



## Oneida Business Committee

Regular Meeting  
8:30 AM Wednesday, September 22, 2021  
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

Effective August 20, 2021, the Norbert Hill Center Administrative Offices are closed to the public; this include OBC meetings. Any person who has comments or questions regarding open session items may submit them via e-mail to the OBC at [Secretary@oneidanation.org](mailto:Secretary@oneidanation.org) no later than the close of business the day before the OBC meeting. Any comments or questions received shall be noticed to the OBC and entered into the record as a handout by the Business Committee Support Office. The meeting will also be conducted using Microsoft Teams, please contact the BC Support Office at 920-869-4364 for instructions on how to join virtually.

The decision to close Norbert Hill Center Administrative Offices to the public is due to both the rise in COVID-19 cases throughout both Brown and Outagamie Counties, as well as to ensure compliance with protocols relating to public access to the Oneida Nation High School.

#### **I. CALL TO ORDER**

#### **II. OPENING**

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

#### **IV. MINUTES**

- A. Approve the September 8, 2021, regular Business Committee meeting minutes**  
Sponsor: Lisa Liggins, Secretary

**V. RESOLUTIONS**

- A. Adopt resolution entitled Extension of Declaration of Public Health State of Emergency Until November 25, 2021**  
Sponsor: Jameson Wilson, Project Coordinator
- B. Adopt resolution entitled Extension of the Oneida Nation Vaccination Incentive Program for Oneida Nation Members**  
Sponsor: Marie Summers, Councilwoman and Lisa Liggins, Secretary
- C. Adopt resolution entitled Extension of the Oneida Nation Employee Vaccination Incentive Plan for Employees Who Are Not Oneida Nation Members**  
Sponsor: Marie Summers, Councilwoman and Lisa Liggins, Secretary
- D. Adopt resolution entitled Continue to Operate Fiscal Year 2022**  
Sponsor: Tina Danforth, Treasurer
- E. Adopt resolution entitled Temporary Amendment to BC Resolution 08-28-13-B; Authorization to Sign-Off on Purchased/Referred Care – Health Care Payments**  
Sponsor: Mark W. Powless, General Manager

**VI. APPOINTMENTS**

- A. Determine next steps regarding three (3) vacancies - Anna John Resident Centered Care Community Board**  
Sponsor: Lisa Liggins, Secretary
- B. Determine next steps regarding three (3) vacancies - Oneida Community Library Board**  
Sponsor: Lisa Liggins, Secretary
- C. Determine next steps regarding one (1) vacancy - Pardon and Forgiveness Screening Committee**  
Sponsor: Lisa Liggins, Secretary
- D. Determine next steps regarding four (4) vacancies - Southeastern Wisconsin Oneida Tribal Services Advisory Board**  
Sponsor: Lisa Liggins, Secretary

**VII. STANDING COMMITTEES****A. COMMUNITY DEVELOPMENT PLANNING COMMITTEE**

1. **Accept the July 8, 2021, regular Community Development Planning Committee meeting minutes**  
Sponsor: Brandon Stevens, Vice-Chairman
2. **Accept the August 5, 2021, regular Community Development Planning Committee meeting minutes**  
Sponsor: Brandon Stevens, Vice-Chairman

**B. FINANCE COMMITTEE**

1. **Accept the August 30, 2021, regular Finance Committee meeting minutes**  
Sponsor: Tina Danforth, Treasurer
2. **Accept the September 13, 2021, regular Finance Committee meeting minutes**  
Sponsor: Tina Danforth, Treasurer

**C. LEGISLATIVE OPERATING COMMITTEE**

1. **Accept the September 1, 2021, regular Legislative Operating Committee meeting minutes**  
Sponsor: David P. Jordan, Councilman

**D. QUALITY OF LIFE COMMITTEE**

1. **Accept the July 15, 2021, regular Quality of Life Committee meeting minutes**  
Sponsor: Marie Summers, Councilwoman
2. **Accept the August 19, 2021, regular Quality of Life Committee meeting minutes**  
Sponsor: Marie Summers, Councilwoman

**VIII. STANDING ITEMS**

- A. **ARPA FRF Updates and Requests/Proposals** *(No submissions to consider)*

**IX. NEW BUSINESS**

- A. **Assess OBC Direct Report attendance for executive session**  
Sponsor: Jessica Vandekamp, Employee Relations Representative
- B. **Consider next steps regarding BC resolution #04-08-20-K Appointing Oneida ESC Group LLC as Nation's General Contractor for Construction Projects**  
Sponsor: David P. Jordan, Councilman

**X. GENERAL TRIBAL COUNCIL**

- A. Determine next steps regarding the tentatively scheduled October 3, 2021, special General Tribal Council meeting in accordance with resolution # BC-08-03-21-A (FY-2022 budget)**  
Sponsor: Lisa Liggins, Secretary
- B. Reschedule the December 6, 2021, tentatively scheduled special General Tribal Council meeting (Michael Debraska petition, Lori Elm petition, and Oneida Casino Master Plan)**  
Sponsor: Lisa Liggins, Secretary

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

- 1. Accept the August 2021 Treasurer's report (11:30 a.m.)**  
Sponsor: Tina Danforth, Treasurer
- 2. Accept the Intergovernmental Affairs, Communications, and Self-Governance September 2021 report**  
Sponsor: Melinda J. Danforth, Director/Intergovernmental Affairs
- 3. Accept the General Manager report**  
Sponsor: Mark W. Powless, General Manager
- 4. Accept the Chief Counsel report**  
Sponsor: Jo Anne House, Chief Counsel

**B. UNFINISHED BUSINESS**

- 1. Review request to address compensation issues within the MIS Department and determine next steps**  
Sponsor: Mark W. Powless, General Manager



**C. NEW BUSINESS**

1. **Consider request for the Security Department to utilize the Gaming wage charts (1:30 p.m.)**  
Sponsor: Katsitsiyo Danforth, Security Director
2. **Approve amendment #1 to the employment contract - Project Coordinator - file # 2021-0241**  
Sponsor: Jessica Vandekamp, Employee Relations Representative
3. **Accept the HR Area Manager exit interview as information**  
Sponsor: Jessica Vandekamp, Employee Relations Representative
4. **Review application(s) for three (3) vacancies - Anna John Resident Centered Care Community Board**  
Sponsor: Lisa Liggins, Secretary
5. **Review application(s) for three (3) vacancies - Oneida Community Library Board**  
Sponsor: Lisa Liggins, Secretary
6. **Review application(s) for one (1) vacancy - Pardon and Forgiveness Screening Committee**  
Sponsor: Lisa Liggins, Secretary
7. **Review application(s) for four (4) vacancies - Southeastern Wisconsin Oneida Tribal Services Advisory Board**  
Sponsor: Lisa Liggins, 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

Approve the September 8, 2021, regular Business Committee meeting minutes

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## Business Committee Agenda Request

1. Meeting Date Requested: 09/08/21

2. General Information:

Session: ☒ Open ☐ Executive – must qualify under §107.4-1.

Justification: *Choose reason for Executive.*

3. Supporting Documents:

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Bylaws                 | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation           |
| <input type="checkbox"/> Contract Document(s)   | <input type="checkbox"/> Law                     | <input type="checkbox"/> Report                 |
| <input type="checkbox"/> Correspondence         | <input type="checkbox"/> Legal Review            | <input type="checkbox"/> Resolution             |
| <input type="checkbox"/> Draft GTC Notice       | <input checked="" type="checkbox"/> Minutes      | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet       | <input type="checkbox"/> MOU/MOA                 | <input type="checkbox"/> Statement of Effect    |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition                | <input type="checkbox"/> Travel Documents       |
| <input type="checkbox"/> Other: <i>Describe</i> |  |   |

4. Budget Information:

- |  |  |                                     |
|--|--|-------------------------------------|
| <input type="checkbox"/> Budgeted                  | <input type="checkbox"/> Budgeted – Grant Funded | <input type="checkbox"/> Unbudgeted |
| <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Other: <i>Describe</i>  |                                     |

5. Submission:

Authorized Sponsor: Lisa Liggins, Secretary

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

Additional Requestor: (Name, Title/Entity)

Additional Requestor: (Name, Title/Entity)

Submitted By: LLIGGINS

# DRAFT

## Oneida Business Committee



Executive Session  
9:30 AM Tuesday, September 07, 2021  
Microsoft Teams<sup>1</sup>

Regular Meeting  
8:30 AM Wednesday, September 08, 2021  
BC Conference Room, 2nd floor, Norbert Hill Center

### Minutes

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#### EXECUTIVE SESSION

**Present:** Chairman Tehassi Hill (via Microsoft Teams), Treasurer Tina Danforth (via Microsoft Teams), Secretary Lisa Liggins (via Microsoft Teams), Council members: Daniel Guzman King (via Microsoft Teams), David P. Jordan (via Microsoft Teams), Kirby Metoxen (via Microsoft Teams), Marie Summers (via Microsoft Teams), Jennifer Webster (via Microsoft Teams);

**Not Present:** Vice-Chairman Brandon Stevens;

**Arrived at:** n/a

**Others present:** Kelly McAndrews (via Microsoft Teams), Larry Barton (via Microsoft Teams), Mark W. Powless (via Microsoft Teams), Melinda J. Danforth (via Microsoft Teams), Danelle Wilson (via Microsoft Teams), Jeff Bowman (via Microsoft Teams), Justin Nishimoto (via Microsoft Teams), John Breuninger (via Microsoft Teams), Jeff House (via Microsoft Teams), Jeanne Calhoun (via Microsoft Teams), Kathy Hughes (via Microsoft Teams), Holly Williams (via Microsoft Teams), James Petitjean (via Microsoft Teams), Ralinda Ninham-Lamberies (via Microsoft Teams), Louise Cornelius (via Microsoft Teams), Chad Fuss (via Microsoft Teams), Jessalyn Harvath (via Microsoft Teams), Fawne Rasmussen (via Microsoft Teams), Joseph Sikora (via Microsoft Teams), Josh Cottrell (via Microsoft Teams);

#### REGULAR MEETING

**Present:** Chairman Tehassi Hill, Treasurer Tina Danforth, Secretary Lisa Liggins, Council members: Daniel Guzman King, David P. Jordan, Kirby Metoxen, Marie Summers, Jennifer Webster;

**Not Present:** Vice-Chairman Brandon Stevens;

**Arrived at:** n/a

**Others present:** Kelly McAndrews, Larry Barton, Mark W. Powless, Clorissa Santiago, Kristen Hooker, Carmen Vanlanen, Patricia Garvey, Michele Duxtator, Brooke Duxtator, Patricia Moore (via Microsoft Teams), Arthur Cornelius (via Microsoft Teams), Benjamin Skenandore (via Microsoft Teams), Jennifer Hill-Kelley (via Microsoft Teams), Frederick Muscavitch (via Microsoft Teams), Nancy Barton (via Microsoft Teams), Mike Debraska (via Microsoft Teams), Shannon Davis (via Microsoft Teams), Jessica Vandekamp (via Microsoft Teams), Justin Nishimoto (via Microsoft Teams), Lori Hill (via Microsoft Teams), Todd Vanden Heuvel (via Microsoft Teams), Rae Skenandore (via Microsoft Teams), Debbie Melchert (via Microsoft Teams), Carol Silva (via Microsoft Teams), Kristal Hill (via Microsoft Teams), Rhiannon Metoxen (via Microsoft Teams), Rebecca Webster (via Microsoft Teams), Amy Spears (via Microsoft Teams), Eric Boulanger (via Microsoft Teams), Julie Clark (via Microsoft Teams), Thomas Reed (via Microsoft Teams), Byran Halona (via Microsoft Teams);

### **I. CALL TO ORDER**

*Meeting called to order by Chairman Tehassi Hill at 8:42 a.m.*

*For the record: Vice-Chairman Brandon Stevens is on vacation.*

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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

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

*Opening provided by Councilman Kirby Metoxen.*

## III. ADOPT THE AGENDA (00:00:36)

Motion by Lisa Liggins to adopt the agenda with one (1) change [Under the Executive Session/New Business section, add item entitled "Complaint # 2021-DR16-03 - Review written report and determine next steps"], seconded by Jennifer Webster. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, David P. Jordan, Lisa Liggins,  
Kirby Metoxen, Marie Summers, Jennifer Webster  
Not Present: Brandon Stevens

## IV. OATH OF OFFICE (00:01:21)

*Oaths of office for Elected and Appointed Officials - various Boards, Committee, and Committees administered by Secretary Lisa Liggins. Patricia Moore, Arthur Cornelius, Benjamin Skenandore, Jennifer Hill-Kelley, and Fredrick Muscavitch were present (via Microsoft Teams).*

- A. **Anna John Resident Centered Care Community Board - Patricia Moore**  
Sponsor: Lisa Liggins, Secretary
- B. **Oneida Nation Veterans Affairs Committee - Arthur Cornelius, Benjamin Skenandore**  
Sponsor: Lisa Liggins, Secretary
- C. **Oneida Trust Enrollment Committee - Jennifer Hill-Kelley**  
Sponsor: Lisa Liggins, Secretary
- D. **Oneida Land Commission - Frederick Muscavitch**  
Sponsor: Lisa Liggins, Secretary

*Oaths of office for Officers - Oneida Police Department administered by Chairman Tehassi Hill. Jessica Trimberger and Jose Deras were present (via Microsoft Teams).*

- E. **Oneida Police Department - Officer Jessica Trimberger and Officer Jose Deras**  
Sponsor: Richard Van Boxtel, Chair/Oneida Police Commission

*Oath of office for the Appellate Court Judge - Judiciary administered by Chief Judge of the Appellate Court Patricia Garvey. Michele Doxtator was present.*

- F. **Judiciary - Court of Appeals - Michele Doxtator**  
Sponsor: Lisa Liggins, Secretary

**DRAFT****V. MINUTES****A. Approve the August 25, 2021, regular Business Committee meeting minutes (00:10:14)**

Sponsor: Lisa Liggins, Secretary

Motion by Jennifer Webster to approve the August 25, 2021, regular Business Committee meeting minutes, seconded by Lisa Liggins. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, David P. Jordan, Lisa Liggins,  
Kirby Metoxen, Marie Summers, Jennifer Webster

Not Present: Brandon Stevens

**VI. RESOLUTIONS****A. Adopt resolution entitled Adoption of the Public Peace Law (00:10:44)**

Sponsor: David P. Jordan, Councilman

Motion by Jennifer Webster to adopt resolution 09-08-21-A Adoption of the Public Peace Law, seconded by Daniel Guzman King. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, David P. Jordan, Lisa Liggins,  
Kirby Metoxen, Marie Summers, Jennifer Webster

Not Present: Brandon Stevens

**B. Adopt resolution entitled Public Peace Law Citation Schedule (00:17:32)**

Sponsor: David P. Jordan, Councilman

Motion by David P. Jordan to adopt resolution 09-08-21-B Public Peace Law Citation Schedule with one (1) change [insert the appropriate resolution number in line 12], seconded by Kirby Metoxen.

Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, David P. Jordan, Lisa Liggins,  
Kirby Metoxen, Marie Summers, Jennifer Webster

Not Present: Brandon Stevens

**VII. STANDING COMMITTEES****A. LEGISLATIVE OPERATING COMMITTEE****1. Accept the August 18, 2021, regular Legislative Operating Committee meeting minutes (00:19:57)**

Sponsor: David P. Jordan, Councilman

Motion by Kirby Metoxen to accept the August 18, 2021, regular Legislative Operating Committee meeting minutes, seconded by Jennifer Webster. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, David P. Jordan, Lisa Liggins,  
Kirby Metoxen, Marie Summers, Jennifer Webster

Not Present: Brandon Stevens

# DRAFT

## 2. Adopt Leasing law rule # 5 - Tribal Housing Reacquisition of Individual Fee and Trust Title (THRIFTT) (00:20:23)

Sponsor: David P. Jordan, Councilman

Motion by Marie Summers to adopt Leasing law rule # 5 - Tribal Housing Reacquisition of Individual Fee and Trust Title (THRIFTT), seconded by David P. Jordan. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, David P. Jordan, Lisa Liggins,  
Kirby Metoxen, Marie Summers, Jennifer Webster

Not Present: Brandon Stevens

## 3. Adopt amendments to Leasing law rule # 6 - Homeownership by Independent Purchase (HIP) Program (00:23:42)

Sponsor: David P. Jordan, Councilman

Motion by Marie Summers to adopt amendments to Leasing law rule # 6 - Homeownership by Independent Purchase (HIP) Program with the noted changes [1) Update and replace the verbiage in the proposed amendments to the HIP Program Rule #6 with: "1.1. Purpose and Policy -- 1.1-1. Purpose. The purpose of the Homeownership by Independent Purchase (HIP) Program is to expand the services being offered to Tribal member's by providing a program in which the Tribal member buyer initiates a purchase in which the buyer purchases the improvements and the Tribe purchases the land. These rules are developed pursuant to Real Property law, which requires all transactions adding property to the Tribal land base be administered through the Oneida Comprehensive Housing Division. -- 1.1-2. Policy. The policy behind the HIP Program is to increase Tribal member homeownership and the land base available for the fee-to-trust process while simultaneously affording Tribal members greater independence in the purchase process by requiring the buyer to negotiate the purchase offer independent of the Tribe."; 2) Remove section: 1.4-5. Increased Lease Fee for Non-Tribal Members in its entirety and any other verbiage throughout the rule which implies this program includes non-tribal individuals such as 1.7-4.(10) The requirement that the Oneida Land Commission approve any residential lease which does not include a Tribal member party, 1.7-5. Nations Approval, (c), (2) Obtain any Oneida Land Commission approvals required in order to enter a residential lease with the buyer (i.e. if there is not a Tribal member included as a party to the residential lease); and 3) Insert: "Be an enrolled member of the Oneida Nation" as the first eligibility requirement in section 1.5-1. and any other verbiage which makes it clear this program is for enrolled Oneida citizens only.], seconded by Tina Danforth. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, David P. Jordan, Lisa Liggins,  
Kirby Metoxen, Marie Summers, Jennifer Webster

Not Present: Brandon Stevens

## VIII. STANDING ITEMS

### A. ARPA FRF Updates and Requests/Proposals

*No submissions to consider.*

**DRAFT****IX. TRAVEL REPORTS**

- A. Approve the travel report - Chairman Tehassi Hill and Vice-Chairman Brandon Stevens - National Indian Gaming Tradeshow & Convention - Las Vegas, NV - July 19-23, 2021 (00:31:57)**

Sponsor: Tehassi Hill, Chairman

Motion by Jennifer Webster to approve the travel report from Chairman Tehassi Hill and Vice-Chairman Brandon Stevens for the National Indian Gaming Tradeshow & Convention in Las Vegas, NV - July 19-23, 2021, seconded by Marie Summers. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, David P. Jordan, Lisa Liggins, Kirby Metoxen, Marie Summers, Jennifer Webster

Not Present: Brandon Stevens

- B. Approve the travel report - Councilman Kirby Metoxen - National Indian Gaming Tradeshow & Convention - Las Vegas, NV - July 19-22, 2021 (00:40:47)**

Sponsor: Kirby Metoxen, Councilman

Motion by Lisa Liggins to approve the travel report from Councilman Kirby Metoxen for the National Indian Gaming Tradeshow & Convention in Las Vegas, NV - July 19-22, 2021, seconded by Marie Summers. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, David P. Jordan, Lisa Liggins, Marie Summers, Jennifer Webster

Abstained: Kirby Metoxen

Not Present: Brandon Stevens

**X. TRAVEL REQUESTS**

- A. Approve the travel request - Treasurer Tina Danforth - NAFOA 2021 Fall Finance & Economics Conference - San Antonio, TX - September 25-29, 2021 (00:42:28)**

Sponsor: Tina Danforth, Treasurer

Motion by David P. Jordan to approve the travel request for Treasurer Tina Danforth to attend the NAFOA 2021 Fall Finance & Economics Conference in San Antonio, TX - September 25-29, 2021, seconded by Lisa Liggins. Motion carried:

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

Abstained: Tina Danforth

Not Present: Brandon Stevens

- B. Approve the travel request - Chairman Tehassi Hill - Meeting with U.S. Interior Secretary Haaland - Washington DC - September 28, 2021 (00:44:07)**

Sponsor: Tehassi Hill, Chairman

Motion by David P. Jordan to approve the travel request for the Chairman Tehassi Hill to attend the meeting with U.S. Interior Secretary Haaland in Washington DC - September 28, 2021, seconded by Marie Summers. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, David P. Jordan, Lisa Liggins, Kirby Metoxen, Marie Summers, Jennifer Webster

Not Present: Brandon Stevens

*Item XI.B. was addressed next.*



**DRAFT****XI. NEW BUSINESS****A. Consider requests made in the dissertation entitled Oneida college lacrosse perspectives of the sacred game of lacrosse (01:10:40)**

Sponsor: Dr. Thomas Reed, PhD/Tribal Member

Motion by Lisa Liggins to accept the requests made in the dissertation entitled Oneida college lacrosse perspectives of the sacred game of lacrosse and defer the requests to the Community Development Planning Committee for follow up, seconded by David P. Jordan. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, David P. Jordan, Lisa Liggins,  
Kirby Metoxen, Marie Summers, Jennifer Webster

Not Present: Brandon Stevens

*Item XIV. was addressed next.*

**B. Consider request for an APRA food card distribution in November and December 2021 (00:46:14)**

Sponsor: Nancy Barton, Tribal Member

*Councilman Kirby Metoxen left at 9:45 a.m.*

Motion by Marie Summers to accept the request for an APRA food card distribution for November and December from 2021 through 2023 and direct the General Manager to bring back a report at the October 13, 2021, regular Business Committee meeting on program funded by FRF funds to be implemented by November 2021 through 2023, seconded by Lisa Liggins. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, David P. Jordan, Lisa Liggins,  
Marie Summers, Jennifer Webster

Not Present: Kirby Metoxen, Brandon Stevens

**C. Approve Debra Miller to participate as a panelist for a Dementia in Indian Country caregiver support Extension for Community Health Care Outcomes (ECHO) (01:02:54)**

Sponsor: Mark W. Powless, General Manager

Motion by Marie Summers to approve Debra Miller to participate as a panelist for a Dementia in Indian Country caregiver support Extension for Community Health Care Outcomes (ECHO), seconded by Lisa Liggins. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, David P. Jordan, Lisa Liggins,  
Marie Summers, Jennifer Webster

Not Present: Kirby Metoxen, Brandon Stevens

**D. Enter the e-poll results into the record regarding the Chairman's recommendation for the Nation's Authorized Representatives for ARPA FRF reporting (01:03:35)**

Sponsor: Lisa Liggins, Secretary

Motion by Lisa Liggins to enter the e-poll results into the record regarding the Chairman's recommendation for the Nation's Authorized Representatives for ARPA FRF reporting, seconded by David P. Jordan. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, David P. Jordan, Lisa Liggins,  
Marie Summers, Jennifer Webster

Not Present: Kirby Metoxen, Brandon Stevens



# DRAFT

## XII. REPORTS

### A. CORPORATE BOARDS

**1. Accept the Bay Bancorporation Inc. FY-2021 3rd quarter report (01:04:16)**

Sponsor: Jeff Bowman, President/Bay Bank

Motion by Lisa Liggins to accept the Bay Bancorporation Inc. FY-2021 3rd quarter report, seconded by David P. Jordan. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, David P. Jordan, Lisa Liggins,  
Marie Summers, Jennifer Webster

Not Present: Kirby Metoxen, Brandon Stevens

**2. Accept the Oneida ESC Group, LLC FY-2021 3rd quarter report (01:04:38)**

Sponsor: John Breuninger, Chair/Oneida ESC Group, LLC

Motion by Lisa Liggins to accept the Oneida ESC Group, LLC FY-2021 3rd quarter report, seconded by Marie Summers. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, David P. Jordan, Lisa Liggins,  
Marie Summers, Jennifer Webster

Not Present: Kirby Metoxen, Brandon Stevens

**3. Accept the Oneida Airport Hotel Corporation FY-2021 3rd quarter report (01:04:58)**

Sponsor: Kathy Hughes, Chair/Oneida Airport Hotel Corporation

Motion by Marie Summers to accept the Oneida Airport Hotel Corporation FY-2021 3rd quarter report, seconded by Lisa Liggins. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, David P. Jordan, Lisa Liggins,  
Marie Summers, Jennifer Webster

Not Present: Kirby Metoxen, Brandon Stevens

**4. Accept the Oneida Golf Enterprise FY-2021 3rd quarter report (01:05:31)**

Sponsor: James Petitjean, Agent/Oneida Golf Enterprise

Motion by Marie Summers to accept the Oneida Golf Enterprise FY-2021 3rd quarter report, seconded by David P. Jordan. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, David P. Jordan, Lisa Liggins,  
Marie Summers, Jennifer Webster

Not Present: Kirby Metoxen, Brandon Stevens

**DRAFT****XIII. GENERAL TRIBAL COUNCIL****A. Reschedule the December 13, 2021 tentatively schedule General Tribal Council meeting (01:06:03)**

Sponsor: Lisa Liggins, Secretary

*Councilman Kirby Metoxen returned at 9:50 a.m.*

Motion by David P. Jordan to reschedule the December 13, 2021 tentatively schedule General Tribal Council meeting to Monday, December 6, 2021, seconded by Marie Summers. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, David P. Jordan, Lisa Liggins,  
Marie Summers, Jennifer Webster  
Abstained: Kirby Metoxen  
Not Present: Brandon Stevens

**B. Accept General Tribal Council safety assessment Update #1 and determine next steps (01:07:34)**

Sponsor: Lisa Liggins, Secretary

Motion by Lisa Liggins to accept the General Tribal Council safety assessment Update #1, seconded by Marie Summers. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, David P. Jordan, Lisa Liggins,  
Kirby Metoxen, Marie Summers, Jennifer Webster  
Not Present: Brandon Stevens

*Item XI.A. was addressed next.***XIV. EXECUTIVE SESSION (01:25:40)**

Motion by Marie Summers to go into executive session at 10:08 a.m., seconded by David P. Jordan. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, David P. Jordan, Lisa Liggins,  
Kirby Metoxen, Marie Summers, Jennifer Webster  
Not Present: Brandon Stevens

Motion by David P. Jordan to come out of executive session at 10:43 a.m., seconded by Marie Summers. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, David P. Jordan, Lisa Liggins,  
Kirby Metoxen, Marie Summers, Jennifer Webster  
Not Present: Brandon Stevens

**DRAFT****A. REPORTS****1. Accept the Chief Counsel report (01:26:28)**

Sponsor: Jo Anne House, Chief Counsel

Motion by Lisa Liggins to accept the Chief Counsel report, seconded by Jennifer Webster. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, David P. Jordan, Lisa Liggins,  
Kirby Metoxen, Marie Summers, Jennifer Webster  
Not Present: Brandon Stevens

**2. Accept the General Manager report (01:26:40)**

Sponsor: Mark W. Powless, General Manager

Motion by Lisa Liggins to accept the General Manager report, seconded by Marie Summers. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, David P. Jordan, Lisa Liggins,  
Kirby Metoxen, Marie Summers, Jennifer Webster  
Not Present: Brandon Stevens

**3. Accept the Gaming General Manager's September 2021 update regarding the implementation of Sports Wagering (01:26:49)**

Sponsor: Louise Cornelius, Gaming General Manager

Motion by Lisa Liggins to accept the Gaming General Manager's September 2021 update regarding the implementation of Sports Wagering, seconded by Marie Summers. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, David P. Jordan, Lisa Liggins,  
Kirby Metoxen, Marie Summers, Jennifer Webster  
Not Present: Brandon Stevens

**4. Accept the Bay Bancorporation Inc. FY-2021 3rd quarter executive report (01:27:05)**

Sponsor: Jeff Bowman, President/Bay Bank

Motion by Lisa Liggins to accept the Bay Bancorporation Inc. FY-2021 3rd quarter executive report, seconded by Jennifer Webster. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, David P. Jordan, Lisa Liggins,  
Kirby Metoxen, Marie Summers, Jennifer Webster  
Not Present: Brandon Stevens

**5. Accept the Oneida ESC Group, LLC FY-2021 3rd quarter executive report (01:27:19)**

Sponsor: John Breuninger, Chair/Oneida ESC Group, LLC

Motion by Lisa Liggins to accept the Oneida ESC Group, LLC FY-2021 3rd quarter executive report, seconded by Marie Summers. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, David P. Jordan, Lisa Liggins,  
Kirby Metoxen, Marie Summers, Jennifer Webster  
Not Present: Brandon Stevens

**DRAFT****6. Accept the Oneida Airport Hotel Corporation FY-2021 3rd quarter executive report (01:27:34)**

Sponsor: Kathy Hughes, Chair/Oneida Airport Hotel Corporation

Motion by Lisa Liggins to accept the Oneida Airport Hotel Corporation FY-2021 3rd quarter executive report, seconded by Kirby Metoxen. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, David P. Jordan, Lisa Liggins,  
Kirby Metoxen, Marie Summers, Jennifer Webster

Not Present: Brandon Stevens

**7. Accept the Oneida Golf Enterprise FY-2021 3rd quarter executive report (01:27:46)**

Sponsor: James Petitjean, Agent/Oneida Golf Enterprise

Motion by Lisa Liggins to accept the Oneida Golf Enterprise FY-2021 3rd quarter executive report, seconded by David P. Jordan. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, David P. Jordan, Lisa Liggins,  
Kirby Metoxen, Marie Summers, Jennifer Webster

Not Present: Brandon Stevens

**B. NEW BUSINESS****1. Determine next steps regarding the Gaming wage chart (01:28:01)**

Sponsor: Louise Cornelius, Gaming General Manager

Motion by Lisa Liggins to approve the exempt and non-exempt wage charts, support the SOPs presented, and direct Gaming to assess and create a plan to address dealer wages with updates on future quarterly Gaming General Manager reports, seconded by Marie Summers. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, David P. Jordan, Lisa Liggins,  
Kirby Metoxen, Marie Summers, Jennifer Webster

Not Present: Brandon Stevens

**2. Review request to address compensation issues within the MIS Department and determine next steps (01:28:21)**

Sponsor: Mark W. Powless, General Manager

Motion by Lisa Liggins to defer the request to address compensation issues within the MIS Department to the September 22, 2021, regular Business Committee meeting agenda, seconded by David P. Jordan. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, David P. Jordan, Lisa Liggins,  
Kirby Metoxen, Marie Summers, Jennifer Webster

Not Present: Brandon Stevens

**DRAFT****3. Approve 89 new enrollments and 2 relinquishments (01:28:39)**

Sponsor: Debbie Danforth, Chair/Oneida Trust Enrollment Committee

Motion by Lisa Liggins to approve 89 new enrollments and 2 relinquishments, seconded by David P. Jordan. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, David P. Jordan, Lisa Liggins,  
Kirby Metoxen, Marie Summers, Jennifer Webster  
Not Present: Brandon Stevens

**4. Adopt resolution entitled Regarding Pardon of Sheila M. Shawanokasic (01:28:50)**

Sponsor: Lisa Liggins, Secretary

Motion by Lisa Liggins to accept the Pardon and Forgiveness Screening Committee's recommendation, adopt resolution 09-08-21-C Regarding Pardon of Sheila M. Shawanokasic, and move the resolution to open session, seconded by David P. Jordan. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, David P. Jordan, Lisa Liggins,  
Kirby Metoxen, Marie Summers, Jennifer Webster  
Not Present: Brandon Stevens

**5. Accept the August 30, 2021, BC Officer meeting notes (01:29:10)**

Sponsor: Jessica Vandekamp, Employee Relations Representative

Motion by Lisa Liggins to accept the August 30, 2021, BC Officer meeting notes, seconded by Jennifer Webster. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, David P. Jordan, Lisa Liggins,  
Kirby Metoxen, Marie Summers, Jennifer Webster  
Not Present: Brandon Stevens

**6. Enter the e-poll results into the record regarding the authorization for the Oneida Law Office to vote on the Mallinckrodt Bankruptcy Plan (01:29:25)**

Sponsor: Lisa Liggins, Secretary

Motion by Lisa Liggins to enter the e-poll results into the record regarding the authorization for the Oneida Law Office to vote on the Mallinckrodt Bankruptcy Plan, seconded by Jennifer Webster. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, David P. Jordan, Lisa Liggins,  
Kirby Metoxen, Marie Summers, Jennifer Webster  
Not Present: Brandon Stevens

**7. Enter the e-poll results into the record regarding the authorization for the Chairman to sign the letter to the Town of Oneida (01:29:43)**

Sponsor: Lisa Liggins, Secretary

Motion by Lisa Liggins to enter the e-poll results into the record regarding the authorization for the Chairman to sign the letter to the Town of Oneida, seconded by Kirby Metoxen. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, David P. Jordan, Lisa Liggins,  
Kirby Metoxen, Marie Summers, Jennifer Webster  
Not Present: Brandon Stevens

**DRAFT****8. Compliant # 2021-DR16-03 - Review written report and determine next steps (01:29:57)**

Sponsor: Lisa Liggins, Secretary

Motion by Lisa Liggins to accept the sub-team's written report, approve the recommendations as discussed today, closeout compliant # 2021-DR16-03, and assign Secretary Lisa Liggins to complete the follow-up, seconded by Jennifer Webster. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, Lisa Liggins, Kirby Metoxen,  
Marie Summers, Jennifer Webster  
Abstained: David P. Jordan  
Not Present: Brandon Stevens

**XV. ADJOURN (01:30:25)**

Motion by David P. Jordan to adjourn at 10:47 a.m., seconded by Marie Summers. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, David P. Jordan, Lisa Liggins,  
Kirby Metoxen, Marie Summers, Jennifer Webster  
Not Present: Brandon Stevens

Minutes prepared by Lisa Liggins, Secretary.  
Minutes approved as presented on \_\_\_\_\_.

\_\_\_\_\_  
Lisa Liggins, Secretary  
ONEIDA BUSINESS COMMITTEE

Adopt resolution entitled Extension of Declaration of Public Health State of Emergency Until November 25

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## Business Committee Agenda Request

1. Meeting Date Requested: 09/22/21

2. General Information:

Session: ☒ Open ☐ Executive – must qualify under §107.4-1.

Justification: *Choose reason for Executive.*

3. Supporting Documents:

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Bylaws                 | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation                   |
| <input type="checkbox"/> Contract Document(s)   | <input type="checkbox"/> Law                     | <input checked="" type="checkbox"/> Report              |
| <input type="checkbox"/> Correspondence         | <input type="checkbox"/> Legal Review            | <input checked="" type="checkbox"/> Resolution          |
| <input type="checkbox"/> Draft GTC Notice       | <input type="checkbox"/> Minutes                 | <input type="checkbox"/> Rule (adoption packet)         |
| <input type="checkbox"/> Draft GTC Packet       | <input type="checkbox"/> MOU/MOA                 | <input checked="" type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition                | <input type="checkbox"/> Travel Documents               |
| <input type="checkbox"/> Other: <i>Describe</i> |  |   |

4. Budget Information:

- |  |  |                                     |
|--|--|-------------------------------------|
| <input type="checkbox"/> Budgeted                  | <input type="checkbox"/> Budgeted – Grant Funded | <input type="checkbox"/> Unbudgeted |
| <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Other: <i>Describe</i>  |                                     |

5. Submission:

Authorized Sponsor: Jameson Wilson, Project Coordinator

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

Additional Requestor: (Name, Title/Entity)

Additional Requestor: (Name, Title/Entity)

Submitted By: LLIGGINS

# Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

## BC Resolution # \_\_\_\_\_

### Extension of Declaration of Public Health State of Emergency Until November 25, 2021

- 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 federal government has proclaimed a public health emergency related to the spread of the COVID-19 virus and has identified that the spread of the virus has resulted in large numbers of individuals becoming ill and high mortality rates, impacts to the stock markets, and businesses; and
- WHEREAS,** state governors, including the State of Wisconsin, have declared public health emergencies and state public health officers have issued orders, for example, closing public schools, limiting public gatherings, and closing restaurants and bars except for take-out orders; and
- WHEREAS,** on March 12, 2020 the Chairman declared a Public Health State of Emergency, the Oneida Business Committee took actions to take steps to protect the health and welfare of the members, employees and the community, including instituting expenditure restrictions to preserve resources for the provision of governmental services to members most at risk, closure of the Nation's gaming operations, and insuring that employees will continue to be paid during the Public Health State of Emergency as long as the Nation's resources will allow; and
- WHEREAS,** the Public Health State of Emergency was extended by resolutions # BC-03-26-20-A, # BC-05-06-20-A, # BC-06-10-20-A, # BC-07-08-20-A, # BC-08-06-20-A, # BC-09-09-20-A, # BC-10-08-20-A, # BC-11-10-20-A, # BC-12-09-20-D, # BC-1-07-21-A, # BC-2-10-21-A, # BC-3-10-21-D, # BC 05-12-21-A, # 06-23-21-B and # 07-28-21-N; and
- WHEREAS,** the status of the COVID-19 pandemic continues to change daily with identification of hotspots occurring within certain industries and areas which are more clearly identified in the Public Health Officer Report which supports this resolution; and
- WHEREAS,** a positive test does not identify the total number of individuals who have the virus, including those who are not showing symptoms or who have isolated themselves at home because not every person is tested; and
- WHEREAS,** the COVID-19 Core Decision Making Team issued several declarations intended to protect the public health within the Oneida Reservation and updated those declarations from time



BC Resolution \_\_\_\_\_

Extension of Declaration of Public Health State of Emergency Until November 25, 2021  
Page 2 of 2

44 to time as the U.S. Center of Disease Control, the Medical community and the Scientific  
45 community were able to update and identify the impacts and transmission of the COVID-  
46 19 virus; and  
47

48 **WHEREAS,** the Emergency Management Director and the Public Health Officer have advised extension  
49 of the Public Health State of Emergency declaration supported by information from the  
50 Centers for Disease Control and the level of spread of COVID-19 throughout the State of  
51 Wisconsin, surrounding states, and the United States; and  
52

53 **WHEREAS,** the Oneida Business Committee has determined that continuing the Public Health State of  
54 Emergency continues to be necessary and that its declaration should be longer given the  
55 ongoing pandemic impact and the inability to identify mechanisms to control for infection  
56 or protect the public;  
57

58 *Extension of Public Health State of Emergency Declaration*

59 **NOW THEREFORE BE IT RESOLVED,** that in accordance with section 302.8-2 of the Emergency  
60 Management Law, the Oneida Business Committee extends the Public Health State of Emergency  
61 declaration ending at 11:59 p.m. on November 25, 2021.



**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**

*Extension of Declaration of Public Health State of Emergency Until November 25, 2021*

### **Summary**

This resolution extends the Nation's declaration of the Public Health State of Emergency until November 25, 2021.

*Submitted by: Clorissa N. Santiago, Senior Staff Attorney, Legislative Reference Office*  
*Date: September 9, 2021*

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

The Oneida Business Committee adopted the Emergency Management law 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 coordinating with other agencies, victims, businesses and organizations; establish the use of the National Incident Management System (NIMS); and designate authority and responsibilities for public health preparedness. [3 O.C. 302.1-1].

Under the Emergency Management law, the Oneida Business Committee is delegated the responsibility to proclaim or ratify the existence of a public health emergency. [3 O.C. 302.8-1]. A public health emergency means the occurrence or imminent threat of an illness or health condition which is a quarantinable disease and poses a high probability of a large number of deaths or serious or long-term disability among humans. [3 O.C. 302.3-1(p)]. No proclamation of an emergency by the Oneida Business Committee may last for longer than sixty (60) days, unless renewed by the Oneida Business Committee. [3 O.C. 302.8-2].

As a result of the COVID-19 pandemic, in accordance with the authority granted to the Oneida Business Committee through the Emergency Management law, on March 12, 2020, Chairman Tehassi Hill signed a "Declaration of Public Health State of Emergency" which set into place the necessary authority, should action need to be taken, and allows the Oneida Nation to seek reimbursement of emergency management actions that may result in unexpected expenses. [3 O.C. 302.8-1]. The Oneida Business Committee has extended this Public Health State of Emergency until September 26, 2021, through the adoption of the following resolutions: BC-03-26-20-A, BC-05-06-20-A, BC-06-10-20-A, BC-07-08-20-A, BC-08-06-20-A, BC-09-09-20-A, BC-10-08-20-A, BC-11-10-20-A, BC-12-09-20-D, BC-01-07-21-A, BC-02-10-21-A, BC-03-10-21-D, and BC-05-12-21-A, BC-06-23-21-B, and BC-07-28-21-N. [3 O.C. 302.8-2].

The Emergency Management Director and Community/Public Health Officer have advised extension of the Public Health State of Emergency declaration supported by information from the Centers for Disease Control and the level of spread of COVID-19 throughout the State of Wisconsin, surrounding states, and the United States. This resolution provides that the Oneida

Business Committee has determined that continuing the Public Health State of Emergency continues to be necessary.

Through the adoption of this resolution, in accordance with section 302.8-2 of the Emergency Management law, the Oneida Business Committee extends the Public Health State of Emergency declaration until 11:59 p.m. on November 25, 2021.

***Conclusion***

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

## Oneida Comprehensive Health Division

Oneida Community Health Center  
Behavioral Health Services  
Anna John Resident Centered Care Community  
Employee Health Nursing



**To:** Oneida Business Committee

**From:** Debra Danforth, Oneida Comprehensive Health Division Operations Director  
Dr Vir, Oneida Comprehensive Health Division Medical Director  
Michelle Myers, Community/ Public Health Officer

**Date:** September 3, 2021

**RE:** Recommendations to extend public health emergency

Throughout the pandemic, we have chosen to follow the science in our mitigation strategies aimed to slow the spread of COVID-19 in the Oneida Community. Because infectious disease does not follow jurisdictional boundaries, it is critical to consider data from areas surrounding the Reservation. Resources considered in providing recommendations:

- COVID-19 cases; Oneida Nation Reservation, Brown and Outagamie Counties.
- COVID-19 testing percent positivity; Brown and Outagamie Counties.
- COVID-19 Hospitalization and deaths; Brown and Outagamie Counties.
- COVID-19 vaccination; Brown and Outagamie Counties.

The COVID-19 delta variant is currently causing new COVID-19 cases to surge in many parts of the world, including right here in Wisconsin. It is highly transmittable and has demonstrated to cause more severe disease. This delta variant is infecting those unvaccinated at a particularly high rate. In fact, the vast majority of hospitalization and deaths connected to COVID-19 illness are among the unvaccinated.

On July 27, 2021, the Centers for Disease Control and Prevention (CDC) updated guidance to recommend masking regardless of vaccination status in certain settings such as schools and in areas with high transition of COVID-19 infections. The following week, Brown and Outagamie Counties were identified as areas of high transmission. Therefore, a Public Health Order to require facial coverings indoors and in enclosed spaces regardless of vaccination status was issued August 6, 2021. Due to increasing levels of COVID-19 community transmission in Brown and Outagamie Counties to “high” and “very high”, this Public Health Order was extended through October 7, 2021.

Current COVID-19 vaccination data among the American Indian population in WI and our local communities fall below that of other races. More time is needed to vaccinate enough individuals to build collective/ community immunity needed to stop the spread of COVID-19.

In collaboration with Oneida Emergency Management, **the health response team recommends the Oneida Business Committee extend the public health emergency another 60 days.**

Mailing Address: P.O. Box 365, Oneida, WI 54155  
<https://oneida-nsn.gov/resources/health/>

Oneida Community Health Center  
Behavioral Health Services  
Anna John Resident Centered Care Community  
Employee Health Nursing

525 Airport Rd., Oneida, WI 54155  
2640 West Point Rd., Green Bay, WI 54304  
2901 S. Overland Rd., Oneida, WI 54155  
701 Packerland Dr., Green Bay, WI 54303

Phone: (920) 869-2711 or 1-866-869-2711  
Phone: (920) 490-3790 or 1-888-490-2457  
Phone: (920) 869-2797  
Phone: (920) 405-4492

Fax: (920) 869-1780  
Fax: (920) 490-3883  
Fax: (920) 869-3238  
Fax: (920) 405-4494

Recommendations will continue to change based upon available data and updates on the COVID-19 pandemic. Thank you for your continued collaboration and partnership as we work together to stop the spread of COVID-19 in the Oneida community.

Sincerely,

Michelle Myers BSN, RN  
Community/ Public Health Officer

CC: Rich Figueroa, Emergency Management  
Mark Powless, General Manager

Oneida Comprehensive Health Division  
Oneida Community Health Center  
Behavioral Health Services  
Anna John Resident Centered Care Community  
Employee Health Nursing



September 3, 2021

Updated COVID19 data to consider during discussions:

1. Extension of the Oneida Nation Public Health Emergency declaration.
2. When to resume in-person General Tribal Council (GTC) meetings

Submitted by:

Debbie Danforth, Dr Vir, Michelle Myers

Mailing Address: P.O. Box 365, Oneida, WI 54155  
<https://oneida-nsn.gov/resources/health/>

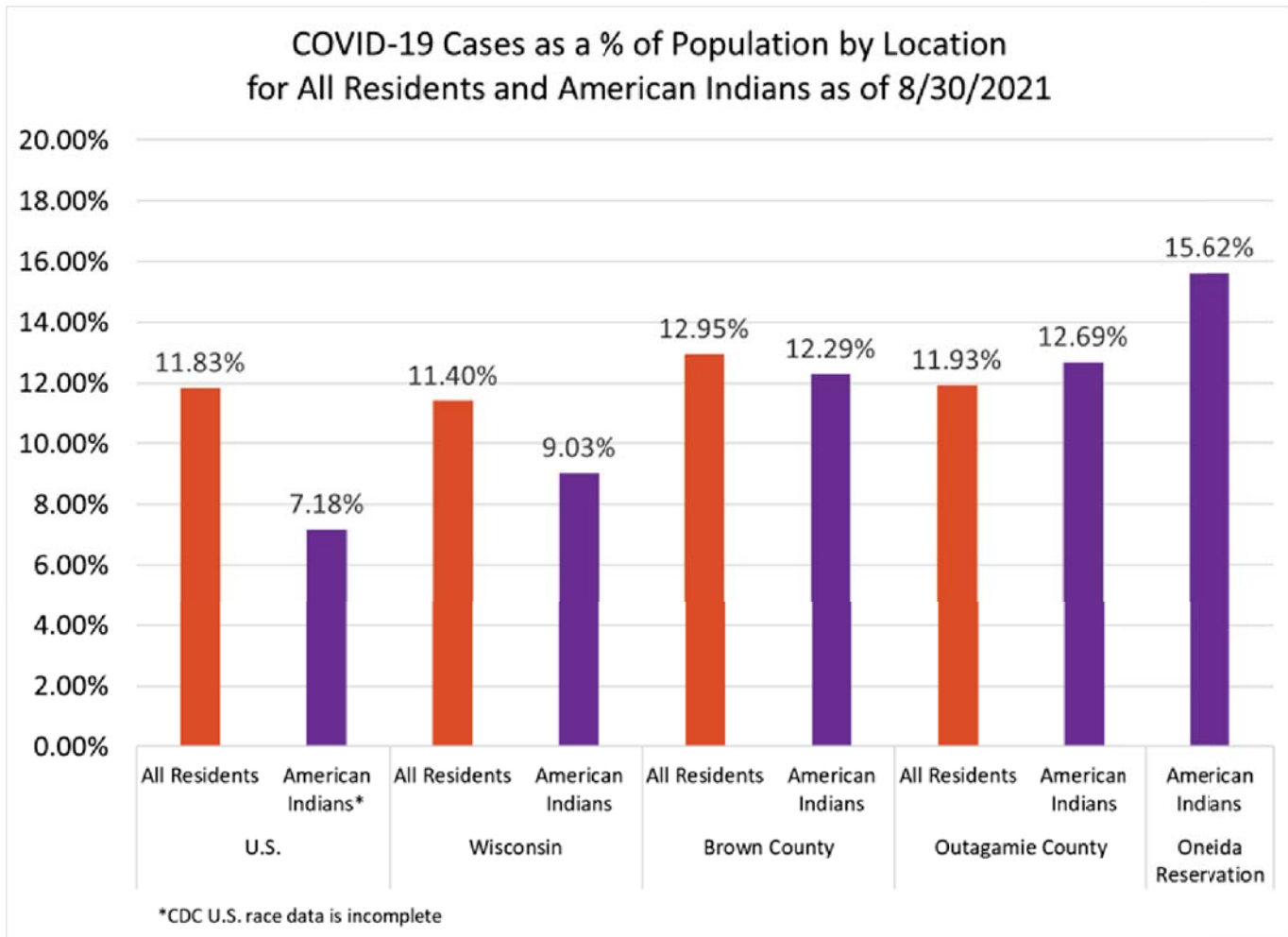
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Phone: (920) 405-4492

Fax: (920) 869-1780  
Fax: (920) 490-3883  
Fax: (920) 869-3238  
Fax: (920) 405-4494

## Relevant COVID-19 Data:



WI Department of Health Services- Public Health

<https://data.dhsgis.wi.gov/datasets/covid-19-historical-data-table/data>

U.S. Centers for Disease Control and Prevention

[https://covid.cdc.gov/covid-data-tracker/#cases\\_casesinlast7days](https://covid.cdc.gov/covid-data-tracker/#cases_casesinlast7days)

U.S. Census Bureau American Community Survey Population Estimates

<https://data.census.gov/cedsci/advanced>

Oneida Nation Health Department

<https://oneida-nsn.gov/connect/news/oneida-nation-covid-19-resource-page/#Stats>

**COVID-19 BREAKTHROUGH INFECTION:**

Definition: Fully vaccinated people who test positive for COVID-19 more than 2 weeks after their completed vaccine series are called breakthrough infections.

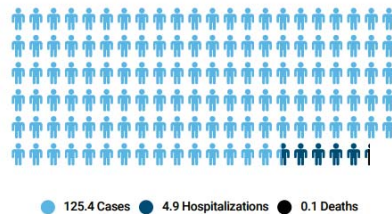
Vaccine breakthrough cases are expected. COVID-19 vaccines are effective and are a critical tool to bring the pandemic under control. However, no vaccines are 100% effective at preventing illness. Some fully vaccinated people will get sick, and some will even be hospitalized or die from COVID-19. However, there is evidence that vaccination may make illness less severe for those who are vaccinated and still get sick. The risk of infection, hospitalization and death are all much lower in vaccinated compared to unvaccinated people.

**WISCONSIN DATA****July 2021: COVID-19 Cases, Hospitalizations, and Deaths Among Fully Vaccinated and Not Fully Vaccinated People**

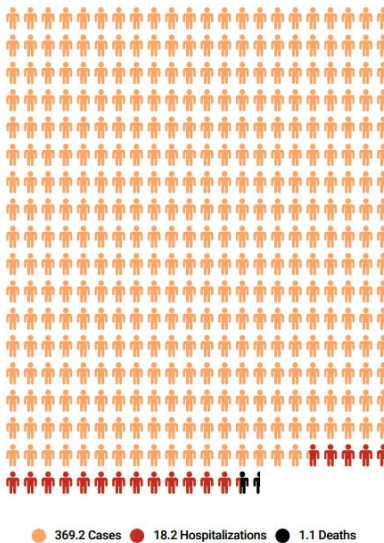
Last Updated: 8/18/2021

**Fully Vaccinated**

Per 100,000 Fully Vaccinated People

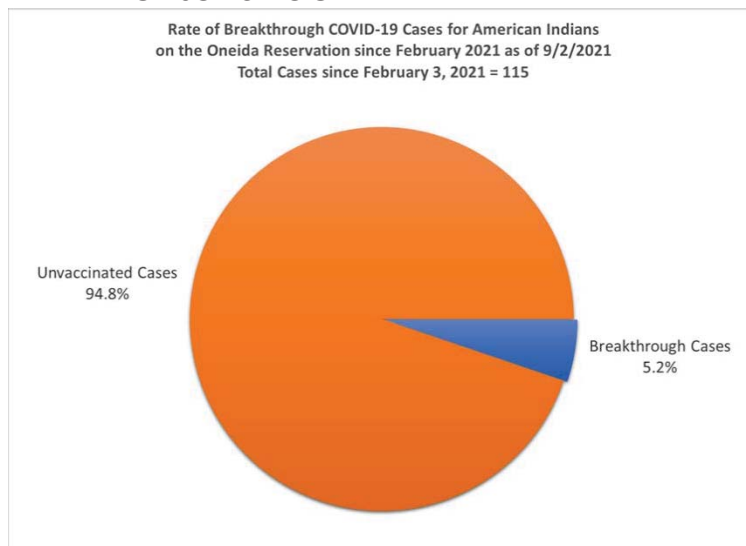
**Not Fully Vaccinated**

Per 100,000 Not Fully Vaccinated People



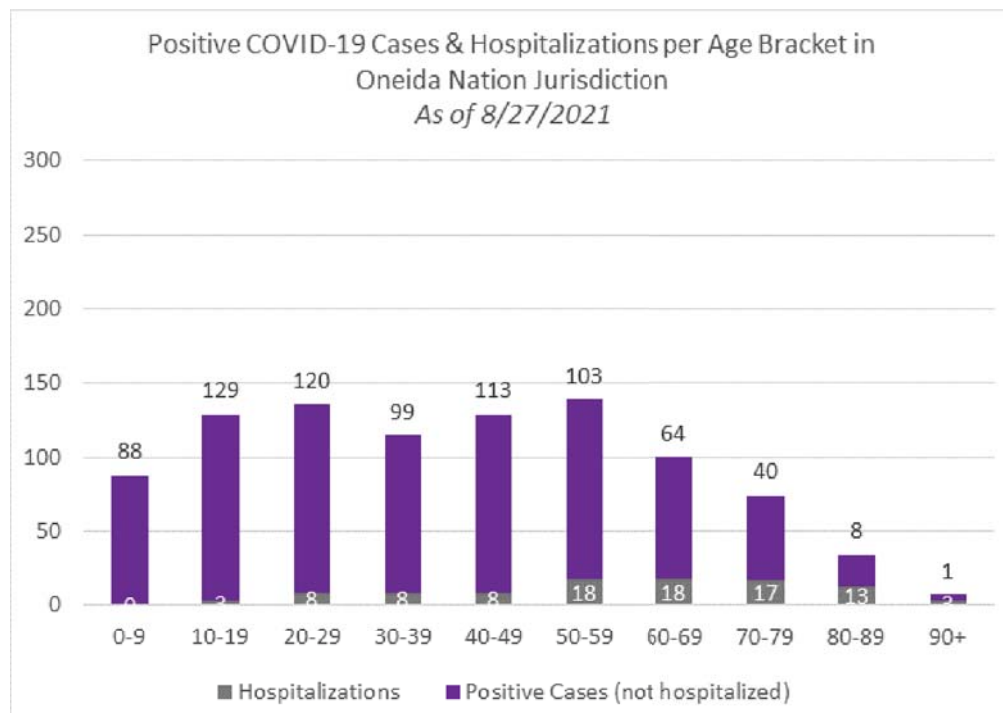
WI Department of Health Services- Public Health retrieved 09/02/21

<https://www.dhs.wisconsin.gov/covid-19/vaccine-status.htm>

**ONEIDA NATION JURISDICTION DATA:**

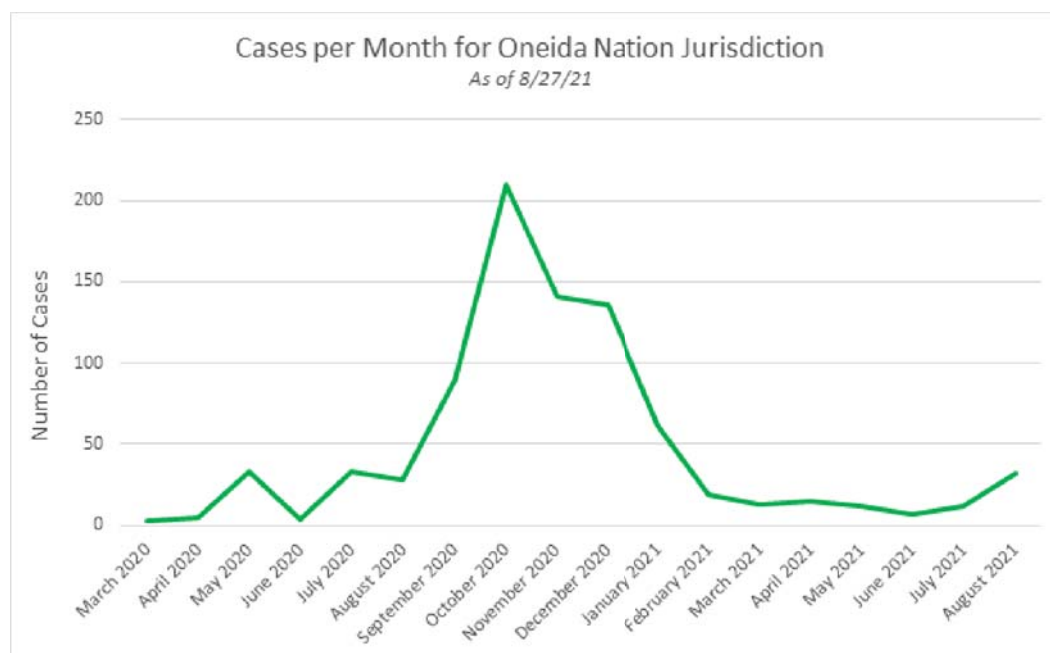
It is important to note, breakthrough infection is not the same as clinically significant infection/hospitalization or death.





Oneida Nation Health Department as of 08/27/2021

<https://oneida-nsn.gov/connect/news/oneida-nation-covid-19-resource-page/#Stats>

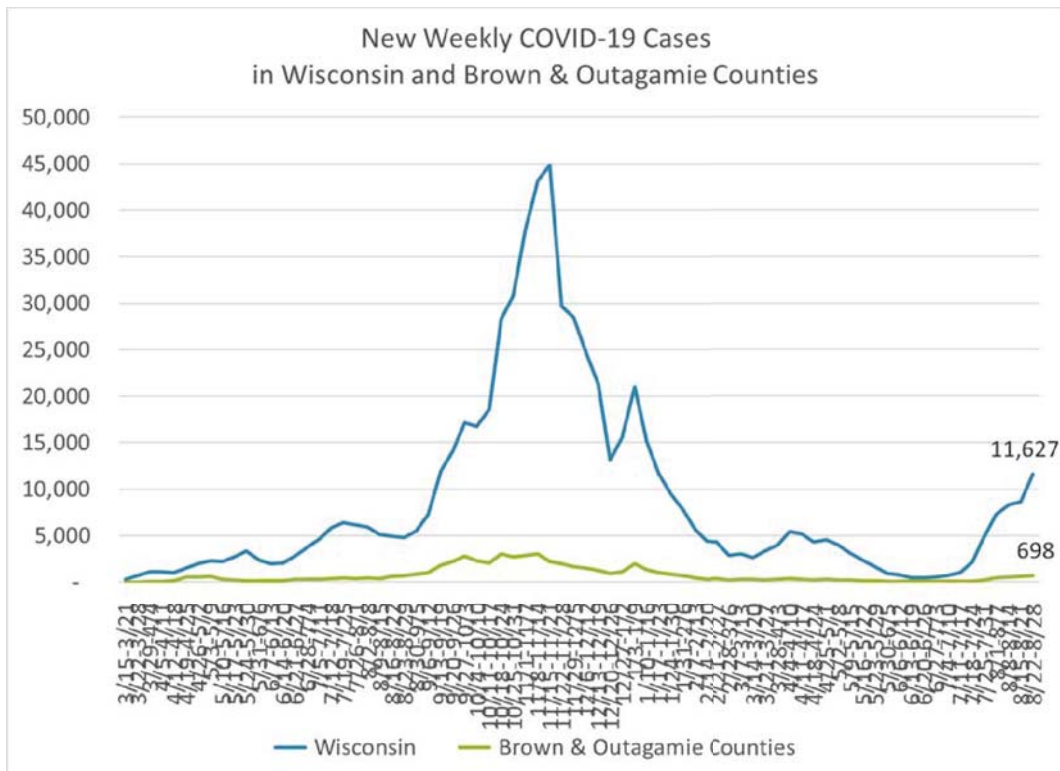


Oneida Nation Health Department as of 08/27/2021

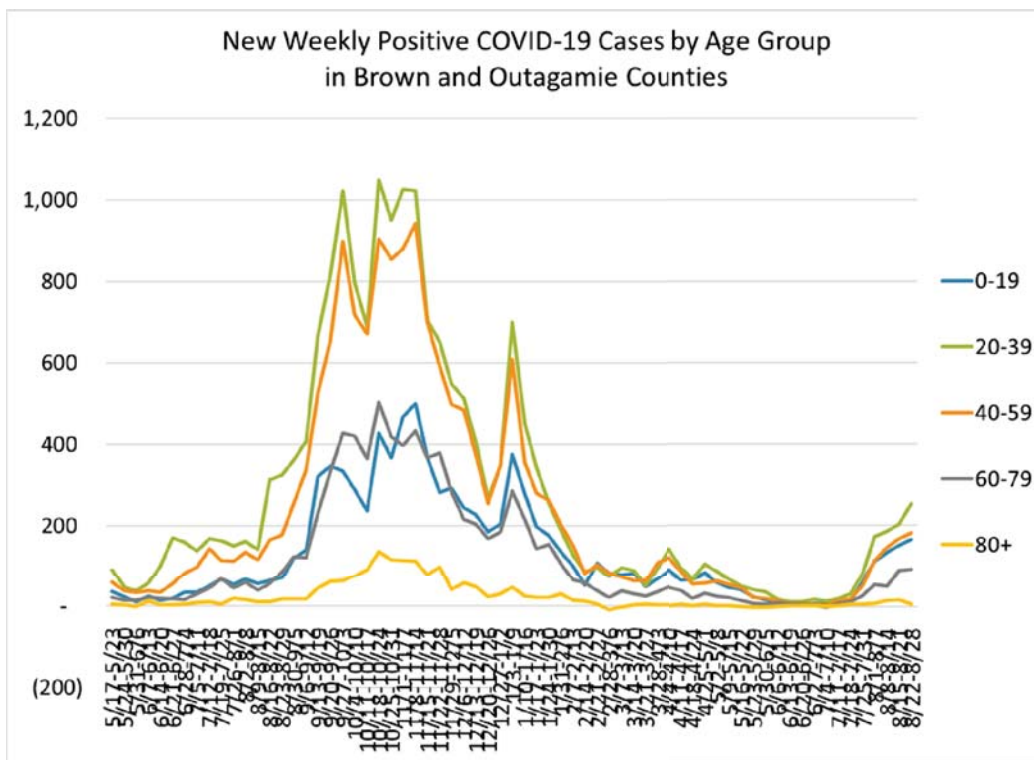
<https://oneida-nsn.gov/connect/news/oneida-nation-covid-19-resource-page/#Stats>

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

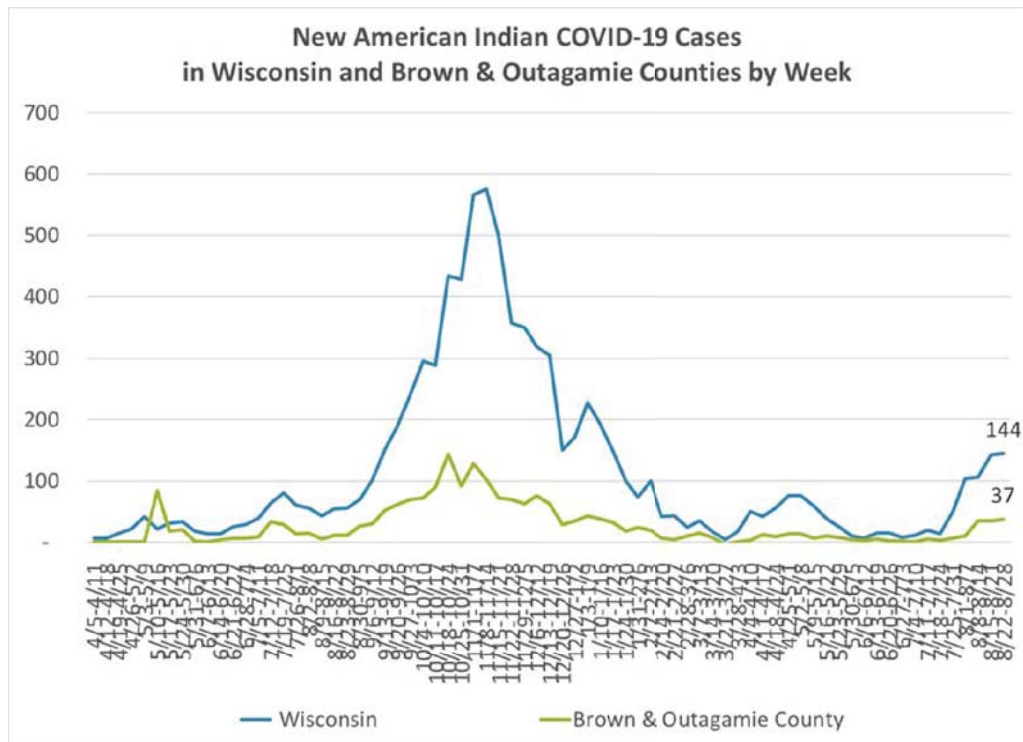




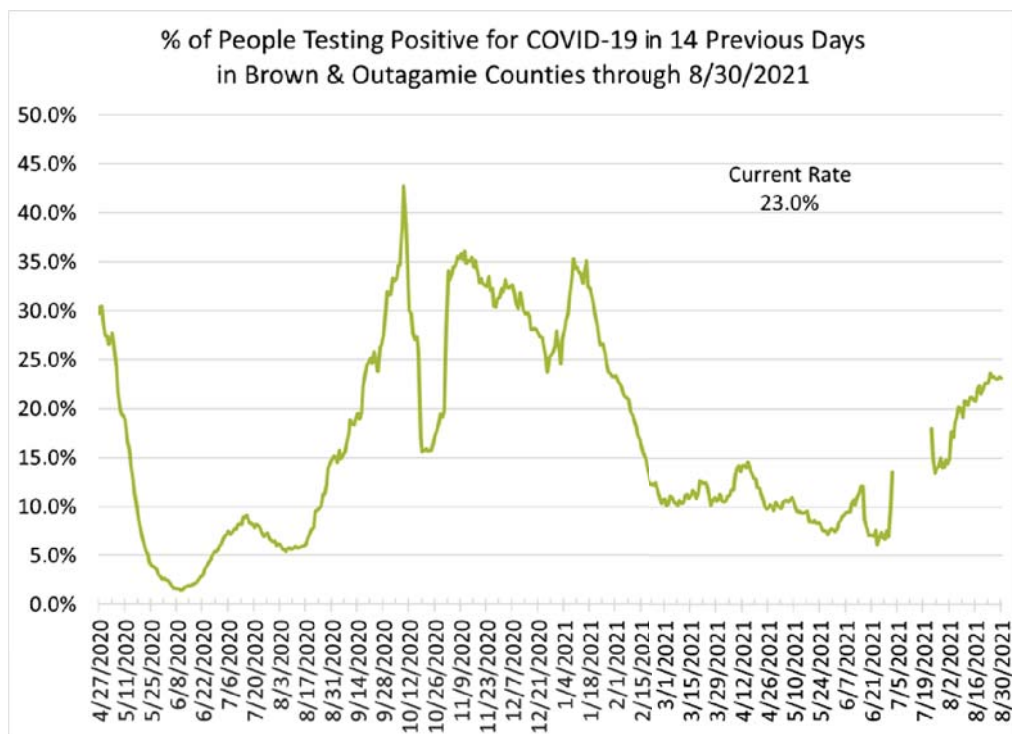
WI Department of Health Services- Public Health retrieved 08/30/2021  
<https://data.dhsgis.wi.gov/datasets/covid-19-historical-data-table/data>



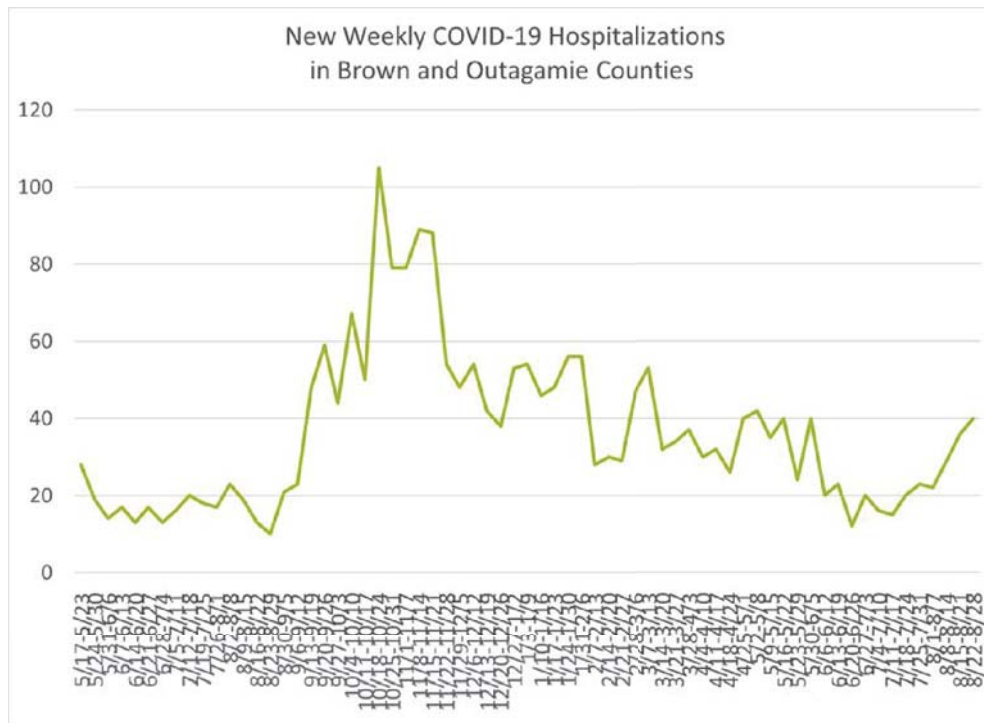
WI Department of Health Services- Public Health retrieved 08/30/2021  
<https://data.dhsgis.wi.gov/datasets/covid-19-historical-data-table/data>



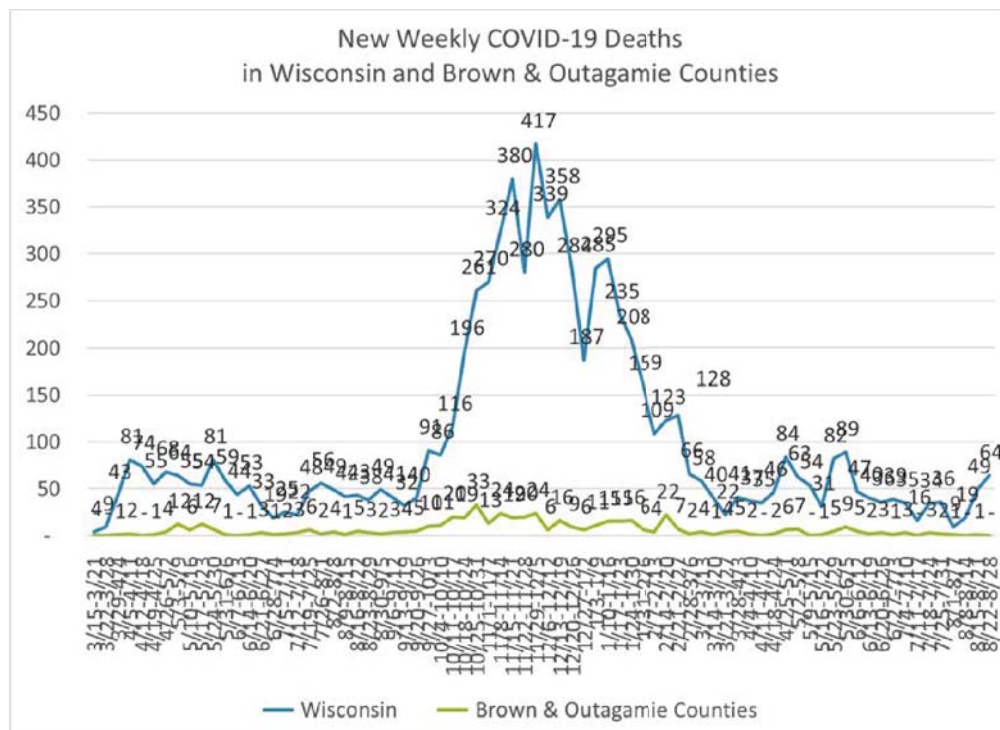
WI Department of Health Services- Public Health retrieved 08/30/2021  
<https://data.dhsgis.wi.gov/datasets/covid-19-historical-data-table/data>



WI Department of Health Services- Public Health retrieved 08/30/2021  
<https://data.dhsgis.wi.gov/datasets/covid-19-historical-data-table/data>

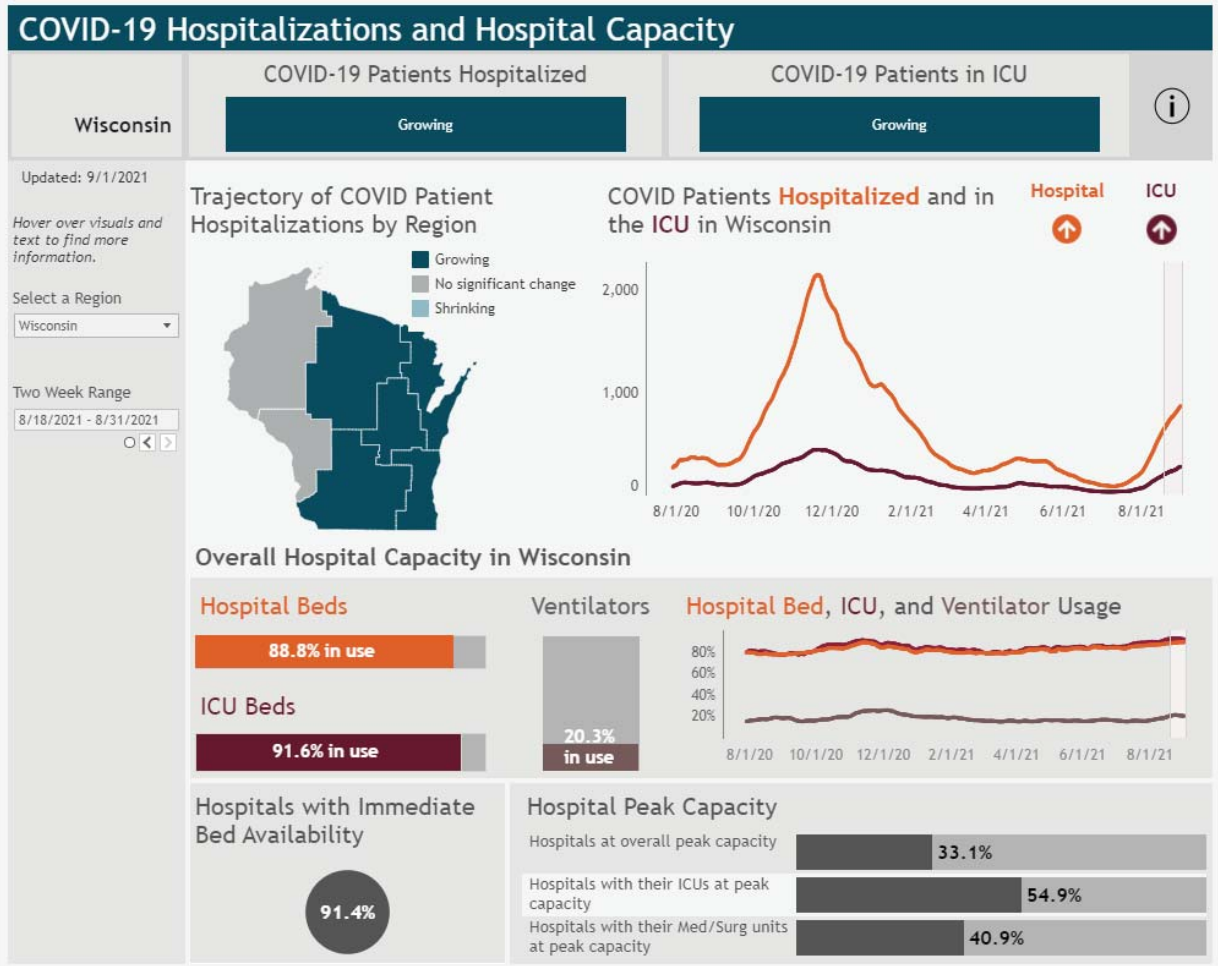


WI Department of Health Services- Public Health retrieved 08/30/2021  
<https://data.dhsgis.wi.gov/datasets/covid-19-historical-data-table/data>



WI Department of Health Services- Public Health retrieved 08/30/2021  
<https://data.dhsgis.wi.gov/datasets/covid-19-historical-data-table/data>

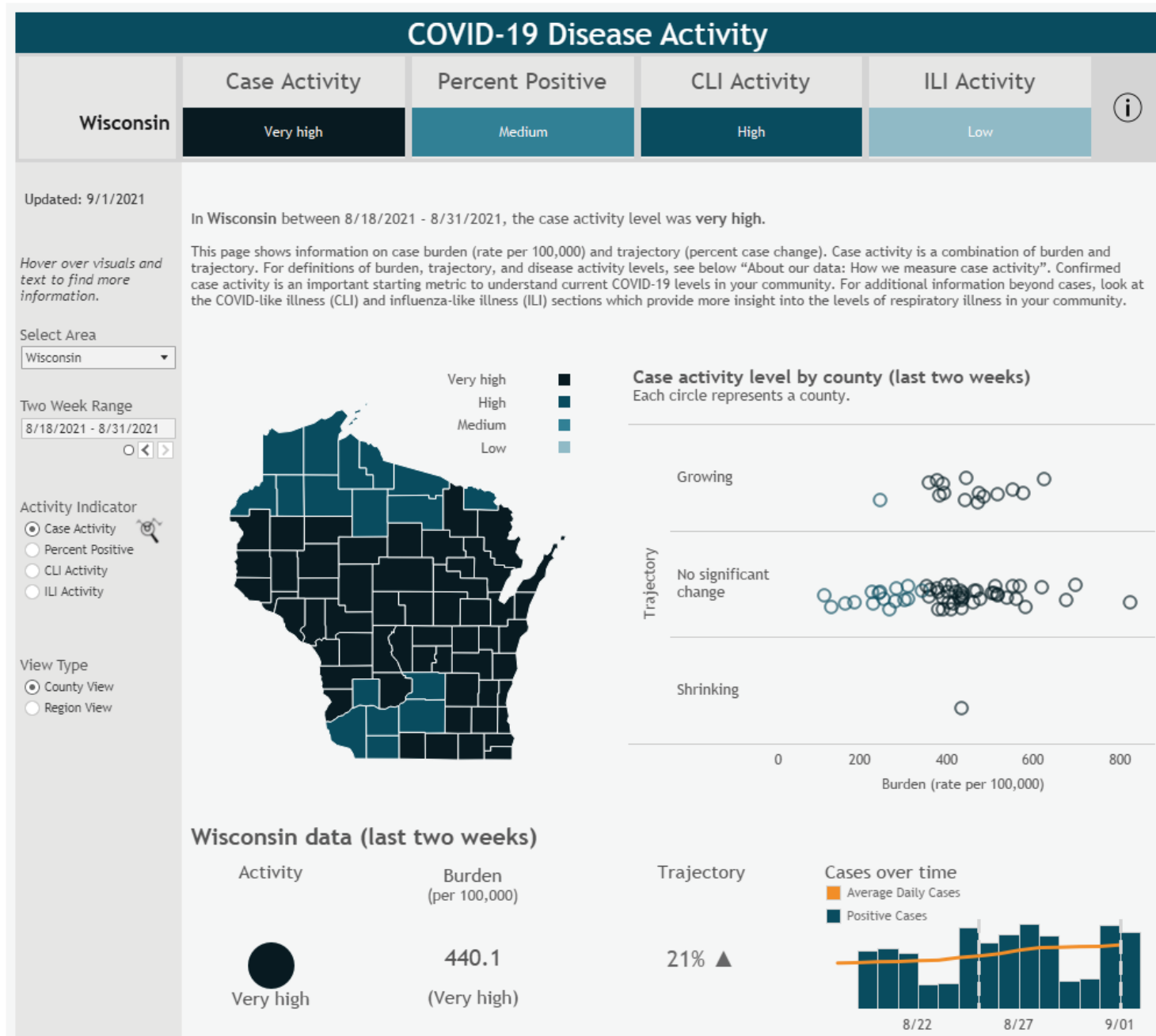
WISCONSIN: COVID-19 HOSPITALIZATIONS AND HOSPITAL CAPACITY



WI Department of Health Services- Public Health retrieved 09/02/2021  
<https://www.dhs.wisconsin.gov/covid-19/hosp-data.htm>



## WISCONSIN: COVID-19 DISEASE ACTIVITY



WI Department of Health Services- Public Health retrieved 09/02/2021

<https://www.dhs.wisconsin.gov/covid-19/local.htm>

## WISCONSIN- FULLY VACCINATED AGAINST COVID-19

## COVID-19 Vaccines for Wisconsin residents

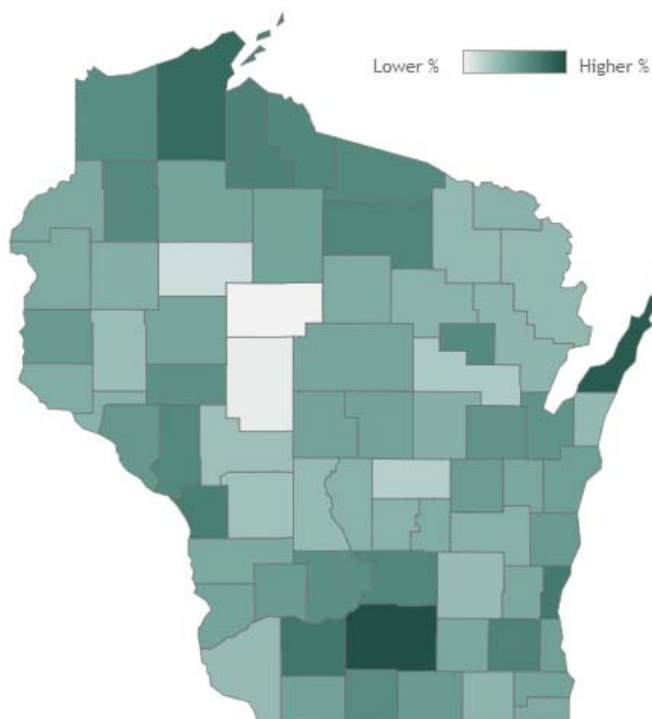
Updated: 9/1/2021

## HERC region data

- Total population who have received at least one dose
- Total population who have completed the series
- Adults (18+) who have received at least one dose
- Adults (18+) who have completed series

## Percent of Wisconsin residents who have completed the vaccine series by county

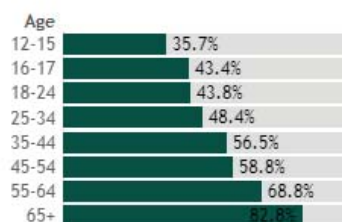
Click a county to filter data



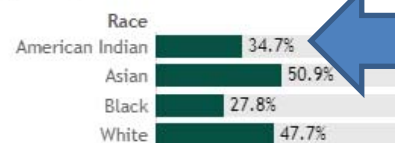
## Percent of Wisconsin residents who have completed the vaccine series

The orange represents the population for whom the vaccine is authorized.

The gray indicates the population under 12 years of age for whom the vaccines are not authorized.



\*0.5% of records were reported without sex.



\*5.4% of records reported a race of "Other".

\*5.5% of records reported an unknown race

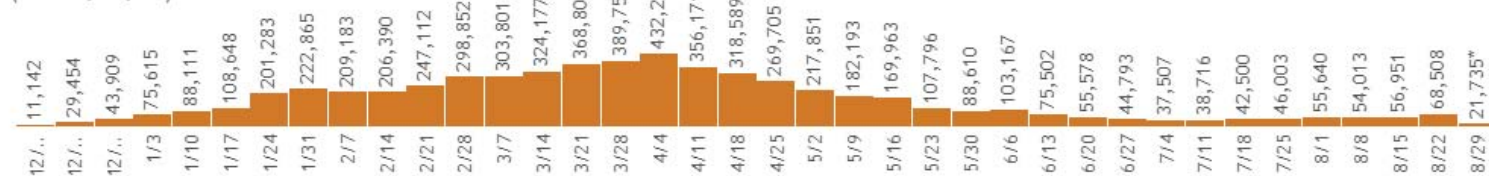


\*5.1% of records were reported without ethnicity.

View more data on racial and ethnic disparities in Wisconsin

## Vaccine doses for Wisconsin residents by week

(Total: 5,972,802)



\*Current week may be incomplete.

WI Department of Health Services- Public Health retrieved 09/02/2021

<https://www.dhs.wisconsin.gov/covid-19/vaccine-data.htm>

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



## BROWN COUNTY- FULLY VACCINATED AGAINST COVID-19

## COVID-19 Vaccines for Wisconsin residents

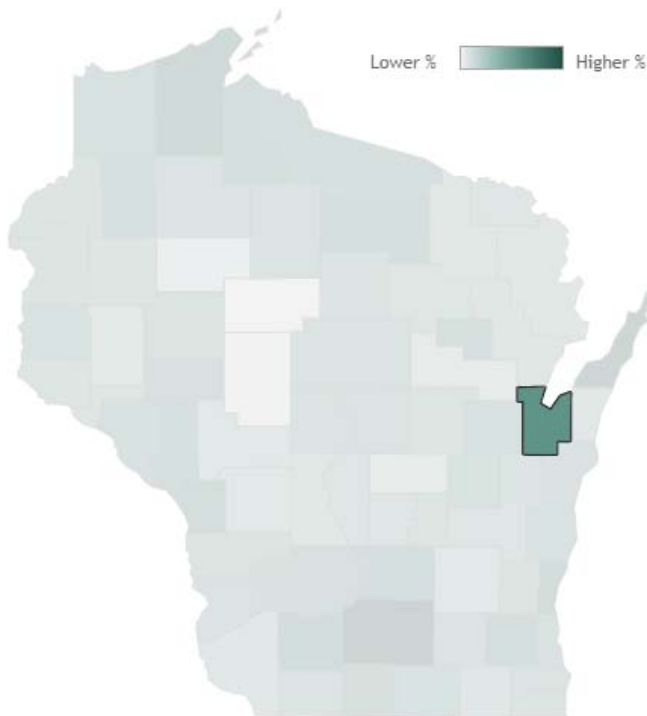
Updated: 9/1/2021

## HERC region data

- Total population who have received at least one dose
- Total population who have completed the series
- Adults (18+) who have received at least one dose
- Adults (18+) who have completed series

Percent of Wisconsin residents who have completed the vaccine series by county

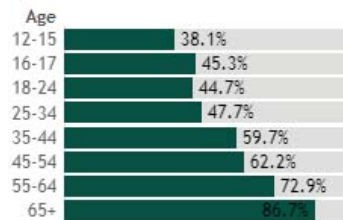
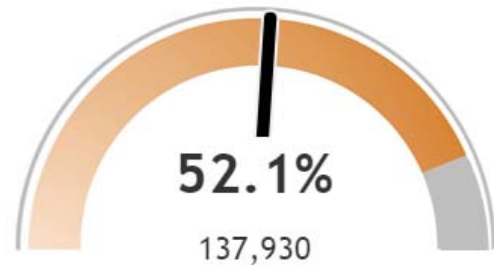
Click a county to filter data



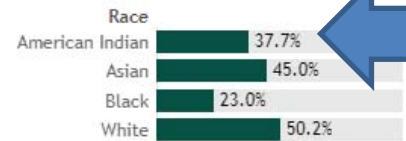
Percent of Brown County residents who have completed the vaccine series

The orange represents the population for whom the vaccine is authorized.

The gray indicates the population under 12 years of age for whom the vaccines are not authorized.

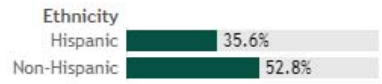


\*0.1% of records were reported without sex.



\*5.2% of records reported a race of "Other".

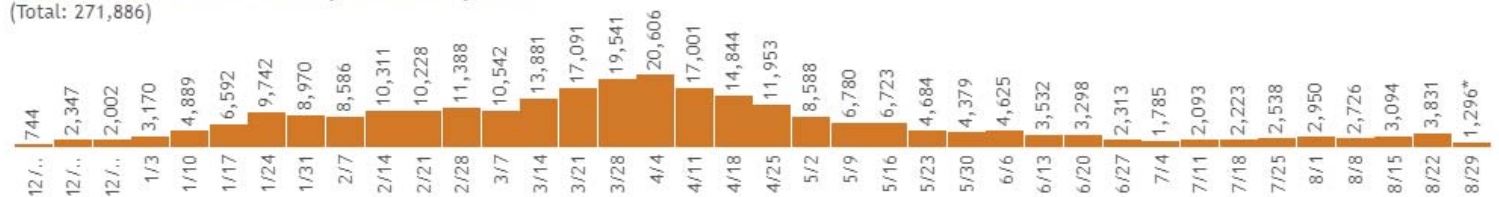
\*2.4% of records reported an unknown race



\*2.0% of records were reported without ethnicity.

[View more data on racial and ethnic disparities in Wisconsin](#)

Vaccine doses for Brown County residents by week  
(Total: 271,886)



\*Current week may be incomplete.

WI Department of Health Services- Public Health retrieved 09/02/2021

<https://www.dhs.wisconsin.gov/covid-19/vaccine-data.htm>

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## OUTAGAMIE COUNTY- FULLY VACCINATED AGAINST COVID-19

## COVID-19 Vaccines for Wisconsin residents

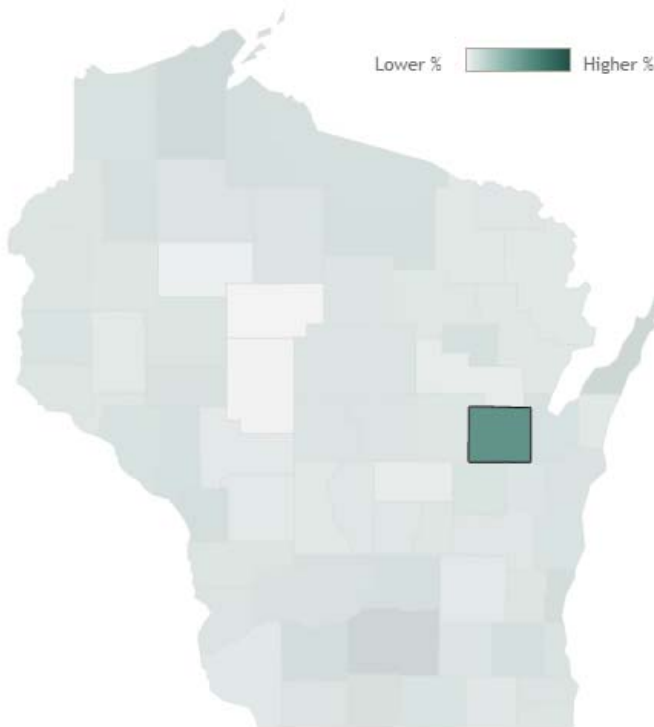
Updated: 9/1/2021

## HERC region data

- Total population who have received at least one dose
- Total population who have completed the series
- Adults (18+) who have received at least one dose
- Adults (18+) who have completed series

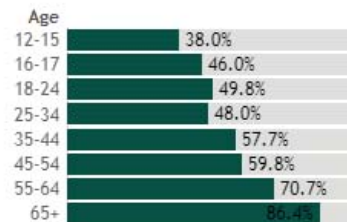
Percent of Wisconsin residents who have completed the vaccine series by county

Click a county to filter data

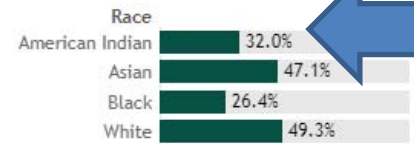


Percent of Outagamie County residents who have completed the vaccine series

The orange represents the population for whom the vaccine is authorized. The gray indicates the population under 12 years of age for whom the vaccines are not authorized.

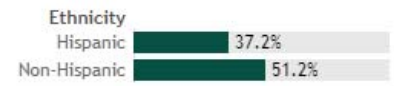


\*0.2% of records were reported without sex.



\*4.1% of records reported a race of "Other".

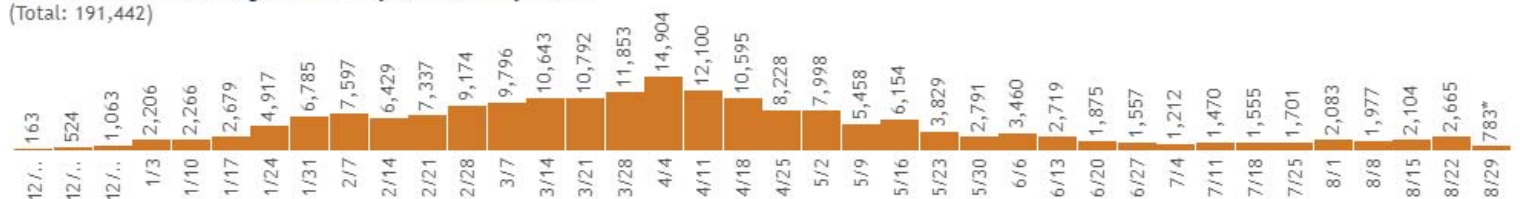
\*3.2% of records reported an unknown race



\*2.8% of records were reported without ethnicity.

View more data on racial and ethnic disparities in Wisconsin

Vaccine doses for Outagamie County residents by week  
(Total: 191,442)



\*Current week may be incomplete.

WI Department of Health Services- Public Health retrieved 09/02/2021

<https://www.dhs.wisconsin.gov/covid-19/vaccine-data.htm>

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**Vaccination summary data to show the rate of those 18+ who are fully vaccinated.  
As of 09/02/2021**

% of Population Aged 18+ Who are Fully Vaccinated					
Brown County		Outagamie County		Counties Combined	
All Residents	American Indians	All Residents	American Indians	All Residents	American Indians
63.9%	53.7%	63.5%	41.9%	63.8%	50.1%

*WI Department of Health Services- Public Health retrieved 09/02/2021*  
<https://www.dhs.wisconsin.gov/covid-19/vaccine-data.htm>

Adopt resolution entitled Extension of the Oneida Nation Vaccination Incentive Program for Oneida Nation

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## Business Committee Agenda Request

1. Meeting Date Requested: 09/22/21

2. General Information:

Session: ☒ Open ☐ Executive – must qualify under §107.4-1.

Justification: *Choose reason for Executive.*

3. Supporting Documents:

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Bylaws                    | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation                   |
| <input type="checkbox"/> Contract Document(s)      | <input type="checkbox"/> Law                     | <input type="checkbox"/> Report                         |
| <input checked="" type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review            | <input checked="" type="checkbox"/> Resolution          |
| <input type="checkbox"/> Draft GTC Notice          | <input type="checkbox"/> Minutes                 | <input type="checkbox"/> Rule (adoption packet)         |
| <input type="checkbox"/> Draft GTC Packet          | <input type="checkbox"/> MOU/MOA                 | <input checked="" type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up    | <input type="checkbox"/> Petition                | <input type="checkbox"/> Travel Documents               |
| <input type="checkbox"/> Other: <i>Describe</i>    |  |   |

4. Budget Information:

- |   |  |                                     |
|---|--|-------------------------------------|
| <input type="checkbox"/> Budgeted       | <input type="checkbox"/> Budgeted – Grant Funded               | <input type="checkbox"/> Unbudgeted |
| <input type="checkbox"/> Not Applicable | <input checked="" type="checkbox"/> Other: HIS and ARPA funded |                                     |

5. Submission:

Authorized Sponsor: Marie Summers, Councilwoman and Lisa Liggins,  
Secretary

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Primary Requestor:

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Additional Requestor: *(Name, Title/Entity)*

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Additional Requestor: *(Name, Title/Entity)*

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Submitted By:

LLIGGINS

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## Business Committee Agenda Request – Cover Memo

**From:** Lisa Liggins, Secretary  
**Date:** 9/18/2021  
**RE:** Extend vaccine incentive

---

### **PURPOSE**

BC action is needed as the original projects were adopted by resolution.

### **BACKGROUND**

Councilwoman Marie Summers initiated an effort to extend the current vaccine incentives on August 30, 2021 and wanted to extend the eligibility through the end of the calendar year. She requested the assistance of Chief Counsel, but Chief Counsel was on vacation at the time. I offered to assist and drafted the required resolutions, gathered the feed back on the resolutions, and obtained the statements of effect. Attached is a string of emails related to this consideration.

### **REQUESTED ACTION**

Adopt resolution entitled Extension of the Oneida Nation Vaccination Incentive Program for Oneida Nation Members

---

**From:** Lisa A. Liggins  
**Sent:** Friday, September 3, 2021 11:20 AM  
**To:** Ethel M. Summers; Mark W. Powless; Candice E. Skenandore; Joshua C. Cottrell; Jo A. House; James R. Bittorf; Ralinda R. Ninham-Lamberies; Lawrence E. Barton  
**Subject:** Draft resolutions -- extend vaccine incentive program (tribal members) and plan (employees)  
**Attachments:** Extension of the Oneida Nation Vaccination Incentive Program for Oneida Nation Members.docx; Extension of the Oneida Nation Employee Vaccination Incentive Plan for Employees Who Are Not Oneida Nation Members.docx

Attached are two draft resolutions to extend the Tribal Member Program and the Employee Plan for vaccination incentive. I've included Josh since he is listed as the Project Owner for the employee plan and I don't believe we've heard from him on this. Also, I've included Deputy Chief Counsel.

1. Summarized the original resolutions in the whereas sections of the proposed resolution.
2. Employee resolution indicates the plan will end if the Nation's public health state of emergency ends prior to December 31 in order to comply with the 6<sup>th</sup> standard identified by the USDHHS for IHS ARPA funds.
3. I did not include direction on how the payment would be made (see email below from Ralinda for more information).
  - a. I agree with Marie that we should continue with the November payment date for those who meet the 9/30 deadline and pay those who submit by extended deadline at a later date.
  - b. This detail should be worked out between the project owner and the affected departments and should not to be included in the resolution.

Please review the attached and let me know if you have any changes by next week Friday, September 10, 2021. After finalizing the drafts, I will send this over to the LRO for a statement of effect.

Thank you and have a great holiday weekend.

Lisa Liggins  
 Secretary  
 Oneida Business Committee

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**From:** Ethel M. Summers <esummer1@oneidanation.org>  
**Sent:** Friday, September 3, 2021 8:54 AM  
**To:** Ralinda R. Ninham-Lamberies <rlamberi@oneidanation.org>; Lawrence E. Barton <lbarton@oneidanation.org>  
**Cc:** Cristina S. Danforth <cdanfor4@oneidanation.org>; Brandon L. Yellowbird-Stevens <bstevens@oneidanation.org>; Daniel P. Guzman <dguzman@oneidanation.org>; David P. Jordan <djordan1@oneidanation.org>; Kirby W. Metoxen <KMETOX@oneidanation.org>; Jennifer A. Webster <JWEBSTE1@oneidanation.org>; Lisa A. Liggins <lliggins@oneidanation.org>; Tehassi Tasi Hill <thill7@oneidanation.org>; Mark W. Powless <MPOWLES1@oneidanation.org>  
**Subject:** RE: Amendments for the vaccination incentive resolutions

Yaw^ko Ralinda, this helps me understand. Clarification, I definitely want to keep the current November date for issuing the current vaccination incentive (I do not want to interrupt that process). Sorry for the confusion.

My goal was to understand if we have the funding to extend the program to Dec. 31, 2021 for those (membership & employees) who still are not vaccinated and miss the current September deadline. Yes, my intent was to issue a 2<sup>nd</sup> incentive check with a date tbd by your area (02/02/22 sounds good to me).

Lisa and I plan on having this on the Sept 22 OBC agenda for review and consideration.

P.S. your explanation was not boring to me but helped me understand a bit more (I really enjoy reading detail). lol

Marie Summers  
Councilwoman  
Oneida Business Committee



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

office: (920) 869-4475  
cell: (920) 615-9384  
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Email: [esummer1@oneidanation.org](mailto:esummer1@oneidanation.org)

Mailing address:  
Oneida Nation  
PO Box 365  
Oneida, WI 54115

---

**From:** Ralinda R. Ninham-Lamberies <[rlamberi@oneidanation.org](mailto:rlamberi@oneidanation.org)>  
**Sent:** Friday, September 3, 2021 8:36 AM  
**To:** Ethel M. Summers <[esummer1@oneidanation.org](mailto:esummer1@oneidanation.org)>; Lawrence E. Barton <[lbarton@oneidanation.org](mailto:lbarton@oneidanation.org)>  
**Cc:** Cristina S. Danforth <[cdanfor4@oneidanation.org](mailto:cdanfor4@oneidanation.org)>; 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)>; Kirby W. Metoxen <[KMETOX@oneidanation.org](mailto:KMETOX@oneidanation.org)>; Jennifer A. Webster <[JWEBSTE1@oneidanation.org](mailto:JWEBSTE1@oneidanation.org)>; Lisa A. Liggins <[lliggins@oneidanation.org](mailto:lliggins@oneidanation.org)>; Tehassi Tasi Hill <[thill7@oneidanation.org](mailto:thill7@oneidanation.org)>; Mark W. Powless <[MPOWLES1@oneidanation.org](mailto:MPOWLES1@oneidanation.org)>  
**Subject:** RE: Amendments for the vaccination incentive resolutions

Good morning-

The main concern on funding eligibility was for the Employee Vaccine Incentive as that was funded with I.H.S. funds. I have confirmed with Jennifer Schabow, there is no issue with extending the deadline.

With the current deadline of 9/30/2021, all payments will be processed the week of November 15-19<sup>th</sup>. Employee incentive will be on the payroll check issued on 11/17 and Tribal member incentives will be deposited for direct deposit or check mailed on 11/19/2021.

There are several reasons for the one payment date including only having to do one journal entry to reflect the alternate payment source, cash management, time commitment to transfer batch to Central and Central to process batch for payment, avoiding overwriting of bank/address information to prevent lost payments/checks, not have employees paid before members, provide time for verification to occur, etc.

With an extension of the deadline to 12/30/2021 how should the payment date be changed. From Central Accounting's perspective it would be efficient to also extend the payment date. I understand from the BC and employee/member perspective to extend the wait time for payment would be an issue.

My suggestion would be to do two payment dates. We can keep the current dates of 11/17 and 11/19 for employee or member respectively. As there won't be any GWA payments to work around in January we could make that payment date 02/02/2022 for employees and 02/04/2022 for members.

Payroll entries are made a week prior to payment date and January is a busy year for payroll with new tax tables, W2's, and calendar year end. To allow sufficient resources to process the payment the best week to add those entries is 01/24/2022 for payment on 02/02/2022.

So to summarize my long winded, boring message extension of the deadline to 12/30/2021 should be an issue. Please provide direction on how you would like payment date to proceed. Options are

1. Extend date for all payments to 02/02/2022 and 02/04/2022 for employees/members respectively.
2. Keep current dates of 11/17/2021 and 11/19/2021 for employees/members respectively and add a second payment date for incentives received after 09/30/2021 of 02/02/2022 and 02/04/2022 for employees/members respectively.

Yaw^ko  
RaLinda

---

**From:** Ethel M. Summers <[esummer1@oneidanation.org](mailto:esummer1@oneidanation.org)>

**Sent:** Friday, September 3, 2021 8:08 AM

**To:** Lawrence E. Barton <[lbarton@oneidanation.org](mailto:lbarton@oneidanation.org)>

**Cc:** Cristina S. Danforth <[cdanfor4@oneidanation.org](mailto:cdanfor4@oneidanation.org)>; Ralinda R. Ninham-Lamberies <[rlamberi@oneidanation.org](mailto:rlamberi@oneidanation.org)>; Brandon L. Yellowbird-Stevens <[bsteven@oneidanation.org](mailto:bsteven@oneidanation.org)>; Daniel P. Guzman <[dguzman@oneidanation.org](mailto:dguzman@oneidanation.org)>; David P. Jordan <[djordan1@oneidanation.org](mailto:djordan1@oneidanation.org)>; Kirby W. Metoxen <[KMETOX@oneidanation.org](mailto:KMETOX@oneidanation.org)>; Jennifer A. Webster <[JWEBSTE1@oneidanation.org](mailto:JWEBSTE1@oneidanation.org)>; Lisa A. Liggins <[lliggins@oneidanation.org](mailto:lliggins@oneidanation.org)>; Tehassi Tasi Hill <[thill7@oneidanation.org](mailto:thill7@oneidanation.org)>; Mark W. Powless <[MPOWLES1@oneidanation.org](mailto:MPOWLES1@oneidanation.org)>

**Subject:** RE: Amendments for the vaccination incentive resolutions

**Importance:** High

Larry,

Clarification, are you stating you can't tell me if there's funding available to extend the vaccination incentive program? If you can't disclose this information, who in your area can? Or is it confidential information? Please help me understand because this is confusing.

Yaw^ko,  
Marie Summers  
Councilwoman  
Oneida Business Committee



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office: (920) 869-4475  
cell: (920) 615-9384  
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Email: [esummer1@oneidanation.org](mailto:esummer1@oneidanation.org)

Mailing address:  
Oneida Nation  
PO Box 365  
Oneida, WI 54115

---

**From:** Lawrence E. Barton <[lbarton@oneidanation.org](mailto:lbarton@oneidanation.org)>  
**Sent:** Friday, September 3, 2021 7:42 AM  
**To:** Ethel M. Summers <[esummer1@oneidanation.org](mailto:esummer1@oneidanation.org)>  
**Cc:** Cristina S. Danforth <[cdanfor4@oneidanation.org](mailto:cdanfor4@oneidanation.org)>; Ralinda R. Ninham-Lamberies <[rlamberi@oneidanation.org](mailto:rlamberi@oneidanation.org)>  
**Subject:** Re: Amendments for the vaccination incentive resolutions

Marie, We will discuss the potential extension with the GM & Treasurer, thanks, Larry

---

**From:** Ethel M. Summers <[esummer1@oneidanation.org](mailto:esummer1@oneidanation.org)>  
**Sent:** Friday, September 3, 2021 6:49 AM  
**To:** Lawrence E. Barton <[lbarton@oneidanation.org](mailto:lbarton@oneidanation.org)>  
**Cc:** Lisa A. Liggins <[lliggins@oneidanation.org](mailto:lliggins@oneidanation.org)>  
**Subject:** FW: Amendments for the vaccination incentive resolutions

Larry,  
Please see the below. Mark has no concerns extending the program, but I need to know if we have the funding to extend it? I don't know what's left in the pot of money which was put aside for this incentive?

Yaw^ko,  
Marie Summers  
Councilwoman  
Oneida Business Committee



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Mailing address:  
Oneida Nation  
PO Box 365  
Oneida, WI 54115



**From:** Ethel M. Summers  
**Sent:** Thursday, September 2, 2021 2:23 PM  
**To:** Mark W. Powless <[MPOWLES1@oneidanation.org](mailto:MPOWLES1@oneidanation.org)>  
**Cc:** Lisa A. Liggins <[lliggins@oneidanation.org](mailto:lliggins@oneidanation.org)>  
**Subject:** FW: Amendments for the vaccination incentive resolutions  
**Importance:** High

Mark,  
Please see below. Do you have any concerns on extending the vaccination timeline to the end of the year and issuing another check in Jan 2022? And do we have enough funds for it?

Please let us know, we are "tentatively" putting this item on the Sept. 22, 2021 BC agenda.

Yaw^ko,  
Marie Summers  
Councilwoman  
Oneida Business Committee



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Email: [esummer1@oneidanation.org](mailto:esummer1@oneidanation.org)

Mailing address:  
Oneida Nation  
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Oneida, WI 54115

---

**From:** Ethel M. Summers  
**Sent:** Monday, August 30, 2021 9:58 AM  
**To:** Jo A. House <[JHOUSE1@oneidanation.org](mailto:JHOUSE1@oneidanation.org)>  
**Subject:** Amendments for the vaccination incentive resolutions  
**Importance:** High

Shekoli Jo Anne,  
I would like to propose amendments to the following resolutions:

BC Resolution 06/30/21-C (Oneida member vaccination incentive) and 06/30/21-A (Oneida employee vaccination incentive plan)

Amendment (don't know the exact verbiage):  
Extend to the end of year December 31, 2021 for both resolutions.

BC Resolution 08-31-21-A, section "Vaccination Rates"

Further clarify the verbiage re: 75% of Oneida members & employees vaccinated; I would like propose to amend with the following for clarity: “fully vaccinated reaches 75% of Oneida enrolled citizens residing in the Brown/Outagamie county and the Oneida Nation employees.” Or something to that effect?

Should this go to the next BC work session? Or do you suggest the amendments go straight to the BC reg mtg?

Yaw^ko,  
Marie Summers  
Councilwoman  
Oneida Business Committee



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# Oneida Nation

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Oneida, WI 54155



## BC Resolution # \_\_\_\_\_

### Extension of the Oneida Nation Vaccination Incentive Program for Oneida Nation Members

- 1 **WHEREAS,** the Oneida Nation is a federally recognized Indian government and a treaty tribe  
2 recognized by the laws of the United States of America; and  
3  
4  
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 Oneida Nation received funds through the American Rescue Program Act of 2021  
12 ("ARPA") Fiscal Recovery Funds ("FRF"), codified at 42 U.S.C. 803 *et seq.*; and  
13  
14 **WHEREAS,** the U.S. Department of the Treasury appropriated ARPA FRF funding to the Oneida Nation  
15 for COVID-19 related activities and to respond to the public health emergency; and  
16  
17 **WHEREAS,** the Oneida Business Committee adopted resolution # BC-06-30-21-C, *Adoption of the*  
18 *Oneida Nation Vaccination Incentive Program for Oneida Nation Members*, which provides  
19 that:  
20  
21 1. The Oneida Nation Member Vaccination Incentive Program (Program) is  
22 approved,  
23 2. The Program provides enrolled member of the Oneida Nation, twelve (12) years  
24 of age and above, a five hundred dollar (\$500.00) incentive payment after  
25 voluntarily providing proof of the completion of the full manufacturer-recommended  
26 dose(s) of a COVID-19 vaccine or, in other words, who are fully vaccinated against  
27 COVID-19,  
28 3. The use of ARPA FRF monies to fund Program is approved,  
29 4. The monies for the Program are allocated from the Direct Membership Assistance  
30 line within the Oneida Business Committee approved allocation of ARPA FRF,  
31 5. The General Manager, Mark W. Powless, is assigned as the project owner,  
32 6. The incentive payment is intended to be considered a general welfare exclusion in  
33 accordance with the Oneida Nation General Welfare Law, 10 O.C. 1001 *et seq.*,  
34 and  
35 7. The Program is considered an "approved program", as defined at 10 O.C. 1001.3-  
36 1(a); the incentive payment is a "benefit" as defined at 10 O.C. 1001.3-1(c),  
37 providing the eligible member "assistance," as defined at 10 O.C. 1001.3-1(b), to  
38 obtain the COVID-19 vaccination and protect the health and welfare of the Nation;  
39 and  
40 **WHEREAS,** resolution BC-06-30-21-C identified the Program began July 1, 2021 and will conclude  
41 September 30, 2021; and  
42

BC Resolution # \_\_\_\_\_  
Extension of the Oneida Nation Vaccination Incentive Program for Oneida Nation Members  
Page 2 of 2

43  
44 **WHEREAS,** in accordance with resolution 08-03-21-A, the Oneida Nation strives to vaccinate seventy-  
45 five percent (75%) or more of its membership to promote widespread immunization against  
46 COVID-19 within the Reservation, amongst its membership overall, and within the  
47 neighboring communities; and

48  
49 **WHEREAS,** a larger percentage of vaccinated tribal membership protects the health and welfare of the  
50 Oneida Nation, its membership, and the Nation's neighbors; and

51  
52 **WHEREAS,** when the Program was approved, less than fifty percent (50%) of the eligible Oneida Nation  
53 members had received a COVID-19 vaccination; and

54  
55 **WHEREAS,** since the implementation of the Program, the percentage of the eligible Oneida Nation  
56 members that have received a COVID-19 vaccination has increased to **fifty percent (50%)**  
57 ; and

58  
59 **WHEREAS,** the Oneida Business Committee believes extending the program is in the best interest for  
60 the health and welfare of the Oneida Nation, its membership, and the Nation's neighbors.

61  
62 **NOW THEREFORE BE IT RESOLVED,** the Oneida Business Committee approves the extension of the  
63 Oneida Nation Member Vaccination Incentive Program.

64  
65 **BE IT FINALLY RESOLVED,** the Oneida Nation Member Vaccination Incentive Program will conclude on  
66 December 31, 2021.

Commented [LAL1]: Update Tribal Member Data Needed



**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**

### *Extension of the Oneida Nation Vaccination Incentive Program for Oneida Nation Members*

#### **Summary**

This resolution extends the Oneida Nation Member Vaccination Incentive Program from September 30, 2021, until December 31, 2021.

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

*Date: September 16, 2021*

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

The Oneida Business Committee adopted resolution BC-06-30-21-C, *Adoption of the Oneida Nation Vaccination Incentive Program for Oneida Nation Members*, which provided that:

- The Oneida Nation Member Vaccination Incentive Program (Program) was approved;
- Enrolled members of the Oneida Nation, twelve (12) years of age and older, are eligible through the Program to receive a five hundred dollar (\$500) incentive payment after voluntarily providing proof of the completion of the full manufacturer-recommended dose(s) of a COVID-19 vaccine or;
- The use of ARPA FRF monies to fund the Program was approved,
- The monies for the Program were allocated from the Direct Membership Assistance line within the Oneida Business Committee approved allocation of ARPA FRF;
- The General Manager, Mark W. Powless, was assigned as the project owner;
- The incentive payment was considered a general welfare exclusion in accordance with the Oneida Nation General Welfare Law, 10 O.C. 1001 et seq.; and
- The Program was considered an “approved program”, as defined at 10 O.C. 1001.3-1(a); the incentive payment is a “benefit” as defined at 10 O.C. 1001.3-1(c), providing the eligible member “assistance,” as defined at 10 O.C. 1001.3-1(b), to obtain the COVID-19 vaccination and protect the health and welfare of the Nation.

Resolution BC-06-30-21-C identified the Program began July 1, 2021 and will conclude September 30, 2021.

The Oneida Business Committee then adopted resolution BC-08-03-21-A, *Setting Public Gathering Guidelines During Public Health State of Emergency - COVID-19*, which provided that when vaccination levels of Oneida’s members and Oneida Nation employees reaches seventy-five percent (75%), the safety of public health will be considered to be effectively managed, and the Oneida Business Committee shall review whether a need for a declaration of a state of public health emergency continues to exist.

When the Program was approved, less than fifty percent (50%) of the eligible Oneida Nation members had received a COVID-19 vaccination. Since the implementation of the Program, the percentage of the eligible Oneida Nation members that have received a COVID-19 vaccination has increased. The Oneida Business Committee has determined extending the Program is in the best interest for the health and welfare of the Oneida Nation, its membership, and the Nation's neighbors.

Through the adoption of this resolution the Oneida Business Committee approves the extension of the Oneida Nation Member Vaccination Incentive Program from September 30, 2021, until December 31, 2021.

### ***Conclusion***

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

Adopt resolution entitled Extension of the Oneida Nation Employee Vaccination Incentive Plan for...

## Business Committee Agenda Request

1. Meeting Date Requested: 09/22/21

2. General Information:

Session: ☒ Open ☐ Executive – must qualify under §107.4-1.

Justification: *Choose reason for Executive.*

3. Supporting Documents:

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Bylaws                    | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation                   |
| <input type="checkbox"/> Contract Document(s)      | <input type="checkbox"/> Law                     | <input type="checkbox"/> Report                         |
| <input checked="" type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review            | <input checked="" type="checkbox"/> Resolution          |
| <input type="checkbox"/> Draft GTC Notice          | <input type="checkbox"/> Minutes                 | <input type="checkbox"/> Rule (adoption packet)         |
| <input type="checkbox"/> Draft GTC Packet          | <input type="checkbox"/> MOU/MOA                 | <input checked="" type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up    | <input type="checkbox"/> Petition                | <input type="checkbox"/> Travel Documents               |
| <input type="checkbox"/> Other: <i>Describe</i>    |  |   |

4. Budget Information:

- |   |   |                                     |
|---|---|-------------------------------------|
| <input type="checkbox"/> Budgeted       | <input type="checkbox"/> Budgeted – Grant Funded              | <input type="checkbox"/> Unbudgeted |
| <input type="checkbox"/> Not Applicable | <input checked="" type="checkbox"/> Other: IHS and ARPA funds |                                     |

5. Submission:

Authorized Sponsor: Marie Summers, Councilwoman and Lisa Liggins,  
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, Secretary  
**Date:** 9/18/2021  
**RE:** Extend vaccine incentive

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### **PURPOSE**

BC action is needed as the original projects were adopted by resolution.

### **BACKGROUND**

Councilwoman Marie Summers initiated an effort to extend the current vaccine incentives on August 30, 2021 and wanted to extend the eligibility through the end of the calendar year. She requested the assistance of Chief Counsel, but Chief Counsel was on vacation at the time. I offered to assist and drafted the required resolutions, gathered the feed back on the resolutions, and obtained the statements of effect. Attached is a string of emails related to this consideration.

### **REQUESTED ACTION**

Adopt resolution entitled Extension of the Oneida Nation Employee Vaccination Incentive Plan for Employees Who Are Not Oneida Nation Members



---

**From:** Lisa A. Liggins  
**Sent:** Friday, September 3, 2021 11:20 AM  
**To:** Ethel M. Summers; Mark W. Powless; Candice E. Skenandore; Joshua C. Cottrell; Jo A. House; James R. Bittorf; Ralinda R. Ninham-Lamberies; Lawrence E. Barton  
**Subject:** Draft resolutions -- extend vaccine incentive program (tribal members) and plan (employees)  
**Attachments:** Extension of the Oneida Nation Vaccination Incentive Program for Oneida Nation Members.docx; Extension of the Oneida Nation Employee Vaccination Incentive Plan for Employees Who Are Not Oneida Nation Members.docx

Attached are two draft resolutions to extend the Tribal Member Program and the Employee Plan for vaccination incentive. I've included Josh since he is listed as the Project Owner for the employee plan and I don't believe we've heard from him on this. Also, I've included Deputy Chief Counsel.

1. Summarized the original resolutions in the whereas sections of the proposed resolution.
2. Employee resolution indicates the plan will end if the Nation's public health state of emergency ends prior to December 31 in order to comply with the 6<sup>th</sup> standard identified by the USDHHS for IHS ARPA funds.
3. I did not include direction on how the payment would be made (see email below from Ralinda for more information).
  - a. I agree with Marie that we should continue with the November payment date for those who meet the 9/30 deadline and pay those who submit by extended deadline at a later date.
  - b. This detail should be worked out between the project owner and the affected departments and should not to be included in the resolution.

Please review the attached and let me know if you have any changes by next week Friday, September 10, 2021. After finalizing the drafts, I will send this over to the LRO for a statement of effect.

Thank you and have a great holiday weekend.

Lisa Liggins  
 Secretary  
 Oneida Business Committee

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**From:** Ethel M. Summers <esummer1@oneidanation.org>  
**Sent:** Friday, September 3, 2021 8:54 AM  
**To:** Ralinda R. Ninham-Lamberies <rlamberi@oneidanation.org>; Lawrence E. Barton <lbarton@oneidanation.org>  
**Cc:** Cristina S. Danforth <cdanfor4@oneidanation.org>; Brandon L. Yellowbird-Stevens <bstevens@oneidanation.org>; Daniel P. Guzman <dguzman@oneidanation.org>; David P. Jordan <djordan1@oneidanation.org>; Kirby W. Metoxen <KMETOX@oneidanation.org>; Jennifer A. Webster <JWEBSTE1@oneidanation.org>; Lisa A. Liggins <lliggins@oneidanation.org>; Tehassi Tasi Hill <thill7@oneidanation.org>; Mark W. Powless <MPOWLES1@oneidanation.org>  
**Subject:** RE: Amendments for the vaccination incentive resolutions

Yaw^ko Ralinda, this helps me understand. Clarification, I definitely want to keep the current November date for issuing the current vaccination incentive (I do not want to interrupt that process). Sorry for the confusion.

My goal was to understand if we have the funding to extend the program to Dec. 31, 2021 for those (membership & employees) who still are not vaccinated and miss the current September deadline. Yes, my intent was to issue a 2<sup>nd</sup> incentive check with a date tbd by your area (02/02/22 sounds good to me).

Lisa and I plan on having this on the Sept 22 OBC agenda for review and consideration.

P.S. your explanation was not boring to me but helped me understand a bit more (I really enjoy reading detail). lol

Marie Summers  
Councilwoman  
Oneida Business Committee



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

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cell: (920) 615-9384  
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Email: [esummer1@oneidanation.org](mailto:esummer1@oneidanation.org)

Mailing address:  
Oneida Nation  
PO Box 365  
Oneida, WI 54115

---

**From:** Ralinda R. Ninham-Lamberies <[rlamberi@oneidanation.org](mailto:rlamberi@oneidanation.org)>  
**Sent:** Friday, September 3, 2021 8:36 AM  
**To:** Ethel M. Summers <[esummer1@oneidanation.org](mailto:esummer1@oneidanation.org)>; Lawrence E. Barton <[lbarton@oneidanation.org](mailto:lbarton@oneidanation.org)>  
**Cc:** Cristina S. Danforth <[cdanfor4@oneidanation.org](mailto:cdanfor4@oneidanation.org)>; 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)>; Kirby W. Metoxen <[KMETOX@oneidanation.org](mailto:KMETOX@oneidanation.org)>; Jennifer A. Webster <[JWEBSTE1@oneidanation.org](mailto:JWEBSTE1@oneidanation.org)>; Lisa A. Liggins <[lliggins@oneidanation.org](mailto:lliggins@oneidanation.org)>; Tehassi Tasi Hill <[thill7@oneidanation.org](mailto:thill7@oneidanation.org)>; Mark W. Powless <[MPOWLES1@oneidanation.org](mailto:MPOWLES1@oneidanation.org)>  
**Subject:** RE: Amendments for the vaccination incentive resolutions

Good morning-

The main concern on funding eligibility was for the Employee Vaccine Incentive as that was funded with I.H.S. funds. I have confirmed with Jennifer Schabow, there is no issue with extending the deadline.

With the current deadline of 9/30/2021, all payments will be processed the week of November 15-19<sup>th</sup>. Employee incentive will be on the payroll check issued on 11/17 and Tribal member incentives will be deposited for direct deposit or check mailed on 11/19/2021.

There are several reasons for the one payment date including only having to do one journal entry to reflect the alternate payment source, cash management, time commitment to transfer batch to Central and Central to process batch for payment, avoiding overwriting of bank/address information to prevent lost payments/checks, not have employees paid before members, provide time for verification to occur, etc.

With an extension of the deadline to 12/30/2021 how should the payment date be changed. From Central Accounting's perspective it would be efficient to also extend the payment date. I understand from the BC and employee/member perspective to extend the wait time for payment would be an issue.

My suggestion would be to do two payment dates. We can keep the current dates of 11/17 and 11/19 for employee or member respectively. As there won't be any GWA payments to work around in January we could make that payment date 02/02/2022 for employees and 02/04/2022 for members.

Payroll entries are made a week prior to payment date and January is a busy year for payroll with new tax tables, W2's, and calendar year end. To allow sufficient resources to process the payment the best week to add those entries is 01/24/2022 for payment on 02/02/2022.

So to summarize my long winded, boring message extension of the deadline to 12/30/2021 should be an issue. Please provide direction on how you would like payment date to proceed. Options are

1. Extend date for all payments to 02/02/2022 and 02/04/2022 for employees/members respectively.
2. Keep current dates of 11/17/2021 and 11/19/2021 for employees/members respectively and add a second payment date for incentives received after 09/30/2021 of 02/02/2022 and 02/04/2022 for employees/members respectively.

Yaw^ko  
RaLinda

---

**From:** Ethel M. Summers <[esummer1@oneidanation.org](mailto:esummer1@oneidanation.org)>

**Sent:** Friday, September 3, 2021 8:08 AM

**To:** Lawrence E. Barton <[lbarton@oneidanation.org](mailto:lbarton@oneidanation.org)>

**Cc:** Cristina S. Danforth <[cdanfor4@oneidanation.org](mailto:cdanfor4@oneidanation.org)>; Ralinda R. Ninham-Lamberies <[rlamberi@oneidanation.org](mailto:rlamberi@oneidanation.org)>; Brandon L. Yellowbird-Stevens <[bsteven@oneidanation.org](mailto:bsteven@oneidanation.org)>; Daniel P. Guzman <[dguzman@oneidanation.org](mailto:dguzman@oneidanation.org)>; David P. Jordan <[djordan1@oneidanation.org](mailto:djordan1@oneidanation.org)>; Kirby W. Metoxen <[KMETOX@oneidanation.org](mailto:KMETOX@oneidanation.org)>; Jennifer A. Webster <[JWEBSTE1@oneidanation.org](mailto:JWEBSTE1@oneidanation.org)>; Lisa A. Liggins <[lliggins@oneidanation.org](mailto:lliggins@oneidanation.org)>; Tehassi Tasi Hill <[thill7@oneidanation.org](mailto:thill7@oneidanation.org)>; Mark W. Powless <[MPOWLES1@oneidanation.org](mailto:MPOWLES1@oneidanation.org)>

**Subject:** RE: Amendments for the vaccination incentive resolutions

**Importance:** High

Larry,

Clarification, are you stating you can't tell me if there's funding available to extend the vaccination incentive program? If you can't disclose this information, who in your area can? Or is it confidential information? Please help me understand because this is confusing.

Yaw^ko,  
Marie Summers  
Councilwoman  
Oneida Business Committee



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

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Email: [esummer1@oneidanation.org](mailto:esummer1@oneidanation.org)

Mailing address:  
Oneida Nation  
PO Box 365  
Oneida, WI 54115

---

**From:** Lawrence E. Barton <[lbarton@oneidanation.org](mailto:lbarton@oneidanation.org)>  
**Sent:** Friday, September 3, 2021 7:42 AM  
**To:** Ethel M. Summers <[esummer1@oneidanation.org](mailto:esummer1@oneidanation.org)>  
**Cc:** Cristina S. Danforth <[cdanfor4@oneidanation.org](mailto:cdanfor4@oneidanation.org)>; Ralinda R. Ninham-Lamberies <[rlamberi@oneidanation.org](mailto:rlamberi@oneidanation.org)>  
**Subject:** Re: Amendments for the vaccination incentive resolutions

Marie, We will discuss the potential extension with the GM & Treasurer, thanks, Larry

---

**From:** Ethel M. Summers <[esummer1@oneidanation.org](mailto:esummer1@oneidanation.org)>  
**Sent:** Friday, September 3, 2021 6:49 AM  
**To:** Lawrence E. Barton <[lbarton@oneidanation.org](mailto:lbarton@oneidanation.org)>  
**Cc:** Lisa A. Liggins <[lliggins@oneidanation.org](mailto:lliggins@oneidanation.org)>  
**Subject:** FW: Amendments for the vaccination incentive resolutions

Larry,  
Please see the below. Mark has no concerns extending the program, but I need to know if we have the funding to extend it? I don't know what's left in the pot of money which was put aside for this incentive?

Yaw^ko,  
Marie Summers  
Councilwoman  
Oneida Business Committee



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Mailing address:  
Oneida Nation  
PO Box 365  
Oneida, WI 54115

**From:** Ethel M. Summers  
**Sent:** Thursday, September 2, 2021 2:23 PM  
**To:** Mark W. Powless <[MPOWLES1@oneidanation.org](mailto:MPOWLES1@oneidanation.org)>  
**Cc:** Lisa A. Liggins <[lliggins@oneidanation.org](mailto:lliggins@oneidanation.org)>  
**Subject:** FW: Amendments for the vaccination incentive resolutions  
**Importance:** High

Mark,  
Please see below. Do you have any concerns on extending the vaccination timeline to the end of the year and issuing another check in Jan 2022? And do we have enough funds for it?

Please let us know, we are "tentatively" putting this item on the Sept. 22, 2021 BC agenda.

Yaw^ko,  
Marie Summers  
Councilwoman  
Oneida Business Committee



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Mailing address:  
Oneida Nation  
PO Box 365  
Oneida, WI 54115

---

**From:** Ethel M. Summers  
**Sent:** Monday, August 30, 2021 9:58 AM  
**To:** Jo A. House <[JHOUSE1@oneidanation.org](mailto:JHOUSE1@oneidanation.org)>  
**Subject:** Amendments for the vaccination incentive resolutions  
**Importance:** High

Shekoli Jo Anne,  
I would like to propose amendments to the following resolutions:

BC Resolution 06/30/21-C (Oneida member vaccination incentive) and 06/30/21-A (Oneida employee vaccination incentive plan)

Amendment (don't know the exact verbiage):  
Extend to the end of year December 31, 2021 for both resolutions.

BC Resolution 08-31-21-A, section "Vaccination Rates"

Further clarify the verbiage re: 75% of Oneida members & employees vaccinated; I would like propose to amend with the following for clarity: “fully vaccinated reaches 75% of Oneida enrolled citizens residing in the Brown/Outagamie county and the Oneida Nation employees.” Or something to that effect?

Should this go to the next BC work session? Or do you suggest the amendments go straight to the BC reg mtg?

Yaw^ko,  
Marie Summers  
Councilwoman  
Oneida Business Committee



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# Oneida Nation

Post Office Box 365

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Oneida, WI 54155

## BC Resolution # \_\_\_\_\_

### **Extension of the Oneida Nation Employee Vaccination Incentive Plan for Employees Who Are Not Oneida Nation Members**

- WHEREAS,** the Oneida Nation is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section 1, of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** the Oneida Nation has received funding from the US Department of Health and Human Services - Indian Health Service (IHS) through the American Rescue Plan Act (ARPA); and
- WHEREAS,** the IHS allocated ARPA funding to the Oneida Nation for COVID-19 Vaccine-related activities to be used for necessary expenses to plan, prepare for, promote, distribute, administer, and track COVID vaccines and other vaccine related activities; and
- WHEREAS,** during both IHS Bemidji Area and National IHS meetings, tribal governments asked if IHS ARPA funds allocated for vaccine-related activities can be used to incentivize people who receive COVID-19 vaccinations; and
- WHEREAS,** the IHS Bemidji Area provided a frequently asked questions guidance developed by the US Department of Health and Human Services' Office of Inspector General (dated May 24, 2021) which states that using ARPA funds in the limited context of the COVID-19 public health emergency, a health care provider offering or providing a reward or incentive in connection with the beneficiary receiving the COVID-19 vaccine (either one or both doses) would be sufficiently low risk under the Federal anti-kickback statute and Beneficiary Inducements CMP if the identified six (6) safeguards were met (see below); and
- WHEREAS,** the Oneida Business Committee adopted resolution # BC-06-30-21-A, *Adoption of the Oneida Nation Employee Vaccination Incentive Plan for Employees Who Are Not Oneida Nation Members*, which provides that:
1. The Oneida Nation Employee Vaccination Incentive Plan for Employees Who Are Not Oneida Nation Members (Plan) is approved,
  2. The Plan provides current Oneida Nation employees who are not enrolled Oneida members that are age eighteen (18) and older, a five hundred dollar (\$500.00) incentive payment after voluntarily providing proof of the completion of the full manufacturer-recommended dose(s) of a COVID-19 vaccine or, in other words, who are fully vaccinated against COVID-19,
  3. The use of IHS ARPA funds to pay for the portion of eligible Oneida employees who are not enrolled Oneida members is approved,

BC Resolution # \_\_\_\_\_

Extension of the Oneida Nation Employee Vaccination Incentive Plan for Employees Who Are Not  
Oneida Nation Members  
Page 2 of 2

- 43                                4. The Oneida Human Resources Department – Compensation and Benefits  
44                                Director, Josh Cottrell, is assigned as the project owner,  
45                                5. The use of the IHS ARPA funds complies with the following six (6) standards  
46                                identified in the US Department of Health and Human Services' Office of  
47                                Inspector General frequently asked questions document (last updated on May  
48                                24, 2021/retrieved on June 25, 2021); and  
49

50    **WHEREAS,**        resolution BC-06-30-21-A identified the Plan began July 1, 2021 and will conclude  
51                                September 30, 2021;  
52

53    **WHEREAS,**        having a vaccinated employment base better protects the Oneida Nation membership  
54                                when the membership comes in direct contact with the Nation's employees; and  
55

56    **WHEREAS,**        the Oneida Business Committee believes extending the program is in the best interest for  
57                                the health and welfare of the Oneida Nation, its membership, its employment base, and  
58                                the Nation's neighbors.  
59

60    **NOW THEREFORE BE IT RESOLVED,** the Oneida Business Committee approves the extension of the  
61    Oneida Nation Employee Vaccination Incentive Plan for Employees Who Are Not Oneida Nation Members.  
62

63    **BE IT FINALLY RESOLVED,** the Oneida Nation Employee Vaccination Incentive Plan for Employees Who  
64    Are Not Oneida Nation Member will conclude on December 31, 2021 or when the Oneida Nation ends the  
65    Public Health State of Emergency due to COVID-19, whichever comes first.





**Oneida Nation**  
 Oneida Business Committee  
 Legislative Operating Committee  
 PO Box 365 • Oneida, WI 54155-0365  
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### **Statement of Effect**

*Extension of the Oneida Nation Employee Vaccination Incentive Plan for Employees Who Are Not Oneida Nation Members*

### **Summary**

This resolution extends the Oneida Nation Employee Vaccination Incentive Plan for Employees Who Are Not Oneida Nation Members from September 30, 2021, until December 31, 2021, or until the Oneida Nation ends the Public Health State of Emergency due to COVID-19, whichever comes first.

*Submitted by: Clorissa N. Santiago, Senior Staff Attorney, Legislative Reference Office*  
*Date: September 16, 2021*

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

The Oneida Business Committee adopted resolution BC-06-30-21-A, *Adoption of the Oneida Nation Employee Vaccination Incentive Plan for Employees Who Are Not Oneida Nation Members*, which provided that:

- The Oneida Nation Employee Vaccination Incentive Plan for Employees Who Are Not Oneida Nation Members (Plan) was approved;
- Oneida Nation employees who are not enrolled Oneida members that are age eighteen (18) and older, were eligible for a five hundred dollar (\$500) incentive payment after voluntarily providing proof of the completion of the full manufacturer-recommended dose(s) of a COVID-19 vaccine or;
- The use of IHS ARPA funds to pay for the portion of eligible Oneida employees who are not enrolled Oneida members was approved;
- The Oneida Human Resources Department – Compensation and Benefits Director, Josh Cottrell, was assigned as the project owner; and
- The use of the IHS ARPA funds complied with the six (6) standards identified in the US Department of Health and Human Services' Office of Inspector General frequently asked questions document (last updated on May 24, 2021/retrieved on June 25, 2021).

Resolution BC-06-30-21-A identified that the Plan would begin on July 1, 2021, and would conclude on September 30, 2021. The Oneida Business Committee now believes that extending the Plan is in the best interest for the health and welfare of the Oneida Nation, its membership, its employment base, and the Nation's neighbors.

This resolution provides that the Oneida Business Committee approves the extension of the Plan, which will now conclude on December 31, 2021, or when the Oneida Nation ends the Public Health State of Emergency due to COVID-19, whichever comes first.

### **Conclusion**

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

**Oneida Business Committee Agenda Request**

Adopt resolution entitled Continue to Operate Fiscal Year 2022

**1. Meeting Date Requested:** 9 / 22 / 21**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.

**6. Cover Memo:**

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

The Fiscal Year 2022 budget is scheduled for a GTC Budget Meeting on October 3, 2021 with an alternate date of November 1, 2021. In order for the organization to continue to operate in the new fiscal year, the Treasurer's Office is bringing forward a Continue to Operate for Fiscal Year 2022 Resolution.

1) Save a copy of this form for your records. [Save a Copy...](#)

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)

# Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

## **BC Resolution # Leave this line blank Continue to Operate Fiscal Year 2022**

- 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 Oneida Business Committee has completed a budgeting process of assessment,  
12 development, measurement, and implementation for the 2022 budget, and  
13  
14 **WHEREAS,** the Oneida Business Committee has the fiscal responsibility of preparing a budgetary plan  
15 for review and approval by General Tribal Council; and  
16  
17 **WHEREAS,** the Oneida Business Committee adopted BC Resolution # 08-03-21-A, Setting Public  
18 Gathering Guidelines During Public Health State of Emergency - COVID-19; and  
19  
20 **WHEREAS,** the Nation has been under a continual Public Health State of Emergency since March 12,  
21 2020; and  
22  
23 **WHEREAS,** the General Tribal Council Meeting to approve the Fiscal Year 2022 budget is scheduled  
24 for October 3, 2021; and  
25  
26 **WHEREAS,** the alternate date for the General Tribal Council Meeting to approve the Fiscal Year 2022  
27 budget is scheduled for November 1, 2021; and  
28

29 NOW THEREFORE BE IT RESOLVED that the Oneida Business Committee hereby authorizes the  
30 continuation of the operations and the expenditure of funds in accordance with the following:

- 31 • All personnel related items are approved to move forward under existing processes and  
32 procedures.
- 33 ○ New positions must meet essential criteria, be cost effective, not exceed their approved  
34 budget, and not be a duplicated within their department. Must also meet the labor and  
35 workforce levels determined by HRD and approved by the Business Committee.
- 36 ○ The \$1.00 (one) per hour increase for all employees per the Human Resource  
37 Department's Salary/Wage Adjustments – Organization Wide Work Standards.
- 38 ○ Approved compensation adjustment plans.

- All FY 2022 budgeted travel is approved to move forward in accordance with the Oneida Travel and Expense Policy.

NOW THEREFORE BE IT FURTHER RESOLVED that the Oneida Business Committee is restricting spending on all Capital Expenditures and Capital Improvement Projects to those expenditures necessary to ensure the health and safety of our membership, to ensure regulatory compliance, or to protect or expand revenues.

NOW THEREFORE BE IT FURTHER RESOLVED that all Capital Expenditures and Capital Improvement Projects meeting the criteria listed above, shall follow existing Purchasing Policies and Procedures.

NOW THEREFORE BE IT FINALLY RESOLVED the conditions set forth in this resolution shall remain in effect until the General Tribal Council approves the FY2022 Budget.



**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** *Continue to Operate Fiscal Year 2022*

### ***Summary***

Through this resolution the Oneida Business Committee hereby authorizes the continuation of the operations and the expenditure of funds in accordance with the following:

- All personnel related items are approved to move forward under existing processes and procedures.
  - New positions must meet essential criteria, be cost effective, not exceed their approved budget, and not be a duplicated within their department. Must also meet the labor and workforce levels determined by HRD and approved by the Oneida Business Committee
  - The one dollar (\$1) per hour increase for all employees per the Human Resource Department's Salary/Wage Adjustments – Organization Wide Work Standards.
  - Approved compensation adjustment plans.
- All Fiscal Year 2022 budgeted travel is approved to move forward in accordance with the Oneida Travel and Expense Policy.

*Submitted by: Clorissa N. Santiago, Senior Staff Attorney, Legislative Reference Office*  
*Date: August September 2, 2021*

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

The Budget Management and Control law ("the Law") was first adopted through resolution BC-02-08-17-C, with subsequent amendments being adopted on an emergency basis through resolutions BC-11-24-20-E and BC-05-12-21-C. The purpose of the Law is to set the requirements that the Oneida Business Committee and Oneida fund units must follow when preparing the budget to be presented to the General Tribal Council for approval, as well as to establish a triennial strategy planning process for the Nation's budget. [1 O.C. 121.1-1].

The most recent emergency amendments to the Law occurred on May 12, 2021, through resolution BC-05-12-21-C, to address the Nation's non-compliance with the budget development process and deadlines contained in the Law. The emergency amendments removed much of the details of the budget process, requirements and deadlines from the Law, instead providing that the Treasurer shall develop the necessary guidelines and procedures, including specific deadlines, for the Nation's budget development process, to be reviewed and approved by the Oneida Business Committee. [1 O.C. 121.5-3(a)].

In addition, resolution BC-05-12-21-C suspended the deadlines provided in the Fiscal Year 2022 Budget Calendar and directed the Treasurer to present a resolution to a special Oneida Business Committee work session, scheduled no later than June 11, 2021, that provides a general framework for the Fiscal Year 2022 budget development process, including, but not limited to, information such as the budget calendar, opportunities for community input and discussion, line item guidance,

and new position definition, guidance and review process. The special Oneida Business Committee work session was held on June 7, 2021. On June 9, 2021, the Oneida Business Committee adopted resolution BC-06-09-21-D entitled, *Fiscal Year 2022 Budget Considerations and Calendar*, which was presented by the Treasurer in compliance with resolution BC-05-12-21-C.

This resolution identifies that the Oneida Business Committee has completed a budgeting process of assessment, development, measurement, and implementation for the Fiscal Year 2022 budget, and that the Oneida Business Committee has scheduled a General Tribal Council meeting to approve the Fiscal Year 2022 budget for October 3, 2021, with an alternate date for this meeting to be held for November 1, 2021.

In accordance with the Emergency Management and Homeland Security law, 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 26, 2021, by the Oneida Business Committee 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, BC-08-06-20-A, BC-09-09-20-A, BC-10-08-20-A, BC-11-10-20-A, BC-12-09-20-D, BC-01-07-21-A, BC-02-10-21-A, BC-03-10-21-D, BC-05-12-21-A, BC-06-23-21-B, and BC-07-28-21-N. The Oneida Business Committee has also adopted resolution BC-08-03-21-A entitled, *Setting Public Gathering Guidelines during Public Health State of Emergency—COVID-19*, which provides that indoor and outdoor events shall be canceled when the infection rates within Brown or Outagamie Counties exceed “Low” as identified by the Wisconsin Department of Health Services. Both Brown and Outagamie Counties are experiencing “Very High” COVID-19 infection rates, so it is unknown if or when the General Tribal Council meeting to approve the Fiscal Year 2022 Budget will occur.

The Law requires that the Oneida Business Committee present the budget to the General Tribal Council with a request for adoption by resolution no later than September 30th of each year. [1 O.C. 121.5-3(b)]. In the event that the General Tribal Council does not adopt a budget by September 30th, the Law allows the Oneida Business Committee to adopt a continuing budget resolution(s) until such time as a budget is adopted. *Id.*

This resolution adopts a continuing budget resolution for the Fiscal Year 2022 budget and authorizes the continuation of the operations and the expenditure of funds in accordance with the following:

- All personnel related items are approved to move forward under existing processes and procedures.
  - New positions must meet essential criteria, be cost effective, not exceed their approved budget, and not be a duplicated within their department. Must also meet the labor and workforce levels determined by HRD and approved by the Business Committee
  - The one dollar (\$1) per hour increase for all employees per the Human Resource Department’s Salary/Wage Adjustments – Organization Wide Work Standards.
  - Approved compensation adjustment plans.
- All Fiscal Year 2022 budgeted travel is approved to move forward in accordance with the Oneida Travel and Expense Policy.



This resolution also provides that the Oneida Business Committee is restricting spending on all Capital Expenditures and Capital Improvement Projects to those expenditures necessary to ensure the health and safety of our membership, to ensure regulatory compliance, or to protect or expand revenues, and that all Capital Expenditures and Capital Improvement Projects meeting the criteria listed above, shall follow existing Purchasing Policies and Procedures. The conditions set forth in this resolution shall remain in effect until the General Tribal Council approves the Fiscal Year 2022 Budget.

***Conclusion***

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

**Oneida Business Committee Agenda Request**

Adopt resolution entitled Temporary Amendment to BC Resolution 08-28-13-B; Authorization to Sign-Off.

**1. Meeting Date Requested:** 9 / 22 / 21**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: *Statement of Effect not submitted with request; requested LRO to review if one is required. (LAL)*1. 3. 2. 4. ☐ Business Committee signature required**4. Budget Information**☐ Budgeted - Tribal Contribution☐ Budgeted - Grant Funded☐ Unbudgeted**5. Submission***Mark W. Powless, General Manager*

Authorized Sponsor / Liaison:

Primary Requestor/Submitter:

Additional Requestor:

Additional Requestor:

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

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

The resolution extends the Comprehensive Health Division Medical Director increase sign-off level on Purchased Referred Care regarding health care payments. Background: The Comprehensive Health Division Operations Director is out on leave for approximately 6 - 8 weeks starting 9/20/21. Resolution 08-28-13-B provides the Operation Director sign-off on Purchased/Referred Care regarding health care payments for amounts not exceeding \$100,000.

Approval of the resolution is being requested.

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

2) Print this form as a \*.pdf OR print and scan this form in as \*.pdf.

3) E-mail this form and all supporting materials in a **SINGLE** \*.pdf file to: [BC\\_Agenda\\_Requests@oneidanation.org](mailto:BC_Agenda_Requests@oneidanation.org)

# Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

## BC Resolution # \_\_\_\_\_

### **Temporary Amendment to BC Resolution 08-28-13-B; Authorization to Sign-Off on Purchased/Referred Care – Health Care Payments**

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

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

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

**WHEREAS,** the Oneida Comprehensive Health Division receives notices from vendors for health care invoices (medical, dental, and Behavioral Health invoices), verifies the payment should be made, and authorizes payment on the health care invoice; and

**WHEREAS,** in regards to invoices in excess of \$19,000 the Nation receives reimbursement from Catastrophic Health Emergency Funds (CHEF) that is on a first come first served bases such that a delay in submission of the reimbursement request could result in funding being unavailable and the Nation utilizing Tribal contribution or direct billing receipts from health division patients to offset these costs; and

**WHEREAS,** the Oneida Comprehensive Health Division has identified all processes which could be addressed to reduce the overall time of receipt, review, approval, and payment of health care invoices; and

**WHEREAS,** resolution # BC-08-28-13-B assigns sign-off authority for Purchased/Referred Care (formerly Contract Health Services) regarding health care payments subject to CHEF reimbursement; and

**WHEREAS,** there is a need to temporarily reassign sign-off authority as the Comprehensive Health Division Operations Director will be on medical leave for a period of up to 8 weeks; and

**NOW THEREFORE BE IT RESOLVED,** that the Comprehensive Health Division Medical Director shall have sign-off authority for Purchased/Referred Care regarding health care payments subject to CHEF reimbursement for amounts not exceeding \$100,000 from the date this resolution is adopted until November 22, 2021.

**BE IT FINALLY RESOLVED,** that all other requirements of resolution # BC-08-28-13-B remain in full force and effect.

Determine next steps regarding three (3) vacancies - Anna John Resident Centered Care Community Board

## Business Committee Agenda Request

1. Meeting Date Requested: 09/22/21

2. General Information:

Session: ☒ Open ☐ Executive – must qualify under §107.4-1.

Justification: *Choose reason for Executive.*

3. Supporting Documents:

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Bylaws                    | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation           |
| <input type="checkbox"/> Contract Document(s)      | <input type="checkbox"/> Law                     | <input type="checkbox"/> Report                 |
| <input checked="" type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review            | <input type="checkbox"/> Resolution             |
| <input type="checkbox"/> Draft GTC Notice          | <input type="checkbox"/> Minutes                 | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet          | <input type="checkbox"/> MOU/MOA                 | <input type="checkbox"/> Statement of Effect    |
| <input type="checkbox"/> E-poll results/back-up    | <input type="checkbox"/> Petition                | <input type="checkbox"/> Travel Documents       |
| <input type="checkbox"/> Other: <i>Describe</i>    |  |   |

4. Budget Information:

- |  |  |                                     |
|--|--|-------------------------------------|
| <input type="checkbox"/> Budgeted                  | <input type="checkbox"/> Budgeted – Grant Funded | <input type="checkbox"/> Unbudgeted |
| <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Other: <i>Describe</i>  |                                     |

5. Submission:

Authorized Sponsor: Lisa Liggins, Secretary

Primary Requestor: Brooke Doxtator, BCC Supervisor

Additional Requestor: (Name, Title/Entity)


Additional Requestor: (Name, Title/Entity)

Submitted By: BDOXTAT1



## Memorandum

TO: Oneida Business Committee

FROM: Brooke Doxtator, BCC Supervisor 

DATE: September 15, 2021

RE: Appointment(s) – Anna John Resident Centered Care Community Board

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### Background

Three (3) vacancies were posted for the Anna John Resident Centered Care Community Board. The vacancies are to complete terms ending July 31, 2022, July 31, 2023, and July 31, 2024.

The vacancies have been posted Since May 7, 2021. The latest application deadline was September 3, 2021 and one (1) application(s) was received for the following applicant(s):

- Jeanette Ninham

### Select action(s) provided below:

- 1) accept the selected the applicant(s) and appoint to a term ending July 31, 2022, July 31, 2023 or July 31, 2024 OR
- 2) reject the selected applicant(s) and oppose the vote\*\*; OR
- 3) request the Secretary to re-notice the vacancy(ies)

Determine next steps regarding three (3) vacancies - Oneida Community Library Board

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## Business Committee Agenda Request

1. Meeting Date Requested: 09/22/21

2. General Information:

Session: ☒ Open ☐ Executive – must qualify under §107.4-1.

Justification: *Choose reason for Executive.*

3. Supporting Documents:

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Bylaws                    | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation           |
| <input type="checkbox"/> Contract Document(s)      | <input type="checkbox"/> Law                     | <input type="checkbox"/> Report                 |
| <input checked="" type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review            | <input type="checkbox"/> Resolution             |
| <input type="checkbox"/> Draft GTC Notice          | <input type="checkbox"/> Minutes                 | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet          | <input type="checkbox"/> MOU/MOA                 | <input type="checkbox"/> Statement of Effect    |
| <input type="checkbox"/> E-poll results/back-up    | <input type="checkbox"/> Petition                | <input type="checkbox"/> Travel Documents       |
| <input type="checkbox"/> Other: <i>Describe</i>    |  |   |

4. Budget Information:

- |  |  |                                     |
|--|--|-------------------------------------|
| <input type="checkbox"/> Budgeted                  | <input type="checkbox"/> Budgeted – Grant Funded | <input type="checkbox"/> Unbudgeted |
| <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Other: <i>Describe</i>  |                                     |

5. Submission:

Authorized Sponsor: Lisa Liggins, Secretary

Primary Requestor: Brooke Doxtator, BCC Supervisor

Additional Requestor: (Name, Title/Entity)


Additional Requestor: (Name, Title/Entity)

Submitted By: BDOXTAT1



## Memorandum

TO: Oneida Business Committee

FROM: Brooke Doxtator, BCC Supervisor 

DATE: September 15, 2021

RE: Appointment(s) – Oneida Community Library Board

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### Background

Three (3) vacancies were posted for the Oneida Community Library Board. One (1) vacancy is to complete term ending March 31, 2023 and two (2) vacancies are to complete terms ending March 31, 2024.

The vacancies have been posted Since May 7, 2021. The latest application deadline was September 3, 2021 and one (1) application(s) was received for the following applicant(s):

- Michelle Sawyer

### Select action(s) provided below:

- 1) accept the selected the applicant(s) and appoint to a term ending March 31, 2023 or March 31, 2024 OR
- 2) reject the selected applicant(s) and oppose the vote\*\*; OR
- 3) request the Secretary to re-notice the vacancy(ies)



Determine next steps regarding one (1) vacancy - Pardon and Forgiveness Screening Committee

## Business Committee Agenda Request

1. Meeting Date Requested: 09/22/21

2. General Information:

Session: ☒ Open ☐ Executive – must qualify under §107.4-1.

Justification: *Choose reason for Executive.*

3. Supporting Documents:

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Bylaws                    | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation           |
| <input type="checkbox"/> Contract Document(s)      | <input type="checkbox"/> Law                     | <input type="checkbox"/> Report                 |
| <input checked="" type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review            | <input type="checkbox"/> Resolution             |
| <input type="checkbox"/> Draft GTC Notice          | <input type="checkbox"/> Minutes                 | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet          | <input type="checkbox"/> MOU/MOA                 | <input type="checkbox"/> Statement of Effect    |
| <input type="checkbox"/> E-poll results/back-up    | <input type="checkbox"/> Petition                | <input type="checkbox"/> Travel Documents       |
| <input type="checkbox"/> Other: <i>Describe</i>    |  |   |

4. Budget Information:

- |  |  |                                     |
|--|--|-------------------------------------|
| <input type="checkbox"/> Budgeted                  | <input type="checkbox"/> Budgeted – Grant Funded | <input type="checkbox"/> Unbudgeted |
| <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Other: <i>Describe</i>  |                                     |

5. Submission:

Authorized Sponsor: Lisa Liggins, Secretary

Primary Requestor: Brooke Doxtator, BCC Supervisor

Additional Requestor: (Name, Title/Entity)


Additional Requestor: (Name, Title/Entity)

Submitted By: BDOXTAT1



## Memorandum

TO: Oneida Business Committee

FROM: Brooke Doxtator, BCC Supervisor 

DATE: September 15, 2021

RE: Appointment(s) – Pardon and Forgiveness Screening Committee

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### Background

One (1) vacancy was posted for the 25+ community member position on the Pardon and Forgiveness Screening Committee. The vacancy is to complete term ending August 31, 2023.

The vacancies have been posted since December 31, 2020. The latest application deadline was August 6, 2021 and one (1) application(s) was received for the following applicant(s):

- Rosa Laster

### Select action(s) provided below:

- 1) accept the selected the applicant(s) and appoint to a term ending August 31, 2023 OR
- 2) reject the selected applicant(s) and oppose the vote\*\*; OR
- 3) request the Secretary to re-notice the vacancy(ies)

Determine next steps regarding four (4) vacancies - Southeastern Wisconsin Oneida Tribal Services...

## Business Committee Agenda Request

1. Meeting Date Requested: 09/22/21

2. General Information:

Session: ☒ Open ☐ Executive – must qualify under §107.4-1.

Justification: *Choose reason for Executive.*

3. Supporting Documents:

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Bylaws                    | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation           |
| <input type="checkbox"/> Contract Document(s)      | <input type="checkbox"/> Law                     | <input type="checkbox"/> Report                 |
| <input checked="" type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review            | <input type="checkbox"/> Resolution             |
| <input type="checkbox"/> Draft GTC Notice          | <input type="checkbox"/> Minutes                 | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet          | <input type="checkbox"/> MOU/MOA                 | <input type="checkbox"/> Statement of Effect    |
| <input type="checkbox"/> E-poll results/back-up    | <input type="checkbox"/> Petition                | <input type="checkbox"/> Travel Documents       |
| <input type="checkbox"/> Other: <i>Describe</i>    |  |   |

4. Budget Information:

- |  |  |                                     |
|--|--|-------------------------------------|
| <input type="checkbox"/> Budgeted                  | <input type="checkbox"/> Budgeted – Grant Funded | <input type="checkbox"/> Unbudgeted |
| <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Other: <i>Describe</i>  |                                     |

5. Submission:

Authorized Sponsor: Lisa Liggins, Secretary

Primary Requestor: Brooke Doxtator, BCC Supervisor

Additional Requestor: (Name, Title/Entity)


Additional Requestor: (Name, Title/Entity)

Submitted By: BDOXTAT1



## Memorandum

TO: Oneida Business Committee

FROM: Brooke Doxtator, BCC Supervisor 

DATE: September 15, 2021

RE: Appointment(s) – Southeastern Wisconsin Oneida Tribal Services Advisory Board

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### Background

Four (4) vacancies were posted for the Southeastern Wisconsin Oneida Tribal Services Advisory Board. Two (2) vacancies are to complete terms ending March 31, 2023, and two (2) vacancies are to complete terms ending March 31, 2024.

The vacancies have been posted Since May 7, 2021. The latest application deadline was September 3, 2021 and two (2) application(s) were received for the following applicant(s):

- Diane Hill
- Kathleen “Kitty” Hill

### Select action(s) provided below:

- 1) accept the selected the applicant(s) and appoint to terms ending March 31, 2023 or March 31, 2024 OR
- 2) reject the selected applicant(s) and oppose the vote\*\*; OR
- 3) request the Secretary to re-notice the vacancy(ies)

Accept the July 8, 2021, regular Community Development Planning Committee meeting minutes

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## Business Committee Agenda Request

1. Meeting Date Requested: 09/22/21

2. General Information:

Session: ☒ Open ☐ Executive – must qualify under §107.4-1.

Justification: *Choose reason for Executive.*

3. Supporting Documents:

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Bylaws                 | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation           |
| <input type="checkbox"/> Contract Document(s)   | <input type="checkbox"/> Law                     | <input type="checkbox"/> Report                 |
| <input type="checkbox"/> Correspondence         | <input type="checkbox"/> Legal Review            | <input type="checkbox"/> Resolution             |
| <input type="checkbox"/> Draft GTC Notice       | <input checked="" type="checkbox"/> Minutes      | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet       | <input type="checkbox"/> MOU/MOA                 | <input type="checkbox"/> Statement of Effect    |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition                | <input type="checkbox"/> Travel Documents       |
| <input type="checkbox"/> Other: <i>Describe</i> |  |   |

4. Budget Information:

- |  |  |                                     |
|--|--|-------------------------------------|
| <input type="checkbox"/> Budgeted                  | <input type="checkbox"/> Budgeted – Grant Funded | <input type="checkbox"/> Unbudgeted |
| <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Other: <i>Describe</i>  |                                     |

5. Submission:

Authorized Sponsor: Brandon Stevens, Vice-Chairman

Primary Requestor: Brooke Doxtator, BCC Supervisor

Additional Requestor: (Name, Title/Entity)

Additional Requestor: (Name, Title/Entity)

Submitted By: BDOXTAT1

# Community Development Planning Committee



Regular Meeting  
9:00 a.m. Thursday, July 8, 2021  
Teleconference

## Minutes

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### Regular Meeting

**Present:** Chairman Brandon Stevens, Members: Kirby Metoxen, Marie Summers

**Others Present:** Larry Barton, Nancy Barton, Jacque Boyle, Brooke Duxtator, Kristal Hill, Jeffrey House, Rhiannon Metoxen, Justin Nishimoto, Troy Parr, Mark W. Powless, Nicole Rommel, Rae Skenandore, Amy Spears, Jessica Vandekamp, Danelle Wilson

### I. CALL TO ORDER AND ROLL CALL

*Meeting called to order by Chairman Brandon Stevens at 9:02 a.m.*

### II. ADOPT THE AGENDA

Motion by Kirby Metoxen to adopt the agenda, seconded by Marie Summers. Motion carries.

Ayes: Kirby Metoxen, Marie Summers

*Item VI.A. addressed next*

### III. MEETING MINUTES

#### A. Approve the June 3, 2021, regular CDPC meeting minutes

Sponsor: Brandon Stevens

Motion by Kirby Metoxen to approve the June 3, 2021, regular CDPC meeting minutes, seconded by Marie Summers. Motion carries.

Ayes: Kirby Metoxen, Marie Summers

### IV. UNFINISHED BUSINESS

### V. NEW BUSINESS

#### A. Determine next steps regarding Bicentennial project

Sponsor: Daniel Guzman King

Motion by Kirby Metoxen to accept the update on the Bicentennial project, seconded by Marie Summers. Motion carries.

Ayes: Kirby Metoxen, Marie Summers

Motion by Kirby Metoxen to assign Amy Spears as the temporary lead and provide quarterly updates, seconded by Marie Summers. Motion carries.

Ayes: Kirby Metoxen, Marie Summers

**VI. STANDING UPDATES****A. CEMETERY (9:00 AM)****1. Accept Oneida Nation Burial Ground Maintenance and Utilization Report**

Sponsor: Mark W. Powless

Motion by Marie Summers to accept the Oneida Nation Burial Ground maintenance and utilization report, seconded by Kirby Metoxen. Motion carries.

Ayes: Kirby Metoxen, Marie Summers

Motion by Kirby Metoxen to create a chronological history of the cemetery be put together in a report and held at the Land Office, seconded by Marie Summers. Motion carries.

Ayes: Kirby Metoxen, Marie Summers

**2. Accept #14-002 Cemetery Improvement Project Status Report**

Sponsor: Mark W. Powless

Motion by Marie Summers to accept the #14-002 cemetery Improvement project status report, seconded by Kirby Metoxen. Motion carries.

Ayes: Kirby Metoxen, Marie Summers

Motion by Marie Metoxen for Troy Parr to bring a LUTU report to the August 5, 2021 CDPC meeting, seconded by Kirby Metoxen. Motion carries.

Ayes: Kirby Metoxen, Marie Summers

**VII. ADJOURNMENT**

Motion by Marie Summers to adjourn at 10:49 a.m., seconded by Kirby Metoxen. Motion carries.

Ayes: Kirby Metoxen, Marie Summers

Minutes prepared by Brooke Doxtator, Boards, Committees, and Commissions Supervisor  
Minutes approved as presented/corrected on August 5, 2021.

Accept the August 5, 2021, regular Community Development Planning Committee meeting minutes

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## Business Committee Agenda Request

1. Meeting Date Requested: 09/22/21

2. General Information:

Session: ☒ Open ☐ Executive – must qualify under §107.4-1.

Justification: *Choose reason for Executive.*

3. Supporting Documents:

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Bylaws                 | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation           |
| <input type="checkbox"/> Contract Document(s)   | <input type="checkbox"/> Law                     | <input type="checkbox"/> Report                 |
| <input type="checkbox"/> Correspondence         | <input type="checkbox"/> Legal Review            | <input type="checkbox"/> Resolution             |
| <input type="checkbox"/> Draft GTC Notice       | <input type="checkbox"/> Minutes                 | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet       | <input type="checkbox"/> MOU/MOA                 | <input type="checkbox"/> Statement of Effect    |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition                | <input type="checkbox"/> Travel Documents       |
| <input type="checkbox"/> Other: <i>Describe</i> |  |   |

4. Budget Information:

- |  |  |                                     |
|--|--|-------------------------------------|
| <input type="checkbox"/> Budgeted                  | <input type="checkbox"/> Budgeted – Grant Funded | <input type="checkbox"/> Unbudgeted |
| <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Other: <i>Describe</i>  |                                     |

5. Submission:

Authorized Sponsor: Brandon Stevens, Vice-Chairman

Primary Requestor: Brooke Doxtator, BCC Supervisor

Additional Requestor: (Name, Title/Entity)

Additional Requestor: (Name, Title/Entity)

Submitted By: BDOXTAT1



## Community Development Planning Committee



Regular Meeting  
9:00 a.m. Thursday, August 5, 2021  
Teleconference

### Minutes

---

#### Regular Meeting

**Present:** Chairman Brandon Stevens, Members: Tehassi Hill, Kirby Metoxen, Marie Summers

**Others Present:** Nancy Barton, Jacque Boyle, Craig Clausen, Melinda J. Danforth, Brooke Doxtator, Kristal Hill, David P. Jordan, Pete King, Rhiannon Metoxen, Ralinda Ninham-Lamberies, Justin Nishimoto, Mark W. Powless, Nicole Rommel, Rae Skenandore, Amy Spears, Paul Witek

#### **I. CALL TO ORDER AND ROLL CALL**

*Meeting called to order by Chairman Brandon Stevens at 9:02 a.m.*

#### **II. ADOPT THE AGENDA**

Motion by Kirby Metoxen to adopt the agenda with one change [1) Move item V.B. to the top of the agenda], seconded by Marie Summers. Motion carries.

Ayes: Tehassi Hill, Kirby Metoxen, Marie Summers

*Item V.B. addressed next*

#### **III. MEETING MINUTES**

##### **A. Approve the July 8, 2021, regular CDPC meeting minutes pg. 2**

Sponsor: Brandon Stevens

Motion by Marie Summers to approve the July 8, 2021 regular CDPC meeting minutes, seconded by Tehassi Hill. Motion carries.

Ayes: Tehassi Hill, Marie Summers

#### **IV. UNFINISHED BUSINESS**

#### **V. NEW BUSINESS**

##### **A. Approve the Facility Management Team recommendation regarding the Employee Assistance Program (EAP) relocation pg. 5**

Sponsor: Jacque Boyle

Motion by Tehassi to support the recommendation presented by the Facility Management Team, seconded by Marie Summers. Motion carries.

Ayes: Tehassi Hill, Marie Summers

**B. Accept the Oneida Market Rate Housing Initiative update**

Sponsor: Jeffrey House

Motion by Tehassi Hill to accept the Oneida Market Rate Housing Initiative update, seconded by Marie Summers. Motion carries.

Ayes: Tehassi Hill, Kirby Metoxen, Marie Summers

*Item VI.A. addressed next**Tehassi Hill left at 9:31 a.m.**Tehassi returned at 9:34 a.m.***C. Accept the THC Legalization Business Strategy Team update pg. 13**

Sponsor: Melinda J. Danforth

Motion by Marie Summers to accept the THC Legalization Business Strategy Team update and note the next update will be provided at the October 7, 2021 CDPC meeting, seconded by Tehassi Hill. Motion carries.

Ayes: Tehassi Hill, Marie Summers

**VI. STANDING UPDATES****A. CEMETERY (9:00 AM)****1. Accept Oneida Nation Burial Ground Maintenance and Utilization Report (no update)**

Sponsor: Mark W. Powless

**2. Accept #14-002 Cemetery Improvement Project Status Report pg. 17**

Sponsor: Mark W. Powless

*Kirby Metoxen left at 9:?? a.m.*

Motion by Marie Summers to accept the #14-002 Cemetery Improvement Project status report, seconded by Tehassi Hill. Motion carries.

Ayes: Tehassi Hill, Marie Summers

*Item III.A. addressed next***VII. ADJOURNMENT**

Motion by Tehassi Hill to adjourn at 10:30 a.m., seconded by Marie Summers. Motion carries.

Ayes: Tehassi Hill, Marie Summers

Minutes prepared by Brooke Doxtator, Boards, Committees, and Commissions Supervisor  
Minutes approved as presented/corrected on September 2, 2021.

**Oneida Business Committee Agenda Request**

Accept the August 30, 2021, regular Finance Committee meeting minutes

**1. Meeting Date Requested:** 9 / 22 / 21**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:   
Your Name, Title / Dept. or Tribal MemberAdditional Requestor:   
Name, Title / Dept.Additional Requestor:   
Name, Title / Dept.



## ***INTERNAL MEMO***

**TO:** Finance Committee  
**FR:** Denise J. Vigue, Executive Assistant to the CFO &  
Finance Committee Support /Contact  
**DT:** August 31, 2021  
**RE:** E-Poll Results - FC Meeting Minutes of Aug. 30, 2021

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An E-Poll vote of the Finance Committee was conducted to approve the Finance Committee meeting minutes of August 30, 2021. The E-Poll and minutes were sent out yesterday and 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. 30, 2021 Finance Committee Meeting Minutes. FC Members voting included: Jennifer Webster, Larry Barton, Patrick Stensloff, Chad Fuss & Kirby Metoxen**

These Finance Committee Minutes of August 30, 2021 will be placed on the next Finance Committee agenda to acknowledge 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 BC 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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**FINANCE COMMITTEE****REGULAR MEETING****August 30, 2021****Via MICROSOFT TEAMS**

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**REGULAR MEETING MINUTES****FC MEMBERS PRESENT:**

Cristina Danforth, Treasurer/FC Chair  
Jennifer Webster, BC Council Member  
Chad Fuss, Asst. Gaming CFO

Larry Barton, CFO/FC Vice-Chair  
Kirby Metoxen, BC Council Member  
Patrick Stensloff, Purchasing Director

**OTHERS PRESENT (via Teams):** Carrie Blohowiak, Lisa Moore, Lisa M. Frechette, Courtney Georgia, Justin Nishimoto, Carrie Lindsey, Mari J. Kriescher, Connie L. Danforth, Linda Taylor, Lesley Ness, Debbie Danforth, and Denise J. Vigue, taking notes

**I. CALL TO ORDER:** The FC Regular Meeting was called to order by the FC Vice Chair at 9:00 A.M. Chair having trouble logging in, will be on call shortly.

**II. APPROVAL OF AGENDA:** AUGUST 30, 2021

Motion by Patrick Stensloff to approve the August 30, 2021 FC Meeting Agenda. Seconded by Jennifer Webster. Motion carried unanimously.

**III. MINUTES:** AUGUST 16, 2021 (Approved via E-Poll on 08/16/21)

Motion by Chad Fuss to acknowledge the FC E-Poll action taken on Aug. 16, 2021 approving the Aug. 16, 2021 Finance Committee Meeting Minutes. Seconded by Patrick Stensloff. Motion carried unanimously.

**IV. TABLED BUSINESS:** None

**V. CAPITAL EXPENDITURES:** None

**VI. NEW BUSINESS:**

**1. FY22 Blanket PO-Bellin Memorial Hospital** **Amount: \$220,500.**

Lisa Moore, Risk Management

Need to submit legal review.

Motion by Patrick Stensloff to approve the FY22 Blanket Purchase Order request with Bellin Memorial Hospital in the amount of \$220,500.00. Seconded by Chad Fuss. Kirby Metoxen abstained. Motion carried.

**2. FY22 Blanket PO-St. Vincent Hospital** **Amount: \$300,000.**

Lisa Moore, Risk Management

Need to submit legal review.

Motion by Jennifer Webster to approve the FY22 Blanket Purchase Order request with St. Vincent Hospital in the amount of \$300,000.00. Seconded by Patrick Stensloff. Kirby Metoxen abstained. Motion carried.

**Tina Danforth joined the Virtual meeting and took over to Chair 9:07 A.M.**

**3. FY22 Blanket PO-Crawford-Broadspire-WC Admin.** **Amount: \$300,000.**

Lisa Moore, Risk Management

Need to submit correct legal review.

Motion by Jennifer Webster to approve the FY22 Blanket Purchase Order request with Crawford-Broadspire in the amount of \$300,000.00. Seconded by Patrick Stensloff. Motion carried unanimously.

**4. FY22 Blanket PO-Crawford-Broadspire-Payment Processing** **Amount: \$55,000.**

Lisa Moore, Risk Management

Motion by Patrick Stensloff to approve the FY22 Blanket Purchase Order request with Crawford-Broadspire for WC payment processing fees in the amount of \$55,000.00. Seconded by Chad Fuss. Motion carried unanimously.

**5. FY22 Blanket PO-Hudson Insurance-Claim Deductibles** **Amount: \$100,000.**

Lisa Moore, Risk Management

Motion by Patrick Stensloff to approve the FY22 Blanket Purchase Order request with Hudson Insurance for claim deductibles in the amount of \$100,000.00. Seconded by Jennifer Webster. Motion carried unanimously.

**6. FY22 Blkt PO – IGT Customer Agreement** **Amount: \$3,390,000.**

Louise Cornelius, Gam-Administration

Didn't trend out or factor the competition; need to provide BC with periodic updates.

Motion by Kirby Metoxen to approve the FY22 Blanket Purchase Order request with IGT (customer agreement) in the amount of \$3,390,000.00. Seconded by Jennifer Webster. Motion carried unanimously.

**VII. COMMUNITY FUND:****Report:****1. Monthly Community Fund Report for September 2021**

Denise J. Vigue, Executive Assistant to the CFO

Motion by Jennifer Webster to accept as FYI the Community Fund Update Report for September 2021. Seconded by Patrick Stensloff. Motion carried unanimously.

**Requests:****1. FY22 – Oneida Finance Fund Packets (funds & product)**

Denise J. Vigue, Executive Assistant to the CFO

Motion by Larry Barton to approve the Oneida Finance Fund packets for Funding and for Coca-Cola products and to move forward, noting the FC may make amendments in the future. Seconded by Kirby Metoxen. Motion carried unanimously.

**VIII. EXECUTIVE SESSION:**

Motion by Patrick Stensloff to go into Executive Session. Seconded by Larry Barton. Motion carried unanimously. Time: 9:26 A.M.

Motion by Larry Barton to come out of Executive Session. Seconded by Patrick Stensloff. Motion carried unanimously. Time: 10:09 A.M.

**1. FY22 Blanket PO– Green Bay Radiology Health Related Contract #2012-1217**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Larry Barton to approve the FY22 Blanket Purchase Order health related contract #2012-1217 with Green Bay Radiology in the amount as requested. Seconded by Patrick Stensloff. Motion carried unanimously.

**2. FY22 Blanket PO–St. Vincent Hospital D/B/A-Prevea Health, Contract #2012-1284**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Patrick Stensloff to approve the FY22 Blanket Purchase Order health related contract #2012-1284 with St. Vincent Hospital D/B/A-Prevea Health in the amount as requested. Seconded by Kirby Metoxen. Motion carried unanimously.

**3. FY22 Blanket PO–Casa Claire-Mooring program D/B/A Apricity, Health Related Contract #2020-0580**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Patrick Stensloff to approve the FY22 Blanket Purchase Order health related contract #2020-0580 with Casa Claire-Mooring program D/B/A Apricity in the amount as requested. Seconded by Chad Fuss. Motion carried unanimously

**4. FY22 Blanket PO– Jackie Nitschke Center, BehHealth Contract #2020-0580**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Larry Barton to approve the FY22 Blanket Purchase Order health related contract #2020-0580 with the Jackie Nitschke Center in the amount as requested. Seconded by Kirby Metoxen. Motion carried unanimously.

**5. FY22 Blanket PO–Keystone Treatment Center– AODA & Mental Health, Contract #2020-0580**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Kirby Metoxen to approve the FY22 Blanket Purchase Order Health Related contract #2020-0580 with Keystone Treatment Center – AODA & Mental Health in the amount as requested. Seconded by Patrick Stensloff. Motion carried unanimously.

**6. FY22 Blanket PO– Keystone Treatment Center–AODA & Mental Health, Contract #2020-0580**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Kirby Metoxen to approve the FY22 Blanket Purchase Order Health Related contract #2020-0580 with Keystone Treatment Center – AODA & Mental Health from the T.O.R. Grant in the amount as requested. Seconded by Patrick Stensloff. Motion carried unanimously.

**7. FY22 Blanket PO–Health Related Contract #2018-0653**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Patrick Stensloff to approve the FY22 Blanket Purchase Order contract #2018-0653 with the Independent Health Care Provider in the amount as requested. Seconded by Larry Barton. Motion carried unanimously.

**8. FY22 Blanket PO–Health Related Contract #2018-0654**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Patrick Stensloff to approve the FY22 Blanket Purchase Order contract #2018-0654 with the Independent Health Care Provider in the amount as requested. Seconded by Larry Barton. Motion carried unanimously.

**9. FY22 Blanket PO–Health Related Contract #2018-0651**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Kirby Metoxen to approve the FY22 Blanket Purchase Order contract #2018-0651 with the Independent Health Care Provider in the amount as requested. Seconded by Patrick Stensloff. Motion carried unanimously.



**10. FY22 Blanket PO—Health Related Contract #2018-0655**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Kirby Metoxen to approve the FY22 Blanket Purchase Order contract #2018-0655 with the Independent Health Care Provider in the amount as requested. Seconded by Patrick Stensloff. Motion carried unanimously.

**11. FY22 Blanket PO— Prevea Clinics, Inc/St. Vincent Hospital, Contract #2017-0808**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Patrick Stensloff to approve the FY22 Blanket Purchase Order contract #2017-0808 with Prevea Clinics, Inc/St. Vincent Hospital (Psychiatric) in the amount as requested. Seconded by Kirby Metoxen. Motion carried unanimously.

**12. FY22 Blanket PO—Health Related Contract #2019-1399**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Chad Fuss to approve the FY22 Blanket Purchase Order contract #2019-1399 with the Independent Health Care Provider in the amount as requested. Seconded by Patrick Stensloff. Motion carried unanimously.

**13. FY22 Blanket PO—Health Related Contract #2018-0650**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Kirby Metoxen to approve the FY22 Blanket Purchase Order contract #2018-0650 with the Independent Health Care Provider in the amount as requested. Seconded by Patrick Stensloff. Motion carried unanimously.

**14. FY22 Blanket PO—ReGroup Therapy Telehealth Svs, Health Related Contract #2017-1425**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Chad Fuss to approve the FY22 Blanket Purchase Order contract #2017-1425 with ReGroup Therapy Telehealth Services in the amount as requested. Seconded by Patrick Stensloff. Motion carried unanimously.

**15. FY22 Blanket PO—Tellurian Ucan Inc, Health Related Contract #2020-0580**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Kirby Metoxen to approve the FY22 Blanket Purchase Order contract #2020-0580 with Tellurian Ucan Inc in the amount as requested. Seconded by Patrick Stensloff. Motion carried unanimously.

**16. FY22 Blanket PO–Health Related Contract #2021-0587**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Patrick Stensloff to approve the FY22 Blanket Purchase Order contract #2021-0587 with the Independent Health Care Provider in the amount as requested. Seconded by Kirby Metoxen. Motion carried unanimously.

**17. FY22 Blanket PO–PRN Home Health & Therapy, Health Contract #2014-0326**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Patrick Stensloff to approve the FY22 Blanket Purchase Order health related contract #2014-0326 with PRN Home Health & Therapy in the amount as requested. Seconded by Larry Barton. Motion carried unanimously.

For the Record: Larry Barton noted here are concerns regarding the compensation model, dated contracts & dated legal reviews, concerning this and the following two requests.

**18. FY22 Blanket PO– Guardian Health Staff, Health Contract #2014-0829**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Larry Barton to approve the FY22 Blanket Purchase Order health related contract #2014-0829 with Guardian Health Staff in the amount as requested. Seconded by Patrick Stensloff. Motion carried unanimously.

**19. FY22 Blanket PO– STAT Temporary Service, Health Contract #2008-1602**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Larry Barton to approve the FY22 Blanket Purchase Order health related contract #2008-1602 with STAT Temporary Service in the amount as requested. Seconded by Patrick Stensloff. Motion carried unanimously.

**20. FY22 Blanket PO–PRN Home Health & Therapy, Health Contract #2016-0397**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Larry Barton to approve the FY22 Blanket Purchase Order health related contract #2016-0397 with PRN Home Health & Therapy in the amount as requested. Seconded by Patrick Stensloff. Motion carried unanimously.

For the Record: It was reiterated by Larry Barton the concerns expressed just previously (#17) are taken serious & would like the GM brought in to work with staff on strategic development and alternatives with compensation.

**21. FY22 Blanket PO—Ideacom, Health Related Contract #2020-0517 & #2020-0093**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Jennifer Webster to approve the FY22 Blanket Purchase Orders health related contract #2020-0517 & #2020-0093 with Ideacom in the amount as requested. Seconded by Larry Barton. Motion carried unanimously.

**22. FY22 Blanket PO—Reinhart Foods, Contract #2012-1552**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Jennifer Webster to approve the FY22 Blanket Purchase Order contract #2012-1552 with Reinhart Foods in the amount as requested. Seconded by Larry Barton. Motion carried unanimously.

**23. FY22 Blanket PO—Walgreens Pharmacy, Contract #2016-0431**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Larry Barton to approve the FY22 Blanket Purchase Order health related contract #2016-0431 with Walgreens Pharmacy in the amount as requested. Seconded by Patrick Stensloff. Motion carried unanimously.

**24. FY22 Blanket PO—Care 4U New LLC, Health Related Contract #2019-0696**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Patrick Stensloff to approve the FY22 Blanket Purchase Order health related contract #2019-0696 with Care 4U New LLC in the amount as requested. Seconded by Kirby Metoxen. Motion carried unanimously.

**25. FY22 Blanket PO—Clarity Care, Health Related Contract -2016-0118**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Patrick Stensloff to approve the FY22 Blanket Purchase Order health related contract #2016-0118 with Clarity Care in the amount as requested. Seconded by Kirby Metoxen. Motion carried unanimously.

**26. FY22 Blanket PO—Compass Development S.C., Health Related Contract #2021-0193**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Kirby Metoxen to approve the FY22 Blanket Purchase Order health related contract #2021-0193 with Compass Development S.C. in the amount as requested. Seconded by Chad Fuss. Motion carried unanimously.

**27. FY22 Blanket PO—Harbor Senior Living Inc, Health Related Contract #2021-0159**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Kirby Metoxen to approve the FY22 Blanket Purchase Order Health Related contract #2021-0159 with Harbor Senior Living Inc in the amount as requested. Seconded by Patrick Stensloff. Motion carried unanimously.

**28. FY22 Blanket PO—Helping Hands Caregivers, Health Related Contract #2017-0474**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Patrick Stensloff to approve the FY22 Blanket Purchase Order Health Related contract #2017-0474 with Helping Hands Caregivers in the amount as requested. Seconded by Larry Barton. Motion carried unanimously.

**29. FY22 Blanket PO—Lamers Medical Transport, Health Related Contract #2019-1433**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Patrick Stensloff to approve the FY22 Blanket Purchase Order health related contract #2019-1433 with Lamers Medical Transport in the amount as requested. Seconded by Kirby Metoxen. Motion carried unanimously.

For the Record: Patrick Stensloff expressed concern with a trend with this vendor and not bidding out; using it as sole source and in the future will need to provide better justification.

**30. FY22 Blanket PO—Health Related Contract #2018-1097**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Larry Barton to approve the FY22 Blanket Purchase Order contract #2018-1097 with the Independent Health Care Provider in the amount as requested. Seconded by Patrick Stensloff. Motion carried unanimously.

**31. FY22 Blanket PO—Health Related Contract #2020-0138**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Patrick Stensloff to approve the FY22 Blanket Purchase Order contract #2020-0138 with the Independent Health Care Provider in the amount as requested. Seconded by Kirby Metoxen. Motion carried unanimously.

**32. FY22 Blanket PO—Master's Touch Dental Lab, Health Related Contract**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Kirby Metoxen to approve the FY22 Blanket Purchase Order health related contract with Master's Touch Dental Lab in the amount as requested. Seconded by Patrick Stensloff. Motion carried unanimously.

**33. FY22 Blanket PO–NDX Lords Dental Lab, Health Related Contract**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Larry Barton to approve the FY22 Blanket Purchase Order health related contract with NDX Lords Dental Lab in the amount as requested. Seconded by Patrick Stensloff. Motion carried unanimously.

**34. FY22 Blanket PO–Prevea Lab, Dental Related Contract #2005-1991**

Dr. Ravi Vir & Debra Danforth, Comprehensive Health Division

Motion by Chad Fuss to approve the FY22 Blanket Purchase Order dental related contract #2005-1991 with Prevea Lab in the amount as requested. Seconded by Patrick Stensloff. Motion carried unanimously.

**IX. ADMINISTRATIVE /INTERNAL: None****X. FOLLOW UP: None****XI. FOR INFORMATION ONLY:****1. FY22 Blkt PO's – WAP & Lease Slot Machines**

David Emerson, Gaming Slots Dept

Motion by Patrick Stensloff to accept the FY22 Blanket Purchase Orders for Wide Area Progressive and Lease Slot Machines as FYI. Seconded by Kirby Metoxen. Motion carried unanimously.

**XII. ADJOURN:** Motion by Kirby Metoxen to adjourn. Seconded by Patrick Stensloff. Motion carried unanimously. Time: 10:42 A.M.

Minutes submitted by:

Denise J. Vigue, Executive Assistant to the CFO

*Finance Committee Approval Date of Minutes via E-Poll:* August 31, 2021

**Oneida Business Committee Agenda Request**

Accept the September 13, 2021, regular Finance Committee meeting minutes

**1. Meeting Date Requested:** 9 / 22 / 21**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:   
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:

Oneida Business Committee acceptance of Minutes for the September 13, 2021 Finance Committee meeting. The Finance Committee is a Standing Committee of the OBC.

- 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)



## ***INTERNAL MEMO***

**TO:** Finance Committee  
**FR:** Denise J. Vigue, Executive Assistant to the CFO &  
Finance Committee Support /Contact  
**DT:** September 13, 2021  
**RE:** E-Poll Results - FC Meeting Minutes of Sept. 13, 2021

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An E-Poll vote of the Finance Committee was conducted to approve the Finance Committee meeting minutes of September 13, 2021. The E-Poll and minutes were sent out and concluded today. The results of the completed E-Poll are as follows:

**E-POLL RESULTS:**

**There was a Majority of 3 FC members voting to approve the Sept. 13, 2021 Finance Committee Meeting Minutes. FC Members voting included: Larry Barton, Patrick Stensloff & Chad Fuss.**

These Finance Committee Minutes of September 13, 2021 will be placed on the next Finance Committee agenda to acknowledge 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 BC 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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**FINANCE COMMITTEE**  
REGULAR MEETING  
SEPTEMBER 13, 2021 • Via Microsoft TEAMS

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**REGULAR MEETING MINUTES**

**FC MEMBERS PRESENT (Via TEAMS):**

Cristina Danforth, Treasurer/FC Chair

Larry Barton, CFO/FC Vice-Chair

Chad Fuss, Asst. Gaming CFO

Patrick Stensloff, Purchasing Director

**FC MEMBERS EXCUSED:** Jennifer Webster, BC Council Member; Kirby Metoxen, BC Council Member

**OTHERS PRESENT (Via Teams):** Jeffrey Carlson, Connie Van Den Berg; Jason Doxtator, Mark Powless, James Petitjean, Amy Spears, Justin Nishimoto and Denise J. Vigue, taking notes

I. **CALL TO ORDER:** The FC Meeting was called to order by the FC Chair at 9:02 A.M.

II. **APPROVAL OF AGENDA: SEPTEMBER 13, 2021**

Motion by Patrick Stensloff to approve the Sept. 13, 2021 Finance Committee meeting agenda. Seconded by Chad Fuss. Motion carried unanimously.

III. **FC MINUTES: AUGUST 30, 2021 (Approved via E-Poll on 08/31/21):**

Motion by Patrick Stensloff to acknowledge the FC E-Poll action taken on Aug. 31, 2021 to approve the Aug. 30, 2021 Finance Committee Meeting Minutes. Seconded by Chad Fuss. Motion carried unanimously.

IV. **TABLED BUSINESS:** None

V. **CAPITAL EXPENDITURES:** None

VI. **NEW BUSINESS:**

1. FY22 Blkt PO – Baycom, Inc.  
Jason Doxtator, MIS

Amount: \$92,400.

Motion by Larry Barton to approve the FY22 Blanket Purchase Order request with Baycom, Inc. for maintenance in the amount of \$92,400. Seconded by Patrick Stensloff. Motion carried unanimously.

2. FY22 Blkt PO – SG Gaming, Inc. Amount: \$820,000.  
Jason Doxtator, MIS

Annual maintenance in support of the Bally and other systems run at the Casino; noted this vendor has not had a price increase for this service since 2009.

Motion by Patrick Stensloff to approve the FY22 Blanket Purchase Order request with SG Gaming, Inc. for maintenance in the amount of \$820,000. Seconded by Chad Fuss. Motion carried unanimously.

3. FY22 Blkt PO – General Services Administration Amount: \$180,000.  
Susan Wilson, Oneida Police Dept.

Motion by Larry Barton to approve the FY22 Blanket Purchase Order request with General Services Administration for vehicle leases in the amount of \$180,000. Seconded by Patrick Stensloff. Motion carried unanimously.

4. FY22 Blkt PO – All American Bingo Amount: \$110,356.  
Jessalyn Harvath, Gaming-Bingo

Chad noted this is for bingo paper and other supplies that meet NIGA regulations; there was a question under considerations, section d. was wondering why the big difference in that amount and amount being requested; no one present to answer.

Motion by Patrick Stensloff to approve the FY22 Blanket Purchase Order request with All American Bingo for Bingo supplies in the amount of \$110,356 with clarification on compensation (3.d.). Seconded by Chad Fuss. Motion carried unanimously.

5. FY22 Blkt PO – WIFPLI, LLP Amount: \$116,600.  
Jeff Carlson, Consolidated Health

There was a discussion on why this was a sole source request; no sign off from the funding agency; why no team was put together to put out for bids, why using information from 20 years ago; this is not a proprietary service so no reason it should have not been bid out.

Motion by Larry Barton to defer the FY22 Blanket Purchase Order request with WIFPLI, LLC for consulting services in the amount of \$116,600 and to work with Engineering and Purchasing to follow the 3-bid process. Seconded by Patrick Stensloff. Motion carried unanimously.

6. FY22 Blkt PO – Chambers & Owen, Inc. Amount: \$60,000,000.  
James Petitjean, Interim Retail GM

Motion by Larry Barton to approve the FY22 Blanket Purchase Order request with Chambers & Owen, Inc. for tobacco and convenience goods for resale in the amount of \$60,000,000. Seconded by Chad Fuss. Motion carried unanimously.

7. FY22 Blkt PO – U.S. Venture, Inc. Amount: \$18,000,000.  
James Petitjean, Interim Retail GM

Motion by Larry Barton to approve the FY22 Blanket Purchase Order request with U.S. Venture, Inc. for Exxon-Mobil retail sales in the amount of \$18,000,000. Seconded by Patrick Stensloff. Motion carried unanimously.

8. FY22 Blkt PO – Titledown Oil Corporation Amount: \$6,000,000.  
James Petitjean, Interim Retail GM

Motion by Patrick Stensloff to approve the FY22 Blanket Purchase Order request with Titledown Oil Corporation for Exxon-Mobil retail sales in the amount of \$6,000,000. Seconded by Larry Barton. Motion carried unanimously.

9. FY22 Blkt PO – Great Lakes Coca-Cola Amount: \$480,000.  
James Petitjean, Interim Retail GM

Motion by Chad Fuss to approve the FY22 Blanket Purchase Order request with Great Lakes Coca-Cola Products for retail sales in the amount of \$480,000. Seconded by Patrick Stensloff. Motion carried unanimously.

10. FY22 Blkt PO – Dean Distributing, Inc. Amount: \$400,000.  
James Petitjean, Interim Retail GM

Motion by Larry Barton to approve the FY22 Blanket Purchase Order request with Dean Distributing, Inc. for liquor retail sales in the amount of \$400,000. Seconded by Patrick Stensloff. Motion carried unanimously.

11. FY22 Blkt PO – WP Beverages, LLC Amount: \$285,000.  
James Petitjean, Interim Retail GM

Motion by Larry Barton to approve the FY22 Blanket Purchase Order request with WP Beverages, LLC for Pepsi-Cola Product retail sales in the amount of \$285,000. Seconded by Patrick Stensloff. Motion carried unanimously.

12. FY22 Blkt PO – Triangle Distributing Co. Inc. Amount: \$260,000.  
James Petitjean, Interim Retail GM

Motion by Chad Fuss to approve the FY22 Blanket Purchase Order request with Triangle Distributing Co. Inc. for liquor retail sales in the amount of \$260,000. Seconded by Patrick Stensloff. Motion carried unanimously.

13. FY22 Blkt PO – Lightning Wash LLC Amount: \$240,000.  
James Petitjean, Interim Retail GM

Motion by Larry Barton to approve the FY22 Blanket Purchase Order request with Lightning Wash LLC for retail amenities in the amount of \$240,000. Seconded by Patrick Stensloff. Motion carried unanimously.

14. FY22 Blkt PO – Seven-Up Bottling Co. Inc. Amount: \$230,000.  
James Petitjean, Interim Retail GM

Motion by Patrick Stensloff to approve the FY22 Blanket Purchase Order request with Seven-Up Bottling Co. Inc. for product retail sales in the amount of \$230,000. Seconded by Larry Barton. Motion carried unanimously.

15. FY22 Blkt PO – Kay Beer Distributing, Inc. Amount: \$220,000.  
James Petitjean, Interim Retail GM

Motion by Larry Barton to approve the FY22 Blanket Purchase Order request with Kay Beer Distributing, Inc. for liquor retail sales in the amount of \$220,000. Seconded by Patrick Stensloff. Motion carried unanimously.

16. FY22 Blkt PO – U.S. Venture, Inc. Amount: \$199,000.  
James Petitjean, Interim Retail GM

Motion by Patrick Stensloff to approve the FY22 Blanket Purchase Order request with U.S. Venture, Inc. for maintenance to the fuel pumps/lines & credit card transactions in the amount of \$199,000. Seconded by Larry Barton. Motion carried unanimously.

17. FY22 Blkt PO – Frito-Lay, Inc. Amount: \$176,000.  
James Petitjean, Interim Retail GM

Motion by Patrick Stensloff to approve the FY22 Blanket Purchase Order request with Frito-Lay, Inc. for convenience and snack food retail sales in the amount of \$176,000. Seconded by Larry Barton. Motion carried unanimously.

18. FY22 Blkt PO – WDI, LLC Amount: \$115,000.

James Petitjean, Interim Retail GM

Motion by Patrick Stensloff to approve the FY22 Blanket Purchase Order request with WDI, LLC for liquor retail sales (E & EE location) in the amount of \$115,000. Seconded by Larry Barton. Motion carried unanimously.

19. FY22 Blkt PO – Loomis Currier Services Amount: \$112,000.

James Petitjean, Interim Retail GM

Motion by Patrick Stensloff to approve the FY22 Blanket Purchase Order request with Loomis Currier Services for cash delivery services to all retail locations in the amount of \$112,000. Seconded by Chad Fuss. Motion carried unanimously.

20. FY22 Blkt PO – Klemm Tank Fuel Delivery Amount: \$110,000.

James Petitjean, Interim Retail GM

Motion by Larry Barton to approve the FY22 Blanket Purchase Order request with Klemm Tank Fuel for Fuel Delivery in the amount of \$110,000. Seconded by Patrick Stensloff. Motion carried unanimously.

21. FY22 Blkt PO – Birdseye Dairy, Inc. Amount: \$100,000.

James Petitjean, Interim Retail GM

Motion by Patrick Stensloff to approve the FY22 Blanket Purchase Order request with Birdseye Dairy, Inc. for convenience food retail sales in the amount of \$100,000. Seconded by Larry Barton. Motion carried unanimously.

22. FY22 Blkt PO – Kitchen Fresh Foods, LLC Amount: \$90,000.

James Petitjean, Interim Retail GM

Motion by Larry Barton to approve the FY22 Blanket Purchase Order request with Kitchen Fresh Foods, LLC for convenience food retail sales in the amount of \$90,000. Seconded by Patrick Stensloff. Motion carried unanimously.

23. FY22 Blkt PO – U.S. Venture, Inc. Amount: \$78,000.

James Petitjean, Interim Retail GM

Motion by Larry Barton to approve the FY22 Blanket Purchase Order request with U.S. Venture, Inc. for the Passport Rewards Cards and Maintenance in the amount of \$78,000. Seconded by Patrick Stensloff. Motion carried unanimously.

24. FY22 Blkt PO – STAT Temporary Services Amount: \$160,000.  
Connie VanDenBerg, ConsolHealth, OHC

Connie explained this is for hiring staff to work with the COVID testing and tracing as the OHC and EHN are short staffed. There was discussion on if partnerships with area hospitals such as Bellin could not assist with this service; would like to see more data on what the need is, how many seen a day and current staffing levels.

Motion by Patrick Stensloff to approve the FY22 Blanket Purchase Order request with STAT Temporary Services in the amount of \$160,000. Seconded by Chad Fuss. Motion carried unanimously.

## VII. DONATIONS:

### Report:

1. Monthly Donation Report for September 2021  
Denise J. Vigue, Executive Assistant to the CFO

Motion by Patrick Stensloff to approve the Monthly Donation Update Report for September 2021. Seconded by Chad Fuss. Motion carried unanimously.

### Request(s):

1. Feeding America Eastern Wisconsin Amount: \$5,000.  
Requester: Andrew Sutherland, Grants Mgr.

It was noted the maximum per the SOP's is \$2,500.

Motion by Patrick Stensloff to approve from the Finance Committee Donation line the request from Feeding America Eastern Wisconsin in the amount of \$2,500. Seconded by Larry Barton. Motion carried unanimously.

2. FY22 FC Donation DRAFT SOP's & Packet  
Denise J. Vigue, Executive Assistant to the CFO

It was noted that with a balance at the end of FY21, suggestion was to increase the request amount for FY22 to \$3,000.

Motion by Patrick Stensloff to approve the FY 2022 Donation SOP and FY 2022 Donation Request Packet noting the maximum amount for requests will be \$3,000. Seconded by Larry Barton. Motion carried unanimously.

## VIII. EXECUTIVE SESSION: None

## IX. ADMINISTRATIVE /INTERNAL: None

X. FOLLOW UP: None

XI. FOR INFORMATION ONLY:

1. IGT – (20) Self-Serve Sports Betting Kiosks & Equipment  
Jessalyn Harvath, Gaming -Bingo & OTB

It was discussed that although this item is already in the system for approvals; it should nevertheless still come to the Finance Committee for formal approval not as an FYI; this is in keeping with purchasing processes and procedures and for audit purposes. All future items such as this will follow the process of submissions for approval.

Motion by Patrick Stensloff to approve and not accept as FYI the IGT (20) Self-Serve Sports Betting Kiosks & Equipment in the amount of \$174,437. Seconded by Larry Barton. Motion carried unanimously.

- XII. ADJOURN: Motion by Patrick Stensloff to adjourn. Seconded by Larry Barton.  
Motion carried unanimously. Time: 10:24 A.M.

Minutes submitted by:  
Denise J. Vigue, Executive Assistant to the CFO

*Finance Committee Approval Date of Minutes via E-Poll:* September 13, 2021

**Oneida Business Committee Agenda Request**

Accept the September 1, 2021, regular Legislative Operating Committee meeting minutes

**1. Meeting Date Requested:** 9 / 22 / 21**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)



**LEGISLATIVE OPERATING COMMITTEE MEETING MINUTES**  
Oneida Business Committee Conference Room-2<sup>nd</sup> Floor Norbert Hill Center  
September 1, 2021  
9:00 a.m.

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

**Others Present:** Clorissa N. Santiago, Kristen Hooker, Carmen Vanlanen, Kristal Hill, Rhiannon Metoxen, Lawrence Barton, Brooke Doxtator, Justin Nishimoto (Microsoft Teams), Eric Boulanger (Microsoft Teams), Barbara Webster (Microsoft Teams), Tina Jorgenson (Microsoft Teams), Michelle Myers (Microsoft Teams), Amy Spears (Microsoft Teams), Mark Powless (Microsoft Teams), Michelle Braaten (Microsoft Teams), Patricia Garvey (Microsoft Teams), Krystal John (Microsoft Teams), Jacque Boyle (Microsoft Teams)

**I. Call to Order and Approval of the Agenda**

David P. Jordan called the September 1, 2021, Legislative Operating Committee meeting to order at 9:00 a.m.

Motion by Jennifer Webster to adopt the agenda as is; seconded by Marie Summers. Motion carried unanimously.

**II. Minutes to be Approved**

**1. August 18, 2021 LOC Meeting Minutes**

Motion by Kirby Metoxen to approve the minutes of August 18, 2021 and forward to the Oneida Business Committee for consideration; seconded by Marie Summers. Jennifer Webster abstained. Motion carried.

**III. Current Business**

**1. Public Peace Law**

Motion by Jennifer Webster to approve the Public Peace law adoption packet, with updated materials, and forward to the Oneida Business Committee for consideration; seconded by Kirby Metoxen. Motion carried unanimously.

Motion by Kirby Metoxen to approve the Public Peace Law Citations Schedule Resolution and forward to the Oneida Business Committee for consideration; seconded by Jennifer Webster. Motion carried unanimously.

**2. Oneida General Welfare Law Amendments**

Motion by Jennifer Webster to approve the draft of the Oneida General Welfare law and direct that a legislative analysis be completed; seconded by Marie Summers. Motion carried unanimously.



**IV. New Submissions****1. Disability Fund Policy Amendments**

Motion by Marie Summers to table this item; seconded by Jennifer Webster. Motion carried unanimously.

**V. Additions****VI. Administrative Items****1. Certification of Leasing Law Rule No. 5 – Tribal Housing Reacquisition of Individual Fee and Trust Title (THRIFTT)**

Motion by Jennifer Webster to certify the Leasing Law Rule No. 5 – Tribal Housing Reacquisition of Individual Fee and Trust Title finding good cause in accordance with section 106.7-1(a) of the Administrative Rulemaking Law, and forward to the Oneida Business Committee for consideration; seconded by Daniel Guzman King. Motion carried unanimously.

**2. Certification of Leasing Law Rule No. 6 - Homeownership by Independent Purchase Program (HIPP)**

Motion by Jennifer Webster to certify the Leasing Law Rule No. 6 – Homeownership by Independent Purchase Program finding good cause in accordance with section 106.7-1(a) of the Administrative Rulemaking Law, and forward to the Oneida Business Committee for consideration; seconded by Kirby Metoxen. Marie Summers opposed. Motion carried.

*For the Record Marie Summers stated: I understand that the LOC's role is to review and make sure that the rulemaking guidelines have been in place and followed, and it looks like it has. But with this rule that I am reviewing from last, from the current rule that is published on the website, it says the purpose of the Home Ownership by Independent Purchase Program is to expand the services being offered to Tribal members by providing a program in which Tribal member buyer initiates a purchase in which the buyer purchases the improvements and the Tribe purchases the land. And then the policy goes on to say: the policy behind the HIP Program is to increase Tribal member homeownership and the land base available for the fee to trust process while simultaneously affording Tribal members greater independence in the purchase process by requiring the buyer to negotiate the purchase offer independent of the Tribe. Excellent program. The new changes that we have in front of us, removes the purpose, the original intent, and the scope of the program for Tribal members. And it now includes non-Tribal members, are able to apply for this program. This tells me that the program no longer serves the community at large solely. And now the Tribal member will now compete with any non-Tribal member for the HIP Program. My concerns are that if Land Management has funding to purchase land for the HIP Program, that funding should be reserved for Tribal members only. And if that funding is depleted because non-Tribal members are using this program, that will leave our community members with no opportunity because the money would be depleted. And this law, I don't believe it serves our community with the current housing inventory that we have. During the pandemic we discovered homelessness was severe. We currently have two hundred and seventy-eight (278) on the home waiting list to either get into an elder apartment, an income-based rental, a general rental, or rent a home. We have a severe shortage in housing here, and I don't feel comfortable opening up a program that includes non-Tribal members with these conditions and in this environment. That's all my comments for today. Thank you.*

**VII. Executive Session**

**VIII. Adjourn**

Motion by Marie Summers to adjourn at 9:39 a.m.; seconded by Daniel Guzman King.  
Motion carried unanimously.

Accept the July 15, 2021, regular Quality of Life Committee meeting minutes

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## Business Committee Agenda Request

1. Meeting Date Requested: 09/22/21

2. General Information:

Session: ☒ Open ☐ Executive – must qualify under §107.4-1.

Justification: *Choose reason for Executive.*

3. Supporting Documents:

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Bylaws                 | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation           |
| <input type="checkbox"/> Contract Document(s)   | <input type="checkbox"/> Law                     | <input type="checkbox"/> Report                 |
| <input type="checkbox"/> Correspondence         | <input type="checkbox"/> Legal Review            | <input type="checkbox"/> Resolution             |
| <input type="checkbox"/> Draft GTC Notice       | <input checked="" type="checkbox"/> Minutes      | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet       | <input type="checkbox"/> MOU/MOA                 | <input type="checkbox"/> Statement of Effect    |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition                | <input type="checkbox"/> Travel Documents       |
| <input type="checkbox"/> Other: <i>Describe</i> |  |   |

4. Budget Information:

- |  |  |                                     |
|--|--|-------------------------------------|
| <input type="checkbox"/> Budgeted                  | <input type="checkbox"/> Budgeted – Grant Funded | <input type="checkbox"/> Unbudgeted |
| <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Other: <i>Describe</i>  |                                     |

5. Submission:

Authorized Sponsor: Marie Summers, Councilwoman

Primary Requestor: Brooke Doxtator, BCC Supervisor

Additional Requestor: (Name, Title/Entity)

Additional Requestor: (Name, Title/Entity)

Submitted By: BDOXTAT1



## Quality of Life Committee

Regular Meeting  
9:00 a.m. Thursday, July 15, 2021  
Teleconference

### Agenda

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**Present:** Chair Marie Summers, Vice-Chair Daniel Guzman King, Tehassi Hill, Brandon Stevens,

**Not Present:**

**Others Present:** Eric Boulanger, Jacque Boyle, Debra Danforth, Leslie Doxtator, Brooke Doxtator, Renita Hernandez, Kristal Hill, Tina Jorgenson, Mari Kriescher, Kirby Metoxen RC Metoxen, Vanessa Miller, Michelle Myers, Joann Ninham, Justin Nishimoto, Mark W. Powless, Nicole Rommel, Amy Spears, Ravinder Vir

#### I. CALL TO ORDER AND ROLL CALL

*Meeting called to order by Chair Marie Summers at 9:01 a.m.*

#### II. APPROVAL OF THE AGENDA

Motion by Tehassi Hill to approve the agenda with one addition [1) Discuss Quality of Life virtual or in person meetings, seconded by Daniel Guzman King. Motion carried:

Ayes: Daniel Guzman King, Tehassi Hill, Brandon Stevens

#### III. APPROVAL OF MEETING MINUTES

##### A. Approve the June 17, 2021, regular Quality of Life meeting minutes

Sponsor: Brooke Doxtator

Motion by Tehassi Hill to approve the June 17, 2021, regular Quality of Life meeting minutes, seconded by Daniel Guzman King. Motion carried:

Ayes: Daniel Guzman King, Brandon Stevens

Abstained: Tehassi Hill

#### IV. UNFINISHED BUSINESS

#### V. NEW BUSINESS

#### VI. REPORTS

##### A. Accept the Housing Needs report

Sponsor: Jacque Boyle

Motion by Brandon Stevens to accept the Housing Needs report and to schedule a Special BC Work Session within 60 days, seconded by Daniel Guzman King. Motion carried:

Ayes: Daniel Guzman King, Tehassi Hill, Brandon Stevens

**B. Accept the Tribal Action Plan report**

Sponsor: Renita Hernandez

Motion by Daniel Guzman King to accept the Tribal Action Plan report, seconded by Brandon Stevens.

Motion carried:

Ayes: Daniel Guzman King, Tehassi Hill, Brandon Stevens

*Tehassi Hill left at 10:00 a.m.***C. Accept the Oneida Police Department report**

Sponsor: Eric Boulanger

Motion by Daniel Guzman King to accept the Oneida Police Department report, seconded by Brandon Stevens. Motion carried:

Ayes: Daniel Guzman King, Brandon Stevens

Motion by Daniel Guzman King to schedule a Special Work Session in conjunction with the Housing Needs, to have TAP present strategies and statistics on the current state of drug abuse on the Oneida Reservation and for Behavior Health to present the feasibility of a detox center, seconded by Brandon Stevens. Motion carried:

Ayes: Daniel Guzman King, Brandon Stevens

**VII. ADDITIONS****A. Discuss Quality of Life virtual or in person meetings**

Sponsor: Marie Summers

Motion by Daniel Guzman King to continue virtual meetings and develop a process for Oneida Nation community members to attend, seconded by Brandon Stevens. Motion carried:

Ayes: Daniel Guzman King, Brandon Stevens

**VIII. ADJOURN**

Motion by Brandon Stevens to adjourn at 10:40 a.m., seconded by Daniel Guzman King. Motion carried:

Ayes: Daniel Guzman King, Brandon Stevens

Minutes prepared by Brooke Doxtator, Boards, Committees, and Commissions Supervisor  
Minutes approved as presented/corrected on August 19, 2021.

Accept the August 19, 2021, regular Quality of Life Committee meeting minutes

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## Business Committee Agenda Request

1. Meeting Date Requested: 09-22-21

2. General Information:

Session: ☒ Open ☐ Executive – must qualify under §107.4-1.

Justification: *Choose reason for Executive.*

3. Supporting Documents:

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Bylaws                 | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation           |
| <input type="checkbox"/> Contract Document(s)   | <input type="checkbox"/> Law                     | <input type="checkbox"/> Report                 |
| <input type="checkbox"/> Correspondence         | <input type="checkbox"/> Legal Review            | <input type="checkbox"/> Resolution             |
| <input type="checkbox"/> Draft GTC Notice       | <input checked="" type="checkbox"/> Minutes      | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet       | <input type="checkbox"/> MOU/MOA                 | <input type="checkbox"/> Statement of Effect    |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition                | <input type="checkbox"/> Travel Documents       |
| <input type="checkbox"/> Other: <i>Describe</i> |  |   |

4. Budget Information:

- |  |  |                                     |
|--|--|-------------------------------------|
| <input type="checkbox"/> Budgeted                  | <input type="checkbox"/> Budgeted – Grant Funded | <input type="checkbox"/> Unbudgeted |
| <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Other: <i>Describe</i>  |                                     |

5. Submission:

Authorized Sponsor: Marie Summers, Councilwoman

Primary Requestor: Brooke Doxtator, BCC Supervisor

Additional Requestor: (Name, Title/Entity)

Additional Requestor: (Name, Title/Entity)

Submitted By: BDOXTAT1



## Quality of Life Committee

Regular Meeting  
9:00 a.m. Thursday, August 19, 2021  
Teleconference

### Minutes

---

**Present:** Chair Marie Summers, Vice-Chair Daniel Guzman King, Tehassi Hill, Brandon Stevens  
**Others Present:** Jacque Boyle, Craig Clausen, Debra Danforth, Brooke Doxtator, Renita Hernandez, Tina Jorgenson, Mari Kriescher, Kirby Metoxen, Rhiannon Metoxen, Vanessa Miller, Michelle Myers, Joann Ninham, Justin Nishimoto, Nicole Rommel, Rae Skenandore, Amy Spears, Ravinder Vir, Danelle Wilson

*For the record Chair Marie Summers was experiencing technical difficulties so Vice Chair Daniel Guzman King chaired the meeting.*

#### I. CALL TO ORDER AND ROLL CALL

*Meeting called to order by Vice Chair Daniel Guzman King at 9:10 a.m.*

#### II. APPROVAL OF THE AGENDA

Motion by Tehassi Hill to adopt the agenda with one (1) addition [1) under New Business add item entitled accept the Quality of Life FY-2021 3<sup>rd</sup> Quarter report], seconded by Brandon Stevens. Motion carried:

Ayes: Tehassi Hill, Brandon Stevens

#### III. APPROVAL OF MEETING MINUTES

##### A. Approve the July 15, 2021, regular Quality of Life meeting minutes

Sponsor: Brooke Doxtator

Motion by Brandon Stevens to approve the July 15, 2021 Quality of Life Committee meeting minutes, seconded by Tehassi Hill. Motion carried:

Ayes: Tehassi Hill, Brandon Stevens

#### IV. UNFINISHED BUSINESS

#### V. NEW BUSINESS

##### A. Accept the Kunhi-yo Event update (verbal update)

Sponsor: Mari Kriescher

Motion by Tehassi Hill to accept the regarding the Kunhi-yo event update, seconded by Marie Summers. Motion carried:

Ayes: Tehassi Hill, Brandon Stevens, Marie Summers



**B. Accept the Quality of Life FY-2021 3<sup>rd</sup> Quarter Report**

Sponsor: Mari Kriescher

Motion by Tehassi Hill to accept the Quality of Life FY-2021 3<sup>rd</sup> quarter report, seconded by Marie Summers. Motion carried:

Ayes: Tehassi Hill, Brandon Stevens, Marie Summers

**VI. REPORTS****A. Accept the Tribal Needs Assessment for Opioid Awareness report (verbal update)**

Sponsor: Mari Kriescher

Motion by Brandon Stevens to accept the update, Narcan employment, seconded by Marie Summers. Motion carried:

Ayes: Tehassi Hill, Brandon Stevens, Marie Summers

Motion by Tehassi Hill to request Mari Kriescher place this information (death rate, Narcan) in a report for the next Quality of Life meeting, seconded by Marie Summers. Motion carried:

Ayes: Tehassi Hill, Brandon Stevens, Marie Summers

**B. Accept the Cultural Heritage report**

Sponsor: Tina Jorgenson

Motion by Brandon Stevens to accept the Cultural Heritage report, seconded by Marie Summers. Motion carried:

Ayes: Tehassi Hill, Brandon Stevens, Marie Summers

**C. Accept the Recreation Integration report**

Sponsor: Tina Jorgenson

Motion by Marie Summers to accept the Recreation Integration report, seconded by Tehassi Hill. Motion carried:

Ayes: Tehassi Hill, Brandon Stevens, Marie Summers

**D. Accept the Tribal Action Plan report**

Sponsor: Renita Hernandez

Motion by Marie Summers to accept the Tribal Action Plan report, seconded by Brandon Stevens. Motion carried:

Ayes: Tehassi Hill, Brandon Stevens, Marie Summers

**E. Accept the Food Security report**

Sponsor: Nicole Rommel

Motion by Marie Summers to accept the Food Security report, seconded by Tehassi Hill. Motion carried:

Ayes: Tehassi Hill, Brandon Stevens, Marie Summers

**F. Accept the Environmental Issues report**

Sponsor: Nicole Rommel

Motion by Brandon Stevens to accept the Environmental Issues report, seconded by Marie Summers. Motion carried:

Ayes: Tehassi Hill, Brandon Stevens, Marie Summers

**VII. ADDITIONS**

**VIII. ADJOURN**

Motion by Tehassi Hill to adjourn at 10:48 a.m., seconded by Marie Summers. Motion carried:  
Ayes: Tehassi Hill, Brandon Stevens, Marie Summers

Minutes prepared by Brooke Doxtator, Boards, Committees, and Commissions Supervisor  
Minutes approved as presented/corrected on September 16, 2021.

**Oneida Business Committee Agenda Request**

Assess OBC Direct Report attendance for executive session

**1. Meeting Date Requested:** 9 / 22 / 21**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:

Purpose: To determine which direct reports to the OBC are essential to attending BC Executive Session.

Background: On Thursday, Sept. 9th the OBC attending the Expectations Review meeting with Todd VanDen Heuvel agreed it would be best practice to add both Todd and Louise to all future BC Executive Sessions so they are included when important topics are discussed just like the current GM, CFO and Chief Counsel are.

This is a request of Treasurer Danforth, Councilwoman Webster, Councilman Guzman and Councilwoman Summers.

Action: To add specific direct reports to all BC Executive Meetings.

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)

**Oneida Business Committee Agenda Request**

Consider next steps regarding BC resolution #04-08-20-K Appointing Oneida ESC Group LLC as Nation's

**1. Meeting Date Requested:** 09 / 22 / 21

**2. General Information:**

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

Agenda Header:

☐ Accept as Information only

☒ Action - please describe:

Consider next steps RE: BC Resolution #04-08-2020-K

**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:

The legality and the ability to comply with BC resolution 04-08-20-K which appoints Oneida ESC LLC, one of the Nation's corporations, as the Nation's general contractor has been a topic of discussion at various meetings and work sessions over the past few months - for example at the August 17th, BC Work Session. At that time, Secretary Liggins offered to work with Councilman Jordan to put together an item for the BC agenda so that formal action, one way or the other, could be taken so that we had enough information before us to make an informed decision.

The topic was brought up again at the special BC Work Session on August 31st, and the regular BC Work Session on September 14th.

Materials attached include:

- BC resolution 04-08-20-K and its Statement of Effect
- 1/20/20 BC motion regarding 3rd party due diligence for any economic development or financial strategy (included in BC resolution 03-11-20-C)
- BC resolution 03-11-20-C and its Statement of Effect
- The document from RSM offered by the CFO at the 8/31 BC work session
- A memo from the CFO with an fiscal impact and/or opinion on the matter

These materials have been provided to Chief Counsel to formulate a legal opinion; this document will be a handout at the meeting.

Also, please note: per discussions with BC members from last term -- the decision to move to a Corporate General Contractor was partially due to the staffing/organizational changes that were made. With the Community and Economic Development Division (CEDD) being dismantled and positions removed, there would not be adequate staff to both plan projects and manage them since all the Construction Managers were placed in layoff or furlough status. Moving the management to a Corporate General Contractor would allow the remaining staff that were retained and moved under the Division of Public Works to focus on planning and any other health, safety, and welfare needs (building inspectors, plumbing, etc.). This information is available in the Tier IV and TiernV plans for CEDD.

- 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)

# Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

## BC Resolution # 03-11-20-C

### Interpretation of General Tribal Council January 20, 2020 Economic Development and Fiscal Strategy Motion and Setting Implementation Procedures

- WHEREAS,** the Oneida Nation is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section 1, of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** the General Tribal Council, at the January 20, 2020 meeting, discussed the Thornberry Creek at Oneida LPGA Golf Classic closeout report; and
- WHEREAS,** as part of that discussion, members talked about how due diligence is conducted on economic development opportunities; and
- WHEREAS,** the Oneida Business Committee and General Tribal Council have discussed this issue on many occasions, and have expressed a desire to have a greater review of these opportunities; and
- WHEREAS,** as a part of the discussion regarding Oneida Golf Enterprise, an amendment was presented and adopted for which there was little to no discussion; and
- WHEREAS,** the following amendment to the main motion was adopted – “That any economic development or financial strategy be reviewed and vetted by an independent 3rd party for appropriate due diligence; That the strategy include any and all pertinent assumptions; That the strategy be presented to GTC for review and approval; and That the independent 3rd party be present at the GTC meeting to answer any questions”; and
- WHEREAS,** the Oneida Business Committee has determined that implementation of this directive of the General Tribal Council requires standard processes which should be set forth by resolution for consistent application; and

**NOW THEREFORE BE IT RESOLVED,** that the Oneida Business Committee directs that economic development and financial strategies shall be guided and processed as set forth in this resolution and as defined below,

- Economic development means any new business development or expansion, merger, and/or acquisition which results in a new profit revenue source for the Nation.
- Financial strategy means a plan for the development of capital for profit generation.

**BE IT FURTHER RESOLVED,** that the following personnel are defined in this resolution:

- Owner means the direct report to the Oneida Business Committee, for example the General Manager, Gaming General Manager, etc.
- Chief Financial Officer means the individual hired in that position, which responsibilities shall not be delegated.
- Project Manager means the employee assigned to manage a project from the Community and Economic Development Division.

**BE IT FURTHER RESOLVED**, as directed by the General Tribal Council, any activity fitting within either definition above shall follow the procedures set out in this Resolve:

1. After finalization of the economic development or financial strategy, the owner of the economic development or financial strategy shall notify the Treasurer and Tribal Secretary of the intent to identify a team to conduct the third-party review.
2. The team shall consist of the owner, the project manager, and the Chief Financial Officer.
3. The team shall post a request for bids or proposals to conduct a third-party analysis of the economic development or financial strategy, with a requirement to provide a recommendation and to be available to present at a General Tribal Council meeting.
4. The third-party vendor shall conduct and present the review and recommendation.
5. The owner shall provide the economic development or financial strategy, the request for bids or proposals, a list of submitting vendors, the third-party analysis, and any changes made as a result of the third-party analysis to the Treasurer and Tribal Secretary with a request to be placed on a General Tribal Council agenda.

**BE IT FURTHER RESOLVED**, the Community and Economic Development Division Director shall develop standard operating procedures which sets forth more detailed timelines and process to guide the procedures set out in the above Resolve.

**BE IT FINALLY RESOLVED**, the costs associated with the third party analysis shall be considered a part of the project costs, and until such time as this can be properly budgeted, the costs shall be assessed to the Economic Development, Diversification and Community Development Fund, Resolution # 01-23-19-C, *Updating and Clarifying Access to the Economic Development, Diversification and Community Development Fund As Amended*.

#### CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum; 9 members were present at a meeting duly called, noticed and held on the 11<sup>th</sup> day of March, 2020; that the forgoing resolution was duly adopted at such meeting by a vote of 7 members for, 0 members against, and 1 members not voting\*; and that said resolution has not been rescinded or amended in any way.

  
\_\_\_\_\_  
Lisa Summers, Secretary  
Oneida Business Committee

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





**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**

*Interpretation of General Tribal Council January 20, 2020 Economic Development and Fiscal Strategy Motion and Setting Implementation Procedures*

### **Summary**

This resolution further interprets and sets forth implementation procedures for the January 20, 2020, General Tribal Council motion, *“That any economic development or financial strategy be reviewed and vetted by an independent 3rd party for appropriate due diligence; That the strategy include any and all pertinent assumptions; That the strategy be presented to GTC for review and approval; and That the independent 3rd party be present at the GTC meeting to answer any questions.”*

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

*Date: March 4, 2020*

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

On January 20, 2020, during a discussion about the Thornberry Creek at Oneida LPGA Golf Classic closeout report the General Tribal Council adopted an amendment to the main motion which provided *“That any economic development or financial strategy be reviewed and vetted by an independent 3rd party for appropriate due diligence; That the strategy include any and all pertinent assumptions; That the strategy be presented to GTC for review and approval; and That the independent 3rd party be present at the GTC meeting to answer any questions.”*

This resolution provides that the Oneida Business Committee has determined that the implementation of this directive of the General Tribal Council requires standard processes which should be set forth by resolution for consistent application. Then resolution then:

- Defines economic development, financial strategy, owner, Chief Financial Officer, and project manager;
- Sets forth a procedure to be followed for any activity fitting within the definitions of this resolution;
- Requires the Community Economic Development Division Director to develop standard operating procedures with sets forth more detailed timelines and process to guide the procedures set out in this resolution; and
- Provides that the costs associated with the third-party analysis shall be considered a part of the project costs, and until such time as this can be properly budgeted, the costs shall be assessed to the Economic Development, Diversification and Community Development Fund.

Resolution BC-01-23-19-C titled, *“Updating and Clarifying Access to the Economic Development, Diversification and Community Development Fund As Amended”* provides details of the Economic Development, Diversification and Community Development Fund (“the Fund”) regarding:

- The allocation of dividends and revenues;

- The review of requests and recommendations for use of the funds;
- The authorization to use funds;
- The tracking of the balance of the fund and use of the fund;
- How funds shall be allocated once authorized; and
- Development of standard operating procedures.

Resolution BC-01-23-19-C requires that the Community and Economic Development Division Director review every request for use of the Fund, determine if the proposed use is consistent with the Fund, and provide a written recommendation to the Oneida Business Committee regarding whether to authorize funds to be allocated from the Fund to a specific project. The Oneida Business Committee is then responsible for authorizing use of the Fund by resolution clearly identifying the amount of funds authorized and purpose of the funds, which may be identified by a contract number, CIP number, economic development opportunity number or other easily trackable number or designation, and the employee responsible for authorizing expenditures of the authorized amount.

Although this resolution provides that the costs of the third-party analysis shall be assessed to the Economic Development, Diversification and Community Development Fund, the requirements of resolution BC-01-23-19-C would still have to be met for funds to be authorized by the Oneida Business Committee.

### ***Conclusion***

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

# Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

## BC Resolution # 04-08-20-K<sup>1</sup>

### Appointing Oneida ESC Group LLC as Nation's General Contractor for Construction Projects


- WHEREAS,** the Oneida Nation is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section 1, of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** the Oneida Nation is the sole owner of Oneida ESC Group LLC, with the following subsidiaries MS2 (Mission Support Services), OTIE (Oneida Total Integrated Enterprises), SRS (Sustainment & Restoration Services), and OES (Oneida Engineering Solutions); and
- WHEREAS,** Oneida OESC Group LLC has the resources to provide general contracting in construction projects for the Oneida Nation which will support and enhance the Nation's ability to implement Indian Preference and support employment opportunities for Nation members and other Native Americans; and
- WHEREAS,** the Oneida Business Committee, having reviewed the qualifications, quality of services, and ability to meet the demands of the Nation's construction needs, has determined that it should appoint Oneida ESC Group LLC as the Nation's General Contractor; and
- WHEREAS,** this General Contractor appointment will result in consistency in high quality work product, consistency in identifying and making available employment and learning opportunities for Oneida Nation members and Native Americans, and will ease the process of identifying General Contractors and sub-contractors for construction projects thus speeding up the review and approval process regarding Request for Proposals/Bids/Qualifications and negotiating contracts; and

BC Resolution 04-08-20-K  
Appointing Oneida ESC Group LLC as Nation's General Contractor for Construction Projects  
Page 2 of 2

**NOW THEREFORE BE IT RESOLVED**, the Oneida Business Committee appoints Oneida ESC Group LCC as the General Contractor for the Nation.

**CERTIFICATION**

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum; 9 members were present at a meeting duly called, noticed and held on the 8<sup>th</sup> day of April, 2020; that the forgoing resolution was duly adopted at such meeting by a vote of 7 members for, 0 members against, and 0 members not voting\*; and that said resolution has not been rescinded or amended in any way. This is a corrected resolution; the resolution number is corrected as noted in the endnote.

  
\_\_\_\_\_  
Lisa Liggins, Secretary  
Oneida Business Committee

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

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<sup>i</sup> The resolution was adopted on April 8, 2020, was numbered in error as 04-08-19-K.



**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**

*Appointing Oneida ESC Group as Nation's General Contractor for Construction Projects*

### **Summary**

This resolution appoints the Oneida ESC Group as the General Contractor for the Nation.

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

*Date: April 6, 2020*

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

This resolution appoints the Oneida ESC Group as the General Contractor for the Nation. The Oneida Nation is the sole owner of the Oneida ESC Group. The Oneida OESC Group has the resources to provide general contracting in construction projects for the Oneida Nation which will support and enhance the Nation's ability to implement Indian Preference and support employment opportunities for Nation members and other Native Americans.

The Nation has an Indian Preference in Contracting law which serves the purpose of increasing 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. [5 O.C. 502.1-1]. Additionally, the Oneida Personnel Policies and Procedures contains Oneida and Indian Preference in hiring provisions. [Oneida Personnel Policies and Procedures Section III(A)].

The resolution provides that the Oneida Business Committee made the decision to name the Oneida ESC Group as the Nation's General Contractor after having reviewed the qualifications, quality of services, and ability to meet the demands of the Nation's construction needs.

This General Contractor appointment will result in consistency in high quality work product, consistency in identifying and making available employment and learning opportunities for Oneida Nation members and Native Americans, and will ease the process of identifying General Contractors and sub-contractors for construction projects thus speeding up the review and approval process regarding Request for Proposals/Bids/Qualifications and negotiating contracts.

### **Conclusion**

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

**FINANCE ADMINISTRATION OFFICE  
(920) 869-4325**

**TO:** Oneida Business Committee  
**FR:** Larry Barton, Chief Financial Officer  
**DT:** Sept. 9, 2021  
**RE:** Response to Aug. 31, 2021 Memorandum

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Please accept this memorandum as response to the 8-31-21 E-Mail request from Councilman Mr. David Jordan. The request has two (2) elements. First, Resolution #BC-04-08-20-K is identified. Second, a response regarding competitive bid requirements is noted.

The cited Resolution is in conflict, with established Procurement Requirements and best practices. It is recommended to rescind action adopting the Resolution #BC-04-80-20K. Enforceability of the Resolution is contrary to current Policy.

The second request was to provide narrative which identifies policy guidance and reasons requiring minimum, three (3) bid process for procurement. The guidance is as follows:

1. The current Standard Operating Procedure applicable to ARPA expenditures cites minimum (3) bid requirements. (see attached SOP dated 9-7-2016). This SOP was adopted to address persistent irregularities occurring at the Oneida Housing Authority surrounding Sole-Source contracting prior to adoption of the attached SOP. Review of the OHA-HUD Monitoring Report is recommended. (HUD Monitoring Report 6/21/16)
2. Oneida Purchasing Policies & Procedures require a Three (3) bid protocol when soliciting for purchases of supplies, materials, and contractual

services. The sealed bidding method should be used for construction procurement.

3. Awarding a Sole-Source Contract without competitive sealed bid requirements is not in adherence to the Budget Management and Control Act (BMCA).
4. Treasury Compliance Guidance dated June 17<sup>th</sup>, 2021 does not expressly permit Sole Source Contracting where competitive bids are readily available.
5. RSM guidance with the attached narrative provides reference to competitive bidding processes applicable to ARPA-Rescues Funding applicable to Native American Tribal Governments.
6. Departure from competitive bidding for contract award(s) in the use of ARPA-Rescue's funding will result in detrimental Audit findings stated by the CFO during the 8-31-21 Special Business Committee Work Meeting RE: Housing. The identified Audit concerns are re-stated, herein directly cited in Governmental Accounting Standards.
7. The financial impact(s) of sole source contracting in contrast to competitive bid processes requires a formal fiscal analysis. It is strongly recommended that a third-party construction Audit firm perform this analysis.

### **Finance & Purchasing Recommendation**

Follow established procurement policy & rules toward expedient project implementation. Solicit competitive bids for construction design and development of all projects. Rescind Resolution 4-08-20K as it is unenforceable and unclear guidance. Arbitrary award of a material scale contract without adherence to the three (3) bid requirements set a precedent that can add further Fiduciary and Compliance issues in the future should sole source procurement become standard practice.



<b>ONEIDA NATION STANDARD OPERATING PROCEDURE</b>	TITLE: Competitive Bidding Process – Sealed Bids	ORIGINATION DATE: 06.07.2012 REVISION DATE: 09.06.2016 EFFECTIVE DATE: After last signature
AUTHOR: Purchasing Department	APPROVED BY:	DATE:
DEPARTMENT: Purchasing	APPROVED BY: <i>Patrick Stensloff</i> Patrick Stensloff - Director of Purchasing	DATE: 9/7/16
DIVISION: Finance	APPROVED BY: <i>Larry Barton</i> Larry Barton, Chief Financial Officer	DATE: 9/7/16
PAGE NO: 1 of 7		

## 1.0 PURPOSE

- 1.1 To establish a standard process for Business Units and the Purchasing Department employees to follow in regards to Competitive Bidding Process for procurement by sealed bids.
- 1.2 To prevent fraud, collusion, favoritism, kick-backs and improvidence in the contracting, bidding and procurement process.
- 1.3 To insure the Oneida Nation receives the best work, materials, supplies or services at the most reasonable price practicable.
- 1.4 Compliance with these bidding procedures is necessary to fulfill the basic trust to protect Tribal interests and promote the public welfare of the Oneida Nation and execution of due diligence within the procurement process.

## 2.0 DEFINITIONS

- 2.1 Addendum – A written and/or graphic instruction issued by the Tribal Department soliciting bids prior to the execution of the contract which modifies or interprets the Bidding Documents by additions, deletions, clarifications or corrections.
- 2.2 Bid – A complete and properly signed and dated proposal submitted in accordance with the Bidding Requirements, to perform the work or designated portion thereof for the amount or amounts stipulated therein.
- 2.3 Bidder – A person or entity who submits a bid for a contract with the Tribe.
- 2.4 Bidding Documents – Collectively, the Bidding Documents are the proposed Contract Documents, including any other addenda issued prior to receipt of bids.
- 2.5 Bid Requirements – Collectively, the advertisement or Invitation to Bid, Instructions to Bidders, sample forms, the bid form and portions of addenda relating to bidding requirements.
- 2.6 Construction Documents – Drawings and specifications setting forth in detail the requirements for the construction project.
- 2.7 Contract Documents – The contract between the Tribe and Contractor, conditions of the contract (General, Supplementary and other Conditions), drawings, specifications, and addenda issued prior to execution of the contract, other documents listed in the contract and modifications issued and approved after execution of the contract.



- 2.8 Debundling - Dividing total requirements, when economically feasible, into smaller tasks or quantities.
- 2.9 General Conditions – The part of the Contract Documents which sets forth many of the rights, responsibilities and relationships of the parties, particularly those provisions which are common to many construction projects.
- 2.10 Notice To Proceed – Authorized written communication which may be issued by the Tribal Department to Contractor authorizing the Contractor to proceed with the Work and establishing the date of commencement of the Work.
- 2.11 Preference Vendor - An Indian-owned business as defined by the Oneida Indian Preference Law, and certified as Indian Preference Eligible by the Oneida Indian Preference Department.
- 2.12 Project Manager (PM) – The Oneida Tribal staff person assigned to the project.
- 2.13 Responsible Bidder – The supplier whose bid, conforms to all material terms, specifications, and conditions of the invitation for bids, is the lowest price.
- 2.14 Substantial Completion - The stage in the progress of the Work when the Work or designed portion thereof is sufficiently complete in accordance with the Contract Documents so the Oneida Nation can occupy or utilize Work for its intended use.
- 2.15 Supplementary and Other Conditions - A part of the Contract Documents which supplements and may also modify, change, add to or delete from provisions of the General Conditions.
- 2.16 Work - The construction and services required by the Contract Documents, whether completed or partially completed, and including all other labor, materials, equipment and services provided or to be provided by the Contractor to fulfill the Contractor's obligations. The Work may constitute the whole or a part of the Project.
- 2.17 Corrective Action – Where deficiencies exist in the satisfactory completion of a contract, contractor(s) can be directed in writing to cure a contractual deficiency.

### **3.0 WORK STANDARDS / PROCEDURES**

- 3.1 Establishing standard methodology for the Competitive Bidding Process for procurement by sealed bids. As a result the best value for the Oneida Nation will be obtained, Tribal dollars will be maximized and the lowest responsible bidder will be identified and awarded.
- 3.2 The Tribal Department will make awards only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial capacity and technical resources. This listing is not intended to be all inclusive.
- 3.3 The sealed bidding method should be used when:
  - 3.3.1 A complete, adequate, and realistic specification or purchase description is available.
  - 3.3.2 Three or more responsible bidders are willing and able to compete effectively for the work.
  - 3.3.3 The procurement clearly lends itself to a firm fixed price contract.
  - 3.3.4 The selection of the successful bidder can be made principally on the

basis of price.

- 3.4 Sealed bidding is the preferred method for construction procurement.
- 3.5 Threshold amounts for sealed bids starts at \$25,001.

#### Work Standards

- 3.6 The Tribal Department shall prepare, or have prepared, detailed documents, which clearly define the scope of work to be provided. Complete and definitive descriptions insure all bidders are basing their bid on the same scope of work and prevent any one bidder from gaining an unfair advantage. This allows for an accurate determination of which bid is complete and which bid is the lowest responsible bid.
- 3.7 Sealed bids are preferred to protect the integrity of the Competitive Bid Process for construction projects. Business Units shall utilize this Competitive Bid Process for construction projects.
- 3.8 Oneida Nation reserves the right to modify the specification requirements during the Competitive Bid Process. In the case Oneida Nation modifies the specification requirements, all vendors on the bidders list will be provided written notice and given the appropriate time to respond.
- 3.9 The budgeted level for sign off authority shall be followed if the item was budgeted and three bids were obtained. Business Unit must clearly demonstrate they exhausted all efforts, with the assistance of Purchasing if necessary, to secure three bids and receive competitive pricing.
- 3.10 The Purchasing Department, the Engineering Department, or Project Managers will assist in the determination if supply debundling is beneficial and allowable.
  - 3.10.1 As a general rule debundling will not be allowed as a method to circumvent Purchasing Policy or sign-off authority.
- 3.11 All documentation related to the Competitive Bid Process shall be filed and retained in the Purchasing Department.
- 3.12 Effort to establish a non-proprietary specification shall be made by all parties involved in architectural design, project management, engineering, and construction of all projects. In the event a sole source in the consequences of specifications, detailed justification and due diligence must be provided to the Purchasing Department.

#### Procedures

- 3.13 Create the Competitive Bid Proposal – Invitation to Bid
  - 3.13.1 The Purchasing Department, the Engineering Department, or Project Managers will work with the Business Unit to clearly define the specifications / requirements.
    - 3.13.1.1 Description of scope of work. Include drawings and specifications; or complete written description of the project. Identify requirements for: installation, warranty, insurance, Indian Preference Law, vendor licensing, etc.
    - 3.13.1.2 Gather all necessary information on the product or service.
    - 3.13.1.3 Best practice is to identify specifications such as quantity,

- quality, size, color, and delivery date.
- 3.13.1.4 Manufacturer's name, part number, and/or model number may be used in the Competitive Bid Process if this is the specific type of quality requested. The phrase "or equivalent" must be used with a manufacturer's part number if this type of quality is requested.
- 3.13.2 The Purchasing Department, the Engineering Department, or Project Managers will work with the Business Unit to establish bid submittal requirements to include format and number of copies, for example.
- 3.13.3 The Purchasing Department, the Engineering Department, or Project Managers will work with the Business Unit to create a time line and include a schedule of important dates such as Competitive Bid Process deadline, start and end dates.
- 3.13.3.1 Identify schedule, when bids are due, when and where sealed bid opening will occur, when contract will be awarded and when Substantial Completion is to be achieved.
- 3.13.3.2 As a best practice allow adequate time for submission of bids. The Department shall give full opportunity for open and competitive bidding by publishing the invitation for bids at least twice for two (2) consecutive weeks in local newspapers or trade publications. Local newspapers or trade publications may include the Green Bay Press Gazette, Appleton Post Crescent, Kalihwisaks, and the Wisconsin Builders Exchange. The Department shall also extend an invitation to known potential vendors.
- 3.13.4 The Purchasing Department, the Engineering Department, or Project Managers will work with the Business Unit to create a bidder/contractor list which adheres to applicable Tribal Policies and Procedures and is in compliance with Tribal Laws and Regulations.
- 3.13.4.1 Best practice is to identify adequate number of potential vendors to ensure compliance with Tribal Policies and Procedures as well as Federal Regulations in regards to obtaining three bids reflecting reasonable competition.
- 3.13.4.2 The Oneida Nation Indian Preference Law shall be adhered to at all times.
- 3.13.4.3 Vendors selected will be cross referenced at [www.sam.gov](http://www.sam.gov) to ensure that the vendors are not suspended or debarred.
- 3.13.4.4 Request evidence of financial ability, capacity, experience, equipment, references of invited bidders in advance or to be submitted with bid. (Not required if AIA A305 or similar document is on file and less than one year old from date of competitive bid process).
- 3.13.5 The Purchasing Department, the Engineering Department, or Project Managers will work with the Business Unit to develop selection

criteria, evaluation form and the evaluation team to rate all bidders and award the lowest responsible bidder.

3.13.5.1 Among the many criteria, Oneida Indian Preference is a standard to be included at all times as one of the selection criteria.

3.13.5.2 Selection criteria shall be ranked in terms of relative importance and weighting.

3.13.5.3 Do not use general and open-ended categorization in the selection criteria and evaluation form.

3.14 Issue the Competitive Bid Process – Invitation to Bid

3.14.1 Competitive Bid Package should contain specification requirements, timeline of important dates, selection criteria, submittal requirements, Vendor Licensing information and Indian Preference Law.

3.14.1.1 Selection criteria shall be disclosed to all bidders in order of relative importance.

3.14.1.2 Invitation to bid must provide a date, time and location for the public bid opening where applicable.

3.14.2 The Purchasing Department, the Engineering Department, or Project Managers submits the Competitive Bid Package to all vendors identified on the bidders list at the same time.

3.14.2.1 Request adequate number of copies of the competitive bid proposal for each Evaluation Team representative.

3.14.3 The Purchasing Department, the Engineering Department, or Project Managers may request a confirmation response from the bidder and their intentions to bid on the requirements upon receipt of the Competitive Bid Package.

3.14.4 The Purchasing Department, the Engineering Department, or Project Managers will document vendor responses when received.

3.14.4.1 As a best practice retain a copy of the Competitive Bid Package along with the list of bidders and their response.

3.14.5 The Purchasing Department, the Engineering Department, or Project Managers will monitor feedback from bidders and take proactive corrective approach when it becomes apparent that sufficient response will not be received. This may include direct mailing and/or direct contact to potential vendors.

3.14.6 The Purchasing Department, the Engineering Department, or Project Managers shall coordinate a pre-bid conference or site walk through with all invited bidders if appropriate for scope of work. The pre-bid conference or site walk through shall be a reasonable time before bids are due.

3.14.6.1 As a best practice invite representatives from the Purchasing Department, Engineering Department, Business Unit and Indian Preference Department to pre-bid conference.

- 3.14.7 The Tribe reserves the right to modify, alter, change the scope, specification of bid documents where necessary or required by code or discovery of conditions or related due diligence during the process.
  - 3.14.8 The Purchasing Department, the Engineering Department, or Project Managers shall coordinate the issuing of written addendum to all invited bidders when changes or clarifications to the scope of work are necessary. An allowance of time identified in the project schedule shall be allowed to revise bids. Allow sufficient time to revise bids.
- 3.15 Receive the Competitive Bid Process – Invitation to Bid Proposals
- 3.15.1 The Competitive Bid Process proposals must be received on the time and date as stated in the Invitation to Bid in order to be considered.
  - 3.15.2 The Purchasing Department, the Engineering Department, Gaming Project Managers or third party designee will date and time stamp all competitive bid proposals and secure them until the specified sealed bid opening.
  - 3.15.3 The Purchasing Department, the Engineering Department, or Project Managers will review bid response delay circumstances with the Business Unit to determine if the Competitive Bid Package deadline date needs to be changed.
    - 3.15.3.1 A decision on whether or not to change the Competitive Bid Package deadline date must be reached by the Evaluation Team.
    - 3.15.3.2 If a change in the deadline date is decided, it must be noticed and granted to all vendors on the bidder list. This must be communicated in writing to all vendors on the bidder list.
  - 3.15.4 The Tribe reserves the right to reject bids in the event the bidder is not materially active in the completion of the delivery of materials, labor, and related participation of the work scope bid.
  - 3.15.5 The Tribe reserves the right to eliminate or reject a bid where evidence or the preponderance of collusion, bid rigging, or related fraudulent activity has occurred.
  - 3.15.6 If after solicitation of an adequate number of sources (i.e. three or more), competition is determined inadequate (i.e. three comparable bids submittals) and the total value exceeds \$50,000 then follow Standard Operating Procedure for Procurement by Noncompetitive Proposals.
- 3.16 Review and Select Responsible Bidder
- 3.16.1 The Purchasing Department, the Engineering Department, or Project Managers shall facilitate proposal evaluation based upon pre-established selection criteria with the Evaluation Team.
    - 3.16.1.1 The Evaluation Team selects the lowest responsible bidder based, first and foremost, upon the selection criteria rating.

- 3.16.1.2 If dollar value is the only criteria used to evaluate bids and the lowest bidder is not selected, the bid would be considered a sole source. If the value exceeds \$50,000 then follow the Standard Operating Procedure for Procurement by Noncompetitive Proposal.
- 3.17 Notify Responsible Bidder
  - 3.17.1 The Tribal Department will be responsible for preparing a notice of award letter and notifying the successful bidder.
  - 3.17.2 The Purchasing Department, the Engineering Department, or Project Managers will share areas of improvement with non-successful vendors, if requested. These areas of improvement should be based on selection criteria.
  - 3.17.3 The Purchasing Department, the Engineering Department, or Project Managers will advise the successful bidder not to proceed until they receive a purchase order and a signed contract, if applicable.
- 3.18 Process Requisition or Order Form
  - 3.18.1 The following information shall be provided in the form of notes:
    - 3.18.1.1 Budgeted/Unbudgeted status, grant information, justification and bid summarization or detailed sole source justification if noncompetitive/sole source.
      - 3.18.1.1.1 Refer to Purchasing Guidelines and Oneida Nation Guidelines for Sole Source and Single Source Requests for further information.
  - 3.18.2 The following information shall be provided in the form of supporting backup when applicable:
    - 3.18.2.1 Contract / Purchase Approval Request Form
    - 3.18.2.2 Written approval to proceed from Federal Awarding Agency (only if Federal Funds are being used and total value exceeds \$150,000.)
    - 3.18.2.3 Unsigned contract with legal review stating contract is in appropriate legal form.
    - 3.18.2.4 Bid Package to include bidder/contractor list, invitation to bid, and bid comparative analysis with list of evaluation team members.
    - 3.18.2.5 Finance Committee approval to proceed (if noncompetitive/sole source and value exceeds \$50,000).

#### **4.0 REFERENCES**

- 4.1 Code of Ethics
- 4.2 Vendor Licensing
- 4.3 Indian Preference
- 4.4 [www.sam.gov](http://www.sam.gov)
- 4.5 2CFR200 Procurement Standards

- 4.6 Independent Contractor Policy
- 4.7 SOP – Procurement by Noncompetitive Proposals

**5.0 FORMS**

- 5.1 Contract / Purchase Approval Request Form.

**6.0 FLOW CHARTS**

**From:** [Lawrence E. Barton](#)  
**To:** [Cristina S. Danforth](#)  
**Cc:** [Ralinda R. Ninham-Lamberies](#); [Denise J. Vigue](#)  
**Subject:** Fw: ARPA Fiscal Recovery Fund Revenue Loss clarification  
**Date:** Friday, September 10, 2021 8:56:10 AM  
**Attachments:** [image001.png](#)  
[image003.png](#)  
[- Sole Source Justification Form.docx](#)

Tina, the email will be attached to the requested response from Finance forwarded to Councilperson David Jordan, thanks, Larry

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**From:** Topp, Corey <Corey.Topp@rsmus.com>  
**Sent:** Friday, September 10, 2021 8:45 AM  
**To:** Ralinda R. Ninham-Lamberies <rlamberi@oneidanation.org>; Lawrence E. Barton <lbarton@oneidanation.org>  
**Cc:** Whiteside, Bill <Bill.Whiteside@rsmus.com>; Robbins, Chas <Chas.Robbins@rsmus.com>; Miller, Jeff R <Jeff.Miller2@rsmus.com>  
**Subject:** RE: ARPA Fiscal Recovery Fund Revenue Loss clarification

Larry/Ralinda

See our responses to each of your questions below. In addition, attached is the sole sourcing form that we discussed on the call on Wednesday. Let us know if you have any further questions. Thanks.

1. What policy and/or procedure does the Nation need to follow to be in compliance with both grant and financial audit as well as ARPA compliance? What impact, if any does utilizing Revenue Loss have on these requirements?

The Nation should follow its internal P&P to maintain compliance over financial reporting and the acceptance of grant awards (internal P&P developed to meet grant compliance requirements). We are not aware of any additional requirements that ARPA has mandated non-federal entities follow regarding the spending of ARPA grant funds, thus the utilization of ARPA Revenue Loss funding would continue to follow internally developed P&P.

2. What complexities would be presented if the Nation chose to provide sub-awards to our corporate entities or other external entities for specific projects. (I.E. housing or schools for elementary school projects)

The Nation would be passing the grant requirements to those entities as sub-recipients. The Nation will need to ensure that there are grant agreements put in place with those entities to ensure those entities understand the requirements they are required to follow. The Nation would also need to monitor those sub-recipients compliance with the award. In addition, if the Nation chooses to grant sub-award to sub-recipients those sub-recipients would be required to have a single audit if it total federal awards exceed \$750,000 on an annual basis.

3. Discussion to cover if a 3 bid requirement is best practice and what are the impacts, if any, on the audit process and/or results if not followed.

With respect to the expenditure of federal funds, non-federal entities must follow procurement standards set out at 2 CFR sections 200.318 through 200.326. The Nation is required to have and follow documented procurement procedures consistent with tribal laws and the standards of 2CFR 200.318. With respect to sole sourcing, noncompetitive procurement can only be awarded in accordance with 2 CFR section 200.320 (c), Noncompetitive procurement as follows:

1. The acquisition of property or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold.

2. The item is available only from a single source.

3. The public exigency or emergency for the requirement will not permit a delay resulting from publicizing a competitive solicitation.

4. The Federal awarding agency or pass-through entity expressly authorizes a noncompetitive procurement in response to a written request from the non-federal entity.

5. After solicitation of a number of sources, competition is determined inadequate.

The Nation's internal P&P does not allow any deviations in procurement P&P based on source of funding that will be expended. Thus for projects that would be using gaming allocation funds and not ARPA awards, if three bids were not obtained (in accordance with Nation P&P) then it be considered a departure from the Nation's policy and evaluated as an internal control over financial reporting finding under Government Auditing Standards (GAS). If ARPA funds were used and competitive bidding was not followed, the failure to follow the Nation's policy it would result in an internal control over material compliance requirements, and possibly a compliance finding with possible questions costs depending on the size of the project.

4. Does the attached resolution eliminate the need to follow the 3 bid process when projects are awarded directly to Oneida



ESC Group LLC?

Because of the nature of services related to general contracting, the general contracting services would most likely not meet the requirements noted in #3 above regarding sole sourcing and, as such, Nation would be required to follow its internal P&P over procurement for the awarding of contracts to a general contractor.

**Corey Topp**  
Partner

**Our reception area has moved to the 12<sup>th</sup> floor. Please see updated address below.**

**RSM US LLP**

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**From:** Ralinda R. Ninham-Lamberies <[rlamberi@oneidanation.org](mailto:rlamberi@oneidanation.org)>

**Sent:** Friday, September 3, 2021 2:23 PM

**To:** Whiteside, Bill <[Bill.Whiteside@rsmus.com](mailto:Bill.Whiteside@rsmus.com)>; Hirsch, Ryan <[Ryan.Hirsch@rsmus.com](mailto:Ryan.Hirsch@rsmus.com)>; Topp, Corey <[Corey.Topp@rsmus.com](mailto:Corey.Topp@rsmus.com)>; Robbins, Chas <[Chas.Robbins@rsmus.com](mailto:Chas.Robbins@rsmus.com)>

**Cc:** Lawrence E. Barton <[lbarton@oneidanation.org](mailto:lbarton@oneidanation.org)>; Cristina S. Danforth <[cdanfor4@oneidanation.org](mailto:cdanfor4@oneidanation.org)>

**Subject:** EXT: ARPA Fiscal Recovery Fund Revenue Loss clarification

Good afternoon-

I hope all is going well for you with the Nation's audit. I see you had a single audit update meeting. I hope my information sufficiently answered the questions on ARPA Revenue Loss calculation, review and approval. I apologize for not taking into consideration the impact of the restriction these funds can only be utilized for General Government Services. Bill let us know National's opinion on best practice. On that one, I won't do much debating.

Would it be possible to have a conference early next week to discuss some questions we are receiving on the procurement guidelines that need to be followed for these funds. In an earlier call on the revenue loss RSM's guidance indicated we should follow the Nation's standard procurement process. There is a project for multi-family housing unit that will be approximately \$12 Million at completion the Business Committee is considering using sole-source to award to OESC. The Oneida Business Committee adopted the attached BC resolution appointing Oneida ESC Group as the Nation's General Contractor. Finance did provide guidance this resolution was not in compliance with the Nation's requirement for 3 bids and this was a concern for us. The SOP that was created, reviewed, and approved by the BC for ARPA FRF Revenue Loss includes the requirement for all accounting and purchasing policies of the Oneida Nation to be followed.

Our questions on ARPA FRF Revenue Loss include:

1. What policy and/or procedure does the Nation need to follow to be in compliance with both grant and financial audit as well as ARPA compliance? What impact, if any does utilizing Revenue Loss have on these requirements?
2. What complexities would be presented if the Nation chose to provide sub-awards to our corporate entities or other external entities for specific projects. (I.E. housing or schools for elementary school projects)
3. Discussion to cover if a 3 bid requirement is best practice and what are the impacts, if any, on the audit process and/or results if not followed.
4. Does the attached resolution eliminate the need to follow the 3 bid process when projects are awarded directly to Oneida ESC Group LLC?

The Business Committee has established a deadline of eod Thursday, September 9<sup>th</sup> to provide documentation from RSM on this issue.

Have a great holiday weekend.

Thank you

RaLinda

**SOLE SOURCE JUSTIFICATION FORM****Requesting Program/Enterprise:**

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**Supplier:**

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**Product/Service General Description:**

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**Manufacturer (if applicable):**

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**Model (if applicable):**

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**Requisition Number:****Expected Amount/Estimated Value:**

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**1. Which of the following circumstances justify a noncompetitive procurement?**

- |  |   |
|--|---|
| <input type="checkbox"/> Item is available only from a single source   | <input type="checkbox"/> Public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation |
| <input type="checkbox"/> The Federal awarding agency entity expressly authorizes noncompetitive proposals in response to a written request from the non-Federal entity | <input type="checkbox"/> After solicitation of a number of sources, competition is determined inadequate                                  |

**2. Explain why a noncompetitive procurement is necessary. The justification should explain the nature of the public exigency or emergency, including specific conditions and circumstances that clearly illustrate why procurement other than through noncompetitive proposals would cause unacceptable delay in addressing the public exigency or emergency:****3. State how long the noncompetitively procured contract will be used for the defined scope of work and the impact on that scope of work should the noncompetitively procured contract not be available for that amount of time:****4. Describe the specific steps taken to determine that full and open competition could not have been used, or was not used, for the scope of work (e.g., research conducted to determine that there were limited qualified resources available that could meet the contract provisions):****5. Describe any known conflicts of interest and any efforts that were made to identify possible conflicts of interest before the noncompetitive procurement occurred. If no efforts were made, explain why. If a conflict of interest is unavoidable, such as due to exigent/emergency circumstances, explain how it was unavoidable and any steps taken to address the impact of that conflict of interest.****6. Include any other information justifying the use of noncompetitive procurement in the specific instance.**

I am *aware of* and *agree to abide by* the Tribal policies and guidelines governing outside interests, conflict of interest and

conflict of commitment. I confirm that this disclosure abides by the limits specified in these policies and guidelines and does not interfere with my primary obligation to the Tribe. I do not have, nor does any member of my family, any financial interests in the supplier under consideration.

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Requesting Program Director

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Date

---

Printed Name

---

Printed Title

---

Approving DOA Executive Director

---

Date

---

Printed Name

---

Printed Title

**PLEASE ENSURE THE FOLLOWING REQUIREMENTS ARE MET ON EACH CONTRACT AS OUTLINED IN FEDERAL GUIDELINES (IF APPLICABLE):**

- The non-state applicant must complete a cost or price analysis to determine that the cost or price of the contract is fair and reasonable if greater than \$250K; (2 C.F.R. 200.323(a) and (b))
- Contracts must include the Federal bonding requirements if the contract is for construction or facility improvement and greater than \$250K; (2 C.F.R. 200.325)
- Contracts must include the required contract clauses (2 C.F.R. 200.326 & Appendix II)
- Contracts must be awarded to a responsible contractor (2 C.F.R. 200.318(h))
- The use of cost-plus-percentage-of-cost contracting is prohibited (2 C.F.R. 200.323(c))
- Use of time and materials contracts must comply with 2 C.F.R. 200.318(j)

**COMPLETION OF THIS FORM DOES NOT GUARANTEE THE APPROVAL OF THE PROCUREMENT REQUEST.**

**PROCUREMENT SERVICES RESERVES THE RIGHT TO COMPETITIVELY BID, NEGOTIATE PRICING OR TO SOLICIT ADDITIONAL INFORMATION AND REMAINS THE FINAL AUTHORITY ON ALL PROCUREMENT ISSUES.**