



Oneida Business Committee

Executive Session and Regular Meeting
8:30 AM Wednesday, July 22, 2020
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.

NOTICE

All regular, special, and emergency Business Committee meetings are closed to the public for the duration of the Public Health State of Emergency. This is preventative measure as a result of the COVID-19 pandemic. Audio recordings are made of all meetings of the Business Committee. Video recordings are made of regular meetings of the Business Committee. All recordings are available on the Nation's website at: <https://oneida-nsn.gov/government/business-committee/recordings/>

If you have comments regarding open session items, please submit them to TribalSecretary@oneidanation.org no later than close of business the day prior to a Business Committee meeting. Comments will be noticed to the Business Committee.

I. CALL TO ORDER

II. OPENING

- A. **Special Recognition for Years of Service**
Sponsor: Tehassi Hill, Chairman

III. ADOPT THE AGENDA

IV. MINUTES

- A. **Approve the July 8, 2020, regular Business Committee meeting minutes**
Sponsor: Lisa Summers, Secretary

V. RESOLUTIONS

- A. Adopt resolution entitled Extension of the Real Property Law Emergency Amendments**
Sponsor: David P. Jordan, Councilman
- B. Adopt resolution entitled Amendment to resolution # BC 12-11-19-A for the Nation's Appointed Representative on the Board for the Greater Green Bay Chamber of Commerce**
Sponsor: Melinda J. Danforth, Director/Intergovernmental Affairs

VI. APPOINTMENTS

- A. Determine next steps regarding one (1) vacancy - Oneida Police Commission**
Sponsor: Lisa Summers, Secretary
- B. Determine next steps regarding three (3) vacancies - Oneida Election Board Alternates**
Sponsor: Lisa Summers, Secretary

VII. NEW BUSINESS

- A. Appoint Michelle Myers, Public Health Officer, to represent the Oneida Nation on the State Disaster Medical Advisory Committee's Ethics Subcommittee**
Sponsor: Debbie Thundercloud, General Manager
- B. Review request for permanent amendments to the Children's Code and determine next steps**
Sponsor: Debbie Thundercloud, General Manager
- C. Re-post four (4) vacancies - Anna John Resident Centered Care Community Board**
Sponsor: Lisa Summers, Secretary
- D. Enter the e-poll results into the record - Failed CRF Government Relief Funds Requests - file # 7-6-026 and file # 6-5-067**
Sponsor: Lisa Summers, Secretary
 - 1. Reconsider the CRF Government Relief Funds Requests - file # 7-6-026 and file # 6-5-067**
Sponsor: Debbie Thundercloud, General Manager

VIII. EXECUTIVE SESSION**A. REPORTS**

1. **Accept the Intergovernmental Affairs, Communications, and Self-Governance July 2020 report**
Sponsor: Melinda J. Danforth, Director/Intergovernmental Affairs
2. **Accept the Chief Counsel report**
Sponsor: Jo Anne House, Chief Counsel

B. TABLED BUSINESS

1. **Joint Marketing Standard Operating Procedures regarding Tickets & Merchandise Distribution (tabled 4/8/20; no action requested)**

C. NEW BUSINESS

1. **Approve the Principal Financial Group documents regarding the Oneida Nation Public Safety Officer Pension Plan - file # 2020-0482**
Sponsor: Larry Barton, Chief Financial Officer
2. **Approve the Principal Financial Group documents regarding the Oneida Nation Public Safety Officer Excess Benefit Payment Plan - file # 2020-0483**
Sponsor: Larry Barton, Chief Financial Officer
3. **Approve five (5) job descriptions for the re-organization of the OBC Support staff to Politically Appointed Contract Positions**
Sponsor: Lisa Summers, Secretary
4. **Review the recall request and determine next steps - Purchasing and Licensing (10:00 a.m.)**
Sponsor: Larry Barton, Chief Financial Officer
5. **Review the recall request and determine next steps – Gaming (10:15 a.m.)**
Sponsor: Louise Cornelius, Gaming General Manager
6. **Review the posting request and determine next steps - Oneida Law Office (10:30 a.m.)**
Sponsor: Jo Anne House, Chief Counsel
7. **Review the posting request and determine next steps - Oneida Nation School System (10:45 a.m.)**
Sponsor: Lisa Liggins, Chair/Oneida Nation School Board
8. **Approve designating Tribal Contribution to fund the Oneida Nation School System for SY2020-2021 (11:00 a.m.)**
Sponsor: Lisa Liggins, Chair/Oneida Nation School Board

9. **Review application(s) for one (1) vacancy - Oneida Police Commission**
Sponsor: Lisa Summers, Secretary
10. **Review application(s) for three (3) vacancies - Oneida Election Board Alternates**
Sponsor: Lisa Summers, Secretary
11. **Enter the e-poll results in the record - Approved employment request from Gaming to maintain the optimal staffing levels highlighted in the report dated July 14, 2020**
Sponsor: Lisa Summers, Secretary
12. **Enter the e-poll results into the record - Approved employment requests from the General Manager for recall of 25 positions, posting of 7 positions, and posting of future vacancies current/recalled/posted positions in the Comprehensive Health Division**
Sponsor: Lisa Summers, Secretary
13. **Enter the e-poll results into the record - Approved recall request from Human Resources for two (2) Organizational Development Specialists and one (1) Executive Assistant**
Sponsor: Lisa Summers, Secretary
14. **Enter the e-poll results into the record - Approved recall request from Internal Audit for one (1) In-Charge Auditor**
Sponsor: Lisa Summers, Secretary

IX. 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

Special Recognition for Years of Service

Business Committee Agenda Request

1. Meeting Date Requested: 07/20/20

2. General Information:

Session: ☒ Open

☐ Executive – must qualify under §107.4-1.

Justification: *Choose reason for Executive.*

3. Supporting Documents:

☐ Contract Document(s)

☐ Legal Review

☐ Resolution

☒ Correspondence

☐ Minutes

☐ Statement of Effect

☐ Fiscal Impact Statement

☐ Report

☐ Travel Documents

☐ Other: *Describe*

4. Budget Information:

☐ Budgeted

☐ Budgeted – Grant Funded

☐ Unbudgeted

☒ Not Applicable

☐ Other: *Describe*

5. Submission:

Authorized Sponsor: Tehassi Hill, Chairman

Primary Requestor: _____

Additional Requestor: (Name, Title/Entity)

Additional Requestor: (Name, Title/Entity)

Submitted By: LLIGGINS

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



Business Committee Agenda Request – Cover Memo

From: Lisa Liggins, Information Management Specialist

Date: 07/19/2020

RE: Special Recognition for Years of Service

BACKGROUND

The Nation's Years of Recognition Work Standard and Standard Operating Procedure provides that recognition of an employee shall be placed on a duly called Oneida Business Committee agenda when an employee reaches the following milestones:

- 25 years
- 30 years
- 35 years
- +5 year increments

The following OBC members and/or their direct reports have reached the milestones listed above:

- | | |
|---------------------------------------|----------|
| • Geraldine Danforth, HR Area Manager | 35 years |
| • Kirby Metoxen, Councilman | 30 years |
| • Lisa Summers, Secretary | 25 years |

Approve the July 8, 2020, regular Business Committee meeting minutes

Business Committee Agenda Request

1. Meeting Date Requested: 07/20/20

2. General Information:

Session: ☒ Open

☐ Executive – must qualify under §107.4-1.

Justification: *Choose reason for Executive.*

3. Supporting Documents:

☐ Contract Document(s)

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☐ Statement of Effect

☐ Fiscal Impact Statement

☐ Report

☐ Travel Documents

☐ Other: *Describe*

4. Budget Information:

☐ Budgeted

☐ Budgeted – Grant Funded

☐ Unbudgeted

☒ Not Applicable

☐ Other: *Describe*

5. Submission:

Authorized Sponsor: Lisa Summers, Secretary

Primary Requestor: _____

Additional Requestor: (Name, Title/Entity)

Additional Requestor: (Name, Title/Entity)

Submitted By: LLIGGINS

DRAFT**Oneida Business Committee**

Executive Session and Regular Meeting
8:30 AM Wednesday, July 08, 2020
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, Kirby Metoxen, Ernie Stevens III, Jennifer Webster;

Not Present: n/a

Arrived at: n/a

Others present: Jo Anne House, Larry Barton, Debbie Thundercloud, Lisa Liggins, Ralinda Ninham-Lamberies, Louise Cornelius (via Microsoft Teams¹), Chad Fuss (via Microsoft Teams), Fawne Rasmussen (via Microsoft Teams), Lorna Skenandore (via Microsoft Teams), Ivory Kelly, Eric Boulanger (via Microsoft Teams), Keith Doxtator (via Microsoft Teams), Laura Laitinen-Warren, Brian Doxtator, Jameson Wilson;

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, Ernie Stevens III, Jennifer Webster;

Not Present: n/a

Arrived at: n/a

Others present: Jo Anne House, Larry Barton, Debbie Thundercloud, Lisa Liggins, Kristen Hooker, Leslie Wheelock (via Microsoft Teams), Clarissa Reyes (via Microsoft Teams), Keenan Skenandore (via Microsoft Teams), Terry Wheelock (via Microsoft Teams), Linda Langen (via Microsoft Teams), Kalene White (via Microsoft Teams), Linda Nockideneh (via Microsoft Teams), Margaret King (via Microsoft Teams);

I. CALL TO ORDER

Meeting called to order by Chairman Tehassi Hill at 8:31 a.m.

II. OPENING (00:00:20)

Opening provide by Chairman Tehassi Hill.

¹ Microsoft Teams is software which provides a communication and collaboration platform for workplace chat, file sharing, and video meetings

DRAFT

III. ADOPT THE AGENDA (00:03:57)

Motion by Trish King to adopt the agenda with one (1) addition [item IX.B.9. Review the recall request and determine next steps - Oneida Trust Enrollment Department, seconded by Kirby Metoxen. Motion carried:

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

IV. OATH OF OFFICE (00:05:02)

Oaths of office administered by Secretary Lisa Summers. Leslie Wheelock (via Microsoft Teams), Clarissa Reyes (via Microsoft Teams), Keenan Skenandore (via Microsoft Teams), Terry Wheelock (via Microsoft Teams), Linda Langen (via Microsoft Teams), Kalene White (via Microsoft Teams), and Linda Nockideneh (via Microsoft Teams) were present. Kathryn LaRoque was not present.

Councilman David P. Jordan left at 8:36 a.m.

Councilman David P. Jordan returned at 8:38 a.m.

Chairman Tehassi Hill left at 8:39 a.m. Vice-Chairman Brandon Stevens assumed the responsibilities of the Chair.

- A. Oneida ESC Group, LLC, Board of Directors - Leslie Wheelock**
Sponsor: Lisa Summers, Secretary
- B. Oneida Election Board Alternates - Clarissa Reyes, Keenan Skenandore, Terry Wheelock, Linda Langen, Kalene White, Linda Nockideneh, and Kathryn LaRoque**
Sponsor: Lisa Summers, Secretary

V. MINUTES

- A. Approve the June 24, 2020, regular Business Committee meeting minutes (00:08:55)**
Sponsor: Lisa Summers, Secretary

Motion by Jennifer Webster to approve the June 24, 2020, regular Business Committee meeting minutes, seconded by Kirby Metoxen. Motion carried:

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

DRAFT

VI. RESOLUTIONS

A. Adopt resolution entitled Extension of Declaration of Public Health Emergency Until September xx, 2020 (00:09:40)

Sponsor: Tehassi Hill, Chairman

Chairman Tehassi Hill returned at 8:41 a.m. and resumed the responsibilities of the Chair.

Motion by Lisa Summers to adopt resolution 07-08-20-A Extension of Declaration of Public Health Emergency Until August 20, 2020, with two (2) noted changes [1) in line 2, insert date of August 11, 2020; and 2) in line 73-74, insert date of August 11, 2020], seconded by Jennifer Webster. Motion carried:

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

VII. STANDING COMMITTEES

A. LEGISLATIVE OPERATING COMMITTEE

1. Adopt Leasing law rule # 4 – Home Building Opportunities Residential Leasing (00:17:59)

Sponsor: David P. Jordan, Councilman

Motion by David P. Jordan to adopt Leasing law rule # 4 – Home Building Opportunities Residential Leasing, noting 570 ft. sq. is the smallest size home that is allowed, seconded by Jennifer Webster. Motion carried:

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

VIII. NEW BUSINESS

A. Consider the request for issuance of notice regarding per capita (00:27:56)

Sponsor: Margaret King, Tribal Member/GLITC Disability Benefit Specialist

Motion by Lisa Summers for the Chairman's Office to work with Chief Counsel to issue the requested notice regarding halted per capita payments, seconded by David P. Jordan. Motion carried:

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

B. Re-post three (3) vacancies - Oneida Youth Leadership Institute Board (00:38:20)

Sponsor: Lisa Summers, Secretary

Motion by David P. Jordan to re-post three (3) vacancies - Oneida Youth Leadership Institute Board, seconded by Lisa Summers. Motion carried:

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

DRAFT

- C. Enter the e-poll results into the record - Approved CRF Government Relief Funds Request for PPE mailing to northern Wisconsin Tribes - file # 6-4-080 (00:38:42)**
Sponsor: Lisa Summers, Secretary

Motion by Lisa Summers to enter the e-poll results into the record regarding the approved CRF Government Relief Funds Request for PPE mailing to northern Wisconsin Tribes - file # 6-4-080, seconded by Jennifer Webster. Motion carried:

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

- D. Enter the e-poll results into the record - Approved CRF Government Relief Funds Requests for Laptops - file # 6-6-029, file # 6-6-063, file # 6-6-070, file # 6-6-072, file # 6-6-073, file # 6-6-074, and file # 5-6-023 (00:39:40)**
Sponsor: Lisa Summers, Secretary

Motion by Lisa Summers to enter the e-poll results into the record regarding the approved CRF Government Relief Funds Requests for Laptops - file # 6-6-029, file # 6-6-063, file # 6-6-070, file # 6-6-072, file # 6-6-073, file # 6-6-074, and file # 5-6-023, seconded by Kirby Metoxen. Motion carried:

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

- E. Enter the e-poll results into the record - Approved CRF Government Relief Funds Request for eleven (11) laptops for the Judiciary - file # 6-6-008 (00:40:19)**
Sponsor: Lisa Summers, Secretary

Motion by Jennifer Webster to enter the e-poll results into the record regarding the approved CRF Government Relief Funds Request for eleven (11) laptops for the Judiciary - file # 6-6-008, seconded by Trish King. Motion carried:

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

- F. Enter the e-poll results into the record - Approved CRF Government Relief Funds Requests for Social Distance Decals - file # 6-4-066 and file # 6-4-100 (00:40:50)**
Sponsor: Lisa Summers, Secretary

Motion by Kirby Metoxen to enter the e-poll results into the record approved CRF Government Relief Funds Requests for Social Distance Decals - file # 6-4-066 and file # 6-4-100, seconded by Ernie Stevens III. Motion carried:

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

DRAFT

IX. EXECUTIVE SESSION (00:41:35)

Motion by David P. Jordan to go into executive session at 9:12 a.m., seconded by Lisa Summers.
Motion carried:

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

Councilwoman Jennifer Webster left at 11:00 a.m.

Councilwoman Jennifer Webster returned at 12:45 p.m.

The Oneida Business Committee, by consensus, recessed at 12:55 p.m. to 2:30 p.m.

Meeting called to order by Chairman Tehassi Hill at 2:33 p.m.

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; Councilman
Ernie Stevens III; Secretary Lisa Summers; Councilwoman Jennifer Webster;*

Councilman Ernie Stevens III left at 4:45 p.m.

Motion by David P. Jordan to come out of executive session at 4:46 p.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

A. REPORTS

1. Accept the Chief Counsel report (00:43:20)

Sponsor: Jo Anne House, Chief Counsel

Motion by Jennifer Webster to approve the indemnification in regards to Case # 20-CV00731 in accordance with paragraph 7 of the Deputization Agreement Between the Oneida Nation and Brown County Sheriff, 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

Motion by David P. Jordan to accept the Chief Counsel 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

Motion by Lisa Summers to send the 2nd portion of the Chief Counsel report sent to the Human Resources Area Manager for appropriate HR Policy development as discussed, 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

DRAFT**2. Accept the General Manager report (00:44:44)**

Sponsor: Debbie Thundercloud, General Manager

Motion by Jennifer Webster to accept the General Manager report, 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. NEW BUSINESS**1. Review the Greater Green Bay Chamber of Commerce vacancy recommendation and determine next steps (00:45:00)**

Sponsor: Melinda J. Danforth, Director/Intergovernmental Affairs

Motion by David P. Jordan to approve the Greater Green Bay Chamber of Commerce vacancy recommendation and direct the Intergovernmental Affairs Director to bring back a resolution to finalize, 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

2. Accept the FY-2020 Financial Update (00:45:27)

Sponsor: Larry Barton, Chief Financial Officer

Motion by David P. Jordan to accept the FY-2020 Financial 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

Motion by David P. Jordan to adopt the resolution 07-08-20-B Authorizing the Public Release of the Financial Information of the Oneida Nation for Presentation to Membership, 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

DRAFT**3. Approve the BC Political Appointment Re-organization to Contracted Employees (00:46:21)**

Sponsor: Lisa Summers, Secretary

Motion by Jennifer Webster to approve the five (5) employment contracts and job descriptions, 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 Jennifer Webster to approve the OBC SOP: Hiring, Negotiating and Termination of BC Support Contracted Employees, 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 Jennifer Webster to rescind the OBC SOP: Hiring and Negotiating OBC Political Appointments, 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. Review the posting request - Table Games (00:47:14)

Sponsor: Louise Cornelius, Gaming General Manager

Motion by David P. Jordan to approve the posting request from Table Games for one (1) Table Games Director, seconded by Brandon Stevens. Motion carried:

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

Opposed: Kirby Metoxen

Not Present: Ernie Stevens III

5. Review the hiring request and determine next steps - Gaming Facilities (00:47:43)

Sponsor: Louise Cornelius, Gaming General Manager

Motion by Lisa Summers to approve the hiring request from Gaming Facilities for one (1) Maintenance Manager and one (1) Custodial Manager, seconded by Daniel Guzman King. Motion carried:

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

Opposed: Kirby Metoxen

Not Present: Ernie Stevens III

For the record: Councilman Kirby Metoxen stated I just feel that the General Manager at Gaming, they have the authority to hire those, I don't feel they need BC approval.

DRAFT**6. Review the recall request and determine next steps - Central Accounting (00:48:49)**

Sponsor: Larry Barton, Chief Financial Officer

Motion by Jennifer Webster to approve the recall request from Central Accounting for one (1) Administrative Assistant, two (2) Accountants, one (1) Senior Accountant, and three (3) Senior Accounting Assistants, 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

7. Review the recall request and determine next steps - Oneida Gaming Commission-Compliance (00:49:00)

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

Motion by David P. Jordan to approve the recall request from the Oneida Gaming Commission-Compliance for three (3) Regulatory Compliance Specialists, 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

8. Review the recall request and determine next steps - Oneida Police Department (00:49:20)

Sponsor: Sandra Reveles, Chair/Oneida Police Commission

Motion by Lisa Summers to approve the recall request from the Oneida Police Department for one (1) Administrative Assistant, 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

9. Review the recall request and determine next steps - Oneida Trust Enrollment Department (00:49:35)

Sponsor: Kirby Metoxen, Councilman

Motion by David P. Jordan to accept the recall request from the Oneida Trust Enrollment Department for one (1) Enrollment Specialist, one (1) Executive Assistant, and one (1) Administrative Assistant, 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

For the record: Secretary Lisa Summers I want to note for the recall requests that are being entertained by the Business Committee, previously these requests went to the COVID-19 Core Decision Making Team.

It was determined after review of the emergency [declarations] that was not the appropriate place for these requests to go. The [COVID-10 Core Decision Making Team] transferred that responsibility to the Oneida Business Committee. It's mainly due to the Tier V Budget processes that are in place. Thank you.

DRAFT

X. ADJOURN (00:49:48)

Motion by David P. Jordan to adjourn at 4:55 p.m., 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

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

Lisa Summers, Secretary
ONEIDA BUSINESS COMMITTEE

Oneida Business Committee Agenda Request


Adopt resolution entitled Extension of the Real Property Law Emergency Amendments

1. Meeting Date Requested: 7 / 22 / 20**2. General Information:**Session: ☒ Open ☐ Executive - See instructions for the applicable laws, then choose one:Agenda Header: ☐ Accept as Information only☒ Action - please describe:**3. Supporting Materials**☐ Report ☒ Resolution ☐ Contract☒ Other:1. 3. 2. 4. ☐ Business Committee signature required**4. Budget Information**☐ Budgeted - Tribal Contribution☐ Budgeted - Grant Funded☐ Unbudgeted**5. Submission**Authorized Sponsor / Liaison: Primary Requestor/Submitter:
Your Name, Title / Dept. or Tribal MemberAdditional Requestor:
Name, Title / Dept.Additional Requestor:
Name, Title / Dept.



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



TO: Oneida Business Committee
FROM: David P. Jordan, LOC Chairperson 
DATE: July 22, 2020
RE: Extension of the Real Property Law Emergency Amendments

Please find the following attached backup documentation for your consideration of the extension of the Real Property Law Emergency Amendments:

1. Resolution: Extension of the Real Property Law Emergency Amendments
2. Statement of Effect: Extension of the Real Property Law Emergency Amendments
3. Real Property Law

Overview

Emergency amendments to the Real Property law (the “Law”) were adopted through resolution BC-01-22-20-B to add a provision which provides that the Comprehensive Housing Division, Oneida Land Commission, and Land Management are delegated rulemaking authority as needed to exercise the authority granted and manage the responsibilities bestowed upon each area as identified in this law. [6 O.C. 601.12-4]. The purpose of making the emergency amendment was to allow the Comprehensive Housing Division, Oneida Land Commission, and Land Management the ability to develop a rule under the Law to address the acquisition of land. The delegation of rulemaking authority was sought to address land acquisitions due to the transparency and oversight the process of the Administrative Rulemaking law provides.

The Oneida Business Committee can temporarily enact legislation when legislation is necessary for the immediate preservation of the public health, safety, or general welfare of the Reservation population, and the amendment of the legislation is required sooner than would be possible under the Legislative Procedures Act. [1 O.C. 109.9-5].

The Oneida Business Committee determined that the emergency amendment to this Law were necessary for the preservation of the general welfare of the Reservation population. The emergency amendment to the Law ensured that the homeownership and land acquisition strategies related to the HIP and THRIFTT programs were not jeopardized by allowing immediate updates to the program processing and required component that authorizes land acquisitions. Additionally, it was determined that observance of the requirements under the Legislative Procedures Act for the adoption of this amendment was contrary to public interest.

The emergency amendment to the Law was in effect for six (6) months and will expire on July 22, 2020. The Legislative Procedures Act allows the Oneida Business Committee to extend emergency amendments for a six (6) month time period. [1 O.C. 109.9-5(b)]. A six (6) month extension of the emergency amendments to the Law is being requested in order to allow the Comprehensive

Housing Division, Oneida Land Commission, and Land Management additional time to adopt a land acquisition rule, as well as additional time for the Legislative Operating Committee to process the permanent amendments to the Law.

The extension of the emergency amendments to the Law will become effective immediately upon adoption by the Oneida Business Committee and will remain effective for an additional six (6) month term which will end on January 22, 2021.

Requested Action

Approve the Resolution: Extension of the Real Property Law Emergency Amendments.

Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Resolution # _____ Extension of the Real Property Law Emergency Amendments

- 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 Real Property law ("the Law") was adopted by the Oneida Business through resolution BC-05-29-96-A, amended by resolutions BC-03-01-06-D, BC-04-28-10-E, BC-02-25-15-C, BC-05-13-15-B, BC-02-08-17-A, and BC-05-09-18-A, and most recently amended on an emergency basis through resolution BC-01-22-20-B; and
- WHEREAS,** the Law provides regulations and procedures for the transfer, control and management of the territory within the Reservation and all Tribal land; to integrate these regulations and procedures with the real property laws and practices of other federal and state sovereigns which may hold jurisdiction within the Reservation; and to establish licensing and certification requirements for the Nation's employees dealing with real property transactions; and
- WHEREAS,** the Law provides that the Oneida Land Commission shall approve or deny all acquisitions of Tribal land, and that Land Management shall process land acquisition transactions as approved by the Oneida Land Commission; and
- WHEREAS,** prior to the emergency amendments the Law did not delegate rulemaking authority to the Oneida Land Commission or Land Management to develop rules addressing land acquisitions; and
- WHEREAS,** the Administrative Rulemaking law provides that any entity of the Nation that has been granted rulemaking authority by a law of the Nation may promulgate rules interpreting the provisions of a law enforced or administered by it, provided that the rule does not exceed the rulemaking authority granted under the law for which the rule is being promulgated; and
- WHEREAS,** the Oneida Land Commission and Land Management wanted to develop a rule under the Law to address the acquisition of land, but the lack of a delegation of authority to develop rules regarding land acquisitions meant the process of administrative rulemaking as provided by the Administrative Rulemaking law could not be used by the Oneida Land Commission or Land Management for this issue; and

- WHEREAS,** the Law was then amended on an emergency basis to provide a delegation of rulemaking authority to address land acquisitions in an effort to ensure transparency, opportunity for community input, and oversight that the administrative rulemaking process provides; and
- WHEREAS,** the delegation of rulemaking authority was also sought to mirror and be consistent with rules for the Homeownership through Independent Purchase (HIP) Program and the Tribal Housing Reacquisition of Individual Fee and Trust Title (THRIFTT) Program currently being developed by the Oneida Land Commission and Land Management under the Leasing law; and
- WHEREAS,** the HIP and THRIFTT programs rely upon the acquisition power and processing of the Oneida Land Commission and Land Management, so since the acquisition component is an essential part of the process for HIP and THRIFTT, it is desired that the land acquisition process also be codified as a rule; and
- WHEREAS,** the emergency amendment to the Law added a provision which provided that the Comprehensive Housing Division, Oneida Land Commission, and Land Management are delegated rulemaking authority as needed to exercise the authority granted and manage the responsibilities bestowed upon each area as identified in this law; and
- WHEREAS,** the Legislative Procedures Act authorizes the Oneida Business Committee to enact legislation on an emergency basis, to be in effect for a period of six (6) months, renewable for an additional six (6) months; and
- WHEREAS,** emergency adoption of legislation is allowed when legislation is necessary for the immediate preservation of the public health, safety, or general welfare of the Reservation population, and the amendment of the legislation is required sooner than would be possible under the Legislative Procedures Act; and
- WHEREAS,** the Oneida Business Committee determined that the emergency adoption of these amendments to the Law were necessary for the preservation of the general welfare of the Reservation population in order to ensure that homeownership and land acquisition strategies related to the HIP and THRIFTT programs were not jeopardized by allowing immediate updates to the program processing and required component that authorizes land acquisitions; and
- WHEREAS,** observance of the requirements under the Legislative Procedures Act for adoption of this amendment was contrary to public interest; and
- WHEREAS,** the emergency amendments to the Law will expire on July 22, 2020, but the land acquisition rule has yet to be brought forward for adoption, and permanent amendments have not yet been developed; and
- WHEREAS,** a six (6) month extension of the emergency amendments would enable the emergency amendments to remain in effect while they are processed for permanent adoption; and

NOW THEREFORE BE IT RESOLVED, that the emergency amendments to the Real Property law are hereby extended for an additional six (6) month period, effective immediately, and shall expire on January 22, 2021.



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



Statement of Effect

Extension of the Real Property Law Emergency Amendments

Summary

This resolution extends the emergency amendment to the Real Property law adopted through resolution BC-01-22-20-B for an additional six (6) months in accordance with the Legislative Procedures Act.

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

Date: July 13, 2020

Analysis by the Legislative Reference Office

This resolution extends the emergency amendment to the Real Property law (“the Law”) for an additional six (6) month term. The purpose of the Law is to provide regulations and procedures for the transfer, control and management of the territory within the Reservation and all Tribal land; to integrate these regulations and procedures with the real property laws and practices of other federal and state sovereigns which may hold jurisdiction within the Reservation; and to establish licensing and certification requirements for the Nation’s employees dealing with real property transactions. [6 O.C. 601.1-1].

The emergency amendment to the Law was adopted by the Oneida Business Committee through resolution BC-01-22-20-B. The emergency amendment to the Law added a provision which provides that the Comprehensive Housing Division, Oneida Land Commission, and Land Management are delegated rulemaking authority as needed to exercise the authority granted and manage the responsibilities bestowed upon each area as identified in this law. This was an effort to delegate rulemaking authority to the Oneida Land Commission and Land Management for the development of rules addressing the acquisition of land. The emergency amendment to the Law was set to be effective for a six (6) month period and will expire on July 22, 2020.

The Legislative Procedures Act (LPA) allows the Oneida Business Committee to take emergency action where it is “necessary for the immediate preservation of the public health, safety or general welfare of the reservation population” and when “enactment or amendment of legislation is required sooner than would be possible under the Legislative Procedures Act.” [1 O.C. 109.9-5].

The Oneida Business Committee determined that the emergency amendment to the Law was necessary for the preservation of the general welfare of the Reservation population in order to ensure that the homeownership and land acquisition strategies related to the Homeownership through Independent Purchase (HIP) Program and the Tribal Housing Reacquisition of Individual Fee and Trust Title (THRIFTT) Program are not jeopardized by allowing for immediate updates to the program processing and required component that authorizes land acquisitions.

The Legislative Procedures Act authorizes the Oneida Business Committee to extend the adoption of emergency amendments for an additional six (6) months. [1 O.C. 109.9-5(b)]. An extension of the emergency amendment is being requested due to the fact that the land acquisition rule has not yet been brought forward for adoption, and permanent amendments have not yet been developed. This resolution extends the emergency amendments to the Law so that the Law will remain in effect for an additional six (6) month term, expiring on January 22, 2021.

Conclusion

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

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Title 6. Property and Land – Chapter 601
Tok/ske Kayanl/ahsla Tsi? Ni'yohuntsya'té
The real/certain laws of the territory of the nation
REAL PROPERTY

601.1.	Purpose and Policy	601.7.	Title Transfer
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601.5.	Holding of Ownership	601.11.	Real Estate Education Requirements and Certifications
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601.1. Purpose and Policy

601.1-1. *Purpose.* The purpose of this law is to provide regulations and procedures for the transfer, control and management of the territory within the Reservation and all Tribal land; to integrate these regulations and procedures with the real property laws and practices of other federal and state sovereigns which may hold jurisdiction within the Reservation; and to establish licensing and certification requirements for the Nation's employees dealing with real property transactions.

601.1-2. *Policy.* It is the policy of the Nation to set out the responsibilities and expectations for persons purchasing and/or managing real property on behalf of the Nation and/or within the Reservation and to provide real property holder's rights and responsibilities. In addition, it is the Nation's policy that probated estates shall be settled expeditiously and without undue delay.

601.2. Adoption, Amendment, Repeal

601.2-1. This law was adopted by the Oneida Business Committee by resolution BC-5-29-96-A and amended by resolutions BC-3-01-06-D, BC-04-28-10-E, BC-02-25-15-C, BC-05-13-15-B and BC-02-08-17-A, BC-05-09-18-A, and emergency amended by BC-01-22-20-B.

601.2-2. This law may be amended or repealed by the Oneida Business Committee and/or the General Tribal Council pursuant to the procedures set out in the Legislative Procedures Act.

601.2-3. Should a provision of this law or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this law which are considered to have legal force without the invalid portions.

601.2-4. In the event of a conflict between a provision of this law and a provision of another law, the provisions of this law shall control. Provided that, the Land Ordinance is applicable only to valid land assignments existing as of January 1, 2016 and is hereby repealed upon the expiration of the last existing land assignment.

601.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.

601.3. Definitions

601.3-1. This section shall govern the definitions of words and phrases used within this law. All words not defined herein shall be used in their ordinary and everyday sense, subject to 601.4-5.

(a) "Broker" means a person who acts as an agent and negotiates the sale, purchase or rental of real property on behalf of others for a fee.

(b) "Certified survey map" means a map which provides the legal description of real property and is officially filed and approved by the county, Tribal or municipal governments.

(c) "Comprehensive Housing Division" means the division within the Nation under the direction of the Comprehensive Housing Division Director which consists of all residential

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services offered by the Nation, including but not limited to, all rental programs, the rent-to-own program, and the residential sales and mortgages programs.

(d) “Easement” means a real property right to cross or otherwise utilize the land of another for a specified purpose.

(e) “Estate” means a person’s interest in real property or other property.

(f) “Fiduciary” means a person required to act for the benefit of another person on all matters within the scope of their relationship and by such a relationship owes another duties of good faith, trust, confidence and candor. For the purposes of this law, both brokers and salespersons are “fiduciaries.”

(g) “Guardian ad litem” means a guardian appointed by the Judiciary on behalf of an incompetent or minor party.

(h) “Individual fee land” means real property held in fee status by an individual or group of individuals.

(i) “Individual trust land” means individual Tribal land held in trust by the United States of America for the benefit of a Tribal member.

(j) “Judiciary” means the judicial system that was established by Oneida General Tribal Council resolution GTC-01-07-13-B to administer the judicial authorities and responsibilities of the Nation.

(k) “Land Management” means the entity within the Nation responsible for maintaining the Oneida Nation Register of Deeds, entering into and administering agricultural and commercial leases on behalf of the Nation, processing trust transactions and land acquisition transactions, and for fulfilling other responsibilities as identified within this law.

(l) “Land use license” means an agreement entered into by the Nation providing a party the right to occupy and/or utilize a specified piece of Tribal land for a specific purpose and a specific duration, which may require the Nation to be compensated for such use.

(m) “Leasehold mortgage” means a mortgage, deed of trust, or other instrument that pledges a lessee’s leasehold interest as security for a debt or other obligation owed by the lessee to a lender or other mortgagee.

(n) “Nation” means the Oneida Nation.

(o) “Personal representative” means a person to whom authority to administer a decedent’s estate have been granted by Land Management or the Judiciary.

(p) “Probate” or “Administration” means any proceeding relating to a decedent’s estate, whether there is or is not a will.

(q) “Real property” means land and anything growing on, attached to, or erected on the land, excluding anything that may be severed without injury to the land.

(r) “Reservation” means all the property within the exterior boundaries of the Reservation of the Oneida Nation, as created pursuant to the 1838 Treaty with the Oneida 7 Stat. 566, and any lands added thereto pursuant to federal law.

(s) “Restricted fee status” means an interest in real property which includes a provision in the deed or will that, upon the happening or failure to happen of a certain event, the title of the purchaser or devisee shall be limited, enlarged, changed or terminated.

(t) “Rule” means a set of requirements, including fee schedules, enacted by the Comprehensive Housing Division, Land Management, Oneida Planning Department and/or the Oneida Land Commission in accordance with the Administrative Rulemaking law, based on authority delegated in this law in order to implement, interpret and/or enforce this law.

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(u) “TAAMS” (Trust Asset and Accounting Management System) means the Bureau of Indian Affairs system for maintaining and tracking land title documents and all legal documents relating to land transactions.

(v) “Title status report” means a report issued by the Bureau of Indian Affairs after a title examination which shows the proper legal description of a tract of Tribal land; current ownership, including any applicable conditions, exceptions, restrictions or encumbrances on records; and whether the land is in unrestricted, restricted, trust, or other status as indicated by the records in a Land Titles and Records Office.

(w) “Tribal fee land” means land held in fee status by the Nation.

(x) “Tribal land” means Tribal fee land and Tribal trust land.

(y) “Tribal member” means an individual who is an enrolled member of the Nation.

(z) “Tribal trust land” means the surface estate of land or any interest therein held by the United States in trust for the Nation; land held by the Nation subject to federal restrictions against alienation or encumbrance; land reserved for federal purposes; and/or land held by the United States in trust for the Nation under Section 17 of the Indian Reorganization Act, 25 U.S.C §477, et. seq.

601.4. General Provisions

601.4-1. *Applicable Real Property.* The provisions of this law extend to all Tribal member’s individual fee land and Tribal member’s individual trust land within the Reservation boundaries and all Tribal land.

601.4-2. *Tribal Land Base.* Land Management shall administer all transactions which add real property to the Tribal land base under the provisions of this law.

601.4-3. *Sale of Tribal Land Prohibited.* The sale of Tribal land is specifically prohibited by this law, unless the intent of the transaction is the consolidation or partition of Tribal trust land and/or individual trust land.

601.4-4. *New Land Assignments Prohibited.* The Nation may not acknowledge any new land assignments. Further, in order to be eligible for a Tribal loan issued against a real property interest held as a land assignment, the land assignment shall first be converted to a residential lease.

601.4-5. *Wisconsin Probate Code and its Related Chapters.* In instances where the Nation lacks definition, procedure, or legal precedent in a probate matter, the Nation shall use Wisconsin’s Probate Code and its related chapters for guidance.

601.4-6. *Wisconsin Real Property Law.* The Nation shall follow all applicable portions of the Wisconsin Real Property law when acquiring individual fee land.

601.4-7. *No Waiver of Sovereign Immunity.* Nothing in this law may be construed as a waiver of the Nation’s sovereign immunity.

601.5. Holding of Ownership

601.5-1. Interests in real property by more than one (1) person may be held in the following ways:

(a) *Joint Tenancy with the Right of Survivorship.* Pursuant to this ownership mechanism each owner has an equal, undivided interest in the real property. When an owner dies, his/her share is divided among the remaining owners; the last living owner owns the entire property.

(1) Real property owned by married persons is held under this mechanism unless they have executed a valid marital property agreement specifically stating that the real property in question is held as tenants in common.

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(b) *Tenancy in Common*. Pursuant to this ownership mechanism each owner has a percentage of divided interest in the real property. When an owner dies, his/her interest is divided among his/her devisees or heirs.

(1) Real property owned by more than one (1) person, other than married persons, is owned under this mechanism unless a deed or transfer document specifically states the real property is held as joint tenants with rights of survivorship.

601.6. Legal Descriptions

601.6-1. The legal description for any real property transferred under this law shall be derived from a certified survey map or survey completed by a registered land surveyor according to currently accepted minimum industry standards for property surveys. If the plat of survey changes the legal description of the certified survey map for the same piece of property, the certified survey map's legal description shall be used on transfer documents along with the survey description, which shall be designated as "Also Known As ..." Section, township, range and fourth principal meridian shall be included in all legal descriptions.

601.6-2. Every land survey shall be made in accordance with the county register of deeds' records for fee land, and in accordance with the Oneida Nation Register of Deeds' records for Tribal trust lands and individual trust lands. The surveyor shall acquire data necessary to retrace record title boundaries such as deeds, maps, certificates of title, title status reports, Tribal leases, Tribal home purchase agreements, center line and other boundary line locations.

601.6-3. Legal descriptions defining land boundaries shall be complete, providing unequivocal identification of line or boundaries.

601.6-4. All surveys prepared for the Nation shall comply with survey requirements outlined in the Wisconsin Administrative Code, Chapter A-E7 and indicate setbacks, building locations and encroachments, as applicable.

601.6-5. Legal descriptions shall be used on transfer documents formalizing a purchase, real estate sale, lease, foreclosure, probate transfer, trust acquisition and Tribal resolutions.

601.6-6. When real estate is listed, noticed and/or advertised as available for sale, rent or lease to Tribal members, the address is an adequate legal description of the real property.

601.7. Title Transfer

601.7-1. *Trust Acquisition*. Land Management shall use title companies duly registered with the Department of Interior and approved by the Land Management to update abstracts or provide title insurance on real property scheduled for trust acquisition.

(a) Title companies shall follow general guidelines provided by the federal government in terms of form, content, period of search, destroyed or lost records and abstracter's certificate.

(b) When researching land title for real property within the Reservation which is being considered for trust acquisition, Land Management shall request the title company to search the title back to the original allottee, in order to ensure that patents or Indian deeds were legally issued.

(c) Any valid liens or encumbrances shown by the commitment for title insurance shall be eliminated before the title is transferred into trust.

(d) After land is in trust both a title search of county records and a title status report requested by Land Management from the Bureau of Indian Affairs shall verify all valid encumbrances, if any, on the title. For the purposes of this section, a valid encumbrance is

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one that has been preapproved, in writing, by Land Management based on a standard operating procedure that is effective upon approval by the Oneida Land Commission.

(e) Land Management applications to convert Tribal fee land into Tribal trust land require an Oneida Land Commission resolution approving the conversion.

601.7-2. *Deeds.* A deed is the formal document used by the Land Management to transfer title from one (1) party to another.

(a) A valid deed shall:

(1) Be in writing;

(2) Identify the grantor (seller) and grantee (buyer);

(3) Provide the legal description of the real property;

(4) Identify the interest conveyed, as well as any conditions, reservations, exceptions, or rights of way attached to the interest;

(5) Be signed by or on behalf of each of the grantors (sellers);

(6) Be signed by or on behalf of each spouse of each of the grantors (sellers), if applicable; and

(7) Be delivered to the grantee (buyer).

(b) In addition to the requirements listed in section 601.7-2(a), a deed prepared for trust acquisition shall include:

(1) The federal authority for trust acquisition;

(2) Any exceptions or exclusions from the State of Wisconsin's fees or other transfer requirements;

(3) The approximate acreage of the real property being transferred to trust; and

(4) The authority and signature of the appropriate Department of Interior official who accepts the real property into trust.

(c) A deed transferring fee simple title shall be recorded in the appropriate register of deeds office, provided that, once the real property is in trust, the title shall be recorded with the Oneida Nation Register of Deeds and the Bureau of Indian Affairs Land Titles and Records Office.

601.7-3. *Involuntary Transfer of Title.* All involuntary transfers of title require a hearing and order from the Judiciary, and may occur in the following ways:

(a) *Eminent Domain.* Eminent domain is the right of the Nation's government to acquire Tribal member individual fee land within the Reservation for public uses without the consent of private owners.

(1) For the purposes of this section, public uses include, but are not limited to, environmental protection, streets, highways, sanitary sewers, public utility/sites, waste treatment facilities and public housing.

(2) Prior to exercising eminent domain, the Nation shall first attempt to negotiate an agreeable taking by making an offer to purchase based on an appraisal of the real property. The appraisal amount may be based on an appraisal provided by the Nation. In the event the property owner objects to the Nation's appraisal, they may obtain an independent appraisal at their own cost. For the purposes of this section, an appraisal means process for estimating a piece of real property's value.

(3) The Nation's exercise of eminent domain may be appealed to the Judiciary.

(b) *Foreclosure.* Foreclosures may occur subject to the Mortgage and Foreclosure law when a Tribal member ceases payment on a leasehold mortgage.

(c) *Tribal Land Consolidation.* Section 207 of the Indian Land Consolidation Act (Pub.L. No. 97-459, 96 Stat. 2515, and amended on October 30, 1984 by Pub.L. No. 98-608, 98

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Stat. 3171) is incorporated into this law, which provides a mechanism for real property within the Reservation to escheat, or pass, to the Nation.

(1) Pursuant to section 207 of the Indian Land Consolidation Act, an ownership interest in real property escheats, or passes, to the Nation under the following circumstances, provided that the Nation shall provide just compensation for the interest:

(A) The real property is within the Reservation boundaries;

(B) The decedent's ownership in the given parcel of land is two percent (2%) or less of the total acreage; and

(C) The interest is incapable of earning one hundred dollars (\$100) in any one (1) of the five (5) years immediately following the decedent's death.

(2) A decedent's heirs may appeal a land consolidation under this section to the Judiciary.

(3) Land consolidation is subject to the probate requirements, as included in this law and accompanying rules.

(d) *Transferring Interests Inherited by Non-Tribal Members.* If the owner of an interest of real property which is held in trust or restricted fee status located within the Reservation devises such interest to a non-Tribal member, the Nation may acquire the interest by paying the fair market value of the interest determined as of the date of the decedent's death. Such transfer is effective upon receipt of an order transferring inherited interests from the Judiciary pursuant to section 205 of the Indian Land Consolidation Act.

(1) An order transferring inherited interests may not be granted if:

(A) While the decedent's estate is pending, the non-Indian devisee denounces his or her interest in favor of a Tribal member person;

(B) The interest is part of a family farm that is devised to a member of the immediate family of the decedent, provided that such a restriction shall be recorded as part of the deed relating to the interest involved; or

(C) The devisee agrees in writing that the Nation may acquire the interest for fair market value only if the interest is offered for sale to a person or entity that is not a member of the immediate family of the owner of the interest.

(e) *Easements for Landlocked Properties.* Land Management and the Oneida Land Commission shall jointly develop rules regarding requests for easements for landlocked properties.

601.7-4. Land Management shall work with the Oneida Law Office in order to pursue an involuntary transfer of title.

601.8. Probate

601.8-1. Land Management shall process and administer probate estates and, where necessary, shall refer probate estates to the Oneida Judiciary for formal administration. Land Management and the Oneida Land Commission shall jointly create any rules necessary to administer probate estates. Land Management shall:

(a) Process applications for probate administration;

(b) Receive proof of heirship demonstrating a party is entitled to receive an intestate decedent's property pursuant to applicable laws and rules;

(c) Receive consent to serve forms and in undisputed matters, issue domiciliary letters;

(d) Require and receive affidavits of service;

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- (e) Receive waiver and consent to probate administration forms and any related affidavits;
- (f) Issue notice to creditors of the probate's administration, receive creditor claims for consideration and settlement, and issue discharge of creditors when appropriate;
- (g) Receive and process all estate inventories;
- (h) Receive and process, when possible, land transactions in accordance with this law and receive proof of recording documents;
- (i) Receive estate receipts;
- (j) In undisputed matters, receive and process statement of personal representative to close estate and issue discharge of personal representative; and
- (k) Refer disputed matters to the Judiciary, transfer probate and related documents, and participate in the Judiciary's proceedings as necessary.

601.8-2. The Judiciary shall hear and administer disputed probate estates or matters requiring appointment of a guardian ad litem and shall have all the above powers conferred upon Land Management in such cases. In addition, the Judiciary shall hear and administer probate estates in which Land Management seeks appointment as a personal representative.

601.9. Leasing of Real Property

601.9-1. In accordance with the Leasing law, Land Management shall administer and process all leasing of Tribal land for agricultural and commercial purposes and the Comprehensive Housing Division shall administer and process all leasing of Tribal land for residential purposes. The Leasing law definition of Tribal land does not include Tribal fee land; however, pursuant to this law, the responsible parties designated herein shall administer and process leases of both Tribal fee land and Tribal trust land in accordance with the Leasing law.

601.10. Records

601.10-1. *Purpose.* Land Management shall oversee the administration of the Oneida Nation Register of Deeds which shall accept and record documents related to real property located within the Reservation, as well as documents related to all Tribal fee land, regardless of where it is located.

601.10-2. *Types of Records.* The Oneida Nation Register of Deeds may only accept documents that provide evidence of activities affecting real property title, preserve the record of a title document and give constructive notice of changes to a title document. Further, such documents shall be originals, signed duplicates or certified copies. The following documents may be accepted by the Oneida Nation Register of Deeds.

- (a) Deeds;
- (b) Probate orders;
- (c) Mortgages and other valid liens;
- (d) Easements, covenants, and restrictions;
- (e) Certified survey maps and plats of survey;
- (f) Patents;
- (g) Declarations of involuntary transfer or taking;
- (h) Satisfactions;
- (i) Leases made pursuant to the Leasing law;
- (j) Home ownership agreements made pursuant to the Landlord-Tenant law;
- (k) Marriage agreements; and
- (l) Correction of title defects.

601.10-3. *Accessibility.* The Oneida Nation Register of Deeds shall provide open access to land records and title documents.

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601.10-4. *Trust Land*. All documents pertaining to Tribal trust land and individual trust land shall be recorded with the Oneida Nation Register of Deeds and the Bureau of Indian Affairs Land Titles and Records Office.

601.10-5. *Tribal Seal*. The Nation's Secretary shall provide Land Management with the Nation's seal to be used to authenticate documents which are certified by the Oneida Nation Register of Deeds.

601.11. Real Estate Education Requirements and Certifications

601.11-1. *Wisconsin Real Estate Education and Exam Required*. All persons engaging in the acquisition of Tribal fee land on behalf of the Nation, specifically those performing real estate closings, shall pass the Wisconsin Real Estate License Exam. Such persons are not required to obtain a Wisconsin Real Estate License, but shall fulfill the pre-license education requirement, pass the licensing exam and fulfill a minimum of twelve (12) hours or four (4) courses of continuing education requirements as required of Wisconsin real estate licensees. The Land Management director shall select which continuing education courses are required and the Oneida Law Office shall provide the director with a recommendation. In addition to Wisconsin's minimum education requirements as applied to the Nation's real estate employees in this law, Land Management shall require such employees to attend real estate training specific to the Nation's goals and unique positions as the Oneida Law Office shall offer on an as-needed basis.

(a) While Wisconsin real estate law allows persons engaged in the sale of real estate to earn a commission, persons acquiring Tribal fee land on behalf of the Nation are regular employees of the Nation and, therefore, shall waive any commission for which they might otherwise be eligible.

(b) It is critical to the Oneida Nation's goal to reacquire property within the original Reservation boundaries to have employees educated and experienced in executing real estate transactions. Accordingly, Land Management shall employ a minimum of one (1) employee whose primary focus is real estate acquisitions and shall ensure that a minimum of two (2) employees are educated and trained as backups to the primary.

601.11-2. *TAAMS Certification Required*. All persons responsible for encoding leasing information shall obtain a TAAMS certification, which includes, but is not limited to, the following positions:

(a) Residential and Commercial Leasing Specialists;

(b) Land Title and Trust Manager; and

(c) Title Examiner.

601.11-3. *Fiduciary Responsibility*. All persons engaged in the buying or selling of Tribal land shall, at all times, act as a fiduciary to the Nation. Further, all such persons shall comply with all applicable Tribal and federal laws.

601.12. Organization

601.12-1. *Comprehensive Housing Division*. The Comprehensive Housing Division shall oversee all residential transactions within the Reservation and shall process and administer such transactions using the applicable of the Landlord-Tenant law, the Mortgage and Foreclosure law, the Leasing law and/or the Eviction and Termination law; including any corresponding rules. In addition, the Oneida Land Commission and the Comprehensive Housing Division shall exercise joint rulemaking authority to provide process requirements, including but not limited to advertising, notice, prequalification, and selection, that apply in all circumstances when the Nation is selling a residential property.

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601.12-2. *Oneida Land Commission.* The Oneida Land Commission is comprised of seven (7) elected Tribal members and shall:

- (a) Interpret the provisions of this law and create policy to guide Land Management in implementing the same;
- (b) Approve or deny all easements and land use licenses;
- (c) Review and adopt Land Management's standard operating procedures for entering into agriculture and commercial leases pursuant to the Leasing law;
- (d) Approve or deny all acquisition of Tribal land;
- (e) Allocate and assign land uses to all Tribal land, except those uses governed by the Public Use of Tribal Land law, based on the Land Use Technical Unit rules which the Oneida Planning Department shall develop in collaboration with affected Oneida divisions and departments and the Oneida Land Commission; and
- (f) Name all buildings, roads, parks and the like on Tribal land.

601.12-3. *Land Management.* Land Management shall implement this law in accordance with the policy directives provided by the Oneida Land Commission. Land Management shall:

- (a) Forward requests for easements and land use licenses to the Oneida Land Commission based on the easement and land use license rules jointly developed by Land Management and the Oneida Land Commission;
- (b) Administer and oversee the Oneida Nation Register of Deeds;
- (c) Enter into and administer agricultural and commercial leases pursuant to the Leasing law and the Eviction and Termination law and any corresponding rules;
- (d) Prepare title reports and process trust transactions; and
- (e) Process land acquisition transactions as approved by the Oneida Land Commission.

601.12-4. *Administrative Rulemaking Authority.* The Comprehensive Housing Division, Oneida Land Commission, and Land Management are delegated rulemaking authority as needed to exercise the authority granted and manage the responsibilities bestowed upon each area as identified in this law.

End.

Adopted-BC-05-29-96-A
Amended-BC-03-01-06-D
Amended-BC-04-28-10-E
Amended-BC-02-25-15-C
Amended-BC-05-13-15-B
Amended-BC-02-08-17-A
Emergency Amended - BC-06-14-17-A
Amended-BC-05-09-18-A
Emergency Amended – BC-01-22-20-B

Oneida Business Committee Agenda Request

Adopt resolution entitled Amendment to resolution # BC 12-11-19-A for the Nation's Appointed...

1. Meeting Date Requested: 7 / 22 / 20**2. General Information:**Session: ☒ Open ☐ Executive - See instructions for the applicable laws, then choose one:Agenda Header: ☐ Accept as Information only☒ Action - please describe:

Adoption of the attached resolution that appoints Mr. Jeff House, President/CEO of Oneida ESC LLC to the Greater Green Bay Chamber of Commerce Board of Directors.

3. Supporting Materials☐ Report ☒ Resolution ☐ Contract☐ Other:1. 3. 2. 4. ☐ Business Committee signature required**4. Budget Information**☐ Budgeted - Tribal Contribution☐ Budgeted - Grant Funded☐ Unbudgeted**5. Submission**

Authorized Sponsor / Liaison:

Primary Requestor/Submitter:

Additional Requestor:

Additional Requestor:

Oneida Business Committee Agenda Request

6. Cover Memo:

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

The Oneida Nation current representative on the Greater Green Bay Chamber Board of Directors term is expiring on August 31, 2020. At the request of the Business Committee, IGAC performed an analysis and provided a recommendation to the Business Committee to determine who would best be suited to serve on the Board.

IGAC recommended Mr. Jeff House, CEO/President of Oneida ESC LLC. The Business Committee confirmed this appointment and the resolution before the Business Committee would make the appointment official.

Requested Action:

Adopt Resolution amending BC Resolution 12-11-19-A for the Nation's Appointed Representatives on the Board for the Greater Green Bay Chamber of Commerce.

- 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.
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Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Resolution # _____

Amendment to resolution # BC 12-11-19-A for the Nation's Appointed Representative on the Board for the Greater Green Bay Chamber of Commerce

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 determined that the appointment of liaisons to various boards, committees, commissions, and organization units fosters communication and understanding between the organization entities and the Oneida Business Committee; and

WHEREAS, the Oneida Business Committee adopted resolution # BC 08-30-17-A, which appointed liaison representatives for organization entities for the 2017-2020 term of the Oneida Business Committee; and

WHEREAS, the Oneida Business Committee adopted resolution # BC 01-24-18-A, which made amendments to the appointed liaison representatives for organization entities for the 2017-2020 term of the Oneida Business Committee; and

WHEREAS, the Oneida Business Committee adopted resolution # BC 06-13-18-A, which removed of any member of the Legislative Operating Committee as liaison to the Judiciary Standing Committee to reaffirm the separation of powers between the Oneida Judiciary and the Legislative Operating Committee; and

WHEREAS, the Oneida Business Committee adopted resolution # BC 01-09-19-D, which made amendments to the appointed liaison representatives for organization entities for the remainder of the 2017-2020 term of the Oneida Business Committee; and

WHEREAS, the Oneida Business Committee adopted resolution # BC 12-11-19-A, which made amendments to the appointed liaison representatives for organization entities for the remainder of the 2017-2020 term of the Oneida Business Committee; and

WHEREAS, since the adoption of resolution # BC 12-11-19-A, the Oneida Business Committee has determined an additional change is needed; and

WHEREAS, the term of the current appointee, Louise Cornelius, expires on the Greater Green Bay Chamber Commerce on August 31, 2020; and

WHEREAS, the current appointee, Louise Cornelius, has requested a replacement be identified; and

BC Resolution # _____

Amendment to resolution # BC 12-11-19-A for the Nation's Appointed Representative on the Board for the
Greater Green Bay Chamber of Commerce
Page 2 of 2

WHEREAS, the Oneida Business Committee met and discussed individuals to fill this seat in order to promote the following goals of the Oneida Nation:

- Enhance local and corporate relations,
- Promote diversity and inclusion within the business community,
- Develop and Support Small Business programs,
- Increase Tribal Corporation profitability,
- Advance and Influence Economic Diversification,
- Strengthen Workforce Development,
- Collaborative legislative and political impact; and

WHEREAS, the Oneida Business Committee has determined that Jeff House, President/CEO of Oneida ESC LLC, is best suited to fill this roll;

NOW THEREFORE BE IT RESOLVED, that 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* is amended as outlined below:

Ref #	Entity	Primary	Alternate
Local Government Relations			
L1	Greater Green Bay Chamber of Commerce http://www.greatergbc.org/	Jeff House	Daniel Guzman and Jennifer Webster

NOW THEREFORE BE IT FINALLY RESOLVED, that the change be effective on September 1, 2020.

Oneida Business Committee Agenda Request

Determine next steps regarding one (1) vacancy - Oneida Police Commission

1. Meeting Date Requested: 07 / 22 / 20

2. General Information:

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

Agenda Header: Appointments

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

Determine next steps regarding one (1) vacancy(ies) - Oneida Police Commission

3. Supporting Materials

- ☐ Report ☐ Resolution ☐ Contract
☐ Other:

1. 3.
2. 4.

☐ Business Committee signature required

4. Budget Information

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

5. Submission

Authorized Sponsor / Liaison: Lisa Summers, Secretary

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

Additional Requestor: Name, Title / Dept.

Additional Requestor: Name, Title / Dept.

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

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

One (1) vacancy(ies) was posted for the Oneida Police Commission.

The application deadline was July 10, 2020 and one (1) application(s) was received for the following applicant(s):

Beverly Anderson

Select action(s) provided below:

(1) accept the selected the applicant(s) and appoint to term ending July 31, 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

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Oneida Business Committee Agenda Request

Determine next steps regarding three (3) vacancies - Oneida Election Board Alternates

1. Meeting Date Requested: 07 / 22 / 20

2. General Information:

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

Agenda Header: Appointments

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

Determine next steps regarding three (3) Alternates - Oneida Election Board

3. Supporting Materials

- ☐ Report ☐ Resolution ☐ Contract
☐ Other:

1. 3.
2. 4.

☐ Business Committee signature required

4. Budget Information

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

5. Submission

Authorized Sponsor / Liaison: Lisa Summers, Secretary

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

Additional Requestor: Name, Title / Dept.

Additional Requestor: Name, Title / Dept.

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

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

Three (3) vacancy(ies) were posted for Oneida Election Board Alternates.

The application deadline was July 10, 2020 and one (1) application(s) for alternate positions were received for the following applicant(s):

Ramona Salinas

Select action(s) provided below:

(1) accept the selected the applicant(s) and appoint them to terms that will end after the 2020 General Election Results are ratified; OR

(a) reject the selected applicant(s) and oppose the vote**;

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

Oneida Business Committee Agenda Request

Appoint Michelle Myers, Public Health Officer, to represent the Oneida Nation on the State Disaster...

1. Meeting Date Requested: 7 / 22 / 20

2. General Information:

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

Agenda Header:

☐ Accept as Information only

☒ Action - please describe:

Received invitation for Oneida Nation to participate in the State Disaster Medical Advisory Committee (SDMAC) through Michelle Myers, Public Health Manager/ Public Health Officer. Action requested is approval for Michell Myers to participate.

3. Supporting Materials

☐ Report ☐ Resolution ☐ Contract

☒ Other:

1.

3.

2.

4.

☐ Business Committee signature required

4. Budget Information

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

5. Submission

Authorized Sponsor / Liaison:

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

Additional Requestor:
Name, Title / Dept.

Additional Requestor:
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

It is anticipated that COVID19 vaccine will be in scarce supply when it first becomes available. Earlier this week, we received an invitation from Dr Westergaard, Chief Medical Officer and State Epidemiologist for the state of WI.

The Oneida Health response team feels participation on the committee that determines distribution of COVID19 vaccine does benefit the community.

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

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Mercie L. Danforth

From: Westergaard, Ryan P - DHS <ryan.westergaard@dhs.wisconsin.gov>
Sent: Wednesday, July 8, 2020 8:49 AM
To: Michelle L. Myers
Subject: RE: Participate in vaccine ethics committee?

Thank you Michelle, I'm glad you're interested. I will keep you on the list for now and please let me know when and if it becomes official!

Ryan

Ryan Westergaard, MD, PhD, MPH

Chief Medical Officer and State Epidemiologist
Bureau of Communicable Diseases
Division of Public Health
Wisconsin Department of Health Services

Associate Professor of Medicine
Division of Infectious Diseases
University of Wisconsin School of Medicine & Public Health

From: [Michelle L. Myers](#)
Sent: Tuesday, July 7, 2020 4:34 PM
To: [Westergaard, Ryan P - DHS](#)
Cc: [Myers, Michelle](#)
Subject: RE: Participate in vaccine ethics committee?

Hello Dr Westergaard

Thank you for extending the invitation to participate on the State Disaster Medial Advisory Committee (SDMAC). As a public health professional, I am delighted to contribute any expertise I can on this important topic. However, I will need to obtain approval to participate from my governing body- The Oneida Business Committee. This is a formal process on my end that I can initiate this week. In the meantime, please feel free to include me in any communications about the committee's work.

Thank you again.

**Michelle Myers, BSN, RN- Public Health Manager
Community/ Public Health Officer**

Oneida Comprehensive Health Division
Community Health Services • Population Based Programming



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<https://oneida-nsn.gov/resources/health/>

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From: Westergaard, Ryan P - DHS <ryan.westergaard@dhs.wisconsin.gov>
Sent: Monday, July 6, 2020 3:54 PM
To: Michelle L. Myers <mmyers@oneidanation.org>
Subject: RE: Participate in vaccine ethics committee?

Dear Michelle,

I hope this finds you well. I am writing to see if you may be interested in participating in a new working group to inform our DHS Immunization Program as we plan for the future possibility of having COVID-19 vaccine to distribute around the state. We expect that if and when a new vaccine becomes available, it will initially be in very short supply, and that the State will need to develop a strategy for making it available to Wisconsin communities in a way that is fair and transparent. To plan ahead for this, we would like to convene a committee with representatives from a number of local and tribal health departments and community organizations. Some of my colleagues here at DHS nominated you as someone who would be a great fit for the committee. Would you be willing to participate, and/or would you like to discuss the work in more detail? I have attached a brief description of the request from the DHS secretary to have this work done. Please let me know what you think. I look forward to working together if it works out for you to join us.

Thanks for considering!

Ryan

Ryan Westergaard, MD, PhD, MPH
Chief Medical Officer and State Epidemiologist
Bureau of Communicable Diseases
Division of Public Health
Wisconsin Department of Health Services

Associate Professor of Medicine
Division of Infectious Diseases
University of Wisconsin School of Medicine & Public Health

To: Azita Hamedani, SDMAC Chair

From: Andrea Palm, Secretary-designee

Subject: Allocation of state procured vaccines and therapeutics – charge to the SDMAC

Background. The State Disaster Medical Advisory Committee (SDMAC) was created to advise DHS on strategies for the allocation of scarce medical resources through an open and transparent process. During the COVID-19 response, the state has distributed limited supplies of personal protective equipment and therapeutics across the state.

As we anticipate the possibility of a vaccine and/or effective treatments, DHS will need to make decisions about their distribution. These decisions must be based on ethical principles that serve as a foundation for all distribution decisions.

Charge to SDMAC. To develop distribution strategies for vaccines and therapeutics in the possession of the State:

1. Create an SDMAC Ethics Subcommittee charged with developing and proposing a statement of ethical principles for the distribution of scarce resources. The statement will be submitted to the full SDMAC and Secretary's Office for approval. The subcommittee will be dissolved at the conclusion of its work.
2. Building on the work of the Ethics Subcommittee, create an SDMAC Vaccine Distribution Subcommittee charged with developing a process for the distribution of SARS-CoV-2 vaccines across the state.
3. In parallel with the vaccine subcommittee, create an SDMAC Therapeutics Distribution Subcommittee charged with developing a process for distribution of therapeutics in possession of the state. This committee will create a general allocation process and potentially revise the current remdesivir distribution process.
4. Vaccine and therapeutic distribution strategies developed by the subcommittees will be submitted to the full SDMAC and Secretary's Office for final review, revision and sign-off.

Stakeholder engagement. Subcommittees will include a diverse membership to ensure the perspectives of key stakeholders reflected in proposed recommendations. Feedback from the public will be gathered during a two week comment period before submission of recommendations to the SDMAC.

Attachments:

Charge questions for SDMAC Ethics Subcommittee

Attachment: Charge questions for SDMAC Ethics Subcommittee

The goal of the subcommittee will be to define a number of generally agreed-upon principles that can guide ethical decision making that is necessary to fairly and effectively distribute scarce resources such as vaccines and therapeutics. The subcommittee will review resources promulgated by states – including the “Considerations for Allocation of Scarce Resources”, existing federal guidelines, as well as relevant literature defining ethical principles applied to allocation policies that have been proposed by other organizations, and make determinations about whether they should be adopted or modified for policy decisions made by DHS. Ethical principles suggested by the subcommittee may apply generally to distribution of different kinds of scarce resources, while recognizing that specific ethical frameworks may need to address nuanced practical concerns based on the resource. The subcommittee should ensure the recommended principles are fully protective of persons with disabilities or other historically marginalized groups.

Charge: Questions within the scope of the subcommittee include:

1. Using the “Considerations for Allocation of Scarce Resources” guidelines as a foundational document, are there foundational ethical principles not captured in this document that merit consideration for inclusion?
 1. Which principles can be applied to both vaccines and therapeutics, and which have unique considerations that must be answered specific to each?. Questions may include:
 1. Whether and when it may be appropriate to give preference in allocation decisions to regions or other geographic areas within Wisconsin that are disproportionately burdened by COVID-19 or other health inequalities?
 2. Whether and when there are circumstances when allocation considerations should give priority to individuals who work in fields that are instrumental to the COVID-19 response, such as health care workers?
2. What are the most important procedural considerations for developing strategies to allocate scarce resource, such that the processes are transparent, inclusive, and worthy of trust?

Mercie L. Danforth

From: Ravinder Vir
Sent: Wednesday, July 8, 2020 10:37 AM
To: Debra J. Danforth; Michelle L. Myers; Mercie L. Danforth
Subject: RE: Request OBC agenda item

I support Michelle Myer representing Oneida on the WI Vaccine Ethics Committee.

Stay Safe and Healthy

Ravi Vir, MD, MBA, FACP

Oneida Comprehensive Health Division Medical Director



A good mind. A good heart. A strong Fire.

Office: 920.869.4808
Cell: 920.819.2653
Fax: 920.869.4979
Email: rvir@oneidanation.org

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Oneida Comprehensive Health Division Mission Statement

We provide the highest quality, holistic healthcare to improve the health and wellness of OUR Oneida community

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From: Debra J. Danforth <ddanfort@oneidanation.org>
Sent: Wednesday, July 8, 2020 10:18 AM
To: Michelle L. Myers <mmyers@oneidanation.org>; Mercie L. Danforth <mdanfor6@oneidanation.org>
Cc: Ravinder Vir <rvir@oneidanation.org>
Subject: Re: Request OBC agenda item

I support the recommendation to have Michelle participate in the State Ethics Committee and to seek BC approval to represent the Oneida Nation on this State committee.

Debra J. Danforth, BSN, RN
Division Director-Operations

Oneida Comprehensive Health Division



A good mind. A good heart. A strong Fire.

Office: 920.869.4807

Cell: 920.562.5455

Fax: 920.869.1780

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COMPREHENSIVE HEALTH DIVISION MISSION STATEMENT:

We provide the highest level of quality, holistic health care to ensure the future wellness of OUR Oneida Community.

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From: Michelle L. Myers <mmyers@oneidanation.org>

Sent: Wednesday, July 8, 2020 9:45 AM

To: Mercie L. Danforth <mdanfor6@oneidanation.org>

Cc: Debra J. Danforth <ddanfort@oneidanation.org>; Ravinder Vir <rvir@oneidanation.org>; Michelle L. Myers <mmyers@oneidanation.org>

Subject: Request OBC agenda item

Hi Mercie

I need to request approval from the OBC to participate in a State ethics committee. I believe I have included all required documentation. But I did leave the meeting date blank as I am not sure of the next meeting. Please let me know if you need anything else from me. Thank you!

Michelle Myers, BSN, RN- Public Health Manager

Community/ Public Health Officer

Oneida Comprehensive Health Division

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Oneida Business Committee Agenda Request

Review request for permanent amendments to the Children's Code and determine next steps

1. Meeting Date Requested: 07 / 22 / 20

2. General Information:

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

Agenda Header:

☐ Accept as Information only

☒ Action - please describe:

Request to permanently adopt the amendments made to the Children's Code in the Declaration on March 20, 2020.

3. Supporting Materials

☐ Report ☐ Resolution ☐ Contract

☒ Other:

1.

3.

2.

4.

☐ Business Committee signature required

4. Budget Information

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

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter: Jennifer Berg-Hargrove, Family Services Director / Family Services
Your Name, Title / Dept. or Tribal Member

Additional Requestor: Tina Jorgensen, Division Director/GSD
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.

Jo Anne House, PhD | Chief Counsel
James R. Bittorf | Deputy Chief Counsel
Kelly M. McAndrews | Senior Staff Attorney

Michelle L. Gordon
Carl J. Artman
Krystal L. John
Peggy A. Schneider

Law Office



MEMORANDUM

TO: Tina Jacobsen, GSD Director, Debbie Thundercloud, General Manager, and Jo Anne House, Chief Counsel

FROM: Michelle L. Gordon, Staff Attorney, on behalf of ICW

DATE: July 10, 2020

SUBJECT: Request to Amend BC Resolution #BC-07-26-17-J Adoption of the Children's Code and the Nations' Indian Child Welfare Policy

On March 20, 2020 the Oneida Business Committee approved the attached Declaration to be effective immediately and to remain in effect for the duration of the Nation's public health emergency. On August 8, 2020 the Business Committee passed a resolution to extend this public health emergency until August 11, 2020. (resolution # BC-07-08-20-A).

This Declaration by the COVID-19 Team amended resolution #BC-07-26-17-J regarding the Transfer of Cases to Tribal Court based on the current pandemic.

3) Transfer of Cases. The following determination has been made for the transfer of cases from Brown and Outagamie County jurisdiction to the jurisdiction of the Oneida Family Court:

- (a) When the Children's Code becomes effective all new cases in Brown and Outagamie County shall begin in or transfer to Oneida Family Court *unless such commencement or transfer would be impracticable under the circumstances of the case as decided by the Nation's Indian Child Welfare Department and the Nation's Child Welfare attorney.*

The ICW Department is asking that the Oneida Business Committee consider making this amended language permanent rather than just for the duration of the public health emergency. Most recently, the Family Court Judge assigned to these cases has resigned. Looking into an unpredictable future, there may be times where there is a case manager shortage where it would be difficult to take on these cases. More importantly, there are some cases that financially the Tribe would be better not transferring to our Court. Those are the cases where children need Treatment Foster Care or Residential Care. The 161 Agreement with Brown County requires the County to only pay a base rate and anything above that would be the Tribe's responsibility to pay. There are many possible scenarios that may make a case impracticable to transfer in the future. At times, it may not be practicable to transfer every new case.

Therefore, ICW requests the above amended language become a permanent amendment to resolution # BC-07-26-17-J.

Thank you for your time and consideration of this request.



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



COVID-19 Core Decision Making Team Declaration

Suspension of Transfer of Cases in Resolution # BC-07-26-17-J, Adoption of the Children's Code and the Nation's Indian Child Welfare Act Policy
March 20, 2020

The world is currently facing a pandemic of the coronavirus disease 2019 (COVID-19). The COVID-19 outbreak originated in Wuhan, China and has spread to many other countries throughout the world, including the United States. The World Health Organization has identified that the spread of COVID-19 is now a pandemic resulting in many countries experiencing the effects of illness and health issues related to COVID-19 and economic impacts.

On March 12, 2020, Chairman Tehassi Hill signed a “*Declaration of Public Health State of Emergency*” regarding COVID-19 which set into place the necessary authority should action need to be taken and allows the Nation to seek reimbursement of emergency management actions that may result in unexpected expenses.

On March 17, 2020, the Oneida Business Committee adopted emergency amendments to the Emergency Management and Homeland Security law to create and delegate authority to a COVID-19 Core Decision Making Team (COVID-19 Team). [3 O.C. 302.10]. When a public health emergency has been declared, the COVID-19 Team has the authority to declare exceptions to the Nation's laws, policies, procedures, regulations, or standard operating procedures during the emergency period which will be of immediate impact for the purposes of protecting the health safety, and general welfare of the Nation's community, members, and employees. [3 O.C. 302.10-2].

The Nation has begun full implementation of the Children's Code through its Indian Child Welfare Department (*Department*) as well as the Oneida Judiciary Family Court. An integral part of this code requires person-to-person contact through a Social Worker from the Department and guardian ad litem appointed by the Family Court. The Department works closely with area county personnel to ensure the safety of our children and families.

The nature of the current emergency requires that resources be managed properly to reduce contacts between families, children and personnel and avoiding the spread of COVID-19. Further, the Nation recognizes that there first contact with children that would be within the jurisdiction of the Nation under the Children's Code which occurs outside of our Department. Because of the public health emergency and the continued spread of COVID-19, the COVID-19 Team has determined that action should be taken to reduce confusion, transfer, and contacts regarding this vulnerable population.

The COVID-19 Team hereby declares that resolution # BC-07-26-17-J, *Adoption of the Children's Code and the Nation's Indian Child Welfare Policy*, Resolve #3, is amended to read:

- 3) Transfer of Cases. The following determination has been made for the transfer of cases from Brown and Outagamie County jurisdiction to the jurisdiction of the Oneida Family Court:
 - (a) When the Children's Code becomes effective all new cases in Brown and Outagamie County shall begin in or transfer to Oneida Family Court *unless such commencement or transfer would be*

impracticable under the circumstances of the case as decided by the Nation's Indian Child Welfare Department and the Nation's Child Welfare attorney.

This declaration shall be made effectively immediately and shall remain in effect for the duration of the Nation's public health emergency.



Oneida Nation Vice-Chairman

Oneida Business Committee Agenda Request

Re-post four (4) vacancies - Anna John Resident Centered Care Community Board

1. Meeting Date Requested: 07 / 22 / 20

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:

Repost four (4) vacancies - Anna John Resident Centered Care Community Board

3. Supporting Materials

- ☐ Report ☐ Resolution ☐ Contract
☐ Other:

1. 3.
2. 4.

☐ Business Committee signature required

4. Budget Information

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

5. Submission

Authorized Sponsor / Liaison: Lisa Summers, Secretary

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

Additional Requestor: Name, Title / Dept.

Additional Requestor: Name, Title / Dept.

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

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

Candace House resigned from the AJRCCC Board on March 11, 2020. One (1) vacancy will be posted to finish her term which ends July 31, 2021. The other three (3) vacancies will be for a term ending July 31, 2023. These were posted with an application deadline of July 10, 2020. As of this date zero (0) applications have been received.

Action requested:

Re-post four (4) vacancies for the Anna John Resident Centered Care Community 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

Enter the e-poll results into the record - Failed CRF Government Relief Funds Requests - file # 7-6-026...

Business Committee Agenda Request

1. Meeting Date Requested: 07/20/20

2. General Information:

Session: ☒ Open

☐ Executive – must qualify under §107.4-1.

Justification: *Choose reason for Executive.*

3. Supporting Documents:

☐ Contract Document(s)

☐ Legal Review

☐ Resolution

☐ Correspondence

☐ Minutes

☐ Statement of Effect

☐ Fiscal Impact Statement

☐ Report

☐ Travel Documents

☒ Other: E-poll results, request, and back up

4. Budget Information:

☐ Budgeted

☐ Budgeted – Grant Funded

☐ Unbudgeted

☐ Not Applicable

☐ Other: *Describe*

5. Submission:

Authorized Sponsor: Lisa Summers, Secretary

Primary Requestor: _____

Additional Requestor: (Name, Title/Entity)

Additional Requestor: (Name, Title/Entity)

Submitted By: LLIGGINS

Lisa A. Liggins

From: TribalSecretary
Sent: Sunday, July 19, 2020 9:33 PM
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; Susan M. House
Subject: E-POLL RESULTS: BCAR Approve CRF Government Relief Funds Requests - file # 7-6-026 and file # 6-5-067
Attachments: BCAR Approve CRF Government Relief Funds Requests - file # 7-6-026 and file # 6-5-067.pdf

E-POLL RESULTS

The e-poll to approve CRF Government Relief Funds Requests for laptops for Licensing Department and for the Comprehensive Housing Division reimbursement due to BC Resolution 04-08-20-L Suspension of Collection of Rent, Leases, Mortgages and Utilities - file # 7-6-026 and file # 6-5-067, **has failed***. As of the deadline, below are the results:

Support: Daniel Guzman King, David P. Jordan, Trish King, Jennifer Webster

* From the OBC SOP, *Conducting Electronic Voting (E-polls)*:

- 5.1. An e-poll must receive at least five affirmative responses in support of the question in order to be approved.
 - a. E-polls which result in a denied request may be reconsidered by the Oneida Business Committee at the next available meeting as provided for in Robert's Rules of Order, Rule 37.
 - b. E-polls for which insufficient responses were received by the deadline shall be considered to have failed to receive support as provided for in Robert's Rules of Order, p. 34 et seq.

Lisa Liggins

Senior Information Management Specialist & Interim Records Management Supervisor
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

From: TribalSecretary <TribalSecretary@oneidanation.org>
Sent: Wednesday, July 15, 2020 3:24 PM
To: Brandon L. Yellowbird-Stevens <bstevens@oneidanation.org>; Daniel P. Guzman <dguzman@oneidanation.org>; David P. Jordan <djordan1@oneidanation.org>; Ernest L. Stevens <esteven4@oneidanation.org>; Jennifer A. Webster <JWEBSTE1@oneidanation.org>; Kirby W. Metoxen <KMETOX@oneidanation.org>; Lisa M. Summers <lsummer2@oneidanation.org>; Patricia M. King <tking@oneidanation.org>; Tehassi Tasi Hill <thill7@oneidanation.org>
Cc: TribalSecretary <TribalSecretary@oneidanation.org>; Danelle A. Wilson <dwilson1@oneidanation.org>; Simone A. Ninham <sninham2@oneidanation.org>; Susan M. House <SHOUSE@oneidanation.org>
Subject: E-POLL REQUEST: BCAR Approve CRF Government Relief Funds Requests - file # 7-6-026 and file # 6-5-067

E-POLL REQUEST

Summary:

The attached request includes a chart of requests which were reviewed by the BC on July 14, 2020. Formal action by the BC is needed per BC resolution # 06-10-20-B *Process for Authorization for Use of CARES Act Covid Relief Funds*.

Justification for E-Poll: An agreement was made to process these approvals via e-poll.

Requested Action:

Approve CRF Government Relief Funds Requests for laptops for Licensing Department and for Comprehensive Housing Division reimbursement due to BC Resolution 04-08-20-L *Suspension of Collection of Rent, Leases, Mortgages and Utilities* - file # 7-6-026 and file # 6-5-067

Deadline for response:

Responses are due no later than **4:30 p.m., THURSDAY, July 16, 2020.**

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)

Lisa Liggins

Senior Information Management Specialist & Interim Records Management Supervisor
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

Oneida Business Committee Agenda Request

1. Meeting Date Requested: / /

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 CRF Government Relief Funds Requests - file # 7-6-026 and file # 6-5-067

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:

Tehassi Hill, Chairman

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

Additional Requestor: _____
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.

Covid Relief Funds Team



Memo

To: Business Committee Work Session
 From: Susan House
 Date: July 14, 2020
 Re: July 14, 2020 Requests for Approval

Susan M. House, Ph.D.
 2020.07.14 12:58:25
 -05'00'

Susan House

Request to approve:

1. 7-6-026 2 laptops for Licensing \$30,000

Other Items:

1. Discussion on request 6-5-067, Housing Loan
2. Summary "marketing" piece for June Treasury Funds
3. Sample Ledger as of July 13, 2020
4. Summary of ONSBAP status

File Number	Requestor	Dollar Amount	Requested Item
6-5-067	Jacque Boyle	\$613,578.00	The Housing Loan program offered 3 months of forgiveness to borrowers for a total of \$445,678 and the Housing residential rentals offered 4 months of forgiveness to renters for a total of \$167,900. These are not HUD funded units. The forgiveness resulted in a loss of income to these business units which is used to maintain the rental units, provide new loans, cover loan and rental program employee wages, pay utilities for vacant units, and cover all other expenses for these two programs. 360 Households were assisted with the loan forgiveness and 101 Households were assisted with the Rental forgiveness. This is Covid related because many families lost their income due to loss of jobs. We offered this so that families would not be under further financial stress and/or lose their housing and become homeless. Having a home was critical during Covid for safe distancing and the need to quarantine. The ability to have a home helped to reduce the spread of the virus in our community.

Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Resolution # 04-08-20-L

Suspension of Collection of Rent, Leases, Mortgages and Utilities

- 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 Chairman declared a public health emergency on March 12th as a result of the COVID-19 pandemic which would have ended on April 11th; and
- WHEREAS,** on March 17th, the Oneida Business Committee adopted resolution # BC-03-17-20-A, *Adoption of Tier IV Budget Contingency Plan for the Remainder of Fiscal Year 2020 as a result of Potential COVID-19 Pandemic Financial Impacts*; and
- WHEREAS,** on March 24th the COVID-19 Core Decision Making Team adopted the *Safer at Home* Declaration which ordered individuals to stay at home unless on essential activities; and
- WHEREAS,** on March 28th the Oneida Business Committee adopted resolution # BC-03-28-20-A, *Extension of March 12th Declaration of Public Health State of Emergency*, that extended the declaration until May 12th; and
- WHEREAS,** on April 8th, the Oneida Business Committee adopted resolution # BC-04-08-20-C, *Tier V Budget Contingency Declared for Remainder of Fiscal Year 2020*, which requires greater reduction in expenses as a result of zero gaming revenues supporting governmental functions; and
- WHEREAS,** the Oneida Business Committee, keeping up-to-date on the course of COVID-19 spread through the United States, the State of Wisconsin, and on the Oneida Reservation, has determined that the extension of closure of gaming operations will continue, possibly until May 12th, and that the Tier V budget contingency declaration will result in initial layoffs and on-going layoffs if the closure continues; and
- WHEREAS,** members and businesses have entered into contracts and agreements for residential rental units, business leases, mortgage payments, and provision of utilities; and
- WHEREAS,** the layoffs that will occur during the public health state of emergency is likely to affect the ability to make rental or mortgage payments, business closure and slowing of economy may result in businesses unable to make lease payments, and individuals or businesses may not have the ability to make utility payments; and

BC Resolution 04-08-20-L
Suspension of Collection of Rent, Leases, Mortgages and Utilities
Page 2 of 2

WHEREAS, the Oneida Business Committee believes relief from these payments pro-rated from April 12th to July 30th will help individuals maintain their homes and businesses remain in operation; and

NOW THEREFORE BE IT RESOLVED, that the Oneida Business Committee declares that individual home rental payments, mortgage payments, business lease payments, and utility payments are suspended until July 30, 2020 and shall not be collected or presented for collection.

BE IT FURTHER RESOLVED, all departments collecting these types of payments are ordered to stop collections, provided that, individuals or businesses may continue to make payments during this period if they choose to do so.

BE IT FINALLY RESOLVED, the Comprehensive Housing Division, Office of Land Management, and Utilities Department are directed to develop a proposal to address the suspended payments presented to the Tribal Secretary's Office by May 13, 2020 for placement on the next Oneida Business Committee agenda.

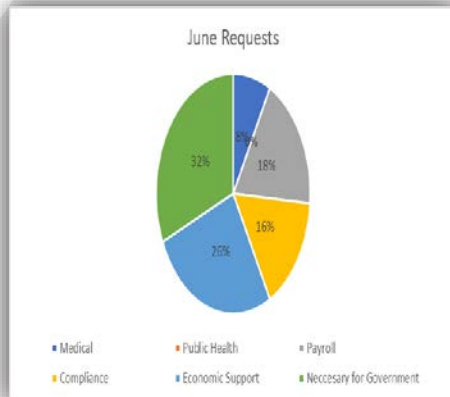
CERTIFICATION

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; 9 members were present at a meeting duly called, noticed and held on the 8th day of April, 2020; that the forgoing resolution was duly adopted at such meeting by a vote of 7 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."



The following is a summary of the June requests for the Treasury Funds, which is divided into the allowed categories. Following is the guidance, categories, and allowable expenses based on the Treasury Guidance.

The CARES Act requires that the payments from the Coronavirus Relief Fund only be used to cover expenses that-

- (1) are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
- (2) were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government; and
- (3) were incurred during the period that begins on March 1, 2020 and ends on December 30, 2020.

Categories:

- Medical Training
- Public Health Cleaning supplies
- Payroll Retail Hazard Pay request
- Compliance Public Health Measures Plexiglass, Retail upgrade requests
- Economic Support Small Business assistance for Off reservation Tribal business
- Necessary for Government functions Telecommuting expenses

Highlights:

- Oneida Small Business Assistance Program, on Reservation 11 requests \$232,635.49

Category	Requests	Dollar Amount
No Category (not funded)	1	\$580.44
Medical		\$6,667.00
Public Health	0	\$570,548.22
Payroll (Retail Hazard Pay request, SOP being developed for organization)	7	\$648,680.25
Compliance PHM	6	\$219,670.26
Economic Support	10	\$3,859,187.21
Necessary for Govt.	12	\$24,067,956.43
Total		\$29,373,289.81

ONEIDA NATION TREASURY FUNDS

- June Summary

CONTACT

WEBSITE: (Internal) Oneida Portal
- Business Unit Requests

EMAIL:

COVID-19_Funding@oneidanation.org

Date Approved	Approved Request	Amount Requested	Amount Disbursed	Balance
5/1/2020	Treasury Covid Relief Funds			\$39,665,614.01
6/2/2020	Health Center Analyzer Cabinet	\$11,968.00	\$11,968.00	\$39,653,646.01
6/2/2020	Gaming reimburse to prepare to open	\$503,428.50	\$503,428.50	\$39,150,217.51
6/2/2020	Payroll for OPD for March 1- May 31	\$337,000.00	\$1,685,000.00	\$37,465,217.51
6/10/2020	Payroll for OPD for June 1- Dec 30	\$1,348,000.00		\$34,045,909.53
6/2/2020	3 week payroll (March 15-April 11) labor only	\$3,419,307.98	\$3,419,307.98	\$33,882,662.20
6/2/2020	Unemployment (April 19 - April 25) Covid related only	\$163,247.33	\$163,247.33	\$33,685,639.33
6/2/2020	Unemployment (April 26 - April 30) Covid related only	\$197,022.87	\$197,022.87	\$28,285,639.33
6/2/2020	Set aside to cover remaining Unemployment	\$5,400,000.00	\$5,400,000.00	\$27,085,639.33
6/2/2020	Small Business Grant	\$1,200,000.00	\$1,200,000.00	\$27,055,639.33
6/2/2020	Bay Bank administration fees	\$30,000.00	\$30,000.00	\$27,055,214.33
6/2/2020	Thermometers (Fitness)	\$425.00	\$425.00	\$25,555,214.33
6/4/2020	Monthly PAR activity	\$1,500,000.00	\$1,500,000.00	\$24,055,214.33
6/4/2020	Fringe and Indirect for 3 week payroll	\$1,500,000.00	\$1,500,000.00	\$24,054,660.33
6/9/2020	SEOTS Van repair	\$554.00	\$554.00	\$24,047,727.26
6/9/2020	Retail Plexiglass	\$6,933.07	\$6,933.07	\$24,046,923.92
6/23/2020	Judiciary signs, decals social distance	\$803.34	\$803.34	\$24,046,120.58
6/24/2020	Off Reservation ONSBAP	\$1,200,000.00	\$1,200,000.00	\$22,846,120.58
6/24/2020	Bay Bank administration fees	\$30,000.00	\$30,000.00	\$22,816,120.58
6/24/2020	Judiciary 11 laptops	\$15,950.00	\$15,950.00	\$22,800,170.58
6/25/2020	Bulk PPE Mailing for Veterans	\$168.90		\$22,800,170.58
6/30/2020	Social Distancing decals (request was updated to 500 by BC)	\$1,515.00		\$22,800,170.58
6/30/2020	105 laptops (request was updated to 108- 3 were missing from the email chain original request)	\$173,520.56		\$22,800,170.58
7/7/2020	EHSL& Ag Food Security request	\$523,209.00		\$22,800,170.58

7/7/2020	Museum reimbursement cleaning supplies	\$29.16		\$22,800,170.58
7/7/2020	Elder Services Cold Storage	\$40,000.00		\$22,800,170.58
7/7/2020	HRD Virtual Training Equipment	\$5,000.00		\$22,800,170.58
7/7/2020	Fitness Virtual Training Equipment	\$250.00		\$22,800,170.58
7/7/2020	Early Intervention Highlight Magazines for client packets	\$1,922.00		\$22,800,170.58
7/7/2020	On demand C-19 coding training for Health	\$227.00		\$22,800,170.58
7/7/2020	BC Cabling for social distancing	\$164.84		
7/7/2020	Fed lobbying fees	\$39,000.00		
7/7/2020	Housing Meat processing for food pantry	\$6,500.00		
7/7/2020	GTC mailout cancellation	\$10,712.80		
7/7/2020	Fitness Wall sanitizer dispensers	\$1,539.84		
7/7/2020	PPE for tenants and staff	\$6,259.00		
7/7/2020	Small business flyer	\$50.00		
7/7/2020	Large Rack for dental fluid resistant jackets	\$578.00		
7/7/2020	25 homebound elder tablets	\$3,600.00		
		\$17,678,886.19	\$16,864,640.09	



ONSBAP 1 - \$30,000 max

File Number	Date	Amount Requested	Approved Amount	Date email to Disperse
1	6/16/2020	\$34,574.50	\$30,000.00	6/25/2020
2	6/16/2020	\$25,143.19	\$25,143.19	6/25/2020
3	6/17/2020	\$12,718.09	\$12,718.09	6/25/2020
4	6/19/2020	\$23,254.94	\$23,254.97	6/25/2020
5	6/19/2020	\$17,794.06	\$17,794.06	6/25/2020
6	6/21/2020	\$60,249.59	\$0.00	6/25/2020
7	6/22/2020	\$9,380.22	\$9,280.22	6/25/2020
8	6/25/2020	\$65,617.18	\$30,000.00	6/25/2020
9	6/25/2020	\$6,494.78	\$0.00	6/25/2020
10	6/30/2020	\$174,892.57	\$30,000.00	7/1/2020
11	6/30/2020	\$37,835.84	\$30,000.00	7/1/2020
12	6/30/2020	\$24,444.96	\$24,444.96	7/1/2020
13	7/2/2020	\$24,681.52	\$24,681.52	7/4/2020
14	7/2/2020	\$58,397.76	\$30,000.00	7/4/2020
15	7/2/2020	\$38,720.40	\$30,000.00	7/4/2020
16	7/7/2020	\$10,102.18	\$10,105.18	7/7/2020
17	7/8/2020	\$38,326.13	\$30,000.00	7/9/2020
18	7/9/2020	\$23,833.06	\$23,833.06	7/9/2020
19	7/9/2020	\$8,518.81	\$8,518.81	7/10/2020
20	7/10/2020	\$32,940.14	\$30,000.00	7/10/2020
		\$727,919.92	\$419,774.06	

ONSBAP 2 - \$20,000 max

File Number	Date	Amount Requested	Approved Amount	Date email to Disperse
2-001	7/2/2020	\$21,396.55	\$20,000.00	7/2/2020
2-002	7/2/2020	\$23,836.66	\$20,000.00	7/4/2020
2-003	7/2/2020	\$25,217.35	\$20,000.00	7/4/2020
2-004	7/2/2020	\$68,894.99	\$20,000.00	7/4/2020
2-005	7/2/2020	\$48,845.77	\$20,000.00	7/4/2020
2-006	7/10/2020	\$8,375.21	\$8,375.21	7/10/2020
2-007	7/10/2020	\$10,945.20	\$10,945.20	7/14/2020
2-008				
2-009				
2-010				
		207,511.73	119,320	

Reconsider the CRF Government Relief Funds Requests - file # 7-6-026 and file # 6-5-067

Business Committee Agenda Request

1. Meeting Date Requested: 07/20/20

2. General Information:

Session: ☒ Open

☐ Executive – must qualify under §107.4-1.

Justification: *Choose reason for Executive.*

3. Supporting Documents:

☐ Contract Document(s)

☐ Legal Review

☐ Resolution

☐ Correspondence

☐ Minutes

☐ Statement of Effect

☐ Fiscal Impact Statement

☐ Report

☐ Travel Documents

☒ Other: CRF request

4. Budget Information:

☐ Budgeted

☐ Budgeted – Grant Funded

☐ Unbudgeted

☐ Not Applicable

☒ Other: CRF

5. Submission:

Authorized Sponsor: Debbie Thundercloud, General Manager

Primary Requestor: Susan House, CRF Funding Coordinator

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: 07/19/2020

RE: Reconsider the CRF Government Relief Funds Requests - file # 7-6-026 and file # 6-5-067

BACKGROUND

The CRF Government Relief Funds Requests for laptops for Licensing Department and for the Comprehensive Housing Division reimbursement due to BC Resolution 04-08-20-L, *Suspension of Collection of Rent, Leases, Mortgages and Utilities*, were reviewed by the BC at a special BC Work Session held on July 14, 2020. The consensus decision at the BC Work Session was to support the request.

Approval for these two CRF Government Relief Funds Requests (file # 7-6-026 and file # 6-5-067, respectively) were submitted to the Business Committee via electronic voting. At the close of voting, there were not sufficient affirmative votes; four (4) votes in support of the request were received. The OBC SOP, Conducting Electronic Voting (E-polls) states:

- 5.1. *An e-poll must receive at least five affirmative responses in support of the question in order to be approved.*
 - a. *E-polls which result in a denied request may be reconsidered by the Oneida Business Committee at the next available meeting as provided for in Robert's Rules of Order, Rule 37.*
 - b. *E-polls for which insufficient responses were received by the deadline shall be considered to have failed to receive support as provided for in Robert's Rules of Order, p. 34 et seq.*

REQUESTED ACTION

- Motion to reconsider the CRF Government Relief Funds Requests - file # 7-6-026 and file # 6-5-067
- If the motion to reconsider passes, then:
 - Motion to approve CRF Government Relief Funds Requests for laptops for Licensing Department and for the Comprehensive Housing Division reimbursement due to BC Resolution 04-08-20-L, *Suspension of Collection of Rent, Leases, Mortgages and Utilities* - file # 7-6-026 and file # 6-5-067

Covid Relief Funds Team



Memo

To: Business Committee Work Session
 From: Susan House
 Date: July 14, 2020
 Re: July 14, 2020 Requests for Approval

Susan M. House, Ph.D.
 2020.07.14 12:58:25
 -05'00'

Susan House

Request to approve:

1. 7-6-026 2 laptops for Licensing \$30,000

Other Items:

1. Discussion on request 6-5-067, Housing Loan
2. Summary "marketing" piece for June Treasury Funds
3. Sample Ledger as of July 13, 2020
4. Summary of ONSBAP status

File Number	Requestor	Dollar Amount	Requested Item
6-5-067	Jacque Boyle	\$613,578.00	The Housing Loan program offered 3 months of forgiveness to borrowers for a total of \$445,678 and the Housing residential rentals offered 4 months of forgiveness to renters for a total of \$167,900. These are not HUD funded units. The forgiveness resulted in a loss of income to these business units which is used to maintain the rental units, provide new loans, cover loan and rental program employee wages, pay utilities for vacant units, and cover all other expenses for these two programs. 360 Households were assisted with the loan forgiveness and 101 Households were assisted with the Rental forgiveness. This is Covid related because many families lost their income due to loss of jobs. We offered this so that families would not be under further financial stress and/or lose their housing and become homeless. Having a home was critical during Covid for safe distancing and the need to quarantine. The ability to have a home helped to reduce the spread of the virus in our community.

Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Resolution # 04-08-20-L

Suspension of Collection of Rent, Leases, Mortgages and Utilities

- 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 Chairman declared a public health emergency on March 12th as a result of the COVID-19 pandemic which would have ended on April 11th; and
- WHEREAS,** on March 17th, the Oneida Business Committee adopted resolution # BC-03-17-20-A, *Adoption of Tier IV Budget Contingency Plan for the Remainder of Fiscal Year 2020 as a result of Potential COVID-19 Pandemic Financial Impacts*; and
- WHEREAS,** on March 24th the COVID-19 Core Decision Making Team adopted the *Safer at Home* Declaration which ordered individuals to stay at home unless on essential activities; and
- WHEREAS,** on March 28th the Oneida Business Committee adopted resolution # BC-03-28-20-A, *Extension of March 12th Declaration of Public Health State of Emergency*, that extended the declaration until May 12th; and
- WHEREAS,** on April 8th, the Oneida Business Committee adopted resolution # BC-04-08-20-C, *Tier V Budget Contingency Declared for Remainder of Fiscal Year 2020*, which requires greater reduction in expenses as a result of zero gaming revenues supporting governmental functions; and
- WHEREAS,** the Oneida Business Committee, keeping up-to-date on the course of COVID-19 spread through the United States, the State of Wisconsin, and on the Oneida Reservation, has determined that the extension of closure of gaming operations will continue, possibly until May 12th, and that the Tier V budget contingency declaration will result in initial layoffs and on-going layoffs if the closure continues; and
- WHEREAS,** members and businesses have entered into contracts and agreements for residential rental units, business leases, mortgage payments, and provision of utilities; and
- WHEREAS,** the layoffs that will occur during the public health state of emergency is likely to affect the ability to make rental or mortgage payments, business closure and slowing of economy may result in businesses unable to make lease payments, and individuals or businesses may not have the ability to make utility payments; and

BC Resolution 04-08-20-L
Suspension of Collection of Rent, Leases, Mortgages and Utilities
Page 2 of 2

WHEREAS, the Oneida Business Committee believes relief from these payments pro-rated from April 12th to July 30th will help individuals maintain their homes and businesses remain in operation; and

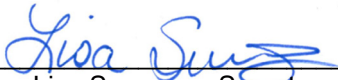
NOW THEREFORE BE IT RESOLVED, that the Oneida Business Committee declares that individual home rental payments, mortgage payments, business lease payments, and utility payments are suspended until July 30, 2020 and shall not be collected or presented for collection.

BE IT FURTHER RESOLVED, all departments collecting these types of payments are ordered to stop collections, provided that, individuals or businesses may continue to make payments during this period if they choose to do so.

BE IT FINALLY RESOLVED, the Comprehensive Housing Division, Office of Land Management, and Utilities Department are directed to develop a proposal to address the suspended payments presented to the Tribal Secretary's Office by May 13, 2020 for placement on the next Oneida Business Committee agenda.

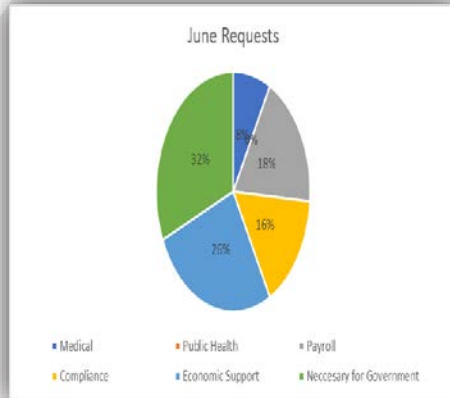
CERTIFICATION

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; 9 members were present at a meeting duly called, noticed and held on the 8th day of April, 2020; that the forgoing resolution was duly adopted at such meeting by a vote of 7 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."



The following is a summary of the June requests for the Treasury Funds, which is divided into the allowed categories. Following is the guidance, categories, and allowable expenses based on the Treasury Guidance.

The CARES Act requires that the payments from the Coronavirus Relief Fund only be used to cover expenses that-

- (1) are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
- (2) were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government; and
- (3) were incurred during the period that begins on March 1, 2020 and ends on December 30, 2020.

Categories:

- Medical Training
- Public Health Cleaning supplies
- Payroll Retail Hazard Pay request
- Compliance Public Health Measures Plexiglass, Retail upgrade requests
- Economic Support Small Business assistance for Off reservation Tribal business
- Necessary for Government functions Telecommuting expenses

Highlights:

- Oneida Small Business Assistance Program, on Reservation 11 requests \$232,635.49

Category	Requests	Dollar Amount
No Category (not funded)	1	\$580.44
Medical		\$6,667.00
Public Health	0	\$570,548.22
Payroll (Retail Hazard Pay request, SOP being developed for organization)	7	\$648,680.25
Compliance PHM	6	\$219,670.26
Economic Support	10	\$3,859,187.21
Necessary for Govt.	12	\$24,067,956.43
Total		\$29,373,289.81

ONEIDA NATION TREASURY FUNDS

- June Summary

CONTACT

WEBSITE: (Internal) Oneida Portal
- Business Unit Requests

EMAIL:

COVID-19_Funding@oneidanation.org

Date Approved	Approved Request	Amount Requested	Amount Disbursed	Balance
5/1/2020	Treasury Covid Relief Funds			\$39,665,614.01
6/2/2020	Health Center Analyzer Cabinet	\$11,968.00	\$11,968.00	\$39,653,646.01
6/2/2020	Gaming reimburse to prepare to open	\$503,428.50	\$503,428.50	\$39,150,217.51
6/2/2020	Payroll for OPD for March 1- May 31	\$337,000.00	\$1,685,000.00	\$37,465,217.51
6/10/2020	Payroll for OPD for June 1- Dec 30	\$1,348,000.00		\$34,045,909.53
6/2/2020	3 week payroll (March 15-April 11) labor only	\$3,419,307.98	\$3,419,307.98	\$33,882,662.20
6/2/2020	Unemployment (April 19 - April 25) Covid related only	\$163,247.33	\$163,247.33	\$33,685,639.33
6/2/2020	Unemployment (April 26 - April 30) Covid related only	\$197,022.87	\$197,022.87	\$28,285,639.33
6/2/2020	Set aside to cover remaining Unemployment	\$5,400,000.00	\$5,400,000.00	\$27,085,639.33
6/2/2020	Small Business Grant	\$1,200,000.00	\$1,200,000.00	\$27,055,639.33
6/2/2020	Bay Bank administration fees	\$30,000.00	\$30,000.00	\$27,055,214.33
6/2/2020	Thermometers (Fitness)	\$425.00	\$425.00	\$25,555,214.33
6/4/2020	Monthly PAR activity	\$1,500,000.00	\$1,500,000.00	\$24,055,214.33
6/4/2020	Fringe and Indirect for 3 week payroll	\$1,500,000.00	\$1,500,000.00	\$24,054,660.33
6/9/2020	SEOTS Van repair	\$554.00	\$554.00	\$24,047,727.26
6/9/2020	Retail Plexiglass	\$6,933.07	\$6,933.07	\$24,046,923.92
6/23/2020	Judiciary signs, decals social distance	\$803.34	\$803.34	\$24,046,120.58
6/24/2020	Off Reservation ONSBAP	\$1,200,000.00	\$1,200,000.00	\$22,846,120.58
6/24/2020	Bay Bank administration fees	\$30,000.00	\$30,000.00	\$22,816,120.58
6/24/2020	Judiciary 11 laptops	\$15,950.00	\$15,950.00	\$22,800,170.58
6/25/2020	Bulk PPE Mailing for Veterans	\$168.90		\$22,800,170.58
6/30/2020	Social Distancing decals (request was updated to 500 by BC)	\$1,515.00		\$22,800,170.58
6/30/2020	105 laptops (request was updated to 108- 3 were missing from the email chain original request	\$173,520.56		\$22,800,170.58
7/7/2020	EHSL& Ag Food Security request	\$523,209.00		\$22,800,170.58

7/7/2020	Museum reimbursement cleaning supplies	\$29.16		\$22,800,170.58
7/7/2020	Elder Services Cold Storage	\$40,000.00		\$22,800,170.58
7/7/2020	HRD Virtual Training Equipment	\$5,000.00		\$22,800,170.58
7/7/2020	Fitness Virtual Training Equipment	\$250.00		\$22,800,170.58
7/7/2020	Early Intervention Highlight Magazines for client packets	\$1,922.00		\$22,800,170.58
7/7/2020	On demand C-19 coding training for Health	\$227.00		\$22,800,170.58
7/7/2020	BC Cabling for social distancing	\$164.84		
7/7/2020	Fed lobbying fees	\$39,000.00		
7/7/2020	Housing Meat processing for food pantry	\$6,500.00		
7/7/2020	GTC mailout cancellation	\$10,712.80		
7/7/2020	Fitness Wall sanitizer dispensers	\$1,539.84		
7/7/2020	PPE for tenants and staff	\$6,259.00		
7/7/2020	Small business flyer	\$50.00		
7/7/2020	Large Rack for dental fluid resistant jackets	\$578.00		
7/7/2020	25 homebound elder tablets	\$3,600.00		
		\$17,678,886.19	\$16,864,640.09	



ONSBAP 1 - \$30,000 max

File Number	Date	Amount Requested	Approved Amount	Date email to Disperse
1	6/16/2020	\$34,574.50	\$30,000.00	6/25/2020
2	6/16/2020	\$25,143.19	\$25,143.19	6/25/2020
3	6/17/2020	\$12,718.09	\$12,718.09	6/25/2020
4	6/19/2020	\$23,254.94	\$23,254.97	6/25/2020
5	6/19/2020	\$17,794.06	\$17,794.06	6/25/2020
6	6/21/2020	\$60,249.59	\$0.00	6/25/2020
7	6/22/2020	\$9,380.22	\$9,280.22	6/25/2020
8	6/25/2020	\$65,617.18	\$30,000.00	6/25/2020
9	6/25/2020	\$6,494.78	\$0.00	6/25/2020
10	6/30/2020	\$174,892.57	\$30,000.00	7/1/2020
11	6/30/2020	\$37,835.84	\$30,000.00	7/1/2020
12	6/30/2020	\$24,444.96	\$24,444.96	7/1/2020
13	7/2/2020	\$24,681.52	\$24,681.52	7/4/2020
14	7/2/2020	\$58,397.76	\$30,000.00	7/4/2020
15	7/2/2020	\$38,720.40	\$30,000.00	7/4/2020
16	7/7/2020	\$10,102.18	\$10,105.18	7/7/2020
17	7/8/2020	\$38,326.13	\$30,000.00	7/9/2020
18	7/9/2020	\$23,833.06	\$23,833.06	7/9/2020
19	7/9/2020	\$8,518.81	\$8,518.81	7/10/2020
20	7/10/2020	\$32,940.14	\$30,000.00	7/10/2020
		\$727,919.92	\$419,774.06	

ONSBAP 2 - \$20,000 max

File Number	Date	Amount Requested	Approved Amount	Date email to Disperse
2-001	7/2/2020	\$21,396.55	\$20,000.00	7/2/2020
2-002	7/2/2020	\$23,836.66	\$20,000.00	7/4/2020
2-003	7/2/2020	\$25,217.35	\$20,000.00	7/4/2020
2-004	7/2/2020	\$68,894.99	\$20,000.00	7/4/2020
2-005	7/2/2020	\$48,845.77	\$20,000.00	7/4/2020
2-006	7/10/2020	\$8,375.21	\$8,375.21	7/10/2020
2-007	7/10/2020	\$10,945.20	\$10,945.20	7/14/2020
2-008				
2-009				
2-010				
		207,511.73	119,320	

