



## Oneida Business Committee

Executive Session and Regular Meeting  
8:30 AM Wednesday, August 26, 2020  
BC Conference Room, 2nd floor, Norbert Hill Center

### Agenda

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Meeting agenda is available here: [oneida-nsn.gov/government/business-committee/agendas-packets/](https://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](mailto: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**

#### **III. ADOPT THE AGENDA**

#### **IV. OATH OF OFFICE**

- A. Oneida Police Commission - Beverly Anderson**  
Sponsor: Lisa Summers, Secretary

**V. MINUTES**

- A. Approve the August 12, 2020, regular Business Committee meeting minutes**  
Sponsor: Lisa Summers, Secretary

**VI. RESOLUTIONS**

- A. Adopt resolution entitled Extension of the Emergency Amendments to the Emergency Management and Homeland Security Law**  
Sponsor: David P. Jordan, Councilman
- B. Adopt resolution entitled Creating Set Aside for Home Mortgage Funding**  
Sponsor: Trish King, Treasurer

**VII. STANDING COMMITTEES****A. FINANCE COMMITTEE**

- 1. Accept the August 17, 2020, regular Finance Committee meeting minutes**  
Sponsor: Trish King, Treasurer

**B. LEGISLATIVE OPERATING COMMITTEE**

- 1. Approve the Oneida Nation School Board bylaws**  
Sponsor: David P. Jordan, Councilman
- 2. Accept the Legislative Operating Committee 2017-2020 end of term report**  
Sponsor: David P. Jordan, Councilman



**VIII. NEW BUSINESS**

- A. Approve exception to resolution # BC-01-22-20-A – cancel the September 8, 2020 executive discussion Business Committee meeting and the September 9, 2020 regular Business Committee meeting**  
Sponsor: Lisa Summers, Secretary
- B. Consider request to rescind the December 11, 2019 motion to support the request from the Pulaski Community School District for Financial Support for Oneida Language Classes**  
Sponsor: Debbie Thundercloud, General Manager
- C. Consider the additional compensation request for the 2020 General Election poll workers**  
Sponsor: Twylite Moore, Interim Chair/Oneida Election Board
- D. Accept the 2020 General Election final report and declare the official results**  
Sponsor: Twylite Moore, Interim Chair/Oneida Election Board
- E. Enter the e-poll results into the record - Approved CRF Government Relief Funds Requests - eight (8) file numbers dated July 21, 2020**  
Sponsor: Lisa Summers, Secretary
- F. Enter the e-poll results into the record - Approved CRF Government Relief Funds Requests - eight file (8) numbers dated July 29, 2020**  
Sponsor: Lisa Summers, Secretary
- G. Enter the e-poll results into the record - Approved CRF Government Relief Funds Requests - four (4) file numbers**  
Sponsor: Lisa Summers, Secretary
- H. Enter the e-poll results into the record - Approved CRF Government Relief Funds Requests - thirteen (13) file numbers**  
Sponsor: Lisa Summers, Secretary
- I. Enter the e-poll results into the record - Approved CRF Government Relief Funds Request for Hazard pay, indirect, and fringe for pay period July 23, 2020 and August 6, 2020**  
Sponsor: Lisa Summers, Secretary

**IX. REPORTS****A. APPOINTED BOARDS, COMMITTEES, COMMISSIONS**

1. **Accept the Anna John Resident Centered Care Community Board FY-2020 3rd quarter report**  
Sponsor: Joshua Hicks, Interim Chair/Anna John Resident Centered Care Community Board
2. **Accept the Oneida Police Commission FY-2020 3rd quarter report**  
Sponsor: Sandra Reveles, Chair/Oneida Police Commission

**B. ELECTED BOARDS, COMMITTEES, COMMISSIONS**

1. **Accept the Oneida Election Board FY-2020 3rd quarter report**  
Sponsor: Twylite Moore, Interim Chair/Oneida Election Board
2. **Accept the Oneida Gaming Commission FY-2020 3rd quarter report**  
Sponsor: Mark A. Powless Sr., Chair/Oneida Gaming Commission
3. **Accept the Oneida Land Commission FY-2020 3rd quarter report**  
Sponsor: Rae Skenandore, Chair/Oneida Land Commission
4. **Accept the Oneida Nation School Board FY-2020 3rd quarter report**  
Sponsor: Aaron Manders, Chair/Oneida Nation School Board
5. **Accept the Oneida Trust Enrollment Committee FY-2020 3rd quarter report**  
Sponsor: Debra J. Danforth, Chair/Oneida Trust Enrollment Committee

**C. CORPORATE BOARDS**

1. **Accept the Bay Bancorporation Inc. FY-2020 3rd quarter report**  
Sponsor: Jeff Bowman, President/Bay Bancorporation Inc.
2. **Accept the Oneida ESC Group LLC FY-2020 3rd quarter report**  
Sponsor: John Breuninger, Chair/Oneida ESC Group LLC
3. **Accept the Oneida Airport Hotel Corporation FY-2020 3rd quarter report**  
Sponsor: Robert Barton, President/Oneida Airport Hotel Corporation
4. **Accept the Oneida Golf Enterprise FY-2020 3rd quarter report**  
Sponsor: Eric McLester, Agent/Oneida Golf Enterprise

**D. STANDING COMMITTEES**

1. **Accept the Legislative Operating Committee FY-2020 3rd quarter report**  
Sponsor: David P. Jordan, Councilman

**E. OTHER**

1. **Accept the Oneida Youth Leadership Institute FY-2020 3rd quarter report**  
Sponsor: Cheryl Stevens, Manager/Grants Office

**X. GENERAL TRIBAL COUNCIL**

- A. **Accept the Treasurer's end-of-term closeout report**  
Sponsor: Trish King, Treasurer

**XI. EXECUTIVE SESSION****A. REPORTS**

1. **Accept the Bay Bancorporation Inc. FY-2020 3rd quarter executive report**  
Sponsor: Jeff Bowman, President/Bay Bancorporation Inc.
2. **Accept the Oneida ESC Group LLC FY-2020 3rd quarter executive report**  
Sponsor: John Breuninger, Chair/Oneida ESC Group LLC
3. **Accept the Oneida Airport Hotel Corporation FY-2020 3rd quarter executive report**  
Sponsor: Robert Barton, President/Oneida Airport Hotel Corporation
4. **Accept the Oneida Golf Enterprise FY-2020 3rd quarter executive report**  
Sponsor: Eric McLester, Agent/Oneida Golf Enterprise
5. **Accept the Chief Counsel report**  
Sponsor: Jo Anne House, Chief Counsel

**B. AUDIT COMMITTEE**

1. **Accept the Audit Committee FY-2020 3rd quarter report**  
Sponsor: David P. Jordan, Councilman

**C. TABLED BUSINESS**

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

**D. NEW BUSINESS**

1. **Review the posting request and determine next steps - Oneida Nation School System**  
Sponsor: Aaron Manders, Chair/Oneida Nation School Board
2. **Approve the U.S. Health and Human Services amendment to multi-year funding agreement - file # 2020-0566**  
Sponsor: Jennifer Webster, Councilwoman
3. **Approve a limited waiver of sovereign immunity - PCLaw Time Matters annual maintenance agreement - file # 2020-0535**  
Sponsor: Jo Anne House, Chief Counsel
4. **Approve 53 new enrollments and three (3) relinquishment requests**  
Sponsor: Debra J. Danforth, Chair/Oneida Trust Enrollment Committee
5. **Enter the e-poll results into the record - Approved attorney contract with Husch Blackwell LLP regarding case number 1:20-CV-00731-WCG – file # 2020-0488**  
Sponsor: Lisa Summers, Secretary
6. **Enter the e-poll results into the record - Approved attorney contract for Jenner & Block LLP - file # 2020-0532**  
Sponsor: Lisa Summers, Secretary
7. **Enter the e-poll results into the record - Approved posting request from the Oneida Nation School System for one (1) Special Education Teacher**  
Sponsor: Lisa Summers, Secretary
8. **Enter the e-poll results into the record - Approved two (2) recall requests from Higher Education and approved CRF Government Relief Funds Request to fund the Higher Education Advisor position**  
Sponsor: Lisa Summers, Secretary
9. **Enter the e-poll results into the record - Approved authorization for the Chairman to sign the Notice of Rescission**  
Sponsor: Lisa Summers, Secretary

**XII. ADJOURN**

Posted on the Oneida Nation's official website, [www.oneida-nsn.gov](http://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/](http://oneida-nsn.gov/government/business-committee/agendas-packets/)

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

Oneida Business Committee Agenda Request

Oneida Police Commission - Beverly Anderson

1. Meeting Date Requested: 08 / 26 / 20

2. General Information:

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

Agenda Header: Oaths of Office

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

Administer Oath of Office to Beverly Anderson for the 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, BCC Supervisor  
Your Name, Title / Dept. or Tribal Member

Additional Requestor: Name, Title / Dept.

Additional Requestor: Name, Title / Dept.

Approve the August 12, 2020, regular Business Committee meeting minutes

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## Business Committee Agenda Request

1. Meeting Date Requested: 08/24/20

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: 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, August 12, 2020  
BC Conference Room, 2nd floor, Norbert Hill Center

**Minutes**

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**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, Louise Cornelius (via Microsoft Teams<sup>1</sup>), Chad Fuss (via Microsoft Teams), Barb Kolitsch (via Microsoft Teams), Eric McLester (via Microsoft Teams), Kaylynn Gresham (via Microsoft Teams), Keith Doxtator (via Microsoft Teams), Eric Boulanger (via Microsoft Teams), Geraldine Danforth (via Microsoft Teams), Tana Aguirre (via Microsoft Teams), Jessica Wallenfang;

**REGULAR MEETING**

**Present:** Chairman Tehassi Hill, 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:** Vice-Chairman Brandon Stevens at 8:44 p.m.

**Others present:** Jo Anne House, Larry Barton, Debbie Thundercloud, Lisa Liggins;

**I. CALL TO ORDER**

*Meeting called to order by Chairman Tehassi Hill at 8:38 a.m.*

**II. OPENING (00:00:13)**

*Opening provided by Chairman Tehassi Hill.*

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

# DRAFT

## III. ADOPT THE AGENDA (00:03:45)

*Vice-Chairman Brandon Stevens arrived at 8:44 a.m.*

Motion by David P. Jordan to adopt the agenda with six (6) additions [1) item V.H. Adopt resolution entitled BIA-2020-LLGP, LIVING LANGUAGES GRANT PROGRAM (LLGP) Department of the Interior, Bureau of Indian Affairs, 2) item V.I. Adopt resolution entitled Amending Furlough & Layoff Return to Work Protection Additional Weeks & Payout of Vacation & Personal Time, 3) item VI.E. Review and enter into the record - Oneida Nation School System Form Employment Contracts - file # 2020-0240, file # 2020-0241, file # 2020-0242 and file # 2020-0243, 4) VIII.C.11. Accept the reorganization-restructure recommendations for Finance Administration ] and deferring item V.G. Adopt resolution entitled Continuing Resolution for Fiscal Year 2021 until after Executive Session, seconded by Trish King. Motion carried:

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

*For the record: Secetary Lisa Summers stated I do need to excuse myself in five minutes, at 8:50, to attend a doctor's appointment and I will be returning when I'm completed.*

## IV. MINUTES

### A. Approve the July 22, 2020, regular Business Committee meeting minutes (00:07:10)

Sponsor: Lisa Summers, Secretary

Motion by Jennifer Webster to approve the July 22, 2020, regular Business Committee meeting minutes, 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

### B. Approve the August 6, 2020, special Business Committee meeting minutes (00:07:30)

Sponsor: Lisa Summers, Secretary

Motion by Lisa Summers to approve the August 6, 2020, special Business Committee meeting minutes, 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



**DRAFT****V. RESOLUTIONS****A. Adopt resolution entitled Setting Supervision and Management of Direct Reports to the Oneida Business Committee (00:08:00)**

Sponsor: David P. Jordan, Councilman

Motion by Lisa Summers to adopt resolution 08-12-20-A Setting Supervision and Management of Direct Reports to the Oneida Business Committee, 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

**B. Adopt resolution entitled Amendments to the Boards, Committees, and Commissions Law (00:09:21)**

Sponsor: David P. Jordan, Councilman

*Secretary Lisa Summers left at 8:50 a.m.*

Motion by Jennifer Webster to adopt resolution 08-12-20-B Amendments to the Boards, Committees, and Commissions Law, seconded by Trish King. Motion carried:

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

Not Present: Lisa Summers

**C. Adopt resolution entitled Amended Boards, Committees, and Commissions Law Stipends (00:17:06)**

Sponsor: David P. Jordan, Councilman

Motion by Jennifer Webster to adopt resolution 08-12-20-C Amended Boards, Committees, and Commissions Law Stipends, seconded by Kirby Metoxen. Motion carried:

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

Not Present: Lisa Summers

**D. Adopt resolution entitled Emergency Adoption of the Oneida General Welfare Law (00:22:10)**

Sponsor: David P. Jordan, Councilman

Motion by Trish King to adopt resolution 08-12-20-D Emergency Adoption of the Oneida General Welfare Law, seconded by Brandon Stevens. Motion carried:

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

Not Present: Lisa Summers

**E. Adopt resolution entitled Emergency Adoption of the Oneida Higher Education Pandemic Relief Fund Law (00:25:13)**

Sponsor: David P. Jordan, Councilman

Motion by Trish King to adopt resolution 08-12-20-E Emergency Adoption of the Oneida Higher Education Pandemic Relief Fund Law, seconded by Jennifer Webster. Motion carried:

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

Not Present: Lisa Summers

**DRAFT**

- F. Adopt resolution entitled Support Submitting the Nation's Disposal of Solid and Hazardous Waste Project Proposal to the Bureau of Indian Affairs (00:30:32)**  
Sponsor: Melinda J. Danforth, Director/Intergovernmental Affairs

Motion by Jennifer Webster to adopt resolution 08-12-20-F Support Submitting the Nation's Disposal of Solid and Hazardous Waste Project Proposal to the Bureau of Indian Affairs, seconded by Daniel Guzman King. Motion carried:

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

*Item V.H. was addressed next.*

- G. Adopt resolution entitled Continuing Resolution for Fiscal Year 2021 (00:54:15)**  
Sponsor: Trish King, Treasurer

Motion by Trish King to adopt resolution 08-12-20-J Continuing Resolution for Fiscal Year 2021, 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

Motion by Ernie Stevens III to recess at 12:09 p.m. until 1:30 p.m., 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

*Meeting called to order by Chairman Tehassi Hill at 1:34 p.m.*

*Roll call for the record:*

*Present: Councilman Daniel Guzman King; Chairman Tehassi Hill; Councilman David P. Jordan;  
Councilman Kirby Metoxen; Vice-Chairman Brandon Stevens; Councilman Ernie Stevens III;  
Secretary Lisa Summers; Councilwoman Jennifer Webster;  
Not Present: Treasurer Trish King;*

*Item VIII. was re-addressed.*

- H. Adopt resolution entitled BIA-2020-LLGP, LIVING LANGUAGES GRANT PROGRAM (LLGP) Department of the Interior, Bureau of Indian Affairs (00:32:55)**  
Sponsor: Aaron Manders, Chair/Oneida Nation School Board

Motion by David P. Jordan to adopt resolution 08-12-20-G BIA-2020-LLGP, LIVING LANGUAGES GRANT PROGRAM (LLGP) Department of the Interior, Bureau of Indian Affairs, seconded by Trish King. Motion carried:

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

**DRAFT**

- I. **Adopt resolution entitled Amending Furlough & Layoff Return to Work Protection Additional Weeks & Payout of Vacation & Personal Time (00:34:56)**  
Sponsor: Trish King, Treasurer

Motion by Trish King to adopt resolution 08-12-20-H Amending Furlough & Layoff Return to Work Protection Additional Weeks & Payout of Vacation & Personal Time including the alternative language [page 9 of the handout] and insert today's date on line 53 of the resolution, seconded by Jennifer Webster. Motion carried:

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

**VI. NEW BUSINESS**

- A. **Post two (2) vacancies - Oneida Election Board (00:48:25)**  
Sponsor: Lisa Summers, Secretary

Motion by Brandon Stevens to post two (2) vacancies on the Oneida Election Board, seconded by David P. Jordan. Motion carried:

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

- B. **Post five (5) vacancies - Oneida Nation School Board (00:48:48)**  
Sponsor: Lisa Summers, Secretary

Motion by David P. Jordan to post five (5) vacancies on the Oneida Nation School Board, seconded by Kirby Metoxen. Motion carried:

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

- C. **Approve the Community Fund FY-20 Product Request - Oneida Emergency Food Pantry (00:49:05)**  
Sponsor: Debbie Thundercloud, General Manager

Motion by Jennifer Webster to approve the Community Fund FY-20 Product Request from the Oneida Emergency Food Pantry, seconded by David P. Jordan. Motion carried:

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

**DRAFT**

**D. Approve a limited waiver of sovereign immunity - New Water-Great Lakes Restoration Initiative Grant Program Silver Creek Adaptive Management Cost-Share Agreement - file # 2020-0361 (00:49:34)**

Sponsor: Debbie Thundercloud, General Manager

Motion by Jennifer Webster to accept Approve a limited waiver of sovereign immunity - New Water-Great Lakes Restoration Initiative Grant Program Silver Creek Adaptive Management Cost-Share Agreement - file # 2020-0361, seconded by Daniel Guzman King. Motion carried:

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

Not Present: Lisa Summers

**E. Review and enter into the record - Oneida Nation School System Form Employment Contracts - file # 2020-0240, file # 2020-0241, file # 2020-0242 and file # 2020-0243 (00:50:08)**

Sponsor: Lisa Liggins, (former) Chair/Oneida Nation School Board

Motion by Brandon Stevens to accept the SY20-21 ONSS Form Employment Contracts and enter them into the record, seconded by Jennifer Webster. Motion carried:

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

Not Present: Lisa Summers

**VII. GENERAL TRIBAL COUNCIL**

**A. PETITIONER MICHAEL DEBRASKA**

**1. Accept the legal review (00:51:09)**

Sponsor: Jo Anne House, Chief Counsel

Motion by Jennifer Webster to accept the legal review, seconded by David P. Jordan. Motion carried:

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

Not Present: Lisa Summers

**DRAFT****VIII. EXECUTIVE SESSION (00:51:34); (00:56:45)**

Motion by David P. Jordan to go into executive session at 9:29 a.m., seconded by Kirby Metoxen.  
Motion carried:

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

*Secretary Lisa Summers returned at 10:01 a.m.*

Motion by Brandon Stevens to come out of executive session at 12:05 p.m., 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

*Item V.C.11. was addressed next.*

Motion by Ernie Stevens III to go into executive session at 1:34 p.m., seconded by Jennifer Webster.  
Motion carried:

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

Motion by David P. Jordan to come out of executive session at 3:02 p.m., seconded by Jennifer Webster. Motion carried:

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

**A. REPORTS****1. Accept the Chief Counsel report (00:57:17)**

Sponsor: Jo Anne House, Chief Counsel

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

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

**2. Accept the Gaming General Manager FY-20 3rd quarter report (00:57:38)**

Sponsor: Louise Cornelius, Gaming General Manager

Motion by Kirby Metoxen to accept the Gaming General Manager FY-20 3rd quarter report, seconded by Brandon Stevens. Motion carried:

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

**DRAFT****3. Accept the Retail General Manager FY-20 3rd quarter report (00:58:16)**

Sponsor: Eric McLester, Retail General Manager

Motion by Brandon Stevens to accept the Retail General Manager FY-20 3rd quarter report, seconded by Ernie Stevens III. Motion carried:

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

Not Present: Trish King

**4. Accept the Emergency Management Director FY-20 3rd quarter report (00:58:36)**

Sponsor: Kaylynn Gresham, Director/Emergency Management

Motion by Ernie Stevens III to accept the Emergency Management Director FY-20 3rd quarter report, seconded by Jennifer Webster. Motion carried:

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

Not Present: Trish King

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

*Item was not addressed.*

**C. NEW BUSINESS****1. Approve a limited waiver of sovereign immunity - National Investment Services of America LLC Investment Management agreement - file # 2020-0401 (00:59:07)**

Sponsor: Debbie Danforth, Chair/Oneida Trust Enrollment Committee

Motion by David P. Jordan to adopt resolution 08-12-20-K Approving a Limited Waiver of Sovereignty for the National Investment Services of America LLC, Investment Management Agreement with the Oneida Trust Enrollment Committee and move the resolution to open session, seconded by Kirby Metoxen. Motion carried:

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

Not Present: Trish King

**2. Approve a limited waiver of sovereign immunity - Merganser Capital Management LLC Advisory Agreement - file # 2020-0415 (00:59:40)**

Sponsor: Debbie Danforth, Chair/Oneida Trust Enrollment Committee

Motion by Jennifer Webster to adopt resolution 08-12-20-L Approving a Limited Waiver of Sovereignty for the Merganser Capital Management LLC, Advisory Agreement with the Oneida Trust Enrollment Committee and move the resolution to open session, seconded by Kirby Metoxen. Motion carried:

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

Not Present: Trish King

**DRAFT****3. Approve the Gaming Arts LLC Consent and Coexistence Agreement - file # 2020-0528 (01:00:11)**

Sponsor: Jo Anne House, Chief Counsel

Motion by Brandon Stevens to approve the Gaming Arts LLC Consent and Coexistence Agreement - file # 2020-0528, seconded by Ernie Stevens III. Motion carried:

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

Not Present: Trish King

**4. Review the recall request<sup>2</sup> and determine next steps - Oneida Police Department (01:00:35)**

Sponsor: Sandra Reveles, Chair/Oneida Police Commission

Motion by Jennifer Webster to approve the [posting] request from Oneida Police Department for one (1) Dispatcher, seconded by Kirby Metoxen. Motion carried:

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

Not Present: Trish King

**5. Review the recall request and determine next steps - Human Resources (01:00:58)**

Sponsor: Geraldine Danforth, Area Manager/Human Resources

Motion by David P. Jordan to approve the recall request from Human Resources for two (2) HR Generalists, two (2) Senior Trainers<sup>3</sup>, and one (1) Benefits Specialist<sup>4</sup>, seconded by Kirby Metoxen. Motion carried:

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

Not Present: Trish King

**6. Review the recall request and determine next steps - Intergovernmental Affairs and Communications (01:01:30)**

Sponsor: Melinda J. Danforth, Director/Intergovernmental Affairs

Motion by David P. Jordan to approve the request from Intergovernmental Affairs and Communications to increase hours for one (1) Local Lobbyist, seconded by Jennifer Webster. Motion carried:

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

Not Present: Trish King

<sup>2</sup> The correct type of request is a *posting request*.

<sup>3</sup> The correct title is *Senior Training and Development Specialist*.

<sup>4</sup> The correct title is *Employee Insurance Specialist*.



**DRAFT**

**7. Review the posting request and determine next steps - Business Committee Support Office (01:01:50)**  
Sponsor: Lisa Summers, Secretary

Motion by Jennifer Webster to approve the posting request from the Business Committee Support Office for one (1) Senior Information Management Specialist, seconded by Kirby Metoxen. Motion carried:

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

**8. Review submissions for the State of Wisconsin 2021-23 Biennial Budget Request (01:02:16)**  
Sponsor: Melinda J. Danforth, Director/Intergovernmental Affairs

Motion by Kirby Metoxen to accept the discussion as information and authorize Intergovernmental Affairs and Communications to finalize and submit the State of Wisconsin 2021-23 Biennial Budget Requests, seconded by Daniel Guzman King. Motion carried:

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

**9. Approve a sub-team of the OBC to meet with BC DR10 to renegotiate and approve the employment contract (01:02:50)**  
Sponsor: Tehassi Hill, Chairman

Motion by Kirby Metoxen to assign Vice-Chairman Brandon Stevens, Councilman David P. Jordan, and Councilwoman Jennifer Webster to sub-team of the OBC to meet with BC DR10 to renegotiate and approve the employment contract, seconded by Brandon Stevens. Motion carried:

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

**10. Approve a sub-team of the OBC to meet with BC DR04 to renegotiate and approve their employment contract (01:03:22)**  
Sponsor: Tehassi Hill, Chairman

Motion by Jennifer Webster to assign Chairman Tehassi Hill, Vice-Chairman Brandon Stevens, and Councilman David P. Jordan a sub-team of the OBC to meet with BC DR04 to renegotiate and approve their employment contract, seconded by Kirby Metoxen. Motion carried:

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

*Item VIII.C.11. was re-addressed next.*



**DRAFT****11. Accept the reorganization-restructure recommendations for Finance Administration (00:52:11); (01:03:53)**

Sponsor: Trish King, Treasurer

Motion by Ernie Stevens III to adopt resolution 08-12-20-I Supervision of the Chief Financial Officer with the noted changes [in lines 36 and 37, delete "and until such time as the finances of the Nation have stabilized" and replace with "or six (6) months, or any Tier V budget restrictions, whichever is longer"] and move the resolution to open session, seconded by Daniel Guzman King. Motion carried:

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

Motion by David P. Jordan to recess at 12:05 p.m. until 1:30 p.m., seconded by Brandon Stevens.  
Motion withdrawn.

Motion by Lisa Summers to send the entire subject of Supervision of the Chief Financial Officer to the Legislative Operating Committee for further analysis to create permanent amendments in the Budget Manager Control law for Tiers III, IV, and V for future events, 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

*Item V.G. was addressed next.*

Motion by David P. Jordan to support the five (5) reorganization/restructure recommendations for Finance Administration listed in the Treasurer's memorandum dated August 6, 2020, seconded by Brandon Stevens. Motion carried:

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

Not Present: Trish King

**12. Review and determine next steps - annual evaluation for BC DR09 and layoff reports (01:04:38)**

Sponsor: Lisa Summers, Secretary

Motion by Jennifer Webster to accept the discussion as information, seconded by Brandon Stevens.  
Motion carried:

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

Not Present: Trish King

**13. Review recall request and determine next steps - Gaming Marketing (01:05:00)**

Sponsor: Louise Cornelius, Gaming General Manager

Motion by David P. Jordan to approve the recall request from Gaming Marketing for one (1) Marketing Research Analyst, seconded by Jennifer Webster. Motion carried:

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

Not Present: Trish King

Motion by David P. Jordan to approve the recall request from Gaming Marketing for one (1) Executive Assistant, seconded by Brandon Stevens. Motion carried:

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

Not Present: Trish King

# ***DRAFT***

## **IX. ADJOURN**

Motion by David P. Jordan to adjourn at 3:11 p.m., seconded by Kirby Metoxen. Motion carried:

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

Not Present: Trish King

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

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Lisa Summers, Secretary  
ONEIDA BUSINESS COMMITTEE

**Oneida Business Committee Agenda Request**

Adopt resolution entitled Extension of the Emergency Amendments to the Emergency Management and...

**1. Meeting Date Requested:** 8 / 26 / 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:


Adopt the resolution titled, "Extension of the Emergency Amendments to the Emergency Management and Homeland Security Law"

**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](http://Oneida-nsn.gov)



TO: Oneida Business Committee  
FROM: David P. Jordan, LOC Chairperson   
DATE: August 26, 2020  
RE: Extension of the Emergency Management and Homeland Security Law Emergency Amendments

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Please find the following attached backup documentation for your consideration of the extension of the Emergency Management and Homeland Security Law Emergency Amendments:

1. Resolution: Extension of the Emergency Amendments to the Emergency Management and Homeland Security Law
2. Statement of Effect: Extension of the Emergency Amendments to the Emergency Management and Homeland Security Law
3. Emergency Management and Homeland Security Law

#### *Overview*

Emergency amendments to the Emergency Management and Homeland Security law (the “Law”) were adopted by the Oneida Business Committee through resolution BC-03-17-20-E for the purpose of creating and delegating authority to a COVID-19 Core Decision Making Team. The emergency amendments to the Law:

- Created a COVID-19 Core Decision Making Team (COVID-19 Team) [3 O.C. 302.10-1];
- Identified what positions of the Nation serve on the COVID-19 Team [3 O.C. 302.10-1];
- Described the authority delegated to the COVID-19 Team to declare exceptions to any law, policy, procedure, regulation, or standard operating procedure of the Nation [3 O.C. 302.10-2];
- Provided for the duration of authority for exceptions declared by the COVID-19 Team [3 O.C. 302.10-3]; and
- Described how the COVID-19 Team will make its declarations [3 O.C. 302.10-4].

The Oneida Business Committee is delegated the authority to 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 emergency amendments to this Law were necessary for the preservation of the public health, safety, and general welfare of the Reservation population. The emergency amendments were needed to create the COVID-19 Team and provide the COVID-19 Team the ability to act on behalf of the Nation on a daily, or even hourly basis, to best protect the Reservation population against the public health crisis that is the COVID-19 pandemic.

Additionally, observance of the requirements under the Legislative Procedures Act for the adoption of these emergency amendments was contrary to public interest. The process and requirements of the Legislative Procedures Act could not have been completed in time to allow the Nation the ability to adequately address the issues regarding internal operations and laws that arose during the COVID-19 pandemic.

The emergency amendments to the Law will expire on September 17, 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 because the Nation is still experiencing the effects of the COVID-19 pandemic. Since the March 12, 2020, "*Declaration of Public Health State of Emergency*" the Nation's Public Health State of Emergency has been extended until September 11, 2020, through the adoption of resolutions BC-03-28-20-A, BC-05-06-20-A, BC-06-10-20-A, BC-07-08-20-A, and BC-08-06-20-A.

On March 24, 2020, the Nation's COVID-19 Team made a "*Safer at Home*" declaration which prohibits all public gatherings of any number of people and orders all individuals present within the Oneida Reservation to stay at home or at their place of residence, with certain exceptions allowed. On April 21, 2020, the COVID-19 Team issued an "*Updated Safer at Home*" declaration which allowed for gaming and golf operations to resume. On May 19, 2020, the COVID-19 Team issued a "*Safer at Home Declaration, Amendment, Open for Business*" which directs that individuals within the Oneida Reservation should continue to stay at home, businesses can re-open under certain safer business practices, and social distancing should be practiced by all persons. Then on June 10, 2020, the COVID-19 Team issued a "*Stay Safer at Home*" declaration which lessened the restrictions of the "*Safer at Home Declaration, Amendment, Open for Business*" while still providing guidance and some restrictions.

The six (6) month extension of the emergency amendments to the Law are also being requested to provide additional time for the Legislative Operating Committee to process permanent amendments to the Law.

The extension of the emergency amendments to the Law will become effective on September 17, 2020, when the emergency amendments as adopted through BC-03-17-20-E expire, and will remain in effect for an additional six (6) month term which will end on March 17, 2021.

**Requested Action**

Approve the Resolution: Extension of the Emergency Amendments to the Emergency Management and Homeland Security Law

# Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

## BC Resolution #

### Extension of the Emergency Amendments to the Emergency Management and Homeland Security Law

- 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 Emergency Management and Homeland Security law ("the Law") was adopted by the Oneida Business Committee through resolution BC-07-15-98-A, amended by resolutions BC-12-20-06-G, BC-05-13-09-F, and most recently amended on an emergency basis by resolution BC-03-17-20-E; and
- WHEREAS,** the Law provides for the development and execution of plans for the protection of residents, property, and the environment in an emergency or disaster; provides for the direction of emergency management, response, and recovery on the Reservation, as well as coordination with other agencies, victims, businesses, and organizations; establishes the use of the National Incident Management System; and designates authority and responsibilities for public health preparedness; and
- WHEREAS,** on March 12, 2020, Chairman Tehassi Hill signed a "*Declaration of Public Health State of Emergency*" regarding COVID-19 which declared a Public Health State of Emergency for the Nation until April 12, 2020, which was then subsequently extended through September 11, 2020, through the adoption of resolutions BC-03-28-20-A, BC-05-06-20-A, BC-06-10-20-A, BC-07-08-20-A, and BC-08-06-20-A; and
- WHEREAS,** on March 24, 2020, the Nation's COVID-19 Core Decision Making Team issued a "*Safer at Home*" declaration prohibiting all public gatherings of any number of people and ordering all individuals present within the Oneida Reservation to stay at home or at their place of residence, with certain exceptions allowed; and
- WHEREAS,** the Nation's COVID-19 Core Decision Making Team modified the "*Safer at Home*" declaration on April 21, 2020, with the issuance of the "*Updated Safer at Home*" declaration, on May 19, 2020, with the "*Safer at Home Declaration, Amendment, Open for Business*" declaration, and then again on June 10, 2020, with the issuance of the "*Stay Safer at Home*" declaration; and
- WHEREAS,** the Legislative Procedures Act authorizes the Oneida Business Committee to enact legislation on an emergency basis 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 adopted emergency amendments to the Law through resolution BC-03-17-20-E; and

**WHEREAS,** the emergency amendments to the Law created a COVID-19 Core Decision Making Team; identified what positions of the Nation serve on the COVID-19 Core Decision Making Team; described the authority delegated to the COVID-19 Core Decision Making Team to declare exceptions to any law, policy, procedure, regulation, or standard operating procedure of the Nation; described how the COVID-19 Core Decision Making Team would make its declarations; and provided for the duration of authority for declarations made by the COVID-19 Core Decision Making Team; and

**WHEREAS,** the Oneida Business Committee determined that the emergency adoption of these amendments to the Law were necessary for the preservation of the public health, safety, and general welfare of the Reservation population to allow the COVID-19 Core Decision Making Team to take action to protect the Reservation population against the public health crisis that is the COVID-19 pandemic; and

**WHEREAS,** observance of the requirements under the Legislative Procedures Act for adoption of these emergency amendments was contrary to public interest; and

**WHEREAS,** emergency legislation is effective for a period of six (6) months, renewable for an additional six (6) months by the Oneida Business Committee; and

**WHEREAS,** the emergency amendments to the Law will expire on September 17, 2020; and

**WHEREAS,** a six (6) month extension of the emergency amendments is being requested because the Nation is still experiencing the COVID-19 pandemic and Public Health State of Emergency, and the extension would allow for the emergency amendments to remain in effect while the Legislative Operating Committee develops permanent amendments to the Law; and

**NOW THEREFORE BE IT RESOLVED,** that the emergency amendments to the Emergency Management and Homeland Security law are hereby extended for an additional six (6) month period, effective September 17, 2020, and shall expire on March 17, 2021.





### **Statement of Effect**

*Extension of the Emergency Amendments to the Emergency Management and Homeland Security Law*

### **Summary**

This resolution extends the emergency amendments to the Emergency Management and Homeland Security law adopted through resolution BC-03-17-20-E 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: August 4, 2020*

### **Analysis by the Legislative Reference Office**

This resolution extends the emergency amendments to the Emergency Management and Homeland Security law (“the Law”) for an additional six (6) month term. The purpose of the Law is to provide for the development and execution of plans for the protection of residents, property, and the environment in an emergency or disaster; provide for the direction of emergency management, response, and recovery on the Reservation, as well as coordination with other agencies, victims, businesses, and organizations; establish the use of the National Incident Management System; designate authority and responsibilities for public health preparedness. [1 O.C. 302.1-1].

Emergency amendments to the Law were adopted by the Oneida Business Committee through resolution BC-03-17-20-E for the purpose of:

- Creating a COVID-19 Core Decision Making Team (COVID-19 Team) [3 O.C. 302.10-1];
- Identifying what positions of the Nation serve on the COVID-19 Team [3 O.C. 302.10-1];
- Describing the authority delegated to the COVID-19 Team to declare exceptions to any law, policy, procedure, regulation, or standard operating procedure of the Nation [3 O.C. 302.10-2];
- Providing for the duration of authority for exceptions declared by the COVID-19 Team [3 O.C. 302.10-3]; and
- Describing how the COVID-19 Team will make its declarations [3 O.C. 302.10-4].

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 LPA. [1 O.C. 109.9-5].

On March 12, 2020, Chairman Tehassi Hill signed a “Declaration of Public Health State of Emergency” regarding COVID-19 which declared a Public Health State of Emergency for the Nation until April 12, 2020. [3 O.C. 302.8-1]. The Public Health State of Emergency for the Nation



has since been extended until September 11, 2020, through the adoption of resolutions BC-03-28-20-A, BC-05-06-20-A, BC-06-10-20-A, BC-07-08-20-A, and BC-08-06-20-A.

On March 24, 2020, the Nation's COVID-19 Team made a "*Safer at Home*" declaration which prohibits all public gatherings of any number of people and orders all individuals present within the Oneida Reservation to stay at home or at their place of residence, with certain exceptions allowed. On April 21, 2020, the COVID-19 Team issued an "*Updated Safer at Home*" declaration which allowed for gaming and golf operations to resume. On May 19, 2020, the COVID-19 Team issued a "*Safer at Home Declaration, Amendment, Open for Business*" which directs that individuals within the Oneida Reservation should continue to stay at home, businesses can re-open under certain safer business practices, and social distancing should be practiced by all persons. Then on June 10, 2020, the COVID-19 Team issued a "*Stay Safer at Home*" declaration which lessened the restrictions of the "*Safer at Home Declaration, Amendment, Open for Business*" while still providing guidance and some restrictions.

The Oneida Business Committee determined that the emergency amendments to the Law were necessary for the preservation of the public health, safety, and general welfare of the Reservation population. The emergency amendments to the Law were needed to allow the COVID-19 Team the ability to act on behalf of the Nation on a daily, or even hourly basis, in order to protect the Reservation population against the public health crisis that is the COVID-19 pandemic.

Additionally, the Oneida Business Committee determined that observance of the requirements under the LPA for adoption of this amendment would be contrary to public interest. The process and requirements of the LPA could not be completed in time to allow the Nation the ability to adequately address the issues regarding internal operations and laws that arose during the COVID-19 pandemic.

The emergency amendments to the Law became effective immediately upon adoption by the Oneida Business Committee and were set to be effective for six (6) months. The emergency amendments to the Law will expire on September 17, 2020.

The Legislative Procedures Act authorizes the Oneida Business Committee to extend the adoption of emergency amendments for an additional six (6) month period. [1 O.C. 109.9-5(b)]. An extension of the emergency amendments is being requested because the Nation is still experiencing the effects of the COVID-19 pandemic., and the Legislative Operating Committee needs additional time to develop the permanent amendments to the Law.

Through this resolution the extension of the emergency amendments to the Law will become effective on September 17, 2020, when the emergency amendments as adopted through BC-03-17-20-E expire, and will remain in effect for an additional six (6) month term which will end on March 17, 2021.

### ***Conclusion***

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

OBC Consideration of Extension of the Emergency Management and Homeland Security Law  
Emergency Amendments Adopted through Resolution BC-03-17-20-E  
2020 08 26

**Title 3. Health and Public Safety – Chapter 302**  
**Yotlihokté Olihwa'ke**  
*Matters that are concerning immediate attention*  
**EMERGENCY MANAGEMENT AND HOMELAND SECURITY**

302.1. Purpose and Policy	302.6. Tribal Cooperation
302.2. Adoption, Amendment, Conflicts	302.7. Public Health Emergencies and Communicable Disease
302.3. Definitions	302.8. When an Emergency is Proclaimed
302.4. Emergency Management/Homeland Security	302.9. Enforcement and Penalties
302.5. Oneida Nation Emergency Planning Committee (ONEPC)	302.10. COVID-19 Core Decision Making Team

**302.1. Purpose and Policy**

302.1-1. The purposes of this law are to:

- (a) provide for the development and execution of plans for the protection of residents, property, and the environment in an emergency or disaster; and
- (b) provide for the direction of emergency management, response, and recovery on the Reservation; as well as coordination with other agencies, victims, businesses, and organizations; and
- (c) establish the use of the National Incident Management System (NIMS); and
- (d) designate authority and responsibilities for public health preparedness.

302.1-2. It is the policy of this law to provide:

- (a) a description of the emergency management network of the Nation; and
- (b) authorization for specialized activities to mitigate hazardous conditions and for the preparation of Tribal emergency response management plans, as well as to address concerns related to isolation and/or quarantine orders, emergency care, and mutual aid; and
- (c) for all expenditures made in connection with such emergency management activities to be deemed specifically for the protection and benefit of the inhabitants, property, and environment of the Reservation.

**302.2. Adoption, Amendment, Conflicts**

302.2-1. This law was adopted by the Oneida Business Committee by resolution BC-07-15-98-A and amended by BC-12-20-06-G, BC-05-13-09-F, and emergency amended by BC-03-17-20-E.

302.2-2. This law may be amended or repealed by the Oneida Business Committee and/or General Tribal Council pursuant to the procedures set out in the Legislative Procedures Act.

302.2-3. 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.

302.2-4. 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.

302.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.

**302.3. Definitions**

302.3-1. This section shall govern the definitions of words or phrases as used within this law. All words not defined herein shall be used in their ordinary and everyday sense.

- (a) "Biological Agent" means an infectious disease or toxin that has the ability to adversely

38 affect human health in a variety of ways, from mild allergic reactions to serious medical  
39 conditions, and including death.

40 (b) “Communicable Disease” means any disease transmitted from one person or animal to  
41 another directly by contact with excreta or other discharges from the body, or indirectly via  
42 substances or inanimate objects that may cause a public health emergency.

43 (c) “Community/Public Health Officer” means an agent of the OCHS, or his or her  
44 designee(s), who is responsible for taking the appropriate actions in order to prevent a  
45 public health emergency from occurring on the Reservation.

46 (d) “COVID-19” means a mild to severe respiratory illness that is caused by a coronavirus,  
47 is transmitted chiefly by contact with infectious material, and is characterized especially  
48 by fever, cough and shortness of breath and may progress to pneumonia and respiratory  
49 failure.

50 (e) “Director” means the Director of the Nation’s Emergency Management/Homeland  
51 Security Agency.

52 (f) “Emergency Management Network” means the entities, volunteers, consultants,  
53 contractors, outside agencies, and any other resources the Nation may use to facilitate inter-  
54 agency collaboration, identify and share resources, and better prepare for local incidents  
55 and large-scale disasters.

56 (g) “Emergency Operations Plan” means the plan established to coordinate mitigation,  
57 preparedness, response, and recovery activities for all emergency or disaster situations  
58 within the Reservation.

59 (h) “Entity” means any Tribal agency, board, committee, commission, or department.

60 (i) “Fair Market Value” means the everyday cost of a product in an ordinary market, absent  
61 of a disaster.

62 (j) “Isolation” means the separation of persons or animals presumably or actually infected  
63 with a communicable disease, or that are disease carriers, for the usual period of  
64 communicability of that disease in such places and under such conditions as will prevent  
65 the direct or indirect transmission of an infectious agent to susceptible people or to those  
66 who may spread the agent to others.

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

70 (l) “Nation” means the Oneida Nation.

71 (m) “National Incident Management System” or “NIMS” means the system mandated by  
72 Homeland Security Presidential Directive 5 (HSPD 5) that provides a consistent  
73 nationwide approach for federal, state, local, and tribal governments to work effectively  
74 and efficiently together to prepare for, prevent, respond to, and recover from domestic  
75 incidents, regardless of cause, size, or complexity.

76 (n) “OCHS” means the Oneida Community Health Services, which is authorized to issue  
77 compulsory vaccinations, require isolation, and quarantine individuals in order to protect  
78 the public health.

79 (o) “Oneida Nation Emergency Planning Committee” or “ONEPC” means the committee  
80 that assists the Director in the implementation of this law.

81 (p) “Proclaim” means to announce officially and publicly.

82 (q) “Public Health Emergency” means the occurrence or imminent threat of an illness or  
83 health condition which:

(1) is a quarantinable disease, or is believed to be caused by bioterrorism or a biological agent; and

(2) poses a high probability of any of the following:

(A) a large number of deaths or serious or long-term disability among humans; or

(B) widespread exposure to a biological, chemical, or radiological agent that creates a significant risk of substantial future harm to a large number of people.

(r) "Quarantine" means the limitation of freedom of movement of persons or animals that have been exposed to a communicable disease or chemical, biological, or radiological agent, for a period of time equal to the longest usual incubation period of the disease or until there is no risk of spreading the chemical, biological, or radiological agent. The limitation of movement shall be in such manner as to prevent the spread of a communicable disease or chemical, biological, or radiological agent.

(s) "Reservation" means all land 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.

(t) "Vital Resources" means food, water, equipment, sand, wood, or other materials obtained for the protection of life, property, and/or the environment during a proclaimed emergency.

#### **302.4. Emergency Management/Homeland Security**

302.4-1. There is hereby created an Emergency Management/Homeland Security Agency which is responsible for planning and coordinating the response to a disaster or emergency that occurs within the boundaries of the Reservation.

302.4-2. The Director shall be responsible for coordinating and planning the operational response to an emergency and is hereby empowered to:

(a) organize and coordinate efforts of the emergency management network of the Nation.

(b) implement the Emergency Operations Plan as adopted by the Oneida Business Committee.

(c) facilitate coordination and cooperation between entities and resolve questions that may arise among them.

(d) incorporate the HSPD 5, issued on February 28, 2003 which requires all Federal, state, local, and tribal governments to administer the best practices contained in the NIMS.

(e) coordinate the development and implementation of the NIMS within the Nation.

(f) ensure that the following occurs:

(1) an Emergency Operations Plan is developed and maintained, and includes training provisions for applicable personnel.

(2) emergency resources, equipment, and communications systems are developed, procured, supplied, inventoried, and accounted for.

(g) establish the line of authority as recorded in the Emergency Operations Plan as adopted by the Oneida Business Committee.

(h) enter into mutual aid and service agreements with tribal, local, state, and federal governments, subject to Oneida Business Committee approval.

302.4-3. In the event of a proclamation of an emergency on the Reservation, the Director is hereby empowered:

(a) to obtain vital resources and to bind the Nation for the fair market value thereof, upon

approval of the Emergency Management/Homeland Security purchasing agent, who is identified in the Emergency Operations Plan. If a person or business refuses to provide the resource(s) required, the Director may commandeer resources for public use and bind the Nation for the fair market value thereof. In the event the purchasing agent is unavailable, the chain of command, as approved by the Oneida Business Committee, shall be followed.

(b) to require emergency activities of as many Tribal members and/or employees as deemed necessary.

(c) to execute all of the ordinary powers of the Director, all of the special powers conferred by this law or by resolution adopted pursuant thereto, all powers conferred on the Director by any agreement approved by the Oneida Business Committee, and to exercise complete emergency authority over the Reservation.

(d) to coordinate with tribal, federal, state, and local authorities.

### **302.5. Oneida Nation Emergency Planning Committee (ONEPC)**

302.5-1. The ONEPC shall consist of representatives from entities and a community representative as identified in the ONEPC bylaws as approved by the Oneida Business Committee.

302.5-2. The ONEPC shall meet as necessary to assist the Director in drafting and maintaining the Emergency Operations Plan.

302.5-3. At the request of the Director, the ONEPC shall provide assistance to the Director in the implementation of the provisions of this law or any plan issued thereunder.

### **302.6. Tribal Cooperation**

302.6-1. All entities shall comply with reasonable requests from the Director relating to emergency planning, emergency operations, and federal mandate compliance.

302.6-2. A person who is disabled or dies while serving as a public safety officer, as defined in the Public Safety Officers' Benefits Program, the spouse of that person and/or any children of that person may be eligible for benefits as determined by the Bureau of Justice Assistance under the Public Safety Officers' Benefits Program, 42 U.S.C. ch. 46, subch. XII.

### **302.7. Public Health Emergencies and Communicable Disease**

302.7-1. In order to prevent a public health emergency, the Director and the Community/Public Health Officer shall take action to limit the spread of any communicable disease, in accordance with this law.

302.7-2. If the Community/Public Health Officer suspects or is informed of the existence of any communicable disease, the Community/Public Health Officer shall investigate and make or cause examinations to be made, as are deemed necessary.

302.7-3. The Community/Public Health Officer may quarantine, isolate, require restrictions, or take other communicable disease control measures as necessary. Any individual, including an authorized individual, who enters an isolation or quarantine premises may be subject to isolation or quarantine under this law.

(a) The list of quarantinable diseases shall be specified in a resolution adopted by the Oneida Business Committee as recommended by the Community/Public Health Officer.

(b) The Community/Public Health Officer shall immediately quarantine, isolate, or take other communicable disease control measures upon an individual if the Community/Public Health Officer receives a diagnostic report from a physician or a written or verbal notification from an individual or his or her parent or caretaker that gives the



Community/Public Health Officer a reasonable belief that the individual has a communicable disease that is likely to cause a public health emergency.

(c) When the Community/Public Health Officer deems it necessary that an individual be quarantined or otherwise restricted in a separate place, the Community/Public Health Officer shall have that individual removed to such a designated place, if it can be done without danger to the individual's health.

**Cross-reference:** See also Resolution Identifying Quarantinable Diseases BC-05-13-09-G.

302.7-4. The Community/Public Health Officer shall act as necessary to protect the public, including requesting the Director to take steps to have a public health emergency proclaimed, as identified in 302.8.

302.7-5. If an individual is infected with a communicable disease and the Community/Public Health Officer determines it is necessary to limit contact with the individual, all persons may be forbidden from being in direct contact with the infected individual, except for those persons having a special written permit from the Community/Public Health Officer.

302.7-6. The Nation's law enforcement agency shall work with the Community/Public Health Officer to execute the Community/Public Health Officer's orders and properly guard any place if quarantine or other restrictions on communicable disease are violated or intent to violate is manifested.

302.7-7. Expenses for necessary medical care, food, and other articles needed for an infected individual shall be charged against the individual or whoever is liable for the individual's support. The OCHS is responsible for the following costs accruing under this section unless the costs are payable through third party liability or through any benefit system:

(a) the expense for law enforcement assistance under 302.7-4.

(b) the expense of maintaining quarantine and isolation of the quarantined area.

(c) the expense of conducting examinations and tests made under the direction of the Community/Public Health Officer.

(d) the expense of care for dependent persons of the infected individual.

302.7-8. When a public health emergency is proclaimed, the Community/Public Health Officer may do all of the following, as necessary:

(a) order an individual to receive a vaccination, unless the vaccination is reasonably likely to lead to serious harm to the individual or the individual, for reason of religion or conscience, refuses to obtain the vaccination.

(b) isolate or quarantine individuals, including those who are unable or unwilling to receive the vaccination under (a).

(c) prevent any individual, except for those individuals authorized by the Community/Public Health Officer, from entering an isolation or quarantine premises.

### **302.8. When an Emergency is Proclaimed**

302.8-1. The Oneida Business Committee shall be responsible for proclaiming or ratifying the existence of an emergency and for requesting a gubernatorial or presidential declaration.

302.8-2. The Director may request that the Oneida Business Committee proclaim the existence of an emergency. In the event the Oneida Business Committee is unable to proclaim or ratify the existence of an emergency, the Director may proclaim an emergency which shall be in effect until such time the Oneida Business Committee can officially ratify this declaration. The Oneida Business Committee may proclaim the existence of an emergency without a request from the Director, if warranted.

302.8-3. The emergency management network of the Reservation shall be as specified in the Emergency Operations Plan, as adopted by the Oneida Business Committee.

302.8-4. The provisions of Chapter 34, *Oneida Tribal Regulation of Domestic Animals Ordinance*, shall not apply during a proclaimed emergency. During a proclaimed emergency, the Conservation Department shall be responsible for the care, disposal, and sheltering of all abandoned domestic animals and livestock.

302.8-5. No proclamation of an emergency by the Oneida Business Committee or the Director may last for longer than thirty (30) days, unless renewed by the Oneida Business Committee. After an emergency has subsided, the Director shall prepare, or shall work in conjunction with the appropriate entity to prepare, an after-action report to be presented to the Oneida Business Committee, any interested entity, and the public. This report shall be presented to the required parties no longer than sixty (60) days after the emergency has subsided, unless an extension is granted by the Oneida Business Committee.

### **302.9. Enforcement and Penalties**

302.9-1. It shall be a violation of this law for any person to willfully obstruct, hinder, or delay the implementation or enforcement of the provisions of this law or any plan issued thereunder, whether or not an emergency has been proclaimed.

(a) Violators of this law may be subject to a fine of not more than \$200 per violation to be issued by the Oneida Police Department and paid to the Nation. Employees of the Nation who violate this law during their work hours or who refuse to follow the Emergency Operations Plan may be subject to disciplinary action instead of a fine.

302.9-2. All fines assessed under this section shall be paid within sixty (60) days of issuance of the citation, unless the person files an appeal with the Judiciary before the fine is to be paid.

302.9-3. Employees of the Nation who are disciplined under this law may appeal the disciplinary action in accordance with the personnel policies and procedures of the Nation.

### **302.10. COVID-19 Core Decision Making Team**

302.10-1. *Creation of Core Decision Making Team.* There is hereby created a COVID-19 Core Decision Making Team (*COVID-19 Team*) which shall exist by declaration of a public health emergency under this law. The COVID-19 Team shall be made up of the following persons:

- (a) Oneida Business Committee Officers which includes the Chairperson, Vice Chairperson, Treasurer, Secretary;
- (b) Legislative Operating Committee Chairperson;
- (c) General Manager;
- (d) Gaming General Manager;
- (e) Gaming Assistant Chief Financial Officer;
- (f) Chief Financial Officer;
- (g) Intergovernmental Affairs and Communications Director; and
- (h) Public Relations Director.

302.10-2. *Delegation of Authority.* The COVID-19 Team shall have emergency authority to take the following actions.

(a) Notwithstanding any requirements of the Legislative Procedures Act, declare exceptions to the Nation's laws 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.

(b) Notwithstanding any requirements in any policy, procedure, regulation, or standard operating procedures, declare exceptions to any policy, procedure, regulation, or standard operating procedure during the emergency period which will be of immediate impact for the purposes of protecting the health, safety, and general welfare of the the Nation's community, members, and employees.

302.10-3. *Duration of Authority for Exceptions Declared by the COVID-19 Team.* Any actions taken under authority granted in this section shall be effective upon the date declared by the COVID-19 Team and shall be effective for the duration of any declared emergency, or for a shorter time period if identified.

(a) The Oneida Business Committee may change or extend any emergency actions taken by the COVID-19 Team.

302.10-4. *Declarations.* All declarations made by the COVID-19 Team shall:

(a) be written on the Nation's letterhead;

(b) provide the date the declaration was issued;

(c) contain a clear statement of the directives;

(d) provide the date the directive shall go into effect;

(e) be signed by the Oneida Business Committee Chairperson, or Vice Chairperson in the Chairperson's absence; and

(f) be posted on the Nation's COVID-19 web site.

*End.*

---

Adopted - BC-07-15-98-A

Amended -BC-12-20-06-G

Emergency Amended –BC-04-30-09-A (Influenza A (H1N1))

Amended-BC-05-13-09-F

Emergency Amended – BC-03-17-20-E

Extension of Emergency – BC-\_\_-\_\_-\_\_-\_\_



**Oneida Business Committee Agenda Request**

Adopt resolution entitled Creating Set Aside for Home Mortgage Funding

**1. Meeting Date Requested:** 08 / 26 / 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 Business Committee Agenda Request

### 6. Cover Memo:

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

**Background:**

On March 26, 1998, the OBC adopted BC Resolution 3-26-98-A, which designated the Oneida Housing Authority as the Tribally Designated Housing Entity by operation of federal law, and that as the Tribally Designated Housing Entity, OHA authorizes and submits the plan and application to the US Department of Housing and Urban Development for the purposes of securing affordable, well built housing.

On April 17, 1998, a Home Mortgage Loan account fund was established at Bay Bank. The funds in this account include payments made on mortgages, loans and interest earned.

Transactions throughout the year are paid through the General Fund payroll, mortgage loans and rehabilitation costs to fix the homes that are acquired via Buyback clause, foreclosure, 1st right of refusal with Bay Bank, and homes through land purchases. Annual average transactions totaled \$12.1M. Calendar year 2020's average decreased to \$10.8M.

In addition, when the Residential Sale homes are sold, the loan program pays back the Land Acquisition fund the appraised value of the home. The loan program receives the gain from sale, if there is a gain, and this amount goes back into the loan program.

The current balance within this account is \$5.5M.

Resolution #3-26-98-A was repealed in 2008 (BC Resolution #06-30-08-B); the Oneida Nation (Tribe) designated the Oneida Nation (Oneida Tribe of Indians of Wisconsin) as the Tribally Designated Housing Entity. (TDHE)

**Requested Motion:**

Adopt Resolution titled, "Creating Set Aside for Home Mortgage Funding."

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

# Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

## BC Resolution # Leave this line blank Creating Set Aside for Home Mortgage Funding

1  
2  
3 **WHEREAS,** the Oneida Nation is a federally recognized Indian government and a treaty tribe  
4 recognized by the laws of the United States of America; and  
5

6 **WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and  
7

8 **WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section 1,  
9 of the Oneida Tribal Constitution by the Oneida General Tribal Council; and  
10

11 **WHEREAS,** the General Tribal Council has stated, as early as the 1930s minutes, that reacquisition of  
12 the land is a priority of the Nation; and  
13

14 **WHEREAS,** the Oneida Business Committee, the current and prior terms, has set reacquisition of the  
15 land as a priority of the Nation; and  
16

17 **WHEREAS,** the Oneida Nation has offered programs where the Nation issues a home mortgage loan  
18 to members for many years through the Division of Land Management and now housed in  
19 the Comprehensive Housing Division; and  
20

21 **WHEREAS,** there is currently set aside a fund in the amount of \$5,523,655.70 at BayBank which is  
22 used for this purpose; and  
23

24 **WHEREAS,** the Oneida Business Committee desires to set protections around this fund and to dedicate  
25 it to the purpose of home mortgage loan funding programs;  
26

27 **NOW THEREFORE BE IT RESOLVED,** the Oneida Business Committee directs that the home mortgage  
28 loan account residing at BayBank shall be maintained for the purposes of home mortgage loan programs  
29 of the Oneida Nation and that any withdrawals other specifically identified in this resolution shall require a  
30 two-thirds vote of the Oneida Business Committee and Land Commission.  
31

32 **BE IT FURTHER RESOLVED,** that all mortgage payments made on loans issued from this fund shall be  
33 returned to the fund and interest accrued by the fund shall be returned to the fund.  
34

35 **BE IT FURTHER RESOLVED,** annually, during the month of January, the Treasurer shall cause to have  
36 25% of annual interest earned from the home mortgage loan account to be paid to the Nation's general  
37 fund to offset operational costs related to home mortgage loan programs utilizing this account.  
38

39 **BE IT FINALLY RESOLVED,** that the principal in the account shall not be reduced below \$1 million and  
40 the Treasurer, from time to time as funds are available, may deposit additional funds which shall be  
41 considered a party of the home mortgage fund upon deposit.



**Oneida Nation**  
Oneida Business Committee  
Legislative Operating Committee  
PO Box 365 • Oneida, WI 54155-0365  
[Oneida-nsn.gov](http://Oneida-nsn.gov)



### **Statement of Effect**

#### *Creating Set Aside for Home Mortgage Funding*

#### **Summary**

This resolution sets protections around certain home mortgage funds that are residing in an account at Bay Bank and declares that the funds be dedicated to the Nation's home mortgage loan funding programs.

*Submitted by: Kristen M. Hooker, Staff Attorney, Legislative Reference Office*

*Date: August 18, 2020*

#### **Analysis by the Legislative Reference Office**

Dating back to the 1930's, the General Tribal Council has made reacquisition of land a priority of the Oneida Nation. Accordingly, the Oneida Business Committee, throughout its current and previous terms, has set the reacquisition of land as one of the Nation's priorities by, among other actions, offering programs where the Nation issues a home mortgage loan to members through the Division of Land Management, which is now housed in the Comprehensive Housing Division.

There is currently a fund set aside at Bay Bank that was created for purposes of the Nation's home mortgage loan programs ("Fund"). This resolution sets the following protections around the Fund:

- That, the home mortgage loan account residing at Bay Bank be maintained for the home mortgage loan programs of the Oneida Nation and that any withdrawals other than as specifically identified within this resolution shall require a two-thirds vote of the Oneida Business Committee and Land Commission;
- That, all mortgage payments made on loans issued from the Fund shall be returned to the Fund and interest accrued by the Fund shall be returned to the Fund;
- That, annually, during the month of January, the Treasurer shall cause to have 25% of annual interest earned from the Fund account to be paid to the Nation's general fund to offset operational costs related to home mortgage loan programs utilizing the Fund; and
- That, the principal in the account shall not be reduced below one million dollars and the Treasurer, from time to time as funds are available, may deposit additional funds which shall be considered a part of the Fund upon deposit.

#### **Conclusion**

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

# Oneida Tribe of Indians of Wisconsin

## BUSINESS COMMITTEE



Oneidas bringing several hundred bags of corn to Washington's starving army at Valley Forge, after the colonists had consistently refused to aid them.



UGWA DEMOLUM YATEHE  
Because of the help of this Oneida Chief in cementing a friendship between the six nations and the colony of Pennsylvania, a new nation, the United States was made possible.

P.O. Box 365 • Oneida, WI 54155

Telephone: 920-869-4364 • Fax: 920-869-4040

### BC Resolution 06-30-08-B

*Designating the Tribe as the Tribally Designated Housing Entity*

- WHEREAS,** the Oneida Tribe of Indians of Wisconsin 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 Tribe of Indians of Wisconsin; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** the Oneida Business Committee passed Resolution 3-26-98-A, "Designating The Oneida Housing Authority as the Tribally Designated Housing Entity; and
- WHEREAS,** due to changing circumstances, the Oneida Business Committee desires to designate the Oneida Tribe of Indians of Wisconsin to be the Tribally Designated Housing Entity and receive the block grant under the Native American Housing Assistance and Self-Determination Act of 1996, 25 U.S.C. §§ 4101 et seq., as amended ("NAHASDA") instead of the Oneida Housing Authority.

**NOW THEREFORE BE IT RESOLVED** the Oneida Business Committee does hereby officially repeal Resolution 3-26-98-A "Designating The Oneida Housing Authority as the Tribally Designated Housing Entity".

**NOW BE IT FINALLY RESOLVED** the Oneida Tribe of Indians of Wisconsin, pursuant to NAHASDA and 24 C.F.R. 1000.204 hereby designates itself as the Tribally Designated Housing Entity and the recipient of the NAHASDA block grant.

### CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum. 8 members were present at a meeting duly called, noticed and held on the 30<sup>th</sup> day of June, 2008; that the foregoing 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.

  
Patricia Hoeft, Tribal Secretary  
Oneida Business Committee

# Oneida Tribe of Indians of Wisconsin

Post Office Box 365

Phone: (414) 869-2214

Oneida, WI 54155



Oneidas bringing several hundred bags of corn to Washington's starving army at Valley Forge, after the colonists had consistently refused to aid them.



UGWA DEMOLUM YATEHE  
Because of the help of this Oneida Chief in cementing a friendship between the six nations and the colony of Pennsylvania, a new nation, the United States was made possible.

## RESOLUTION 3-26-98-A

### Designating The Oneida Housing Authority as the Tribally Designated Housing Entity

**WHEREAS,** the Oneida Tribe of Indians of Wisconsin is a federally recognized Indian government and a Treaty Tribe recognized by the laws of the United States,

**WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Tribe of Indians of Wisconsin,

**WHEREAS,** the Oneida Business Committee has been delegated the authority of Article V, Section I of the Oneida Tribal Constitution to the Oneida Business Committee; and

**WHEREAS,** the Oneida Tribe of Indians of Wisconsin acting by and through the Oneida Business Committee has previously created the Oneida Housing Authority by enactment of an Ordinance dated April 20, 1963; and

**WHEREAS,** for many years an objective of the Oneida Tribe of Indians of Wisconsin has been the development, maintenance and operation of safe, clean and healthy affordable housing within the Oneida Reservation boundaries and in other areas where low-income Indian families live; and

**WHEREAS,** in order to receive federal assistance that recognizes the right of tribal self-governance, and for other purposes, P.L. 104-330 requires that the Oneida Tribe of Indians of Wisconsin designate the Oneida Housing Authority; and

**WHEREAS,** Pursuant to P.L. 104-330 the Oneida Housing Authority is the "Tribally Designated Housing Entity"; and

**WHEREAS,** it is the intent of the Oneida Business Committee and the Oneida Housing Authority that the legal continuity of the Oneida Housing Authority (OHA) continue uninterrupted;



Resolution 3-26-98-A

page 2

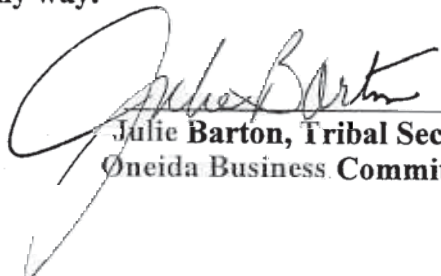
**WHEREAS**, the OHA certifies that community members of the Oneida Tribe have been made aware of information concerning the amount of funds available for proposed community development and housing activities, the range of activities that may be assisted as well as other Native American Housing Assistance and Self Determination Act (NAHASDA) requirements and solicited the community's view and participation; and

**NOW THEREFORE BE IT RESOLVED**, that OHA requests that notwithstanding OHA's designation as the Tribally Designated Housing Entity by operation of federal law, the Oneida Business Committee establish OHA as the Tribally Designated Entity; and

**NOW BE IT FINALLY RESOLVED**, that as the Tribally Designated Housing Entity, OHA authorizes and submits the plan and application to the United States Department of Housing and Urban Development for the purposes of securing affordable, well built housing for Native Americans.

#### CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of nine (9) members of whom (5) members, constituting a quorum, 6 were present at a meeting duly called, noticed, and held on the 26th day of March, 1998; that the foregoing resolution was duly adopted at such meeting by a vote of 5 members for, 0 members against, and 0 members abstaining: And that said resolution has not been rescinded or amended in any way.



Julie Barton, Tribal Secretary  
Oneida Business Committee

*Carolyn L*

## MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is made and entered into this 28th day of February, 2002, by and between the Accounting Division and Division of Land Management, both entities of the Oneida Tribe of Indians of Wisconsin, a federally recognized Indian government and a treaty tribe, and shall be effective through December 31, 2003.

Items #1-9 below provide an appropriate level of administrative responsibility assigned to the Division of Land Management Director, with oversight provided by the Land Commission. These items generally clarify the administrative relationship between the Assistant Chief Financial Officer and the Land Management Division Director. Target date for agreement effectiveness is the date both parties sign the agreement.

1. The Accounting Division will manage the investment of the excess cash resulting from the Loan Programs as determined by the Division of Land Management Director.
2. The Accounting Division will, as the depository accounts reach the agreed upon threshold, transfer the funds into the Oneida Tribe's investment portfolio. (Bank of America is the current custodian of the Oneida Tribe's investment portfolio.)
3. The Accounting Division, under the direction of the Division of Land Management Director, will transfer excess cash accumulated in the Land Management depository accounts. The amount retained in the money market accounts will be the minimum amount required by the bank to not be charged a fee on the account.
4. Monthly transfers will be made from the money market accounts to the Oneida Tribe's investment portfolio. The amount transferred to the investment portfolio will be computed as directed by the Division of Land Management Director.
5. The Finance Division will credit the Division of Land Management with an interest rate of 5% for loan funds deposited in the Oneida Tribe's investment portfolio. The rate is effective until February 28, 2003.
6. The rate of return will be agreed on an annual basis. The rate will be determined by November 30 of the preceding year.
7. If the Oneida Tribe realizes a net return is greater than the amount established in #5 above, an adjustment to the amount credited to the Division of Land Management, according to the following schedule:
  - >5% - 5.5% 100% credited to Division of Land Management
  - >5.5% Difference between amount over 5% and amount earned will be split 50/50 between the Division of Land Management and the Oneida Tribe - General Fund.



If the Oneida Tribe realizes a net return less than the effective rate established in #5 above, no further adjustment will be made to the Division of Land Management's earnings.

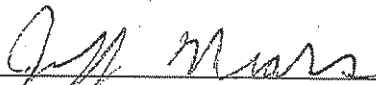
8. The Accounting Division will provide a monthly status report to the Division of Land Management Director. The report will include the beginning balance, deposits, income on the accounts, and disbursements. The report will be prepared by the 25th of each month.

9. The Division of Land Management Director will notify the Accounting Division of any pending needs for funds resulting from foreclosure of loans, or any other non-recurring activity that may require the need for liquid funds, within 30 days of the required disbursement.

Items 1-9 provide a mutually acceptable process for potential investment of maintaining a revolving loan fund. For the most part, the following summarizes present operating procedures used when economic development potential is recognized in lending.

All parties have executed this Memorandum of Understanding on the day and year first written above and by signing, warrant authority to be bound by the above terms.

#### LAND COMMISSION

 3/25/02  
Land Commission Chair Date

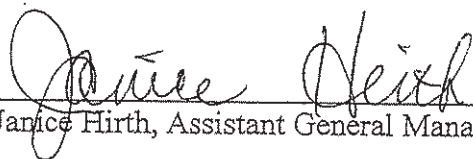
#### DIVISION OF LAND MANAGEMENT

 3-20-02  
Christine M. Doxtator, Land Management Director Date

#### ACCOUNTING DIVISION

 3-26-02  
Lynn A. VandenLangenberg, Assistant Chief Financial Officer Date

#### GENERAL MANAGER

 3-26-02  
Janice Hirth, Assistant General Manager Date

Approved by Oneida Land Commission: 3-18-2002

Accept the August 17, 2020, regular Finance Committee meeting minutes

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## Business Committee Agenda Request

1. Meeting Date Requested: 08/24/20

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: Trish King, Treasurer

Primary Requestor: \_\_\_\_\_

Additional Requestor: (Name, Title/Entity)

Additional Requestor: (Name, Title/Entity)

Submitted By: \_\_\_\_\_

DVIGUE



## FINANCE COMMITTEE

### FC REGULAR MEETING

August 17, 2020 ▪ Time: 9:00 A.M

BC Conference Room

---

### REGULAR MEETING MINUTES

#### FC MEMBERS PRESENT (Via Teams):

Patricia King, Treasurer/FC Chair

Jennifer Webster, BC Council Member

Chad Fuss, Gaming AGM; GGM Alt.

Larry Barton, CFO/FC Vice-Chair

Daniel Guzman King, BC Council Member

Patrick Stensloff, Purchasing Director

**OTHERS PRESENT (Via Teams):** Debbie Danforth, Mari Kreischer, Mercie Danforth, Henrietta Cornelius, and James Bittorf

**I. CALL TO ORDER:** The FC Regular Meeting was called to order by the FC Chair at 9:03 A.M.

#### **II. APPROVAL OF AGENDA:** AUGUST 17, 2020

Motion by Larry Barton to approve the Aug. 17, 2020 FC Meeting Agenda with one ADD ON from Wise Women Gathering Place. Seconded by Jennifer Webster. Motion carried unanimously.

#### **III. APPROVAL OF MINUTES:** MARCH 2, 2020 (Approved via E-Poll on 03/03/20):

Motion by Jennifer Webster to ratify the FC E-Poll action taken on Mar. 3, 2020 approving the Mar. 2, 2020 Finance Committee Meeting Minutes. Seconded by Larry Barton. Motion carried unanimously.

#### **IV. APPROVE FC SPECIAL E-POLLS:**

##### **1. State of Wisconsin – June 2020 DWD Payment -Finance** (Approved on 7/17/20):

Motion by Jennifer Webster to ratify the FC E-Poll action taken on Jul. 17, 2020 approving the check request for the State of Wisconsin – June 2020 DWD Payment. Seconded by Daniel Guzman King. Motion carried unanimously.

##### **2. PRN Home Health and Therapy LLC – AJRCCC** (Approved on 7/24/20):

Motion by Larry Barton to ratify the FC E-Poll action taken on Jul. 24, 2020 approving the PRN Home Health and Therapy LLC Purchase Order. Seconded by Jennifer Webster. Motion carried unanimously.

##### **3. Houghton Mifflin Contract – ONES** (Approved on 7/30/20):

Motion by Larry Barton to ratify the FC E-Poll action taken on Jul. 30, 2020 approving the Houghton Mifflin contract /Purchase Order. Seconded by Jennifer Webster. Motion carried unanimously.

##### **4. Camera Corner – Consolidated Health** (Approved on 8/3/20):

Motion by Jennifer Webster to ratify the FC E-Poll action taken on Aug. 3, 2020 approving the Camera Corner contract/Purchase Order. Seconded by Chad Fuss. Motion carried unanimously.

**5. Technical Security Integration, Inc. – MIS (Approved on 8/4/20):**

Motion by Jennifer Webster to ratify the FC E-Poll action taken on Aug. 4, 2020 approving the Technical Security Integration, Inc. contract/Purchase Order. Seconded by Larry Barton. Motion carried unanimously.

**V. TABLED BUSINESS:** None**VI. CAPITAL EXPENDITURES:** None**VII. NEW BUSINESS:**

~~**1. FY21 Blkt PO – Fry Bread Heaven – Employee Discounts – Amount: \$137,800.**~~  
~~Louise Cornelius, Gaming Administration~~

Motion by Chad Fuss to delete this item from the agenda as vendor's services are not being renewed. Seconded by Jennifer Webster. Motion carried unanimously.

**2. FY21 Blkt PO – Radisson –Space Lease Amount: \$162,144.**  
Louise Cornelius, Gaming Administration

Motion by Jennifer Webster to approve the FY21 Blanket Purchase Order with the Radisson for space lease (food court) in the amount of \$162,144.00. Seconded by Larry Barton. Motion carried unanimously.

**3. FY21 Blkt PO – Radisson – Comps. -Items/Svs. Amount: \$1,500,000.**  
Louise Cornelius, Gaming Administration

Motion by Jennifer Webster to approve the FY21 Blanket Purchase Order with the Radisson for Customer Comps of rooms & beverages in the amount of \$1,500,000.00. Seconded by Daniel Guzman King. Motion carried unanimously.

**4. FY21 Blkt PO – M3 Insurance Solutions -Gam. Wellness Amount: \$338,400.**  
Louise Cornelius, Gaming Administration

Motion by Jennifer Webster to approve the FY21 Blanket Purchase Order with M3 Insurance Solutions for Nursing & Chiropractic services for Gaming Employees in the amount of \$338,400.00. Seconded by Patrick Stensloff. Motion carried unanimously.

**5. A/P Check Request – DWD UID (Claims Month-July) Amount: \$1,290,571.63**  
Ra Linda Ninham-Lamberies, Finance Administration

Motion by Jennifer Webster to approve the A/P Check Request for the July unemployment benefits paid to the State of Wisconsin in the amount of \$1,290,571.63. Seconded by Patrick Stensloff. Motion carried unanimously.

**6. M3 Insurance –Premium Payments Amount: \$293,461.**  
Robert Keck, Risk Management

Motion by Jennifer Webster to approve the FY21 Blanket Purchase Order for the General Liability Insurance Package in the amount of \$293,461.00. Seconded by Chad Fuss. Motion carried unanimously.

**7. M3 Insurance –Premium Payments Amount: \$961,528.**  
Robert Keck, Risk Management

Motion by Jennifer Webster to approve the FY21 Blanket Purchase Order for General Liability, Drone, Crime, Cyber, Workmen's Comp and Pollution in the amount of \$961,528.00. Seconded by Chad Fuss. Motion carried unanimously.

- 8. FY21 Blkt PO – Badger Liquor** **Amount: \$350,000.**  
Chad Fuss, Gaming Administration

There was a discussion for items 8-12 surrounding submission of same amounts from last year given the pandemic and drop in Gaming Revenues; it was noted this is just the cost of sales and does not directly affect the budget; all sales are profit; the Chair agreed but noted for the record that this does affect the overall FY21 Organizational Budget and this should be reduced by how much revenues are down. She wants all areas to consider this by lowering their requests.

Motion by Larry Barton to approve the FY21 Blanket Purchase Orders #8 through #12 for liquor for Gaming customers in the amounts as requested. Seconded by Patrick Stensloff. Motion carried unanimously.

- 9. FY21 Blkt PO – Dean Distributing** **Amount: \$575,000.**  
Chad Fuss, Gaming Administration

- See Motion in New Business item #8.

- 10. FY21 Blkt PO – General Beverage** **Amount: \$450,000.**  
Chad Fuss, Gaming Administration

- See Motion in New Business item #8.

- 11. FY21 Blkt PO – Kay Beer Distributing** **Amount: \$350,000.**  
Chad Fuss, Gaming Administration

- See Motion in New Business item #8.

- 12. FY21 Blkt PO – Triangle Distributing** **Amount: \$575,000.**  
Chad Fuss, Gaming Administration

- See Motion in New Business item #8.

- 13. FY21 Blkt PO – Spectra (Cash & Credit Card Sales Reimbursement)** **Amount: \$2,200,000.**  
Chad Fuss, Gaming Administration

Motion by Larry Barton to approve the FY21 Blanket Purchase Orders for #13 & #14 with Spectra in the amounts as requested. Seconded by Jennifer Webster. Motion carried unanimously.

- 14. FY21 Blkt PO – Spectra (Comps Reimbursement)** **Amount: \$850,000.**  
Chad Fuss, Gaming Administration

- See Motion in New Business item #13.

- 15. FY21 Blkt PO – Spectra (Profit & Loss)** **Amount: \$1,600,000.**  
Chad Fuss, Gaming Administration

Motion by Jennifer Webster to approve the FY21 Blanket Purchase Order for Spectra for profit and loss in the amount of \$1,600,000.00. Seconded by Larry Barton. Motion carried unanimously.

## **VIII. EXECUTIVE SESSION:**

Motion by Larry Barton to go into Executive Session. Seconded by Jennifer Webster. Motion carried unanimously. Time: 9:41 A.M.

Motion by Jennifer Webster to come out of Executive Session. Seconded by Larry Barton. Motion carried unanimously. Time: 10:05 A.M.

**1. FY21 Blanket PO–Health Related Contract #2012-1217**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Jennifer Webster to approve the FY21 Blanket Purchase Order Health Related contract #2012-1217 with Green Bay Radiology in the amount as requested. Seconded by Larry Barton. Motion carried unanimously.

**2. FY21 Blanket PO–Health Related Contract #2005-1991**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Jennifer Webster to approve the FY21 Blanket Purchase Order Health Related contract #2005-1991 with Prevea Lab in the amount as requested. Seconded by Larry Barton. Motion carried unanimously.

**3. FY21 Blanket PO–Health Related Contract #2012-1284**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Jennifer Webster to approve the FY21 Blanket Purchase Order Health Related contract #2012-1284 with St. Vincent Hospital D/B/A-Prevea Health in the amount as requested. Seconded by Larry Barton. Motion carried unanimously.

**4. FY21 Blanket PO–Health Related Contract #2012-1259**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Jennifer Webster to approve the FY21 Blanket Purchase Order contract #2012-1259 with the Independent Health Provider in the amount as requested. Seconded by Larry Barton. Motion carried unanimously.

**5. FY21 Blanket PO–Health Related Contract #2006-2301**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Jennifer Webster to approve the FY21 Blanket Purchase Order Health Related contract #2006-2301 with Casa Clare-Mooring program D/B/A-Apricity in the amount as requested. Seconded by Larry Barton. Motion carried unanimously.

**6. FY21 Blanket PO–Health Related Contract #2006-2301**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Jennifer Webster to approve the FY21 Blanket Purchase Order Health Related contract #2006-2301 with the Jackie Nitschke Center in the amount as requested. Seconded by Larry Barton. Motion carried unanimously.

**7. FY21 Blanket PO–Health Related Contract #2006-2301**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Jennifer Webster to approve the FY21 Blanket Purchase Order Health Related contract #2006-2301 with Keystone Treatment Center-ATODA & Mental Health in the amount as requested. Seconded by Larry Barton. Motion carried unanimously.

**8. FY21 Blanket PO–Health Related Contract #2006-2301**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Jennifer Webster to approve the FY21 Blanket Purchase Order Health Related contract #2006-2301 with Keystone Treatment Center-Opioid Abuse in the amount as requested. Seconded

by Larry Barton. Motion carried unanimously.

**9. FY21 Blanket PO–Health Related Contract #2018-0653**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Jennifer Webster to approve the FY21 Blanket Purchase Order contract #2018-0653 with the Independent Health Provider in the amount as requested. Seconded by Larry Barton. Motion carried unanimously.

**10. FY21 Blanket PO–Health Related Contract #2018-0654**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Jennifer Webster to approve the FY21 Blanket Purchase Order contract #2018-0654 with the Independent Health Provider in the amount as requested. Seconded by Larry Barton. Motion carried unanimously.

**11. FY21 Blanket PO–Health Related Contract #2018-0651**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Jennifer Webster to approve the FY21 Blanket Purchase Order contract #2018-0651 with the Independent Health Provider in the amount as requested. Seconded by Larry Barton. Motion carried unanimously.

**12. FY21 Blanket PO–Health Related Contract #2018-0655**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Jennifer Webster to approve the FY21 Blanket Purchase Order contract #2018-0655 with the Independent Health Provider in the amount as requested. Seconded by Larry Barton. Motion carried unanimously.

**13. FY21 Blanket PO–Health Related Contract #2017-0808**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Jennifer Webster to approve the FY21 Blanket Purchase Order Health Related contract #2017-0808 with Prevea Clinics, Inc/St. Vincent Hospital (Psychiatric) in the amount as requested. Seconded by Larry Barton. Motion carried unanimously.

**14. FY21 Blanket PO–Health Related Contract #2019-1399**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Jennifer Webster to approve the FY21 Blanket Purchase Order contract #2019-1399 with the Independent Health Provider in the amount as requested. Seconded by Larry Barton. Motion carried unanimously.

**15. FY21 Blanket PO–Health Related Contract #2018-0650**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Jennifer Webster to approve the FY21 Blanket Purchase Order contract #2018-0650 with the Independent Health Provider in the amount as requested. Seconded by Larry Barton. Motion carried unanimously.

**16. FY21 Blanket PO–Health Related Contract #2017-1425**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division



Motion by Jennifer Webster to approve the FY21 Blanket Purchase Order Health Related contract #2017-1425 with Regroup Therapy Telehealth Services in the amount as requested. Seconded by Larry Barton. Motion carried unanimously.

**17. FY21 Blanket PO–Health Related Contract #2012-1552**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Jennifer Webster to approve the FY21 Blanket Purchase Order contract #2012-1552 with Reinhart Foods in the amount as requested. Seconded by Larry Barton. Motion carried unanimously.

**18. FY21 Blanket PO–Health Related Contract #2019-0784**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Jennifer Webster to approve the FY21 Blanket Purchase Order Health Related contract #2019-0784 with PRN Home Health & Therapy in the amount as requested. Seconded by Larry Barton. Motion carried unanimously.

**19. FY21 Blanket PO–Health Related Contract #2008-1602**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Jennifer Webster to approve the FY21 Blanket Purchase Order Health Related contract #2008-1602 with STAT Temporary Service in the amount as requested. Seconded by Larry Barton. Motion carried unanimously.

**20. FY21 Blanket PO–Health Related Contract #2016-0397**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Jennifer Webster to approve the FY21 Blanket Purchase Order Health Related contract #2016-0397 with PRN Health Services, Inc. in the amount as requested. Seconded by Larry Barton. Motion carried unanimously.

**21. FY21 Blanket PO–Health Related Contract #2019-0134**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Jennifer Webster to approve the FY21 Blanket Purchase Order Health Related contract #2019-0134 with BSG Maintenance Inc. in the amount as requested. Seconded by Larry Barton. Motion carried unanimously.

**22. FY21 Blanket PO–Health Related Contract #2016-0431**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Jennifer Webster to approve the FY21 Blanket Purchase Order Health Related contract #2016-0431 with Walgreens Pharmacy in the amount as requested. Seconded by Larry Barton. Motion carried unanimously.

**23. FY21 Blanket PO–Health Related Contract #2019-1432**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Jennifer Webster to approve the FY21 Blanket Purchase Order Health Related contract #2019-1432 with Aspiro in the amount as requested. Seconded by Larry Barton. Motion carried



unanimously.

**24. FY21 Blanket PO–Health Related Contract #2019-0696**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Jennifer Webster to approve the FY21 Blanket Purchase Order Health Related contract #2019-0696 with Care 4U New LLC in the amount as requested. Seconded by Larry Barton. Motion carried unanimously.

**25. FY21 Blanket PO–Health Related Contract -TBD**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Jennifer Webster to approve the FY21 Blanket Purchase Order Health Related contract (number To Be Determined) with the Cerebral Palsy Center in the amount as requested. Seconded by Larry Barton. Motion carried unanimously.

**26. FY21 Blanket PO–Health Related Contract #2016-0118**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Jennifer Webster to approve the FY21 Blanket Purchase Order Health Related contract #2016-0118 with Clarity Care in the amount as requested. Seconded by Larry Barton. Motion carried unanimously.

**27. FY21 Blanket PO–Health Related Contract #2020-0115**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Jennifer Webster to approve the FY21 Blanket Purchase Order Health Related contract #2020-0115 with Curative Connections in the amount as requested. Seconded by Larry Barton. Motion carried unanimously.

**28. FY21 Blanket PO–Health Related Contract #2018-1514**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Jennifer Webster to approve the FY21 Blanket Purchase Order Health Related contract #2018-1514 with Good Shepherd Services, LTD in the amount as requested. Seconded by Larry Barton. Motion carried unanimously.

**29. FY21 Blanket PO–Health Related Contract #2017-0474**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Jennifer Webster to approve the FY21 Blanket Purchase Order Health Related contract #2017-0474 with Helping Hands in the amount as requested. Seconded by Larry Barton. Motion carried unanimously.

**30. FY21 Blanket PO–Health Related Contract #2019-1431**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Jennifer Webster to approve the FY21 Blanket Purchase Order Health Related contract #2019-1431 with L.I.F.E. Academy in the amount as requested. Seconded by Larry Barton. Motion carried unanimously.

**31. FY21 Blanket PO–Health Related Contract #2020-0111**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Jennifer Webster to approve the FY21 Blanket Purchase Order Health Related contract #2020-0111 with Abby Vans in the amount as requested. Seconded by Larry Barton. Motion carried unanimously.

**32. FY21 Blanket PO–Health Related Contract #2019-1431**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Jennifer Webster to approve the FY21 Blanket Purchase Order Health Related contract #2019-1431 with Lamers Medical Transport in the amount as requested. Seconded by Larry Barton. Motion carried unanimously.

**33. FY21 Blanket PO–Health Related Contract #2010-1136**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Jennifer Webster to approve the FY21 Blanket Purchase Order contract #2010-1136 with the Independent Health Provider in the amount as requested. Seconded by Larry Barton. Motion carried unanimously.

**34. FY21 Blanket PO–Health Related Contract #2011-1074**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Jennifer Webster to approve the FY21 Blanket Purchase Order contract #2011-1074 with the Independent Health Provider in the amount as requested. Seconded by Larry Barton. Motion carried unanimously.

**35. FY21 Blanket PO–Health Related Contract # ?**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Jennifer Webster to approve the FY21 Blanket Purchase Order Health Related contract (No contract number) with Master's Touch Dental Lab in the amount as requested. Seconded by Larry Barton. Motion carried unanimously.

**36. FY21 Blanket PO–Health Related Contract # ?**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Jennifer Webster to approve the FY21 Blanket Purchase Order Health Related contract (No contract number) with NDX Lords Dental Lab in the amount as requested. Seconded by Larry Barton. Motion carried unanimously.

**37. FY21 Blanket PO–Health Related Contract #2013-1180**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Jennifer Webster to approve the FY21 Blanket Purchase Order Health Related contract #2013-1180 with Patterson Dental Supply in the amount as requested. Seconded by Larry Barton. Motion carried unanimously.

**38. FY20/21 Blanket PO- Legal Services Contract #2020-0001**

James Bittorf, Oneida Law Office

Motion by Larry Barton to approve the FY21 Blanket Purchase Order contract #2020-0001 with the Independent Legal Services Provider in the amount as requested. Seconded by Jennifer Webster. Motion carried unanimously.

**39. FY20/21 Blanket PO- Legal Services Contract #2020-0532**

James Bittorf, Oneida Law Office

Motion by Larry Barton to approve the FY21 Blanket Purchase Order Legal Services contract #2020-0532 with Jenner and Block in the amount as requested. Seconded by Jennifer Webster. Motion carried unanimously.

**IX. FOLLOW UP:** None

**X. ADD ON: CF Request for Product-Wise Women Gathering Place**

Motion by Larry Barton to approve thirty (30) cases of Coca-Cola Product for use by the Wise Women Gathering place for their safe parking initiative. Seconded by Jennifer Webster. Motion carried unanimously.

**XI. FOR INFORMATION ONLY:**

**1. Everi – 6 Vault Lease Games (Fr 3/16 agenda)**

David Emerson, Gaming Slots Dept.

Motion by Jennifer Webster to approve FYI items #1 through #6. Seconded by Patrick Stensloff. Motion carried unanimously.

**2. Aristocrat – 4 Lease Games (Fr 3/16 agenda)**

David Emerson, Gaming Slots Dept.

- See Motion in FYI item #1.

**3. Scientific Games – 3 Lease Games (Fr 3/16 agenda)**

David Emerson, Gaming Slots Dept.

- See Motion in FYI item #1.

**4. Scientific Games – 7 Lease Games (Fr 3/16 agenda)**

David Emerson, Gaming Slots Dept.

- See Motion in FYI item #1.

**5. FY21- Gaming Compact Fees**

Louise Cornelius, Gaming Administration

- See Motion in FYI item #1.

**6. FY21 – Gaming Fees to NIGC**

Louise Cornelius, Gaming Administration

- See Motion in FYI item #1.

**XII. ADJOURN:** Motion by Daniel Guzman King to adjourn. Seconded by Patrick Stensloff. Motion carried unanimously. Time: 11:30 A.M.

Minutes submitted by:

Denise J. Vigue, Executive Assistant to the CFO

& Finance Committee Contact/Recording Secretary

*Finance Committee Approval Date of Minutes via E-Poll:* August 18, 2020



## ***INTERNAL MEMO***

**TO:** Finance Committee

**FR:** Denise J. Vigue, Executive Assistant to the CFO &  
Finance Committee Support /Contact

**DT:** August 18, 2020

**RE:** E-Poll Results - FC Meeting Minutes of August 17, 2020

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An E-Poll vote of the Finance Committee was conducted to approve the Finance Committee meeting minutes of Aug. 17, 2020. The E-Poll and minutes were sent out yesterday and the E-Poll was concluded today. The results of the completed E-Poll are as follows:

### E-POLL RESULTS:

There was a Majority of 5 FC members voting to approve the Aug. 17, 2020 Finance Committee Meeting Minutes. FC Members voting included: Larry Barton, Daniel Guzman King, Jennifer Webster, Patrick Stensloff and Chad Fuss.

These Finance Committee Minutes of Aug. 17, 2020 will be placed on the next Finance Committee agenda to ratify this E-Poll action. Per the FC By-Laws all Minutes of the FC will be submitted to the Secretary's Office once a month for Council acceptance.

E-Polls of the Finance Committee meeting minutes is part of the FC By-Laws and approval conducted per the FC SOP's on Electronic Voting.

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Oneida Business Committee Agenda Request

Approve the Oneida Nation School Board bylaws

1. Meeting Date Requested: 08 / 26 / 20

2. General Information:

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

Agenda Header: Standing Committees

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

Consider the Oneida Nation School Board Bylaws Amendments for adoption.

3. Supporting Materials

- ☐ Report ☐ Resolution ☐ Contract
- ☒ Other:

1. Bylaws Amendments Adoption Packet
3.
2.
4.

☐ Business Committee signature required

4. Budget Information

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

5. Submission

Authorized Sponsor / Liaison: David P. Jordan, Councilmember

Primary Requestor/Submitter: Kristen Hooker, LRO Staff Attorney

Your Name, Title / Dept. or Tribal Member

Additional Requestor:

Name, Title / Dept.

Additional Requestor:

Name, Title / Dept.

**ONEIDA NATION SCHOOL BOARD BYLAWS****Article I. Authority**

1-1. *Name.* The name of this entity shall be the Oneida Nation School Board and may hereinafter be referred to as the Board.

1-2. *Establishment.* The Oneida Nation School Board was established in 1977 by the Oneida General Tribal Council.

1-3. *Authority.*

(a) *Purpose.* The Board was established to coordinate existing and future education programs of the Oneida Nation; per directive of the Oneida General Tribal Council, to be an autonomous administrator of the Oneida Nation School System (“System”) under a Memorandum of Agreement with the Oneida Business Committee; and to administer the Oneida Nation School System Endowment in accordance with the Nation’s Endowments law as authorized under resolution BC-02-27-19-B.

(b) *Powers and Duties.* In accordance with the Oneida General Tribal Council’s directive, on March 21, 1988, the Board entered into a Memorandum of Agreement (“MOA”) with the Oneida Business Committee, delegating certain powers and duties to the Board, which, subject to amendment from time-to-time hereafter, include, but are not limited to:

- (1) Overseeing and planning, in coordination with the Oneida Business Committee, for the academic and cultural growth of the students within the System;
- (2) Monitoring school operations and development, ensuring their compliance with sound academic practice and consistency with community priorities, as well as the Nation’s initiatives and planning;
- (3) Approving all curriculum developed and implemented for use within the System, ensuring quality academic instruction that incorporates Oneida cultural tenets;
- (4) Providing direct involvement in the process of personnel matters, as prescribed in the MOA, to be consistent with the Nation’s Personnel Policies and Procedures so as to ensure the maintenance of quality staff and policy benefiting the harmony of the staff and ultimately the students within the System;
- (5) Reviewing, endorsing and submitting all contracts, grants, and proposals relative to the System’s operation and planning consistent with the Nation’s policies and procedures, as well as the System’s funding cycles, by ensuring a level of funding that corresponds with the System’s developmental and operational needs;
- (6) Meeting with the Oneida Business Committee to negotiate any disputes which may arise between the Oneida Business Committee and the Board;

- (7) Monitoring long and short-range educational programming for the students attending Nation-specific programs of study; and
- (8) Developing and maintaining consistent procedures to be employed as it carries out its charge to the Oneida General Tribal Council and the Oneida Nation School System.

- (c) The Board shall adhere to the laws of the Nation when exercising the authority delegated it under the MOA, as may be amended from time-to-time hereafter, and shall further exercise any other powers and duties delegated to the Board through the laws, policies, rules and resolutions of the Nation in a manner consistent therewith.

1-4. *Office.* The official mailing address of the Oneida Nation School Board is:  
Oneida Nation School Board  
P.O. Box 365  
Oneida, WI 54155-0365

1-5. *Membership.*

- (a) *Number of Members.* The Oneida Nation School Board shall be comprised of nine (9) members.
- (b) *Elected.* Members of the Board shall be chosen by election to three (3) year staggered terms in accordance with any laws and/or policies of the Nation governing elections.
- (1) Members of the Board shall hold office until their term expires, they resign, or they are terminated/removed from office.
- (A) A member whose term has expired may remain in office until his or her successor is sworn in by the Oneida Business Committee.
- (B) A member may resign at any time either verbally during a Board meeting or by delivering written notice to the Oneida Business Committee Support Office and the Board Chairperson or Chairperson's designee.
- (i) A resignation is deemed effective upon acceptance by Board motion of the member's verbal resignation or upon delivery of the written notices.
- (c) *Vacancies.* Vacancies of the Board shall be filled as follows:
- (1) *Expired Terms.* Vacancies caused by term expiration shall be filled by election in accordance with any laws and/or policies of the Nation governing elections to office.
- (2) *Unexpired Terms.* Vacancies that occur before the end of a term shall be filled by appointment of the Oneida Business Committee pursuant to the Boards, Committees and Commissions law.
- (A) The Board Chairperson shall provide the Oneida Business Committee with recommendations on all applications for appointment to fill a vacancy of an unexpired term ~~by~~ in

accordance with the  
executive sessions submission deadline for the Oneida



- \_\_\_\_\_ Business Committee in which the appointment is intended to \_\_\_\_\_  
\_\_\_\_\_ be \_\_\_\_\_ made.
- (d) *Qualifications of Members.* Members of the Board shall meet the following qualifications:
- (1) Be at least eighteen (18) years of age;
  - (2) Be enrolled members of the Oneida Nation;
  - (3) ~~Four~~ At least four (4) of the nine (9) members must be parents/guardians \_\_\_\_\_ of a \_\_\_\_\_ student attending-enrolled in an educational program that qualifies under the Oneida Nation School System; and
  - (4) Have passed an Annual Care Giver Background Check (State of Wisconsin Form F-80264).

- 1-6. *Termination and Removal.* A Board member found to be in violation of these bylaws or any applicable law, policy and/or resolution of the Nation may be subject to the following:
- (a) If the member was elected, the Board may direct the Chairperson to file a petition for his or her removal on behalf of the Board pursuant to the Removal law and/or any other law of the Nation governing the removal of elected officials.
  - (b) If the member was appointed, the Board may direct the Chairperson to provide a recommendation to the Oneida Business Committee for his or her termination in accordance with the Boards, Committees and Commissions law and/or any other law of the Nation governing the termination of appointed officials.
  - (c) Petitions for removal and/or recommendations for termination shall be decided by a majority vote of the Board members present at a meeting of an established quorum.
- 1-7. *Trainings and Conferences.* Board members shall attend the following mandatory trainings and/or conferences:
- (a) As recommended by the Superintendent;
  - (b) Bi-annual trainings/conferences with the Bureau of Indian Education;
  - (c) Interview Certification from Oneida Nation; and/or
  - (d) Disciplinary Action from Oneida Nation.
  - (e) Regardless of the number of trainings/conferences that he or she is required to attend, no member of the Board shall be eligible to receive stipends for attending more than five (5) full days of mandatory trainings/conferences per year.

## Article II. Officers

- 2-1. *Officers.* The Officer positions for the Oneida Nation School Board shall consist of a Chairperson, a Vice-Chairperson and a Secretary.
- 2-2. *Responsibilities of the Chairperson.* The duties, responsibilities and limitations of the Chairperson shall be to:

- 138 (a) Call and preside over all regular meetings, emergency meetings and  
139 hearings of the Board;  
140 (b) Represent the Board and the System at official functions;  
141  
142 (c) Ensure that the Board complies in its charge to the Nation and the System;  
143 (d) Be an ex officio member of any committee established by the Board;  
144 (e) Carry out all general duties and powers assigned to the Board pursuant to  
145 the Oneida Nation's Constitution, any laws of the Nation and the most  
146 current version of the MOA, which may be amended from time-to-time  
147 hereafter;  
148 (f) Submit, or through a designee submit, annual and semi-annual reports to the  
149 Oneida General Tribal Council, as well as quarterly reports to the Oneida  
150 Business Committee, in accordance with the Boards, Committees and  
151 Commissions law; and submit other reports as required by resolution BC-  
152 02-27-19-B, the most current version of the MOA, and any other governing  
153 law, policy or resolution of the Nation; and  
154 (g) Attend, or designate a member to attend, the Oneida Business Committee  
155 meeting in which the Board's quarterly report appears on the agenda.  
156  
157 2-3. *Responsibilities of the Vice-Chairperson.* The duties, responsibilities and limitations of the  
158 Vice-Chairperson shall be to:  
159 (a) Act in replacement of the Board Chairperson should for any reason he or  
160 she be unable to carry out the above prescribed powers and duties;  
161 (b) Chair ad hoc committees established by the Board; and  
162 (c) Carry out all general duties and powers that are duly assigned or delegated  
163 to the Board.  
164  
165 2-4. *Responsibilities of the Secretary.* The duties, responsibilities and limitations of the  
166 Secretary shall be to:  
167 (a) Act in the absence of the Chairperson and Vice-Chairperson in the carrying  
168 out of their powers and duties;  
169 (1) With respect to calling or presiding over meetings of the Board, the  
170 Secretary's authority shall be limited as follows:  
171 (A) In the event that both the Chairperson and Vice-Chairperson  
172 positions have become vacant before the end of their terms,  
173 the Secretary shall have the authority to call Board meetings  
174 to fill the vacancies and to preside over those meetings for  
175 the sole purpose of conducting an election of new Officers,  
176 at which point the Chairperson, or Vice-Chairperson in the  
177 absence of the Chairperson, shall preside.  
178 (b) Establish the agenda and provide notice of all meeting locations, agendas,  
179 documents and minutes to all members of the Board, as well as the public,  
180 in accordance with the Boards, Committees and Commissions law, the  
181 Open Records and Open Meetings law, these bylaws, and the most current  
182 version of the MOA;

- 183 (c) Maintain accurate recording and presenting of all Board minutes and other  
 184 formal documents in accordance with the Boards, Committees and  
 185 Commissions law, the Open Records and Open Meetings law, these bylaws,  
 186 and the most current version of the MOA;
- 187 (d) Work closely with System staff and/or the Oneida Business Committee  
 188 Support Office to ensure timely reporting of all Board actions; and
- 189 (e) Carry out all general duties and powers that are duly assigned or delegated  
 190 to the Board.  
 191
- 192 2-5. *Selection of Officers.* Officers of the Board shall be elected by a majority vote of the  
 193 members ~~in attendance~~present at a Board meeting of an established quorum  
 194 to \_\_\_\_\_ terms of \_\_\_\_\_ one (1) year.
- 195 (a) Officer elections shall occur at the first Board meeting of an established  
 196 quorum that takes place subsequent to an election of the Board members.
- 197 (b) Board Officers shall hold their positions until the new Officers are elected.  
 198 (1) Officers may be re-elected and there is no limitation upon the  
 199 number of times a member may run for an Officer position.  
 200 (2) Board members shall not hold more than one (1) Officer position  
 201 per Officer term.
- 202 (c) If for any reason, an Officer of the Board cannot fulfill the obligations of  
 203 his or her Officer position, upon majority vote of the members present at a  
 204 Board meeting of an established quorum, that member may be dismissed  
 205 from his or her Officer position and a new Officer shall be elected.  
 206
- 207 2-6. *Budgetary Sign-Off Authority and Travel.* The Board shall follow the Nation's policies and  
 208 procedures regarding purchasing and sign-off authority.
- 209 (a) Levels of budgetary sign-off authority for the Board shall be as set forth in  
 210 the manual titled, *Oneida Tribe of Indians of Wisconsin Purchasing Policies*  
 211 *and Procedures*, for Divisional Directors/Tribal School Chairperson/Trust  
 212 Committee/Gaming Director.
- 213 (1) All Board Officers have sign-off authority and two (2) Officers shall  
 214 be required to sign-off on all budgetary requests, ~~except for the~~  
 215 ~~following.~~  
 216 (A) ~~The~~Upon formal approval of a purchase by the Board, the  
 217 ~~Oneida Business Committee Support Office shall have~~  
 218 ~~\_\_\_\_\_ official budgetary sign-off~~  
 219 ~~authority over requests for stipends, travel per diem \_\_\_\_\_ and business~~  
 220 ~~expense reimbursement the Board.~~
- 221 (b) Travel on behalf of the Board for any member shall be approved by majority  
 222 vote of the members ~~in attendance~~present at a regular or emergency Board  
 223 meeting \_\_\_\_\_ of an \_\_\_\_\_ established quorum.  
 224
- 225 2-7. *Personnel.* Commencing on the date these bylaws are adopted by the Oneida Business  
 226 Committee and from that point forward, the Board shall not have authority  
 227 to hire personnel for the benefit of the Board.

- (a) The Board shall have authority to be involved in the hiring of personnel for the System so long as conducted in accordance with the most current version of the MOA, the Nation's Personnel Policies and Procedures, and any applicable accounting policies/procedures of the Nation.
- (b) The Board shall have authority, at its discretion, to hire consultants and other resource persons to help carry out the stated purposes and goals of the System, subject to the following:
- (1) The Superintendent shall assist the Board with establishing criteria for the hiring of consultants/resource persons and, when appropriate, provide selection recommendations to the Board.
  - (2) Consultants/resource persons shall be hired under formal contract per the process set forth in the most current version of the MOA and consistent with the policies and procedures of the Nation.
- (c) Where issues arise between the Board and individuals/entities other than the Oneida Business Committee, the Board shall have the authority to avail itself of legal counsel per the Request for Proposal ("RFP") process set by the Nation's competitive bidding/purchasing policies and procedures, to protect the powers and responsibilities delegated to the Board by the Oneida General Tribal Council.
- (1) Prior to commencing with the RFP process to retain outside counsel, the Board shall be required to avail itself of counsel through the Oneida Law Office; provided, it is capable and willing to supply the Board with the necessary legal services.

### Article III. Meetings

3-1. *Regular Meetings.* Meetings of the Board shall be held at 5:00 p.m. on the first and third Monday of \_\_\_\_\_ each month in the Oneida Nation Elementary School, located at \_\_\_\_\_ N7125 \_\_\_\_\_ Seminary Road in Oneida, Wisconsin. Meetings may be attended in person, by telephone, through videoconferencing, or through other telecommunications so long as presence is demonstrated in accordance with the Boards, Committees and Commissions law.

- (a) The meetings date, time and/or location may change from time-to-time as determined by a majority vote of the members present at a Board meeting of an established quorum; provided, notice is given to all members in writing and, along with the public, in accordance with the Nation's Open Records and Open Meetings law, prior to the implementation of a new date, time and/or location.
- (b) The agenda for regular meetings shall be established by the Secretary, or Secretary's designee, in accordance with these bylaws.
  - (1) Board members and other persons wishing to have items placed on the agenda should submit the item to the Secretary, or Secretary's designee.
  - (2) Items should be submitted at least ten (10) days prior to the next regular meeting.
- (c) Action items shall be incorporated into the School Superintendent's report.

- (d) The Secretary or Secretary's designee shall prepare the meeting agenda, minutes and other appropriate documentation for action items; mail or email them to each Board member, along with the Superintendent, at least seven (7) days before a regular meeting date; and further provide them to all members, as well as the public, in accordance with the Nation's Open Records and Open Meetings law.

- (1) Any email correspondence to Board members must be sent to the official Oneida Nation email address that was provided to them to conduct business electronically on behalf of the Board ("Official Email").

3-2. *Emergency Meetings.*

- (a) An emergency meeting may be called when there is an imminent issue that needs to be addressed by the Board before its next scheduled meeting.

Emergency meetings may be attended in person, by telephone, through videoconferencing, or through other telecommunications so long as presence is demonstrated in accordance with the Boards, Committees and Commissions law.

- (1) The Board is delegated the authority to represent the parents and the Oneida General Tribal Council in the conducting of System related business. Under certain governmental and other System related agreements, some contractors require periodic meetings that require parent representation. This constitutes an imminent issue for which an emergency meeting may be called when necessary to satisfy the Board's contractual obligations.

- (A) Meetings to fulfill contractual obligations may be held on the evenings of regular Board meetings or may be separately scheduled. In either case, along with the notice required in subsection (c) of this section if the meeting was called as an emergency or in section 3-1(d) if called as part of a regular meeting, the Secretary or Secretary's designee must provide notice to all groups identified by the contractor as set forth within the contract, or in writing if not set by contract, and to all parents through the school newsletter, as well as the Kalihwisaks.

- (b) Emergency meetings may be called by the Chairperson and upon request of a Board member or System administrator.

- (1) Board members or System administrators shall contact the Board's Chairperson or Vice-Chairperson to request an emergency meeting.

- (A) The Chairperson, or when he or she cannot be reached, the Vice-Chairperson shall determine whether the basis for the Board member's or System administrator's request justifies scheduling an emergency meeting.

- (c) The Chairperson or Chairperson's designee shall provide notice of emergency meetings to all Board members by telephone call, as well as via their Official Email, and to the System administration at least twenty-four

(24) hours in advance of the meeting; and shall further provide notice to all Board members and the rest of the public in accordance with the Nation's Open Records and Open Meetings law.

(A) The notice shall state the emergency matter or matters to be addressed.

(B) The agenda for emergency meetings shall consist of only those items of business for which the meeting was called.

(i) During the emergency meeting, the Board may engage in discussion of matters other than those specified on the agenda; however, formal action may only be taken on the agenda items for which the emergency meeting was called.

(d) Within seventy-two (72) hours after an emergency meeting, the Board shall provide the Nation's Secretary with notice of the emergency meeting, the reason for the emergency meeting, and an explanation as to why the matter could not wait until the next regular meeting.

3-3. *Joint Meetings.* Joint meetings with the Oneida Business Committee may be held in the Oneida Business Committee Conference Room of the Norbert Hill Center, at the request of either entity, on an as needed basis, and per the approval of the Oneida Business Committee. Joint meetings may be attended in person, by telephone, through videoconferencing, or through other telecommunications so long as presence is demonstrated in accordance with the Boards, Committees and Commissions law.

(a) Notice of the joint meeting agenda, documents, and minutes shall be provided, and the joint meeting conducted, in accordance with resolution BC-03-27-19-D titled, Oneida Business Committee and Joint Meetings with Boards, Committees and Commissions – Definitions and Impact, as may be amended from time to time hereafter.

3-4. *Quorum.* A quorum of the Board shall consist of a majority of the current members, one of whom must be the Chairperson, Vice-Chairperson or Secretary; provided, the Secretary is presiding over the meeting in accordance with section 2-4(a)(1)(A).

3-5. *Order of Business.* The order of business, as far as applicable, is:

- (a) Call to Order
- (b) Adopt the Agenda
- (c) Approval of Minutes
- (d) Old Business
- (e) New Business
- (f) Reports
- (g) Other Business
- (h) Executive Session
- (i) Adjournment



3-6. *Voting.* Decisions of the Board shall be based on a majority vote of members ~~in~~  
~~attendance present~~ at a regular or emergency meeting of  
an established quorum.

(a) All members of the Board shall have one equal vote.

(1) In all matters requiring a vote of the Board, the Chairperson, or in  
the absence of the Chairperson, the presiding Officer, shall call for  
a vote of the membership.

(A) All members, excluding the presiding Officer, shall vote or  
enter an abstention.

(B) In the event of a deadlock, the Chairperson, or the presiding  
Officer acting in his or her place, shall vote to break the  
deadlock.

(b) E-polls are permissible so long as conducted in accordance with the Boards,  
Committees and Commissions law.

(1) The Chairperson shall appoint either the Vice-Chairperson or  
Secretary to serve as the designee responsible for conducting e-polls  
in lieu of the Chairperson.

#### Article IV. Expectations

4-1. *Behavior of Members.* The Board has a moral duty and responsibility to the System, the  
community, and the students. In the carrying-out of that responsibility,  
members of the Board are expected to adhere to the following principles of  
conduct:

(a) Individual Board members shall not intervene in the orderly process of  
System administration and governance. Concerns over policy or personnel  
matters shall be addressed through the application of the principles set out  
in the most current version of the MOA and consistent with the Nation's  
Personnel Policies and Procedures.

(b) The Board shall act only at duly authorized meetings with at least a quorum  
present to conduct business and develop policy for the System. All the  
Board's actions shall be within the charge granted to the Board by the  
Oneida General Tribal Council, the most current version of the MOA, and  
any other applicable laws, policies and/or resolutions of the Nation.

(1) Members of the Board shall not speak or act on behalf of the Board  
unless the Board has specifically authorized a member to speak or  
act on its behalf by majority vote of the members present at a Board  
meeting of an established quorum.

(c) In any issues before the Board involving a Board member's immediate  
family member and potential nepotism, that Board member shall decline  
comment and abstain from voting.

(1) Immediate family member shall be as defined in the Nation's  
Conflict of Interest law.



- (d) Board members must be apolitical in their charge to the community and the students. Board members shall take no action to endorse or otherwise support any candidate for any Tribal office or position.
- (e) While acting on behalf of the Board, members shall faithfully maintain the principles of due process and assure that all sides have a legitimate hearing in any issue brought before the Board.
- (f) Members of the Board will bargain in good faith with all employees of the System.
- (g) Board members shall strictly adhere to the policies and procedures of the System, the most current version of the MOA, as well as any other applicable the laws, policies and resolutions of the Nation, and shall work in consort for the positive growth of the System and for all of its students.
- (h) Board members shall notify a Board Officer of an absence and reason for absence prior to the start of a meeting.
- (1) Board members shall not accrue three (3) consecutive unexcused absences from meetings in a one (1) year period.
- (A) A member who fails to notify a Board Officer, in writing, of his or her pending absence at least thirty (30) minutes before the missed meeting shall be deemed unexcused.
- (i) *Enforcement.* Any member of the Board found to be in violation of this section of the bylaws, another section of these bylaws or any other laws, policies and/or resolutions of the Nation may be subject to the following:
- (1) Disciplinary action in accordance with any laws or policies of the Nation governing sanctions and/or penalties for elected or appointed officials.
- (2) If the member was appointed, the Board may make a recommendation to the Oneida Business Committee for termination of his or her appointment in accordance with the Boards, Committees and Commissions law and/or any other law of the Nation governing termination of appointed officials.
- (3) If the member was elected, the Board may direct the Chairperson to file a petition for his or her removal in accordance with the Removal law and/or any other laws or policies of the Nation governing removal.
- (4) Enforcement hereunder shall be determined by a majority vote of the members ~~in attendance~~present at a Board meeting of an established \_\_\_\_\_ quorum.

4-2. *Prohibition of Violence.* Board members are prohibited from engaging in or committing any violent intentional act that inflicts, attempts to inflict, or threatens to inflict emotional or bodily harm on another person, or damage to property.

4-3. *Drug and Alcohol Use.* When acting in their official capacity, the use of alcohol and/or prohibited drugs by members of the Board is forbidden.

- (a) Prohibited drugs are defined as marijuana, cocaine, opiates, amphetamines, phencyclidine (PCP), hallucinogens, methaqualone, barbiturates, narcotics,

any other substances included in Schedules I through V under Section 812 of Title 21 of the United States Code, and prescription medication or over-the-counter medicine used in an unauthorized or unlawful manner.

4-4. *Social Media.* Social media shall be used in accordance with the Board members' oath of office and any laws or policies of the Nation governing social media.

4-5. *Conflict of Interest.* Conflicts of interest shall be reported and mitigated/removed in accordance with any laws or policies of the Nation governing conflicts of interest.

## Article V. Stipends and Compensation

5-1. *Stipends.* Members of the Board shall be eligible to receive the following stipends as set forth in and subject to these bylaws; the Boards, Committees and Commissions law; and resolution BC-05-08-19-B12-20-C titled, Amending Resolution BC-09-26-18-D Amended Boards, \_\_\_\_\_

\_\_\_\_\_ Committees and Commissions Law \_\_\_\_\_

\_\_\_\_\_ Stipends, as may be further amended \_\_\_\_\_ from time-to-time hereafter:

(a) ~~Two (2)~~ No more than twenty-four (24) meeting stipends per ~~month~~ fiscal year, provided \_\_\_\_\_ that:

(1) A quorum was established;

(2) The meeting of the established quorum lasted for at least one (1) hour; and

(3) The member collecting the stipend was ~~physically~~ present for the \_\_\_\_\_ entire \_\_\_\_\_ meeting as defined, as well as demonstrated, in accordance with the Boards, Committees and Commissions law.

(b) A stipend for attending a duly called joint meeting between the Board and the Oneida Business Committee, provided that:

(1) A quorum was established by the Board;

(2) The joint meeting lasted for at least one (1) hour; and

(3) The member collecting the stipend was ~~physically~~ present for the \_\_\_\_\_ entire joint \_\_\_\_\_ meeting as defined, as well as demonstrated, in accordance with the Boards, Committees and Commissions law.

(c) A stipend for participating in interviews and/or ~~job description pre-~~ screens.

(d) A stipend for conducting an official hearing of the Board.

(e) A stipend for attending an Oneida Judiciary Hearing so long as the member's attendance is required by official subpoena.

(f) A stipend for each day of attendance at a conference or training, provided that:

~~(1) The member attended a full day of training or was present at the conference for a full day; and~~

(1) The amount of the stipend a member is eligible to receive for attending a conference or training shall be dependent on whether the

500 member attended up to four (4) hours of a conference or training or  
501 more than four (4) hours of a conference or training; and

502 (2) The member's attendance at the training or conference was required  
503 by law, bylaws or resolution.

504 ~~(g) To receive a stipend for attending any of the events described in 5-1(d) - (f),~~  
505 ~~members must obtain formal approval of eligibility from the Board and the~~  
506 ~~Oneida Business Committee prior to their attendance.~~

507  
508 5-2. *Compensation.* Besides the travel, per diem and business expense reimbursement  
509 authorized by the Boards, Committees and Commissions law, there are no  
510 other forms of compensation that members are eligible to receive for the  
511 duties/activities they perform on behalf of the Board.

512  
513 **Article VI. Records and Reporting**

514 6-1. *Agenda Items.* Agenda items shall be maintained in a consistent format provided by the  
515 Oneida Business Committee Support Office and approved by the Board.

516  
517 6-2. *Minutes.* All meeting minutes shall be typed and in a consistent format designed by  
518 the Oneida Business Committee, as approved by the Board, to generate the  
519 most informative record.

520 (a) Minutes must include a summary of the action taken by the Board.  
521 (b) Minutes shall be submitted to the Oneida Business Committee Support  
522 Office within five (5) business days of approval by the Board.

523  
524 6-3. *Attachments.* Any handouts, attachments, reports, memoranda, and the like provided at a  
525 Board meeting shall be included with their corresponding agenda and  
526 minutes and maintained in accordance with the Nation's Open Records and  
527 Open Meetings law.

528  
529 6-4. *Oneida Business Committee Liaison.* The Board shall regularly communicate with the  
530 Oneida Business Committee member who is its designated liaison.

531 (a) The format and frequency of communication shall be as agreed upon by the  
532 Board and the liaison through formal action of the Board, but not less than  
533 that required in any law or policy on reporting developed by the Oneida  
534 Business Committee or Oneida General Tribal Council.

535 (b) The purpose of the liaison relationship is to uphold the ability of the liaison  
536 to act as a support to the Oneida Nation School Board.

537  
538 6-5. *Audio Recordings.* All meetings of the Board shall be audio recorded by either the Oneida  
539 Business Committee Support Office or designee of the Officer presiding  
540 over the meeting using a device supplied by the Oneida Business  
541 Committee Support Office.

542 (a) The presiding Officer shall ensure each meeting is audio recorded.  
543 (b) Audio recordings shall be maintained by the Oneida Business Committee  
544 Support Office in accordance with the Nation's Open Records and Open  
545 Meetings law.

- (1) *Exception.* Audio recordings of executive session portions of a meeting shall not be required.

## **Article VII. Amendments**

7-1. *Amendments.* Amendments to these bylaws shall be approved by majority vote of the members present at a regular Board meeting of an established quorum, provided that written notice of the proposed amendments was made at a prior regular meeting.

- (a) Amendments to these bylaws shall conform to the requirements of the Boards, Committees and Commissions law and any other governing policies of the Nation.
- (b) Amendments must be approved by the Board and the Oneida Business Committee before implementation.
- (c) The Board shall conduct a review of these bylaws no less than on an annual basis.

[Signature Block]

**ONEIDA NATION SCHOOL BOARD BYLAWS****Article I. Authority**

1-1. *Name.* The name of this entity shall be the Oneida Nation School Board and may hereinafter be referred to as the Board.

1-2. *Establishment.* The Oneida Nation School Board was established in 1977 by the Oneida General Tribal Council.

1-3. *Authority.*

(a) *Purpose.* The Board was established to coordinate existing and future education programs of the Oneida Nation; per directive of the Oneida General Tribal Council, to be an autonomous administrator of the Oneida Nation School System (“System”) under a Memorandum of Agreement with the Oneida Business Committee; and to administer the Oneida Nation School System Endowment in accordance with the Nation’s Endowments law as authorized under resolution BC-02-27-19-B.

(b) *Powers and Duties.* In accordance with the Oneida General Tribal Council’s directive, on March 21, 1988, the Board entered into a Memorandum of Agreement (“MOA”) with the Oneida Business Committee, delegating certain powers and duties to the Board, which, subject to amendment from time-to-time hereafter, include, but are not limited to:

- (1) Overseeing and planning, in coordination with the Oneida Business Committee, for the academic and cultural growth of the students within the System;
- (2) Monitoring school operations and development, ensuring their compliance with sound academic practice and consistency with community priorities, as well as the Nation’s initiatives and planning;
- (3) Approving all curriculum developed and implemented for use within the System, ensuring quality academic instruction that incorporates Oneida cultural tenets;
- (4) Providing direct involvement in the process of personnel matters, as prescribed in the MOA, to be consistent with the Nation’s Personnel Policies and Procedures so as to ensure the maintenance of quality staff and policy benefiting the harmony of the staff and ultimately the students within the System;
- (5) Reviewing, endorsing and submitting all contracts, grants, and proposals relative to the System’s operation and planning consistent with the Nation’s policies and procedures, as well as the System’s funding cycles, by ensuring a level of funding that corresponds with the System’s developmental and operational needs;
- (6) Meeting with the Oneida Business Committee to negotiate any disputes which may arise between the Oneida Business Committee and the Board;

- 46 (7) Monitoring long and short-range educational programming for the  
47 students attending Nation-specific programs of study; and  
48 (8) Developing and maintaining consistent procedures to be employed  
49 as it carries out its charge to the Oneida General Tribal Council and  
50 the Oneida Nation School System.  
51 (c) The Board shall adhere to the laws of the Nation when exercising the  
52 authority delegated it under the MOA, as may be amended from time-to-  
53 time hereafter, and shall further exercise any other powers and duties  
54 delegated to the Board through the laws, policies, rules and resolutions of  
55 the Nation in a manner consistent therewith.  
56  
57 1-4. *Office.* The official mailing address of the Oneida Nation School Board is:  
58 Oneida Nation School Board  
59 P.O. Box 365  
60 Oneida, WI 54155-0365  
61  
62 1-5. *Membership.*  
63 (a) *Number of Members.* The Oneida Nation School Board shall be comprised  
64 of nine (9) members.  
65 (b) *Elected.* Members of the Board shall be chosen by election to three (3) year  
66 staggered terms in accordance with any laws and/or policies of the Nation  
67 governing elections.  
68 (1) Members of the Board shall hold office until their term expires, they  
69 resign, or they are terminated/removed from office.  
70 (A) A member whose term has expired may remain in office  
71 until his or her successor is sworn in by the Oneida Business  
72 Committee.  
73 (B) A member may resign at any time either verbally during a  
74 Board meeting or by delivering written notice to the Oneida  
75 Business Committee Support Office and the Board Chair-  
76 person or Chairperson's designee.  
77 (i) A resignation is deemed effective upon acceptance  
78 by Board motion of the member's verbal resignation  
79 or upon delivery of the written notices.  
80 (c) *Vacancies.* Vacancies of the Board shall be filled as follows:  
81 (1) *Expired Terms.* Vacancies caused by term expiration shall be filled  
82 by election in accordance with any laws and/or policies of the Nation  
83 governing elections to office.  
84 (2) *Unexpired Terms.* Vacancies that occur before the end of a term  
85 shall be filled by appointment of the Oneida Business Committee  
86 pursuant to the Boards, Committees and Commissions law.  
87 (A) The Board Chairperson shall provide the Oneida Business  
88 Committee with recommendations on all applications for  
89 appointment to fill a vacancy of an unexpired term in  
90 accordance with the submission deadline for the Oneida

Business Committee in which the appointment is intended to be made.

(d) *Qualifications of Members.* Members of the Board shall meet the following qualifications:

- (1) Be at least eighteen (18) years of age;
- (2) Be enrolled members of the Oneida Nation;
- (3) At least four (4) of the nine (9) members must be parents/guardians of a student enrolled in an educational program that qualifies under the Oneida Nation School System; and
- (4) Have passed an Annual Care Giver Background Check (State of Wisconsin Form F-80264).

1-6. *Termination and Removal.* A Board member found to be in violation of these bylaws or any applicable law, policy and/or resolution of the Nation may be subject to the following:

- (a) If the member was elected, the Board may direct the Chairperson to file a petition for his or her removal on behalf of the Board pursuant to the Removal law and/or any other law of the Nation governing the removal of elected officials.
- (b) If the member was appointed, the Board may direct the Chairperson to provide a recommendation to the Oneida Business Committee for his or her termination in accordance with the Boards, Committees and Commissions law and/or any other law of the Nation governing the termination of appointed officials.
- (c) Petitions for removal and/or recommendations for termination shall be decided by a majority vote of the Board members present at a meeting of an established quorum.

1-7. *Trainings and Conferences.* Board members shall attend the following mandatory trainings and/or conferences:

- (a) As recommended by the Superintendent;
- (b) Bi-annual trainings/conferences with the Bureau of Indian Education;
- (c) Interview Certification from Oneida Nation; and/or
- (d) Disciplinary Action from Oneida Nation.
- (e) Regardless of the number of trainings/conferences that he or she is required to attend, no member of the Board shall be eligible to receive stipends for attending more than five (5) full days of mandatory trainings/conferences per year.

## Article II. Officers

2-1. *Officers.* The Officer positions for the Oneida Nation School Board shall consist of a Chairperson, a Vice-Chairperson and a Secretary.

2-2. *Responsibilities of the Chairperson.* The duties, responsibilities and limitations of the Chairperson shall be to:



- 136 (a) Call and preside over all regular meetings, emergency meetings and  
137 hearings of the Board;
- 138 (b) Represent the Board and the System at official functions;
- 139 (c) Ensure that the Board complies in its charge to the Nation and the System;
- 140 (d) Be an ex officio member of any committee established by the Board;
- 141 (e) Carry out all general duties and powers assigned to the Board pursuant to  
142 the Oneida Nation's Constitution, any laws of the Nation and the most  
143 current version of the MOA, which may be amended from time-to-time  
144 hereafter;
- 145 (f) Submit, or through a designee submit, annual and semi-annual reports to the  
146 Oneida General Tribal Council, as well as quarterly reports to the Oneida  
147 Business Committee, in accordance with the Boards, Committees and  
148 Commissions law; and submit other reports as required by resolution BC-  
149 02-27-19-B, the most current version of the MOA, and any other governing  
150 law, policy or resolution of the Nation; and
- 151 (g) Attend, or designate a member to attend, the Oneida Business Committee  
152 meeting in which the Board's quarterly report appears on the agenda.  
153
- 154 2-3. *Responsibilities of the Vice-Chairperson.* The duties, responsibilities and limitations of the  
155 Vice-Chairperson shall be to:
- 156 (a) Act in replacement of the Board Chairperson should for any reason he or  
157 she be unable to carry out the above prescribed powers and duties;
- 158 (b) Chair ad hoc committees established by the Board; and
- 159 (c) Carry out all general duties and powers that are duly assigned or delegated  
160 to the Board.  
161
- 162 2-4. *Responsibilities of the Secretary.* The duties, responsibilities and limitations of the  
163 Secretary shall be to:
- 164 (a) Act in the absence of the Chairperson and Vice-Chairperson in the carrying  
165 out of their powers and duties;
- 166 (1) With respect to calling or presiding over meetings of the Board, the  
167 Secretary's authority shall be limited as follows:
- 168 (A) In the event that both the Chairperson and Vice-Chairperson  
169 positions have become vacant before the end of their terms,  
170 the Secretary shall have the authority to call Board meetings  
171 to fill the vacancies and to preside over those meetings for  
172 the sole purpose of conducting an election of new Officers,  
173 at which point the Chairperson, or Vice-Chairperson in the  
174 absence of the Chairperson, shall preside.
- 175 (b) Establish the agenda and provide notice of all meeting locations, agendas,  
176 documents and minutes to all members of the Board, as well as the public,  
177 in accordance with the Boards, Committees and Commissions law, the  
178 Open Records and Open Meetings law, these bylaws, and the most current  
179 version of the MOA;
- 180 (c) Maintain accurate recording and presenting of all Board minutes and other  
181 formal documents in accordance with the Boards, Committees and

- 182 Commissions law, the Open Records and Open Meetings law, these bylaws,  
183 and the most current version of the MOA;
- 184 (d) Work closely with System staff and/or the Oneida Business Committee  
185 Support Office to ensure timely reporting of all Board actions; and  
186 (e) Carry out all general duties and powers that are duly assigned or delegated  
187 to the Board.  
188
- 189 2-5. *Selection of Officers.* Officers of the Board shall be elected by a majority vote of the  
190 members present at a Board meeting of an established quorum to terms of  
191 one (1) year.
- 192 (a) Officer elections shall occur at the first Board meeting of an established  
193 quorum that takes place subsequent to an election of the Board members.
- 194 (b) Board Officers shall hold their positions until the new Officers are elected.
- 195 (1) Officers may be re-elected and there is no limitation upon the  
196 number of times a member may run for an Officer position.
- 197 (2) Board members shall not hold more than one (1) Officer position  
198 per Officer term.
- 199 (c) If for any reason, an Officer of the Board cannot fulfill the obligations of  
200 his or her Officer position, upon majority vote of the members present at a  
201 Board meeting of an established quorum, that member may be dismissed  
202 from his or her Officer position and a new Officer shall be elected.  
203
- 204 2-6. *Budgetary Sign-Off Authority and Travel.* The Board shall follow the Nation's policies and  
205 procedures regarding purchasing and sign-off authority.
- 206 (a) Levels of budgetary sign-off authority for the Board shall be as set forth in  
207 the manual titled, *Oneida Tribe of Indians of Wisconsin Purchasing Policies*  
208 *and Procedures*, for Divisional Directors/Tribal School Chairperson/Trust  
209 Committee/Gaming Director.
- 210 (1) All Board Officers have sign-off authority and two (2) Officers shall  
211 be required to sign-off on all budgetary requests.
- 212 (A) Upon formal approval of a purchase by the Board, the  
213 Oneida Business Committee Support Office shall have  
214 official budgetary sign-off authority for the Board.
- 215 (b) Travel on behalf of the Board for any member shall be approved by majority  
216 vote of the members present at a regular or emergency Board meeting of an  
217 established quorum.  
218
- 219 2-7. *Personnel.* Commencing on the date these bylaws are adopted by the Oneida Business  
220 Committee and from that point forward, the Board shall not have authority  
221 to hire personnel for the benefit of the Board.
- 222 (a) The Board shall have authority to be involved in the hiring of personnel for  
223 the System so long as conducted in accordance with the most current  
224 version of the MOA, the Nation's Personnel Policies and Procedures, and  
225 any applicable accounting policies/procedures of the Nation.

- (b) The Board shall have authority, at its discretion, to hire consultants and other resource persons to help carry out the stated purposes and goals of the System, subject to the following:
- (1) The Superintendent shall assist the Board with establishing criteria for the hiring of consultants/resource persons and, when appropriate, provide selection recommendations to the Board.
- (2) Consultants/resource persons shall be hired under formal contract per the process set forth in the most current version of the MOA and consistent with the policies and procedures of the Nation.
- (c) Where issues arise between the Board and individuals/entities other than the Oneida Business Committee, the Board shall have the authority to avail itself of legal counsel per the Request for Proposal (“RFP”) process set by the Nation’s competitive bidding/purchasing policies and procedures, to protect the powers and responsibilities delegated to the Board by the Oneida General Tribal Council.
- (1) Prior to commencing with the RFP process to retain outside counsel, the Board shall be required to avail itself of counsel through the Oneida Law Office; provided, it is capable and willing to supply the Board with the necessary legal services.

### Article III. Meetings

- 3-1. *Regular Meetings.* Meetings of the Board shall be held at 5:00 p.m. on the first and third Monday of each month in the Oneida Nation Elementary School, located at N7125 Seminary Road in Oneida, Wisconsin. Meetings may be attended in person, by telephone, through videoconferencing, or through other telecommunications so long as presence is demonstrated in accordance with the Boards, Committees and Commissions law.
- (a) The meetings date, time and/or location may change from time-to-time as determined by a majority vote of the members present at a Board meeting of an established quorum; provided, notice is given to all members in writing and, along with the public, in accordance with the Nation’s Open Records and Open Meetings law, prior to the implementation of a new date, time and/or location.
- (b) The agenda for regular meetings shall be established by the Secretary, or Secretary’s designee, in accordance with these bylaws.
- (1) Board members and other persons wishing to have items placed on the agenda should submit the item to the Secretary, or Secretary’s designee.
- (2) Items should be submitted at least ten (10) days prior to the next regular meeting.
- (c) Action items shall be incorporated into the School Superintendent’s report.
- (d) The Secretary or Secretary’s designee shall prepare the meeting agenda, minutes and other appropriate documentation for action items; mail or email them to each Board member, along with the Superintendent, at least seven (7) days before a regular meeting date; and further provide them to all

members, as well as the public, in accordance with the Nation's Open Records and Open Meetings law.

- (1) Any email correspondence to Board members must be sent to the official Oneida Nation email address that was provided to them to conduct business electronically on behalf of the Board ("Official Email").

3-2. *Emergency Meetings.*

- (a) An emergency meeting may be called when there is an imminent issue that needs to be addressed by the Board before its next scheduled meeting. Emergency meetings may be attended in person, by telephone, through videoconferencing, or through other telecommunications so long as presence is demonstrated in accordance with the Boards, Committees and Commissions law.
  - (1) The Board is delegated the authority to represent the parents and the Oneida General Tribal Council in the conducting of System related business. Under certain governmental and other System related agreements, some contractors require periodic meetings that require parent representation. This constitutes an imminent issue for which an emergency meeting may be called when necessary to satisfy the Board's contractual obligations.
    - (A) Meetings to fulfill contractual obligations may be held on the evenings of regular Board meetings or may be separately scheduled. In either case, along with the notice required in subsection (c) of this section if the meeting was called as an emergency or in section 3-1(d) if called as part of a regular meeting, the Secretary or Secretary's designee must provide notice to all groups identified by the contractor as set forth within the contract, or in writing if not set by contract, and to all parents through the school newsletter, as well as the Kalihwisaks.
- (b) Emergency meetings may be called by the Chairperson and upon request of a Board member or System administrator.
  - (1) Board members or System administrators shall contact the Board's Chairperson or Vice-Chairperson to request an emergency meeting.
    - (A) The Chairperson, or when he or she cannot be reached, the Vice-Chairperson shall determine whether the basis for the Board member's or System administrator's request justifies scheduling an emergency meeting.
- (c) The Chairperson or Chairperson's designee shall provide notice of emergency meetings to all Board members by telephone call, as well as via their Official Email, and to the System administration at least twenty-four (24) hours in advance of the meeting; and shall further provide notice to all Board members and the rest of the public in accordance with the Nation's Open Records and Open Meetings law.

- 316 (A) The notice shall state the emergency matter or matters to be  
317 addressed.
- 318 (B) The agenda for emergency meetings shall consist of only those items  
319 of business for which the meeting was called.
- 320 (i) During the emergency meeting, the Board may engage in  
321 discussion of matters other than those specified on the  
322 agenda; however, formal action may only be taken on the  
323 agenda items for which the emergency meeting was called.
- 324 (d) Within seventy-two (72) hours after an emergency meeting, the Board shall  
325 provide the Nation's Secretary with notice of the emergency meeting, the  
326 reason for the emergency meeting, and an explanation as to why the matter  
327 could not wait until the next regular meeting.  
328
- 329 3-3. *Joint Meetings.* Joint meetings with the Oneida Business Committee may be held in the  
330 Oneida Business Committee Conference Room of the Norbert Hill Center,  
331 at the request of either entity, on an as needed basis, and per the approval of  
332 the Oneida Business Committee. Joint meetings may be attended in person,  
333 by telephone, through videoconferencing, or through other tele-  
334 communications so long as presence is demonstrated in accordance with the  
335 Boards, Committees and Commissions law.
- 336 (a) Notice of the joint meeting agenda, documents, and minutes shall be  
337 provided, and the joint meeting conducted, in accordance with resolution  
338 BC-03-27-19-D titled, Oneida Business Committee and Joint Meetings with  
339 Boards, Committees and Commissions – Definitions and Impact, as may be  
340 amended from time to time hereafter.  
341
- 342 3-4. *Quorum.* A quorum of the Board shall consist of a majority of the current members,  
343 one of whom must be the Chairperson, Vice-Chairperson or Secretary;  
344 provided, the Secretary is presiding over the meeting in accordance with  
345 section 2-4(a)(1)(A).  
346
- 347 3-5. *Order of Business.* The order of business, as far as applicable, is:  
348 (a) Call to Order  
349 (b) Adopt the Agenda  
350 (c) Approval of Minutes  
351 (d) Old Business  
352 (e) New Business  
353 (f) Reports  
354 (g) Other Business  
355 (h) Executive Session  
356 (i) Adjournment  
357
- 358 3-6. *Voting.* Decisions of the Board shall be based on a majority vote of members present  
359 at a regular or emergency meeting of an established quorum.  
360 (a) All members of the Board shall have one equal vote.

- (1) In all matters requiring a vote of the Board, the Chairperson, or in the absence of the Chairperson, the presiding Officer, shall call for a vote of the membership.
- (A) All members, excluding the presiding Officer, shall vote or enter an abstention.
- (B) In the event of a deadlock, the Chairperson, or the presiding Officer acting in his or her place, shall vote to break the deadlock.
- (b) E-polls are permissible so long as conducted in accordance with the Boards, Committees and Commissions law.
- (1) The Chairperson shall appoint either the Vice-Chairperson or Secretary to serve as the designee responsible for conducting e-polls in lieu of the Chairperson.

#### Article IV. Expectations

- 4-1. *Behavior of Members.* The Board has a moral duty and responsibility to the System, the community, and the students. In the carrying-out of that responsibility, members of the Board are expected to adhere to the following principles of conduct:
- (a) Individual Board members shall not intervene in the orderly process of System administration and governance. Concerns over policy or personnel matters shall be addressed through the application of the principles set out in the most current version of the MOA and consistent with the Nation's Personnel Policies and Procedures.
- (b) The Board shall act only at duly authorized meetings with at least a quorum present to conduct business and develop policy for the System. All the Board's actions shall be within the charge granted to the Board by the Oneida General Tribal Council, the most current version of the MOA, and any other applicable laws, policies and/or resolutions of the Nation.
- (1) Members of the Board shall not speak or act on behalf of the Board unless the Board has specifically authorized a member to speak or act on its behalf by majority vote of the members present at a Board meeting of an established quorum.
- (c) In any issues before the Board involving a Board member's immediate family member and potential nepotism, that Board member shall decline comment and abstain from voting.
- (1) Immediate family member shall be as defined in the Nation's Conflict of Interest law.
- (d) Board members must be apolitical in their charge to the community and the students. Board members shall take no action to endorse or otherwise support any candidate for any Tribal office or position.
- (e) While acting on behalf of the Board, members shall faithfully maintain the principles of due process and assure that all sides have a legitimate hearing in any issue brought before the Board.
- (f) Members of the Board will bargain in good faith with all employees of the System.



- 407 (g) Board members shall strictly adhere to the policies and procedures of the  
408 System, the most current version of the MOA, as well as any other  
409 applicable the laws, policies and resolutions of the Nation, and shall work  
410 in consort for the positive growth of the System and for all of its students.
- 411 (h) Board members shall notify a Board Officer of an absence and reason for  
412 absence prior to the start of a meeting.
- 413 (1) Board members shall not accrue three (3) consecutive unexcused  
414 absences from meetings in a one (1) year period.
- 415 (A) A member who fails to notify a Board Officer, in writing, of  
416 his or her pending absence at least thirty (30) minutes before  
417 the missed meeting shall be deemed unexcused.
- 418 (i) *Enforcement.* Any member of the Board found to be in violation of this  
419 section of the bylaws, another section of these bylaws or any other laws,  
420 policies and/or resolutions of the Nation may be subject to the following:
- 421 (1) Disciplinary action in accordance with any laws or policies of the  
422 Nation governing sanctions and/or penalties for elected or appointed  
423 officials.
- 424 (2) If the member was appointed, the Board may make a  
425 recommendation to the Oneida Business Committee for termination  
426 of his or her appointment in accordance with the Boards,  
427 Committees and Commissions law and/or any other law of the  
428 Nation governing termination of appointed officials.
- 429 (3) If the member was elected, the Board may direct the Chairperson to  
430 file a petition for his or her removal in accordance with the Removal  
431 law and/or any other laws or policies of the Nation governing  
432 removal.
- 433 (4) Enforcement hereunder shall be determined by a majority vote of  
434 the members present at a Board meeting of an established quorum.
- 435
- 436 4-2. *Prohibition of Violence.* Board members are prohibited from engaging in or committing  
437 any violent intentional act that inflicts, attempts to inflict, or threatens to  
438 inflict emotional or bodily harm on another person, or damage to property.
- 439
- 440 4-3. *Drug and Alcohol Use.* When acting in their official capacity, the use of alcohol and/or  
441 prohibited drugs by members of the Board is forbidden.
- 442 (a) Prohibited drugs are defined as marijuana, cocaine, opiates, amphetamines,  
443 phencyclidine (PCP), hallucinogens, methaqualone, barbiturates, narcotics,  
444 any other substances included in Schedules I through V under Section 812  
445 of Title 21 of the United States Code, and prescription medication or over-  
446 the-counter medicine used in an unauthorized or unlawful manner.
- 447
- 448 4-4. *Social Media.* Social media shall be used in accordance with the Board members' oath of  
449 office and any laws or policies of the Nation governing social media.
- 450



451 4-5. *Conflict of Interest.* Conflicts of interest shall be reported and mitigated/removed in  
452 accordance with any laws or policies of the Nation governing conflicts of  
453 interest.  
454

#### 455 **Article V. Stipends and Compensation**

456 5-1. *Stipends.* Members of the Board shall be eligible to receive the following stipends as  
457 set forth in and subject to these bylaws; the Boards, Committees and  
458 Commissions law; and resolution BC-08-12-20-C titled, Amended Boards,  
459 Committees and Commissions Law Stipends, as may be further amended  
460 from time-to-time hereafter:

- 461 (a) No more than twenty-four (24) meeting stipends per fiscal year, provided  
462 that:
- 463 (1) A quorum was established;
  - 464 (2) The meeting of the established quorum lasted for at least one (1)  
465 hour; and
  - 466 (3) The member collecting the stipend was present for the entire  
467 meeting as defined, as well as demonstrated, in accordance with the  
468 Boards, Committees and Commissions law.
- 469 (b) A stipend for attending a duly called joint meeting between the Board and  
470 the Oneida Business Committee, provided that:
- 471 (1) A quorum was established by the Board;
  - 472 (2) The joint meeting lasted for at least one (1) hour; and
  - 473 (3) The member collecting the stipend was present for the entire joint  
474 meeting as defined, as well as demonstrated, in accordance with the  
475 Boards, Committees and Commissions law.
- 476 (c) A stipend for participating in interviews and/or screens.
- 477 (d) A stipend for conducting an official hearing of the Board.
- 478 (e) A stipend for attending an Oneida Judiciary Hearing so long as the  
479 member's attendance is required by official subpoena.
- 480 (f) A stipend for each day of attendance at a conference or training, provided  
481 that:
- 482 (1) The amount of the stipend a member is eligible to receive for  
483 attending a conference or training shall be dependent on whether the  
484 member attended up to four (4) hours of a conference or training or  
485 more than four (4) hours of a conference or training; and
  - 486 (2) The member's attendance at the training or conference was required  
487 by law, bylaws or resolution.  
488

489 5-2. *Compensation.* Besides the travel, per diem and business expense reimbursement  
490 authorized by the Boards, Committees and Commissions law, there are no  
491 other forms of compensation that members are eligible to receive for the  
492 duties/activities they perform on behalf of the Board.  
493

#### 494 **Article VI. Records and Reporting**

495 6-1. *Agenda Items.* Agenda items shall be maintained in a consistent format provided by the  
496 Oneida Business Committee Support Office and approved by the Board.

- 497  
498 6-2. *Minutes.* All meeting minutes shall be typed and in a consistent format designed by  
499 the Oneida Business Committee, as approved by the Board, to generate the  
500 most informative record.
- 501 (a) Minutes must include a summary of the action taken by the Board.  
502 (b) Minutes shall be submitted to the Oneida Business Committee Support  
503 Office within five (5) business days of approval by the Board.  
504
- 505 6-3. *Attachments.* Any handouts, attachments, reports, memoranda, and the like provided at a  
506 Board meeting shall be included with their corresponding agenda and  
507 minutes and maintained in accordance with the Nation's Open Records and  
508 Open Meetings law.  
509
- 510 6-4. *Oneida Business Committee Liaison.* The Board shall regularly communicate with the  
511 Oneida Business Committee member who is its designated liaison.
- 512 (a) The format and frequency of communication shall be as agreed upon by the  
513 Board and the liaison through formal action of the Board, but not less than  
514 that required in any law or policy on reporting developed by the Oneida  
515 Business Committee or Oneida General Tribal Council.
- 516 (b) The purpose of the liaison relationship is to uphold the ability of the liaison  
517 to act as a support to the Oneida Nation School Board.  
518
- 519 6-5. *Audio Recordings.* All meetings of the Board shall be audio recorded by either the Oneida  
520 Business Committee Support Office or designee of the Officer presiding  
521 over the meeting using a device supplied by the Oneida Business  
522 Committee Support Office.
- 523 (a) The presiding Officer shall ensure each meeting is audio recorded.  
524 (b) Audio recordings shall be maintained by the Oneida Business Committee  
525 Support Office in accordance with the Nation's Open Records and Open  
526 Meetings law.
- 527 (1) *Exception.* Audio recordings of executive session portions of a  
528 meeting shall not be required.  
529

## 530 **Article VII. Amendments**

- 531 7-1. *Amendments.* Amendments to these bylaws shall be approved by majority vote of the  
532 members present at a regular Board meeting of an established quorum,  
533 provided that written notice of the proposed amendments was made at a  
534 prior regular meeting.
- 535 (a) Amendments to these bylaws shall conform to the requirements of the  
536 Boards, Committees and Commissions law and any other governing  
537 policies of the Nation.
- 538 (b) Amendments must be approved by the Board and the Oneida Business  
539 Committee before implementation.
- 540 (c) The Board shall conduct a review of these bylaws no less than on an annual  
541 basis.  
542

543

[Signature Block]



## Oneida Nation School Board Bylaws Legislative Analysis

### SECTION 1. EXECUTIVE SUMMARY

<i>Analysis by the Legislative Reference Office</i>	
<b>Intent of the Amendments</b>	<ul style="list-style-type: none"> <li>▪ To comply with the amended Boards, Committees and Commissions law (“Law”), which provides that, within a reasonable time after the Law’s adoption, all existing boards, committees and commissions of the Nation must present bylaws for adoption that comply with the format and contain the minimal amount of information prescribed in the Law, including: <ul style="list-style-type: none"> <li>• The process for filling vacancies on the Oneida Nation School Board (“Board”);</li> <li>• The qualifications necessary for membership on the Board;</li> <li>• Officer positions on the Board, as well as the process for selecting those Officers and the duties assigned to each specific Officer position;</li> <li>• The behavioral expectations of those serving on the Board;</li> <li>• The process for calling, noticing, conducting and recording meetings;</li> <li>• The process for removing or terminating members of the Board;</li> <li>• The requisite trainings/conferences for members of the Board;</li> <li>• Stipend eligibility; and</li> <li>• The process for further amendments to the Board’s bylaws. [1 O.C. 105.10-1(a)]; and</li> </ul> </li> <li>▪ To comply with the directive from the Oneida Business Committee to include certain across-the-board amendments to all bylaws of the boards, committees and commissions.</li> </ul>
<b>Purpose</b>	The School Board was established to coordinate existing and future education programs of the Oneida Nation; per directive of the Oneida General Tribal Council (GTC), to be an autonomous administrator of the Oneida Nation School System (ONSS) under a Memorandum of Agreement (MOA) with the OBC and to administer the ONSS Endowment in accordance with Endowments law under resolution BC-02-27-19-B.
<b>Related Legislation</b>	Oneida Nation Constitution, Administrative Rulemaking law, Endowments law, Boards, Committees and Commissions law, Election law, Removal Law, Social Media Policy, Computer Resources Ordinance, Travel and Expense Policy, Conflict of Interest law, Open Records and Open Meetings law, Vehicle Driver Certification and Fleet Management law.
<b>Enforcement/Due Process</b>	Removal from an elected position on the Board follows the Removal Law [1 O.C. 104] and termination from an appointed position on the Board follows the Boards, Committees and Commissions law. [1 O.C. 105.7-4]. A two-thirds majority vote of the OBC is required to terminate a Board member’s appointment. The OBC’s decision to terminate an appointment is final and not subject to appeal [1 O.C. 105-7.4]. A petition for a member’s removal or recommendation for a member’s termination by the Board must be by a majority vote of the members present at a Board meeting of an established quorum.
<b>Public Meeting</b>	Public meetings are not required for bylaws.
<b>Fiscal Impact</b>	A fiscal impact statement is not required for bylaws.

**SECTION 2. BACKGROUND**

- A. Bylaws provide a framework for the operation and management of a board, committee or commission of the Nation, the government of its members and the regulation of its affairs [1 O.C. 105.3-1(d)].
- B. The School Board bylaws were added to the Active Files List on October 3, 2018 for purposes of amending per the requirements of the Boards, Committees and Commissions law.
- C. The Oneida Education Board was created by the General Tribal Council through resolution GTC-01-29-77-A. The Oneida Education Board was later dissolved upon the creation of the Oneida Nation School Board through resolution GTC-01-07-84-A. The Board was expanded to nine (9) members by resolution GTC-03-21-88-B.
- D. The Board is currently governed by a Memorandum of Agreement with the OBC which was ratified by GTC resolution on 03-21-88.
  - a) The MOA between the OBC and the Board was created per the directive of the GTC to grant the Board the authority to operate with autonomous administration and provide for full involvement of the Board in all personnel matters related to the operation of the Oneida Nation School System. Any changes to the MOA require a two-thirds (2/3) vote by GTC.
- E. The School Board was granted administrative rulemaking authority under resolution BC-02-27-19-B titled “Creation of the Oneida Nation School System Endowment”. Administrative rules must be developed following the Administrative Rulemaking law. [1 O.C. 106].
- F. The School Board does not currently operate under bylaws approved by the OBC. However, the MOA served a similar purpose, and thus, the MOA served as the foundation for the creation of the “bylaws amendments” being referred to throughout this analysis.

**SECTION 3. COMPLIANCE WITH THE BOARDS, COMMITTEES AND COMMISSIONS LAW**

- A. The amendments to the Board’s bylaws comply with the Boards, Committees and Commissions law.
- B. The amendments to the Board’s bylaws comply with OBC resolution BC-08-19-20-C titled “Amended Boards, Committees and Commissions Law Stipends” which details the types, specific dollar amounts and eligibility requirements of stipends.
- C. The amendments to the Board’s bylaws comply with OBC resolution BC-03-27-19-D titled “Oneida Business Committee and Joint Meetings with Boards, Committees and Commissions – Definitions and Impact”.
- D. The amendments to the Board’s bylaws do not conflict with the MOA ratified by GTC resolution on 03-21-88.

**SECTION 4. CONTENTS OF THE BYLAWS****A. ARTICLE I. AUTHORITY**

- a. Purpose, Powers and Duties. The purpose, powers and duties of the Board were included in the authority section [Proposed Bylaws 1-3(a)] in accordance with the Boards, Committees and Commissions law [1 O.C. 105.10-3(a)].
- b. Membership. The Board is comprised of nine (9) elected members per resolution GTC-03-21-88-B. Members will stay on the Board until their term expires, they resign, or they are terminated or removed from office. A member whose term has expired may stay on the Board until his or her successor is sworn in by the OBC [Proposed Bylaws 1-5], which is optional under the Boards, Committees and Commissions law [1 O.C. 105.6-2(a)(1)].
  - Resignations are accepted in accordance with the Boards, Committees and Commissions law [1 O.C. 105.10-3(a)(5)]:
    - i. Verbally and accepted by motion at a meeting; or

- ii. By delivering a written resignation to the Business Committee Support Office (BCSO) and the School Board's Chairperson or Chairperson's designee. *[Proposed Bylaws 1-5(b)(1)(B)]*.
- Vacancies. Expired terms are filled by the Nation's election process *[1 O.C. 102]*. Unexpired terms are filled by appointment by the OBC *[1 O.C. 105.7]*. The Chairperson of the Board will be required to provide the OBC with recommendations on all applicants for appointment *[Proposed Bylaws 1-5(c)]* which is optional under the Boards, Committees and Commissions law. *[1 O.C. 105.7-1(b)(1)]*.
  - Qualifications. Members must be at least eighteen (18) years old; be enrolled members of the Oneida Nation; at least four (4) of the nine (9) members must be parents/guardians of a student enrolled in a qualifying program of the Oneida Nation School System; and must have passed an Annual Caregiver Background Check *[Proposed Bylaws 1-5(d)]*. The inclusion of qualifications of membership are a requirement of the bylaws per the Boards, Committees and Commissions law. *[1 O.C. 105.10-3(a)(5)(D)]*.
- c. Termination and Removal.
- i. The Removal Law will be followed for removal of elected members *[1 O.C. 104]* and the Boards, Committees and Commissions law will be followed for termination of appointed members *[1 O.C. 105.6-2(c)]*, subject to the process in 4-1(i) of the proposed bylaws.
  - ii. A removal petition or a recommendation for termination of appointment must be by a majority vote of the School Board members present at a regular or emergency meeting of an established quorum. *[Proposed Bylaws 1-6(c)]*.
- d. Trainings and Conferences. Required trainings and conferences are included in this section in compliance with the Boards, Committees and Commissions law *[1 O.C. 105.10-3(a)(7)]* with the added requirement that Board members are not eligible to receive stipends for more than five (5) full days of attendance at a mandatory training or conference per fiscal year. *[Proposed Bylaws 1-7]*.
- B. ARTICLE II. OFFICERS
- a. This section details the duties and limitations of Officer positions on the Board in accordance with the Boards, Committees and Commissions law. *[1 O.C. 105.10-3(b)]*.
  - b. Chairperson. The duties of the Chairperson include:
    - call and preside over all meetings and hearings, represent the Board and School System at official functions, ensure the Board remains in compliance with the all requirements of the Nation and the System, and be an ex-officio member of any committee established by the Board *[Proposed Bylaws 2-2(a) through (d)]*;
    - carry out all responsibilities assigned to the Board by the Nation's Constitution and the MOA *[Proposed Bylaws 2-2(e)]*; and
    - ensure the submission of all annual and semi-annual reports to the GTC, as well as quarterly reports to the OBC, and attend or designate a member to attend OBC meetings when the Board's report is on the agenda *[Proposed Bylaws 2-2(f) and (g)]* in accordance with the Boards, Committees and Commissions law *[1 O.C. 105.12-3]*.
  - c. Vice-Chairperson. The duties of the Vice-Chairperson include:
    - act in replacement of the Chairperson if he or she is not available; chair ad-hoc committees of the Board; and carry out all duties assigned to the Board. *[Proposed Bylaws 2-3]*.
  - d. Secretary. The duties of the Secretary include:



- 98                   • act in the absence of the Chairperson and Vice-Chairperson in carrying out all  
99 powers and duties *[Proposed Bylaws 2-4(a)]*;
- 100                   i. with respect to presiding over meetings of the Board, the Secretary's  
101 authority is limited to the following: if the Chairperson and the Vice-  
102 Chairperson positions both become vacant at the same time, the Board  
103 Secretary shall be allowed to call meetings of the Board to fill vacancies  
104 and to preside over meetings to conduct an election after which the newly  
105 elected Chairperson or Vice-Chairperson shall preside *[Proposed Bylaws*  
106 *2-4(a)(1)(A)]*. In this case the Secretary may also be included to meet the  
107 quorum requirement. *[Proposed Bylaws 3-4]*.
- 108                   • establish the agenda and provide notice of all meeting locations, agenda,  
109 documents and minutes to all members of the Board and the public and maintain  
110 the accurate recording and presenting of all Board minutes and other formal  
111 documents in compliance with the Boards, Committees and Commissions law *[1*  
112 *O.C. 105]* and the Open Records and Open Meetings law *[1 O.C. 107]* *[Proposed*  
113 *Bylaws 2-4(b) and (c)]*; and
- 114                   • ensure timely reporting of all Board actions and carry out all general duties and  
115 powers assigned or delegated to the Board *[Proposed Bylaws 2-4(d) and (e)]*.
- 116 e. Selection of Officers. Officers will be elected by a majority vote of the Board members  
117 present at the first meeting with an established quorum following an election. There is no  
118 limit to the number of terms an officer can be reelected. Officers can only hold one Officer  
119 position at a time. If an Officer cannot fulfill the obligations of the position, the Board can,  
120 by majority vote of the members at an established meeting, dismiss the Officer from his or  
121 her position and elect a new Officer. *[Proposed Bylaws 2-5]*. This section fulfills  
122 requirements established by the Boards, Committees and Commissions law. *[1 O.C.*  
123 *105.10-3(b)(5)]*.
- 124 f. Budgetary Sign-Off Authority and Travel. The budgetary sign-off authority will be  
125 consistent with the Purchasing Policies and Procedures of the Nation per the MOA with  
126 the OBC. *[Proposed Bylaws 2-6(a)]*. All Board Officers have sign-off authority reserved  
127 for Divisional Directors/Tribal School Chairperson/Trust Committee Chairperson/and  
128 Gaming Director. The BCSO will have official sign-off authority for all budgetary  
129 purchases approved by the Board.
- 130
- 131 Travel on behalf of the Board will require approval by a majority vote of the members at a  
132 regular or emergency meeting with an established quorum *[Proposed Bylaws 2-6(b)]* in  
133 accordance with the Boards, Committees and Commissions law. *[1 O.C. 105.10-*  
134 *3(b)(6)(B)]*. All travel must be authorized by two (2) Officers of the Board in accordance  
135 with the Travel and Expense Policy *[2 O.C. 219.4-2]*. Board members may travel in the  
136 Nation's vehicles when certified and must follow the Vehicle Driver Certification and Fleet  
137 Management law. *[2 O.C. 210]*. This section fulfills requirements established by the  
138 Boards, Committees and Commissions law. *[1 O.C. 105.10-3(b)(6)]*.
- 139 g. Personnel. From the date the proposed bylaws are adopted by the OBC moving forward,  
140 the Board will not have authority to hire personnel for the benefit of the School Board.  
141 *[Proposed Bylaws 2-7]*.
- 142                   • This provision applies to future hiring authority and does not affect current  
143 personnel who will keep their positions.
- 144 The Board will have authority to be involved in the hiring of personnel for the School  
145 System in accordance with the MOA and the Personnel Policies and Procedures of the  
146 Nation. *[Proposed Bylaws 2-7(a)]*. The Board has the authority to hire consultants and  
147 other resource persons to carry out the purposes and goals of the School System. *[Proposed*  
148 *Bylaws 2-7(b)]*. The School Board has authority to hire legal counsel in accordance with



the laws of the Nation. *[Proposed Bylaws 2-7(c)]*. This section fulfills requirements established by the Boards, Committees and Commissions law *[1 O. C. 105.10-3(b)(7)]*.

### C. ARTICLE III. MEETINGS

- a. Regular Meetings. Regular meetings are held monthly at 5:00 p.m. on the first and third Monday of each month at the Oneida Nation Elementary School *[Proposed Bylaws 3-1]*. Meetings may be attended in person, by telephone, through teleconference, or through other telecommunications so long as a member's presence is demonstrated in accordance with the Boards, Committees and Commissions law.

- The School Board Secretary will create the agenda and items will be required to be submitted to the Secretary or the Secretary's designee at least ten (10) days prior to the next regular meeting. Action items will be included in the School Superintendent's report. The Secretary will establish and distribute the agenda and documentation to School Board members at least seven (7) days before a regular meeting date by official email *[Proposed Bylaws 3-1(b) to (d)]*. This section fulfills requirements in the Boards, Committees and Commissions law. *[1 O.C. 105.10-3(c)(1)]*.

- b. Emergency Meetings. Emergency meetings are called when an issue cannot wait for the next regular meeting. School Board members or school system administration will contact the Chairperson or the Vice-Chairperson of the School Board and request an emergency meeting. All School Board members will receive notice by official email and telephone call at least twenty-four (24) hours in advance including the basis of the emergency. If matters are discussed that are not on the agenda no formal action will be taken. Meetings will be noticed to include both written notice by mail and Official email if a regular meeting and Official email and telephone call if deemed an emergency meeting, the school newsletter and the Kalihwisaks *[Proposed Bylaws 3-2(a)(1)]*.

- The School Board is authorized to hold meetings with parents to fulfill contractual obligations which may be called as an emergency meeting *[Proposed Bylaws 3-2(a)(1)]*.
- A provision was included per the Boards, Committees and Commissions law that the School Board will notify the Nation's Secretary within seventy-two (72) hours of holding an emergency meeting with notice of the meeting, the reason for the emergency meeting, and an explanation of why the matter could not wait for a regular meeting *[Proposed Bylaws 3-2(d)]* and *[1 O.C. 105.10-3(c)(2)(A)]*.

- c. Joint Meetings. The bylaws contain joint meetings with the OBC *[Proposed Bylaws 3-3]* on an as needed basis, with the approval of the OBC in compliance with the Boards, Committees and Commissions law *[1 O.C. 105.10-3(c)(3)]*. Joint meetings will be held in the OBC conference room. The meeting notice, agenda documents and minutes for joint meetings will be provided and the joint meetings will be conducted in accordance with OBC Resolution BC-03-27-19-D titled "Oneida Business Committee and Joint Meetings with Boards, Committees and Commissions – Definitions and Impact".

- Quorum. A quorum will consist of a majority of current members including the Chairperson, Vice-Chairperson or Secretary if presiding over the meeting in accordance with section 2-4(a)(1)(A) *[Proposed Bylaws 3-4]*. This complies with the requirements established in the Boards, Committees and Commissions law *[1 O.C. 105.10-3(c)(4)]*.
- Order of Business. The order of business is included *[Proposed Bylaws 3-5]* in accordance with the Boards, Committees and Commissions law *[1 O.C. 105.10-3(c)(5)]*.
- Voting. Voting requirements are contained in the proposed bylaws *[Proposed Bylaws 3-6]*. Decisions require a majority vote of members present at a regular or

emergency meeting with an established quorum. All members of the School Board have one equal vote except the presiding Officer of the meeting who will only vote in the case of a tie. All members are required to vote or abstain. This section fulfills requirements established by the Boards, Committees and Commissions law. *[1 O.C. 105.10-3(c)(6)]*.

- i. E-polls were included as an acceptable form of voting and will be conducted by the Chairperson or Vice-Chairperson or Secretary in lieu of and as appointed by the Chairperson *[Proposed Bylaws 3-6(b)]* and in accordance with the Boards, Committees and Commissions law. *[1 O.C. 105.10-3(c)(6)(C) and (D)] and [1 O.C. 105.11]*.

#### D. ARTICLE IV. EXPECTATIONS

This section is based on the requirements established in the Boards, Committees and Commissions law *[1 O.C. 105.10-3(d)]*.

- a. The School Board is required to act in accordance with the principles of conduct established in Article IV. 4-1 of the proposed School Board bylaws.
  - i. A term for un-excused absence is included in all bylaws amendments and is defined as a failure to notify a School Board Officer, in writing, of his or her pending absence no less than thirty (30) minutes before the scheduled meeting that he or she will be absent from *[Proposed Bylaws 4-1(h)(1)(A)]*.
- b. Enforcement of violations of the bylaws or any other law, policy and/or resolutions of the Nation may be subject to *[Proposed Bylaws 4-1(i)]*:
  - Disciplinary action in accordance with any laws or policies of the Nation governing sanction or penalties of elected or appointed officials;
  - Recommendation by the School Board for termination of appointment by the OBC *[1 O.C. 105.6-2(c)]*;
  - The Chairperson is responsible for filing a petition for removal at the direction of the School Board in accordance with the Removal Law *[1 O.C. 104]*; and
  - Enforcement must be by a majority vote of the School Board present at a meeting with an established quorum. *[Proposed Bylaws 4-1(i)(4)]*.
  - This section complies with the Boards, Committees and Commissions law *[1 O.C. 105.10-3(d)(1)]*
- c. Intentional acts of violence that inflicts, attempts to inflict or threatens to inflict emotional or bodily harm or damage to property are prohibited by a member of the School Board *[Proposed Bylaws 4-2]* in compliance with the Boards, Committees and Commissions law *[1 O.C. 105.10-3(d)(2)]*.
- d. Drug and alcohol use by a School Board member when acting in an official capacity is forbidden *[Proposed Bylaws 4-3]* in compliance with the Boards, Committees and Commissions law *[1 O.C. 105.10-3(d)(3)]*.
- e. The School Board must comply with the Social Media Policy and their Oath of Office when using social media in relation to School Board activities *[Proposed Bylaws 4-4]* and *[2 O.C. 218]* in compliance with the Boards, Committees and Commissions law *[1 O.C. 105.10-3(d)(4)]*.
- f. The bylaws require the School Board to abide by all laws of the Nation related to conflicts of interest *[Proposed Bylaws 4-5]* including the Nation's Conflict of Interest law *[2 O.C. 217]* and the Boards, Committees and Commissions law *[1 O.C. 105.10-3(d)(5) and 105.15]* which requires disclosure of conflicts of interest annually. Additionally, School Board members are expected to decline comment and to abstain from voting when issues related to immediate family members come before the School Board *[Proposed Bylaws 4-1(c)]*.

- 244 g. The Conflict of Interest law defines immediate family member as an individual's husband,  
245 wife, mother, father, step mother, step father, son, daughter, step son, step daughter,  
246 brother, sister, step brother, step sister, grandparent, grandchild, mother-in-law, father-in-  
247 law, daughter-in-law, son-in-law, brother-in-law or sister-in-law and any of these relations  
248 attained through legal adoption [2 O.C. 217.3-1(g)].  
249

#### 250 E. ARTICLE V. STIPENDS AND COMPENSATION

251 This section of the bylaws details stipends, compensation and corresponding requirements in  
252 accordance with the Boards, Committees and Commissions law [1 O.C. 105.10-3(e)].

- 253 • The list of stipends and corresponding eligibility requirements that members of the School  
254 Board are entitled to receive are included in the bylaws. [Proposed Bylaws 5-1]. This  
255 section complies with Resolution BC-08-12-20-C titled "Amended Boards, Committees  
256 and Commissions Law Stipends" and the Boards, Committees and Commissions law:
- 257 • Besides travel, per diem and business expense reimbursement authorized by the Boards,  
258 Committees and Commissions law [1 O.C. 105.13-9]; School Board members are not  
259 eligible for any other compensation for duties performed on behalf of the School Board  
260 [Proposed Bylaws 5-2].  
261

#### 262 F. ARTICLE VI. RECORDS AND REPORTING

- 263 a. Agenda items will be maintained in a consistent format provided by the BCSO and  
264 approved by the School Board [Proposed Bylaws 6-1]. This complies with the Boards,  
265 Committees and Commissions law [1 O.C. 105.10-3(f)(1)].
- 266 b. Minutes will be typed in a consistent format provided by the BCSO and approved by the  
267 School Board. Minutes will include a summary of action taken by the School Board and  
268 will be submitted to the BCSO within five (5) business days after approved by the School  
269 Board [Proposed Bylaws 6-2]. This meets the requirements established by the Boards,  
270 Committees and Commissions law [1 O.C. 105.10-3(f)(2)].
- 271 c. Attachments will be maintained with the meeting material from the corresponding meeting  
272 of the School Board [Proposed Bylaws 6-3] in accordance with the Open Records and  
273 Open Meetings law which requires records to be maintained for seven (7) years [1 O.C.  
274 107.9-4]. This meets requirements established by the Boards, Committees and  
275 Commissions law [1 O.C. 105.10-3(f)(3)].
- 276 d. The School Board will regularly communicate with the OBC liaison as mutually agreed  
277 upon [Proposed Bylaws 6-4] in accordance with the Boards, Committees and Commissions  
278 law [1 O.C. 105.10-3(f)(4)].
- 279 e. All meetings will be audio recorded by the BCSO or as designated by the Officer presiding  
280 over the meeting using the device supplied by the BCSO. The BCSO will maintain the  
281 audio recordings. Executive session is not required to be audio recorded [Proposed Bylaws  
282 6-5]. This complies with requirements established by the Boards, Committees and  
283 Commissions law [1 O.C. 105.10-3(f)(5)] and the Open Records and Open Meetings law  
284 [1 O.C. 107.7-3].  
285

#### 286 G. ARTICLE VII. AMENDMENTS

- 287 a. Amendments will comply with the Boards, Committees and Commissions law and any  
288 other policy of the Nation, are effective upon approval of the School Board and the OBC  
289 [1 O.C. 105.10-3(g)], and the bylaws will be reviewed as needed and no less than annually  
290 [Proposed Bylaws 7-1].  
291

### 292 SECTION 5. RELATED LEGISLATION

293 There are no conflicts between the proposed bylaws and the Oneida Code of Laws. Below is a detailed list  
294 of laws that establish requirements and are referenced in the School Board bylaws.

- 295 A. Oneida Nation Constitution. The Constitution of the Oneida Nation contains a provision that allows  
296 for the creation of committees for the proper conduct of tribal business of the Nation [*Oneida*  
297 *Nation Constitution, Article IV(g)*]. The School Board will carry out duties assigned by the OBC  
298 and GTC in accordance with the Constitution [*Proposed Bylaws 2-2(e)*]. There are no conflicts  
299 between these bylaws and the Oneida Nation Constitution.  
300
- 301 B. Administrative Rulemaking [1 O.C. 106]. This law governs the Administrative Rulemaking  
302 process for the adoption and amendment of administrative rules by authorized agencies of the  
303 Nation. Administrative rules developed under this law have the same force and effect as the law  
304 that delegated the authority to the authorized agency.  
305 a. The School Board is considered an authorized agency and also an entity under this law.  
306 i. The School Board is required to follow the administrative rulemaking procedures  
307 contained in this law for the promulgation of all rules when delegated rulemaking  
308 authority to act as an authorized agency. Rulemaking authority must be delegated  
309 by a law of the Nation to implement, interpret and/ or enforce a law of the Nation.  
310 ii. When acting as an entity under this law, the School Board shall prepare all  
311 financial analyses upon request indicating financial effects of a proposed  
312 administrative rule promulgated by an authorized entity of the Nation in  
313 compliance with this law.  
314 b. The School Board has been delegated administrative rulemaking authority as an authorized  
315 agency under the following laws of the Nation:  
316 i. Endowments [*1 O.C. 131*] according to resolution BC-02-27-19-B “Creation of  
317 the Oneida Nation School System Endowment”.  
318
- 319 C. Endowments [1 O.C. 131]. The Endowments law was established to provide a process for the  
320 establishment and maintenance of all endowment fund accounts established by the Oneida Nation  
321 [*1 O.C. 131-1*]. The law grants administrative rulemaking authority [*1 O.C. 106*] by resolution  
322 [*1 O.C. 131.11-1*]. The School Board was granted administrative rulemaking authority by  
323 resolution BC-02-27-19-B “Creation of the Oneida Nation School System Endowment” which  
324 requires the School Board to submit a three-year planning resolution to the Treasurer and Chief  
325 Financial Officer and submit a funding allocation notice which will identify how the funds will be  
326 utilized by January 31st of each year. The proposed bylaws comply and there are no conflicts with  
327 the Endowments law.  
328
- 329 D. Boards, Committees and Commissions [1 O.C. 105]. This law governs the procedures regarding  
330 the appointment and election of persons to boards, committees and commissions of the Nation,  
331 including the creation of bylaws, maintenance of official records, compensation, and other items  
332 related to boards, committees and commissions. The School Board is elected by the General Tribal  
333 Council [*Proposed Bylaws 1-5(b)*]. The requirements for entity bylaws are contained in this law  
334 as well as a requirement that all existing entities of the Nation comply with the format detailed in  
335 the law and present the bylaws for adoption by the OBC within a reasonable timeframe [*1 O.C.*  
336 *105.10*]. These proposed bylaws comply and there are no conflicts with the Boards, Committees  
337 and Commissions law.  
338
- 339 E. Election [1 O.C. 102]. The Election law governs the procedures for the conduct of orderly elections  
340 of the Nation, including pre-election activities such as caucuses and nominations [*1 O.C. 102.1-1*].  
341 The law governs all procedures used in the election process [*1 O.C. 102.1-2*]. The School Board  
342 is elected by the General Tribal Council [*Proposed Bylaws 1-5(b)*]. The proposed bylaws comply  
343 with and there are no conflicts with the Election law.  
344



- 345 F. Removal Law [1 O.C. 104]. This law governs the removal process related to School Board  
346 members that are elected by the qualified voting membership of the Nation. This law contains due  
347 process measures related to specific causes for removal, petition requirements, preliminary review  
348 by the Judiciary, a hearing that includes potential witnesses and a burden of proof by a person  
349 seeking the removal by clear and convincing evidence that ground(s) for removal exist and a  
350 Special GTC Meeting that requires a 2/3 affirmative majority vote. Elected School Board members  
351 may be subject to removal if the bylaws or any law, policy, rule or resolution of the Nation is  
352 violated [*Proposed Bylaws 4-1(i)(3)*]. This aligns with the Boards, Committees and Commissions  
353 law [1 O.C. 105.10-3(d)]. The proposed bylaws comply and there are no conflicts with the  
354 Removal Law.  
355
- 356 G. Social Media Policy [2 O.C. 218]. This policy regulates social media accounts including how  
357 content is managed and who has authority to post on social media on behalf of the Nation. The  
358 School Board must register social media accounts with the Nation's Secretary's Office to include  
359 specific information related to access to the account, acknowledgment and compliance with the  
360 Computer Resource Ordinance [2 O.C. 215] and this policy, use a Nation issued email address, and  
361 ensure all content complies with all applicable laws of the Nation, state or federal laws. The School  
362 Board must follow the Social media policy and their Oath of Office with respect to social media  
363 use related to the School Board [*Proposed Bylaws 4-4*]. The proposed bylaws comply and there  
364 are no conflicts with the Social Media Policy.  
365
- 366 H. Computer Resources Ordinance [2 O.C. 215]. School Board members are considered users under  
367 this law which regulates and ensures appropriate the use of the Nation's computer resources.  
368 Members of the School Board must sign an acknowledgment form indicating notice of the Nation's  
369 applicable computer and media related laws according to the Boards, Committees and  
370 Commissions law [1 O.C. 105.14-3(b)]. The proposed bylaws comply and there are no conflicts  
371 with the Computer Resources Ordinance.  
372
- 373 I. Travel and Expense Policy [2 O.C. 219]. Members of the School Board are eligible to be  
374 reimbursed for travel and per diem to attend a conference or training in accordance with this policy.  
375 The BCSO has sign-off authority over requests for stipends, travel per diem and business expense  
376 reimbursement [*Proposed Bylaws 2-6(a)(1)(A)*]. All travel must be signed off by two (2) Officers  
377 [*Proposed Bylaws 2-6(a)(1)*] in accordance with the Travel and Expense Policy [2 O.C. 219.4-2].  
378 The School Board will approve all School Board travel by majority vote [*Proposed Bylaws 2-6(b)*]  
379 in accordance with the Boards, Committees and Commissions law [1 O.C. 105.10-3(b)(6)(B)]. The  
380 proposed bylaws comply and there are no conflicts with the Travel and Expense Policy.  
381
- 382 J. Conflict of Interest [2 O.C. 217]. This law applies to the School Board and establishes specific  
383 limitations to which information or materials that are confidential or may be used by a competitor  
384 of the Nation's enterprises or interests may be used to protect the interests of the Nation. The  
385 Boards, Committees and Commissions law establishes that bylaws require members to disclose  
386 potential or real conflicts annually [1 O.C. 105.10-3(d)(5) and 105.15]. The School Board bylaws  
387 require the School Board to follow all Conflict of Interest laws of the Nation [*Proposed Bylaws 4-*  
388 *5*]. Additionally; School Board members must decline to comment and abstain from voting on  
389 issues when nepotism as defined by the Nation's Conflict of Interest law may be a factor [*Proposed*  
390 *Bylaws 4-1(c)*]. This aligns with the Conflict of Interest law of the Nation which allows for entities  
391 to outline further conflicts and prohibited activities resulting from those conflicts of interest [2 O.C.  
392 217.7-2]. Penalties for failure to disclose conflicts of interest include termination of appointment  
393 in accordance with the Boards, Committees and Commissions law and enforcement of any penalties  
394 in accordance with the laws of the Nation [2 O.C. 217.6-2 and 6-3]. The proposed bylaws comply  
395 and there are no conflicts with the Conflict of Interest law.

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- K. Open Records and Open Meetings [1 O.C. 107]. This law details how records must be maintained and made available to the public and that meetings are open to the public unless specific criteria are met which allow the meetings to be closed [1 O.C. 107.15 and 107.17]. Public notice of meetings is also required by this law [1 O.C. 107.15-1]. The bylaws delegate the maintenance of the records to the School Board Secretary and dictates that attachments will be included with the agenda and meeting minutes for maintenance [Proposed Bylaws 2-4(c) and 6-3]. The School Board meetings are open to the public except portions that meet the exceptions in this law related to personnel matters or contracts are being discussed and deemed confidential [Proposed Bylaws 3-1(a)]. Meeting packets and backup materials are available to all School Board members and the public [Proposed Bylaws 3-1(d)] and in accordance with this law which states that any requestor has the right to make or receive a copy of a public record [1 O.C. 107.7-2]. Meeting minutes, agenda materials and audio recordings will be maintained by the the BCSO [Proposed Bylaws 6-2 and 6-3 and 6-5(b)]. The proposed bylaws comply and there are no conflicts with the Open Records and Open Meetings law.
- L. Vehicle Driver Certification and Fleet Management [2 O.C. 210]. The School Board is considered an entity [2 O.C. 210.3-1(g)] and individual members are considered officials [2 O.C. 210.3-1(j)] under this law and are authorized to travel in the Nation's vehicles. The law requires the Human Resources Department or designee to ensure drivers, including School Board members, are certified to drive a vehicle of the Nation or a personal vehicle on Tribal business. The law requires School Board members (officials) to have written consent from the School Board prior to being approved to use a Tribal vehicle [2 O.C. 210.6-1(b)(2)]. Certification includes providing the Human Resources Department with the appropriate license, training certifications, and insurance information [2 O.C. 210.8-1]. Additionally, School Board members must abide by all reporting requirements in this law [2 O.C. 210.9-2]. The proposed bylaws comply and there are no conflicts with the Vehicle Driver Certification and Fleet Management law.
- a. School Board members who violate this law may be subject to:
- i. any laws regarding sanctions or penalties; and
  - ii. termination of appointment following the Boards, Committees and Commissions law [1 O.C. 105].

**Oneida Business Committee Agenda Request**

Accept the Legislative Operating Committee 2017-2020 end of term report


**1. Meeting Date Requested:** 8 / 26 / 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](http://Oneida-nsn.gov)



TO: Oneida Business Committee  
 FROM: David P. Jordan, LOC Chairperson   
 DATE: August 26, 2020  
 RE: 2017-2020 LOC End of Term Report

The Legislative Operating Committee is the legislative body of the Oneida Nation and is comprised of the five (5) non-officer members of the Oneida Business Committee. This report details the Legislative Operating Committee's accomplishments during the 2017-2020 legislative term and is based on information from the Legislative Operating Committee's Active Files List, which is used to track the work of the Legislative Operating Committee.

Table 1 below provides a summary of the Legislative Operating Committee's work during the 2017-2020 Term. The remainder of the report provides more in-depth detail on the accomplishments of the Legislative Operating Committee.

<b>Table 1.</b>	
<b>Summary of the Legislative Operating Committee 2017-2020 Term</b>	
<b>LEGISLATION</b>	
<b>New Laws</b>	
New Laws Adopted	6
New Laws Added to AFL and Incomplete at End of Term	14
New Laws Added to AFL and Later Removed	11
<b>Amendments</b>	
Amendments Adopted	27
Amendments Added to AFL and Incomplete at End of Term	12
Amendments Added to AFL and Later Removed	5
<i>Total Legislative Items</i>	<b>75</b>
<b>NON-LEGISLATIVE ITEMS</b>	
<b>Bylaws Amendments</b>	
Bylaws Amendments Adopted	21
Bylaws Amendments Added to AFL and Incomplete at End of Term	4
<b>Administrative Rules</b>	
Administrative Rules Certified and Adopted	13
<b>General Tribal Council Petitions</b>	
GTC Petitions Processed	21
GTC Petitions Placed onto AFL and Incomplete at End of Term	1
<i>Total Non-Legislative Items</i>	<b>60</b>
<i>Total Legislative and Non-Legislative Items During Term</i>	<b>135</b>

## LEGISLATION

The main responsibility of the Legislative Operating Committee is the drafting of legislation. Drafting legislation allows the Nation to exercise its inherent sovereignty. Legislation of the Nation effects every facet of the Nation:

- Legislation assists in creating strong economic systems and ensuring the long-term stability of the Nation;
- Legislation promotes social changes and public safety;
- Legislation provides effective guidance for every area and department of the Nation; and
- Legislation promotes good governance.

The drafting and development of legislation helps build a responsible Nation which advances On^yote?aka principles. The Legislative Operating Committee adopted thirty-three (33) pieces of legislation this term.

Once the Legislative Operating Committee decides to add a legislative request to its Active Files List the development of proposed legislation begins with conducting research on the topic of the legislation. The Legislative Operating Committee organizes and conducts collaborative work meetings with affected entities to develop the proposed legislation. Once a draft of the proposed legislation is developed and a legislative analysis is completed, the Legislative Operating Committee holds a public meeting and public comment period for the proposed legislation for the purpose of collecting input from the community. Once the Legislative Operating Committee considers all public comments that were received and finalizes the draft, a fiscal impact statement is requested. The proposed legislation is then presented to the Oneida Business Committee or General Tribal Council for adoption.

Table 2 below provides more details on the Legislative Operating Committee's legislative accomplishments during the 2017-2020 term.

<b>Table 2.</b> <b>Legislation During the 2017-2020 Term</b>		
ADOPTED LEGISLATION		
<i>Law</i>	<i>Adopting Resolution</i>	<i>Sponsor</i>
Boards, Committees, and Commissions Law Amendments	BC-08-12-20-B	Jennifer Webster
Boards, Committees, and Commissions Law Emergency Amendments	BC-03-11-20-B	Jennifer Webster
Boards, Committees, and Commissions Law Emergency Amendments	BC-03-17-20-B	Jennifer Webster
Child Support Law Amendments	BC-01-08-20-C	David P. Jordan
Children's Burial Fund Amendments	BC-04-22-20-A	Kirby Metoxen
Citations Law	BC-02-12-20-A	Jennifer Webster

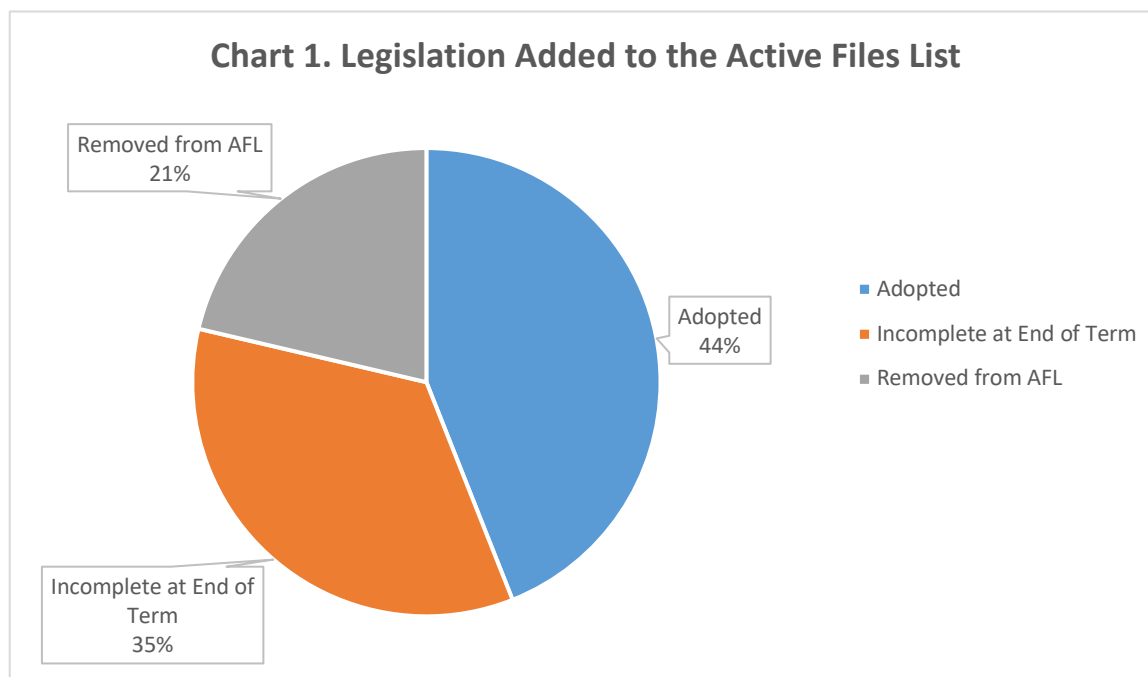
Comprehensive Policy Governing Boards, Committees, and Commissions Amendments (now Boards, Committees, and Commissions Law)	BC-09-26-18-C	Jennifer Webster
Curfew Law	BC-10-09-19-A	Ernest Stevens III
Curfew Law Amendments	BC-05-13-20-A	Jennifer Webster
Domestic Animals Law Amendments	BC-05-08-19-D	Jennifer Webster
Domestic Animals Law Amendments	BC-05-13-20-B	Ernest Stevens III
Election Law Emergency Amendments	BC-03-17-20-B	David P. Jordan
Election Law Emergency Amendments	BC-05-13-20-H	David P. Jordan
Election Law Emergency Amendments	BC-06-24-20-B	David P. Jordan
Emergency Management and Homeland Security Law Emergency Amendments	BC-03-17-20-E	David P. Jordan
Employee Protection Policy Emergency Amendments	BC-04-25-18-G	David P. Jordan
Employee Protection Policy Amendments (now Whistleblower Protection Law)	BC-02-12-19-B	David P. Jordan
General Tribal Council Meeting Stipend Payment Policy Emergency Amendments	BC-04-08-20-A	David P. Jordan
Indian Preference in Contracting Law Amendments	BC-04-08-20-I	Ernest Stevens III
Landlord-Tenant Law Amendments	BC-12-13-17-D	David P. Jordan
Legal Resource Center Law	BC-09-13-17-L	Daniel Guzman King
Military Service Employee Protection Act Emergency Amendments	BC-04-25-18-D	David P. Jordan
Oneida Food Service Code Amendments	BC-05-13-20-E	Ernest Stevens III
Oneida General Welfare Law – Emergency Adoption	BC-08-12-20-D	Jennifer Webster
Oneida Higher Education Pandemic Relief Fund Law – Emergency Adoption	BC-08-12-20-E	David P. Jordan
Oneida Judiciary Rules of Civil Procedure Emergency Amendments	BC-04-25-18-F	David P. Jordan
Oneida Personnel Policies and Procedures Emergency Amendments	BC-04-25-18-E	David P. Jordan
Professional Conduct for Attorneys and Advocates Law	BC-09-27-17-G	David P. Jordan
Real Property Law Amendments	BC-05-19-18-A	Ernest Stevens III
Real Property Law Emergency Amendments	BC-01-22-20-B BC-07-22-20-A	Jennifer Webster Ernest Stevens III
Tobacco Law Emergency Amendments	BC-02-26-20-A	Kirby Metoxen
Tobacco Law Amendments	BC-06-10-20-D	Kirby Metoxen
Vehicle Driver Certification and Fleet Management Law Amendments	BC-04-08-20-H	Jennifer Webster
<b>LEGISLATION ADDED TO AFL BUT INCOMPLETE AT END OF TERM</b>		
<i>Law</i>	<i>Sponsor</i>	
Attorney Contract Policy Amendments	David P. Jordan	
Business Corporations Law	Ernest Stevens III	

	Daniel Guzman King
Code of Ethics Law Amendments	Jennifer Webster
Drug and Alcohol Free Law for Elected and Appointed Officials	Jennifer Webster
Election Law Amendments*	David P. Jordan
Emergency Management and Homeland Security Law Amendments*	David P. Jordan
Environmental Review Law	Ernest Stevens III
General Tribal Council Meeting Stipend Payment Policy Emergency Amendments*	David P. Jordan
Guardianship Law	Kirby Metoxen
Industrial Hemp Law	Daniel Guzman King
Investigative Leave Policy Amendments	David P. Jordan
Law Enforcement Ordinance Amendments	Ernest Stevens III
Oneida General Welfare Law*	Jennifer Webster
Oneida Higher Education Pandemic Relief Fund Law*	David P. Jordan
Oneida Judiciary Rules of Civil Procedure Amendments	David P. Jordan
Oneida Personnel Policies and Procedures Amendments	David P. Jordan
Public Peace Law	Jennifer Webster
Real Property Law Amendments*	Jennifer Webster Ernest Stevens III
Recycling and Solid Waste Disposal Law Amendments	Jennifer Webster
Sanctions and Penalties Law	Jennifer Webster
Taxation Law	Ernest Stevens III
Tribal Institutional Review Board Law	Daniel Guzman King
Tribal Traffic Code	Ernest Stevens III
Wellness Court Law	Daniel Guzman King
Workplace Violence Law Amendments	David P. Jordan
Work Visas Law	Daniel Guzman King
<b>LEGISLATION REMOVED FROM THE AFL</b>	
<b><i>Law</i></b>	<b><i>Sponsor</i></b>
Business Organizations Law	Ernest Stevens III
Commerce Law	N/A
Corporate Laws	Ernest Stevens III Daniel Guzman King
Criminal Code	Daniel Guzman King
Election Law Amendments – Rejected by GTC 7/11/19	Jennifer Webster
Employment Law	Kirby Metoxen
General Tribal Council Meetings Law	Daniel Guzman King
Hall of Fame Law Amendments/Rescission	Ernest Stevens III
Harvest Law	Ernest Stevens III
Internal Audit Law Amendments	Kirby Metoxen
Military Service Employee Protection Act Amendments	David P. Jordan
Nonprofit Incorporation Law	David P. Jordan
Oneida Personnel Policies and Procedures Amendments	David P. Jordan
Research Protection Act	Jennifer Webster

Secured Transactions Law	David P. Jordan
Tribal Identification Law	Jennifer Webster

\*Identifies legislation adopted as an emergency, but still on AFL for permanent adoption.

Chart 1 below looks at the status of all items added to the Active Files List at the end of the 2017-2020 term.



Thirty-three (33) legislative items were adopted into law. Twenty-six (26) legislative items remain incomplete on the Active Files List at the end of term. Sixteen (16) legislative items were removed from the Active Files List during the 2017-2020 term based on time, resources, and priorities of the Legislative Operating Committee.

The Legislative Operating Committee completed approximately fifty-six percent (56%) of items that remained on the Active Files List during the 2017-2020 term and were not purposefully removed. In comparison to prior terms, the completion rate for the 2008-2011 term was fifty-eight percent (58%), for the 2011-2014 term it was fifty-four percent (54%), and for 2014-2017 term it was fifty-three percent (53%).

## BYLAWS AMENDMENTS

When the Oneida Business Committee adopted amendments to the Boards, Committees, and Commissions law through resolution BC-09-26-18-C the Legislative Reference Office was directed to hold two (2) informational meetings for the Nation's boards, committees, and commissions to provide them with an update on the new bylaws requirements mandated by the Boards, Committees and Commissions law; provide a template for the boards, committees and commissions to use when revising their respective bylaws; and provide assistance to the boards, committees and commissions in the development and drafting of their bylaws. The Legislative

Operating Committee assisted many boards, committees, and commissions with the drafting of their updated bylaws, and also provided a legislative analysis of all bylaws which provided a plain English explanation of the changes and also ensured the bylaws were in compliance with the amended Boards, Committees, and Commissions law.

Table 3 below demonstrates the status of all bylaws that were added to the Active Files List during the 2017-2020 term.

<b>Table 3.</b> <b>Bylaws During the 2017-2020 Term</b>	
ADOPTED BYLAWS	
<i>Board, Committee, or Commission Bylaws</i>	<i>Date Adopted</i>
Anna John Resident Centered Care Community Board By-Laws Amendments	2/27/19
Anna John Resident Centered Care Community Board By-Laws Amendments	9/25/19
Oneida Election Board Bylaws Amendments	9/25/19
Environmental Resource Board Bylaws Amendments	10/23/19
Oneida Land Commission Bylaws Amendments	10/9/19
Oneida Community Library Board Bylaws Amendments	9/25/19
Oneida Gaming Commission Bylaws Amendments	10/9/19
Oneida Land Claims Commissions Bylaws Amendments	10/23/19
Oneida Nation Arts Board Bylaws Amendments	10/9/19
Oneida Nation Commission on Aging Bylaws Amendments	10/9/19
Oneida Nation Veteran's Affairs Committee	9/25/19
Oneida Personnel Commission Bylaws Amendments	1/9/19
Oneida Personnel Commission Bylaws Amendments	10/23/19
Oneida Personnel Selection Committee Bylaws	5/23/18
Oneida Police Commission Bylaws Amendments	9/25/19
Oneida Pow-wow Committee Bylaws Amendments	2/27/19
Oneida Pow-wow Committee Bylaws Amendments	9/25/19
Pardon and Forgiveness Committee Bylaws Amendments	2/27/19
Pardon and Forgiveness Committee Bylaws Amendments	10/9/19
Southeastern Wisconsin Tribal Services Advisory Board Bylaws Amendments	10/9/19
Southeastern Wisconsin Tribal Services Advisory Board Bylaws Amendments	2/12/20
BYLAWS ADDED TO AFL BUT INCOMPLETE AT END OF TERM	
<i>Board, Committee, or Commission Bylaws</i>	
Oneida Nation Emergency Planning Committee Bylaws Amendments	
Oneida Land Commission Bylaws Amendments	
Oneida Nation School Board Bylaws Amendments	
Oneida Trust Enrollment Committee Bylaws Amendments	

## GENERAL TRIBAL COUNCIL PETITIONS

The Constitution and Bylaws of the Oneida Nation provides that fifty (50) qualified voters may, by written notice, call special meetings of the General Tribal Council. *[Article III Section 6 of the Constitution]*. The Oneida Business Committee requires that when a petition for a special General Tribal Council meeting is submitted a legislative, legal, and financial opinion are developed regarding the petition so that the information can be shared with the General Tribal Council in order to assist in creating informed discussion and improved decision-making. The Legislative Reference Office provides a statement of effect for all petitions. The statement of effect for petitions explains the legislative impact adopting the requested action of a petition would have on the laws and policies of the Nation.

Table 4 below provides the number of General Tribal Council petitions a statement of effect was provided for during the 2017-2020 term:

<b>Table 4.</b> <b>General Tribal Council Petitions during the 2017-2020 Term</b>	
GENERAL TRIBAL COUNCIL PETITIONS PROCESSED	
Petition: Benton – Change Pre-employment Drug Testing for Marijuana	
Petition: Dallas – 2017 Tri-Annual General Election	
Petition: Nancy Dallas – Funeral Home	
Petition: Nancy Dallas – Hold on Building	
Petition: Dallas – Special Per Capita Payments and/or Options	
Petition: Debraska – Health Care Board	
Petition: Delgado – Trust Land Distribution	
Petition: Dodge – Law Firm for GTC	
Petition: G. Dallas - \$5k Per Capita Payment	
Petition: Gladys Dallas - \$5,000 Payment	
Petition: Graham – 2017 General Election	
Petition: Metoxen – Oneida Youth Leadership Institute	
Petition: G. Powless – Banishment Law Resolution	
Petition: G. Powless – Oneida Personnel Commission Dissolution	
Petition: G. Powless – Rescinding the Removal Law	
Petition: Linda Dallas – Medicare Part B Premium Payment	
Petition: Metivier – Treatment Clinic	
Petition: Metivier – Hourly Wage Increase	
Petition: Debra Powless – 2017 Tri Annual General Election	
Petition: Scott Kosbab – Creating Term Limits Law	
Petition: Vandehei – E-Poll Process	
GENERAL TRIBAL COUNCIL PETITIONS INCOMPLETE AT END OF TERM	
Petition: M. Debraska – Increase GTC Meeting Stipend	



## ADMINISTRATIVE RULES

The Legislative Operating Committee assists in the development of rules under the Administrative Rulemaking law. Upon request the Legislative Operating Committee will provide guidance and drafting assistance to any entity of the Nation that has been delegated administrative rulemaking authority and tasked with the development of a rule. Once a rule has been drafted by an entity, the Legislative Reference Office provides the entity with a statement of effect for the proposed rule. The statement of effect explains the impact adopting a rule would have on the laws and policies of the Nation and provides whether the rule exceeds the delegated rulemaking authority.

The Legislative Operating Committee is then tasked with certifying a rule before it is presented to the Oneida Business Committee for consideration. The Legislative Operating Committee reviews the proposed rule and accompanying administrative record to ensure that the promulgation of the rule complies with the procedural requirements contained in this law; that the administrative record is complete; and that the rule does not exceed its rulemaking authority or conflict with any other law, policy, rule or resolution of the Nation.

Table 5 below demonstrates the administrative rules that have been certified by the Legislative Operating Committee and adopted by the Oneida Business Committee during the 2017-2020 term.

<b>Table 5.</b> <b>Administrative Rules During the 2017-2020 Term</b>	
ADOPTED ADMINISTRATIVE RULES	
<i>Rule</i>	<i>Date Adopted</i>
Community Support Fund Law Rule Handbook	1/24/18
Domestic Animals Law Rule No. 1 – Licensing, Fees, and Penalties	4/25/18
Family Court Law Rule No. 1 – Family Court Rules	9/11/19
Judiciary Law Rule No. 1 – Oneida Trial Court Rules	9/25/19
Landlord Tenant Law Rule No. 1- General Rental Program Eligibility, Selection, and Other Requirements Amendments	10/24/18
Legal Resource Center Law Rule No. 1 – Application for Services	7/25/18
Leasing Law Rule No. 1 – Residential Leasing	8/15/18
Leasing Law Rule No. 2 – Agriculture Leases	5/16/18
Leasing Law Rule No. 3 – Commercial Leases	5/16/18
Leasing Law Rule No. 4 – Home Building Opportunities Residential Leasing	7/8/20
Membership Ordinance Rule No. 1 – Enrollment Rule	1/10/18
Membership Ordinance Rule No. 2 – Voiding Unlawful Membership	2/14/18
Oneida Nation Seal and Flag Rule No. 1 -Placement, Maintenance, and Authorized Use	9/13/17

## COMMUNITY OUTREACH EVENTS

In addition to the public meeting and public comment period that is required by the Legislative Procedures Act, the Legislative Operating Committee focused this term on providing more opportunities for the community to get involved in the development of legislation for the Nation by holding various community outreach events.

Table 6 below demonstrates the various community outreach events the Legislative Operating Committee held during the 2017-2020 term.

<b>Table 6.</b> <b>Community Outreach Events During the 2017-2020 Term</b>	
<b>COMMUNITY OUTREACH EVENTS HELD</b>	
<i>Event</i>	<i>Date Held</i>
General Tribal Council Meetings Law: Community Meeting – NHC Potluck	10/23/17
Sanctions and Penalties Law: Community Meeting – NHC Potluck	5/3/18
Harvest Law: Community Meeting – NHC Potluck	9/27/18
Curfew Law: Community Meeting – NHC Potluck	3/21/19
Sanctions and Penalties Law: Community Meeting – Radisson Hotel and Conference Center	7/11/19
Sanctions and Penalties Law: Community Meeting – NHC	7/17/19
Sanctions and Penalties Law: Community Meeting – Veteran's Breakfast	8/9/19
Sanctions and Penalties Law: Community Meeting – Oneida Farmer's Market	8/15/19
Sanctions and Penalties Law: Community Meeting – Elder Services Congregate Meal Site	10/7/19
Sanctions and Penalties Law: Community Meeting – SEOTS	10/18/19

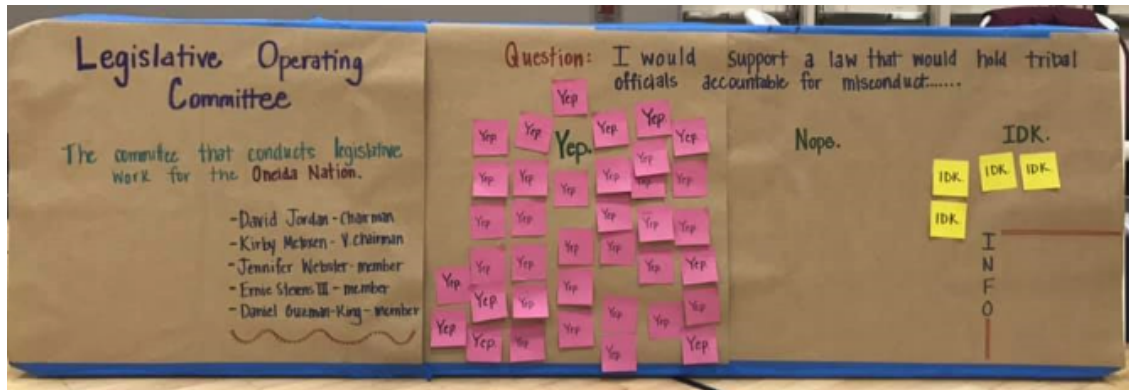
## CONCLUSION

The Legislative Operating Committee's 2017-2020 legislative term was successful. Important legislative work was completed that aligns with the Oneida Nation's vision "A Nation of strong families built on Tsi >Niyukwaliho T^ and a strong economy".

The Legislative Operating Committee hopes that the 2020-2023 legislative term will continue to focus on improving public participation and the development of important legislative efforts.

Yaw^ko.

## PHOTOGRAPHS OF THE LEGISLATIVE OPERATING COMMITTEE IN ACTION



Interactive display collecting information during the Community Budget Meeting.



LOC at the Elder Congregate Meal Site for a community outreach event on October 7, 2018.



LOC Chairman David P. Jordan and Councilwoman Jennifer Webster in Milwaukee discussing legislation with a community member.



Councilman Ernest Stevens III and Councilman Daniel Guzman King conducting community outreach at the Oneida Farmer's Market.



LOC Chairman David P. Jordan and Vice-Chairman Kirby Metoxen conversing about legislation with those in attendance at the Oneida Veterans Breakfast.



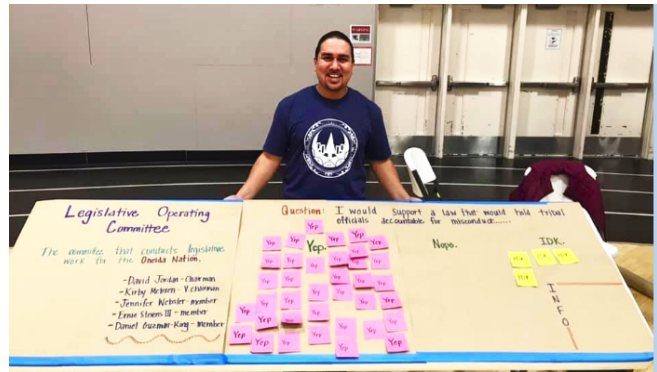
## PHOTOGRAPHS OF THE LEGISLATIVE OPERATING COMMITTEE IN ACTION



**Above:** LOC members in Milwaukee holding a community outreach event at the SEOTS building.  
**Below:** LOC Vice-Chairman Kirby Metoxen presenting on the Sanctions and Penalties law at the Elder Congregate Meal Site.



Behind the scenes look at Councilman Daniel Guzman King filming an informational video.



Councilman Daniel Guzman King collecting input at the Community Budget Meeting.



LOC Chairman David P. Jordan and Councilwoman Jennifer Webster at the Oneida Farmer's Market.



LOC Chairman David P. Jordan and Vice-Chairman Kirby Metoxen at the Oneida Veterans Breakfast community outreach event.

Approve exception to resolution # BC-01-22-20-A – cancel the September 8, 2020 executive discussion...

## Business Committee Agenda Request

1. Meeting Date Requested: 08/26/20

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: Lisa Summers, Secretary

Primary Requestor: \_\_\_\_\_

Additional Requestor: (Name, Title/Entity)

Additional Requestor: (Name, Title/Entity)

Submitted By: LLIGGINS



## Business Committee Agenda Request – Cover Memo

**From:** Lisa Liggins, Sr. Information Management Specialist

**Date:** 08/26/2020

**RE:** Cancellation of 9/8 exec and 9/9 regular BC meetings

---

### **PURPOSE**

BC Resolution # 01-22-20-A sets the meetings schedule of the Business Committee. Any changes to this schedule should be done by formal action of the Business Committee.

### **BACKGROUND**

The General Election was held in July 2020; those results on scheduled to be declared official at the August 26, 2020 regular Business Committee. The transition of the Business Committee to the 2020-2023 term is scheduled for August 24, 2020 through September 22, 2020.

The team working on the transition of the Business Committee has requested the regular meeting scheduled for September 9, 2020 to be cancelled.

Please note: the Chairman has already called a special meeting on September 9, 2020, to address a single item, Consider extension of the Nation's Public Health State of Emergency declaration.

### **REQUESTED ACTION**

Approve an exception to BC resolution # BC-01-22-20-A and cancel the September 8, 2020, executive discussion Business Committee meeting and the September 9, 2020, regular Business Committee meeting.

Consider request to rescind Oneida Business Committee December 11, 2019 Agenda Request request from the Pulaski...

**1. Meeting Date Requested:** 8 / 26 / 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:

Motion to Rescind Oneida Business Committee December 11, 2019, Motion to Support the Request for Financial Support of Language Classes in Area Public School Districts

**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: JoAnn Ninham, Manager, Youth Enrichment Services Program  
Your Name, Title / Dept. or Tribal Member

Additional Requestor: Jacqueline Smith, Area Manager, Education and Training  
Name, Title / Dept.

*sent for  
Jackie Smith  
8-13-2020*

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.



## Oneida Business Committee Agenda Request

### 6. Cover Memo:

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

The Pulaski School District has requested financial grants for several years to support Oneida Language teaching. The Oneida Nation has always supported these requests, and this last year, Pulaski did a multiyear request. The request was for a language tiered grant from the Nation to support the Pulaski Oneida Language Program for 3 years, in the following amounts of:

2019 – 2020 \$54,000 (Paid at the end of FY 2019)

2020 – 2021 \$55,620

2021 – 2022 \$57,289

The Business Committee supported this request to provide financial support to the Pulaski and directed the General Manager to ensure the request is fulfilled. The FY2019-2020 school year funding was paid at the end of the Nation's FY19 from the Y.E.S. budget. The General Manager directed the Y.E.S. Program to add the 2020-2021 portion of the request to the 2021 Y.E.S. budget. Due to implementation of the Tier V Contingency Plan, the Oneida Nation does not have the funding to fulfill Pulaski's request for 2021 and 2022.

- 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](mailto:BC_Agenda_Requests@oneidanation.org)

Youth Enrichment Services (YES) Program  
Education and Training Department



MEMO

To: Debbie Thundercloud, General Manager

From: JoAnn Ninham, Manager  
Jackie Smith, Area Manager

JoAnn Ninham  
Digitally signed by JoAnn Ninham  
Date: 2020.08.13 08:10:45 -05'00'

Date: August 13, 2020

Re: Recommendation to Rescind Oneida Business Committee December 11, 2019,  
Motion to Support the Request for Financial Support of Language Classes in Area Public  
School Districts

---

This memo is a request to rescind the December 11, 2019, motion to support the Pulaski Oneida Language Teaching position.

Background:

The Pulaski School District has requested financial grants for several years to support Oneida Language teaching. The Oneida Nation has always supported these requests, and this last year, Pulaski did a multiyear request. The request was for a language tiered grant from the Nation to support the Pulaski Oneida Language Program for 3 years, in the following amounts of:

2019 – 2020 \$54,000 (Paid at the end of FY 2019)

2020 – 2021 \$55,620

2021 – 2022 \$57,289

The Business Committee supported this request to provide financial support to the Pulaski and directed the General Manager to ensure the request is fulfilled. The FY2019-2020 school year funding was paid at the end of the Nation's FY19 from the Y.E.S. budget. The General Manager directed the Y.E.S. Program to add the 2020-2021 portion of the request to the 2021 Y.E.S. budget. Due to implementation of the Tier V Contingency Plan, the Oneida Nation does not have the funding to fulfill Pulaski's request for 2021 and 2022.

Our area recommendations that the Oneida Business Committee (OBC) rescind their December 11, 2019, motion to support the Pulaski Community School District request for financial support of the Oneida Language Teaching Position.

Request:

Rescind the December 11, 2019 VIII. New Business. A. motion to support the request from the Pulaski Community School District for Financial Support.

Attachment:

- OBC December 11, 2019 Meeting Minutes

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

Sponsor: Jennifer Webster, Councilwoman

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

Motion carried:

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

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

Sponsor: Lisa Summers, Secretary

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

Motion carried:

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

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

Sponsor: Lisa Summers, Secretary

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

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

**IX. GENERAL TRIBAL COUNCIL****A. Suspend stipends for non-reporting entities for the 2020 annual report (00:32:20)**

Sponsor: Lisa Summers, Secretary

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

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

**Oneida Business Committee Agenda Request**

Consider the additional compensation request for the 2020 General Election poll workers

**1. Meeting Date Requested:** 08 / 26 / 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:

Motion to consider additional compensation request for the poll works for the 2020 General Election.

**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.



## Memorandum

To: Oneida Business Committee  
From: Oneida Election Board  
Date: August 18, 2020  
Re: Additional Compensation Request for 2020 General Election

---

At the request of the Oneida Election Board, I am asking for additional compensation for Board members who served as poll workers at the 2020 General Election. We believe additional compensation is justified because our stipends were capped at \$200.00, yet we worked more than 17 hours on Election Day, we endured extreme working conditions and we placed ourselves at great risk of COVID-19 transmission through exposure to hundreds of voters.

We understand that COVID-19 has devastated the Oneida Nation's finances and created the need for budgetary restrictions, as seen in *BC Resolution #03-17-20-D, Amending Resolution BC-05-08-19-B Boards, Committees, and Commissions Law Stipends*. This Resolution set the Election Board stipend amount at twenty-five dollars (\$25) per hour for services provided during an election, "not to exceed two hundred dollars (\$200) per day." (First Resolved, Subsection 5.b.) Not surprisingly, COVID-19 also created the conditions that have led to this request for additional compensation. Specifically, the Election Board members would like the following information considered:

- At the outset of pre-election activities, we accepted the usual Election Board member recusals due to conflicts of interest. At that time, the Board was left with three regular members. Due to additional resignations, that number dropped to one. All of the planning, decision-making, and Election Day activities were completed by alternate members – citizens who stepped up on short-notice to run an election, aware of the complicated conditions they faced – with guidance from one experienced and knowledgeable regular member.
- The Board worked with fewer alternate members this year than for past elections. It's likely that citizens did not want to take on the risk of working an election during a Public Health State of Emergency. We understand that concern but we bore the risk in order to provide a safe election for others.
- In a year with less Board members, we actually needed more people to carry out the extra duties required for a safe election. We provided both indoor voting and outdoor, drive-through voting options and needed poll workers for both areas. We also performed extra sanitization to reduce the risk of COVID transmission at the polls.
- Because of the low number of Board members for this election, we worked from before 6:00 a.m. until after 11:00 p.m. on Election Day with almost no breaks. This totals more than 17 hours. We were each compensated for eight hours of work that day.

- The record number of voters who participated in the 2020 General Election presented a significant risk to the health and safety of Board members who staffed the polls. Even with social distancing, physical barriers and PPE, we encountered the risk of interacting with hundreds of voters throughout the day. Based on information within the community, we believe that some voters were positive for COVID-19 when they presented themselves at the polls but we did not walk away from our duties.
- Most Board members worked outside in very hot, humid conditions to provide a drive-through voting option. The high temperature soared above 90°F and felt closer to 100°F because of the humidity. Poll workers suffered the physical effects of this work, including muscle cramps and exhaustion.
- Outdoor voting created additional safety concerns as workers had to navigate between moving vehicles to deliver voting materials and process ballots.
- We are proud to say that our hard work resulted in an election process that protected the health and safety of the voters and the Oneida community and also produced reliable election results.

The Election Board requests payment for actual hours worked on Election Day beyond the \$200 stipend each poll worker received. We also believe that our work would qualify for hazard duty pay or Pandemic Pay if we were employees, based on the necessity of interacting with hundreds of voters, some of whom may have knowingly or unknowingly carried COVID-19 to the polls that day. We appreciate your consideration for both requests.

List of Election Board members who worked on Election Day:

*Oneida Polling Site:*

Margret King, Interim Vice-Chairwoman  
 Pat Moore, Acting Secretary  
 Steven Webster, Alternate  
 Lisa Duff, Alternate  
 Terry Thomas, Alternate  
 Wayne Cornelius Jr. Alternate  
 Linda Nockdenaih, Alternate  
 Danielle White, Alternate

*Milwaukee Polling Site:*

Twylite Moore, Interim Chairwoman  
 Kimberly Ninham, Alternate Member  
 Linda Langen, Alternate  
 Ramona Salinas, Alternate  
 Keenan Skenandore, Alternate  
 Clarissa Reyes, Alternate  
 Katherine LaRoque, Alternate

Yaw^ko



**Oneida Business Committee Agenda Request**

Accept the 2020 General Election final report and declare the official results

**1. Meeting Date Requested:** 8 / 26 / 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:

Additional Requestor:

Additional Requestor:

## Oneida Business Committee Agenda Request

### 6. Cover Memo:

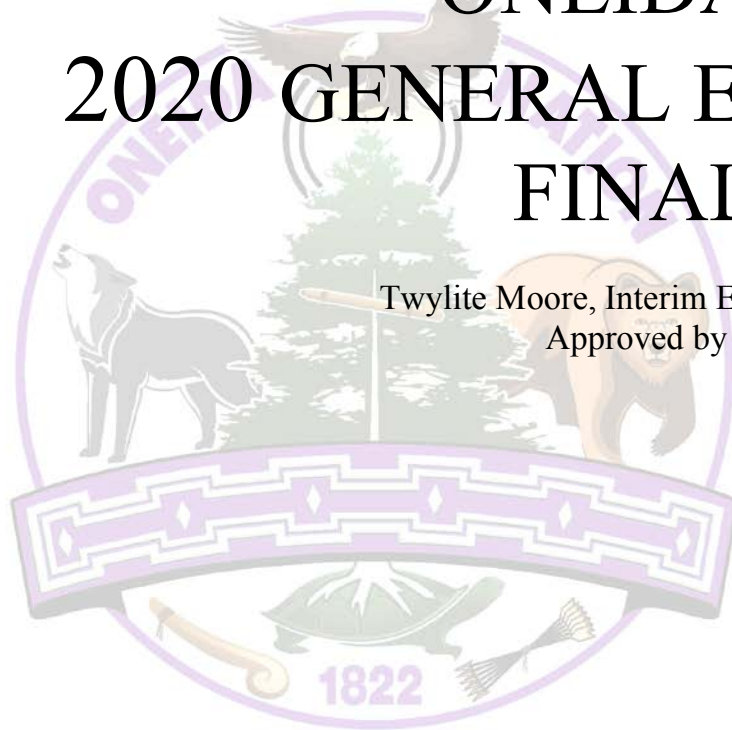
Describe the purpose, background/history, and action requested:

In accordance with the Election Law: 102.11-13. *Declaration of Results*. The Business Committee shall declare the official results of the election and send notices regarding when the swearing in of newly elected officials shall take place within ten (10) business days after receipt of the Final Report

- 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](mailto:BC_Agenda_Requests@oneidanation.org)

# ONEIDA NATION 2020 GENERAL ELECTION FINAL REPORT

Twylite Moore, Interim Election Board Chairperson  
Approved by Board on August 13, 2020



## 2020 GENERAL ELECTION FINAL REPORT

By the authority and approval of the General Tribal Council per the Oneida Constitution the 2020 General Election was scheduled for July 4, 2020. In March of 2020 the Oneida Nation was faced with the Coronavirus pandemic along with the rest of the world. In order to stay within the Constitution stating the General Election is to be held in July, the Oneida Election Board had pushed the Election date back in accordance with the Election Law for the health and safety of the Membership. The Oneida Election Board held the 2020 general election on July 25, 2020, at the Oneida Nation Elementary School and at the South Eastern Oneida Tribal Services (SEOTS) building in accordance with the Oneida Election Law.

Included in the report are: 1) Narrative; 2) Totals and Demographic Breakdowns 3) Final Election Results; 4) Total Election Costs; 5) Issues of Concern for Business Committee to Address; and 6) Requested Action.

### 1. NARRATIVE

The ballot consisted of applicants for the vacant seats of the Oneida Business Committee and other boards, committees and commissions. The primary election was cancelled due to the Public Health Emergency. Tentative results were posted for the general election on the Oneida Nation website and all prominent locations as defined within the Election Law.

The following individuals were present at the polls for the general election in their official capacity as required by the Oneida Election Law:

#### *Oneida Polling Site:*

Margret King, Interim Vice-Chairwoman  
Pat Moore, Acting Secretary  
Steve Webster, Alternate  
Lisa Duff, Alternate  
Terry Thomas, Alternate  
Wayne Cornelius Jr. Alternate  
Linda Nockideneh, Alternate  
Danielle White, Alternate  
Cindy Niesen, Enrollments Staff  
Venessa Cardish, Enrollments Staff  
Lisa Skenandore, OPD  
Kathy Metoxen, Oneida Records Management

#### *Milwaukee Polling Site:*

Twylite Moore, Interim Chairwoman  
Kimberly Ninham, Alternate  
Linda Langen, Alternate  
Ramona Salinas, Alternate  
Keenan Skenandore, Alternate  
Clarissa Reyes, Alternate  
Kathryn LaRoque, Alternate  
Brent Truttmann, Enrollments Staff  
Cletus Ninham, OPD

After the close of polls, the ballots were transferred without incident to Records Management for retention as defined by the Election Law Section C. Securing Ballots, 2.10-7. These ballots remained available for recount, if requested and will be destroyed within thirty (30) calendar days after the election or after the final declaration of official election results occurs, whichever is longer.

Flash Drives for the Oneida and Milwaukee polling locations were tested and worked correctly. There were no ties or recounts. All claims related to and challenges against the 2020 General Election have been resolved.

### 2. TOTALS AND DEMOGRAPHIC INFORMATION

#### *General Election Totals:*

Number of voters: 1720

Number of spoiled ballots: 116

Male 692      Female 1,028

Age Groups	18-54	55-64	65-74	75-84	85-94	95+
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# of Voters	868	404	268	128	32	2
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Demographic information (prepared by Brent Truttmann, Enrollments Department)

### 3. FINAL GENERAL ELECTION RESULTS

ONEIDA NATION

2020 GENERAL ELECTION – JULY 25, 2020

CANDIDATES ELECTED ARE HIGHLIGHTED IN **YELLOW**

	Milw	Oneida	TOTAL
<b>BUSINESS COMMITTEE CHAIRPERSON -1</b>			
TEHASSI HILL	90	959	1049
CLAUDIA SKENANDORE	55	308	363
NANCY A. DALLAS	8	34	42
LOU ANNE GREEN	3	74	77
THOMAS E. WILBUR, MS	42	194	236
	198	1569	1767
<b>BUSINESS COMMITTEE VICE CHAIRPERSON-1</b>			
BRANDON YELLOWBIRD-STEVENSON	80	938	1018
TSYOSHA?AHT C. DELGADO	84	432	516
JIM "AMVETS" MARTIN	27	181	208
	191	1551	1742
<b>BUSINESS COMMITTEE TREASURER-1</b>			
WINNIFRED "WINNIE" THOMAS	11	157	168
PATRICIA "TRISH" KING	53	614	667
CRISTINA (TINA) DANFORTH	132	780	912
	196	1551	1747
<b>BUSINESS COMMITTEE SECRETARY-1</b>			
LISA LIGGINS	61	899	960
DEBRA POWLESS	124	633	757
	185	1532	1717
<b>BUSINESS COMMITTEE COUNCIL MEMBERS-5</b>			
JENNIFER (JENNY) WEBSTER	49	734	783
"FLEET" DAVID P. JORDAN	47	613	660
KIRBY METOXEN	88	554	642
JANICE DECORAH	41	303	344
GINA POWLESS-BUENROSTRO	66	378	444
LINDA "BUFFY" DALLAS	63	367	430
LATSIKLANUNHA (LATSI) HILL	48	464	512
GLADYS DALLAS	19	90	109
LORETTA V. METOXEN	45	393	438

CHERYL (SKENANDORE) SKOLASKI	16	136	152
CHRIS POWLESS	19	362	381
ANTHONY FRANCO	13	95	108
DANIEL GUZMAN KING	91	631	722
DYLAN BENTON	28	380	408
MARIE SUMMERS	76	555	631
TRAVIS WALLENFANG	23	180	203
FRANK VANDEHEI	32	234	266
ED DELGADO	71	289	360
ERNEST L. STEVENS III	49	402	451
LORI ELM	15	87	102
MAE CORNELIUS	5	91	96
CATHY L. METOXEN	25	152	177
LYNN MARIE JULIAN	5	11	16
SCOTT KOSBAB	1	27	28
	935	7528	8463
<b>JUDICIARY - TRIAL COURT CHIEF JUDGE-1</b>			
LAYATALATI HILL	129	1170	1299
	129	1170	1299
<b>JUDICIARY - TRIAL COURT JUDGE-1</b>			
PATTY NINHAM HOEFT	126	1194	1320
		1194	1320
<b>JUDICIARY - COURT OF APPEALS CHIEF JUDGE-1</b>			
PATRICIA GARVEY	128	1107	1235
	128	1107	1235
<b>JUDICIARY - COURT OF APPEALS JUDGE-2</b>			
SHERROLE BENTON	53	457	510
CHAD HENDRICKS	90	675	765
MARLENE (MINNIE) GARVEY	63	546	609
DIANE DANFORTH HOUSE	109	788	897
	315	2466	2781
<b>LEGAL RESOURCE CENTER ATTORNEY-1</b>			
GERALD "JERRY" L. HILL	128	1201	1329
	128	1201	1329
<b>LEGAL RESOURCE CENTER ADVOCATE-1</b>			
MICHAEL "MIKE" DEBRASKA	92	431	523
WESLEY MARTIN, JR	88	920	1008
	180	1351	1531



**TRUST ENROLLMENT COMMITTEE-2**

LISA M. SUMMERS	121	887	1008
BOBBI WEBSTER	121	1069	1190
TERESA SCHUMAN	77	661	738
	319	2617	2936

**GAMING COMMISSION -1**

TOMMY DANFORTH	30	362	392
MICHAEL J. JOURDAN	29	184	213
KENDALL J. BARTON	22	356	378
MICHELLE (PAIDER) DOXTATOR	35	216	251
MATTHEW W. DENNY	53	313	366
	169	1431	1600

**ELECTION BOARD - 3**

REBEKAH TOURTILLOTT	46	249	295
TONYA WEBSTER	94	985	1079
TRACY SMITH	47	372	419
CHRISSY LIGGINS	53	743	796
TINA SKENANDORE	116	739	855
KEVIN CORNELIUS	89	605	694
	445	3693	4138

**LAND COMMISSION -2**

JULIE BARTON	119	961	1080
TOMAS ESCAMEA	53	358	411
YUNTLEKALAU MCLESTER	115	843	958
SID WHITE	74	1065	1139
	361	3227	3588

**REFERENDUM QUESTION**

WOULD YOU SUPPORT A WIDSPREAD LONG-RANGE ONEIDA  
LANGUAGE INITIATIVE

YES	158	1222	1380
NO	25	258	283
	183	1480	1663

**List of Candidates Elected And Position Elected To:**

Business Committee Chairperson – Tehassi Hill  
 Business Committee Vice-Chairperson – Brandon Yellowbird-Stevens  
 Business Committee Treasurer – Cristina (Tina) Danforth  
 Business Committee Secretary – Lisa Liggins

Business Committee Council Member – Jennifer “Jenny” Webster, “Fleet” David P. Jordan, Kirby Metoxen,  
 Daniel Guzman King, Marie Summers  
 Judiciary – Trial Court Chief Judge – Layatalati Hill  
 Judiciary – Trial Court Judge – Patty Ninham Hoeft  
 Judiciary – Court of Appeals Chief Judge – Patricia Garvey  
 Judiciary – Court of Appeals Judge – Chad Hendricks, Diane Danforth House  
 Legal Resource Center Attorney – Gerald “Jerry” L. Hill  
 Legal Resource Center Advocate – Wesley Martin, Jr.  
 Trust Enrollment Committee – Bobbi Webster, Lisa M. Summers  
 Gaming Commission – Tommy Danforth  
 Election Board – Tonya Webster, Tina Skenandore, Chrissy Liggins  
 Land Commission – Sid White, Julie Barton

## TOTAL COSTS

### General Election Expenses:

Ballots & Memory Card - \$2,070.32

Printing - \$1,720.26

Travel - \$697.72

Meals - \$875.96

Psychological Tests – \$3,900

GTC Att/Adv App Fee - \$150.00

Miscellaneous supplies - \$9,299.98

Stipends (1/23/20-7/25/20):

\*Vicki Cornelius - \$825.00

\*Christina Liggins - \$600.00

\*Tracy Smith - \$500.00

\*Melinda K. Danforth - \$700.00

\*Racquel Hill - \$700.00

Lisa John - \$637.50

\*Tina Skenandore - \$800.00

Shannon Metoxen - \$337.50

Twylite Moore - \$1,368.75

Margaret King - \$1,331.25

Pat Moore - \$2,212.50

Kimberly Ninham - \$1,093.00

Steven Webster - \$1,312.50

Danielle White - \$918.75

Terry Thomas - \$1,293.75

Lisa Duff - \$1,393.75

Linda Nockideneh - \$200.00

Linda Langen - \$225.00

Keenan Skenandore - \$200.00

Clarissa Reyes - \$200.00

Kathryn LaRoque - \$200.00

Ramona Salinas - \$225.00

Wayne Cornelius, Jr. - \$200.00

**Stipends Total - \$17,474.25**

\*Pre-Election Meetings Prior to Recusals

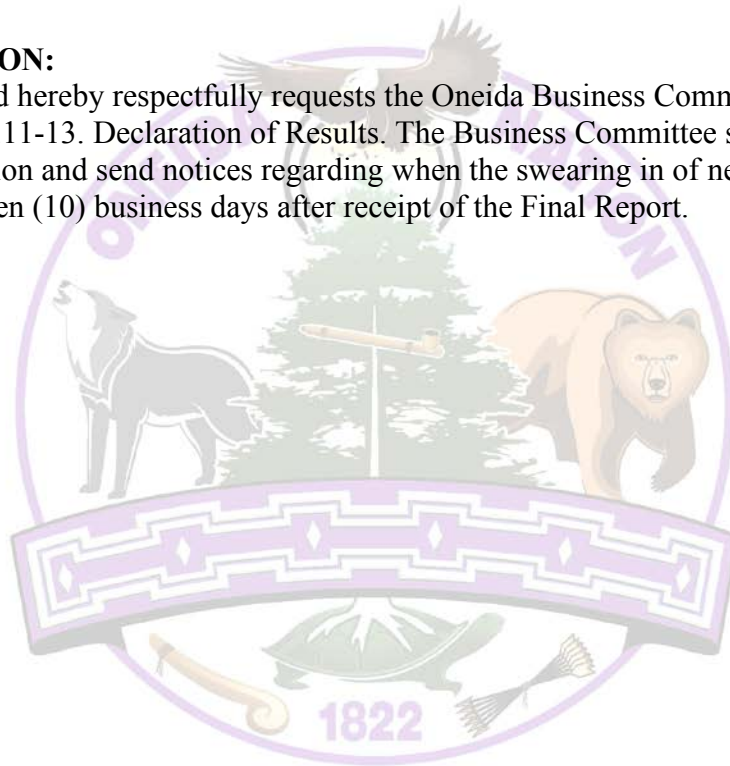
**GRAND TOTAL: \$36,188.49**

**4. ISSUES OF CONCERN**

- a) The Public Health Emergency caused many issues and new precedence for this Election.
  - 1. Attached is a breakdown of the Drive-Thru voting option that was introduced to the membership this year.
  - 2. Valid Tribal ID's created a concern to be in compliance with BC-03-14-18-A
  - 3. Lack of adequate Alternates/Board members and staff to run the Election with the two options of Inside & Outside voting. Not enough members applied to be appointed as Alternates to help with the election (also see report attachment)
- b) Campaign Signs and designation of which entity is responsible with candidate compliance and enforcement between the Election Board and the Nation's Zoning Department.
- c) Recusals left the board with one original member of the Election Board. Election Board terms should line up with Special Elections instead of General Elections. Every General Election if three members run for re-election there is automatically three (3) recusals initially and could possibly be more due to conflicts of interest.

**5. REQUESTED ACTION:**

- a) The Election Board hereby respectfully requests the Oneida Business Committee to comply with the Election Law, 102.11-13. Declaration of Results. The Business Committee shall declare the official results of the election and send notices regarding when the swearing in of newly elected officials shall take place within ten (10) business days after receipt of the Final Report.



## 2020 Oneida Nation General Elections Report Attachment

### Summary:

On July 25<sup>th</sup>, 2020 the Oneida Election Board held the General Election at the Oneida Nation Turtle School. With exception to one member, none of the alternates that took their oaths to try and put on this election had any experience working one. Besides the lack of experience, we also had to deal with many logistical issues brought on by the COVID-19 pandemic in the form of the closures/layoffs with in the Oneida Nation and the extra precautions that we had to factor into each of our processes. This all resulted in significant backups, long wait times, and confusion on election day. I did my best to try and outline some of the assumptions and factors that led up to these issues with the election.

### Assumption #1 Drive Thru VS In Person

Since the drive thru option was developed out of the concerns of the COVID-19 Pandemic and issues with sharing a common area with large gatherings of people, we had to simply guess at how many people would utilize it. The information that I used was from my personal Facebook feed. Many of the Oneida's on my Facebook were still hosting/attending large family gatherings over the 4<sup>th</sup> of July weekend, visiting family, and starting to go to the bars & restaurants that recently opened. In my own family, most didn't seem to find it a priority to wear a mask or social distance even in large gatherings such as the funerals that occurred the last few months.

The assumption was that the vast majority of people coming to vote, would simply vote in person and that only about 20% would use the drive thru.

**Reality:** This seemed to not be the case at all and felt like 40% of the individuals who voted utilized the drive thru option. At one point we had security explaining to the voters getting in line for the drive thru option that the in person voting had a 3 minute wait time, but if they stayed in the drive thru it would be 2 hours, and many still choose the drive thru.

### Assumption #2 The Flow of Voters

With exception to 1 Election Board member, none of the current alternate board had any previous experience with working an election. The 1 experienced board member described the Oneida locations flow of voters to us from past elections. The one part that stuck out was the comment of :

***"Its pretty steady through out the whole day. Every now and then you get a rush of 50 or 60 people at once during the lunch hour. Then there are times when you have no one coming in for an hour."***

I moved ahead with the understanding that this would be the pace for the 2020 election.

I predicted that as long as we could process 5 cars at a time with 10 minutes per car, we could process about 60 cars an hour. There was also the fact that we could have at least 40 cars in line before it backed up on Old Seymour Rd. and with the above assumption that the majority of voters would utilize the in person voting, I was wrong about that.

**Reality:** It never once slowed down the entire day. The voter flow was way more than the "50-60 voters during the lunch hour rush and the majority of the day it would be a steady trickle" that we had originally

planned for. We were overwhelmed from a staffing perspective with Election Board alternates, security, and OPD.

### Assumption #3 The Amount of Time Per Car to Vote

In order to get an idea of how fast we could process cars once they had their ballot, I did my own test run. After I had my sample ballot, it took me 3 minutes to fill out 25 ovals (considering 4 of them, there was only 1 choice, due to running unopposed). Since they would already have their ID's out, and registration form filled out, I put an estimate of 10 minutes per car to have them voted and be backing out and pulling away. This turned out to be very wrong and actually ended up to be 20-26 minutes per car for the following reasons:

1. Voter Instructions: Over time, we were able to get a rhythm of instructions for the voters, but the first few hours we struggled with spoiled ballots and the extra time it took to handle them. An example was that once enrollment was verified and a blank ballot was placed into the clipboard, we would approach the car and hand it back to them and explain the following:

***“Ok, looks like your good to go! At this point you can go ahead and put your ID back as we won’t be needing that anymore. The ballot is on the inside of the clipboard and it opens up just like a book. Once your done wave us down and we’ll run that ballot inside and get it counted and send you on your way.”***

The problem was as they were putting their ID away into their wallet or purse, they were not listening to the additional instructions. This lead to many to just sit in their car and wait for us to bring them a ballot...not knowing it was inside the clipboard like we explained. Many times they wouldn’t even to wave us down, because they were busy putting away their ID and didn’t hear that part of the instructions. This lead to lots of time sitting in a parking spot that we could be using to process more drive thru voters.

Another example was that we found many were not filling in the ovals of the ballot, but instead just place “X” through them or circle the entire name. Since we kept the ballot inside the clipboard right up until the point when it was fed into the tabulator, we had no idea. This would result in it getting kicked backed out of the tabulator with instructions to have voter fill in those ovals. This would mean we would have to place the ballot back into the clipboard and bring it back to the voter and wait another 10 minutes before we could try again.

We then found there were many spoiled ballots that had to be refilled out due to the over voting that occurred with the Gaming Commission. For some reason, the vast majority of the spoiled ballots we had at the drive thru were due to voters filling out 2 choices for the Gaming Commission despite the instructions stating to only vote for 1. This was easily remedied by just spoiling the ballot, and having them to fill out the ballot again, however this added more time per car.

Eventually our instructions had to be adjusted to be a step by step and at the pace of the person(s) in the car to the following:

***“Ok...everything checks out. We got some pretty simple instructions that I’ll walk your thru. At this point you can put your ID away so you don’t lose it. (wait until they completely finish putting ID into purse/wallet). Ok, the first thing is the ballot is actually located inside that clipboard I handed you. It opens like a book from the right hand side. (wait until all people in the car have it open). Everyone got their pens? (wait until they show me they all have their pens) At this point I need you to make sure when you filling out the ballot to fill in the ovals...you have to fill them in all the way or its going to make you do it again. The next thing and most important thing will be to pay really close attention to the those instructions on the top that let you know how many you can choose. Do you see where it says on the top of each one “Choose 1 or Choose 2”....make sure you follow those rules. Today we’ve been having LOTS***

*of people pick 2 for the gaming commission when it says 1....but then we will need you to fill out the ballot all over again. There is one exemption from that...if you turn it over (wait for them to turn it over) and you see the Land Commission? See how it says choose 3? You actually can choose just 2....so if you want to make a note of that so you remember that or just fill that one out right now so you don't forget....then you won't need to fill out that ballot all over again. Once your all finished, get our attention, wave us down and we'll come get that for you and run it into the machine."*

The above took MUCH longer to do per car, but radically cut down on the amount of spoiled ballots or time wasted filling out ovals. Since we never did this before, it was something that wasn't calculated into the "time per car".

Below are some factors that got in the way of efficiency.

### **Factor #1: Lack of Election Board Alternates**

We needed at least 5 more Election Board Members to assist with that day. The fact that we had little to any breaks through out a day for people working the polls didn't help. There was many times when an extra set of hands would have helped when we were dealing with weird circumstances from certin voters such as being too shakey to fill in the ballot correctly, unruly and frustrated voters that proceeded to swear and belittle the staff, or the van from elderly services that kept bringing elders over to vote. Each time we needed to assist or listen to someone yell at us for even 5 or 10 minutes, it meant that much longer wait for people in line to vote. With the extra help we could have really focused on processing cars in the drive thru line.

### **Factor #2: The extra precautions brought on from putting on an Election during a National Pandemic.**

The Health Center location couldn't be used, so a new location had to be choosen, which then brings on all new logistical issues. The drive thru option in itself was its own long list of logistical issues that crossed over with Election Board, security, OPD, DPW, and custodial. Things from 6 foot social distancing, enforcement of wearing mask, providing them, processing people with disabilities, adequate signage, proper and timely sanitization of every used surface and item that was touched, changing of bleach water every few hours and accurately getting the ratios correct, and even not having a golf cart to haul elders around or water out to the security once they ran out. These were direct factors in out ability to process voters in a timely manner.

### **Factor #3: The set up of the Turtle School for voters.**

Due to the back ups, there was no way to adjust mid day in the heat to address how to process that much traffic and backup. Fortunately it looked like OPD and security adjusted as best they could. There was a sever lack of handicap parking for people in person voting. This lead to many parking in spots that we were using to process drive thru voters, which meant we couldn't process as many cars as we wanted to, which lead to longer wait times.

### **Factor #4: Spending Restrictions**

Since the Nation switched to tier 3, it did effect our decisions about what we could and couldn't do. An example was that we probably could have used another tabulator, but at the cost of \$7,000 it didn't seem like a legitimate idea.



## Lessons Learned:

If I could rewind time and had unlimited budget I would have had the following changes to just the drive thru voting option.

1. Two Different Locations: 1 building strictly used for the purpose of drive thru voting. I would have set it up so that we could process 15 cars at a time instead of just 5. Instead of the Turtle School, I would have looked into utilizing the Food Pantry location for drive thru only. That would have left the Turtle School to handle JUST in person voting. This would require an additional \$7,000 voting tabulator, security, OPD, and custodial but I think would have benefitted. I would have all traffic enter and line up on Olson Rd. and right into Water Circle Dr. to the tabular located inside the Food Pantry building. This way you can keep stacking up traffic all along Olson Rd.
2. A mobile method of checking enrollment status and handing out ballots to cars that are waiting in line. This way by the time a car pulls up, their ballot is already filled out and just needs to be inserted into the tabulator.
3. A separate security officer to be on a golf cart to just help communicate with people who are in the lines. EXAMPLE: When you have cars backed up, to drive up and down the line asking the cars if they are there for drive thru, or giving updates on wait times, or to answer any questions from voters.
4. A ballot printing checklist: A sign off form that could be created for new boards in the future that would need to be attached to ballots BEFORE the ok to print is given. Two people would need to check and initial things such as "Correct order" "Correct name Spelling" "No names missing" "Correct amount choosen" This way we have lots of eyes knowing exactly what to look for to ensure no future mistakes on ballots.

	VERIFIER 1	VERIFIER 2
All NAMES are on this ballot checked against the approved applications: No one is missing!	Print Name	Print Name
All NAMES are spelled correctly and checked against the approved applications:	Print Name	Print Name
All "amount of to vote for" is correct and checked against the (insert the official documents that determine amount of vacancies)	Print Name	Print Name
Referendum Questions is free of spelling errors and is checked against (the caucus statement?)	Print Name	Print Name
Everything above is checked for accuracy by the following:	Print Name	Print Name

5. I would have sample ballots on giant signs posted all along the drive thru voting car line. The instructions would be to look at those so that when you get your ballot you have an idea of who to vote for.
6. Instead of 3 election board members working the drive thru location, I would have had 7 for the purpose of being able to give breaks and a specific people to deal with voters that required additional assistance.

(angry voter who wants to grill someone on the details of the Election Law and Constitution or if they just needed help filling in the ovals) This way the staff could focus on getting cars processed.

7. Coned off predetermined parking spots for the drive thru. Having this would have helped us maintain safety while serving the cars trying to vote. Often we had cars pulling in or out inches away from the backs of our legs while we were trying to help other cars. We tried to get them to park to there was sufficient space, but many wouldn't follow instructions.

Enter the e-poll results into the record - Approved CRF Government Relief Funds Requests - eight (8) file

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## Business Committee Agenda Request

1. Meeting Date Requested: 08/24/20

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

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

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**From:** TribalSecretary  
**Sent:** Wednesday, July 29, 2020 4:58 PM  
**To:** Susan M. House; Deborah J. Thundercloud; Lori S. Hill  
**Subject:** E-POLL RESULTS: BCAR Approve CRF Government Relief Funds Requests - eight file numbers  
**Attachments:** BCAR Approve CRF Government Relief Funds Requests - eight file numbers.pdf

### E-POLL RESULTS

The e-poll to Approve CRF Government Relief Funds Requests - file # 5-5-004, file # 5-5-004, file # 6-2-010, file # 5-5-027, file # 7-6-037, file # 6-6-096, file # 6-2-010, file # 7-4-038, **has been carried**. As of the deadline, below are the results:

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

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

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**From:** TribalSecretary <TribalSecretary@oneidanation.org>  
**Sent:** Wednesday, July 22, 2020 2:15 PM  
**To:** TribalSecretary <TribalSecretary@oneidanation.org>; Brandon L. Yellowbird-Stevens <bsteven@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:** Danelle A. Wilson <dwilson1@oneidanation.org>; Simone A. Ninham <sninham2@oneidanation.org>; Susan M. House <SHOUSE@oneidanation.org>  
**Subject:** E-poll TENTATIVE results: BCAR Approve CRF Government Relief Funds Requests - eight file numbers

**E-POLL TENTATIVE RESULTS**

As of 2:15 p.m. on Wednesday, July 22, 2020, the attached e-poll to approve CRF Government Relief Funds Requests - file # 5-5-004, file # 5-5-004, file # 6-2-010, file # 5-5-027, file # 7-6-037, file # 6-6-096, file # 6-2-010, file # 7-4-038, has received **five (5) votes of support** (Daniel Guzman King, Kirby Metoxen, Brandon Stevens, Ernest Stevens III, Jennifer Webster).

Official results will be released after voting is closed.

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

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**From:** TribalSecretary <[TribalSecretary@oneidanation.org](mailto:TribalSecretary@oneidanation.org)>

**Sent:** Wednesday, July 22, 2020 1:56 PM

**To:** Brandon L. Yellowbird-Stevens <[bstevens@oneidanation.org](mailto:bstevens@oneidanation.org)>; Daniel P. Guzman <[dguzman@oneidanation.org](mailto:dguzman@oneidanation.org)>; David P. Jordan <[djordan1@oneidanation.org](mailto:djordan1@oneidanation.org)>; Ernest L. Stevens <[esteven4@oneidanation.org](mailto:esteven4@oneidanation.org)>; Jennifer A. Webster <[JWEBSTE1@oneidanation.org](mailto:JWEBSTE1@oneidanation.org)>; Kirby W. Metoxen <[KMETOX@oneidanation.org](mailto:KMETOX@oneidanation.org)>; Lisa M. Summers <[lsummer2@oneidanation.org](mailto:lsummer2@oneidanation.org)>; Patricia M. King <[tking@oneidanation.org](mailto:tking@oneidanation.org)>; Tehassi Tasi Hill <[thill7@oneidanation.org](mailto:thill7@oneidanation.org)>

**Cc:** Danelle A. Wilson <[dwilson1@oneidanation.org](mailto:dwilson1@oneidanation.org)>; Simone A. Ninham <[sninham2@oneidanation.org](mailto:sninham2@oneidanation.org)>; TribalSecretary <[TribalSecretary@oneidanation.org](mailto:TribalSecretary@oneidanation.org)>

**Subject:** E-POLL REQUEST: BCAR Approve CRF Government Relief Funds Requests - eight file numbers

**E-POLL REQUEST****Summary:**

The attached requests were reviewed by the BC on July 21, 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*. The request is to approve items listed in the attached *except* for item #3, which is being further discussed.

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

**Requested Action:**

Approve CRF Government Relief Funds Requests - file # 5-5-004, file # 5-5-004, file # 6-2-010, file # 5-5-027, file # 7-6-037, file # 6-6-096, file # 6-2-010, file # 7-4-038

**Deadline for response:**

Responses are due no later than **4:30 p.m., THURSDAY, July 23, 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)



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 # 5-5-004, file # 5-5-004, file # 6-2-010, file # 5-5-027, file # 7-6-037, file # 6-6-096, file # 6-2-010, file # 7-4-038

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.



## Memo

To: BC Work Session

From: Susan House

Date: July 21, 2020

Re: Julu 21, 2020 Requests for Approval

*Susan House*  
 Susan M. House, Ph.D.  
 2020.07.21 16:50:00  
 -05'00'

There are nine (9) requests for approval. These requests are all allowable expenses for the Treasury Covid Relief Funds. I am also including 2 additional process requests.

## Requests to Approve:

1. 5-5-004 Radisson	\$4,727,475.92
2. 5-5-004 Wingate	\$976,805.70
3. 7-5-001, 7-5-005 General Assistance for Membership	\$14,388,000.00
4. 6-2-010 Twenty-nine (29) infrared thermometers	\$1,740.00
5. 5-5-027 Education Support	\$12,000,000.00
6. 7-6-037 Enterprise Resource Planning RSM training	\$90,000.00
7. 6-6-096 Enterprise Resource Planning Gartner	\$290,000.00
8. 6-2-010 Temperature Kiosks (20 X \$3000)	\$60,000.00
9. 7-4-038 Tent for election	\$5,331.25

Total requests for June 21, 2020= \$32,539,352.87

## Process Requests:

Request to extend the ONSBAP I (on reservation small business support) and ONSBAP II (off reservation small business support) to August 31, 2020. The request is to modify the On-Reservation amount with a reduction in max amount for \$25,000 so that the business can stay in compliance with the requirements to spend the grant by December 1.

Currently there are 23 on reservation applicants (\$462,715.93) and 7 off reservation applicants (141,880.49). This will allow more Tribal small businesses to participate in this program.

## Requested consensus:

Request to bring to the BC meeting an amendment to the BC Resolutions 06-10-20-C Covid-19 Response- Oneida Nation Small Business Assistance Program and 06-24-20-C Adoption of the Oneida Small Business Assistance Program II: Off Reservation and Within State of Wisconsin resolutions to change end date to August 31 and on-reservation award max to \$25,000.00

Enter the e-poll results into the record - Approved CRF Government Relief Funds Requests - eight file (8)

---

## Business Committee Agenda Request

1. Meeting Date Requested: 08/24/20

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

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

---

**From:** TribalSecretary  
**Sent:** Friday, July 31, 2020 9:33 AM  
**To:** 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:** Danelle A. Wilson; Simone A. Ninham; Lisa A. Liggins; TribalSecretary  
**Subject:** FW: E-POLL RESULTS: BCAR Approve CRF Government Relief Funds Requests - eight file numbers  
**Attachments:** 2020 07 29 BCAR Approve CRF Government Relief Funds Request - eight file numbers .pdf

### E-POLL RESULTS

The e-poll to approve CRF Government Relief Funds Requests - file # 7-6-014, file # 7-4-017, file # 7-4-019, file # 7-6-022, file # 7-6-023, file # 7-2-030, file # 7-10-35, file # 5-5-022 **has been approved.** . Per Section 5.1. of the OBC SOP "Conducting Electronic Voting (E-polls)", an e-poll must receive at least five (5) affirmative responses in support of the question in order to be approved). As of the deadline, below are the results:

Support: David P. Jordan, Trish King, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Abstain: Lisa Summers

Did not vote: Daniel Guzman King

Brooke Doxtator  
BCC Supervisor  
Business Committee Support Office (BCSO)



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

office 920.869.4452  
fax 920.869.4040

---

**From:** TribalSecretary <TribalSecretary@oneidanation.org>  
**Sent:** Wednesday, July 29, 2020 4:43 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:** Danelle A. Wilson <dwilson1@oneidanation.org>; Simone A. Ninham <sninham2@oneidanation.org>; Lisa A. Liggins <lliggins@oneidanation.org>; TribalSecretary <TribalSecretary@oneidanation.org>  
**Subject:** FW: E-POLL REQUEST: BCAR Approve CRF Government Relief Funds Requests - eight file numbers

### **E-POLL REQUEST**

#### **Summary:**

The attached requests were reviewed by the BC on July 28, 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*. The request is to approve items (listed in black) in the attached.

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

#### **Requested Action:**

Approve CRF Government Relief Funds Requests - file # 7-6-014, file # 7-4-017, file # 7-4-019, file # 7-6-022, file # 7-6-023, file # 7-2-030, file # 7-10-35, file # 5-5-022

#### **Deadline for response:**

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

#### **Voting:**

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

Brooke Doxtator  
BCC Supervisor  
Business Committee Support Office (BCSO)

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 # 7-6-014, file # 7-4-017, file # 7-4-019, file # 7-6-022, file # 7-6-023, file # 7-2-030, file # 7-10-35, file # 5-5-022

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.



**Brooke M. Duxtator**

---

**From:** BC\_Work\_Session  
**Sent:** Wednesday, July 29, 2020 3:50 PM  
**To:** Brooke M. Duxtator; Lisa A. Liggins  
**Subject:** FW: July 28, 2020 BC Work Session materials- Treasury Covid Funds Requests

See below.

*Yawa?kó (Thank you)*

*Danelle Wilson*

Office of Chairman Tehassi Hill



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

office 920.869.4389

fax 920.869.4040

PO Box 365

Oneida, WI 54115-0365

oneida-nsn.gov

**=[]=[]=<>=[]=[]=**

*The only person you are destined to become is the person you decide to be ~*

*Ralph Waldo Emerson*

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**From:** Susan M. House <SHOUSE@oneidanation.org>  
**Sent:** Wednesday, July 29, 2020 10:24 AM  
**To:** BC\_Work\_Session <BC\_Work\_Session@oneidanation.org>  
**Subject:** RE: July 28, 2020 BC Work Session materials- Treasury Covid Funds Requests

Updated list to move forward to E-poll (listed in black)

1	7-6-014 Train the Trainer Custodial Practices for Covid Cleaning	\$16,490.00	Train the Trainer custodial practices for Covid-19 cleaning. The managers and supervisors would be trained so they can train and monitor the custodians
2	7-4-017 Radisson 2 Rooms	\$400.00	Renting 2 rooms at radisson to maintain social distancing and following opening policies for NHC (no plan approved yet) for Tubby Family depositions

3	7-4-019 Materials for masks for Health Center	\$100.00	fabrics and elastic, Prenatal class participants
4	7-6-022 Replacement of Compute (servers) environment	\$362,926.41	Cisco UCS Servers. Replacement of compute (servers) environments
5	7-6-023 DUO Multi-Factor Authentication licensing for 1200 users	\$36,408.00	DUO Multi-Factor Authentication licensing for 1200 users. Ensure you are who you say you are when accessing the network remotely. Technology can be applied to other technologies such as O365, PCs, switches, and virtual applications to name a few.
6	7-4-028 Social Distance Wristbands for employees	\$0.00	Wristbands to identify social distancing comfort by employees. Red (please keep distance/wear mask), yellow (elbow bump), green (comfortable with interactions).socialbandbands.com
7	7-2-029 School sanitation supplies	\$0.00	Qty: 2 (two) Electrostatic Handheld Sprayers @ \$689.00 each-total \$1,378.00 Qty: 2 (two) cases of chlorinated tablets @ \$258.00 each- total \$516.00 Qty: 4 (four) extra batteries for sprayers @ \$150.00 each- total \$600.00. The use of the electrostatic sprayer guarantees a broader kill spectrum of bacteria and all germs.
8	7-2-030 Sanitation supplies	\$15,540.00	60 Cases - 16.9 oz. Hand Gel Sanitizer (\$259.00/case) (24 bottles/case)
9	7-2-033 Dental Air Purifiers	\$0.00	Air purifiers for the dental treatment rooms. Following recommendations from CDC/IHS, when aerosols will be produced during dental treatment the air purifiers reduce the number of virus germs in the air. HEPA filters are for replacement after extended use of the air purifier.
10	7-6-039 MCE Fiber Optic Specialist	\$0.00	MCE Fiber Optic Specialists
11	7-10-35 Custodial Infrared Thermometers	\$2,250.00	50 Infrared Thermometers
12	7-4-050 Pre moist washcloth	\$0.00	Pre-Moist Washcloth Comfort Bath, Hair Care Sys, This purchase is our efforts to assist the homeless in the Safe Parking program.
13	7-4-053 Health sterilization cabinet	\$0.00	Sterilization Cabinet. This is a unit that will be used to sterilize frames in the Optical dispensary that are being tried on by patients. This is a preferred method to sterilize frames without having to soak or spray them with alcohol and ruin the finish.

14	7-6-054 Technology upgrades	\$0.00	Upgrading Oneida Comprehensive Health Division staff's technology to improve their needs with the new normal due to Covid. Many staff are meeting via Microsoft Teams, some are doing Telehealth, and others are doing limited face-to-face patient care out of the office. Laptop purchase is changing the employee's desktop to an on-the-go desk which requires a docking station and other accessories. Monitors is to provide staff with a dual monitor to allow staff to work more efficiently as many times they are using two different software at the same time.
15	5-5-022 Laptops for College Students	\$800,000.00	parents and students do not have the funds to buy a laptop that is needed for virtual college classes because of lack of work from Covid-19 pandemic (~800 STUDENTS)

\$1,234,114.41

Enter the e-poll results into the record - Approved CRF Government Relief Funds Requests - four (4) file..

---

## Business Committee Agenda Request

1. Meeting Date Requested: 08/24/20

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

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

---

**From:** TribalSecretary  
**Sent:** Wednesday, August 12, 2020 10:57 AM  
**To:** TribalSecretary; Brandon L. Yellowbird-Stevens; Daniel P. Guzman; David P. Jordan; Ernest L. Stevens; Jennifer A. Webster; Kirby W. Metoxen; Lisa M. Summers; Patricia M. King; Tehassi Tasi Hill  
**Cc:** BC\_Agenda\_Requests; Susan M. House  
**Subject:** E-POLL RESULTS #1 - Approve CRF Government Relief Funds Requests - four file numbers  
**Attachments:** BCAR Approve CRF Government Relief Funds Requests - four file numbers.pdf  
**Importance:** High

### E-POLL RESULTS #1

The e-poll to approve CRF Government Relief Funds Requests - file # 7-4-055, file # 7-4-056, file # 7-6-058, and file # 7-4-059, **has carried**. As of the deadline, below are the results:

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

Lisa Liggins  
Senior Information Management Specialist  
Business Committee Support Office (BCSO)



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

P.O. Box 365  
Oneida, WI 54155-0365  
oneida-nsn.gov

---

**From:** TribalSecretary <TribalSecretary@oneidanation.org>  
**Sent:** Wednesday, August 12, 2020 1:53 AM  
**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>

**Subject:** E-POLL REQUEST #1 - Approve CRF Government Relief Funds Requests - four file numbers  
**Importance:** High

### **E-POLL REQUEST #1**

**Summary:**

The attached request includes a chart of requests which were reviewed by the BC on August 4, 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 - file # 7-4-055, file # 7-4-056, file # 7-6-058, and file # 7-4-059

**Deadline for response:**

Responses are due no later than **4:30 p.m., WEDNESDAY, August 12, 2020.**

**Voting:**

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

Lisa Liggins  
Senior Information Management Specialist  
Business Committee Support Office (BCSO)



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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 # 7-4-055, file # 7-4-056, file # 7-6-058, and file # 7-4-059

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.



## Memo

To: BC Work Session  
 From: Susan House  
 Date: August 4, 2020  
 Re: August 4, 2020 Requests for Approval- UPDATED

---

There are four (4) for approval. These requests are all allowable expenses for the Treasury Covid Relief Funds. Some items are eligible for multiple funding sources.

1	7-4-055 Lightweight Disposable Masks for Custodial	Custodial	\$4,200.00	NW-M1 - Lightweight Disposable Face Masks (10,000 total) DPW Custodial is requesting the Lightweight Disposable Facemasks for all tribal locations to use during the COVID pandemic to help stop the spread of the COVID 19
2	7-4-056 IGAC meeting rooms at Radisson- Village of Ashwaubenon	Legislative Affairs	\$300.00	Payment for 2 meeting room rentals at the Radisson Hotel and Conference Center Green Bay to ensure social distancing. Due to months of delay due to COVID 19, the Nation was unable to meet with the Village of Ashwaubenon regarding Cooperative Governance Agreements. I am scheduling a meeting for August 11, 2020 so the elected leaders along with key staff can meet and discuss items of mutual concern and potential projects. The Village President asked to meet in person and the Chairman said we could accommodate the request while practicing social distancing.
3	7-6-058 HRD Backgrounds Driver's License Scanner	HRD	\$2,020.00	E-VeriTechSolo Laptop PC Software Install EVS Upgrade EV-10 Print LSMSS-1 2 D Bar Code Driver's License Scanner Onsite Installation & Training. To make EEO Backgrounds more efficient with less staff due to COVID-related layoffs, but more importantly the current ink pad and paper used to do fingerprints currently cannot be sanitized after each use as required by health officials.

4	7-4-059 Park Signs	DPW Groundskeeping	\$855.00	30 Signs, these signs will be placed at the Oneida Nation parks. COVID information is on each sign to be posted for safety reasons
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Enter the e-poll results into the record - Approved CRF Government Relief Funds Requests - thirteen (13)

---

## Business Committee Agenda Request

1. Meeting Date Requested: 08/24/20

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

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

---

**From:** TribalSecretary  
**Sent:** Wednesday, August 12, 2020 11:30 AM  
**To:** TribalSecretary; Brandon L. Yellowbird-Stevens; Daniel P. Guzman; David P. Jordan; Ernest L. Stevens; Jennifer A. Webster; Kirby W. Metoxen; Lisa M. Summers; Patricia M. King; Tehassi Tasi Hill  
**Cc:** BC\_Agenda\_Requests; Danelle A. Wilson; Simone A. Ninham; Susan M. House  
**Subject:** E-POLL RESULTS #2 - Approve CRF Government Relief Funds Requests - thirteen file numbers  
**Attachments:** BCAR Approve CRF Government Relief Funds Requests - thirteen file numbers.pdf  
**Importance:** High

## E-POLL RESULTS #2

The e-poll to approve CRF Government Relief Funds Requests - file # 7-4-057, file # 8-6-001, file # 8-6-004, file # 8-6-005, file # 8-4-013, file # 6-4-084, file # 6-4-085, file # 7-5-012, file # 7-6-013, file # 7-6-027, file # 7-6-034, file # 7-6-051, and file # 7-6-052, has carried. As of the deadline, below are the results:

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

Lisa Liggins  
Senior Information Management Specialist  
Business Committee Support Office (BCSO)



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

P.O. Box 365  
Oneida, WI 54155-0365  
oneida-nsn.gov

---

**From:** TribalSecretary <TribalSecretary@oneidanation.org>  
**Sent:** Wednesday, August 12, 2020 1:54 AM  
**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>; Simone A. Ninham

<sninham2@oneidanation.org>; Danelle A. Wilson <dwilson1@oneidanation.org>

**Subject:** E-POLL REQUEST #2 - Approve CRF Government Relief Funds Requests - thirteen file numbers

**Importance:** High

## **E-POLL REQUEST #2**

### **Summary:**

The attached request includes a chart of requests which were reviewed by the BC on August 11, 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 - file # 7-4-057, file # 8-6-001, file # 8-6-004, file # 8-6-005, file # 8-4-013, file # 6-4-084, file # 6-4-085, file # 7-5-012, file # 7-6-013, file # 7-6-027, file # 7-6-034, file # 7-6-051, and file # 7-6-052

### **Deadline for response:**

Responses are due no later than **4:30 p.m., WEDNESDAY, August 12, 2020.**

### **Voting:**

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

Lisa Liggins

Senior Information Management Specialist  
Business Committee Support Office (BCSO)



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

P.O. Box 365  
Oneida, WI 54155-0365  
oneida-nsn.gov

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

Approve CRF Government Relief Funds Requests - file # 7-4-057, file # 8-6-001, file # 8-6-004, file # 8-6-005, file # 8-4-013, file # 6-4-084, file # 6-4-085, file # 7-5-012, file # 7-6-013, file # 7-6-027, file # 7-6-034, file # 7-6-051, and file # 7-6-052

**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:

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Your Name, Title / Dept. or Tribal Member

Additional Requestor:

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Name, Title / Dept.

Additional Requestor:

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Name, Title / Dept.

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**From:** Susan M. House  
**Sent:** Tuesday, August 11, 2020 3:40 PM  
**To:** BC\_Work\_Session  
**Subject:** Items for e-poll for Treasury Covid Relief Funds

1	7-4-057	Custodial	\$85,782.00	3 - Moonbeam 3 UV-C Ultra-Violet Disinfecting Units (\$28,594 each. DPW Custodial requests 3 of the Moonbeam3 UV-3 units. By purchasing the units, the department can save on labor costs as well as chemical costs and chemical residual.
2	8-6-001	Internal Audit	\$16,083.70	10 each: HP EliteBook 840 G6 Series Notebook IDS 10 each: HP Comfort Grip Wireless Mouse 10 each: HP Executive 15.6 Backpack 10 each: HP USB-C Dock G5 US for employees to be able to telecommute
3	8-6-004	Central Accounting	\$16,083.70	10 each: HP EliteBook 840 G6 Series Notebook IDS 10 each: HP Comfort Grip Wireless Mouse 10 each: HP Executive 15.6 Backpack 10 each: HP USB-C Dock G5 US for employees to be able to telecommute



4	8-6-005	Gaming Commission	\$11,726.59	Requesting seven (7) laptops. 3 Hot Spots. The Oneida Gaming Commission has implemented a work from home policy when feasible due to the Tribes Safer at home order. The OGC has tried various methods of communication, but without Laptops and Hot spots the OGC has been continuing come in to the office due to lack of technology (Home Computers & internet access). \$11, 258.59 for Laptops \$468.00 for the Hot Spots for one year
5	8-4-013	OPD	\$1,894.00	Prof. cordless electrostatic handheld spray with chlorinated disinfectant tabs. To safely disinfect surfaces which could be contaminated with the COVID-19 virus. Decontaminate squad vehicles, to ensure the safety and well-being of Police personnel.
6	6-4-084	Retail	\$34,500.00	EMV Upgrades for the Oneida One Stops. The Oneida One Stops would upgrade the dispensers to be EMV Compliant. EMV protects the consumer credit/debit purchases at the dispensers, encouraging customers to pay at the pump with less contact in the store.
7	6-4-085	Retail	\$110,352.00	Contact-less Payment options for Oneida One Stops. Customers would be able to make payments at the Oneida One Stop without touching the dispensers or inserting credit/debit cards into any equipment in the stores.

8	7-5-012	Retail	\$9,000.00	This is a web based APP to offer a pre-ordering and payment system that would allow customers to order and pay for product from the Oneida Stops, Four Paths and the Oneida Market from their computer or smart phone. • Customers would not need to come into the stores • Less contact = less sanitizing the touchpoints in the stores. • Convenient • Enhance compliance with COVID-19 public health precautions.
9	7-6-013	Retail	\$32,000.00	Consult with our current back office provider to maximize the current system. Data will flow electronically from the Oneida One Stop, Oneida Smokeshops and the Oneida Market to Central Accounting systems, eliminating manual entry by Central Accounting staff. Eliminate in-person interactions with the pickup and delivery of daily reconciliations to enable compliance with COVID-19 public health precautions. Enhance the ability for teleworking capabilities to enable compliance with COVID-19 public health precautions.
10	7-6-027	Retail	\$2,688.00	Updating Billboards along the 29 corridor, The billboards will announce that the Travel Center is now open after being closed due to Covid-19.
11	7-6-034	Retail	\$3,602.00	Replace graphic. The graphics will communicate to customers how the new curbside orders will be established for the Oneida Market as a result of the Public Health emergency.

12	7-6-051	Retail	\$550.00	Cell phone booster. ORE is working with limited Location Mangers, Assistant Location Managers and Associates due to Covid-19. The Location Employees need to have cell phone access to Retail Administration, Managers, Security and emergency personnel while in the store and the parking lot.
13	7-6-052	Retail	\$1,000.00	Cell phone booster. ORE is working with limited Location Mangers, Assistant Location Managers and Associates due to Covid-19. The Location Employees need to have cell phone access to Retail Administration, Managers, Security and emergency personnel while in the store and the parking lot.
\$325,261.99				

Susan M. House, Ph.D.  
Covid Fund Coordinator



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

Office: 920-490-3806  
Cell: 920-606-6161  
Address: 909 Packerland Drive, Green Bay, WI 54303

The information contained in this e-mail is confidential and privileged. If you are not the intended recipient, please be advised that any unauthorized use, copying, or dissemination of this information is prohibited. Please destroy this e-mail and immediately notify me of the erroneous transmission.

Enter the e-poll results into the record - Approved CRF Government Relief Funds Request for Hazard pay

## Business Committee Agenda Request

1. Meeting Date Requested: 08/24/20

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

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

---

**From:** TribalSecretary  
**Sent:** Wednesday, August 12, 2020 11:38 AM  
**To:** TribalSecretary; Brandon L. Yellowbird-Stevens; Daniel P. Guzman; David P. Jordan; Ernest L. Stevens; Jennifer A. Webster; Kirby W. Metoxen; Lisa M. Summers; Patricia M. King; Tehassi Tasi Hill  
**Cc:** BC\_Agenda\_Requests; Simone A. Ninham; Danelle A. Wilson; Susan M. House  
**Subject:** E-POLL RESULTS #3 - Approve CRF Government Relief Funds Request for Hazard pay, indirect, and fringe for pay period July 23, 2020 and August 6, 2020  
**Attachments:** BCAR Approve CRF Government Relief Funds Request for Hazard pay, indirect, and fringe for pay period July 23, 2020 and August 6, 2020.pdf  
**Importance:** High

### E-POLL RESULTS #3

The e-poll to approve CRF Government Relief Funds Request for Hazard pay, indirect, and fringe for pay period July 23, 2020 and August 6, 2020, has carried. As of the deadline, below are the results:

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

Lisa Liggins  
 Senior Information Management Specialist  
 Business Committee Support Office (BCSO)



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

P.O. Box 365  
 Oneida, WI 54155-0365  
 oneida-nsn.gov

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**From:** TribalSecretary <TribalSecretary@oneidanation.org>  
**Sent:** Wednesday, August 12, 2020 1:54 AM  
**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>; Simone A. Ninham

<sninham2@oneidanation.org>; Danelle A. Wilson <dwilson1@oneidanation.org>

**Subject:** E-POLL REQUEST #3 - Approve CRF Government Relief Funds Request for Hazard pay, indirect, and fringe for pay period July 23, 2020 and August 6, 2020

**Importance:** High

### **E-POLL REQUEST #3**

**Summary:**

Approval for the Treasury Covid Relief Funds to pay for the Hazard pay, indirect and fringe for pay period July 23, and August 6, 2020. The total is 2.3 million dollars that would be Treasury Covid Relief Funds instead of Tribal Contribution.

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

**Requested Action:**

Approve CRF Government Relief Funds Request for Hazard pay, indirect, and fringe for pay period July 23, 2020 and August 6, 2020

**Deadline for response:**

Responses are due no later than **4:30 p.m., WEDNESDAY, August 12, 2020.**

**Voting:**

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

Lisa Liggins

Senior Information Management Specialist  
Business Committee Support Office (BCSO)



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

P.O. Box 365  
Oneida, WI 54155-0365  
oneida-nsn.gov

**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: ☐ 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:

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Your Name, Title / Dept. or Tribal Member

Additional Requestor:

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Name, Title / Dept.

Additional Requestor:

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Name, Title / Dept.



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**From:** Susan M. House  
**Sent:** Tuesday, August 11, 2020 3:44 PM  
**To:** BC\_Work\_Session; Lisa A. Liggins  
**Cc:** Deborah J. Thundercloud  
**Subject:** E-poll request

This item was inadvertently left off my list, and am requesting that it also get an E-poll. I did talk with Councilman David Jordan for approval to request this.

Item for Epoll-

Approval for the Treasury Covid Relief Funds to pay for the Hazard pay, indirect and fringe for pay period July 23, and August 6, 2020. The total is 2.3 million dollars that would be Treasury Covid Relief Funds instead of Tribal Contribution.

Thank you for your consideration.

Susan M. House, Ph.D.  
Covid Fund Coordinator



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

Office: 920-490-3806  
Cell: 920-606-6161  
Address: 909 Packerland Drive, Green Bay, WI 54303

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**Oneida Business Committee Agenda Request**

Accept the Anna John Resident Centered Care Community Board FY-2020 3rd quarter report

**1. Meeting Date Requested:** 08 / 26 / 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:

Joshua Hicks, AJRCCC Board Interim Chair

Your Name, Title / Dept. or Tribal Member

Additional Requestor:

Name, Title / Dept.

Additional Requestor:

Name, Title / Dept.

# 2020 report template

For Boards, Committees, and Commissions (BCCs)

Approved by official entity action on:

Submitted by: Aliskwet Ellis, Recording Clerk

OBC Liaison: Jennifer Webster

OBC Liaison: Daniel Guzman-King

## AJRCCC BOARD

**Purpose:**

The purpose of the Anna John Resident Centered Care Community (AJRCCC) Board is to serve in an advisory capacity ensuring operations of AJRCCC are within the guidelines and policies of the Oneida Nation and within all regulations, rules, policies governing the operation of a nursing home.

The Board ensures the AJRCCC maintains a safe and sanitary environment while providing quality care and services to residents of the facility and as ordered by each resident’s attending physician.

**BCC Members**

Vacant  
Enter Board Member Title, if any  
07/31/2021

Shirley Barber  
Board Member  
07/31/2020

Joshua Hicks  
Interim Chairperson  
07/31/2020

Kenny Kriescher  
Board Member  
07/31/2022

Kristin Jorgenson  
Board Secretary  
07/31/2020

Valerie Groleau  
Board Member  
07/31/2022

Patricia Moore  
Board Member  
07/31/2021

**Substantiated Complaints (if applicable)**

Per § 105.12-4.(a) of the Boards, Committees and Commissions law, annual and semi-annual reports shall contain information on the number of substantiated complaints against all members of the entity.

Per § 105.3-1.(q) a "Substantiated complaint" means a complaint or allegation in a complaint that was found to be valid by clear and convincing evidence.

NUMBER OF SUBSTANTIATED COMPLAINTS: Zero (0)

**Meetings**

Held every 2<sup>nd</sup> Wednesday of the month at 5:00 p.m.

There were no meetings held in Quarter 3 due to the COVID-19 Pandemic. The board has been communicating with our Liaison and the AJRCCC administration regularly.

Emergency Meetings: 0

**Contact Info**

CONTACT: Joshua Hicks  
TITLE: AJRCCC Board Interim Chair  
E-MAIL: ajc-jhic@oneidanation.org

**Status report of Three-Year Outcomes/Goals**


---

Outcome/Goal # 1

Encouraging Tsi' NiyukwalihoTÁ (We have everything here to sustain us): Community and organizational buy-in will be formed and Economic sustainability will be promoted.

IS THIS A LONG-TERM OR QUARTERLY GOAL? Long-term

GOOD GOVERNANCE PRINCIPLE:

Participation - Fostering a system in which the public feels that they are part of decision-making processes, including freedom of expression and assiduous concern for the best interests of the Tribe and community in general

HOW OUTCOME/GOAL SUPPORTS THE GOOD GOVERNANCE PRINCIPLE:

The Board continues to meet monthly and attend the Resident Council Meetings. By attending these meetings, the Board can hear concerns directly from the residents and can attempt to solve issues or bring up concerns to other areas such as the Oneida Business Committee.

ACCOMPLISHMENTS REGARDING THE OUTCOME/GOAL:

Due to COVID-19 the board has not been attending Resident Meetings due to the proper precautions laid out by the AJRCCC.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

It has become an expectation of the Board to attend Resident Council meetings and to continue to be involved in activities to provide a positive and safe and sanitary environment for residents. When it is safe to do so, the board will continue to attend said meetings.

---

### Outcome/Goal # 2

Continue and update education of AJRCCC Board members.

IS THIS A LONG-TERM OR QUARTERLY GOAL?      Quarterly

GOOD GOVERNANCE PRINCIPLE:

Responsiveness - Availability to the public and timeous reaction to the needs and opinions of the public

HOW OUTCOME/GOAL SUPPORTS THE GOOD GOVERNANCE PRINCIPLE:

It is important for the AJRCCC Board to be knowledgeable on the latest health topics, treatments, initiatives, etc. The National Indian Health Board provides information that the board member(s) can bring back to AJRCCC administration and the rest of the board.

ACCOMPLISHMENTS REGARDING THE OUTCOME/GOAL:

The board has been communicating with AJRCCC Administration on planning for education and trainings for the board to bring back information for AJRCCC.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

The board will have to discuss attending virtual trainings as they become available and monitor the COVID-19 situation.

### **Stipends**

*Per the Boards, Committees, and Commissions law, stipends are set via OBC resolution. BC resolution # 05-08-19-B sets the stipend amounts.*

### **Budget Information**

FY-2020 BUDGET:

Line Item in AJRCCC Budget

FY-2020 EXPENDITURES AS OF END OF REPORTING PERIOD:

\$0 in Stipends – No Meetings

Line item in AJRCCC budget for stipends, travel, training. This quarter only stipends were a part of the expenditures.

### Requests

Enter request(s), if needed.

### Other

Report from AJRCCC Staff:

We have been working very diligently on our policies and procedures for the infection control practices for COVID-19. Since this is very fluid, we are constantly working on keeping the policies updated with DHS, CDC and CMS guidance that is given. We also had our Focused Infection Control Survey with DHS and have completed this with the State telling us keep up the good work.

### April 2020

Census: Average Daily Census was at 40.

Admissions: During April we had no admissions. In April we had 2 residents discharge home to the community and one passed away.

COVID-19 Measures: We continued our isolation measures on all new admissions. All residents that had any COVID-19 symptoms were tested. All that were tested were negative. Any staff that had COVID-19 symptoms were tested and all were negative.

### May 2020

Census: Average Daily Census was at 36.

Admissions: No admissions.

We had 3 patients discharge; one patient went to the acute care center where he passed away, one discharged home and one passed away in the facility.

COVID-19 Measures: All residents and staff test for COVID-19, all tests were negative. We continued with COVID-19 measures for staff and residents. We had closed for admissions this month due to COVID-19.

### June 2020

Census: Our Average Daily Census was at 35

Admissions: Reopened for admissions for Rehabilitation Residents coming from the acute care center that requires a 2 negative COVID-19 test result prior admission. We had one admission and the elder discharged home this month after full recovery from surgery.

COVID 19 Measures: We tested all staff for COVID-19 on June 30th all test results were negative. We continue with COVID-19 measures for staff and residents. No Staff or residents tested positive this month for COVID-19.

**Oneida Business Committee Agenda Request**

Accept the Oneida Police Commission FY-2020 3rd quarter report

**1. Meeting Date Requested:** 08 / 26 / 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:

Additional Requestor:

Additional Requestor:



# 2020 report template

For Boards, Committees, and Commissions (BCCs)

Approved by official entity action on: August 17, 2020

Submitted by: Sandra Reveles, Chairwoman

OBC Liaison: Lisa Summers

OBC Liaison: Ernest Stevens III

## ONEIDA POLICE COMMISSION

**Purpose:**

The purpose of the Oneida Police Commission is to regulate the conduct of the Oneida Nation Law Enforcement personnel according to the highest professional standards, to provide oversight regarding the activities and actions of the law enforcement operations, to provide the greatest possible professional services to the Oneida Community, and to allow the community input regarding those law enforcement services through its representatives on the Police Commission. This entity is created as an oversight body of the Oneida Police Department. The Chief of Police is responsible for the day to day activities of the law enforcement services provided to our community.

**BCC Members**

Sandra Reveles	Kory Wesaw
Chairwoman	Member
7-31-2022	10-31-2022
Richard Van Boxel	Kim Rae Nishimoto
Secretary	Vice-Chairwoman
7-31-2021	7-31-2024

**Substantiated Complaints (if applicable)**

Per § 105.12-4.(a) of the [Boards, Committees and Commissions law](#), annual and semi-annual reports shall contain information on the number of substantiated complaints against all members of the entity.

Per § 105.3-1.(q) a “Substantiated complaint” means a complaint or allegation in a complaint that was found to be valid by clear and convincing evidence.

**Meetings**

Held every 4<sup>th</sup> Wednesday of the month.

Emergency Meetings: 0

**Contact Info**

CONTACT: Sandra Reveles  
TITLE: Chairwoman, Police Commission  
PHONE NUMBER: 920-869-4451  
E-MAIL: sreveles@oneidanation.org  
MAIN WEBSITE: Boards, Committees and Commissions

**Status report of Three-Year Outcomes/Goals**

---

Outcome/Goal # 1

One of the Commissions goals is to develop positive relationships with the Oneida Community

IS THIS A LONG-TERM OR QUARTERLY GOAL? Long-term

GOOD GOVERNANCE PRINCIPLE:

Participation - Fostering a system in which the public feels that they are part of decision-making processes, including freedom of expression and assiduous concern for the best interests of the Tribe and community in general

HOW OUTCOME/GOAL SUPPORTS THE GOOD GOVERNANCE PRINCIPLE:

The Oneida Police Commission is appointed by the Oneida Business Committee and entrusted with oversight of the Oneida Police Department. Duties include evaluating appointments and promotions, standard operating procedures and work standards (SOP/WS), Memorandum of Agreements (MOA), expenditures and grant opportunities. The Commission is a "checks and balances" of the Police Department because it is composed of Tribal members who are vested in the Oneida Community, which in turn encourages citizen input. The Oneida Police Department had several unfilled police officer positions. To address the vacant positions, the Commission has given approval to hire non-tribal members at entry level positions.

ACCOMPLISHMENTS REGARDING THE OUTCOME/GOAL:

The Police Commission has open mandatory monthly meeting with the Police Chief and/or Assistant Police Chief to review and approve the Oneida Police Departments monthly report and to keep the Police Commission informed of all the duties and responsibilities of

the department and provide guidance. In accordance with the Law Enforcement Ordinance, the Commission worked with the Police Department to approve and fill vacant positions and approve standard operating procedures and work standards (SOP/WS).

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

In the future, the Police commission will continue to develop a positive relationship with the community and the Police Department. The Police Commission can plan and attend events together showing support.

---

Outcome/Goal # 2

Develop three community events to promote good relations between the community, Police Commission and Police Department while measuring attendance at events.

IS THIS A LONG-TERM OR QUARTERLY GOAL? Long-term

GOOD GOVERNANCE PRINCIPLE:

Responsiveness - Availability to the public and timeous reaction to the needs and opinions of the public

HOW OUTCOME/GOAL SUPPORTS THE GOOD GOVERNANCE PRINCIPLE:

The Oneida Police Commissioners are dedicated to building a strong community built on Tsi? Niyukwaliho'\*ta by participating in community events and sharing our knowledge and experience. The Oneida Police Commission and Oneida Police Department collaborates with other tribal entities and other municipalities to strengthen our community.

ACCOMPLISHMENTS REGARDING THE OUTCOME/GOAL:

The community event aspect of this goal has been placed on hold due to the COVID-19 pandemic, however, it remains a priority for the Commission and we hope to resume these activities as soon as it safe to do so.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

The Oneida Police Commission will continue to collaborate with other tribal entities and municipalities. We can also investigate alternative methods to reach out to community in a safe manner during the pandemic.

**Stipends**

*Per the Boards, Committees, and Commissions law, stipends are set via OBC resolution. BC resolution # 03-17-20-D sets the stipend amounts.*

**Budget Information**

FY-2020 BUDGET: \$36,278

FY-2020 EXPENDITURES AS OF END OF REPORTING

PERIOD: \$20,647

\*These are 2<sup>nd</sup> quarter numbers; we did not have any expenditures in the 3<sup>rd</sup> Quarter

**Requests**

No requests.

**Other**

- OPD Organization Chart is attached.
- Since the COVID-19 pandemic the Commission has met virtually three (3) times, in March, April and June, we did not receive stipends for these meetings as they all lasted under one (1) hour. Our meetings in May and July were cancelled.
- We welcomed our newest member Richard Van Boxtel to the Commission in June.
- On April 28, 2020 Michele Doxtator resigned from the Commission effective immediately. This vacancy was posted, and the BC appointed Beverly Anderson for the remainder of that term, however, she needs to be administered her oath before it becomes official.

**Oneida Business Committee Agenda Request**

Accept the Oneida Election Board FY-2020 3rd quarter report

**1. Meeting Date Requested:** 08 / 26 / 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:

Additional Requestor:

Additional Requestor:

# 2020 report template

For Boards, Committees, and Commissions (BCCs)

Approved by official entity action on: [Click here to enter approval date](#)

Submitted by: Aliskwet Ellis, Recording Clerk

OBC Liaison: Tehassi Hill

OBC Liaison: Lisa Summers

## ONEIDA ELECTION BOARD

### Purpose:

Responsible for conducting fair and orderly elections for the Oneida Nation, and responsible to count hand and/or ballot votes at General Tribal Council (GTC) meetings.

### BCC Members

Vicki Cornelius  
Chair  
7/31/2021

Christina Liggins  
Vice Chair  
8/31/2020

Melinda K. Danforth  
Secretary  
7/31/2021

Patricia Moore  
Member  
7/31/2022

Racquel Hill  
Member  
7/31/2022

Tina Skenandore  
Member  
8/31/2020

Shannon Metoxen  
Member  
7/31/2021

Lisa John  
Member  
7/31/2022

Tracy Smith  
Member  
7/31/2020

**Alternate Members – Terms Expire when Final Report is Ratified**

Twylite Moore, Interim Chairwoman  
Margret King, Interim Vice-Chairwoman  
Pat Moore, Interim Secretary  
Kimberly Ninham, Alternate  
Steve Webster, Alternate  
Linda Langen, Alternate  
Lisa Duff, Alternate  
Ramona Salinas, Alternate  
Terry Thomas, Alternate  
Keenan Skenandore, Alternate  
Wayne Cornelius Jr. Alternate  
Clarissa Reyes, Alternate  
Linda Nockideneh, Alternate  
Kathryn LaRoque, Alternate  
Danielle White, Alternate

**Substantiated Complaints (if applicable)**

Per § 105.12-4.(a) of the [Boards, Committees and Commissions law](#), annual and semi-annual reports shall contain information on the number of substantiated complaints against all members of the entity.

Per § 105.3-1.(q) a “Substantiated complaint” means a complaint or allegation in a complaint that was found to be valid by clear and convincing evidence.

NUMBER OF SUBSTANTIATED COMPLAINTS: 0

**Meetings**

Held every 2<sup>nd</sup> Monday of the month.

Emergency Meetings: 3

**Contact Info**

CONTACT:	Twylite Moore
TITLE:	Interim - Chair
PHONE NUMBER:	920-869-4364
E-MAIL:	Election_Board@oneidanation.org
MAIN WEBSITE:	<a href="https://oneida-nsn.gov/government/boards-committees-and-commissions/elected/">https://oneida-nsn.gov/government/boards-committees-and-commissions/elected/</a>



## Status report of Three-Year Outcomes/Goals

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### Outcome/Goal # 1

Conduct Oneida Elections in compliance with Oneida Law, Policy and/or Resolution.

IS THIS A LONG-TERM OR QUARTERLY GOAL? Long-term

#### GOOD GOVERNANCE PRINCIPLE:

Rule of Law - Ensuring the rules are known and applied equally to all with clear appeal (if needed) and are enforced by an impartial regulatory body, for the full protection of Oneida Nation stakeholders

#### HOW OUTCOME/GOAL SUPPORTS THE GOOD GOVERNANCE PRINCIPLE:

Being compliant with Oneida Law, Policy, and/or Resolutions gives General Tribal Council orderly and easily understood elections.

#### EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

The membership can expect efficient, safe, orderly elections. This was the main goal/outcome for this Quarter. No SOP's were changed as the Election Cycle had begun.

### Stipends

*Per the Boards, Committees, and Commissions law, stipends are set via OBC resolution. BC resolution # 05-08-19-B sets the stipend amounts.*

### Budget Information

<u>FY-2020 BUDGET:</u>	\$81,200
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<u>FY-2020 EXPENDITURES AS OF END OF REPORTING PERIOD:</u>	\$24,745.80
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Stipends, 2020 General Election Materials

### Requests

The Board will be requesting additional pay due to COVID-19 contact with the public during the 2020 General Election.

### Other

On April 27, 2020 six (6) of the nine (9) of the board members recused themselves from the Election Board due to conflicts with the 2020 General Election. On May 14, 2020 Shannon

Metoxen and Lisa John resigned leaving the Board with one (1) member. The Board for the 2/3 of this quarter consisted of Alternates appointed by the Oneida Business Committee. Most were unfamiliar with all that entailed in an election but met regularly with the BCSC and their Attorney to come together to make the 2020 General Election happen in accordance with the Election Law and the Oneida Constitution during the COVID-19 Pandemic.

**Oneida Business Committee Agenda Request**

Accept the Oneida Gaming Commission FY-2020 3rd quarter report

**1. Meeting Date Requested:** 08 / 26 / 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:

Additional Requestor:

Additional Requestor:

# 2020 3rd Quarter Report (Apr.20-Jun.20)

For Boards, Committees, and Commissions (BCCs)

Approved by official entity action on: Aug 18, 2020

Submitted by: Jonas Hill, Commissioner

OBC Liaison: Kirby Metoxen

OBC Liaison: Brandon Yellowbird-Stevens

## ONEIDA GAMING COMMISSION

**Purpose:**

The Oneida Gaming Commission and its departments collectively promote and ensure the integrity, security, honesty and fairness of the regulation and administration of all Gaming activities within the jurisdiction of the Oneida Nation

**BCC Members**

Mark A. Powless Sr  
Chairman  
August 2023

Michelle Braaten  
Secretary  
August 2022

Reynold “Tom” Danforth  
Vice Chairman  
August 2020

Jonas Hill  
Commissioner  
August 2024

**Substantiated Complaints (if applicable)**

Per § 105.12-4.(a) of the [Boards, Committees and Commissions law](#), annual and semi-annual reports shall contain information on the number of substantiated complaints against all members of the entity.

Per § 105.3-1.(q) a “Substantiated complaint” means a complaint or allegation in a complaint that was found to be valid by clear and convincing evidence.

NUMBER OF SUBSTANTIATED COMPLAINTS: 0

**Meetings**

Held every 1<sup>st</sup> and 3<sup>rd</sup> Monday of the month, however due to Covid-19 meetings have been canceled.

Emergency Meetings: 0

**Contact Info**

CONTACT: Mark A. Powless Sr.  
TITLE: Chairman  
PHONE NUMBER: (920)497-5850 ext. 5654  
E-MAIL: Mpowles5@oneidanation.org  
MAIN WEBSITE: <http://www.oneida-nsn.gov/GamingComm>

**Status report of Three-Year Outcomes/Goals**

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Outcome/Goal # 1

Develop/Finalize and revise all regulations, as necessary, including the OGMICS and regulations for Compliance and Enforcement, Employee Licensing, Hearings, Administration/Staffing, and Raffles

IS THIS A LONG-TERM OR QUARTERLY GOAL? Long-term

GOOD GOVERNANCE PRINCIPLE:

Rule of Law - Ensuring the rules are known and applied equally to all with clear appeal (if needed) and are enforced by an impartial regulatory body, for the full protection of Oneida Nation stakeholders

HOW OUTCOME/GOAL SUPPORTS THE GOOD GOVERNANCE PRINCIPLE:

Establishing and maintaining comprehensive and clear regulations that promulgate the rule of law, ensures fair and consistent processes are followed by the Gaming Commission and its departments. Keeping regulations up to date and available for stakeholder reference also allows for a transparent process and knowledge of what is expected. Up-to-date regulations provide for operational and customer references that benefit the Nation and assist the OGC regulate Oneida Gaming effectively

ACCOMPLISHMENTS REGARDING THE OUTCOME/GOAL:

The following chapters of the Oneida Nation Gaming Minimum Internal Control Standards have been reviewed, revised and approved in the first quarter: Gaming Machines, Complimentary Services or Items, Table Games, Surveillance, and Card Games. The following Rules of Play have also been reviewed, revised and approved in the first quarter: Mississippi Stud, Ultimate Texas Hold'Em, Poker, EZ Baccarat, Roulette, and Four Card Poker. The Compliance and Enforcement regulation is also in the final stages of revision and approval.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

The OGMICs revision project will continue with OGC-Compliance facilitating the OGMICS Revision Project process for the OGC and Gaming Operations. The OGMICs chapters to be completed include: Information Technology, Player Tracking and Promotions, Off Track Betting, Cage/Vault, and Title 31. The OGC will also move the Compliance and Enforcement Regulation and the Employee Licensing Regulation forward in upcoming months. Outcome/Goal

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Outcome/Goal # 2

Implement department-wide software system/technology for streamlined communication and regulatory processes and information sharing, budget permitting.

IS THIS A LONG-TERM OR QUARTERLY GOAL? Long-term

GOOD GOVERNANCE PRINCIPLE:

Effectiveness and Efficiency - Processes implemented by the Nation producing favorable results which meets the needs of Membership, Employees, Community, while making the best use of resources – human, technological, financial, natural and environmental

HOW OUTCOME/GOAL SUPPORTS THE GOOD GOVERNANCE PRINCIPLE:

The Oneida Gaming Commission has created efficient processes to keep all of its employees safe during the pandemic. The Commission has been using technology to streamline communication day-to-day operations.

ACCOMPLISHMENTS REGARDING THE OUTCOME/GOAL:

“Doing more with less” has been an on-going phrase heard over the years, particularly during the budget planning cycles, and taken to task. To implement processes that produce favorable results to meet all stakeholders’ needs is ideal. And to do so, utilizing the Nation’s resources responsibly and to the fullest is even more ideal. In order to improve operational effectiveness and efficiencies for the OGC and its departments, leveraging technology is a focal point of such improvement

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

Learning and re-organizing is one of the top priorities for the Commission. The Commissioners are taking on more responsibilities and learning more duties to suit the financial situation.

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### Outcome/Goal # 3

Determine staff competencies and expectations, evaluate staff and identify gaps, and train accordingly.

IS THIS A LONG-TERM OR QUARTERLY GOAL? Long-term

#### GOOD GOVERNANCE PRINCIPLE:

Accountability - The acknowledgement and assumption of responsibility for decisions and actions as well as the applicable rules of law

#### HOW OUTCOME/GOAL SUPPORTS THE GOOD GOVERNANCE PRINCIPLE:

Accountability is achievable when expectations are communicated, and stakeholders are held to those expectations. In order to ensure the OGC departments are sufficiently accountable, required competencies must first be identified, staff evaluated, and subsequently trained, accordingly. For accountability-sake, stakeholders need to acknowledge determined expectations and be held to them as standards of performance

#### ACCOMPLISHMENTS REGARDING THE OUTCOME/GOAL:

Each department of the OGC has developed annual SMART Goals to move this goal forward. Competencies and expectations have been identified, staff evaluated and trained identified and/or planned for all departments to ensure staff is aware and understands expectations. The Surveillance department has already initiated on-going staff training with periodic assessments. The training material continues to be improved upon as the on-going assessments ensue

#### EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

All OGC departments are to tie these staff accountability goals into finalizing strategic workforce plans that are to be complete by June 2020.

### **Stipends**

*Per the Boards, Committees, and Commissions law, stipends are set via OBC resolution. BC resolution # 05-08-19-B sets the stipend amounts.*

### **Budget Information**

FY-2020 BUDGET: \$4,609,642

FY-2020 EXPENDITURES AS OF END OF REPORTING PERIOD: \$82,490.54



The OGC's budget, along with the budgets for the departments under the Executive Director's oversight and the umbrella guidance of the OGC, are utilized to accomplish regulatory requirements and expectations

### Requests

1) Request OBC ensure Gaming General Manager communicates regulatory matters relevant to Gaming Operations to the OGC in a timely manner. Minimally, this includes but is not limited to: OGMICS revision concerns and Sports Betting status and implementation plans2) Request OBC continue to update the OGC on governmental dialogue about Oneida Nation's gaming exclusivity and jurisdictional matters

### Other

Enter other information, if needed.

**Oneida Business Committee Agenda Request**

Accept the Oneida Land Commission FY-2020 3rd quarter report

**1. Meeting Date Requested:** 08 / 26 / 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: Mike Mousseau - OLC Secretary  
Your Name, Title / Dept. or Tribal MemberAdditional Requestor: \_\_\_\_\_  
Name, Title / Dept.Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

# 2020 Q3 Report

For Boards, Committees, and Commissions (BCCs)

Approved by official entity action on: August 10<sup>th</sup>, 2020

Submitted by: Mike Mousseau

OBC Liaison: Trish King

OBC Liaison: Jennifer Webster

## ONEIDA LAND COMMISSION

### **Purpose:**

The Commission was established for the purpose of managing the Nation's land resources, with authority to carry out all the powers and duties as delegated under the following laws of the Nation:

- 1.The Real Property law;
- 2.The Leasing law;
- 3.The Building Code;
- 4.The Condominium Ordinance;
- 5.The Zoning and Shoreland Protection law;
- 6.The Eviction and Termination law;
- 7.The Landlord-Tenant law;
- 8.The Mortgage and Foreclosure law;
- 9.The Cemetery Law; and
- 10.All any other delegating law, policy, rule and/or resolution of the Nation.

**BCC Members**

Rae Skenandore  
Chair  
07/31/2020

Mike Mousseau  
Secretary  
07/31/2021

Sherrole Benton  
Commissioner  
07/31/2021

Pat Cornelius  
Commissioner  
07/31/2022

Becky Webster  
Vice-Chair  
07/31/2022

Julie Barton  
Commissioner  
07/31/2020

Donald McLester  
Commissioner  
07/31/2021

**Substantiated Complaints (if applicable)**

Per § 105.12-4.(a) of the [Boards, Committees and Commissions law](#), annual and semi-annual reports shall contain information on the number of substantiated complaints against all members of the entity.

Per § 105.3-1.(q) a "Substantiated complaint" means a complaint or allegation in a complaint that was found to be valid by clear and convincing evidence.

NUMBER OF SUBSTANTIATED COMPLAINTS: 0

**Meetings**

Held every 2<sup>nd</sup> and 4<sup>th</sup> Monday of the month.

Emergency Meetings: [Click here to enter any emergency meetings that were held during the reporting period and the reason for the meeting](#)

**Contact Info**

CONTACT: Oneida Business Committee Support Office

TITLE: Brooke Doxtator

PHONE NUMBER: (920) 869-1690

E-MAIL: [Land\\_Commission@oneidanation.org](mailto:Land_Commission@oneidanation.org)

MAIN WEBSITE: <https://oneida-nsn.gov/government/boards-committees-and-commissions/elected/#Oneida-Land-Commission>

## Status report of Three-Year Outcomes/Goals

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### Outcome/Goal # 1

#### Promoting Positive Community Relations

IS THIS A LONG-TERM OR QUARTERLY GOAL? Long-term

GOOD GOVERNANCE PRINCIPLE:

Transparency - Open communication about actions taken and decisions made ensuring access to information is clear

HOW OUTCOME/GOAL SUPPORTS THE GOOD GOVERNANCE PRINCIPLE:

The Commission strives to be open and transparent about the actions it takes, and decisions made. We regularly communicate with the membership via General Tribal Council meetings as well as statements posted on Members-Only page. By doing so we hope the membership is informed and engaged with land acquisition, zoning and use as it pertains to our Nation.

ACCOMPLISHMENTS REGARDING THE OUTCOME/GOAL:

Reporting to general membership has to be primarily made through online or the Kalihwisaks. No general update has been provided to the membership since the last General Tribal Council (GTC) meeting. We may look to release updates via Oneida-nsn.gov website or the online version of the Kalihwisaks.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

Information will be presented during annual and semi-annual meetings to the membership. Additionally, we'll communicate to the membership any "high-profile" land acquisition matters to provide as much transparency as possible.

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### Outcome/Goal # 2

#### Exercising Sovereignty

IS THIS A LONG-TERM OR QUARTERLY GOAL? Long-term

GOOD GOVERNANCE PRINCIPLE:

Rule of Law - Ensuring the rules are known and applied equally to all with clear appeal (if needed) and are enforced by an impartial regulatory body, for the full protection of Oneida Nation stakeholders

HOW OUTCOME/GOAL SUPPORTS THE GOOD GOVERNANCE PRINCIPLE:

Re-establish roles & responsibilities to fully implement the 2033 Plan approved by GTC. Which provides for an allocation of funds to reacquire land within the Oneida Reservation.

ACCOMPLISHMENTS REGARDING THE OUTCOME/GOAL:

Due to COVID-19 which put the tribe into a Tier V Budget Contingency Plan the last closing was on 3/24/20. At that time we had closed on: 266.85 acres for the year; 162.60 was in Brown County; 104.30 was in Outagamie County. We currently own 27,610.33 acres (42.20%) of the reservation.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

The Commission continually looks for opportunities to acquire land, use land appropriately and establish new ways to exercise our sovereignty as a Nation. The membership will continue to see new acquisitions and new programs being established with their input to maximize the use of Nation land and properties.

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Outcome/Goal # 3

## Promoting Positive Community Relations

IS THIS A LONG-TERM OR QUARTERLY GOAL? Long-term

GOOD GOVERNANCE PRINCIPLE:

Participation - Fostering a system in which the public feels that they are part of decision-making processes, including freedom of expression and assiduous concern for the best interests of the Tribe and community in general

HOW OUTCOME/GOAL SUPPORTS THE GOOD GOVERNANCE PRINCIPLE:

Develop Land use policy to better serve the needs of the membership. Focus on programs to serve individual farmers, entrepreneurs, and community organizations.

ACCOMPLISHMENTS REGARDING THE OUTCOME/GOAL:

Delays continue to be expected on new rules being enacted and implemented due the COVID-19 response effort. There was no substantial progress mad on new rules this past quarter.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

We anticipate changes and rules we've been able to enact so far will have a positive impact on the nation and our neighbors for the future. When the area begins to rebound from current events, we'll likely see current programs and future expansion of these programs flourish.

**Stipends**

*Per the Boards, Committees, and Commissions law, stipends are set via OBC resolution. BC resolution # 05-08-19-B sets the stipend amounts.*

**Budget Information**

FY-2020 BUDGET: \$16,800

FY-2020 EXPENDITURES AS OF END OF REPORTING PERIOD: \$7,400

**Requests**

Enter request(s), if needed.

**Other**

April through June we had no closing and none are scheduled the remainder of this fiscal year. We have 2 accepted offers which the closing have been postponed to October and November. October closing will require \$292,530.00 to close as the earnest money was \$7500. November closing will require \$515,030.00 to close as the earnest money is \$5000 plus we will be receiving an NRDA grant for \$80,000. We currently have 4 vacant suites. A couple of these were from programs that needed to move. Our savings for this FYI \$692,700 based off the prices in the surrounding areas. This was for the vacant land on Pioneer Dr. and Riverdale & Riverdale & Hwy 54.

Accept the Oneida Nation School Board FY 2020 3rd quarter report  
**Oneida Business Committee Agenda Request****1. Meeting Date Requested:** 08 / 26 / 20**2. General Information:**Session: ☒ Open ☐ Executive - See instructions for the applicable laws, then choose one:Agenda Header: Reports☐ Accept as Information only☒ Action - please describe:**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:

According to Chapter and Section 105.12-3 of the Boards, Commissions, and Committees Law, the Oneida Nation School Board is and entity and required to submit quarterly reports to the Oneida Nation Business Committee. The School Board approved the 2020 Q3 Report at its August 17, 2020 meeting; attached is the draft Minutes.

- 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](mailto:BC_Agenda_Requests@oneidanation.org)

# 2020 report template

For Boards, Committees, and Commissions (BCCs)

Approved by official entity action on: August 17, 2020

Submitted by: Aaron Manders, Ph.D, Chair

OBC Liaison: Brandon Stevens, Vice-Chairman

OBC Liaison: Ernie Stevens III and Daniel Guzman King

## ONEIDA NATION SCHOOL BOARD

**Purpose:**

The Board was established to coordinate existing and future education programs of the Oneida Nation; per directive of the Oneida General Tribal Council, to be an autonomous administrator of the Oneida Nation School System ("System") under a Memorandum of Agreement with the Oneida Business Committee; and to administer the Oneida Nation School System Endowment in accordance with the Nation's Endowments law as authorized under resolution BC-02-27-19-B

**BCC Members**

Aaron Manders, (At-large)  
Chair  
7-31-2021

Sylvia Cornelius (Parent)  
Secretary  
7-31-2021

Vacant (Parent)  
Member  
7-31-2020

Vacant (Parent)  
Member  
Enter term end date

Vacant (Parent)  
Member  
7-31-2021

Sacheen Lawrence (parent)  
Vice Chair  
7-31-2021

Melinda K. Danforth (Parent)  
Member  
7-31-2021

Vacant (Parent)  
Member  
Enter term end date

Vacant (At-large)  
Member  
7-31-2022

**Substantiated Complaints (if applicable)**

Per § 105.12-4.(a) of the Boards, Committees and Commissions law, annual and semi-annual reports shall contain information on the number of substantiated complaints against all members of the entity.

Per § 105.3-1.(q) a "Substantiated complaint" means a complaint or allegation in a complaint that was found to be valid by clear and convincing evidence.

NUMBER OF SUBSTANTIATED COMPLAINTS: 0

**Meetings**

Held every 1<sup>st</sup> Monday of the month and scheduled 2<sup>nd</sup> meeting as needed.

Emergency Meetings: None

**Contact Info**

CONTACT: Jolene Hensberger

TITLE: Administrative Assistant

PHONE NUMBER: 920-869-1676

E-MAIL: school\_board@oneidanation.org

**MAIN WEBSITE:** <https://oneida-nsn.gov/government/boards-committees-and-commissions/elected/#Oneida-Nation-School-Board>

**Status report of Three-Year Outcomes/Goals**

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Outcome/Goal # 1

Complete Strategic Planning for the Oneida Nation School System (ONSS)

IS THIS A LONG-TERM OR QUARTERLY GOAL? Long-term

GOOD GOVERNANCE PRINCIPLE:

Participation - Fostering a system in which the public feels that they are part of decision-making processes, including freedom of expression and assiduous concern for the best interests of the Tribe and community in general

HOW OUTCOME/GOAL SUPPORTS THE GOOD GOVERNANCE PRINCIPLE:

The Strategic Planning process the ONSS is working through Plan that will involve not only the school and its staff; parents and the community-at-large will also be able to participate.

ACCOMPLISHMENTS REGARDING THE OUTCOME/GOAL:

The current situation of the Coronavirus Pandemic has put a bit of a halt to the progress that was being made in regards to the strategic planning process. The focus of the school during this difficult time has been to provide strong instructional resources and support to our students and families. Much work has been done in order to provide the best education settings during these unprecedented times. That being said, the district will continue to work with Mr. Aaron Malczewski from CESA 7 to continue to develop a long term strategic plan for the school system. Sessions were held in January/February with Aaron Malczewski from CESA 7.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

The next step is Action Planning (30-40 hours over a few week period). This process has been placed on hold due to COVID-19 and will continue when it is deemed appropriate and timely.

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Outcome/Goal # 2

Increase communication

IS THIS A LONG-TERM OR QUARTERLY GOAL? Long-term

GOOD GOVERNANCE PRINCIPLE:

Responsiveness - Availability to the public and timeous reaction to the needs and opinions of the public

HOW OUTCOME/GOAL SUPPORTS THE GOOD GOVERNANCE PRINCIPLE:

Increased communication will increase the Board's ability to respond to the needs of the community and the school.

ACCOMPLISHMENTS REGARDING THE OUTCOME/GOAL:

The Board determined they would start with the staff of the school and, working with the Nation's statistician, developed a survey for all employees in the ONSS. This survey was issued in December 2019. Results will be compiled in January/February and reviewed/shared in March.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

The original intent was to survey again to have comparative data but other COVID-19 related tasks became a priority. The Board will work with the administration to communicate the results and work to improve areas of concern as well as continue to support areas of strength.

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Outcome/Goal # 3

Finalize bylaws

IS THIS A LONG-TERM OR QUARTERLY GOAL?

Quarterly

GOOD GOVERNANCE PRINCIPLE:

Rule of Law - Ensuring the rules are known and applied equally to all with clear appeal (if needed) and are enforced by an impartial regulatory body, for the full protection of Oneida Nation stakeholders

HOW OUTCOME/GOAL SUPPORTS THE GOOD GOVERNANCE PRINCIPLE:

Completing the bylaws ensure compliance with the Boards, Committees, and Commissions law.

ACCOMPLISHMENTS REGARDING THE OUTCOME/GOAL:

The bylaws were deferred to the 2nd BC meeting in November 2019. The Board reviewed the bylaws and determined that some of the changes they had requested would need to go before General Tribal Council to change (i.e. number of members, number of parent members). As such, the board decided it was not ready to take the changes to the General Tribal Council. The Board has approved a final draft to be processed through the LRO.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

The intent was to have approval completed by March 2020. As mentioned previously, the COVID-19 pandemic has created greater urgency in the immediate day to day activities and approvals of the board. The finalization of the bylaws will be worked on when the school system is able to regain a sense of normalcy, whatever that may be in the coming months.



**Stipends**

*Per the Boards, Committees, and Commissions law, stipends are set via OBC resolution. BC resolution # 05-08-19-B sets the stipend amounts.*

**Budget Information**

FY-2020 BUDGET: 54,652.00

FY-2020 EXPENDITURES AS OF END OF REPORTING  
PERIOD: 18,289.00

**Requests**

The Oneida Nation School Board appreciates the Oneida Business Committee's decision to support the school system as much as it can. The school system is doing all that it can in regards to reducing spending as we understand the very difficult financial times we are experiencing. That includes not posting positions that have been vacated, making budgetary adjustments to better reflect grant funded positions, and reducing spending wherever possible. We understand that these are unprecedented times for the Nation and will do what we can to support the Nation.

**Other**

The Oneida Nation School Board participates in the hiring process for the Oneida Nation School System. Pursuant to the 1988 MOA, three (3) school board members shall volunteer to participate in this process. There were two scheduled dates in this quarter where only two of the three participants were present due to unforeseen circumstances. First date was July 22, 2020 for the elementary school interviews; retro-approval was obtained by the School Board at their August 3, 2020 meeting. The second date was August 10, 2020 for the screenings of two Health Aides; this was retro-approved by the Board on August 17, 2020.



## Oneida Nation School Board Meeting Minutes

**Date:** August 17, 2020

**Time:** 12:00 p.m.

**Place:** Via Microsoft TEAMS

The Oneida Nation School Board is committed and accountable to students, parents, families, staff, and community members to provide regulatory oversight for a safe, positive, culturally diverse, holistic, learning atmosphere based on Onayoté a'ka values. We will provide the expectations, resources, and educational opportunities to encourage students to be productive.

**Present:** Aaron Manders, Sacheen Lawrence, Sylvia Cornelius, Melinda K. Danforth

**Excused:**

**Unexcused:**

**Others:** Sheri Mousseau, Yvette Peguero, Artley Skenandore, Tony Romandine, Fay LeMense, Tanya Hill, Tracy Christensen, Jackie Summers, Jennifer Tenor, Morgan Clark, Jessie Law, Jolene Hensberger (recorder)

**Called to order by:** Aaron Manders

**Time:** 12:00 p.m.

### **I. Adopt Agenda**

Motion by Sacheen Lawrence to adopt the agenda. Seconded by Sylvia Cornelius. Motion carries.

### **II. Follow Up**

#### **A. Update of SY20-21 School Re-opening Plans**

Motion by Sacheen Lawrence to accept the update and approve the recommendation from Administration to start the year virtually and to have another update at Q2. Seconded by Melinda K. Danforth. Motion carries.

**Discussion:** School Board requests weekly updates. Requested virtual school day schedules and structure to be provided to K-12 parents. Provide teacher contact information and how parents can access homework sites. Are there enough Chrome Books and hotspots for families? Can there be a 1:1 teacher assistant help time in person if a student needs the extra help?

#### **B. Approve draft of revised School Calendar for Virtual Method of Instruction**

Motion by Sylvia Cornelius to approve the revised calendar. Seconded by Melinda K. Danforth. Motion carries.

\*This item, II.B. is an add-on and was not adopted into the agenda. By School Board consensus, it is added as the action in II.A. approved to start the school year virtually.

### III. New Business

#### A. Q3 Report to the BC (due on agenda August 18th; meeting date is August 26th)

Motion by Sylvia Cornelius to approve the Q3 School Board report to the BC with one update of including At-Large in one of the memberships. Seconded by Sacheen Lawrence.

#### B. Retro-approve Hiring Procedural Exception for August 10, 2020 Screenings

Motion by Sylvia Cornelius to retro-approve the hiring procedural exception for the August 10, 2020 Health Aide screenings. Seconded by Sacheen Lawrence. Motion carries.

Motion by Sacheen Lawrence to go into executive session at 12:19 p.m. Seconded by Sylvia Cornelius. Motion carries.

### IV. Executive Session

Present: Aaron Manders, Sacheen Lawrence, Sylvia Cornelius, Melinda K. Danforth

Others: Sheri Mousseau, Jolene Hensberger (recorder)

Motion by Sacheen Lawrence to come out of executive session at 12:23 p.m. Seconded by Melinda K. Danforth. Motion carries.

#### A. Accept Resignation Letter Dated 8/13/2020 and Request to Post Position

Motion by Sylvia Cornelius to accept the resignation dated 8/13/2020 from Susan Doxtator. Seconded by Sylvia Lawrence. Motion carries.

Motion by Melinda K. Danforth to approve the posting of Clerk – Accounts Payable position. Seconded by Sylvia Cornelius. Motion carries.

Note: documentation of request to post position is an add-on to item IV.A.

### V. Adjourn

Motion by Melinda K. Danforth to adjourn at 1:00 p.m. Seconded by Sacheen Lawrence. Motion carries.



**Oneida Business Committee Agenda Request**

Accept the Oneida Trust Enrollment Committee FY-2020 3rd quarter report

**1. Meeting Date Requested:** 08 / 26 / 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:

Additional Requestor:

Additional Requestor:

# 2020 report template

For Boards, Committees, and Commissions (BCCs)

Approved by official entity action on: Click here to enter approval date

Submitted by: Brent Truttmann

OBC Liaison: Kirby Metoxen

OBC Liaison:

## ONEIDA TRUST ENROLLMENT COMMITTEE

**Purpose:**

Sustain the Oneida membership and protect our trust assets. To exercise stewardship over tribal enrollment and trust assets while providing leadership to sustain the tribe.

**BCC Members**

Debra Danforth  
Chair  
July 2021

Barbara “Bobbi” Webster  
Vice Chair  
July 2020

Geraldine Danforth  
Secretary  
July 2021

Norbert Hill Jr.  
Committee Member  
July 2022

Loretta Metoxen  
Committee Member  
July 2022

Lisa Liggins  
Committee Member  
July 2021

Elaine Skenandore-Cornelius  
Committee Member  
July 2020

Pamela Ninham  
Committee Member  
July 2022

Kirby Metoxen  
Committee Member/OBC Liaison  
July 2020

Enter Board Member Name  
Enter Board Member Title, if any  
Enter term end date

Enter Board Member Name  
Enter Board Member Title, if any  
Enter term end date

Enter Board Member Name  
Enter Board Member Title, if any  
Enter term end date

**Substantiated Complaints (if applicable)**

Per § 105.12-4.(a) of the [Boards, Committees and Commissions law](#), annual and semi-annual reports shall contain information on the number of substantiated complaints against all members of the entity.

Per § 105.3-1.(q) a “Substantiated complaint” means a complaint or allegation in a complaint that was found to be valid by clear and convincing evidence.

NUMBER OF SUBSTANTIATED COMPLAINTS: 0

**Meetings**

Held every 4<sup>th</sup> Tuesday of the month.

Emergency Meetings: January 10, 2020 – Sustain Oneida GTC Prep

**Contact Info**

CONTACT: Keith Doxtator  
TITLE: Trust Enrollment Department Director  
PHONE NUMBER: 920-490-3934  
E-MAIL: [kdoxtat1@oneidanation.org](mailto:kdoxtat1@oneidanation.org)  
MAIN WEBSITE: <https://oneida-nsn.gov/resources/enrollments/>

**Status report of Three-Year Outcomes/Goals**

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Outcome/Goal # 1

Sustain Oneida. To gain input from the membership to determine a solution to which will ensure the Nation’s survival

IS THIS A LONG-TERM OR QUARTERLY GOAL? Long-term

GOOD GOVERNANCE PRINCIPLE:

Participation - Fostering a system in which the public feels that they are part of decision-making processes, including freedom of expression and assiduous concern for the best interests of the Tribe and community in general

HOW OUTCOME/GOAL SUPPORTS THE GOOD GOVERNANCE PRINCIPLE:

Sustain Oneida has been ongoing project that has utilized a demographer to analyze membership information to provide current statistics and assist in future projections of the enrolled membership focusing on present day enrollment blood quantum criteria.

ACCOMPLISHMENTS REGARDING THE OUTCOME/GOAL:

The Sustain Oneida project was poised to present a demographer's analysis of the Oneida Nation's population at a Special GTC Meeting originally scheduled for March 16, 2020. The presentation was to provide information and a plan to continue community outreach meetings with a goal to assist membership on how they would like to proceed. The GTC meeting was rescheduled due to an unrelated GTC motion, and then with the "Safe at Home" procedures instilled from COVID-19, the GTC Meeting and all community meetings were cancelled.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

With the social distancing measures in place and the implementation of Tier V Budget Contingency plan, the future of the Sustain Oneida Initiative is uncertain. Majority of the Trust Enrollment Department's time has been issuing Tribal IDs, processing Minors Trust and Elder Per Capita distributions, and fielding general questions from the community.

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### Outcome/Goal # 2

Continue to engage the community on identity, belonging, and citizenship

IS THIS A LONG-TERM OR QUARTERLY GOAL?      Quarterly

GOOD GOVERNANCE PRINCIPLE:

Participation - Fostering a system in which the public feels that they are part of decision-making processes, including freedom of expression and assiduous concern for the best interests of the Tribe and community in general

HOW OUTCOME/GOAL SUPPORTS THE GOOD GOVERNANCE PRINCIPLE:

Providing available statistical membership information and presenting in a logical manner that encourages discussion in an open community meeting. This will provide community feedback to assist project coordinator in compiling possible solutions to bring to the larger forum at GTC.

ACCOMPLISHMENTS REGARDING THE OUTCOME/GOAL:

The final demographer results have been received. The information has been reviewed by OTEC and was being converted to easily digestible information for an upcoming GTC Meeting. With the "Safe at Home" procedures instilled from COVID-19, the GTC Meeting and all community meetings were cancelled.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

With the social distancing measures in place and the implementation of Tier V Budget Contingency plan, standard community meetings have not been scheduled. Majority of the Trust Enrollment Department's time has been issuing Tribal IDs, processing Minors Trust and Elder Per Capita distributions, and fielding general questions from the community

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Outcome/Goal # 3

Implement New Minors Trust Processes

IS THIS A LONG-TERM OR QUARTERLY GOAL?      Long-term

GOOD GOVERNANCE PRINCIPLE:

Effectiveness and Efficiency - Processes implemented by the Nation producing favorable results which meets the needs of Membership, Employees, Community, while making the best use of resources – human, technological, financial, natural and environmental

HOW OUTCOME/GOAL SUPPORTS THE GOOD GOVERNANCE PRINCIPLE:

Minor Trust Accounts departmental timeline process and forms are reviewed before the next projected annual distribution. Reviewing and updating as applicable assists in accurate information for preparation of processing of efficient payment distribution.

ACCOMPLISHMENTS REGARDING THE OUTCOME/GOAL:

The Minors Trust Distribution will continue as scheduled. The Minors Trust claim/deferral forms have been mailed to all eligible members. The deadline to submit Minors Trust claim/deferral forms was July 1, 2020. The Trust Enrollment Department continues to process forms as they come in and answer questions from the community.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

We have been receiving phone calls from members who missed the deadline citing they need their Minors Trust Fund to pay for college since the Higher Education benefit was reduced to \$5,000 per year. This has led to an increase of inquiries and petitions for an early distribution of minor's trust fund based on an unforeseeable emergency impacting the member's education. However, with the advent of the Higher Education Pandemic Relief Fund, we anticipate these petitions will be mitigated.

**Stipends**

*Per the Boards, Committees, and Commissions law, stipends are set via OBC resolution. BC resolution # 05-08-19-B sets the stipend amounts.*

**Budget Information**

<u>FY-2020 BUDGET:</u>	\$780,268
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<u>FY-2020 EXPENDITURES AS OF END OF REPORTING PERIOD:</u>	\$545,545
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Enter budget utilization information, if needed.

**Requests**

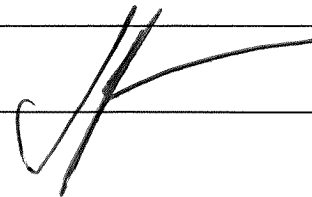
Enter request(s), if needed.

**Other**

Enter other information, if needed.

**Oneida Business Committee Agenda Request**

Accept the Bay Bancorporation Inc. FY-2020 3rd quarter report

**1. Meeting Date Requested:** 08 / 26 / 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 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:

Bay Bank is presenting its quarterly corporate report to the BC in Open Session. Management of Bay Bank will provide a summary of the Bank's financial results for the quarter ended 6/30/20.

- 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](mailto:BC_Agenda_Requests@oneidanation.org)

**Bay Bank**  
**QUARTERLY REPORT**

Quarter ended June 30, 2020

A. BAY BANK

Submitted by: Jeff Bowman, Board Member  
Directors: Fern Orie, Bob Jossie, Jeff Bowman,  
Todd Van Den Heuvel, Elaine Skenandore-Cornelius

Oneida Business Committee Contact: David Jordan

B. MINUTES

None Submitted

ACTION TAKEN

No Tribal Policy changes.

D. FINANCIAL

Note that various financial reports

December 31, 2020 is Bay Bank's fiscal year end.

E. SPECIAL EVENTS AND TRAVEL

None

F. PERSONAL COMMENTS

Bay Bank account numbers as of June 30, 2020:

1,374	Checking Accounts
425	Business Checking Accounts
82	Money Market Accounts

1,657	Savings Accounts
337	Certificates of Deposit
112	Commercial Real Estate Loans
1,049	Residential Real Estate Loans
325	Business Loans
506	Consumer Loans
34	Oneida Small Business 2000 Loan Program Loans

The Oneida Small Business Loan Program 2000 that is administered by Bay Bank started on May 1, 2002. As of this date over \$ 14.0 million in new loans have been made to over 139 new or growing Oneida tribal member owned businesses.

The Section 184 mortgage loans serviced under FHLB MPF program totaled \$84.3 million at June 30, 2020. There are 694 loans in the program currently.

#### G. GOALS AND OBJECTIVES

##### 2020 GOALS:

GOAL A: Bay Bank will strive to attain a minimum 0.50% Return on Assets for the year ending December 31, 2020. Return on Assets (ROA) is a common measurement of a bank's profitability. This ratio informs you how well the bank is managing and investing the bank's assets.

2020 ROA Goal	2020 YTD ROA Actual	2020 Peer Group Average
0.50 %	0.89%	1.03%

GOAL B: Bay Bank will strive to attain a minimum 6.00 % Return on Equity for the year ending December 31, 2020. Return on Equity (ROE) is the measurement of how well the bank is performing for its stockholder.

2020 ROE Goal	2020 YTD ROE Actual	2020 Peer Group Average
6.00 %	6.67 %	8.65 %

Bay Bank had budgeted total loans for the quarter ended June 30, 2020 in the amount of \$ 64.7 million. Total loans at June 30, 2020 were \$ 78.5 million, an increase of \$ 13.8 million from budget. Loans increased \$ 12.7 million over the 12-month period ended June 30, 2020.

Bay Bank had budgeted total deposits for the quarter ended June 30, 2020 in the amount of \$ 88.2 million. Total deposits at June 30, 2020 were \$ 98.1 million, an increase of \$9.9 million over budget. Deposits increased \$ 18.3 million for the past twelve months, the result of increase in transaction accounts, savings deposits and time deposits.

H.

#### MEETINGS

Monthly meeting on the fourth Thursday of each month. Well attended.

**Oneida Business Committee Agenda Request**

Accept the Oneida ESC Group LLC FY-2020 3rd quarter report

**1. Meeting Date Requested:** 8 / 27 / 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 Member

Additional Requestor:

Additional Requestor:



# **Oneida ESC Group, LLC**

**3<sup>rd</sup> Quarter Report – FY 2020**

**August 12, 2020**

**OESC Board of Managers:**

**John L. Breuninger, Chairman**

**Jacquelyn Zalim**

**Leslie Wheelock**

Oneida ESC Group, LLC (OESC), was formed in 2012 as a holding company to house subsidiaries to do business with the federal government. OESC has five subsidiaries, Oneida Total Integrated Enterprises (OTIE), Mission Support Services (MS2), Sustainment and Restoration Services (SRS), Oneida Engineering Solutions (OES) and 1822 Land and Development Company of Oneida (1822).

OESC's subsidiaries are supported by OESC with general management and administrative functions, including accounting and contracting management, human resource management, IT support, overall management, and marketing, bid and proposal. Below is a summary of OESC and its subsidiary's activities.

### **Narrative Report**

#### **a. Explanation of the core of the Corporation's business practices and market overview**

OESC's subsidiary limited liability companies focus on contracts issued by the government agencies for engineering, science and construction work. OESC's revenue is derived from the subsidiaries that operate in the full and open market as well as the Small Business Administration Business Development Markets primarily as 8(a) and Small Business designated companies.

OESC and its subsidiaries are a highly technical organization providing research /investigation, design, engineering and project management. Oneida ESC Group operates in five core services:

- Environmental services – Assessment, investigation, design, testing and monitoring
- Remediation – Action Planning, project management, extraction of contaminated materials.
- Construction and demolition – Repair, service, abatement, renovation and new.
- Engineering Services – Design and project managements for sites and site design, structural, mechanical, plumbing, civil, structural, water / waste water systems and storm water management.
- Munitions response services – Investigation and remediation of munitions and ordinances.

**Oneida Total Integrated Enterprises (OTIE)** – Competes in the full and open marketplace as a small business (less than 750 employees). Core competencies include environmental services, environmental remediation and project management.

**Mission Support Services (MS2)** – 8a Graduation date is 3/15/2022. MS2 is focused on construction management contracts. Core competencies include construction management services, New and renovated structures, HVAC systems and controls Utility systems - water, sewer, gas, electrical, Electrical power generators, transformers, and distribution, Communication and security systems, Interior remodeling, upgrades focused on the federal market with supplemental markets includes commercial and tribal construction projects.

General Mechanical Corporation (GMC) is subsidiary company to MS2 and operates mainly as an HVAC Contractor and General Contractor in Daytona FL.

**Sustainment & Restoration Services (SRS)** – 8a Graduation date is 2/18/2023.

SRS core competencies include facility investigations, corrective measures design/implementation, remedial designs/remedial actions, including characterization, assessment, and cleanup, Wetlands assessment and wetlands restoration design, Brownfields – Phase I & II ESAs, Technical Enforcement Support Facility and asset inventory, evaluation, and assessment Engineering design for site development, utility systems, facilities Engineering design for wastewater treatment and sewerage systems, and specialized professional services manpower solutions.

**Oneida Engineering Solutions (OES)** – OES focuses on performing transportation engineering services for governmental agencies (Federal, State and Local). Work is federally funded and abides by the Brooks Act; requiring selection based on competency, qualifications and experience. OES has been certified as a Disadvantage Business Enterprise in the State of Wisconsin.

**1822 Land and Development Company of Oneida (1822)** – 1822 is a real estate holding company that owns, leases and sub-lease various real estate holdings in and around the Oneida Nation Reservation. The overall goal is to grow the portfolio that meets the needs of the Oneida Nation and the Northeastern WI.

**b. Explanation of the Corporation's current place within the market**

OESC operates in a fiercely competitive and expanding market. An abundance of Architecture / Engineering / Construction (AEC) firms provide similar services offered by OESC. Competitive factors for our success include performance reputation, network, price, geographic location, and availability of technically skilled personnel (flexibility).

Three of the top five federal spending agencies awarding non-competitive contracts are OESC customers.

**c. Explanation of the outlines of strategies by the Corporation for improved value in the market**

OESC's subsidiaries are positioned to take advantage of existing relationships, contracts and networks OTIE established since 2008.

We continuously evaluate solutions to broaden and capture a larger share of the Federal and State markets. Each subsidiary operates based on primary NAICS codes with secondary NAIC codes that overlap with the sister companies.

**d. Explanation of the Corporation's relative performance vs. competitors and identification of key competitors within the market**

Our competitors include: Small Businesses, Alaskan Native Corporations (ANCs); Native American Owned, tribally-owned small businesses; and Native Hawaiian Organizations (NHOs). Each of these businesses is in a category of small business that may be awarded



prime contracts without competition. Oneida ESC subsidiaries also compete against other 8(a) firms for set-aside acquisitions, including small businesses that are categorized as Woman-Owned, HUB Zone, Service Disabled Veteran Owned small business, and others. Finally, Oneida ESC competes in the full and open markets without restrictions.

Typical competitors for OTIE include Small Business firms with fewer than 750 employees in NAICS 562910. Another area of significant competition is the regional Transportation Engineering firms in Wisconsin for WI DOT work (OES).

**e. Explanation of any material changes or developments in the market or nature of business the Corporation is primarily engaged in since the last reporting period.**

We continue to see proposal activity from our federal and state customers; however, the COVID pandemic has caused a lot of delays. Responses from customers to our comments/questions are taking longer and rarely are we able to contact customers in their office, which further slows down the process. Proposal deadlines are then delayed even further. Additionally, events, seminars and conferences, and travel in general, where we can meet one on one with existing and potential new customers have all been cancelled or converted to virtual meetings have limited our ability to engage and develop relationships. Despite the challenges we have grown our backlog for FY21 by delivering project and engaging customers via phone and video conferencing.

**f. Identification of the primary goals and targets of the Corporation and progress made towards accomplishment of the same**

***Goals for Oneida ESC Group***

Growth at a reasonable rate is the primary business goal for OESC. Financial reward for OESC is when we align our investment strategies according to our client's mission priorities.

***Targets for OESC Subsidiaries:***

Opportunities continue to exist in geographies where OTIE, MS2, SRS and OES have successful past performance; and where personnel involved in such projects have established strong relationships with teaming partners and clients. Opportunities continue to emerge based on combined efforts of OESC's marketing and sales efforts. Target clients continue to include Department of Defense agencies (various bases – Navy, Air Force, and Army), Environmental Protection Agency, WI Department of Transportation, Milwaukee Metropolitan Sewer District and the Oneida Nation.

New target clients include extended services on existing bases, geographical growth on "new" bases where OESC has not performed work on in the past, municipalities geographically related to OESC offices and other Tribal Nations.

**g. Identification of key elements for success in strategies given, including risks, resources and relations available and needed in order to successfully fulfill outlined strategies**

***Key elements for success in the OESC model include:***

- Meeting performance indicators, including safety, staff turnover, profitability, staff utilization, backlog and capacity.
- Adapting to a changing customer base, contract type, or key skill set. We recognize and reconfigure based on identified needs to delivery strategic growth.
- Identification of contract capacity and access is under regular review.
- Increasing our geographic footprint and capabilities.

***Risk in the marketplace***

- We operate in highly competitive industries
- Contracting is often erratic and unpredictable; cancellations or delays in pending awards by government agencies could adversely affect us
- International operations carries additional risk
- Loss of key personnel
- Adoption of new contract laws or regulations.

**h. Identification of medium (two to five year) and long (greater than five year) prospects and sustainability of the Corporation given the present status, strategies and risks**

Our medium and long range prospects for sustainability are balanced by business diversification and consistent project management delivery.

We have successfully groomed long-term business relationships with key US Agencies for services delivered around the world. Contracting with the US government remains a reliable strategy in terms of payment, stability, and growth opportunity.

***Medium-term prospects***

OESC's prospects in the two- to five-year term rely on our sturdy performance in engineering, science and construction to existing clients; adjacent clients/services and geographic areas; and new service offerings to new clients. OESC continues to focus on business development and talent acquisition to meet our growth metrics.

***Long-term prospects***

OESC envisions steady growth with our key customers over the long term. OESC is nimble and agile, allowing us to focus on governments funding flows.

Continued reliance on low-price awards is a staple in our business model and we continue to adjust the pricing structure to ensure that we remain competitive. We continue to concentrate marketing efforts on maximizing our return on investment through expanding support for existing customers, developing tasks under existing contracts, and collaborating with firms that need either small business participation or our specialized expertise.

i. **Explanation of market growth (if any) experienced by the Corporation, identifying sources of growth (i.e., organic growth through market share increase, volume of business increase, acquisition of competition or other assets, etc.)**

We have made a concerted effort on our fence-to-fence contracts which is environmental operations and compliance services. We also see growth in our traditional engineering services such as civil, mechanical, electrical, etc.

j. **Summary of the assets of the Corporation, including but not limited to its financial, physical, employee, customer, brand or intellectual property, and supply assets.**

OESC ASSETS
<b><u>Financial (On Balance Sheet)</u></b> Cash –Checking Account Work In Process on Current Projects Fixed Assets such as Vehicles, Furniture and Fixtures, and Miscellaneous Equipment Other Assets such as Prepaid Expenses, Investment
<b><u>Employees</u></b> OESC - 48 employees (includes 1822 employees) OTIE – 152 employees MS2 – 73 employees (includes GMC employees) SRS - 84 employees OES – 30 employees
<b><u>Customers</u></b> 95% of Revenue from Federal clients.

k. **Summary and status of any pending legal action to which the Corporation is a party and any relevant government regulation to which the Corporation may be subject.**

One of GMC’s subcontractors has threatened to file a mediation claim against GMC. GMC terminated the subcontractor’s subcontract for default. GMC has calculated that the total backcharge the sub owes to GMC due to the sub’s poor performance is \$26K, and is defensible. After retaining the backcharge amount, GMC owes the sub \$31K for work that was performed and accepted. The sub disagrees with the amount withheld for backcharges. After internal GMC discussion, GMC agreed to reduce backcharge to \$23K, but will not agree to any further reduction. The sub said they'll go to mediation. GMC's position is very strong, and stays at \$23K backcharges or go to mediation. In June, the sub asked GMC to resend its detailed response, and GMC did so. There has been no further response from the sub.

## Accept the Oneida Airport Business Committee FY20 Agenda Request

**1. Meeting Date Requested:** 08 / 26 / 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 Member

Additional Requestor:

  
Name, Title / Dept.

Additional Requestor:

  
Name, Title / Dept.

Oneida Airport Hotel Corporation  
Radisson Hotel & Conference Center  
Quarterly Report  
For the quarter ended: June 30, 2020

## **Narrative Section**

### Business practice, market overview, place within market:

- Q3 STR Occupancy YOY index down 50.6%; ADR YOY up 6.9%; RevPar YOY index down 47.2% - compared to comp set. More rooms YOY in Radisson inventory of 3,367. STR numbers affected YOY due to increase of inventory compared YOY.
- STR numbers down for Occupancy due to Covid, starting March 12, 2020, which would affect entire Q3 for the property. Hotel tried to maintain somewhat rate integrity to get business in during “Safer at Home Order” for the state of WI which ended in May. As well Casino reopened May 26, assisted in occupancy with packaging options.
- Sales team reduced to Director Sales, Corporate Revenue Manager and a Catering Manager.

### Competitive analysis:

- Green Bay area hotels currently fighting for same pieces of transient business and putting offers and deals/packages out to gain occupancy
- Corporate guests just starting to travel a little, not as much as prior due to state restrictions/travel restrictions etc.

### Strategies for improved value:

- Developed packaging in Corporate/Association Meetings, Tour & Travel, Wedding, Travel Agents and Transient markets to gain short term bookings for need months
- Working with Radisson Corporate in all Sales markets to gain leverage and recognition, as well as utilizing their Meeting Planner incentive programs
- Working with Aimbridge Regional properties to gain leverage and recognition
- Working closely with Green Bay CVB in all Sales markets to keep top of mind and participate in all sales initiatives
- Ensuring all Safety Protocols being enforced in meeting and catering groups booked

### Material changes or developments in market/business:

- Radisson Appleton now a Red Lion— in our STR comp set
- Holiday Inn Appleton now a DoubleTree by Marriott – in our STR comp set
- Ramada now Delta by Marriot - in our comp set reopened 2/14/19 - 149 rms
- Brown County Arena and Shopko Hall under complete renovation
- Lodge Kohler closed until July 28, 2020

Market growth:

- Legacy Hotel due to break ground and open in 2020 – 79 room property.
- My Place located on Holmgren Way in Ashwaubenon scheduled to open September 2020 – 64 room property.

Pending legal action:

- Yes

Oneida Airport Hotel Corporation  
Three Clans Airport, LLC  
Quarterly Report  
For the quarter ended: June 30, 2020

Business practice, market overview, place within market:

- The Wingate closed March 27<sup>th</sup>, 2020 to May 1<sup>st</sup>, 2020 due to covid and low occupancy.
- Ranking for the third quarter from the STR Report the Wingate is 6 out of 7 based on REVPAR and 7 out of 7 based on Occupancy.
- For the third quarter, the Wingate saw an increase in the Airline Crew Business from Endeavor due to an increase in flights into Green Bay
- The Wingate averaged a 16.9% occupancy for the third quarter, this was a 57.3% decrease year over year.

Competitive analysis:

- The competitors ran a REVPAR of \$21.44 to Wingate's \$12.36 for the quarter.
- The competitive set had an occupancy of 31.7% to the Wingate's 19.6%.

Strategies for improved value:

- The Wingate's strategy is to continually grow rate is to yield rates sooner especially on high demand dates and to offer less heavily discounted rates on slow dates. Discounted rates will still be offered for slower dates but not as much as they have been in the past.
- The Wingate continues to use all 3<sup>rd</sup> party booking channels to increase bookings and is using opaque rates as often.
- The Radisson Sales team continues to cross sell the hotel.
- The Wingate is also focusing on adding a new room packages and attracting future bus tours.

Material changes or developments in market/business:

- The Wingate continues to see a slight increases in the corporate business traveler.

Market growth:

- For the third Quarter, the Wingate ended with a 12.36% REVPAR Index.
- Revenues for the third quarter were \$61,956.00 which was down from prior year by \$395,106.00.

Pending legal action:

- Nothing at the moment



Accept the Oneida Golf Enterprise FY-2020 3rd quarter report

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## Business Committee Agenda Request

1. Meeting Date Requested: 08/26/20

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: Eric McLester, Agent/Oneida Golf Enterprise

Primary Requestor: \_\_\_\_\_

Additional Requestor: (Name, Title/Entity)

Additional Requestor: (Name, Title/Entity)

Submitted By: LLIGGINS



## Oneida Golf Enterprise Corporation

### Fiscal year-To-Date Reporting for period Ending:

June 2020

The Oneida Golf Enterprise Corporation (OGEC) is a corporation of the Oneida Nation established to oversee and manage the business known as Thornberry Creek at Oneida.

## **Narrative Report**

### ***Business Overview***

#### **3<sup>rd</sup> Quarter FY20 – April, May, June**

3<sup>rd</sup> Quarter 2020 began with the restaurant open to curbside take-out only, but then quickly progressed through the reopening plan for all areas of the business. Golf course operations officially opened with restrictions on April 24<sup>th</sup> to include online and phone reservations/payments, 15-minute tee-time intervals, single riders in carts, limited food & beverage operations and the clubhouse remaining closed. The golf shop opened on May 15<sup>th</sup> followed by the restaurant and event spaces on May 22<sup>nd</sup>. (2) riders per cart began on May 22<sup>nd</sup> and tee-time intervals were moved back to 10 minutes on May 26<sup>th</sup>. The restaurant and event spaces continue to practice social distancing as recommended by the WEDC guidelines to include 6' spacing between tables and no more than (6) chairs per table.

- Overall revenues missed budget by 34% or \$404,938 and 27.3% compared to LY
- Payroll expenses operated at a 19.8% savings (\$103,258) vs budget
- Operating expenses ended the quarter at 55.5% under budget or \$203,983
- **Although revenue in the 3rd quarter was challenging, NOI exceeded budget by 80.8% or \$35,740. NOI still exceeds YTD budget by \$73,887 through the end of June.**

#### **Personnel Update:**

- General and Administrative
  - Holly Williams – General Manager
  - Kathleen Kaminski - Controller
- Course & Grounds
  - Steve Archibald – Golf Course Superintendent

- Pete Nowak – Assistant Golf Course Superintendent
  - Ed Brusky – Golf Course Fleet Mechanic
- Golf
  - Justin Nishimoto – Head Golf Professional
  - Andrew Gutzman – First Assistant Golf Professional
- Food and Beverage
  - Adam Marty – Executive Chef and Food & Beverage Director
    - Donelle Walters was terminated due to performance on May 28<sup>th</sup>
  - Sous Chef – Vacant (Caitlin Rodriguez-Opinker turned in her resignation June 30<sup>th</sup>)
  - Wes Suzawith – Food & Beverage Manager
  - Brittnei Hemauer – Food & Beverage Manager
  - Joy Lundberg – Event & Catering Coordinator
- Clubhouse Maintenance
  - Mike Gottfried – Clubhouse Superintendent
- Sales and Marketing
  - Director, Sales & Marketing – Chelsea Kocken
  - Manager, Sales & Marketing – Chase Powers

#### Key Performance Highlights:

- Golf course operations opened on April 24<sup>th</sup>, which was a major revenue driver for the business. Both courses opened with golf carts one week prior to other courses in the State of Wisconsin for carts.
- Online payment for golf was used for the first time and is working well
- The driving range opened prior to other courses in the State of Wisconsin. Range balls are now only included in the peak rate for the Legends Course, which begins after Memorial Day. This new revenue stream and has had a positive impact on the business.
- The food and beverage team began implementing specials and enhanced food on the course in May, which has increased food and beverage sales on the course.
- The golf staff added more items to the online store and offered curbside service for orders completed online and over the phone. These items included the basics such as balls and gloves.
- The restaurant expanded hours for curbside take out and course service to seven days a week starting on May 1<sup>st</sup>. The clubhouse opened and in-person dining began on May 22<sup>nd</sup>.
- The Payroll Protection Plan (PPP) loan was secured for \$434,000 on April 17<sup>th</sup>. The initial thought was that only \$292,000 of the loan would be available for forgiveness, but staff is continuing to monitor this program as restrictions change.
- All areas of the business were fully activated (with social distancing) in June and the property hosted Junior Golf clinics, one golf outing, one small wedding, a Celebration of Life, multiple wedding tastings, the PGA Junior Golf League began and a Father's Day promotion was executed.
- Annual pass and fringe benefit cards sales officially surpassed the annual budgeted revenue in the dues category in June by \$19,308.
- Overall rounds are up 11% or 1,743 rounds compared to 2019 and up 23.5% or 3,828 compared to 2018.

- The Iroquois Course has seen significantly more play during 2020 Q3 than previous years. Daily paid rounds on this 9-hole course are up 28% or over 2,000 rounds compared to 2019. This is up 46% compared to 2018 or 3,361 rounds.

**Key Performance Issues:**

- Revenue is down due to the COVID-19 pandemic. Food & Beverage and the golf shop are the hardest hit areas.
- Food and Beverage revenues are 47% to budget due to loss of business in banquets and golf outings as well as decreased traffic in the restaurant.
- Golf Shop revenues are down 28% compared to budget due to the loss of golf outings and reduced traffic in the golf shop.
- The majority of golf outings have canceled for the season and weddings through July 31<sup>st</sup>. The majority of dates have been rescheduled when possible, however over \$246K in revenue has already been lost for the year.
- Rounds on the Legends Course are down 15% or 955 compared to 2019 and 9% compared to 2018. This is due to a loss of over 2,500 rounds for golf outings. If you remove golf outings from the equation, rounds on the Legends Course are up 27% or 1,618 rounds compared to 2019 or 31% compared to 2018.
- Average Green Fee/Cart Fee is down compared to previous years even though total rounds are up. This is due to a significant increase in rounds on the Iroquois Course and also Junior Rounds, which have a lower rate than the daily fee on the Legends Course.

**Key Marketing Actions to Drive Performance:**

- Facebook was large part of the marketing plan during Q3 due to the large reach potential with minimal investment. Posts during Q3 had a total organic reach average of 2,763, total paid reach average of 1,571
- Paid radio campaigns began with WIXX radio, which has the largest reach in the market. This promotion included (1) facebook post per month in addition to radio spots, which had a reach of 13.1K in May with 18.9K impressions. The June post had a reach of 8.8K and 15.7K impressions.
- Facebook fans are 49% women and 51% men. The majority fall in the 35-44 age category with 25-34 being a close second.
- 8,644 total subscribers were part of the email database at the end of June. These lists are segmented based on consumer demographics/interests and will continue to be refined throughout the rest of the year.
- 15 email blasts were sent during this time period with 40,648 total views.
- 189 sales leads received through the website during the quarter, the majority of leads were for weddings followed by stay & play and general contact forms in third.
- The team will continue to monitor pricing strategies and make adjustments as needed to maximize revenue.

**KemperSports Initiatives:**

**TrueService / TrueReview:** The KemperSports True Service program was created to serve as a standardized service training and delivery platform across all facilities. It provides the foundation for KemperSports properties to stand out in their markets, differentiating the customer experience on a non-price basis. Every KemperSports staffer goes through True Service training, and every facility places the highest value on creating Happy, Loyal Customers.

- **True Service:** Continue to emphasize True Service training and have conducted several training sessions over the winter months. Current Staff Numbers:
  - Module 1 – 98%
  - Module 2 – 70%
  - Module 3 – 70%
  - Module 4 – 70%

Through our national **Green to a Tee** program we are seeking to improve on that record of sensitivity and be a leader in the industry. Our goal is to manage each of our facilities in as environmentally sound a manner as possible, paying particular attention to golf course maintenance practices, habitat management, water conservation, energy use, recycling and other environmentally friendly practices. In support of this initiative, we have adopted an environmental certification program to assure that all facilities are doing their part.

- **Green to Tee:** Working on achieving Level 1 by the end of the 2020.

**Safety National** is a simulated 18-hole golf tournament with each hole representing safety processes to be implemented at KemperSports facilities. It was created to reinforce that safety performance has a direct impact on insurance costs and the operation of your facility. Our intent is to provide a process for continual improvement and incident reduction through periodic risk awareness activities/audits.

- **Safety National:** The Safety Committee was formed in June and began monthly meetings. The 1<sup>st</sup> game of Safety National was submitted with a score of 72, which was Par.

The key focus of **Player Development** is to introduce a wide variety of golf and player programs within our local communities. Programs not only to reach beginner golfers but also designed to improve existing golfers.

- **Player Development:** Junior golf clinics began June 11<sup>th</sup> and PGA Jr. League also began in the month of June.

**Pending Legal Action:**

- No litigation pending.

**Oneida Business Committee Agenda Request**

Accept the Legislative Operating Committee FY-2020 3rd quarter report

**1. Meeting Date Requested:** 8 / 26 / 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.



## Legislative Operating Committee FY2020 Third Quarter Report

Current Active Files List – As of 6/30/2020

\*An item that the LOC intends to finish by August 2020 (end of the 2017-2020 term)

● This item was completed and the LOC is no longer working on it

■ Work completed

■ Work completed April 1, 2020 – June 30, 2020

Name of Legislation	Development	Public Input	GTC/OBC Consideration or Adoption
Sanctions & Penalties Law - <i>Deferred by GTC 3/17/19</i>			●
Oneida Food Service Amendments BC-05-13-20-D			●
*Industrial Hemp Law		■	
Taxation Law	■		
Wellness Court Law	■		
Indian Preference in Contracting Law Amendments BC-04-08-20-I			●
Vehicle Driver Certification & Fleet Management Law Amendments BC-04-08-20-H			●
Recycling & Solid Waste Law Amendments	■		
Children's Burial Fund Amendments BC-04-22-20-A			●
Curfew Law Amendments BC-05-13-20-A			●
Tobacco Law Amendments BC-06-10-20-D			●
Domestic Animals Law Amendments BC-05-13-20-B			●
Real Property Law Amends. ( <i>Emerg. Expire 7/22/20</i> )	■		
ONEPC Bylaws Amendments	■		
*Boards, Committees, and Commissions Law Amendments ( <i>Emerg. Expire 9/17/20</i> )		■	
Election Law Amendments ( <i>Emerg. Expire 11/13/20</i> )			●
Election Law Amendments ( <i>Emerg. Expire 12/24/20</i> )			●
GTC Meeting Stipend Payment Policy Amendments ( <i>Emerg. Expire 10/8/20</i> )			●
Oneida Land Commission Bylaws Amends.	■		
Public Peace Law	■		
Drug & Alcohol Free Elected/Appointed Officials Law	■		
Tribal Traffic Code	■		
Business Corporations Law	■		
Code of Ethics Law Amendments	■		
Rules of Civil Procedure Law Amendments	■		
General Welfare Exclusion- Income Exemptions Law	■		
Work Visas Law	■		
Law Enforcement Ordinance Amendments	■		
Environmental Review Law	■		
Attorney Contract Policy Amendments	■		
Tribal Institutional Review Board Law	■		
Guardianship Law	■		
Uniform Commercial Code	■		
Personnel Policies & Procedures Amendments	■		
Investigative Leave Policy Amendments	■		
Workplace Violence Law Amendments	■		

### **FY20 Third Quarter Executive Summary- COVID-19 Pandemic Response**

The COVID-19 global pandemic began in early 2020. On March 12, 2020, Chairman Tehassi Hill signed a “*Declaration of Public Health State of Emergency*” regarding COVID-19 which declared a Public Health State of Emergency for the Nation until April 12, 2020, and set into place the necessary authority for action to be taken and allows the Nation to seek reimbursement of emergency management actions that may result in unexpected expenses. The Public Health State of Emergency has since been extended until August 11, 2020, through the adoption of resolutions BC-03-28-20-A, BC-05-06-20-A, BC-06-10-20-A, and BC-07-08-20-A.

As the Nation continues to respond to this public health crisis, it became clear that laws would require emergency amendments in order to maintain the public’s health, safety, and general welfare. The Legislative Operating Committee brought forward the following laws for emergency action during the FY20 Third Quarter:

#### **General Tribal Council Meeting Stipend Payment Policy Emergency Amendments**

The General Tribal Council Meeting Stipend Payment Policy governs the payment of stipends for attendance at General Tribal Council meetings. Emergency amendments to the General Tribal Council Meeting Stipend Payment Policy were sought to:

- Provide the Oneida Business Committee with authority to decide, through adoption of a resolution, to halt the payment of General Tribal Council meeting stipends to all eligible members for a period of time the Oneida Business Committee deems necessary to protect and safeguard the resources and general welfare of the Nation.

The Oneida Business Committee adopted these emergency amendments on April 8, 2020, through resolution BC-04-08-20-A. The emergency amendments will expire on October 8, 2020, with an opportunity for a six (6) month extension.

#### **Election Law Emergency Amendments**

The Election law governs the procedures for orderly elections of the Nation. Emergency amendments to the Election law were sought to:

- Allow the Election Board to cancel the primary election when large gatherings of people present a substantial risk to the health and safety of the Nation’s citizens; and
- Clarify that if a primary election is canceled then all eligible candidates shall be placed on the ballot for the general election.

The Oneida Business Committee adopted these emergency amendments on May 13, 2020, through resolution BC-05-13-20-H. The emergency amendments will expire on November 13, 2020, with an opportunity for a six (6) month extension.

#### **Election Law Emergency Amendments**

The Election law governs the procedures for orderly elections of the Nation. Emergency amendments to the Election law were sought to:

- Provide that elections shall be held *at* an Oneida Nation facility, as opposed to *in* an Oneida Nation facility, to allow for outdoor, drive-through voting to be used during the 2020 General Election.



The Oneida Business Committee adopted these emergency amendments on June 24, 2020, through resolution BC-06-24-20-B. The emergency amendments will expire on December 24, 2020, with an opportunity for a six (6) month extension.

### **COVID-19 Pandemic Response Resolutions**

During the FY20 Third Quarter the Legislative Reference Office provided statements of effect for the following resolutions related to the COVID-19 pandemic:

- Resolution BC-04-08-20-B Placing Listed Boards, Committees, and Commissions in Temporary Closure Status;
- Resolution BC-04-08-20-C Tier V Budget Contingency Declared for Remainder of Fiscal Year 2020;
- Resolution BC-04-08-20-D General Membership and Elder (Age 62+) Per Capita Payment for Fiscal Year 2020 Halted in Light of Public Health Emergency and Impact on Finances;
- Resolution BC-04-08-20-E Deferring Payments to OLIPP and Elder Endowments;
- Resolution BC-04-08-20-F Halting General Tribal Council Meeting Stipend Payments for FY2020 and FY2021;
- Resolution BC-04-08-20-G Reducing the General Tribal Council Higher Education Scholarship Payments for FY2020 and FY2021;
- Resolution BC-04-08-20-L Suspension of Collection of Rent, Leases, Mortgages and Utilities;
- Resolution BC-05-06-20-A Extension of Declaration of Public Health State of Emergency until June 11, 2020;
- Resolution BC-06-10-20-A Extension of Declaration of Public Health State of Emergency until July 12, 2020;
- Resolution BC-06-10-20-B Process for Authorization for Use of CARES Act COVID Relief Funds;
- Resolution BC-06-10-20-C COVID-19 Response – Oneida Nation Small Business Assistance Program; and
- Resolution BC-06-24-20-C Adoption of the Oneida Small Business Assistance Program II – Off Reservation and Within State of Wisconsin.

### **FY20 Third Quarter Executive Summary- Non-COVID-19 Pandemic Related Matters**

The Legislative Operating Committee brought forward the following laws for action during the FY20 Third Quarter:

#### **Vehicle Driver Certification and Fleet Management Law Amendments**

The Vehicle Driver Certification and Fleet Management law establishes standards that certify employees, officials and volunteers to drive a fleet vehicle of the Nation or drive a personal vehicle on official business, and regulates the use of all vehicles owned and leased by the Nation. The Vehicle Driver Certification and Fleet Management law was amended to:

- Revise the qualifications to become a certified driver, including:
  - Reduce the restriction on drug and alcohol convictions from three (3) years without an OWI, DUI, or PAC to twelve (12) months without an OWI, DUI, or PAC;
  - Allow no more than three (3) moving violations or at-fault crashes within a two (2) year period;
  - Allow individuals with probationary licenses to become certified drivers if at least

eighteen (18) years of age or older;

- Provide an exemption to the law for those individuals whose duties with respect to the implementation of a contract, agreement, or compact of the Nation include driving and may be subject to compliance with a motor vehicle operation policy as provided in the contract, agreement, or compact of the Nation when this law is less stringent than the said motor vehicle operation policy;
- Clarify the restriction on driving while using prescription or over the counter medications;
- Ban weapons in fleet vehicles and personal vehicles while in use for official business, with certain exceptions;
- Require all certified drivers to complete driver safety training every three (3) years, regardless of whether they drive fleet or personal vehicles, with certain exceptions;
- Ban the use of e-cigarettes in tribal fleet vehicles;
- Require mileage reimbursement requests to be submitted within thirty (30) days of driving the miles or by the end of the fiscal year, whichever is sooner;
- Revise and simplify the process for suspending driver certification:
  - An individual's driver certification is only suspended if his or her driver's license has been suspended or revoked by the state of Wisconsin;
  - All other violations of this law that do not result in the suspension or revocation of driver's license will be handled by disciplinary action;
- Allow a supervisor to require an employee take additional driver safety training if the individual is involved in certain circumstances, such as an at-fault motor vehicle crash or issuance of a moving violation, while driving a fleet vehicle or personal vehicle on official business; and
- Make additional changes to revise and reorganize the law to increase clarity.

During the FY20 Third Quarter the Oneida Business Committee adopted the proposed amendments to the Vehicle Driver Certification and Fleet Management law on April 8, 2020, through resolution BC-04-08-20-H. The amendments to the Vehicle Driver Certification and Fleet Management law will become effective on October 5, 2020.

### **Indian Preference in Contracting Law Amendments**

The Indian Preference in Contracting law establishes an Indian Preference Office and increases economic benefits for the Nation and members of the Nation by providing for the maximum utilization of Indian workers and businesses on projects of the Nation which occur on or near the Reservation. The Indian Preference in Contracting law was amended to:

- Update the definition of tribal corporation to include any corporation chartered and/or wholly owned by the Nation;
- Exempt tribal corporations from the requirement to submit a certification renewal application on an annual basis;
- Permit joint ventures to qualify for Indian Preference on a project-specific basis;
- Raise the contract threshold for when Indian Preference is applied from one thousand five hundred dollars (\$1,500) to three thousand dollars (\$3,000);
- Set a new timeframe for the Indian Preference Office's review of contracts prior to the posting or announcement of a contract;
- Clarify the Indian Preference Office's authority to develop a fine and penalty schedule for violations of this law, to be approved by the Oneida Business Committee by resolution;

- Make additional updates and clarify language throughout the law.

During the FY20 Third Quarter the Oneida Business Committee adopted the proposed amendments to the Indian Preference in Contracting law on April 8, 2020, through resolution BC-04-08-20-I. The amendments to the Indian Preference in Contracting law became effective on May 8, 2020.

The Oneida Business Committee also adopted resolution BC-04-08-20-J titled, “*Indian Preference in Contracting Law Fine and Penalty Schedule*” which set forth specific fine amounts and penalties to be issued against those individuals who violate the Indian Preference in Contracting law.

### **Children’s Burial Fund Policy Amendments**

The Children’s Burial Fund Policy provides financial assistance towards the funeral costs of children of a certain age who are not enrolled, but are eligible for enrollment, in the Nation. The Children’s Burial Fund Policy is being amended to remove outdated restrictions and to create more flexibility in using the funds. The Children’s Burial Fund Policy was amended to:

- Revise the eligibility qualifications for assistance from the Fund;
- Add the requirement that a person provide the Oneida Trust Enrollment Department with any other relevant documentation as requested by the Department to support the eligibility of enrollment of the deceased child;
- Allow the Fund to be used for any funeral related expenses as identified on an invoice, thus eliminating any specific requirements as to what types of expenses the Fund could be used for or caps on the use of the Fund for certain types of expenses;
- Prohibit the use of the Fund for travel and/or lodging to attend a funeral;
- Allow appeals of the Oneida Trust Enrollment Department’s decision as to the eligibility of a deceased child for financial assistance from the Fund to be made to the Oneida Trust Enrollment Committee; and
- Make additional changes to revise and reorganize the law to increase clarity.

During the FY20 Third Quarter the Oneida Business Committee adopted the proposed amendments to the Children’s Burial Fund Policy on April 22, 2020, through resolution BC-04-22-20-A. The amendments to the Children’s Burial Fund Policy became effective on May 6, 2020.

### **Curfew Law Amendments**

The Curfew law protects the health, safety, and welfare of persons and property within the Reservation by regulating the activities of minors on the Reservation during certain hours, while imposing certain obligations and responsibilities upon the parents, guardians, and/or legal custodians of a minor for the control and supervision of that minor. The Curfew law was amended to:

- Remove an incorrect reference to the Nation’s territorial jurisdiction as the Nation’s territorial jurisdiction is provided by the Constitution and Bylaws of the Oneida Nation and the Nation’s Judiciary law; and
- Remove a duplicative provision regarding personal jurisdiction as personal jurisdiction is already provided by the Nation’s Judiciary law.

During the FY20 Third Quarter the Oneida Business Committee adopted the proposed amendments to the Curfew law on May 13, 2020, through resolution BC-05-13-20-A. The Curfew law amendments became effective on May 29, 2020.

### **Domestic Animals Law Amendments**

The Domestic Animals law protects the health, safety, and welfare of the community by requiring certain basic measures to prevent the spread of disease carried by domestic animals; sets minimum standards for treatment of animals; prohibits certain species of animals from being brought onto the Reservation; regulates the keeping of livestock on lots zoned residential within the Reservation; and establishes consequences for damages caused by domestic animals. The Domestic Animals law was amended to:

- Remove an incorrect reference to the Nation's territorial jurisdiction as the Nation's territorial jurisdiction is provided by the Constitution and Bylaws of the Oneida Nation and the Nation's Judiciary law;
- Remove a duplicative provision regarding personal jurisdiction as personal jurisdiction is already provided by the Nation's Judiciary law;
- Remove a duplicative provision regarding the citation process as the citation process is provided by the Nation's Citations law; and
- Include a new provision that prohibits the abandonment of an animal.

During the FY20 Third Quarter the Oneida Business Committee adopted the proposed amendments to the Domestic Animals law on May 13, 2020, through resolution BC-05-13-20-B. The amendments to the Domestic Animals law became effective on May 29, 2020.

The Oneida Business Committee also adopted resolution BC-05-13-20-C titled, "*Amended Domestic Animals Law Fine, Penalty, and Licensing Fee Schedule*" which set forth specific fine amounts and penalties to be issued against those individuals who violate the Domestic Animals law, as well as the specific licensing costs. This resolution also became effective on May 29, 2020.

### **Oneida Food Service Code Amendments**

The Oneida Food Service Code ensures the safety of food that is provided to consumers at retail or through an Oneida Food Service Program by establishing a system of overlapping safeguards designed to minimize foodborne illness; ensures employee health, industry manager knowledge, safe food handling, nontoxic/cleanable equipment and acceptable levels of sanitation on the premises of food service businesses; and promotes fair dealings with members of the community through adoption of licensing requirements, exemptions, regulations, control, supervision and enforcement procedures that govern food service businesses within the jurisdiction of the Nation. The Oneida Food Service Code was amended to:

- Change the name of the law from the Oneida Food Service Code to the Oneida Food Service law to be consistent with the Oneida Code of Laws;
- Remove the Licensing Department, Risk Management and Oneida Police Department from the law, leaving administrative and enforcement duties exclusively to the Environmental, Health and Safety Area within the Nation's Environmental, Health, Safety and Land Division ("Department");
- Allow applicants to satisfy the food safety training that is required to obtain a license to operate certain food service businesses either of the following ways: (1) by taking the

course offered through the Department (as is currently the only option); or (2) by presenting evidence of having received training or certification from an alternative source that the Department deems satisfactory;

- Require the Department to decide whether to issue or renew a license within thirty (30) days of receiving an application, and, if the application is denied, further require the Department to notify the applicant in writing, supplying him or her with the basis for said denial, as well as information on how to appeal its decision;
- Add exemptions for cottage food sales and prepackaged restaurants that eliminate the need for these operations to undergo the licensing process required of food service businesses so long as applicants fulfill the requirements to qualify for the exemption specific to their operation;
- Require the Department to waive the licensing fee when proof is submitted by a food service business or prepackaged restaurant of payment to an overlapping jurisdiction that covers the same term;
- Send appeals of Department decisions not issued pursuant to a citation to the Department's Area Manager, whose decision will be final unless challenged to the Trial Court of the Judiciary on grounds that it constitutes an abuse of power, is contrary to law and/or lacks any reasonable factual basis; while appeals of Department decisions issued pursuant to a citation will be processed according to the Nation's Citations law; and
- Make additional changes to revise and reorganize the law to increase clarity, as well as comply with the Nation's Legislative Procedures Act.

During the FY20 Third Quarter the Oneida Business Committee adopted the proposed amendments to the Oneida Food Service Code on May 13, 2020, through resolution BC-05-13-20-D. The amendments to the Food Service Code will become effective on November 13, 2020.

The Oneida Business Committee also adopted resolution BC-05-13-20-E titled, "*Oneida Food Service Law Fine, Penalty, and Licensing Fee Schedule*" which set forth specific fine amounts and penalties to be issued against those individuals who violate the Oneida Food Service law, as well as the specific licensing costs.

### **Tobacco Law Amendments**

The Tobacco law regulates the sale, possession, and distribution of cigarettes within the Reservation. The Tobacco law was amended to:

- Provide a definition for "tobacco products";
- Permanently change the minimum age of sale from eighteen (18) to twenty-one (21) years old;
- Clarify that all tobacco products, and not just cigarettes and electronic cigarettes, shall not be sold to any person under the age of twenty-one (21) years;
- Clarify that no person other than an authorized employee shall sell tobacco products, and not just cigarettes and electronic cigarettes, at an Oneida retail location;
- Clarify that the process and procedure contained in the Nation's Citations law will govern citations issued under this law; and
- Provide authority to the Oneida Business Committee to adopt through resolution a fine and penalty schedule for citations issued as a result of a violation of this law.

During the FY20 Third Quarter the Oneida Business Committee adopted the proposed amendments to the Tobacco law on June 10, 2020, through resolution BC-06-10-20-D. The amendments to the Tobacco law became effective on June 24, 2020.

The Oneida Business Committee also adopted resolution BC-06-10-20-E titled, “*Tobacco Law Penalty and Fine Schedule*” which set forth specific fine amounts and penalties to be issued against those individuals who violate the Tobacco law.

### **FY20 Third Quarter LOC Meetings**

Typically, all LOC meetings are open to the public and held on the first and third Wednesday of each month, at 9:00 a.m. in the Norbert Hill Center’s Business Committee Conference Room.

Due to the COVID-19 pandemic and the Nation’s Public Health State of Emergency no in-person LOC meetings were held during the FY20 Third Quarter. The LOC conducted its business through the use of telecommunications and approval of e-polls. The LOC intends to resume in-person meetings as soon as it is safe to do so.

### **LOC Plans for Fourth Quarter**

During the FY20 Fourth Quarter the LOC will focus its legislative efforts on the following matters:

1. Continued response to the COVID-19 Pandemic;
2. Adoption of the Boards, Committees, and Commissions Law Amendments;
3. Development of the Real Property Law Amendments;
4. Adoption of the Industrial Hemp law; and
5. Close out of the 2017-2020 Term and Transition to the 2020-2023 Term.

### **Legislative Reference Office Update**

In addition to assisting the Legislative Operating Committee with its legislative actions throughout the FY20 Third Quarter, the Legislative Reference Office has completed various assessments of the Legislative Reference Office as directed by the Oneida Business Committee. The assessments of the Legislative Reference Office looked at:

- Purpose and composition of the Legislative Reference Office;
- Various outcomes produced by the Legislative Reference Office;
- How the Legislative Reference Office’s outcomes related to the priorities of the Nation;
- Who the Legislative Reference Office serves;
- Summary of Legislative Reference Office staff productivity and workload distribution;
- Staffing needs of the Legislative Reference Office as we continue through and move forward beyond the COVID-19 pandemic and Tier V Budget Contingency Plan.

During the FY20 Third Quarter the Legislative Reference Office has operated with a Senior Legislative Staff Attorney and a Legislative Staff Attorney. Two (2) legislative analyst positions remain vacant. The Director of the Legislative Reference Office has been in furlough status since April 12, 2020.

During the FY20 Fourth Quarter the Legislative Reference Office will focus on the LOC’s legislative priorities. In addition, the Legislative Reference Office will focus on:

- Moving the Nation’s legislative history to a digital and searchable format;



- Preparing for the 2020 General Election and subsequent transition; and
- Continued preparation of a recovery plan and staffing model for the Legislative Reference Office.

**Legislative Operating Committee Contact Information**

Feel free to contact the LOC with any questions or comments;

- David Jordan, LOC Chairperson,  
[djordan1@oneidanation.org](mailto:djordan1@oneidanation.org)
- Kirby Metoxen, LOC Vice Chairperson,  
[kmetox@oneidanation.org](mailto:kmetox@oneidanation.org)
- Jennifer Webster, LOC member,  
[jwebstel@oneidanation.org](mailto:jwebstel@oneidanation.org)
- Daniel King-Guzman, LOC Member,  
[dguzman@oneidanation.org](mailto:dguzman@oneidanation.org)
- Ernest Stevens III, LOC Member, [esteven4@oneidanation.org](mailto:esteven4@oneidanation.org)
- [LOC@oneidanation.org](mailto:LOC@oneidanation.org)



**Yaw^ko**

**Oneida Business Committee Agenda Request**

Accept the Oneida Youth Leadership Institute FY-2020 3rd quarter report

**1. Meeting Date Requested:** 08 / 26 / 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:

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Your Name, Title / Dept. or Tribal Member

Additional Requestor:

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Name, Title / Dept.

Additional Requestor:

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Name, Title / Dept.



# Oneida Youth Leadership Institute

## 3<sup>rd</sup> Quarter Report

Approved by official entity action on: August 26, 2020

Submitted by: Cheryl Stevens

OBC Liaison: Lisa Summers

OBC Liaison: Jennifer Webster

### ONEIDA YOUTH LEADERSHIP INSTITUTE

**Purpose:**

Oneida Youth Leadership Institute Mission Statement: Investing in the development of our youth to enhance nation building by learning from our past, embracing our present, and leaving a legacy for the future.

**BCC Members**

Melissa Metoxen  
Board Member  
June 2021

Marlon Skenandore  
Board Member  
June 2023

Elijah Metoxen  
Board Member  
June 2021

Jeff House  
Board Member  
Extended

Margaret Ellis  
Treasurer  
Extended

Paul Ninham  
Board Member  
June 2023

Vacant  
Board Member  
Enter term end date

**Substantiated Complaints (if applicable)**

Per § 105.12-4.(a) of the [Boards, Committees and Commissions law](#), annual and semi-annual reports shall contain information on the number of substantiated complaints against all members of the entity.

Per § 105.3-1.(q) a "Substantiated complaint" means a complaint or allegation in a complaint that was found to be valid by clear and convincing evidence.

NUMBER OF SUBSTANTIATED COMPLAINTS:

No complaints received

**Meetings**

Open meetings every 3<sup>rd</sup> Thursday on the Month. We have not had a meeting since the Pandemic began.

Emergency Meetings: None

**Contact Info**

CONTACT: Cheryl Stevens  
TITLE: Executive Manager  
PHONE NUMBER: 920-496-7331  
E-MAIL: [cstevens@oneidanation.org](mailto:cstevens@oneidanation.org)  
MAIN WEBSITE: <http://oneidayouthleadership.org/>

**Status report of Three-Year Outcomes/Goals**

Incorporate Good Governance Principles to: 1) Provide community engagement through administrative and fundraising support to the Oneida Youth by raising funds for the OYLI that will provide for grants/sponsorships/donations to youth groups and activities that meet our overall purpose.; 2) Provide open communication to the Nation and community to help these entities understand the underlying foundation of a 7871 organization.

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Outcome/Goal # 1

To provide administrative and fundraising support to youth organizations that will bring additional insights and funding opportunities from the non-profit aspect of fundraising.

IS THIS A LONG-TERM OR QUARTERLY GOAL?

Long-term

GOOD GOVERNANCE PRINCIPLE:

Equity and Inclusiveness - Providing the opportunity for the Nation's stakeholders to

maintain, enhance, or generally improve their well-being which provides the most compelling message regarding its reason for existence and value to the Nation

HOW OUTCOME/GOAL SUPPORTS THE GOOD GOVERNANCE PRINCIPLE:

The Oneida Youth Leadership Institute is a tax-deductible 7871 entity of the Oneida Nation actively planning for the 7th generation by providing opportunities, initiatives, and trainings that can help inspire our Native youth to become strong, progressive leaders. The Youth Leadership Institute will foster Tradition Heritage/Culture; Healthy Minds/Healthy Bodies; Citizen Engagement; Leadership; Academic Excellence; Entrepreneurship; Networking The Oneida Youth Leadership Institute (OYLI) is fully engaged with the community as we are a community tool for tax-exempt fundraising efforts. We provide enhanced services to groups seeking to fundraise for youth activities/events and assist in the development of initiatives that will create leadership qualities in our youth.

ACCOMPLISHMENTS REGARDING THE OUTCOME/GOAL:

We have assisted with fundraising efforts of 10 various youth groups and over 100 community youth thus far in various venues such as traditions and culture, 4H entrepreneur activities, and health and wellness, while building leadership qualities within the youth participants. In order to maintain our operations, we charge a 5% administration fee to process donations or all raised funds. We have both the internal Accounting Dept. accounting and auditing process to follow as well and the process and auditing of the Bay Bank, in which our accounts are held.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

We are currently developing our policies and procedures and an operating manual to assist our process in fundraising efforts for grant applications that will help build and sustain OYLI efforts. We do have a draft manual and will continue to work on that as we go. As a non-profit entity we can apply for external funding from corporations and foundations that are tax-exempt once the manual is done. This will help us in becoming self-sustaining. Training was in the process prior to the Pandemic and has been halted at this time. We hope to pick this up very soon.

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Outcome/Goal # 2

Provide open communication to the Nation and community in an effort to assure access to updated information. on skills training will also be required of all staff so that we can provide the utmost best customer service to our clientele.

IS THIS A LONG-TERM OR QUARTERLY GOAL?

Quarterly

GOOD GOVERNANCE PRINCIPLE:

Transparency - Open communication about actions taken and decisions made ensuring access to information is clear

HOW OUTCOME/GOAL SUPPORTS THE GOOD GOVERNANCE PRINCIPLE:

We continue to advertise in the Kalihwisaks and on the Oneida Nation website. Additional training is requested from MIS to update our Facebook page and website on a regular basis. Communication skills training will also be required of all board members so that we can provide the utmost best customer service to our clientele.

ACCOMPLISHMENTS REGARDING THE OUTCOME/GOAL:

We currently have a website that provides for on-line donations, one of the first within the Nation. We have provided communication through the Kalihwisaks for donations and fundraisers and will continue to do so. We do need assistance from our online system company to input data onto the system. We use the DonorPerfect software for all on-line donations. They will provide training as needed. This is a donor management system for reporting, client data, and gift processing We will also need assistance from MIS to develop a true database of our accounts.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

We hope to have a fully functioning website, Facebook page, and online data system in place for smoother donation practices and open communication efforts within this next year. This Pandemic has put a hold on much of our work, as many of the board members have fulltime jobs and due to the staff shortages and time off from work, it has been difficult to continue our efforts at this time as OYLI is not an urgent or essential need at this time.

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### Stipends

*Per the Boards, Committees, and Commissions law, stipends are set via OBC resolution. BC resolution # 05-08-19-B sets the stipend amounts.*

**Budget Information**FY-2020 BUDGET:

\$0 – no stipends

FY-2020 EXPENDITURES AS OF END OF REPORTING  
PERIOD:

\$0 – no expenditures

Enter budget utilization information, if needed.

Requests

Need assistance in recruiting for Board Members.

Other

Enter other information, if needed.



