date:** 08/21/2019

Projected Cost: \$556.89 Actual Cost: \$556.89

Date Travel was Approved by OBC: 09/11/2019

Narrative/Background:

The Frank LaMere Native American Presidential forum was the first Native American focused Presidential forum of its kind. 11 Presidential candidates participated in the forum and had an opportunity to present their tribal platform and then field questions from panels of Tribal leaders. I had to honor of being a panelist for Julian Castro and asked him a housing question about increasing tribal member home ownership. Sen. Bernie Sanders, Sen. Elizabeth Warren, Sen. Kamala Harris and Mayor Pete Buttigieg all have tribal platforms.

The second part of the travel was giving testimony on Senate Bill 89, Dental Therapists licensure, testimony is attached.

Item(s) Requiring Attention:

Dental Therapy portion of the travel is covered by Self-Governance.

Requested Action:

Motion to approve the Travel Report for Vice-Chairman Brandon Stevens who attended two events on behalf of the Nation. The Frank LaMere Native American Presidential Forum in Sioux City, IA 8/19-20/2019 and the Senate Health Committee Hearing in Madison, WI 8/21/2019.







Oneida Nation Testimony for Senate Bill 89 relating to licensure of dental therapists; extending the time limit for emergency rule procedures; providing an exemption from emergency rule procedures; providing an exemption from rule-making procedures; and granting rule-making authority.

August 21, 2019

On behalf of the Oneida Nation, my name is Brandon Stevens and I am the Vice Chairman for the Nation. I am here today to express the Oneida Nation's supports Senate Bill 89 which allows for the licensure of dental therapists, extending the time limit for emergency rule procedures, providing an exemption from emergency rule procedures, providing an exemption from rule-making procedures and granting rule-making authority.

The Oneida Nation supplies comprehensive services for dental and oral hygiene care to our community; including preventative care; restorative care fillings; oral surgery extractions; orthodontics, prosthetics; endodontics; emergency dental treatment; fluoride therapy and more. The Oneida Nation provides over 28,148 dental patient visits equating to over 6,077 patient visits per dentist. The average wait times for dentists are approximately 4-5 months at the Oneida Dental Clinic.

According to the Indian Health Service Oral Survey¹,

- 71.3% of American Indian/Alaskan Native children aged 3-5 have tooth decay.
- 86% of American Indian/Alaskan Native children between 6-9 year of age had a history of decay in their primary permanent teeth, compared to 56% of children in the general US population.
- 47% of 6-9-year-old American Indian/Alaskan Native children had untreated decay compared to 17% of 6-9-year-old children in the general US population.
- American Indian/Alaskan Native adult dental patients suffer disproportionately higher rates of untreated tooth decay, with twice the prevalence as the general US population and more than any other racial/ethic group.
- About 83% of American Indian/Alaskan Native adult patients aged 40-64 years have lost at least one permanent tooth compared to 66% of the general US population of the same age.

¹ https://www.ihs.gov/doh/







The Oneida Nation surveyed all 11 federally recognized tribes within the State of Wisconsin to gain a better understanding of the oral health challenges they faced. The results showed that the biggest challenges Wisconsin tribes face when it comes to oral health is long wait times and staff shortages. Other challenges include access to care, finding qualified dental providers, early childhood tooth decay, and broken appointments.

The Oneida Nation believes that tribal members will pursue dental therapist careers and will want to serve in their communities, much like what happened in other states. According to Mary Williard of the Alaska Native Tribal Health Consortium, in Alaska, 3 of every 4 dental therapists come from the village or region they work in. This will help alleviate staff shortages, especially in those rural and poverty-stricken areas where it is hard to find dental providers. We feel dental therapists will reduce the wait times for patients to receive the oral care they deserve because dental therapists can supply the basic clinical dental treatment which focuses on routine and preventative services which will free up the dentists' time to focus on more complex cases. Our research shows that in Washington, Swinomish Indian Tribal Community reduced their average wait time from six months to under two months with just one dental therapist and Port Gamble S'Klallam Tribe completely eliminated its wait time after they hired a dental therapist.²

Tribal communities tend to be located in more rural areas and experience higher rates of poverty. To ensure that dental therapists are efficient and effective in tribal communities, the Oneida Nation strongly encourages that Senate Bill 89 allow dental therapists to supply those routine and preventative services under general supervision of a dentist, as they do in Alaska, Washington, Oregon, and Minnesota. We can learn from the State of Maine where they passed a law that requires a dentist to be physically in the room with a dental therapist while they are working. In part because of this arbitrary burden, no dentist has hired a dental therapist in the State of Maine. No dental therapists are practicing in the State of Maine since the law passed five years ago.

It is for these reasons that the Oneida Nation supports Senate Bill 89. The Oneida Nation sincerely requests to work together with the Wisconsin legislature to improve dental health for our members. I thank you for this opportunity to speak today and look forward to collaborating with a good mind, a good heart, and a strong fire.

² According to Dr. Rachael Hogan, Head Dentist at Swinomish Indian Tribal Community and Karol Dixon, Health Director at Port Gamble S'Klallam Tribe

Public Packet 79 of 327

Oneida Business Committee Travel Request

Approve the travel request - Vice-Chairman Brandon Stevens - 2019 Fall Haskell Board of Regents...

	tion:	
Event Name:	Haskell F	all Board of Regents Meeting
Event Location:	Lawrence, KS	Attendee(s): Brandon Stevens
Departure Date:	Dec 10, 2019	Attendee(s):
Return Date:	Dec 13, 2019	Attendee(s):
Budget Informa	tion:	
⋉ Funds availab☐ Unbudgeted	e in individual travel budget(s)	Cost Estimate: \$300
	or Reimbursed	
	lication of this Travel Request:	
Haskell Indian Na December 10th - ability to affect m well as the BIE Dir Administration in paid for the by the	evens serves as the Midwest Regent tions University in Lawrence, KS. This 13th, 2019. The continued relationsh ajor change in education with direct ector. The Board membership puts C overall education matters that can p	as well as the President of the Haskell Board of Regents for request is to attend the Fall Board of Regents meeting ip between the Oneida Nation and the University has the access to the Secretary of the Department of Interior as Oneida at an advantage of being resource for the cositively influence our Educational needs. Travel expense Diem. The Cost estimate of \$300 is for a rental car and
Vice-Chairman Sto Haskell Indian Na December 10th - ability to affect m well as the BIE Dir Administration in paid for the by the	evens serves as the Midwest Regent tions University in Lawrence, KS. This 13th, 2019. The continued relationsh ajor change in education with direct ector. The Board membership puts C overall education matters that can p e BOR include Hotel, Airfare and Per	request is to attend the Fall Board of Regents meeting ip between the Oneida Nation and the University has the access to the Secretary of the Department of Interior as Oneida at an advantage of being resource for the ositively influence our Educational needs. Travel expense

- 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

Brandon L. Yellowbird-Stevens

From:

Prue, Stephen <stephen.prue@BIE.EDU>

Sent:

Thursday, August 29, 2019 2:24 PM

To:

Alisha R. Thompson (alishart48@gmail.com); Brandon L. Yellowbird-Stevens; Clarena Brockie (clarenabrockie@hotmail.com); Connie Reitman (connie.reitman@yahoo.com);

David M. Lee (mexifrize@gmail.com); Gil Vigil; Haley Buzzard Hamilton

(hbuzzard@tauw.org); Harold Frazier (haroldcfrazier@yahoo.com); Joel Hernandez; John

Bush (johnrezrider@yahoo.com); Robyn Neswood (rneswood@gmail.com); Ron

Twohatchet (dawestwo@hotmail.com); Ryman LeBeau; William Wilkinson

Cc:

Wildcat, Daniel; Deer, Amy

Subject:

Fall Board Meeting Dates

Importance:

High

Greetings everyone,

The Fall Haskell Board of Regents meeting will be held December 11th & 12th with travel on Tuesday, Dec. 10th and return travel Dec. 13th or 14th. Haskell's fall graduation on Friday Dec. 13th and we hope all our Regents will be able to attend. Please let Amy or I know if you have any questions.

Stephen C. Prue Haskell Indian Nations University **Executive Assistant to the President** Office: (785) 832-6644

stephen.prue@bie.edu www.haskell.edu

Our Mission at Haskell Indian Nations University is to build the leadership capacity of our students by serving as the leading institution of academic excellence, cultural and intellectual prominence, and holistic education that addresses the needs of Indigenous communities.

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Enter e-poll results into the record regarding the approved travel request - Vice-Chairman Brandon...

Business Committee Agenda Request

1.	Meeting Date Requested:	11/13/19	
2.	General Information: Session:	<u>—</u>	– must qualify under §107.4-1. hoose reason for Executive.
3.	Supporting Documents:		
	Contract Document(s	Legal Review	Resolution
	Correspondence	Minutes	Statement of Effect
	Fiscal Impact Stateme	ent Report	
	Other: E-poll results, i	equest, & supporting docu	uments
4.	Budget Information:		
	⊠ Budgeted	Budgeted – Grant	Funded Unbudgeted
	Not Applicable	Other: Describe	
5.	Submission:		
	Authorized Sponsor:	Lisa Summers, Secreta	ary
	Primary Requestor:		
	Additional Requestor:	(Name, Title/Entity)	
	Additional Requestor:	(Name, Title/Entity)	
	•		
	Submitted By:	LLIGGINS	

From: TribalSecretary

Sent: Thursday, October 24, 2019 9:01 AM

To: TribalSecretary; Brandon L. Yellowbird-Stevens; Daniel P. Guzman; David P. Jordan;

Ernest L. Stevens; Jennifer A. Webster; Kirby W. Metoxen; Lisa M. Summers; Patricia

M. King; Tehassi Tasi Hill

Cc: BC_Agenda_Requests; Brian A. Doxtator; Danelle A. Wilson; Fawn J. Billie; Jameson J.

Wilson; Jessica L. Wallenfang; Laura E. Laitinen-Warren; Leyne C. Orosco; Rhiannon R.

Metoxen; Rosa J. Laster

Subject: E-POLL RESULTS: Approve the travel request - Vice-Chairman Brandon Stevens -

Kansas City NFL Stadium Visit - Kansas City, KS - Oct 26-28, 2019

Attachments: BCTR Approve the travel request - Vice-Chairman Brandon Stevens - Kansas City NFL

Stadium Visit - Kansas City, KS - Oct 26-28, 2019.pdf; A_LS comment 1.pdf; B_BYS comment 1.pdf; C_LS comment 2.pdf; D_LS comment 3.pdf; E_DJ comment.pdf;

F_BYS comment 2.pdf; G_JW comment.pdf; H_LS comment 4.pdf

Importance: High

E-POLL RESULTS

The e-poll to approve the travel request for Vice-Chairman Brandon Stevens to attend the Kansas City NFL Stadium Visit in Kansas City, KS - Oct 26-28, 2019, <u>has been carried</u>. As of the deadline, below are the results:

Support: Daniel Guzman King, David P. Jordan, Trish King, Brandon Stevens, Ernie Stevens

III, Jennifer Webster

Oppose: Lisa Summers

Per section 5.2.c. of the OBC SOP *Conducting Electronic Voting (E-polls)*, attached are copies of any comment by an OBC member made beyond a vote.

Lisa Liggins

Information Management Specialist Business Committee Support Office (BCSO)



A good mind. A good heart. A strong fire.

P.O. Box 365 Oneida, WI 54155-0365 oneida-nsn.gov Public Packet 83 of 327

From: TribalSecretary

Sent: Tuesday, October 22, 2019 4:16 PM

To: BC Members

Cc: TribalSecretary; BC Assistants

Subject: E-POLL REQUEST: Approve the travel request - Vice-Chairman Brandon Stevens - Kansas City

NFL Stadium Visit - Kansas City, KS - Oct 26-28, 2019

Importance: High

E-POLL REQUEST

Summary:

Vice-Chairman Stevens would like to take the opportunity to further the Green Bay Packer/Oneida Nation relationship and more pointedly review Kansas City Chiefs stadium policy and environment related to mascot and offensive actions. I would also like to start the conversation about how or what we will expect from the Green Bay/Washington game. Travel expenses paid for by the Green Bay Packers include flights, hotel and one dinner.

Requested Action:

Approve the travel request for Vice-Chairman Brandon Stevens to attend the Kansas City NFL Stadium Visit in Kansas City, KS - Oct 26-28, 2019

Deadline for response:

Responses are due no later than 4:30 p.m., WEDNESDAY, October 23, 2019.

Voting:

- 1. Use the voting button above, if available; OR
- 2. Reply with "Support" or "Oppose".

Lisa Liggins

Information Management Specialist
Business Committee Support Office (BCSO)



A good mind. A good heart. A strong fire. PO Box 365 Oneida, WI 54155-0365 Oneida-nsn.gov Public Packet 84 of 327

Oneida Business Committee Travel Request

Event Name:	Kansas City NFL Stadium			
Event Location:	Kansas City, KS	Attendee(s): Brandon Stevens		
Departure Date:	Oct 26, 2019	Attendee(s):		
Return Date:	Oct 28, 2019	Attendee(s):		
udget Information	1:			
✓ Funds available in✓ Unbudgeted	individual travel budget(s)	Cost Estimate: Paid for by Green Bay Packers		
	Reimbursed			
Describe the justificat —————————Vice-Chairman Steven	·	unity to further the Green Bay Packers/Oneida Nation		
Vice-Chairman Steven relationship and more and offensive actions.	ns would like to take the opport e pointedly review Kansas City C . I would also like to start the co	nversation about how or what we will expect from the		
Vice-Chairman Steven relationship and more and offensive actions. Green Bay/Washingto dinner. Requested Action:	ns would like to take the opportions would like to take the opportions pointedly review Kansas City Country I would also like to start the coon game. Travel expenses paid f	hiefs stadium policy and environment related to mascot		
Vice-Chairman Steven relationship and more and offensive actions. Green Bay/Washingto dinner. Requested Action:	ns would like to take the opportions would like to take the opportions pointedly review Kansas City Country I would also like to start the coon game. Travel expenses paid f	Chiefs stadium policy and environment related to mascot onversation about how or what we will expect from the for by the Green Bay Packers include flights, hotel and on		
Vice-Chairman Steven relationship and more and offensive actions. Green Bay/Washingto dinner. Requested Action:	ns would like to take the opportions would like to take the opportions pointedly review Kansas City Country I would also like to start the coon game. Travel expenses paid f	Chiefs stadium policy and environment related to mascot onversation about how or what we will expect from the for by the Green Bay Packers include flights, hotel and on		

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

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From: Lisa M. Summers

Sent: Tuesday, October 22, 2019 4:21 PM

TribalSecretary; Brandon L. Yellowbird-Stevens; Daniel P. Guzman; David P. Jordan;

Ernest L. Stevens; Jennifer A. Webster; Kirby W. Metoxen; Patricia M. King; Tehassi

Tasi Hill

Cc: Brian A. Doxtator; Jameson J. Wilson; Danelle A. Wilson; Fawn J. Billie; Jessica L.

Wallenfang; Laura E. Laitinen-Warren; Leyne C. Orosco; Rhiannon R. Metoxen; Rosa J.

Laster

Subject: Re: E-POLL REQUEST: Approve the travel request - Vice-Chairman Brandon Stevens -

Kansas City NFL Stadium Visit - Kansas City, KS - Oct 26-28, 2019

Good Afternoon,

At this time I am unable to support this request due to outstanding travel. Our Motion form Oct 9 is as follows...

"October 9, 2019, regular BC meeting: Motion by Jennifer Webster that due to the credit card issues Business Committee members are unable to travel until their past travel has been reconciled, seconded by Lisa Summers. Motion carried."

Currently there still remains 3 outstanding charges from September 2019, which means travel is out of compliance with our motion. Technically, this should have held true for last week's travel to Westerville as well; however, this arrangements were already completed and the tribe would have lost money.

Sent from my Sprint Samsung Galaxy S9.

Public Packet 86 of 327

From: Brandon L. Yellowbird-Stevens
Sent: Tuesday, October 22, 2019 10:26 PM

Cc:

To: Lisa M. Summers; TribalSecretary; Daniel P. Guzman; David P. Jordan; Ernest L.

Stevens; Jennifer A. Webster; Kirby W. Metoxen; Patricia M. King; Tehassi Tasi Hill Brian A. Doxtator; Jameson J. Wilson; Danelle A. Wilson; Fawn J. Billie; Jessica L.

Wallenfang; Laura E. Laitinen-Warren; Leyne C. Orosco; Rhiannon R. Metoxen; Rosa J.

Laster; Jo A. House

Subject: RE: E-POLL REQUEST: Approve the travel request - Vice-Chairman Brandon Stevens -

Kansas City NFL Stadium Visit - Kansas City, KS - Oct 26-28, 2019

Attachments: FW: BYS Rental NIGA mid-year travel 2019; receipts (CT NIGA Sept 17th).pdf; receipts

(CT NIGA Sept 19th).pdf

Attached is the email for receipts and travel authorization submitted to Tribal Secretary's Office on September 20th. The travel in question ended September 19th so my office was immediate in returning receipts and travel authorization. Since the primary person who does BC travel is out this week I am unable to track down the hardcopy paperwork from home. Tomorrow we can find the back up for the 2 baggage receipts submittal but for the purposes of the Secretary's response, 2 baggage/rental receipt and travel authorization which for redundancy's sake have been submitted directly to Jennifer in Accounting. There has to be a better process because if we submit the receipts to the TSO as suggested within the travel policy timeline and Accounting doesn't receive them there is not much we can do besides being redundant and submit directly to account as we did. Everything should be in order.

Public Packet 87 of 327



Rental Agreement # 845373522 Invoice # 90119579523

Renter Information

Renter Name

BRANDON STEVENS

Renter Address

GREEN BAY, WI 54313

USA

Vehicle Information

OPTIMA LX 4DR

License #: UM1D4W State/Province: MO Unit #: 7RC1V6 Vehicle #: KG292910

Vehicle Class Driven

Full Size Car 4-Door/Automatic/Air

Vehicle Class Charged

Full Size Car 4-Door/Automatic/Air

Odometer Mileage/Kilometers

Starting: 33,000 **Ending:** 34,014

Total: 1,014

Thank you for renting with Enterprise Rent-A-Car

We appreciate your business!

This email was automatically generated from an unattended mailbox, so please do not reply to this e-mail.

If you have any questions about your rental, please view our Frequently

Asked Questions or send us a secured message by visiting our <u>Support Center</u>

Trip Information

Pickup Tuesday, September 17, 2019 Thursday, September 19, 4:05 PM BRADLEY INTL ARPT (BDL) Start Charges 1 NATIONAL DR Tuesday, September 17, 2019 WINDSOR LOCKS, CT 06096-1018 USA

BRADLEY INTL ARPT (BDL)

1 NATIONAL DR

WINDSOR LOCKS, CT 06096-1018

USA

Renter Charges

Rental Rate	Car Class Change 2 Day at \$10.00 / Day	\$20.00
	Time & Distance 2 Day at \$101.98 / Day	\$203.96
	Time & Distance 4 Hour at \$20.40 / Hour	\$81.60
Coverages	Roadside Assistance Protection (\$6.99 / Day)	\$13.98
	Cdw/ldw (\$19.99 / Day)	\$39.98
Taxes and Fees	Concession Fee Recovery 11.11 Pct (11.11%)	\$40.84
	Customer Facility Charge 8.40/day (\$8.40 /	
	Day)	\$25.20
	Motor Veh Rental Surchg 2.70/day (\$2.70 /	
	Day)	\$8.10
	Sales Tax (9.35%)	\$34.45
	Tourism Account Surcharge \$1/day (\$1.00 /	
	Day)	\$3.00
Total		\$471.11
(Subject to audit)		
Amount charged	on September 19, 2019 to VISA (1235)	(\$31.50)
Amount charged	on September 19, 2019 to VISA (1235)	(\$31.50)
Amount charged	on September 19, 2019 to VISA (1235)	(\$408.11)
Amount Due		\$0.00



Date of Purchase: Sep 17, 2019

Baggage Receipt

PASSENGER INFORMATION

BRANDONLEE YELLOWBIRDSTEVENS SkyMiles Number: 6708345225

Confirmation Number: JL7MWK Ticket Number: 0068221128026

BILLING AND INFORMATION

EXCESS BAGGAGE	\$30.00	USD
Taxes & Fees	\$0.00	USD

TotalPaid with Visa *********1235

\$30.00 USD

. ----

Retain this receipt for your records. This document provides information about specified fees or services you have been charged.

If purchasing Delta Sky Club memberships all Delta SkyMiles and Delta Sky Club rules apply. To review the rules, please visit Delta Sky Club.

All Delta Comfort+™ and Preferred seats are Nonrefundable. Important Note: If travel or checkin commences on a carrier other than Delta this receipt must be presented at the time of the service or fee will be used. Retain this receipt for your records.

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Date of Purchase: Sep 19, 2019

Baggage Receipt

PASSENGER INFORMATION

BRANDONLEE YELLOWBIRDSTEVENS SkyMiles Number: 6708345225

Confirmation Number: JL7MWK Ticket Number: 0068291930681

BILLING AND INFORMATION

EXCESS BAGGAGE	\$30.00	USD
Taxes & Fees	\$0.00	USD

TotalPaid with Visa *********1235

\$30.00 USD

Paid with visa ^^^^^^^^1235

Retain this receipt for your records. This document provides information about specified fees or services you have been charged.

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From: Lisa M. Summers

Sent: Wednesday, October 23, 2019 8:28 AM

To: Brandon L. Yellowbird-Stevens; TribalSecretary; Daniel P. Guzman; David P. Jordan;

Ernest L. Stevens; Jennifer A. Webster; Kirby W. Metoxen; Patricia M. King; Tehassi

Tasi Hill

Cc: Brian A. Doxtator; Jameson J. Wilson; Danelle A. Wilson; Fawn J. Billie; Jessica L.

Wallenfang; Laura E. Laitinen-Warren; Leyne C. Orosco; Rhiannon R. Metoxen; Rosa J.

Laster; Jo A. House

Subject: Re: E-POLL REQUEST: Approve the travel request - Vice-Chairman Brandon Stevens -

Kansas City NFL Stadium Visit - Kansas City, KS - Oct 26-28, 2019

Goid Morning Everyone,

We all know a key staffer has been out on funeral the last week & a half. I will confirm with them when it was recieved, but they can't process half the paperwork, even if they were in possession of one receipt. The BCSO would need all of the information to submit, which will be enforced in our office regardless.

Despite these claims of them.having what they needed, I suspect that is only partly accurate & I cannot allow the BCSO to be thrown under the bus when there has been such negligence on your part Mr. Vice-Chair; I have been more than patient & understanding on this egregious matter...so, I will address this thoroughly when I get back from my travel.

I will enter this statement into the record as well for the epoll. Thank you.

Sent from my Sprint Samsung Galaxy S9.

Public Packet 91 of 327

From: Lisa M. Summers

Sent: Wednesday, October 23, 2019 11:34 AM

To: Rhiannon R. Metoxen; Brandon L. Yellowbird-Stevens; TribalSecretary; Daniel P.

Guzman; David P. Jordan; Ernest L. Stevens; Jennifer A. Webster; Kirby W. Metoxen;

Patricia M. King; Tehassi Tasi Hill

Cc: Jennifer J. Anderson; Terri L. Schiltz

Subject: Re: E-POLL REQUEST: Approve the travel request - Vice-Chairman Brandon Stevens -

Kansas City NFL Stadium Visit - Kansas City, KS - Oct 26-28, 2019

Good Morning,

Again, as stated earlier today, I will address this when I return from my travels; and, while I appreciate the frustrations expressed, it is not occurring with everyone.

I do not believe changing entire systems because 1 or 2 people are impacted due to what appears to be inconsistent application, or lack of ability, or education on policy/process. Despite more than 3 terms of experience in using travel, Mr. Vice-Chairman is the only one who has had consistent and multiple issues in this area.

As I stated earlier as well, I am not allowing the BCSO to be thrown under the bus for this issue, it is habitual in this case, and I am not going to allow the staff to be accused of not doing their job.

If it was done correctly in the first place, this wouldn't even be a conversation. It is disappointing that there now appears to be lack of self-accountability at this point when acceptance of the Vice-Chair's office role in this situation was provided to the Committee in Executive Session only two weeks ago. And, simply resubmitting a new e-poll request doesn't eliminate this fact.

Thank you.

Sent from my Sprint Samsung Galaxy S9.

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From: David P. Jordan

Sent: Wednesday, October 23, 2019 2:43 PM

TribalSecretary; Brandon L. Yellowbird-Stevens; Daniel P. Guzman; Ernest L. Stevens;

Jennifer A. Webster; Kirby W. Metoxen; Lisa M. Summers; Patricia M. King; Tehassi

Tasi Hill

Cc: Brian A. Doxtator; Jameson J. Wilson; Danelle A. Wilson; Fawn J. Billie; Jessica L.

Wallenfang; Laura E. Laitinen-Warren; Leyne C. Orosco; Rhiannon R. Metoxen; Rosa J.

Laster; David P. Jordan

Subject: RE: E-POLL REQUEST: Approve the travel request - Vice-Chairman Brandon Stevens -

Kansas City NFL Stadium Visit - Kansas City, KS - Oct 26-28, 2019

Approve

"Due to the absence of the individual responsible in the BCSO, the miscommunication regarding who received what, and the fact that this travel would be mostly covered by the Packer organization, I believe this could be approved with little or no expense to the Tribe and down the road we can sort this matter out more completely. We still need someone to go as the Chairman is unavailable and we need to keep out partnership moving forward.

Therefore I approve this request." Thank you

From: Brandon L. Yellowbird-Stevens

Sent: Wednesday, October 23, 2019 2:44 PM

TribalSecretary; Daniel P. Guzman; David P. Jordan; Ernest L. Stevens; Jennifer A.

Webster; Kirby W. Metoxen; Lisa M. Summers; Patricia M. King; Tehassi Tasi Hill Brian A. Doxtator; Jameson J. Wilson; Danelle A. Wilson; Fawn J. Billie; Jessica L.

Wallenfang; Laura E. Laitinen-Warren; Leyne C. Orosco; Rhiannon R. Metoxen; Rosa J.

Laster

Subject: RE: E-POLL REQUEST: Approve the travel request - Vice-Chairman Brandon Stevens -

Kansas City NFL Stadium Visit - Kansas City, KS - Oct 26-28, 2019

Attachments: Fwd: Brandon's Sept Travel

Attached is the email confirming Accounting is in receipt of all receipts.

From: "Jennifer J. Anderson" < JANDERS@oneidanation.org>

Date: October 23, 2019 at 10:19:14 AM CDT

To: "Rhiannon R. Metoxen" <rmetoxe2@oneidanation.org>

Cc: "Lisa M. Summers" <lsummer2@oneidanation.org>, "Terri L. Schiltz" <TSCHILTZ@oneidanation.org>

Subject: Brandon's Sept Travel

To document what we talked about this morning, I received the (3) receipts for Brandon's trip to CT in September (2 baggage receipts and 1 car rental). In addition to the receipts, I also received the BC minutes that authorized the trip. I will be submitting these items to the Travel Dept for processing.

I checked with Terri and she confirmed that she has not received this information from Debbie yet.

Please let me know if you have any questions. Once my time frees up (after audit), I will be looking at this process closer to identify efficiencies. When documents are sent multiple times (from Admin Staff and from Debbie, and now from me), it makes more work for the Travel staff, so I will be looking at this.

Thanks.

Cc:

Jenni Anderson Assistant Controller

office 920.490.3501

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From: Jennifer A. Webster

Sent: Wednesday, October 23, 2019 3:27 PM

To: TribalSecretary; Brandon L. Yellowbird-Stevens; Daniel P. Guzman; David P. Jordan;

Ernest L. Stevens; Kirby W. Metoxen; Lisa M. Summers; Patricia M. King; Tehassi Tasi

Hill

Cc: Brian A. Doxtator; Jameson J. Wilson; Danelle A. Wilson; Fawn J. Billie; Jessica L.

Wallenfang; Laura E. Laitinen-Warren; Leyne C. Orosco; Rhiannon R. Metoxen; Rosa J.

Laster

Subject: RE: E-POLL REQUEST: Approve the travel request - Vice-Chairman Brandon Stevens -

Kansas City NFL Stadium Visit - Kansas City, KS - Oct 26-28, 2019

Considering the <u>late</u> information received today from Acctg stating that all the <u>late</u> receipts are in. I prefer not to jeopardize our new partnership + the mascot issue is really hot right now.

Approve

Hopefully these unauthorized charges + late expenses are done with.

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From: Lisa M. Summers

Sent: Wednesday, October 23, 2019 3:43 PM

To: Brandon L. Yellowbird-Stevens; TribalSecretary; Daniel P. Guzman; David P. Jordan;

Ernest L. Stevens; Jennifer A. Webster; Kirby W. Metoxen; Patricia M. King; Tehassi

Tasi Hill

Cc: Brian A. Doxtator; Jameson J. Wilson; Danelle A. Wilson; Fawn J. Billie; Jessica L.

Wallenfang; Laura E. Laitinen-Warren; Leyne C. Orosco; Rhiannon R. Metoxen; Rosa J.

Laster

Subject: Re: E-POLL REQUEST: Approve the travel request - Vice-Chairman Brandon Stevens -

Kansas City NFL Stadium Visit - Kansas City, KS - Oct 26-28, 2019

Is there anyone traveling with you, or are you going alone?

Sent from my Sprint Samsung Galaxy S9.

Oneida Business Committee Agenda Request

Review the Table Games (Chapter 4) Oneida Gaming Minimum Internal Controls and determine...

1. Meeting Date Requested:	<u>11</u> / <u>13</u> / <u>19</u>					
2. General Information: Session: Open Executive Executive Description:	cutive - See instructions for the applicable laws, then choose one:					
Aganda Haadaw New During						
Agenda Header: New Busine	SS					
☐ Accept as Information only☑ Action - please describe:						
	e OGMICs Table Games Chapter 4 with no requested revisions.					
3. Supporting Materials ☐ Report ☐ Resolution ☑ Other: 1. OGC Approval & Cover	Contract Letter 3. Management Review Comments & OGC Response					
2. OGMICs Table Games C	hapter 4_Final 4.					
☐ Business Committee signatu	ure required					
4. Budget Information						
☐ Budgeted - Tribal Contributi	on Budgeted - Grant Funded Dunbudgeted					
5. Submission						
Authorized Sponsor / Liaison:	Mark A. Powless Sr., Chairman Oneida Gaming Commission					
Primary Requestor/Submitter:	Tammy VanSchyndel, Executive Director Oneida Gaming Commission Your Name, Title / Dept. or Tribal Member					
Additional Requestor:	Ivory Kelly, Compliance Manager Oneida Gaming Commission 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 OGMICs Revision Project has had multiple phase iterations and numerous document revisions due to staff shortages, other project priorities, review timing delay and new nationally published control standards. An aggressive timeline has since been developed to ensure relevant minimum standards are incorporated into these tribal internal control standards.

The OGMICs is being revised one section chapter at a time to minimally include:

- National Indian Gaming Commission (NIGC) Class II Minimum Internal Control Standards (MICS)
- NIGC Class II MICS Guidance
- Oneida Tribe and State of Wisconsin Compact and its amendments
- Industry control standards and best regulatory practices

OGMICs section chapters are (re)formatted, (re)finalized and (re)reviewed before they are submitted to Gaming Management for comments. Management comments are reviewed and considered before the section chapter is officially approved by the OGC.

The OGC has prepared this document to set forth the Nation's tribal minimum internal controls that will guide gaming operations and assist internal audit to ensure and maintain the integrity and security of gaming operations.

ACTION REQUESTED: ACCEPT THE OGMICS COMPLIMENTARY SERVICES OR ITEM CHAPTER 7 WITH NO REQUESTED REVISIONS.

PLEASE NOTE (OBC ACTION OPTIONS)

Per the Chief Counsel memo dated February 27, 2018, regarding appropriate OBC action for OGMIOCR Revisions, the motion for this request would be as follows:

"Accept the notice of the OGMICR Section for Table Games Chapter 4 approved by the Gaming Commission on September 5, 2019, and...

- (a) Directs notice to the Gaming Commission there are no requested revisions under section 501.6-14(d);
- (b) Directs notice to the Gaming Commission that the Oneida Business Committee will be recommending amendments to the OGMICR Section for Table Games Chapter 4 in accordance with sections 510.6-14(d)(3)(C); or
- (c) Directs notice to the Gaming Commission that the Oneida Business Committee repeals the OGMICR Section for Table Games Chapter 4 in accordance with section 501.6-14(d)(3)(A) and subsections (i)."

- 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

Shannon C. Davis

From: Melissa M. Alvarado

Sent: Tuesday, November 5, 2019 8:41 AM

To: Shannon C. Davis

Cc: Tamara J. Vanschyndel; Michelle M. Braaten; Melissa M. Alvarado

Subject: NOTIFICATION: OGMICS Revision Chapter 4-Table Games

Attachments: Chapter 4 OGMICS Packet.pdf

DATE: 11/05/19

FROM: Mark Powless Sr.

SUBJECT: OGMICS Revision Chapter 4-Table Games

Good Morning,

The Gaming Commission has reviewed the following item(s) and is approved. This will be placed on the next Regular OGC Meeting agenda for retro approval.

1. OGMICS Revision Chapter 4-Table Games

If you have any further questions please feel free to contact the Executive Director, Tamara VanSchyndel or OGC Chair Mark Powless Sr. via email tvanschy@oneidanation.org or mpowles5@oneidanation.org or at 497-5850.

Thank you.

Melissa Alvarado

Administrative Assistant Oneida Gaming Commission 920-497-5850

Toll Free: 1-800-497-5897 malvarad@oneidanation.org



A good mind. A good heart. A strong fire.

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Oneida Gaming Minimum Internal Control Standards Revision Project Authority, Project and Process

Oneida Gaming Commission (OGC) Authority

As designated in the Oneida Nation Gaming Ordinance (ONGO) 501.6-14.(d), the OGC is to draft and approve Oneida Gaming Minimum Internal Controls (OGMICs) that require review and comment by Senior Gaming Management prior to approval by the Commission and are subject to review by the Oneida Business Committee.

The OGMICs are effective upon adoption by the Commission. If the Oneida Business Committee has any concerns and/or requested revisions upon review, the Commission shall work with the Oneida Business Committee to address such concerns and/or requested revisions according to the process described in ONGO 501.6-14.(d)(3).

OGMICs Revision Project

The OGMICs Revision Project has had multiple phase iterations and numerous document revisions due to staff shortages, other project priorities, review timing delays, and new nationally published control standards. An aggressive timeline has since been developed to ensure relevant minimum standards are incorporated into these tribal internal control standards.

The OGC-Compliance department is designated as the facilitator of the OGMICs Revision Project and is responsible for document coordination and progress. Research and recommendations are provided by the Compliance Staff and project team. Upon Executive Director support, the OGC is the decision-making body that ultimately approves the OGMICs through official action.

OGMICs Revision Process

The OGMICs is being revised one section chapter at a time to minimally include:

- National Indian Gaming Commission (NIGC) Class II Minimum Internal Control Standards (MICS)
- NIGC Class III MICS Guidance
- Oneida Tribe and State of Wisconsin Compact and its amendments
- Industry control standards and best regulatory practices

OGMICs section chapters are (re)formatted, (re)finalized, and (re)reviewed before they are submitted to Gaming Management for comments. Management comments are reviewed and considered before the section chapter is officially approved by the OGC.

The OGC has prepared this document to set forth the Nation's tribal minimum internal controls that will guide gaming operations and assist internal audit to ensure and maintain the integrity and security of gaming operations.

Please accept/adopt this document as the Oneida Gaming Minimum Internal Controls for <u>Table Games (Chapter 4)</u>.

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Chapter: 4

Table Games

Table of Contents

- (a) Supervision
- (b) Fill and credit standards
- (c) Table inventory forms
- (d) Table games computer generated documentation standards
- (e) Standards for playing cards and dice
- (f) Analysis of table game performance standards
- (g) Accounting/Auditing standards
- (h) Information data and technology
- (i) Revenue audit
- (j) Variance
- (k) Game play requirements
- (l) Minimum and maximum table limits
- (m) Request to offer a new table game or new feature for an existing table game

All employees and associates are required to adhere to the controls in this section, all other sections, and regulatory documents.

Regulatory Credentials Legend:

NIGC MICS: Black Font OGC Additions: Blue Font Compact: Gray highlight Public Packet 101 of 327

(a) Supervision.

(1) Supervision shall be provided for table games operations by an employee(s) with authority equal to or greater than those being supervised.

(b) Fill and Credit Standards.

- (1) Fill slips and credit slips shall be in at least triplicate form, and in a continuous, prenumbered series. Such slips shall be concurrently numbered in a form utilizing the alphabet and only in one series at a time. The alphabet need not be used if the numerical series is not repeated during the business year.
- (2) Unissued and issued fill/credit slips shall be safeguarded and adequate procedures shall be employed in their distribution, use, and control. employees from the cashier or pit departments shall have no access to the secured (control) copies of the fill/credit slips.
- (3) When a fill/credit slip is voided, the cashier employee shall clearly mark "void" across the face of the original and first copy, the cashier and one other employee independent of the transactions shall sign both the original and first copy and shall submit them to the accounting department for retention and accountability.
- (4) Fill transactions shall be authorized by pit supervisory personnel before the issuance of fill slips and transfer of chips, tokens, or cash equivalents. The fill request shall be communicated to the cage where the fill slip is prepared.
- (5) At least three parts of each fill slip shall be utilized as follows:
 - (i) One part shall be transported to the pit with the fill and, after the appropriate signatures are obtained, deposited in the table game drop box;
 - (ii) One part shall be retained in the cage for reconciliation of the cashier bank; and
 - (iii) For computer systems, one part shall be retained in a secure manner to ensure that only authorized employees may gain access to it. For manual systems, one part shall be retained in a secure manner in a continuous unbroken form.
- (6) The table number, shift, and amount of fill by denomination and in total shall be noted on all copies of the fill slip. The correct date and time shall be indicated on at least two copies.
- (7) All fills shall be carried from the cage by an employee who is independent of the cage or pit.
- (8) The fill slip shall be signed by at least the following employees (as an indication that each has counted the amount of the fill and the amount agrees with the fill slip):
 - (i) Cashier who prepared the fill slip and issued the chips, tokens, or cash equivalent;
 - (ii) Runner who carried the chips, tokens, or cash equivalents from the cage to the pit;
 - (iii) Dealer who received the chips, tokens, or cash equivalents at the gaming table; and
 - (iv) Pit supervisory personnel who supervised the fill transaction.
- (9) Fills shall be broken down and verified by the dealer in public view before the dealer places the fill in the table tray.

- (10) A copy of the fill slip shall then be deposited into the drop box by the dealer, where it shall appear in the soft count room with the cash receipts for the shift.
- (11) Table credit transactions shall be authorized by a pit supervisor before the issuance of credit slips and transfer of chips, tokens, or other cash equivalent. The credit request shall be communicated to the cage where the credit slip is prepared.
- (12) At least three parts of each credit slip shall be utilized as follows:
 - (i) Two parts of the credit slip shall be transported by the runner to the pit. After signatures of the runner, dealer, and pit supervisor are obtained, one copy shall be deposited in the table game drop box and the original shall accompany transport of the chips, tokens, or cash equivalents from the pit to the cage for verification and signature of the cashier.
 - (ii) For computer systems, one part shall be retained in a secure manner to ensure that only authorized employees may gain access to it. For manual systems, one part shall be retained in a secure manner in a continuous unbroken form.
- (13) The table number, shift, and the amount of credit by denomination and in total shall be noted on all copies of the credit slip. The correct date and time shall be indicated on at least two copies.
- (14) Chips, tokens, and/or cash equivalents shall be removed from the table tray by the dealer and shall be broken down and verified by the dealer in public view prior to placing them in racks for transfer to the cage.
- (15) All chips, tokens, and cash equivalents removed from the tables shall be carried to the cashier's cage by an employee who is independent of the cage or pit.
- (16) The credit slip shall be signed by at least the following employees (as an indication that each has counted the items transferred):
 - (i) Cashier who received the items transferred from the pit and prepared the credit slip;
 - (ii) Runner who carried the items transferred from the pit to the cage;
 - (iii) Dealer who had custody of the items prior to transfer to the cage; and
 - (iv) Pit supervisory personnel who supervised the credit transaction.
- (17) The credit slip shall be inserted in the drop box by the dealer.
- (18) Chips, tokens, or other cash equivalents shall be deposited on or removed from gaming tables only when accompanied by the appropriate fill/credit forms.
- (19) Cross fills (the transfer of chips between table games) and even cash exchanges are prohibited in the pit.

(c) Table Inventory Forms.

- (1) At the close of each shift, for those table banks that were opened during that shift:
 - (i) The table's chip, token, and coin inventory shall be counted and recorded on a table inventory form; or
 - (ii) If the table banks are maintained on an imprest basis, a final fill or credit shall be made to bring the bank back to par.
- (2) If final fills are not made, beginning and ending inventories shall be recorded on the master game sheet for shift win calculation purposes.

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(3) The accuracy of inventory forms prepared at shift end shall be verified by the outgoing pit supervisor and the dealer. Alternatively, if the dealer is not available, such verification may be provided by another pit supervisor or another supervisor from another gaming department. Verifications shall be evidenced by signature on the inventory form.

(4) If inventory forms are placed in the drop box, such action shall be performed by an employee other than a pit supervisor.

(d) Table Games Computer Generated Documentation Standards.

- (1) The computer system shall be capable of generating adequate documentation of all information recorded on the source documents and transaction detail (e.g., fill/credit slips, etc.).
- (2) This computer-generated documentation shall be restricted to authorized employees.
 - (i) An access control (password) shall be utilized to ensure unauthorized access does not occur.
- (3) The documentation shall include, at a minimum:
 - (i) System exception information (e.g., appropriate system parameter information, corrections, voids, etc.); and
 - (ii) Employee access listing, which includes, at a minimum:
 - (A) Employee name
 - (B) Employee identification number; and
 - (C) Listing of functions employees can perform or equivalent means of identifying the same.

(e) Standards for Playing Cards and Dice.

- (1) Playing cards and dice shall be maintained in a secure location to prevent unauthorized access and to reduce the possibility of tampering.
- (2) Used cards and dice shall be maintained in a secure location until marked, scored, or destroyed, in a manner as approved by the OGC, to prevent unauthorized access and reduce the possibility of tampering.
 - (i) Used cards and dice shall be inspected, cancelled or destroyed by a department independent of the table games department.
- (3) The gaming operation subject to the approval of the OGC, shall develop and implement procedures with a reasonable time period, which shall not exceed seven (7) days, within which to mark, cancel, or destroy cards and dice from play.
 - (i) This standard shall not apply where playing cards or dice are retained for an investigation.
- (4) A card and/or dice control log shall be maintained that documents when cards and dice are received on site, distributed to and returned from tables and removed from play by the gaming operation.

(f) Analysis of Table Game Performance Standards.

(1) Records shall be maintained by day and shift indicating any single-deck blackjack games that were dealt for an entire shift.

- (2) Records reflecting hold percentage by table and type of game shall be maintained by shift, by day, cumulative month-to-date, and cumulative year-to-date.
- (3) This information shall be presented to and reviewed by gaming management independent of the pit department on at least a monthly basis.
- (4) Gaming management in paragraph (f)(3) of this section shall investigate any unusual fluctuations in hold percentage with pit supervisory personnel. At a minimum, all monthly fluctuations over 3% as compared to base level are to be investigated.
- (5) The results of such investigations shall be documented in writing and maintained for inspection for at least seven years and provided to the OGC upon request.

(g) Accounting/Auditing Standards.

(1) All relevant controls from Chapter 14, Audit and Accounting will apply.

(h) Information Data and Technology.

(1) All relevant controls from Chapter 11, Information Data and Technology will apply.

(i) Revenue Audit.

(1) All relevant controls from Chapter 13, Revenue Audit will apply.

(j) Variance.

(1) The operation shall establish, as approved by the OGC, the threshold level at which a variance shall be reviewed to determine the cause. Any such review shall be documented.

(k) Game Play Requirements.

- (1) Table games shall be conducted in accordance with any Rules of Play enacted pursuant to the Gaming Compact.
- (2) At least one floor person shall actively oversee the conduct of every six table games staffed by a dealer.
- (3) Cards shall be opened, inspected and shuffled in accordance with the Rules of Play (ROP) in clear camera view.
- (4) Procedures shall be documented for protecting shoes and cards during play.
- (5) Adherence of dealer/box person to announce approval/alert calls during play (i.e., insurance, shuffle check, color coming in, paying blackjack etc.)
- (6) Handling chips:
 - (i) Procedures for proving chips shall be sufficient for Surveillance to accurately determine the number of chips, thus proving the correct amount.
- (7) Clearing of hands:
 - (i) All dealers and boxpersons shall clear their hands in view of all persons in the immediate area and surveillance before and after going to their body and when entering and exiting the game.

(I) Minimum and maximum table limits.

(1) Minimum and maximum table limits permitted at any authorized table game shall be established by gaming management.

- (2) All minimum and maximum table limits shall be conspicuously posted at each table.
- (3) Gaming management may at any time increase or decrease the minimum or maximum table limit at a table game:
 - (i) If no patrons are playing at the table game; or
 - (ii) When patrons are playing the game, if gaming management:
 - (A) Posts a sign at the table game advising patrons of the change and the time that such change will go into effect; and
 - (B) Announces the change to patrons who are at such table game; and
 - (C) Notifies surveillance when a player(s) are permitted to wager above the permissible maximum amount.
- (4) Any wager accepted by a dealer shall be paid or lost in its entirety in accordance with the rules of the game.
 - (i) Dealer is to ensure the wager placed is at least the current table minimum and does not exceed the current table maximum.
- (5) Request to offer a new table game and/or new optional wager for an existing table game.
- (1) Prior to a new table game and/or new optional wager being offered, gaming management shall notify the commission. Written notification shall be submitted no later than thirty (30) days before the new game or new optional wager is offered for play. If applicable the notification shall contain:
 - (i) A detailed description of the new table game and/or new optional wager, including examples of any rules of play and/or regulations, and wagering that would be used for such new table game and/or new optional wager. In addition, the table game device manufacturer, gaming-related gaming service provider or gaming facility shall:
 - (A) Indicate whether the game is a variation of an authorized game, a composite of authorized games or a new game;
 - (B) Description of changes to layout if applicable.
- (2) All new table games shall have adequate surveillance coverage prior to the game being offered for play.

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Oneida Gaming Minimum Internal Control Standards

Chapter 4 Table Games

Note any questions/concern, including reference to specific point(s):

Management Suggestion
Removal

OGC Response

Commission agrees. Section has been removed.

Update: It was discussed in a meeting on September 30, 2019 with Gaming Management and the Commission that the Call Bets section would need to be added back in.

The Commission has determined that this in fact is not the case. The Call Bets section will not be added back into the regulation.

k.3
Requesting to remove.
There is a requirement in every card game Rules of Play to have this done at the table. Surveillance has a requirement to have adequate coverage of the table. Table Games should not be responsible for any more than what they can control. They can control where the cards are opened, inspected and shuffled but **not** where the camera is viewing. That is a Surveillance responsibility. This should remain in

the Surveillance Section. No other approved sections, thus far, involve Surveillance requirements other than those included in NIGC or only state to include them in Standard Operating Procedures, not the actual regulation.

OGC Response

(k)(3) Cards shall be opened, inspected and shuffled in clear camera view.

After meeting with Gaming management, the regulation will now read as (k)(3) Cards shall be opened, inspected and shuffled in accordance with the Rules of Play (ROP) in clear camera view.

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The Commission agrees the regulation (k)(3) is encompassed within the Rules of Play (ROP). (D)(1) of the Blackjack ROP states "the dealer shall sort and inspect the cards, and the floor-person assigned to the table shall verify that inspection.". (k)(3) aims to address the deficiency's that were brought forth during the States Audit Review of card inspections on September 18, 2019.

SOPTG-03 Opening a Table Game. 4.2 The Pit Manager or Floor Person will inspect each deck of cards and place them on the table for the dealer to inspect. The Dealer will inspect each deck and place the inspected cards face down in the discard rack. The procedure fails to identify how this inspection is carried out. For instance, is the dealer and floor-person allowed to just hold the cards and sort through them by hand to inspect, or does the dealer and floor person spread the cards on the table and shift through them for inspection? Are they required to check both the front and back, or just the back of the cards?

In setting this regulation the Commission is seeking for the operation to improve upon their procedure when inspecting cards for play. The procedure must ensure that surveillance has a clear view of the opening of the cards, the inspection of the cards and hand house shuffled games.

k.4 Requesting to Remove.

Shuffle check is a line of sight check done by a floor person at the end of the shuffle to ensure there are not large gaps after the dealer shuffles. The integrity of the game is not within the shuffle check at the end of a shuffle but within the standardized shuffle itself. Every Rules of Play has a "Shuffle and Cut of the Cards" section that is already approved by OGC and the State. This serves as the overriding regulation as dictated in the Gaming Compact.

Removal

OGC Response

(k)(4) Shuffle check on all hand house shuffled games

Upon review the Commission agrees to remove the regulation in its entirety. This is with the understanding the dealer is trained to announce "shuffle check" on all hand house shuffled games. The Commission recognizes "shuffle check" as an approval/alert call and is referenced as such in (k)(5); which has been updated in consideration of management's comments.

k.5

Requesting to remove.

Protection of a shoe occurs on the manual plastic shoes and the automated dealing shoes. Automated dealing shoes have built in protection as only the cards needed are disbursed and disbursed into a hallowed area where only a dealer can reach.

Plastic shoes are protected as often as they can be but remains subjective because there are any number of reasons why a dealer would move their hand off a shoe. How can this be standardized and measured?

Card protection is done through placement of the cards on the table or line of sight by the dealer. Again, this is subjective and unmeasurable.

In order to effectively control, it must be able to be measured.

Removal

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OGC Response

(k)(5) Procedures protecting shoes and cards during play

Dealers are trained on how to protect the game, including protecting the shoe and cards during play. It is being required that the standards to which they are being trained are documented. Management sets that standard (how). note(k)(5) is now(k)(4)

k.6

Requesting to remove.

How will this be measured? "Adherence," infers proof of compliance. Even without "adherence," it will still require proof of compliance. Audio will require a capital investment by gaming. If not audio compliance, then visual compliance. Visual compliance will slow down the game because the floor person will need to go from using their line of sight and voice approval to moving to each table and proving approval. The regulation will need to be proven complied with and the only way to do that, aside from audio, is a visual representation of documented approval. There are a number of call outs that a Dealer does through the game. Each one of these will need to be proven in order to be measured. This requirement would change the current practices, training documents, re-training, and would slow down the game, which will have a direct negative effect on revenue. Risk losing potential revenue to prove compliance.

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OGC Response

(k)(6) Adherence to call out procedures during play (i.e., no more bets, splitting tens, announcing blackjack etc.)

After review of the regulation and meeting with Gaming Management on September 30, 2019 the Commission agrees a change in the language. The regulation will now read as follows: (k)(5) Adherence of dealer/box person to announce approval/alert calls during play (i.e., insurance, shuffle check, color coming in, paying blackjack etc.) note:(k)(6) is now (k)(5).

These calls are already identified in a number of Table Games and Craps SOP's. Therefore, this regulation would not change the current practices, training documents or require re-training of table games dealers/boxpersons. It would not slow down the game or cause any harm to the operation's revenue. The regulation only aims to provide better game protection & integrity with improved regulatory oversight.

k.7 Removal

Requesting to remove.

Surveillance requirements of all Table Games already exist in the Surveillance section. Stating it in the Table Games section will not increase integrity or effectiveness of control.

OGC Response

(k)(7) All games shall have adequate surveillance coverage prior to the game being offered for play.

After review of this regulation it is now (m)(2) and now reads as:

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(m)(2) All new table games and features shall have adequate surveillance coverage prior to the game being offered for play.

The Commission feels that the regulation increases game integrity, protection and effectiveness of control. Table Games will work and communicate with the Surveillance department to ensure there is adequate surveillance coverage before a new or feature is offered for play.

k.8.i & k.8.ii

Requesting to remove.

Unclear what "when chips are removed from table tray" will be interpreted as. Does this mean every time a dealer brings them out to pay they will need to be proven? If so, this will slow the game tremendously and will have a direct negative impact on revenues. Or could this mean when doing Credits? If so, it is already covered in b.14 of this section.

Fills are already covered in b.9 of this section.

"A dealer/box person proving chips shall break down the chips in view of Surveillance and the patron," is repetitive and is done at the table. This is what can be controlled by Table Games.

Removal

OGC Response

(k)(8)(i) When chips are removed from the table tray, received at the table as a fill, or when verifying a player's wager, the amount of chips shall be proven for Surveillance. A dealer/boxperson proving chips shall break down the chips in full view of Surveillance and the patron; and

(k)(8)(ii) Procedures for proving chips shall be sufficient for Surveillance to accurately determine the number of chips, thus proving the correct amount.

After adequate review of the (k)(8)(i) the Commission agrees that the language can cause confusion and mis-interpretation. The Commission agrees to remove the language as written in its entirety.

(k)(8)(ii) will remain in its entirety and will now be:(k)(6)(i)

This regulation is clear and does not leave room for interpretation. It will be on the operation to determine the best practice and procedure for ensuring the regulation is met.

k.9.iii. & k.9.iv (Numbering is correct)

Request to remove.

k.9.iv is a definition not a regulation.

k.9.iii clearing of the hands is already in a procedure (SOPTG-10). Gaming Management would agree to update the procedure to include OGC recommendations, without making it susceptible to State interpretation.

Removal

OGC Response

(k)(9)(iii) All dealers and boxpersons shall clear their hands in view of all persons in the immediate area and surveillance before and after going to their body and when entering and exiting the game.

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(k)(9)(iv) Clearing of hands means holding and placing both hands in front of the body with fingers of both hands spread and rotating the hands to expose both the palms and backs of the hands to demonstrate the hands are empty.

The numbering has been corrected.

After review of Gaming Management's request for removal. The Commission agrees that (k)(9)(iv) reads as a definition. This language will be removed from Chapter 4 Table Games. However, the language will be included in the Definitions of the new OGMICs.

(k)(9)(iii) will now be (k)(7)(i) and will remain as written.

The operation commented the procedure is outlined in *(SOPTG-10) Clearing Layout*. However, upon review of the Table Games SOP's the Commission found that only *(SOPTG-08) Leaving the Pit Area: 4.4 &4.6* made any reference for when the dealer is to clear their hands.

The Commission feels that the new regulation enhances game protection and integrity and Gaming Management has indicated that they would agree to update their SOP with the Commission's recommendation. The regulation in addition to an update in procedure would eliminate any misinterpretation of the regulation.

l.1/l.2/l.3

Request to remove.

This language is in the Rules of Play of each game with exception of two, that need to be updated. Gaming Management is requesting to have the remaining two games' Rules of Play language to be updated so they are consistent with all the other Rules of Play that are actively approved and in play today. Rules of Play are within the Compact and were specifically added to the Compact to encompass Class III Table Games regulations.

This language kept in the Rules of Play would allow Gaming Management to increase and decrease at any time, so long as it is conspicuously posted.

Removal

OGC Response

- (1) Minimum and maximum table limits permitted at any authorized table game shall be established by gaming management.
- (2) All minimum and maximum table limits shall be posted at each table.
- (3) Gaming management may increase or decrease the maximum table limit at any time:

The Commission has reviewed the Rules of Play (ROP) of each game as well as the Compact and OGMICR. During this review the Commission found that, yes, not all ROP are encompassing of the regulations identified. These regulations are not in the ROP for Blackjack, Craps, or 3-Card Poker. While these regulations are to some degree in the remaining ROP they are not consistent in their language.

Example:

ROP: Four Card Poker: (M) Minimum and Maximum Wagers. (1) The Oneida Tribe of Indians of Wisconsin shall determine the minimum and maximum wagers at each table. The amounts of the minimum wagers and maximum wagers shall be conspicuously posted on a sign at each table.

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ROP: Mississippi Stud: (0) Minimum and Maximum Wagers. (1) Oneida Gaming Management shall determine the minimum and maximum wagers. The amounts of the minimum and maximum wagers shall be conspicuously posted on a sign at each table.

As the Commission continues to update the regulations and implement the new OGMICs we feel it is best to address these inconsistencies within the new OGMICs. With this understanding and after meeting with Gaming Management:

- (1)(1) will remain as written.
- (l)(2) will use the language from the Compact and will now read: All minimum and maximum table limits shall be conspicuously posted at each table.
- (1)(3) (i-ii) will encompass the language used in OGMICR Article VI Gaming Integrity: 6-1 (a) (2): A Gaming Operation may at any time change the permissible minimum or maximum wager at a table game upon posting a sign that the gaming table advising patrons of the new permissible minimum or maximum wager and announcing the change to patrons who are at the table.
- (l)(3) will now read as: Gaming management may increase or decrease the permissible minimum or maximum table limit at any time:
 - (i) if no patrons are playing at the table game; or
 - (ii) When patrons are playing the game, if gaming management:
 - (A) Posts a sign at the table game advising patrons of the change and the time that such change will go into effect; and
 - (B) Announces the change to the patrons who are at such table game.
 - (C) Surveillance shall be notified when a player (s) are permitted to wager above the permissible maximum amount.

These regulations in no way prevent Gaming Management from increasing or decreasing the table limits. The regulation's purpose is to increase game integrity, protection and Commission oversight.

Request to Remove.

Gaming Management already follows this process as a means to go above and beyond the Minimum standard set forth in the Rules of Play. To put this in the MICS, we are going to have to prove compliance to the State. Why create State oversight unnecessarily?

OGC Response

- (4) Gaming management may increase the minimum table limit:
 - (i) At any time, if no patrons are playing at the table game; or
 - (ii) When patrons are playing the game, if gaming management:
 - (A) Provides at least a 30-minute advance notice of the change;
 - (B) Posts a sign at the table game advising patrons of the change and the time that such change will go into effect; and
 - (C) Announces the change to patrons who are at such table game.

After review (l)(4) has been deleted in its entirety. The subpoints of (l)(4) are now subpoints of (l)(3) as highlighted above and reflect the following change: (4)(i)(A) has been eliminated entirely.

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Request to remove.
This regulation allows Table Games to negate the regulation set forth in the Rules of Play with a simple call to Surveillance. This action could create a perceived integrity issue amongst players.
Because this is less stringent than the Rules of Play, would the Rules of Play for all 8 style of games in effect today need to be changed to this new standard of a minimum control? This would create more man hours for Gaming, OGC, OBC, and State, when Gaming is not

OGC Response

asking for such deviation.

- (l)(5) Notwithstanding (l) (4) of this section, gaming management may, in its discretion, permit a player to wager below the established minimum wager or above the established maximum wager at a table game.
 - (i) Surveillance shall be notified when a player(s) are permitted to wager above the established maximum table limit.

Upon further review and discussion with Gaming Management (l)(t) will be removed in its entirety. (t)(t)(t) is now subpoint (t) under (t)(t)(t).

I.6 & I.6.i
Request to remove.
This is inherent to the regulation of Minimum and Maximum wager set forth in the Rules of Play.

OGC Response

- Any wager accepted by a dealer shall be paid or lost in its entirety in accordance with the rules of the game, notwithstanding that the wager exceeded the current table maximum or was lower than the current table minimum not previously approved.
 - (i) Dealer is to ensure the wager placed is at least the current table minimum and does not exceed the current table maximum

After meeting with Gaming Management, the Commission has agreed to a change in the language to alleviate any misinterpretation:

- (4) Any wager accepted by a dealer shall be paid or lost in its entirety in accordance with the rules of the game.
 - (i) Dealer is to ensure the wager placed is at least the current table minimum and does not exceed the current table maximum.

There are currently no regulations within the Rules of Play (ROP) for Minimum or Maximum wager in: Blackjack, 3-Card Poker or Craps. The Commission is moving forward to address these inconsistencies and reflect upon those changes within the OGMICs.

While this regulation may be somewhat implied within the ROP it is not directly expressed or inherent. This regulation seeks to increase game integrity and protection.

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m.1. & m.i

Request to remove.

'Feature," seems to include any "additional optional wagers." Additional optional wagers are already structured in Rules of Play and allow Gaming Management to add optional wagers with a Standard Operating Procedure approved by OGC. Putting a 90 day waiting period on this would hinder Gaming from remaining competitive in a fast paced gaming market. This would severely slow down potential revenue generation for gaming. If not "additional optional wagers" which is the only thing that would change the structure of the game, then "feature," would include mere equipment. This equipment would now have to wait 90 days prior to being installed. Why is this necessary? Equipment may be necessary to keep the game running and this waiting period could prevent revenue generation.

The 90 day waiting period for new games will hinder Gaming from remaining competitive in an ever changing market, as well.

OGC Response

(m) Request to offer a new table game or new feature for an existing table game.

- (1) Prior to a new table game or feature being offered, gaming management shall file a written request with the commission for approval. Request shall be submitted ninety (90) days before the new game is offered for play. Such a request shall contain at a minimum:
 - (i) A detailed description of the table game or feature, including the rules of play and wagering that would be used for such new table game or feature. In addition, the table game device manufacturer, gaming-related gaming service provider or gaming facility shall:
 - (A) Indicate whether the game is a variation of an authorized game, a composite of authorized games or a new game;
 - (B) Description of changes to layout if applicable.

After meeting with Gaming management, the above regulation will now read as:

- (m) Notification for approval to offer a new table game and/or new optional wager for an existing table game.
 - (1) Prior to a new table game and/or new optional wager being offered, gaming management shall notify the commission. Written notification shall be submitted thirty (30) days before the new game or new optional wager is offered for play. If applicable the notification shall contain:
 - (i) A detailed description of the new table game and/or new optional wager, including examples of any rules of play and/or regulations, and wagering that would be used for such new table game and/or new optional wager. In addition, the table game device manufacturer, gaming-related gaming service provider or gaming facility shall:
 - (A) Indicate whether the game is a variation of an authorized game, a composite of authorized games or a new game;
 - (B) Description of changes to layout if applicable.
 - (2) All new table games shall have adequate surveillance coverage prior to the game being offered for play.

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These changes reflect upon the concerns Gaming management shared in their response. Currently there are additional optional wagers set in the ROP. However, there is no standard set in place in the event Gaming Management would like to offer new optional wagers or new table games. The regulation is putting forth a minimal requirement of notification to the Commission in the event that Gaming management would like to offer something outside of what has already been approved and is in place.

This regulation in no way hinders the Gaming operation from remaining competitive or harms revenue generation. The regulation ensures the Commission and the Commission's staff is aware of any proposed games, so that are able to learn about any new games or optional wagers before the game were to go live.

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Oneida Business Committee Agenda Request

CDC #09-011 Oneida Community Health Center Expansion - Approve the concept paper

1. Meeting Date Requested:	<u>11</u> / <u>13</u> / <u>19</u>		
2. General Information:			
	utive - See instructions for the applicable laws, then choose one:		
Agenda Header: New Busines	S		
Accept as Information only			
	Action - please describe:		
Approval of the Concept Pa	per for CDC #09-011 Oneida Community Health Center Expansion.		
3. Supporting Materials			
☐ Report ☐ Resolution	☐ Contract		
○ Other:			
1. Concept Paper CDC #09-011 3.			
2. Division Director Approv	val Form 4.		
☐ Business Committee signatu	re required		
4. Budget Information			
☐ Budgeted - Tribal Contribution	on 🔲 Budgeted - Grant Funded 🖂 Unbudgeted		
5. Submission			
Authorized Sponsor / Liaison:	Debbie Thudercloud, General Manager		
Daine and Democrate of Colombia	To a David Community of Francis David and Albidia Division Division		
Primary Requestor/Submitter:	Troy Parr, Community & Economic Development Division Director Your Name, Title / Dept. or Tribal Member		
Additional Paguastar			
Additional Requestor:	Paul Witek, Engineering Director-Senior Architect Name, Title / Dept.		
Additional Requestor:	Fawn Cottrell, Engineering Dept - Contract Processor		
Additional nequestor.	Name, Title / Dept.		

Oneida Business Committee Agenda Request

6. Cover Memo:

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

r di pose.
The project team is seeking approval of the project's Concept Paper, see attached.
Background/history:
The proposed project is needed to maintain and improve patient health care for the Oneida Community. The concept is to create an integrated Comprehensive Health Campus which encompasses an expanded Oneida Community Health Center, and bringing: Employee Health Nursing, Health Promotion, and Behavioral Health Services to the existing Health Center property.
Approval of the Concept Paper will allow the project to proceed into the next phase of the process, completing a CDC Approval Package. The CDC Approval Package would then be brought forward for approval before the project could proceed with implementation.
Action Requested:
1. Approve Concept Paper for CDC #09-011 Oneida Community Health Center Expansion.

- 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

Engineering Department Community & Economic Development Division



Capital Improvement Process (CIP) - Client Division Director Approval Form

To:

Debra Danforth – Comprehensive Health Division Director

Through:

Jeff Carlson – Business Operations Director

From:

Sam VandenHeuvel - Project Manager

Date:

August 21, 2019

Re:

Oneida Community Health Center Expansion CDC #09-011

I have reviewed the attached Capital Improvement Process (CIP) document identified below for the above noted project and approve of the project moving into the next phase of the CIP Process

☑ CIP Concept Paper – dated: May 22, 2014, Revn May 10, 2019, Revision September 30, 2019. OCHD Executive Management Team Approved September 30, 2019.

☐ CIP Package – dated:

Debra J. Danforth, RN, BSN – Comprehensive Health Division

Director-Operations

Ravinder Vir, MD – Comprehensive Health Division Director-

Medical

Date

Date

Form CIP-05 Rev. Dec. 4, 2017 Public Packet 118 of 327

CAPITAL IMPROVEMENT PROCESS (CIP) – CONCEPT PAPER

For

Oneida Comprehensive Health Division <u>Integrated</u> Campus (AJRCCC, Health Center, Family Fitness, Employee Health Nursing, Health Promotions, Behavioral Health)

CIP #09-011 May 22, 2014, revn May 10, 2019, Revision September 30, 2019 OCHD Executive Management Team approved September 30, 2019

I. Purpose:

- A. Expansion of the existing Oneida Comprehensive Health Division site plays a critical role in the plan to maintain and improve patient health care for the Oneida Community. Space confinement has created complex issues in providing patient care services, illustrating a need to expand the current Health Center footprint. Based upon the Indian Health Service (IHS) Resource Requirements Methodology (RRM) which utilizes criteria in concert with empirical data, such as workload and service population, called driving variables, to estimate the staffing requirements in full-time equivalents to provide comprehensive acute, chronic, and preventative health care services to Indian People. Based upon the IHS RRM, the OCHD staffing should be at 589-FTE, however, the current staffing for the OCHD is restricted and capped at 362 FTE (BC Resolution # 03-14-18-D Amending Resolution # BC-09-27-17-I, Strategic Workforce Planning-Budget-Implementation for Oneida Nation). The OCHD is currently faced with many challenges in continuing to meet the demands of the growing Oneida community in to the future. These challenges include the following:
 - 1. Access to quality care across the Division
 - 2. Long wait times for appointments
 - 3. Lack of office space and exam rooms
 - 4. Maximizing the ability to generate revenue with limited space for providers
 - 5. Disjointed locations of health care service
 - 6. Continuity of care
 - 7. Outdated and inadequate physical space for delivery of quality care

II. Project Analysis

- A. <u>Project Description</u>: We will create an integrated Comprehensive Health Campus which encompasses an expanded Oneida Community Health Center, and bringing Employee Health Nursing, Health Promotion, Oneida Behavioral Health Services, and AJRCCC and possibly Oneida Family Fitness to this campus. This will enhance our ability to provide the highest quality, holistic health care to ensure the wellness of our Oneida Community.
- B. Assumptions: The current project assumptions are:
 - 1. Tribal organization will support the project moving forward.
 - 2. Funding will be available for developing the project.
 - 3. Increased number of new patient registrations for Comprehensive Health will continue.
 - 4. Volume of established patients will continue to grow.

CIP - Concept Paper CIP #09-011

- 5. Ability to hire primary providers and support staff for the departments in need of expansion.
- 6. Continue to follow the Open Door Policy of Indian Health Services (IHS).
- 7. IHS funding will not diminish- The IHS Multi-Year Annual Funding Agreement has increased approximately \$6 million from FY2018 to FY2019 and we are negotiating a leaseback with the Indian Health Service which is estimated at \$1-3 Million.
- 8. Continued maintenance of existing building.

C. Operational Impact:

- 1. Development of another building and/or expanded buildings requiring organizational support will require additional service/support from DPW, Custodial, MIS, etc. A full evaluation will be included in the project's CIP Package.
- 2. Other areas potentially impacted are: HRD, Accounting, Finance, Grants, Governmental Services, and Land Management.
- D. <u>Organizational Goals</u>: The project would support the following goals and objectives of the Oneida Nation:

2014 COMPREHENSIVE PLAN

Ata'kali tatsla ("health/liveliness")- Health Care

Objective 1.3 Improve physical and mental health of the Oneida Community.

GOAL 1:

Provide quality health care programs and services to the users of the Oneida Comprehensive Health Care Division aligned with traditional Oneida values. *Objectives*

- 1.1 Establish, incorporate and maintain area specific standards for care utilizing current best practices.
- 1.2 Recognize the high esteem afforded our elders.
- 1.3 Recognize the high esteem afforded our veterans.
- 1.4 Recognize the life-long commitment to a healthy Oneida community.
- 1.5 Address gaps in services determined on a needs-based system.

GOAL 2:

To provide easy access to a broad spectrum of preventative, curative and rehabilitative services.

Objectives

- 2.1 Complete a health needs assessment on the Oneida Community User Population to determine gaps, priorities and duplication.
- 2.2: Maximize the utilization of all funding sources.
- 2.3: Increase efficiency using best business practices.
- 2.4: Maximize the utilization of all facility resources available.
- 2.5: Provide seasonal recreational activities.
- 2.6: Provide family-oriented prevention programs including, support services, fathering, youth groups, job training, and child abuse prevention.

CIP - Concept Paper CIP #09-011

GOAL 3:

Recruit and retain dedicated, highly competent and courteous staff, especially professional staff, who are patient/client/community focused and knowledgeable of the community and patients we serve. *Objectives*

- 3.1: Advertise vacant and new professional positions in health care journals, newspapers, colleges and universities, alumni associations, professional meetings, etc.
- 3.2: Customer service training for all employees including specific training on cultural history, cultural sensitivity and cultural values.
- 3.3: Development of a formal preceptorship and mentorship programs for staff and students.
- 3.4: Provide a professional work environment which attracts qualified professionals and promotes the development of leadership skills.

2019-2021 TRIENNIAL STRATEGIC PLAN

Health Care

A health system positioned to respond to current and future health challenges while protecting and promoting the holistic health and well-being of our Oneida Community. Services are provided to all members of Federally recognized Tribes in accordance with our Multi-Year Funding Agreement with the Department of Health and Human Services-Indian Health Service.

The Oneida Comprehensive Plan Goals align with the current Division strategies which are:

- a) Improve access to care across the Health Division
- b) Continuous Quality Improvement
- c) Optimize Technology
- d) Enhance our Workforce

III. Market

- A. <u>Market Served</u>: The market includes: Oneida Nation's Community Members, employees of the Nation, and all other eligible Native Americans as defined by the Indian Health Service and Oneida Nation.
- B. <u>Competition</u>: Other local IHS funded clinics/facilities, and local health care organizations/facilities located in Green Bay, Appleton, and Milwaukee, WI.

IV. Potential Risk:

- A. Competition for funding from other internal projects of the Oneida organization depending on the funding that is used.
- B. Potential economic downturn.

CIP - Concept Paper CIP #09-011

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- C. Inability to recruit, pay and retain direct care staff and provide operational support services.
- D. Federal funding and/or sequestration, etc.
- E. Decreased utilization from the community.
- F. Failure to meet and fulfill the Comprehensive Plan's goals and objectives supported by this project.

V. Possible Funding Sources

A. Funding Sources:

Possible funding sources include:

- 1. Foundational Grants
- 2. IHS
- 3. BIA
- 4. CIP Budget-Tribal Contribution
- 5. Federal, State and local Bonding for this project
- B. <u>Development Costs</u>: The project may require funding for completing the project's CIP Package when this Concept Paper is approved.

C. Construction Cost Target:

- 1. Construction cost is targeted Cost per Square foot will need to be determined as the project moves forward which would be the per square foot range for the building only. Site work, soft and miscellaneous costs, furniture, fixtures, equipment, and contingency are in addition to this construction cost.
- 2. The project's complete CIP Package will identify the total project budget estimate.

VI. Time Line

Upon approval of the Concept Paper:

Estimates:

A. CIP Phase I - CIP Package
B. CIP Phase II - Project Ranking and Approval
C. CIP Phase III - Design
D. CIP Phase IV - Construction
12 months
16 weeks
60 weeks
18-24 months

VII. Recommendations

- A. It is strongly recommended that consideration be given to this project in order to help the Oneida Comprehensive Health Division accomplish goals and objectives in their work plans as well as those set in the 2014 Oneida Reservation Comprehensive Plan.
- B. Based on the community's input, the Oneida Business Committee has established Health as a priority. As part of their strategic plan, they have made it their mission to encourage Tribal Members to return to the Reservation.

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- C. Meeting the health care needs of the growing Oneida community is critical. The Oneida Comprehensive Health Division has established that we must provide the highest quality of holistic health care to ensure the wellness of our Oneida Community. In order to deliver the highest quality of health care we must have the equipment, facilities and staff to meet the demands of our community.
- **VIII. Client Approval** A signed copy of the CIP-05 Form is attached indicating approval by client's division director.

ATTACHMENT: FORM CIP-05

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Oneida Business Committee Agenda Request

CDC #19-004 Amelia Cornelius Culture Park Site Improvements - Approve three (3) actions

1.	1. Meeting Date Requested: 11 / 13 / 19				
2.	General Information:				
	Session: ⊠ Open ☐ Exec	utive - See instructions for the applicable laws, then choose one:			
	Agenda Header: New Busines	S			
	☐ Accept as Information only				
	1	for project CDC #19-004 Amelia Cornelius Culture Park Site Improvements and Y2019 and FY2020 CIP Funds.			
3.	. Supporting Materials Report Resolution Contract Other:				
	1. CIP Package CDC #19-004 3. 19-004 Form CIP-02				
		AFY COLO O EVOCOCO SID D. L. A.			
	2. Division Director Appro	4. FY 2019 & FY2020 CIP Budget Activations			
	☐ Business Committee signature required				
4	Budget Information				
••	⊠ Budgeted - Tribal Contributi	on 🔲 Budgeted - Grant Funded 🔲 Unbudgeted			
5.	Submission				
	Authorized Sponsor / Liaison:	Debbie Thundercloud, General Mananger			
	,	. 3			
	Primary Requestor/Submitter:	Troy Parr, Community & Economic Development Division Director Your Name, Title / Dept. or Tribal Member			
	Additional Requestor:	Paul Witek, Engineering Director-Senior Architect Name, Title / Dept.			
	Additional Requestor:	Fawn Cottrell, Engineering Dept - Contract Processor Name, Title / Dept.			

Oneida Business Committee Agenda Request

6. Cover Memo:

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

Purpose:

The project team is seeking approval of the project's Capital Improvement Process (CIP) Package and activation of the allocated CIP funding.

Background/history:

Project need and justification is noted in the attached CIP Package.

The proposed project intends to create a park like setting with amenities including park equipment, building amphitheater / multipurpose stage and an accessible trail system.

Funding for the project was included in the GTC approved FY2019 CIP Budget at \$ 50,000 and in the GTC approved FY2020 CIP Budget at \$ 50,000.

The OBC approved the project's Concept Paper on March 27, 2019.

Action Requested:

- 1. Approval of the CIP Package for project CDC #19-004 Amelia Cornelius Culture Park Site Improvements.
- 2. Activation of \$ 50,000 from the approved FY2019 CIP Budget for CDC #19-004 Amelia Cornelius Culture Park Site Improvements.
- 3. Activation of \$ 50,000 from the approved FY2020 CIP Budget for CDC #19-004 Amelia Cornelius Culture Park Site Improvements.

- 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

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Amelia Cornelius Culture Park Site Improvements



CIP #19-004

CIP PACKAGE

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CIP #19-004

Project Client: Cultural Heritage Area

Project Team:

Susan House Interim Governmental Services Division

Director

Kristine Hill Area Manager, Cultural Heritage

Racquel Hill Exec Assistant, Governmental Services

Director

Michelle Danforth-Anderson Director, Marketing & Tourism

Michael Troge Project Manager Supervisor – EHS&L Division

Suzanna Jordan Groundskeeping Supervisor - DPW

Joanie Buckley Internal Services Division Director

Ron Melchert Project Planner - Planning Dept.

Wayne Metoxen Project Manager - Engineering Dept.

Paul J. Witek Engineering Director/Senior Architect -

Engineering Dept.

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CIP #19-004

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CIP #19-004

PROJECT EXECUTIVE SUMMARY

Project Title: Amelia Cornelius Culture Park - Site Improvements

Project Description:

The proposed project intends to create a park like setting with amenities, rental options similar to Cora House Park. Project includes park equipment, building amphitheater / multipurpose stage and an accessible trail system.

Management/Business Plan:

A Management/Business Plan is not required being the project is not intended change Department Staffing or generate revenue.

Site Selection:

The Amelia Cornelius Culture Park is a 30-acre parcel located on the corner of Hwy FF and Hwy 54. See site map in appendix. Page 18.

Project Budget Estimate: (See page 10 of CIP Package)

Soft & Misc. Costs:		\$12,000
Construction:		\$135,000
Furniture, Fixtures & Equipmen	nt (FFE):	\$0
Contingency:	10%	\$15,000
	Total (rounded):	\$162,000

Financial Plan:

The project's budget request will be broken into multiple fiscal years. \$50,000 has been approved in FY2019 CIP Budget. Additional funds will be requested in the FY2020 & 2021 CIP budgets to complete the guiding principles in Option 1.

(see page 10 of CIP Package)

Communication Plan:

The standard process will be used for communicating the project status to the community. (see page 11 of CIP Package)

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I. Needs Assessment and Project Justification

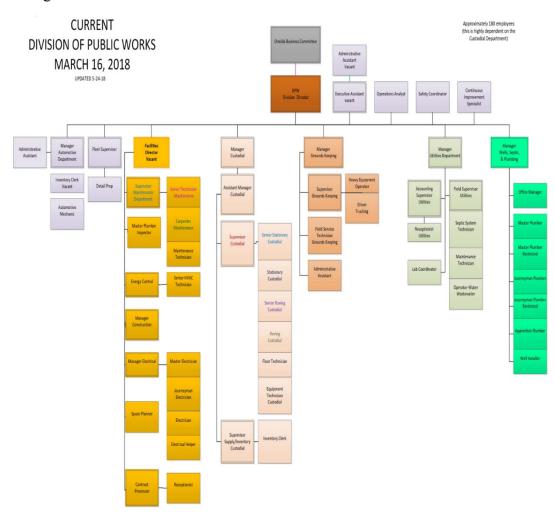
- A. **Introduction:** The general purpose of the project is to create a park like setting with amenities, rental options similar to Cora House Park over the next three years.
- B. **Present Facilities:** The current site is being developed as a Cultural Site/park. This is a continuation of that development.

II. Business Plan

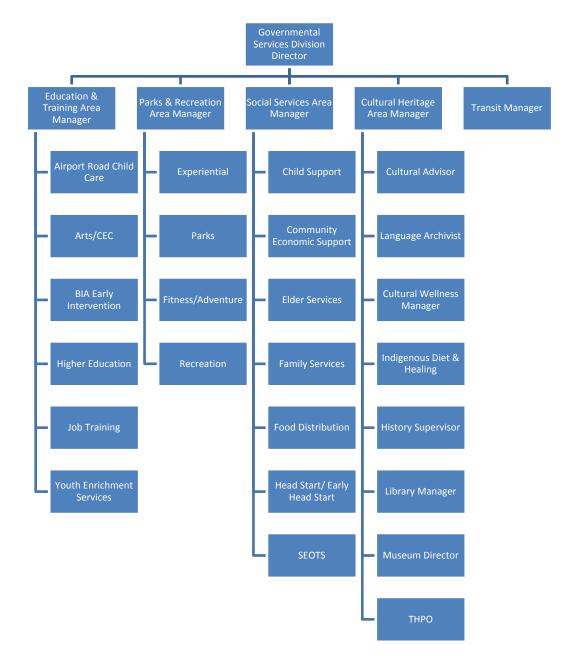
A. The Cultural Heritage Area and DPW – Groundskeeping are tribal service entites not structured to accumulate profits, therefore, a Business Plan is not applicable for this project per the Capital Improvement Process.

III. Management Plan

- A. Management The project will not require a change to the existing management structure of the Cultural Heritage Area nor DPW Grounds Keeping who maintains the property.
- B. Organizational Charts



Governmental Services Division – Organization Chart



- C. Staffing, Requestor: Initially, in 2019 & 2020 current staffing will not change as a result of this project. However, as the program offerings grow, new staff is expected to grow to manage those programs. Those positions will be requested, as the need arises, through the normal HRD processes.
- D. Staffing, Service Departments: The tribal service departments that are impacted by this project include the following. Their need for additional staffing due to this project is noted:

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CIP #19-004

DPW – Facilities:

 DPW – Groundskeeping:
 Custodial:
 MIS:

 no additional positions needed no additional positions needed no additional positions needed

IV. Facility Concept and Space Requirements

- A. The proposed project will create a park like setting with amenities, rental option similar to Cora House Park on the parcel. New amenities include:
 - 1. Longhouse Completed (CDC #11-016)
 - 2. Park/Playground Equipment
 - 3. Amphitheater/Multi-Purpose Stage (CDC #16-017)
 - 4. Picnic Area
 - 5. Signage
 - 6. Accessible Trails
 - 7. Solar Panels/Security
- B. Consistent with the Oneida Design Standards, it is our intention to utilize sustainable design principals on this project. Meaning, we will design, construct, and operate the site to minimize negative impacts to the natural environment and health, while optimizing long-term costs.

V. Site Selection Criteria

A. The project will be developed on the existing property. The 30 acre parcel is currently referred to as Amelia Cornelius Culture Park. It is located on the corner of Hwy FF and Hwy 54.

VI. Environmental

A. An Environmental Assessment will be initiated once the project has been approved and the design is at a stage where there is sufficient information to request the assessment.

CIP #19-004

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VII. Budget Estimate

A. The Project Budget Estimate follows:

SOFT and MISCELLANEOUS COSTS	
Engineering Dept. Fees	12,000
Architect / Engineer Fees & Reimbursal	oles 0
Soil Borings, Testing and Surveys	0
Agency Review and Approval Fees	0
Insurance - Builders Risk	covered by property insurance
Historical/Cultural/Archaeological Revie	w 0

CONSTRUCTION	Sub-total:		12,000		
Utility Relocation/Extension General Requirements Site Improvements & Amenities Building Construction		0 0 135,000 0			
Oneida Preference Amount Sustainable Design Premium	Sub-total:	135,000 0 0			
Inflation Factor: years	0% per year	0			
	Sub-total:		135,000		
FIXTURES, FURNISHINGS AND EQUIPMENT					
Division 10 - Specialties		0			
Division 11 - Equipment		0			
Division 12 - Furnishings		0			
Division 27 - Communications		0			

 Sub-total:
 0

 TOTAL:
 147,000

 Contingency:
 10.0%
 15,000

 Finance Costs:
 0.0%
 0

ESTIMATED TOTAL PROJECT BUDGET: \$ 162,000

0

VIII. Financial Plan

- A. Tribal Financing: It is proposed to fund this project through the tribal CIP Budget. The Finance Department will determine the best means to finance the overall CIP budget.
- B. The project's budget request will be broken into multiple fiscal years.
 - 1. FY2019 CIP Budget: \$50,000 has been approved by GTC.
 - 2. FY2020 CIP Budget: \$50,000 has been included in the budget request to GTC.
 - 3. FY2021 CIP Budget: \$62,000 will be requested.

Division 28 - Electronic Safety & Security

135 of 327

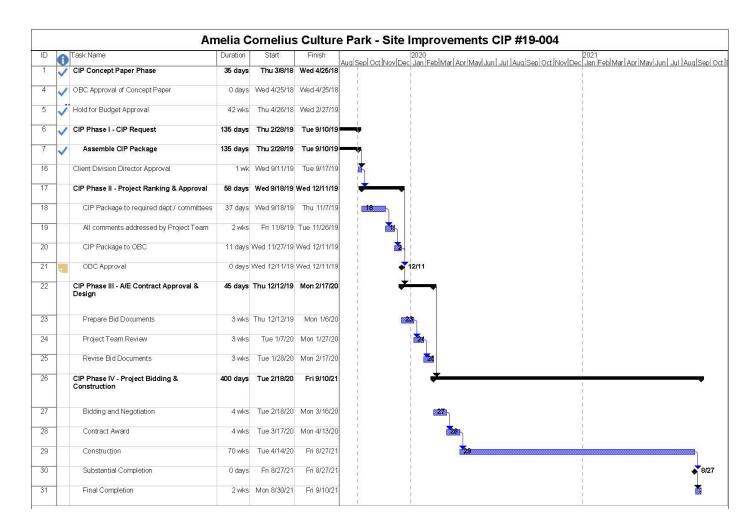
CIP #19-004

- C. The Project Team has been researching possible grant opportunities for the project and has identified the following potentials:
 - 1. The team as also applied for an AARP Community Challenge grant of \$15,000 to help with trail cost and other park like amenities.

IX. Communication Plan

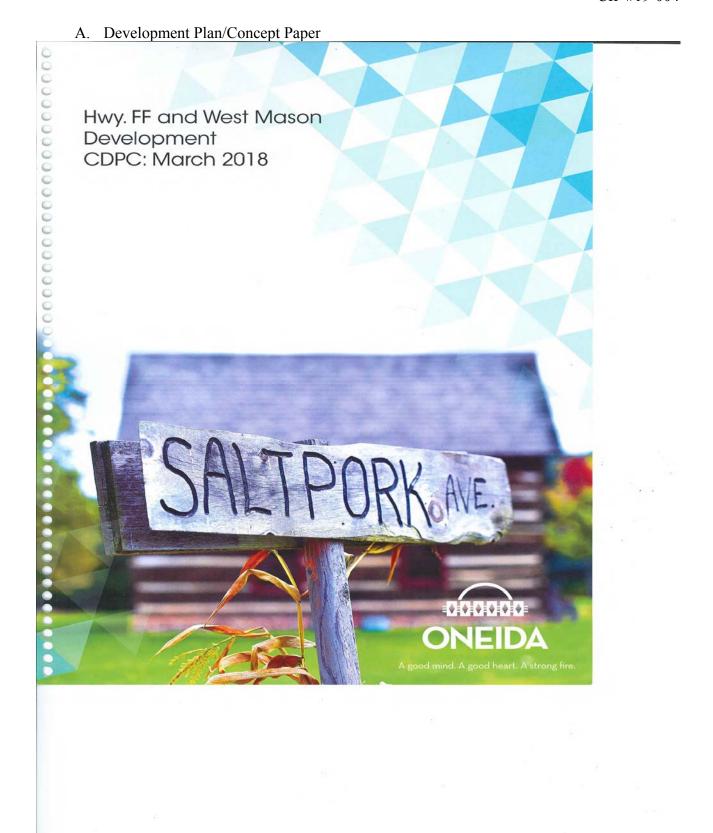
- A. Information included in a communication plan for this project will include:
 - 1. Project number
 - 2. Project title
 - 3. Project Manager (including: phone, fax numbers and e-mail address)
 - 4. Project phase (identify process followed: CIP, etc.)
 - 5. % of Phase completed
 - 6. Brief description of the project scope
 - 7. Project budget amount
 - 8. Project schedule (identify if community meeting will be held)
- B. The Project Information will be communicated to the community and staff as follows:
 - 1. Weekly status reports Monday 8:30 AM at LBDC conference room (Project Manager)
 - 2. Quarterly reports Tribal publications including: Kalihwisaks (Engineering Director/Senior Architect)
 - 3. Quarterly reports on Oneida website and on Oneida Intranet (Engineering Director/Senior Architect)

X. Project time line



Public Packet 137 of 327 CIP #19-004

XI. Appendix





- Guiding Principles and Parameters
- Overview
- Options with Current and Future Programming



Community Space
Low Development
(Trails, Stage, Park Equipment)



Developed Site

High Development
(Cultural Center, Infrastructure, Permanent and/or Non-permanent Shops)



Green Space
Undeveloped
(mow, low mow, and some natural areas)



Guiding Principles

Reflect Oneida Culture

Aesthetically Pleasing

Environmental Sustainable

Engages Community

Economic Opportunities



Parameters

Oneida only vs. Public Use

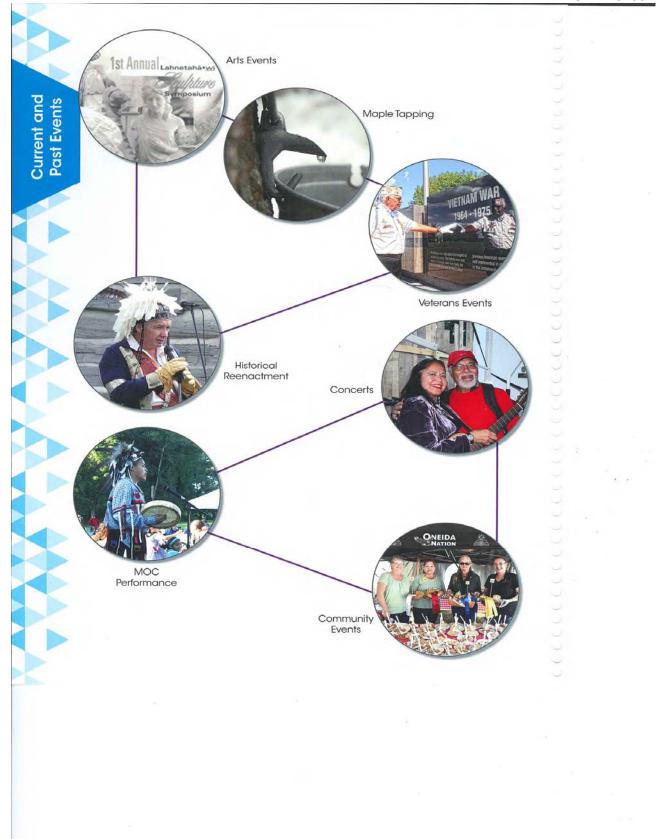
Infrastructure development vs. Greenspace

Commercial vs. Not-for-profit

Land Lease Excluded



Parameters





Overview

The 30 acre parcel is currently referred to as Oneida Cultural Heritage. It is located on the corner of Hwy FF and Hwy 54.

The parcel is listed as "Oneida Community Access" in the Public use of Tribal Land Law.

We have removed land that has the potential for future development and may have approved planned development.

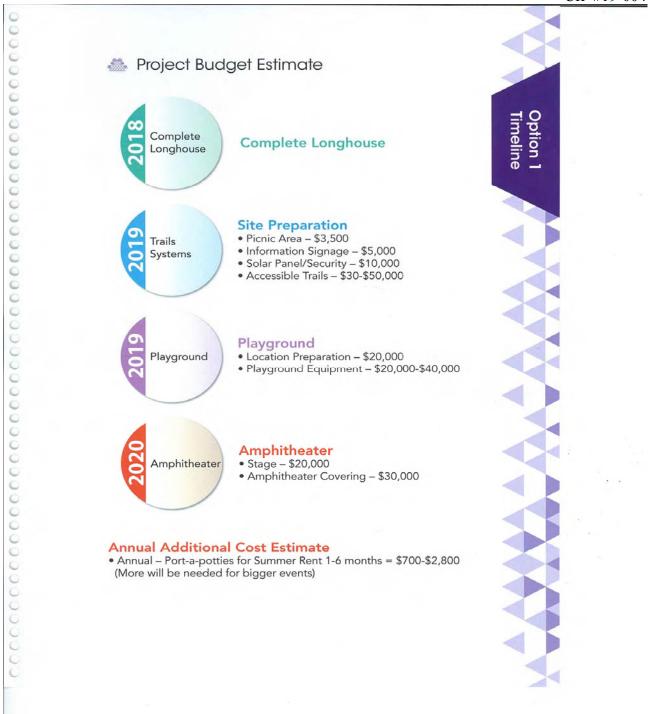
We have not addressed in the options of who the land is leased to. It is our suggestion that the land is treated as the 18 other Nation parks and multipurpose fields.





Overview







Summary

Create a DESTINATION with cultural activities, tourism and several amenities phases in.

Future Needs:

All items from Option 1, plus;

Building infrastructure for light commercial use.

Plan/Culture/Museum/Welcome Center.

Build Upgraded performance stage/ amphitheater.

Additional Longhouse(s) to create an Oneida Village setting.





Cultural Destination



Site Activation





Gift Shop

Ice Cream Shop



Longhouse Village

CIP #19-004



Low evelopment



Summary

Create natural areas, expand gardens, and designate low mow or no mow areas.

Keep area as is currently without any additions

Create natural and low mow areas

Decrease mowing, continue to mow some areas for public use

Port-a-potty rental hosting department if needed for events



Site Activation Culture Classes Low Impact Tours

Mindfulness Activities









Recommendation

Based on the guiding principles and parameters listed we recommend Option 1.

We believe this is economically the most feasible while having the greatest impact for expanded community and cultural tourism use. The collaboration between Governmental Services, Environmental, and Internal Services Divisions along with the recommendations for the site will improve community wellness, interaction, and tourism.

C

Suggested Motion(s):

- ▶ Motion by CDPC to approve Option 1 and send to Oneida Business Committee or approval.
- ▶ Motion to request Land Commission remove the land lease for the 30 acres located at Hwy FF and West Mason.
- ▶ Motion to request the Environmental Resource Board to designate this parcel as "Open Access" and to follow their process to amend the Land Access Map.



CIP #19-004





Capital Improvement Process (CIP) - Client Division Director Approval Form

	Susan Hous	se – Interim Governmental Services [Director	Date	
	Susan House 2019.09.09 20:48:57 -05'00'				
	☐ CIP Concept Paper – dated:				
th		d the attached Capital Improvement ed project and approve of the projec	· ·		
	Re: Amelia Cornelius Culture Park - Site Improvements #19-004				
	Date:	te: September 9, 2019			
	From:	Wayne Metoxen - Project Manager			
	Through:	Kristine Hill – Cultural Heritage Area Manager			
	To:	Susan House – Interim Governmental Services Director			

Form CIP-05 Rev. Dec. 4, 2017

PHASE ONE: Capital Improvement Approval Form	Form CIP-02 (Rev. 9/2003)
Project Name: Amelia Cornelius Culture Park Site	Project Number: 19-004
Improvements	
Project Manager: Wayne Metoxen	Date of CIP Pkg Completion: 9/9/19

1	Facilities Management Team		NO	NO LONGER IN EXISTENCE		
	☐ Approved	Comments:				
	□ Disapproved					
	Date:					
2	Planning Departme	nt			Due 10/2/19	
	☒ Approved	Comments:				
	□ Disapproved					
	Date: 10-2-19					
3	Environmental Divi	sion			Due 10/2/19	
	☒ Approved	Comments:				
	□ Disapproved					
	Date: 10-2-19					
4	DPW Facilities				Due 10/2/19	
	☒ Approved	Comments:				
	□ Disapproved					
	Date: 10-2-19					
5	Land Commission			Meeting 9/23/19	Due 10/2/19	
	☒ Approved	Comments:				
	☐ Disapproved					
	Date: 10-14-19					
6	Utilities Departmen	t			Due 10/2/19	
	☒ Approved	Comments:				
	☐ Disapproved					
	Date: 9/18/19					
7	Arts Board				Due 10/2/19	
	☒ Approved	Comments:				
	□ Disapproved					
	Date: 10-2-19					
8	Environmental Reso	ources Board		Meeting 10/3/19	Due10/4/19	
	⋈ Approved	Comments:				
	☐ Disapproved					
	Date: 10/3/19					
9	Chief Financial Offi	icer			Due 10/2/19	
	☒ Approved	Comments				
	□ Disapproved					
	Date: 9/18/19					
10	Senior Management	t Team	NO L	ONGER IN EXISTEN	CE	
	☐ Approved	Comments:				
	☐ Disapproved					
	Date:					
11	Community & Econ		nent		Due 10/2/19	
	☒ Approved	Comments:				
	☐ Disapproved					
	Date: 10-2-19					

10/23/19

Revised:

CIP BUDGET ACTIVATIONS 2019

Project No.	Project Title	CIP \$ App'd FY 2019	Activated Amount	Date Activation Approved	Unactivated Balance	Notes
	-		_			
23-005	Residential Home Sites	490,000	490,000	01/23/19	0	Α
07-002	Social Services Building Remodel - Phase V	1,984,000	1,984,000	01/23/19	0	А
14-002	Cemetery Improvements	208,000	208,000	01/23/19	0	Α
14-012	Oneida Farm Barn/Manure Storage	630,000	630,000	01/23/19	0	А
15-002	Oneida Community Wells	1,877,000	1,877,000	10/23/19	0	Α
15-003	Norbert Hill Center Remodel - Phase VIII	1,511,000	1,511,000	01/23/19	0	А
16-008	Oneida Family Fitness - Facility Improvements	718,000	718,000	01/23/19	0	Α
16-016 / 19-004	Cultural Park - Site Improvements	50,000			50,000	Α
19-002	One Stop - Relocation	431,000			431,000	Α
19-003	200 Year Celebration	100,000			100,000	Α
TOTALS:	1	7,999,000	7,418,000		581,000	

Adjustments

/ tajaotinont	<u> </u>			

Notes:

A. Funding source: Tribal Contribution

10/23/19

Revised:

CIP BUDGET ACTIVATIONS 2020

Project No.	Project Title	CIP \$ App'd FY 2020	Activated Amount	Date Activation Approved	Unactivated Balance	Notes
06-004	Duck Creek Trail - Phase II	334,000			334,000	Α
07-002	Social Services Building Remodel - Phase V	1,608,000			1,608,000	Α
16-008	Oneida Family Fitness - Facility Improvements	736,000	736,000	10/23/19	0	Α
17-010	1940 W Mason Building Renovation	1,147,000			1,147,000	Α
18-010	Food Distribution Store Concept	53,000	53,000	10/23/19	0	Α
19-002	One Stop - Relocation	3,369,000			3,369,000	Α
19-003	200 Year Celebration	50,000			50,000	Α
19-004	Cultural Park - Site Improvements	50,000			50,000	Α
TOTALS:		7,347,000	789,000		6,558,000	

Adjustments

7 tajaotimont	<u> </u>			
			_	

Notes:

A. Funding source: Tribal Contribution

Approve the BIA and Oneida Nation cooperative agreement for Wildland Fire Management-Non-recurring Oneida Business Committee Agenda Request

1. Meeting Date Requested: 11 / 13 / 19
2. General Information: Session: Open
·
Agenda Header: New Business
Accept as Information only
Approval of a Cooperative Agreement between the U.S. Department of the Interior / Bureau of Indian Affairs / Midwest Regional Office and Oneida Nation-Environmental, Health, Safety and Land for a Wildland Fire Management - Non-Recurring Funds.
3. Supporting Materials Report Resolution Contract Other: 1. Cooperative Agreement Document 3.
2. 4.
☐ Business Committee signature required
4. Budget Information Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted
5. Submission
Authorized Sponsor: Debbie Thundercloud, General Manager
Primary Requestor/Submitter: Patrick Pelky, Division Director/EHS
Additional Requestor: Anthony Kuchma, Project Manager/Environmental, Health & Safety Your Name, Title / Dept. or Tribal Member
Additional Requestor: Name, Title / Dept.
Name, Title / Dept.

Oneida Business Committee Agenda Request

6	Co	We	r N	lem	n

Describe the pu	rpose, backgroun	d/history, and	daction requested:

Approval of a Cooperative Agreement between the U.S. Department of the Interior / Bureau of Indian Affairs / Midwest Regional Office and Oneida Nation-Environmental, Health, Safety and Land for Wildland Fire Management Funds.
This Agreement was submitted to the Law Office for a legal review, their recommendation is this requires Business Committee approval prior to execution because this is an intergovernmental agreement.

- 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 LAW OFFICE

CONFIDENTIAL: ATTORNEY/CLIENT WORK PRODUCT

TO:	Marsha Danforth
	Grants

CC: Melinda Danforth, Intergovernmental Affairs

Tony Kuchma, EHS&L

Use this number on future correspondence:

2019-1092

FROM:	Kelly M	McAndrews	Senior	Staff Attorney
FRUNVE	K CHV IVI	INCAHOCWS.	. OCHIOL	эмин жионису

Digitally signed by Kelly M. Kelly M. McAndrews McAndrews

Date: 2019.09.26 17:59:05 -05'00'

DATE: September 26, 2019

U.S. Dept of Interior-Bureau of Indian Affairs RE: Cooperative Agreement Between Bureau of Indian Affairs, Midwest Region and Oneida Nation For

Wildland Fire Management-Non-Recurring Funds

Purchasing Department Use

NA

If you have any questions or comments regarding this review, please call 869-4327.

The attached agreement, contract, policy and/or guaranty has been reviewed by the Oneida Law Office for legal content only. Please note the following:

- ✓ The document is in appropriate legal form. (Execution is a management decision.)
- ✓ Note: there was a concern by Grants that there was no start and end date, however this is incorrect. Article IV states "This agreement will become effective upon the date of the last signature and will expire five years from the date of the final signature." This is the start and end of the term. To confirm this information, just as should occur with all contracts, EHL&S staff should: a.) Obtain and retain a copy of the fully executed agreement; and b.) Provide this information to grants so Grants has the date of the last signature (the first day the agreement commences) and can determine the expiration date by adding five years to the start date.
- ✓ Requires Business Committee approval prior to execution, because this is an intergovernmental agreement with the BIA concerning wildland fire management. **Tony** Kuchma from Environmental Health, Safety, & Land will confirm whether BC approval has already been obtained.

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UNITED STATES DEPARTMENT OF THE INTERIOR ASSISTANCE AGREEMENT

IA. AGREEMENT NUMBER	1B. MOD NUMBER	2. TYPE OF AGREEMEN	m .	311122112	CLASS OF RECIPIENT	
		[] GRANT			CLASS OF KLCH IL.,	
4 IEELING OFFICE A		X COOPERATIVI				
4. ISSUING OFFICE (NAME, ALL Department of Interior			I	NT (NAME, ADDRESS,	(ELEPHONE)	
			Oneida 1		r++4	
Bureau of Indian Affairs			n, Tehassi H	1111		
Midwest Regional O			P.O. Box			
5600 W American B	•			WI 54155		
Bloomington, MN 5	5437		(920) 869	9-4389		
			Thill7@	oneidanatior	n.org	
			EIN#:	39-6081138	County:	Brown & Outagamie
			DUNS#:	79822727800) Congress. Dist:	8 th Congress Dist WI
				00	j congress. Dist.	o" Congress Dist wi
6. ADMINISTRATIVE POINT	OF CONTACT (NAME, ADDRES	S, TELEPHONE, E-MAIL)	7. RECIPIEN		JAGER (NAME, ADDRESS, TEI	LEPHONE, E-MAIL.)
Cristine Basina						, , , , , , , , , , , , , , , , , , , ,
Fire Business Analyst						
Bureau of Indian Affairs,		ce				
5600 W American Blvd.,						
Bloomington, MN 55437						
612-725-4525						
9 OR ANTE OFFICER TECHNI	CAL DEDDECEMEATIVE		0.1 11.11.11			
8. GRANTS OFFICER TECHNI EPHONE, E-MAIL)	CAL REPRESENTATIVE (NAME, ADDRESS, TEL	EFFECTIVE	AGREEMENT DATE:	9B. MODIF	ICATION EFFECTIVE DATE:
Daniel D. Lovdahl			Li Le II V B	DITTE.		
Grants Management Spec	ialist					
U.S. Fish & Wildlife Serv						
5600 American Blvd. Wes			10. COMPLE	TION DATE		
Bloomington, MN 55437	-1458		10. COM BETTOTO PATE			
612-713-5193						
11. PROGRAM STATUTORY	AUTHORITY					
12. FUNDING	RECIPIENT/OTHER	DEPARTMENT OF THE	13. REQUISI	TION NUMBER		
INFORMATION		INTERIOR				
Total Estimated Amount			14A. ACCOL	JNTING AND API	PROPRIATION DATA	
of Agreement This Obligation			-			
This Conguction						
Previous Obligation						
Total Obligation			14B. TREAS	URY ACCOUNT I	FUNDING SYMBOL	
Cost-Share %			4			
Cost-Share 76						
15. PROJECT TITLE AND BRI	EF SUMMARY OF PURPOS	E AND OBJECTIVES OF PRO	DJECT			
16a. Acceptance of this Assis	stance Agreement in accor-	dance with the terms and	17a. Award	of this Assistance	e Agreement in accord	ance with the terms and
conditions contained herein is	s hereby made on behalf of	the above-named				If of the United States of
Recipient			America			
BY:			BY:			W-97171-W-7-1
DATE.						
DATE:		DATE:				
16b. NAME, TITLE, AND TELE	EPHONE NUMBER OF SIGN	ER	17b. NAME OF GRANTS OFFICER			
<u> </u>						
Additional signatures	are attached		1			

Cooperative Agreement A19AC Page 2 of 25

COOPERATIVE AGREEMENT BETWEEN BUREAU OF INDIAN AFFAIRS, MIDWEST REGION AND ONEIDA NATION FOR DLAND FIRE MANAGEMENT - NON-RECURRING FUN

WILDLAND FIRE MANAGEMENT - NON-RECURRING FUNDS (Based on reimbursements)

This cooperative agreement (Agreement) is entered into by the Bureau of Indian Affairs, Midwest Region, an executive agency of the U.S. Department of the Interior, hereinafter referred to as the "BIA," and the Oneida Nation (an organized tribal government, hereinafter referred to as the "Tribe").

ARTICLE I - BACKGROUND AND OBJECTIVES

- A. Under this agreement, the parties will cooperate in wildland fire management activities and all hazard duties related to national, regional and field programs, including activities occurring on trust lands under the BIA's jurisdiction for which the BIA has wildland fire management responsibilities and where approved interagency or mutual aid agreements are in place. The suppression of structural fires, vehicle fires, or hazardous-materials fires is not included in this agreement.
- B. This agreement will provide a mechanism to reimburse the Tribe for non-recurring expenditures for actual costs. Equivalent funding terms include one-time funds, one year only funds, project funds or one-time expenditures. For purposes of this agreement these categories of funds will hereinafter be referred to as non-recurring funds.
- C. In order for the Tribe to maintain an adequate level of readiness and capability on Indian land, tribal wildland firefighters who carry out this agreement must meet the national qualification standards for wildland firefighting positions that appear in the current National Wildfire Coordination Group (NWCG) 310-1 Wildland Fire Qualifications System Guide.
 - 1. Implementation of this agreement requires the Tribe to maintain a cadre of qualified wildland firefighters and support personnel. If the availability of local training and qualifying wildfire management experience is limited, the off-reservation dispatch of Tribal wildland firefighters under approved interagency or mutual aid cooperative agreements is necessary, reasonable, and allowable for the purpose of breath of experience, depth of qualified fire staff, training, and obtaining and maintaining NWCG qualifications and standards.
 - 2. Further, no single agency, including the Tribe carrying out this agreement, has sufficient resources to manage large, extended attack wildland fires.

Cooperative Agreement A19AC _____Page 3 of 25

Only through cooperative, reciprocal interagency management are wildland fire management agencies able to suppress large, extended attack wildland fires or manage public safety incidents. Through this agreement, the Tribe participates in that portion of the interagency large fire, extended attack management capacity the BIA would make available to support national efforts. Without participation in interagency support agreements, the BIA cannot fulfill its commitments, and, without the support of its interagency partners and other tribes, the BIA cannot provide sufficient large-incident wildland fire management to the Tribe. Therefore, the Tribe assumes responsibility to supply qualified fire management staff, when they are not needed for local fire suppression management, for national dispatch under the direction of the BIA, when requested by the BIA or through resource orders issued by a dispatch center. Further, the Tribe assumes responsibility to train and qualify fire management staff to large incident NWCG skill positions, even though those positions may rarely be used for local fires.

- D. At the discretion of the BIA and with the agreement of the Tribe, the BIA may choose to host "national resources" at the Reservation. Those "national resources" may be used to manage local wildland fire when those resources are not needed for national dispatch. It is understood by both the Tribe and the BIA that "national resources" hosted by the Tribe are not part of the base preparedness funding, and are available for local fire management tasks only when those resources are not in use or requested for use by the national dispatch system.
- E. The objectives of this agreement are:
 - 1. To participate in and administer the wildland fire management program for activities paid for by non-recurring funds;
 - 2. To administer the fuels management program and complete projects for non-recurring funds on the reservation;
 - 3. To train and maintain qualified tribal employees in order to build the depth and breadth of experience needed to develop NWCG skill positions to have a fully functional fire program managing wildland fire within BIA jurisdictional boundaries and, when available, supporting the national effort in regarding wildland fire.
 - 4. To designate procedures to reimburse the Tribe for the cost of providing wildland fire operational management (both suppression and fuels management) and other incident management services or support for non-recurring funds.
 - 5. To support authorized All-hazard incidents. For the purpose of this Agreement, an incident is defined as an occurrence or event, either man-caused or a natural phenomenon, that requires action by emergency service personnel to prevent or

Cooperative Agreement A19AC _____Page 4 of 25

minimize the loss of a life or damage to property and/or natural resources. Examples of such incidents include: wildland fire, tornados, floods, earthquakes, and hurricanes.

ARTICLE II - AUTHORITY

BIA enters into this Agreement pursuant to:

- A. National Indian Forest Resources Management Act, 25 U.S.C. § 3115(a)(1)(C), and 25 CFR Part 163 Subpart E, *General Forestry Regulations, Cooperative Agreements*. The National Master Interagency Agreement for Wildland Fire Management, National Interagency Fire Center, BIA Agreement No. AGFIRE10K101 authorizes tribes to support the national fire effort by providing services under this agreement.
- B. Tribal Resolution No.: 11-28-18-A, dated: November 28, 2018.

ARTICLE III – SCOPE AND STATEMENT OF WORK

- A. Substantial involvement by the BIA is anticipated during the performance of activities funded under this cooperative agreement.
- B. The parties agree that the Tribe will perform or support BIA functions in the following areas:
 - 1. The tasks to be accomplished under this agreement include fire management activities that use non-recurring funds such as suppression funds, and one-time preparedness funds. These two categories include one-time project funds associated with burned area rehabilitation, emergency stabilization, hazardous fuels reduction, prevention, and other related programs. Base or recurring funding is generally disbursed under P.L. 93-638 contracts or Title IV compacts for Tribes that manage the preparedness/ hazardous fuels reduction program.
- C. The Parties to this agreement agree to conduct all wildland fire suppression activities under this agreement in accordance with Department of Interior Manual (DM) 620 (4/10/98), 90 Indian Affairs Manual (90 IAM, Wildland Fire Management) and the most current version of the Interagency Standards for Fire and Fire Aviation Operations (Red Book) or succeeding Operations Guide(s), and current National Interagency Mobilization Guide.
- D. Specific responsibilities, duties and activities to be provided by the Tribe will be documented and mutually agreed to, in written proposals and incorporated as an appendix to this agreement (for example, the Annual Work Plan format or Task Orders may be used). Appendices will include an activity description, objectives and role of each party, operating plan, costs and reporting requirements. The

operating plan will be modified by mutual consent as the scope of activities increases or decreases.

- E. BIA Obligations Federal Assistance to Tribe:
 - 1. The BIA retains authority to:
 - a. Approve Resource Management and Land Use Plans, Fire Management Plans, Fire Program Management documents, National Environmental Policy Act documents, and appropriate Wildland Fire Decision Support System (WFDSS) decision documents.
 - b. Delegate authority to Incident Management Teams and Burned Area Stabilization/Rehabilitation Teams.
 - c. Hire, fire and pay Emergency Fire Fighters.
 - 2. The BIA shall furnish the Tribe with the following assistance to accomplish the functions outlined in the appendices:
 - a. Serve as the technical program contact to provide technical supervision, coordination, direction, and implementation of the cooperative program.
 - b. Serve as technical advisor in fire suppression to the Tribe. Technical supervision can also be provided during an emergency situation, when supervision is executed through the designated Incident Command System (ICS) chain of command or if another delegation of authority exists.
 - c. Coordinate, notify or make available wildland fire management training to tribal employees sufficient for the tribe to fulfill the agreed upon responsibilities under this agreement. Additional wildland fire management qualifications to support the BIA's interagency incident management commitments are encouraged.

The Tribe shall furnish the BIA with the assistance outlined in the appendices. In so doing, the Tribe will:

- 1. Manage and carry out all administrative functions associated with the provisions of services under this agreement.
 - a. Provide qualified personnel to perform and meet wildland fire and other funded incident management needs as requested by the BIA or other cooperating federal or state agency outside of reservation boundaries.
 - b. Personnel performing activities under this agreement shall meet the requirements in the Department of the Interior Medical Standards Program and work capacity test. They shall meet the minimum training requirements for NWCG-ICS positions, as prescribed by

Cooperative Agreement A19AC _____Page 6 of 25

- the BIA and Wildland and Prescribed Fire Qualifications Guide (PMS 310-1).
- c. Provide supplies, equipment, facilities, and related services, when available; in order to assist and help meet incident needs.
- d. Follow administrative procedures identified in the NWCG Interagency Incident Business Management Handbook.
- e. Certify that it will self-administer a motor vehicle operation policy that promotes the safe operation of motor vehicles while performing duties to implement the terms and conditions of this agreement. The Tribe's policy shall be comparable or superior, to the motor vehicle operation policy for the BIA issued by the Assistant Secretary Indian Affairs.
- f. Follow contractual requirements on the use of National Wildfire Resources used on trust lands.

ARTICLE IV - TERM OF AGREEMENT

The Agreement will become effective upon the date of the last signature and will expire five years from the date of the final signature, unless terminated earlier per Article XII. The period from the effective date to the expiration date is the period of performance for the Agreement.

ARTICLE V - KEY OFFICIALS

A. Key officials are essential to ensure maximum coordination and communications between the parties and the work being performed. They are:

For the DOI:

Grants Management Specialist:

Name: Daniel D. Lovdahl

Title: Grants Management Specialist, U.S. Fish & Wildlife Service

Address: 5600 American Blvd. West, Suite 990, Bloomington, MN 55437-1458

Phone: 612-713-5193

E-Mail: daniel lovdahl@fws.gov

Contract Officer Technical Representatives:

Name: Cristine Basina Title: Fire Business Analyst

Address: 5600 W American Blvd Bloomington, MN 55437

Phone: 612-725-4525

E-Mail: cristine.basina@BIA.gov

Cooperative Agreement A19AC Page 7 of 25

Key Personnel for Tribe:

Name: Anthony Kuchma

Title: Wetland Project Manager

Address: N7332 Water Circle Place Oneida, WI 54155

Phone: 920-869-4592

E-Mail: akuchma@oneidanation.org

- B. Communications The Tribe will address any communication regarding this Agreement to the Grants Management Specialist. The Grants Management Specialist is the only official that may change the terms and conditions of this agreement through written modification. Communications that relate solely to technical matters may be sent to the Contract Officer Technical Representatives representing the BIA.
- C. Changes in Key Officials The Tribe may not make any permanent change in a key official without written notice to the Grants Specialist in advance of the proposed change. The notice will include a justification with sufficient detail to permit evaluation of the impact of such a change on the scope of work specified within this Agreement. Any permanent change in key officials will be made only by modification to this Agreement.

ARTICLE VI - DISPUTE RESOLUTION

If the key officials are unable to resolve a dispute concerning implementation of this agreement within 30 days, they shall refer the dispute to the following officials, who will confer within 15 days of the referral in order to resolve the dispute:

For the BIA:

Name: Tom Remus

Title: Regional Fire Management Officer

Address: 402 11 ST SE Grand Rapids, MN 55744

Phone: 218-322-2693

E-Mail: thomas.remus@BIA.gov

For the Tribe:

Name: Tehassi Hill Title: Tribal Chairman Address: P.O. Box 365 Oneida, WI 54155 Phone: 920-869-4389

E-Mail: thill7@oneidnation.org

ARTICLE VII - AWARD AND PAYMENT

A. All activities pursuant to this agreement are subject to the availability of Federal funds.

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- B. The Tribe will use its policies and procedures and the BIA standardized Employee Job Classifications or equivalent under this Agreement.
- C. Tribal resources or services provided off-reservation can only be utilized, and costs reimbursed, when ordered by the BIA or other cooperating federal or state agencies or authorized under a mutual aid agreement. Tribal resources will be ordered through an established dispatch center or designated representative. Resource orders are required for significant incidents such as a large fire or an off-reservation dispatch.
- D. Each party will be solely responsible for the acts and omissions of its officers and employees resulting in damage or injuries to third parties to the same extent that such party is responsible under its applicable laws and regulations.
- E. This agreement in no way obligates BIA to order any quantities of service during the period of this Agreement.
- F. The cost principles under 2 CFR Part 200 apply to this agreement, 2 CFR Part 200 is Attachment A to this agreement.
- G. The BIA shall reimburse the Tribe for direct wildland fire non-recurring expenditures provided for by this agreement and incurred by the Tribe, in accordance with Federal procedure and regulations. Appropriate expenditures will be determined on a case-by-case basis in accordance with federal procedures and appropriation language. Guidance can be found in the Interagency Standards for Fire and Fire Aviation Operations Chapter 16, Tribal Compacts/Contracts and 90 Indian Affairs Manual (90 IAM, Wildland Fire Management), Guideline for Tribally Operated Wildland Fire Management Programs memo dated April 6, 2001 or succeeding direction. Reimbursements will be handled by direct billing between the Tribe and the BIA. The BIA will act as the administrative agent for other cooperating agencies. Further requirements are provided in Appendix 1 through 7.
- H. The BIA will reimburse the Tribe for authorized, actual salary costs including regular pay (except for base 8 personnel paid from preparedness funding), overtime pay, holiday, hazardous duty pay, etc., for tribal employees engaging in non-recurring activities such as fire suppression, prescribed fire, and all risk management work approved and requested through a Resource or Task Order under this Cooperative Agreement.
- I. Authorized travel, tuition, registration costs and per diem expenses of tribal employees are included in preparedness funding provided under this agreement. However, the BIA will reimburse the Tribe for authorized travel, and per diem expenses of all such persons engaged in appropriate and approved emergency response activities under this Agreement.
- J. Reimbursement for supplies and expenses to the Tribe not covered under Section VII. a., b., and c., above will be on an actual cost basis or replacement in kind, as authorized by the Regional Fire Management Officer.
- K. Reimbursement for use of appropriate tribal-owned equipment within the boundaries of the reservation will be documented through an Emergency Equipment Rental Agreement (EERA), OF-294 or equivalent form, and accompanying documents such as Emergency Equipment Shift Tickets (EEST), OF-297, and Emergency Equipment Fuel and Oil issue (EEFOI), OF-304. Rental agreements between the Tribe and other cooperating agencies should be established before the fire season. Tribal equipment available for off-reservation dispatches will be through national incident procurement

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- processes. Tribal equipment that reflects actual costs and is inspected through the readiness review process shall be dispatched equivalent to an agency resource.
- L. The final approval for all charges to suppression funding remains the responsibility of the BIA. The Tribe agrees to follow all procedures for hiring, dispatching, and documenting time that are outlined in the current emergency firefighter crew plan, current Interagency Incident Business Management Handbook, current Interagency Standards for Fire and Fire Aviation Operations handbook, and the current National Mobilization Guide.
- M. Invoices will be submitted, quarterly, except the last 90 days of the fiscal year.
- N. The Tribe will maintain documentation for all suppression expenditures under this agreement, to include salary costs, training and travel cost, equipment cost and purchases. This documentation will be made available to the BIA when requested.
- O. Any award beyond the current fiscal year is subject to availability of funds; funds may be provided in subsequent fiscal years if current work is satisfactory.
- P. Allowable and Eligible Costs: Expenses charged against awards under the Agreement may be incurred only as necessary to carry out the approved objectives, scope of work, and budget.
- Q. Travel costs: For travel costs charged against awards under the Agreement, the Tribe and its officers, employees, or representatives shall follow the travel policies in the Federal Travel Regulation (FTR), and may not be reimbursed for travel costs that exceed the FTR rates. All charges for travel must conform to the applicable cost principles.

ARTICLE VIII - BUDGET REVISION

The Tribe shall follow criteria and procedures at 25 C.F.R 276.308 in order to:

- (a) report deviations from cooperative agreement budgets and
- (b) request approval for budget revisions.

ARTICLE IX - INSURANCE AND LIABILITY

Tribe agrees:

- A. To indemnify, save and hold harmless, and defend the United States against all fines, claims, damages, losses, judgments, and expenses arising out of, or from, any act or omission of the Tribe or Tribal personnel or members, participants, agents, or representatives arising out of or in any way connected to activities authorized pursuant to this Agreement. This obligation shall survive the termination of this Agreement.
- B. To cooperate with the BIA in the investigation and defense of any claims that may be filed with the BIA arising out of the activities of the Tribe or Tribal cooperator, its agents or personnel.

BIA agrees:

Federal Tort Claims Act and Worker's Compensation: Tribal employees may be covered by the Federal Tort Claims Act. 28 U.S.C. §§ 2671-2680, and the Federal

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Employment Compensation Act, 5 U.S.C. §§ 8101 – 8193, under 25 U.S.C. § 3115 or other applicable statutes or regulations. Pursuant to 25 U.S.C. § 3115, Tribal employees may perform cooperative work under the supervision of the Department of the Interior in emergencies or otherwise as mutually agreed to, but shall not be deemed Federal employees other than for purposes of the Federal Tort Claim Act, 28 U.S.C. §§ 2671 – 2680, and the Federal Employment Compensation Act, 5 U.S.C. §§ 8101 – 8193.

ARTICLE X - REPORTS AND/OR DELIVERABLES

- A. Specific projects or activities for which funds are advanced will be tracked and reported by annual submission of a SF-425 Federal Financial Report (FFR) due 90 days after September 30 of each calendar year. A final SF-425 shall be submitted at the completion of the Agreement. For a final SF-425, the reporting period end date shall be the end date of the agreement. Final reports shall be submitted no later than 90 days after the end period date.
- B. The tribe will comply with 2 CFR Part 200-Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, Subpart D-Post Federal Requirements, Performance and Financial Monitoring and Reporting, secs. 200.327 through 200.329 et al.
- C. The Secretary of the Interior and the Comptroller General of the United States, or their duly authorized representatives, will have access to any books, documents, papers, and records that are pertinent to the Agreement at all reasonable times during the period of retention for the purpose of financial or programmatic review and examination. The Tribe will comply with 2 CFR Part 200-Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, Subpart D-Post Federal Award Requirements, Record Retention and Access, secs. 200.333 through 200.337 et al.

ARTICLE XI - PROPERTY UTILIZATION

All tools, equipment, and facilities loaned to the Tribe by BIA under this agreement will be returned in the same condition received except for normal wear and tear in project use. Property management standards set forth in 2 CFR Part 200-Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, Subpart D-Post Federal Award Requirements, Property Standards, secs. 200.310 through 200.316 et al. apply to this Agreement.

ARTICLE XII - MODIFICATION AND TERMINATION

- A. This Agreement may be modified only by a written instrument executed by the parties. Modifications will be in writing and approved by the Grants Management Specialist and the authorized representative of the Tribe.
- B. This agreement may be terminated consistent with applicable termination provisions for Cooperative Agreements found in 2 CFR Part 200-Uniform Administrative Requirements, Cost Principles, and Audit Requirements for

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Federal Awards, Termination sec. 200.95; Subpart D-Post Federal Award Requirements, Remedies for Noncompliance, *secs.* 200.338 through 200.342 *et al.*

ARTICLE XIII – GENERAL AND SPECIAL PROVISIONS

A. General Provisions

OMB Circulars and Other Regulations – The following OMB Circulars and other regulations are incorporated by reference into this Agreement:

1. Determination of Allowable Costs:

2 CFR Part 200-Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, Subpart E-Cost Principles, secs. 200.400 through 200.475 et al.

2. Audit Requirements:

The audit requirements under 2 CFR Part 200 applies to this agreement. 2 CFR Part 200 is Attachment A to this agreement.

- 3. Code of Federal Regulations/Regulatory Requirements: (as applicable):
 - a. 25 CFR Part 276, Uniform Administrative Requirements for Grants
 - b. 2 CFR Part 1400, Non-Procurement Debarment and Suspension
 - c. 2 CFR Part 1401 Requirements For Drug-Free Workplace (Financial Assistance)
 - d. 43 CFR Part 18 New Restrictions on Lobbying
 - e. 2 CFR Part 175, Award Term for Trafficking in Persons
 - f. FAR Clause 52.203-12, Paragraphs (a) and (b), "Limitation on Payments to Influence Certain Federal Transactions."
- 4. Non-Discrimination: All activities pursuant to this Agreement shall be in compliance with the requirements of Executive Order 11246, as amended; Title VI of the Civil Rights Act of 1964, as amended, (78 Stat. 252; 42 U.S.C. §§2000d et seq.); Title V, Section 504 of the Rehabilitation Act of 1973, as amended, (87 Stat. 394; 29 U.S.C. §794); the Age Discrimination Act of 1975 (89 Stat. 728; 42 U.S.C. §§6101 et seq.); and with all other federal laws and regulations prohibiting discrimination on grounds of race, color, sexual orientation, national origin, disabilities, religion, age, or sex as applicable.
- 5. **Lobbying Prohibition:** 18 U.S.C. §1913, Lobbying with Appropriated Moneys, as amended by Public Law 107-273, Nov. 2, 2002 No part of the money appropriated by any enactment of Congress shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for

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any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a member of Congress, a jurisdiction, or an official of any government, to favor, adopt, or oppose, by vote or otherwise, any legislation, law, ratification, policy, or appropriation, whether before or after the introduction of any bill, measure, or resolution proposing such legislation, law, ratification, policy, or appropriation; but this shall not prevent officers or employees of the United States or of its departments or agencies from communicating to any such members or official, at his request, or to Congress or such official, through the proper official channels, requests for legislation, law, ratification, policy, or appropriations which they deem necessary for the efficient conduct of the public business, or from making any communication whose prohibition by this section might, in the opinion of the Attorney General, violate the Constitution or interfere with the conduct of foreign policy, counter-intelligence, intelligence, or national security activities. Violations of this section shall constitute violations of section 1352(a) of title 31. In addition to the above, the related restrictions on the use of appropriated funds found in Div. F, § 402 of the Omnibus Appropriations Act of 2008 (P.L. 110-161) also apply.

- 6. Anti-Deficiency Act: Pursuant to 31 U.S.C. §1341 nothing contained in this Agreement shall be construed as binding the BIA to expend in any one fiscal year any sum in excess of appropriations made by Congress, for the purposes of this Agreement for that fiscal year, or other obligation for the further expenditure of money in excess of such appropriations.
- 7. **Assignment:** No part of this Agreement shall be assigned to any other party without prior written approval of the BIA and the Assignee.
- 8. **Member of Congress**: Pursuant to 41 U.S.C. § 22, no Member of Congress shall be admitted to any share or part of any contract or agreement made, entered into, or adopted by or on behalf of the United States, or to any benefit to arise thereupon.
- 9. **Non-Exclusive Agreement**: This Agreement in no way restricts the Tribe or BIA from entering into similar agreements, or participating in similar activities or arrangements, with other public or private agencies, organizations, or individuals.
- 10. **Survival:** Any and all provisions which, by themselves or their nature, are reasonably expected to be performed after the expiration or termination of this Agreement shall survive and be enforceable after the expiration or termination of this Agreement. Any and all liabilities, actual or contingent, which have arisen during the term of and in connection with this Agreement shall survive expiration or termination of this Agreement.

- 11. Partial Invalidity: If any provision of this Agreement or the application thereof to any party or circumstance shall, to any extent, be held invalid or unenforceable, the remainder of this Agreement or the application of such provision to the parties or circumstances other than those to which it is held invalid or unenforceable, shall not be affected thereby and each provision of this Agreement shall be valid and be enforced to the fullest extent permitted by law.
- 12. **No Employment Relationship**: This Agreement is not intended to and shall not be construed to create an employment relationship between BIA or any bureau thereof and the Tribe or its Members. No Member shall perform any function or make any decision properly reserved by law or policy to the federal government.
- 13. **No Third-Party Rights**: This Agreement creates enforceable obligations between only BIA and the Tribe. Except as expressly provided herein, it is not intended nor shall it be construed to create any right of enforcement by or any duties or obligation in favor of persons or entities not a party to this Agreement.
- 14. Captions and Headings: The captions, headings, article numbers and paragraph numbers appearing in this Agreement are inserted only as a matter of convenience and in no way shall be construed as defining or limiting the scope or intent of the provision of this Agreement nor in any way affecting this Agreement.

B. Special Provisions

1. Retention and Access Requirements for Records: All recipient financial and programmatic records, supporting documents, statistical records, and other grants-related records shall be maintained and available for access in accordance with 2 CFR Part 200, Record Retention and Access 200.333 through 200.337.

2. Audit Requirements:

- a. Non-Federal entities that expend \$750,000 or more during a year in Federal awards shall have a single or program-specific audit conducted for that year in accordance with the Single Audit Act Amendments of 1996 (31 U.S.C. 7501-7507) and Omni Circular, which is available at http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=1&SID=41827a1faca8eb891be082c3e4df283c&ty=HTML&h=L&n=2y1.1.2.2.1&r=PART.
- b. Non-Federal entities that expend less than \$750,000 for a fiscal year in Federal awards are exempt from Federal audit requirements for that year, except as noted under 2 CFR Part 200 but records

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- must be available for review or audit by appropriate officials of the Federal agency, pass-through entity, and General Accounting Office (GAO).
- c. Audits shall be made by an independent auditor in accordance with generally accepted government auditing standards covering financial audits. Additional audit requirements applicable to this agreement are found 2 CFR Part 200, Subpart F-Audit Requirements, as applicable. General guidance on the single audit process is included in a pamphlet titled, Highlights of the Single Audit Process" which is available on the internet at http://www.dot.gov/ost/m60/grant/sincontact.html. Additional information on single audits is available from the Federal Audit Clearinghouse at http://harvester.census.gov/sac/.
- 3. **Procurement Procedures:** It is a national policy to place a fair share of purchases with minority business firms. The Department of the Interior is strongly committed to the objectives of this policy and encourages all recipients of its grants and cooperative agreements to take affirmative steps to ensure such fairness. Positive efforts shall be made by recipients to utilize small businesses, minority-owned firms, and women's business enterprises, whenever possible. Recipients of Federal awards shall take all of the following steps to further this goal:
 - a. Ensure that Indian owned enterprises, small businesses, minorityowned firms, and women's business enterprises are used to the fullest extent practicable.
 - b. Make information on forthcoming opportunities available and arrange time frames for purchases and contracts to encourage and facilitate participation by Indian owned enterprises, small businesses, minority-owned firms, and women's business enterprises.
 - c. Consider in the contract process whether firms competing for larger contracts intend to subcontract with Indian owned enterprises, small businesses, minority-owned firms, and women's business enterprises.
 - d. Encourage contracting with consortiums of Indian owned enterprises, small businesses, minority-owned firms and women's business enterprises when a contract is too large for one of these firms to handle individually.
 - e. Use the services and assistance, as appropriate, of such organizations as the Small Business Development Agency in the solicitation and utilization of Indian owned enterprises, small business, minority-owned firms and women's business enterprises.
- 4. Prohibition on Text Messaging and Using Electronic Equipment Supplied by the Government while Driving: Executive Order 13513,

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Federal Leadership On Reducing Text Messaging While Driving, was signed by President Barack Obama on October 1, 2009 (ref.: http://edocket.access.gpo.gov/2009/pdf/E9-24203.pdf). This Executive Order introduces a Federal Government-wide prohibition on the use of text messaging while driving on official business or while using Government-supplied equipment. Additional guidance enforcing the ban will be issued at a later date. In the meantime, please adopt and enforce policies that immediately ban test messaging while driving companyowned or –rented vehicles, government-owned or leased vehicles, or while driving privately owned vehicles when on official government business or when performing any work for or on behalf of the government.

In WITNESS WHEREOF, the parties hereto have executed this agreement on the date of the final signature shown below:

Approved:	
Chairman, Tehassi Hill	Date
DUNS Number: 79-822-7278	
Approved:	
Regional Director, Midwest Region	Date
Bureau of Indian Affairs	
Approved:	
Grants Management Specialist, Daniel D. Lovdahl, Region 3	Date
U.S. Fish and Wildlife Service	

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Appendix 1:

Reimbursable projects developed under this agreement will be guided by fire resource orders or a set of task orders that will define the project, time frame and deliverables. The Task Order will define the work to be completed, create a common understanding of how the work will be accomplished, and the funding provided.

Reimbursement/Conditions

- 1. The Tribe agrees to a commitment up to 14 days, excluding travel. Any rotation of personnel or equipment without prior approval from the incident will be at the Department's expense.
- 2. The Tribe has the same status and responsibilities as state or federal agencies, including incident replacement of tools and supplies.
- 3. Crew swaps at the request of the incident will be coordinated with the appropriate incident management team and interagency dispatch center and all expenses for crew rotations will be charged to the incident.

Equipment

- 1. Equipment work rates do not include operators(s) or operating supplies (fuel and oil). Operating supplies will be provided by the incident.
- 2. Equipment use should be documented on an Emergency Equipment Shift Ticket (OF-297) and recorded on an Emergency Equipment Use Invoice (OF-286). Fuel used will be documented though The Tribe credit card receipt, and or Emergency Equipment Fuel and Oil Issue (OR-304).
- 3. Minimum Daily Guarantee (Block 13) does not apply on first and last days of an incident. Payment will be for actual work and/or travel hours only.
- 4. Equipment and staffing will meet or exceed current standards found in the Interagency Standards for Fire and Fire Aviation Operations (Red Book). Staffing standards of an engine or tender on a local incident are negotiable with benefiting agency.
- 5. Equipment that does not pass a pre-use inspection performed by the benefitting agency after arriving at an incident may be rejected and The Tribe may not be compensated for any time or expense incurred.
- 6. The Tribe will not be reimbursed if equipment leaves incident without being officially released and the Tribe shall bear all costs of returning equipment and operator(s) to the point of hire.
- 7. Equipment being driven to and from incidents will be paid at the established work rate.
- 8. Whenever engines or tenders are transported to an incident, the Tribe will be reimbursed for actual hours that equipment is transported, not to exceed Minimum Daily Guarantee.
- 9. If transportation is not provided for engines and tenders to incidents more than 300 miles from home unit location, a special mileage rate may be requested by the Tribe for miles driven beyond 300 miles. Shift Ticket documentation should include both hours and odometer readings for travel days.
- 10. Equipment will not be compensated for time when broken down or for scheduled days off at the incident.

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11. Original Equipment Use Invoices and pink Shift Tickets should be given to the operator at time of release.

Personnel

- 1. Personnel time for Single Resource and Equipment Operators should be documented on a Crew Time Report (SF-261) and recorded on an Emergency Firefighter Time Report (OF-288) at the incident.
- 2. Personnel will provide a copy of their current incident qualification card on all interagency incidents. The Tribe responding out of their local jurisdictional area must meet NWCG qualifications for assigned position.
- 3. Personnel will be given daily guarantee for days off provided at the incident or when equipment is broken down.
- 4. Return travel time should be left open and original Emergency Firefighter Time Reports(s) given to personnel at the time of release.

Damage and Loss

- 1. Requests for damage to or loss of The Tribe tools or equipment which occur at the incident should be documented in writing at the incident prior to demobilization.
- 2. Reimbursement requests will be reviewed by incident, and approved or denied upon the circumstances, supporting documentation, and IIBMH guidelines. See IIBMH Chapter 50 supplement for additional information.
- 3. Employee claims for personal property lost or damaged on the incident will be considered for reimbursement on a case by case basis.

Equipment work rates do not include personnel or operating supplies (fuel and oil). Personnel time will be documented and billed at actual cost for incident assignments.

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Appendix 2: Invoice Administrative Requirements.

- A. BIA will determine who will review the invoice.
- B. BIA will appoint a Designated Representative (DR) for each agreement. (This DR may be a Contracting Officer Technical Representative (COTR), RFMO etc.) It will be the responsibility of the DR to approve invoices received and forward them to the appropriate Regional Fire Management Officer for payment.
- C. Invoices will be submitted on official stationary of the organization. The invoice will indicate the amount to be reimbursed. If in-kind contributions are required, the amount of in-kind contribution will be noted. A faxed invoice is acceptable but an original must be made available for field review. The invoice itself will contain the statement:

"I certify that this invoice a	ing supporting data are accura	te and complete to the best
of my knowledge and belie	ef; that the amount of this invo	ice accurately represents
the expenditures on the pro	ject(s) identified in this invoic	e; and that I am duly
authorized to make the abo	ve certification on behalf of _	(name of organization)"
Cianatura	Title	Data

The invoice will contain a project name, agreement number and other specific identification to tie it to a particular treatment plan or scope of work under the agreement. A project funding code will be included when applicable. The invoice will indicate if this is a "partial" or "final" invoice for the project.

- 1. Supporting Documentation. Invoices will require different amounts of supporting documentation appropriate to the program, scope of work, work plan or other enabling agreement. At a minimum, the invoice will have supporting documentation that shows:
 - a. A cost summary that breaks the invoiced costs into line items from the original project proposal, work plan, burn plan or other enabling document. The invoice will include the original funding for each line item when appropriate and the amount of funding remaining unclaimed to date. A spread sheet will fulfill this obligation. Total project costs may not be exceeded but funding may be moved between line items with prior documented approval from Regional Fire Management staff.

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- b. A map of <u>where</u> the work was done or a progression map for partial payments. A narrative statement may be used when the item involves an administrative function or task at a known location.
- c. Who performed the work.
- d. The quantity of work done and a summary of the cost per unit of work when appropriate.
- e. The date(s) or period when the work was done.
- f. Who verified that the work was accomplished and complete. This may be a signature on the invoice or a signature on inspection reports.
- g. The invoice will state whether it is a "PARTIAL" or "FINAL" invoice.
- h. Invoice will be submitted at least monthly.
- 2. Suppression Invoice. Suppression invoices will contain the same basic information as other invoices except [a Resource Order can be substituted for off-reservation dispatches for items b, c, d, and e, above.][However, the DI 1202, Fire Report, encoded into the Wildland Fire Management Information (WFMI) or its replacement will serve in place of items b, c, d, and e, above. A suppression invoice will not be processed without the Fire Report being encoded into the WFMI.]
- D. **BIA Invoice Approval**. The approval that an invoice contains proper documentation, allowable costs and that the work performed was satisfactory is the responsibility of the DR. (Only a delegated COTR has the authority to authorize payment of an invoice.) The DR will:
 - 1. Date stamp the invoice for reimbursable expenditures when received. Invoices shall be processed within 30 days of this date stamp.
 - 2. If the Tribe submits invoices within thirty days of the completion of the activity, BIA will, within 30 days, determine whether the invoice is acceptable and return promptly if it is not acceptable. See section E below. If invoice submission is delayed beyond the 30 days the BIA will be allowed an additional 30 days for each additional 30 days delay to process invoices. The BIA will be limited to a maximum of 90 days to process invoices.
 - 3. Review the invoice for administrative accuracy.
 - 4. For a suppression invoice, verify that the DI 1202 has been entered into the WFMI or a Resource Order is provided. Otherwise, the invoice is unacceptable.
 - 5. Verify that the expenditure is appropriate and within the scope of the approved project. This may require a field inspection.
 - 6. Review supporting documentation for accuracy, appropriateness and reasonable cost.
 - 7. Check the accounting codes.
 - 8. Prepare a cover memo with the invoice to the Fire Management office for payment processing. Include the statement, "The attached invoice and documentation have been reviewed by me and I recommend payment in the amount of \$______." Sign and date the cover memo. Forward the cover memo and invoice through the appropriate Regional forestry/fire program manager.
- E. Unacceptable Invoices. The Prompt Payment Act does not apply to cooperative agreements under this authority. However, the BIA will issue a notice of intent to disallow costs (FAR Subpart 42.8) within 14 days of receipt of the invoice. When an invoice is disallowed within the 14 days, the Prompt Pay Act timelines will not apply for that invoice. An invoice can be unacceptable for the following reasons.

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- 1. Insufficient Documentation. The invoice will be returned for insufficient documentation if an initial review reveals an error or lack of sufficient supporting documentation. The DR will forward the invoice, with an indication of the missing documentation under a cover letter to the invoicing party.
- 2. Invoice Submitted, Work Not Acceptable. The DR will forward the package for action to the appropriate Regional forestry/fire program manager, under a cover memo indicating that the work is unacceptable and that payment is not warranted.
- 3. Invoice Submitted, Charge Excessive. The DR will forward the package for action to the appropriate Regional forestry program manager, under a cover memo indicating that the work is acceptable but that the payment requested is excessive.
- 4. Invoice Submitted, Work Not Performed. The DR will forward the package for action to the appropriate Regional forestry/fire program manager, under a cover memo indicating that the invoice appears fraudulent as the work, or some portion thereof, has been invoiced but has not been performed.
- 5. Unauthorized or Inappropriate Charges. Charges do not meet guidelines, policy, or were not agreed upon charges.
- F. General. To avoid multiple billing, or double payments for the same costs the DR is responsible to:
 - 1. Keep track of invoices submitted for payment by project or program and by fiscal year.
 - 2. Notify the appropriate Regional forestry/fire program manager, when an invoiced cost is appropriate and indicating that it should be paid by forwarding the invoice and supporting documentation for processing or recommending that the payment be disallowed and forwarding a draft of the appropriate notification letter to the appropriate Regional forestry/fire program manager.
 - 3. Notify the USFWS Region 3 Grants Management Specialist (GMS) following the "final" invoice and recommending that the GMS issue a release of claims so that any remaining unspent money may be de-obligated or that a bill be issued for excess funds if an advance was made.
 - 4. Inform the appropriate Regional forestry/fire program manager when an invoice is being paid that was previously disallowed. The notification is to correctly date stamp the invoice that was previously disallowed. This avoids the appearance of a late payment or late invoice processing by the BIA.
 - 5. Maintain a record of the invoice to aid in tracking missing payments.

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APPENDIX 3 2019 Annual Budget and Operations Plan

A. Preparedness – In Accordance with the Cooperative Agreement, The Tribe and the BIA do mutually agree:

The Tribe Agrees to the following use of non-recurring funds:

- 1. The Tribe may receive non-recurring preparedness/prevention funds based on Tribal non-recurring fund requests and the availability of funds.
 - a. Preparedness (AF1002020.999900)
 - b. Wildland Fire Prevention (AF1002T00.999900)
- 2. The Tribe will use non-recurring funds to perform the designated fire management responsibilities, subject to the funding provided, as outlined below.
 - a. The Tribe will be responsible for requesting and expending non-recurring preparedness funds as directed by a Task Order or equivalent document, or by invoicing.
- 3. Non-recurring funding is zero-year funding and will be allocated to the Tribe as it becomes available and requests are submitted;
- 4. The Tribe understands and accepts that non-recurring funds are offered for one year only and that the Secretary does not commit to providing additional funds after that year.
- 5. The Tribe understands and accepts that no indirect costs will be paid on non-recurring funding requests. Even without funding for indirect costs, the Tribe desires to undertake the activity and has the capacity to accomplish it.

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APPENDIX 4 2019 Annual Budget and Operations Plan

B. Suppression – In accordance with the Agreement, the Tribe agrees to the following:

- a. Suppression (AF2001010.999900)
 - 1. The Tribe is eligible to receive non-recurring suppression funds based on reimbursements and the availability of funds.
 - 2. The Tribe will use non-recurring funds to perform the designated fire management responsibilities, subject to the funding provided, as outlined below.
 - a. The Tribe will be responsible for requesting and expending non-recurring preparedness funds as directed by a Task Order or equivalent document, or by invoicing.
 - 3. Non-recurring funding is zero-year funds, and will be allocated to the Tribe as it becomes available and requests are submitted;
 - 4. The Tribe understands and accepts that the non-recurring funds are offered for one year only and that the Secretary does not commit to providing additional funds after that year.
 - 5. The Tribe understands and accepts that no indirect costs will be paid on non-recurring funding requests. Even without funding for indirect costs, the Tribe desires to undertake the activity and has the capacity to accomplish it.
 - 6. Funding is provided by the Department of the Interior Wildland Fire Appropriations. Wildland Fire Appropriation funding is interagency funding that is not specifically allocated to individual bureaus, offices, or tribes to a specific function. Annual funding available for this agreement is dependent upon the annual DOI Wildland Fire Appropriation and the amount provided to the BIA. Funding received from the yearly appropriation is generally not received in one lump sum and varies from year to year. Therefore, it is not possible to determine funding in advance.

Cooperative Agreement A19AC _____Page 23 of 25

APPENDIX 5 2019 Annual Budget and Operations Plan

C. Severity-In accordance with the Cooperative Agreement, the Tribe and the BIA do mutually agree:

- 1. Severity funding is non-recurring funding;
- 2. The Tribe contractor understands and accepts that the funds are available for use and subsequent invoicing only for the period of regional/National approval and use of the funds must be terminated when conditions leading to the approval of a severity request no longer exist. The Secretary does not commit to providing additional funds after the severity conditions no longer exist.
- 3. The Tribe understands and accepts that funds are offered on a cost-reimbursable, approved occurrence-by-approved occurrence basis;
- 4. The Tribe understands and accepts that no indirect costs will be paid;
- 5. Even without funding for indirect costs, the Tribe desires to contract the activity and has the capacity to accomplish it.
 - a. Long-Term Severity AF2105050.999900 (National Approval Required)
 - b. Short-Term Severity AF2105050.999900 (Regional Office Approval Required)

Cooperative Agreement A19AC _____Page 24 of 25

APPENDIX 6 2019 Annual Budget and Operations Plan

- D. Fuels Management The Tribe will receive the following Fuels Management Program funding to maintain a fire management organization to fulfill the designated fire management responsibilities for fuels management listed below: Programmatic Staffing is the only aspect of the Fuels Management Program that receives recurring funding. The other aspects of the program are considered non-recurring and the following shall apply (Fuels funding will be allocated by Project Cost Accounting Code and can't be redirected to pay for non-fuels program related expenditures):
 - 1. The Tribe understands and accepts that the funds are offered for one year only and that the Secretary does not commit to providing additional funds after that year;
 - 2. The Tribe understands and accepts that indirect costs will be paid as calculated by the Regional/National Office;
 - 3. Program will be managed according to current BIA fuels handbooks.
 - 4. The Tribe will implement only BIA approved and funded fuels treatments and activities.
 - 5. The BIA will enter fuels treatments in National Fire Plan Operations Reporting System (NFPORS).
 - 6. The BIA will enter fuels accomplishment into NFPORS. Program will be managed according to current BIA fuels handbooks.

Cooperative Agreement A19AC _____Page 25 of 25

APPENDIX 7 2019 Annual Budget and Operations Plan

- E. Emergency Stabilization/Burned Area Rehabilitation (ES/BAR) The Tribe will receive the following ES/BAR funding to maintain a fire management organization to fulfill the designated fire management responsibilities for ES/BAR activities listed below (ES/BAR funding assigned project codes for all elements, will need to be itemized below):
 - 1. Emergency Stabilization/Burned Area Rehabilitation funding is non-recurring funding;
 - 2. The Tribe understands and accepts that the funds are offered for one year only and that the Secretary does not commit to providing additional funds after that year.
 - 3. The Tribe understands and accepts that funds are offered on a cost-reimbursable, fire-by-fire basis;
 - 4. The Tribe understands and accepts that no indirect costs will be paid;
 - 5. Even without funding for indirect costs, the Tribe desires to contract the activity and has the capacity to accomplish it.

Burned Area Rehabilitation (AF3202B00.999900)

- a. Plan Development
- b. Treatments (Individual treatments listed by project code) Example 2012 Fire 1 Complex BAR

Emergency Stabilization (AF2202020,999900)

- a. Plan Development
- b. Treatments (Individual treatments listed by project code)

Public Packet 182 of 327

Oneida Business Committee Agenda Request

Approve a letter of interest and letter of support for Councilman Daniel Guzman King to serve on the Great

1. Me	eeting Date Requested:	<u>11</u> / <u>13</u> / <u>19</u>			
	neral Information: ession: 🗵 Open 🔲 Exec	utive - See instructions for the applicable laws, then choose one:			
Αg	genda Header: New Busines	s			
□ X	Accept as Information only Action - please describe:				
	Approve letter of interest ar Tribal Health Board.	d support for Councilman Daniel Guzman-King to serve on the Great Lakes Area			
3. Supporting Materials Report Resolution Contract Other:					
1. Member Invite 3. Letter of Intent					
	2.GLATHB Letter	4. Letter of Support			
□ 4. Bu	Business Committee signature required 4. Budget Information				
	Budgeted - Tribal Contribution	on Budgeted - Grant Funded Unbudgeted			
5. Su	bmission				
Αι	uthorized Sponsor / Liaison:	Tehassi Hill, Chairman			
Pr	imary Requestor/Submitter:	Danelle Wilson, Executive Assistant Your Name, Title / Dept. or Tribal Member			
Ac	dditional Requestor:				
Ad	dditional Requestor:	Name, Title / Dept. Name, Title / Dept.			

Oneida Business Committee Agenda Request

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u.		<i>-</i>		CIII	u.

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

On Oct. 15 the Great Lakes Area Tribal Health Board took formal action to nominate and support Councilman Daniel Guzman-King to the board to fill the third open seat for the State of WI. The board requested a letter of intent from Councilman Guzman-King and a letter of support from Chairman Hill.
Requested Action: Approve the nomination and appointment of Councilman Daniel Guzman-King to the Great Lakes Area Tribal Health Board, with Councilwoman Jennifer Webster as alternate.

- 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 Area Tribal Health Board

Tyler LaPlaunt "Migizii Migwan", Executive Director 715-588-1015 tlaplaunt@glitc.org Fax: 715-588-3607

Minnesota:

Darin Prescott, Lower Sioux Samuel Moose, Fond du Lac (Vice Chair & NIHB Representative) Cathy Chavers, Bois Forte

Wisconsin:

Randy Samuelson, Lac du Flambeau Robert TwoBears, Ho Chunk *Vacant*

Michigan:

Phyllis Davis, Gun Lake (Chair) Susie Meshigaud, Hannahville Indian Community Matt Clay, Pokagon

Urban Representative:

Vacant

Midwest Alliance of **Sovereign Tribes:**

Scott Vele, Director

Office:

Great Lakes Area Tribal Health Board Great Lakes Inter-Tribal Council 2932 Hwy 47 North Lac du Flambeau, WI 54538 July 26th, 2019

Dear Wisconsin Tribes,

The Great Lakes Area Tribal Health Board (GLATHB) is currently filling vacant seats for MI, WI, and MN. Currently, the GLATHB is looking to fill one (1) vacant seat positions from Tribes in the State of Wisconsin. The mission and focus of the GLATHB is to address health disparities and public health concerns in our tribal communities and promote the advancement of Indian health services, funding, and access. We are currently seeking a representative from Michigan to serve on the GLATHB. The GLATHB functions under the umbrella of MAST and in close partnership with the Great Lakes Inter-tribal Epidemiology Center (GLITEC).

Current Board composition (Section III. A) enacted by the MAST membership states: The Board shall be composed of eleven (11) members all of whom shall be appointed by MAST. All Board members shall serve two-year terms, with no limit on reappointments, provided that in order to establish staggered terms the initial appointments of five members shall be one-year terms. The members of the Board shall consist of at least three (3) members from Michigan Tribes, three (3) members from Wisconsin Tribes, and three (3) members from Minnesota Tribes. The Board shall also include a representative appointed by the urban health boards within the Bemidji Area; and the MAST Executive Director (for a total of eleven (11) Board members).

Current State membership is:

Minnesota: Samuel Moose, Fond du Lac Band of Lake Superior Chippewa

> Darin Prescott, Lower Sioux Indian Community Cathy Chavers, Bois Forte Band of Chippewa

Wisconsin: Randy Samuelson, Lac du Flambeau Band of Ojibwe

Robert TwoBears, Ho Chunk Nation

Vacant

Michigan: Phyllis Davis, Match-E-Be-Nash-She-Wish Pottawatomi

Susie Meshigaud, Hannahville Indian Community

Matt Clay, Pokagon Band of Potawatomi

- You must be a Tribal Health Director for one of Wisconsin's 12 Tribes OR a member of a Wisconsin Tribe's leadership/executive branch/Council.
- The GLATHB meets quarterly throughout the year and holds an annual Strategic Planning (usually July), and monthly calls, and your attendance is required at all meetings. Travel, lodging and per diem is reimbursed through the administration of funds at GLITEC for your participation as a GLATHB member.
- Members shall serve a 2-year term; please have an alternate designated.

Please submit a letter of interest to the GLATHB Executive Director, Tyler LaPlaunt, AND include a letter of support from your tribal leadership, Chair/President or Council. Please submit your interest promptly as the seat requests will remain open until filled. Contact Tyler at 715-588-1015 or tlaplaunt@glitc.org if you have any questions. Thank you for your interest and willingness to help shape the collective Tribal voice of the Great Lakes area!

Sincerely,

Phyllis Davis, Chair Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians of Michigan

GREAT LAKES REGIONAL AREA HEALTH BOARD

9208 2932, WI 47 Lac Du Flambeau, WI 54538

October 15, 2019

Chairman Tehassi Hill **Oneida Nation of Wisconsin** N7210 Seminary Road Oneida, WI 54155 800-236-2214

Regarding: GLRAHB Appointment

Chairman Hill and Business Committee,

Good day and with great respect we write to inform you that the GLRAHB took official action by motion and vote to appoint Oneida Business Committee Member Daniel Guzman-King to our board and to fill the third open seat for the State of Wisconsin.

We would respectfully request a letter from your office accepting this nomination and appointment and we look forward to working alongside Councilman Guzman-King. Most if not all travel expenses are paid for by a grant through GLITC and we have only been meeting face to face once a quarter and via telephone conference other times.

Native health care here in the Midwest is and has always been the lowest funded in all the Indian Health Service regions and with our board and members we wish to address these very important issues moving forward.

Respectfully,

Chairwoman Phyllis Davis 2872 Mission Drive

Shelbyville, MI 49344



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



Memorandum

To: Tyler LaPlaunt, Executive Director – Great Lakes Area Tribal

Health Board

From: Daniel Guzman-King, Councilman DGK

Date: November 4, 2019

Re: Letter of Interest

Dear Mr. LaPlaunt,

On behalf of the Oneida Nation, I am pleased to submit my official letter of interest to serve on the Great Lakes Area Tribal Health Board.

As a Councilman for Oneida Nation, I believe that I can be an asset to the Great Lakes Area Tribal Health Board as I can provide insight from an indigenous community and cultural perspective for our region.

I currently serve as one of two representatives as our Nation's health liaison where I participate, and lobby on many complex health care issues at the local, state and federal level. I am an active participant attending the following committees: Midwest Alliance of Sovereign Tribes (MAST), Tribal Technical Advisory Group (TTAG), and the Department of Health and Human Services (DHHS).

During my term in office, one of our strategic goals is Inspiring Yukwatsistay[^] (Our fire, our spirit within each one of us), to improve social, economic, physical, mental and spiritual wellbeing of tribal membership. I co-lead this team working to bring back more effective and efficient health care access for Oneida community members. I am committed to the ongoing efforts that our people get access to the Oneida Community Health Center's programs and resources, which include continuing to work with the Tribal Action Plan (TAP) to develop a comprehensive program to address alcoholism and other substance abuse and developing and implementing a sovereign sustainable health care system.

Please be assured that I will be committed to the ongoing efforts of the Great Lakes Area Tribal Health Board. By recognizing that tribal consultation is essential in working effectively with other nations and organizations to ensure that we can work together to address the public health issues and health disparities that affect Indian country.

The alternate designated will be Oneida Nation Councilwoman Jennifer Webster. She is the other health liaison for Oneida Nation.

If you have any questions or concerns, please feel free to contact my office at (920) 869-869-4366, or dguzman@oneidanation.org or my assistant, Fawn Billie at (920) 869-4363, or billie@oneidanation.org.



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



November 5, 2019

RE: Great Lakes Area Tribal Health Board Appointment

On behalf of the Oneida Business Committee, this letter serves as formal support of the nomination and appointment of Councilmember Daniel Guzman-King to serve on the Great Lakes Area Tribal Health Board (GLATHB).

Mr. Guzman-King is currently serving his first time as councilman with the Oneida Business Committee and is also liaison to various areas, which will help him with his endeavors on the GLATHB. As well as holding many liaison duties, most importantly Mr. Guzman-King serves as a representative for the Department of Health Services and is an alternate for the WI Minority Health Leadership Council. Over his term he has attended many committee meetings, such as National Congress of American Indians, Midwest Alliance of Sovereign Tribes, and the Department of Health and Human Services, which has kept him appraised of the various health issues facing Indian Country.

As you stated in your letter, Native health care in the Midwest is and has always been the lowest funded in all the Indian Health Service regions and it is Oneida Nation's hope that having Mr. Guzman-King fill the third open seat for the State of Wisconsin will help move necessary issues forward.

Respectively,

Tehassi Hill, Chairman Oneida Nation

Tehnsi Hill

Public Packet 188 of 327

Oneida Business Committee Agenda Request

Review request regarding General Tribal Council meeting facility and determine next steps

1. Meeting Date Requested:	<u>11</u> / <u>13</u> / <u>19</u>				
2. General Information: Session: ○ Open ○ Executive	cutive - See instructions for the applicable laws, then choose one:				
Agenda Header: New Busine	SS				
Accept as Information onlyAction - please describe:					
Direct the GM to assign a project manager to execute a CIP to address space for meetings, which can also b used for many other activities					
3. Supporting Materials Report Resolution Contract Other:					
1. Memorandum	3.				
2.	4.				
☐ Business Committee signature required					
4. Budget InformationBudgeted - Tribal Contribut	ion ☐ Budgeted - Grant Funded ☐ Unbudgeted				
budgeted - mbar contribut	ion Budgeted - Grant Funded Unbudgeted				
5. Submission					
Authorized Sponsor / Liaison:	Trish King, Treasurer				
Primary Requestor/Submitter:	Brian A Doxtator, Executive Assistant to Tribal Treasurer 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:

Background: During the October 25, 2019, Community Budget Input session, the following question was asked by the OBC to creating a CIP for the development of a GTC meeting facility: "Do you support construction of a 2,000 seating facility to hold GTC meetings; and can be used for other activities. (See attached memo)
Requested Action: Direct the General Manager to assign a project manager to execute a CIP to address space for meetings, which can also be used for many other activities. I am also requesting that the GM include a financial plan which shall be included in the Fiscal Year 2021 budget development process.

- 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

Public Packet



Oneida Nation Oneida Business Committee PO Box 365 • Oneida, WI 54155-0365



Office of the Treasurer Memorandum

To:

Oneida Business Committee

From: Patricia King, Oneida Nation Treasurer P.K.

Date: November 5, 2019

Re:

GTC Meeting Facility

This memorandum is provided to the Oneida Business Committee (OBC), requesting support to develop a strategic plan to execute a Capital Improvement Project (CIP), for consideration of new space for a GTC meetings which can also be used for other activities. There are multiple interests that can be accommodated with one facility, which appears to be the delay in getting anything accomplished.

On September 27, 2017, the OBC adopted Resolution BC-09-27-17-B, titled, "Setting the strategic Plan for the 2017-2020 Term of the Oneida Business Committee." The final resolve states:

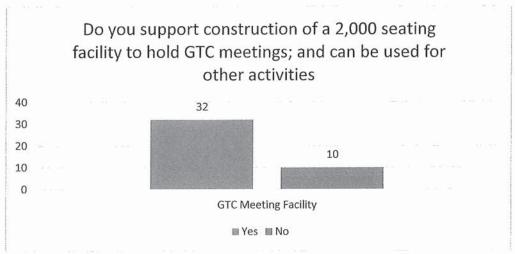
> "...that the Oneida Business Committee support these goals by requesting all direct reports, and all parts of the organization, utilize the concepts as a guide for all organizational needs, actions, planning, and reporting for effective development and measurement to set the path of strategic planning for 2017-2020."

The Nation's current budget development system requires us to present idea (s), which are based on strategic planning and triennial goals of the OBC, at a community budget input session. We can then place these ideas into a strategic triennial plan, and then define which budget year it will begin. Many Capital Improvement Projects (CIP) have been successfully completed because of strategic planning.

Regarding a GTC meeting facility, we have not been successful in getting it into a process for input sessions; but have received a plethora of community input. We now need to assess all input, so that a plan for development on a community multi-purpose facility begins.

During the October 25, 2019, Community Budget Input session, the following question was asked by the OBC to creating a CIP for the development of a GTC meeting facility.





Comments include:

- · Only if funding is grants
- Would need to be used for other activities
- Yes, if is used for cultural events, stage plays, etc. (2 comments)
- Yes, if place for elderly people to gather
- · Yes, need to have many events
- Yes as long as we don't go over \$30M / and style it like the Resch, with elder on ground floor
- Yes, just budget for it
- Yeah!
- Yes, please
- Yes, but if possible, find a better price?
- Yes, and utilize electronic voting
- · Yes, and budget it
- No, should be 3,000 seats
- No too many people to effectively make good decisions
- No and remove the \$100 stipend
- No Need new High School first
- No we have facilities for this

The question received both yes and no answers; and a majority of the commentary received basically supported development of a multi-purpose building, and not just a meeting place for GTC. The Development Division also provided a survey which asks about multi-use and wellness facilities; but the survey does not address GTC meeting space.



For the past several years, Planning Department staff have researched and surveyed the community; and held several input sessions for the development of a multi-use community facility. Then the project scope changed to a well-being center, which was geared more toward spiritual, cultural and healthy living with a fitness center, thereby eliminating the sports but still included community events.

I have made several requests, through the Community Development Planning Committee (CDPC), to begin planning for a meeting space for the GTC. My main concern has been, and still remains today, is the hazards of holding GTC meetings at the current Radisson location. Yet, nothing has been created to address this need and the typical response I have received is: "It was too costly for one purpose."

As stated, the scope changed, and caused delays in getting any facility design, therefore no financial planning opportunities have been identified.

In summary, with support and alignment with BC 9-27-17-B, I am requesting the OBC to direct the General Manager to assign a project manager to execute a CIP to address space for meetings, which can also be used for many other activities. I am also requesting that the GM include a financial plan which shall be included in the Fiscal Year 2021 budget development process.

Without this leadership, the project will remain in limbo and the good efforts toward improving organizational changes, promoting community relations, inspiring Yukwatsistay^ and Encouraging Tsi?niyukwalihot^ so that we ensure protection and safety of our members. The ancillary outcome of this project will affect how we service our members while meeting the needs of government, as well as, the community.

Yaw^ko for your time and assistance in this matter.



Public Packet 193 of 327

Oneida Business Committee Agenda Request

Approve two (2) actions regarding the definition of "No New Employees"

1. Meeting Date Requested: 11 / 13 / 19				
2. General Information: Session: Open Executive - See instructions for the applicable laws, then choose one:				
Agenda Header: Unfinished Business				
 ☐ Accept as Information only ☒ Action - please describe: 				
Approve definition for No new employee (s).				
3. Supporting Materials ☐ Report ☐ Resolution ☐ Contract ☐ Other:				
1. Memorandum 3.				
2. 4.				
☐ Business Committee signature required				
4. Budget Information Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted				
5. Submission				
Authorized Sponsor / Liaison: Trish King, Treasurer				
Primary Requestor/Submitter: Brian A Doxtator, Executive Assistant to Tribal Treasure 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:

- 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 Business Committee PO Box 365 • Oneida, WI 54155-0365



Office of the Treasurer Memorandum

To:

Tribal Operations

From: Patricia King, Oneida Nation Treasurer P.K.

Date: November 5, 2019

Re:

No New Employees Definition

This memorandum provides the expectation of the term "No New Employees" per BC Resolution #09-25-19-E. This policy shall be utilized within the current Fiscal Year 2020 and for developing the Fiscal Year 2021 budget.

On September 25, 2019, the OBC adopted BC Resolution #09-25-19-E, titled, "Triennial Goals -Trending – Budget Guidance Resolution." The resolution requires the Oneida Business Committee to continuously improve our budgeting process by clarifying budget, business, and programming decision. The resolution also directs the treasurer to provide an annual memo explaining the expectations of the policy of "no new employees." This policy derives from the following documents:

- Oneida Nation Vision, Mission, and Core Values
- Title 1. Government and Finances Chapter 121 Budget Management And Control Twahwistatye?nítha? We have a certain amount of money
- #BC-09-27-17-I Strategic Workforce Planning Budget Implementation for Oneida
- Nation
- #BC-03-14-18-D Amending Resolution #BC-09-27-17-I, Strategic Workforce Planning Budget - Implementation for Oneida Nation
- #BC-09-25-19-D Guidance to Implement Good Governance Principles for Conducting Public Affairs and Managing Public Resources
- #BC 09-25-19-E Triennial Goals Trending Budget Guidance
- Memo Internal Memorandum Personnel Guidelines October 24, 2018
- Memo FY20 and Future Personnel Requests Planning Guidelines Update April 10,
- Oneida Nation Budget Philosophy & Guidebook

Therefore, based upon these documents and resolutions, the following three scenarios are example applications of new position requests impacting either: FTE Allocation, Chapter 121, or Future Budget Personnel Requests.

Scenario – FTE Allocation

Recent federal regulation changes have impacted eligibility requirements within a social service program administered by the Oneida Nation. Surprisingly, the granting agency also increased their granting dollars because of the eligibility requirement change. HRD informed the Program Director that the area is at the maximum level of Full Time Equivalents as listed within BC Resolution BC-03-14-18-D; and that the request to post the position will be placed on hold, until the area falls below the approved FTE's.

The Program Director has determined that the federal regulation changes will expand program eligibility, and program clientele base will increase. The director then requests an increase of FTE positions as stated within BC Resolution BC-03-14-18-D. The request to increase, or decrease, the FTE cap needs final approval of the Oneida Business Committee.

Outcome A - FTE Allocation

Program Director works with other programs within the division to reallocate FTEs to allow the increase in one program while reducing in another; all, within the group's FTE count.

Outcome B - FTE Allocation

The OBC does not adopt amendments to BC Resolution BC-03-14-18-D. This request is complete. No funds will be allocated for this request; and this will result in "No New Position."

Outcome C - FTE Allocation

The OBC does support the request and adopts amendments to BC Resolution BC-03-14-18-D. This request is approved and complete. Funds will be allocated for this request and the director may continue hiring according to appropriate HR processes.

FTE Allocation Approval Process

FTE Allocation Scenario	Requestor	Final Approval (s) or Disapproval (s)
Outcome A	Program Director	Chain of Command
Outcome B	Program Director	Chain of Command
Outcome C	Program Director	Chain of Command



Scenario – Chapter 121

A Program Director has noticed an increase in customer usage over the past 90 days. After reviewing their service output measurements and benchmarks, as outlined within their Triennial Strategic Plan (TSP), the director has determined the program will not reach their service outcomes as stated within their TSP. The director has also determined the program is staffed at appropriate staffing levels, and that each employee is at capacity. The director has determined additional staff will be required to meet the growing demand of customers.

At the annual Community Budget Input Session, the director creates charts, pamphlets, and surveys communicating the increased customer usage, increased need, and anticipated dollar amount for the upcoming fiscal year.

The director compiles the input received, program data, and survey results. The director submits their formal request, for approval, to the General Manager which is then forwarded by the director to the CFO and Treasurer by December 31st.

Outcome A - Chapter 121

The CFO, per Chapter 121, section 121.5-2, recommends to the OBC to deny the request; and the OBC supports the CFO's recommendation. This request is complete. No funds will be allocated for this request; and this will result in "No New Position."

Outcome B - Chapter 121

The CFO, per Chapter 121, section 121.5-2, recommends the new position can move forward in the budget development process. NOTE: There are several points outlined within Chapter 121, regarding budget approval, where funds for the new position may be cut. Each program director is responsible to ensure the funds for the new position have been approved.

Chapter 121 Scenario	Requestor	Approve or Disapprove	Final Approval (s) or Disapproval (s)
Outcome A	Program Director	Chain of Command	OBC
Outcome B	Program Director	Chain of Command	OBC



Scenario – Future Budget Personnel Requests

An Area Manager has recently attended three (3) retirement celebrations for employees within their respective area. The program directors have all verbalized their intent to fill each vacant position. The Area Manager reviewed the TSP of the three (3) different programs, determining there are like services deriving from each program.

The Area Manager holds a staff meeting with the Program Directors. It is collectively agreed to restructure (re-org), where two (2) new positions with specific skill sets would be needed. It was also determined that the skill sets needed would enhance each of the programs ability to meet their benchmarks and outcomes as stated within their TSP.

The request is provided to the General Manager; who has sole discretion to approve or disapprove. The Oneida Human Resource Department verifies that the correct restructure (re-org) process was followed and validates that hiring the two (2) new positions will not exceed the adopted FTEs. Finance verifies that hiring the two (2) new positions would not exceed approved budget allocation.

Outcome A - Future Budget Personnel Requests

The General Manager denies the request. This request is complete. Funds will not be allocated for this request; and this will result in "No New Position."

Outcome B - Future Budget Personnel Requests

The General Manager approves the request. This request is complete. Funds will be re-assigned appropriately. The program directors who have approved positions, may now continue posting and hiring within appropriate HR process. The funds for the third position will not be included in future budgets.

Future Budget Personnel Requests Scenario	Requestor	Final Approval (s) or Disapproval (s)
Outcome A	Program Director	Chain of Command
Outcome B	Program Director	Chain of Command

Yaw^ko for your time and assistance in this matter.



Public Packet 199 of 327

Oneida Business Committee Agenda Request

Research Request: Coleman-Univ. of Montana-Hemp Production - Review recommendation and...

1.	I. Meeting Date Requested: 11	/ 13 / 19				
2.	2. General Information: Session: Open Executive	e - See instructions for t	he applicable laws, then choose one:			
	Agenda Header: New Business					
	☐ Accept as Information only					
	Review Chief Counsel's recomme	endation and determin	e next steps regarding:			
	Research Request: Colem	nan – Univ. of Montana -	- Hemp Production			
	Possible motion:					
	Approve the Coleman - Ur	niversity of Montana - H	emp Production research request			
3.	3. Supporting Materials Report Resolution Contract Other: 1. Recommendation 3. legal review					
	2.BC resolution 5-8-19-A		4. consent form and information			
4.	☐ Business Committee signature required 4. Budget Information ☐ Budgeted - Tribal Contribution ☐ Budgeted - Grant Funded ☒ Unbudgeted					
5.	5. Submission					
	Authorized Sponsor / Liaison: Jo	Anne House, Chief Cou	insel			
	Primary Requestor/Submitter: Debbie Thundercloud, General Manager Your Name, Title / Dept. or Tribal Member					
	Additional Requestor: Mik	ke Troge, Project Manag Jame, Title / Dept.				
	Additional Requestor:	·				
	N	lame, Title / Dept.				

Public Packet

Jo Anne House, PhD | Chief Counsel James R. Bittorf | Deputy Chief Counsel Kelly M. McAndrews | Senior Staff Attorney

Michelle L. Gordon Carl J. Artman, III Krystal L. John Law Office

Digitally signed

09:05:07 -06'00'

by Jo Anne House Date: 2019.11.07



MEMORANDUM

TO: Oneida Business Committee

FROM: Jo Anne House, Chief Counsel

DATE: November 7, 2019

SUBJECT: Research Request – Coleman – Univ. of Montana – Hemp Production

Ms. Cynthia Coleman, a graduate student at the University of Montana, in the Master's program in the Department of Society and Conservation, is requesting authorization to conduct interviews with Oneida Nation employees regarding our hemp pilot program. She is a member of the Unalakleet Tribe. She will be entering the Forest and Conservation Sciences program for her doctorate at the University.

The proposed research study is a qualitative study intended to identify potential cultural relationships between Native Nations and hemp. Her thesis is focused on two Native nations. However, she is required to publish an article in a peer-reviewed journal as part of her Master's program. This research request is intended to fulfill that requirement, as well as broaden her thesis research

Ms. Coleman will be working with Michael Troge, Eco Services Project Manager on this research. Mr. Troge is the lead on the hemp polit project. The proposal has been reviewed by Deputy Chief Counsel Bittorf and contains accurate summaries of the applicable federal law. We will need to conduct a final review regarding any information on the Oneida Nation prior to any publication.

Mr. Troge is aware of the need to maintain any business plans and proposals in a confidential manner. He has the background information on how and why the Nation began growing hemp. Further contacts within the Nation could include Oneida Business Committee members and our Cultural Heritage Department. It is also possible that tribal members who are also independently of the Nation pilot testing growing hemp could be contacted.

Recommendation: I recommend approval of this research request, consistent with resolution # BC-05-08-19-A, *Research Requests: Review and Approval to Conduct*, and, in accordance with:

- Resolve #2(3), Ms. Coleman is required to submit the final draft research paper for review:
- Resolve #2(4), Ms. Coleman is required to submit a copy of the published work and can request to present the research findings to the Oneida Business Committee;

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• Resolve #5, any further use of this research information is subject to authorization by the Oneida Business Committee.

If you have further questions, please contact me.



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Oneida Nation

Post Office Box 365

Phone: (920) 869-2214



Oneida, WI 54155

BC Resolution # 05-08-19-A Research Requests: Review and Approval to Conduct

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 General Tribal Council created the Oneida higher-education scholarship which provides funding for undergrad and graduate level degrees that has led to a significant increase in the number of Oneida members obtaining bachelor's degrees and then obtaining graduate level degrees; and WHEREAS. such graduate level programs generally require research papers to be completed as a thesis or dissertation; and WHEREAS. Oneida members in these programs frequently wish to conduct a research project that provides insight and awareness to an aspect of the Oneida Nation as a government, business, and/or community, and such research should be reviewed to ensure that Oneida members, the Nation, and the community are protected, the information developed is provided to the Nation, and the research accurately portrays the complex history and current activities of the Oneida Nation and its members: and

WHEREAS, there is increased research of tribes and Native Americans by colleges and universities, and businesses conducting research on new products; and

WHEREAS, research in medicine and science has taken steps to protect research subjects now recognize that tribes and Native Americans should be taken into consideration given their unique aspects and need for protection; and

WHEREAS, the Oneida Business Committee has relied upon an informal process of review through the Oneida Law Office regarding research requests, including information access, to determine whether approve an authorization to conduct research or issuance of a community support letter; and

WHEREAS, the Oneida Business Committee, through the Quarterly Reporting process by boards, committees and commissions and divisions of the Nation, has identified that a greater number of research projects regarding the Nation and its members is occurring than originally understood; and

BC Resolution # 05-08-19-A Research Requests: Review and Approval to Conduct Page 2 of 3

NOW THEREFORE BE IT RESOLVED, that the Oneida Business Committee sets forth the following requirements when conducting research involving the Oneida Nation and its members, including requests for community support letters regarding research.

BE IT FURTHER RESOLVED, that requests by students in bachelor's, master's or doctoral level studies shall:

- 1. Be provided a copy of this resolution by the Education and Training Department when approved for the Oneida higher-education scholarship and upon receiving the first scholarship payment; then by memo or other notice annually thereafter.
- 2. Be submitted to the Chief Counsel of the Oneida Law Office for review and recommendation for action to the Oneida Business Committee.
 - a. The Chief Counsel shall call upon necessary expertise within the organization to review research requests, specifically departments or entities affected, and provide a recommendation to approve, disapprove, or amend research requests.
 - b. The Chief Counsel shall submit the research request to the Oneida Business Committee with a brief summary of the research, the name of the student, the degree and education institution attending, and a recommendation to approve or disapprove the research request.
- 3. Be required to submit a copy of the final draft of the research to the Chief Counsel of the Oneida Law Office for review regarding accuracy of the information.
- 4. Be required to submit a copy of the published or approved research project to the Chief Counsel of the Oneida Law Office to be presented to the Oneida Business Committee a final published or approved research project. The Chief Counsel shall notify the student of the date of the Oneida Business Committee meeting and invite the student to provide a brief overview of the research and findings.

BE IT FURTHER RESOLVED, that any research request by an educational institution or business which requires access to the Oneida Nation or members for research studies of human subjects shall be:

- 1. Presented to the Director of Comprehensive Health Operations for review and recommendation for action to the Oneida Business Committee.
 - a. The Director shall call upon necessary expertise within the organization to review research requests, specifically departments or entities affected, and provide a recommendation to approve, disapprove, or amend research requests.
 - b. The Director shall submit the research request to the Oneida Business Committee with a brief summary of the research, the name of the researcher, the university or business being represented, and a recommendation to approve or disapprove the research request.
- 2. Be required to submit a copy of the final draft of the research to the Director for review regarding accuracy of the information.
- 3. Be required to submit a copy of the published or approved research project to the Director to be presented to the Oneida Business Committee a final published or approved research project. The Director shall notify the researcher of the date of the Oneida Business Committee meeting and invite the researcher to provide a brief overview of the research and findings

BE IT FURTHER RESOLVED, that no entity, employee or representative of the Oneida Nation is authorized to approve research on behalf of the Oneida Nation unless in accordance with this resolution or a law which supersedes this resolution.

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BC Resolution # 05-08-19-A Research Requests: Review and Approval to Conduct Page 3 of 3

BE IT FINALLY RESOLVED, no research project data or materials can be utilized for any other or for extended research without written approval of the Oneida Nation.

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum; 6 members were present at a meeting duly called, noticed and held on the 8th day of May, 2019; that the forgoing resolution was duly adopted at such meeting by a vote of 5 members for, 0 members against, and 0 members not voting*; and that said resolution has not been rescinded or amended in any way.

Lisa Summers, Secretáry Oneida Business Committee

*According to the By-Laws, Article I, Section 1, the Chair votes "only in the case of a tie."

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ONEIDA LAW OFFICE

CONFIDENTIAL: ATTORNEY/CLIENT WORK PRODUCT

TO: Brenda L. Skenandore

Environmental Health & Safety

FROM: James R. Bittorf, Deputy Chief Counsel

James R. Bittorf Digitally signed by James R. Bittorf Date: 2019.09.04 15:26:30 -05'00'

DATE: September 4, 2019

RE: Cynthia Coleman-Consent Form

Use this number on future correspondence:

2019-0999



If you have any questions or comments regarding this review, please call 869-4327.

The attached agreement, contract, policy and/or guaranty has been reviewed by the Oneida Law Office for legal content only. Please note the following:

- ✓ The document is in appropriate legal form. (Execution is a management decision.)
- ✓ Requires Business Committee approval prior to execution pursuant to Business Committee Resolution 5-8-19A.

Note: The Consent Form should be modified to refer to the Oneida Nation in addition to the other tribes identified.

Understanding Native American Hemp Production Cynthia Coleman, Professional Paper Proposal

Introduction

Through coercion and conflict, towards the end of the 15th century, Europe expanded their territories into the Americas displacing Native American communities (Calloway 2016). In the 16th and 17th century, Russians expanded eastward, beginning in Siberia, eventually bringing missionaries and traders to Northern California and Alaska in the 18th and 19th century (Calloway 2016). During the 17th century, colonizers from Spain, France, Netherlands, Sweden and England all competed for a position on the American continent (Calloway 2016). Eventually, France, Spain and Britain struggled for hegemony of the Americas with lasting impacts on the Peoples of America (Calloway 2016). Attempting to duplicate the societies they left behind, European colonists named the new areas, "New Spain, New Mexico, New France, New England, Nova Scotia, [and] New Netherlands" bringing with them new concepts of land ownership, disease, invasive species and what "historian James Merrell aptly described as 'a new world' for Indian peoples".

In addition to new concepts for Native Americans, new concepts about Native Americans were circulated amongst the European settlers by newly developed printing presses (Calloway 2016). Christopher Columbus noted that Native Peoples would make good servants and could become Christian very easily because they were simple, timid and guileless (Calloway 2016). Native Peoples were also described as "treacherous" or "dirty savages" (Calloway 2016). European immigrants described the People by their

own standards, values, and gender assumptions with no idea "they were displacing existing civilizations..." (Calloway 2016:75).

Issues of how to deal with Native Americans have existed since people have encroached upon their homelands. The United States (U.S.) and other foreign governments have forced tribal people to defend their way of life as they attempt to exercise their sovereign rights. Pope Alexander VI issued the "The Doctrine of Discovery" on May 4, 1493 (The Gilder Lehrman Institute of American History 2012). The Papal Bull stated that lands occupied by non-Christians were eligible to be "discovered". European claims and the foundation of the U.S. were based on the Doctrine of Discovery (The Gilder Lehrman Institute of American History 2012). Chief Justice, John Marshall's opinion (1823), in the unanimous decision on the Johnson v. McIntosh case held "that the principle of discovery gave European nations an absolute right to New World lands.' In essence, American Indians had only a right of occupancy, which could be abolished" (The Gilder Lehrman Institute of American History 2012). The timeline (Figure 1) looks at major issues relating to tribal nations and their people beginning with the Doctrine of Discovery. It lays out several issues which have had significant impact on Native American tribes.

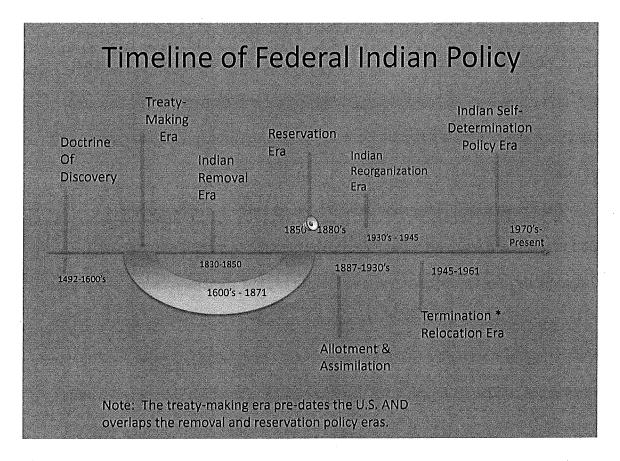


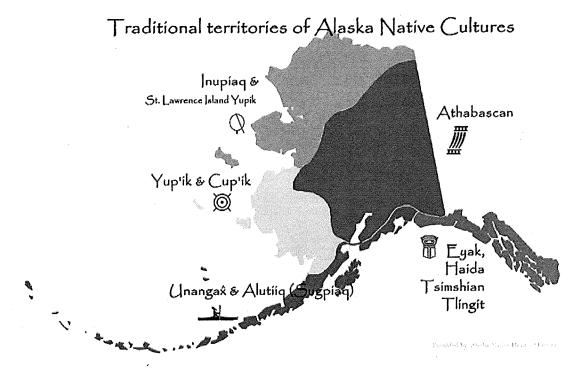
Figure 1

In an attempt to resolve some of the conflicts that arose from European settler expansion, a Treaty system (1778-1871) was designed between Indian Nations and the United States government (Jaratt-Snider n.d.)(Schraver and Tennant 2011). Indigenous nations entered these treaties believing the U.S. government recognized tribes' inherent sovereignty because, by definition, treaty agreements are between two or more sovereigns (Kiiwetinepinesiik Stark and Stark 2018). Each treaty spelled out the responsibilities of the U.S. government to their Indigenous treaty partners (Kiiwetinepinesiik Stark and Stark 2018).

Overlapping the treaty era, the Indian Removal Act was passed by Congress and signed by President Andrew Jackson in 1830 (Sorenson 2017). The State of Georgia was especially anxious to remove Indians from gold-rich land, removing tribal Peoples before

the federal government gave authorization to do so (Sorenson 2017). Land exchanges were negotiated by the President "at the [firing] end of a rifle - offers tribes could not refuse" and it was through negotiations that the federal government asserted they were operating on a nation-to-nation basis, "even as it was exercising military dominance over them" (Sorenson 2017:101).

The Reservation Era began in 1850, two years after the creation of the Department of the Interior (Sorenson 2017). The reservation system was built with allocated funds from the Indian Appropriation Bill of 1851 (Sorenson 2017). The Bureau of Indian Affairs (BIA), who initially managed a network of trade, shifted their focus to administering the reservation system which combined removal policies and acculturation (Sorenson 2017). The 2.3 billion acres that make up the entire United States (Wuerthner 2002) belonged to tribal Peoples. Indian territory was reduced to 55.7 million acres of Indian Reservations, some of which are not original territory. Shown below (FIGURE 2 & 3) are maps depicting the original homelands of Native Peoples before the arrival of European settlers.



The tribal nations of Alaska - https://alaskatrekker.com/alaska/alaska-natives/

Figure 2

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Figure 3 Aaron Carapella depicts tribal territories of the continental US before the arrival of European settlers.

The Allotment & Assimilation Era (1887-1930's) began when Senator Henry Dawes, along with others, dismantled tribal land-holdings to assimilate and "civilize" the Indians (Sorenson 2017). Congress passed the Dawes Act of 1887 (and other legislation) to push their agenda of terminating tribal sovereignty (Sorenson 2017). This legislation allotted land plots to Native individuals, to be held in trust for twenty-five years or until the Indian was deemed "competent" (Anderson and Lueck 1992). In addition to land

allotment, "surplus" land on the reservation could be sold to non-Indian buyers with immediate fee simple ownership (Sorenson 2017). Surplus lands were also made available for homesteading by European settlers (Anderson and Lueck 1992). Allotment was constructed to assimilate tribal people and continued for the next fifty years resulting in a checkerboard pattern of land ownership within reservations (Sorenson 2017). Approximately 90 million acres of land were transferred to non-Indians through this policy; millions of acres within reservation boundaries are now fee-simple properties (Anderson and Lueck 1992)(Sorenson 2017).

John Collier was appointed by President Franklin Roosevelt in 1933 to run the BIA (Sorenson 2017). Collier advocated for cultural restoration and self-government by trying to reverse some of the assimilation policies, including allotment (Sorenson 2017). Collier was instrumental in passing the Indian Reorganization Act of 1934 (Sorenson 2017). It did not repeal the Dawes Act but allowed the U.S. to purchase land to be held in trust for the tribes, the "Indian New Deal" (Sorenson 2017). Tribes that accepted the New Deal did so through constitutions drafted by the BIA, replacing one type of assimilation for another, a western-style constitutionalism as a mandate for tribal recognition (Sorenson 2017).

In the Termination and Relocation Era (1953-1960), the federal government terminated special trust relationships terminating sovereignty for 109 Native American tribes (Kelly 2010). Through this process some tribes were relocated from their homeland to urban areas to help them assimilate (Sorenson 2017). *Termination* hampered the New Deal practices reversing decades of land reacquisition policies (Kelly 2010). *Relocation*

was one of many systematic, man-made disasters resulting from gross human rights violation (Twibell 2008).

During the Indian Self-Determination Era (1970-present), President Richard Nixon ended tribal termination and relocation policies (Sorenson 2017). The new policy emphasized tribal nations as sovereigns and as domestic dependent nations with a status higher than that of states (Sorenson 2017). It reaffirmed treaties and the constitution as supreme law of the land and authorized the BIA "to contract directly with tribal nations to run their own programs and services (Jaratt-Snider n.d.). There remain issues in this new era of Indian policies. Wood (1994:1488) argues, "Colonialism, recognized as an overriding feature of past federal Indian policy is a more elusive force in the modern Self-Determination era, yet it manifests itself in the intense pressure to exploit native land and resources."

With the displacement of Native American communities, forced assimilation, and loss of cultural identity, tribal Peoples lost their sovereignty, their ability to self-govern. Despite efforts to improve conditions for Native Americans and their communities, there remains a need to increase tribal sovereignty and hemp production may be one method to effect the necessary change. This project examines why and how tribes engage in hemp production. My research is guided by the following questions:

How have tribe approached hemp production?

What types of agricultural practices are being employed?

Who is involved and how are decisions made?

Why are tribes engaged in hemp production?

What benefits are tribes hoping to attain and for whom?

What barriers are tribes encountering?

How does policy enable and/or constrain tribal hemp production?

What kinds of connections do tribal members see between hemp and tribal sovereignty?

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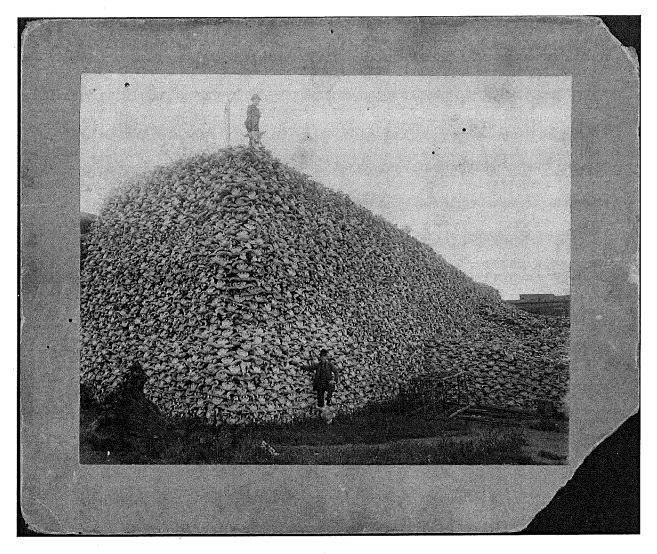
Tribal Sovereignty

Until European settlers arrived there was no need for tribes to define themselves as a sovereign; they were not subject to external control from other nations (Schraver and Tennant 2011). Indian Nations have struggled with their ability to self-govern since their encounter with foreign governments. Because tribes are not homogenous, it is imperative that each tribe define for itself what sovereignty means. The United Nations provided a definition for Indigenous self-determination stating, "it's a peoples right to 'freely determine their political status and freely pursue their economic, social and cultural development" (Ranco and Suagee 2007:693). Self-government is the only policy that has proven successful for Native American tribes, dismantling economic dependence on the federal government (Kalt and Singer 2004). Examples of policies demonstrating success are gaming enterprises like those of the San Manuel Band of Serrano Mission Indians in Highland, California; the Confederated Salish & Kootenai Tribes of the Flathead Indian Reservation in Montana; the Choctaw Nation of Oklahoma to name just a few of the 474 gaming facilities operated in 28 states (Robertson 2017). Gaming has been successful for the Oneida of New York and the Mille Lacs of Minnesota; the success they are achieving allows them to move toward eschewing federal funding (Kalt and Singer 2004). Nongaming, non-economic moves are also made by some tribes. The Mille Lac Peoples, besides their gaming industry success have invested in an award-winning endeavor to restore the use of their native language (Kalt and Singer 2004). The White Mountain Apache and the Jicarilla Apache, both of New Mexico, were able to successfully and effectively regain control of their forest and wildlife management and are recognized by

other agencies as ideal role models of forest and wildlife management (Kalt and Singer 2004).

There are different types of sovereignty tribes have confronted since their encounter with immigrants. Kalt and Singer (2004:6) argue that, "there are important distinctions between *de recto* sovereignty, *de jure* sovereignty, and *de facto* sovereignty (i.e., sovereignty by moral principle or right, sovereignty by legal decree or legislative act, and sovereignty in practice). Tribes and their supporters can compellingly and articulately assert the first, and petition and lobby for the second, but what ultimately matters are the last form of sovereignty – the *de facto* exercise of sovereign powers." For the purposes of my paper, I define tribal sovereignty as the ability of a tribe to act as a sovereign who can self-govern all aspects of their own distinct cultural practices void of reliance upon external funding, i.e., federal government programs designed to assist the impoverished and the ability to exercise their sovereign rights by acting on a true government-to-government basis in all matters related to Tribal Peoples.

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 $\underline{https://digital collections.detroit public library.org/islandor a/object/islandor a/o3A151477/datastream/IMAGE/view$

Figure 4 The slaughter of the buffalo herds in the late nineteenth century struck at the core of the Plains Indian life and reduced once-independent peoples to dependence on government rations (Calloway 2016:326).

When looking at tribal sovereignty and how tribes might define the term, we also need to tackle why it needs to be addressed. The Pacific Railway Act of 1862, signed by President Abraham Lincoln, opened the west to European settlers (King 2012). Railroad financier, George Francis Train proclaimed tens of millions of emigrants would settle the west within two decades and that the railroad was "the grandest enterprise under God!" (King 2012:2). The author continued, "With the arrival of the railroad, "…the lives of

countless Native Americans were destroyed, and tens of millions of buffalo, which had roamed freely upon the Great Plains since the last ice age 10,000 years ago, were nearly driven to extinction in a massive slaughter made possible by the railroad" (King 2012:2). For many Native American tribes, control and sovereignty of their food systems died with the exterminated buffalo. Through food sovereignty movements, tribes are attempting to regain control of their native foods and reestablish their sovereignty.

Echohawk (2013) argues the U.S. is made up of three sovereign entities, the federal government, state governments and tribal governments. He further states the U.S. Supreme Court acknowledged that tribal governments are the oldest sovereigns on the continent and Native American sovereignty predates the sovereignty of the U.S. On the other hand, Babcock (2014) notes tribes are semi-autonomous and the current federal structure is based on the premise of two sovereigns and has the potential to allow for tribes to count as a third sovereign. To deal with conflicts, negotiation and treaties between sovereign nations were practiced and recognized in the U.S. Constitution in 1787 (Echohawk 2013). Babcock (2014:64) argues, "Tribes never "voluntarily" relinquished their status as sovereign nations... They have never been "subordinates" of the United States, which is why they relied on treaties to determine their land base and assure their protection." Regardless of which side of the argument one falls, conflicts between European settlers and Native Americans have been problematic since the unsettling of Native homelands and European immigrants' occupation of the "New World".

To Native Americans who have occupied their lands for thousands of years, the concept of property ownership and sovereignty was unknown. With the loss of their

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homelands, issues of tribal sovereignty entered the scene and have existed ever since. It was noted that President Obama "did more for Indian country in a few years than had all his predecessors, but many point out that what they do themselves is far more important than what the president or the BIA does…" (Calloway 2016:588).

Whether or not the UN's definition of being able to freely pursue their cultural, social and economic independence and exercise their right to define and control their own political status (Ranco and Suagee 2007); or, Kalt & Singer's (2004) breakdown of sovereignty, *de recto*, *de jure*, or *de facto*; or Echohawk's (2013) three categories of federal, state and tribal governments; or, Babcock's (2014) concept of tribes' semi-autonomous status within the current structure, wherein the U.S. is made up of two sovereign nations with tribes' potential to be a third, further investigation is required. Is hemp production a potential method to rise above the need to confront an endless series of legal battles where tribes must argue for their sovereign rights? Is hemp production a viable path for tribes to eliminate their dependence on the federal government for their culture, health and foods? Finally, can the hemp plant help repair damage done to the environment, the home where the People have lived in harmony with Mother Earth for millennia before the European settlers arrived? Or, must they succumb to an imposed reductionist's view with extraction and commodification of *relatives* of all People?

History and Benefits of Hemp

What is hemp?

The genus *Cannabis* is classified into three species *Cannabis indica, Cannabis* sativa and *Cannabis ruderalis* (Schluttenhofer and Yuan 2017). Depending on its use,

Cannabis is organized into two distinct groups — marijuana and hemp (Schluttenhofer and Yuan 2017). Marijuana has two primary uses; it is used recreationally for its mindaltering effects and medicinally, treating numerous ailments. Hemp is used for fiber, food, medicine, biofuels, phytoremediation and is said to have thousands of uses (Schluttenhofer and Yuan 2017). By United States' legal definition, hemp contains less than 0.3% delta 9 — tetrahydrocannabinol (THC), the psychoactive property known for its intoxicating effects. Callaway (2004) argues that there are no significant effects of intoxication with low levels of THC. Marijuana, on the other hand is bred to contain 10-40% THC, enough THC to produce a feeling of being "high". Besides the chemical differences between the two plants, there are also phenotypical differences. Marijuana is dense, broad-leafed and shorter (up to 1.5 m) with a bush-like appearance whereas hemp is taller (typically 1-5m, up to 12m has been claimed) and is sparse in vegetation growing only a few leaves near the top of the stalk (Small 2015). Figure 5 depicts the differences between marijuana and hemp.

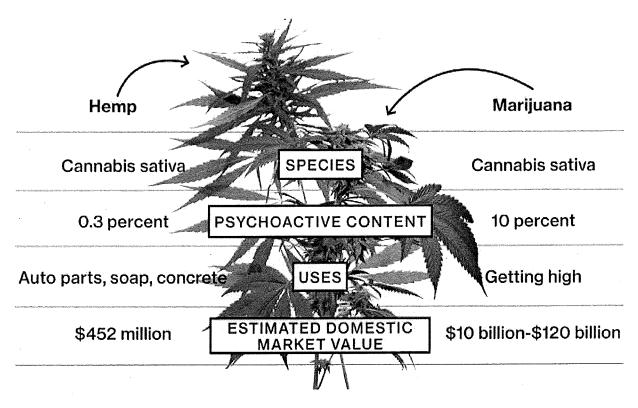


Figure 5

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Small (2015:191) states, "Cannabis sativa is an annual plant, growing vegetatively in the early part of its life cycle, and induced to flower by photoperiod, the timing of induction being one of many adaptive features of the plant." Hemp plants are predominately dioecious with staminate plants producing male flowers and pistillate plants producing female flowers (Small 2015). Female plants (pistillate) persist until the first frost while male plants (staminate) die after anthesis (Small 2015). In a greenhouse, or in mild winter climate, females can persist for years, but vigor diminishes with time (Small 2015). Small (2015:192) notes, "The main stalk is erect, furrowed (especially when large), with a somewhat woody interior, and may be hollow in the internodes. Although the stem is woody, the species is frequently referred to as an herb or forb."

The Cannabis leaves are usually decussate on the lower stem with opposite pairs (succeeding pairs turned 180°)(Small 2015). Near the stem apex, they tend to be palmately compound (with the exception of insignificant unifoliate leaves at branch apices) and are alternately arranged (Small 2015). There are an odd number (3-13) of coarsely serrate, lanceolate leaflets (Small 2015).



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AgBEAU&url=https%3A%2F%2Flink.springer.com%2Farticle%2F10.1007%2Fs12229-015-9157-3&psig=AOvVaw07Tu-XxgXCnQdyJHK0 3hE&ust=1545434684108955

Figure 6) Painting of Cannabis sativa from Köhler (1887). A) flowering male branch. B) Fruiting female branch. C) Cluster of male flowers. D) Fruit (achene) surrounded by perigonal bract. E) View of wide (flat) side of achene. F) View of narrow side of achene. G) Pistil, showing ovary and two stigmatic branches. H) Pistil surrounded by young perigonal bract

History of Hemp

Hemp is one of the plants cultivated for textile fiber and its use is "believed to be the oldest example of human industry" (Zuardi 2006)(Massachusetts Institute of Technology 2000). A remnant of hemp cloth estimated to be from approximately 8,000 BC was discovered by archaeologists in ancient Mesopotamia (currently Iran and Iraq) (Massachusetts Institute of Technology 2000). Archeological findings from China indicate that hemp was cultivated for fibers since 4,000 B.C. (Zuardi 2006). Medical and religious use of hemp dates to 1,000 B.C (Zuardi 2006).

America's first hemp law was enacted in 1619 at Jamestown Colony, Virginia, mandating all farmers grow Indian hempseed because it was a valuable commodity export (Herer 2010). Full British citizenship was offered to farmers who cultivated cannabis and fines were frequently levied for those who did not (Herer 2010). Cannabis hemp, in most of the Americas from 1631 until the early 1800s, was legal tender (Herer 2010). In America, taxes could be paid with cannabis hemp for over 200 years (Herer 2010). Hemp was an important staple crop. During several periods of hemp shortage, e.g., in Virginia from 1763-1767, citizens could be jailed in America for not growing hemp (Herer 2010). King George I mandated farmers to grow hemp because it was needed for cordage and canvas for British ships (Reed 2015). Benjamin Franklin started one of the first cannabis paper mills, and in so doing, allowed America to have a free

colonial press without relying upon England for paper and books (Herer 2010). Both the United States Constitution and the Declaration of Independence were first drafted on hemp paper (Kolosov 2009).

According to Herer (2010), George Washington and Thomas Jefferson grew hemp on their plantations. Jefferson went to great lengths to obtain hempseed by illegally smuggling it from China to Turkey. The political rulers, the Chinese Mandarin valued the crop so much that the exportation of hemp was a capital offense (Herer 2010). The Chinese people, in approximately 150 BC produced the world's first paper, made completely from hemp (Massachusetts Institute of Technology 2000). The oldest known paper documents, Buddhist texts dating back to the 2nd and 3rd centuries AD, were made of bark, rags and mostly hemp (Massachusetts Institute of Technology 2000). Hemp was a valuable crop during the middle ages; it supplied much of the world's need for fiber and food (Massachusetts Institute of Technology 2000). Sailing ships were dependent on canvas (derived from the word cannabis), hemp rope and oakum due to its resistance to salt water and its strength (3 times stronger than cotton)(Massachusetts Institute of Technology 2000).

According to the 1850 United States Census, 8,327 hemp plantations (minimum 2,000 acre farm) grew hemp for cordage, canvas, and cloth (Herer 2010). Prior to 1865, most of the plantations located in the Southern United States used slave labor (Herer 2010). Hemp was traditionally processed by hand and was a labor-intensive crop and was eventually replaced by cotton (Massachusetts Institute of Technology 2000).

Because the Federal Bureau of Narcotics' successful campaign, the Marihuana

Tax Act (MTA) passed in 1937 (Zuardi 2006). The MTA called for one dollar per ounce

(28.35g) and was charged to anyone using the plant for medical purposes; and, for any other purpose the tax was \$100 per ounce (Zuardi 2006). Failure to pay the tax resulted in a \$2,000 fine and/or 5 years imprisonment (Zuardi 2006). MTA circumvented the Supreme Court decision that gave States the power to control commercial transaction, "and in practice, meant banning the use of cannabis in the whole American territory. In principle, the MTA intended to eliminate the recreational use of marijuana (Official website of the Department of Homeland Security 2015). With the new tax and strict regulation, hemp production became an uneconomical crop (Official website of the Department of Homeland Security 2015). Cannabis was removed from the American pharmacopoeia in 1941" (Zuardi 2006:156).

In 1970, Congress repealed the Marihuana Tax Act of 1937 replacing it with the Comprehensive Drug Abuse Prevention and Control Act of 1970 wherein hemp was classified, along with marijuana, as a Schedule I drug (on par with the classification of heroin)(Lash 2002). Decades later, Section 7606 of the 2014 Agriculture Improvement Act (also known as the Farm Bill), opened possibilities of hemp production within a tightly regulated framework for the purposes of research.

The University of Kentucky was one of the first universities to research hemp under the 2014 Farm Bill and is one of the leading hemp researchers in the United States. In Kentucky, tobacco was a lucrative crop until the recent past. Kentucky farmers were economically forced to look for a more profitable agricultural crop to replace their ailing tobacco-produced income. James Comer, Kentucky Agriculture Commissioner, Seniority Majority Leader, Mitch McConnell and Brian Furnish, a local farmer saw hemp production as an alternative to tobacco production to boost Kentucky's economy. To

make the transition easier, McConnell introduced the 2018 Farm Bill, in which regulations were diminished. Consequently, hemp was no longer classified as a Schedule I drug on the Controlled Substances List; the passage of the 2018 Farm Bill also legalized commercial cultivation of the crop (Keahey 2018). Choosing to produce hemp in Kentucky is likely to be economically feasible for previous tobacco farmers because they already possess agricultural equipment.

On December 20, 2018, President Donald J. Trump signed the 2018 Farm Bill. The 2018 Farm Bill legalizes hemp production in the United States. Hemp is now a legal agricultural commodity and eligible for crop insurance (Daniels 2018). Each state will be the main regulator of its hemp production and they will be allowed to apply for federal grants (Daniels 2018).

Despite the regulatory challenges and domestic legal issues, the hemp industry grew by 16% in 2017 (Hemp Business Journal 2018). Cannabidiol (CBD), a byproduct of hemp, created a market that did not exist five years ago and in 2017, it grew to \$190mm (Hemp Business Journal 2018). According to Hemp Business Journal (2018:1), "The U.S. hemp industry is poised to reach a \$1 billion-dollar market in 2018 led by hemp-derived CBD, food, personal care and industrial products."

Hemp as Food

Hempseed contains over 30% oil, approximately 25% protein, and 10-15% dietary fiber; it also comprises minerals such as phosphorus, potassium, sodium, magnesium, sulfur, calcium, iron, zinc and vitamins (Callaway 2004)(Frassinetti et al. 2018). Nutritionally significant amounts of all essential amino acids can be found in

seeds (Callaway 2004). The oil made from hempseed contains over 80% polyunsaturated fats and is a rich source of two essential fatty acids (EFAs) linoleic acid (18:2 omega-6) and alpha-linolenic acid (18:3 omega-3) (Callaway 2004). Frassinetti (2018:57) states, "hemp seeds and [its] derivates have been identified as a valuable antioxidant food." Humans cannot produce their own EFAs thus, they must be obtained through diet (Callaway 2004). One of the vital roles hemp can play in human health is the amount of amino acid it provides, especially when compared with soy bean and egg white protein (Callaway 2004). Hempseed is currently used as a feed source for domesticated animals (Callaway 2004).

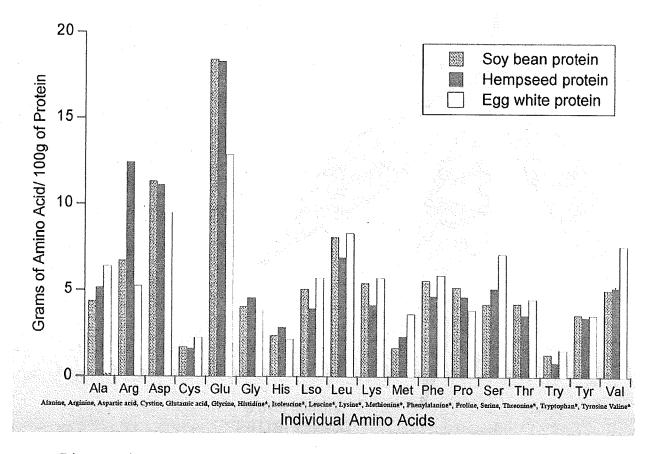
Table 1 (Callaway 2004:68) shows a breakdown of vitamins and minerals found in hempseed and/or hempseed meals.

Table 1) Typical nutritional values (mg/100 g) for vitamins and minerals in hempseed

Vitamin E 90.0
Thiamine (B1) 0.4
Riboflavin (B2) 0.1
Phosphorous (P) 1160
Potassium (K) 859
Magnesium (Mg) 483
Calcium (Ca) 145
Iron (Fe) 14
Sodium (Na) 12
Manganese (Mn) 7
Zinc (Zn) 7
Copper (Cu) 2

When compared to egg white and soybean, amino acid protein found in hempseed is comparable (Callaway 2004). Table 2 shows the amount of protein found in soybean, hemp seed and egg whites.

Table 2) International Union of Pure and Applied Chemistry IUPAC abbreviations (Callaway 2004).



Dietary polyunsaturated fatty acids (PUFAs), according to (Callaway 2004:69) and their biologic metabolites can favorably influence the fatty acid profile in low-density lipoproteins (LDL) when compared to saturated fats in the diet, which are strongly associated with coronary heart disease. Thus, a diet that has sufficient levels of PUFAs can lower both arterial levels of LDL-cholesterol and blood pressure in humans. PUFAs also increase bleeding times by decreasing platelet aggregation, which results in decreased peripheral blood pressure and clot formation.

Hemp as Medicine

Hempseed has been used to treat ailments for more than 3,000 years in traditional oriental medicine (Callaway 2004). The medicinal oil can be used to treat numerous chronic and/or acute conditions; e.g., minor cuts, burns, influenza, skin problems,

allergies and diseases caused by inflammation (Callaway 2004). Hemp oil is high in omega-3, a fatty acid that according to the United States Food and Drug Administration (FDA) and might help reduce symptoms caused by coronary heart disease (Kolosov 2009). Another recent discovery cannabidiol (CBD), one of more than 104 cannabinoids found in cannabis, is the most abundant cannabinoid in hemp (ElSohly and Gul, 2014)(National Academies of Sciences 2017). Research also indicates CBD is considered non-psychoactive because it lacks the cannabis-like intoxicating properties of D9-THC (National Academies of Sciences 2017). According to the National Academies of Sciences (2017; 47), evidence shows that CBD's medicinal properties

could potentially be exploited in the treatment and symptom relief of various neurological disorders such as epilepsy and seizures (Hofmann and Frazier, 2013; Jones et al., 2010), psychosis (Leweke et al., 2016), anxiety (Bergamaschi et al., 2011), movement disorders (e.g., Huntington's disease and amyotrophic lateral sclerosis) (de Lago and Fernandez-Ruiz, 2007; Iuvone et al., 2009), and multiple sclerosis (Lakhan and Rowland, 2009).

Hemp may prove beneficial as a substitution for fish oil supplements according to the FDA (Kolosov 2009). Mercury is often found in fish, thus substituting fish oil with a hemp product is especially important for nursing mothers and children (Kolosov 2009). Caution must also be exercised when using Cannabis or its derivatives especially when employers or courts request human drug testing. In the same way that trace amounts of morphine are detected in poppy seeds, trace amounts of THC can be found in foods made from hempseed (Callaway 2004). The author further argues there should be no significant impact with drug testing with properly cleaned seeds. Chinese hempseed, which contains >1% THC, can test positive on drug tests when seeds are not properly cleaned (Callaway 2004).

Hemp as a Crop

Research has shown that hemp is a useful rotation crop because it can perform as a natural herbicide choking out weeds (Kolosov 2009). Hemp is also a high yielding crop and depending on environmental conditions, per hectare, it can produce up to 25 t above ground dry matter (20 t stem dry matter ha-1) and may contain up to 12 t ha-1 cellulose. Hemp can also be used as an effective shelter crop (Struik et al. 2000:107). Due to hemp's plasticity, it can be grown under a wide range of agro-ecological conditions. (Van der Werf et al., 1996). As a crop, hemp may contribute economically, environmentally and socially to the sustainability of arable farming (Struik et al. 2000). Finola, one variety of hemp is frost-tolerant down to -5° C, drought-tolerant and matures within 115 days (Callaway 2004). Because of the short stature, Finola can be harvested with modern agricultural machines. The Finola strain does not require herbicides or pesticides and produces more seed than any other hemp variety (Callaway 2004). Cannabis, a native to central and southern Asia, prefers a humid and warm climate but is resilient and can live in many habitat types providing the soil pH measures between 5 and 7 (Girdhar et al. 2014). Hemp is suited for a 4-year crop rotation and is more effective when it does not follow canola, edible beans, soybeans or sunflowers (Purdue University 2015).

In maritime climates, like that of the Netherlands, hemp is not without its problems as in the case of *Botrytiscinerea*, also known as gray mold. The fungus *Botrytiscinerea* can cause severe damage in wet years (van der Werf et al., 1995). In Indiana, white mold (*Sclerotinia sclerotiorum*) has been reported to infect and impact industrial hemp production and has been especially problematic when grown near soybean crops (Purdue University 2015). Hemp's sexual dimorphism may cause

differences in its rate of growth and development (Van der Werf and Van den Berg, 1995). The male plants tend to flower and senesce earlier. Also, within the same sex, large plants can suppress smaller plants sometimes resulting in plant-to-plant variation and may also result in self-thinning (Van der Werf et al., 1995).

Hemp may prove to be valuable in its capability to repair damage caused by the industrial food system. Industrial agriculture is heavily reliant upon monocultures and monoculture crops are dependent on pesticide use (Altieri and Nicholls 2012). Over the last five decades, pesticide use has increased to 2.6 million tons, costing the U.S. more than \$25 billion (Altieri and Nicholls 2012). In the U.S., 324 million kg of approximately 600 different varieties of pesticides are used per year, causing indirect environmental impact on water quality, fisheries, wildlife, pollinators, etc. (Altieri and Nicholls 2012). When combined with socials costs (including human disease and poisoning) an estimated \$8 billion is spent per annum (Altieri and Nicholls 2012). Altieri & Nicholls (2012) note homogenous industrial monocultures cover approximately 80% of the 1,500 million hectares over global arable land. According to Altieri, et. al (2012) current agricultural practices contribute approximately 25-30% of greenhouse gas (GHG) emissions. Climate extremes are more frequent and intense. The current weather patterns, according to Altieri, et. al. (2012), compromise the world's ability to produce food in the future. According to Frison (2016), agriculture is one of man's greatest achievements and is one of the greatest threats to human civilization. Approximately 70% of the water used for agricultural purposes is drawn from aguifers, streams and lakes (FAO, 2013)(Frison 2016).

Nonpoint source (NPS) pollution, like that caused by agricultural runoff, arises from human activities and is generally not regulated ("Draft 2018 Water Quality Integrated Report" 2018). According to Montana's Draft 2018 Water Quality Report (2018), agriculture, mining and land development are among the ten major activities that contribute to NPS pollution. The report also states approximately 60 million acres in Montana are agriculture ranches and farms. Montana's "Groundwater Remediation Program is actively working on 91 [contaminated] sites" ("Draft 2018 Water Quality Integrated Report" 2018:32). The hegemonic western food system has caused extensive environmental and cultural damage.

Hemp as Textiles

Hemp's tensile strength is twice that of cotton, approximately 80,000 pounds per square inch, but unlike cotton, it requires little or no pesticides (Kolosov 2009). Hemp is still grown for paper production and hemp paper lasts three times longer than paper made from wood and does not yellow as it ages (Kolosov 2009). Moreover, hemp pulp can be processed with a recyclable caustic soda whereas tree wood requires the use of toxic, nonrecyclable sulfuric acid to break down lignin and chorine for bleaching (Kolosov 2009). Hempcrete, another hemp-derived product can substitute for concrete; it combines hemp fiber with a lime binder and is used for wall construction and insultation. It is approximately 50% lighter in weight, but seven times stronger and not prone to cracking (Kolosov 2009). Hempcrete is also "...fireproof, waterproof, and rot and rodent resistant. It also significantly reduces the carbon emissions produced by construction. Not only does hemp absorb large quantities of carbon dioxide as it grows, hempcrete walls absorb

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carbon dioxide from the air and have been reported to store around 110 kilograms of carbon dioxide per cubic meter" (Kolosov 2009:243).

Hemp in the Automotive Industry

Henry Ford constructed the first hemp and soybean car in 1941 (Steinbuch 2016). Bruce Dietzen of Florida, inspired by Ford's creation, constructed his carbon neutral "green machine" from the chassis of a Mazda and three plies of hemp; the 'green machine' is lighter than cars constructed from fiberglass (Steinbuch 2016). The body of the car, he claims, is more dent-resistant than steel by 10-fold (Steinbuch 2016). Hemp can also be used as a biofuel and research has shown that it can yield as much or more than sugar beets and maize for biogas production, and reed canary grass as a solid biofuel (Prade, Svensson, and Mattsson 2012).

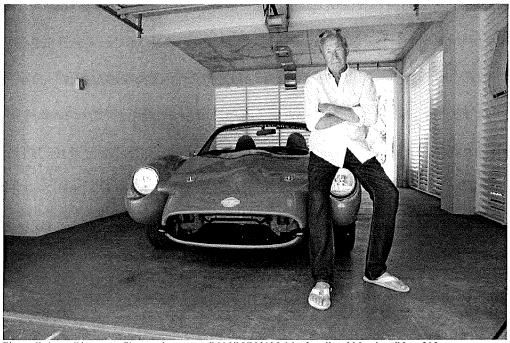


Figure 8) https://thenypost.files,wordpress.com/2016/05/220135-1.jpg?quality=90&strip=all&w=915

Volvo is one of the automotive companies transitioning "...towards hemp and other sustainable sources as alternative to fiberglass and plastics made from petroleum-based

plastics" (Kolosov 2009:242). Approximately 3,000,000 vehicles in North America have been made with bio-composite hemp material (Kolosov 2009). Hemp as a textile is another example of how *Cannabis sativa L.* can produce valuable, environmentally-friendly products.

Tribes and Hemp Production

Above, I outlined a few of the potential benefits of hemp. In my research, I want to look at why Native American communities engage in hemp production and what agricultural practices are used. In many Native American communities every living and non-living entity is seen as a relative and plants are no exception (Brokenleg and James 2013). Reciprocity is a fundamental idea and the basis of relationships in Indigenous communities (Brokenleg and James 2013). Within a reciprocity framework, the People take responsibility for the health of the planet; it is a way to reciprocate for the nourishment it provides. The planet is oftentimes referred to as Mother Earth defining her role and relationship in her ability to take care of the People (Brokenleg and James 2013). Within this ideology, hemp is not viewed as a crop, but as a relative, a family member for whom there exists respect, reciprocity and a sense of responsibility (Kimmerer 2013).

Viewing hemp as a family member brings up a topic that arose with one of the panelists at the 25th Hemp Industries Association Conference in Los Angeles, California, in November 2018. The "Cultivation Challenges & Solutions for Tribes" panel included Garret Davey, Esq. with tribal members Tina Braithwaite, Marc Grignon and Cristala Mussato-Allen. Some tribes are concerned that hemp is viewed in a negative light, because the plant is not native to the United States. However, some tribes consider the

plant a distant relative noting there were some native plant families called "Indian Hemp" so growing another like-plant is acceptable especially given its earth-healing properties.

Hemp may contribute to tribal sovereignty due to its vast number of uses. For those tribes who are focused mainly on economic drivers, CBD products and hemp seed may be the best choices. The increased income resulting from hemp and its byproducts, may be advantageous in its ability to increase tribal services and programs like healthcare, housing and education. Where the tribes are more focused on non-economic components like social benefits, hemp as a food source, medicine and textile may work well.

The Confederated Tribes of the Colville Reservation located in Washington began hemp production in 2017 (Indianz 2017). For their first two years of hemp production, the Colville tribe grew hemp mainly for fiber and seeds. The fiber market proved to be a problem when, at the last minute, the State of Washington did not allow the sale of the baled stalks because they would not allow it to cross state line boundaries (Caudell 2019). Winona LaDuke, an Ojibwe residing on the White Earth Reservation in Minnesota, acting on Anishinaabe prophecies, has chosen a "new, green economic path" in an attempt to restore Mother Earth (Schilling 2018). LaDuke has committed to growing hemp, or in her words, "grow the future, to grow hope" through hemp production (Schilling 2018). Using ancestral wisdom, and a non-mechanistic farming practice with horses, she is creating an organic hemp and indigenous food farm ("Winona's Hemp & Heritage Farm," n.d.).

Some tribes have faced significant barriers to tribal hemp production. Both the Colville tribe and LaDuke's Heritage Hemp Farm fared better than the Menominee

Nation. On October 23, 2015, the Obama Administration ordered the Drug Enforcement Agency (DEA) to seize Menominee crops (S. Nelson 2015). Agents seized 30,000 plants from the Menominee Nation (Jardin 2015). The DEA claimed the plants were "high-grade marijuana" and the tribe argued the plants were industrial hemp (Jardin 2015). Menominee County deputies stood guard over the crop seizure dressed in tactical gear, armed with assault rifles (Jardin 2015). The industrial hemp crop was grown in collaboration with the College of the Menominee Nation under specific circumstances laid out by the 2014 Farm Bill for the purposes of research (Jardin 2015). Tests for marijuana showed conflicting results. The first sample, using a Narcotics Analysis Reagent Kit proved to be negative; however, when tested a second time, with a different kit, test results showed positive (S. Nelson 2015). The affidavit theorized the first test kit was defective because the field-testing device had been stored in a vehicle and therefore produced incorrect results (S. Nelson 2015).

The tribe then sued the DEA and the Department of Justice (DOJ). The case was dismissed. The court document read, "In May 2015, the Menominee Indian Tribe of Wisconsin, a federally-recognized Indian tribe, passed a tribal ordinance legalizing the cultivation of industrial hemp on the Menominee Reservation by licensees of the Tribe" (Griesbach 2016). The complaint filed by the Menominee Nation included three claims for declaratory relief:

(1) that in passing a tribal law legalizing the cultivation of industrial hemp on the Menominee Reservation, the Tribe acted as a "State," as required under § 5940; or alternatively

- (2) that the cannabis laws of the State of Wisconsin have no application to industrial hemp cultivation by the Tribe within the exterior boundaries of the Menominee Reservation, and that the cultivation of industrial hemp on the Menominee Reservation is therefore "allowed" under the laws of the State of Wisconsin, as required under § 5940; and
- (3) that the College of Menominee Nation is an "institution of higher education" under § 5940. As explained below, the Government responded to the complaint by filing a motion to dismiss on numerous grounds.

The tribe's first argument claiming that a tribe is a "State," a politically organized sovereign, was rejected because they are instead, according to the decision and order, a "domestic dependent nation" thus "subject to plenary control by Congress" (Griesbach 2016). In court rulings, Congress has, in the past, included tribes because that was the intent of the document (Griesbach 2016). The Agricultural Act of 2014 included several definitions of "State," including "any other territory or possession of the United States... which [in the past] courts have construed as broad enough to include Indian tribes..." In this instance, however, the section of the Farm Bill regarding hemp was considered a stand-alone provision and did not allow for the tribe to act as a "State" (Griesbach 2016:14). Based upon that interpretation, the court ruled in favor of the DEA and the DOJ. If tribes were truly sovereign nations, and could effectively self-govern, external control could not interfere with tribal activities.

Another obstacle which tribes might face with crop production is the negative connotation of agriculture, a colonial idea. Agricultural practices, for many tribes, are why their land was "stolen". Agriculture is a colonial concept that inflicts cultural and

environmental damage. On the other hand, a concept that may work within an Indigenous framework is the ability for tribes to see hemp as an alternative to monoculture crops like soybean and corn, especially when considering its ability to perform as a "earth-healing plant." Winona LaDuke, an Indigenous hemp farmer perceives hemp as one method to heal the man-made destruction inflicted on soils, water, and people.

With colonization, technological advances, and economic globalization commodifying Mother Earth, Indigenous ways of life have succumbed to toxic chemicals polluting air, soil and water and human health (Thomas-Muller 2008) Transnational mining companies disproportionately target Indian reservations because of their socioeconomic conditions (Thomas-Muller 2008). Native Americans who reside on the "Res" live in a day-to-day crisis mode and suffer with "the highest suicide rates, the highest high school dropout rates, adolescent pregnancy rates, and incarceration rates" (Thomas-Muller 2008:241). Corporations, states Thomas-Muller (2008:241) target Reservations, "knowing that our communities are susceptible to saying yes to these harmful energy projects because of the big payoffs that come with them."

Native Americans are amongst the most impoverished people in the United States due in large part to government imposed policies and practices (Lash 2002). Regaining sovereignty and cultural identity through food systems and non-industrial agricultural practices may benefit tribal people by increasing their sovereignty. Lash (2002) argues the production of hemp makes sense because of Native Americans' tie to the land, the need for economic sovereignty and the plant's ecological amplitude. She quotes N. Scott Momaday, a Kiowa writer, "We humans must come again to a moral comprehension of

the earth and air. We must live according to the principle of a land ethic. The alternative is that we shall not live at all." (Lash 2002:335). In the United States, how tribes exercise their sovereignty is defined and interpreted in a court of law. As the tribes reach for true sovereignty, they must struggle with loss of culture, identity, and poor socio-economic conditions of life on a Reservation. To increase their sovereignty and improve their economic condition, they are met with numerous challenges. How then, can tribes overcome these obstacles? Hemp production may be one method to increase their sovereignty.

Because hemp has been illegal for more than 80 years, there is little research on hemp production especially as it relates to tribal sovereignty. Little is known what makes a tribe succeed or fail with hemp production? Is it a viable crop? Is hemp production a viable method for tribal sovereignty? The lack of information created a gap in knowledge, leading to much needed research. I will attempt to fill that gap by asking the following research questions: How have tribe approached hemp production? What types of agricultural practices are being employed? Who is involved and how are decisions made? Why are tribes engaged in hemp production? What benefits are tribes hoping to attain and for whom? What barriers are tribes encountering? How does policy enable and/or constrain tribal hemp production? What kinds of connections do tribal members see between hemp and tribal sovereignty?

Research Methods

Multiple Methods

The methods for this professional paper include the following: (1) in-person interviews with tribal people who are currently involved in hemp production, (2) a site visit to Winona's Hemp & Heritage Farm on the White Earth Reservation in Minnesota (Winona LaDuke will be in her third year of hemp production), (3) a site visit to the Colville Reservation in Washington, (4) participant observation of farming practices and decision-making if possible and appropriate and (5) an analysis of documents related to hemp production in study sites (e.g. permits, websites, funding proposals, etc.).

Interviews

I plan to conduct 10+ interviews (if there are that many tribal members engaged in hemp production) because quantitative methods, alone, would fail to the convey the story of tribal communities. Thus, qualitative methods are an imperative. Engagement with people is the most effective means to broach conceptual frameworks and to meet the rigor of western society academics. It is difficult, if not impossible, to quantify ideas and motivations involving Indigenous worldviews. Consequently, making a social science approach with "thick description" is a more suitable method for this study. I am focusing on the Colville Tribe and People of the White Earth Reservation because they have substantial but different experience with hemp production. I plan to conduct 5 inperson/or telephone interviews with tribal members who are engaged in hemp production from each tribe. It is my hope to interview more than 5 people (per tribe) and that might be possible depending upon the number of people involved in hemp production. The

number of interviews is difficult to quantify because hemp production is new in the United States and it is new to tribal communities. It is my intention to conduct a face-toface interview with Winona LaDuke and the people she recommendations from the White Earth Reservation. If Ms. LaDuke suggests a larger number of interviewees, I will approach the people during my site visit and determine which interviews need to be conducted in person and which interviews can be successful over-the-phone. Face-to-face interviews may be more effective, but numerous considerations will have to be taken e.g., timing of ceremonies, planting and other community obligations. Interviews with tribal members/agriculturalists are vital to telling the story of the People. Because tribes are not culturally homogenous, each tribe can speak only to their experience with hemp production. There are significant cultural differences between tribes; sovereignty may mean one thing to one tribe and something else to another. The research question begs interview session(s), and this is the only way to ascertain principles pertinent to each study site and each specific culture. An interview guide will be constructed with an eye looking toward its literal meaning, a guide. I have attached a list of interview questions (See Appendix 1). The researcher will more likely succeed if the interview is conducted in an informal manner. Questions will be asked of each interviewee. Before the interview concludes, I will enquire if there is anything I have inadvertently omitted that they might want to disclose to present a complete story.

Because there is historical trauma relating to research and Indigenous communities, the researcher will approach each tribe with the intent of a collaborative partnership. The researcher has a physical disability making handwritten notes unrealistic. My disability will be disclosed to the interviewee and permission to record

the interview will be requested prior to the interview. If the interviewee grants permission, a consent form will be signed, and the interview will be recorded. As part of the consent process, the interviewee can also decide what is to be done with the recording after researcher (or an approved transcriber) transcribes the material.

Interview Sample

I plan to do purposive sampling which potentially leads to chain referrals to discover rich, in-depth information about hemp production as it relates to tribal sovereignty. Access to tribal members may also limit the number of interviewees. Criteria for selection will be limited to members of the studied population. No one outside the selected Indigenous communities could be considered an expert, thus the represented perspectives will be confined to people within each studied tribe. Adult knowledge-keepers, regardless of hemp-familiarity might be interviewed regarding the topic of tribal sovereignty, if a more in-depth look is necessary and if permission is granted. It is my intent to include both genders in the interview process, but both genders may or may not be represented depending upon interviewees meeting other criteria. Should other categories arise, the researcher will justify why the new category should be pursued and other stipulations for criteria must also be met.

I will generate a list of potential interviewees based on current knowledge about who on the Colville Reservation and who on the White Earth Reservation are engaged in hemp production. To respect each tribe's culture, I will ask the hemp cultivator if I need to speak with their Tribal Council before conducting interviews. I will provide a letter for Tribal Council describing myself as an Indigenous student researching hemp production as it relates to tribal sovereignty (See Appendix 2As I engage with Winona LaDuke to set

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up my site visit, I will request the names of other tribal members who are engaged in hemp production.

Interviews will be analyzed using an iterative process of coding on NVivo software. The researcher will analyze line-by-line and assign appropriate thematic codes. NVivo will be used to organize data. Analysis will be based loosely on grounded theory and social constructivism; emergent phenomenon will be analyzed. Interview results will add to the overall story to see how each tribe addresses tribal sovereignty through hemp production and whether-or-not it is a success or failure based on tribal definitions of success and failure. Research journaling/memoing/field notes will be part of the iterative process.

Site Visit

This research will include a site visit to Winona's Heritage & Hemp Farm on the White Earth Indian Reservation in Minnesota, which has been approved by Winona LaDuke. I have sought permission from Jackie Richter, District Manager of the Colville Reservation Conservation District. During my site visit I will conduct at least 5 in-person interviews with tribal members who are participating in the current hemp project, assuming there are that many tribal members engaged in hemp production. I will tour the hemp farm, attend any relevant meetings/ceremonies, and take field notes based on observations. It is my hope a site visit will allow me to deepen my understanding of hemp production.

My disability will limit some aspects of the research. As previously mentioned, my physical disability will be disclosed. I will offer to assist each tribe in any way I am physically capable of performing. It seems appropriate to enter Indigenous communities

with the intention of giving of self whether it is related to hemp or not. It is important, as an Indigenous researcher, to not come to the community as an unengaged person, present only to extract information. In whatever way I physically can, I plan to do some participant observation perhaps through light gardening or service work if there are tribal events.

Table 3: Interviews

	Colville Reservation	White Earth Reservation	Total Interviews
In-person			Estimate
Interviews	5+	5+	10+

^{*} Where appropriate, I may interview additional adult knowledge keepers to gain more insight into tribal sovereignty.

Appendix 1: Interview Guide

Introduction

- Begin with expression of gratitude
- Introduce myself:
 - o as a tribal member (in a culturally appropriate manner)
 - o as an Indigenous researcher
 - o address student involved in the UM Bridges Program
 - o address my physical disability in so much as to describe the difficulty in writing
- Describe research project
 - Goal is to assist tribes who might want to begin hemp production
 - My investigation of why they engaged in hemp production, and
 - My interest in their agricultural practices
- Explain and secure consent for interview:
 - Permission to record interview (assist with my physical disability)
 - Ask what they would like me to do with interview recording (after transcription)
 - Ask what kind of recognition they want, if any
 - O Ask if they want to me to connect what they say with their name
 - If yes, proceed
 - If no, ask if they want anonymous recognition
 - Anonymous (e.g., a member of (Tribe's name)

Interview questions:

Inception and motivation

I'm going to start with some questions about how your tribe got involved in hemp production.

- 1. How did your tribe get started in hemp production?
 - Probe on how long they've engaged in hemp production.
- 2. What was the motivation to grow hemp? What were some of the reasons that your tribe decided to grow hemp?

Probe on who would benefit if it's not clear – just the people involved or the entire tribe or beyond the tribe?

- 3. In addition to what you mentioned, were there other ways that you were hoping that the tribe would benefit from hemp?
- 4. Have these benefits been realized? What benefits do you feel like you've obtained?

Culture and decision-making

Now I'd like to ask some questions about hemp and your culture.

- 5. How does hemp fit in with your culture?
- 6. How does your tribe relate to the plant world?

Probe: What does the hemp plant mean to you?

7. Historically, did women or men grow and harvest crops in your tribe?

Probe: If the gender of the farmer has changed, why?

8. Who is involved in the project?

Probe on individual and organizational involvement

9. How do you make decisions about hemp production?

Probe on how tribal council is involved if not clear.

Agricultural practices

Now I'd like to ask you some questions about your actual hemp farming practices.

10. Can you tell me about your farm operation and the practices you use to grow hemp?

Ask the following questions if they are not addressed in response to the question above:

11. Which strains of hemp have you planted?

Probe on why and how they selected those strains

12. How many crops per year do you plant?

Probe on when they plant

- 13. How do you prepare the soil?
- 14. Do you irrigate or dryland farm?
- 15. Can you describe your harvesting practices?
- 16. Have you faced any challenges on the farming end?
- 17. What is the final product? In other words, what is your hemp used for? Probe on the specific product: textiles, CBD, food, etc.
- 18. Do you process hemp locally, or are there any future plans for processing locally?
- 19. Who purchases the hemp?
- 20. How many tribal members are employed at the hemp farm?
- 21. What else is important about the way you produce hemp here?

Barriers, Policy, and Sovereignty

Now I'd like to ask you about barriers.

22. What kinds of barriers have you faced in trying to grow hemp?

Probe on policy barriers

- 23. What benefits were you hoping for that haven't been realized? Probe: Why haven't they been realized?
- 24. Does the 2018 Farm Bill resolve the policy barriers that existed in the past?
- 25. Some people have suggested that hemp can increase tribal sovereignty. What do you think about that?
- 26. What are your hopes regarding the future of hemp for your tribe?
- 27. Do you have any advice for other tribes who are interested in hemp production?

Wrap Up

I have a few wrap up questions now.

- 28. Are there additional questions about tribal hemp that I should be asking?
- 29. Is here anything else you'd like to add about tribes and hemp production?
- 30. Do you have any documents on your hemp project? Proposals or permits or other written documents that I could read?
- 31. Who else should I talk with about the hemp project here?
- 32. Is there anyone I should talk with who holds a different perspective of hemp?

Appendix 2: Letter to White Earth Ojibwe Tribal Council

April 26, 2019

Dear Tribal Council,

My name is Cynthia Coleman. I am an Enrolled Member of the Native Village of Unalakleet, daughter of Amy Katchatag Voss of Unalakleet, Alaska and Donny Steckdaub of California. My mother is an Elder of our tribe and currently resides in Anchorage, Alaska. My father lives in Yucca Valley, California.

I am an Indigenous student from the Society & Conservation Department of the University of Montana (UM), a transfer student from Salish Kootenai College on the Flathead Indian Reservation, located in Northwest Montana. I am studying under the UM Bridges Program where we look at issues relating to Food, Energy and Water and how they interact. My research looks at tribal hemp production. I have talked to Winona LaDuke and she has agreed to let me talk to her about your community's hemp project. As a part of the University research approval process, written permission from Tribal Council is required for my research. If my research meets with your approval, please sign and return this document.

I have attached a copy of my research proposal detailing my interests in tribal sovereignty and hemp production. It is my hope that my research might be of benefit to other tribes who are interested in growing hemp and inform non-Indigenous people on issues tribes face when trying to exercise their sovereign rights. If I can answer any questions, or address any concerns, please call me at (310) 228-0871.

Respectfully yours,	White Earth Ojibwe Tribal Council Chairperson
Cynthia M. Coleman Iñupiat	Signature & Date

Appendix 3: Letter to Tribal Council of The Confederated Tribes of the Colville Reservation

April 26, 2019

Dear Tribal Council,

My name is Cynthia Coleman. I am an Enrolled Member of the Native Village of Unalakleet, daughter of Amy Katchatag Voss of Unalakleet, Alaska and Donny Steckdaub of California. My mother is an Elder of our tribe and currently resides in Anchorage, Alaska. My father lives in Yucca Valley, California.

I am an Indigenous student from the Society & Conservation Department of the University of Montana (UM), a transfer student from Salish Kootenai College on the Flathead Indian Reservation, located in Northwest Montana. I am studying under the UM Bridges Program where we look at issues relating to Food, Energy and Water and how they interact. My research looks at tribal hemp production. I am interested in talking with tribal members engaged in your community's hemp project. As a part of the University research approval process, written permission from Tribal Council is required for my research. If my research meets with your approval, please sign and return this document.

I have attached a copy of my research proposal detailing my interests in tribal sovereignty and hemp production. It is my hope that my research might be of benefit to other tribes who are interested in growing hemp and inform non-Indigenous people on issues tribes face when trying to exercise their sovereign rights. If I can answer any questions, or address any concerns, please call me at (310) 228-0871.

Respectfully yours,	Reservation Tribal Council Chairperson		
Cynthia M. Coleman Iñupiat	Signature & Date		

Appendix 4: Consent Form

Title: Understanding Native American Hemp Production

Project Director(s):

Cynthia Coleman cynthia.coleman@umontana.edu College of Forestry and Conservation (310) 228-0871 Laurie Yung laurie.yung@umontana.edu College of Forestry and Conservation (406) 243-6934

Purpose:

This research project seeks to understand how tribes are approaching hemp production and what how they benefit by hemp production. Another objective is to share findings with tribes who are interested in hemp production. You have been identified for this study because you work for a tribe engaged in hemp production.

Procedures:

If you agree to take part in this research study, you will be asked to participate in an indepth interview. This project is based on a collaborative approach between the researcher and the tribal representative. You will be asked if this interview can be tape-recorded; after the researcher has completed the professional paper, you can determine, according to tribal protocol, what happens to the recordings.

Risks/Discomforts:

There is no anticipated discomfort for those contributing to this study, so risk to participants is minimal.

Benefits:

Your participation in this study is voluntary, and there is no payment involved. Your involvement with this study will help build a better understanding of how Indigenous communities make decisions about and engage in hemp production.

Confidentiality:

Your participation in this study is confidential, meaning your name will never be used in any way. No data will be released without your consent except as required by law. If the results of this study are written in a scientific journal or presented at a scientific meeting, your name will not be used unless you initial consent below.

Your initials	indicate your permission to be identified by name in any
publications or presentat	ions.
	acknowledged by name in any publications or
presentations, please init	ial here

If the results of this study are written in a scientific journal or presented at a scientific meeting, your tribe's name will be used to clarify (in the final paper or in presentation) whether the data is from The Confederated Tribes of the Colville Reservation or The White Earth Reservation. No individual will be identified by name without consent. The audiotape of this interview will be transcribed without any information that could identify you. The tape will then be erased or sent to the tribe.

Voluntary Participation/Withdrawal:

Your decision to take part in this research study is entirely voluntary. You may refuse to take part in, or you may withdraw from the study at any time without penalty or repercussion.

Ouestions:

If you have any questions about the research now or during the study contact: Cynthia Coleman cynthia.coleman@umontana.edu
College of Forestry and Conservation
(310) 228-0871

If you have any questions regarding your rights as a research participant, you may contact the Chair of the IRB through The University of Montana Research Office at (406) 243-6672.

Statement of Consent:

I have read the above description of this research study. I have been informed of the risks and benefits involved, and all my questions have been answered to my satisfaction. Furthermore, I have been assured that any future questions I have will also be answered by a member of the research team. I voluntarily agree to take part in this study. I understand I will receive a copy of this consent form.

Printed Name of Subject		
·		
Subject's Signature	Date	

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Oneida Business Committee Agenda Request

Research Request: Dempsey-Univ. of Wisconsin/Madison-Stroke Risk Prevention - Review...

1. Meeting Date Requested: 11 / 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
Review the recommendation and determine next steps regarding: Research Request: Dempsey – Univ. of Wisconsin/Madison – Stroke Risk Prevention
Possible motion:
Approve the Dempsey – Univ. of Wisconsin/Madison – Stroke Risk Prevention research request and
authorize the Chairman to sign the letter of support
3. Supporting Materials
☐ Report ☐ Resolution ☐ Contract
○ Other: ○ Other:
1. Letter of Support 3.
2. 4.
☐ Business Committee signature required
4. Budget Information
☐ Budgeted - Tribal Contribution ☐ Budgeted - Grant Funded ☐ Unbudgeted
5. Submission
Authorized Sponsor / Liaison: Debbie Thundercloud, General Manager
Authorized Sponsor / Liaison: Debbie Thundercloud, General Manager
Primary Requestor/Submitter: Dr. Ravi Vir, Medical Director
Your Name, Title / Dept. or Tribal Member
Additional Requestor: Debbie Danforth, Operations Director
Name, Title / Dept.
Additional Paguactar
Additional Requestor: Name, Title / Dept.

Public Packet

Oneida Comprehensive Health Division

Oneida Community Health Center Behavioral Health Services Anna John Resident Centered Care Community Employee Health Nursing



To: Oneida Business Committee

From: Ravinder Vir, MD, Medical Director

Debbie Danforth RN, BSN, Operations Director

Oneida Comprehensive Health Division (OCHD) Directors

Date: November 6, 2019

RE: Request for Approval of the Stroke Risk Prevention Research Project

In Partnership with UW-Madison

The attached letter of support is being submitted for your review and approval in compliance with the requirements of BC Resolution #05-08-19-A. On 08-16-19, the Business Committee and the OCHD Division Directors met with the research team from UW-Madison for a presentation on the Stroke Risk Prevention Research Proposal. The Research Team has now received their initial approval to proceed and need the Oneida Business Committee's letter of support to proceed to the next step in the Research Proposal. The UW-Madison team is now in the process of gaining formal Institutional Review Board approval through UW-Madison.

We are looking forward to participating with the Research Team in the study entitled, "Stroke Prevention in the Wisconsin Native American Population." This study is timely and an exciting area of research as it aims to institute a stroke prevention program in the Wisconsin Native American Population. We are confident that the proposed study will identify the population at high risk for stroke within our Oneida Community by determining the presence of atherosclerotic plaque, vascular cognitive decline, and blood biomarkers through innovative imaging and molecular approaches. The project's main goal is to decrease the risk for stroke in the Native American population served by the Oneida Comprehensive Health Division and the Oneida Community.

The use of educational events such as providing health fairs within the Oneida Community will be the primary means of soliciting voluntary participation for the study. The UW-Madison team will intensely study a small group of 120 people to see what works to reduce stroke risk factors and is an appropriate way to begin the study. The Oneida Comprehensive Health Division has agreed to assist in finding volunteers to help plan the health fairs. The health fairs associated with this project will provide information about stroke prevention, risk factors for stroke, ways to reduce risk for stroke and will offer health screenings for interested Oneida members. The health fair screening will consist of collecting information on age, height, weight, physical activity, body fat percentage, body mass index, blood pressure, brief health history questionnaire

Phone: (920) 405-4492

Fax: (920) 869-1780 Fax: (920) 490-3883 Fax: (920) 869-3238 Fax: (920) 405-4494 Public Packet 257 of 327

addressing if the individual has had a history of transient ischemic attack, coronary artery disease, hypertension, diabetes, smoking status and the name of the primary care physician). We support their efforts to assure that participants undergoing the health fair screening will also complete a stroke risk form and will be provided a summary of this form to take with them to their doctor if they wish.

The OCHD supports the concept and will encourage the team's efforts to help to identify individuals from the Oneida Nation to serve as health wellness coaches for this study. The grant will fund the salary effort for two half-time health wellness coaches. The health wellness coaches will be individuals who already possess certification from the Wellcoaches School of Coaching. Health wellness coaches will assist with; registering participants at the health fair, health screenings at the health fair and study procedures. Study procedures include; consenting patients and health wellness coaching for study participants.

We are very excited to partner with UW-Madison on this project and look forward to your support through formal approval of the Stroke Risk Prevention Research Project In Partnership with UW-Madison and submission of the attached Letter of Support through BC action. The formal documents related to the partnership will be drafted and submitted to the Oneida Law office for review and approval once finalized prior to the start of the project. The OCHD will continue to provide updates on a quarterly basis to the Business Committee and to the General Manager through our reporting process.

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Oneida Nation

Post Office Box 365

Phone: (920) 869-2214



Oneida, WI 54155

BC Resolution # 05-08-19-A Research Requests: Review and Approval to Conduct

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 General Tribal Council created the Oneida higher-education scholarship which provides funding for undergrad and graduate level degrees that has led to a significant increase in the number of Oneida members obtaining bachelor's degrees and then obtaining graduate level degrees; and WHEREAS. such graduate level programs generally require research papers to be completed as a thesis or dissertation; and WHEREAS. Oneida members in these programs frequently wish to conduct a research project that provides insight and awareness to an aspect of the Oneida Nation as a government, business, and/or community, and such research should be reviewed to ensure that Oneida members, the Nation, and the community are protected, the information developed is provided to the Nation, and the research accurately portrays the complex history and current activities of the Oneida Nation and its members: and WHEREAS, there is increased research of tribes and Native Americans by colleges and universities, and businesses conducting research on new products; and

unique aspects and need for protection; and

WHEREAS.

WHEREAS,

the Oneida Business Committee has relied upon an informal process of review through the Oneida Law Office regarding research requests, including information access, to determine whether approve an authorization to conduct research or issuance of a community support letter; and

research in medicine and science has taken steps to protect research subjects now recognize that tribes and Native Americans should be taken into consideration given their

WHEREAS,

the Oneida Business Committee, through the Quarterly Reporting process by boards, committees and commissions and divisions of the Nation, has identified that a greater number of research projects regarding the Nation and its members is occurring than originally understood; and

BC Resolution # 05-08-19-A Research Requests: Review and Approval to Conduct Page 2 of 3

NOW THEREFORE BE IT RESOLVED, that the Oneida Business Committee sets forth the following requirements when conducting research involving the Oneida Nation and its members, including requests for community support letters regarding research.

BE IT FURTHER RESOLVED, that requests by students in bachelor's, master's or doctoral level studies shall:

- 1. Be provided a copy of this resolution by the Education and Training Department when approved for the Oneida higher-education scholarship and upon receiving the first scholarship payment; then by memo or other notice annually thereafter.
- 2. Be submitted to the Chief Counsel of the Oneida Law Office for review and recommendation for action to the Oneida Business Committee.
 - a. The Chief Counsel shall call upon necessary expertise within the organization to review research requests, specifically departments or entities affected, and provide a recommendation to approve, disapprove, or amend research requests.
 - b. The Chief Counsel shall submit the research request to the Oneida Business Committee with a brief summary of the research, the name of the student, the degree and education institution attending, and a recommendation to approve or disapprove the research request.
- 3. Be required to submit a copy of the final draft of the research to the Chief Counsel of the Oneida Law Office for review regarding accuracy of the information.
- 4. Be required to submit a copy of the published or approved research project to the Chief Counsel of the Oneida Law Office to be presented to the Oneida Business Committee a final published or approved research project. The Chief Counsel shall notify the student of the date of the Oneida Business Committee meeting and invite the student to provide a brief overview of the research and findings.

BE IT FURTHER RESOLVED, that any research request by an educational institution or business which requires access to the Oneida Nation or members for research studies of human subjects shall be:

- 1. Presented to the Director of Comprehensive Health Operations for review and recommendation for action to the Oneida Business Committee.
 - a. The Director shall call upon necessary expertise within the organization to review research requests, specifically departments or entities affected, and provide a recommendation to approve, disapprove, or amend research requests.
 - b. The Director shall submit the research request to the Oneida Business Committee with a brief summary of the research, the name of the researcher, the university or business being represented, and a recommendation to approve or disapprove the research request.
- 2. Be required to submit a copy of the final draft of the research to the Director for review regarding accuracy of the information.
- 3. Be required to submit a copy of the published or approved research project to the Director to be presented to the Oneida Business Committee a final published or approved research project. The Director shall notify the researcher of the date of the Oneida Business Committee meeting and invite the researcher to provide a brief overview of the research and findings

BE IT FURTHER RESOLVED, that no entity, employee or representative of the Oneida Nation is authorized to approve research on behalf of the Oneida Nation unless in accordance with this resolution or a law which supersedes this resolution.

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BC Resolution # 05-08-19-A Research Requests: Review and Approval to Conduct

BE IT FINALLY RESOLVED, no research project data or materials can be utilized for any other or for extended research without written approval of the Oneida Nation.

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum; 6 members were present at a meeting duly called, noticed and held on the 8th day of May, 2019; that the forgoing resolution was duly adopted at such meeting by a vote of 5 members for, 0 members against, and 0 members not voting*; and that said resolution has not been rescinded or amended in any way.

Lisa Summers, Secretáry Oneida Business Committee

*According to the By-Laws, Article I, Section 1, the Chair votes "only in the case of a tie."



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



November 13, 2019

Robert J. Dempsey, MD Professor and Chair, Department of Neurosurgery 600 Highland Avenue University of Wisconsin-Madison School of Medicine and Public Health Madison, WI 53792-8660

Dear Dr. Dempsey,

We are looking forward to participating with you in the study entitled, "Stroke Prevention in the Wisconsin Native American Population." This study is timely and an exciting area of research as it aims to institute a stroke prevention program in the Wisconsin Native American Population. We are confident that the proposed study will identify the population at high risk for stroke within the Oneida Community.

We are agreeable to the project's main goal which is to decrease the risk for stroke in the Native American population served by the Oneida Comprehensive Health Division and the Oneida Community. The use of health fairs and the intense study of a small group of 120 people to see what works to reduce stroke risk factors is an appropriate way to begin the study. Dr. Vir, Debbie Danforth and Melissa Metoxen, along with the Oneida Comprehensive Health Division have agreed to assist in finding volunteers to help plan the health fairs. We support your efforts to assure that participants undergoing the health fair screening will also complete a stroke risk form and will be provided a summary of this form to take with them to their doctor if they wish.

We support the concept and will encourage your efforts to help identify individuals from the Oneida Nation to serve as health wellness coaches for this study.

We support the recruitment of 100 individuals who are deemed to be at high risk for stroke (have three or more risk factors during the screening examination) and 20 participants with less than three risk factors will be invited to participate in the research study entitled, "Stroke Prevention in the Wisconsin Native American Population," and will be given a flyer to see if they want to participate in the project. Participants will be given this information to take with them to their primary care physicians and a thorough review of the study requirements and information will be provided to each individual that willingly agrees to participate.

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We are very excited to partner with UW-Madison on this project and look forward to working with you on this very exciting proposal which will help us gain further insight into this disease condition and how wellness coaching may assist with managing risk factors for stroke. Our ultimate goal as a Nation will be to enhance the efforts in Stroke Prevention benefits to all of Indian Country.

Sincerely,

Tehassi Hill Oneida Nation Chairman



Public Packet

Oneida Business Committee Agenda Request

Post one (1) vacancy - Oneida Nation Arts Board

1.	1. Meeting Date Requested: 11 /	<u>13</u> / <u>19</u>
2.	2. General Information: Session: Open Executive	- See instructions for the applicable laws, then choose one:
	Agenda Header: New Business	
	Accept as Information onlyAction - please describe:	
	Post one (1) vacancy - Oneida Nat	ion Arts Board
	, , , , , , , , , , , , , , , , , , , ,	
3.	3. Supporting Materials	
	☐ Report ☐ Resolution ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	Contract
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	☐ Business Committee signature req	uired
	business committee signature req	uncu
4.	4. Budget Information	
	☐ Budgeted - Tribal Contribution	☐ Budgeted - Grant Funded ☐ Unbudgeted
_	5. Submission	
э.	5. Submission	
	Authorized Sponsor / Liaison: Lisa	Summers, Secretary
		ur Name, Title / Dept. or Tribal Member
	Additional Requestor:	
		me, Title / Dept.
	Additional Requestor:	me, Title / Dept.
	ING	

Oneida Business Committee Agenda Request

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6	Cov	IΩr	N/I	am	0.

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

On November 4, 2019 the Oneida Nation Arts Board notified the Business Committee Support office that a vacancy on the Board occurred due to the resignation of Melis Arik.
Action requested:
Approve request to post one (1) vacancy for the Oneida Nation Arts Board.

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

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Oneida Business Committee Agenda Request

Re-post one (1) vacancy - Oneida Community Library Board

1. Meeting Date Requested: 11 / 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: 	
Re-post one (1) vacancy - Oneida Community Library Board.	_
The post offic (1) vacancy official community Library 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 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 for the Oneida Community Library Board was posted with an application deadline of October 25, 2019. As of this date Zero (0) applications have been received.
This will be the third (3rd) attempt to fill the vacancy due to no applicants.
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

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Oneida Business Committee Agenda Request

Post eight (8) vacancies for alternates - Oneida Election Board

1. Meeting Date Requested: 11 / 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:				
Approve request to post eight (8) vacancies for alternates on the Oneida Election Board for the 2020 Special Election.				
3. Supporting Materials				
☐ Report ☐ Resolution ☐ Contract				
X Other:				
1. E-Mail 3.				
2. 4.				
☐ Business Committee signature required				
4. Budget Information				
∑ Budgeted - Tribal Contribution				
5. Submission				
Authorized Sponsor / Liaison: Lisa Summers, Secretary				
Discours Demonstrate (Calculation - Devote Devote Devote Committee and Committee Committee				
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

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u.		/ -			u.

Describe the p	ourpose, back	ground/histor	y, and action	requested:

On October 29, 2019 the Oneida Election Board sent a request to post for six (6) to eight (8) alternates
Action requested:
Approve request to post eight (8) vacancies for alternates on the Oneida Election Board for the 2020 Special
Election.

- 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

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Cheryl-Aliskwet J. Ellis

From: Vicki Cornelius

Sent: Tuesday, October 29, 2019 11:08 AM

To: Cheryl-Aliskwet J. Ellis

Cc: Melinda K. Danforth; Christina Liggins

Subject: Questions/Requests

Categories: OEB

Aliskwet,

The Election board would like to know if your office would be able to get enrollment and background verification on any application that is submitted for the 2020 Special Election in January?

The Election Board would also like an agenda request to be submitted to the BC for up to six (6) Election Board Members to travel to Milwaukee for the 2020 special Election and the 2020 General Election.

The Election Board would also like to start the process to get 6 alternates for the 2020 Special Election.

Any questions, please feel free to contact me.

Vicki Cornelius Chairperson Election Board 920.490.3634

Oeb-vcor@oneidanation.org

This message, including any attachments, contains confidential information intended for a specific individual and purpose. If you have received this communication in error, please notify the sender and delete this communication from your system immediately. Any disclosure, copying, or distribution of this message, is strictly prohibited.

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Schedule a special Business Committee meeting on December 4, 2019, at 3:00 p.m.

Business Committee Agenda Request

1.	Meeting Date Requested:	11/13/19	
2.	General Information: Session:	<u>—</u>	- must qualify under §107.4-1.
3.	Supporting Documents: ☐ Contract Document(s) ☐ Correspondence ☐ Fiscal Impact Statement ☐ Other: Describe	☐ Minutes	Resolution Statement of Effect Travel Documents
4.	Budget Information: Budgeted Not Applicable	☐ Budgeted – Grant☐ Other: <i>Describe</i>	Funded Unbudgeted
5.	Submission:		
	Authorized Sponsor:	Lisa Summers, Secreta	ary
	Primary Requestor:		
	Additional Requestor:	(Name, Title/Entity)	
	Additional Requestor:	(Name, Title/Entity)	
	Submitted By:	LLIGGINS	



Business Committee Agenda Request – Cover Memo

From: Lisa Liggins, Information Management Specialist

Date: 11/8/2019

RE: Special Businsess Committee meeting request – 2020 annual meeting materials

PURPOSE

To request a special Business Committee (BC) meeting to approve the 2020 annual meeting materials.

BACKGROUND

The 2020 annual General Tribal Council meeting is scheduled for January 20, 2019. In order to meet the requirements of the General Tribal Council Ten Day Notice Policy, as well as the production time needed by the Business Committee Support Office and Big Bear Media, a special BC meeting is requested.

After a review of the BC schedules, December 4, 2019, at 3:00 p.m. has been identified as the proposed date for this special BC meeting.

REQUESTED ACTION

Schedule a special Business Committee meeting on December 4, 2019, at 3:00 p.m.

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Oneida Business Committee Agenda Request

Accept the Housing Service Group FY-2019 4th quarter report

1. Meeting Date Requested: $11 / \underline{13} / 19$

2. General Information: Open- See instructions for the applicable laws, then choose one: Session: □ Open Housing's Service Group Quarterly Report Agenda Header: Accept as Information only Action - please describe: 3. Supporting Materials □ Report ☐ Resolution ☐ Contract Other: **Quarterly Report** 2. Business Committee signature required 4. Budget Information ☐ Budgeted - Tribal Contribution ☐ Budgeted - Grant Funded ☐ Unbudgeted 5. Submission Authorized Sponsor / Liaison: Dana McLester, Division Director/Comprehensive Housing Division Justine Hill, Executive Assistant/Comprehensive Housing Division Primary Requestor/Submitter: Your Name, Title / Dept. or Tribal Member Additional Requestor: Name, Title / Dept. Additional Requestor: Name, Title / Dept.

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Who We Are:

Comprehensive Housing is made up of Finance & Administration, Residential Services, Maintenance, Residential Development, Community Outreach, Rehabilitation & Modernization, Residential Sales & Mortgages, and Residential Leasing.

Comprehensive Housing Division Collective 3-year Outcomes:

- 1. Increase housing opportunities outside of income-based funding.
- 2. Effectively manage and operate the general rental program to sustain and maintain properties for future Oneida families.
- 3. Increase community/GTC awareness of Comprehensive Housing Programs and what they offer.

Accomplishments:

The Division Director is attending quarterly meetings with Wisconsin Housing Economic Development Authority (WHEDA) to pursue alternate funding outside of the Indian Housing Block Grant. Low Income Housing Tax Credits (LIHTC) is an additional funding resource that includes low to moderate incomes levels. CHD staff has obtained Native American Housing and Self-Determination Act (NAHASDA) and Tax Credit Compliant

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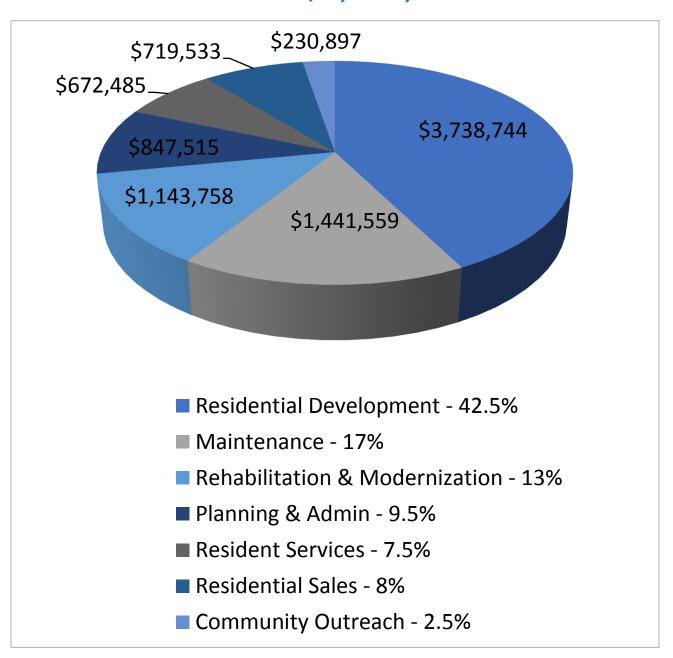
Professional Certification that is beneficial to the LIHTC application process. In addition, CHD has met with Fannie Mae to discuss homeownership options within the reservation, to include their "Duty to Serve" initiative. Current housing options offered by CHD include the Homeownership Independent Purchase (HIP) Program, where the Nation jointly purchases the land within the Reservation boundaries and the homebuyer purchases the home. To date, there is a total of 57 HIP participants, 2 pending and 27 pre-qualified. The Home Building Opportunity (HBO) has 50 closed purchases to date, with 5 more qualified participants. As one of the General Tribal Council's determined top priorities, Comprehensive Housing Division is committed to continually providing diverse affordable housing options for current and future generations to come. We recently applied for a Competitive IHBG in the amount of \$5M in hopes to increase our inventory. We are awaiting award announcements.

Our General Rental Program consists of 101 non-income based rental units with 29 of those being elder specific. Since the merger 22 units have been renovated and rented at the new rental rate. Renovations were performed by the CHD maintenance and rehabilitation crews which drastically reduced renovation costs. The General Rental Program is currently operating at 96% occupancy level and was previously operating at 88% occupancy level. The tenant accounts receivable balance has been reduced by 50% from 2018 to 2019. Comprehensive Housing Division will be upgrading the tenant accounts receivable system to Housing Data System software which is currently used by income-based programs. This streamlines services for tenants and improves work order processes.

Comprehensive Housing Division's goal is to create transparency and increase awareness of housing opportunities offered for members. CHD continues to publish articles in the Kalihwisaks and through Communications on the Nation's Outlook, to include open houses offered by Residential Sales, Home Building Opportunity (HBO) Program and Community Outreach activities to keep our potential customers informed of what we offer. A presentation was given at a recent GTC meeting on our annual budget. And we revamped our webpage on the Nation's website which describes our housing programs and services. CHD's Facebook page has been active, and information is posted of our current events with over 165 followers. Housing is creating a marketing team to further enhance customer relations to provide housing program information to GTC through various mediums to reach our nation members.

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FY 2019 Budgeted Expenditures Total \$8,794,491



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Oneida Business Committee Agenda Request

Accept the Health Care Service Group FY-2019 4th quarter report

1.	Meeting Date Requested:	<u> 11 </u>			
2.	2. General Information: Session: ⊠ Open □ Executive - See instructions for the applicable laws, then choose one:				
	Agenda Header: Reports				
	Accept as Information onlyAction - please describe:				
3.	Supporting Materials	☐ Contract			
	1.	3.			
	2.	4.			
	☐ Business Committee signatur	re required			
4.	Budget Information Budgeted - Tribal Contribution	on 🔲 Budgeted - Grant Funded 🔲 Unbudgeted			
5.	Submission				
	Authorized Sponsor / Liaison:	Jennifer Webster, Council Member			
	Primary Requestor/Submitter:	Dr. Ravi Vir, Medical Director Your Name, Title / Dept. or Tribal Member			
	Additional Requestor:	Debbie Danforth, Operations Director Name, Title / Dept.			
	Additional Requestor:	Name, Title / Dept.			

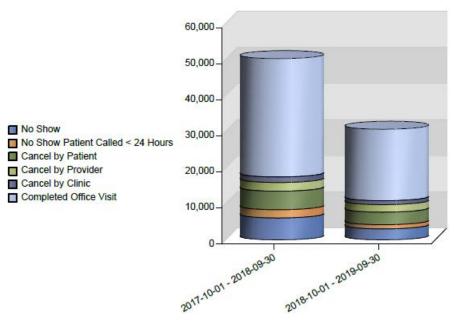
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Health Care

A health system positioned to respond to current and future health challenges while protecting and promoting the holistic health and well-being of our Oneida Community. Services are provided to all members of Federally recognized Tribes in accordance with our Multi-Year Funding Agreement with the Department of Health and Human Services-Indian Health Service.

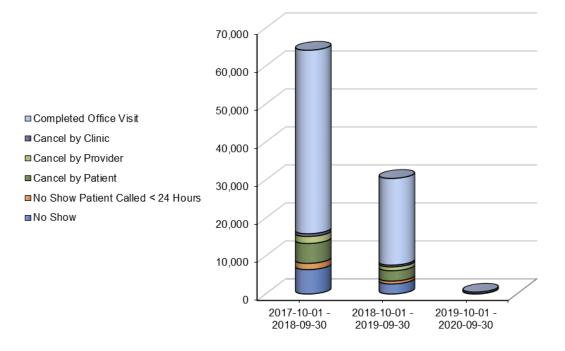
Status report of the service group's Three Year Outcomes

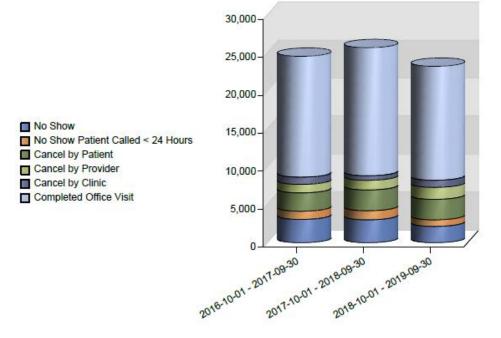




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Medical Clinic No Show Report





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Oneida l	Behavioral	Health	Nο	Show	Report
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Range	FY QTR	No Show	%	No Show Patient Called < 24 Hrs	%	Cancel by Patient	*	Cancel by Provider	%	Cancel by Clinic	%	No Show Cancellation Total	Completed Office Visit	Total Appointments	Billed Visits	Total Clients
2018-10-01 - 2019-09-30	Qtr04	46	15.0%	12	3.9%	31	10.1%	32	10.5%	18	5.9%	139	167	306	12	264
	Qtr03	781	10.1%	307	4.0%	785	10.1%	310	4.0%	130	1.7%	2,313	5,424	7,737	5,046	1,694
	Qtr02	689	8.4%	262	3.2%	1,080	13.2%	610	7.5%	607	7.4%	3,248	4,920	8,168	4,842	1,687
	Qtr01	622	8.9%	287	4.1%	800	11.4%	631	9.0%	180	2.6%	2,520	4,504	7,024	4,509	1,608
2018-10-01 - 2019-09-30		2,138	9.2%	868	3.7%	2,696	11.6%	1,583	6.8%	935	4.0%	8,220	15,015	23,235	14,409	2,421

Accomplishments of the Health Care Group during fourth quarter of FY 2019 Improving Access and Continuous Quality Improvement

The Major accomplishment by the Health service group during Fiscal Year 2019 was to achieve Public Health Accreditation by the Public Health Accreditation Board (PHAB). The Public Health Department continues to work on their goals to maintain the PHAB accreditation through reporting their continued progress to PHAB. The major accomplishment for the fourth quarter of FY 2019 was the final preparations for our scheduled on-site survey for Accreditation Association for Ambulatory Health Care (AAAHC). The on-site survey is scheduled for October 21-22, 2019. Through the implementation of the Relatient patient engagement software was another major accomplishment, we are now able to reach out to patients via email and text messages which has resulted in decreasing No Show rates in multiple areas of the Division. With the implementation of Relatient, text messaging to patients has helped to decrease our No-Show Rates. Decreasing No Show Rates allows for greater access to appointments. In addition, Relatient Software allows the ability to survey patients on an ongoing basis to gather input on their satisfaction for the services rendered. This report is shared with staff on a weekly basis with an average of approximately 200-300 responses from patients weekly.

Supporting the Nation's Priorities

The improving access to care enables the Division to assure that Oneida tribal members and anyone eligible for services according to Indian Health Service are able to access quality health care services. Continuous Quality Improvement assures the Oneida Community that the Health Care Division is providing the highest quality of care as compared to national standards through the accreditation process.

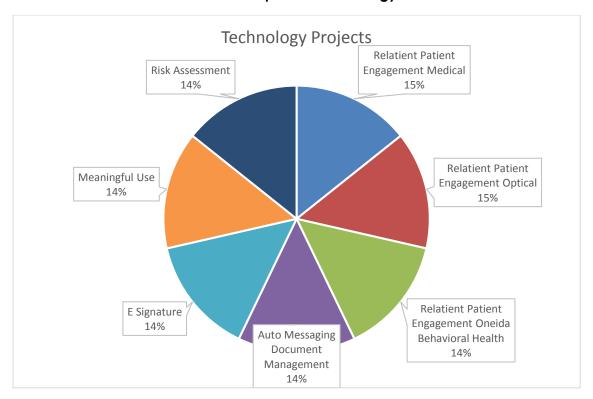
What Health will continue to work on

The Health Care Services group continues to work on seeking accreditation through the Accreditation Association for Ambulatory Health Care (AAAHC). This accreditation like the PHAB accreditation will assure the customers that they are receiving quality care based upon national standards for quality care.

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Outcome # 2

Optimize Technology

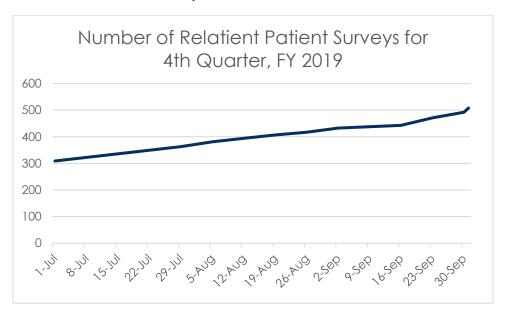


Accomplishments of the Health Care Group during fourth quarter of FY 2019 Optimizing Technology

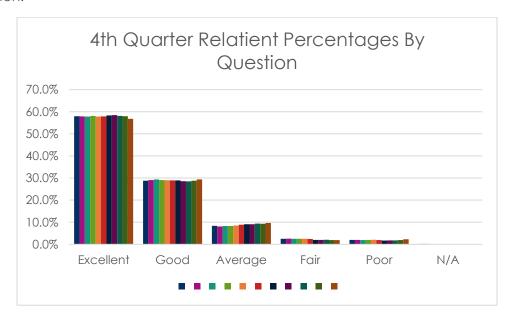
The implementation of the Electronic Health Record has accomplished the following major areas of optimization over the past 4 quarters. All HIPAA Security policies have been reviewed and updated. On-site Risk Assessment was completed 12/18/18 with an action plan implemented which continues to be reviewed on a monthly basis. The next Risk Assessment is tentatively scheduled for December, 2019. The Patient Portal has been improved by the implementation of the Clinic visit summaries. E-signature has been expanded from the Behavioral Health to the Medical Clinic and registration in all clinical areas through the use of Ipads for registration of patients. Implementation of Relatient has been completed and data on patient satisfaction is collected and reviewed by all staff on a weekly basis. This will allow patients to provide feedback and allow staff to track customer satisfaction on an on-going basis.

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Relatient Patient Satisfaction Surveys



Surveys and feedback continue to increase as patients become more accustomed to receiving text messages and emails as follow up to their appointments throughout the Health Division. Overall satisfaction for Ease of making appointments, Cleanliness and appearance of our facility, Respect and courtesy of our staff, Wait time for the provider, Overall care received from our Provider, and Likelihood of recommending our practice to family and friends are assessed following patient appointments every 180 days throughout the Division.



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Supporting the Nation's Priorities

Optimizing Technology allows the Health Division and the provision of Health Care to continue to track customer feedback on an ongoing basis to allow the Division to continually monitor where there may be trends that need to be addressed and/or improved upon based upon the customer feedback. Implementation of the registration process utilizing Ipads and electronic signatures enables our ability to better expedite the registration process for the patients and allows us to improve our tracking of documents and signatures directly imported into the patient record.

What Health will continue to work on

We will continue to monitor and track where improvements need to be made to continue to improve the quality of patient care.

Outcome # 3



Accomplishments of the Health Care Group during fourth quarter of FY 2019 Enhancing our Workforce

Enhancing our workforce continues to be a struggle. Staff shortages in many areas of the division have resulted in restriction of some services such as admissions to the AJRCCC due to our inability to meet patient care needs with the specific staff needed to provide the patient care. Access has improved in some areas throughout the Division but still remains difficult due to shortages of providers and loss of staff due to our inability to address wage adjustments in critical positions. Efforts have been attempted to make changes to the cap

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placed on the health division based upon BC Resolution # 03-14-18-D but this has not changed to date. The Strategic Workforce completed for the Oneida Nation's Health Division utilizing the Indian Health Service Staffing Standards Reference Model documents the current staffing criteria used in the Resource Requirements Methodology (RRM) specific for the Oneida Nation. This staffing level is currently cited at 589 employees. The criteria is used in concert with empirical data, such as workload or service population, called driving variables, to estimate the staffing requirements in full-time equivalents to provide comprehensive acute, chronic, and preventative health care services to Indian people specific to the Oneida Nation. The need to address the increasing demand for staffing is critical and must be addressed to allow for exceptions to the Resolution. If staffing needs are not adjusted, the Division will not be able to continue to address access to care and the current levels of services for the community. The staffing for the Consolidated Health which is the OCHC and OBH are paid out of the IHS Self-Governance money which is not Tribal Contribution. Consolidated Health uses no Tribal Contribution for staffing and/or wage adjustments but is unable to fill positions or make wage adjustments.

Supporting the Nation's Priorities

Enhancement of our workforce allows the Health care to be provided to the Oneida Nation and to meet our requirements to the Indian Health Services by providing our required programs, services, functions and areas in accordance with out Multi-year Funding Agreement with the Department of Health Human Services/Indian Health Services.

What Health will continue to work on

Adult Tele-Psychiatry has been fully implemented within the Oneida Behavioral Health area which has been met with tremendous satisfaction and support within the Oneida Community. This has enabled us to expand and address access to care as we continue to develop this method of care delivery. We are currently in the process of implementing Tele-Psychiatry through the addition of a Child Psychiatrist which will greatly improve our access to Child Psychiatric care. The Division will continue to emphasize the need for addressing our staffing issues within the organization and the need to remain competitive within the health care field by addressing wage shortages and the implementation of our Compensation Philosophy for the Health Division. We are also using Tele-health within our Eye-care area to increase access by decreasing the wait times for our diabetic patients utilizing a screening tool which allows the Optometrists to quickly scan the diabetic patients to monitor the health of their eyes. We are currently working on the CIP Concept paper to address the need for expansion for the Integrated Health Campus which would allow for expansion of the current OCHC and expansion of services. The OCHD continues to work with the BC Initiative Access to Care which is looking at how we continue as a Nation to improve Access to Care for all Oneidas.

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Oneida Business Committee Agenda Request

Accept the Government Administration Service Group FY-2019 4th quarter report

1. Meeting Date Requested: 11 / 13 / 19
2. General Information: Session: Open Executive - See instructions for the applicable laws, then choose one:
Agenda Header: Reports
 ☐ Accept as Information only ☑ Action - please describe:
Accept the Government Administration Service Group FY-2019 4th Quarter Report
3. Supporting Materials Report Resolution Contract Other:
1 3
2.
☐ Business Committee signature required
4. Budget Information ☐ Budgeted - Tribal Contribution ☐ Budgeted - Grant Funded ☐ Unbudgeted
5. Submission
Authorized Sponsor / Liaison:
Primary Requestor/Submitter: Brian A Doxtator - Executive Assistant to Tribal Treasurer Your Name, Title / Dept. or Tribal Member
Additional Requestor: Name, Title / Dept.
Additional Requestor: Name, Title / Dept.

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Government administration incorporates "Good Governance Principles" so that we may always look to the greater good of our Nation. We are comprised of approximately 32 fund units, 18 Boards, Committees, and Commissions, whose members are appointed, or elected, and one (1) Judiciary system whose members are also elected. Government administration strives to fulfill our constitutional responsibility to conserve and develop our common resources and promote the welfare of ourselves and our descendants by clearing the path for Tribal operations so that there will be a Nation of Strong Families built on Tsi>Niyukwaliho T^ and a strong economy

Accounting

Who We Are:

Self- Governance
EH&S Division Administration
Legislative Affairs / Communications
Human Resources
Oneida Business Committee
Finance
Purchasing
Licensing Coordinator
Indian Preference
Risk Management

Accounting
GTC Legal Resource Center
Internal Services Administration
Grants
Big Bear Media (Print Center / Mail
Center / Kalihwisaks / Tourism
MIS
General Manager

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Appointed (See Page ??)

Anna John Resident Centered Care Community Board

Oneida Community Library Board

Environmental Resource Board

Oneida Nation Arts Board

Oneida Nation Veterans Affairs Committee

Oneida Personnel Commission

Oneida Police Commission

Oneida Pow Wow Committee

Pardon and Forgiveness Screening Committee

Southeastern Oneida Tribal Services Advisory Board

Elected (See Page ??)

Oneida Election Board

Oneida Gaming Commission

Oneida Land Claims Commission

Oneida Land Commission

Oneida Nation Commission on Aging

Oneida Nation School Board

Oneida Trust Enrollment Committee

Oneida Youth Leadership Institute

Oneida Judiciary

Expected Outcomes - Fiscal Year 2018 - Fiscal Year 2021

The Nation and its programs will be better prepared when Congressional allocations are diminished

Fully staff Self-Governance Office with one additional position with required competencies by 2021

Educate Community on programs and services offered, eligibility requirements and gain a better understanding of Community needs

Maintain good retention rate

Oneida will have input and influences on grant and policy decisions that consider the needs of Oneida

Increase revenue generation, effective land use and increasing housing utilization

Increased awareness of the Oneida Nation brand – who we are & what we do.
Increased usage of our branding throughout the organization

Increased engagement with political leaders. More legislation that supports the Oneida Nation

Higher voting turnout rate. Improved communications of government. Successful inauguration HRD will understand what each fund unit's human resources needs are; and work to put the right person in the right position for strategic alignment

Mandates, employment, and services can continue to be provided

Financial sustainability

Optimize ROI

Adherence to tribal policies and procedures

Streamline the contracting process for all fund units

Reduced prices and improvement in product availability

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Increase services to customers thereby increasing revenues

Increase customer service

More revenue

Help get more children interested in engineering and construction related careers regarding renewable energies through life long careers

Helping provide for families and enhance economic stability for the community through proper training in the construction industry

Both the Nation and participating employees benefit with health care costs being managed at or below budgeted levels results in flat or lower tribal contribution into the plan as well as maintaining the employee contribution piece at or below current affordable levels. Successfully managing health plan costs should reflect employees being engaged in managing their health, that they are utilizing the plan benefits as we want them to, and that the plan management strategies are successful

A formal cyber breach response plan should allow the Nation to prepare, prevent, mitigate and recover from a cyber breach. Done successfully, a plan can correct the breach path and restore the confidence necessary for all involved or who we need to trust in our organization

The current law is outdated, not complied with, in some aspect and essentially ineffective. The benefits of a rewritten law would include accountability on the part of the safety team established, accountability on the part of managers, enhance our ability to ensure the safety of employees, patrons and property from injuries or damages that are a direct expense to the Nation

Clean Audit Opinions allow the Oneida Nation to be in a better position to negotiate for Fiduciary agreements

Vendors paid on time

Financials are a true reflection of the activity posted for each month

By being adequately staffed our office will be able to efficiently provide legal representation The amendments to the law will remove some legal conflicts and fix any deficiencies within the law

A training program will provide the skills necessary to provide legal representation. The transition plan will address how training and active cases are processed. This will make sure no client slips through the cracks

Grant dollars bring in new programs/projects/initiatives to the Oneida Nation.
Additional benefits to the community will vary depending on the grant funding

Program staff will become more knowledgeable and confident in applying for external funding for their programs

To bring additional insights, board support, and funding opportunities from the nonprofit aspect of fundraising

A more connected and aware Oneida community

Increase quality and dependability of services, dynamic team workforce, and stronger industry network

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Innovation, new customers & services, market and client-driven

A more connected and aware Oneida community

Increase quality and dependability of services, dynamic team workforce, and stronger industry network

Innovation, new customers & services, market and client-driven

Our reliable, secure, and efficient information technology systems and infrastructure is leveraged, and we have maximized staff potential that fosters innovation and excellence

Leveraged web, social media, and mobile technologies to provide effective and consistent content delivery. Support for effective means of internal and external communication/collaboratio n for all departments and teams

System accessibility and availability measured against five 9's

Our schools will have a system with curriculum that balances culture & academics

We will increase the access to grow the number of language teachers, speakers, and learners

We will have a constitution that benefits the long-term needs for the Nation

We will have sustained longterm sovereignty protection The organization will be more responsive and able to adapt to change

Change will be supported and there will be improved efficiencies

This will display a culture of positive communication entirely

Establish a strong sense of community

All Oneidas have access to health care options

Improve social, economic, physical, mental, and spiritual wellbeing of Tribal Membership

Community and organizational buy-in will be formed and Economic sustainability will be promoted

Sustainable economic initiatives are met (Oneida/Non-Oneida)

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Outcome #1

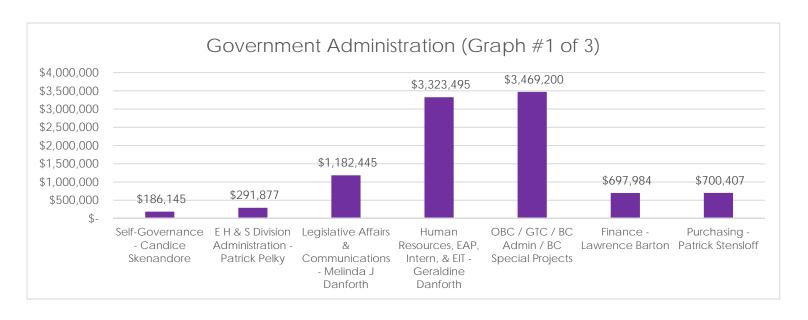
Incorporate Good Governance Principles to: 1) Clear the path for Tribal operations; 2) Fulfill our constitutional responsibility to conserve and develop our common resources; 3)

Promote the welfare of ourselves and our descendants

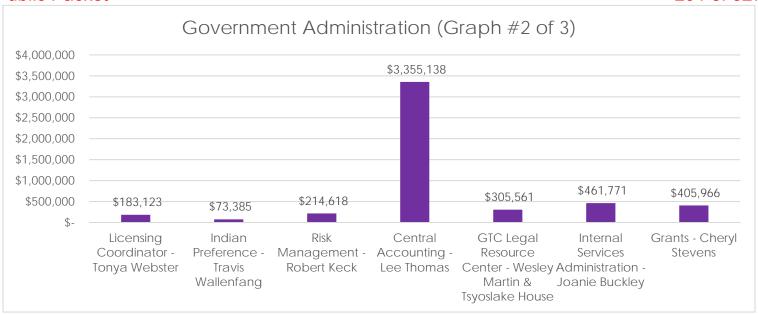
Government Administration is prioritized #3 of 13 service groups. Due to the diverse fund units within Government Administration, (Program fund units / Boards, Committees, and Commissions / Judiciary), the OBC has determined to incorporate Good Governance Principles as a foundation of eight (8) values to provide a clear path for Tribal operations. On September 25, 2019, the OBC adopted Resolution #09-25-19-D, "Guidance to Implement Good Governance Principles for Conducting Public Affairs and Managing Public Resources." (See Attached)

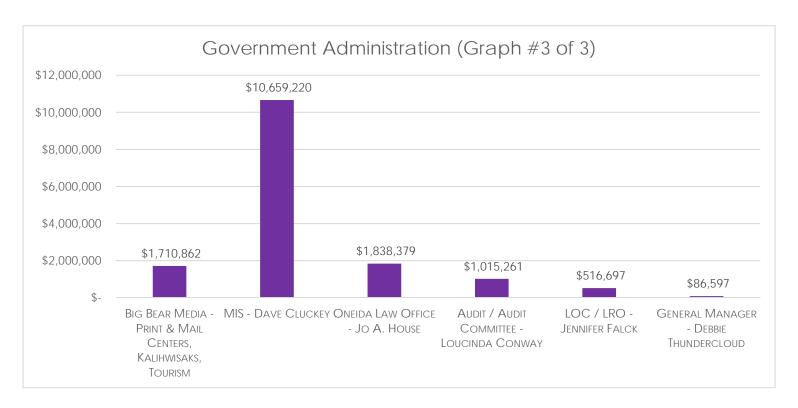
Fund units, Boards, Committees, Commissions, and Judiciary shall be required to begin focusing their benchmarks, and measurements, based on incorporating Good Governance principles as part of Government Administration's daily activities.

Fiscal Year 2019 Preliminary Expended Budget 3 total bar graphs)



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Oneida Nation Vision

A Nation of strong families built on
Tsi>Niyukwaliho T^ and a strong economy

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Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Resolution # 09-25-19-D Guidance to Implement Good Governance Principles for Conducting Public Affairs and Managing Public Resources

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 Business Committee has the fiscal responsibility of preparing a comprehensive spending plan for review and approval by the General Tribal Council, and

whereas, the Oneida Business Committee adopted resolution #BC-09-27-17-B, Setting the Strategic Plan for the 2017-2020 Term of the Oneida Business Committee, which identified that the foundation for building a strategic plan is built on Trust, Value-Based Budgeting, Sovereignty Protection, Change Management, and Communication; and

WHEREAS, On February 8, 2018, the Oneida Business Committee adopted the *Budget Management* and Control - Twahwistatye?nítha?, Chapter 121, which implements a budgeting process focused on value-based budgeting wherein budget increases and budget cuts are allocated based on a priority list approved by the Oneida Business Committee; and

WHEREAS, Chapter 121, "Budget Management and Control - Twahwistatye?nítha?" requires a three (3) year (Triennial) strategic planning cycle, and

WHEREAS, Section 121.4-1(a through c) directs that the triennial strategic plan shall at minimum include:

- (a) Major policy and budgetary goals for the Nation, both long and short term;
- (b) Specific strategies and planned actions for achieving each goal; and
- (c) Performance targets and indicators to track progress which, to the extent available, includes, but is not limited to:
 - (1) Statistics and trending data for, at a minimum, the last three (3) complete fiscal years; and $\frac{1}{2}$
 - (2) Performance targets for, at a minimum, the next three (3) complete fiscal years moving forward; and
- WHEREAS, Chapter 121, "Budget Management and Control Twahwistatye?nítha?" lists 13 service groups which encompasses all units within the Nation to complete Triennial Strategic Plans in section 121.5-3(a):
 - (1) Protection and Preservation of Natural Resources
 - (2) Protection and Preservation of Oneida Culture and Language

BC Resolution # 09-25-19-D
Guidance to Implement Good Governance Principles for Conducting Public Affairs and Managing
Public Resources
Page 2 of 3

- (3) Education and Literacy
- (4) Health Care
- (5) Economic Enterprises
- (6) Building and Property Maintenance
- (7) Human Services
- (8) Public Safety
- (9) Housing
- (10) Utilities, Wells, Wastewater and Septic
- (11) Planning, Zoning and Development
- (12) Membership Administration
- (13) Government Administration; and
- **WHEREAS,** each service group identified a "lead" person to organize, communicate, and report on behalf of each service group; and
- **WHEREAS,** each service group should look to the greater good to incorporate "Good Governance Principles" to collectively:
 - 1. Clear the path for Tribal operations,
 - 2. Fulfill our constitutional responsibility to conserve and develop our common resources,
 - 3. Promote the welfare of ourselves and our descendants; and

NOW THEREFORE BE IT RESOLVED, the Oneida Business Committee affirms the Good Governance principles as tools to support the value of each service groups outcomes, and

NOW THEREFORE BE IT FINALLY RESOLVED, the Oneida Business Committee adopts the following Good Governance principles and definitions:

Rule of Law: Ensuring the rules are known and applied equally to all with clear appeal (if needed) and are enforced by an impartial regulatory body, for the full protection of Oneida Nation stakeholders.

Transparency: Open communication about actions taken and decisions made ensuring access to information is clear.

Responsiveness: Availability to the public and timeous reaction to the needs and opinions of the public.

Consensus Oriented: Consultation is required to understand diverse interests (Membership, Employee, Community) in order to reach a broad consensus of what is in the best interest of the Nation and how this can be achieved in a sustainable and prudent manner.

Equity and Inclusiveness: Providing the opportunity for the Nation's stakeholders to maintain, enhance, or generally improve their well-being which provides the most compelling message regarding its reason for existence and value to the Nation.

Effectiveness and Efficiency: Processes implemented by the Nation producing favorable results which meets the needs of Membership, Employees, Community, while making the best use of resources – human, technological, financial, natural and environmental.

Accountability: The acknowledgement and assumption of responsibility for decisions and actions as well as the applicable rules of law.

Participation: Fostering a system in which the public feels that they are part of decision-making processes, including freedom of expression and assiduous concern for the best interests of the Tribe and community in general.

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum; 7 members were present at a meeting duly called, noticed and held on the 25th day of September, 2019; that the

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BC Resolution # 09-25-19-D Guidance to Implement Good Governance Principles for Conducting Public Affairs and Managing Public Resources Page 3 of 3

forgoing resolution was duly adopted at such meeting by a vote of 6 members for, 0 members against, and 0 members not voting*; and that said resolution has not been rescinded or amended in any way.

Lisa Summers, Secretary Oneida Business Committee

*According to the By-Laws, Article I, Section 1, the Chair votes "only in the case of a tie."

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Oneida Business Committee Agenda Request

Accept the Planning, Zoning and Development Service Group FY-2019 4th quarter report

1.	Meeting Date Requested:	<u>11</u> / <u>12</u> / <u>19</u>
2.	General Information:	
	Session: Open Execu	utive - See instructions for the applicable laws, then choose one:
	Other - 4	th Qtr. Report July '19 - Sept. '19
	Agenda Header: Reports	
	Action - please describe:	
3.	Supporting Materials	☐ Contract
	1.	3.
	2.	4.
	☐ Business Committee signature	re required
4.	Budget Information	
	☐ Budgeted - Tribal Contribution	on 🔲 Budgeted - Grant Funded 🔲 Unbudgeted
5.	Submission	
	Authorized Sponsor / Liaison:	Debbie Thundercloud, General Manager
	Primary Requestor/Submitter:	Troy D. Parr, Division Director/Community & Economic Development Your Name, Title / Dept. or Tribal Member
	Additional Requestor:	Grace Koehler, Executive Assistant, CEDD Name, Title / Dept.
	Additional Requestor:	Name, Title / Dept.

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Who We are:

This service group within the Community & Economic Development Division. The Vision of the Service Group Shares the same vision of the Division: "To elevate the Oneida Nation by providing community & economic development practices that nurture and sustain Oneida families to prosperity". The Group's Mission: To strategically implement systems that foster sustainable development and commerce growth that reflect Tsi? niyukwalihota (our ways) with innovative approaches that enrich the natural, built and business environments".

Collective Three-Year Outcomes:

- Align the Planning Process with the Capital Improvement Process.
- 2. Ensure all credentialed staff are complete with all regulatory licensing updates.
- All internal billings are complete to capitalize Assets upon completion of Capital Improvement Projects.

Our Service Group Measurements:

The Planning Process update is now complete and has incorporated the new

Fiscal Year 2019 Uses

Zoning 21%

Planning 33%

Engineerin g 20%

Zoning 21%

Engineerin g 20%

Planning 20%

Community Development Concept as a key pre-CIP element ensuring 100% alignment with the Capital Improvement Process. All professional and trade credentialled staff have completed annual code updates as well as required continued education requirements for licensing. All internal billings for Engineering support for Fiscal Year 2019 are filled allowing Accounting to capitalize this time against the project delivered.

Our Service Group Results:

Through completing and realizing our SMART goals, we are strengthening our Oneida Sovereignty and enforcement of Oneida Nation Code of Laws. Additionally, we are ensuring Tribal Law, Code Standards and Licensing requirements are complete to adhere to the Health, Safety and Welfare of the Oneida Nation and the customers we serve.

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Oneida Business Committee Agenda Request

Accept the Education and Literacy Service Group FY-2019 4th quarter report

1. Meeting Date Requested: 11 / 13 / 19

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2. General Information: Session: ⊠ Open □ Execu	utive - See instructions for the applicable laws, then choose one:
Agenda Header: Reports	
Accept as Information only	
Action - please describe:	
3. Supporting Materials	
Report Resolution	☐ Contract
Other:	
1.	3.
2.	4.
۷٠	
☐ Business Committee signatur	re required
4. Budget Information	
☐ Budgeted - Tribal Contribution	n Budgeted - Grant Funded Unbudgeted
5. Submission	
Authorized Sponsor / Liaison:	
Authorized Sportson / Liaison.	
Primary Requestor/Submitter:	Education and Literacy Service Group
	Your Name, Title / Dept. or Tribal Member
Additional Requestor:	Jackie Smith, Area Manager/Education & Training
	Name, Title / Dept.
Additional Requestor:	Artley Skenandore, Principal/Oneida Nation School System Name, Title / Dept.

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Education & Literacy Group



Building a Strong Nation by providing and promoting quality education and training opportunities for all Oneida Nation citizens. Our Service Group is: Arts Program & Community Education Center, BIA – Early Intervention, Airport Road Child Care, Youth Enrichment Services (YES), Oneida Community Library, Higher Education, Education & Training Administration, and Oneida Nation School System (ONSS).

OUTCOME 1 LEARNING TO BE

Our Strategy: Continue to enhance and sustain the Oneida Language and Culture through learning practices that ensure we contribute toward life-long pathway of being Oneida. *Our "Learning to Be"* pathway is based on commitment to infuse Oneida Language and Culture learning practices within our daily programming & services.

The Learning to Be activities supports the nation's priorities by offering opportunities to learn the Oneida language and support cultural identity. The transfer of Oneida Language and culture knowledge promotes learning practices which sustain our sovereignty as the Nation.

Our Strategy to Continue to Enhance and Sustain the Oneida Language and Culture through learning practices that ensure we contribute toward life-long pathway of being Oneida. A lifelong learning pathway of being Oneida. Brightening our Learning to Be pathway with the infusion of Oneida Language and Culture learning practices within our daily programming & services.

The Learning to Be activities supports the nation's priorities by offering opportunities to learn the Oneida language and support cultural identity. Language and culture promote and sustain sovereignty of the Nation.

Oneida Arts Program

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- Conducted the following events
 - Conducted Music from Our Culture (MOC) Summer Camps
 - Activities include team building, games, song, dance, language, and leadership development—32 participants
 - Junior Camp—16 participants
 - Unveiling at Art Camp—65 participants
 - KLU programming and Arts Camp for youth—8 participants
 - Ka>nithotiy^sa Latiwy<t#htas Ukwehuwehn#ha

Young people learning our ways

- Oneida Child Care Program
 - o Including Conscious Discipline into weekly lesion using Creative Curriculum Format
 - Conducting building renovations funded by grant (CCDF)

Oneida Arts Program

- Conducted the following events
 - 20 Years from Now programming with Dan Hill, Richard Zane Smith, and Woodland Art Show Panel, Pottery
 - Raised Beading Pin Cushion Class
 - Preparing for Music from Our Culture (MOC) Summer Camps
 - Activities include team building, games, song, dance, language, and leadership development
 - KLU programming and Arts Camp for youth
 - Ka>nithotiy^sa Latiwy<t#htas Ukwehuwehn#ha

Young people learning our ways

Oneida Child Care Program

- o Including Conscious Discipline into weekly lessons using Creative Curriculum Format
- Oneida Language and Culture are a daily classroom offering

Oneida Nation School System

- The School system continues to supplement additional Oneida languages classes as part of the after-care program – Monday – Thursday weekly for Elementary students.
- The Tehatiw^nahwa (*They Pick Up the Word*) Language Nest Immersion Program began the fall term with 13 students. The Program is in the Culture wing of the High School in the Norbert Hill Center (NHC). The program is supported by language

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speaking support from the ANA Oneida language apprentices, High School culture and Oneida language students in the classroom on daily basis.



OUTCOME 2 LEARNING TO LEARN

Our strategy of engagement for students, parents, and teachers ensuring that we embrace the challenge of encouraging achievement, experience, and growth in all our students, so they realize their talents in obtaining their personal goals. Learning to Learn and the programs and activities associated with this part of education and literacy helps prepare students to achieve success, reach their goals, and experience growth. This outcome is to prepare students in

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advance to reach future career goals. Oneida students who are proficient are more likely to pursue advanced training & educational opportunities.

BIA Early Intervention Program (BIA EI)

- Host Monthly "Lunch and Learn" for interested families/community members on the IEP process—14 attendees
- Early Intervention programming for children on individual family services plans (IFSP)
 received services from the Birth to 3 programs
- Provide direct therapy services for children ages 3-5 that qualify for Individual Education Plans (IEP)
- Conducted a new service conducted during the summer for screening and evaluation of children
- Program delivered training for the Oneida Community Enrichment Division employees with 14 attendees

Youth Enrichment Services (YES)

- Provide elementary, middle, and high school tutoring and advocacy services for Oneida eligible students in the following schools in the Green Bay (GB) and surrounding areas.
- During the summer months June August most of the YES staff are placed on an 8-week layoff
- YES staff developed LBGTQ training materials for the YES staff and partner programs/department
- YES Manager attend Seymour Native Parent Meeting in July
- o No reports from schools as they are on summer break
- Community Education Center (CEC)
 - Provide programming for GED/ HSED and HSED graduations
 - Offer tutoring services for students in elementary, middle, high school, and college levels
 - Conducted Destination Discovery for youth (12 participants) and for parents (26 participants)
 - Foraging Workshop –17 participants
 - Native Artist Professional Development Training—20 participants
 - Haudenosaunee Women—7 participants

Oneida Nation School System

 The School system begins the fall term continuing their literacy commitment with the ACHIEVE 3000, which is a 3-year enhancement grant program, providing differentiated instruction with an inclusive special education model for students. Public Packet 302 of 327

The Fall term of the School for FACE (Family and Children Education) Program – 12th
 Grade find our school system continuing to grow our student population.

- Our Elementary student growth required us to add an additional classroom at the 3rd Grade level. As we grow our classrooms we are also challenged with the teacher shortages that exists within our region.
- Middle School students are supported from a special grant allowing us to expand our staff of the Yethiyatanunha program to provide daily support to the middle school programming.
- The High School program has sustained its student numbers of 130 students. The High School continues to develop collaborative efforts with the local colleges enhancing our offering for juniors and seniors with dual credit course offerings.



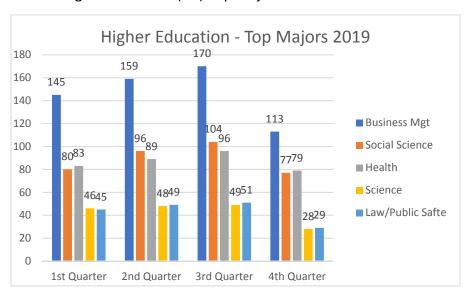
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OUTCOME 3 LEARNING TO DO

Our strategy representing our facilitating post-secondary professional development plans for the individual citizens of our Nation. Individual pursuit of professional programs will contribute toward an improved quality of life benefiting themselves and our Nation. Learning to do is about providing higher educational opportunities for Oneida members.

Oneida educational opportunities help learners pursue professions in various career tracks such as Business, Social Sciences, Health, Science, Law and Public Safety along with other various career tracks. Learning to do prepares Oneida community members for various careers which expands the number of potential job applicants within the Oneida Nation. Higher Education is working with Achieve Brown County task force to improve college student success rates thru the completion of the Free Application for Federal Student Aid (FASFA).

Oneida Higher Education (HE) Top Majors Academic Year 2019



HE Student Data

- 16% of HE students are employed by the Oneida Nation in the fourth quarter
- Average age of HE student is 28



Oneida Business Committee Agenda Request

Accept the Human Services Service Group FY-2019 4th quarter report

1. Meeting Date Requested:	11 / 13 / 19	
2. General Information: Session: ☑ Open ☐ Execu	utive - See instructions for the applicable laws, then choose one:	01 ²⁰
Agenda Header: Reports		in the second se
☐ Accept as Information only☑ Action - please describe:Approve FY2019 Human Ser	vices Qtr 4 Report	
3. Supporting Materials Report Resolution Other: 1.	☐ Contract 3. 4.	
☐ Business Committee signatu	re required	
4. Budget InformationBudgeted - Tribal Contribution	on Budgeted - Grant Funded Unbudgeted	
5. Submission		
Authorized Sponsor / Liaison:	Deboprah Thundercloud, General Manager	3.5% 2.5
Primary Requestor/Submitter:	Susan M. House, GSD Director Your Name, Title / Dept. or Tribal Member	
Additional Requestor:	Racquel Hill, GSD Executive Assistant Name, Title / Dept.	
Additional Requestor:	Name, Title / Dept.	

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HUMAN SERVICES FY 2019 Qtr 4 Report

Human Services are designed to help families in need of support, to discover empowerment, culture, and self-sufficiency.

Consists of:

Governmental Services Division

- Child Support
- Economic Support
- Elder Services
- Family Services
- Food Distribution
- Head Start/Early Head Start
- SEOTS
- Social Services Administration
- Family Fitness
- Adventure and Experiential
- Parks
- Recreation
- Area of Community Enrichment Administration
- Job Training & Vocational Rehab
- Transit

Outcome # 1

High level of service resulting in a "Great Customer Experience"

A few of the smart goals and measures for the area as it relates to Outcome #1 include but are not limited to:

- 1. Reduction in Number of Complaints
- 2. Continual focus on service improvements via surveys and other means.
- 3. Identify training priorities and plan for each service area.

Accomplishments:

- Cannery launched eight (8) new products. Jams, pickles, strawberry FD snacks, salsas. 26 products to Market to date.
- Transit reached 96% on-time performance & completed 8,342 trips.
- Lieutenant Governor Branes and four (4) of his staff and ten (10) Wisconsin
 Department of Natural Resources (WDNR) staff visited the Aquaponics in July. In
 September, Aquaponics was host to Food Summit 2019 attendees. Fifty were visitors
 and 25 were participants in the Experiential Learning Field Sessions.

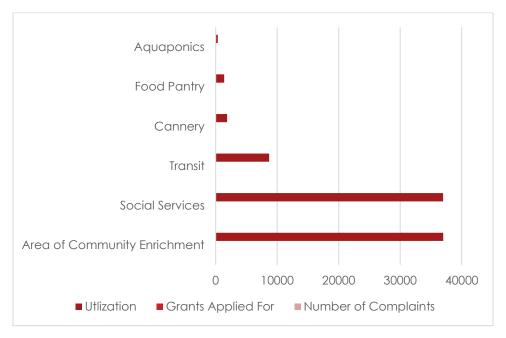
Internal Services Division

- * Cannery
- * Aquaponics
- Emergency Food Pantry

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How accomplishments and the outcome support the Nation's priorities:

• All priority areas deal with customer service and should be practicing excellent customer service to provide all clientele with a great customer experience.



What the membership can expect to see in the future: What will the Service Group be working on to realize the SMART goals in the Triennial Strategic Plan related to the outcome above? What will the Service Group be working on to reach the outcome above?

- For the Cannery, there will be additional retail opportunities for easier access and availability to community.
- Aquaponics will be working on production of varieties of herbs due to demand from ONHS.
- Oneida Family Fitness will experience the construction of the locker rooms beginning November 4th. This closure will affect all lockers and pool use.

Outcome # 2 A "Better Quality of Life"

It has proven difficult for the Human Services priority area to place the goals and measures into a graph chart due to what is being measured is not consistent with the various goals.

A few of the smart goals and measures for the area as it relates to Outcome #2 include but are not limited to:

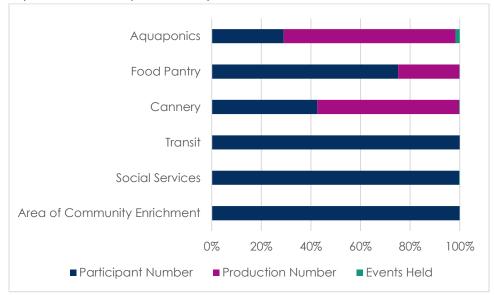
- 1. Fitness to increase wellness scores by 5% each year.
- 2. Assist the elderly to maintain and/or improve lifestyles
 - a. Reach out to elders via regularly scheduled telephone calls and home visits.
- 3. Nutrition classes held monthly
 - a. Provide ample notice to clients and community and monitor attendance.

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Accomplishments:

• Cannery increased white corn production from previous years; at 8,824 pounds to date and aligned to meet goal of 10,000 by the end of FY19.

- Food Distribution continually hosting nutrition classes.
- Head Start fall kickoff with approximately 120 participants.
- SEOTS hosting Healing Journeys book club.
- Aquaponics providing the Oneida Nation High School (ONHS) and Oneida Nation Elementary School (ONES) with approximately 20 pounds of premium leafy lettuce per week. Also donating excess to Food Pantry and Anna John Residential Community Care Center (AJRCCC).
- 83 participants showed up for weekly fitness classes at Elder Services.



How the accomplishments and the outcome support the Nation's priorities:

Most of the priority areas relate to doing things that result in Oneida and community members having a better quality of life. More specifically, however, the Human Services area works collaboratively with Health Care (Fitness has a diabetes program and Recreation has many programs for youth whereas exercise equals better health). Many fund units are working towards implementing more culture and language into their programs. Job Training works directly with individuals on education and literacy to help them attain jobs. Social Services aids individuals and/or families involved.

What the membership can expect to see in the future: What will the Service Group be working on to realize the SMART goals in the Triennial Strategic Plan related to the outcome above? What will the Service Group be working on to reach the outcome above? **150 words max**

- Cannery to provide seasonal workshops and value-added training.
- Bingo Food Drive Oct 20-28th
- Transit transporting elders to elder activities, Fitness Center, meal site, shopping, etc.
- Employees can earn RAS points participating in Adventures and Experiential events.

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Outcome # 3 Environments that thrive with "Active Community Engagement"

A few of the smart goals and measures for the area as it relates to Outcome #3 include but are not limited to:

- 1. Utilize survey results.
- 2. By 2021, the Emergency Food Pantry will reach 3,000 hours of volunteer time to support pantry activities and emergency hunger needs as a community
- 3. Attendance at various community events (Oneida or outside agencies) and meetings.
 - a. Assists in determining possible needs of community members and providing the best service to clientele.
- 4. Continuous monthly and/or annual events.
 - a. Increases awareness and participation.

Accomplishments:

- Child Support Event held August 21st at Pamperin Park.
- Elder Expo held August 13th at Radisson. 200+ in attendance.
- SEOTS hosted ten (10) craft classes in addition to culture & language classes.
- Transit provided transportation to community events such as LPGA and Applefest (total number transported at approximately 700).

How accomplishments and the outcome support the Nation's priorities:

Determining the wants and needs of Oneida and community members is not only key to a great customer experience and a better quality of life, having people be actively engaged in various processes builds relationships and trust which is an important factor to have within all of the Nation's priority areas.

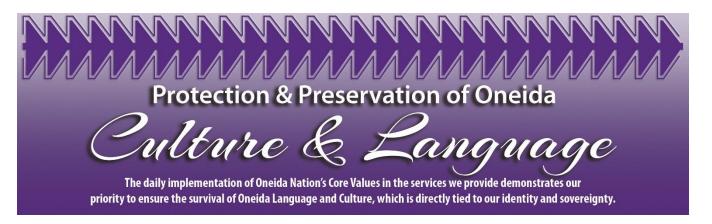
What the membership can expect to see in the future: What will the Service Group be working on to realize the SMART goals in the Triennial Strategic Plan related to the outcome above? What will the Service Group be working on to reach the outcome above?

- Aquaponics continually solicits for volunteers for weekend duty.
- Transit available to transport to Oneida events such as LPGA, Applefest, etc.

Accept the Protection One Ries Susines S Committee Ageardal Reguest Service Group FY-2019 4th...

1. Meeting Date Requested: $\frac{1}{2}$	1 / 13 / 19	
2. General Information: Session: ☑ Open ☐ Execut	tive - See instructions for the applicable laws, then choose one:	
L		Emma
Agenda Header: Reports		X
Accept as Information only		
☐ Action - please describe:		
3. Supporting Materials ☐ Resolution	☐ Contract	
Other:		
1	3.	
2.	4	
☐ Business Committee signature	e required	
4. Budget InformationBudgeted - Tribal Contribution	n 🔲 Budgeted - Grant Funded 🔲 Unbudgeted	
_ badgetea mbar contribution		
5. Submission		
ſ		1.21-8
Authorized Sponsor / Liaison:		
Primary Requestor/Submitter:	Iris Hill; Administrative Assistant / Oneida Cultural Heritage	
	Your Name, Title / Dept. or Tribal Member	
Additional Requestor:	Name, Title / Dept.	
Additional Requestor:		
•	Name, Title / Dept.	

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Established in FY 2018, the Protection & Preservation of Oneida Culture & Language priority group is comprised of:

- ♦ Oneida Cultural Heritage
 - o Cultural Wellness
 - Tetwatunhatényehse?
 (We are changing our lives)
 Oneida Nation Rites of Passage
 - Tsi? Niyukwalihó ta
 (Our Ways) Oneida Lang.
 & Culture Classes

- ♦ Oneida History Dept.
- ♦ Oneida Language Dept.
- ♦ Oneida Nation Museum
- ◆ Yukwahwatsilay∧'tú'

 (Our Families)
 Indigenous Diet & Healing

Working collectively over Fiscal Years 2019-2021 we will be focusing our efforts and resources to ensuring the successful achievement of the following outcomes:

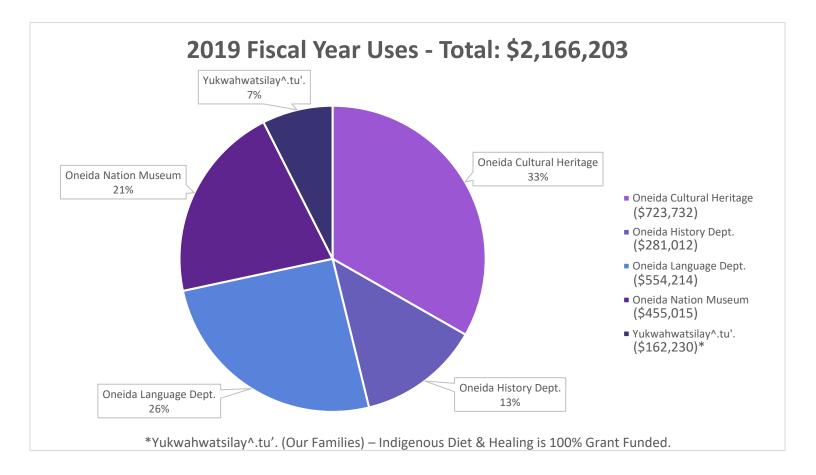
<u>Outcome #1:</u> Twalihwanún<u>ha</u> (dwelly-wa-noon) — Watching over the ways | nurturing them | protecting them. Efforts to prevent any further loss of our ways can be seen through the creation, development, and implementation of an area succession plan and curriculum based on Oneida Culture & Language, Traditional Indigenous Healing Practices, and the Seasonal Teachings of how to Grow, Harvest, Preserve, & Prepare Indigenous Foods.

<u>Outcome #2:</u> Taetwaku táke (dye-dwa-goon-duck) — To keep going | carry on.

To ensure our ways continue indefinitely knowledge holders are utilizing technology to their advantage - working diligently to increase the number of opportunities offered to share the Oneida Culture & Language with people of all backgrounds and ages. Monthly Cultural Presentation are recorded, edited, and uploaded to YouTube; while the use of interactive technology brings the Iroquois Confederacy, Creations Story, & Lacrosse Exhibits to life.

<u>Outcome #3:</u> Yethiya⁹tahni¹látste⁹ (yee-tee-ya-duh-kneelutst) – Making us strong physically, emotionally, mentally, and spiritually. As the requests for traditional holistic approaches to combat contemporary issues increase, so will the efforts to educate and offer a variety of family activities, cultural teachings, seasonal land-based healing opportunities, 1-on-1 sessions, and more. These efforts aim to promote and support overall health and wellness.

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1. Meeting Date Requested: <u>11</u> / <u>13</u> / <u>19</u>

2. General Information:	
Session: Open Executive - See instructions for the applicable laws, then choose one:	
Agenda Header: Reports	
Accept as Information only	
Motion to accept the Public Safety 4th Quarter Report	
3. Supporting Materials	
⊠ Report	
Other:	
1. 3.	
2. 4.	
Business Committee signature required	
business committee signature required	
4. Budget Information	
Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted	
5. Submission	
Authorized Conseque / Liniana Conseque Davide Davide Conseque in Chair	
Authorized Sponsor / Liaison: Sandra Reveles, Police Commission Chair	
Primary Requestor/Submitter: Eric Boulanger, Chief of Police	
Your Name, Title / Dept. or Tribal Member	
Additional Requestor:	
Name, Title / Dept.	
Additional Requestor: Name, Title / Dept.	
DATE THE CORD	

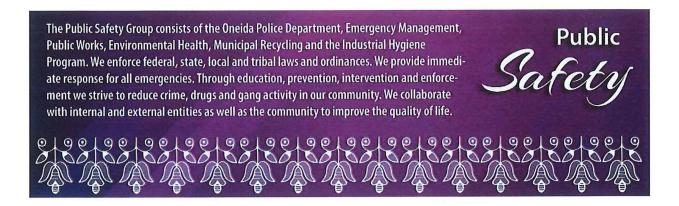
Oneida Business Committee Agenda Request

6. Cover Memo:

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

Background:
Service Groups per Chapter 121.5-3
2019 Quarterly Reporting Schedule
Requested Action: Motion to accept the Public Safety Group 2nd Quarter Report
Also attached to this report is information regarding information for the upcoming National EPA-Tribal Science Council Fall meeting. It was requested that reporting regarding this matter be reported through the Public Safety Service Group report.

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



Public Safety Collective 3-year Outcomes:

- 1. Create a culture that recognizes the importance of safety
- 2. Develop and retain a quality workforce to include succession plan and career paths
- 3. Explore new technology to maximize the efficiency and seek outside funding sources for equipment needs.

Share the results

- Participated in several community events such as Boo Bash, Blanket Making, Elder Expo, DARE/GREAT Classes at school, community budget meetings, teach food certification and food safety, Youth/Elder Fishing, Pow Wow, LPGA
- There were several severe weather events that occurred during the first half of the fiscal year which the Nation addressed with diligence. It was a coordinated effort with numerous other areas throughout the Nation.
- We conducted inspections and onsite testing, offer classes/trainings, issue licenses to ensure the organization and community are compliant with various laws and ordinances.
- Development of online food handler's course
- Working with HRD to conduct wage analysis in order to keep up with the market. Assessment is complete and next step is implementation.
- Worked with HRD to revise/update job descriptions in an effort to attract more applicants.
- Received grant award(s) funding to be used for equipment, supplies, uniforms and cost of various maintenance agreements.
- Employee appointed to serve as community representative on the Tribal Radioactive Materials Transportation Committee.

National EPA-Tribal Science Council Fall 2019 Face-to-Face Meeting EPA Office of Research and Development Atlantic Ecology Division 27 Tarzwell Drive, Narragansett, RI 02882

STRAW Meeting Agenda

ADT Call #2 (9/18/19): Ted Coopwood, Jeff Mears, Monica Rodia, Francine St. Denis, José Zambrana, Kristen LeBaron (SCG Contractor)

Wednesday,	November	13,	2019

Room TBD; Call-In Information: (202) 991-0477/9520960#

Theme: Learning and Sharing		
8:00 – 8:30 a.m.	Check-In/Registration Instructions for non-EPA participants to gain access to the laboratory	
8:30 – 9:00 a.m.	Welcome, Introductions, Roll Call and Invocation National EPA-Tribal Science Council (TSC) Agency Chair, U.S. Environmental Protection Agency (EPA), Office of Research and Development (ORD); TSC Tribal Chair	
9:00 – 9:30 a.m.	Presentation by Senior ORD Leadership Bruce Rodan, Associate Director for Science for ORD, EPA	
9:30 – 9:45 a.m.	Overview of the Atlantic Ecology Division (AED) Wayne Munns, Director of AED, EPA, ORD, Laboratory Name TBD Following ORD Reorganization	
Remainder of Morning	TSC Tribal Caucus Self-Introductions and Tribal Vignettes	
	Maine Tribal Projects Billy Longfellow (Passamaquoddy) presentation on projects working on in Maine; colleague presentation on sea run fish restoration in Maine	
	Tribal Projects From Other Region 1 Tribes - TBD	

12:00 - 1:30 pm.

Afternoon

Lunch

Tours (see potential tour options below)

5:00 p.m. Recess

Thursday, November 14, 2019

Room TBD; Call-In Information: (202) 991-0477/9520960#

Theme: Collaboration and Opportunities

8:00 – 8:30 a.m.	Check-In/Registration
	Instructions for non-EPA participants to gain access to the laboratory

Morning

Building Collaborations With EPA Research Expertise to Address Tribal Science Challenges

Collaborate with other EPA-Tribal Partnership Groups on priorities?

Update on past TSPs (e.g., climate change effects on Alaska Native villages,

subsistence)?

Tribal input on issues of importance (HABs, wildfires, collapsing infrastructure,

flooding)?

Tribal Representatives share their priorities/build connections with Narragansett

scientists

EPA/Narragansett and tribal scientists share research and different perspectives

12:00 – 1:30 p.m. Lunch

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2:00 - 3:30 p.m.

Region 1 Consultation Opportunity (to be concurrent with another session)

5:00 p.m.

Recess

Friday, November 15, 2019

Room TBD; Call-In Information (TSC Business Session Only): 202-991-0477/9520960#

Theme: Planning for Change

8:00 - 8:30 a.m.

Check-In/Registration

Instructions for non-EPA participants to gain access to the laboratory

8:30 - 9:00 a.m.

Discussion Items for Caucus Deliberations

9:00 - 9:15 a.m.

Break

9:15 - 10:30 a.m.

Caucus Sessions

The Tribal and EPA Caucuses will meet separately to discuss caucus business.

10:30 - 10:45 a.m.

Break

10:45 - 11:00 a.m.

Caucus Report Outs

11:00 a.m. - 12:00 p.m.

TSC Business Session

-Lead Curriculum Update

-Effects of ORD Reorganization on the TSC

-Planning for New TSC Leadership

-TSCA Revision and Tribal Issues/Exposures

12:00 p.m.

Adjournment

Tour Options

PFAS Analytical Facility

Attendees will tour ORD's PFAS Analytical Facility to learn about quantitative measurement techniques and novel approaches for characterizing PFAS in complex environmental media such as waters, sediments and biological matrices, including fish and so forth. An overview will be provided of the laboratory workflow and highly specialized instrumentation to measure this complex group of chemicals at extremely low levels.

Nutrients Analytical Facility

AED conducts analyses to inform decisions concerning nutrient management in wastewater, groundwater and surface waters and also provides technical support to states and communities regarding HABs formation and occurrence. The stop will feature state-of-the-art analytical equipment and describe how these analyses are informing decisions for remediation of the San Juan Bay Estuary, Puerto Rico.

Wet Laboratory and HABs Citizen Science

Attendees will tour AED's unique Wet Laboratory facility and receive a brief demonstration of cyanoScope, a citizen science project that encourages citizens to monitor their favorite water bodies for the presence of cyanobacteria, and to upload pictures of cells taken with cell phones and inexpensive microscopes for crowd-sourced identification.

General AED Laboratory Tour

The laboratory is a state-of-the-art aquatic research facility. The tour will feature the boathouse (sampling), greenhouse (wetlands research).

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Oneida Business Committee Agenda Request

Accept the Economic Enterprises Service Group FY-2019 4th quarter report

1. Meeting Date Requested:	<u>11</u> / <u>13</u> / <u>19</u>	
2. General Information: Session: Open Executive - See instructions for the applicable laws, then choose one:		
Agenda Header: Reports		
☐ Accept as Information only☑ Action - please describe:		
Approve Economic Enterpris	ses FY 2019 4th Quarter Report.	
3. Supporting Materials ☑ Report ☐ Resolution ☐ Other:	☐ Contract	
1.	3.	
2.	4.	
☐ Business Committee signatu	re required	
4. Budget Information ☐ Budgeted - Tribal Contribution	on Budgeted - Grant Funded Unbudgeted	
5. Submission		
Authorized Sponsor / Liaison:	Debbie Thundercloud, General Manager	
Primary Requestor/Submitter:	Nicole Rommel, Deputy Director, Land Management Your Name, Title / Dept. or Tribal Member	
Additional Requestor:	Patrick Pelky, Division Director/DOLM Name, Title / Dept.	
Additional Requestor:	Economic Enterprises Group Name, Title / Dept.	

Economic

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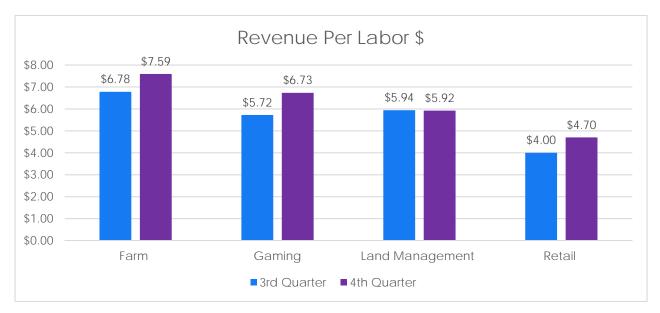
Who We Are

- Oneida Gaming Oneida Retail Enterprises Oneida Nation Farms
- Oneida Orchard Land Management Land Acquisition

FY 2019 4th Quarter Report

3 Year Outcomes:

- 1. Enhance sovereignty through land purchases, gaming regulatory advantage, food sovereignty, retail gas tax, cigarette sales, and excise tax.
- 2. Providing resources for the community to become economically stable by providing jobs, services, benefits, entrepreneurship, healthcare/wellness, and land opportunities.
- 3. Economical use of resources to maximize return on investment.



Farm:

- Planted the following acres Preventive Planting 2051; Corn 1314; Alfalfa 959;
 Pasture 769; Soybeans 613; Wheat 231; Winter Rye 40
- Total positive economic impact for ONF \$987,000
- Land lease payments \$691,453

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Gaming:

 Implemented a Title 31 Tracking Software to ensure compliance and make our work more efficient when tracking.

- Obtained an aggregate 98.83% compliance score on all our regulatory audits.
- Increased our player worth to the Casino by nearly 1%
- Increase our Customer Satisfaction scores from a 3.87 to a 3.9 out of 5.
- Increased Gaming Gross Profit by 2.88% over prior year.

Land:

- Worked cooperatively with the Comprehensive Housing Division to demolish an unsafe residential improvement.
- Installed and continuously monitor cameras in areas were illegal dumping and vandalism has taken place. Land Management monitors 12 cameras around the reservation.
- Executed Commercial lease with Yukwatsistay.
- Closed 2 HIP acquisitions, 57 were closed for FY 2019.

Retail:

- Retail has implemented a pay differential for hard to fill shifts. The results have shown lower numbers of call-ins for the evening and weekend shifts.
- Using responses in a survey from the 11/30/2018 community budget meeting, Retail has added shop around coolers in two additional one stop locations.
 These displays provide healthy and fresh food choices for customers. The total # of stores with a shop around cooler is now four.



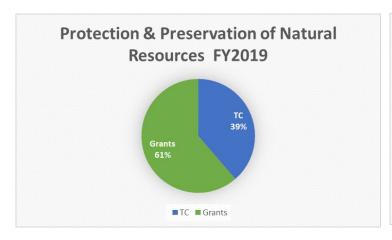
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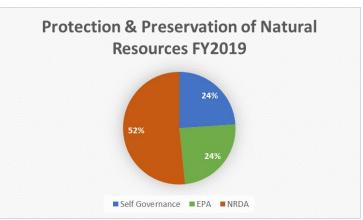
Oneida Business Committee Agenda Request

Accept the Protection and Preservation of Natural Resources Service Group FY-2019 4th quarter report

1.	Meeting Date Requested: 11 / 13 / 19
2.	General Information:
	Session: Open Executive - See instructions for the applicable laws, then choose one:
	Agenda Header: Reports
	Action - please describe:
	Protection and Preservation of Natural Resources 4th Quarter Report
3.	Supporting Materials □ Resolution □ Contract
	⊠ Report
	1. 3.
	'·
	2. 4.
	Business Committee signature required
_	
4.	Budget Information Displaying the Contribution of Displaying Contribution
	☐ Budgeted - Tribal Contribution ☐ Budgeted - Grant Funded ☐ Unbudgeted
_	Submission
٥.	Submission
	Authorized Sponsor / Liaison: Debbie Thundercloud, General Manager
	Primary Requestor/Submitter: Patrick Pelky, Division Director/EHS
	Your Name, Title / Dept. or Tribal Member
	Additional Requestor:
	Name, Title / Dept.
	Additional Requestor: Name, Title / Dept.
	,

<u>Who we are:</u> This service unit includes Environmental Quality, Eco-Service, Conservation, Tsyunhehkwa Farm, Oneida Community Integrated Food Systems and Environmental Resources Board. We have 26 staff, funded out of 39 different business units and are 61% grant funded.





Protection and Preservation of Natural Resources Service Unit Mission Statements

- Environmental Resource Board To Protect, Conserve, and Enhance all Natural Resources to assure the preservation of the Quality of Life for the next Seven Generations.
- Environmental Quality & Eco-Services *Provide quality professional services to reclaim the land and to restore and protect the environment and people of our Nation.*
- Oneida Community Integrated Food Systems The Oneida Community Integrated Food Systems members are
 here as a team to educate the Oneida community about food, agricultural opportunities, nutrition and health risks
 via events and workshops, and integrate Oneida and locally produced foods into the Oneida community and
 institutions.
- Tsyunhehkwa Farm We are committed to building a healthy work environment by embracing Tsi? niyukwaliho t^ to become a successful model of a culturally significant, sustainable program that meets the education and indigenous foods needs of the community.

To fulfill these missions, activities are aligned under four categories. The activities support outcomes that help us to contribute to the protection and preservation of the natural resources of the Oneida Nation. The table below shows this relationship.

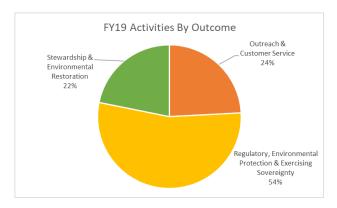
Activity Category	Goal
Outreach	Educate and inform the Oneida community through information sharing and direct services
Regulatory	Enhance sovereignty through the application of Oneida laws, oversight and consultation
Stewardship	Protect, preserve and enhance natural resources through best practices and managed use

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Outcomes

The outcomes measured for FY19 will be the carried forward as a comparison for the next fiscal year.

FY 19 Activities	Activities Completed
Outreach & Customer Service	568
Regulatory, Environmental Protection & Exercising Sovereignty	1267
Stewardship & Environmental Restoration	512
Total	2346



FY 19 Outreach/Customer Service Highlights

These activities tell our story about the responsible management, development and utilization of natural resources. The outcome reinforces our positive impact the community quality of life through providing direct services, education, outreach, and other community engagement activities. Highlights include:

- 73 Elder fire wood deliveries
- 38 Woodchip deliveries
- 35 Conservation community work requests
- 16 Funeral and ceremonial wood deliveries
- 33 Participants in Youth Ag Workshops
- 13 Oneida Farmers Markets
- 13 Garden Tilling Service participants
- 100 Seed and plant sale participants
- 200 Youth and Elder Fishing Day participants
- 148 Facebook posts/1182 Facebook "Likes"

FY 19 Regulatory, Environmental Protection & Exercising Sovereignty Highlights

Protecting and preserving Oneida Nation natural resources with our laws and policies, conducting oversight of federal regulatory programs and engaging in meaningful government to government consultation is an exercise in sovereignty. It affirms the commitment to protecting and preserving them for the next seven generations.

Included in these activities are 20 government consultations that exercise the sovereignty of the Oneida Nation and

include:

- Participation in the National Tribal Caucus and National Tribal Operations Committee
- Provided comments through Intergovernmental Affairs regarding the environmental impacts of a proposed development in the Oneida Reservation
- Commented proposed changes to the definition of waters of the United States
- Development of an Environmental Review Law
- Oneida Trespass Law & Hunting, Fishing and Trapping Law amended
- Oneida's Energy Security Plan updated to reflect emerging priorities
- Town of Oneida Service Agreement for storm cleanup
- A Quality of Life workgroup explored Treatment as a State with regards to Oneida water quality standards

FY 19 Stewardship Highlights

Stewardship activities protect and restore the Oneida Nation natural resources. The activities are non-regulatory and improve, maintain or monitor Oneida Nation resources for the benefit of the community. Activities include:

- 171 hazard tree assessments; 70 from storm damage occurring on July 19th-20th, 2019
- 214 pounds of garlic mustard removed
- 8.75 acres of white corn were harvested (October 2018)
- 12 acres of white corn were planted for FY20 harvest
- Osnuhsa and Quarry lakes were treated for the invasive species Curly leaf pondweed and Eurasian Watermilfoil
- 1200 feet of habitat in Lancaster Brook was enhanced by engineered log jams
- 2.1 acres of Number 6 bergamot were made available for harvesting
- 539 pounds of wild rice was planted on 15 acres at Where the Waterbirds Nest
- 40 acres of pasture prepared for rotational grazing for Oneida Nation Farm
- 40 acres of industrial hemp for a pilot project were planted
- 65 acres were planted for wildlife food plots
- 1,000 trees given away at Oneida Earth Day

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Oneida Business Committee Agenda Request

Accept the Building and Property Maintenance Service Group FY-2019 4th quarter report

1. Meeting Date Requested: 11 / 13 / 19
2. General Information: Session: ○ Open Executive - See instructions for the applicable laws, then choose one:
Agenda Header: Reports
 ☐ Accept as Information only ☑ Action - please describe:
Approve 4th Quarter Building and Property Maintenance Report
3. Supporting Materials Report Resolution Contract Other:
1. 3.
2. 4.
☐ Business Committee signature required
4. Budget Information ☐ Budgeted - Tribal Contribution ☐ Budgeted - Grant Funded ☐ Unbudgeted
5. Submission
Authorized Sponsor / Liaison: Jacque Boyle, Division of Public Works Director
Primary Requestor/Submitter: Your Name, Title / Dept. or Tribal Member
Additional Requestor: Name, Title / Dept.
Additional Requestor: Name, Title / Dept.

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Who We Are

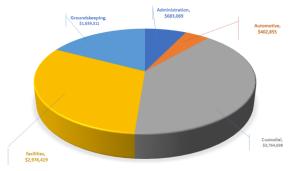
Through combined efforts by DPW departments and other entities, the Building and Property Maintenance group strengthens our sovereignty by ensuring the Nation's infrastructure is maintained according to Oneida zoning codes, area licensing requirements, and funding agency specifications. This service group is involved with all aspects of facilities management including construction, remodeling, maintenance, and space utilization. We honor the uniqueness of our Nation while incorporating best practices, providing employee development opportunities, and increasing the value of the properties. The departments of Facilities, Custodial, Groundskeeping, and Automotive/Fleet Vehicles are included in this area.

Collective 3 Year Outcomes

- 1. Implementing Best Practices
- 2. Create Career Paths and Succession Plans
- 3. Maintain and Increase Value of Infrastructure

The results of this year's progress on the outcomes include writing, revising and training employees on critical standard operating procedures. There are approximately 30 SOP's that are in the approval and implementation stage. Formalizing building assessments for the creation of future capital improvement plans and the progress and completion of the 29 budgeted building improvement projects for FY19. The areas are continually analyzing current practices and procedures for efficiency improvements and developing training programs as needed to support these best practices. Efficiencies have been created by combining positions, increasing responsibilities, and maximizing the use of technology. Scheduling and prioritizing the work performed as well as documenting results is accomplished by using a computerized maintenance management system for the 70+ buildings throughout the Nation. There were 5003 work requests handled by the various departments this year which included plumbing, electrical, carpentry, office/furniture moves, and heating and cooling related work.

BUILDING AND PROPERTY MAINTENANCE FY 2019 ACTUAL



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Oneida Business Committee Agenda Request

Accept the Utilities, Wells, Wastewater and Septic Service Group FY-2019 4th quarter report

1. Meeting Date Requested: 11 /	<u>13</u> / <u>19</u>
2. General Information: Session: Open Executive -	See instructions for the applicable laws, then choose one:
Agenda Header: Reports	
☐ Accept as Information only☑ Action - please describe:	
Approve 4th Quarter Utilities, Wells	s, Wastewater, and Septic Report
3. Supporting Materials Report Resolution Other:	Contract
1.	3.
2.	4.
☐ Business Committee signature requ	ired
4. Budget Information ☐ Budgeted - Tribal Contribution	☐ Budgeted - Grant Funded ☐ Unbudgeted
5. Submission	
Authorized Sponsor / Liaison: Jacqu	ue Boyle, Division of Public Works Director
Primary Requestor/Submitter: You	r Name, Title / Dept. or Tribal Member
Additional Requestor: Nan	ne, Title / Dept.
Additional Requestor: Nan	ne, Title / Dept.



Who We Are

This service group has a unified goal of supplying, managing, and maintaining water and wastewater systems for the Oneida Nation. By accomplishing this, it is a first line of defense to disease prevention and ensures a safe and adequate water source for our community. Our sovereignty as a Nation is strengthened by our ability to provide these systems to meet our future needs while preserving our natural resources. This service unit includes the Utilities department and the Wells, Septic, & Plumbing department.

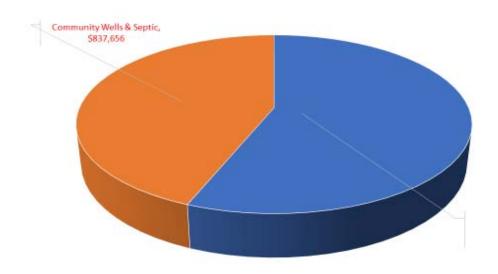
Collective 3 year Outcomes

- 1. Provide Efficient Customer Service
- 2. Ensure Safe Drinking Water and Environmentally Safe Wastewater
- 3. Protect the Groundwater by Inspecting, Maintaining, and Replacing Failing Systems

The results of this year's progress on the outcomes include obtaining \$954,000 in funding from IHS for 37 scattered site home systems in which 5 sites have been completed and 6 sites are in progress. For HBO there has been 1 site completed and 2 in progress on Beech Tree and another 4 sites in progress on Seminary. There was a total of 151 septic inspections completed and over 700 septic pumpings performed over the year. Establishing the 3-year inspection program ensures the Nation has jurisdiction and identifies needed repairs which protects our groundwater. Projects included installing water tanks and lines for the farm cattle and constructing a new pump house on Tysunhehkwa Farm along with addressing many storm water drainage issues.

Utilities water and sewer serves over 650 customers by maintaining the Oneida Nation's wastewater treatment plant, 13 lift stations, 5 pumphouses, and 2 water towers. There main projects this year included continuing to work with the EPA and IHS on the new community wells, pumphouses and watermain loop which has anticipated construction beginning in the Summer of 2020. The Rolling Hills Water Tower painting project has been bid out and is scheduled to be completed in the Spring. Another major project with IHS has been an infiltration and inflow study on the wastewater system. This work began in March 2019 and repairs are being completed as need.

UTILITIES, WELLS, WASTEWATER, AND SEPTIC FY 2019 ACTUAL



Utilities, \$1,066,003 Public Packet 327 of 327