



Oneida Business Committee

Regular Meeting
8:30 AM Wednesday, October 27, 2021
BC Conference Room, 2nd floor, Norbert Hill Center

Agenda

Meeting agenda is available here: oneida-nsn.gov/government/business-committee/agendas-packets/. Materials for the "General Tribal Council" section of the agenda, if any, are available to enrolled members of the Oneida Nation; to obtain a copy, visit the BC Support Office, 2nd floor, Norbert Hill Center and present a valid Tribal I.D. or go to <https://goo.gl/uLp2jE>. Scheduled times are subject to change.

NOTICE

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 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 BC 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. OATH OF OFFICE

- A. **Judiciary - Family Court Judge - Rodney Dequaine**
Sponsor: Lisa Liggins, Secretary
- B. **Oneida Golf Enterprise Agent - Justin Nishimoto**
Sponsor: Lisa Liggins, Secretary

V. MINUTES

- A. Approve the October 13, 2021, regular Business Committee meeting minutes**
Sponsor: Lisa Liggins, Secretary
- B. Approve the October 20, 2021, special Business Committee meeting**
Sponsor: Lisa Liggins, Secretary

VI. RESOLUTIONS

- A. Adopt resolution entitled Extension of the Emergency Amendments to the Pardon and Forgiveness Law**
Sponsor: David P. Jordan, Councilman
- B. Adopt resolution entitled Opposing Enbridge's Construction of Pipelines 3 and 5**
Sponsor: Daniel Guzman King, Councilman
- C. Adopt resolution entitled Amending Fiscal Year 2022 budget approval timelines provided in BC resolution # 09-22-21-E Continue to Operate Fiscal Year 2022**
Sponsor: Lisa Liggins, Secretary

VII. APPOINTMENTS

- A. Determine next steps regarding five (5) vacancies - Oneida Nation School Board**
Sponsor: Lisa Liggins, Secretary
- B. Determine next steps regarding one (1) vacancy - Oneida Police Commission**
Sponsor: Lisa Liggins, Secretary
- C. Determine next steps regarding two (2) vacancies - Oneida Trust Enrollment Committee**
Sponsor: Lisa Liggins, Secretary

VIII. STANDING COMMITTEES**A. FINANCE COMMITTEE**

- 1. Accept the October 4, 2021, regular Finance Committee meeting minutes**
Sponsor: Tina Danforth, Treasurer
- 2. Accept the October 21, 2021, regular Finance Committee meeting minutes**
Sponsor: Tina Danforth, Treasurer

B. LEGISLATIVE OPERATING COMMITTEE

1. **Accept the October 6, 2021, Legislative Operating Committee meeting minutes**

Sponsor: David P. Jordan, Councilman

C. QUALITY OF LIFE COMMITTEE

1. **Approve the revised Quality of Life Committee charter**

Sponsor: Marie Summers, Councilwoman

IX. STANDING ITEMS**A. ARPA FRF Updates and Requests/Proposals**

1. **Consider request for an ARPA GWE payment for December 2021**

Sponsor: Michael Debraska, Tribal Member

X. NEW BUSINESS

- A. **Research Request: Gleason et al-Univ. of Minnesota-Addressing Alzheimer's Disease and Related Dementias Disparities: Indigenous Adaptation of the Mild Behavioral Impairment Checklist (IAMBIC) - Review recommendation and determine next steps**

Sponsor: Mark W. Powless, General Manager

- B. **Review the Poker Rules of Play and determine appropriate next steps**

Sponsor: Mark A. Powless, Sr., Chairman/Oneida Gaming Commission

- C. **Post one (1) vacancy - Oneida Nation Arts Board**

Sponsor: Lisa Liggins, Secretary

XI. GENERAL TRIBAL COUNCIL

- A. **Schedule a special Business Committee meeting on November 5, 2021, to determine next steps regarding the November 15, 2021, tentatively scheduled special General Tribal Council meeting**

Sponsor: Lisa Liggins, Secretary

XII. EXECUTIVE SESSION**A. REPORTS**

1. **Accept the Intergovernmental Affairs, Communications, and Self-Governance October 2021 report**
Sponsor: Melinda J. Danforth, Director/Intergovernmental Affairs
2. **Accept the General Manager report**
Sponsor: Mark W. Powless, General Manager
3. **Accept the Chief Counsel report**
Sponsor: Jo Anne House, Chief Counsel

B. NEW BUSINESS

1. **Approve the attorney contract - Legislative Reference Office staff attorney - file # 2021-0743**
Sponsor: Jessica Vandekamp, Employee Relations Representative
2. **Approve the performance expectations - attachment A and 2021-2022 annual projects & targets for DR14.**
Sponsor: Jessica Vandekamp, Employee Relations Representative
3. **Review the job position assessment report and determine next steps**
Sponsor: Jessica Vandekamp, Employee Relations Representative
4. **Review application(s) for five (5) vacancies - Oneida Nation School Board**
Sponsor: Lisa Liggins, Secretary
5. **Review application(s) for one (1) vacancy - Oneida Police Commission**
Sponsor: Lisa Liggins, Secretary
6. **Review application(s) for two (2) vacancies - Oneida Trust Enrollment Committee**
Sponsor: Lisa Liggins, Secretary
7. **Consider a tribal member concern related to 105.7-4**
Sponsor: Lisa Liggins, Secretary

XIII. ADJOURN

Posted on the Oneida Nation's official website, www.oneida-nsn.gov pursuant to the Open Records and Open Meetings law (§ 107.14.)

The meeting packet of the open session materials for this meeting is available by going to the Oneida Nation's official website at: oneida-nsn.gov/government/business-committee/agendas-packets/

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

Judiciary - Family Court Judge - Rodney Dequaine

Business Committee Agenda Request**1. Meeting Date Requested:** 10/27/21**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, SecretaryPrimary Requestor: Brooke DoxtatorAdditional Requestor: (Name, Title/Entity)Additional Requestor: (Name, Title/Entity)Submitted By: BDOXTAT1



Memorandum

TO: Oneida Business Committee

FROM: Brooke Doxtator, BCC Supervisor 

DATE: October 19, 2021

RE: Oath of Office – Judiciary

Background

The Oneida Business Committee appointed Rodney Dequaine as Family Court Judge via e-poll. The e-poll results were entered into the record at the October 13, 2021, regular Business Committee meeting.

Oneida Golf Enterprise Agent - Justin Nishimoto

Business Committee Agenda Request**1. Meeting Date Requested:** 10/27/21**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 checked="" type="checkbox"/> Other: BC took action on 10/13 to appoint Justin Nishimoto as agent for OGE | | |

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

Approve the October 13, 2021, regular Business Committee meeting minutes

Business Committee Agenda Request

1. Meeting Date Requested: 10/27/21

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 |
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| <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**

Regular Meeting
8:30 AM Wednesday, October 13, 2021
BC Conference Room, 2nd floor, Norbert Hill Center

Minutes

REGULAR MEETING

Present: Chairman Tehassi Hill, Secretary Lisa Liggins, Council members: Daniel Guzman King, David P. Jordan, Kirby Metoxen, Marie Summers (via Microsoft Teams¹), Jennifer Webster;

Not Present: n/a

Arrived at: Vice-Chairman Brandon Stevens at 8:34 a.m., Treasurer Tina Danforth at 9:23 a.m. (via Microsoft Teams);

Others present: Jo Anne House, Larry Barton, Mark W. Powless, Kristen Hooker, Chad Wilson, Melinda J. Danforth (via Microsoft Teams), Melanie Burkhart (via Microsoft Teams), Michelle Sawyer (via Microsoft Teams), Bonnie Pigman (via Microsoft Teams), Diane Hill (via Microsoft Teams), Mike Debraska (via Microsoft Teams), Todd VanDen Heuvel (via Microsoft Teams), Justin Nishimoto (via Microsoft Teams), Amy Spears (via Microsoft Teams), Jeanette Ninham (via Microsoft Teams), Rosa Laster (via Microsoft Teams), Lori Hill (via Microsoft Teams), Danelle Wilson (via Microsoft Teams), Candice Skenandore (via Microsoft Teams), Nancy Barton (via Microsoft Teams), Brooke Doxtator (via Microsoft Teams), Jessica Vandekamp (via Microsoft Teams), Lisa Summers (via Microsoft Teams), Marilyn King (via Microsoft Teams), Jesse Padron (via Microsoft Teams), Vanessa Miller (via Microsoft Teams), Rhiannon Metoxen (via Microsoft Teams), Thomas Swiecichowski (via Microsoft Teams), Josh Cottrell (via Microsoft Teams), Rae Skenandore (via Microsoft Teams), William Vervoort (via Microsoft Teams), Kitty Hill (via Microsoft Teams), Mary Grave (via Microsoft Teams), Clorissa Santiago (via Microsoft Teams), Carmen Vanlanen (via Microsoft Teams), Michel Metoxen (via Microsoft Teams), Nicole Rommel (via Microsoft Teams), Kyle Wisneski (via Microsoft Teams), Louise Cornelius (via Microsoft Teams), Chad Fuss (via Microsoft Teams), Fawne Rasmussen (via Microsoft Teams);

I. CALL TO ORDER

Meeting called to order by Chairman Tehassi Hill at 8:32 a.m.

For the record: Treasurer Tina Danforth will be arriving late.

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

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II. OPENING (00:00:14)

Opening provided by Councilman Kirby Metoxen.

Vice-Chairman Brandon Stevens arrived at 8:34 p.m.

A. Special recognition for years of service (00:00:30)

Sponsor: Todd VanDen Heuvel, Executive HR Director

Special recognition for years of service by Chairman Tehassi Hill of the following individuals: 40 years of services - Yvette M. Peguero; 35 years of service - Bridget E. John, Lori S. Hill, Roger A. Yealey; 30 years of service - Lee A. Schuyler, Debra J. Cornelius, Orville J. Cornelius Jr., Reynold T. Danforth, Marsha J. Danforth, Shellyrae L. Stevens, Virginia A. Peltier, Frances M. Nunies, Judith A. Nicholas, Grace J. Delgado, Richard N. Cottrell; 25 years of service - Lisa M. Rauschenbach, Christopher J. Danforth, Louis E. Mehojah, Grace K. Koehler, Amy L. Griesbach, Harvey J. Melchert, Helmuth A. Kosbab, Bobbi J. King, Doreen M. Thorpe.

III. ADOPT THE AGENDA (00:04:53)

Motion by David P. Jordan to adopt the agenda with three (3) changes [1) under the Standing Committees/Legislative Operating Committee section, add item entitled "Consider the repeal of Leasing law Rule No. 5 - Tribal Housing Reacquisition of Individual Fee and Trust Title (THRIFTT)"; 2) under the New Business section, add item entitled "Approve three (3) actions related to the Oneida Golf Enterprise Agent"; and 3) move from the Executive Session/New Business section the item entitled "Approve three (3) actions regarding the Joint Food Distribution Program on Indian Reservations Self-Determination Demonstration Project" to the New Business section], seconded by Brandon Stevens. Motion carried:

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

Not Present: Tina Danforth

IV. OATH OF OFFICE (00:09:15)

Oaths of office administered by Secretary Lisa Liggins. Jeanette Ninham, Michelle Sawyer, Rosa Laster, Diane Hill and Kathleen "Kitty" Hill were present via Microsoft Teams.

A. Anna John Resident Centered Care Community Board - Jeanette Ninham

Sponsor: Lisa Liggins, Secretary

B. Oneida Community Library Board - Michelle Sawyer

Sponsor: Lisa Liggins, Secretary

C. Pardon and Forgiveness Screening Committee - Rosa Laster

Sponsor: Lisa Liggins, Secretary

D. Southeastern Wisconsin Oneida Tribal Services Advisory Board - Diane Hill and Kathleen "Kitty" Hill

Sponsor: Lisa Liggins, Secretary

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V. MINUTES

A. Approve the September 22, 2021, regular Business Committee meeting minutes (00:13:21)

Sponsor: Lisa Liggins, Secretary

Motion by Jennifer Webster to approve the September 22, 2021, regular Business Committee meeting minutes, seconded by Kirby Metoxen. Motion carried:

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

Not Present: Tina Danforth

VI. RESOLUTIONS

A. Adopt resolution entitled Application for the FY 2021 Indian Community Development Block Grant-American Rescue Plan (00:13:56)

Sponsor: Mark W. Powless, General Manager

Motion by Lisa Liggins to adopt resolution 10-13-21-A Application for the FY 2021 Indian Community Development Block Grant-American Rescue Plan, seconded by Jennifer Webster. Motion carried:

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

Not Present: Tina Danforth

B. Enter the e-poll results into the record regarding the adoption of BC resolution # 09-16-21-A Revised Public Peace Law Citation Schedule (00:14:34)

Sponsor: Lisa Liggins, Secretary

Motion by Jennifer Webster to enter the e-poll results into the record regarding the adoption of BC resolution # 09-16-21-A Revised Public Peace Law Citation Schedule, seconded by David P. Jordan. Motion carried:

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

Not Present: Tina Danforth

VII. STANDING COMMITTEES

A. LEGISLATIVE OPERATING COMMITTEE

1. Accept the September 15, 2021, regular Legislative Operating Committee meeting minutes (00:26:54)

Sponsor: David P. Jordan, Councilman

Motion by Marie Summers to accept the September 15, 2021, regular Legislative Operating Committee meeting minutes, seconded by Kirby Metoxen. Motion carried:

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

Not Present: Tina Danforth

DRAFT**2. Approve the repeal of Leasing law Rule No. 5 - Tribal Housing Reacquisition of Individual Fee and Trust Title (THRIFTT) (00:27:36)**

Sponsor: David P. Jordan, Councilman

Councilman Daniel Guzman King left at 9:05 a.m.

Motion by David P. Jordan to repeal the Leasing law Rule No. 5 - Tribal Housing Reacquisition of Individual Fee and Trust Title (THRIFTT), seconded by Jennifer Webster. Motion carried:

Ayes: David P. Jordan, Lisa Liggins, Kirby Metoxen, Brandon Stevens, Marie Summers, Jennifer Webster

Not Present: Tina Danforth, Daniel Guzman King

VIII. STANDING ITEMS**A. ARPA FRF Updates and Requests/Proposals****1. Accept the ARPA FRF post-secondary education project report (00:34:31)**

Sponsor: Mark W. Powless, General Manager

*Councilman Daniel Guzman King returned at 9:10 a.m.**Councilman Kirby Metoxen left at 9:16 a.m.**Councilman Kirby Metoxen returned at 9:19 a.m.**Treasurer Tina Danforth arrived at 9:23 a.m.*

Motion by Lisa Liggins to extend the public comment period for Mary Graves for an additional five (5) minutes, seconded by Daniel Guzman King. Motion carried:

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

*Secretary Lisa Liggins left at 9:42 a.m.**Secretary Lisa Liggins returned at 9:55 a.m.**Councilman Daniel Guzman King left at 10:01 a.m.**Councilman Daniel Guzman King returned at 10:02 a.m.**Vice-Chairman Brandon Stevens left at 10:05 a.m.**Vice-Chairman Brandon Stevens returned at 10:06 a.m.*

Motion by Lisa Liggins to accept the ARPA FRF post-secondary education project report, seconded by Jennifer Webster. Motion carried:

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

DRAFT

2. Accept the ARPA FRF food card distribution project update (01:33:23)

Sponsor: Mark W. Powless, General Manager

Chairman Tehassi Hill left at 10:12 a.m.; Vice-Chairman Brandon Stevens assumed the responsibilities of the Chair.

Chairman Tehassi Hill returned at 10:14 a.m. as resumed the responsibilities of the Chair.

Motion by Jennifer Webster to accept the ARPA FRF food card distribution project update, seconded by Kirby Metoxen. Motion carried:

Ayes: Tina Danforth, David P. Jordan, Lisa Liggins, Kirby Metoxen, Brandon Stevens, Marie Summers, Jennifer Webster

Abstained: Daniel Guzman King

Motion by Lisa Liggins to adopt resolution 10-13-21-B Adoption of the 2021 Pandemic Relief Food Card Distribution Utilizing American Rescue Plan Act of 2021 Federal Relief Funds, seconded by David P. Jordan. Motion carried:

Ayes: Tina Danforth, David P. Jordan, Lisa Liggins, Kirby Metoxen, Brandon Stevens, Marie Summers, Jennifer Webster

Abstained: Daniel Guzman King

IX. UNFINISHED BUSINESS

A. Review Pandemic Pay options and determine next steps (01:54:10)

Sponsor: Todd VanDen Heuvel, Executive HR Director

Councilman Kirby Metoxen left at 10:44 a.m.

Councilman Kirby Metoxen returned at 10:46 a.m.

Motion by Marie Summers to adopt resolution 10-13-21-C Obligation for Pandemic Pay, Utilizing American Rescue Plan Act of 2021 Fiscal Recover Funds Lost Revenue, amended as identified in Option 1 [in lines 43-46, change "\$3,355,376" to "\$2,000,000", insert "Revenue Generation" as the category, and change "September 30, 2022" to "March 31, 2022"], seconded by Brandon Stevens. Motion carried:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Marie Summers, Jennifer Webster

Opposed: Lisa Liggins

Abstained: Tina Danforth, Daniel Guzman King

For the record: Secretary Lisa Liggins stated I am opposing because I believe there is additional changes to lines 48 and 49 of the resolution that are needed.

Motion by Marie Summers to amend resolution 10-12-31-C Obligation for Pandemic Pay, Utilizing American Rescue Plan Act of 2021 Fiscal Recover Funds Lost Revenue in line 48 by changing date from "September 30, 2022" to "March 31, 2022" and in line 49 by adding "Revenue Generation" as the category, seconded by Lisa Liggins. Motion carried:

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

DRAFT**X. TRAVEL REQUESTS****A. Approve the travel request - Treasurer Tina Danforth - Native American Bank Quarterly Meeting & Strategic Planning - Denver, CO - October 18-21, 2021 (02:18:23)**

Sponsor: Tina Danforth, Treasurer

Motion by Lisa Liggins to approve the travel request for Treasurer Tina Danforth to attend the Native American Bank Quarterly Meeting & Strategic Planning in Denver, CO - October 18-21, 2021, seconded by Brandon Stevens. Motion carried:

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

B. Approve the travel request - Councilman Kirby Metoxen - Annual American Indian Tourism Conference - Scottsdale, AZ - October 24-28, 2021 (02:19:16)

Sponsor: Kirby Metoxen, Councilman

Motion by Lisa Liggins to approve the travel request for Councilman Kirby Metoxen to attend the Annual American Indian Tourism Conference in Scottsdale, AZ - October 24-28, 2021, seconded by David P. Jordan. Motion carried:

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

Abstained: Kirby Metoxen

C. Approve the travel request - Vice-Chairman Brandon Stevens - Fall 2021 Board of Regents Meeting - Lawrence, KS - October 26-29, 2021 (02:20:06)

Sponsor: Brandon Stevens, Vice-Chairman

Motion by David P. Jordan to approve the travel request for Vice-Chairman Brandon Stevens to attend the Fall 2021 Board of Regents Meeting in Lawrence, KS - October 26-29, 2021, seconded by Kirby Metoxen. Motion carried:

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

Abstained: Brandon Stevens

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- D. Approve the travel request - Secretary Lisa Liggins - 2021 TribalNet Conference and Tradeshow - Grapevine, TX - November 7-11, 2021 (02:20:49)**
Sponsor: Lisa Liggins, Secretary

Motion by David P. Jordan to approve the travel request for Secretary Lisa Liggins to attend the 2021 TribalNet Conference and Tradeshow in Grapevine, TX - November 7-11, 2021, seconded by Kirby Metoxen. Motion carried:

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

- E. Enter the e-poll results into the record regarding the approved travel request - Councilman Kirby Metoxen - Red Cliff Cultural Days - Miskwaabekong (Red Cliff Reservation) - September 24-26, 2021 (02:24:02)**
Sponsor: Lisa Liggins, Secretary

Motion by Jennifer Webster to enter the e-poll results into the record regarding the approved travel request for Councilman Kirby Metoxen to attend the Red Cliff Cultural Days in Miskwaabekong (Red Cliff Reservation) - September 24-26, 2021, seconded by David P. Jordan. Motion carried:

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

Abstained: Kirby Metoxen

- F. Enter the e-poll results into the record regarding the approved travel request - Chairman Tehassi Hill - Congressional leadership ICWA meetings - Washington DC- September 28-29, 2021 (02:25:34)**
Sponsor: Lisa Liggins, Secretary

Motion by Lisa Liggins to enter the e-poll results into the record regarding the approved travel request for Chairman Tehassi Hill to attend the Congressional leadership ICWA meetings in Washington DC - September 28-29, 2021, seconded by Jennifer Webster. Motion carried:

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

- G. Enter the e-poll results into the record regarding the approved travel request - Vice-Chairman Brandon Stevens - Global Gaming Expo 2021 - Las Vegas, NV - October 5-6, 2021 (02:26:19)**
Sponsor: Lisa Liggins, Secretary

Motion by Jennifer Webster to enter the e-poll results into the record regarding the approved travel request for Vice-Chairman Brandon Stevens to attend the Global Gaming Expo 2021 in Las Vegas, NV - October 5-6, 2021, seconded by Daniel Guzman King. Motion carried:

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

DRAFT

XI. NEW BUSINESS

A. Approve three (3) actions regarding the Oneida Nation Food Sovereignty Strategic Plan (02:27:07)

Sponsor: Daniel Guzman King, Councilman

Vice-Chairman Brandon Stevens and Secretary Lisa Liggins left at 11:10 a.m.

Secretary Lisa Liggins returned at 11:11 a.m.

Motion by Lisa Liggins to extend the public comment period for Nancy Barton for an additional three (3) minutes, 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

Vice-Chairman Brandon Stevens returned at 11:15 a.m.

Councilwoman Marie Summers left at 11:17 a.m.

Councilwoman Marie Summers returned at 11:20 a.m.

Chairman Tehassi Hill left at 11:26 a.m.; Vice-Chairman Brandon Stevens assumed the responsibilities of the Chair.

Chairman Tehassi Hill returned at 11:29 a.m. and resumed the responsibilities of the Chair.

Vice-Chairman Brandon Stevens left at 11:32 a.m.

Councilman David P. Jordan left at 11:45 a.m.

Vice-Chairman Brandon Stevens returned at 11:46 a.m.

Motion by Marie Summers to accept the Oneida Nation Food Sovereignty Strategic Plan and adopt resolution 10-13-21-D Support of Food Sovereignty and Food Sovereignty Policy, as provided in the handout, seconded by Lisa Liggins. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, Lisa Liggins, Kirby Metoxen,
Brandon Stevens, Marie Summers, Jennifer Webster

Not Present: David P. Jordan

Motion by Lisa Liggins to adopt resolution 10-13-21-E Proclamation of the Rights of Nature, with one (1) correction to line 65 [change "our" to "out"], seconded by Marie Summers. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, Lisa Liggins, Kirby Metoxen,
Brandon Stevens, Marie Summers, Jennifer Webster

Not Present: David P. Jordan

DRAFT

Motion by Tina Danforth to provide a presentation to General Tribal Council regarding the strategic planning of Food Sovereignty and the intentions around the actions we took here today, seconded by Marie Summers. Motion carried:

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

Motion by Lisa Liggins to recess at 12:08 p.m. until 1:30 p.m., seconded by Marie Summers. Motion carried:

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

Meeting called to order by Chairman Tehassi Hill at 1:35 p.m.

Roll call for the record:

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

B. Review WisDOT Dual Language Sign Program information and determine next steps (03:36:57)

Sponsor: Marie Summers, Councilwoman

Motion by Lisa Liggins to support the WisDOT Dual Language Sign Program and assign Councilwoman Marie Summers as the Business Committee designee on the project, seconded by Daniel Guzman King. Motion carried:

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

C. Authorize the Chairman to sign the nomination letter for the USDA Equity Commission Advisory Committee (03:53:17)

Sponsor: Melinda J. Danforth, Director/Intergovernmental Affairs

Motion by Jennifer Webster to authorize the Chairman to sign the nomination letter for the USDA Equity Commission Advisory Committee, seconded by Brandon Stevens. Motion carried:

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

D. Approve a limited waiver of sovereign immunity - Mind Garden Inc. terms of service agreement - file # 2021-0476 (03:53:58)

Sponsor: Mark W. Powless, General Manager

Motion by Lisa Liggins to approve a limited waiver of sovereign immunity for the Mind Garden Inc. terms of service agreement - file # 2021-0476, seconded by David P. Jordan. Motion carried:

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

DRAFT

E. Research Request: Skenandore-Univ. of Wisconsin/Green Bay-The Journey of Learning to Be Oneida - Review recommendation and determine next steps (03:54:36)

Sponsor: Jo Anne House, Chief Counsel

Motion by Lisa Liggins to approve the research request from Artley Skenandore Jr. regarding The Journey of Learning to Be Oneida, consistent with resolution # BC-05-08-19-A, Research Requests: Review and Approval to Conduct, and, in accordance with: a. Resolve #2(3), Mr. Skenandore is required to submit the final draft research paper for review; b. Resolve #2(4), Mr. Skenandore is required to submit a copy of the published work and can request to present the research findings to the Oneida Business Committee; and c. Resolve #5, any further use of this research information is subject to authorization by the Oneida Business Committee, seconded by Jennifer Webster. Motion carried:

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

F. Approve the Oneida Business Committee Standard Operating Procedure (SOP) entitled Business Committee Vehicle Usage (03:57:34)

Sponsor: Lisa Liggins, Secretary

Motion by Jennifer Webster to approve the Oneida Business Committee Standard Operating Procedure (SOP) entitled Business Committee Vehicle Usage, seconded by David P. Jordan. Motion carried:

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

G. Approve three (3) actions related to the Oneida Golf Enterprise agent (03:59:39); (04:15:43)

Sponsor: Lisa Liggins, Secretary

Motion by Brandon Stevens to defer this item until after executive session, seconded by Jennifer Webster. Motion carried:

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

Item XI.H. was addressed next.

Motion by Kirby Metoxen to approve the OGE Agent agreement, to appoint Justin Nishimoto as OGE Agent, effective October 27, 2021, and to direct the current OGE Agent, James Petitjean, to submit closeout report to Justin Nishimoto no later than October 27, 2021, seconded by Lisa Liggins. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, Lisa Liggins, Kirby Metoxen, Brandon Stevens, Marie Summers, Jennifer Webster

Not Present: David P. Jordan

Item XIII.A.1. was addressed next.

DRAFT**H. Approve three (3) actions regarding the Joint Food Distribution Program on Indian Reservations Self-Determination Demonstration Project (04:00:28)**

Sponsor: Melinda J. Danforth, Director/Intergovernmental Affairs

Motion by Lisa Liggins to approve the 2018 Joint Food Bill Food Distribution Program on Indian Reservations (FDPIR) Demonstration Project negotiation documents and authorize the Chairman to sign form SF-26 - file # 2021-0723, to approve and authorize the Chairman to sign the MOA between the Menominee Indian Tribe of Wisconsin and Oneida Nation regarding the 2018 Joint Farm Bill FDPIR Demonstration Project - file # 2021-0724, and to approve and authorize the Chairman to sign the sub-award contract between the Menominee Indian Tribe of Wisconsin and Oneida Nation regarding the 2018 Joint Farm Bill FDPIR Demonstration Project - file # 2021-0726, seconded by Jennifer Webster. Motion carried:

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

XII. GENERAL TRIBAL COUNCIL**A. Schedule the 2022 annual General Tribal Council meeting and alternate date (04:10:02)**

Sponsor: Lisa Liggins, Secretary

Motion by Jennifer Webster to schedule the 2022 annual General Tribal Council meeting on the tentative date of January 9, 2022, and identify January 25, 2022, as the alternate date, and to schedule a special Business Committee meeting to approve the meeting materials, seconded by Marie Summers. Motion carried:

Ayes: Tina Danforth, David P. Jordan, Lisa Liggins, Kirby Metoxen, Brandon Stevens, Marie Summers, Jennifer Webster

Abstained: Daniel Guzman King

XIII. EXECUTIVE SESSION (04:14:21)

Motion by David P. Jordan to go into executive session at 2:12 p.m., seconded by Brandon Stevens.

Motion carried:

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

Councilman David P. Jordan left at 4:41 p.m.

Motion by Daniel Guzman King to come out of executive session at 5:10 p.m., seconded by Brandon Stevens. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, Lisa Liggins, Kirby Metoxen, Brandon Stevens, Marie Summers, Jennifer Webster

Not Present: David P. Jordan

Item XI.G. was re-addressed next.

DRAFT**A. REPORTS****1. Accept the Chief Financial Officer October 2021 report (04:17:10)**

Sponsor: Larry Barton, Chief Financial Officer

Motion by Lisa Liggins to accept the Chief Financial Officer October 2021 report, seconded by Jennifer Webster. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, Lisa Liggins, Kirby Metoxen,
Brandon Stevens, Marie Summers, Jennifer Webster

Not Present: David P. Jordan

2. Accept the General Manager report (04:17:37)

Sponsor: Mark W. Powless, General Manager

Motion by Lisa Liggins to accept the General Manager report, seconded by Jennifer Webster. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, Lisa Liggins, Kirby Metoxen,
Brandon Stevens, Marie Summers, Jennifer Webster

Not Present: David P. Jordan

3. Accept the Chief Counsel report (04:18:01)

Sponsor: Jo Anne House, Chief Counsel

Motion by Lisa Liggins to accept the Chief Counsel report and to approve filing a lawsuit against McKinsey and Company, Inc., for its role in promoting the sale of opioids, seconded by Jennifer Webster. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, Lisa Liggins, Kirby Metoxen,
Brandon Stevens, Marie Summers, Jennifer Webster

Not Present: David P. Jordan

B. AUDIT COMMITTEE**1. Accept the July 15, 2021, regular Audit Committee meeting minutes (04:18:24)**

Sponsor: David P. Jordan, Councilman

Motion by Lisa Liggins to accept the July 15, 2021, regular Audit Committee meeting minutes, seconded by Jennifer Webster. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, Lisa Liggins, Kirby Metoxen,
Brandon Stevens, Marie Summers, Jennifer Webster

Not Present: David P. Jordan

DRAFT

2. **Accept the Information Technology compliance audit and lift the confidentiality requirement (04:18:44)**

Sponsor: David P. Jordan, Councilman

Motion by Lisa Liggins to accept the Information Technology compliance audit and lift the confidentiality requirement, seconded by Jennifer Webster. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, Lisa Liggins, Kirby Metoxen,
Brandon Stevens, Marie Summers, Jennifer Webster

Not Present: David P. Jordan

C. **UNFINISHED BUSINESS**

1. **Review draft Purchasing Policies & Procedures Addendum (04:19:10)**

Sponsor: Larry Barton, Chief Financial Officer

Motion by Lisa Liggins to accept the draft Purchasing Policies & Procedures Addendum as information, seconded by Jennifer Webster. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, Lisa Liggins, Kirby Metoxen,
Brandon Stevens, Marie Summers, Jennifer Webster

Not Present: David P. Jordan

D. **NEW BUSINESS**

1. **Accept the October 2021 Sports Wagering implementation update (04:19:31)**

Sponsor: Louise Cornelius, Gaming General Manager

Motion by Lisa Liggins to accept the October 2021 Sports Wagering implementation update, seconded by Brandon Stevens. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, Lisa Liggins, Kirby Metoxen,
Brandon Stevens, Marie Summers, Jennifer Webster

Not Present: David P. Jordan

2. **Accept compensation study update (04:19:51)**

Sponsor: Todd VanDen Heuvel, Executive HR Director

Motion by Lisa Liggins to accept compensation study update as information, seconded by Jennifer Webster. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, Lisa Liggins, Kirby Metoxen,
Brandon Stevens, Marie Summers, Jennifer Webster

Not Present: David P. Jordan

3. **Accept the Human Resources Area Manager closeout report as information (04:20:13)**

Sponsor: Jessica Vandekamp, Employee Relations Representative

Motion by Lisa Liggins to accept the Human Resources Area Manager closeout report as information, seconded by Jennifer Webster. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, Lisa Liggins, Kirby Metoxen,
Brandon Stevens, Marie Summers, Jennifer Webster

Not Present: David P. Jordan

DRAFT**4. Approve a limited waiver of sovereign immunity - Riesterer & Schnell Inc-John Deere Financial Lease Agreement - file # 2021-0687 (04:20:32)**

Sponsor: Mark W. Powless, General Manager

Motion by Lisa Liggins to approve a limited waiver of sovereign immunity for the Riesterer & Schnell Inc-John Deere Financial Lease agreement - file # 2021-0687, seconded by Jennifer Webster. Motion carried:

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

5. Consider a negotiation for DR18 employment contract - file # 2021-0241 (04:20:59)

Sponsor: Jessica Vandekamp, Employee Relations Representative

Motion by Lisa Liggins to approve amendment #2 to DR18 employment contract - file # 2021-0241, seconded by Marie Summers. Motion carried:

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

6. Approve the addendum A for DR09 employment contract - file # 2021-0563 (04:21:30)

Sponsor: Jessica Vandekamp, Employee Relations Representative

Motion by Lisa Liggins to approve the addendum A for DR09 employment contract - file # 2021-0563, seconded by Jennifer Webster. Motion carried:

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

7. Complaint # 2021-DR14-02 - Review and determine next steps (04:21:53)

Sponsor: Jessica Vandekamp, Employee Relations Representative

Motion by Lisa Liggins to determine that complaint # 2021-DR14-02 does not have merit and to accept it as community concern # 2021-CC-05 and forward to the General Manager, seconded by Marie Summers. Motion carried:

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

8. Enter the e-poll results into the record regarding the approved attorney contract - Husch Blackwell LLP - file # 2021-0713 (04:22:36)

Sponsor: Lisa Liggins, Secretary

Motion by Lisa Liggins to enter the e-poll results into the record regarding the approved attorney contract - Husch Blackwell LLP - file # 2021-0713, seconded by Jennifer Webster. Motion carried:

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

DRAFT**9. Enter the e-poll results into the record regarding the appointment of Rodney Dequaine as Family Court Judge (04:23:03)**

Sponsor: Lisa Liggins, Secretary

Motion by Lisa Liggins to enter the e-poll results into the record regarding the appointment of Rodney Dequaine as Family Court Judge, seconded by Marie Summers. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, Lisa Liggins, Kirby Metoxen,
Brandon Stevens, Marie Summers, Jennifer Webster

Not Present: David P. Jordan

XIV. ADJOURN (04:23:25)

Motion by Brandon Stevens to adjourn at 5:18 p.m., seconded by Marie Summers. Motion carried:

Ayes: Tina Danforth, Daniel Guzman King, Lisa Liggins, Kirby Metoxen,
Brandon Stevens, Marie Summers, Jennifer Webster

Not Present: David P. Jordan

Minutes prepared by Chad Wilson, Senior Information Management Specialist.
Minutes approved as presented on _____.

Lisa Liggins, Secretary
ONEIDA BUSINESS COMMITTEE

Approve the October 20, 2021, special Business Committee meeting

Business Committee Agenda Request

1. Meeting Date Requested: 10/27/21

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**

Special Meeting
1:30 PM Wednesday, October 20, 2021
BC Conference Room, 2nd floor, Norbert Hill Center

Minutes**SPECIAL MEETING**

Present: Chairman Tehassi Hill, Vice-Chairman Brandon Stevens, Secretary Lisa Liggins, Council members: Daniel Guzman King, David P. Jordan, Marie Summers (via Microsoft Teams¹), Jennifer Webster;

Not Present: Treasurer Tina Danforth;

Arrived at: Councilman Kirby Metoxen at 1:35 p.m. (via Microsoft Teams);

Others present: Jo Anne House, Larry Barton, Mark W. Powless (via Microsoft Teams), Lisa Summers (via Microsoft Teams), Debbie Melchert (via Microsoft Teams), Rae Skenandore (via Microsoft Teams), Amy Spears (via Microsoft Teams), Kristal Hill (via Microsoft Teams), Danelle Wilson (via Microsoft Teams);

I. CALL TO ORDER

Meeting called to order by Chairman Tehassi Hill at 1:31 p.m.

For the record: Treasurer Tina Danforth is out on approved travel attending the Native American Bank Quarterly Meeting & Strategic Planning in Denver, CO - October 18-21, 2021. Councilman Kirby Metoxen will be arriving late.

II. OPENING (00:00:11)

Opening provided by Councilman Daniel Guzman King.

III. ADOPT THE AGENDA (00:01:13)

Motion by Lisa Liggins to adopt the agenda as presented, seconded by Brandon Stevens. Motion carried:

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

Not Present: Tina Danforth, Kirby Metoxen

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

DRAFT**V. GENERAL TRIBAL COUNCIL****A. Determine next steps regarding the November 1, 2021, tentatively scheduled special General Tribal Council meeting (FY-22 Budget) (00:01:51)**

Sponsor: Lisa Liggins, Secretary

Councilman Kirby Metoxen arrived at 1:35 p.m.

Motion by David P. Jordan to cancel the November 1, 2021, tentatively scheduled special General Tribal Council meeting (FY-22 Budget), seconded by Daniel Guzman King. Motion carried:

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

Motion by Jennifer Webster to direct the Secretary to work with the Treasurer to bring back revisions to resolution BC-09-22-21-E *Continue to Operate Fiscal Year 2022* to expedite the dates in the final resolve, seconded by Daniel Guzman King. Motion carried:

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

VI. ADJOURN (00:43:26)

Motion by Lisa Liggins to adjourn at 2:14 p.m., seconded by Daniel Guzman King. Motion carried:

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

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

Lisa Liggins, Secretary
ONEIDA BUSINESS COMMITTEE

Oneida Business Committee Agenda Request

Adopt resolution entitled Extension of the Emergency Amendments to the Pardon and Forgiveness Law

1. Meeting Date Requested: 10 / 27 / 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



TO: Oneida Business Committee
FROM: David P. Jordan, LOC Chairperson
DATE: October 20, 2021
RE: Extension of the Pardon and Forgiveness Law Emergency Amendments

Please find the following attached backup documentation for your consideration of the extension of the Pardon and Forgiveness Law Emergency Amendments:

1. Resolution: Extension of the Emergency Amendments to the Pardon and Forgiveness Law
2. Statement of Effect: Extension of the Emergency Amendments to the Pardon and Forgiveness Law
3. Pardon and Forgiveness Law

Overview

Emergency amendments to the Nation's Pardon and Forgiveness law ("Law") were adopted by the Oneida Business Committee ("OBC") through resolution BC-04-28-21-A to address the impact that the COVID-19 pandemic was having on the ability of the Pardon and Forgiveness Screening Committee ("PFSC") to process, as well as conduct hearings, on applications for a pardon or forgiveness in a fair and efficient manner as is required under the Law. Previously, the Law only allowed for hearings on applications for a pardon or forgiveness to be conducted in-person, at a location to be determined by the PFSC. The emergency amendments added an option for the PFSC to conduct hearings virtually when deemed necessary. [1 O.C. 126.8-1(a)].

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

On March 12, 2020, Chairman Tehassi Hill signed a "Declaration of Public Health State of Emergency" in response to the COVID-19 pandemic, which declared a Public Health State of Emergency until April 12, 2020 and set into place the necessary authority should action need to be taken, as well as allowed the Nation to seek reimbursement of emergency management actions that may result in unexpected expenses as a result thereof. [3 O.C. 302.8-1]. The Public Health State of Emergency has since been extended by the OBC until November 25, 2021, through its adoption of 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, BC-05-12-21-A, BC-06-23-21-B, BC-07-28-21-N and BC-09-22-21-A. [3 O.C. 302.8-2].

The emergency amendments to the Law were necessary for the preservation of the general welfare of the Reservation population. By allowing the PFSC to hold hearings on applications for a pardon or forgiveness virtually, instead of just in-person as was previously the only option, it eliminates any unnecessary contact between individuals who could spread the COVID-19 virus, while still affording individuals the fair and efficient process guaranteed under the Law to seek a pardon or forgiveness from the Nation.

Additionally, observance of the requirements under the LPA for the adoption of the emergency amendments was contrary to the public interest. The PFSC was placed back into active status through adoption of resolution BC-11-24-20-C. While inactive, however, the PFSC received three (3) applications for a pardon or forgiveness that had yet to be processed or set for hearing. Since, at the time, the Nation's Public Health State of Emergency was not set to expire until May 12, 2021, and with applications for a pardon or forgiveness already pending, as well as more submissions likely, the process and requirements of the LPA could not be completed in time to ensure applicants received the fair and efficient avenue required under the Law to seek a pardon or forgiveness without unnecessarily exposing them, and possibly the public, to the risks associated with the COVID-19 virus.

The emergency amendments to the Law will expire on October 28, 2021. The LPA allows the OBC to extend emergency amendments for a six (6) month time period. [1 O.C. 109.9-5(b)]. A six (6) month extension of the emergency amendments to the Law is being requested because the Nation is still experiencing the effects of the COVID-19 pandemic.

In addition to the Nation continuing to be under a Public Health State of Emergency until at least November 25, 2021, on August 3, 2021, the OBC adopted resolution BC-08-03-21-A titled, *Setting Public Gathering Guidelines During Public Health State of Emergency – COVID-19*, to prohibit indoor and outdoor public gatherings when the COVID-19 infections rates in Brown or Outagamie Counties exceed "Low" as identified by the Wisconsin Department of Health Services. According to the Wisconsin Department of Health Services, as of date, the infection rates within Brown and Outagamie Counties exceed the threshold of "Low" thereby prohibiting any indoor and outdoor public gatherings within the Reservation, and thus, would preclude hearings on applications for a pardon or forgiveness absent the emergency amendments that allow for hearings to be conducted virtually, as well as in-person.

The extension of the emergency amendments to the Law will become effective on October 28, 2021, when the emergency amendments as adopted by resolution BC-04-28-21-A expire and will remain in effect for an additional six (6) month term which will end on April 28, 2022. A fiscal impact statement and public meeting are not required for emergency legislation. [1 O.C. 109.9-5(a)].

Requested Action

Adopt the Resolution: Extension of the Emergency Amendments to the Pardon and Forgiveness Law.

Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Resolution

Extension of the Emergency Amendments to the Pardon and Forgiveness Law

- 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 **WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
5
- 6 **WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section 1,
7 of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
8
- 9 **WHEREAS,** the Pardon and Forgiveness law ("Law") was adopted by the Oneida Business Committee
10 through resolution BC-05-25-11-A, amended by resolution BC-01-22-14-B, and most
11 recently amended on an emergency basis by resolution BC-04-28-21-A; and
12
- 13 **WHEREAS,** the purpose of the Law is to provide a fair, efficient and formal process by which: (1) a
14 member of the Nation may receive a pardon for the conviction of a crime; (2) a member of
15 the Nation may receive forgiveness for acts that render him or her ineligible for housing or
16 other benefits through the Nation; and (3) a member or non-member of the Nation may
17 receive forgiveness for acts that render him or her ineligible to be employed with the Nation,
18 receive a Nation-issued occupational license, certification or permit, and/or obtain housing
19 or other benefits through the Nation; and
20
- 21 **WHEREAS,** section 126.4-1 of the Law establishes a Pardon and Forgiveness Screening Committee
22 ("PFSC") to carry out various responsibilities that include, but are not limited to: processing
23 applications for a pardon or forgiveness; conducting, as well as presiding over, hearings
24 on the applications; and providing formal, written recommendations to the Oneida Business
25 Committee on whether to approve or deny requests for a pardon or forgiveness; and
26
- 27 **WHEREAS,** on March 12, 2020, Chairman Tehassi Hill signed a "*Declaration of Public Health State of*
28 *Emergency*" in response to the COVID-19 outbreak, which declared a Public Health State
29 of Emergency for the Nation until April 12, 2020 and set into place the necessary authority
30 for the Nation to take action, as well as seek reimbursement of emergency management
31 actions that may result in unexpected expenses; and
32
- 33 **WHEREAS,** the Nation's Public Health State of Emergency has since been extended by the Oneida
34 Business Committee until November 25, 2021, through its adoption of resolutions: BC-03-
35 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-
36 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-
37 03-10-21-D, BC-05-12-21-A, BC-06-23-21-B, BC-07-28-21-N, and BC-09-22-21-A; and
38
- 39 **WHEREAS,** the Legislative Procedures Act authorizes the Oneida Business Committee to enact
40 legislation on an emergency basis when legislation is necessary for the immediate
41 preservation of the public health, safety, or general welfare of the Reservation population,
42 and the amendment of the legislation is required sooner than would be possible under the
43 Legislative Procedures Act; and
44

- 45 **WHEREAS,** the Oneida Business Committee adopted emergency amendments to the Law through
46 resolution BC-04-28-21-A; and
47
- 48 **WHEREAS,** the emergency amendments to the Law added an option, along with a process, to allow for
49 the PFSC to conduct hearings on applications for a pardon or forgiveness virtually, instead
50 of just in-person as was previously the only option available under the Law; and
51
- 52 **WHEREAS,** the Oneida Business Committee determined that emergency adoption of the amendments
53 was necessary for the preservation of the public health, safety, and general welfare of the
54 Reservation population because it protected the Reservation population from the public
55 health crisis that is COVID-19, by providing a virtual option that eliminates unnecessary
56 contact between individuals who may have been exposed to or could spread the virus,
57 while still affording individuals a fair and efficient process to seek a pardon or forgiveness,
58 which could assist them in becoming a more productive member of society; and
59
- 60 **WHEREAS,** the Oneida Business Committee further determined that observance of the requirements
61 under the Legislative Procedures Act for adoption of the emergency amendments was
62 contrary to the public interest since the Public Health State of Emergency had yet to expire
63 such that, with applications already pending and more submissions likely, the process and
64 requirements of the Legislative Procedures Act could not be completed in time to ensure
65 applicants received the fair and efficient procedure required under the Law for seeking a
66 pardon or forgiveness without unnecessarily exposing them, as well as the public, to the
67 risks associated with the COVID-19 virus; and
68
- 69 **WHEREAS,** the emergency amendments to the Law will expire on October 28, 2021, unless extended
70 for an additional six (6) month period by the Oneida Business Committee in accordance
71 with the Legislative Procedures Act; and
72
- 73 **WHEREAS,** a six (6) month extension of the emergency amendments to the Law is being requested
74 because the Nation is still experiencing the effects of the COVID-19 pandemic; and
75
- 76 **WHEREAS,** in addition to the Nation extending the Public Health State of Emergency until at least
77 November 25, 2021, the Nation recently adopted resolution BC-08-03-21-A titled, *Setting*
78 *Public Gathering Guidelines During Public Health State of Emergency – COVID-19*, which
79 prohibits indoor and outdoor public gatherings when the COVID-19 infection rates in Brown
80 or Outagamie Counties exceed “Low” as identified by the Wisconsin Department of Health
81 Services; and
82
- 83 **WHEREAS,** according to the Wisconsin Department of Health Services, as of date, the infection rates
84 within Brown and Outagamie Counties exceed the threshold of “Low”, thereby prohibiting
85 any indoor and outdoor public gatherings within the Reservation, and thus, precluding
86 hearings on applications for a pardon or forgiveness for an unreasonable amount of time
87 absent the emergency amendments that allow for such hearings to be conducted virtually,
88 as well as in-person; and
89
- 90 **WHEREAS,** the extension of the emergency amendments to the Law will become effective on October
91 28, 2021, when the emergency amendments as adopted by resolution BC-04-28-21-A
92 expire, and will remain in effect for an additional six (6) month term which will end on April
93 28, 2022; and
94
- 95 **WHEREAS,** the Legislative Procedures Act does not require a public meeting or fiscal impact statement
96 when considering emergency legislation; and
97

98 **NOW THEREFORE BE IT RESOLVED**, that the emergency amendments to the Pardon and Forgiveness
99 law are hereby extended for an additional six (6) months, effective October 28, 2021, and shall expire April
100 28, 2022.



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



Statement of Effect

Extension of the Emergency Amendments to the Pardon and Forgiveness Law

Summary

This resolution extends the emergency amendments to the Pardon and Forgiveness law, as adopted through resolution BC-04-28-21-A, for an additional six (6) months in accordance with the Legislative Procedures Act.

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

Date: October 20, 2021

Analysis by the Legislative Reference Office

This resolution extends the emergency amendments to the Pardon and Forgiveness law (“Law”) for an additional six (6) month term. The purpose of the Law is to provide a fair, efficient and formal process by which: (1) a member of the Nation may receive a pardon for the conviction of a crime; (2) a member of the Nation may receive forgiveness for acts that render him or her ineligible for housing or other benefits through the Nation; (3) a member or non-member of the Nation may receive forgiveness for acts that render him or her ineligible to be employed with the Nation, receive a Nation-issued occupational license, certification or permit, and/or obtain housing or other benefits through the Nation. [1 O.C. 126.1-1].

Section 126.4-1 of the Law establishes a Pardon and Forgiveness Screening Committee (“PFSC”) to carry out various responsibilities, including, but not limited to: processing applications for a pardon or forgiveness; conducting, as well as presiding over, hearings on the applications; and providing formal, written recommendations to the Oneida Business Committee on whether to approve or deny requests for a pardon or forgiveness. [1 O.C. 126.4-1].

Emergency amendments to the Law were adopted by the Oneida Business Committee on April 28, 2021, to add an option, along with a process, that allows for the PFSC to conduct hearings on applications for a pardon or forgiveness virtually, instead of just in-person as was previously the only option available under the Law. [1 O.C. 126.8-1(a)].

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

In early 2020, the world began experiencing the effects of the COVID-19 pandemic. In response to the pandemic, on March 12, 2020, Chairman Tehassi Hill signed a “*Declaration of Public Health State of Emergency*,” per the Emergency Management law, to set into place the necessary authority for the Nation to take action, if necessary, and to seek reimbursement of emergency management actions that may result in unexpected expenses. [3 O.C. 302.8-1]. The Nation’s

Public Health State of Emergency has since been extended by the Oneida Business Committee until November 25, 2021, through its adoption of 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, BC-05-12-21-A, BC-06-23-21-B, BC-07-28-21-N, and BC-09-22-21-A. [3 O.C. 302.8-2].

The Oneida Business Committee determined that the emergency amendments to the Law were necessary for the preservation of the public health, safety, and general welfare of the Reservation population. The emergency amendments were needed to protect the Reservation population against the public health crisis that is the COVID-19 pandemic. By allowing the PFSC to conduct hearings on applications for a pardon or forgiveness virtually, instead of in-person, eliminates unnecessary contact between individuals who may have been exposed to the COVID-19 virus, while still affording individuals a fair and efficient process to seek a pardon or forgiveness.

The Oneida Business Committee further determined that observance of the requirements under the LPA for adoption of the emergency amendments was contrary to the public interest since the Public Health State of Emergency had yet to expire such that, with applications pending, as well as more submissions likely, the process and requirements of the LPA could not be completed in time to ensure applicants received the fair and efficient procedure required under the Law for seeking a pardon or forgiveness without unnecessarily exposing them, and possibly the public, to the risks associated with the COVID-19 virus.

The emergency amendments to the Law became effective immediately upon adoption by the Oneida Business Committee and are set to expire on October 28, 2021. The LPA authorizes the Oneida Business Committee to extend the adoption of emergency amendments for an additional six (6) month period. [1 O.C. 109.9-5(b)].

An extension of the emergency amendments to the Law is being requested because the Nation is still experiencing the effects of the COVID-19 pandemic. Through this resolution, the extension of the emergency amendments to the Law will become effective on October 28, 2021, when the emergency amendments as adopted by resolution BC-04-28-21-A expire and will remain in effect for an additional six (6) month term, which will end on April 28, 2022. The LPA does not require a public meeting or fiscal impact statement when considering emergency legislation.

Conclusion

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

Consideration of the Extension of Emergency Amendments by the Oneida Business Committee
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Title 1. Government and Finances - Chapter 126

PARDON AND FORGIVENESS

Tsi'náhte Ahutatwani'yóne Olihwá'ke

of what they will be free of matter

126.1. Purpose and Policy

126.2. Adoption, Amendment, Conflicts

126.3. Definitions

126.4. Pardon and Forgiveness Screening Committee

Responsibilities

126.5. Tribal Secretary's Office Responsibilities

126.6. Pardon and Forgiveness Eligibility and Application

126.7. Fees

126.8. Hearings

126.9. Conditions and Restrictions

126.10. Oneida Business Committee

126.1. Purpose and Policy

126.1-1. Purpose.

(a) The purpose of this Law is to provide a fair, efficient and formal process by which:

(1) a Tribal member may receive a pardon for the conviction of a crime(s); or

(2) a Tribal member may receive forgiveness for acts that render him or her ineligible for housing with the Tribe or other Tribal benefits.

(3) a Tribal member or non-Tribal member may receive forgiveness for acts that render him or her ineligible for Tribal employment; an occupational license, certification or permit issued by the Tribe; housing through the Tribe; or other Tribal benefit.

(b) This Law defines the duties and responsibilities of the Oneida Pardon and Forgiveness Screening Committee, Oneida Business Committee, Oneida Tribal Secretary's Office, and other persons involved in the granting or denial of pardons and forgiveness.

126.1-2. Policy. It is the policy of the Oneida Tribe of Indians of Wisconsin to grant pardons or forgiveness to individuals upon demonstration of full rehabilitation, trustworthiness and/or commitment to lawful behavior. Nothing contained herein shall be construed as permitting the employment of individuals who are otherwise disqualified for employment from certain occupations under Tribal, State or Federal Law. Receipt of a pardon or forgiveness does not affect obligations imposed as part of a sentence or conviction in another jurisdiction.

126.2. Adoption, Amendment, Conflicts

126.2-1. This Law was adopted by the Oneida Business Committee by resolution BC-05-25-11-A, amended by resolution BC-01-22-14-B, and emergency amended by resolution BC-__-__-__.

126.2-2. This Law may be amended pursuant to the procedures set out in Tribal law by the Oneida Business Committee or the Oneida General Tribal Council.

126.2-3. Should a provision of this Law or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this Law which are considered to have legal force without the invalid portions.

126.2-4. In the event of a conflict between a provision of this Law and a provision of another law, ordinance, policy, regulation, rule, resolution, or motion, the provisions of this Law shall control. Provided that, this Law repeals Resolution BC-7-31-02-A: Resolution Adopting a New Oneida Pardon Ordinance.

126.2-5. This Law is adopted under authority of the Constitution of the Oneida Tribe of Indians of Wisconsin.

126.3. Definitions

Consideration of the Extension of Emergency Amendments by the Oneida Business Committee
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126.3-1. This section shall govern the definitions of words and phrases used within this Law. All words not defined herein shall be used in their ordinary and everyday sense.

(a) "Applicant" shall mean an individual who is applying for a pardon or forgiveness from the Tribe.

(b) "Certified mail" shall mean mail sent through either the United States Postal Service or the Tribal Inter-Office Certified system that provides proof of delivery and receipt.

(c) "Committee" shall mean the Pardon and Forgiveness Screening Committee.

(d) "Conditions" shall mean a requirement or prerequisite event or activity.

(e) "Conflict of interest" shall mean a conflict between the private interests and the official responsibilities of the committee member.

(f) "Conviction" shall mean an individual was either found guilty or entered a plea of guilty or no contest to charges of a crime in any court of competent jurisdiction.

(g) "Court of competent jurisdiction" shall mean any court or forum that has the power and authority to properly exercise jurisdiction over a dispute or interpret and/or enforce laws.

(h) "Crime" shall mean any act, default, or conduct punishable as a felony or a misdemeanor.

(i) "Forgiveness" shall mean the formal and public act of acknowledging or excusing an individual's actions or behavior that makes him or her ineligible for Tribal employment, an occupational license, certification or permit issued by the Tribe, housing through the Tribe or other Tribal benefit

(j) "Hearing" shall mean a publicly noticed hearing, conducted either in-person or virtually, in which an applicant is afforded an opportunity to present a case for obtaining a pardon or forgiveness from the Nation.

(k) "Individual" shall mean a Tribal member seeking a pardon for a conviction of a crime, a Tribal member seeking forgiveness for an act(s) that makes him or her ineligible for housing with the Tribe or other Tribal benefit(s) or anyone seeking forgiveness for an act(s) that renders him or her ineligible for employment, an occupational license, certification or permit issued by the Tribe.

(l) "Family member" shall mean a spouse, child sibling, parent, grandparent, grandchild, step-parent, step-child, in-law or legal guardian.

(m) "Pardon" shall mean the formal and public act of acknowledging or excusing a Tribal member's criminal conviction that makes him or her ineligible for Tribal employment, an occupational license, a certification or permit issued by the Tribe, housing through the Tribe, or other Tribal benefit.

(n) "Prominent locations" shall include, but not be limited to, the following: the Tribal newspaper; at least one (1) local newspaper with regular distribution within the Reservation boundaries; one (1) regional Indian newspaper; and the Tribe's official website.

(o) "Restriction" shall mean a limitation or constraint imposed.

(p) "Tribal", "Tribe" and/or "Nation" shall mean the Oneida Nation.

(q) "Victim" shall mean a person or entity against whom an offense, either civil or criminal, has been committed.

126.4. Pardon and Forgiveness Screening Committee Responsibilities

126.4-1. A Committee is hereby created for the purpose of carrying out the provisions of this Law.

126.4-2. *Authority.* The Committee shall:

(a) promulgate internal standard operating procedures necessary to govern its proceedings;

Consideration of the Extension of Emergency Amendments by the Oneida Business Committee
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- (b) review and process applications for a pardon or forgiveness in an orderly and expeditious manner;
- (c) review an applicant's background investigation report received from the Oneida Human Resources Department;
- (d) conduct and preside over hearings;
- (e) provide formal, written recommendations to the Oneida Business Committee to approve or deny a pardon or forgiveness application; and
- (f) take other actions reasonably related to the purpose of the Committee.

126.5. Tribal Secretary's Office Responsibilities

126.5-1. The Tribal Secretary's Office shall assist the Committee with carrying out the provisions of this Law and assist individuals in applying for a pardon or forgiveness. The Tribal Secretary's Office shall:

- (a) create and implement procedures necessary to process pardon and forgiveness applications.
- (b) accept pardon and forgiveness applications.
- (c) submit and track requests for a background investigation.
- (d) forward pardon and forgiveness applications to the Committee when the background investigations are complete.
- (e) maintain a record of all pardon and forgiveness applications filed, every pardon and forgiveness request granted or denied, and the reasons for each action.
- (f) maintain a complete and accurate record of all proceedings, including all correspondence, transcripts, documents, evidence, and appearances made in connection with the applications.
- (g) perform other duties in connection with matters under this Law as may be requested by the Committee.

126.6. Pardon and Forgiveness Eligibility and Application

126.6-1. *Eligibility.* A Tribal member may receive a pardon for any criminal conviction(s), or a forgiveness for an act(s) that renders the Tribal member ineligible for housing with the Tribe or other Tribal benefit(s); and any individual may receive forgiveness for an act(s) that renders the individual ineligible for Tribal employment, an occupational license, certification or permit issued by the Tribe.

- (a) Upon completion of incarceration, parole, probation and/or deferred prosecution, Tribal members shall be eligible to apply for a pardon.
- (b) One (1) year after an act is committed, or affirmed through the conclusion of any appeal process, an individual shall be eligible to apply for pardon or forgiveness.

126.6-2. *Ineligibility.* An individual is ineligible for a pardon or forgiveness if he or she is:

- (a) being investigated for an act and if found to have committed such act, would be ineligible for the benefit he or she is seeking; or
- (b) appealing a termination and the termination makes him or her ineligible for the benefit he or she is seeking; or
- (c) currently incarcerated, on parole, probation, and/or under a deferred prosecution agreement; or
- (d) has any outstanding penalties or fines.

126.6-3. *Initiating an Application.* Applications for a pardon or forgiveness may be obtained from the Tribal Secretary's Office or on the Tribal website. Completed applications shall be filed with

Consideration of the Extension of Emergency Amendments by the Oneida Business Committee

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the Tribal Secretary's Office in person, during normal Tribal business hours, or sent by certified mail to the Tribal Secretary at P.O. Box 365, Oneida, WI 54155.

126.6-4. *Required Application Information.* Each applicant is responsible for submitting all required materials and authorizations.

(a) A completed pardon application shall include the following:

- (1) a copy of the applicant's Tribal enrollment card.
- (2) a copy or copies of any discharge papers from incarceration or jail.
- (3) official verification of any successful completion date of the probation, parole or deferred prosecution.
- (4) any necessary releases for investigations and/or background checks.
- (5) any authorizations from a probation officer to release information.
- (6) the required non-refundable fee as specified under 126.6.
- (7) a personal written statement, including the reason(s) for requesting a pardon and a description and documentation of the applicant's efforts towards self-improvement.
- (8) information regarding the conviction(s) for which the applicant is seeking a pardon, including:
 - (A) date(s) upon which the crime(s) occurred;
 - (B) location(s) where the crime(s) occurred;
 - (C) date(s) of conviction(s); and
 - (D) jurisdiction(s) which imposed the sentence(s).
- (9) verification of attendance or successful completion of any counseling, therapy, or rehabilitative programs such as anger management or coping skills classes.
- (10) letters of reference or support from people well-regarded in the community. Such letters shall detail the applicant's accomplishments or contributions to the community or attest to the applicant's rehabilitation and trustworthiness. These may include, but are not limited to:
 - (A) clergy or other spiritual leaders.
 - (B) employers and/or community members.
 - (C) teachers.
 - (D) organizers of support groups the applicant attends or has attended.
- (11) any other information relevant to the applicant's conviction(s) or rehabilitation efforts.
- (12) proof of payment of all penalties and fines.

(b) A completed forgiveness application shall include the following:

- (1) a copy of the applicant's Tribal enrollment card, if applicable.
- (2) the applicant's employment record prior to the act, if applicable.
- (3) the applicant's background records.
- (4) the act that triggered the applicant's ineligibility.
- (5) the impact of the act on the Tribe.
- (6) the length of time since the act.
- (7) a written statement from the applicant demonstrating remorse for the violation.
- (8) two (2) letters of recommendation, with no more than one (1) recommendation coming from a person who is a family member of the applicant.
- (9) the required non-refundable fee as specified under 126.6.
- (10) any additional credible and relevant information.
- (11) proof of payment of all penalties and fines.

Consideration of the Extension of Emergency Amendments by the Oneida Business Committee

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126.6-5. Failure of the applicant to provide a complete application, or any of the required information and/or materials may result in:

- (a) the application being returned with a request for more information; or
- (b) the application being removed from consideration; or
- (c) denial of a pardon or forgiveness.

126.6-6. *Applicant Misrepresentations.* Any applicant who misrepresents, omits, or falsifies any information on the application or during the pardon process shall be denied a pardon. If a pardon is granted and it is later determined that there is misrepresented or false information, or pertinent information was purposefully omitted, the Oneida Business Committee shall have the right to rescind the pardon.

126.7. Fees

126.7-1. Each application shall be accompanied by a non-refundable fee as set by the Oneida Business Committee in a resolution. Said payment shall be made payable to the Oneida Tribe in the form of a:

- (a) money order; or
- (b) cashier's check; or
- (c) intra-tribal purchase document, if a Tribal department or program, such as Social Services, will be providing the funds for the application fee.

126.8. Hearings

126.8-1. *Hearing.* The Committee shall conduct quarterly hearings on applications for a pardon or forgiveness from the Nation in accordance with this law.

- (a) Hearings may be conducted in person or virtually as determined by the Committee.
- (b) Hearings shall take place at a regularly scheduled time and location or virtual platform, as determined by the Committee, and shall be open to the public to the extent permitted by governing laws of the Nation.

126.8-2. *Hearing Notice.* The Committee shall provide hearing notice as follows:

- (a) *Applicant.* At least thirty (30) calendar days prior to the hearing, the Committee shall provide official hearing notice to the applicant by certified mail, the notice of which shall include:

- (1) The date;
- (2) The time;
- (3) Whether the hearing will be conducted in-person or virtually; and
- (4) The location of or virtual platform for the hearing and, if virtual, instructions on how to access the platform.

- (b) *Public.* The Committee shall provide public notice of hearings as follows:

- (1) By posting the notice in prominent locations at least thirty (30) days prior to the hearing;
 - (A) If alternate arrangements have been made under section 126.8-2 of this law, notice shall be posted in prominent locations with as much advance notice as possible and as time permits.
- (2) By posting notice of the hearings scheduled for the year on the Nation's website and periodically in the Nation's newspaper.

126.8-3. *Alternate Hearing Arrangements.* Applicants who reside out of the State of Wisconsin who are unable to attend a hearing may submit a written request by certified mail to the Tribal Secretary's Office for alternate arrangements to appear by video conference and/or to reschedule

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the hearing date. If alternate arrangements are unavailable, the applicant may withdraw the application up to three (3) business days prior to the hearing without penalty, and may re-apply for a pardon at any time.

126.8-4. *Failure to Attend Hearing.* Failure of the applicant to attend the hearing may result in the Committee postponing making a determination on the application or recommending the Oneida Business Committee deny the application.

- (a) Applicants with a legitimate reason for failing to attend a hearing shall have ten (10) calendar days from the date of the missed hearing to provide documentation to the Committee. Such documentation may include, but is not limited to, a Doctor's excuse, accident/police report, or funeral notice.

126.8-5. *Testimony and Notarized Statements.* The Committee shall obtain oral testimony during the hearing from the applicant and any victims, witnesses, or other persons supporting or opposing the pardon or forgiveness.

- (a) Victims, witnesses, and other persons unavailable for a scheduled hearing may submit a notarized statement for consideration.

- (b) The Committee may institute recesses and postponements as they see fit.

- (c) The Committee may ask questions at any time during the hearing.

- (d) The Committee may require the applicant to provide further documentation.

- (1) Within five (5) business days of the hearing, the Committee shall send a written request by certified mail to the applicant for the additional documentation.

- (2) The applicant shall submit the documentation to the Tribal Secretary's Office within thirty (30) calendar days after receiving the request for the documentation.

Failure of the applicant to provide any of the required documentation may result in:

- (A) the application being removed from consideration; or

- (B) denial of the application.

126.8-6. *Deliberations and Recommendation.* After the hearing, the Committee shall go into executive session for deliberations.

- (a) The Committee shall consider all information gathered from the hearing, the application, the background investigation, and any testimony or notarized statements when determining whether to recommend that the application be approved or denied.

- (1) The Committee shall be responsible for weighing the appropriateness of granting a pardon or forgiveness.

- (b) *Recommendation.* After considering the factors provided, the Committee shall make a decision and compose a formal, written recommendation for each application, including reasons to approve or deny the application within sixty (60) days after the pardon or forgiveness hearing. The recommendation, including any dissenting opinions issued by the Committee, shall be forwarded to the Oneida Business Committee within thirty (30) calendar days after making a decision, along with the following materials for review:

- (1) All information from the application and the background investigation;

- (2) Any notarized statements submitted;

- (3) A proposed draft resolution; and

- (4) An audio recording of the hearing, upon request by an Oneida Business Committee member.

126.9. Conditions and Restrictions

126.9-1. *Pardons.* Certain convictions may affect a Tribal member's rights under state or federal law, or result in restrictions being placed on a Tribal member, regardless of whether a Tribal pardon

Consideration of the Extension of Emergency Amendments by the Oneida Business Committee

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has been granted.

(a) *Civil Rights*. A pardon by the Tribe does not guarantee the restoration of all civil rights, and each recipient of a Tribal pardon is responsible for determining whether the pardon affects any non-Tribal restrictions or limitations that may be applicable pursuant to the conviction.

(b) *Employment*. Individuals convicted of a crime that is “substantially related” to the care of another person or animal may be subject to extended or permanent restrictions on licensing or professional credentials in fields relating to such caretaking. A Tribal pardon shall not affect these restrictions.

(c) *Sex Offender Registry*. Receipt of a Tribal pardon shall in no way affect registration, tracking or other restrictions or obligations imposed upon sex offenders.

(d) *Voting Rights*. Each state, and the federal government are empowered to determine whether felons may vote in elections, caucuses, referendums or any other venue dependent on the votes of citizenry. The granting of a Tribal pardon shall not supersede the rights of these jurisdictions to determine the eligibility of voters.

126.9-2. *Other Restrictions*. The Committee’s written recommendation to the Oneida Business Committee to approve an applicant’s request for a pardon or forgiveness may also recommend the Oneida Business Committee impose restrictions on the applicant. If the Committee does not recommend a restriction, the Oneida Business Committee shall have the authority to place restrictions on the applicant before approving the pardon or forgiveness request. Restrictions shall specify the time lines attached to them, which may expand over a period of months, years, or indefinitely.

(a) Restrictions shall be clearly defined and may include the following:

(1) The applicant is ineligible for a transfer, promotion or job reassignment.

(2) The applicant may be prohibited from:

(A) Handling cash and/or merchandise.

(B) Having Tribal property sign-off authority.

(C) Supervising staff.

(D) Supervising or caring for children or the elderly.

(E) Any other restrictions the Oneida Business Committee determines as appropriate.

(b) When restrictions are imposed for a period of greater than five (5) years, the applicant may, after five (5) years, apply to have the restrictions modified or lifted. The request to modify or lift restrictions will follow the same process required to request a pardon.

(c) The applicant shall sign a written statement describing each restriction, and time period of such restriction prior to becoming employed by the Tribe.

126.9-3. *Conditions*. The Committee may also recommend that an applicant requesting a pardon or forgiveness be required to complete conditions before the applicant is granted the pardon or forgiveness. If the Committee does not recommend a condition, the Oneida Business Committee shall have the authority to place conditions on the applicant before approving the pardon or forgiveness request.

(a) Conditions shall be clearly defined and may include the following:

(1) perform community service hours within a Tribal Department.

(2) payment of restitution to the Tribe.

(3) any other conditions the Oneida Business Committee determines as appropriate.

Consideration of the Extension of Emergency Amendments by the Oneida Business Committee
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126.10. Oneida Business Committee

126.10-1. The Oneida Business Committee shall consider all of the information received by the Committee prior to making a determination on whether to issue or deny a pardon or forgiveness application. The Oneida Business Committee may accept, reject or modify the Committee's recommendation.

126.10-2. *Deliberations.* Deliberations by the Oneida Business Committee shall take place in executive session. The Oneida Business Committee may request, by written notice, that the applicant be present during the deliberations to provide oral testimony or to answer questions. The notice shall be provided to the applicant thirty (30) days prior to the deliberations and shall contain the time, place and date of the deliberations.

126.10-3. *Final Decision.* The Oneida Business Committee shall issue or deny the pardon or forgiveness in open session, by resolution, including the reasons therefor and shall include for the record a clear indication of any decision and shall list the specific crimes to be pardoned or acts to be forgiven. This decision is final and cannot be appealed. Applicants may be eligible to re-apply for a pardon or forgiveness one (1) year from the date of the most recent denial of a pardon or forgiveness.

126.10-4. *Notification.* Notification of the final decision shall be sent to the applicant from the Tribal Secretary's office by certified mail or personally served within ten (10) business days following the decision. Applicants have a right to documentation of the final decision along with the resolution, and the reason(s) for the final decision.

126.10-5. *Resolution.* To grant or deny a pardon or forgiveness, a majority vote of the Oneida Business Committee is required.

126.10-6. *Eligibilities.* Unless otherwise directed by the Oneida Business Committee, a pardon or forgiveness may fully or partially restore some Tribal eligibilities lost as a result of a conviction or act including:

- (a) employment; and/or
- (b) an occupational license, certificate or permit; and/or
- (c) housing; and/or
- (d) other Tribal benefit.

End.

Adopted – BC-2-19-93-I

Adopted – BC-11-13-93-B (Oneida Pardon Procedures Policy)

Adopted – BC-11-24-93-B (Temporary Pardons)

Adopted – BC-7-31-02-A

Adopted – BC-05-25-11-A

Adopted – BC-01-22-14-B

Emergency Adoption – BC-04-28-21-A

Emergency Extended – BC-__-__-__-__

Oneida Business Committee Agenda Request

Adopt resolution entitled Opposing Enbridge’s Construction of Pipelines 3 and 5

1. Meeting Date Requested: 10 / 27 / 21

2. General Information:

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

Agenda Header: Resolutions

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

Approve attached resolution RE: Opposing Enbridge's construction of pipelines 3 and 5

3. Supporting Materials

- ☐ Report ☐ Resolution ☐ Contract
☒ Other:

- | | |
|------------------------|----|
| 1. Draft Resolution | 3. |
| 2. Emails and comments | 4. |

☐ Business Committee signature required

4. Budget Information

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

5. Submission

Authorized Sponsor / Liaison: Daniel Guzman-King, Councilmember

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:

Requested Action: Adopt resolution opposing Enbridge's proposed construction of Line 3 and 5.

The Nation recently adopted resolution 10-13-21-E that directs the resources of the Oneida Nation to protect the Rights of Nature and fulfill our responsibilities to protect our land and environment.

Enbridge has proposed construction of Lines 3 and 5 that will pose a threat to Tribal lands, the environment, treaty rights, historic cultural sites and waters in the Upper Mississippi watershed and the western Great Lakes.

The threat to indigenous communities is too great to allow the construction to occur and thus I am requesting the Business Committee to oppose the construction of Line 3 and 5 and adopt the resolution presented.

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

Oneida EHS Area Comments on Enbridge Lines # and #5

FACTS

- According to the US Energy Information Administration, in 2018 (pre-pandemic) the United States consumed 337 million gallons per day of gasoline (123,005,000,000 gallons per year).
- According the Fuels Institute in 2020 there were 260,000,000 light duty vehicles active in the United States, does not include semi- or heavy-duty trucks, some of which utilize
- The US adds approximately 6.5% (16-17 million) additional gas-powered light duty vehicles per year with the average utilization of approximately 12 years.
 - In 2020 there 2% of light duty vehicles were electric.
 - Used cars account for approximately 40,000,000 vehicles per year on the road.
- According to U.S. Dept of Transportation, Pipeline and Hazardous Materials Safety Administration (PHSMA) there are 2.8 million miles of regulated pipelines in the United States.
 - In 2020, 229,390 miles or approximately 8% of that was used for the transport of Hazardous Liquids.
 - 64,350 miles for refined petroleum products
 - 74,648 miles for highly volatile liquids
 - 85,226 miles for crude oil
 - 5,150 miles for carbon dioxide or similar gases
 - 17 miles for fuel grade ethanol

The remaining mileage transports gas, liquified natural gas or is used for gas transmission gathering. We want to make the point that the thirst for oil is there, including Tribes. The alternative to piping would be trucking it or transporting by water.

The pipeline infrastructure in the US is aging and deteriorating. Much of it is not located in ideal locations relative to water bodies, culturally significant lands and resources.

- In 2020 according to PHSMA there are approximately 8,095 miles that were installed pre-1920
- There are 117,356.58 miles are 50 years or older (pre-1980)
- There are 107,429.9 miles were installed between 1980-2010
- 45,877.91 miles installed between 2010-2019
- 4,410.28 miles installed in 2020

We believe that Tribal oversight of pipeline installation location and methodology, operation and maintenance as well as response should be considered. Typically, there is a 35 foot from center of a pipeline easement that the pipeline has direct responsibility for maintaining and addressing environmental releases. I have heard that the negotiated agreements with landowners exempts pipelines from third party damage claims to property adjacent to pipelines.

Heard on the mining call, regarding the imported workforce to install the pipeline. Increase costs for emergency management, policing and increase in MMIW and sexual assault. Citing the Bakken Oil Fields experience.

Subject: Links to Social impact papers

https://mbcc.mt.gov/_docs/Data/Reports/2013SocialImpactBakken.pdf

<https://preservethebeartoothfront.com/2015/03/24/a-personal-story-grace-her-many-horses-newtown-north-dakota/>

Other/more information:

<https://www.fuelsinstitute.org/Resources/Carpool-Chats/Transportation-Energy-Solutions-for-All-Episode-30>

<https://consumerenergyalliance.org/pipelines-for-america/>

<https://conveniencematters.com/episode/276-how-fuels-move-through-pipeline/>

The conveniencematters.com is link to a podcast. There are quite a few different episodes that address pipelines (this is from the industry side).

From: [James L. Snitgen](#)
To: [Melinda J. Danforth](#)
Cc: [Nicole A. Rommel](#); [Victoria A. Flowers](#)
Subject: Comments or input regarding a resolution protesting Enbridge lines 3 and 5
Date: Monday, September 27, 2021 3:52:49 PM

Hi Melinda:

Here is the thread on what I mentioned to you this morning as far as comments on the pipelines. Vickie has expertise in this area and also did a bunch of research and I am working on compiling into a document, but we could use some help with the resolution, etc. And of course I wanted to get you up to speed on this.

We will get a you a draft summary document to discuss.

Thanks,
Jim

From: Nicole A. Rommel <nrommel@oneidanation.org>
Sent: Wednesday, September 22, 2021 3:18 PM
To: James L. Snitgen <jsnitgen@oneidanation.org>
Subject: FW: Greetings!

Can you do this too??

From: Daniel P. Guzman <dguzman@oneidanation.org>
Sent: Wednesday, September 22, 2021 3:17 PM
To: Nicole A. Rommel <nrommel@oneidanation.org>
Subject: RE: Greetings!

Yes thank you, if someone could create an Oneida Resolution draft that I could bring forward that would be great. Yaw^.

From: Nicole A. Rommel <nrommel@oneidanation.org>
Sent: Wednesday, September 22, 2021 3:16 PM
To: Daniel P. Guzman <dguzman@oneidanation.org>
Subject: RE: Greetings!

Hi Daniel,

Response from Jim Snitgen, they have complied a good amount of information but have not put it all into one document yet. Is early next week OK?

Thanks,
Nicole

From: Daniel P. Guzman <dguzman@oneidanation.org>
Sent: Wednesday, September 22, 2021 2:56 PM
To: Nicole A. Rommel <nrommel@oneidanation.org>
Subject: RE: Greetings!

Ok thank you, I would like to bring forward an Oneida resolution soon in conjunction with Brown County.

From: Nicole A. Rommel <nrommel@oneidanation.org>
Sent: Wednesday, September 22, 2021 2:54 PM
To: Daniel P. Guzman <dguzman@oneidanation.org>
Subject: RE: Greetings!

Staff was looking into it. I will check with them to see what they came up with.

From: Daniel P. Guzman <dguzman@oneidanation.org>
Sent: Wednesday, September 22, 2021 2:21 PM
To: Nicole A. Rommel <nrommel@oneidanation.org>
Subject: FW: Greetings!

Did you have any comments or input regarding a resolution protesting Enbridge lines 3 and 5?

From: Daniel P. Guzman
Sent: Tuesday, August 31, 2021 9:28 AM
To: Nicole A. Rommel <NRommel@oneidanation.org>; Jo A. House <JHOUSE1@oneidanation.org>
Cc: Rhiannon R. Metoxen <rmetoxe2@oneidanation.org>; Melinda J. Danforth <MDANFORJ@ONEIDANATION.org>; Vanessa L. Miller <vmiller@oneidanation.org>
Subject: FW: Greetings!

Below are two draft resolutions that will be presented to the city of Green Bay common council and the one to the Brown County board (link at the bottom of this email chain). They are asking Oneida Nation to join in on passing a resolution in protest opposing Enbridge lines 3 and 5 and to do a joint press release. Would you please review the drafts below and prepare a draft resolution for the Oneida Nation Business Committee to consider? We would appreciate your input.

From: Justice Peche <justicepeche@gmail.com>
Sent: Tuesday, August 31, 2021 6:06 AM
To: Daniel P. Guzman <dguzman@oneidanation.org>
Cc: Chu, Amanda K. <Amanda.Chu@browncountywi.gov>
Subject: Re: Greetings!

I've completed the first draft of the resolution opposing Lines 3 & 5 for Green Bay's City Council we'll be introducing titled "Supporting Clean Water and Treaty Rights". I'll be working with someone

tomorrow to draft the resolution for Brown County's Board of Supervisors. I'm sending Green Bay's resolution to some people asking for feedback. Given that construction of the new Line 3 is expected to be completed by the end of the year I'm trying to prepare this in a way that makes it most likely to pass as smoothly as possible. Any feedback would be really appreciated!

Is there anything else I can do to help get this passed in Oneida's Business Committee?

Here's the link to the draft resolution.

<https://docs.google.com/document/d/1ew8aZtHotqtbmVRw55l4l2tHReknBDLS/edit?usp=sharing&oid=110634961095849588607&rtpof=true&sd=true>

Justice

On Thu, Aug 26, 2021 at 5:23 PM Daniel P. Guzman <dguzman@oneidanation.org> wrote:

Sounds great, once I have that draft I'll forward it to my folks for input then send you guys a copy.

On Aug 26, 2021 4:35 PM, Justice Peche <justicepeche@gmail.com> wrote:

Good afternoon! Thanks for bringing me in on this email thread Supervisor Chu. I really appreciate the suggestion to include language regarding the rights of nature, Councilman Guzman-King. I'll be sure to include that in the resolution.

I plan on having the draft resolution written by the end of the day tomorrow. I'll send it over to the both of you once it's together.

Thank you both for all the works you're doing standing up for our Mother Earth! I look forward to working together on this.

Justice

On Thu, Aug 26, 2021, 10:26 AM Daniel P. Guzman <dguzman@oneidanation.org> wrote:

Sounds good, if I could get a updated draft I can forward it to my environmental dept. and law office for further edits and input. Then bring it forward for consideration to our Business Committee. Also we coordinate communication efforts and do a joint press release.

From: Chu, Amanda K. <Amanda.Chu@browncountywi.gov>

Sent: Thursday, August 26, 2021 10:08 AM

To: Daniel P. Guzman <dguzman@oneidanation.org>; Justice Peche <justicepeche@gmail.com>

Subject: Re: Greetings!

That's fantastic news! Your addition 'off the top of your head' shows your experience and fluency with rights of nature thinking.

I'm cc'ing Justice here, as he is doing the resolution word-smithing and doing the community organizing around this.

I'm thinking about the coordination of co-introduction to our governing bodies... Justice and I talked about introduction in September with a hopeful October 26th approval, our Oct board date.

Other thoughts on that?

With gratitude,

Amanda Chu

my pronouns ([about pronouns](#)): [she/her](#)

Brown County Supervisor, District 3

Phone: 920-940-8242

Brown County Mailing Address: P.O. Box 23600, Green Bay, WI 54305-3600

Brown County Physical Address: 305 E. Walnut St., Suite 680, Green Bay, WI 54301

***A land acknowledgement:** Brown County occupies the ancestral and traditional Lands of the Ho Chunk and Menominee peoples, and traditional and contemporary Lands of the Oneida peoples.*

From: Daniel P. Guzman <dguzman@oneidanation.org>

Sent: Wednesday, August 25, 2021 4:40 PM

To: Chu, Amanda K. <Amanda.Chu@browncountywi.gov>

Subject: RE: Greetings!

CAUTION External Email: Be safe with links and attachments. Please report bad messages

Greetings! Hello there, great to hear from you and connect with you at the event. Thanks for reaching out regarding this serious issue, and yes I would love to partner with you on this. I like everything in that draft so far but I also have some recommendations to include in future drafts. This is of the top of my head:

“Water provides life sustenance to all beings on Mother Earth. And has a right to be protected and cared for with the upmost regard. And we as the caretakers (or stewards) of Mother Earth have the obligation and responsibility to properly protect and preserve water on behalf of all living beings and for future generations...”

That could be split up into multiple “whereas” clauses but I think it needs to be included about the rights of nature and our obligation and responsibility to care for it. Please reach out whenever. My number is 920-228-3180

From: Chu, Amanda K. <Amanda.Chu@browncountywi.gov>
Sent: Wednesday, August 25, 2021 4:21 PM
To: Daniel P. Guzman <dguzman@oneidanation.org>
Subject: Greetings!

Hi Councilman Guzman King,

We had a chance to connect at the City Of Green Bay, State of the City event. I'm the County Supervisor who is all into food and ag.

Bill Vervoort shared with me that Oneida was highlighted in the UN's "The State of Food Security and Nutrition in the World 2021"

<http://www.fao.org/3/cb4474en/cb4474en.pdf>, (PDF page 147). How affirming of all of y'all's great work to build a wholistic food system. Congratulations!!!

I'm also writing to reach out about an opportunity to support a resolution that Justice Peche, an Oneida Nation tribal member and staffer at WI Conservation Voters, brought to Sup. Erickson and I. In fact, Justice may have already connected with you about it. It's a solidarity resolution to discourage further work on natural gas lines 3 and 5, in order to protect water ways and treaty rights. Here is link to the resolution that Justice will adapt, which Madison's City Council and the Dane County Board recently passed.

<https://madison.legistar.com/View.ashx?M=F&ID=9630979&GUID=6385DF26-F0FB-4FA3-9829-2DE27E4D4B28>

I'd love to get your take on it. Furthermore, if this passes your snuff test, I'm curious if you might be interested in co-introducing this resolution, me to the BC Board and you to your Council. Your thoughts?

With thanks!

Amanda Chu

my pronouns ([about pronouns](#)): [she/her](#)

Brown County Supervisor, District 3

Phone: 920-940-8242

Brown County Mailing Address: P.O. Box 23600, Green Bay, WI 54305-3600

Brown County Physical Address: 305 E. Walnut St., Suite 680, Green Bay, WI 54301

A land acknowledgement: Brown County occupies the ancestral and traditional Lands of the Ho Chunk and Menominee peoples, and traditional and contemporary Lands of the Oneida peoples.

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From: [Melinda J. Danforth](#)
To: [Rhiannon R. Metoxen](#)
Subject: Enbridge Information
Date: Thursday, October 21, 2021 10:51:52 AM
Attachments: [RE Comments or input regarding a resolution protesting Enbridge lines 3 and 5.msg](#)
[Comments or input regarding a resolution protesting Enbridge lines 3 and 5.msg](#)

Attached is the information that was sent over to me from Daniel and Environmental. Below is also a link for Enbridge's proposals.

<https://www.enbridge.com/projects-and-infrastructure/public-awareness/line-5-in-northern-wisconsin>

https://www.enbridge.com/~media/Enb/Documents/Projects/Wisconsin/L5Wis_Line_5_description.pdf?la=en

Melinda J. Danforth, Director
Intergovernmental Affairs

Oneida Nation
P.O. Box 365
Oneida, WI 54155

Phone: (920) 869-4022
Cell: (920) 562-0290
Fax: (920) 869-4040
Email: mdanforj@oneidanation.org



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

Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Resolution # Leave this line blank Opposing Enbridge's Construction of Pipelines 3 and 5

- 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 people have been bestowed responsibilities from the Creator to uphold the
12 Rights of Nature and protect our lands and environment for our future generations; and
13
14 **WHEREAS,** the Oneida Nation has adopted BC Resolution 10-13-21-E that proclaims the Nation,
15 government leaders and our people will commit to upholding the Rights of Nature by
16 utilizing our resources and voices to protect our most precious resources;
17
18 **WHEREAS,** the Oneida Nation reviewed Enbridge's proposed plan for construction of pipelines 3 and
19 5 and determined that the proposed construction poses a threat to Tribal lands, the
20 environment, treaty rights, historic cultural sites and waters in the Upper Mississippi
21 watershed and the western Great Lakes; and
22
23 **WHEREAS,** many sovereign Nations and indigenous communities live and rely upon the lands along
24 the proposed lines, which poses a threat to indigenous way of life and the proposed lines
25 could disproportionately impact Indigenous people, threaten resources critical to the survival of
26 Indigenous communities, and exacerbate the already profound disparities in health access and
27 outcomes that tribal communities face; and
28
29 **WHEREAS,** Enbridge has a history of catastrophic oil spills in the upper Midwest, including in 1991 in
30 Minnesota when 1.7 million gallons of oil spilled near the Prairie River; in 2010 in Michigan when
31 1.1 million gallons of tar sands oil spilled into the Kalamazoo River; and in 1999 in Michigan
32 when 222,600 gallons of oil and natural gas spilled in Crystal Falls, located within the
33 Menominee River Watershed which feeds the Menominee River and flows into Green Bay of
34 Lake Michigan;
35
36 **WHEREAS,** the people of the Oneida Nation understand that water provides sustenance to all life on
37 Earth, and the threat of polluting the waters is too great a risk; and
38
39 **NOW THEREFORE BE IT RESOLVED,** the Oneida Nation joins many tribal governments and
40 organizations in opposing the construction of Enbridge's pipelines 3 and 5.
41

BC Resolution # _____
Opposing the Enbridge's Construction of Line 3 and 5
Page 2 of 2

BE IT FURTHER RESOLVED, the Nation calls upon the Wisconsin Department of Natural Resources to reject Enbridge's permit application for the construction of Line 5 which is proposed to cross many sensitive environmental and cultural areas in Northern Wisconsin.

BE IT FINALLY RESOLVED, the Nation's Business Committee, Land and Environmental Health, Safety, Land & Agriculture Division, and Intergovernmental Affairs & Communication shall engage with other Tribes, organizations, state and federal government to oppose Enbridge's construction of pipelines 3 and 5.

Adopt resolution entitled Amending Fiscal Year 2022 budget approval timelines provided in BC resolution

Business Committee Agenda Request

1. Meeting Date Requested: 10/27/21

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 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: Input from Treasurer and Statement of Effect will be handouts | | |

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

Lisa A. Liggins

From: Lisa A. Liggins
Sent: Thursday, October 21, 2021 10:19 AM
To: Cristina S. Danforth; Lawrence E. Barton; Rae M. Skenandore; Ralinda R. Ninham-Lamberies; Denise J. Vigue
Cc: Tehassi Tasi Hill; Brandon L. Yellowbird-Stevens; Ethel M. Summers; Kirby W. Metoxen; David P. Jordan; Daniel P. Guzman; Jennifer A. Webster
Subject: BC Action from 10/20/21 - draft resolution to expedite budget approval
Attachments: 2021 10 20 BC Mtg SPEC.mp3; 2021 10 20 BC Minutes SPEC DRAFT.pdf; Amending Fiscal Year 2022 budget approval timelines provided in BC resolution # 09-22-21-E Continue to Operate Fiscal Year 2022.docx

Hi Tina and Team –

Attached you will find the draft minutes and recording from the special BC meeting held on October 20, 2021. Discussion was held regarding the BC approving the budget and the following action was taken:

- Motion by Jennifer Webster to direct the Secretary to work with the Treasurer to bring back revisions to resolution BC-09-22-21-E Continue to Operate Fiscal Year 2022 to expedite the dates in the final resolve, seconded by Daniel Guzman King. Motion carried.

General consensus was to put together a proposal that would be further vetted at next week's regular BC meeting, especially since the Treasurer was out on approved travel yesterday.

I've drafted the attached resolution for consideration, as directed, for next week's regular BC meeting. I've run it past the Law Office and have submitted to the LRO for a statement of effect.

If you have any input/insight, please submit to BC_Agenda_Requests by NOON on Tuesday, October 26, 2021. I'll provide any responses received as handout to accompany the draft resolution.

Thank you (and prayers for safe travels home, Tina)!

Lisa Liggins
Secretary
Oneida Business Committee

Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Resolution # _____

Amending Fiscal Year 2022 budget approval timelines provided in BC resolution # 09-22-21-E *Continue to Operate Fiscal Year 2022*

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, on September 22, 2021, the Oneida Business adopted BC resolution # 09-22-21-E, *Continue to Operate Fiscal Year 2022*, which, in part, provided that the Oneida Business Committee shall, at a regular meeting in March 2022, (1) review the ability to safely hold a General Tribal Council meeting to adopt the budget if the budget has not already been adopted by the General Tribal Council and (2) determine whether the Oneida Business Committee should formally adopt the FY2022 budget on behalf of the General Tribal Council if a meeting cannot be safely held; and

WHEREAS, the Oneida Business Committee has determined that the Fiscal Year 2022 budget approval timelines provided in BC resolution # 09-22-21-E should be adjusted.

NOW THEREFORE BE IT RESOLVED that the Oneida Business Committee amends the Fiscal Year 2022 budget approval timelines provided in BC resolution # 09-22-21-E *Continue to Operate Fiscal Year 2022* as follows:

- The Oneida Business Committee shall, at a regular meeting in _____ 202__, (1) review the ability to safely hold a General Tribal Council meeting to adopt the budget if the budget has not already been adopted by the General Tribal Council and (2) determine whether the Oneida Business Committee should formally adopt the FY2022 budget on behalf of the General Tribal Council if a meeting cannot be safely held.

Determine next steps regarding five (5) vacancies - Oneida Nation School Board

Business Committee Agenda Request

1. Meeting Date Requested: 10/27/21

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: October 19, 2021

RE: Appointment(s) – Oneida Nation School Board

Background

Five (5) vacancies were posted for the Oneida Nation School Board. Two (2) vacancies are to complete term ending July 31, 2022, and three (3) vacancies are to complete term ending July 31, 2023.

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

- Aaron Manders

Select action(s) provided below:

- 1) accept the selected the applicant(s) and appoint to a term ending July 31, 2022 or July 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 one (1) vacancy - Oneida Police Commission

Business Committee Agenda Request

1. Meeting Date Requested: 10/27/21

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: October 19, 2021

RE: Appointment(s) – Oneida Police Commission

Background

One (1) vacancy was posted for the Oneida Police Commission. The vacancy is to complete terms ending July 31, 2022.

The vacancy has been posted since April 2021. The latest application deadline was September 3, 2021 and one (1) application(s) was received for the following applicant(s):

- Jeannette Ninham

Select action(s) provided below:

- 1) accept the selected the applicant(s) and appoint to a term ending July 31, 2022 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 two (2) vacancies - Oneida Trust Enrollment Committee

Business Committee Agenda Request

1. Meeting Date Requested: 10/27/21

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: October 19, 2021

RE: Appointment(s) – Oneida Trust Enrollment Committee

Background

Two (2) vacancies were posted for the Oneida Trust Enrollment Committee. The vacancies are to complete terms ending July 31, 2023 and July 31, 2024.

The vacancies have been posted Since July 2021. The latest application deadline was September 3, 2021 and three (3) applications were received for the following applicant(s):

- Geraldine Danforth
- Debra Danforth
- Sandra Skenadore

Select action(s) provided below:

- 1) accept the selected the applicant(s) and appoint to a term ending July 31, 2023 and 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)

Oneida Business Committee Agenda Request

Accept the October 4, 2021, regular Finance Committee meeting minutes

1. Meeting Date Requested: 10 / 27 / 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: Denise Vigue, Executive Assistant to the CFO /Finance Administration
Your Name, Title / Dept. or Tribal MemberAdditional Requestor: _____
Name, Title / Dept.Additional Requestor: _____
Name, Title / Dept.



INTERNAL MEMORANDUM

TO: FINANCE COMMITTEE
FROM: DENISE J. VIGUE, EXEC. ASST. TO THE CFO
SUBJECT: E-POLL RESULTS – FC MINUTES OF OCT 4, 2021
DATE: 10/04/21

An E-Poll vote of the Finance Committee was conducted to approve the Finance Committee meeting minutes of October 4, 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 4 FC members voting to approve the Oct. 4, 2021 Finance Committee Meeting Minutes. FC Members voting included: Kirby Metoxen, Larry Barton, Patrick Stensloff & Louise Cornelius.

These Finance Committee Minutes of October 4, 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.



ONEIDA
FINANCE COMMITTEE

REGULAR MEETING
October 4, 2021 • Time: 9:00 A.M.
Via Microsoft Teams

REGULAR MEETING MINUTES

FC MEMBERS PRESENT (Via Teams):

Cristina Danforth, Treasurer/FC Chair
Kirby Metoxen, BC Council Member
Patrick Stensloff, Purchasing Director

Larry Barton, CFO/FC Vice-Chair
Louise Cornelius, Gaming Gen. Mgr.

FC MEMBERS EXCUSED: Jennifer Webster, BC Council Member

OTHERS PRESENT (Via Teams): Jessalyn Harvath, Carrie Lindsey, David Emerson, James Snitgen, Marilyn King, Lynn M. Schmidt, Kevin House, Melinda J. Danforth, Mark Powless (GM), Amy Spears and Denise J. Vigue, taking notes

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

II. **APPROVAL OF AGENDA: OCTOBER 4, 2021**

Motion by Larry Barton to approve the October 4, 2021 FC Meeting Agenda.
Seconded by Patrick Stensloff. Motion carried unanimously.

III. **MINUTES TO BE ACCEPTED: SEPTEMBER 13, 2021 (Approved via E-Poll on 9/13/21):**

Motion by Patrick Stensloff to acknowledge the FC E-Poll action taken on 9/13/21 approving the September 13, 2021 Finance Committee Meeting Minutes.
Seconded by Larry Barton. Motion carried unanimously.

IV. **TABLED BUSINESS:** None

V. **CAPITAL EXPENDITURES:**

1. **ACP Creativlt LLC – Camera Corner** Amount: \$107,162.48
Jessalyn Harvath, Gaming Bingo/OTB

Budgeted item for TV's, Wall Monitors, Labor and Parts, this is phase one.

Motion by Larry Barton to approve the FY22 Gaming Capital Expenditure with ACP Creativlt, LLC – Camera Corner for Casino Sportsbook Displays in the amount of \$107,162.48. Seconded by Kirby Metoxen. Motion carried unanimously.

VI. NEW BUSINESS:

1. Inter-Fluve Contract – Culvert Replacement Design Amount: \$92,787.
James Snitgen, Environmental Health & Safety

Grant funded, utilizing funds left over from two previous projects; it was noted the legal review does not contain language about 3 bids which is inconsistent from other reviews.

Motion by Patrick Stensloff to approve the Purchase Order for the Inter-Fluve contract for culvert replacement design in the amount of \$92,787. Seconded by Kirby Metoxen. Motion carried unanimously.

2. FY22 Blkt PO – 1822 Land & Dev. Co of Oneida, LLC Amount: \$51,000.
Marilyn King, Oneida Food Distribution

Yearly lease payments; this is a 25 year contract, runs out 2023.

Motion by Patrick Stensloff to approve the FY22 Blanket Purchase Order with 1822 Land & Development Co. of Oneida, LLC for the Food Warehouse Lease payments in the amount of \$51,000. Seconded by Kirby Metoxen. Motion carried unanimously.

3. FY22 Blkt PO – Oneida Gens-Travel Ctr. Amount: \$141,600.
David Emerson, Gaming Slots

Renewal of blanket for rent payments for gaming space at the Oneida Travel Center; not aware of any name change with Oneida Gens.

Motion by Patrick Stensloff to approve the FY22 Blanket Purchase Order with Oneida Generations for rent payments at the Oneida Travel Center in the amount of \$141,600. Seconded by Louise Cornelius. Motion carried unanimously.

4. DocuSign, Inc. – Digital Signatures Amount: \$67,234.14
Lynn M. Schmidt, Consolidated Health – OHC

Expanding digital signatures/forms for internal and external use by the health center; not budgeted but expecting this to be covered under Covid grant funds; Lynn will send an e-mail to state exactly where funds will be expended.

Motion by Patrick Stensloff to approve the request with DocuSign, Inc. for digital signatures services in the amount of \$67,234.14. Seconded by Larry Barton. Motion carried unanimously.

5. FY22 Blkt PO – Cerebral Palsy Center Amount: \$120,000.
Carrie Lindsey, Consolidated Health – OHC

Motion by Patrick Stensloff to approve the FY22 Blanket Purchase Order with the Cerebral Palsy Center in the amount of \$120,000. Seconded by Larry Barton. Motion carried unanimously.

6. WI Public Service Corp Amount: \$66,986.43
Kevin House, Engineering Dept.

This is for gas/electrical at site recently completed at Bread Creek Village.

Motion by Kirby Metoxen to approve the request for services from WI Public Service Corp for Engineering Project #18-009, Bread Creek Village in the amount of \$66,986.43. Seconded by Larry Barton. Motion carried unanimously.

7. FY22 Blkt PO – Pace LLC Amount: \$165,000.
Melinda J. Danforth, Legislative Affairs

Federal lobbyist fees with some travel costs now that areas are now open in DC; contract approved by the BC last week.

Motion by Patrick Stensloff to approve the FY22 Blanket Purchase Order with Pace LLC in the amount of \$165,000. Seconded by Louise Cornelius. Motion carried unanimously.

8. FY22 Blkt PO – EMPOWER, LLC Amount: \$74,052.
Lisa Moore, Risk Management

Onsite health services – nursing/chiropractic for non-gaming employees under the insurance plan; following request is for added nursing services; both receiving excellent ratings from employees.

Motion by Patrick Stensloff to approve the FY22 Blanket Purchase Order with EMPOWER, LLC in the amount of \$74,052. Seconded by Louise Cornelius. Larry Barton abstained. Motion carried.

9. FY22 Blkt PO – VDH Nursing Amount: \$70,104.
Lisa Moore, Risk Management

Motion by Kirby Metoxen to approve the FY22 Blanket Purchase Order with VDH Nursing in the amount of \$70,104. Seconded by Louise Cornelius. Larry Barton abstained. Motion carried.

10. FY22 Blkt PO – RedSail Technologies LLC Amount: \$54,514.
Lynn Schmidt, Consolidated Health – OHC

Budgeted item for hardware/software support for the Pharmacy system.

Motion by Larry Barton to approve the FY22 Blanket Purchase Order with RedSail Technologies LLC in the amount of \$54,514. Seconded by Patrick Stensloff. Motion carried unanimously.

11. VVC Holding Corp/Virence – PO increase Amount: \$55,988.73
Lynn Schmidt, Consolidated Health – OHC

Increase is to cover additional months so contract co-terms with other contracts.

Motion by Larry Barton to approve the Purchase Order Increase with VVC Holding Corp/Virence in the amount of \$55,988.73. Seconded by Kirby Metoxen. Motion carried unanimously.

VI. ONEIDA FINANCE FUND:

Report:

1. Monthly Oneida Finance Fund Report - October 2021
Denise J. Vigue, Executive Assistant to the CFO

Motion by Patrick Stensloff to approve the monthly Oneida Finance Fund report for October 2021. Seconded by Larry Barton. Motion carried unanimously.

Requests:

1. WI Flight Elite Basketball Team Fees Amount: \$500.
Requester: Jason Danforth for Farrah

Motion by Larry Barton to approve from the Oneida Finance Fund the request for the Wisconsin Flight Elite Basketball team fees for the daughter of the requester in the amount of \$500. Seconded by Kirby Metoxen. Motion carried unanimously.

2. Y.M.C.A. Development Class Fees Amount: \$500.
Requester: Jason Danforth for Grayson

Motion by Kirby Metoxen to approve from the Oneida Finance Fund the request for Y.M.C.A. Development Class Fees for the son of the requester in the amount of \$500. Seconded by Larry Barton. Motion carried unanimously.

3. Y.M.C.A. Monthly Membership Fee
Requester: Jason Danforth

Amount: \$500.

Motion by Larry Barton to approve from the Oneida Finance Fund the request for Y.M.C.A. Monthly Membership Fees in the amount of \$500. Seconded by Patrick Stensloff. Motion carried unanimously.

IX. EXECUTIVE SESSION: None

X. ADMINISTRATIVE/INTERNAL: None

XI. FOLLOW UP: None

XII. FOR INFORMATION ONLY:

1. Aruze – 1 Leased Slot Machine – No Purchase
David Emerson, Gaming Slots

Same as the claw machine for kids, but in a slot machine and it will have physical prizes.

Motion by Patrick Stensloff to accept as FYI the Aruze -1 lease slot machine-no purchase information. Seconded by Louise Cornelius. Motion carried unanimously.

- XIII. ADJOURN: Motion by Patrick Stensloff to adjourn. Seconded by Kirby Metoxen.
Motion carried unanimously. Time: 9:46 A.M.

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

Finance Committee Approval Date of Minutes via E-Poll: October 4, 2021

Oneida Business Committee Agenda Request

Accept the October 21, 2021, regular Finance Committee meeting minutes

1. Meeting Date Requested: 10 / 27 / 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: Denise Vigue, Executive Assistant to the CFO /Finance Administration
Your Name, Title / Dept. or Tribal MemberAdditional Requestor: _____
Name, Title / Dept.Additional Requestor: _____
Name, Title / Dept.



INTERNAL MEMORANDUM

TO: FINANCE COMMITTEE
FROM: DENISE J. VIGUE, EXEC. ASST. TO THE CFO
SUBJECT: E-POLL RESULTS – FC MINUTES OF OCT 21, 2021
DATE: 10/22/21

An E-Poll vote of the Finance Committee was conducted to approve the Finance Committee meeting minutes of October 21, 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 4 FC members voting to approve the Oct. 21, 2021 Finance Committee Meeting Minutes. FC Members voting included: Jennifer Webster, Kirby Metoxen, Patrick Stensloff & Chad Fuss. Cristina Danforth was excused and Larry Barton Chaired the meeting.

These Finance Committee Minutes of October 21, 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.



ONEIDA
FINANCE COMMITTEE

REGULAR MEETING - Rescheduled

October 21, 2021 • Time: 3:00 P.M

Via Microsoft Teams

REGULAR MEETING MINUTES

FC MEMBERS PRESENT (Via Teams):

Larry Barton, CFO/FC Vice-Chair

Jennifer Webster, BC Council Member

Kirby Metoxen, BC Council Member

Patrick Stensloff, Purchasing Director

Chad Fuss, Asst. Gaming CFO

FC MEMBERS EXCUSED: Cristina Danforth, Treasurer/FC Chair

OTHERS PRESENT (Via Teams): Nathan Maufort; Kevin B. House, Josephine T. Skenandore, Michelle Danforth-Anderson, David Emerson, Michelle Braaten, Justine Nishimoto, William Cornelius, Mark A Powless, Sr., Reynold T. Danforth, Paul Witek and Denise J. Vigue, taking notes

I. CALL TO ORDER: The FC Meeting was called to order by the FC Vice-Chair at 3:00 P.M.

II. APPROVAL OF AGENDA: OCTOBER 21, 2021

Motion by Patrick Stensloff to approve the October 21, 2021 FC Meeting Agenda.
Seconded by Jennifer Webster. Motion carried unanimously.

III. MINUTES TO BE ACCEPTED: OCTOBER 4, 2021 (Approved via E-Poll on 10/04/21):

Motion by Patrick Stensloff to acknowledge the FC E-Poll action taken on 10/04/21 approving the October 4, 2021 Finance Committee Meeting Minutes. Seconded by Kirby Metoxen. Motion carried unanimously.

IV. TABLED BUSINESS: None

V. CAPITAL EXPENDITURES:

1. Great Lakes Roofing Corp – PO Increase

Amount: \$9,351.07

Nathan Maufort, Gaming – Facilities

Nathan relayed increase is due to stabilization of the ceiling mirror at the casino as the roof replacement caused them to become unstable.

Motion by Jennifer Webster to approve the Gaming Capital Expenditure with Great Lakes Roofing Corp for a Purchase Order increase in the amount of \$9,351.07. Seconded by Patrick Stensloff. Motion carried unanimously.

2. Northeast Asphalt Amount: \$84,640.
Kevin House, Engineering Dept.

Kevin noted this is for the expansion of the Comprehensive Housing parking lot to allow better access to the building; late in the year project will be scheduled in the spring; he sent out to bid to 5 different vendors; funds are grant funded.

Motion by Jennifer Webster to approve the Capital Expenditure with Northeast Asphalt for the parking lot expansion at Comprehensive Housing in the amount of \$84,640. Seconded by Kirby Metoxen. Motion carried unanimously.

3. CDW-G Cisco Switches Amount: \$77,674.23
Vickie Krueger, Gam-MIS

Josephine was online and noted the switches were for the sports betting network. It was noted that the SAM.gov report was not in the packet and it needs to be sent to the FC.

Motion by Jennifer Webster to approve the Capital Expenditure with CDW-G for Cisco Switches hardware for the Off-Track Betting Project in the amount of \$77,674.23. Seconded by Kirby Metoxen. Motion carried unanimously.

VI. NEW BUSINESS:

1. FY22 Blkt PO -Gordon Flesch-Lease/Click Costs Amount: \$150,000.
Michelle Danforth, Big Bear Media/Printing

Michelle explained this is for their cannon copiers; there was a discussion on costs; percentages from tribal contribution and sales.

Motion by Jennifer Webster to approve the FY22 Blanket Purchase Order with Gordon Flesch for lease/click costs in the amount of \$150,000. Seconded by Patrick Stensloff. Motion carried unanimously.

2. FY22 Blkt PO -Steen Macek-Paper Amount: \$150,000.
Michelle Danforth, Big Bear Media/Printing

This is a local vendor that is used; Patrick noted that percentage of paper was received from third party vendor, once pandemic hit Print Shop has supplied all the paper.

Motion by Kirby Metoxen to approve the FY22 Blanket Purchase Order with Steen Macek for printing paper in the amount of \$150,000. Seconded by Jennifer Webster. Motion carried unanimously.

3. FY22 Blkt PO – Pitney Bowes-Postage Amount: \$150,000.
Michelle Danforth, Big Bear Media/Mail Ctr.

Motion by Kirby Metoxen to approve the FY22 Blanket Purchase Order with Pitney Bowes for postage costs in the amount of \$150,000. Seconded by Jennifer Webster. Motion carried unanimously.

Chad Fuss joined the meeting at 3:16 p.m.

4. FY22 Blkt PO -Oneida Post Office-Postage Amount: \$900,000.
Michelle Danforth, Big Bear Media/Mail Ctr.

Motion by Kirby Metoxen to approve the request with the Oneida Post Office for postage costs in the amount of \$900,000. Seconded by Jennifer Webster. Motion carried unanimously.

5. FY22 Blkt PO – UPS-Shipping Amount: \$75,000.
Michelle Danforth, Big Bear Media/Mail Ctr.

Motion by Patrick Stensloff to approve the FY22 Blanket Purchase Order with United Postal Service for shipping costs in the amount of \$75,000. Seconded by Kirby Metoxen. Motion carried unanimously.

6. FY22 Blkt PO – 1822 Land & Dev.-Lease Paymts. Amount: \$98,040.
Mark A. Powless, Sr., Oneida Gaming Commission

There was a discussion on impending move of OGC offices next fall; lease amendment #3, if approved should be for 1 year from Nov. 2021 to Oct. 2022, not 3 years, can always come back if move takes longer.

Motion by Jennifer Webster to approve the FY22 Blanket Purchase Order request for the Oneida Gaming Commission's lease space in the amount of \$98,040 noting amendment #3 is to be amended to 12 months. Seconded by Patrick Stensloff. Motion carried unanimously.

VII. DONATIONS:

Report:

1. FC Donation Report - October 2021
Denise J. Vigue, Executive Assistant to the CFO

Motion by Jennifer Webster to approve the Finance Committee Donation Report for October 2021. Seconded by Kirby Metoxen. Motion carried unanimously

Requests:

1. Oneida Apostolic Church Amount: \$3,000.
Requester: Juan Alicea, Pastor

Motion by Jennifer Webster to approve from the Finance Committee Donation line the request from the Oneida Apostolic Church in the amount of \$3,000. Seconded by Kirby Metoxen. Motion carried unanimously.

2. Safe Shelter, Inc Amount: \$3,000.
Requester: Pearl Webster, Exec. Dir.

Motion by Kirby Metoxen to approve from the Finance Committee Donation line the request from Safe Shelter, Inc in the amount of \$3,000. Seconded by Patrick Stensloff. Motion carried unanimously.

VIII. EXECUTIVE SESSION: None**IX. ADMINISTRATIVE/INTERNAL:**

- ~~1. ADD-ON: FY2022 Finance Committee Annual Report
Denise J. Vigue, Executive Assistant to the CFO~~

No Action. Item Deleted from the agenda.

X. FOLLOW UP: None**XI. FOR INFORMATION ONLY:**

1. IGT – Percentage Game Swap Out
David Emerson, Gaming Slots

David noted these are for 4 swap outs at IMAC.

Motion by Patrick Stensloff accept the IGT – Percentage Game Swap Out as FYI. Seconded by Jennifer Webster. Motion carried unanimously.

2. FY22 Blkt PO – AGS Slot Machine Lease Payments
David Emerson, Gaming Slots

David explained this is for increase in blanket as some new lease machines have been added & when they increase with one vendor, they decrease with another to stay within budget. Chad and David discussed reporting requirements.

Motion by Jennifer Webster to accept the FY22 Blanket Purchase Order with AGS for slot machine lease payment as FYI. Seconded by Kirby Metoxen. Motion carried unanimously.

XII. ADJOURN: Motion by Patrick Stensloff to adjourn. Seconded by Chad Fuss.

Motion carried unanimously. Time: 3:34 P.M.

Minutes submitted by:

Denise J. Vigue, Executive Assistant to the CFO

Finance Committee Approval Date of Minutes via E-Poll: October 22, 2021

Oneida Business Committee Agenda Request

Accept the October 6, 2021, Legislative Operating Committee meeting minutes

1. Meeting Date Requested: 10 / 27 / 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



LEGISLATIVE OPERATING COMMITTEE MEETING MINUTES
Oneida Business Committee Conference Room-2nd Floor Norbert Hill Center
October 6, 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, Brooke Doxtator, Lawrence Barton, Amy Spears (Microsoft Teams), Rhiannon Metoxen (Microsoft Teams), Eric Boulanger (Microsoft Teams), Michelle Braaten (Microsoft Teams), Kelly McAndrews (Microsoft Teams), Renita Hernandez (Microsoft Teams)

I. Call to Order and Approval of the Agenda

David P. Jordan called the October 6, 2021, Legislative Operating Committee meeting to order at 9:00 a.m.

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

II. Minutes to be Approved

1. September 15, 2021 LOC Meeting Minutes

Motion by Kirby Metoxen to approve the September 15, 2021 LOC meeting minutes and forward to the Oneida Business Committee for consideration; seconded by Jennifer Webster. Motion carried unanimously.

III. Current Business

1. Local Land Use Regulation Reimbursement Policy Repeal

Motion by Marie Summers to accept the public comment review memorandum; seconded by Jennifer Webster. Motion carried unanimously.

2. Furlough Law Amendments

Motion by Marie Summers to approve the Furlough law amendments public comment period notice and forward the Furlough law amendments to a public comment period to be held open until November 11, 2021; seconded by Jennifer Webster. Motion carried unanimously.

IV. New Submissions

V. Additions

VI. Administrative Items

VII. Executive Session



VIII. Adjourn

Motion by Marie Summers to adjourn at 9:18 a.m.; seconded by Daniel Guzman King.
Motion carried unanimously.

Oneida Business Committee Agenda Request

Approve the revised Quality of Life Committee charter

1. Meeting Date Requested: 10 / 27 / 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:

Requested Action is to approve the updated QOL Charter with the following changes:

1. Change the Food Security update from bi-monthly to monthly
2. Change the name from Food Security Update to "Food Security and Sovereignty Update"
3. Add Oneida Behavioral Health to Report Quarterly

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:

From: [Brooke M. Doxtator](#)
To: [Ethel M. Summers](#); [Lisa A. Liggins](#); [Rhiannon R. Metoxen](#)
Subject: RE: MS Agenda request RE: QOL Charter update
Date: Friday, October 22, 2021 9:51:10 AM
Attachments: [image001.png](#)

A copy of the motion regarding the charter is provided below, if you need anything else please let me know.

VII. ADDITIONS

A. Quality of Life Charter

Sponsor: Marie Summers

- ▲ Motion by Daniel Guzman King to update the Quality of Life Committee Charter with two (2) noted changes [1) add Food Sovereignty and Security monthly report 2) Behavioral Health quarterly report on overdoses, deaths, Narcan usage, needle exchange, etc.] and to forward charter with changes to the Oneida Business Committee for approval, seconded by Tehassi Hill. Motion carried:

Ayes: Daniel Guzman King, Tehassi Hill, Brandon Stevens

Quality of Life Committee

Regular Meeting Minutes
Page 2 of 3

October 21, 2021

From: Ethel M. Summers <esummer1@oneidanation.org>
Sent: Thursday, October 21, 2021 4:22 PM
To: Brooke M. Doxtator <bdoxtat1@oneidanation.org>; Lisa A. Liggins <lliggins@oneidanation.org>; Rhiannon R. Metoxen <rmetoxe2@oneidanation.org>
Subject: RE: MS Agenda request RE: QOL Charter update

Awesome, yaw^ko Brooke.

Yaw^ko,
Marie Summers
Councilwoman
Oneida Business Committee



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

office: (920) 869-4475
cell: (920) 615-9384
Office Hours: Monday – Friday 8:00- 4:30 pm
Email: esummer1@oneidanation.org

Mailing address:
Oneida Nation

Oneida Business Committee Quality of Life Committee Charter

Business need: The Quality of Life Committee is standing committee of the Oneida Business Committee that will have oversight of health, wellness and social issues of the following areas of the Nation: Language, Culture, Health, Environmental Issues, Housing and Food Security and Sovereignty.

Objectives:

Business Objectives: The Quality of Life Committee will provide oversight developed in the Charter and provide recommendations of improvement.

Task Objectives: The Quality of Life Committee will meet on a monthly basis and review the items stated in the deliverables. Responsibilities outlined in the charter will provide a baseline in guiding team decision.

Deliverables: The following areas will deliver results related to quality of life

- A) Quality of Life Survey – Annually
- B) Readiness Survey from TAP – Monthly
- C) Oneida Native American Drug and Gang Initiative – Quarterly
- D) COVID-19 Report from Health Dept – Monthly
- E) Housing Needs of the Nation – Monthly
- F) HR Unemployment Rate – Monthly
- G) Environmental Issues – Monthly
- H) Wellness Council – Quarterly
- I) Live, Sustain, Grow – Annually
- J) Food Security [and Sovereignty](#) Update – ~~Bi~~ Monthly
- K) Recreation Integration – Quarterly
- [L\) Language & Culture – Bi Monthly](#)
- [M\) ~~Oneida~~ Behavioral Health Report - Quarterly](#)

Team Structure:

- A) The Quality of Life committee shall be comprised of four (4) Oneida Business Committee members appointed by the BC. The remaining five (5) business committee members shall be ad hoc.
- B) Three (3) members shall make a quorum. A quorum is required at all meetings in order to be considered a formal meeting of the Quality of Life Committee.
- C) If necessary, an ad hoc member can fill in for a regular member in order to meet the quorum.
- D) All decisions made by majority vote.
- E) Direct reports along with appropriate staff shall be directed to attend the Quality of Life Committee meetings with relevant agenda topics.
- F) Chair of the committee will review agenda items prior to the meeting. Chair will also break any tie in voting. The Vice Chair will stand in for the Chair in the event the chair is unavailable.

Responsibilities and Rules

- A) The Quality of Life Committee is responsible for making policy recommendations to the Business Committee concerning areas outlined in the deliverables. The Business Committee will determine whether to accept the Quality of Life Committee's recommendations.

- B) Committee meetings will be held monthly with a prescribed agenda that will align with one or all four of the current OBC strategic directions.
 - *Advancing On^yote?aka principles
 - *Committing to building a responsible nation
 - *Creating a positive organizational culture
 - *Implementing Good Governance process
- C) Coordinate all policy matters relating to the Quality of Life Committee in cooperation with any Department.
- D) Monitor activity and strategies with regards to areas of policy oversight assigned to this committee and align with strategic direction of the Business Committee
- E) Make recommendations to the Business Committee.
- F) Meeting may be held virtually with a quorum.

Process:

- A) Meetings shall be held on the 3rd Thursday of each month
- B) The BCSO will prepare the meeting packets, minutes, recordings, and track all issues.
- C) A list of business unit representatives and boards/committee/commissions will be provided by direct reports.
- D) The Quality of Life Committee shall provide the OBC with the following per month: Meeting minutes, specific action items that may require OBC approval, quarterly reports.

Charter QOL Approved:
January 14, 2021

OBC Approved:
January 27, 2021

[Updated Charter OBC Approved:](#)
[October 27, 2021](#)

Consider request for an ARPA GWE payment for December 2021

Oneida Business Committee Agenda Request**1. Meeting Date Requested:** 10 / 27 / 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:

To distribute a \$1,300 GWA(E) payment to enrolled members age 18 and over by no later than December 15, 2021.

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:

Michael Debraska - Oneida Roll #10738

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 purpose of this request is to allow tribal members age 18 and over to have a good holiday season with their families.

The Treasurer and Finance can determine from the "Allocation Plan" on page 86 (copy attached) of the OBC meeting packet dated Oct. 13, 2021, and report where the funding will come from and explained to the membership at the next OBC meeting so distribution can take place on or before December 15, 2021.

According to the World News report on Oct. 17, 2021, the inflation rate has now increased by 5% and the country is possibly heading into a recession.

The reasons given by this World News report were as follows:

- a. Inflation has increased by 5% and expected to go higher; and
- b. The cost of gas and heating fuel has gone up substantially along with food and other supplies; and
- c. Cargo is now being held up in the nations ports with ships anchored off-shore waiting to unload but can't due to dock labor shortages and trucking labor shortages, thus resulting in shortages in food stores, retail, and other areas of the economy; and
- d. We are expecting a 4th surge of the pandemic due to flu season beginning; and

All of the above has culminated in this request being made.

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Members Only Packet

86 of 215

American Recovery Plan Act - FRF; Lost Revenue; ARPA FRF LR Investments - Updated October 5, 2021

Proposed ARPA FRF LR Funds Use Categories Based on Broad Goals - Focus	Total Allocations		Fiscal Year 2021		Fiscal Year 2022		Fiscal Year 2023	
	% Allocation	\$ based on % in Total Funding Received	% Allocation - FY2021	Fiscal Year 2021 Allocation	% Allocation - FY2022	Fiscal Year 2022 Allocation	% Allocation - FY2023	Fiscal Year 2023 Allocation
Direct Membership Assistance* - Paid in one lump sum of \$3000 each adult member as GWE, or 45% of total funds. Remaining \$10.3 million allocated in FY22/23 programming.	45.00%	\$ 60,387,766.08	45.00%	\$ 60,387,766.08	0.00%	\$ -	0.00%	\$ -
Housing - focus year one on apartments, decide on use for years 2 and 3; with an overall focus on middle income housing	18.84%	\$ 22,600,680.60	20.00%	\$ 8,946,335.72	36.50%	\$ 8,978,884.47	19.00%	\$ 4,674,460.41
Food and Agriculture - focus year one on food sovereignty infrastructure; years 2 and 3 on potential processing centers/operations	11.71%	\$ 15,712,002.10	20.00%	\$ 8,946,335.72	9.50%	\$ 2,337,230.21	18.00%	\$ 4,428,436.18
Education - focus on increasing post high-school education opportunities.	6.60%	\$ 8,856,872.36	0.00%	\$ -	18.00%	\$ 4,428,436.18	18.00%	\$ 4,428,436.18
Culture & Language - focus on creating programming and infrastructure	9.67%	\$ 12,837,991.75	10.00%	\$ 4,473,167.86	16.00%	\$ 3,936,367.71	18.00%	\$ 4,428,436.18
Revenue Generation - focus on improving parks and gathering areas, pow wow grounds	2.68%	\$ 3,600,900.13	2.00%	\$ 894,633.57	2.00%	\$ 492,048.46	9.00%	\$ 2,214,218.09
Government Roles and Responsibilities - focus in improving GTC resources through technology	3.30%	\$ 4,428,436.18	0.00%	\$ -	9.00%	\$ 2,214,218.09	9.00%	\$ 2,214,218.09
Overall Priority - Land, Infrastructure, Sovereignty	4.30%	\$ 5,770,386.64	3.00%	\$ 1,341,950.38	9.00%	\$ 2,214,218.09	9.00%	\$ 2,214,218.09
Total Uses	100%	\$ 134,195,035.73	100%	\$ 84,990,189.30	100%	\$ 24,602,423.22	100%	\$ 24,602,423.22

Oneida Business Committee Agenda Request

Research Request: Gleason et al- Univ. of Minnesota-Addressing Alzheimer's Disease and Related...

1. Meeting Date Requested: 10 / 27 / 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:

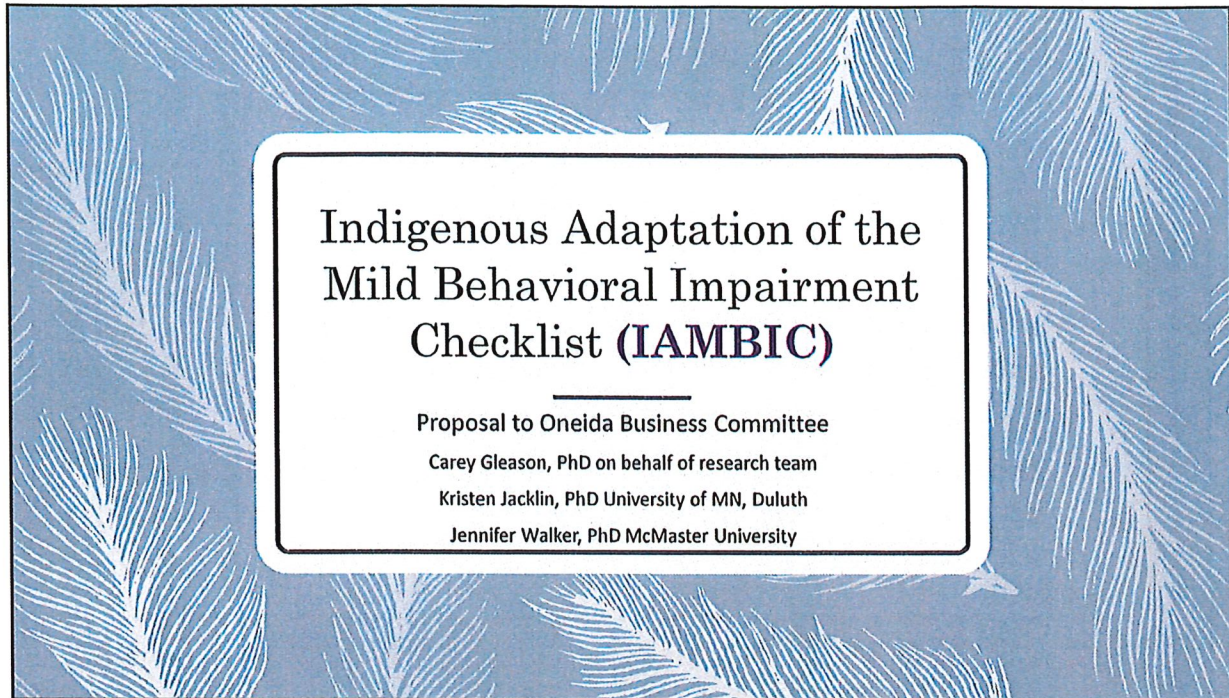
Describe the purpose, background/history, and action requested:

Dr. Cary Gleason, the grant principle investigator, is requesting permission to expand her research work with the Oneida Nation. The proposal is to adapt a questionnaire assessing behavioral symptoms of dementia - the Mild Behavioral Impairment checklist for use with Native American populations.

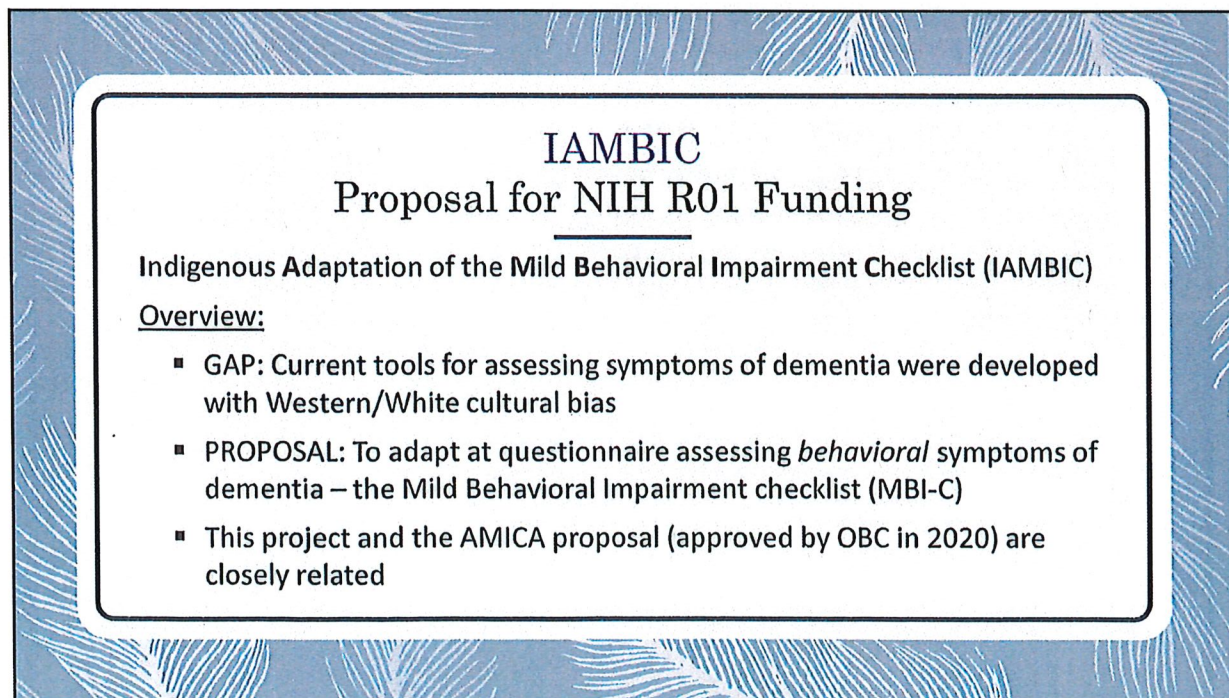
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1



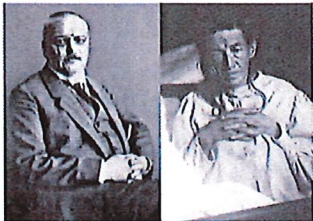
2

IAMBIC Proposal for NIH R01 Funding

- Mild Behavioral Impairment (MBI) is an early indicator of underlying diagnosis. *Coarsening of personality*
- The current measure called the Mild Behavioral Impairment Checklist (MBI-C) has been validated, standardized, and used to define the diagnostic criteria for MBI.

3

#Alzheimer's #Dr. Zahinoor Ismail #mild behavioral impairment



Mild Behavioral Impairment Can Help Predict Alzheimer's, According to Study

By Nicholas Chan | April 21st, 2020

In the late 1890s, a railroad worker in Frankfurt Germany noticed that his wife, Auguste Deter, was behaving oddly. Gradually her anxiety and mood changes gave way to memory loss, delusions and other signs of dementia. Committed to an institution in the care of Dr. Alois Alzheimer, Deter became the [first person diagnosed with Alzheimer's disease](#). A new study establishes that even her subtle, early shifts in behavior — mild behavioral impairment — were scientifically linked to what was to come.



Zahinoor Ismail, MD
University of Calgary

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10/14/2021

Mild Behavioral Impairment Checklist (MBI-C)

Date: _____

Rated by: ☐ Clinician ☐ Informant ☐ Subject

Location: ☐ Clinic ☐ Research

Circle "Yes" only if the behavior has been present for at least 6 months (continuously, or on and off) and is a change from her/his longstanding pattern of behavior. Otherwise, circle "No".

Please rate severity: 1 = Mild (noticeable, but not a significant change); 2 = Moderate (significant, but not a dramatic change); 3 = Severe (very marked or prominent, a dramatic change). If more than 1 item in a question, rate the most severe.

	YES	NO	SEVERITY
<i>This domain describes interest, motivation, and drive</i>			
Has the person lost interest in friends, family, or home activities?	Yes	No	1 2 3
Does the person lack curiosity in topics that would usually have attracted her/his interest?	Yes	No	1 2 3
Has the person become less spontaneous and active – for example, is she/he less likely to initiate or maintain conversation?	Yes	No	1 2 3
Has the person lost motivation to act on her/his obligations or interests?	Yes	No	1 2 3
Is the person less affectionate and/or lacking in emotions when compared to her/his usual self?	Yes	No	1 2 3
Does she/he no longer care about anything?	Yes	No	1 2 3
<i>This domain describes mood or anxiety symptoms</i>			
Has the person developed sadness or appear to be in low spirits? Does	Yes	No	1 2 3

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IAMBIC

Proposal for NIH R01 Funding

- However, the development of this measure does not account for cultural differences, and reflects the perception of symptoms deemed abnormal by Western scientists.
- Perceptions of the future, burdening family, and hallucinatory symptoms are likely just a few of the domains that will require cultural adaption.

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IAMBIC

Proposal for NIH R01 Funding

<i>This domain describes strongly held beliefs and sensory experiences</i>					
Has the person developed beliefs that they are in danger, or that others are planning to harm them or steal their belongings?	Yes	No	1	2	3
Has the person developed suspiciousness about the intentions or motives of other people?	Yes	No	1	2	3
Does she/he have unrealistic beliefs about her/his power, wealth or skills?	Yes	No	1	2	3
Does the person describe hearing voices or does she/he talk to imaginary people or "spirits"?	Yes	No	1	2	3
Does the person report or complain about, or act as if seeing things (e.g. people, animals or insects) that are not there, i.e., that are imaginary to others?	Yes	No	1	2	3

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IAMBIC

Proposal for NIH R01 Funding

- *Our goal* Using a mixed-methods approach (similar to what is used in the AMICA and ICARE proposals) to understand, adapt, and validate a tool to detect MBI symptoms for use with Indigenous populations in North America.
- Framework relies on a Community Based Participatory Research (CBPR) approach grounded in the Indigenous methodology of 'two-eyed seeing.'
- Our *central hypothesis* is that culture drives the interpretation of which behaviors are symptomatic (i.e. abnormal) and which behaviors are not, and knowing that culturally-bound distinction is critical to adapt and valid Indigenous adapted MBI-C (aka IAMBIC).

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10/14/2021

IAMBIC Proposal for NIH R01 Funding

Our proposal responds to High Priority Research Topic identified by the National Institute on Aging:

- Planned Submission Date: November 12, 2021
- Proposed Start Date: July 1, 2022
- Years of activity: If approved, the project will be funded for 5 years
- Budget Highlight: This project will support the hiring of Oneida-based:
 - (1) Community Coordinator
 - (1) Outreach Specialist

NA scientists*/PIs:

- Kristen Jacklin, PhD (medical anthropologist)
- *Jennifer Walker (epidemiologist, Six Nations citizen)
- Carey Gleason (neuropsychologist)
- *Melissa Castro, PsyD
- *Blythe Winchester, MD
- Nick Lambrou, PhD
- Will Mantyh, MD
- Zahinoor Ismail, MD

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Discussions so far

- Oneida Alzheimer's Disease Community Advisory Board
- Oneida Grants Office
- Comprehensive Health (reached out to leadership)
- Questions asked so far:
 - Cost to Tribe? A: No cost
 - What would be asked of Comprehensive Health? A: Nothing formal, perhaps help identifying older adults with suspected or diagnosed memory impairments.
 - Impact on Comprehensive Health? A: Provide dementia diagnostic service. May generate more awareness of dementia care needs.
 - When would questionnaire be available for clinicians? A: at the end of the project
 - Who controls the data? A: Oneida Nation

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Proposed activities

- Aim 1 will create an Indigenous appropriate version of the MBI-C (IAMBIC)
 - Phase 1: Obtain feedback on cultural and linguistic interpretations of existing MBI-C Indigenous Knowledge Advisory Groups (IKAG) in each of the three communities. 5-7 members.
 - Phase 2: Phase 2 vetting with an integrated dementia assessment expert panel
- Aim 2 will assess the validity and cultural acceptability of the IAMBIC in three diverse regions
 - Phase 1: Pilot test – face validity. (10 participants from each site)
 - Phase 2: Assess Validity (100 participants and study partners from each site)
 - Phase 3: Assess Cultural acceptability (same participants as Phase 2)

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Proposed activities

- Validity assessment
 - 100 participants at each site
 - Half will have a suspected memory impairment (most likely un-diagnosed)
 - Administer
 - *IAMBIC questionnaire*
 - *Diagnostic evaluation*
 - Two-eyed seeing consensus conference to review findings and make diagnostic determination
 - Provide feedback to participant and participant's provider, family. Connect to services.

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CBPR approach – Give back to the Oneida Tribal Community

- Formation of the Oneida ADRD Community Advisory Board
- Support the work of the Oneida-based Dementia Care Specialist position
- Support for community education events (e.g. GLNAEA, CAB newsletters)
- Funded projects have generated several opportunities to hire Oneida Community-based researchers, specialists, artists, printing services, IT services, and more.
- Tablet giveaway, to include access to internet (if needed), IT support, and basic computer skills course
 - Development of apps loaded onto tablets include: healthy diet vignette presented by Oneida-based chef
- Data from our projects belongs to the communities we collaborate with, and qualitative research (tribal members' words and stories) are the foundation in shaping community health through culturally appropriate ADRD related diagnostics and care.

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Questions and Conversation Thank you

Carey Gleason, PhD

Email: ceg@wisc.medicine.edu

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Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Resolution # 10-28-20-C Approval of a Dementia Caregiver Research Study

- 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 committed to the safety and health of its elder community members and their families; and
- WHEREAS,** the Oneida Alzheimer's Disease and Related Dementia Community Advisory Board (CAB) has represented the Oneida Nation as an active participant in research efforts with the University of Wisconsin related to the needs of Oneida Elders suffering from Alzheimer's and Dementia; and
- WHEREAS,** the researcher, Ms. Mary Wyman, PhD, and the CAB agree to abide by all of the requirements and restrictions applied to research projects focused on Oneida Tribal members as required by resolution # BC-05-08-19-A *Research Requests: Review and Approval to Conduct*; and
- WHEREAS,** the research request has been presented, reviewed, and recommended for approval by the Director of Comprehensive Health Operations as required by resolution # BC-05-08-19-A *Research Requests: Review and Approval to Conduct*; and

NOW THEREFORE BE IT RESOLVED, the Oneida Business Committee approves the University of Wisconsin Research Study: "Oneida Helping Oneida Family Caregiving Study: Understanding Resource Utilization by Dementia Caregivers in the Oneida Nation of WI".

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; 7 members were present at a meeting duly called, noticed and held on the 28th day of October, 2020; that the forgoing resolution was duly adopted at such meeting by a vote of 6 members for, 0 members against, and 0 members not voting*; and that said resolution has not been rescinded or amended in any way.


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."

Over the Cap Request: Submitted to NIA for Consideration*

PI Name (Contact PI): Multi-PI Proposal - Kristen Jacklin, Carey Gleason, Jennifer Walker

PI Commons User ID: Kjacklin, cegleason,

Organization or University: University of Minnesota Medical School

Project Title: Addressing Alzheimer's Disease and Related Dementias Disparities: Indigenous Adaptation of the Mild Behavioral Impairment Checklist (IAMBIC)

Likely FOA: PAR 19-070

Is this an ADRD application? Yes

Reference to Grant Number if Resubmission: n/a

Planned Submission Date: **November 12, 2021**

Proposed Start Date: **July 1, 2022**

Project Description:

Our proposal responds to the High Priority Research Topic identified in NOT-AG-18-047 Health Disparities and Alzheimer's Disease. Our proposed study addresses Alzheimer's Disease and Related Dementias (ADRD) in Indigenous populations related to the topic specified as "Diagnosis and Assessment Procedures." The *Indigenous Adaptation of the Mild Behavioral Impairment Checklist* project seeks to create the first Indigenous specific tool for the diagnosis of Mild Behavioral Impairment (MBI) associated with Alzheimer's disease and related dementias. Since MBI in older, cognitively normal adults may represent the earliest stage of incipient dementia, there is a need to develop a framework to understand the cultural relevance of these concepts and develop a valid tool to identify the MBI in Indigenous populations thereby increasing the probability of early diagnosis, preventative care, and family education on appropriate caregiving strategies for behavioral symptoms of dementia. Our goal is to use our proven mixed-methods framework to understand, adapt, and validate a tool to detect neuropsychiatric symptoms for use with Indigenous populations in North America. Previous NIA R56 funding (R56AG062307Jacklin 2018) helped to initiate ADRD research studies with Tribal communities in Minnesota and Wisconsin and sustained already established relationships in Ontario. We propose to continue these partnerships to undertake adaptations of a MBI assessment tools developed for the general population – the Mild Behavioral Impairment Checklist (MBI-C) to create the Indigenous Adaptation of the Mild Behavioral Checklist (IAMBIC) that will ensure accuracy, cultural relevance and cultural safety for Indigenous populations in North America.

Our team will be a multi-PI collaboration co-led by Drs. Kristen Jacklin (medical anthropologist), Carey Gleason (neuropsychologist) and Jennifer Walker (epidemiologist, Six Nations citizen) and includes investigators, co-investigators, consultants and staff who have previously collaborated on the development of the Canadian Indigenous Cognitive Assessment (CICA) and others who led the development and validation of the original MBI-C.

Significance/Practice Gap:

Indigenous populations in North America demonstrate higher prevalence and incidence of dementia than non-Indigenous populations.^{1,2} To address the dementia care needs of this health disparity population it is imperative that we have accurate and valid methods to evaluate Indigenous people with memory complaints. Existing research has shown that neuropsychiatric symptoms such as decreased motivation, dysregulation of emotion, impulsivity, social inappropriateness, or changes in thoughts or perception can result in an 8-fold increased risk of dementia.¹ Yet, there is no research to assess whether these concepts are applicable, recognized or have meaning in North American Indigenous cultures or how Indigenous knowledge and behaviors can inform a culturally specific assessment instrument for use in this population. A measure of five

neuropsychiatric dimensions called the Mild Behavioral Impairment Checklist (MBI-C) has been formally validated, standardized, and used to define the diagnostic criteria for Mild Behavioral Impairment (MBI),² but its development did not take into consideration potential cultural differences in the perception of symptoms deemed abnormal by western clinicians. Cultural differences in perception of the future, burdening family, and hallucinatory symptoms are likely just a few of the items and domains that will require cultural adaption.

Abbreviated Approach

We propose a community-based participatory approach (CBPR) which is enhanced by Indigenous methodologies. We prioritize Indigenous ways of knowing through the application of Two-eyed Seeing (approaching knowledge through the western/white ways of knowing and Indigenous ways of knowing).^{10,11} To this end, our approach involves an iterative process to create and validate the IAMBIC – moving between the tribal community and the biomedical setting to ensure that instruments developed for use in the tribal setting are culturally appropriate and valid. Specifically, we work with community advisory groups (CAGs), Tribal health authorities and Tribal Councils to inform the research process: problem identification, developing appropriate and feasible methods, implementation, participant recruitment, community-based researcher recruitment, data analysis, and appropriate dissemination.

We propose to work with three diverse research sites in the United States: Red Lake Tribal Nation (Ojibway) in Minnesota; Oneida Nation (Haudenosaunee) in Wisconsin; and the 7 Anishinaabe communities on Manitoulin Island, ON (Ojibway, Odawa, Pottawatomi). While it would be impossible within the scope of this grant to include every Indigenous cultural group in the United States (there are 576 recognized tribes), the inclusion of three culturally diverse groups from geographically and politically diverse regions will help with future studies of generalizability of the proposed battery in the longer term. **Our timeline**, in brief, involves 2 years of community-based instrument/tool adaptation (YRs 1-2), 2 years of conducting assessments for validation (YRs 3-4) and 1 year of analysis and dissemination (YR 5).

Aim 1 will create an Indigenous appropriate version of the MBI-C (the IAMBIC).

Phase 1: Solicit feedback on cultural and linguistic interpretations of existing MBI-C. We will replicate the methodology this group used to adapt the Kimberly Indigenous Cognitive Assessment (KICA-cog) to the Canadian Indigenous Cognitive Assessment (CICA) using sequential interviews with expert Indigenous Knowledge Advisory Groups (IKAG) in each of the three communities. The IKAG at each site will be asked to discuss, debate, and organize their cultural knowledge on aging in order to develop adapted instruments reflective of North American Indigenous cultural values and practices. Each IKAG will consist of 5-7 members. Based on prior experience we anticipate that this process will require multiple in-person (ideal) or Zoom-enabled meetings in years 1 and 2 to arrive at the first consensus draft of the IAMBIC

Phase 2: Phase 2 vetting with an integrated neuropsychiatric assessment expert panel. Further vetting of face validity will again be conducted using a Delphi process similar to the one conducted with the IKAG. This is where the iterative work becomes evident. As the IKAGs move towards a consensus draft of a tool, an integrated dementia assessment expert panel will then review the draft and forward feedback to the IKAGs. The dementia assessment expert panel includes both Indigenous and non-Indigenous experts in the fields of aging, gerontology/geriatric medicine, neurology, psychiatry and neuropsychology. Should the dementia assessment expert panel identify problems with suggested modifications or changes, those issues and related test drafts will be returned to the IKAGs for further modification and adaptation to the culture. Past experience suggests that this will take several iterations and will likely require multiple in-person or Zoom-enabled meetings over a one-year period. This negotiation of a final draft version for the assessment tool occurs across all participating sites and during all-sites meetings, resulting in one agreed upon IAMBIC ready for pilot testing and psychometric testing (Aim 2) that align with both Indigenous cultural contexts and rigorous clinical standards.

AIM 2 will assess the validity and cultural acceptability of the IAMBIC in three diverse regions.

For this Aim we will assess the validity and cultural acceptability of the newly created IAMBIC with 300 Indigenous older adults in the three partnering communities. The IAMBIC performance will be compared to

results from culturally safe standard evaluations. The standard evaluation will include measures of cognition, medical history, neuropsychiatric functioning including the neuropsychiatric interview (NPI), geriatric depression and anxiety scales (GDS, GAS), and a clinical examination and will allow the dementia assessment expert panel to make a consensus determination of cognitively unimpaired vs. a diagnosis of mild cognitive impairment (MCI) or dementia. The consensus panel determination will be used to evaluate of discriminant validity and to establish cut off scores for the IAMBIC.

Phase 1: Pilot testing of face validity. We will recruit 10 participants and their study partner from each site for a total of 30. Half of the dyads will include older adults with cognitive impairment (MCI or all cause dementia) and the other will be cognitively unimpaired. All participants will have a caregiver in the case of cognitively impaired individuals or a study partner for those who are unimpaired. Five participants and their caregiver/study partners will complete the newly adapted IAMBIC. At this phase, the total IAMBIC test scores will not be evaluated. Rather, we will evaluate ease of administration, participant comfort with the approach, and problems with language use or item clarity. Problem items identified by this process will be recorded and all data collected will then be brought back to the Indigenous Knowledge Advisor Group and Dementia Assessment Expert Panel for discussion, adaptation, and revision. The process will produce a second draft for piloting with the second half (5 dyads/site) of participants and their caregiver/study partner. Results of the second round of cognitive interviews will be reviewed by the Indigenous Knowledge Advisor Group, the Dementia Assessment Expert Panel, and the team until consensus is reached on a final version of the test. If necessary, we will include another round of pilot testing with an additional five dyads.

Phase 2: Validity and acceptability procedures: We will recruit 100 Indigenous adults aged 45 years and older per site. We will use a purposeful sampling strategy to ensure that our sample includes both cognitively healthy adults (with study partner) and those with cognitive impairment (MCI or dementia) with a caregiver, targeting 1:1 ratio of impaired v. unimpaired individuals (thereby facilitating accurate assessment of discriminant validity). Participants will undergo culturally safe, standard evaluations, including medical history, cognitive examination with the CICA and a psychiatric evaluation using well-established and valid neuropsychiatric measures. Psychiatric evaluations, as routine are conducted with the participant, the informant or a combination of the two. Standard tools will include the Neuropsychiatric Interview (NPI-C [ref]), the Geriatric Depression Scale, and the Geriatric Anxiety Scale (GAS). The participants and their study partners will also complete the IAMBIC. Evaluations can be done in-person or via telemedicine (as allowed by Covid-19 restrictions) in a single session. This evaluation session requires 3 hours of a participant's time.

A panel of clinicians specialized in both ADRD and MBI will review the standard measures including the medical history, informant interview, CICA, NPI, GDS, and GAS to determine--*independent of the IAMBIC scores*--whether the participant is showing psychiatric impairment consistent with MBI. These clinical experts will be blind to the results of the IAMBIC. The sensitivity, specificity, NPV and PPV analysis will be estimated with General Linear Models (GLM), comparing classification as impaired (MCI or dementia) vs. cognitively unimpaired from the standard evaluation plus consensus conference to classification based on the total score on the IAMBIC. require clinical expertise in classifying each participant's MBI status.

The unique features of our approach include the use of a clinical consensus panel to mitigate the bias related to necessity of relying on established clinical tools with known biases. A critical feature of the clinical consensus panel is the inclusion of American Indian clinicians, including a board certified Clinical Neuropsychologist. Dr. Castro's sensitivity to cultural issues and advanced training in formal neuropsychology.

Phase 3 – Assess Cultural Acceptability of the IAMBIC: We will complete Cognitive interviews to determine acceptability of the IAMBIC: Data to evaluate the relative acceptability and comfort with the IAMBIC will be collected in an additional qualitative interview session of approximately 30 minutes. After completing the evaluation, all dyads will also participate in a brief qualitative cognitive interview to investigate the cultural safety, comfort, and acceptance of the IAMBIC relative to standard practice neuropsychiatric tools. Interviews will be conducted by the community-based researchers and will be audio recorded with consent. After each interview the community researcher will debrief participants and write field notes: a summary of key themes

and notes on any issues that arose during the interviews. This data will be evaluated using qualitative data analysis.

Sample Size Analysis.

Power analysis for Aim 2 concurrent validity. Aim 2 seeks to assess the concurrent validity of the newly created IAMBIC using two approaches: General Linear Model (GLM) accounting for anticipated right skew and logistic regression, receiver operating characteristic curves (ROC) with area under the curve (AUC) and use of Youden's index for cut point analysis. Using a conservative approach, an a priori computation of required sample size for a two-group comparison (GLM) using Cohen's d medium effect size = 0.30, $\alpha = 0.05$, power $(1 - \beta) = 0.80$, and a one tail prediction, G*Power v3.1.9.4 estimated a sample size of 145 per group (145 healthy older adults, 145 impaired adults; total sample $n = 290$).²¹ In planning this calculation, we chose a medium effect size for several reasons. First, the published literature on the MBI-C relies predominantly on Asian and European samples with little resemblance to Indigenous cultures of North America. Secondly, the current literature lacks any survey of neuropsychiatric symptoms as a precursor to dementia in Indigenous populations. This complete lack of understanding of behavioral impairment predating dementia onset in Indigenous older adults further complicates making a sound prediction on effect sizes given significant gap in the existing literature. Furthermore, we cannot predict either the extent nor the nature of the changes required to make the MBI-C an Indigenous adaptation reflective of cultural beliefs. The impact will undoubtedly be significant. Thus, the best that can be assumed is that the anticipated IAMBIC effect size should be at least within a medium range (Cohen's $d = 0.30$). We anticipate that the sample size will be sufficient for the planned validation of concurrent validity using logistic regression.

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SPECIFIC AIMS

This project, entitled the Indigenous Adaptation of the Mild Behavioral Impairment Checklist (IAMBI-C), addresses an urgent need for a valid and culturally sensitive clinical tool to identify Mild Behavioral Impairment (MBI) related to Alzheimer's disease and related dementias (ADRD) in Indigenous older adults. Existing research has shown that neuropsychiatric symptoms such as decreased motivation, dysregulation of emotion, impulsivity, social inappropriateness, or changes in thoughts or perception can result in an 8-fold increased risk of dementia.¹ Yet, there is no research to assess whether these concepts are applicable, recognized or have meaning in North American Indigenous cultures or how Indigenous knowledge and behaviors can inform a culturally specific assessment instrument for use in this population. A measure of five neuropsychiatric dimensions called the Mild Behavioral Impairment Checklist (MBI-C) has been formally validated, standardized, and used to define the diagnostic criteria for Mild Behavioral Impairment (MBI),² but its development did not take into consideration potential cultural differences in the perception of symptoms deemed abnormal by western clinicians. Cultural differences in perception of the future, burdening family, and hallucinatory symptoms are likely just a few of the items and domains that will require cultural adaption. Since MBI in older, cognitively normal adults may represent the earliest stage of incipient dementia, then there is an urgent need to develop a framework to understand the cultural relevance of these concepts and develop a valid tool to identify the MBI in Indigenous populations thereby increasing the probability of early diagnosis, preventative care, and family education on appropriate caregiving strategies for behavioral symptoms of dementia.

Our team has developed a robust mixed-methods framework which we have used to adapt and validate multiple dementia care tools for use with Indigenous populations in Canada.^{3,4} In this proposed project, we will combine our well-established framework with the methods used by the original author of Mild Behavioral Impairment-Checklist (MBI-C)^{2,5} and lead clinician scientist behind the development of the formal criteria for diagnosis of MBI. Our goal is to use our proven mixed-methods approach to understand, adapt, and validate a tool to detect neuropsychiatric symptoms for use with Indigenous populations in North America. To accomplish our aims, our framework relies on an iterative CBPR approach⁶ grounded in the Indigenous methodology of 'two-eyed seeing'^{7,8} characterized by: (a) conducting sequential group interviews with community-based expert Indigenous Knowledge Advisory Groups to solicit feedback on cultural and linguistic interpretations of the existing MBI-C; (b) modifying the MBI-C to align with cultural context; (c) vetting modifications with a panel of neuropsychiatric assessment experts; (d) negotiating final versions that align with cultural context as well as the neuropsychiatric properties we intend to measure; and (e) assessing validity and cultural acceptance of the new measure with 300 dyads of participants and study partners (150 cognitively normal participants/150 individuals with dementia) in three culturally diverse tribal nations in Minnesota (MN) and Wisconsin (WI) and Ontario (ON) (see appendix for Tribal approvals). Our central hypothesis is that culture drives the interpretation of behaviors, i.e., symptomatic/abnormal vs. normal, and knowing that culturally-bound distinction is critical for the development of a reliable and valid Indigenous adapted MBI-C – the proposed IAMBI-C.

Aim 1 will create an Indigenous appropriate version of the MBI-C (the IAMBI-C). Hypothesis 1a: Our CBPR approach incorporating two-eyed seeing methodologies will identify areas of cultural incongruence in the MBI-C and allowing for the creation of the Indigenous Adaptation (the IAMBI-C). **Hypothesis 1b:** Partnering with three culturally diverse Indigenous populations will produce a version of the IAMBI-C that is considered culturally safe across three diverse Indigenous communities. *Outcome:* We will develop an inter-cultural version of the IAMBI-C and define a successful framework for translation to other Indigenous communities.

Aim 2 will assess the validity and cultural acceptability of the IAMBI-C in three diverse regions. The IAMBI-C performance will be compared to testing with a culturally safe version of western gold standard measures of neuropsychiatric functioning (neuropsychiatric interview (NPI), geriatric depression and anxiety scales (GDS, GAS)) to allow for an evaluation of validity and to establish cut off scores for the IAMBI-C. **Hypothesis 2a:** The IAMBI-C battery will demonstrate robust sensitivity, specificity, positive predictive value and negative predictive value relative to the western gold standard measures. **Hypothesis 2b:** Results from brief participant cognitive interviews⁹ will demonstrate greater cultural safety and acceptance associated with the IAMBI-C than with the 'gold standard' assessments. *Outcome:* We will demonstrate the cultural acceptance, appropriateness, and validity of the IAMBI-C.

By achieving these aims we will learn the relevance of the MBI concept in Indigenous communities and deliver the first Indigenous adaptation of the MBI-C (IAMBI-C). Eventual incorporation of the IAMBI-C into existing best practice guidelines^{10,11} or toolkits will help to eliminate ADRD disparities, accelerate research, enhance access to high quality culturally safe clinical practice, and improve caregiver experiences for Indigenous populations.

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Mild Behavioral Impairment Checklist (MBI-C)

Date: _____

Rated by: ☐ Clinician ☐ Informant ☐ SubjectLocation: ☐ Clinic ☐ Research

Label

Circle "Yes" **only** if the behavior has been present for at least **6 months** (continuously, or on and off) and is a **change** from her/his longstanding pattern of behavior. Otherwise, circle "No".

Please rate severity: **1 = Mild** (noticeable, but not a significant change); **2 = Moderate** (significant, but not a dramatic change); **3 = Severe** (very marked or prominent, a dramatic change). If more than 1 item in a question, rate the most severe.

	YES	NO	SEVERITY		
<i>This domain describes interest, motivation, and drive</i>					
Has the person lost interest in friends, family, or home activities?	Yes	No	1	2	3
Does the person lack curiosity in topics that would usually have attracted her/his interest?	Yes	No	1	2	3
Has the person become less spontaneous and active – for example, is she/he less likely to initiate or maintain conversation?	Yes	No	1	2	3
Has the person lost motivation to act on her/his obligations or interests?	Yes	No	1	2	3
Is the person less affectionate and/or lacking in emotions when compared to her/his usual self?	Yes	No	1	2	3
Does she/he no longer care about anything?	Yes	No	1	2	3
<i>This domain describes mood or anxiety symptoms</i>					
Has the person developed sadness or appear to be in low spirits? Does she/he have episodes of tearfulness?	Yes	No	1	2	3
Has the person become less able to experience pleasure?	Yes	No	1	2	3
Has the person become discouraged about their future or feel that she/he is a failure?	Yes	No	1	2	3
Does the person view herself/himself as a burden to family?	Yes	No	1	2	3
Has the person become more anxious or worried about things that are routine (e.g. events, visits, etc.)?	Yes	No	1	2	3
Does the person feel very tense, having developed an inability to relax, or shakiness, or symptoms of panic?	Yes	No	1	2	3
<i>This domain describes the ability to delay gratification and control behavior, impulses, oral intake and/or changes in reward</i>					
Has the person become agitated, aggressive, irritable, or temperamental?	Yes	No	1	2	3
Has she/he become unreasonably or uncharacteristically argumentative?	Yes	No	1	2	3
Has the person become more impulsive, seeming to act without considering things?	Yes	No	1	2	3
Does the person display sexually disinhibited or intrusive behaviour, such as touching (themselves/others), hugging, groping, etc., in a manner that is out of character or may cause offence?	Yes	No	1	2	3

Based on the ISTAART-AA Research Diagnostic Criteria for MBI © 2016

For more information contact Zahinoor Ismail MD email: MBIchecklist@gmail.com or visit www.MBItest.org

Has the person become more easily frustrated or impatient? Does she/he have troubles coping with delays, or waiting for events or for their turn?	Yes No	1 2 3
Does the person display a new recklessness or lack of judgement when driving (e.g. speeding, erratic swerving, abrupt lane changes, etc.)?	Yes No	1 2 3
Has the person become more stubborn or rigid, i.e., uncharacteristically insistent on having their way, or unwilling/unable to see/hear other views?	Yes No	1 2 3
Is there a change in eating behaviors (e.g., overeating, cramming the mouth, insistent on eating only specific foods, or eating the food in exactly the same order)?	Yes No	1 2 3
Does the person no longer find food tasteful or enjoyable? Are they eating less?	Yes No	1 2 3
Does the person hoard objects when she/he did not do so before?	Yes No	1 2 3
Has the person developed simple repetitive behaviors or compulsions?	Yes No	1 2 3
Has the person recently developed trouble regulating smoking, alcohol, drug intake or gambling, or started shoplifting?	Yes No	1 2 3
<i>This domain describes following societal norms and having social graces, tact, and empathy</i>		
Has the person become less concerned about how her/his words or actions affect others? Has she/he become insensitive to others' feelings?	Yes No	1 2 3
Has the person started talking openly about very personal or private matters not usually discussed in public?	Yes No	1 2 3
Does the person say rude or crude things or make lewd sexual remarks that she/he would not have said before?	Yes No	1 2 3
Does the person seem to lack the social judgement she/he previously had about what to say or how to behave in public or private?	Yes No	1 2 3
Does the person now talk to strangers as if familiar, or intrude on their activities?	Yes No	1 2 3
<i>This domain describes strongly held beliefs and sensory experiences</i>		
Has the person developed beliefs that they are in danger, or that others are planning to harm them or steal their belongings?	Yes No	1 2 3
Has the person developed suspiciousness about the intentions or motives of other people?	Yes No	1 2 3
Does she/he have unrealistic beliefs about her/his power, wealth or skills?	Yes No	1 2 3
Does the person describe hearing voices or does she/he talk to imaginary people or "spirits"?	Yes No	1 2 3
Does the person report or complain about, or act as if seeing things (e.g. people, animals or insects) that are not there, i.e., that are imaginary to others?	Yes No	1 2 3

Requesting Approval from Oneida Business Committee

Re: IAMBIC proposal

Initial questions posed by Don Miller:

Q1: When would you need a resolution by?

October 29, 2021

Q2: What department will be hosting the project, and who is their representative to the council?

Carey asked Elder Services if they would host – waiting for Eli Metoxen's response.

Q3: Will the project cost Oneida anything?

This project will not cost Oneida – the goal is to give back. The proposal is for full funding through the National Institutes of Health (NIH).

Q4: What are the goals of the project and what are its benefits for Oneida?

This project, the ICARE R01 and the AMICA proposal are closely related – This project addresses *behavioral* indicators related to Alzheimer's disease and related dementias (ADRD), and the urgent need to create a valid and culturally sensitive clinical assessment tool for Mild Behavioral Impairment (MBI) – a key feature for early detection. For example, there is a current measure of five neuropsychiatric dimensions called the Mild Behavioral Impairment Checklist (MBI-C), which has been validated, standardized, and used to define the diagnostic criteria for MBI. However, the development of this measure does not account for cultural differences, and reflects the perception of symptoms deemed abnormal by western scientists. Perceptions of the future, burdening family, and hallucinatory symptoms are likely just a few of the domains that will require cultural adaption.

Our goal is to use our proven mixed-methods approach (similar to what is used in the funded ICARE project and the AMICA proposal) to understand, adapt, and validate a tool to detect neuropsychiatric symptoms for use with Indigenous populations in North America. To accomplish our aims, our framework relies on a CBPR approach grounded in the Indigenous methodology of 'two-eyed seeing.' Our central hypothesis is that culture drives the interpretation of which behaviors are symptomatic (i.e. abnormal) and which behaviors are not, and knowing that culturally-bound distinction is critical for the development of a reliable and valid Indigenous adapted MBI-C (aka IAMBIC-C).

The communities are at the heart of this research, and will be involved every step of the way. Results from this study will directly benefit Oneida health centers and community services for people with dementia and their families.

Q5: Provide a clear description of who will be doing the study – what, if any, relationship do they have with Oneida?

- American Indian partners:
 - Oneida Nation in Wisconsin and partnering tribal sites in Minnesota and Ontario, Canada (these sites are currently collaborating in the ICARE project, and will collaborate if the AMICA project is funded by the National Institutes of Health (NIH). As a side note, AMICA has been

approved by the Oneida Business Committee and our proposal is currently under review by the NIH.

- This project will allow for hiring of Oneida-based:
 - (1) Community Coordinator
 - (1) Outreach Specialist
- Involving NA scientists/PIs
 - Carey Gleason, PhD (Wisconsin)
 - Principal Investigator for the Oneida, WI site in this and related research (e.g. ICARE, AMICA)
 - Began working closely with the Oneida Nation of Wisconsin in 2016 when, at the request of tribal elders, our team provided educational talks focused on Alzheimer's disease and related dementias (ADRD) and memory screenings at various tribal events.
 - Relationship grew to include collaborations with Oneida Nation Commission on Aging (ONCOA), the Great Lakes Native American Elder Association (GLNAEA), Oneida Health/Elder Services
 - Collaborations have resulted in several federally funded opportunities to invest in community and expand culturally appropriate inclusion of Native Americans in ADRD research
 - Founding member of the Oneida Alzheimer's Community Advisory Board (CAB)
 - Founding faculty leading the Wisconsin Alzheimer's Disease Research Center (ADRC).
 - Leads ADRC's Inclusion of Underrepresented Groups (IURG) core
 - Associate Professor of Medicine at the University of Wisconsin-Madison.
 - She is a clinical neuropsychologist and ADRD researcher with more than 20 years of experience in dementia diagnostics and clinical research.
 - Kristen Jacklin, PhD (Minnesota)
 - Primary Investigator for Minnesota sites in this and related research (e.g. ICARE, AMICA)
 - Executive Director of the Memory Keepers Medical Discovery Team (MK-MDT)
 - Medical anthropologist focusing research on chronic disease care for Indigenous peoples, including cognitive health and dementia, diabetes, and Indigenous health/medical education.
 - She is the principal investigator for MK-MDT's first NIH grant: Indigenous Cultural Understandings of Alzheimer's Disease and Related Dementia – Research and Engagement (ICARE). The Oneida Tribal Community is a partnering site in this research.
 - Founder of the International Indigenous Dementia Research Network and the Indigenous Cognition Awareness and Aging Awareness Research Exchange
 - Jennifer Walker, PhD (Ontario)
 - Principal investigator for Ontario, Canada sites
 - Indigenous Health services researcher and epidemiologist
 - She has Indigenous (Haudenosaunee) family roots and is a member of the Six Nations of the Grand River.

- Her work focuses on Indigenous use of Indigenous health services and data across the life course, with a focus on older adults. She collaborates closely with Indigenous organizations and communities to address health information needs
- Nickolas Lambrou, PhD (Wisconsin)
 - Assistant scientist with working with Dr. Gleason
 - Works closely with our Oneida Community Researchers and partnering sites in the currently funded ICARE project
 - Member of the Oneida Alzheimer's CAB
 - Clinical training as a psychologist working with Veterans with PTSD
 - Research addresses relationships between identity, resilience, social determinants of health, and cognition across the lifespan within underserved populations. Has expertise in qualitative methods and Community Based Participatory Research with Native American and Indigenous populations.

Oneida Business Committee Agenda Request

Review the Poker Rules of Play and determine appropriate next steps

1. Meeting Date Requested: 10 / 27 / 21**2. General Information:**Session: ☒ Open ☐ Executive - See instructions for the applicable laws, then choose one:

Other - type reason

Agenda Header:

New Business

☐ Accept as Information only☒ Action - please describe:

Request OBC to accept amendments to Poker ROP with no requested revisions.

3. Supporting Materials☐ Report ☐ Resolution ☐ Contract☒ Other:1.

OGC Approval Notification

3.

Gaming Management's Request

2.

Poker ROP

4. ☐ Business Committee signature required**4. Budget Information**☐ Budgeted - Tribal Contribution ☐ Budgeted - Grant Funded ☐ Unbudgeted**5. Submission**

Authorized Sponsor / Liaison:

Primary Requestor/Submitter:

Mark Powless, Chairman, Oneida Gaming Commission

Your Name, Title / Dept. or Tribal Member

Additional Requestor:

Ivory Kelly, Regulatory Compliance Manager, Oneida Gaming Commission

Name, Title / Dept.

Additional Requestor:

Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

October 1, 2021, Gaming management submitted a request to modify C. 4 in the Poker Rules of Play. The request was made after annual audit showed that there was a contradiction between showdown rules and individual game rules.

Action Requested: Accept the Poker Rules of Play with no requested revisions.

Motion for this request would be as follows: Accept the notice of the Poker Rules of Play amendment(s), approved by the Oneida Gaming Commission on October 12, 2021, and;

(a) Directs notice to the Gaming Commission there are no requested revisions under section 501.6-14(d);

(b) Directs notice to the Gaming Commission that the Oneida Business Committee will be recommending amendments to Poker Rules of Play in accordance with sections 501.6-14(d)(3)(C); or

(c) Directs notice to the Gaming Commission that the Oneida Business Committee repeals the Poker Rules of Play in accordance with section 501.6 (d)(3)(A) and subsections (i).

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

From: [Jodi M. Skenandore](#)
To: [Kateri N. Baker](#); [Lorna G. Skenandore](#); [Chad M. Fuss](#); [Louise C. Cornelius](#); [Fawne M. Rasmussen](#); [Patricia L. Denny](#); [Lambert M. Metoxen](#)
Cc: [Jodi M. Skenandore](#); [Michelle M. Braaten](#); [Ivory S. Kelly](#); [Shoshana P. King](#); [Tracy J. Metoxen](#); [Melissa M. Alvarado](#)
Subject: Notification: SOPTGP-11 Poker Rankings
Date: Tuesday, October 19, 2021 2:28:53 PM
Attachments: [SOPTGP-11 Poker Rankings signed.pdf](#)
[FW Request for OGC Revision - Poker ROP.msg](#)

DATE: **10/19/21**
FROM: **Mark A. Powless Sr.**
SUBJECT: SOPTGP-11 Poker Rankings

Good Afternoon,

The Gaming Commission has reviewed the following item(s) and is approved. This will be placed on the next Regular OGC Meeting agenda for retro approval.

1. SOPTGP-11 Poker Rankings

If you have any further questions please feel free to contact the OGC Chair Mark Powless Sr. via email mpowles5@oneidanation.org or at 497-5850.

Thank you.

Jodi M. Skenandore
Oneida Gaming Commission
920-497-5850
Toll Free: 1-800-497-5850
Jskenan8@oneidanation.org

XI. POKER.

A. Definitions

1. All-in means an action by which a player who has no funds remaining on the poker table to continue betting in a round of play but who still retains the right to contend for that portion of the pot in which the player has already placed a bet.
2. Ante means a predetermined bet which each player is required to make in some poker games prior to any cards being dealt in order to participate in the round of play.
3. Bet means an action by which a player places gaming chips into the pot on any betting round.
4. Betting round means a complete betting cycle in a hand of poker after all players have called, folded or gone all-in.
5. Blind bet means a mandatory bet in some poker games which only players sitting in specific betting positions at the poker table shall be required to place prior to looking at any cards.
6. Burning means taking a card from the top of a deck and discarding it face down, so that the card is not in play and the identity of the card remains unknown.
7. Button means an object which is moved clockwise around the table to denote an imaginary dealer and thereby determine the betting and dealing sequence.
8. Call means a bet made in an amount equal to the immediately preceding bet.
9. Check means that a player waives the right to initiate the betting in a betting round but retains the right to act if another player initiates the betting.
10. Common card means, in any game of stud poker, a card which is dealt face upward if there are insufficient cards left in the deck to deal each player a card individually and which can be used by all players at the showdown.
11. Community card means any card which is dealt face upward and which can be used by all players to form their best hand.
12. Cover card means a yellow or green plastic card used during the cut process and then to conceal the bottom card of the deck.

13. Draw means, in any game of draw poker, an exchange by a player of cards held in his or her hand, after the initial round of betting, for an equal number of new cards from the deck.
14. Fold means the withdrawal of a player from a round of play by discarding his or her hand of cards during a betting round and refusing to equal a bet, which results in the player's forfeit of any previous bets in the betting round.
15. Forced bet means a bet which is required to start the betting on the first betting round.
16. Fouled hand means a hand that either has an improper number of cards or has come into contact with other cards in such a way as to render it impossible to determine accurately which cards are contained in the hand.
17. High means a form of poker in which the highest-ranking hand in accordance with Section C (Poker Rankings) wins the pot.
18. High-low split means a form of poker in which the highest and lowest ranking hands in accordance with Section C (Poker Rankings) split the pot.
19. Hole card means any card dealt to a player face down.
20. Low means a form of poker in which the highest ranking low hand in accordance with Section C (Poker Rankings) wins the pot.
21. Opening bet means the first bet in a round of play.
22. Pot means the amount which is awarded to the winning player or split between the winning players at the conclusion of a round of play and is equal to the total amount anted and bet by the players during the round of play, less any rake extracted pursuant to Section N (Poker Revenue) and less any Jackpot Fund extracted pursuant to Section O (Jackpot Fund).
23. Protected hand means a hand of cards which the player is physically holding or has placed under one or more gaming chips.
24. Raise means a bet in an amount greater than the immediately preceding bet in that betting round.
25. Rake means the amount collected by the dealer as poker revenue in accordance with Section N (Poker Revenue).
26. Round of play means, for any game of poker, the process by which cards are dealt, bets are placed and the winner(s) of the pot is determined and paid in accordance with these rules.

27. Showdown means the action of revealing the hands of each player in order to determine who shall win the pot.
28. Side pot means a separate pot formed when one or more players are All-in, and there are players who continue to bet after the All-in players have finished betting.
29. Stub means the remaining portion of the deck after all cards in a round of play have been dealt.
30. Up-card means, in a game of stud poker, any card dealt to a player face up.
31. Washing or Chemmy Shuffle means mixing cards face down on the table with a circular motion of the hands.

B. Equipment, Cards, and Number of Decks.

1. Poker shall be played with one deck of cards with backs of the same color and design and one cover card. The cover card shall be opaque and in a solid color readily distinguishable from the color of the backs and edges of the playing cards. Two decks of cards shall be maintained for use at each poker table at all times. Each deck maintained at the poker table shall be visually distinguishable in some manner from the other deck.
2. Each deck of cards maintained at the poker table may be rotated in and out of play. All decks opened for use on a poker table shall be rotated at least every six hours.
3. The layout for a poker table shall contain, at a minimum:
 - a. The name or trade name of the casino licensee offering the game;
and
 - b. A designated holding area located to the right of the dealer for the collection of the rake prior to final placement of the rake in the drop box.
4. Each poker table shall have a designated area for the placement of at least one deck of cards. This area may be part of the table inventory container.
5. Each poker table shall have a drop box and a tip box attached to it on the same side of the gaming table as, but on opposite sides of, the dealer. If applicable, the jackpot box is to be located on the side with the tip box.
6. If an automated card shuffling device is being used, a casino shall use both decks of cards, and:
 - a. The backs of the cards in the two decks shall be of different colors;

- b. One deck shall be shuffled by the automated card shuffling device while the other deck is being dealt or used to play the game; and
- c. Both decks shall be continuously alternated in and out of play, with each deck being used for every other round of play.

C. Poker Rankings.

- 1. The permissible high poker hands in poker games that result in a five-card hand, in order of highest to lowest rank, shall be:
 - a. Royal flush is a hand consisting of an ace, king, queen, jack and ten of the same suit;
 - b. Straight flush is a hand consisting of five cards of the same suit in consecutive ranking, with king, queen, jack, 10 and nine being the highest ranking straight flush and ace, two, three, four and five being the lowest ranking straight flush;
 - c. Four-of-a-kind is a hand consisting of four cards of the same rank regardless of suit, with four aces being the highest ranking four-of-a-kind and four twos being the lowest ranking four-of-a-kind;
 - d. Full house is a hand consisting of three-of-a-kind and a pair, with three aces and two kings being the highest ranking full house and three twos and two threes being the lowest ranking full house;
 - e. Flush is a hand consisting of five cards of the same suit;
 - f. Straight is a hand consisting of five cards of consecutive rank, regardless of suit, with an ace, king, queen, jack and 10 being the highest ranking straight and an ace, two, three, four and five being the lowest ranking straight; provided, however, that an ace may not be combined with any other sequence of cards for purposes of determining a winning hand (e.g., queen, king, ace, two, three). Notwithstanding the foregoing, an ace may be used to complete a straight flush or a straight formed with, as applicable, a two and three (in a three-card poker hand) or a two, three, four and five (in a five-card poker hand);
 - g. Three-of-a-kind is a hand containing three cards of the same rank regardless of suit, with three aces being the highest ranking three-of-a-kind and three twos being the lowest ranking three-of-a-kind;

- h. Two pairs is a hand containing two pairs, with two aces and two kings being the highest ranking two pair and two threes and two twos being the lowest ranking two pair; and
 - i. One pair is a hand containing two cards of the same rank, regardless of suit, with two aces being the highest-ranking pair and two twos being the lowest ranking pair.
2. The permissible high poker hands in poker games that result in a three-card hand, in order of highest to lowest rank, shall be:
 - a. Royal flush is a hand consisting of an ace, king and queen of the same suit;
 - b. Straight flush is a hand consisting of three cards of the same suit in consecutive ranking, with king, queen and jack being the highest ranking straight flush and a three, two and ace being the lowest ranking straight flush;
 - c. Three-of-a-kind is a hand consisting of three cards of the same rank, regardless of suit, with three aces being the highest ranking three-of-a-kind and three twos being the lowest ranking three-of-a-kind;
 - d. Straight is a hand consisting of three cards of consecutive rank, regardless of suit, with an ace, king and queen being the highest ranking straight and a three, two and ace being the lowest ranking straight; provided, however, that an ace may not be combined with a king and two for purposes of determining a winning hand;
 - e. Flush is a hand consisting of three cards of the same suit; and
 - f. One pair is a hand containing two cards of the same rank, regardless of suit, with two aces being the highest-ranking pair and two (2) twos being the lowest ranking pair.
3. The ranking of a low poker hand in poker games that result in a five-card hand shall be the inverse of the rankings for a high poker hand as set forth in (1) above. The ranking of a low poker hand in poker games that result in a three-card hand shall be the inverse of the rankings for a high poker hand as set forth in (2) above.
4. The rank of the cards used in all types of poker other than low poker, for the determination of winning hands, in order of highest to lowest rank, shall be: ace, king, queen, jack, 10, nine, eight, seven, six, five, four, three and two. The rank of the cards used in low poker, for the determination of winning hands, in order of highest to lowest rank, shall be: ace, two, three, four, five, six, seven, eight, nine, 10, jack, queen and king. All suits shall be considered equal in rank unless stated in the individual game showdown rules.

5. When comparing two hands which are of identical poker hand rank pursuant to the provisions of this section, as applicable, or which contain none of the poker hands authorized for that game, the hand which contains the highest-ranking card, which is not contained in the other hand shall be considered the higher-ranking hand. If the hands are of identical rank after the application of this subsection, the hands shall be considered tied and the pot shall be equally divided among the players with the tied hands.
6. In all games of poker, a hand shall be ranked according to the cards actually contained therein and not by the player's opinion or statement of its value.

D. Opening the Table for Gaming

1. Each gaming day, decks of cards shall be distributed among all open poker tables in a manner determined by the poker shift supervisor or supervisor thereof.
2. After receiving the decks of cards at the table, the dealer shall sort and inspect the cards and the floor person or supervisor thereof shall verify the inspection.
3. Following the inspection of the cards by the dealer and the verification by the floor person or supervisor thereof, the cards shall be spread out face up on the table for visual inspection by the first two players to be seated at the table. The cards shall be spread out according to suit and in sequence.
4. Immediately prior to the commencement of play and not before a minimum of two players are afforded an opportunity to visually inspect the cards from each deck at the table, each deck shall be separately turned face down on the table, mixed thoroughly by a washing or chemmy shuffle of the cards and stacked. Each deck of cards shall be shuffled in accordance with Section E (Shuffle and Cut of the Cards).
 - a. If an automated shuffling device is not being used, one of the decks shall be cut in accordance with Section E (Shuffle and Cut of the Cards) and the other deck shall be stored in a designated area.
 - b. If an automated shuffling device is being used, one of the decks shall be cut in accordance with Section E (Shuffle and Cut of the Cards) and the other deck shall be placed or left in the automated shuffler for the next round of play.

E. Shuffle and Cut of the Cards

1. Immediately prior to commencement of play and after the completion of each round of play, the dealer shall shuffle the entire deck of cards, either manually or

by use of an automated card shuffling device, so that they are randomly intermixed. Upon completion of the shuffle, the dealer or device shall place the deck of cards in a single stack.

2. After the cards have been shuffled, stacked, and placed on the table in front of the dealer, the dealer shall, using one hand, cut the deck by:
 - a. Placing the cover card on the table in front of the deck of cards;
 - b. Taking a stack of at least 10 cards from either end of the deck and placing them on top of the cover card; and
 - c. Then placing the cards remaining in the deck on top of the stack of cards that were cut and placed on the cover card pursuant to (2)(b) above.
3. After the cards have been cut and before any cards have been dealt, a casino supervisor may require the cards to be recut if he or she determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game.
4. When there is no gaming activity at a poker table, each deck of cards at the table shall be spread out on the table either face up or face down. If the cards are spread face down, they shall be turned face up once at least two players have arrived at the table. After the first two players are afforded an opportunity to visually inspect the decks of cards, the procedures outlined in Subsection (D)(3) shall be followed.

F. Poker Overview and General Dealing Procedures for All Types of Poker

1. Poker shall be conducted in a separate and distinct area of the casino floor.
2. Poker shall be played by a minimum of two players and a maximum of 11 players. Poker shall be dealt by a dealer at a poker table. For all types of poker set forth in Section H (Types of Permissible Poker Games), the dealer shall not participate in the playing or outcome of the game in any way except as otherwise authorized in these rules.
3. A player shall bet on the cards that the player holds in his or her hand. All bets by a player shall be placed by the dealer in the designated area of the table known as the pot. A player may be required to ante or place a blind bet prior to the receipt of any cards. After each round of cards is dealt, a betting round shall be conducted. Each player shall decide whether to continue contending for the pot by checking, calling or raising the bet of the other players.

4. The object of the game shall be for a player to win the pot either by making a bet that no other player elects to call, or by having the hand of highest rank at the showdown in accordance with the provisions of Section C (Poker Rankings). If two or more players are still in contention for a pot after all cards have been dealt and the final betting round has been completed, there shall be a showdown among the players still in contention to determine which player has the hand of highest rank. Based on the type of poker being played, the winning player may be the player who holds the highest ranking high poker hand, the highest ranking low poker hand or both the highest ranking high and low poker hands.
5. The following procedures shall be utilized by the dealer when dealing the game of poker:
 - a. The dealer shall choose the hand in which he or she will hold the cards. Once the dealer has chosen a hand, the dealer must use that hand whenever holding the cards. The cards held by the dealer shall, at all times, be held in front of the dealer, as level as possible and over the poker table. If during a round of play, the deck must be set down to handle a transaction, the dealer shall place a marker button on top of the deck until the transaction has been completed.
 - b. The dealer shall verbalize or physically indicate the action which is occurring at the poker table with regard to the conduct of the game and instruct each player as to his or her various turns to act and options.
 - c. All burn cards shall be kept separate from the pile of discarded cards.
 - d. Unless an automatic card shuffler is used, the stub or deck must be counted at least once every hour in order to determine that the correct number of cards are present. If this count reveals an incorrect number of cards, the deck shall be removed from the table.
 - e. At the completion of a round of play, the dealer shall award the pot to the winning player or players after a showdown or to the last remaining player if all other players have folded. Prior to pushing the pot to the winner and collecting the winning hand, the dealer shall first collect the cards from all losing players.
 - f. The dealer shall collect the rake in accordance with Section N (Poker Revenue).

G. Bets

1. All bets at Poker shall be made by placing gaming chips in the pot.

2. Depending upon the particular type of poker game being dealt, a player may be required to:
 - a. Place an ante prior to receiving any cards;
 - b. Place a predetermined blind bet prior to receiving any cards; or
 - c. Place a forced bet to initiate a betting round based on that player's up-card.
3. A player may only participate in the betting during a round of play with the gaming chips, or currency which were already on the poker table in front of the player when the round of play commenced.
 - a. A player may only add to his or her gaming chips or currency between rounds of play and may not remove any of his or her gaming chips or currency from the poker table at any time during ongoing play.
 - b. Currency which is available for use by a player pursuant to the requirements of this Section may be utilized to initiate, call or raise a bet if such currency is expeditiously converted into gaming chips by the dealer.
 - c. In order to participate in a round of play, a player shall be required to have an amount of gaming chips or currency available on the poker table prior to the start of the round of play which is sufficient to make any bet required by Subsection (3) above and at least one bet at the posted table minimum.
 - d. A player who satisfies the requirements of Subsection (3)(c) above but who depletes his or her funds on the poker table prior to the completion of a round of play shall be deemed to be all-in.
 - i. An all-in player shall retain financial interest in the outcome of the round of play, but shall only be eligible to win the amount of the pot to which he or she contributed; and
 - ii. An all-in player shall continue to receive any cards to which he or she would normally be entitled; and
 - iii. Betting shall continue unimpeded among the other players by generating a separate secondary pot which only those players shall be eligible to win (side pot).
4. A verbal statement of fold, check, call, raise, or an announcement of a specific size bet by a player, assuming it is within the rules of the poker game being played and the posted table betting limits, shall be binding on the player if it is that player's turn to act.

5. A player who announces a bet or raise of a certain amount but places a different amount of gaming chips in the pot shall be required to correct his or her bet or raise to the announced amount in accordance with the instructions of the dealer.
 6. A player shall be considered to have placed a bet if the player:
 - a. Pushes gaming chips or currency forward to indicate the intent of placing a bet; or
 - b. Releases gaming chips or currency into the pot; or
 - c. Releases gaming chips or currency at a sufficient distance from the player and towards the pot to make it obvious that it is intended as a bet.
 7. A player shall not be permitted to make a bet and thereafter attempt to increase the amount of that bet, subject to the following:
 - a. If the player wishes to add an additional amount to the bet, the player must indicate at the time the bet is being made that the bet is not yet complete.
 - b. A player who puts the proper amount of gaming chips into the pot to call a bet, without indicating his or her intention to raise, may not thereafter raise the previous bet.
 - c. Subject to the posted table betting limits, a player who announces raise may continue to bet until both of his or her hands come to rest in front of the pot.
 8. It shall be the dealer's responsibility to ensure that no player touches any of the gaming chips once placed into the pot.
 9. Unless a raise has been verbally announced by that player, a player who puts into the pot a single gaming chip that is larger than required is assumed to have only called the preceding bet and to be awaiting change from the dealer.
 10. Unless specifically posted to the contrary, a player shall be permitted to raise after he or she has previously checked in a betting round.
 11. The casino may limit the number of raises permitted in a betting round depending on the number of players participating in the game.
- H. Types of Permissible Poker Games. A casino may offer the following types of poker games:
1. Seven-card stud (high, high-low split, and high-low split eight or better);
 2. Hold 'Em (high);

3. Omaha (high, high-low split eight or better);
4. Five-card draw (high and low); and
5. Five-card stud (high).

I. Seven-Card Stud Poker.

1. Each casino shall be required to observe the procedures set forth in this section for each game of seven-card stud high, seven-card stud high-low split or seven-card stud high-low split eight or better poker offered in its casino room or casino simulcasting facility.
2. Each seven-card stud poker table shall be restricted to a maximum of eight players as determined by the casino. Each player who elects to participate in a round of play may be required to place an ante. The rule governing the placement of a forced bet and the amount of the forced bet, if any, shall be posted on a sign at each poker table.
3. Starting with the first player to the left of the dealer and continuing in a clockwise rotation around the poker table, the dealer shall deal two rounds of cards face down and one round of cards face up to each player.
4. Once each player has received three cards in accordance with (3) above, the first betting round shall commence by comparing the up-card of each player. An ace shall be considered the highest-ranking card in determining the forced bet. For the purposes of this subsection only, in the event that two or more up-cards are of the same rank, the up-cards shall then be ranked by suit, with the highest to lowest ranked suits in order as follows: spades, hearts, diamonds, clubs. A forced bet shall be placed by:
 - a. For high poker, the player with the lowest ranked up-card;
 - b. For high-low split poker, the player with the highest ranked up-card. For this purpose, an ace shall be considered ranked below a two; and
 - c. For high-low split eight or better poker, the player with the lowest ranked up-card. For this purpose, an ace shall be considered the highest-ranking card.
5. Following the placement of the forced bet required by (4) above, each subsequent player may, proceeding in a clockwise rotation from the player who placed the forced bet, fold, call or raise the bet. After the last player has responded to the most recent bet, the betting round shall be considered complete.

6. Upon completion of the first betting round, the dealer shall burn the top card of the deck and then, starting with the first remaining player to his or her left, deal a fourth card face up to each player who has not folded. The next betting round shall commence as follows:
 - a. The player with the highest-ranking poker hand showing shall be required to bet or check; or
 - b. If the highest-ranking poker hand showing is held by two or more players, the player closest to the left of the dealer shall be required to bet or check.
7. Following the initial bet or check required by (6) above, each subsequent player, proceeding in a clockwise rotation, may fold, call, raise or, if the preceding players have not made a bet, check. Each player may check until a bet has been made. Once a bet has been made, the next player in a clockwise rotation may fold, call or raise. After the last player has responded to the most recent bet, the betting round shall be considered complete.
8. The dealer shall then deal two additional rounds of cards face up and one round of cards face down to each player who has not folded, with each such round followed by a betting round conducted in accordance with the provisions of (6) and (7) above. Prior to each round of cards being dealt, the dealer shall burn the top card of the deck. If insufficient cards remain in the deck to give each remaining player a seventh and final card, the dealer will count the number of participants remaining and add two to that number. This is the number of cards needed in the stub to finish dealing the hand. The dealer will then count the stub, taking care not to expose any cards to the participants. If there is a sufficient number of cards, the dealer will complete the hand. If there are not enough cards, the dealer will determine if adding the three burn cards will allow for a sufficient number of cards:
 - a. If the answer is yes, then the dealer will scramble the stub and the three burn cards together and finish the hand.
 - b. If the answer is no and there are more than two cards in the stub, the dealer will burn and deal a community card.
 - c. If the answer is no and there are two or less cards in the stub, the dealer will scramble the stub and the burn cards together, burn a card, and deal a community card.
9. If more than one player remains in the round of play after the final betting round has been completed, a showdown shall be used to determine the winner of the pot. Each player remaining in the game shall form a five-card poker hand from the seven cards which he or she was dealt. This five-card hand shall constitute the poker hand of that player at the showdown. The winner of the pot shall be:

- a. In high poker, the player with the highest ranking five card high hand;
- b. In high-low split poker or high-low split eight or better poker, the pot will be divided equally between the player with the highest ranking five card high hand and the player with the highest ranking five card low poker hand, subject to the provisions below.
 - i. If a pot cannot be divided equally, the excess amount, which shall not exceed \$1.00, shall be given to the player with the highest ranking high hand.
 - ii. If a tie exists between two or more players for the highest ranking high hand, the high hand share of the pot shall be divided equally among the tied players. If the high hand share of the pot cannot be divided equally among the tied players, the excess, which shall not exceed \$1.00, shall be given to the player with the highest ranking high poker card by suit.
 - iii. If a tie exists between two or more players for the highest ranking low hand, the low hand share of the pot shall be divided equally among the tied players. If the low hand share of the pot cannot be divided equally among the tied players, the excess, which shall not exceed \$1.00, shall be given to the player with the lowest ranking low poker card by suit.
 - iv. For purposes of this Subsections (ii) and (iii) above, the cards shall be ranked by suit with the highest to lowest ranked suit in order as follows: spades, hearts, diamonds and clubs.
- 10. In seven-card stud high-low split eight or better poker, a winning low hand may not contain any pairs or a nine, 10, jack, queen or king. This defines the qualifying clause known as eight or better. In the event that none of the hands of the remaining players satisfies this requirement, the entire pot shall be awarded to the player with the highest ranking high hand.
- 11. In seven-card stud high-low split poker and seven card stud high-low split eight or better poker, the player may form two different hands of five cards each out of the player's seven available cards, enabling that player to contend for both the high hand and low hand share of the pot. A player may use the same five card grouping to make a high poker hand and a low poker hand. For example:
 - a. A hand consisting of a two, three, four, five and six would qualify as a straight for purposes of the high hand and as a high ranking low hand; or

- b. A hand consisting of five cards of the same suit, none higher than an eight, would qualify as a flush for purposes of the high hand and as a high ranking low hand.
- 12. In seven-card stud high-low split poker and seven-card stud high-low split eight or better poker, an ace may be used concurrently as a low card to satisfy a low hand and as a high card to satisfy a high hand.

J. Hold'em Poker

- 1. Each casino shall be required to observe the procedures set forth in this section for each game of Hold'em high poker. Hold'em poker shall be played to determine a winning high hand only.
- 2. Each Hold'em poker table shall be restricted to a maximum of eleven players. Each player who elects to participate in a round of play may be required to place an ante. The rule governing the placement of an ante and the amount of the ante, if any, shall be posted on a sign at each poker table.
- 3. The order in which the cards shall be dealt and the order in which players shall be required or have the option to bet shall be determined as follows:
 - a. A flat disk called the button shall be used to indicate an imaginary dealer;
 - b. At the commencement of play the button shall be placed in front of the first player randomly determined by rank of a single card dealt;
 - c. Thereafter, the button shall rotate around the table in a clockwise manner after each round of play.
- 4. The player to the immediate left of the button shall be required to initiate the first betting round by placing a blind bet in accordance with the posted table requirements. A casino may require additional blind bets to be made immediately subsequent to the initial blind bet. The amount and number of all blind bets required by the casino shall be posted on a sign at each poker table.
- 5. Starting with the player to the immediate left of the button and continuing in a clockwise rotation around the poker table, the dealer shall deal two rounds of cards face down to each player, with the player with the button being the last player to receive a card each time.

6. Following the placement of the blind bet(s), each player shall in turn, in a clockwise rotation around the poker table, either fold, call or raise the bet. The option to raise shall also apply to the player who made the blind bet(s). After the last player has responded to the most recent bet, the betting round shall be considered complete.
7. The dealer shall then burn the top card of the deck and proceed to deal three community cards face up in the center of the table. The next betting round shall commence with the option to bet or check belonging to the first player to the left of the button who has not folded. Each subsequent player may, in clockwise rotation, fold, call, raise the bet or, if preceding players have not made a bet, make an opening bet or check. The betting round shall be considered complete when each player has either folded or called in response to the most recent bet.
8. Upon completion of the betting round required by (7) above, the dealer shall again burn the top card of the deck and then deal a fourth community card face up in the center of the table. The next betting round shall be commenced and completed in accordance with the requirements of (7) above.
9. Upon completion of the betting round required by (8) above, the dealer shall again burn the top card of the deck and then deal a fifth and final community card face up in the center of the table. The final betting round shall be commenced and completed in accordance with the requirements of (7) above.
10. If more than one player remains in the round of play after the final betting round has been completed, a showdown shall be used to determine the winner of the pot. Each player remaining in the game shall form his or her highest ranking five card high poker hand by using, in any combination, his or her own two cards and the five community cards available on the table. The winner of the pot shall be the player with the highest ranking five card high poker hand. If the highest ranking five card high poker hand that each of the remaining players can form is comprised of the five community cards, all players remaining in the round of play shall share equally in the pot.
11. In hold 'em poker, an optional kill or half-kill may be offered. The optional kill or half-kill goes into effect when one player wins the pot for two consecutive rounds of play.
 - a. In Half-kill, the betting limits are increased by one-half the posted table betting limits for the next hand and remain in effect until a pot is won by another player.
 - b. In Kill, the betting limits are twice the posted table betting limits for the next hand and remain in effect until a pot is won by another player.

A kill button, indicating the kill or half-kill is in effect, shall be placed in front of the player who wins the two pots in a row, provided that the amount of the pot is an established dollar amount or multiple of the minimum permissible bet for the hand, as determined by the casino. In the succeeding hand, the player shall be required to place no more than one blind bet in the amount of the increased permissible minimum bet for the hand, notwithstanding that the player may be required to place a blind bet to initiate the first round of betting. The kill or half-kill shall remain in effect until a pot is won by another player. Once a pot is won by another player, the dealer shall collect the kill button.

K. Omaha Poker.

1. Each casino shall be required to observe the procedures set forth in this section for each game of Omaha high and Omaha high-low split eight or better poker.
2. Each Omaha poker table shall be restricted to a maximum of 10 players. Each player who elects to participate in a round of play may be required to place an ante. The rule governing the placement of an ante and the amount of the ante, if any, and the kill or half-kill option, if offered, shall be posted on a sign at each poker table.
3. The order in which the cards shall be dealt and the order in which players shall be required or have the option to bet shall be determined as follows:
 - a. A flat disk called the button shall be used to indicate an imaginary dealer;
 - b. At the commencement of play the button shall be placed in front of the first player randomly determined by rank of a single card dealt;
 - c. Thereafter, the button shall rotate around the table in a clockwise manner after each round of play.
4. Starting with the player to the immediate left of the button and continuing in a clockwise rotation around the poker table, the dealer shall deal four rounds of cards face down to each player with the player with the button being the last player to receive a card each round.
5. After each player is dealt four cards face down, the player to the immediate left of the button shall be required to initiate the first betting round by placing a blind bet in accordance with the posted table requirements. A casino may require additional blind bets to be made immediately subsequent to the initial blind bet. The amount and number of all blind bets required by the casino shall be posted on a sign at each poker table.
6. Following the placement of the blind bet(s), each player shall in turn, in a

clockwise rotation around the poker table, either fold, call or raise the bet. The option to raise shall also apply to the player who made the blind bet(s). After the last player has responded to the most recent bet, the betting round shall be considered complete.

7. The dealer shall then burn the top card of the deck and proceed to deal three community cards face up in the center of the table. The next betting round shall commence with the option to bet or check belonging to the first player to the left of the button who has not folded. Each subsequent player may, in clockwise rotation, fold, call, raise the bet or, if preceding players have not made a bet, make an opening bet or check. The betting round shall be considered complete when each player has either folded or called in response to the most recent bet.
8. Upon completion of the betting round required by (7) above, the dealer shall again burn the top card of the deck and then deal a fourth community card face up in the center of the table. The next betting round shall be commenced and completed in accordance with the requirements of (7) above.
9. Upon completion of the betting round required by (8) above, the dealer shall again burn the top card of the deck and then deal a fifth and final community card face up in the center of the table. The final betting round shall commence with the option to bet or check belonging to the first player to the left of the button who has not folded. Each subsequent player may, in clockwise rotation, fold, call, raise the bet or, if preceding players have not made a bet, make an opening bet or check. The betting round shall be considered complete when each player has either folded or called in response to the most recent bet.
10. If more than one player remains in the round of play after the final betting round has been completed, a showdown shall be used to determine the winner of the pot. Each player remaining in the game shall form a five-card poker hand by using two of the four cards dealt to the player and three of the five community cards. This five-card hand shall constitute the poker hand of the player at the showdown. The winner of the pot shall be:
 - a. In Omaha high poker, the player with the highest ranking five card high poker hand; or
 - b. In Omaha high-low split eight or better poker, the pot will be divided equally between the player with the highest ranking five card high poker hand and the player with the highest ranking five card low poker hand, subject to the provisions below.
 - i. If a pot cannot be divided equally, the excess amount, which shall not exceed \$1.00, shall be given to the player with the highest ranking high hand.

- ii. If a tie exists between two or more players for the highest ranking high hand, the high hand share of the pot shall be divided equally among the tied players. If the high hand share of the pot cannot be divided equally among the tied players, the excess, which shall not exceed \$1.00, shall be given to the player with the highest ranking high poker card by suit.
 - iii. If a tie exists between two or more players for the highest ranking low hand, the low hand share of the pot shall be divided equally among the tied players. If the low hand share of the pot cannot be divided equally among the tied players, the excess, which shall not exceed \$1.00, shall be given to the player with the lowest ranking low poker card by suit.
 - iv. For purposes of this subsection, the cards shall be ranked by suit with the highest to lowest rank suit in order as follows: spades, hearts, diamonds and clubs.
 - v. Straights and flushes shall not be considered for purposes of determining a winning hand at low poker.
11. In Omaha high-low split eight or better poker, a winning low hand may not contain any pairs or a nine, 10, jack, queen or king. This defines the qualifying clause known as eight or better. In the event that none of the hands of the remaining players satisfies this requirement, the entire pot shall be awarded to the player with the highest ranking high hand.
12. The following rules shall only apply in Omaha high-low split eight or better poker:
- a. A player may form two different hands of five cards each, enabling that player to contend for both the high hand and low hand share of the pot; provided, however, that the distribution of cards contained in each hand shall comply with (6) above.
 - b. A player may use the same five card grouping to make a high hand and a low hand.
 - c. An ace may be used concurrently as a low card to satisfy a low hand and as a high card to satisfy a high hand.
13. In Omaha high-low split eight or better poker, an optional kill or half-kill may be offered. The optional kill or half-kill goes into effect when one player wins an entire qualifying pot (both the winning high hand and the winning low hand) for a round of play.

- a. In Half-kill, the betting limits are increased by one-half the posted table betting limits for the next hand and remain in effect until a pot is split between one player winning the high hand and another player winning the low hand or until a pot does not qualify in amount.
- b. In Kill, the betting limits are twice the posted table betting limits for the next hand and remain in effect until a pot is split between one player winning the high hand and another player winning the low hand or until a pot does not qualify in amount.

A kill button, indicating the kill or half-kill is in effect, shall be placed in front of the player who wins the entire pot in the hand, provided that the amount of the pot is an established dollar amount or multiple of the minimum permissible bet for the hand, as determined by the casino. In the succeeding hand, the player shall be required to place no more than one blind bet in the amount of the increased permissible minimum bet for the hand, notwithstanding that the player may be required to place a blind bet to initiate the first round of betting. If, in the succeeding hand, a qualifying pot is not split between one player winning the high hand and another player winning the low hand, the kill button shall be moved in front of the player who wins the entire pot for that hand. The kill or half-kill shall remain in effect until a pot does not qualify in amount or a pot is split between a player winning the high hand and a player winning the low hand. Once a pot does not qualify in amount or is split between two players, the dealer shall collect the kill button.

L. Five-card Draw Poker.

1. Each casino shall be required to observe the procedures set forth in this section for each game of five-card draw high and five-card draw low poker offered in its casino room or casino simulcasting facility.
2. Each five-card draw poker table shall be restricted to a maximum of eight players. Each player who elects to participate in a round of play may be required to place an ante. The rule governing the placement of an ante and the amount of the ante, if any, shall be posted on a sign at each poker table.
3. The order in which the cards shall be dealt and the order in which players shall be required or have the option to bet shall be determined as follows:
 - a. A flat disk called the button shall be used to indicate an imaginary dealer;
 - b. At the commencement of play, the button shall be placed in front of the first player randomly determined by rank of a single card dealt;
 - c. Thereafter, the button shall rotate around the table in a clockwise manner after each round of play.

4. Starting with the player to the immediate left of the button and continuing in a clockwise rotation around the poker table, the dealer shall deal five rounds of cards face down to each player with the player with the button being the last player to receive a card each time.
5. After each player has been dealt five cards face down, the player to the immediate left of the button shall be required to initiate the first betting round by placing a blind bet in accordance with the posted table requirements. A casino may require additional blind bets to be made immediately subsequent to the initial blind bet. The amount and number of all blind bets required by the casino shall be posted on a sign at each poker table.
6. Following the placement of the blind bet(s), each player shall in turn, in a clockwise rotation around the poker table, either fold, call or raise the bet. The option to raise shall also apply to the player who made the blind bet(s). After the last player has responded to the most recent bet, the betting round shall be considered complete.
7. After completion of the initial betting round, each player remaining in the round of play, starting with the player to the immediate left of the button and continuing in a clockwise rotation around the poker table, shall have an opportunity to draw new cards. This process shall be accomplished one player at a time. Each player may keep his or her original hand or discard as many cards as he or she chooses. Each discarded card shall be replaced by the dealer with a new card dealt from the deck as follows:
 - a. Prior to the first player receiving any new cards, the dealer shall burn the top card of the deck; and
 - b. If insufficient cards remain in the deck for each player remaining in the round of play to draw new cards, the discard pile shall be reshuffled and used for this purpose; provided, however, that the cards to be discarded by a player who has not yet requested new cards shall not be included as part of the reshuffled cards.
8. The final betting round shall commence with the option to bet or check belonging to the first player to the left of the button who has not folded. Each subsequent player may, in clockwise rotation, fold, call, raise the bet or, if preceding players have not made a bet, make an opening bet or check. The final betting round shall be considered complete when the last player has responded to the most recent bet.
9. If more than one player remains in the round of play after the final betting round has been completed, a showdown shall be used to determine the winner of the pot. The winner of the pot shall be:
 - a. In high poker, the player with the highest ranking five card high hand; or
 - b. In low poker, the player with the highest ranking five card low hand.

M. Five-card Stud Poker.

1. Each casino shall be required to observe the procedures set forth in this section for each game of five-card stud high poker. Five-card stud shall be played to determine a winning high hand only.
2. Each five-card stud poker table shall be restricted to a maximum of eight players. Each player who elects to participate in a round of play may be required to place an ante. The rule governing the placement of an ante and the amount of the ante, if any, shall be posted on a sign at each poker table.
3. Starting with the first player to the left of the dealer and continuing in a clockwise rotation around the poker table, the dealer shall deal one round of cards face down and one round of cards face up to each player.
4. Once each player has received two cards in accordance with (3) above, the first betting round shall commence by comparing the up-card of each player. An ace shall be considered the highest-ranking card in determining the forced bet. For the purposes of this subsection only, in the event that two or more up-cards are of the same rank, the up-cards shall then be ranked by suit, with the highest to lowest ranked suits in order as follows: spades, hearts, diamonds, clubs. A forced bet shall be placed by the player with the lowest ranked up-card.
5. Following the forced bet, each subsequent player may, proceeding in a clockwise rotation from the player who placed the forced bet, fold, call or raise the bet. After the last player has responded to the most recent bet, the betting round shall be considered complete.
6. Upon completion of the first betting round, the dealer shall burn the top card of the deck and then deal another round of cards face up to each player who has not folded. The next betting round shall be commenced by the player with the highest ranking high poker hand showing. If two or more hands are of equal rank, the player closest to the left of the dealer shall be required to bet. The betting round shall be completed in accordance with the procedures in (5) above.
7. The dealer shall then deal two additional rounds of cards face up to each player who has not folded, with each such round followed by a betting round conducted in accordance with the provisions of (6) above. Prior to each round of cards being dealt, the dealer shall burn the top card of the deck.
8. If more than one player remains in the round of play after the final betting round has been completed, a showdown shall be used to determine the winner of the pot. The winner of the pot shall be the player with the highest ranking five card high poker hand.

N. Poker Revenue.

1. The casino shall derive its poker revenue at all poker tables by extracting a commission known as the rake.
2. The casino shall use one or more of the following procedures in determining and extracting the rake:
 - a. A straight percentage rake, pursuant to which:
 - i. An amount, not to exceed 25 percent of all sums bet in the betting round, shall be extracted from a pot and any side pots;
 - ii. The amount to be raked shall be calculated and extracted from the pot and any side pots and placed into the designated rake area as play progresses; and
 - iii. Upon completion of a round of play, the rake shall be immediately placed by the dealer into the drop box.
 - b. A rake which shall be taken in incremental amounts, pursuant to which:
 - i. Estimates of predetermined amounts shall be extracted from the pot and any side pots as certain predetermined dollar levels have been achieved;
 - ii. Upon collection, the amount to be raked shall be placed into the designated rake area; and
 - iii. Upon completion of a round of play, the rake shall be immediately placed by the dealer into the drop box.
3. A sign describing the type and amount of rake to be collected pursuant to (2) above shall be posted at each poker table.
4. An uncalled final bet shall not be considered part of the pot; if pot is awarded pre flop no rake will be taken for purposes of calculating the amount of rake pursuant to methods Subsections (2)(a) and (b) above.
5. Once the dealer has extracted the rake and the pot and any side pots have been collected by the winning player or players, no additional rake shall be taken by the casino.
6. The casino may, in its discretion, reduce the amount of rake if there are 6 players or less at a table and a player makes a request to reduce the rake amount.

O. Jackpot Fund.

1. The casino may set aside a predetermined amount from the pot of each round of play in order to create a Jackpot Fund.
2. If the casino elects to create a Jackpot Fund at a poker table, the casino shall be required to:
 - a. Extract the jackpot fund amount in a set fee manner.
 - b. Post a sign describing the amount of Jackpot Fund to be collected during each round of play.
3. Upon collection of the Jackpot Fund amount for a round of play, the amount shall be placed in the designated Jackpot Fund area.
4. Upon completion of the round of play, the Jackpot Fund amount shall be immediately placed by the dealer into the Jackpot Fund container.
5. The casino shall establish a set of standards to determine which hands trigger the payment of a jackpot from the Jackpot Fund. All payments of jackpots shall be based on those standards.

P. General Operating Rules for All Types of Poker and Handling of Irregularities.

1. It shall be the responsibility of each player to ensure that his or her hand has lost to the other hands at the table before discarding the hand.
2. In all disputes in which a ruling, interpretation, clarification or intervention is required, the decision of the poker shift supervisor shall be final.
3. Each player shall be required to keep all cards dealt to the player in full view of the dealer at all times. The dealer shall ensure compliance with this requirement.
4. At the showdown, a winning hand must be clearly displayed in its entirety and properly identified. The player initiating the final bet shall be the first player to show his or her hand at the showdown; all other players who have not folded shall then reveal their hands in a clockwise rotation. Any player holding a losing hand may concede his or her rights to the pot and discard the hand; provided, however, that the casino may require the disclosure of any discarded hands.
5. If any player folds after making a forced bet or blind bet or on a round of checking, that player's position shall continue to receive a card until there is a subsequent bet at the table.
6. Misdeals shall cause all the cards to be returned to the dealer for a reshuffle. The following errors shall be cause for a misdeal:

- a. Failure to shuffle and cut the cards in accordance with Section (E) (Shuffle and Cut of the Cards);
 - b. Dealing to an incorrect starting position if the error has been detected prior to two players voluntarily placing bets into the pot;
 - c. If more than one card is found face-up in the deck; and
 - d. Failure to deal to an eligible seated player, if the error has been detected prior to two or more players voluntarily placing bets into the pot.
7. If one or more cards are mistakenly dealt to an ineligible player, the round of play shall be called dead, and all gaming chips and currency in the pot shall be returned to the appropriate player.
8. If at any time during a round of play, missing cards are discovered, or additional cards are found, the round of play shall be called dead, all gaming chips in the pot shall be returned to the appropriate player and the deck shall be removed from the table.
9. A card found face upwards in the deck shall not be used in the game and shall be placed with the pile of discarded cards.
10. A player who fails to take reasonable means to protect his or her hand shall have no redress if his or her hand becomes a fouled hand, or the dealer accidentally collects the hand.
 - a. Hole cards in a game of stud poker shall be considered protected for purposes of fouling a hand.
 - b. If a protected hand comes into contact with discarded cards, every effort shall be made to reconstruct the hand and complete the round of play.
 - c. A player who has a protected hand collected by the dealer or fouled by discarded cards shall be entitled to a refund from the pot of all monies that he or she put in the pot if the player has been a victim of and not a contributor to the error.
 - d. A player who leaves the vicinity of the table shall be assumed to have no interest in the pot, and his or her cards shall be collected and discarded.
11. Verbal statements which are clearly audible by and directed to the dealer shall always have precedence over actions and gestures and are considered binding on the player whose turn it is to act.
 - a. A player shall be deemed to have folded if, when faced with making or calling a bet, he or she:
 - i. Discards his or her hand face-down towards the pile of discarded cards or the pot; or

- ii. Turns face-down his or her up-cards in a game of stud poker.
 - b. If a player is obligated to place a bet by virtue of a verbal statement or forced betting situation, folding or attempting to fold does not relieve the player of that obligation.
12. If a player's first or second hole card in seven-card stud is accidentally turned face-up in the dealing process, the third card shall be dealt face-down. If both hole cards are accidentally turned face-up, the dealer shall collect the two cards, call the player's hand dead and return the player's ante, if applicable.
13. If a card is accidentally dealt off the table, it shall not be used in that round of play and shall be placed with the pile of discarded cards after a thorough examination by the dealer.
14. If any face-down cards in the games of Hold'em or Omaha are accidentally turned face-up in the dealing process:
- a. If the first or second hole card dealt is exposed, a misdeal results. The dealer will retrieve the cards, reshuffle, and re-cut the cards.
 - b. If any other hold card is exposed due to a dealer error, the deal continues. The exposed card may not be kept. After completing the hands, the dealer replaces the exposed card with the top card on the deck, and the exposed card is then used for the burn card.
 - c. If more than one hold is exposed, a misdeal results.
15. If an automated card shuffling device is being used and the device jams, stops shuffling during a shuffle, or fails to complete a shuffle cycle, the cards shall be reshuffled in accordance with these rules of play.
16. Nothing herein shall preclude a casino from clarifying and supplementing the above irregularities through its internal control procedures.

Q. Conduct of Players.

1. Each player in a poker game shall play the game solely to improve his or her chance of winning and shall take no action to improve another player's chance of winning. No player may communicate any information to another player which could assist the other player in any manner respecting the outcome of a poker game.

2. The casino reserves the right to deny any person the opportunity to play poker at its facilities, for any reason, including reasonable cause to believe that a player has acted or is acting in violation of (1) above, and at its sole discretion. A casino which has reasonable cause to believe that a player has acted or is acting in violation of (1) above.

S. Waiting List.

1. A casino may maintain a list of players who have requested to be seated at a particular type of poker table. All vacant seats shall be filled on a first come first served basis. The casino shall be permitted to announce only those seating vacancies for which an individual has been placed on a waiting list.

Adopted by Business Committee Resolution

#05-05-04-B

Amended by Business Committee Resolution

#08-30-06-N

Approved by Oneida Gaming Commission

12-27-18



Request for OGC Revision

POKER RULES OF PLAY

To: Oneida Gaming Commission
Oneida Gaming Commission Compliance

From: Table Games Director
Senior Gaming Management
Gaming Compliance

Date: October 01, 2021

Purpose:

The Director of Table Games respectfully requests the Oneida Gaming Commission to modify section C.4 in the Poker Rules of Play.

Background:

During the 2021 Card Games and Poker Rules of Play annual audit, it was noticed that C.4 contradicted the game showdown rules within the same document. Because this section is meant to apply to all games within the document, it creates conflicting regulations with individual game rules.

Industry Standard:

As a last resort, it is valuable to the industry to have precise showdown rules to determine an ultimate winner in certain games.

Current Regulation C.4:

The rank of the cards used in all types of poker other than low poker, for the determination of winning hands, in order of highest to lowest rank, shall be: ace, king, queen, jack, 10, nine, eight, seven, six, five, four, three and two. The rank of the cards used in low poker, for the determination of winning hands, in order of highest to lowest rank, shall be: ace, two, three, four, five, six, seven, eight, nine, 10, jack, queen and king. All suits shall be considered equal in rank.

Proposed Regulation C.4:

The rank of the cards used in all types of poker other than low poker, for the determination of winning hands, in order of highest to lowest rank, shall be: ace, king, queen, jack, 10,



nine, eight, seven, six, five, four, three and two. The rank of the cards used in low poker, for the determination of winning hands, in order of highest to lowest rank, shall be: ace, two, three, four, five, six, seven, eight, nine, 10, jack, queen and king. All suits shall be considered equal in rank, **unless stated in the individual game showdown rules.**

Please see attached document.

Conclusion:

Table Games Management would like to eliminate any type of confusion for Internal Audit and the Dealers when conducting the annual audits. We believe, this simple addition will eliminate future confusion.

Table Games Management would like to take this opportunity to thank you for your time and attention. I look forward to your response.

Thank you,

Table Games Management

CC: Louise Cornelius, GM
Lorna Skenandore, AGM
Chad Fuss, AGM
Fawne Rasmussen, AGM
Brenda Buckley, AGM
Ivory Kelly, Gaming Commission Compliance Manager
Derrick King, Gaming Compliance Manager

Post one (1) vacancy - Oneida Nation Arts Board

Business Committee Agenda Request

1. Meeting Date Requested: 10/27/21

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: October 19, 2021

RE: Post one (1) vacancy– Oneida Nation Arts Board

Background

There is one (1) vacancy on the Oneida Nation Arts Board (ONAB) that needs to be posted. The vacancy is due to the resignation of Mercy Metoxen on October 12, 2021; this vacancy is for a term ending June 28, 2022.

Action requested:

Post one (1) vacancy– Oneida Nation Arts Board
