

Oneida Business Committee



Executive Session
9:30 AM Tuesday, December 10, 2019
Executive Conference Room, 2nd floor, Norbert Hill Center

Regular Meeting
8:30 AM Wednesday, December 11, 2019
BC Conference Room, 2nd floor, Norbert Hill Center

Minutes

EXECUTIVE SESSION

Present: Chairman Tehassi Hill, Vice-Chairman Brandon Stevens, Treasurer Trish King, Secretary Lisa Summers, Council members: Daniel Guzman King, David P. Jordan, Ernie Stevens III, Jennifer Webster;

Not Present: n/a

Arrived at: Councilman Kirby Metoxen at 9:38 a.m.;

Others present: Jo Anne House, Larry Barton, Debbie Thundercloud, Lisa Liggins, Laura Laitinen-Warren, Eric McLester, Troy Parr, Joanie Buckley, Pat Pelky;

REGULAR MEETING

Present: Chairman Tehassi Hill, Vice-Chairman Brandon Stevens, Treasurer Trish King, Secretary Lisa Summers, Council members: Daniel Guzman King, David P. Jordan, Kirby Metoxen, Jennifer Webster;

Not Present: Councilman Ernie Stevens III;

Arrived at: n/a

Others present: Jo Anne House, Larry Barton, Lisa Liggins, Debbie Danforth, Michelle Myers, Teresa Anderson, Mercedes Dumas, Pam Clark, Carrie Blohowiak, Eric Krawczyk, Chris Johnson, Eric McLester, Celestine Jeffreys, Bonnie Pigman;

I. CALL TO ORDER

Meeting called to order by Chairman Tehassi Hill at 8:33 a.m.

For the record: Councilman Ernie Stevens III is on approved travel attending the Hemp Interim Final Rule-Tribal Consultation in Las Vegas, NV.

II. OPENING (00:00:14)

Opening provided by Chairman Tehassi Hill.

A. Special Recognition for earning accreditation from the Accreditation Association for Ambulatory Health Care (00:03:41)
Sponsor: Jennifer Webster, Councilwoman

Special recognition by Councilwoman Jennifer Webster of the Comprehensive Health Division for earning accreditation from the Accreditation Association for Ambulatory Health Care; the following individuals from the Mock Survey Team and the Executive Management Team were recognized today: Henrietta Cornelius, Bill Stempski, Pamela Clark, Carrie Blohowiak, Connie Vandenberg, Sheri Forgette, Eric Krawczyk, Mercedes Dumas, Teresa Anderson, Michelle Myers, Ravinder Vir, Jeff Carlson, Dave Larson, Mari Kriescher, Mary Corneliussen, Mercie Danforth, and Debbie Danforth. Additional recognition by Secretary Lisa Summers inviting the full team/division to a recognition event in January 2020.

III. ADOPT THE AGENDA (00:11:20)

Motion by Lisa Summers to adopt the agenda with four (4) noted changes [1) under the General Tribal Council heading, add item IX.A Suspend stipends for non-reporting entities for the 2020 annual report; 2) under the General Tribal Council heading, add item IX.B Approve the amended 2020 annual General Tribal Council meeting agenda to include the 2020 General Election dates; 3) under the Executive Session heading, add item X.E.4. Adopt resolution entitled Regarding the pardon of Valerie P. Ventura; and 4) under the Executive Session heading, add item X.E.5. Adopt resolution entitled Regarding the pardon of Anthony P. Konkol], seconded by David P. Jordan. Motion carried:

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

IV. MINUTES

A. Approve the November 26, 2019, regular Business Committee meeting minutes (00:13:08)
Sponsor: Lisa Summers, Secretary

Motion by Lisa Summers to approve the November 26, 2019, regular Business Committee meeting minutes, seconded by Jennifer Webster. Motion carried:

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

B. Approve the November 27, 2019, quarterly reports Business Committee meeting minutes (00:13:30)
Sponsor: Lisa Summers, Secretary

Motion by Kirby Metoxen to approve the November 27, 2019, quarterly reports Business Committee meeting minutes, seconded by David P. Jordan. Motion carried:

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

V. RESOLUTIONS

- A. Adopt resolution entitled Amending resolution # BC 01-09-19-D Appointment of Liaison Responsibilities for Organization Entities for the 2017-2020 term of the Oneida Business Committee (00:13:52)**
Sponsor: Lisa Summers, Secretary

Motion by David P. Jordan to adopt resolution 12-11-19-A Amending resolution # BC 01-09-19-D Appointment of Liaison Responsibilities for Organization Entities for the 2017-2020 term of the Oneida Business Committee, seconded by Brandon Stevens. Motion carried:

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

VI. STANDING COMMITTEES

A. LEGISLATIVE OPERATING COMMITTEE

- 1. Accept the November 20, 2019, regular Legislative Operating Committee meeting minutes (00:16:10)**
Sponsor: David P. Jordan, Councilman

Motion by Kirby Metoxen to accept the November 20, 2019, regular Legislative Operating Committee meeting minutes, seconded by Jennifer Webster. Motion carried:

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

VII. TRAVEL REQUESTS

- A. Approve the travel request in accordance with §219.6-1 - Eight (8) Individuals - 2020 Special Election - Milwaukee, WI - January 24-26, 2020 (00:16:34)**
Sponsor: Vicki Cornelius, Chair/Oneida Election Board

Motion by Jennifer Webster to approve the travel request in accordance with §219.6-1 for eight (8) individuals to attend the 2020 Special Election in Milwaukee, WI - January 24-26, 2020, seconded by Lisa Summers. Motion carried:

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

- B. Approve the travel request - Chairman Tehassi Hill - Brackeen v. Bernhardt Arguments - New Orleans, LA - January 21-22, 2020 (00:18:03)**
Sponsor: Tehassi Hill, Chairman

Motion by Lisa Summers to approve the travel request for Chairman Tehassi Hill to attend the Brackeen v. Bernhardt Arguments in New Orleans, LA - January 21-22, 2020, seconded by Kirby Metoxen. Motion carried:

Ayes: Daniel Guzman King, David P. Jordan, Trish King, Kirby Metoxen, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Ernie Stevens III

- C. Approve the travel request - Councilwoman Jennifer Webster - Tribal Self-Governance Advisory Committee (TSGAC)/SGAC - Washington DC - January 22-24, 2020 (00:18:32)**
Sponsor: Jennifer Webster, Councilwoman

Motion by Lisa Summers to approve the travel request for Councilwoman Jennifer Webster to attend the Tribal Self-Governance Advisory Committee (TSGAC)/SGAC in Washington DC - January 22-24, 2020, seconded by Kirby Metoxen. Motion carried:

Ayes: Daniel Guzman King, David P. Jordan, Trish King, Kirby Metoxen, Brandon Stevens, Lisa Summers

Abstained: Jennifer Webster

Not Present: Ernie Stevens III

- D. Approve the travel request - Vice-Chairman Brandon Stevens - 6th Annual Tribal Govt E-Commerce conference: Wiring the Rez 2020 - Chandler, AZ - January 30-31, 2020 (00:18:59)**
Sponsor: Brandon Stevens, Vice-Chairman

Motion by Lisa Summers to approve the travel request for Vice-Chairman Brandon Stevens to attend the 6th Annual Tribal Govt E-Commerce conference: Wiring the Rez 2020 in Chandler, AZ - January 30-31, 2020, seconded by Kirby Metoxen. Motion carried:

Ayes: Daniel Guzman King, David P. Jordan, Trish King, Kirby Metoxen, Lisa Summers, Jennifer Webster

Abstained: Brandon Stevens

Not Present: Ernie Stevens III

- E. Approve the travel request - Councilman Kirby Metoxen - 2020 AIANTA Board retreat - Palm Springs, CA - June 6-9, 2020 (00:19:37)**
Sponsor: Kirby Metoxen, Councilman

Motion by David P. Jordan to approve the travel request for Councilman Kirby Metoxen to attend the 2020 AIANTA Board retreat in Palm Springs, CA - June 6-9, 2020, seconded by Trish King. Motion carried:

Ayes: Daniel Guzman King, David P. Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Abstained: Kirby Metoxen

Not Present: Ernie Stevens III

VIII. NEW BUSINESS

A. Approve two (2) actions regarding funding for Oneida language classes in area public school districts (00:20:15)

Sponsor: Jennifer Webster, Councilwoman

Motion by Lisa Summers to support the request from the Pulaski Community School District for financial support the Oneida Language Teaching Position and to defer this request to the General Manager and the Finance Committee to collaborate on the funding, seconded by Kirby Metoxen.

Motion carried:

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

B. Approve the CY2020 vacancy postings for Boards, Committees, Commissions, Corporate Boards, Standing Committees, and Other (00:30:40)

Sponsor: Lisa Summers, Secretary

Motion by David P. Jordan to approve the CY2020 vacancy postings for Boards, Committees, Commissions, Corporate Boards, Standing Committees, and Other, seconded by Jennifer Webster.

Motion carried:

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

C. Re-post one (1) vacancy - Oneida Environmental Resource Board (00:31:38)

Sponsor: Lisa Summers, Secretary

Motion by Jennifer Webster to re-post one (1) vacancy for the Oneida Environmental Resource Board, seconded by David P. Jordan. Motion carried:

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

IX. GENERAL TRIBAL COUNCIL

A. Suspend stipends for non-reporting entities for the 2020 annual report (00:32:20)

Sponsor: Lisa Summers, Secretary

Motion by David P. Jordan to suspend stipends for the Oneida Land Claims Commission and the Oneida Nation Arts Board in accordance with § 105.12-5 of the Boards, Committees, and Commissions law until their 2020 annual reports are accepted by the General Tribal Council, seconded by Lisa Summers. Motion carried:

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

- B. Approve the amended 2020 annual General Tribal Council meeting agenda to include the 2020 General Election dates (00:34:50)**
Sponsor: Lisa Summers, Secretary

Motion by Lisa Summers to approve the amended 2020 annual General Tribal Council meeting agenda to include the 2020 General Election dates, seconded by Jennifer Webster. Motion carried:

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

X. EXECUTIVE SESSION

A. REPORTS

1. Accept the Chief Counsel report (00:36:45)

Sponsor: Jo Anne House, Chief Counsel

Motion by Brandon Stevens to accept the Chief Counsel report, seconded by David P. Jordan. Motion carried:

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

Motion by Brandon Stevens to approve a limited waiver of sovereign immunity - Brown County Public Works Department project agreement - file # 2019-1359, seconded by Lisa Summers. Motion carried:

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

B. STANDING ITEMS

1. ONEIDA GOLF ENTERPRISE CORPORATION - LADIES PROFESSIONAL GOLF ASSOCIATION

a. Accept the Thornberry Creek LPGA Classic September/October/November 2019 report (00:37:40)

Sponsor: Eric McLester, Business Compliance Analyst

Motion by Lisa Summers to accept the Thornberry Creek LPGA Classic September/October/November 2019 report, seconded by Jennifer Webster. Motion carried:

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

C. AUDIT COMMITTEE

1. Accept the October 10, 2019, regular Audit Committee meeting minutes (00:38:07)

Sponsor: David P. Jordan, Councilman

Motion by Lisa Summers to accept the October 10, 2019, regular Audit Committee meeting minutes, seconded by Brandon Stevens. Motion carried:

Ayes: Daniel Guzman King, David P. Jordan, Trish King, Kirby Metoxen,
Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Ernie Stevens III

D. UNFINISHED BUSINESS

1. File # ED19-013 - Accept the update and approve the recommendation (00:38:26)

Sponsor: Debbie Thundercloud, General Manager

Motion by Lisa Summers to accept the update and approve the recommendation regarding file # ED19-013, seconded by Trish King. Motion carried:

Ayes: Daniel Guzman King, David P. Jordan, Trish King, Kirby Metoxen,
Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Ernie Stevens III

2. Accept the Insurance Notice Gap sub-team update (00:38:51)

Sponsor: Debbie Thundercloud, General Manager

Motion by Jennifer Webster to accept the Insurance Notice Gap sub-team update, seconded by Lisa Summers. Motion carried:

Ayes: Daniel Guzman King, David P. Jordan, Trish King, Kirby Metoxen,
Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Ernie Stevens III

3. File # 2019-CC-01

a. Review proposed transition plan (00:39:20)

Sponsor: Debbie Thundercloud, General Manager

Excerpt from September 25, 2019: (1) Motion by Lisa Summers to terminate the appointment of Floyd Wayne Silas Jr. on the Oneida Powwow Committee pursuant to §105.7-4 and post the vacancy, seconded by Kirby Metoxen. Motion carried. (2) Motion by David P. Jordan to direct the General Manager to amend the recommendations provided regarding file # 2019-CC-01 and to bring back a transition plan proposal no later than the December 11, 2019, regular Business Committee meeting, seconded by Lisa Summers. Motion carried.

Motion by Lisa Summers to defer item X.D.3. *File # 2019-CC-01*, subsections a. *Review proposed Transition plan* and b. *Determine next steps regarding vacancies*, to the January 8, 2020, regular Business Committee meeting agenda, seconded by Jennifer Webster. Motion carried:

Ayes: Daniel Guzman King, David P. Jordan, Trish King, Kirby Metoxen,
Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Ernie Stevens III

b. Determine next steps regarding vacancies (00:39:20)

Sponsor: Lisa Summers, Secretary

Excerpt from October 9, 2019: Motion by Lisa Summers to defer this item to the December 11, 2019, regular Business Committee meeting, noting the General Manager will have a transition plan submitted to the Business Committee by this date, as previously directed, seconded by Kirby Metoxen. Motion carried.

Motion by Lisa Summers to defer item X.D.3. *File # 2019-CC-01*, subsections a. *Review proposed Transition plan* and b. *Determine next steps regarding vacancies*, to the January 8, 2020, regular Business Committee meeting agenda, seconded by Jennifer Webster. Motion carried:

Ayes: Daniel Guzman King, David P. Jordan, Trish King, Kirby Metoxen,
Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Ernie Stevens III

E. NEW BUSINESS

1. Discuss draft Collaborative Charter (00:39:59)

Sponsor: Debbie Thundercloud, General Manager

Motion by Jennifer Webster to accept the discussion regarding the draft Collaborative Charter as information, seconded by Lisa Summers. Motion carried:

Ayes: Daniel Guzman King, David P. Jordan, Trish King, Kirby Metoxen,
Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Ernie Stevens III

2. Discuss closeout of Professional Services Agreement - file # 2016-1035 and 2018-0178 (00:40:32); (00:43:05)

Sponsor: Lisa Summers, Secretary

Motion by Lisa Summers to defer to end of meeting, seconded by David P. Jordan. Motion carried:

Ayes: Daniel Guzman King, David P. Jordan, Trish King, Kirby Metoxen,
Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Ernie Stevens III

Item X.E.3. is addressed next.

Motion by Lisa Summers to go into executive session at 9:16 a.m., seconded by Kirby Metoxen.

Motion carried:

Ayes: Daniel Guzman King, David P. Jordan, Trish King, Kirby Metoxen,
Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Ernie Stevens III

Motion by Lisa Summers to come out of executive session at 9:44 a.m., seconded by Kirby Metoxen.

Motion carried:

Ayes: Daniel Guzman King, David P. Jordan, Trish King, Kirby Metoxen,
Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Ernie Stevens III

Roll call for the record:

*Present: Councilman Daniel Guzman King; Chairman Tehassi Hill; Councilman David P. Jordan;
Treasurer Trish King; Councilman Kirby Metoxen; Vice-Chairman Brandon Stevens; Secretary Lisa
Summers; Councilwoman Jennifer Webster;*

Not Present: Councilman Ernie Stevens III;

Motion by Lisa Summers to accept the memorandum dated December 4, 2019, and approve the two (2) identified actions, seconded by Brandon Stevens. Motion carried:

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

Abstained: Daniel Guzman King

Not Present: Ernie Stevens III

Item XI. is addressed next.

3. Adopt resolution entitled First Amendment to the Governmental 401(k) Plan (00:41:00)

Sponsor: Larry Barton, Chief Financial Officer

Motion by David P. Jordan to adopt resolution 12-11-19-B First Amendment to the Governmental 401(k) Plan, seconded by Lisa Summers. Motion carried:

Ayes: Daniel Guzman King, David P. Jordan, Trish King, Kirby Metoxen,
Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Ernie Stevens III

4. Adopt resolution entitled Regarding Valerie P. Ventura (00:41:19)

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 Valerie P. Ventura and move the resolution entitled Regarding Pardon of Valerie P. Ventura to open session, seconded by Jennifer Webster. Motion carried:

Ayes: Daniel Guzman King, David P. Jordan, Trish King, Kirby Metoxen, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Ernie Stevens III

Motion by Lisa Summers to adopt resolution 12-11-19-C Regarding Pardon of Valerie P. Ventura, seconded by Kirby Metoxen. Motion carried:

Ayes: Daniel Guzman King, David P. Jordan, Trish King, Kirby Metoxen, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Ernie Stevens III

5. Adopt resolution entitled Regarding Anthony P. Konkol (00:42:20)

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 Anthony P. Konkol and move the resolution entitled Regarding Pardon of Anthony P. Konkol to open session, seconded by Lisa Summers. Motion carried:

Ayes: Daniel Guzman King, David P. Jordan, Trish King, Kirby Metoxen, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Ernie Stevens III

Motion by Lisa Summers to adopt resolution 12-11-19-D Regarding Pardon of Anthony P. Konkol, seconded by David P. Jordan. Motion carried:

Ayes: Daniel Guzman King, David P. Jordan, Trish King, Kirby Metoxen, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Ernie Stevens III

Item X.E.2. is re-addressed next.

XI. ADJOURN (00:44:10)

Motion by David P. Jordan to adjourn at 9:45 a.m., seconded by Brandon Stevens. Motion carried:

Ayes: Daniel Guzman King, David P. Jordan, Trish King, Kirby Metoxen, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Ernie Stevens III

Minutes prepared by Lisa Liggins, Information Management Specialist
Minutes approved as presented on January 8, 2020.



Lisa Summers, Secretary
ONEIDA BUSINESS COMMITTEE