

# **Oneida Tribal Judicial System**

Onayote ʔ a·ka Tsiʔ Shakotiyaʔ Tolé hte

## **ONEIDA TRIBAL JUDICIAL SYSTEM TRIAL COURT**

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**Kenneth Hill,  
Petitioner**

**Docket No: 08-TC-154**

v.

**Date: December 23, 2008**

**Oneida Enrollment Department,  
Respondent**

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### **Decision**

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This case has come before the Oneida Tribal Judicial System, Trial Court. Judicial Officers, Stanley R. Webster, Sandra Skenadore, and Jean M. Webster, presiding.

### **I Background**

A pre-trial hearing on this matter was held December 23, 2008. Appearances were made by Petitioner Kenneth Hill, represented by his daughter Lisa Behringer, and Respondent Oneida Enrollment Department, represented by Attorney Andrew J. Pyatskowitz. Petitioner claims he was present for the entire General Tribal Council meeting on October 11, 2008. October 22, 2008, the Oneida Enrollment Department denied the \$100 stipend payment to Petitioner. Petitioner claims he was present for the entire General Tribal Council meeting on October 11, 2008 and seeks payment of the \$100 stipend. Respondent claims that Petitioner did not sign in. Petitioner statement that this is a policy and not a law will not be addressed at this time.

### **II Issue**

Does the General Tribal Council Meeting Stipend Payment Policy allow payment of stipend

when a member of the General Tribal Council fails to sign in?

### III Analysis

The purpose of the General Tribal Council Meeting Stipend Policy is “. . .to govern the payment of stipends at General Tribal Council meetings. . .” Petitioner’s claim that he was there for the entire General Tribal Council meeting is undisputed. Respondent asserts that Petitioner did not sign in at Registration. According to the Policy, a Tribal member must register for the General Tribal Council meeting, and, sign out when the meeting ends:

*Article IV. Stipends*

*4-2. in order to receive a stipend for attending a GTC meeting, a person shall:*

*(a) be an enrolled Tribal member;*

*(b) be twenty-one (21) years of age or older;*

*(c) except as provided under (1), register no later than fifteen (15) minutes after the published starting time of the meeting by signing an official GTC Registration Form containing the member’s name and enrollment number; and providing a valid Tribal or state issued picture identification.*

*(1) A person in line to register within fifteen (15) minutes after the published starting time of the meeting, may receive a stipend for attending a GTC meeting if he or she registers and meets the requirements under this section.*

*(d) be present for the entire meeting; and*

*(e) provide a picture identification and sign out when the meeting ends.*

*(1) for purposes of this policy, a meeting ends when the meeting is adjourned, the meeting is recessed to a later date, or a quorum is lost.*

Petitioner admitted at the hearing, that he did not sign in for the General Tribal Council meeting held on October 11, 2008, but did sign out at the end of the meeting.

#### **IV Decision**

Therefore, Petitioner Kenneth Hill's request of stipend payment for attending the October 11, 2008 General Tribal Council meeting is denied.