



Oneida Business Committee

Regular Meeting
8:30 AM Wednesday, November 24, 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

- A. Oneida Trust Enrollment Committee - Geraldine Danforth
Sponsor: Lisa Liggins, Secretary

IV. MINUTES

- A. Approve the November 5, 2021, special Business Committee meeting minutes
Sponsor: Lisa Liggins, Secretary
- B. Approve the November 10, 2021, regular Business Committee meeting minutes
Sponsor: Lisa Liggins, Secretary

V. RESOLUTIONS

- A. Adopt the resolution entitled Emergency Amendments to the Oneida Personnel Policies and Procedures - Selection Policy**
Sponsor: David P. Jordan, Councilman
- B. Adopt resolution entitled Oneida Nation American Rescue Plan Act of 2021 Bureau of Indian Affairs Law Enforcement Special Initiatives Spending Plan**
Sponsor: Brandon Stevens, Vice-Chairman
- C. Adopt resolution entitled Oneida Nation American Rescue Plan Act of 2021 Bureau of Indian Affairs Aid to Tribal Government Spending Plan**
Sponsor: Jennifer Webster, Councilwoman
- D. Adopt resolution entitled Oneida Comprehensive Health Division American Rescue Plan Act of 2021 Indian Health Service Spending Plan**
Sponsor: Jennifer Webster, Councilwoman
- E. Adopt resolution entitled Amending the Approved Purposes provided in BC resolution # 06-09-21-A Approval of Use of Economic Development, Diversification and Community Development Fund for Transfer of \$2.4 Million to the Oneida Land Commission**
Sponsor: Amy Spears, Strategic Planner
- F. Adopt resolution entitled Extension of Declaration of Public Health State of Emergency Until January 23, 2022**
Sponsor: Tehassi Hill, Chairman

VI. APPOINTMENTS

- A. Determine next steps regarding three (3) vacancies - Oneida Land Claims Commission**
Sponsor: Lisa Liggins, Secretary
- B. Determine next steps regarding four (4) vacancies - Oneida Nation School Board**
Sponsor: Lisa Liggins, Secretary
- C. Determine next steps regarding one (1) vacancy - Oneida Police Commission**
Sponsor: Lisa Liggins, Secretary

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

1. **Accept the November 1, 2021, regular Finance Committee meeting minutes**
Sponsor: Tina Danforth, Treasurer
2. **Accept the November 15, 2021, regular Finance Committee meeting minutes**
Sponsor: Tina Danforth, Treasurer

B. LEGISLATIVE OPERATING COMMITTEE

1. **Accept the November 3, 2021, regular Legislative Operating Committee meeting minutes**
Sponsor: David P. Jordan, Councilman

VIII. STANDING ITEMS

- A. **ARPA FRF Updates and Requests/Proposals** (*none*)

IX. TRAVEL REQUESTS

- A. **Approve the travel request - Treasurer Tina Danforth - Native American Financial Officers Association December Board Meeting - Phoenix, AZ - December 1-3, 2021**
Sponsor: Tina Danforth, Treasurer
- B. **Enter the e-poll results into the record regarding the approved travel request for Chairman Hill and Vice-Chairman Stevens to attend White House Staff meetings and the Celebration of 2021 NBA Champion Milwaukee Bucks - Washington DC - November 7-9, 2021**
Sponsor: Lisa Liggins, Secretary

X. NEW BUSINESS

- A. **Approve a limited waiver of sovereign immunity - Brown County Solid Waste Management Services agreement - file # 2021-0762**
Sponsor: Mark W. Powless, General Manager
- B. **Accept the FY-2022 workforce level report pursuant to resolution # BC-09-22-21-E**
Sponsor: Todd VanDen Heuvel, Executive HR Director
- C. **Enter the e-poll results into the record regarding the authorization for the Chairman to sign and submit the consultation letter to the U.S. Department of the Interior relating to the Protection and Restoration of Tribal Homelands**
Sponsor: Lisa Liggins, Secretary

XI. REPORTS *(This section of the agenda is scheduled to being at 9:30 a.m.)***A. OPERATIONAL**

1. **Accept the Comprehensive Health Division FY-2021 4th quarter report**
Sponsor: Mark W. Powless, General Manager
2. **Accept the Environmental, Health, Safety, Land and Agriculture Division FY-2021 4th quarter report**
Sponsor: Mark W. Powless, General Manager
3. **Accept the Governmental Services Division FY-2021 4th quarter report**
Sponsor: Mark W. Powless, General Manager
4. **Accept the Public Works Division FY-2021 4th quarter report**
Sponsor: Mark W. Powless, General Manager
5. **Accept the Management Information Systems FY-2021 4th quarter report**
Sponsor: Mark W. Powless, General Manager
6. **Accept the Tribal Action Plan FY-2021 4th quarter report**
Sponsor: Mark W. Powless, General Manager
7. **Accept the Big Bear Media FY-2021 4th quarter report**
Sponsor: Mark W. Powless, General Manager
8. **Accept the Education and Training FY-2021 4th quarter report**
Sponsor: Mark W. Powless, General Manager
9. **Accept the Grants FY-2021 4th quarter report**
Sponsor: Mark W. Powless, General Manager

B. APPOINTED BOARDS, COMMITTEES, COMMISSIONS

1. **Accept the Anna John Resident Centered Care Community Board FY-2021 4th quarter report**
Sponsor: Kristen Jorgenson-Dann, Chair/Anna John Resident Centered Care Community Board
2. **Accept the Oneida Nation Arts Board FY-2021 4th quarter report**
Sponsor: Kelli Strickland, Chair/Oneida Nation Arts Board
3. **Accept the Oneida Police Commission FY-2021 4th quarter report**
Sponsor: Richard VanBoxtel, Chair/Oneida Police Commission

C. ELECTED BOARDS, COMMITTEES, COMMISSIONS

1. **Accept the Oneida Election Board FY-2021 4th quarter report**
Sponsor: Pamela Nohr, Chair/Oneida Election Board
2. **Accept the Oneida Gaming Commission FY-2021 4th quarter report**
Sponsor: Mark A. Powless Sr., Chair/Oneida Gaming Commission
3. **Accept the Oneida Land Commission FY-2021 4th quarter report**
Sponsor: Becky Webster, Chair/Oneida Land Commission
4. **Oneida Nation School Board FY-2021 4th quarter report** *(not submitted)*
5. **Accept the Oneida Trust Enrollment Committee FY-2021 4th quarter report**
Sponsor: Jennifer Webster, Councilwoman

D. STANDING COMMITTEES

1. **Accept the Community Development Planning Committee FY-2021 4th quarter report**
Sponsor: Brandon Stevens, Vice-Chairman
2. **Accept the Finance Committee FY-2021 4th quarter report**
Sponsor: Tina Danforth, Treasurer
3. **Accept the Legislative Operating Committee FY-2021 4th quarter report**
Sponsor: David P. Jordan, Councilman
4. **Accept the Quality of Life Committee FY-2021 4th quarter report**
Sponsor: Marie Summers, Councilwoman

E. OTHER

1. **Accept the Oneida Youth Leadership Institute Board FY-2021 4th quarter report**
Sponsor: Mark W. Powless, General Manager

XII. GENERAL TRIBAL COUNCIL

- A. **Determine next steps regarding the January 9, 2022, tentatively scheduled annual General Tribal Council meeting**
Sponsor: Lisa Liggins, Secretary

XIII. EXECUTIVE SESSION**A. REPORTS**

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

B. NEW BUSINESS

1. **Review application(s) for three (3) vacancies - Oneida Land Claims Commission**
Sponsor: Lisa Liggins, Secretary
2. **Review application(s) for four (4) vacancies - Oneida Nation School Board**
Sponsor: Lisa Liggins, Secretary
3. **Review application(s) for one (1) vacancy - Oneida Police Commission**
Sponsor: Lisa Liggins, Secretary

XIV. 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

Oneida Trust Enrollment Committee - Geraldine Danforth

Business Committee Agenda Request**1. Meeting Date Requested:** 11/24/21**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 Doxtator, BCC SupervisorAdditional Requestor: (Name, Title/Entity)Additional Requestor: (Name, Title/Entity)Submitted By: BDOXTAT1



Memorandum

TO: Oneida Business Committee

FROM: Brooke Doxtator, BCC Supervisor

DATE: November 16, 2021

RE: Oath of Office – Oneida Trust Enrollment Committee

Background

On October 27, 2021 the Oneida Business Committee appointed Geraldine Danforth to the Oneida Trust Enrollment Committee.

Approve the November 5, 2021, special Business Committee meeting minutes

Business Committee Agenda Request

1. Meeting Date Requested: 11/24/21

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
1:00 PM Friday, November 05, 2021
BC Conference Room, 2nd floor, Norbert Hill Center

Minutes

SPECIAL MEETING

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

Not Present: Councilman Daniel Guzman King;

Arrived at: Treasurer Tina Danforth at 1:07 p.m.;

Others present: Jo Anne House, Larry Barton (via Microsoft Teams), Danelle Wilson (via Microsoft Teams), Lisa Summers (via Microsoft Teams), Kristal Hill (via Microsoft Teams), Amy Spears (via Microsoft Teams);

I. CALL TO ORDER

Meeting called to order by Chairman Tehassi Hill at 1:03 p.m.

For the record: Councilman Daniel Guzman King is attending a meeting with the Alliance of the Great Lakes.

II. OPENING

Opening provided by Councilman Kirby Metoxen.

III. ADOPT THE AGENDA

Motion by Jennifer Webster to adopt the agenda as presented, seconded by David P. Jordan. Motion carried:

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

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

DRAFT

IV. GENERAL TRIBAL COUNCIL

A. Determine next steps regarding the November 15, 2021, tentatively scheduled special General Tribal Council meeting (Remaining items from the 2020 annual meeting, NDallas Petition, & Sustain Oneida)

Sponsor: Lisa Liggins, Secretary

Treasurer Tina Danforth arrived at 1:07 p.m.

Motion by Jennifer Webster to cancel the November 15, 2021, tentatively scheduled special General Tribal Council meeting, seconded by Kirby Metoxen. Motion carried:

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

Abstained: Tina Danforth, Marie Summers

Not Present: Daniel Guzman King

For the record: Treasurer Tina Danforth stated I think if we're going to continue to cancel meetings that we have to, it's imperative that we find a virtual means to have a General Tribal Council [meeting]. I don't think it's fair to the membership or the organization to not have General Tribal Council meetings to provide input from the community to keep them informed and to allow them to participate in governance.

For the record: Councilman Kirby Metoxen stated I don't think the Business Committee's intent is to not have General Tribal Council [meetings]. It's because of the data and the facts regarding the COVID-19 status in in our area at very high. I believe we're all in the same boat, we all want to have GTC meetings. I support if we can get something going virtually, do it, but technology is not my strong point

B. Discuss feasibility of the tentatively scheduled GTC meetings for the remainder of 2021 and determine next steps

Sponsor: Lisa Liggins, Secretary and David P. Jordan, Councilman

Motion by Jennifer Webster to cancel the tentatively scheduled GTC meetings for the remainder of 2021 and works towards meeting off reservation at a larger venue for January [2022], seconded by Marie Summers. Motion carried:

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

Opposed: Kirby Metoxen

Abstained: Tina Danforth

Not Present: Daniel Guzman King

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V. ADJOURN

Motion by Marie Summers to adjourn at 1:32 a.m., seconded by Brandon Stevens. Motion carried:

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

Not Present: Daniel Guzman King

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

Lisa Liggins, Secretary
ONEIDA BUSINESS COMMITTEE

Approve the November 10, 2021, regular Business Committee meeting minutes

Business Committee Agenda Request

1. Meeting Date Requested: 11/24/21

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**

Regular Meeting
8:30 AM Wednesday, November 10, 2021
BC Conference Room, 2nd floor, Norbert Hill Center

Minutes

REGULAR MEETING

Present: Chairman Tehassi Hill, Vice-Chairman Brandon Stevens, Treasurer Tina Danforth, Council members: Daniel Guzman King, David P. Jordan, Kirby Metoxen, Marie Summers (via Microsoft Teams¹);

Not Present: Secretary Lisa Liggins, Councilwoman Jennifer Webster;

Arrived at: n/a

Others present: Jo Anne House, Mark W. Powless, Larry Barton, Kristen Hooker, Clorissa Santiago, Brooke Doxtator, Danelle Wilson (via Microsoft Teams), Melinda J. Danforth (via Microsoft Teams), Lisa Liggins (via Microsoft Teams), Kristal Hill (via Microsoft Teams), Shane Archiquette (via Microsoft Teams), Mike Debraska (via Microsoft Teams), Mary Graves (via Microsoft Teams), Rhiannon Metoxen (via Microsoft Teams), Lori Hill (via Microsoft Teams), Carol Silva (via Microsoft Teams), Melanie Burkhardt (via Microsoft Teams), Jessica Vandekamp (via Microsoft Teams), Carmen Vanlanen (via Microsoft Teams), Todd VanDen Heuvel (via Microsoft Teams), Debra Powless (via Microsoft Teams), Jeanette Ninham (via Microsoft Teams), Aaron Manders (via Microsoft Teams), Sandra Skenadore (via Microsoft Teams), Katsi Danforth (via Microsoft Teams), Kaylynn Gresham (via Microsoft Teams), Loucinda Conway (via Microsoft Teams), Amy Spears (via Microsoft Teams), Justin Nishimoto (via Microsoft Teams), Michelle Danforth-Anderson (via Microsoft Teams), Jacque Boyle (via Microsoft Teams), Nicole Rommel (via Microsoft Teams), Tina Jorgenson (via Microsoft Teams), Jason Doxtator (via Microsoft Teams), Josephine Skenandore (via Microsoft Teams), Louise Cornelius (via Microsoft Teams), Krystal John (via Microsoft Teams);

I. CALL TO ORDER

Meeting called to order by Chairman Tehassi Hill at 8:30 a.m.

For the record: Secretary Lisa Liggins is on approved travel to the 2021 TribalNet Conference and Tradeshow in Grapevine, TX. Councilwoman Jennifer Webster is out sick.

II. OPENING (00:00:11)

Opening provided Chairman Tehassi Hill.

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

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III. ADOPT THE AGENDA (00:03:50)

Motion by Brandon Stevens to adopt the agenda with one (1) addition [add item IX.B. Approve the travel request - Councilman Kirby Metoxen and Treasurer Tina Danforth - SEOTS Food Card Distribution - Milwaukee, WI - November 17-20, 2021], seconded by Daniel Guzman King. Motion carried:

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

IV. OATH OF OFFICE (00:05:09)

Oaths of office administered by Vice-Chairman Brandon Stevens. Aaron Manders, Jeanette Ninham, and Sandra Skenadore were present via Microsoft Teams. Geraldine Danforth was not present.

- A. Oneida Nation School Board - Aaron Manders**
Sponsor: Lisa Liggins, Secretary
- B. Oneida Police Commission - Jeanette Ninham**
Sponsor: Lisa Liggins, Secretary
- C. Oneida Trust Enrollment Committee - Geraldine Danforth and Sandra Skenadore**
Sponsor: Lisa Liggins, Secretary

V. MINUTES

- A. Approve the October 27, 2021, regular Business Committee meeting minutes (00:08:08)**
Sponsor: Lisa Liggins, Secretary

Motion by David P. Jordan to approve the October 27, 2021, regular Business Committee meeting minutes, seconded by Brandon Stevens. Motion carried:

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

DRAFT**VI. RESOLUTIONS****A. Adopt resolution entitled Extension of the Emergency Amendments to the Oneida Nation Gaming Ordinance (00:09:02)**

Sponsor: David P. Jordan, Councilman

Treasurer Tina Danforth left at 8:51 a.m. for another appointment.

Motion by Marie Summers to adopt resolution 11-10-21-A Extension of the Emergency Amendments to the Oneida Nation Gaming Ordinance, seconded by David P. Jordan. Motion carried:

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

Not Present: Tina Danforth, Lisa Liggins, Jennifer Webster

B. Adopt resolution entitled Extension of the Emergency Amendments to the Budget Management and Control Law (00:21:40)

Sponsor: David P. Jordan, Councilman

Motion by David P. Jordan to adopt resolution 11-10-21-B Extension of the Emergency Amendments to the Budget Management and Control Law, seconded by Kirby Metoxen. Motion carried:

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

Not Present: Tina Danforth, Lisa Liggins, Jennifer Webster

C. Adopt resolution entitled CY 2022 County Tribal Law Enforcement Grant – Brown County (00:26:17)

Sponsor: Rich Van Boxtel, Chair/Oneida Police Commission

Motion by David P. Jordan to adopt resolution 11-10-21-C CY 2022 County Tribal Law Enforcement Grant – Brown County, seconded by Brandon Stevens. Motion carried:

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

Not Present: Tina Danforth, Lisa Liggins, Jennifer Webster

D. Adopt resolution entitled CY 2022 County Tribal Law Enforcement Grant – Outagamie County (00:26:58)

Sponsor: Rich Van Boxtel, Chair/Oneida Police Commission

Motion by David P. Jordan to adopt resolution 11-10-21-D CY 2022 County Tribal Law Enforcement Grant – Outagamie County, seconded by Kirby Metoxen. Motion carried:

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

Not Present: Tina Danforth, Lisa Liggins, Jennifer Webster

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- E. Enter the e-poll results into the record regarding the adoption of resolution # BC-11-01-21-A Obligation for Adolescent Wellness Treatment Center Tribal Partnership, Utilizing American Rescue Plan Act of 2021 Fiscal Recovery Funds Lost Revenue (00:27:26)**

Sponsor: Lisa Liggins, Secretary

Motion by Daniel Guzman King to enter the e-poll results into the record regarding the adoption of resolution # BC-11-01-21-A Obligation for Adolescent Wellness Treatment Center Tribal Partnership, Utilizing American Rescue Plan Act of 2021 Fiscal Recovery Funds Lost Revenue, seconded by Kirby Metoxen. Motion carried:

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

Not Present: Tina Danforth, Lisa Liggins, Jennifer Webster

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

- 1. Accept the September 2, 2021, regular Community Development Planning Committee meeting minutes (00:31:59)**

Sponsor: Brandon Stevens, Vice-Chairman

Motion by David P. Jordan to accept the September 2, 2021, regular Community Development Planning Committee meeting minutes, seconded by Kirby Metoxen. Motion carried:

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

Not Present: Tina Danforth, Lisa Liggins, Jennifer Webster

B. LEGISLATIVE OPERATING COMMITTEE

- 1. Accept the October 20, 2021, regular Legislative Operating Committee meeting minutes (00:32:27)**

Sponsor: David P. Jordan, Councilman

Motion by Marie Summers to accept the October 20, 2021, regular Legislative Operating Committee meeting minutes, seconded by Brandon Stevens. Motion carried:

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

Not Present: Tina Danforth, Lisa Liggins, Jennifer Webster

DRAFT**C. QUALITY OF LIFE COMMITTEE**

- 1. Accept the September 16, 2021, regular Quality of Life Committee meeting minutes (00:33:00)**

Sponsor: Marie Summers, Councilwoman

Motion by David P. Jordan to accept the September 16, 2021, regular Quality of Life Committee meeting minutes, seconded by Kirby Metoxen. Motion carried:

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

Not Present: Tina Danforth, Lisa Liggins, Jennifer Webster

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

- 1. Adopt resolution entitled Obligation for Government Infrastructure, American Rescue Plan Act of 2021 Fiscal Recover Funds Lost Revenue (00:33:37)**

Sponsor: Lisa Liggins, Secretary

Motion by Brandon Stevens to adopt resolution 11-10-21-E Obligation for Government Infrastructure, American Rescue Plan Act of 2021 Fiscal Recover Funds Lost Revenue, seconded by David P. Jordan. Motion carried:

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

Not Present: Tina Danforth, Lisa Liggins, Jennifer Webster

IX. TRAVEL REQUESTS

- A. Approve the travel request - Vice-Chairman Brandon Stevens - National Indian Gaming Association Mid-Year Conference - Temecula, CA - November 14-17, 2021 (00:41:54)**

Sponsor: Brandon Stevens, Vice-Chairman

Motion by David P. Jordan to approve the travel request for Vice-Chairman Brandon Stevens to attend the National Indian Gaming Association Mid-Year Conference in Temecula, CA - November 14-17, 2021, seconded by Marie Summers. Motion carried:

Ayes: Daniel Guzman King, David P. Jordan, Kirby Metoxen, Marie Summers

Abstained: Brandon Stevens

Not Present: Tina Danforth, Lisa Liggins, Jennifer Webster

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B. Approve the travel request - Councilman Kirby Metoxen and Treasurer Tina Danforth - SEOTS Food Card Distribution - Milwaukee, WI - November 17-20, 2021 (00:43:14)

Sponsor: Kirby Metoxen, Councilman

Motion by David P. Jordan to approve the travel request for Councilman Kirby Metoxen and Treasurer Tina Danforth to attend the SEOTS Food Card Distribution in Milwaukee, WI - November 17-20, 2021, seconded by Brandon Stevens. Motion carried:

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

X. NEW BUSINESS

A. Approve three (3) actions regarding the 2022 schedule (00:44:54)

Sponsor: Lisa Liggins, Secretary

Motion by Marie Summers to approve the 2022 OBC Meeting Schedule pursuant to section 117.6-1., to approve the 2022 Reporting Schedule pursuant to section 117.6-2., and to accept the 2022 Standing Meeting Schedule as information, seconded by David P. Jordan. Motion carried:

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

B. Schedule a special Business Committee on December 17, 2021, at 9:00 a.m. for the Year End Financial Statements (00:47:53)

Sponsor: David P. Jordan, Councilman

Motion by David P. Jordan to schedule a special Business Committee on December 17, 2021, at 9:00 a.m. for the Year End Financial Statements, seconded by Marie Summers. Motion carried:

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

C. Review the Sportsbook Rules of Play and determine appropriate next steps (00:48:13)

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

Motion by Brandon Stevens to accept the notice of the Sportsbook Rules of Play approved by the Oneida Gaming Commission on November 2, 2021, and direct notice to the Oneida Gaming Commission there are no requested revisions under section 501.6-14(d), seconded by Daniel Guzman King. Motion carried:

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

DRAFT

XI. EXECUTIVE SESSION (00:49:22)

Motion by Daniel Guzman King to go into executive session at 9:20 a.m., seconded by Marie Summers. Motion carried:

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

The Oneida Business Committee, by consensus recessed at 9:20 a.m. for 10 minutes.

Meeting called to order by Chairman Tehassi Hill at 9:28 a.m.

Roll call for the record:

Present: Councilman Daniel Guzman King; Chairman Tehassi Hill; Councilman David P. Jordan; Councilman Kirby Metoxen; Vice-Chairman Brandon Stevens; Councilwoman Marie Summers; Not Present: Treasurer Tina Danforth; Secretary Lisa Liggins; Councilwoman Jennifer Webster;

Councilman Daniel Guzman King left at 9:28 a.m.

Councilman Daniel Guzman King returned at 9:31 a.m.

Treasurer Tina Danforth returned at 10:00 a.m.

Councilman Kirby Metoxen left at 10:19 a.m.

Councilman Kirby Metoxen returned at 10:21 a.m.

Chairman Tehassi Hill left at 10:23 a.m.

Chairman Tehassi Hill returned at 10:25 a.m.

The Oneida Business Committee, by consensus recessed at 11:00 a.m. until 11:10 p.m.

Meeting called to order by Chairman Tehassi Hill at 11:10 a.m.

Roll call for the record:

Present: Treasurer Tina Danforth; Councilman Daniel Guzman King; Chairman Tehassi Hill; Councilman David P. Jordan; Councilman Kirby Metoxen; Vice-Chairman Brandon Stevens; Councilwoman Marie Summers; Not Present: Secretary Lisa Liggins; Councilwoman Jennifer Webster;

DRAFT

The Oneida Business Committee, by consensus recessed at 12:00 p.m. until 1:30 p.m.

Meeting called to order by Chairman Tehassi Hill at 1:30 a.m.

Roll call for the record:

Present: Treasurer Tina Danforth; Councilman Daniel Guzman King; Chairman Tehassi Hill;

Councilman David P. Jordan; Vice-Chairman Brandon Stevens; Councilwoman Marie Summers;

Not Present: Secretary Lisa Liggins; Councilman Kirby Metoxen; Councilwoman Jennifer Webster;

Vice-Chairman Brandon Stevens left 1:31 p.m.

Councilman Kirby Metoxen returned at 1:32 p.m.

Treasurer Tina Danforth left 1:32 p.m.

Vice-Chairman Brandon Stevens returned 1:32 a.m.

Treasurer Tina Danforth returned 1:34 p.m.

Vice-Chairman Brandon Stevens left 1:46 p.m.

Councilman Kirby Metoxen left 1:49 p.m.

Vice-Chairman Brandon Stevens returned 1:51 p.m.

Councilman Kirby Metoxen returned 1:52 p.m.

Councilman Kirby Metoxen left 2:25 p.m.

Councilman Kirby Metoxen returned 2:36 p.m.

Motion by David P. Jordan to come out of executive session at 2:38 p.m., seconded by Marie Summers. Motion carried:

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

Not Present: Lisa Liggins, Jennifer Webster

A. REPORTS

1. Accept the Retail General Manager FY-2021 4th quarter report (00:50:12)

Sponsor: Debra Powless, Retail General Manager

Motion by Daniel Guzman King to accept the Retail General Manager FY-2021 4th quarter report, seconded by David P. Jordan. Motion carried:

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

Not Present: Lisa Liggins, Jennifer Webster

DRAFT**2. Accept the Human Resources FY-2021 4th quarter report (00:50:29)**

Sponsor: Todd VanDen Heuvel, Executive HR Director

Motion by Marie Summers to accept the Human Resources FY-2021 4th quarter report, seconded by Daniel Guzman King. Motion carried:

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

Not Present: Lisa Liggins, Jennifer Webster

3. Accept the Emergency Management FY-2021 4th quarter report (00:50:49)

Sponsor: Kaylynn Gresham, Director/Emergency Management

Motion by David P. Jordan to accept the Emergency Management FY-2021 4th quarter report, seconded by Daniel Guzman King. Motion carried:

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

Not Present: Lisa Liggins, Jennifer Webster

4. Accept the preliminary September 2021 Treasurer's report (00:50:57)

Sponsor: Tina Danforth, Treasurer

Motion by David P. Jordan to accept the preliminary September 2021 Treasurer's report, seconded by Daniel Guzman King. Motion carried:

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

Not Present: Lisa Liggins, Jennifer Webster

5. Joint Marketing FY-21 4th quarter report (*not submitted*) (00:51:13)

Motion by Marie Summers to note for the record that the Joint Marketing Report was not submitted and request Secretary to direct the Joint Marketing team to be at the November 16, 2021, Business Committee work session to discuss reporting and continued need for this entity, seconded by David P. Jordan. Motion carried:

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

Not Present: Lisa Liggins, Jennifer Webster

6. Accept the Gaming General Manager FY-21 4th quarter report (00:51:37)

Sponsor: Louise Cornelius, Gaming General Manager

Motion by David P. Jordan to accept the Gaming General Manager FY-21 4th quarter report, seconded by Brandon Stevens. Motion carried:

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

Not Present: Lisa Liggins, Jennifer Webster

DRAFT**7. Accept the November 2021 Sports Wagering implementation update (00:51:52)**

Sponsor: Louise Cornelius, Gaming General Manager

Motion by Marie Summers to accept the November 2021 Sports Wagering implementation update, seconded by Brandon Stevens. Motion carried:

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

Not Present: Lisa Liggins, Jennifer Webster

8. Accept the Chief Counsel report (00:52:08)

Sponsor: Jo Anne House, Chief Counsel

Motion by Kirby Metoxen to accept the Chief Counsel report, seconded by Marie Summers. Motion carried:

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

Not Present: Lisa Liggins, Jennifer Webster

9. Accept the General Manager report (00:52:23)

Sponsor: Mark W. Powless, General Manager

Motion by Kirby Metoxen to accept the General Manager report, seconded by Marie Summers. Motion carried:

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

Not Present: Lisa Liggins, Jennifer Webster

B. AUDIT COMMITTEE**1. Accept the September 16, 2021, regular Audit Committee meeting minutes (00:52:36)**

Sponsor: David P. Jordan, Councilman

Motion by David P. Jordan to accept the September 16, 2021, regular Audit Committee meeting minutes, seconded by Daniel Guzman King. Motion carried:

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

Not Present: Lisa Liggins, Jennifer Webster

2. Accept the Cage/Vault/Kiosk compliance audit and lift the confidentiality requirement (00:52:48)

Sponsor: David P. Jordan, Councilman

Motion by Marie Summers to accept the Cage/Vault/Kiosk compliance audit and lift the confidentiality requirement, seconded by David P. Jordan. Motion carried:

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

Not Present: Lisa Liggins, Jennifer Webster

DRAFT**3. Accept the Drop and Count compliance audit and lift the confidentiality requirement (00:53:04)**

Sponsor: David P. Jordan, Councilman

Motion by Kirby Metoxen to accept the Drop and Count compliance audit and lift the confidentiality requirement, seconded by Marie Summers. Motion carried:

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

Not Present: Lisa Liggins, Jennifer Webster

4. Accept the Table Games compliance audit and lift the confidentiality requirement (00:53:18)

Sponsor: David P. Jordan, Councilman

Motion by Kirby Metoxen to accept the Table Games compliance audit and lift the confidentiality requirement, seconded by Marie Summers. Motion carried:

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

Not Present: Lisa Liggins, Jennifer Webster

5. Accept the Title 31 compliance audit and lift the confidentiality requirement (00:53:29)

Sponsor: David P. Jordan, Councilman

Motion by Marie Summers to accept the Title 31 compliance audit and lift the confidentiality requirement, seconded by David P. Jordan. Motion carried:

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

Not Present: Lisa Liggins, Jennifer Webster

6. Accept the Card Games/Poker Rules of Play compliance audit and lift the confidentiality requirement (00:53:42)

Sponsor: David P. Jordan, Councilman

Motion by Marie Summers to accept the Card Games/Poker Rules of Play compliance audit and lift the confidentiality requirement, seconded by David P. Jordan. Motion carried:

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

Not Present: Lisa Liggins, Jennifer Webster

7. Accept the Craps Rules of Play compliance audit and lift the confidentiality requirement (00:53:59)

Sponsor: David P. Jordan, Councilman

Motion by Marie Summers to accept the Craps Rules of Play compliance audit and lift the confidentiality requirement, seconded by Daniel Guzman King. Motion carried:

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

Not Present: Lisa Liggins, Jennifer Webster

DRAFT**8. Accept the Child Support performance assurance audit and lift the confidentiality requirement (00:54:12)**

Sponsor: David P. Jordan, Councilman

Motion by David P. Jordan to accept the Child Support performance assurance audit and lift the confidentiality requirement, seconded by Daniel Guzman King. Motion carried:

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

Not Present: Lisa Liggins, Jennifer Webster

9. Accept the Legislative Operating Committee performance assurance audit and lift the confidentiality requirement (00:54:27)

Sponsor: David P. Jordan, Councilman

Motion by Marie Summers to accept the Legislative Operating Committee performance assurance audit and lift the confidentiality requirement, seconded by Kirby Metoxen. Motion carried:

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

Not Present: Lisa Liggins, Jennifer Webster

C. NEW BUSINESS**1. Accept two (2) draft Security Department standard operating procedures as information (00:54:44)**

Sponsor: Katsi Danforth, Security Director

Motion by David P. Jordan to delete this item from the agenda, seconded by Daniel Guzman King. Motion carried:

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

Not Present: Lisa Liggins, Jennifer Webster

2. Approve three (3) actions regarding 2021 Annual Project/Goal #3 for BCDR10 (00:54:58)

Sponsor: Melinda J. Danforth, Director/Intergovernmental Affairs

Motion by Marie Summers to approve the limited waiver of sovereign immunity for file #2021-0494, to approve the final offer to purchase, and to authorize the Chairman to sign, seconded by David P. Jordan. Motion carried:

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

Not Present: Lisa Liggins, Jennifer Webster

DRAFT**3. Approve a limited waiver of sovereign immunity - Brown Advisory LLC Investment Advisory Agreement - file # 2021-0690 (00:55:16)**

Sponsor: Jennifer Webster, Councilwoman

Motion by Marie Summers to approve a limited waiver of sovereign immunity - Brown Advisory LLC Investment Advisory Agreement - file # 2021-0690, seconded by David P. Jordan. Motion carried:

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

Not Present: Lisa Liggins, Jennifer Webster

4. Approve the revised addendum A for DR09 employment contract - file # 2021-0563 (00:55:36)

Sponsor: Jessica Vandekamp, Employee Relations Representative

Motion by Marie Summers to accept DR09 employment contract - file # 2021-0563 as information and request Employee Relations Representative to schedule a separate meeting to discuss with Executive Human Resources Director, seconded by David P. Jordan. Motion carried:

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

Not Present: Lisa Liggins, Jennifer Webster

XII. ADJOURN (00:56:01)

Motion by Daniel Guzman King to adjourn at 2:44 p.m., seconded by Marie Summers. Motion carried:

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

Not Present: Lisa Liggins, Jennifer Webster

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

Lisa Liggins, Secretary
ONEIDA BUSINESS COMMITTEE

Oneida Business Committee Agenda Request


Adopt the resolution entitled Emergency Amendments to the Oneida Personnel Policies and Procedures -

1. Meeting Date Requested: 11 / 24 / 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: November 24, 2021
RE: Oneida Personnel Policies and Procedures Emergency Amendments

Please find the following attached backup documentation for your consideration of the emergency amendments to the Oneida Personnel Policies and Procedures:

1. Resolution: Emergency Amendments to the Oneida Personnel Policies and Procedures – Selection Policy
2. Statement of Effect: Emergency Amendments to the Oneida Personnel Policies and Procedures – Selection Policy
3. Oneida Personnel Policies and Procedures Emergency Amendments Legislative Analysis
4. Oneida Personnel Policies and Procedures (Redline)
5. Oneida Personnel Policies and Procedures (Clean)

Overview

Emergency amendments to the Oneida Personnel Policies and Procedures are being sought to improve the Nation's hiring capacity and service delivery in the tight labor markets that have resulted from the COVID-19 pandemic. The emergency amendments to the Oneida Personnel Policies and Procedures will:

- Require that all applications for employment with the Nation be submitted online;
- Eliminate the requirement that a position vacancy be posted twice with the first posting open to enrolled members of the Nation only and the second posting open to the general public;
- Require that applicants who are enrolled members of the Oneida Nation be screened and interviewed prior to any other applicants;
- Allow for a supervisor to choose between the next two (2) ranked applicants if the first choice refuses the position offer;
- Require an employee who is transferred to continue serving in their present position until a replacement can be found, for a period up to thirty (30) days;
- Remove the requirement that an employee completes one (1) year of service to the Nation before being eligible for a transfer;
- Clarify that an employee shall be required to undergo an original probation period for three (3) months after being hired, transferred, or reassigned to a new position;
- Remove the provision that provided probationary employees be paid at five percent (5%) below the posted pay rate for the position; and
- Make other revisions throughout Section III of the Oneida Personnel Policies and Procedures to simplify and clarify language to make the hiring selection process more efficient.

On March 12, 2020, Chairman Tehassi Hill signed a “*Declaration of Public Health State of Emergency*” regarding the COVID-19 pandemic which declared a Public Health State of Emergency for the Nation until April 12, 2020 and set into place the necessary authority for action to be taken and allows the Nation to seek reimbursement of emergency management actions that may result in unexpected expenses. The Public Health State of Emergency has since been extended until November 25, 2021, by the Oneida Business Committee through the adoption of resolutions BC-03-28-20-A, BC-05-06-20-A, BC-06-10-20-A, BC-07-08-20-A, BC-08-06-20-A, BC-09-09-20-A, BC-10-08-20-A, BC-11-10-20-A, BC-12-09-20-D, BC-01-07-21-A, BC-02-10-21-A, BC-03-10-21-D, BC-05-12-21-A, BC-06-23-21-B, BC-07-28-21-N, and BC-09-22-21-A.

The Oneida Business Committee can temporarily enact legislation when legislation is necessary for the immediate preservation of the public health, safety, or general welfare of the Reservation population, and the amendment of the legislation is required sooner than would be possible under the Legislative Procedures Act. [1 O.C. 109.9-5]. A fiscal impact statement and public meeting are not required for emergency legislation. [1 O.C. 109.9-5(a)].

The emergency amendments to the Oneida Personnel Policies and Procedures are necessary for the preservation of the general welfare of the Reservation population. The emergency amendments simplify the Nation’s hiring selection procedures so they are more effective so that the Nation can improve its hiring capacity and service delivery during increasingly tight labor markets that have resulted from the COVID-19 pandemic.

Additionally, observance of the requirements under the Legislative Procedures Act for the adoption of these amendments would be contrary to public interest. The process and requirements of the Legislative Procedures Act cannot be completed in time to allow the Nation the ability to adequately address its hiring selection procedures in the tight labor markets resulting from the COVID-19 pandemic.

The emergency amendments to the Oneida Personnel Policies and Procedures will become effective immediately upon adoption by the Oneida Business Committee and will remain effective for six (6) months, with the possibility to extend for an additional six (6) months, or until the emergency amendments expire or are permanently adopted. [1 O.C. 109.9-5(b)].

Requested Action

Approve the Resolution: Emergency Amendments to the Oneida Personnel Policies and Procedures – Selection Policy

Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Resolution

Emergency Amendments to the Oneida Personnel Policies and Procedures – Selection Policy

- 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 Oneida Personnel Policies and Procedures (“the Law”) sets forth the Nation’s various
10 employment related policies and procedures; and
11
12 **WHEREAS,** Section III of the Oneida Personnel Policies and Procedures specifically governs the hiring
13 selection policy for employment with the Nation; and
14
15 **WHEREAS,** on March 12, 2020, Chairman Tehassi Hill signed a “*Declaration of Public Health State of*
16 *Emergency*” regarding COVID-19 which declared a Public Health State of Emergency for
17 the Nation until April 12, 2020, and set into place the necessary authority for action to be
18 taken and allows the Nation to seek reimbursement of emergency management actions
19 that may result in unexpected expenses; and
20
21 **WHEREAS,** the Nation’s Public Health State of Emergency has since been extended by the Oneida
22 Business Committee until November 25, 2021, through the adoption of the following
23 resolutions: BC-03-28-20-A, BC-05-06-20-A, BC-06-10-20-A, BC-07-08-20-A, BC-08-06-
24 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,
25 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
26 BC-09-22-21-A; and
27
28 **WHEREAS,** the COVID-19 pandemic interrupted many business operations and had vast effects on
29 employment throughout the country; and
30
31 **WHEREAS,** emergency amendments to the Law are being sought to improve the Nation’s hiring
32 capacity and service delivery in the tight labor markets that have resulted from the COVID-
33 19 pandemic; and
34
35 **WHEREAS,** the emergency amendments to the Law will require that all applications for employment
36 with the Nation be submitted online; and
37
38 **WHEREAS,** the emergency amendments to the Law will eliminate the requirement that a position
39 vacancy be posted twice with the first posting open to enrolled members of the Nation only
40 and the second posting open to the general public; and
41

WHEREAS, the emergency amendments to the Law will require that applicants who are enrolled members of the Oneida Nation be screened and interviewed prior to any other applicants; and

WHEREAS, the emergency amendments to the Law will allow for a supervisor to choose between the next two (2) ranked applicants if the first choice refuses the position offer; and

WHEREAS, the emergency amendments to the Law will require an employee who is transferred to continue serving in their present position until a replacement can be found, for a period up to thirty (30) days; and

WHEREAS, the emergency amendments to the Law will remove the requirement that an employee completes one (1) year of service to the Nation before being eligible for a transfer; and

WHEREAS, the emergency amendments to the Law will clarify that an employee shall be required to undergo an original probation period for three (3) months after being hired, transferred, or reassigned to a new position; and

WHEREAS, the emergency amendments to the Law will remove the provision that provided probationary employees be paid at five percent (5%) below the posted pay rate for the position; and

WHEREAS, the emergency amendments to the Law will make other revisions throughout Section III of the Law to simplify and clarify language to make the hiring selection process more efficient; and

WHEREAS, the Legislative Procedures Act authorizes the Oneida Business Committee to enact legislation on an emergency basis when legislation is necessary for the immediate preservation of the public health, safety, or general welfare of the Reservation population, and the adoption of the legislation is required sooner than would be possible under the Legislative Procedures Act; and

WHEREAS, the emergency adoption of amendments to this Law are necessary for the preservation of the general welfare of the Reservation population in order to simplify the Nation's hiring selection procedures so they are more effective so that the Nation can improve its hiring capacity and service delivery during increasingly tight labor markets that have resulted from the COVID-19 pandemic; and

WHEREAS, observance of the requirements under the Legislative Procedures Act for adoption of the emergency amendments to this Law would be contrary to public interest and the process and requirements of the Legislative Procedures Act cannot be completed in time to allow the Nation the ability to adequately address its hiring selection procedures in the tight labor markets resulting from the COVID-19 pandemic; and

WHEREAS, adoption of emergency amendments to this Law would remain in effect for a period of six (6) months, renewable by the Oneida Business Committee for an additional six (6) month term; and

WHEREAS, the Legislative Procedures Act does not require a public meeting or fiscal impact statement when considering emergency legislation; and

NOW THEREFORE BE IT RESOLVED, the Oneida Business Committee hereby adopts the emergency amendments to the Oneida Personnel Policies and Procedures effective immediately.



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



Statement of Effect

Emergency Amendments to the Oneida Personnel Policies and Procedures – Selection Policy

Summary

This resolution adopts emergency amendments to the Oneida Personnel Policies and Procedures.

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

Date: November 10, 2021

Analysis by the Legislative Reference Office

This resolution adopts emergency amendments to the Oneida Personnel Policies and Procedures (“the Law”). The Law sets forth the Nation’s various employment related policies and procedures, with Section III specifically governing the hiring selection policy or employment with the Nation.

The emergency amendments to the Law will:

- Require that all applications for employment with the Nation be submitted online;
- Eliminate the requirement that a position vacancy be posted twice with the first posting open to enrolled members of the Nation only and the second posting open to the general public;
- Require that applicants who are enrolled members of the Oneida Nation be screened and interviewed prior to any other applicants;
- Allow for a supervisor to choose between the next two (2) ranked applicants if the first choice refuses the position offer;
- Require an employee who is transferred to continue serving in their present position until a replacement can be found, for a period up to thirty (30) days;
- Remove the requirement that an employee completes one (1) year of service to the Nation before being eligible for a transfer;
- Clarify that an employee shall be required to undergo an original probation period for three (3) months after being hired, transferred, or reassigned to a new position;
- Remove the provision that provided probationary employees be paid at five percent (5%) below the posted pay rate for the position; and
- Make other revisions throughout Section III of the Oneida Personnel Policies and Procedures to simplify and clarify language to make the hiring selection process more efficient.

The Legislative Procedures Act (“the LPA”) was adopted by the General Tribal Council for the purpose of providing a process for the adoption or amendment of laws of the Nation. [1 O.C. 109.1-1]. The 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]. A public meeting and fiscal impact statement are not required for emergency legislation. [1 O.C. 109.8-1(b) and 109.9-5(a)].

On March 12, 2020, in accordance with the Emergency Management law, Chairman Tehassi Hill signed a “*Declaration of Public Health State of Emergency*” which sets into place the necessary authority should action need to be taken, and allows the Oneida Nation to seek reimbursement of emergency management actions that may result in unexpected expenses. [3 O.C. 302.8-1]. The Oneida Business Committee has extended this Public Health State of Emergency until November 25, 2021, through the adoption of the following resolutions: BC-03-26-20-A, BC-05-06-20-A, BC-06-10-20-A, BC-07-08-20-A, BC-08-06-20-A, BC-09-09-20-A, BC-10-08-20-A, BC-11-10-20-A, BC-12-09-20-D, BC-01-07-21-A, BC-02-10-21-A, BC-03-10-21-D, 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 COVID-19 pandemic interrupted many business operations and had vast effects on employment throughout the country.

The resolution provides that the emergency amendments to this Law are necessary for the preservation of the general welfare of the Reservation population in order to simplify and clarify the Nation’s hiring selection procedures so they are more effective so that the Nation can improve its hiring capacity and service delivery during increasingly tight labor markets that have resulted from the COVID-19 pandemic.

Additionally, observance of the requirements under the Legislative Procedures Act for the adoption of this Law would be contrary to public interest and the process and requirements of the LPA cannot be completed in time to allow the Nation the ability to adequately address its hiring selection procedures in the tight labor markets resulting from the COVID-19 pandemic.

The adoption of emergency amendments to this Law will take effect immediately upon adoption by the Oneida Business Committee. The emergency amendments to the Law will remain effective for six (6) months. The LPA provides the possibility to extend the emergency amendments for an additional six (6) months, or until the emergency amendments expire or are permanently adopted. [1 O.C. 109.9-5(b)].

Conclusion

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



EMERGENCY AMENDMENTS TO ONEIDA PERSONNEL POLICIES AND PROCEDURES LEGISLATIVE ANALYSIS

SECTION 1. EXECUTIVE SUMMARY

<i>Analysis by the Legislative Reference Office</i>	
Intent of the Proposed Amendments	<ul style="list-style-type: none"> ▪ Update the Nation's Personnel Policies and Procedures using current interpretations, language, and technology to minimize the time to hire employees from post to hire in a tight labor market; ▪ Remove language stating that knowledge of Oneida culture can be attained only by membership (or eligibility for membership) in the Oneida Nation; ▪ Add language to state that the Personnel Commission is directed to comply with the Oneida Personnel Commission Bylaws; ▪ Update the applications policy to require all applications for employment vacancies to be submitted online; ▪ Change the guidelines for advertising position vacancies to require one posting for position vacancies open to both enrolled Oneida members and the general public; ▪ Add guidelines for screening to require applicants who are enrolled members of the Oneida Nation to be screened and interviewed prior to any other applicants; ▪ Include a definition for "conflict of interest"; ▪ Add language to clarify that no applicant interview shall take place without an HRD Representative present; ▪ Revise the selection policy to provide the supervisor with the next two (2) ranked candidates should the supervisor's first choice refuse the offer; ▪ Revise the selection policy to remove requirement of offering chosen candidates the position within five (5) days; ▪ Remove the section regarding bidding for internal job postings; and ▪ Remove the wage deduction for probationary employees.
Purpose	To provide for the Nation's employee related policies and procedures including recruitment, selection, compensation and benefits, employee relations, safety and health, program and enterprise rules and regulations, and record keeping.
Affected Entities	Oneida Nation employees
Public Meeting	A public meeting is not required for emergency legislation [1 O.C. 109.8-1(b) and 109.9-5(a)].
Fiscal Impact	A fiscal impact statement is not required for emergency legislation [1 O.C. 109.9-5(a)].
Expiration of Emergency Legislation	Emergency legislation expires six (6) months after adoption and may be renewed for an additional six (6) month period.

SECTION 2. LEGISLATIVE DEVELOPMENT

A. **Background.** The Oneida Personnel Policies and Procedures provides the Nation's employee related policies and procedures including recruitment, selection, compensation and benefits, employee relations, safety and health, program and enterprise rules and regulations, and record keeping.

B. **Request for Emergency Amendments.** On August 18, 2021, the Legislative Operating Committee considered a request for amendments to the Oneida Personnel Policies and Procedures from the Human Resources Department to address the selection policy in an effort to update the Personnel Policies & Procedures using current interpretations, language and technology to improve minimize the time to hire employees from post to hire in a tight labor market. The Legislative Operating Committee determined these amendments should be pursued on an emergency basis for the immediate preservation of the general welfare of the Reservation population.

SECTION 3. CONSULTATION AND OUTREACH

- Representatives from the following departments or entities participated in the development of this Law and legislative analysis:
 - Human Resources Department
- The Legislative Operating Committee has held the following work meetings specific to the proposed emergency amendments to this Law:
 - 9/13/21 – LOC work meeting with the Human Resources Department
 - 9/15/21 – LOC work meeting
 - 10/12/21 – LOC work meeting with the Human Resources Department
 - 10/18/21 – LOC work meeting with the Human Resources Department
 - 10/21/21 – Work meeting with representatives from the LRO and Human Resources Department
 - 10/25/21 – LOC work meeting with the Human Resources Department
 - 11/4/21 – LOC work meeting with the officers of the Oneida Business Committee and the Human Resources Department
 - 11/9/21 – LOC work meeting

SECTION 4. PROCESS

A. These amendments are being considered on an emergency basis. The Oneida Business Committee may temporarily enact an emergency law where legislation is necessary for the immediate preservation of public health, safety, or general welfare of the Reservation population and enactment or amendment of legislation is required sooner than would be possible under this law. [1 O.C. 109.9-5].

- The emergency adoption of amendments to this Law are necessary for the preservation of the general welfare of the Reservation population in order to simplify the Nation's hiring selection procedures so they are more effective so that the Nation can improve its hiring capacity and service delivery during increasingly tight labor markets that have resulted from the COVID-19 pandemic.
- Observance of the requirements under the Legislative Procedures Act for adoption of the emergency amendments to this Law would be contrary to public interest and the process and requirements of the Legislative Procedures Act cannot be completed in time to allow the Nation the ability to adequately address its hiring selection procedures in the tight labor markets resulting from the COVID-19 pandemic.

B. The emergency amendments will expire six (6) months after adoption, with one (1) opportunity for a six (6) month extension of the emergency amendments. [1 O.C. 109.9-5(b)].

- 44 C. The Legislative Procedures Act does not require a public meeting or fiscal impact statement when
45 considering emergency legislation. [1 O.C. 109.9-5(a)]. However, a public meeting and fiscal impact
46 statement will eventually be required when considering permanent adoption of this Law.
- 47 D. On August 18, 2021, the Legislative Operating Committee considered a request for amendments to the
48 Oneida Personnel Policies and Procedures from the Human Resources Department to address the
49 selection policy in an effort to update the Personnel Policies and Procedures using current
50 interpretations, language and technology to improve minimize the time to hire employees from post to
51 hire in a tight labor market.

53 SECTION 5. CONTENTS OF THE LEGISLATION

- 54 A. **Oneida Preference and Indian Preference Statement of Policy.** The proposed amendments alter the
55 language of the Oneida Preference and Indian Preference Statement of Policy to state that a highly
56 desirable employment characteristic is knowledge of Oneida culture [Section III(A)]. Previously, this
57 section stated that knowledge of Oneida culture can be attained only by membership (or eligibility for
58 membership) in the Oneida Nation [Section III(A)].
- 59 ■ *Effect:* Language stating that knowledge of Oneida culture can only be attained by membership
60 (or eligibility for membership) is removed due to the belief that knowledge of the Oneida culture
61 may be attained in other ways.
- 62 B. **Hiring Guidelines.** The proposed emergency amendments add language to state that the Personnel
63 Commission is directed to comply with the Oneida Personnel Commission Bylaws [Section
64 III(B)(2)(b)(1)(a)(iii)].
- 65 ■ *Effect:* The Personnel Commission will comply with the Oneida Personnel Commission Bylaws
66 to represent the Oneida Community-at-large in the selection of employees of the Nation.
- 67 C. **Applications.** The proposed emergency amendments update the policy for applications to require all
68 applications to be submitted online [Section III(B)(3)(d)(2)]. Previously, hand-delivered applications
69 were accepted at the HRD Office until 4:30 p.m. on the deadline date [Section III(B)(3)(d)(2)].
- 70 ■ *Effect:* Applications for employment vacancies will only be accepted online in order to minimize
71 the time to hire employees from post to hire in a tight labor market.
- 72 D. **Advertising.** The proposed emergency amendments change the guidelines for advertising position
73 vacancies so that there is one posting for position vacancies open to both enrolled Oneida members
74 and the general public [Section III(B)(2)(e)(2)]. Previously, there were two separate postings; the first
75 post was limited to enrolled Oneida members and was required to be posted for a minimum of seven
76 (7) calendar days, and the second post was open to the general public and was required to be posted
77 for a minimum of ten (10) days [Section III(B)(2)(e)].
- 78 ■ *Effect.* Only one (1) posting for tribal members and the general public will be required for
79 position vacancies, unless the position is required to be filled by an enrolled member of the
80 Oneida Nation. This will reduce the time that position vacancies are required to be posted, thus
81 minimizing the time to hire employees from post to hire in a tight labor market. Position
82 vacancies will now be posted for a minimum of seven (7) calendar days to the general public,
83 rather than seven (7) calendar days for enrolled Oneida members and an additional ten (10)
84 calendar days for the general public.
- 85 E. **Screening.** The proposed emergency amendments add guidelines for screening so that applicants who
86 are enrolled members of the Oneida Nation shall be screened and interviewed prior to any other
87 applicants. If the screening and interviewing of the applicants who are enrolled members of the

Oneida Nation did not result in the position vacancy being filled, then all other applicants may be screened and interviewed [Section III(B)(2)(f)(1)].

- *Effect.* Applicants who are enrolled members of the Oneida Nation will be given priority over the general public to be screened and interviewed for vacant positions.

F. Definition for “Conflict of Interest”. The proposed emergency amendments include a definition for “conflict of interest”, as defined in the Conflict of Interest law. Conflict of interest is defined as: a) Any interest, real or apparent, whether it be personal, financial, political, or otherwise, held by an elected official, officer, political appointee, employee, consultant, or appointed or elected member. b) Immediate family members, friends or associates, or any other person with whom they have contact, that conflicts with any right of the Nation to property, information. c) Any other right to own and operate activities free from undisclosed competition or other violation of such rights of the Nation. d) This is not an all-inclusive list [Section III(B)(2)(f)(3)].

- *Effect.* The definition for “conflict of interest” is added, as defined in the Conflict of Interest Law.

G. Applicant Interviews. The proposed emergency amendments add language to state that no interview shall take place without an HRD Representative present [Section III(B)(2)(g)(2)].

- *Effect.* Interviews will not take place without an HRD Representative present to ensure all procedures are followed.

H. Selection. The proposed emergency amendments change the language of the selection policy to state that the HRD Office will notify and offer the position to the selected candidate, and should the supervisor’s first choice refuse the offer, the HRD Office will provide the supervisor with the next two ranked candidates to choose from [Section III(B)(h)(1)(c)]. The proposed emergency amendments also remove the requirement to list all newly hired employees in the HR newsletter. Previously, the policy stated that the HRD Office will notify the selected candidate and offer the candidate the job within five (5) working days of the selection decision by the supervisor, and should the supervisor’s first choice refuse the office, the HRD Office will offer the job to the second ranked candidate [Section III(B)(h)(1)(c)]. All newly hired employees were listed in the HR newsletter [Section III(B)(h)(4)].

- *Effect.* The HRD Office will not be required to offer the chosen candidate the job within five (5) working days of the selection decision by the supervisor. Should the supervisor’s first choice refuse the offer, the HRD Office will provide the supervisor with the next two ranked candidates rather than automatically offering the job to the second ranked candidate.

I. Bidding. The proposed emergency amendments remove the section regarding bidding for internal job postings. Previously, Oneida Nation employees could bid for transfers by notifying their immediate supervisor and submitting an Application Form to the HRD Office [Section III(C)(a)(3)].

- *Effect.* Employees will not be able to bid for transfers.

J. Interim Position Reassignments. The proposed emergency amendments add a section regarding interim position reassignments. Interim position reassignments may be processed to fill a position in which the previous employee is in the appeals process, on a leave of absence, or for a vacant position [Section III(C)(2)(c)(1)].

- *Effect:* Supervisors may fill vacant positions through interim position reassignments.

K. Status as a Probationary Employee. The proposed emergency amendments eliminate the wage deduction for probationary employees. The proposed amendments also eliminate the section stating that employees who are terminated during the probation period will receive credit for accrued vacation/personal days in their final paycheck. Previously, employees were paid at five percent (5%) below the posted pay rate for the position during their probationary period [Section III(D)(b)(a)]. New

employees hired under a negotiated salary received a salary one step below the agreed upon salary during the probationary period [Section III(D)(b)(a)(1)]. Employees who were terminated during their probationary period received credit for accrued vacation/personal days during their final paycheck [Section III(D)(3)(b)].

- *Effect.* Employees will receive their full wage during their probationary period. Employees that are terminated during their probationary period will not receive credit for accrued vacation/personal days in their final paycheck.

L. Minor Drafting Changes. Minor drafting and formatting changes have been made throughout the Personnel Policies and Procedures including the following:

- References to “American Indian Nation” were changed to “federally recognized tribe”;
- The section on conflict of interest and nepotism was moved to later in the document;
- Some references to the “HRD Manager” were changed to “HR Representative”;
- Internal HR information that was not needed for an employee manual was removed;
- Some references to “will” were changed to “shall”;
- A reference to “tribal employees” were changed to “employees of the Nation”;
- Inquiries to job applications were updated so that they would be responded to with an application and/or resume rather than an application form;
- The section on advertising was reformatted;
- Some references to “candidates” were changed to “applicants”; and
- References to “transferred or promoted” were changed to “job reassigned”.

SECTION 6. EXISTING LEGISLATION

A. Related Legislation. The following laws of the Nation are related to the emergency amendments to this Law:

- *Legislative Procedures Act.* The Legislative Procedures Act was adopted by the General Tribal Council on January 7, 2013, for the purpose of providing a standard process for the adoption of laws of the Nation which includes taking into account comments from members of the Nation and input from agencies of the Nation. [1 O.C. 109.1-1, 109.1-2].
 - The Legislative Procedures Act provides a process for the adoption of emergency legislation when the legislation is necessary for the immediate preservation of the public health, safety, or general welfare of the Reservation population and the enactment or amendment of legislation is required sooner than would be possible under this law. [1 O.C. 109.9-5].
 - The Legislative Operating Committee is responsible for first reviewing the emergency legislation and for forwarding the legislation to the Oneida Business Committee for consideration. [1 O.C. 109.9-5(a)].
 - The proposed emergency legislation is required to have a legislative analysis completed and attached prior to being sent to the Oneida Business Committee for consideration. [1 O.C. 109.9-5(a)].
 - a. A legislative analysis is a plain language analysis describing the important features of the legislation being considered and factual information to enable the Legislative Operating Committee to make informed decisions regarding legislation. A legislative analysis includes a statement of the legislation’s terms and substance; intent of

- the legislation; a description of the subject(s) involved, including any conflicts with Oneida or other law, key issues, potential impacts of the legislation and policy considerations. [1 O.C. 109.3-1(g)].
- Emergency legislation does not require a fiscal impact statement to be completed or a public comment period to be held. [1 O.C. 109.9-5(a)].
 - Upon the determination that an emergency exists the Oneida Business Committee can adopt emergency legislation. The emergency legislation becomes effective immediately upon its approval by the Oneida Business Committee. [1 O.C. 109.9-5(b)].
 - Emergency legislation remains in effect for a period of up to six (6) months, with an opportunity for a one-time emergency law extension of up to six (6) months. [1 O.C. 109.9-5(b)].
 - Adoption of these proposed emergency amendments would conform with the requirements of the Legislative Procedures Act.

SECTION 7. OTHER CONSIDERATIONS

- A. *Deadline for Permanent Adoption of Legislation.*** The adoption of emergency amendments to the Oneida Personnel Policies and Procedures will expire six (6) months after adoption. The emergency legislation may be renewed for an additional six (6) month period.
- *Conclusion:* The Legislative Operating Committee will need to determine if the adoption of these amendments is necessary on a permanent basis, and if so, develop the permanent amendments to this Law within the next six (6) to twelve (12) months.
- B. *Fiscal Impact.*** A fiscal impact statement is not required for emergency legislation.
- Under the Legislative Procedures Act, a fiscal impact statement is required for all legislation except emergency legislation [1 O.C. 109.6-1].



ONEIDA NATION
PERSONNEL POLICIES AND PROCEDURES MANUAL

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SECTION I – INTRODUCTION

Welcome to the Oneida Nation. We are pleased to have you join us as a partner on a team of individuals dedicated to providing quality service that enhances the quality of life of the Oneida community. The role you play in your position is important to the overall effort required by your department to meet the goals and objectives of the Oneida Nation. We encourage you to take advantage of the opportunities presented to you, as an employee, to grow and develop both personally and professionally.

The purpose of this "Employee Manual" is to provide you with a ready source of information about employee related Oneida Nation policies and procedures. Although we have tried to make this manual as comprehensive as possible; it does not, and cannot, include policies which address every situation that may arise. The Oneida Nation reserves the right to modify, alter, change or cancel existing policies and procedures or adopt new procedures and policies at any time.

The policies and procedures set forth in this manual apply to all employees. As an employee of the Oneida Nation, you are required to know and abide by these policies and procedures. Oneida Nation departments may have specific and additional procedures enhancing the general policies stated in this manual. Each employee is expected to learn his/her department's procedures and comply with them. In the event of any conflict between policies in this manual and departmental procedure, the policies in this manual supersede. Each employee is also expected to conform to the professional standards of his/her occupation. Questions regarding this manual, or any employee related policies, should be directed to your supervisor, department head, or to the Human Resources Department at (920) 496-7900.

The Oneida Nation is proud to have you on our staff and we look forward to a fulfilling and successful team relationship.

SECTION II - RECRUITING

A. RECRUITING

1. Recruiting Strategy

- a. The Oneida Nation shall implement a Recruiting Strategy to increase the potential for hiring the best-qualified and most capable employees possible.
 - 1) The Recruiting Strategy shall target, as the first priority, applicants in accordance with the Oneida and Indian Preference Policy.
 - 2) The Recruiting Strategy shall have a nationwide focus and will use:
 - a) The Kalihwisaks (national distribution);
 - b) The Oneida Higher Education Office's network of post-secondary school students;
 - c) Local and regional media and public employment agencies.

2. Applicant Pool

- a. The Oneida Nation shall establish and maintain an Applicant Pool consisting of individuals who have expressed an interest in working for the Oneida Nation.
 - 1) The Applicant Pool will consist of files containing:
 - a) An Oneida Nation Application Form;
 - b) A summary of career goals and job preferences.
 - 2) The Applicant Pool will be regularly reviewed to:
 - a) Update individual files;
 - b) Remove files where indicated.
 - 3) The Applicant Pool will be cross-referenced by job preferences.
 - a) Notices of job vacancies and an Application Form will be sent to all Applicant Pool members as appropriate.
 - 4) All Applicant Pool members shall have the right to review and update their file upon request.
 - 5) Applicant Pool members shall be apprised of the Nation's Indian Preference Policy.

B. LABOR POOLS

1. Supervisors that wish to establish a job classification as a Labor Pool Position will work with the HRD to establish the job classification.
2. Each Labor Pool Position shall be advertised as on-going recruitment pool. The HRD shall maintain an updated list of qualified candidates for each Labor Pool Position.
3. The HRD will accept all job applications and verify that each applicant is qualified according to the established job description. All qualified applicants will then be placed in a pool according to the Nation's Oneida and Indian Preference Policy and the date the application was received. All applicants will be notified of acceptance into or rejection from the pool.
 - a. **PRESCREENING OF LABOR POOL POSITIONS** [\(HR Interpretation 11-13-12\)](#) Applicants who were previously employed by the Oneida Nation and were terminated for reasons of misconduct or performance issues will be screened out for a period of twelve (12) months following the date of discharge.
4. The HRD will keep an updated list of qualified applicants for each job position.
5. When a vacancy occurs in a Labor Pool Position, the supervisor will notify the HRD of the position to be filled. The HRD Office shall then refer the top three (3) applicants to the

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124 immediate supervisor. The top three applicants shall be based first on the Oneida and
 125 Indian Preference Policy and, second, the date an application was received. The
 126 immediate supervisor will notify the HRD of their selection and the HRD will then offer
 127 the position to the applicant. After the position is filled, all ranked candidates will move
 128 up on the list. [\(HR Interpretation 7-11-13\)](#)

- 129 6. If the applicant refuses the position, the HRD Office will then offer it to the next applicant
 130 until the position is filled.
- 131 7. If the applicant refuses the job, the applicant may withdraw from the Labor Pool or, if he
 132 or she declines to withdraw from the Labor Pool, the date of refusal will be considered
 133 the date the application was received and the applicant will be placed in the Labor Pool
 134 list according to B.3.
- 135 8. Indian (Oneida) Preference will be adhered to in all hiring decisions.

136 137 C. EMERGENCY/TEMPORARY POSITIONS

- 138 1. The HRD will periodically recruit individuals who are interested in filling temporary
 139 positions which consist of the following classifications:
 140 a. Emergency/Temp
 141 b. Limited Term
 142 c. Seasonal
 143 d. Substitute/Relief
 144 e. Youth Worker
 145 f. Student/Intern
- 146 2. Creation of Positions
 147 a. Creation of positions in the above Temporary Employee Classifications will require
 148 that these positions be budgeted for the current fiscal year, or proof through
 149 documentation that the budget is adequate to incorporate these positions.
 150 b. The positions must be developed in conjunction with the HRD; assuring that all
 151 Policies and Procedures are adhered to. Creation of temporary classification requires
 152 the approval of the Director, Area Manager, and HRD Manager, or elected official of
 153 the Oneida Nation.
 154 c. All newly created temporary positions must be processed through the Wage and
 155 Salary system before a position can be filled with a temporary employee.
- 156 3. Recruitment/Selection
 157 a. Recruitment/selection of applicants for all temporary positions requires a completed
 158 Temporary Personnel Requisition form with an updated job description attached.
 159 b. The HRD will provide a list of qualified candidates according to the job descriptions
 160 to the immediate supervisor. The immediate supervisor will select from the approved
 161 list adhering to Indian Preference.
 162 c. The HRD will contact the selected candidate and offer the position, following the
 163 proper procedures to put the incumbent on payroll.
 164 d. The selected candidate will sign a statement accepting conditions of temporary
 165 employment, and length of employment where applicable.
 166 e. Temporary employees will be paid within the Grade in which the job is classified and
 167 salary will be negotiated within the first three (3) steps of respective grade.
 168 1) Any negotiated salary beyond step three will require written justification and
 169 approval from the respective General Manager. [\(H.R. Interpretation, 12-8-16\)](#)
 170 f. Temporary employees are welcome to apply for any regular position within the
 171 Nation that becomes available during the term of their employment.
 172 g. Temporary employees that are terminated due to documented cause will have the
 173 right to the appeal process as outlined in the Personnel Policies and Procedures.

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- 174 h. All temporary employees are subject to lay-off based upon department job needs
175 and budgets. [\(HR Interpretation – 11-25-13\)](#)
176 i. Supervisors are required to do proficient planning within their respective span of
177 control; as such they must also enforce separation dates and will be monitored by
178 HRD for compliance.
179 j. Supervisors must select the most appropriate category of classification for the job.
180 1) Moving from one classification to another is prohibited.
- 181 4. Benefits
- 182 a. The following employee classifications will be eligible for benefits as defined in the
183 section of the Personnel Policies and Procedures as medical, dental, vacation and
184 personal accrual, holiday pay, premium pay.
185 1) Limited Term
186 2) Seasonal
- 187 b. The following employee classifications will be eligible for benefits as defined in this
188 section of the Personnel Policies and Procedures as Mandatory Benefits and Holiday
189 pay.
190 1) Emergency/Temporary
191 2) Substitute/Relief
192 3) Seasonal Worker (only during their first season)
- 193 c. The following employee classifications will be eligible for benefits as defined in this
194 section of the Personnel Policies and Procedures as Mandatory Benefits.
195 1) Youth Worker
196 2) Student/Intern
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SECTION III – SELECTION POLICY

A. ONEIDA PREFERENCE AND INDIAN PREFERENCE STATEMENT OF POLICY

Federal policy since 1834 accords hiring preference to Indians. The purpose of this preference is threefold: 1) to give Indians a greater participation in self-government; 2) to further the Government's trust obligation; and 3) to increase the positive effect of having Indians administer matters that affect Indian tribal life. (GTC Resolution – 5-23-11-A)

More recently, legislation such as the Civil Rights Act (1964) and the Education Amendments of 1972 (passed after the Equal Employment Opportunity Act) continued to specifically provide for preferential hiring of Indians by Indian Nations.

As an employer, the Nation seeks to employ individuals who possess the skills, abilities and background to meet the employment needs of the Nation.

As a sovereign Indian Nation and a unique cultural group, the Oneida Nation has determined that a highly desirable employment characteristic is knowledge of Oneida culture ~~that can be attained only by membership (or eligibility for membership) in the Oneida Nation.~~ Further, the Nation recognizes the unique, shared culture of Native American Indians and has determined that a desirable employment characteristic is status as a member ~~of an American Indian Nation~~ or descendant of a federally recognized tribe. At a minimum, the Nation has determined that some knowledge of Indian culture is a desirable employment characteristic.

Accordingly, the Oneida Nation establishes the following policy in regard to Indian Preference for selecting employees to provide services that meet the needs of the Oneida people. ~~This Indian Preference policy shall be specific to staffing decisions made under the Personnel Policies and Procedures and shall not be construed to have an application outside of these policies and procedures.~~

The Oneida Nation is an equal employment opportunity employer and follows non-discriminatory policies and procedures in personnel decisions. (HR Interpretation 5-19-14) ~~However, the~~ The Oneida Nation exists to serve the needs of the Oneida people and therefore accords Oneida Preference to enrolled members of the Oneida Nation ~~Members~~ where such preference is not otherwise prohibited. All General Managers and top administrative positions, as defined by HRD in a standard operating procedure, shall be held by enrolled ~~Tribal~~ members of the Oneida Nation. In all other instances, the Nation applies the following priorities of Indian Preference in staffing decisions:

- 1 Enrolled members of the Oneida ~~Tribal member~~ Nation;
- 2 ~~Oneida Indians~~ Individuals eligible for enrollment in the Oneida Nation;
- 3 Documented first generation descendants of the Oneida ~~descendant~~ Nation;
- 4 ~~Other Native American Indian~~;
- 4 Members or descendants of a federally recognized tribe;
- 5 Other (non-Indian). (HR Interpretation – 6-24-11)

This policy ~~will~~shall apply in decisions where the basic requirements for employment are met.

B. HIRING PROCEDURE

1 Statement of Policy

- a. The Oneida Nation is an equal employment opportunity employer and follows nondiscriminatory policies in hiring.
- b. The Oneida Nation is a firm advocate of the 1964 Civil Rights Act (as amended) and the 1968 Indian Civil Rights Act (as amended) and will make every effort to ensure compliance with each Act; however:
- c. The Oneida Nation follows the principles of Indian Preference in the implementation of hiring practices (see the Oneida Preference and Indian Preference Statement of Policy).

2. ~~The members~~Hiring Guidelines

~~d. All Supervisors~~ of the ~~Personnel Commission and all~~ Oneida Nation ~~employees who supervise other Oneida Nation employees~~ shall undergo periodic training in EEO and ~~Tribal~~ laws, rules, and regulations. —

~~1) Training will be knowledge and skills based~~

~~2) All Personnel Commission members and Tribal supervisors will undergo periodic re-training in EEO and Tribal laws, rules and regulations~~

~~e.a. No person shall be recommended for a position if a conflict of interest or nepotism is created. Nepotism is created by the following relationships: (HR~~

~~Interpretation 08-13-12)~~ Nation.

a) Father ————— i) Father in-law

b) Mother ————— j) Mother in-law

c) Husband ————— k) Brother in-law

d) Wife ————— l) Sister in-law

e) Brother ————— m) Son-in-law

f) Sister ————— n) Daughter in-law

g) Son ————— o) Grandparent

h) Daughter ————— p) Grandchild

3. ~~Hiring Procedures~~

a. ~~HRD Office Responsibilities~~

~~1) Unless specifically noted, the HRD Office will have responsibility for implementing the policies and procedures guiding the selection of Tribal employees.~~

b. Personnel Commission Role

1) The Oneida Nation established the Personnel Commission to represent the Oneida Community-at-large in the selection of ~~tribal~~ employees of the Nation.

a) The Personnel Commission is directed to:

i. Seek out the best-matched applicants for each available position;

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- 306 ii. Consider only job-related factors (such as education, experience, past job
 307 performance, skills and abilities, and compatibility with the position and
 308 potential co-workers) when selecting candidates; and
 309 iii. Comply with the Oneida Personnel Commission Bylaws.
- 310 c. Identification of Vacancies and Development of Job Position Descriptions (Work Standard,
 311 11-16-11)
- 312 1) Supervisors may inform the HRD Office of pending vacancies as soon as they are
 313 identified.
- 314 2) For new and existing positions, the HRD Manager (or designate), Representative,
 315 the supervisor and the Area Manager (at his/her/their option) will/shall review the
 316 job position description to ensure compliance with:
 317 a) The Nation's job employment structure; and
 318 b) The needs and requirements of the job.
- 319 3) For new positions, the HRD Manager, the appropriate Area Manager, and the
 320 supervisor shall develop the job description. (HR Interpretation, 12-8-16)
 321 a) The new job description shall conform to the Oneida Nation job structure.
 322 b) The new job description will be reviewed by the General Manager position.
- 323 4) All job position descriptions shall contain/follow the following information:
 324 a) Job title, division/department, location, supervisor's title;
 325 b) Posting date, application deadline, preferred starting date, date of job,
 326 description review;
 327 c) Pay level (grade, step, hourly rate);
 328 d) A brief job summary;
 329 e) Duties and responsibilities;
 330 f) Qualifications;
 331 g) Inquiry address;
- 332 h) 3) Statement of compliance with EEO and Indian Preference policies outlined
 333 structure.
- 334 d. Applications
- 335 1) All inquiries for job position vacancies will/shall be responded to with an Oneida
 336 Nation Application Form which will consist of: application.
 337 a) Job vacancy title;
 338 b) Applicant biographical data;
 339 c) A request for a resume (where applicable).
- 340 2) The Application Form shall be accompanied by a Statement of Policy regarding
 341 Oneida Preference and Indian Preference.
- 342 2) Hand-delivered applications will be accepted at the HRD Office until 4:30 p.m. on
 343 the deadline date; mailed All applications shall be submitted online.
- 344 3) All applications must be postmarked on or before the deadline date.
- 345 4) 3) All applications will/shall be acknowledged.
- 346 e. Advertising
- 347 1) Position vacancies will/shall be advertised as widely as possible including.
 348 Advertising efforts may include, but not be limited to the following:

- 349 a) The Kalihwisaks;
- 350 b) The Oneida Nation website;
- 351 c) Oneida Nation social media platforms;
- 352 d) Electronic communications or alerts;
- 353 e) Mailings;
- 354 ~~b)f)~~ Statewide, through print and electronic media and public employment
- 355 agencies;
- 356 ~~e)g)~~ Through targeted recruiting efforts including:
- 357 ~~i. Major metropolitan areas (i.e. Milwaukee, Chicago, Minneapolis, etc.)~~
- 358 ~~ii.~~ The Bureau of Indian Affairs;
- 359 ~~iii.~~ ~~ii.~~ The Oneida Higher Education Office.
- 360 ~~d)h)~~ Other postings targeted toward special recruiting categories (such as
- 361 professions) shall be carried out at the discretion of ~~the~~ HRD ~~Office~~ with the
- 362 advice and consent of the affected department.
- 363 ~~2) Unless otherwise prohibited by external grant source or federal law, the first~~
- 364 ~~posting for a~~ position vacancy shall be ~~limited to enrolled Oneida members~~
- 365 ~~and shall be~~ posted for a minimum of seven (7) calendar days.
- 366 ~~3)2) The second posting for a position vacancy shall be posted for a minimum of ten~~
- 367 ~~(10) calendar days~~ and shall be open to the general public, unless the position
- 368 ~~must~~ is required to be filled by an enrolled Oneida Nation member. ~~—(HR~~
- 369 ~~Interpretation 8-9-11)~~
- 370 ~~4)3)~~ All vacancies requiring re-posting shall be referred back to B-2.c (Identification of
- 371 Vacancies and Development of ~~Job~~ Position description) to begin the re-posting
- 372 process.
- 373 f. Screening ~~of Applicants~~ ~~(HR Interpretation 11-16-12)~~ ~~(HR Interpretation 10-22-12)~~
- 374 1) Applicants who are enrolled members of the Oneida Nation shall be screened
- 375 and interviewed prior to any other applicants. If the screening and interviewing
- 376 of the applicants who are enrolled members of the Oneida Nation did not result
- 377 in the position vacancy being filled, then all other applicants may be screened
- 378 and interviewed.
- 379 ~~1)2)~~ ~~_____~~ A Screening Committee consisting of the HRD ~~Manager (or~~
- 380 ~~designate), Representative,~~ the position supervisor, the Area Manager (at
- 381 ~~his/her~~ their option), and a member of the Personnel Commission shall be
- 382 convened to conduct the screening of applicants. The Screening process ~~will~~ shall
- 383 begin as soon as practical following the closing of the position. ~~This~~ The
- 384 Screening Committee ~~will~~ shall:
- 385 a) Verify that all applications ~~are complete, are accurate and~~ were submitted on
- 386 time.
- 387 ~~i.b)~~ Applications that are incomplete, ~~inaccurate,~~ or were not submitted on or
- 388 before the posted deadline date may be screened out.
- 389 ~~b)c)~~ Analyze the job position description to establish screening criteria. These
- 390 criteria ~~will~~ shall include qualifications listed on the job position description

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determined by the supervisor and ~~Area Manager~~HRD Representative to be essential to the ~~job~~position. (T.O.E. WS - 5-6-13)

~~c) Screen verified applications~~

d) ~~Recommend~~and identify a list of applicants to be interviewed.

~~2) The HRD Office shall notify screened out~~Ensure there are no applicants ~~within five (5) working days after the initial screening and reserve these applications in the general recruiting pool.~~

~~3) The HRD Office will arrange~~ineligible for ~~interviews~~employment with the ~~listed~~ candidates.

~~g. Candidate Interviews~~

~~1)e) An Interview Committee will be convened and will consist of the members of the Screening Committee except that the HRD Manager will be replaced~~Nation due to termination or resignation in accordance with a second member of the Personnel Commission. The Interview Committee will: the applicable standard operating procedure developed by HRD.

~~3) Construct~~No person shall be recommended for a position if nepotism is created. Nepotism is created by the following relationships that are created by birth, marriage, or through another legally recognized means:

a) Spouse;

b) Child;

c) Parent;

d) Sibling;

e) Grandparent;

f) Great-grandparent;

g) Grandchild; and

h) Guardian.

~~4) No person shall be recommended for a position if a conflict of interest is created. Conflict of interest is defined as:~~

a) any interest, real or apparent, whether it be personal, financial, political, or otherwise, in which an elected official, officer, political appointee, employee, contractor, or appointed or elected member, or their immediate family members, friends or associates, or any other person with whom they have contact, have that conflicts with any right of the Nation to property, information, or any other right to own and operate activities free from undisclosed competition or other violation of such rights of the Nation.

b) any financial or familial interest an elected official, officer, political appointee, employee, contractor, or appointed or elected member or their immediate family members may have in any transaction between the Nation and an outside party

~~a)5) The HRD Representative and supervisor shall construct~~ an interview format consisting of:

~~i-a) A set of questions related to the screening criteria qualifications; and~~

~~ii.b)~~ An interview rating scale designed to objectively evaluate each ~~candidate's~~applicant's qualifications.

6) The HRD Office shall arrange for interviews with the listed applicants.

g. Applicant Interviews

~~b.1)~~ 1) An Interview ~~candidates~~Committee shall be convened consisting of the members of the Screening Committee and a second member of the Personnel Commission. The Interview Committee shall interview applicants and evaluate each individually.

2) No interview shall take place without an HRD Representative present.

~~2.3)~~ 3) The HRD ~~Manager (or designee) will~~Representative shall total the evaluation rating scale to rank order of the ~~candidates~~applicants.

h. Selection (HR Interpretation - Disqualification of Applicant 10-24-13)

1) The supervisor shall select one of the top two (2) ~~candidates~~applicants as ranked through the rating scale. (HR Interpretation - 10-17-12)

a) The supervisor may conduct an additional ~~personal~~follow-up interview with the top two (2) ~~candidates~~applicants.

b) The selection decision shall be governed by the Oneida Preference and Indian Preference Policy. (HR Interpretation - 6-6-11)

c) The HRD Office ~~will~~shall notify ~~the selected candidate~~ and offer the ~~candidate the job within five (5) working days of the selection decision by the supervisor.~~position to the selected applicant.

i. Should the supervisor's first choice refuse the offer, the HRD Office ~~will~~offershall provide the ~~job to supervisor with~~ the ~~second~~next two (2) ranked ~~candidate~~applicants to choose from.

~~2.ii.~~ 2)ii. Should ~~both of the top two ranked candidates~~(2) chosen applicants refuse the ~~job~~position offer, the supervisor may:

~~a.1.~~ 1. Repeat the hiring selection process outlined in B.2.h.1. above with the remaining candidates; or

~~b.2.~~ 2. Re-post the position.

~~3.2)~~ 2) The HRD Office ~~will~~shall notify those ~~candidates~~applicants interviewed but not selected of the decision ~~to hire the best qualified candidate.~~

~~4)~~ 4) ~~All newly hired employees will be listed in the HR newsletter.~~

TRANSFERS AND PROMOTIONS POLICY

C. INTERNAL POSITION POSTING - The Oneida Nation encourages ~~transfers and~~ promotionsmovement within and among units in order to make the best possible use of human resources to meet the Oneida ~~Nation~~Nation's goals and objectives. Supervisors and employees are encouraged to work together to create an environment in which employees constantly strive to improve their skills and abilities and ~~mangers~~managers constantly seek to provide challenging and rewarding work experiences.

1. Procedure

a. Internal Position Posting ~~and Bidding~~

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- 475 1) Open positions as determined by a supervisor and ~~his/her~~their Area Manager
 476 ~~will~~may be posted internally for a position transfer for a minimum of five (5)
 477 working days. ~~This internal posting will be concurrent with the external (public)~~
 478 ~~posting of positions.~~
 479 a) ~~Positions will be posted in prominent locations in each Oneida Nation~~
 480 ~~building~~
 481 2) ~~Oneida Nation employees may bid for transfers by notifying their immediate~~
 482 ~~supervisor and submitting an Application Form to the HRD Office.~~
 483 a) ~~The HRD Manager will inform all affected Area Managers of each transfer~~
 484 ~~bid.~~
 485 3) ~~2)~~ At the end of the five (5) day minimum internal posting period, the HRD
 486 ~~Manager will~~ Representative shall schedule a ~~conference~~screening with the
 487 open position's supervisor and the Area Manager. ~~(at their option).~~
 488 a) ~~The conference committee will consist of the supervisor, the Area Manager~~
 489 ~~and the HRD Manager (or designate) acting as this Committee will:~~
 490 i. ~~Establish selection criteria; and~~
 491 ii. ~~Review each bid.~~
 492 b) ~~The Committee may select the best qualified applicant but is not required to~~
 493 ~~choose an applicant to fill the open position from those employees who~~
 494 ~~have submitted an application for a transfer or promotion.~~
 495 c) ~~If the Committee does not fill the position from the transfer/promotion~~
 496 ~~process, the process will continue through the full advertising, screening and~~
 497 ~~interview steps.~~
 498 i. ~~Any decision will be governed by the Indian Preference Policy.~~
 499 4) ~~3)~~ Employees who are transferred ~~or promoted will~~ shall not lose any benefits;
 500 however:
 501 a) An employee may be required to continue serving in ~~his/her~~their present
 502 position until a replacement can be found; for a period up to thirty (30) days.
 503 b) An employee who is transferred to a position lower on the Oneida Nation
 504 ~~Job~~Position Structure ~~will~~shall be paid at the grade level corresponding to
 505 the new position;.
 506 c) ~~An employee must have completed one year of service to the Nation before~~
 507 ~~being eligible for a promotion or transfer (requests~~Requests for transfers for
 508 documented medical conditions will be handled on a case-by-case basis
 509 and only when in the best interests of both the employee and the Nation);.
 510 d) ~~The newly transferred or promoted employee shall be required to complete~~
 511 ~~a three (3) month probation period (all~~ All conditions of the Nation's
 512 Original Probation Policy shall apply).
 513 b. ~~Applicant Pool Process~~
 514 1) ~~New and vacant positions will be advertised through the Tribal Applicant Pool.~~
 515 2) ~~The job description will be sent to persons whose applications are maintained in~~
 516 ~~the Applicant Pool.~~

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- 517 ~~a) The Tribal Applicant Pool will consist of open (unspecified) applications from~~
 518 ~~Tribal members who wish to be considered for employment by the Nation.~~
 519 ~~b)d) Advertising through the Tribal Applicant Pool will follow the format and~~
 520 ~~time conditions set forth in the Hiring Policy during that period.~~

2. Reassignments

a. Title Reassignments

- 523 1) Title Reassignments may be made by supervisors to:
 524 a) More accurately describe or define an existing job position; or
 525 b) Make minor adjustments in jobs positions within a unit or operating division.
 526 2) Title Reassignments may be made at any time with the approval of the Area
 527 Manager and HRD ~~Manager~~ Representative.

b. ~~Job Position~~ Reassignments

- 529 1) Job Position Reassignments may be made by supervisors to make more efficient
 530 and effective use of human resources.
 531 2) Job Position Reassignments may be supervisor-initiated or employee-initiated but
 532 must be made in the best interests of the operating unit.
 533 3) Job Position Reassignments may be made at any time with the approval of the
 534 Area Manager and ~~after a review of each affected job by the Personnel~~
 535 ~~Evaluation Committee~~ HRD Manager.

~~c. Interim Job Reassignments~~ (Work Standard 7-11-13)c. Interim Position Reassignments.

- 539 1) Interim position reassignments may be processed to fill a position in which the
 540 previous employee is in the appeals process, on a leave of absence, or for a
 541 vacant position.

D. ORIGINAL PROBATION

- 543 ~~1.~~ The first three (3) months after an employee's starting date after being hired,
 544 transferred, or reassigned shall be considered a period of probation. At the end of six
 545 (6) weeks, the employee's performance shall be reviewed with him/her/them by the
 546 supervisor by completing an employee evaluation.
 547 ~~a.~~ At the end of the three-month probation period, a second performance evaluation
 548 ~~will~~ shall be conducted. This evaluation ~~will~~ shall recommend the end of probation and regular
 549 status for the employee, an extension of probation, or termination for cause.

~~2.1.~~ _____ Status as a Probationary Employee

- 553 ~~a.~~ Probationary employees ~~will be paid at five percent (5%) below the posted pay rate~~
 554 ~~for the position.~~
 555 ~~1) New employees hired under a negotiated salary will receive a salary one step~~
 556 ~~below the agreed upon salary during the probationary period.~~
 557 ~~b.a.~~ Probationary employees ~~will~~ shall accrue vacation ~~and~~ personal days during the
 558 probation period and ~~will~~ shall receive holiday pay.

~~c.b.~~ Probationary employees may be terminated for cause at any time during the probation period. Cause must consist of a violation of policies or the documented inability of the employee to perform the duties and responsibilities of the position.

~~This termination is subject to appeal. (BC Action 3-20-92)~~

~~3. Completion of Probation Period~~

~~a. Satisfactory completion of probation will result in the employee receiving the regular salary for the position.~~

~~b. Employees who are terminated during the probation period will receive credit for accrued vacation/personal days in their final paycheck.~~

~~c. Extensions of probation periods will not affect accrual of or use of benefits as explained under D.2.~~

SECTION IV - COMPENSATION AND BENEFITS

A. SALARY

1. Oneida Nation Job and Salary Structure

- a. An ongoing plan will be instituted based on standard employee grades and step levels to assure that a uniform approach is taken to establish equitable salary and wage levels.
- b. Employee performance evaluations will be a resource in determining whether an employee receives an increase in pay for the upcoming year. An overall satisfactory rating must be attained in order to be granted an increase in pay.
- c. Merit increase shall be granted upon the recommendation of the supervisor, the Area Manager, the HRD Manager and the General Manager.

2. Workday [\(Work Standard, 10-17-12\)](#)

- a. The regular Tribal workday is from 8:00 a.m. to 4:30 p.m. with an hour for lunch. The exception to these hours occurs only if the program/enterprise hours must vary for the purpose of providing service (such as retail hours beyond 4:30 p.m.). Shifts will be developed as needed, and the shift hours will then become the regular workday for assigned employees for that program/enterprise.
- b. Employees are expected to be at work each scheduled work day.
 - 1) Employees who do not report for work because of inclement weather or unforeseen circumstances will not be paid for that day. Employees may elect to use personal day(s) to cover this absence. [\(W.S. Closures Multiple/Individual Depts.7-28-2017\)](#)
[\(W.S. Closures Non-Critical Departments/Divisions 7-28-2017\)](#)
 - 2) In case of an unavoidable delay or absence, the supervisor must be notified no later than thirty (30) minutes after the scheduled starting time. Employees are encouraged to notify their supervisor before their scheduled starting time.
 - i. Employees failing to report to their assigned jobs or failing to call in within the thirty (30) minute time allowed will be subject to disciplinary action.
 - ii. Permission to leave early must be obtained by the employee from his/her supervisor.

3. Overtime

- a. Any and all overtime will be kept to a minimum and must be approved by the Supervisor and Area Manager.
 - 1) In the case of potential overtime that may occur at night, on holidays or on weekends, supervisors will delegate this authority to a specific employee and outline specific situations and actions that warrant overtime.
- b. All overtime must be reported to the supervisor for evaluation.
- c. Overtime will be approved only if the program or enterprise budget is capable of paying it.

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- 641 d. Overtime will be approved only for hours worked in excess of forty (40) hours per
 642 week. Personal/vacation days and holidays will not count toward the forty (40) hour
 643 requirements.
- 644 e. Tribal employees are expected to work overtime if required. Time and one-half will
 645 be paid for this overtime.
- 646 f. Exempt employees are not eligible for overtime.
- 647 1) The HRD Office will maintain a list of exempt employees.
- 648 4. Holidays ([Work Standard, 11-7-14](#))
- 649 a. Tribal holidays consist of the following:
- 650 1) One-half Day Christmas Eve
- 651 2) Christmas Day
- 652 3) New Year's Day
- 653 4) Memorial Day
- 654 5) Veteran's Day
- 655 6) Independence Day
- 656 7) Labor Day
- 657 8) Thanksgiving Day
- 658 9) Indian Day (day after Thanksgiving)
- 659 10) One-half day Good Friday
- 660 11) Code Talker's Day (Oneida Day, Friday prior to Memorial Day)
- 661 ([BC Resolution – 12-11-13A](#))
- 662 b. To be eligible for a paid holiday, employees must work the preceding and following
 663 scheduled work days (except for employees who are on a prescheduled work leave
 664 or an approved extended sick leave.) Employees who are granted a sick day directly
 665 prior to a holiday must certify that they were capable of working the holiday in order
 666 to qualify for a paid holiday.
- 667 c. All regular employees will be given holiday pay for the maximum pay of eight (8)
 668 hours per day.
- 669 d. Holidays falling on a Saturday will be observed the preceding Friday; holidays falling
 670 on a Sunday will be observed on the following Monday. ([2019 Holiday Observance Calendar](#))
 671 ([2018 Holiday Observance Calendar](#))
- 672 e. The Oneida Nation acknowledges its responsibility to make a reasonable
 673 accommodation to employees who wish time off to observe religious holidays.
 674 Requests for such time off will be granted where possible, based on the scheduling
 675 and staffing needs of affected departments. Employees wishing to take time off work
 676 for religious observances should inform their supervisor as early as possible.
 677 Employees may use personal time for such requests if eligible; otherwise the time off
 678 will be treated as unpaid leave.
- 679 5. Vacation/Personal Days
- 680 a. Every Oneida Nation employee, except temporary employees, shall be allowed
 681 personal and vacation days with pay to the extent that personal days and vacation
 682 are accumulated.

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- 683 b. The amount of personal and vacations days shall be determined by continuous
 684 service for the Nation. A "lay-off" from Oneida Nation employment shall not be
 685 considered an interruption in continuous service where the lay-off is in accordance
 686 with the Nation's Layoff Policy, nor shall a preapproved leave of absence. [\(HR](#)
 687 [Interpretation, 3-6-12\)](#)
- 688 c. Except as provided for in section g, the accrual of personal days shall be as follows:
 689 [\(BC Resolution – 4-11-13-F\)](#)
- 690 1) 0-3 years of service - 6 days per year;
 - 691 2) 4-7 years of service - 8 days per year;
 - 692 3) 8-14 years of service - 10 days per year;
 - 693 4) 15+ years of service - 12 days per year;
- 694 d. Except as provided for in section g, the accrual of vacation days shall be as follows:
- 695 1) 0-3 years of service - 12 days per year
 - 696 2) 4-7 years of service - 15 days per year;
 - 697 3) 8-15 years of service - 20 days per year;
 - 698 4) 15+ years of service - 25 days per year.
- 699 e. Part-time employees accrue personal and vacation days for time actually worked at a
 700 ratio of a full-time employee.
- 701 f. Service is defined as working for Programs/Enterprises which are contracted by the
 702 Nation or specifically sponsored by the Nation.
- 703 g. Vacation and personal days shall be capped at 280 hrs. An employee shall cease to
 704 accrue vacation and personal hours when he or she has reached 280 total hours.
 705 Supervisors shall notify their employees when said employees have accumulated 200
 706 total hours of vacation and personal time. [\(GTC Resolution, 7-2-12A\)](#)
- 707 1) An employee may trade back accumulated vacation and personal hours in
 708 accordance with Section IV.A.5.n. below. [\(GTC Resolution, 5-23-11-B\)](#)
- 709 h. Upon termination from Oneida Nation employment, employees will be paid for any
 710 unused personal and/or vacation days.
- 711 1) Employees who have used the Oneida Nation-sponsored loan program will be
 712 required to honor the terms of the loan agreement.
- 713 i. Personal Days can be used for any reason so long as the request is approved by the
 714 employee's supervisor at least twenty-four (24) hours in advance (unless the absence
 715 is due to illness or unforeseen circumstances).
- 716 1) In the case of illness or unforeseen circumstance, the supervisor shall be notified
 717 no later than fifteen (15) minutes before the scheduled starting time.
 - 718 2) Programs and enterprises may institute stricter standards of notification. These
 719 standards will be submitted to and approved by the Personnel Department.
- 720 j. An employee shall notify his/her supervisor of an intent to use personal days in the
 721 following ways:
- 722 1) Three (3) to five (5) days - one (1) week advance notification
 - 723 2) Six (6) days or more - two (2) weeks advance notification.

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- 724 k. An employee shall notify his/her supervisor one (1) day in advance if he/she will take
 725 off one (1) or two (2) days of vacation. Programs and enterprises may institute
 726 stricter standards of notification.
 727 1) Three (3) to five (5) days of vacation require a one (1) week advance notification.
 728 2) Six (6) or more days of vacation require at least two (2) weeks advance
 729 notification.
 730 l. The burden shall be on the supervisor to show that a denial of a personal day or a
 731 vacation day is based upon interference with the business of the Nation.
 732 m. Personal or Vacation Days can be taken when an employee is on probation. [\(GTC](#)
 733 [Resolution 5-23-11-B, HR Interpretation 5-8-17\)](#)
 734 n. Trade-back for Cash - Each fiscal year, the Oneida Business Committee shall analyze
 735 fiscal conditions to determine whether employees may trade back personal and/or
 736 vacation hours for cash that fiscal year.
 737 1) If the Oneida Business Committee approves trade-back for cash, they shall also
 738 determine whether (i) and/or (ii) applies: [\(See Revision\)](#)
 739 i. All employees will have the opportunity to trade-back hours one time that
 740 year.
 741 1. By August 15, each employee who has accumulated twenty-four (24)
 742 hours or more of vacation and/or personal days may opt to trade in
 743 his/her hours for cash.
 744 2. Employees will receive their trade back on or before September 30 of
 745 that year.
 746 ii. Only those employees who are unable to utilize their personal and/or
 747 vacation time due to working conditions, such as a shortage in staffing, as
 748 determined by the HRD Manager or designee, will have the opportunity to
 749 trade back hours on a quarterly basis.
 750 1. Employees will receive their trade back within sixty (60) days after
 751 opting to trade back hours.
 752 2) When trade-back for cash is approved by the Oneida Business Committee, the
 753 following standards shall apply:
 754 i. Employees must decide which status (vacation or personal or both) from
 755 which their trade back will be drawn.
 756 ii. Employees may not trade for cash more than eighty (80) hours in one year.
 757 [\(GTC Resolution, 5-23-11-B\)](#)
 758 o. Additional Duties Compensation
 759 p. Travel Time Compensation [\(Work Standard , 3-20-13\)](#)
 760
 761 B. INSURANCES [\(see separate publication\)](#) for information on Oneida Nation Insurance plans.
 762
 763 C. RETIREMENT PLAN [\(See separate publication for information on Tribal Retirement Plan\).](#)
 764 [\(Separating Employees WS 5-6-13\)](#)
 765 D. LEAVES
 766 1. Meeting Attendance

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- 767 a. Approval for attending any meetings inside normal working hours must be approved
 768 in advance by the employee's immediate supervisor. [\(BC Action, 5-16-89\)](#)
 769 b. Employees who receive stipends or honoraria in excess of \$50.00 for attending
 770 meetings during working hours will forfeit the amount in excess of \$50.00 from their
 771 regular paycheck. Stipends for travel or per diem will not be deducted if
 772 accompanied by receipts for such expenses.
 773 c. Stipends or honoraria for intra-tribal meetings during normal working hours will
 774 results in the employee's paycheck being reduced by the full amount of the stipend.
 775 2. Funeral Leave [\(Work Standard, 8-2-11\)](#)
 776 a. All regular employees will be given a three (3) day leave without loss of pay for
 777 funeral services for immediate family. Immediate family includes:
 778 Husband Mother Brother Great-grandparent
 779 Wife Father Sister Great-grandchildren
 780 Mother-in-law Son Grandparent Spouse's great-grandparents
 781 Father-in-law Daughter Grandchild Spouse's grandparents
 782 Daughter-in-law Sister-in-law Brother-in-law
 783 b. Three (3) day leave for other persons will be given only if the employee is responsible
 784 for making funeral arrangements, subject to prior approval of supervisor.
 785 c. All other funeral leave will be limited to no more than one (1) day with pay subject to
 786 the notification and approval of the immediate supervisor. [\(Mgmt Directive, 12-17-2009\)](#)
 787 3. Leave of Absence [\(Work Standard, 6-10-14\)](#)
 788 a. A leave of absence without pay may be granted to employees for a justifiable reason
 789 (including caring for a child, spouse or parent with a serious health condition) and
 790 when in the best interest of the Nation.
 791 1) Leaves of absence will not exceed three (3) months.
 792 i. All leaves of absence must be approved by the Supervisor, Area Manager,
 793 HRD Manager and General Manager. [\(HR Interpretation, 12-8-16\)](#)
 794 ii. Requests must be documented and submitted to the supervisor with as much
 795 advance notice as possible.
 796 iii. Disposition of requests will be made on the basis of staffing requirements.
 797 2) Upon returning, the employee will be reinstated in the former position with full
 798 status and benefits. Holiday, vacation, and sick leave will not be accrued during
 799 the leave of absence.
 800 3) No later than fifteen (15) working days prior to the expiration of the leave period
 801 the employee must give notice in writing of his/her intent to return to the
 802 position. Notice must be presented to the supervisor.
 803 i. Failure to provide written notice will be interpreted to mean that the
 804 employee does not intend to return following the leave. The position will be
 805 posted and filled through the selection process. [\(HR Interpretation, 11-21-11\)](#)
 806 4. Maternity Leave
 807 a. Maternity leave will be granted for a period of six (6) weeks without pay.
 808 1) An employee may elect to cover any portion of this time by using accumulated
 809 sick days.

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- 810 2) Any maternity-related absences for longer than six (6) weeks must be taken as a
811 medical leave of absence.
- 812 5. Military Leave
- 813 a. In addition to the following provisions, the Nation's Military Service Protection Act
814 shall govern Military Leave.
- 815 b. A Military Leave of Absence is afforded employees entering active duty without
816 accumulation of holiday, vacation or personal time during the period of leave. Any
817 accumulated benefits prior to leave will be maintained for the employee.
- 818 c. Time off for inactive duty training, examinations to determine fitness for duty and
819 funeral honors duty shall be afforded to employees without the accumulation or loss
820 of holiday, vacation or personal time. An employee will receive pay from the Nation
821 for any hours work that the employee was required to miss due to reservist training.
- 822 1) Any pay received for performing any of the above duties shall be deducted from
823 the employee's pay. [\(GTC Resolution, 1-26-08A\)](#)
- 824 6. Jury Duty
- 825 a. During a period of jury duty, an employee will receive pay from the Nation for any
826 hours of work missed due to jury duty.
- 827 1) Jury duty pay will be deducted from the employee's paycheck when determining
828 the amount of pay
- 829 2) No overtime will be allowed in determining employee pay while serving on jury
830 duty.
- 831 7. Educational Leave [\(BC Action, 5-4-90\)](#)
- 832 a. A leave of absence for education purposes will not exceed one (1) year.
- 833 8. Parent Policy Leave [\(BC Action, 3-2-94A\)](#) [\(Parental Leave Policy, 11-3-17\)](#)
- 834 a. Employees who are parents, guardians, or those individuals specifically referred to as
835 "immediate family" as defined in Section IV, page 6 of these Personnel Policies and
836 Procedures which includes husband, wife, mother, father, brother, sister, son,
837 daughter, mother-in-law, father-in-law, grandparent and grandchild may request to
838 participate in their child(ren)'s educationally sanctioned events not to exceed four (4)
839 hours per employee per month
- 840 1) These four (4) hours shall not accumulate.
- 841 b. Approval to utilize the four (4) hours must be obtained from the supervisor.
- 842 1) An employee shall request his/her supervisor to utilize this leave with a minimum
843 of twenty-four (24) hours' notice.
- 844 2) The Supervisor may request verification of
- 845 i. Guardianship of the child(ren) and/or
- 846 ii. The attendance of the employee at their child(ren)'s educationally sanctioned
847 event.
- 848 c. The burden shall be on the supervisor to show that a denial of the Parent Policy
849 Leave which is based upon interference with the business of the Nation.
- 850 d. This leave shall not be paid as overtime. The supervisor may have the option to use
851 flex time to cover this time off to attend their child(ren)'s educationally sanctioned
852 events.

- e. All employees, except Emergency/Temporary, Youth Workers, Student Interns, and Seasonal Workers during their first season, and Substitute Reliefs are eligible to participate in this benefit.

SECTION V – EMPLOYEE RELATIONS

A. ORIENTATION POLICY

The Oneida Nation reflects the unique culture and character of our Nation. The Oneida Nation recognizes that this may present special problems and difficulties for a new employee. The Nation therefore provides an Orientation Program designed to ease the new employee's transition into a job and enable the new employee to become effective and productive as quickly as possible.

1. Orientation Program Outline

- a. Overview
- b. Tribal Government and Procedures
- c. Key Policies and Procedures
- d. Benefits
- e. Safety, Health and Security
- f. Departmental Orientation

2. Responsibilities

- a. The HRD Office will administer the General Orientation Program
 - 1) The HRD Office will assist Divisions in administering Departmental Orientation Programs.
- b. The HRD Office will develop and establish an Employee Mentor Program with each Division.
 - 1) Employee Mentors will be responsible for conducting the Departmental Orientation.
 - 2) Employee Mentors will assist new employees throughout their probation period as a source of references and referrals.
- c. The HRD Office will annually review the General Orientation Program and each Departmental Orientation Program to:
 - 1) Evaluate the effectiveness of each Program,
 - 2) Modify programs as necessary.
 - 3) Requirements
 - a) The HRD Office will provide a copy of the Employee Policy and Procedures Manual to new employees before (if possible) the scheduled starting date.
 - b) The General Orientation Program will be completed in appropriate stages within the first month of the new employee's starting date.
 - i. The Departmental Orientation will be completed within the first week of the starting date.
 - c) The HRD Office will administer a NEW Employee Reporting Form to provide information for the purposes of maintaining a Nation-wide skills assessment inventory and a management succession plan.

B. EVALUATIONS

1. Evaluation reports will be used in determining all promotions, transfers and salary adjustments.
2. Annual evaluation reports for each employee will be submitted to the HRD Office by August 1 of each year. [\(Work Standard, 6-23-15\)](#)
 - a. Evaluation reports will be retained in each employee's personnel file.
3. All Oneida Nation employees will be evaluated at least once a year.
 - a. Employee performance evaluations will be conducted by each employee's immediate supervisor. The Business Committee will conduct the performance evaluation of the General Manager. [\(HR Interpretation, 12-8-16\)](#)
 - b. The supervisor will discuss the evaluation with each employee. The evaluation will then be signed by the employee and the supervisor and forwarded to the HRD Office.
4. Satisfactory evaluations may result in the employee receiving an increase in pay within their grade level provided that the employee has not attained the highest step within the grade.
 - a. Unsatisfactory evaluations will result in probation status for the employee. The supervisor shall provide documentation to the Area Manager and to the employee detailing the deficiency(s). A repeat evaluation will be conducted three (3) months after the unsatisfactory evaluation. This second evaluation will result in the employee:
 - 1) Being removed from probation and receiving a salary increase if the second evaluation results in an overall satisfactory rating; or
 - 2) Receiving appropriate disciplinary actions if the second evaluation also results in an unsatisfactory rating.
 - b. Employees may appeal unsatisfactory evaluations to the HRD Manager. The HRD Manager will consult with the supervisor and the employee to negotiate an appropriate resolution [\(Work Standard, 12-8-16\)](#)

C. CAREER DEVELOPMENT

1. Oneida Nation employees are encouraged to develop their skills and abilities by pursuing education at a local educational institution. [\(BC Action, 9-9-92\)](#)
 - a. Oneida Nation employees must provide a general Career Development Plan to the supervisor listing the goals and objectives of the training and education to be undertaken.
2. Oneida Nation employees may be eligible for assistance for one (1) course per semester. The employee must attempt to arrange to take the class outside his/her normal working hours.
 - a. Where a class conflicts with the employee's work schedule, the needs of the Tribal unit take precedence; however, the supervisor shall attempt to accommodate the employee's request.
 - b. In no case shall the accommodation exceed actual class hours plus reasonable travel time.
 - c. Employees must obtain the approval of their immediate supervisor to take a course on work time.
3. The supervisor's approval and estimated cost must be submitted to the HRD Office, the Area Manager and the General Manager. [\(HR Interpretation, 12-8-16\)](#)
4. The cost of the books, tuition and fees for the course shall be paid by the Nation through funds budgeted in programs or through the Higher Education program.

- a. Reimbursement for books, tuition and fees is contingent upon the employee receiving at least a C (2.0 on a 4.0 point scale).
- b. Employees who receive less than the required grade point will be required to reimburse the program for whatever costs were incurred.

D. COMPLAINTS, DISCIPLINARY ACTIONS, AND GRIEVANCES

Disciplinary procedures provide a systematic process for handling problem employees. Disciplinary procedures serve to correct unacceptable behavior and to protect the Nation. Grievance procedures provide a systematic process for hearing and evaluating job related disputes. Grievance procedures serve to protect employees from inconsistent and unfair treatment. In all cases of grievance and discipline, supervisors are enjoined to use common sense, discretion and judicious good sense to resolve complaints between employees, exercise disciplinary prerogatives, and handle grievances.

[\(HR Interpretation, 2-4-13\)](#) [\(HR Interpretation, 1-29-14\)](#)

1. Complaints

- a. Should an employee have a disagreement with another employee, he/she may lodge an informal (verbal) or formal (written) complaint with the employee's supervisor.
- b. The supervisor will investigate the complaint and attempt to resolve the disagreement.
- c. If the employee lodging the complaint is dissatisfied with the attempted resolution, he/she may ask the Area Manager to attempt a resolution.
- d. There is no further appeal of this process.

2. Disciplinary Actions

- a. Disciplinary actions will be initiated by an immediate supervisor for the purpose of correcting unacceptable work performance. The supervisor will always discuss the action with the employee being disciplined to ensure that the employee:
 - 1) Understands the reason for the disciplinary action;
 - 2) Understands the expected work performance in light of the disciplinary action;
 - 3) Understands the consequences of continued unacceptable behavior.
- b. A supervisor shall initiate disciplinary actions commensurate with the seriousness of the unsatisfactory performance. A supervisor must consider each disciplinary action in progressive order and justify a deviance from that recommended progression.
- c. The actions listed below are examples of unacceptable work performance and do not constitute a comprehensive or exhaustive list. The actions in parentheses are guidelines for a supervisor to use in administering disciplinary actions. (W = written warning; S = suspension; T = termination):

1) Work Performance

- a) Insubordination (including disobedience) or failure/refusal to carry out assignments or instructions. (W/S/T)
- b) Loafing, loitering, sleeping or engaging in personal business. (W/S/T)
- c) Unauthorized disclosure of confidential information or records. (S/T)
- d) Falsifying records or giving false information to departments and/or employees responsible for Recordkeeping. (S/T)
- e) Failure to provide accurate and complete information where such information is required by an authorized person. (S/T)
- f) Failure to comply with health, safety and sanitation requirements, rules and regulations. (W/S/T)
- g) Negligence in the performance of assigned duties. (W/S/T)

2) Attendance and Punctuality

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- 998 a) Failure to report promptly and observe work schedules (such as starting time,
999 quitting time, rest and meal breaks) without the specific approval of the
1000 supervisor. (W/S/T)
- 1001 b) A pattern of unexcused or excessive absenteeism and/or tardiness. (W/S/T)
- 1002 3) Use of Property
- 1003 a) Unauthorized or improper use of Oneida Nation property or equipment (for
1004 example, Oneida Nation vehicles, telephone, mail services, etc.) (W/S/T)
- 1005 b) Unauthorized possession, removal or willful destruction of Oneida Nation or
1006 another employee's property (including improper use of possession of
1007 uniforms, identification cards, badges, permits or weapons). (Willful
1008 destruction of property may subject the violator to applicable liability laws.)
1009 (T)
- 1010 c) Unauthorized use, lending, borrowing or duplicating of Oneida Nation keys.
1011 (T)
- 1012 d) Unauthorized entry of Oneida Nation property, including unauthorized entry
1013 outside of assigned hours of work or entry into restricted areas without prior
1014 supervisory approval. (S/T)
- 1015 e) Theft or property shall include theft, embezzlement, cheating, defrauding,
1016 pilfering, robbery, extortion, racketeering, swindling or any of these actions,
1017 or conspiracy to commit such actions with Oneida Nation employees or other
1018 persons against the Nation, its guests, employee, members, customers and/or
1019 clients while on or about Tribal premises. (S/T) [\(BC Action, 12-2-88\)](#)
- 1020 4) Personal Actions and Appearance
- 1021 a) Threatening, attempting, or doing bodily harm to another person. (T)
- 1022 b) Intimidating, interfering with or using abusive language toward customers,
1023 clients, co-workers or others. (S/T)
- 1024 c) Making false or malicious statements concerning other employees,
1025 supervisors or program heads. (W/S/T)
- 1026 d) Use of alcohol or illegal controlled substances during work hours. (S/T)
1027 [\(GTC Resolution, 01-05-09A\)](#)
- 1028 e) Reporting for work under the influence of alcohol or illegal controlled
1029 substances. (S/T) [\(GTC Resolution, 01-05-09A\)](#)
- 1030 f) Failure to immediately report any work-related injuries to the immediate
1031 supervisor. (W/S)
- 1032 g) Direct involvement in political campaigning during scheduled work hours.
1033 Violations include:
- 1034 i. Use of Oneida Nation employment title in Oneida Nation campaign
1035 activities. (W/S/T)
- 1036 1. Political materials include: leaflets, brochures, etc. which solicit support
1037 for candidates for office.
- 1038 2. Resolutions or petitions which propose that a political action be
1039 initiated.
- 1040 3. Leaflets, newsletters, or other written materials the purpose of which
1041 is to espouse political views or opinions.
- 1042 h) The acceptance of gifts or gratuities for personal gain in the course of official
1043 duties. (Customers are allowed to tip Bingo workers, Oneida Tobacco
1044 Enterprise workers, and Museum Workers.) (W/S/T)
- 1045 i) Inappropriate dress or personal hygiene which adversely affects the proper
1046 performance of duties or constitutes a health or safety hazard. (W/S)
- 1047 j) Failure to exercise proper judgment. (W/S/T)

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- k) Failure to be courteous in dealing with fellow employees or the general public. (W/S/T)
- l) Any of the following acts by employees: Arson, bribery, perjury, obstruction or interference with an investigation authorized by the Oneida Nation. (S/T) [\(BC Action, 12-2-88\)](#)
- m) The use, possession, selling or purchasing of, or attempt to sell or purchase alcohol, and/or controlled substances on or about Oneida Nation premises. (S/T) [\(BC Action, 12-2-88\)](#)
- n) Any violation of duly adopted Oneida Nation ordinances. (W/S/T) [\(BC Action, 12-2-88\)](#)

5) Sexual Harassment Policy

It is the Oneida Nation's Policy that all employees have a right to work in an environment free of discrimination which includes freedom from harassment, more specifically sexual harassment. The Oneida Nation considers sexual harassment, in whatever form, in the workplace to be a serious violation of an individual's dignity and personal rights. In all matters, where complaint of sexual harassment is lodged against an employee, the Oneida Nation has a duty and obligation to conduct a thorough investigation using discretion, good judgment and the principles and practice of strict confidentiality. If sexual harassment has been committed, the progressive disciplinary process is as follows (W/S/T).

Sexual Harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submissions to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individuals, or (3) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

a) Sexual Harassment (W/S/T)

i. Procedure

- a. Should an employee have a complaint, he/she should file a formal (written) complaint with the Human Resources Department.
- b. The Human Resources Department is obligated to investigate the complaint which is to be held in the strictest confidence. This investigation shall be done within five (5) working days from receiving the formal written complaint.
- c. After investigating the complaint and the Human Resources Department finds cause to take disciplinary action due to sexual harassment violation, the employee will be disciplined accordingly by their supervisor. This disciplinary action shall be initiated within five (5) working days from the date the supervisor receives the report from the Human Resource Department. [\(BC Actions, 7-16-93\)](#)

- 3. Accumulated Disciplinary Actions Warranting Termination [\(HR Interpretation, 1-29-14\)](#) (Provided that the Drug and Alcohol Free Workplace Policy shall govern disciplinary actions warranting termination for drug and alcohol related violations.) [\(GTC Resolution, 01-05-09A\)](#)

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- 1096 a. The accumulation of three (3) upheld warning notices within any twelve (12) month
 1097 period. (T)
 1098 b. The accumulation of two (2) upheld suspensions within any twelve (12) month
 1099 period. (T)
 1100 c. The accumulation of three (3) of any combination of upheld warning notices and/or
 1101 upheld suspensions within any twelve (12) month period. (T)
 1102 4. Substance Abuse Disciplinary Procedure - Section was deleted. ([GTC Resolution, 01-05-09-A](#))
 1103 [Click here](#) for Drug and Alcohol Free Workplace Policy.
 1104 5. Disciplinary Procedure ([Disciplinary Flowchart](#))
 1105 The following procedure shall be adhered to whenever disciplinary action is taken.
 1106 a. Supervisor becomes aware of unsatisfactory work performance or violation.
 1107 1) Supervisor investigates through a meeting with the employees and determines
 1108 whether disciplinary action is warranted.
 1109 b. If disciplinary action is warranted, within five (5) working days the supervisor will fill
 1110 out the five (5) part disciplinary action form stating the behavior for which the action
 1111 is being taken, the time and date of its occurrence, and the specific policy section
 1112 under which action is being taken.
 1113 c. The form will be discussed with the employee and a corrective action will be
 1114 identified.
 1115 d. The employee being disciplined will sign the form.
 1116 1) Should an employee being disciplined refuse to discuss the action with his/her
 1117 supervisor, the supervisor shall so note this, with date of refusal, on the form and
 1118 distribute as in 5.e.
 1119 e. Copies will be given to the employee, the HRD Manager, the supervisor, the Area
 1120 Manager and General Manager within twenty-four (24) hours of the conference with
 1121 the employee. ([HR Interpretation, 12-8-16](#))
 1122 f. Should a disciplinary action result in the suspension or termination of an employee,
 1123 the following guidelines shall apply:
 1124 1) The supervisor shall consult with the HRD Manager to mutually determine the
 1125 length of the suspension.
 1126 a) Suspensions will be limited to a maximum of three (3) weeks.
 1127 b) Suspension/terminations that are overturned in the appeal process shall
 1128 result in the employee receiving back pay for the days he/she was
 1129 suspended/terminated.
 1130 6. Grievance ([Grievance Flowchart](#))
 1131 An employee who receives a disciplinary action which he/she believes is unfair may
 1132 grieve the action. The Grievance process (including appeals of disciplinary action) shall
 1133 be conducted with utmost consideration for due process (within the time limits set forth
 1134 herein) but will allow and account for recognized Tribal holidays and unforeseen
 1135 circumstances (such as illnesses, deaths in the immediate family of principals, etc.). The
 1136 HRD office will make every attempt to ensure that grievance procedures are concluded
 1137 within forty-five (45) working days; however, extensions granted for reasonable
 1138 unforeseen circumstances (as determined by the HRD Manager) may extend the process
 1139 The Grievance process will be governed by the following guidelines: ([HR Interpretation, 8-19-](#)
 1140 [2011](#)) ([HR Interpretation, 1-29-2014](#))
 1141 a. For all disciplinary actions, regardless of severity:
 1142 1) The employee (petitioner) must file an appeal in writing.

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- 1143 a) The employee may seek the assistance of a spokesperson or advocate at any
 1144 time after the disciplinary action has been issued in order to aid in the
 1145 resolution of the grievance process.
 1146 b) The appeal must be filed with the Area Manager and the HRD Manager (or
 1147 designee) within ten (10) working days from the day the employee receives
 1148 the disciplinary action.
 1149 2) The Area Manager, for all disciplinary action investigations, will have ten (10)
 1150 working days from the receipt of the employee's appeal to complete the
 1151 investigation. One extension of no more than five (5) working days may be
 1152 requested of and granted by the HRD Manager (or designee) at his or her
 1153 discretion.
 1154 3) The Area Manager will do one of the following:
 1155 a) Uphold the disciplinary action; or
 1156 b) Modify the disciplinary action; or
 1157 c) Overturn the disciplinary action. If a suspension or termination is overturned,
 1158 the employee (petitioner) shall be reinstated with full back pay.
 1159 4) The Area Manager will file a decision with the employee and the HRD Manager
 1160 (or designee) and will include a reason for the decision, an explanation of the
 1161 decision and the action to be taken as a result of it.
 1162 b. Filing a Complaint [\(BC Resolution, 3-18-19\)](#)
 1163 1) An employee may appeal the Area Manager's decision to the Oneida Personnel
 1164 Commission by filing a complaint with the Human Resources Department on
 1165 behalf of the Oneida Personnel Commission.
 1166 a) The employee shall file the appeal within ten (10) working days from the
 1167 employee's receipt of the Area Manager's decision
 1168 2) The Human Resources Department shall notify the Human Resources
 1169 Department Manager of receipt of the appeal within one (1) business day of
 1170 receipt of the appeal.
 1171 c. Collection of Information
 1172 1) The Human Resources Department shall collect all information the Area Manager
 1173 used in making the decision to uphold the disciplinary action.
 1174 d. Review of the Complaint
 1175 1) The Human Resources Department shall provide the information obtained to the
 1176 Oneida Personnel Commission members selected to serve as the hearing body
 1177 for the complaint, and the Oneida Personnel Commissioners shall review all the
 1178 information submitted by the Petitioner and the Human Resources Department
 1179 to determine if one or both conditions exist;
 1180 a) The decision of the Area Manager is clearly against the weight of the
 1181 evidence; and/or
 1182 b) Procedural irregularities were exhibited during the appeal process that were
 1183 harmful to one of the parties to the grievance.
 1184 2) If Oneida Personnel Commission members selected to serve as the hearing body
 1185 for the complaint find one or both conditions exist, the Human Resources
 1186 Department shall convene the Oneida Personnel Commission to hear the
 1187 grievance.
 1188 3) If the Oneida Personnel Commission members find that neither condition exists,
 1189 the Oneida Personnel Commission will deny the appeal for a hearing and affirm
 1190 the decision of the Area Manager.
 1191 e. Convening a Hearing

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- 1) The Human Resources Department shall schedule a time and location for the grievance hearing and shall confirm the participation of the Oneida Personnel Commission members selected to serve as the hearing body for the complaint.
 - 2) The Human Resources Department shall send notice of the hearing to the petitioner, respondent, and Oneida Personnel Commission members at least five (5) working days prior to the hearing date.
 - 3) The Human Resources Department shall provide copies of all information on the subject case upon which the disciplinary action was upheld to the members of the Oneida Personnel Commission at least two (2) working days prior to the appeal date.
 - 4) The Human Resources Department shall allow the petitioner and respondent access to this information in the Human Resources Department Office at least two (2) days prior to the appeal date.
- f. Hearing Procedure
- 1) The order of presentation for the hearing shall be:
 - a) Petitioner's opening statement;
 - b) Respondent's opening statement;
 - c) The Petitioner's case;
 - d) The Respondent's case;
 - e) Petitioner's closing statement
 - f) Respondent's closing statement
 - 2) The petitioner shall have the right to be represented by an advocate, at his or her own expense. The respondent and/or area manager who is party to the grievance action shall have access to an advocate for consultation and/or representation. Should the petitioner engage outside professional legal representation, the respondent and/or area manager shall have access to the professional legal representation.
 - a) Should the petitioner and his or her representative both fail to appear for any scheduled hearing without justifiable cause, the decision of the Area Manager shall be upheld, and the grievance dismissed.
 - b) Should the respondent and his/her representative both fail to appear for any scheduled hearing without justifiable cause, the decision of the Area Manager shall be overturned.
 - 3) If new evidence which was previously unavailable is introduced at any point during the hearing process, the Oneida Personnel Commission hearing shall be suspended, and the case will be remanded to the Area Manager for reconsideration.
 - a) The Area Manager shall reconsider the decision in light of the new evidence and issue a decision within three (3) working days.
 - b) This procedure may be invoked only once.
 - c) Thereafter, the appeal process shall continue to a conclusion based on the information originally presented and the newly introduced evidence.
 - i. If the Area Manager overturns his or her decision, the case would not come back for a hearing.
 - ii. If the Area Manager affirms his or her decision, then the case will come back to the Oneida Personnel Commission to complete the hearing.
 - 4) The Oneida Personnel Commission's decision shall be based solely on the information presented to them before the appeal hearing, the record of the prior proceedings, and any new evidence if introduced appropriately.
 - 5) The Oneida Personnel Commission may:

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- 1242 a) Uphold the disciplinary action; or
1243 b) Overturn the disciplinary action and:
1244 i. Reinstatement the employee (petitioner) with full back pay for any lost time; or
1245 ii. Reinstatement the employee (petitioner) without back pay.
1246 6) The Oneida Personnel Commission shall provide notification of the final decision
1247 within five (5) working days following the hearing. Notification of the final
1248 decision shall include;
1249 a) The final decision;
1250 b) The reason(s) for the final decision; and
1251 c) The action to be taken as a result of the final decision.
1252 7) The Human Resources Department shall keep records of the hearing, and
1253 provide copies of administrative advocacy rules, procedural rules, and time line
1254 rules to interested parties.

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SECTION VI – SAFETY AND HEALTH

A. POLICY

The personal safety and health of each employee, customer and client of the Oneida Nation is of primary importance. The prevention of injuries and illnesses is of such importance that it will take precedence over operating productivity whenever necessary.

The Oneida Nation will maintain a safety and health program conforming to the best practices available. To be successful, this program will work to develop the proper attitudes toward on-the-job injury and illness prevention on the part of supervisors and employees. This program will strive to develop a high level of cooperation in all safety and health matters between supervisors and employees and among employees.

The objective of this program is a safe and healthy environment that will reduce the number of job-related injuries and illnesses to an absolute minimum. The Nation's goal is zero accidents and illnesses.

B. PROCEDURES

The Oneida Nation Safety Committee will adopt and enforce through the Personnel Department procedures related to the education of the Nation's work force in matters of safety and health. These procedures will include all education and prevention activities, assessments and evaluations, and reporting.

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SECTION VII – PROGRAM/ENTERPRISE RULES & REGULATIONS

- A. Enterprises and programs may establish internal rules and regulations to facilitate the administration of Oneida Nation Personnel Policies and Procedures.
1. In no case will these internal rules and/or regulations conflict with or take the place of Oneida Nation Personnel Policies and Procedures.
 2. Enterprises and programs which establish internal rules and regulations will file a copy of the rules and regulations with the Personnel Department.

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SECTION VIII – RECORDKEEPING

A. PERSONNEL OFFICE

1. Basic records to be retained include:
 - a. Reference Data
 - b. Job Descriptions
 - c. Resumes and Applications
 - d. Interview notes/selection information
 - e. Resignations
 - f. Employee tax exemption claims
 - g. Disciplinary action information
 - h. Performance evaluations
 - i. Insurance coverage/changes
 - j. Transfers
2. The Personnel Office shall keep and maintain a complete record of each employee throughout his/her term of employment.
 - a. Oneida Nation employees shall have access to their employment file.
 - b. Employment files kept by the Personnel Office shall be considered confidential information. Release of any information to a third party must have the consent of the employee in writing.

B. ACCOUNTING DEPARTMENT

1. Basic records to be retained include:
 - a. Attendance records
 - b. Employee Time Sheets
 - c. Earnings - in the form of computer printouts
 - d. Travel - in the form of complete travel authorization forms.
 - 1) Time sheets and travel reports shall be filled out by every employee for pay period, collected by the program head, and forwarded to the Department.
2. The Accounting Department shall retain all records for a period of seven (7) years. [\(BC Action, 10-14-09B\)](#)

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SECTION IX – PRIVACY AND CONFIDENTIALITY OF EMPLOYEE RECORDS

The Human Resources Department of the Oneida Nation collects information from employees in order to make decisions regarding personnel actions including hiring, transfers and promotions, training, compensation and benefits, disciplinary actions and other job opportunities. This information is maintained by the Human Resources Department in individual files for as long as the person is an employee of the Oneida Nation.

A. STATEMENT OF POLICY

As a general rule, the Oneida Nation considers all information contained in these files to be private and confidential. No information of any type shall be released to any person or agent of any organization without the written consent of the employee except under the conditions outlined herein.

B. EMPLOYEE ACCESS

In addition, the Oneida Nation recognizes that the information contained in each employee's file is personal and that the lives of its employees are subject to changes. Therefore, the Oneida Nation provides for employee access to his/her personnel file. Employees are allowed to review their file and submit a statement of amendment should their review uncover any inaccurate, obsolete or irrelevant information. Should any information come into dispute, an employee's statement of dispute will be accessed into the file.

C. RELEASE OF INFORMATION TO THIRD PARTIES

The Oneida Nation is obligated by law to release certain information to outside parties. Such parties include the State of Wisconsin's Unemployment Compensation Department and its Workers Compensation Division and the United States Social Security Administration. Any additional information released to a third party by the Human Resources Department related to employee records shall consist of summary information and will not include any identifying personal information. (Such information may be total numbers of males and females in the workforce, mean, median and average age of the workforce, etc.)

The Oneida Nation will release personal information on employees when a request is accompanied by a written release signed by the employee. The Human Resources Department will make every effort to validate this request by contacting the employee. In no case shall the Oneida Nation release personal information from an employee's file without this consent.



ONEIDA NATION
PERSONNEL POLICIES AND PROCEDURES MANUAL

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SECTION I – INTRODUCTION

Welcome to the Oneida Nation. We are pleased to have you join us as a partner on a team of individuals dedicated to providing quality service that enhances the quality of life of the Oneida community. The role you play in your position is important to the overall effort required by your department to meet the goals and objectives of the Oneida Nation. We encourage you to take advantage of the opportunities presented to you, as an employee, to grow and develop both personally and professionally.

The purpose of this "Employee Manual" is to provide you with a ready source of information about employee related Oneida Nation policies and procedures. Although we have tried to make this manual as comprehensive as possible; it does not, and cannot, include policies which address every situation that may arise. The Oneida Nation reserves the right to modify, alter, change or cancel existing policies and procedures or adopt new procedures and policies at any time.

The policies and procedures set forth in this manual apply to all employees. As an employee of the Oneida Nation, you are required to know and abide by these policies and procedures. Oneida Nation departments may have specific and additional procedures enhancing the general policies stated in this manual. Each employee is expected to learn his/her department's procedures and comply with them. In the event of any conflict between policies in this manual and departmental procedure, the policies in this manual supersede. Each employee is also expected to conform to the professional standards of his/her occupation. Questions regarding this manual, or any employee related policies, should be directed to your supervisor, department head, or to the Human Resources Department at (920) 496-7900.

The Oneida Nation is proud to have you on our staff and we look forward to a fulfilling and successful team relationship.

SECTION II - RECRUITING

A. RECRUITING

1. Recruiting Strategy

a. The Oneida Nation shall implement a Recruiting Strategy to increase the potential for hiring the best-qualified and most capable employees possible.

1) The Recruiting Strategy shall target, as the first priority, applicants in accordance with the Oneida and Indian Preference Policy.

2) The Recruiting Strategy shall have a nationwide focus and will use:

a) The Kalihwisaks (national distribution);

b) The Oneida Higher Education Office's network of post-secondary school students;

c) Local and regional media and public employment agencies.

2. Applicant Pool

a. The Oneida Nation shall establish and maintain an Applicant Pool consisting of individuals who have expressed an interest in working for the Oneida Nation.

1) The Applicant Pool will consist of files containing:

a) An Oneida Nation Application Form;

b) A summary of career goals and job preferences.

2) The Applicant Pool will be regularly reviewed to:

a) Update individual files;

b) Remove files where indicated.

3) The Applicant Pool will be cross-referenced by job preferences.

a) Notices of job vacancies and an Application Form will be sent to all Applicant Pool members as appropriate.

4) All Applicant Pool members shall have the right to review and update their file upon request.

5) Applicant Pool members shall be apprised of the Nation's Indian Preference Policy.

B. LABOR POOLS

1. Supervisors that wish to establish a job classification as a Labor Pool Position will work with the HRD to establish the job classification.

2. Each Labor Pool Position shall be advertised as on-going recruitment pool. The HRD shall maintain an updated list of qualified candidates for each Labor Pool Position.

3. The HRD will accept all job applications and verify that each applicant is qualified according to the established job description. All qualified applicants will then be placed in a pool according to the Nation's Oneida and Indian Preference Policy and the date the application was received. All applicants will be notified of acceptance into or rejection from the pool.

a. **PRESCREENING OF LABOR POOL POSITIONS** [\(HR Interpretation 11-13-12\)](#) Applicants who were previously employed by the Oneida Nation and were terminated for reasons of misconduct or performance issues will be screened out for a period of twelve (12) months following the date of discharge.

4. The HRD will keep an updated list of qualified applicants for each job position.

5. When a vacancy occurs in a Labor Pool Position, the supervisor will notify the HRD of the position to be filled. The HRD Office shall then refer the top three (3) applicants to the

124 immediate supervisor. The top three applicants shall be based first on the Oneida and
125 Indian Preference Policy and, second, the date an application was received. The
126 immediate supervisor will notify the HRD of their selection and the HRD will then offer
127 the position to the applicant. After the position is filled, all ranked candidates will move
128 up on the list. [\(HR Interpretation 7-11-13\)](#)

- 129 6. If the applicant refuses the position, the HRD Office will then offer it to the next applicant
130 until the position is filled.
- 131 7. If the applicant refuses the job, the applicant may withdraw from the Labor Pool or, if he
132 or she declines to withdraw from the Labor Pool, the date of refusal will be considered
133 the date the application was received and the applicant will be placed in the Labor Pool
134 list according to B.3.
- 135 8. Indian (Oneida) Preference will be adhered to in all hiring decisions.

136 137 C. EMERGENCY/TEMPORARY POSITIONS

- 138 1. The HRD will periodically recruit individuals who are interested in filling temporary
139 positions which consist of the following classifications:
 - 140 a. Emergency/Temp
 - 141 b. Limited Term
 - 142 c. Seasonal
 - 143 d. Substitute/Relief
 - 144 e. Youth Worker
 - 145 f. Student/Intern
- 146 2. Creation of Positions
 - 147 a. Creation of positions in the above Temporary Employee Classifications will require
148 that these positions be budgeted for the current fiscal year, or proof through
149 documentation that the budget is adequate to incorporate these positions.
 - 150 b. The positions must be developed in conjunction with the HRD; assuring that all
151 Policies and Procedures are adhered to. Creation of temporary classification requires
152 the approval of the Director, Area Manager, and HRD Manager, or elected official of
153 the Oneida Nation.
 - 154 c. All newly created temporary positions must be processed through the Wage and
155 Salary system before a position can be filled with a temporary employee.
- 156 3. Recruitment/Selection
 - 157 a. Recruitment/selection of applicants for all temporary positions requires a completed
158 Temporary Personnel Requisition form with an updated job description attached.
 - 159 b. The HRD will provide a list of qualified candidates according to the job descriptions
160 to the immediate supervisor. The immediate supervisor will select from the approved
161 list adhering to Indian Preference.
 - 162 c. The HRD will contact the selected candidate and offer the position, following the
163 proper procedures to put the incumbent on payroll.
 - 164 d. The selected candidate will sign a statement accepting conditions of temporary
165 employment, and length of employment where applicable.
 - 166 e. Temporary employees will be paid within the Grade in which the job is classified and
167 salary will be negotiated within the first three (3) steps of respective grade.
 - 168 1) Any negotiated salary beyond step three will require written justification and
169 approval from the respective General Manager. [\(H.R. Interpretation, 12-8-16\)](#)
 - 170 f. Temporary employees are welcome to apply for any regular position within the
171 Nation that becomes available during the term of their employment.
 - 172 g. Temporary employees that are terminated due to documented cause will have the
173 right to the appeal process as outlined in the Personnel Policies and Procedures.

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- 174 h. All temporary employees are subject to lay-off based upon department job needs
175 and budgets. [\(HR Interpretation – 11-25-13\)](#)
176 i. Supervisors are required to do proficient planning within their respective span of
177 control; as such they must also enforce separation dates and will be monitored by
178 HRD for compliance.
179 j. Supervisors must select the most appropriate category of classification for the job.
180 1) Moving from one classification to another is prohibited.
- 181 4. Benefits
- 182 a. The following employee classifications will be eligible for benefits as defined in the
183 section of the Personnel Policies and Procedures as medical, dental, vacation and
184 personal accrual, holiday pay, premium pay.
185 1) Limited Term
186 2) Seasonal
- 187 b. The following employee classifications will be eligible for benefits as defined in this
188 section of the Personnel Policies and Procedures as Mandatory Benefits and Holiday
189 pay.
190 1) Emergency/Temporary
191 2) Substitute/Relief
192 3) Seasonal Worker (only during their first season)
- 193 c. The following employee classifications will be eligible for benefits as defined in this
194 section of the Personnel Policies and Procedures as Mandatory Benefits.
195 1) Youth Worker
196 2) Student/Intern
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SECTION III – SELECTION POLICY

A. ONEIDA PREFERENCE AND INDIAN PREFERENCE STATEMENT OF POLICY

Federal policy since 1834 accords hiring preference to Indians. The purpose of this preference is threefold: 1) to give Indians a greater participation in self-government; 2) to further the Government's trust obligation; and 3) to increase the positive effect of having Indians administer matters that affect Indian tribal life. [\(GTC Resolution – 5-23-11-A\)](#)

More recently, legislation such as the Civil Rights Act (1964) and the Education Amendments of 1972 (passed after the Equal Employment Opportunity Act) continued to specifically provide for preferential hiring of Indians by Indian Nations.

As an employer, the Nation seeks to employ individuals who possess the skills, abilities and background to meet the employment needs of the Nation.

As a sovereign Indian Nation and a unique cultural group, the Oneida Nation has determined that a highly desirable employment characteristic is knowledge of Oneida culture. Further, the Nation recognizes the unique, shared culture of Native American Indians and has determined that a desirable employment characteristic is status as a member or descendant of a federally recognized tribe. At a minimum, the Nation has determined that some knowledge of Indian culture is a desirable employment characteristic.

Accordingly, the Oneida Nation establishes the following policy in regard to Indian Preference for selecting employees to provide services that meet the needs of the Oneida people. This Indian Preference policy shall be specific to staffing decisions made under the Personnel Policies and Procedures and shall not be construed to have an application outside of these policies and procedures.

The Oneida Nation is an equal employment opportunity employer and follows non-discriminatory policies and procedures in personnel decisions. [\(HR Interpretation 5-19-14\)](#) The Oneida Nation exists to serve the needs of the Oneida people and therefore accords Oneida Preference to enrolled members of the Oneida Nation where such preference is not otherwise prohibited. All General Managers and top administrative positions, as defined by HRD in a standard operating procedure, shall be held by enrolled members of the Oneida Nation. In all other instances, the Nation applies the following priorities of Indian Preference in staffing decisions:

- 1 Enrolled members of the Oneida Nation;
- 2 Individuals eligible for enrollment in the Oneida Nation;
- 3 Documented first generation descendants of the Oneida Nation;
- 4 Members or descendants of a federally recognized tribe;
- 5 Other (non-Indian). [\(HR Interpretation – 6-24-11\)](#)

This policy shall apply in decisions where the basic requirements for employment are met.

B. HIRING PROCEDURE



1 Statement of Policy

- a. The Oneida Nation is an equal employment opportunity employer and follows nondiscriminatory policies in hiring.
- b. The Oneida Nation is a firm advocate of the 1964 Civil Rights Act (as amended) and the 1968 Indian Civil Rights Act (as amended) and will make every effort to ensure compliance with each Act; however:
- c. The Oneida Nation follows the principles of Indian Preference in the implementation of hiring practices (see the Oneida Preference and Indian Preference Statement of Policy).

2. Hiring Guidelines

- a. All Supervisors of the Oneida Nation shall undergo periodic training in EEO and laws, rules, and regulations of the Nation.
- b. Personnel Commission Role
 - 1) The Oneida Nation established the Personnel Commission to represent the Oneida Community-at-large in the selection of employees of the Nation.
 - a) The Personnel Commission is directed to:
 - i. Seek out the best-matched applicants for each available position;
 - ii. Consider only job-related factors (such as education, experience, past performance, skills and abilities, and compatibility with the position and potential co-workers) when selecting candidates; and
 - iii. Comply with the Oneida Personnel Commission Bylaws.
 - c. Identification of Vacancies and Development of Position Descriptions ([Work Standard, 11-16-11](#))
 - 1) Supervisors may inform the HRD Office of pending vacancies as soon as they are identified.
 - 2) For new and existing positions, the HRD Representative, the supervisor and the Area Manager (at their option) shall review the position description to ensure compliance with:
 - a) The Nation's employment structure; and
 - b) The needs and requirements of the position.
 - 3) All position descriptions shall follow the outlined structure.
 - d. Applications
 - 1) All inquiries for position vacancies shall be responded to with an application.
 - 2) All applications shall be submitted online.
 - 3) All applications shall be acknowledged.
 - e. Advertising
 - 1) Position vacancies shall be advertised as widely as possible. Advertising efforts may include, but not be limited to the following:
 - a) The Kalihwisaks;
 - b) The Oneida Nation website;
 - c) Oneida Nation social media platforms;
 - d) Electronic communications or alerts;
 - e) Mailings;

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- 310 f) Statewide, through print and electronic media and public employment
 311 agencies;
 312 g) Through targeted recruiting efforts including:
 313 i. The Bureau of Indian Affairs;
 314 ii. The Oneida Higher Education Office.
 315 h) Other postings targeted toward special recruiting categories (such as
 316 professions) shall be carried out at the discretion of HRD with the advice and
 317 consent of the affected department.
- 318 2) A position vacancy shall be posted for a minimum of seven (7) calendar days and
 319 shall be open to the general public, unless the position is required to be filled by
 320 an enrolled Oneida Nation member.
- 321 3) All vacancies requiring re-posting shall be referred back to B-2.c (Identification of
 322 Vacancies and Development of Position description) to begin the re-posting
 323 process.
- 324 f. Screening ([HR Interpretation 11-16-12](#)) ([HR Interpretation 10-22-12](#))
- 325 1) Applicants who are enrolled members of the Oneida Nation shall be screened
 326 and interviewed prior to any other applicants. If the screening and interviewing
 327 of the applicants who are enrolled members of the Oneida Nation did not result
 328 in the position vacancy being filled, then all other applicants may be screened
 329 and interviewed.
- 330 2) A Screening Committee consisting of the HRD Representative, the position
 331 supervisor, the Area Manager (at their option), and a member of the Personnel
 332 Commission shall be convened to conduct the screening of applicants. The
 333 Screening process shall begin as soon as practical following the closing of the
 334 position. The Screening Committee shall:
- 335 a) Verify that all applications were submitted on time.
 336 b) Applications that are incomplete or were not submitted on or before the
 337 posted deadline date may be screened out.
 338 c) Analyze the position description to establish screening criteria. These criteria
 339 shall include qualifications listed on the position description determined by
 340 the supervisor and HRD Representative to be essential to the position. ([T.O.E.](#)
 341 [WS-5-6-13](#))
 342 d) Screen and identify a list of applicants to be interviewed.
 343 e) Ensure there are no applicants ineligible for employment with the Nation
 344 due to termination or resignation in accordance with the applicable
 345 standard operating procedure developed by HRD.
- 346 3) No person shall be recommended for a position if nepotism is created. Nepotism
 347 is created by the following relationships that are created by birth, marriage, or
 348 through another legally recognized means:
- 349 a) Spouse;
 350 b) Child;
 351 c) Parent;
 352 d) Sibling;

- 353 e) Grandparent;
354 f) Great-grandparent;
355 g) Grandchild; and
356 h) Guardian.
- 357 4) No person shall be recommended for a position if a conflict of interest is created.
358 Conflict of interest is defined as:
359 a) any interest, real or apparent, whether it be personal, financial, political, or
360 otherwise, in which an elected official, officer, political appointee, employee,
361 contractor, or appointed or elected member, or their immediate family
362 members, friends or associates, or any other person with whom they have
363 contact, have that conflicts with any right of the Nation to property,
364 information, or any other right to own and operate activities free from
365 undisclosed competition or other violation of such rights of the Nation.
366 b) any financial or familial interest an elected official, officer, political appointee,
367 employee, contractor, or appointed or elected member or their immediate
368 family members may have in any transaction between the Nation and an
369 outside party
- 370 5) The HRD Representative and supervisor shall construct an interview format
371 consisting of:
372 a) A set of questions related to the screening criteria qualifications; and
373 b) An interview rating scale designed to objectively evaluate each applicant's
374 qualifications.
- 375 6) The HRD Office shall arrange for interviews with the listed applicants.
- 376 g. Applicant Interviews
377 1) An Interview Committee shall be convened consisting of the members of the
378 Screening Committee and a second member of the Personnel Commission. The
379 Interview Committee shall interview applicants and evaluate each individually.
380 2) No interview shall take place without an HRD Representative present.
381 3) The HRD Representative shall total the evaluation rating scale to rank order of the
382 applicants.
- 383 h. Selection [\(HR Interpretation - Disqualification of Applicant 10-24-13\)](#)
384 1) The supervisor shall select one of the top two (2) applicants as ranked through
385 the rating scale. [\(HR Interpretation - 10-17-12\)](#)
386 a) The supervisor may conduct an additional follow-up interview with the top
387 two (2) applicants.
388 b) The selection decision shall be governed by the Oneida Preference and
389 Indian Preference Policy. [\(HR Interpretation - 6-6-11\)](#)
390 c) The HRD Office shall notify and offer the position to the selected applicant.
391 i. Should the supervisor's first choice refuse the offer, the HRD Office shall
392 provide the supervisor with the next two (2) ranked applicants to choose
393 from.
394 ii. Should the top two (2) chosen applicants refuse the position offer, the
395 supervisor may:

- 396 1. Repeat the hiring selection process outlined in B.2.h.1. above with
397 the remaining candidates; or
398 2. Re-post the position.
- 399 2) The HRD Office shall notify those applicants interviewed but not selected of the
400 decision.
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- 402 C. INTERNAL POSITION POSTING - The Oneida Nation encourages movement within and
403 among units in order to make the best possible use of human resources to meet the Oneida
404 Nation's goals and objectives. Supervisors and employees are encouraged to work
405 together to create an environment in which employees constantly strive to improve their
406 skills and abilities and managers constantly seek to provide challenging and rewarding
407 work experiences.
- 408 1. Procedure
- 409 a. Internal Position Posting
- 410 1) Open positions as determined by a supervisor and their Area Manager may be
411 posted internally for a position transfer for a minimum of five (5) working days.
412 2) At the end of the five (5) day minimum internal posting period, the HRD
413 Representative shall schedule a screening with the open position's supervisor
414 and the Area Manager (at their option).
415 3) Employees who are transferred shall not lose any benefits; however:
416 a) An employee may be required to continue serving in their present position
417 until a replacement can be found, for a period up to thirty (30) days.
418 b) An employee who is transferred to a position lower on the Oneida Nation
419 Position Structure shall be paid at the grade level corresponding to the new
420 position.
421 c) Requests for transfers for documented medical conditions will be handled on
422 a case-by-case basis and only when in the best interests of both the
423 employee and the Nation.
424 d) The newly transferred employee shall be required to complete a three (3)
425 month probation period. All conditions of the Nation's Original Probation
426 Policy shall apply during that period.
- 427 2. Reassignments
- 428 a. Title Reassignments
- 429 1) Title Reassignments may be made by supervisors to:
430 a) More accurately describe or define an existing position; or
431 b) Make minor adjustments in positions within a unit or operating division.
432 2) Title Reassignments may be made at any time with the approval of the Area
433 Manager and HRD Representative.
- 434 b. Position Reassignments
- 435 1) Position Reassignments may be made by supervisors to make more efficient and
436 effective use of human resources.
437 2) Position Reassignments may be supervisor-initiated or employee-initiated but
438 must be made in the best interests of the operating unit.

3) Position Reassignments may be made at any time with the approval of the Area Manager and HRD Manager.

c. Interim Position Reassignments.

1) Interim position reassignments may be processed to fill a position in which the previous employee is in the appeals process, on a leave of absence, or for a vacant position.

D. ORIGINAL PROBATION

The first three (3) months after an employee's starting date after being hired, transferred, or reassigned shall be considered a period of probation. At the end of six (6) weeks, the employee's performance shall be reviewed with them by the supervisor by completing an employee evaluation. At the end of the three-month probation period, a second performance evaluation shall be conducted. This evaluation shall recommend the end of probation and regular status for the employee, an extension of probation, or termination for cause.

1. Status as a Probationary Employee

- a. Probationary employees shall accrue vacation and personal days during the probation period and shall receive holiday pay.
- b. Probationary employees may be terminated for cause at any time during the probation period. Cause must consist of a violation of policies or the documented inability of the employee to perform the duties and responsibilities of the position. [\(BC Action 3-20-92\)](#)

SECTION IV - COMPENSATION AND BENEFITS

A. SALARY

1. Oneida Nation Job and Salary Structure

- a. An ongoing plan will be instituted based on standard employee grades and step levels to assure that a uniform approach is taken to establish equitable salary and wage levels.
- b. Employee performance evaluations will be a resource in determining whether an employee receives an increase in pay for the upcoming year. An overall satisfactory rating must be attained in order to be granted an increase in pay.
- c. Merit increase shall be granted upon the recommendation of the supervisor, the Area Manager, the HRD Manager and the General Manager.

2. Workday [\(Work Standard, 10-17-12\)](#)

- a. The regular Tribal workday is from 8:00 a.m. to 4:30 p.m. with an hour for lunch. The exception to these hours occurs only if the program/enterprise hours must vary for the purpose of providing service (such as retail hours beyond 4:30 p.m.). Shifts will be developed as needed, and the shift hours will then become the regular workday for assigned employees for that program/enterprise.
- b. Employees are expected to be at work each scheduled work day.
 - 1) Employees who do not report for work because of inclement weather or unforeseen circumstances will not be paid for that day. Employees may elect to use personal day(s) to cover this absence. [\(W.S. Closures Multiple/Individual Depts.7-28-2017\)](#)
[\(W.S. Closures Non-Critical Departments/Divisions 7-28-2017\)](#)
 - 2) In case of an unavoidable delay or absence, the supervisor must be notified no later than thirty (30) minutes after the scheduled starting time. Employees are encouraged to notify their supervisor before their scheduled starting time.
 - i. Employees failing to report to their assigned jobs or failing to call in within the thirty (30) minute time allowed will be subject to disciplinary action.
 - ii. Permission to leave early must be obtained by the employee from his/her supervisor.

3. Overtime

- 521 a. Any and all overtime will be kept to a minimum and must be approved by the
 522 Supervisor and Area Manager.
- 523 1) In the case of potential overtime that may occur at night, on holidays or on
 524 weekends, supervisors will delegate this authority to a specific employee and
 525 outline specific situations and actions that warrant overtime.
- 526 b. All overtime must be reported to the supervisor for evaluation.
- 527 c. Overtime will be approved only if the program or enterprise budget is capable of
 528 paying it.
- 529 d. Overtime will be approved only for hours worked in excess of forty (40) hours per
 530 week. Personal/vacation days and holidays will not count toward the forty (40) hour
 531 requirements.
- 532 e. Tribal employees are expected to work overtime if required. Time and one-half will
 533 be paid for this overtime.
- 534 f. Exempt employees are not eligible for overtime.
- 535 1) The HRD Office will maintain a list of exempt employees.
- 536 4. Holidays [\(Work Standard, 11-7-14\)](#)
- 537 a. Tribal holidays consist of the following:
- 538 1) One-half Day Christmas Eve
 539 2) Christmas Day
 540 3) New Year's Day
 541 4) Memorial Day
 542 5) Veteran's Day
 543 6) Independence Day
 544 7) Labor Day
 545 8) Thanksgiving Day
 546 9) Indian Day (day after Thanksgiving)
 547 10) One-half day Good Friday
 548 11) Code Talker's Day (Oneida Day, Friday prior to Memorial Day)
 549 [\(BC Resolution – 12-11-13A\)](#)
- 550 b. To be eligible for a paid holiday, employees must work the preceding and following
 551 scheduled work days (except for employees who are on a prescheduled work leave
 552 or an approved extended sick leave.) Employees who are granted a sick day directly
 553 prior to a holiday must certify that they were capable of working the holiday in order
 554 to qualify for a paid holiday.
- 555 c. All regular employees will be given holiday pay for the maximum pay of eight (8)
 556 hours per day.
- 557 d. Holidays falling on a Saturday will be observed the preceding Friday; holidays falling
 558 on a Sunday will be observed on the following Monday. [\(2019 Holiday Observance Calendar\)](#)
 559 [\(2018 Holiday Observance Calendar\)](#)
- 560 e. The Oneida Nation acknowledges its responsibility to make a reasonable
 561 accommodation to employees who wish time off to observe religious holidays.
 562 Requests for such time off will be granted where possible, based on the scheduling
 563 and staffing needs of affected departments. Employees wishing to take time off work

- 564 for religious observances should inform their supervisor as early as possible.
565 Employees may use personal time for such requests if eligible; otherwise the time off
566 will be treated as unpaid leave.
- 567 5. Vacation/Personal Days
- 568 a. Every Oneida Nation employee, except temporary employees, shall be allowed
569 personal and vacation days with pay to the extent that personal days and vacation
570 are accumulated.
- 571 b. The amount of personal and vacations days shall be determined by continuous
572 service for the Nation. A "lay-off" from Oneida Nation employment shall not be
573 considered an interruption in continuous service where the lay-off is in accordance
574 with the Nation's Layoff Policy, nor shall a preapproved leave of absence. [\(HR](#)
575 [Interpretation, 3-6-12\)](#)
- 576 c. Except as provided for in section g, the accrual of personal days shall be as follows:
577 [\(BC Resolution – 4-11-13-F\)](#)
- 578 1) 0-3 years of service - 6 days per year;
579 2) 4-7 years of service - 8 days per year;
580 3) 8-14 years of service - 10 days per year;
581 4) 15+ years of service - 12 days per year;
- 582 d. Except as provided for in section g, the accrual of vacation days shall be as follows:
583 1) 0-3 years of service - 12 days per year
584 2) 4-7 years of service - 15 days per year;
585 3) 8-15 years of service - 20 days per year;
586 4) 15+ years of service - 25 days per year.
- 587 e. Part-time employees accrue personal and vacation days for time actually worked at a
588 ratio of a full-time employee.
- 589 f. Service is defined as working for Programs/Enterprises which are contracted by the
590 Nation or specifically sponsored by the Nation.
- 591 g. Vacation and personal days shall be capped at 280 hrs. An employee shall cease to
592 accrue vacation and personal hours when he or she has reached 280 total hours.
593 Supervisors shall notify their employees when said employees have accumulated 200
594 total hours of vacation and personal time. [\(GTC Resolution, 7-2-12A\)](#)
- 595 1) An employee may trade back accumulated vacation and personal hours in
596 accordance with Section IV.A.5.n. below. [\(GTC Resolution, 5-23-11-B\)](#)
- 597 h. Upon termination from Oneida Nation employment, employees will be paid for any
598 unused personal and/or vacation days.
- 599 1) Employees who have used the Oneida Nation-sponsored loan program will be
600 required to honor the terms of the loan agreement.
- 601 i. Personal Days can be used for any reason so long as the request is approved by the
602 employee's supervisor at least twenty-four (24) hours in advance (unless the absence
603 is due to illness or unforeseen circumstances).
- 604 1) In the case of illness or unforeseen circumstance, the supervisor shall be notified
605 no later than fifteen (15) minutes before the scheduled starting time.

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- 606 2) Programs and enterprises may institute stricter standards of notification. These
 607 standards will be submitted to and approved by the Personnel Department.
- 608 j. An employee shall notify his/her supervisor of an intent to use personal days in the
 609 following ways:
- 610 1) Three (3) to five (5) days - one (1) week advance notification
 611 2) Six (6) days or more - two (2) weeks advance notification.
- 612 k. An employee shall notify his/her supervisor one (1) day in advance if he/she will take
 613 off one (1) or two (2) days of vacation. Programs and enterprises may institute
 614 stricter standards of notification.
- 615 1) Three (3) to five (5) days of vacation require a one (1) week advance notification.
 616 2) Six (6) or more days of vacation require at least two (2) weeks advance
 617 notification.
- 618 l. The burden shall be on the supervisor to show that a denial of a personal day or a
 619 vacation day is based upon interference with the business of the Nation.
- 620 m. Personal or Vacation Days can be taken when an employee is on probation. [\(GTC](#)
 621 [Resolution 5-23-11-B, HR Interpretation 5-8-17\)](#)
- 622 n. Trade-back for Cash - Each fiscal year, the Oneida Business Committee shall analyze
 623 fiscal conditions to determine whether employees may trade back personal and/or
 624 vacation hours for cash that fiscal year.
- 625 1) If the Oneida Business Committee approves trade-back for cash, they shall also
 626 determine whether (i) and/or (ii) applies: [\(See Revision\)](#)
- 627 i. All employees will have the opportunity to trade-back hours one time that
 628 year.
- 629 1. By August 15, each employee who has accumulated twenty-four (24)
 630 hours or more of vacation and/or personal days may opt to trade in
 631 his/her hours for cash.
- 632 2. Employees will receive their trade back on or before September 30 of
 633 that year.
- 634 ii. Only those employees who are unable to utilize their personal and/or
 635 vacation time due to working conditions, such as a shortage in staffing, as
 636 determined by the HRD Manager or designee, will have the opportunity to
 637 trade back hours on a quarterly basis.
- 638 1. Employees will receive their trade back within sixty (60) days after
 639 opting to trade back hours.
- 640 2) When trade-back for cash is approved by the Oneida Business Committee, the
 641 following standards shall apply:
- 642 i. Employees must decide which status (vacation or personal or both) from
 643 which their trade back will be drawn.
- 644 ii. Employees may not trade for cash more than eighty (80) hours in one year.
 645 [\(GTC Resolution, 5-23-11-B\)](#)
- 646 o. Additional Duties Compensation
- 647 p. Travel Time Compensation [\(Work Standard, 3-20-13\)](#)
- 648

B. INSURANCES ([see separate publication](#)) for information on Oneida Nation Insurance plans.

C. RETIREMENT PLAN ([See separate publication for information on Tribal Retirement Plan](#)),
([Separating Employees WS 5-6-13](#))

D. LEAVES

1. Meeting Attendance

a. Approval for attending any meetings inside normal working hours must be approved in advance by the employee's immediate supervisor. ([BC Action, 5-16-89](#))

b. Employees who receive stipends or honoraria in excess of \$50.00 for attending meetings during working hours will forfeit the amount in excess of \$50.00 from their regular paycheck. Stipends for travel or per diem will not be deducted if accompanied by receipts for such expenses.

c. Stipends or honoraria for intra-tribal meetings during normal working hours will result in the employee's paycheck being reduced by the full amount of the stipend.

2. Funeral Leave ([Work Standard, 8-2-11](#))

a. All regular employees will be given a three (3) day leave without loss of pay for funeral services for immediate family. Immediate family includes:

Husband	Mother	Brother	Great-grandparent
Wife	Father	Sister	Great-grandchildren
Mother-in-law	Son	Grandparent	Spouse's great-grandparents
Father-in-law	Daughter	Grandchild	Spouse's grandparents
Daughter-in-law	Sister-in-law	Brother-in-law	

b. Three (3) day leave for other persons will be given only if the employee is responsible for making funeral arrangements, subject to prior approval of supervisor.

c. All other funeral leave will be limited to no more than one (1) day with pay subject to the notification and approval of the immediate supervisor. ([Mgmt Directive, 12-17-2009](#))

3. Leave of Absence ([Work Standard, 6-10-14](#))

a. A leave of absence without pay may be granted to employees for a justifiable reason (including caring for a child, spouse or parent with a serious health condition) and when in the best interest of the Nation.

1) Leaves of absence will not exceed three (3) months.

i. All leaves of absence must be approved by the Supervisor, Area Manager, HRD Manager and General Manager. ([HR Interpretation, 12-8-16](#))

ii. Requests must be documented and submitted to the supervisor with as much advance notice as possible.

iii. Disposition of requests will be made on the basis of staffing requirements.

2) Upon returning, the employee will be reinstated in the former position with full status and benefits. Holiday, vacation, and sick leave will not be accrued during the leave of absence.

3) No later than fifteen (15) working days prior to the expiration of the leave period the employee must give notice in writing of his/her intent to return to the position. Notice must be presented to the supervisor.

- 691 i. Failure to provide written notice will be interpreted to mean that the
692 employee does not intend to return following the leave. The position will be
693 posted and filled through the selection process. [\(HR Interpretation, 11-21-11\)](#)
- 694 4. Maternity Leave
- 695 a. Maternity leave will be granted for a period of six (6) weeks without pay.
- 696 1) An employee may elect to cover any portion of this time by using accumulated
697 sick days.
- 698 2) Any maternity-related absences for longer than six (6) weeks must be taken as a
699 medical leave of absence.
- 700 5. Military Leave
- 701 a. In addition to the following provisions, the Nation's Military Service Protection Act
702 shall govern Military Leave.
- 703 b. A Military Leave of Absence is afforded employees entering active duty without
704 accumulation of holiday, vacation or personal time during the period of leave. Any
705 accumulated benefits prior to leave will be maintained for the employee.
- 706 c. Time off for inactive duty training, examinations to determine fitness for duty and
707 funeral honors duty shall be afforded to employees without the accumulation or loss
708 of holiday, vacation or personal time. An employee will receive pay from the Nation
709 for any hours work that the employee was required to miss due to reservist training.
- 710 1) Any pay received for performing any of the above duties shall be deducted from
711 the employee's pay. [\(GTC Resolution, 1-26-08A\)](#)
- 712 6. Jury Duty
- 713 a. During a period of jury duty, an employee will receive pay from the Nation for any
714 hours of work missed due to jury duty.
- 715 1) Jury duty pay will be deducted from the employee's paycheck when determining
716 the amount of pay
- 717 2) No overtime will be allowed in determining employee pay while serving on jury
718 duty.
- 719 7. Educational Leave [\(BC Action, 5-4-90\)](#)
- 720 a. A leave of absence for education purposes will not exceed one (1) year.
- 721 8. Parent Policy Leave [\(BC Action, 3-2-94A\)](#) [\(Parental Leave Policy, 11-3-17\)](#)
- 722 a. Employees who are parents, guardians, or those individuals specifically referred to as
723 "immediate family" as defined in Section IV, page 6 of these Personnel Policies and
724 Procedures which includes husband, wife, mother, father, brother, sister, son,
725 daughter, mother-in-law, father-in-law, grandparent and grandchild may request to
726 participate in their child(ren)'s educationally sanctioned events not to exceed four (4)
727 hours per employee per month
- 728 1) These four (4) hours shall not accumulate.
- 729 b. Approval to utilize the four (4) hours must be obtained from the supervisor.
- 730 1) An employee shall request his/her supervisor to utilize this leave with a minimum
731 of twenty-four (24) hours' notice.
- 732 2) The Supervisor may request verification of
- 733 i. Guardianship of the child(ren) and/or

- 734 ii. The attendance of the employee at their child(ren)'s educationally sanctioned
- 735 event.
- 736 c. The burden shall be on the supervisor to show that a denial of the Parent Policy
- 737 Leave which is based upon interference with the business of the Nation.
- 738 d. This leave shall not be paid as overtime. The supervisor may have the option to use
- 739 flex time to cover this time off to attend their child(ren)'s educationally sanctioned
- 740 events.
- 741 e. All employees, except Emergency/Temporary, Youth Workers, Student Interns, and
- 742 Seasonal Workers during their first season, and Substitute Reliefs are eligible to
- 743 participate in this benefit.
- 744

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747 **SECTION V – EMPLOYEE RELATIONS**

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749 **A. ORIENTATION POLICY**

750 The Oneida Nation reflects the unique culture and character of our Nation. The Oneida Nation
 751 recognizes that this may present special problems and difficulties for a new employee. The
 752 Nation therefore provides an Orientation Program designed to ease the new employee's
 753 transition into a job and enable the new employee to become effective and productive as
 754 quickly as possible.

- 755 1. Orientation Program Outline
- 756 a. Overview
- 757 b. Tribal Government and Procedures
- 758 c. Key Policies and Procedures
- 759 d. Benefits
- 760 e. Safety, Health and Security
- 761 f. Departmental Orientation
- 762 2. Responsibilities
- 763 a. The HRD Office will administer the General Orientation Program
- 764 1) The HRD Office will assist Divisions in administering Departmental Orientation
- 765 Programs.
- 766 b. The HRD Office will develop and establish an Employee Mentor Program with each
- 767 Division.
- 768 1) Employee Mentors will be responsible for conducting the Departmental
- 769 Orientation.
- 770 2) Employee Mentors will assist new employees throughout their probation period
- 771 as a source of references and referrals.
- 772 c. The HRD Office will annually review the General Orientation Program and each
- 773 Departmental Orientation Program to:
- 774 1) Evaluate the effectiveness of each Program,
- 775 2) Modify programs as necessary.
- 776 3) Requirements
- 777 a) The HRD Office will provide a copy of the Employee Policy and Procedures
- 778 Manual to new employees before (if possible) the scheduled starting date.

- b) The General Orientation Program will be completed in appropriate stages within the first month of the new employee's starting date.
 - i. The Departmental Orientation will be completed within the first week of the starting date.
- c) The HRD Office will administer a NEW Employee Reporting Form to provide information for the purposes of maintaining a Nation-wide skills assessment inventory and a management succession plan.

B. EVALUATIONS

1. Evaluation reports will be used in determining all promotions, transfers and salary adjustments.
2. Annual evaluation reports for each employee will be submitted to the HRD Office by August 1 of each year. [\(Work Standard, 6-23-15\)](#)
 - a. Evaluation reports will be retained in each employee's personnel file.
3. All Oneida Nation employees will be evaluated at least once a year.
 - a. Employee performance evaluations will be conducted by each employee's immediate supervisor. The Business Committee will conduct the performance evaluation of the General Manager. [\(HR Interpretation, 12-8-16\)](#)
 - b. The supervisor will discuss the evaluation with each employee. The evaluation will then be signed by the employee and the supervisor and forwarded to the HRD Office.
4. Satisfactory evaluations may result in the employee receiving an increase in pay within their grade level provided that the employee has not attained the highest step within the grade.
 - a. Unsatisfactory evaluations will result in probation status for the employee. The supervisor shall provide documentation to the Area Manager and to the employee detailing the deficiency(s). A repeat evaluation will be conducted three (3) months after the unsatisfactory evaluation. This second evaluation will result in the employee:
 - 1) Being removed from probation and receiving a salary increase if the second evaluation results in an overall satisfactory rating; or
 - 2) Receiving appropriate disciplinary actions if the second evaluation also results in an unsatisfactory rating.
 - b. Employees may appeal unsatisfactory evaluations to the HRD Manager. The HRD Manager will consult with the supervisor and the employee to negotiate an appropriate resolution [\(Work Standard, 12-8-16\)](#)

C. CAREER DEVELOPMENT

1. Oneida Nation employees are encouraged to develop their skills and abilities by pursuing education at a local educational institution. [\(BC Action, 9-9-92\)](#)
 - a. Oneida Nation employees must provide a general Career Development Plan to the supervisor listing the goals and objectives of the training and education to be undertaken.
2. Oneida Nation employees may be eligible for assistance for one (1) course per semester. The employee must attempt to arrange to take the class outside his/her normal working hours.
 - a. Where a class conflicts with the employee's work schedule, the needs of the Tribal unit take precedence; however, the supervisor shall attempt to accommodate the employee's request.

- b. In no case shall the accommodation exceed actual class hours plus reasonable travel time.
- c. Employees must obtain the approval of their immediate supervisor to take a course on work time.
- 3. The supervisor's approval and estimated cost must be submitted to the HRD Office, the Area Manager and the General Manager. [\(HR Interpretation, 12-8-16\)](#)
- 4. The cost of the books, tuition and fees for the course shall be paid by the Nation through funds budgeted in programs or through the Higher Education program.
 - a. Reimbursement for books, tuition and fees is contingent upon the employee receiving at least a C (2.0 on a 4.0 point scale).
 - b. Employees who receive less than the required grade point will be required to reimburse the program for whatever costs were incurred.

D. COMPLAINTS, DISCIPLINARY ACTIONS, AND GRIEVANCES

Disciplinary procedures provide a systematic process for handling problem employees. Disciplinary procedures serve to correct unacceptable behavior and to protect the Nation. Grievance procedures provide a systematic process for hearing and evaluating job related disputes. Grievance procedures serve to protect employees from inconsistent and unfair treatment. In all cases of grievance and discipline, supervisors are enjoined to use common sense, discretion and judicious good sense to resolve complaints between employees, exercise disciplinary prerogatives, and handle grievances.
[\(HR Interpretation, 2-4-13\)](#) [\(HR Interpretation, 1-29-14\)](#)

1. Complaints

- a. Should an employee have a disagreement with another employee, he/she may lodge an informal (verbal) or formal (written) complaint with the employee's supervisor.
- b. The supervisor will investigate the complaint and attempt to resolve the disagreement.
- c. If the employee lodging the complaint is dissatisfied with the attempted resolution, he/she may ask the Area Manager to attempt a resolution.
- d. There is no further appeal of this process.

2. Disciplinary Actions

- a. Disciplinary actions will be initiated by an immediate supervisor for the purpose of correcting unacceptable work performance. The supervisor will always discuss the action with the employee being disciplined to ensure that the employee:
 - 1) Understands the reason for the disciplinary action;
 - 2) Understands the expected work performance in light of the disciplinary action;
 - 3) Understands the consequences of continued unacceptable behavior.
- b. A supervisor shall initiate disciplinary actions commensurate with the seriousness of the unsatisfactory performance. A supervisor must consider each disciplinary action in progressive order and justify a deviance from that recommended progression.
- c. The actions listed below are examples of unacceptable work performance and do not constitute a comprehensive or exhaustive list. The actions in parentheses are guidelines for a supervisor to use in administering disciplinary actions. (W = written warning; S = suspension; T = termination):
 - 1) Work Performance
 - a) Insubordination (including disobedience) or failure/refusal to carry out assignments or instructions. (W/S/T)
 - b) Loafing, loitering, sleeping or engaging in personal business. (W/S/T)
 - c) Unauthorized disclosure of confidential information or records. (S/T)

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- 878 d) Falsifying records or giving false information to departments and/or
 879 employees responsible for Recordkeeping. (S/T)
 880 e) Failure to provide accurate and complete information where such
 881 information is required by an authorized person. (S/T)
 882 f) Failure to comply with health, safety and sanitation requirements, rules and
 883 regulations. (W/S/T)
 884 g) Negligence in the performance of assigned duties. (W/S/T)
 885 2) Attendance and Punctuality
 886 a) Failure to report promptly and observe work schedules (such as starting time,
 887 quitting time, rest and meal breaks) without the specific approval of the
 888 supervisor. (W/S/T)
 889 b) A pattern of unexcused or excessive absenteeism and/or tardiness. (W/S/T)
 890 3) Use of Property
 891 a) Unauthorized or improper use of Oneida Nation property or equipment (for
 892 example, Oneida Nation vehicles, telephone, mail services, etc.) (W/S/T)
 893 b) Unauthorized possession, removal or willful destruction of Oneida Nation or
 894 another employee's property (including improper use of possession of
 895 uniforms, identification cards, badges, permits or weapons). (Willful
 896 destruction of property may subject the violator to applicable liability laws.)
 897 (T)
 898 c) Unauthorized use, lending, borrowing or duplicating of Oneida Nation keys.
 899 (T)
 900 d) Unauthorized entry of Oneida Nation property, including unauthorized entry
 901 outside of assigned hours of work or entry into restricted areas without prior
 902 supervisory approval. (S/T)
 903 e) Theft or property shall include theft, embezzlement, cheating, defrauding,
 904 pilfering, robbery, extortion, racketeering, swindling or any of these actions,
 905 or conspiracy to commit such actions with Oneida Nation employees or other
 906 persons against the Nation, its guests, employee, members, customers and/or
 907 clients while on or about Tribal premises. (S/T) [\(BC Action, 12-2-88\)](#)
 908 4) Personal Actions and Appearance
 909 a) Threatening, attempting, or doing bodily harm to another person. (T)
 910 b) Intimidating, interfering with or using abusive language toward customers,
 911 clients, co-workers or others. (S/T)
 912 c) Making false or malicious statements concerning other employees,
 913 supervisors or program heads. (W/S/T)
 914 d) Use of alcohol or illegal controlled substances during work hours. (S/T)
 915 [\(GTC Resolution, 01-05-09A\)](#)
 916 e) Reporting for work under the influence of alcohol or illegal controlled
 917 substances. (S/T) [\(GTC Resolution, 01-05-09A\)](#)
 918 f) Failure to immediately report any work-related injuries to the immediate
 919 supervisor. (W/S)
 920 g) Direct involvement in political campaigning during scheduled work hours.
 921 Violations include:
 922 i. Use of Oneida Nation employment title in Oneida Nation campaign
 923 activities. (W/S/T)
 924 1. Political materials include: leaflets, brochures, etc. which solicit support
 925 for candidates for office.
 926 2. Resolutions or petitions which propose that a political action be
 927 initiated.

3. Leaflets, newsletters, or other written materials the purpose of which is to espouse political views or opinions.
- h) The acceptance of gifts or gratuities for personal gain in the course of official duties. (Customers are allowed to tip Bingo workers, Oneida Tobacco Enterprise workers, and Museum Workers.) (W/S/T)
 - i) Inappropriate dress or personal hygiene which adversely affects the proper performance of duties or constitutes a health or safety hazard. (W/S)
 - j) Failure to exercise proper judgment. (W/S/T)
 - k) Failure to be courteous in dealing with fellow employees or the general public. (W/S/T)
 - l) Any of the following acts by employees: Arson, bribery, perjury, obstruction or interference with an investigation authorized by the Oneida Nation. (S/T) [\(BC Action, 12-2-88\)](#)
 - m) The use, possession, selling or purchasing of, or attempt to sell or purchase alcohol, and/or controlled substances on or about Oneida Nation premises. (S/T) [\(BC Action, 12-2-88\)](#)
 - n) Any violation of duly adopted Oneida Nation ordinances. (W/S/T) [\(BC Action, 12-2-88\)](#)
- 5) Sexual Harassment Policy
- It is the Oneida Nation's Policy that all employees have a right to work in an environment free of discrimination which includes freedom from harassment, more specifically sexual harassment. The Oneida Nation considers sexual harassment, in whatever form, in the workplace to be a serious violation of an individual's dignity and personal rights. In all matters, where complaint of sexual harassment is lodged against an employee, the Oneida Nation has a duty and obligation to conduct a thorough investigation using discretion, good judgment and the principles and practice of strict confidentiality. If sexual harassment has been committed, the progressive disciplinary process is as follows (W/S/T).
- Sexual Harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submissions to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individuals, or (3) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.
- a) Sexual Harassment (W/S/T)
 - i. Procedure
 - a. Should an employee have a complaint, he/she should file a formal (written) complaint with the Human Resources Department.
 - b. The Human Resources Department is obligated to investigate the complaint which is to be held in the strictest confidence. This investigation shall be done within five (5) working days from receiving the formal written complaint.
 - c. After investigating the complaint and the Human Resources Department finds cause to take disciplinary action due to sexual harassment violation, the employee will be disciplined accordingly

- by their supervisor. This disciplinary action shall be initiated within five (5) working days from the date the supervisor receives the report from the Human Resource Department. [\(BC Actions, 7-16-93\)](#)
3. Accumulated Disciplinary Actions Warranting Termination [\(HR Interpretation, 1-29-14\)](#) (Provided that the Drug and Alcohol Free Workplace Policy shall govern disciplinary actions warranting termination for drug and alcohol related violations.) [\(GTC Resolution, 01-05-09A\)](#)
 - a. The accumulation of three (3) upheld warning notices within any twelve (12) month period. (T)
 - b. The accumulation of two (2) upheld suspensions within any twelve (12) month period. (T)
 - c. The accumulation of three (3) of any combination of upheld warning notices and/or upheld suspensions within any twelve (12) month period. (T)
 4. Substance Abuse Disciplinary Procedure - Section was deleted. [\(GTC Resolution, 01-05-09-A\)](#)
[Click here](#) for Drug and Alcohol Free Workplace Policy.
 5. Disciplinary Procedure [\(Disciplinary Flowchart\)](#)
The following procedure shall be adhered to whenever disciplinary action is taken.
 - a. Supervisor becomes aware of unsatisfactory work performance or violation.
 - 1) Supervisor investigates through a meeting with the employees and determines whether disciplinary action is warranted.
 - b. If disciplinary action is warranted, within five (5) working days the supervisor will fill out the five (5) part disciplinary action form stating the behavior for which the action is being taken, the time and date of its occurrence, and the specific policy section under which action is being taken.
 - c. The form will be discussed with the employee and a corrective action will be identified.
 - d. The employee being disciplined will sign the form.
 - 1) Should an employee being disciplined refuse to discuss the action with his/her supervisor, the supervisor shall so note this, with date of refusal, on the form and distribute as in 5.e.
 - e. Copies will be given to the employee, the HRD Manager, the supervisor, the Area Manager and General Manager within twenty-four (24) hours of the conference with the employee. [\(HR Interpretation, 12-8-16\)](#)
 - f. Should a disciplinary action result in the suspension or termination of an employee, the following guidelines shall apply:
 - 1) The supervisor shall consult with the HRD Manager to mutually determine the length of the suspension.
 - a) Suspensions will be limited to a maximum of three (3) weeks.
 - b) Suspension/terminations that are overturned in the appeal process shall result in the employee receiving back pay for the days he/she was suspended/terminated.
 6. Grievance [\(Grievance Flowchart\)](#)
An employee who receives a disciplinary action which he/she believes is unfair may grieve the action. The Grievance process (including appeals of disciplinary action) shall be conducted with utmost consideration for due process (within the time limits set forth herein) but will allow and account for recognized Tribal holidays and unforeseen circumstances (such as illnesses, deaths in the immediate family of principals, etc.). The HRD office will make every attempt to ensure that grievance procedures are concluded within forty-five (45) working days; however, extensions granted for reasonable unforeseen circumstances (as determined by the HRD Manager) may extend the process

The Grievance process will be governed by the following guidelines: ([HR Interpretation, 8-19-2011](#)) ([HR Interpretation, 1-29-2014](#))

- a. For all disciplinary actions, regardless of severity:
 - 1) The employee (petitioner) must file an appeal in writing.
 - a) The employee may seek the assistance of a spokesperson or advocate at any time after the disciplinary action has been issued in order to aid in the resolution of the grievance process.
 - b) The appeal must be filed with the Area Manager and the HRD Manager (or designee) within ten (10) working days from the day the employee receives the disciplinary action.
 - 2) The Area Manager, for all disciplinary action investigations, will have ten (10) working days from the receipt of the employee's appeal to complete the investigation. One extension of no more than five (5) working days may be requested of and granted by the HRD Manager (or designee) at his or her discretion.
 - 3) The Area Manager will do one of the following:
 - a) Uphold the disciplinary action; or
 - b) Modify the disciplinary action; or
 - c) Overturn the disciplinary action. If a suspension or termination is overturned, the employee (petitioner) shall be reinstated with full back pay.
 - 4) The Area Manager will file a decision with the employee and the HRD Manager (or designee) and will include a reason for the decision, an explanation of the decision and the action to be taken as a result of it.
- b. Filing a Complaint ([BC Resolution, 3-18-19](#))
 - 1) An employee may appeal the Area Manager's decision to the Oneida Personnel Commission by filing a complaint with the Human Resources Department on behalf of the Oneida Personnel Commission.
 - a) The employee shall file the appeal within ten (10) working days from the employee's receipt of the Area Manager's decision
 - 2) The Human Resources Department shall notify the Human Resources Department Manager of receipt of the appeal within one (1) business day of receipt of the appeal.
- c. Collection of Information
 - 1) The Human Resources Department shall collect all information the Area Manager used in making the decision to uphold the disciplinary action.
- d. Review of the Complaint
 - 1) The Human Resources Department shall provide the information obtained to the Oneida Personnel Commission members selected to serve as the hearing body for the complaint, and the Oneida Personnel Commissioners shall review all the information submitted by the Petitioner and the Human Resources Department to determine if one or both conditions exist;
 - a) The decision of the Area Manager is clearly against the weight of the evidence; and/or
 - b) Procedural irregularities were exhibited during the appeal process that were harmful to one of the parties to the grievance.
 - 2) If Oneida Personnel Commission members selected to serve as the hearing body for the complaint find one or both conditions exist, the Human Resources Department shall convene the Oneida Personnel Commission to hear the grievance.

- 1076 3) If the Oneida Personnel Commission members find that neither condition exists,
1077 the Oneida Personnel Commission will deny the appeal for a hearing and affirm
1078 the decision of the Area Manager.
- 1079 e. Convening a Hearing
- 1080 1) The Human Resources Department shall schedule a time and location for the
1081 grievance hearing and shall confirm the participation of the Oneida Personnel
1082 Commission members selected to serve as the hearing body for the complaint.
- 1083 2) The Human Resources Department shall send notice of the hearing to the
1084 petitioner, respondent, and Oneida Personnel Commission members at least five
1085 (5) working days prior to the hearing date.
- 1086 3) The Human Resources Department shall provide copies of all information on the
1087 subject case upon which the disciplinary action was upheld to the members of
1088 the Oneida Personnel Commission at least two (2) working days prior to the
1089 appeal date.
- 1090 4) The Human Resources Department shall allow the petitioner and respondent
1091 access to this information in the Human Resources Department Office at least
1092 two (2) days prior to the appeal date.
- 1093 f. Hearing Procedure
- 1094 1) The order of presentation for the hearing shall be:
- 1095 a) Petitioner's opening statement;
- 1096 b) Respondent's opening statement;
- 1097 c) The Petitioner's case;
- 1098 d) The Respondent's case;
- 1099 e) Petitioner's closing statement
- 1100 f) Respondent's closing statement
- 1101 2) The petitioner shall have the right to be represented by an advocate, at his or her
1102 own expense. The respondent and/or area manager who is party to the
1103 grievance action shall have access to an advocate for consultation and/or
1104 representation. Should the petitioner engage outside professional legal
1105 representation, the respondent and/or area manager shall have access to the
1106 professional legal representation.
- 1107 a) Should the petitioner and his or her representative both fail to appear for any
1108 scheduled hearing without justifiable cause, the decision of the Area
1109 Manager shall be upheld, and the grievance dismissed.
- 1110 b) Should the respondent and his/her representative both fail to appear for any
1111 scheduled hearing without justifiable cause, the decision of the Area
1112 Manager shall be overturned.
- 1113 3) If new evidence which was previously unavailable is introduced at any point
1114 during the hearing process, the Oneida Personnel Commission hearing shall be
1115 suspended, and the case will be remanded to the Area Manager for
1116 reconsideration.
- 1117 a) The Area Manager shall reconsider the decision in light of the new evidence
1118 and issue a decision within three (3) working days.
- 1119 b) This procedure may be invoked only once.
- 1120 c) Thereafter, the appeal process shall continue to a conclusion based on the
1121 information originally presented and the newly introduced evidence.
- 1122 i. If the Area Manager overturns his or her decision, the case would not
1123 come back for a hearing.
- 1124 ii. If the Area Manager affirms his or her decision, then the case will come
1125 back to the Oneida Personnel Commission to complete the hearing.

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- 1126 4) The Oneida Personnel Commission's decision shall be based solely on the
1127 information presented to them before the appeal hearing, the record of the prior
1128 proceedings, and any new evidence if introduced appropriately.
1129 5) The Oneida Personnel Commission may:
1130 a) Uphold the disciplinary action; or
1131 b) Overturn the disciplinary action and:
1132 i. Reinstatement the employee (petitioner) with full back pay for any lost time; or
1133 ii. Reinstatement the employee (petitioner) without back pay.
1134 6) The Oneida Personnel Commission shall provide notification of the final decision
1135 within five (5) working days following the hearing. Notification of the final
1136 decision shall include;
1137 a) The final decision;
1138 b) The reason(s) for the final decision; and
1139 c) The action to be taken as a result of the final decision.
1140 7) The Human Resources Department shall keep records of the hearing, and
1141 provide copies of administrative advocacy rules, procedural rules, and time line
1142 rules to interested parties.

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SECTION VI – SAFETY AND HEALTH

A. POLICY

The personal safety and health of each employee, customer and client of the Oneida Nation is of primary importance. The prevention of injuries and illnesses is of such importance that it will take precedence over operating productivity whenever necessary.

The Oneida Nation will maintain a safety and health program conforming to the best practices available. To be successful, this program will work to develop the proper attitudes toward on-the-job injury and illness prevention on the part of supervisors and employees. This program will strive to develop a high level of cooperation in all safety and health matters between supervisors and employees and among employees.

The objective of this program is a safe and healthy environment that will reduce the number of job-related injuries and illnesses to an absolute minimum. The Nation's goal is zero accidents and illnesses.

B. PROCEDURES

The Oneida Nation Safety Committee will adopt and enforce through the Personnel Department procedures related to the education of the Nation's work force in matters of safety and health. These procedures will include all education and prevention activities, assessments and evaluations, and reporting.

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SECTION VII – PROGRAM/ENTERPRISE RULES & REGULATIONS

- A. Enterprises and programs may establish internal rules and regulations to facilitate the administration of Oneida Nation Personnel Policies and Procedures.
1. In no case will these internal rules and/or regulations conflict with or take the place of Oneida Nation Personnel Policies and Procedures.
 2. Enterprises and programs which establish internal rules and regulations will file a copy of the rules and regulations with the Personnel Department.

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SECTION VIII – RECORDKEEPING

A. PERSONNEL OFFICE

1. Basic records to be retained include:
 - a. Reference Data
 - b. Job Descriptions
 - c. Resumes and Applications
 - d. Interview notes/selection information
 - e. Resignations
 - f. Employee tax exemption claims
 - g. Disciplinary action information
 - h. Performance evaluations
 - i. Insurance coverage/changes
 - j. Transfers
2. The Personnel Office shall keep and maintain a complete record of each employee throughout his/her term of employment.
 - a. Oneida Nation employees shall have access to their employment file.
 - b. Employment files kept by the Personnel Office shall be considered confidential information. Release of any information to a third party must have the consent of the employee in writing.

B. ACCOUNTING DEPARTMENT

1. Basic records to be retained include:
 - a. Attendance records
 - b. Employee Time Sheets
 - c. Earnings - in the form of computer printouts
 - d. Travel - in the form of complete travel authorization forms.
 - 1) Time sheets and travel reports shall be filled out by every employee for pay period, collected by the program head, and forwarded to the Department.
2. The Accounting Department shall retain all records for a period of seven (7) years. [\(BC Action, 10-14-09B\)](#)

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SECTION IX – PRIVACY AND CONFIDENTIALITY OF EMPLOYEE RECORDS

The Human Resources Department of the Oneida Nation collects information from employees in order to make decisions regarding personnel actions including hiring, transfers and promotions, training, compensation and benefits, disciplinary actions and other job opportunities. This information is maintained by the Human Resources Department in individual files for as long as the person is an employee of the Oneida Nation.

A. STATEMENT OF POLICY

As a general rule, the Oneida Nation considers all information contained in these files to be private and confidential. No information of any type shall be released to any person or agent of any organization without the written consent of the employee except under the conditions outlined herein.

B. EMPLOYEE ACCESS

In addition, the Oneida Nation recognizes that the information contained in each employee's file is personal and that the lives of its employees are subject to changes. Therefore, the Oneida Nation provides for employee access to his/her personnel file. Employees are allowed to review their file and submit a statement of amendment should their review uncover any inaccurate, obsolete or irrelevant information. Should any information come into dispute, an employee's statement of dispute will be accessed into the file.

C. RELEASE OF INFORMATION TO THIRD PARTIES

The Oneida Nation is obligated by law to release certain information to outside parties. Such parties include the State of Wisconsin's Unemployment Compensation Department and its Workers Compensation Division and the United States Social Security Administration. Any additional information released to a third party by the Human Resources Department related to employee records shall consist of summary information and will not include any identifying personal information. (Such information may be total numbers of males and females in the workforce, mean, median and average age of the workforce, etc.)

The Oneida Nation will release personal information on employees when a request is accompanied by a written release signed by the employee. The Human Resources Department will make every effort to validate this request by contacting the employee. In no case shall the Oneida Nation release personal information from an employee's file without this consent.

Oneida Business Committee Agenda Request

Adopt resolution entitled Oneida Nation American Rescue Plan Act of 2021 Bureau of Indian Affairs Law.

1. Meeting Date Requested: 11 / 24 / 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:

Approve Resolution titled Oneida Nation American Rescue Plan Act of 2021 Bureau of Indian Affairs Law Enforcement Special Initiatives Spending Plan

3. Supporting Materials☐ Report ☒ Resolution ☐ Contract☐ Other:1. 3. 2. 4. ☐ Business Committee signature required**4. Budget Information**☐ Budgeted - Tribal Contribution ☐ Budgeted - Grant Funded ☒ Unbudgeted**5. Submission**Authorized Sponsor / Liaison: Primary Requestor/Submitter: Your Name, Title / Dept. or Tribal Member

Additional Requestor:

Name, Title / Dept.

Additional Requestor:

Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

On March 11, 2021, the President signed the American Rescue Plan Act of 2021 (ARPA) which provided over \$31 billion in relief to Indian Country and the ARPA identified \$900 million for the Bureau of Indian Affairs (BIA) to be available until expended. The Nation received \$6,823 from the ARPA funds through the Nation's Self Governance Compact with the U.S. Department of Interior.

These funds are for Law Enforcement Special Initiatives designed to meet the operational needs of tribally compacted Law Enforcement and/or Detention/Corrections Programs. These funds are one-time only funds and may only be reprogrammed for Tribal government services, public safety and justice, social services, child welfare assistance, and for other related expenses.

Pursuant to BC Resolution 06-09-21-B, the Business Committee tasked the Nation's Office of Self-Governance to bring forward a resolution identifying how these funds will be spent. Self-Governance worked with the Oneida Police Department (OPD) to create the following spending plan.

\$5,938 will be used to purchase 2 Antenna Radars which will replace inoperable, non-functioning radars. Current radars cannot be serviced due to the age of the equipment. Some squad car have inoperable or non-functioning radars which makes it hard for officers to maintain road safety.

\$885 will be used to purchase 9 lapel microphones to allow officers to transmit and hear all radio transmissions which are required for their daily duties. Maintaining communication is essential to officers safety as well as aiding in protecting the people, land, and resources of the Oneida Nation. These microphones will replace older microphones and serve as a back up should current microphones become inoperable.

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

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Oneida Nation

Post Office Box 365

Phone: (920) 869-2214



Oneida, WI 54155

BC Resolution # _____

Oneida Nation American Rescue Plan Act of 2021 Bureau of Indian Affairs Law Enforcement Special Initiatives Spending Plan

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5 **WHEREAS,** the Oneida Nation is a federally recognized Indian government and a treaty tribe
6 recognized by the laws of the United States of America; and
7
8 **WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
9
10 **WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section 1,
11 of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
12
13 **WHEREAS,** on March 11, 2021, the President signed the American Rescue Plan Act of 2021 (ARPA)
14 which provided over \$31 billion in relief to Indian Country; and
15
16 **WHEREAS,** the ARPA identified \$900 million for the Bureau of Indian Affairs (BIA) to be available until
17 expended; and
18
19 **WHEREAS,** the Nation received \$6,823 from the ARPA funds through the Nation's Self-Governance
20 Compact with the U.S. Department of Interior; and
21
22 **WHEREAS,** these funds are for Law Enforcement Special Initiatives designed to meet the operational
23 needs of tribally compacted Law Enforcement and/or Detention/Corrections Programs; and
24
25 **WHEREAS,** these funds are one-time only funds and may only be reprogrammed for Tribal government
26 services, public safety and justice, social services, child welfare assistance, and for other
27 related expenses; and
28
29 **WHEREAS,** pursuant to BC Resolution 06-09-21-B, the Business Committee tasked the Oneida Nation
30 Office of Self-Governance to bring forward a resolution identifying how these funds will be
31 spent; and
32
33 **WHEREAS,** the Oneida Nation Office of Self-Governance has been working with the Oneida Police
34 Department (OPD) to create a spending plan for these funds; and
35
36 **WHEREAS,** in determining how to use these funds, the Office of Self Governance reviewed the
37 requirements set forth by the ARPA, guidance from the BIA, authorities identified in Title
38 IV of the Indian Self-Determination and Education Assistance Act, the mission of the Office
39 of Self-Governance which is to govern and protect the people, land, and resources of the
40 Oneida Nation, and the immediate needs of OPD.
41
42 **NOW THEREFORE BE IT RESOLVED,** that the Oneida Business Committee approves the following ARPA
43 BIA Law Enforcement Special Initiatives spending plan:

44 *Antenna Radars (\$5,938)*

45 One of the many duties of OPD is to maintain road safety for roadways located within the Nation's
46 jurisdiction. Traffic enforcement is part of OPD's responsibilities, and they do this by conducting radar
47 speed enforcement which provides the officer with the immediate speed of vehicles, making it easier and
48 faster to apprehend.

49
50 Currently, there are some OPD squad cars that have malfunctioning radars or radars that are not operable.
51 These radars can no longer be serviced because replacement parts are no longer available due to the age
52 of the equipment. This spending plan allows OPD to purchase two (2) DSR2 Antenna Radars to replace
53 inoperable radars.

54
55 *Lapel Microphones (\$885)*

56 OPD officers use lapel microphones as part of their uniform. These microphones allow officers to transmit
57 and hear all radio transmissions which are required for their daily duties. Maintaining communication is
58 essential to the officers' safety as well as aiding in the officers' duty to protect the people, land, and
59 resources of the Oneida Nation. This spending plan allows OPD to purchase nine (9) Hawk Lapel
60 Microphones. OPD has determined that these microphones are durable, concealable, and lightweight and
61 allows officers to perform their duties in an efficient and effective manner. These microphones will replace
62 older microphones and serve as a back up should current microphones become inoperable.



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

Oneida Nation American Rescue Plan Act of 2021 Bureau of Indian Affairs Law Enforcement Special Initiatives Spending Plan

Summary

The resolution approves an ARPA BIA Law Enforcement Special Initiatives spending plan to include the following:

- Five thousand and nine hundred and thirty-eight dollars (\$5,938) for antenna radars; and
- Eight hundred and eighty-five dollars (\$885) for lapel microphones.

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

Date: November 16, 2021

Analysis by the Legislative Reference Office

On March 11, 2021, the President signed the American Rescue Plan Act of 2021 (ARPA) which provided over thirty-one billion dollars (\$31,000,000,000) in relief to Indian Country, of which nine-hundred million dollars (\$900,000,000) was identified for the Bureau of Indian Affairs (BIA) to be available until expended. The Nation received six thousand and eight hundred and twenty-three dollars from the ARPA funds through the Nation's Self-Governance Compact with the U.S. Department of Interior for Law Enforcement Special Initiatives designed to meet the operational needs of tribally compacted Law Enforcement and/or Detention/Corrections Programs. These funds are one-time only funds and may only be reprogrammed for Tribal government services, public safety and justice, social services, child welfare assistance, and for other related expenses

On June 9, 2021, the Oneida Business Committee adopted resolution BC-06-09-21-B, *Setting Goals for Application of Funding from the American Rescue Plan Act of 2021 to Direct Support to Individuals, Families, Community and the Oneida Nation*, which sets forth a process for the authorization and use of the ARPA 2021 Federal Relief Funds. Resolution BC-06-09-21-B provides that all funds allocated under ARPA that are not included in ARPA FRF shall be presented to the Oneida Business Committee for approval by resolution and managed through the Grants Office, or when deriving from a self-governance contract through the Self Governance Office.

The Nation's Self-Governance Office has worked with the Oneida Police Department to create a spending plan for these funds, and brought forward this resolution in accordance with the responsibility delegated to the Self-Governance Office in resolution BC-06-09-21-B due to the fact that the funds came through the Nation's Self-Governance Compact with the U.S. Department of Interior. The Self Governance Office reviewed the requirements set forth by the ARPA, guidance from the BIA, authorities identified in Title IV of the Indian Self-Determination and Education Assistance Act, the mission of the Office of Self-Governance which is to govern and

protect the people, land, and resources of the Oneida Nation, and the immediate needs of the Oneida Police Department

Through the adoption of this resolution the Oneida Business Committee approves the following ARPA BIA Law Enforcement Special Initiatives spending plan:

- Five thousand and nine hundred and thirty-eight dollars (\$5,938) for antenna radars; and
- Eight hundred and eighty-five dollars (\$885) for lapel microphones.

Conclusion

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

Oneida Business Committee Agenda Request

Adopt resolution entitled Oneida Nation American Rescue Plan Act of 2021 Bureau of Indian Affairs Aid to

1. Meeting Date Requested: 11 / 24 / 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 Resolution titled Oneida Nation American Rescue Plan Act of 2021 Bureau of Indian Affairs Aid to Tribal Government Spending Plan

3. Supporting Materials

- ☐ Report ☒ Resolution ☐ Contract
☒ Other:

1. Statement of Effect 3.
2. 4.

☒ Business Committee signature required

4. Budget Information

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

5. Submission

Authorized Sponsor / Liaison: Jennifer Webster, Council Member

Primary Requestor/Submitter: Candice Skenandore, Self Governance Coordinator/ IGAC
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:

On March 11, 2021, the President the President signed the American Rescue Plan Act of 2021 (ARPA) which provided over \$31 billion in relief to Indian Country. The ARPA identified \$900 million for the Bureau of Indian Affairs (BIA) to be available until expended. The Nation received \$4,431,258 from the ARPA funds through the Aid to Tribal Government program in accordance with the Nation's Self-Governance Compact with the U.S. Department of Interior.

These funds are to provide support to Tribal government services, public safety and justice, social services, child welfare assistance, and for other related expenses and these funds are limited solely to these areas. These funds are one-time only funds and can be used for any related expense the Oneida Nation deems necessary for recovery purposes.

Pursuant to BC Resolution 06-09-21-B, the BC tasked Self-Governance to bring forward a resolution identifying how these funds will be spent. Over the past w months, Self-Governance has been working with the appropriate tribal programs, services, functions, and activities to create a spending plan for these funds. The spending plan has been shared with the Finance Department and the General Manager.

In determining what items will be funded using ARPA Aid to Tribal Government funds, Self-Governance used the requirements set forth by the ARPA, guidance from the BIA, authorities identified in Title IV of the Indian Self-Determination and Education Assistance Act, the priorities set by the Oneida Business Committee, the Quality of Life Survey, community feedback received from the COVID survey, and the mission of the Office of Self-Governance which is to govern and protect the people, land, and resources of the Oneida Nation.

Adopting this Resolution will approve the BIA Self Governance ARPA Spending Plan for Aid to Tribal Government; authorize Self Governance to reprogram or reallocate funds within each funding category identified in the plan without further amendments to this resolution in accordance with the Nation's funding agreement, guidance provided by the BIA and Oneida Business Committee directive, noting that funds reallocated to different categories shall require Oneida Business Committee approval; and require Self Governance to provide the plan to the Finance Department for the purposes of avoiding a duplication of expenditures associated with other ARPA funds.

A Statement of Effect has been completed for this resolution and there is no conflict between this resolution and the Nation's laws.

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Oneida Nation

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Oneida, WI 54155

BC Resolution # _____

Oneida Nation American Rescue Plan Act of 2021 Bureau of Indian Affairs Aid to Tribal Government Spending Plan

- 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 March 11, 2021, the President signed the American Rescue Plan Act of 2021 (ARPA) which provided over \$31 billion in relief to Indian Country; and
- WHEREAS,** the ARPA identified \$900 million for the Bureau of Indian Affairs (BIA) to be available until expended; and
- WHEREAS,** the Nation received \$4,431,258 from the ARPA funds through the Aid to Tribal Government program in accordance with the Nation's Self-Governance Compact with the U.S. Department of Interior; and
- WHEREAS,** these funds are to provide support to Tribal government services, public safety and justice, social services, child welfare assistance, and for other related expenses and these funds are limited solely to these areas; and
- WHEREAS,** these funds are one-time only funds and can be used for any related expense the Oneida Nation deems necessary for recovery purposes; and
- WHEREAS,** pursuant to BC Resolution 06-09-21-B, the Business Committee tasked the Oneida Nation Office of Self-Governance to bring forward a resolution identifying how these funds will be spent; and
- WHEREAS,** over the past two months, the Oneida Nation Office of Self-Governance has been working with the appropriate tribal programs, services, functions, and activities to create a spending plan for these funds; and
- WHEREAS,** in determining what items will be funded using ARPA Aid to Tribal Government funds, the Office of Self-Governance used the requirements set forth by the ARPA, guidance from the BIA, authorities identified in Title IV of the Indian Self-Determination and Education Assistance Act, the priorities set by the Oneida Business Committee, the Quality of Life Survey, community feedback received from the COVID survey, and the mission of the

Office of Self-Governance which is to govern and protect the people, land, and resources of the Oneida Nation.

NOW THEREFORE BE IT RESOLVED, that the Oneida Business Committee approves the following ARPA BIA Aid to Tribal Government spending plan:

Safety (\$895,000)

Purchases for the Oneida Police Department (OPD), Oneida Judiciary, and the Southeastern Oneida Tribal Services (SEOTS) departments to ensure the safety and security of the Oneida Nation membership, employees, and property.

- OPD: Mobile command center, communication tower, and safety equipment;
- Judiciary: Security cameras for the building and parking lot, additional security monitors, ballistic glass, sound proofing, updated desk for security guard, and renovations to the building; and
- SEOTS: Security cameras for the building and parking lot, and installation of secure entrance with doorbell and camera for staff to monitor access to the building.

Culture & Language (\$110,000)

Purchases for Oneida Cultural Heritage program to support cultural projects.

- Cultural Heritage: Equipment to support Oneida Elder Interviews project, equipment to assist with Oneida Language Great Law transcription project, hiring of a consultant for an 8-week clan system management pilot project.

Education (\$110,000)

Purchases for Education and Training administration, Head Start, Higher Education, Youth Enrichment Services (YES) Program, and SEOTS to support the Nation's education programs.

- Education & Training Administration: Technology and office furniture replacement; Contractor to provide leadership training, and succession planning for the division; and
- Head Start: Replace child safety harnesses that will expire in 2022 and renovations to the building entrance; and
- Higher Education: College graduation stoles for Oneida graduates, updated flyers and handbooks, office equipment and supplies, table and chairs for students to fill out paperwork; and
- SEOTS: Back-to-school assistance items for tribal members, including school supplies, clothing, and technology; and
- YES Program: Check & Connect drop-out prevention app & training, backpacks for students, one-year of fees for staff to attend educational conferences, and one-year subscriptions to educational journals for department.

Land, Infrastructure & Sovereignty (\$1,985,000)

Purchases for Oneida Nation Parks Department, Department Public Works, Oneida Conservation Department, and Oneida Environmental Department to improve, replace, or maintain the Nation's infrastructure and land.

- Park Upgrades and Repairs:
 - Mission Park: driveway/parking replacement; drainage repair, dugout repairs, outfield construction, infield construction, backstop and fencing; and two score boxes; and
 - Cora House Park: lighting; and
 - Flying Leaf Park: playground equipment replacement, swings, fall zones and rubber edging, and repairing historic building; and
- Oneida Conservation Department: purchase of equipment, including heavy duty tipper truck, stand up skid steer with implements and trailer, heavy duty dump trailer, chainsaws, and license/database network system.
- Department of Public Works: Wastewater projects including water storage replacement (new elevated storage tank), Hillside Community water improvements (new well and pump control

system), Site II Main Replacement with PVC pipe, and Ridgeland Community water improvements (roof, lights, deeper wells); and

- Oneida Environmental Department: Hire contractor to conduct solid waste assessment.

Food & Agriculture (\$1,270,000)

Purchases for Food & Agriculture Division, Tsyunhehkwa, Oneida Nation Farm, Oneida Nation Orchard, Oneida Cannery and Oneida Conservation Department to support a sustainable food system and improve existing facilities.

- Food & Agriculture Division (General): contractor to develop business plans for Tsyunhehkwa, Farm and Orchard, purchase of two (2) food trucks; office supplies; and
- Tsyunhehkwa: renovation or replacement of current office house, hire two (2) Limited Term Employees (LTE) White Corn Specialists for twelve (12) months, hire contractor for grazing technical assistance plan; equipment including no till drill, cultivator, gravity boxes with industrial fans, corn harvester; purchase of seeds and corn; processing costs for beef/bison; and
- Oneida Nation Farm: purchase of equipment to include 16-Row Corn Planter, Tractor with GPS guidance, fork lift, and scanner; processing costs for beef/bison; and
- Oneida Orchard: parking lot and gravel repair and updates, equipment including Toolcat utility work machine, pick-up truck with 4-wheel drive, 8-foot field disk, apple cider pasteurizer repair, pressure washer and new bushel crates; food packaging materials; and
- Oneida Cannery: hire one (1) LTE food processor operator for twelve (12) months; purchase of white corn; food packaging materials; and
- Oneida Conservation Department: pheasant stocking to provide food source.

Social Services (\$61,258)

Purchases for SEOTS and Economic Support Administration.

- SEOTS: purchase of vehicle to transport Milwaukee-area tribal members to General Tribal Council meetings or other events, and personal care items to provide to tribal members in the Milwaukee area, and
- Economic Support Administration: office equipment and supplies.

NOW THEREFORE BE IT FURTHER RESOLVED, that the Office of Self Governance may reprogram or reallocate funds within each category identified above without further amendments to this resolution in accordance with the Nation's funding agreement, guidance provided by the BIA and Oneida Business Committee directive. Funds reallocated to different categories shall require Oneida Business Committee approval.

NOW THEREFORE BE IT FINALLY RESOLVED, that the Oneida Nation Office of Self-Governance shall provide the spending plan to the Finance Department to avoid a duplication of expenditures associated with other ARPA related funding.



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



Statement of Effect

Oneida Nation American Rescue Plan Act of 2021 Bureau of Indian Affairs Aid to Tribal Government Spending Plan

Summary

This resolution approves the Oneida Nation's American Rescue Plan Act of 2021 Bureau of Indian Affairs Aid to Tribal Government spending plan in accordance with resolution BC-06-09-21-B.

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

Date: November 18, 2021

Analysis by the Legislative Reference Office

On March 11, 2021, the U.S. President signed the American Rescue Plan Act of 2021 ("ARPA") which provided over thirty-one billion dollars (\$31,000,000,000) in relief to Indian Country. Of that amount, nine hundred million dollars (\$900,000,000) was identified for the Bureau of Indian Affairs ("BIA") to be available until expended. Per its Self-Governance Compact with the U.S. Department of Interior, the Nation received four million, four hundred thirty-one thousand, two hundred and fifty-eight dollars (\$4,431,258) from the ARPA funds through the Aid to Tribal Government program. The funds are provided on a one-time basis and may only be used to support Tribal government services, public safety and justice, social services, child welfare assistance, and other expenses related thereto.

On June 9, 2021, the Oneida Business Committee adopted resolution BC-06-09-21-B entitled, *Setting Goals for Application of Funding from the American Rescue Plan Act of 2021 to Direct Support to Individuals, Families, Community and the Oneida Nation*, which sets forth a process for the authorization and use of the ARPA 2021 Federal Relief Funds ("FRF"). Resolution BC-06-09-21-B provides that all funds allocated under ARPA that are not included in ARPA FRF shall be presented to the Oneida Business Committee for approval by resolution and managed through the Grants Office, or, when deriving from a self-governance contract, through the Self-Governance Office.

The Nation's Self-Governance Office has worked with the appropriate Tribal programs, services, functions and activities to create a spending plan for these funds and is bringing forward this resolution in accordance with the responsibility delegated to the Self-Governance Office in resolution BC-06-09-21-B when funds allocated under ARPA are not included in the ARPA FRF. In developing the spending plan, the Self-Governance Office relied upon the: ARPA requirements; guidance from the BIA; authorities identified in Title IV of the Indian Self-Determination and Education Assistance Act; priorities set by the Oneida Business Committee; community feedback received from a Quality of Life, as well as a COVID, survey; and the mission of the Office of Self-Governance, which is to govern and protect the people, land and resources of the Nation.

Through the adoption of this resolution, the Oneida Business Committee approves the following ARPA BIA Aid to Tribal Government spending plan:

- Eight hundred and ninety-five thousand dollars (\$895,000) will be appropriated for safety; more specifically, for purchases on behalf of Oneida Police Department, Oneida Judiciary, and Southeastern Oneida Tribal Services (“SEOTS”) that are aimed at ensuring the safety and security of the Nation’s membership, employees and property;
- One hundred and ten thousand dollars (\$110,000) will be appropriated for culture and language; more specifically, to support the Oneida Elder Interviews project, purchase equipment to assist with the Oneida Language Great Law transcription project, and hire a consultant for an 8-week clan system management pilot project;
- One hundred and ten thousand dollars (\$110,000) will be appropriated for education; more specifically, for purchase on behalf of the Education and Training administration, Head Start, Higher Education, Youth Enrichment Services (YES) Program, and education initiatives offered through SEOTS;
- One million, nine hundred and eighty-five thousand dollars (\$1,985,000) will be appropriated for land, infrastructure and sovereignty; more specifically, for purchases on behalf of the Oneida Nation Parks Department, Department of Public Works, Oneida Conservation Department, and Oneida Environmental Department that are aimed at improving, replacing or maintaining the Nation’s infrastructure and land;
- One million, two hundred and seventy thousand dollars (\$1,270,000) will be appropriated for food and agriculture; more specifically, for purchases on behalf of the Food and Agriculture Division, Tsyunhehkwa, Oneida Nation Farm, Oneida Nation Orchard, Oneida Cannery and Oneida Conservation Department that are aimed at supporting a sustainable food system and improving existing facilities within the areas; and
- Sixty-one thousand, two hundred and fifty-eight dollars (\$61,258) will be appropriated for social services; more specifically, to purchase a vehicle for SEOTS to transport Milwaukee-area Tribal members to General Tribal Council meetings or other events, as well as purchase personal care items for those members, and to purchase office equipment and supplies for Economic Support Administration.

The further resolution provides that the Self-Governance Office may reprogram or reallocate funds within each of the above categories, without further amendments to this resolution, in accordance with the Nation’s funding agreement, guidance provided by the BIA, and directive from the Oneida Business Committee. Funds reallocated to different categories; however, will require Oneida Business Committee approval.

Last, the resolution directs the Self-Governance Office to provide the spending plan set forth therein to the Nation’s Finance Department so as to avoid duplication of expenditures associated with other ARPA related funding.

Conclusion

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

Oneida Business Committee Agenda Request

Adopt resolution entitled Oneida Comprehensive Health Division American Rescue Plan Act of 2021...

1. Meeting Date Requested: 11 / 24 / 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:

Approve Resolution titled Oneida Comprehensive Health Division American Rescue Plan Act of 2021 Indian Health Service Spending Plan

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

Your Name, Title / Dept. or Tribal Member

Additional Requestor:

Name, Title / Dept.

Additional Requestor:

Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

On March 11, 2021, the President signed the American Rescue Plan Act of 2021 (ARPA) which provided over \$31 billion in relief to Indian Country and the ARPA identified \$6.094 billion for Indian Health administered by US Department of Health and Human Services (HHS) and the Indian Health Service (IHS). These funds are to restore amounts, either directly or through reimbursement, for obligations of the ARPA that were incurred to prevent, prepare for, and respond to COVID – 19 during the period beginning on January 31, 2020, and ending on March 11, 2021. These funds are available on a one-time basis and are available until expended.

The Nation received \$24,322,019 in ARPA funding from the IHS through the Nation's Self Governance Compact. It is anticipated that the Nation will receive additional ARPA funding for facilities activities; however, this amount is unknown until the IHS determines the Nation's allocation. BC Resolution 06-09-21-B requires that all funds allocated under ARPA through Self-Governance Compact shall be presented to the OBC for approval by resolution and managed through the Self-Governance Office.

The Office of Self Governance in collaboration with the Comprehensive Health Division developed the following spending plan.

Adopting this resolution would 1) approve the IHS ARPA spending plan, 2) allow Comprehensive Health to use any future ARPA facilities funds received from the IHS in accordance with the ARPA and IHS guidance and 3) that should the Nation receive any additional ARPA funding from the IHS through its Self-Governance Compact, that those funds shall be used in accordance with the ARPA and IHS guidance.

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Oneida Nation

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Oneida, WI 54155

BC Resolution # _____

Oneida Comprehensive Health Division American Rescue Plan Act of 2021 Indian Health Service Spending Plan

- 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 March 11, 2021, the President signed the American Rescue Plan Act of 2021 (ARPA) which provided over \$31 billion in relief to Indian Country; and
- WHEREAS,** the ARPA identified \$6.094 billion for Indian Health administered by US Department of Health and Human Services (HHS) and the Indian Health Service (IHS); and
- WHEREAS,** these funds are to restore amounts, either directly or through reimbursement, for obligations of the ARPA that were incurred to prevent, prepare for, and respond to COVID-19 during the period beginning on January 31, 2020, and ending on March 11, 2021; and
- WHEREAS,** these funds are available on a one-time basis and are available until expended; and
- WHEREAS,** as of November 8, 2021, the Nation received \$24,322,019 in ARPA funding from the IHS through the Nation's Self Governance Compact; and
- WHEREAS,** it is anticipated that the Nation will receive additional ARPA funding for facilities activities; however, this amount is unknown until the IHS determines the Nation's allocation; and
- WHEREAS,** the Oneida Business Committee adopted BC Resolution 06-09-21-B which requires that all funds allocated under ARPA that derive from the Nation's Self-Governance Compact shall be presented to the Oneida Business Committee for approval by resolution and managed through the Self-Governance Office.

NOW THEREFORE BE IT RESOLVED, any facilities funds received from the IHS shall be used in accordance with the ARPA and IHS guidance; and

NOW THEREFORE BE IT FURTHER RESOLVED, that should the Nation receive any additional ARPA funding from the IHS through its Self-Governance Compact, that those funds shall be used in accordance with the ARPA and IHS guidance; and

NOW THEREFORE BE IT FINALLY RESOLVED, that the Oneida Business Committee approves the following Oneida Comprehensive Health Division's ARPA IHS Spending Plan:

Lost Reimbursements

The Nation received \$10,502,476 for lost reimbursements; these funds will be used for the health care services, information and technology/telehealth infrastructure, vaccine/infection control/public health workforce, mental and behavioral health, and facilities activities including costs incurred for those purposes to prevent, prepare for, and respond to COVID from January 31, 2020 through March 11, 2021. In addition, these funds will be used to fund the expansion of the Oneida Community Health Center facility, pandemic response, and to further fund the operational expenses of the programs, services, functions, and activities identified in the Nation's funding agreement with the IHS.

Additional Health Care Services, including Purchased/Referred Care (PRC)

The Nation received \$2,689,544 for Health Care Services and services provided through PRC, and other related activities. These funds will be used to further fund the operational expenses of the programs, services, functions, and activities identified in the Nation's funding agreement with the IHS, including the costs associated with referring patients for services not provided by the Oneida Comprehensive Health Division.

Information Technology & Telehealth Infrastructure

The Nation received \$336,276 for Information Technology and telehealth infrastructure. These funds will be used to purchase equipment, software, supplies, and other expenses related to expanding and protecting the Nation's health information technology, telehealth capabilities, and electronic health records.

Vaccines, Infection Control, and Public Health Workforce

The Nation received \$10,120,234 for activities associated with vaccines, infection control, and the public health workforce. These funds will be used for expenses associated with planning, preparing for, promoting, distributing, administering, and tracking COVID vaccines and other vaccine related activities; detecting, diagnosing, tracing, and monitoring COVID infections; activities necessary to mitigate the spread of COVID including any supplies necessary for these activities and other related infection control activities; and establishing, expanding, and sustaining a public health workforce to prevent, prepare for, and respond to COVID-19. In addition, a portion of these funds will be used to pay for expenses associated with the Nation's *Oneida Employee Vaccination Incentive Plan for Employees who are not Oneida Nation Members* pursuant to BC Resolutions 06-30-21-A and 09-22-21-C, as well as Comprehensive Health Division employee retention and recruitment activities including pandemic pay.

Mental & Behavioral Health

The Nation received \$673,489 for mental and behavioral health prevention and treatment services. These funds will be used for necessary expenses related to mental health and substance use prevention and treatment services and for other mental and behavioral health related activities.

Facilities Activities

When the IHS allocates facilities activities funding, the Nation shall use those funds to purchase, construct, alter, renovate, and for the maintenance and improvement of its health facilities. In addition, the Nation will use these funds to pay for expenses associated with sanitation facility projects and equipment needs.



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Statement of Effect

Oneida Comprehensive Health Division American Rescue Plan Act of 2021 Indian Health Service Spending Plan

Summary

This resolution approves the Oneida Comprehensive Health Division's American Rescue Plan Act of 2021 Indian Health Service spending plan.

Submitted by: Kristen M. Hooker, Staff Attorney, Legislative Reference Office
Date: November 16, 2021

Analysis by the Legislative Reference Office

On March 11, 2021, the President signed the American Rescue Plan Act of 2021 ("ARPA") which provided over thirty-one billion dollars (\$31,000,000,000) in relief to Indian Country. Of that amount, six billion, ninety-four million dollars (\$6,094,000,000) was identified for Indian Health administered by the U.S. Department of Health and Human Services and the Indian Health Service ("IHS") to restore amounts, either directly or through reimbursement, for obligations of the ARPA that were incurred to prevent, prepare for and respond to COVID-19 during the period beginning on January 31, 2020 and ending on March 11, 2021.

As of November 8, 2021, the Nation has received twenty-four million, three hundred twenty-two thousand and nineteen dollars (\$24,322,019) in ARPA funding from the IHS through the Nation's Self-Governance Compact. These funds are provided on a one-time basis and are available until expended. It is anticipated that the Nation will receive additional ARPA funding for facilities activities; however, this amount is unknown until the IHS determines the Nation's allocation.

On June 9, 2021, the Oneida Business Committee adopted resolution BC-06-09-21-B entitled, *Setting Goals for Application of Funding from the American Rescue Plan Act of 2021 to Direct Support to Individuals, Families, Community and the Oneida Nation*, which sets forth a process for the authorization and use of the ARPA 2021 Federal Relief Funds ("FRF"). Resolution BC-06-09-21-B provides that all funds allocated under ARPA that are not included in ARPA FRF shall be presented to the Oneida Business Committee for approval by resolution and managed through the Grants Office, or, when deriving from a self-governance contract, through the Self Governance Office.

Through the adoption of this resolution, the Oneida Business Committee approves the following Oneida Comprehensive Health Division's ARPA IHS spending plan as required by resolution BC-06-09-21-B when funds allocated under ARPA are not included in ARPA FRF:

- That, the ten million, five hundred two thousand four hundred and seventy-six dollars (\$10,502,476) the Nation received for lost reimbursements will be used for the health care services, information and technology/telehealth infrastructure, vaccine/infection control/

public health workforce, mental and behavioral health, and facilities activities, including costs incurred for those purposes to prevent, prepare for, and respond to COVID from January 31, 2020 through March 11, 2021;

- That, the two million, six hundred eighty-nine thousand five hundred and forty-four dollars (\$2,689,544) the Nation received for Health Care Services, including Purchased/Referred Care, and other related activities will be used to further fund the operational expenses of the programs, services, functions and activities identified in the Nation's funding agreement with the IHS, including the costs associated with referring patients for services not provided by the Oneida Comprehensive Health Division;
- That, the three hundred thirty-six thousand two hundred and seventy-six dollars (\$336,276) the Nation received for Information Technology and telehealth infrastructure will be used to purchase equipment, software, supplies and other expenses related to expanding and protecting the Nation's health information technology, telehealth capabilities and electronic health records;
- That, the ten million, one hundred twenty thousand, two hundred and thirty-four dollars (\$10,120,234) the Nation received for activities associated with vaccines, infection control and the public health workforce will be used for expenses associated with planning, preparing for, promoting, distributing, administering and tracking COVID vaccines and other vaccine related activities; detecting, diagnosing, tracing and monitoring COVID infections; activities necessary to mitigate the spread of COVID; and establishing, expanding, and sustaining a public health workforce to prevent, prepare for and respond to COVID-19. In addition, a portion of these funds will be used to pay for expenses associated with the Nation's *Oneida Employee vaccination Incentive Plan for Employees who are not Oneida Nation Members* pursuant to resolutions BC-06-30-21-A and BC-09-22-21-C, as well as Comprehensive Health Division employee retention and recruitment activities including pandemic pay; and
- That, the six hundred seventy-three thousand, four hundred and eighty-nine dollars (\$673,489) the Nation received for mental and behavioral health prevention and treatment services will be used for necessary expenses related to mental health and substance use prevention and treatment services and for other mental and behavioral health related activities.

In addition to the above, the resolution provides that any additional ARPA funding received by the Nation from the IHS through its Self-Governance Compact shall be used in accordance with the ARPA and IHS guidance. Specifically, when the IHS allocates facilities activities funding, the resolution dictates that the Nation shall use those funds to purchase, construct, alter, renovate, maintain, and improve its health facilities, as well as pay for expenses associated with sanitation facility projects and equipment needs.

Conclusion

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

Adopt resolution entitled Amending the Approved Purposes provided in BC resolution # 06-09-21-A...
Oneida Business Committee Agenda Request

1. Meeting Date Requested: 11 / 24 / 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:

adopt amended resolution

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: Amy Spears, Strategic Planner

Primary Requestor/Submitter:

Your Name, Title / Dept. or Tribal Member

Additional Requestor:

Name, Title / Dept.

Additional Requestor:

Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

The resolution amends section (b) of the approved purposes provided under Resolve #1 in resolution BC-06-09-21-A, Approval of Use of Economic Development, Diversification and Community Development Fund for Transfer of \$2.4 Million to the Oneida Land Commission, to clarify that funding may be used for acquiring a property that will release a landlocked parcel.

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Oneida, WI 54155

BC Resolution # _____

Amending the Approved Purposes provided in BC resolution # 06-09-21-A Approval of Use of Economic Development, Diversification and Community Development Fund for Transfer of \$2.4 Million to the Oneida Land Commission

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

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

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

WHEREAS, the Oneida Business Committee adopted BC resolution # 06-09-21-A Approval of Use of Economic Development, Diversification and Community Development Fund for Return of 2021 Land Acquisition Funds to the Oneida Land Commission; and

WHEREAS, following the adoption of BC resolution # 06-09-21-A, an error in part (b) of the first resolve was identified.

NOW THEREFORE BE IT RESOLVED, that the Oneida Business Committee amends the approved purposes provided in BC resolution # 06-09-21-A Approval of Use of Economic Development, Diversification and Community Development Fund for Return of 2021 Land Acquisition Funds to the Oneida Land Commission as follows:

- The Oneida Business Committee does approve the allocation of \$2.4 million from the Economic Development, Diversification and Community Development Fund for the purposes of supporting the housing resources by transferring funding for the purposes of –
 - (a) to support the implementation of the Homeownership by Independent Purchase (HIP) and any program which permits the Nation to buy the land the improvements sit upon in exchange for a residential lease with the homeowner (50% of the \$2.4 Million);
 - (b) for acquiring *a property that will release* a landlocked parcel (20% of the \$2.4 Million); and
 - (c) for the repairs and improvements needed to get the current residential sale inventory ready for sale and to support demolition of buildings determined to be uninhabitable (30% of the \$2.4 Million); and identifies the Oneida Land Commission as the responsible party for authorization of expenditure of these funds.



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Statement of Effect

Amending the Approved Purposes provided in BC resolution # 06-09-21-A Approval of Use of Economic Development, Diversification and Community Development Fund for Transfer of \$2.4 Million to the Oneida Land Commission

Summary

The resolution amends section (b) of the approved purposes provided under Resolve #1 in resolution BC-06-09-21-A, *Approval of Use of Economic Development, Diversification and Community Development Fund for Transfer of \$2.4 Million to the Oneida Land Commission*, to clarify that funding may be used for acquiring a property that will release a landlocked parcel.

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

Analysis by the Legislative Reference Office

The Oneida Business Committee has adopted resolutions which set aside funds disbursed from corporations to the Nation in an Economic Development, Diversification and Community Development fund (“the Fund”) and describes the process for accessing those funds. [Resolutions BC-09-28-16-B, BC-07-12-17-A, BC-12-12-18-B, BC-01-23-19-C, BC-01-23-19-D, and BC-05-26-21-B]. When a request to utilize monies from the Fund is received, the Review Team, comprised of the Strategic Planner, Business Analyst and the Budget Analyst, review the request for use of the Fund and determines if the proposed use is consistent with the Fund. The Review Team is then required to provide a written recommendation to the Oneida Business Committee regarding whether to authorize the allocation from the Fund to a specific project identified by a contract number, CIP number, economic development opportunity number or other easily trackable number or designation. The Oneida Business Committee is then responsible for authorizing use of the Fund by a resolution clearly identifying the amount of funds authorized and purpose of the funds, which may be identified by a contract number, CIP number, economic development opportunity number or other easily trackable number or designation, and the employee responsible for authorizing expenditures of the authorized amount.

On June 9, 2021, the Oneida Business Committee considered a recommendation for a request for use of the Fund from the Review Team. The Oneida Business Committee adopted resolution BC-06-09-21-A, *Approval of Use of Economic Development, Diversification and Community Development Fund for Transfer of \$2.4 Million to the Oneida Land Commission*, which approved an allocation of two million and four hundred thousand dollars (\$2,400,000) from the Fund for the purposes of supporting the housing resources by transferring funding for the purposes of:

- supporting the implementation of the Homeownership by Independent Purchase (HIP) program, and any program which permits the Nation to buy the land the improvements sit upon in exchange for a residential lease with the homeowner (50% of the \$2.4 Million);
- acquiring a landlocked parcel (20% of the \$2.4 Million); and

- conducting repairs and improvements needed to get the current residential sale inventory ready for sale and to support demolition of buildings determined to be uninhabitable (30% of the \$2.4 Million).

The Oneida Land Commission was identified as the responsible party for the expenditure of these funds. Resolution BC-06-09-21-A then provides that any funding allocated to items (b) purchase of a specific parcel and (c) repairs and improvements under Resolve #1 may be allocated to item (a) upon adoption of a resolution by the Land Commission directing that to take place.

Resolution BC-06-09-21-A then also directed that the Comprehensive Housing Division and the Land Management Department report to the Oneida Business Committee on the status of the funds at the close of Fiscal Year 2021, and that any funds not spent by the close Fiscal Year 2021 shall roll over into the Fiscal Year 2022 Land Acquisition Fund, provided that such funds must be allocated in accordance with this resolution.

This resolution provides that since the adoption of resolution BC-06-09-21-A, an error in part (b) under Resolve #1 was identified. This resolution amends the section (b) of the approved purposes provided under Resolve #1 in resolution BC-06-09-21-A to clarify that funding may be used for acquiring a property that will release a landlocked parcel. Previously, section (b) of the approved purposes provided under Resolve #1 in resolution BC-06-09-21-A solely stated that funding may be used for acquiring a landlocked parcel.

Conclusion

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

Oneida Business Committee Agenda Request

Adopt resolution entitled Extension of Declaration of Public Health State of Emergency Until January 23,...

1. Meeting Date Requested: 11 / 24 / 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:

Business Committee to consider extending the Public Health State of Emergency by adopting the attached resolution.

If the resolution for extending the Public Health State of Emergency is adopted, the Business Committee may review the adopted resolution on December 24, 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: Jameson Wilson, Project Coordinator
Your Name, Title / Dept. or Tribal MemberAdditional Requestor: _____
Name, Title / Dept.Additional Requestor: _____
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

On March 12, 2020 the Oneida Business Committee declared a Public Health State of Emergency due to the need to slow the transmission and decrease the spread of Covid-19. The declaration has been extended seventeen times and is set to expire on November 25, 2021.

Requested Action:

1. Business Committee consider extending the Public Health State of Emergency Declaration by adopting the attached resolution.

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3) E-mail this form and all supporting materials in a **SINGLE** *.pdf file to: BC_Agenda_Requests@oneidanation.org

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Oneida, WI 54155

BC Resolution # _____

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

BC Resolution _____
Extension of Declaration of Public Health State of Emergency Until January 23, 2022
Page 2 of 2

43 **WHEREAS,** the COVID-19 Core Decision Making Team issued several declarations intended to protect
44 the public health within the Oneida Reservation and updated those declarations from time
45 to time as the U.S. Center of Disease Control, the Medical community and the Scientific
46 community were able to update and identify the impacts and transmission of the COVID-
47 19 virus; and
48

49 **WHEREAS,** the Emergency Management Director and the Public Health Officer have advised extension
50 of the Public Health State of Emergency declaration supported by information from the
51 Centers for Disease Control and the level of spread of COVID-19 throughout the State of
52 Wisconsin, surrounding states, and the United States; and
53

54 **WHEREAS,** the Oneida Business Committee adopted resolution # BC-08-03-21-A, *Setting Public*
55 *Gathering Guidelines During Public Health State of Emergency - COVID-19*, which
56 provides that when vaccination levels of Oneida's members and Oneida Nation employees
57 reaches 75%, the safety of public health will be considered to be effectively managed, and
58 the Oneida Business Committee shall review whether a need for a declaration of a state of
59 public health emergency continues to exist; and
60

61 **WHEREAS,** as of November 16, 2021, the vaccination levels of Oneida's members have reached
62 48.6% and the vaccination levels of Oneida Nation employees have reached 71% based
63 on the information from those who have applied and have had their vaccination status
64 verified for the Oneida Nation Vaccination Incentive Program for Oneida Nation Members
65 and for the Oneida Nation Employee Vaccination Incentive Plan for Employees Who Are
66 Not Oneida Nation Members; and
67

68 **WHEREAS,** the Oneida Business Committee has determined that continuing the Public Health State of
69 Emergency continues to be necessary and that its declaration should be longer given the
70 ongoing pandemic impact and the inability to identify mechanisms to control for infection
71 or protect the public;
72

73 *Extension of Public Health State of Emergency Declaration*

74 **NOW THEREFORE BE IT RESOLVED,** that in accordance with section 302.8-2 of the Emergency
75 Management Law, the Oneida Business Committee extends the Public Health State of Emergency
76 declaration ending at 11:59 p.m. on January 23, 2022.



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Statement of Effect

Extension of Declaration of Public Health State of Emergency Until January 23, 2022

Summary

This resolution extends the Nation's declaration of the Public Health State of Emergency until January 23, 2022.

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

Date: November 16, 2021

Analysis by the Legislative Reference Office

The Oneida Business Committee adopted the Emergency Management law to provide for the development and execution of plans for the protection of residents, property and the environment in an emergency or disaster; provide for the direction of emergency management, response and recovery on the Reservation, as well as coordinating with other agencies, victims, businesses and organizations; establish the use of the National Incident Management System (NIMS); and designate authority and responsibilities for public health preparedness. [3 O.C. 302.1-1].

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

As a result of the COVID-19 pandemic, in accordance with the authority granted to the Oneida Business Committee through the Emergency Management law, on March 12, 2020, Chairman Tehassi Hill signed a "Declaration of Public Health State of Emergency" which set into place the necessary authority, should action need to be taken, and allows the Oneida Nation to seek reimbursement of emergency management actions that may result in unexpected expenses. [3 O.C. 302.8-1]. The Oneida Business Committee has extended this Public Health State of Emergency until November 25, 2021, through the adoption of the following resolutions: BC-03-26-20-A, BC-05-06-20-A, BC-06-10-20-A, BC-07-08-20-A, BC-08-06-20-A, BC-09-09-20-A, BC-10-08-20-A, BC-11-10-20-A, BC-12-09-20-D, BC-01-07-21-A, BC-02-10-21-A, BC-03-10-21-D, and BC-05-12-21-A, BC-06-23-21-B, BC-07-28-21-N, and BC-09-22-21-A. [3 O.C. 302.8-2].

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

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

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

Through the adoption of this resolution, in accordance with section 302.8-2 of the Emergency Management law, the Oneida Business Committee extends the Public Health State of Emergency declaration until 11:59 p.m. on January 23, 2022.

Conclusion

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

Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Resolution # 08-03-21-A

Setting Public Gathering Guidelines During Public Health State of Emergency - COVID-19

- 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 world has been rocked by the COVID-19 pandemic for the sixteen or more months; and
- WHEREAS,** since the declaration of the pandemic by the United States and the Oneida Business Committee, public health protocols (social distancing, masking, and handwashing) and vaccines have been developed which have been authorized to be given to individuals 12 and older; and
- WHEREAS,** federal and federal governments have utilized all available resources to encourage citizens to become vaccinated, and the Oneida Business Committee has approved utilization of American Rescue Plan Act of 2021 funding for vaccine incentives for both members and employees; and
- WHEREAS,** despite these efforts, COVID-19 has 'spawned' variants that are more easily transmitted (such as the current Delta variant) and vaccination rates still remain below the necessary levels to slow the spread of COVID-19 (on July 28th, Wisconsin, and specifically Brown and Outagamie Counties is at 49% fully vaccinated); and
- WHEREAS,** the Oneida Business Committee has reviewed Center for Disease Control information and guidance, State of Wisconsin information and guidance, and Public Health Officer information and recommendations; and
- WHEREAS,** the information identifies that across the United States COVID-19 and its variants have once again increased to dangerous levels, that within Wisconsin an increase within a one week period has resulted in most of the state moving from medium to high levels of infection; and
- WHEREAS,** the Oneida Business Committee believes that a 'return-to-normal' is needed and includes safely scheduling General Tribal Council meetings as well as public events such as the Oneida Nation Pow Wow and Applefest that have the potential to become super spreader events if not carefully managed to protect the health and safety of all individuals attending; and

BC Resolution # 08-03-21-A
Setting Public Gathering Guidelines During Public Health State of Emergency - COVID-19
Page 2 of 2

- WHEREAS,** the increase in infection rates of the COVID-19 virus which in turns gives an opportunity to create additional variants that could be more deadly than the Delta variant currently making an increased impact; and
- WHEREAS,** the change from medium to high across the State of Wisconsin, the identification that vaccination rates are only at 49%, Native Americans at 32% (Oneida Nation membership and employee vaccination rates should be available in late August); and
- WHEREAS,** the Oneida Business Committee believes that it is important to clearly set goals of minimum infection rates and vaccination rates so members and the community can have clear indicators of when meetings, events, and activities could be canceled;

Identifying Infection Rates

NOW THEREFORE BE IT RESOLVED, the Oneida Business Committee directs that indoor and outdoor events shall be canceled when the infection rates within Brown or Outagamie Counties exceed "Low" as identified by the Wisconsin Department of Health Services (<https://www.dhs.wisconsin.gov/covid-19/local.htm>).

Vaccination Rates

BE IT FURTHER RESOLVED, when vaccination levels of Oneida's members and Oneida Nation employees reaches 75%, the safety of public health will be considered to be effectively managed, and the Oneida Business Committee shall review whether a need for a declaration of a state of public health emergency continues to exist.

Individual, Business, and Indoor/Outdoor Activities Guidance

BE IT FURTHER RESOLVED, as this pandemic proceeds, individuals, business, and event coordinators should follow the guidance set by the Centers for Disease Control as revised to meet changing pandemic impacts.

Staying Safer at Home and Safer Re-Opening of Government Offices

BE IT FURTHER RESOLVED, resolution # BC-05-12-21-B, *Staying Safer At Home Policy – COVID-19 Pandemic*, and resolution # BC-05-12-21-I, *Safer Re-Opening of Government Offices – COVID-19 Pandemic*, are rescinded immediately upon adoption of this resolution.

Conclusion of Resolution Directives

BE IT FINALLY RESOLVED, this resolution shall remain in place so long as the declaration of a public health emergency remains in place.

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 participated in an electronic vote (e-poll) which closed on the 3rd day of August, 2021; that the forgoing resolution was duly adopted by a vote of 6 members for, 0 members against, and 1 members not voting*; and that said resolution has not been rescinded or amended in any way. The results of the e-poll will be entered into the record at the next regular Oneida Business Committee scheduled on August 11, 2021.



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."

Oneida Comprehensive Health Division

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



To: Oneida Business Committee

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

Date: November 17, 2021

RE: Recommendations to extend public health emergency

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

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

The COVID-19 delta variant continues to be the predominant strain of circulating COVID-19 illness. It is highly transmissible and has demonstrated to cause more severe disease. This delta variant is infecting those unvaccinated at a particularly high rate. In fact, the vast majority of hospitalization and deaths connected to COVID-19 illness are among the unvaccinated.

On July 27, 2021, the Centers for Disease Control and Prevention (CDC) updated guidance to recommend masking regardless of vaccination status in certain settings such as schools and in areas with high transition of COVID-19 infections. Due to the continued “very high” level of COVID-19 community transmission in Brown and Outagamie Counties, the Public Health Order to require facial coverings indoors and in enclosed spaces regardless of vaccination status will likely be extended.

Current COVID-19 vaccination data among the American Indian population in WI and our local communities fall below that of other races. Emergency Authorization of the Pfizer COVID-19 vaccine for children 5-11 years of age was just implemented in WI on 11/05/2021. More time is needed to vaccinate enough individuals to build collective/ community immunity needed to stop the spread of COVID-19.

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

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

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

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

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

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

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

Sincerely,

Michelle Myers BSN, RN
Community/ Public Health Officer

CC: Kaylynn Gresham, Emergency Management
Dave Larson, Oneida Comprehensive Health Long Term Care/ Ancillary
Mark Powless, General Manager

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



November 17, 2021

Updated COVID19 data to consider during discussions:

Extension of the Oneida Nation Public Health Emergency declaration.

Submitted by:
Dr Vir, Michelle Myers

Please note:

- Due to some data collection challenges, WI DHS vaccine data was last updated 11/05/21.
- Oneida Nation COVID-19 vaccine incentive data does not yet include data for children 5-11 years of age.

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

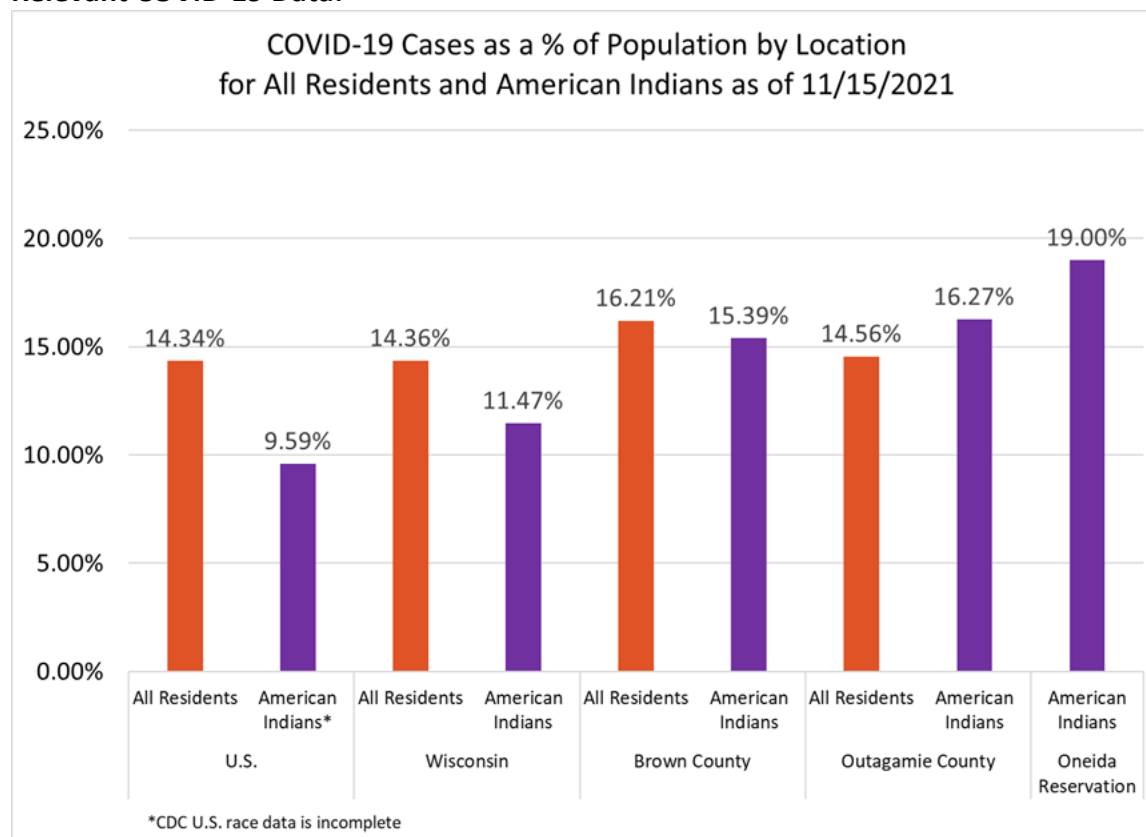
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Fax: (920) 869-1780
Fax: (920) 490-3883
Fax: (920) 869-3238
Fax: (920) 405-4494

Relevant COVID-19 Data:



WI Department of Health Services- Public Health retrieved 11/15/2021
<https://data.dhsgis.wi.gov/datasets/covid-19-historical-data-table/data>

U.S. Centers for Disease Control and Prevention
https://covid.cdc.gov/covid-data-tracker/#cases_casesinlast7days

U.S. Census Bureau American Community Survey Population Estimates
<https://data.census.gov/cedsci/advanced>

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

WISCONSIN COVID-19 VACCINE BREAKTHROUGH INFECTION DATA:

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

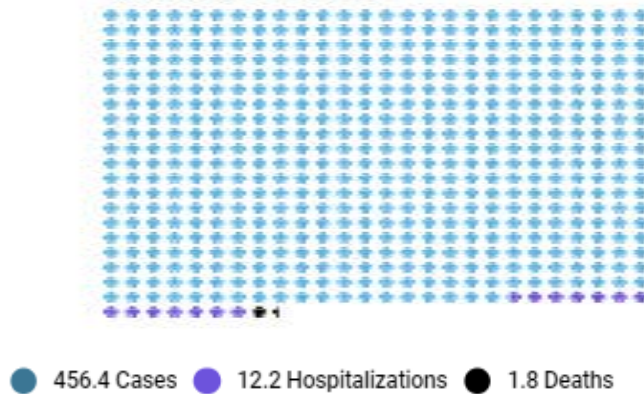
Vaccine breakthrough cases are expected. COVID-19 vaccines are effective and are a critical tool to bring the pandemic under control. However, no vaccines are 100% effective at preventing illness. Some fully vaccinated people will get sick, and some will even be hospitalized or die from COVID-19. However,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

October 2021: Age-Adjusted COVID-19 Cases, Hospitalizations, and Deaths Among Fully Vaccinated and Not Fully Vaccinated People

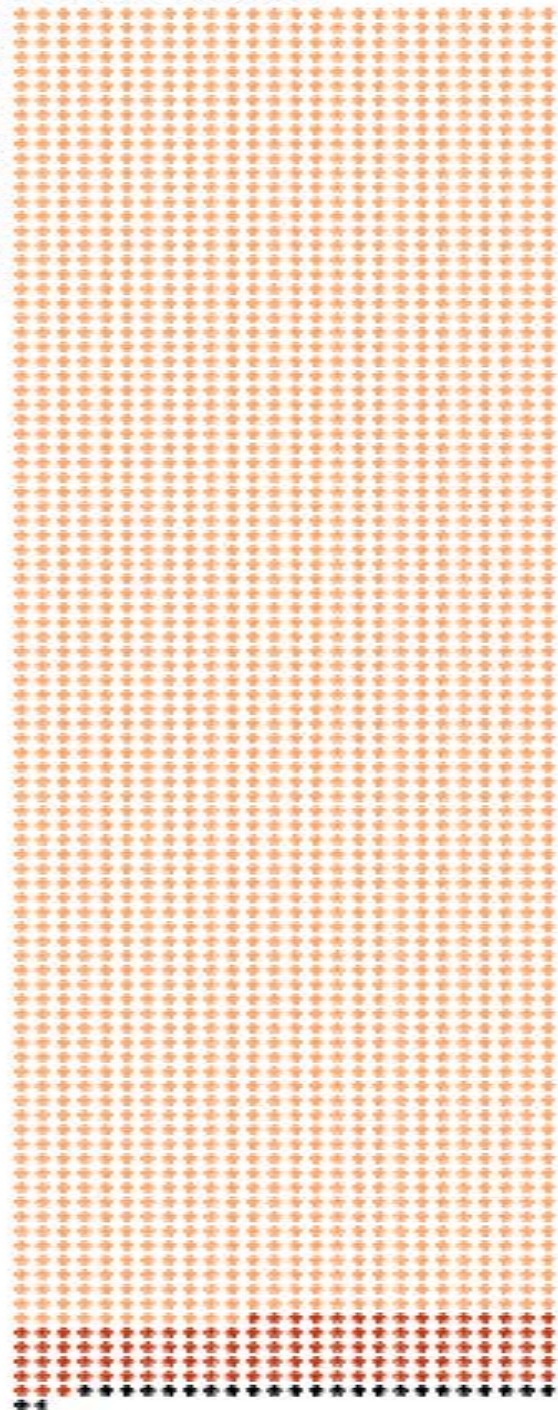
Last Updated: 11/15/2021

Fully Vaccinated

Per 100,000 Fully Vaccinated People

**Not Fully Vaccinated**

Per 100,000 Not Fully Vaccinated People



WI Department of Health Services- COVID-19: Illness After Vaccination
Retrieved 11/17/21

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

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ONEIDA NATION JURISDICTION DATA:**COVID-19 Case Data**

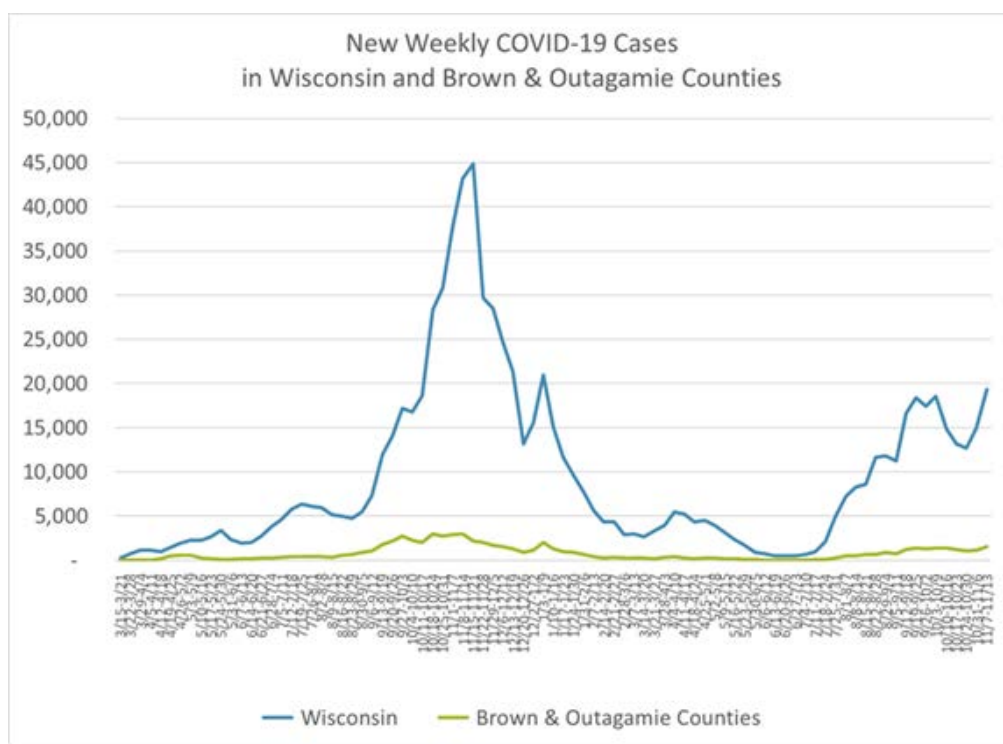
Oneida Nation COVID-19 Data

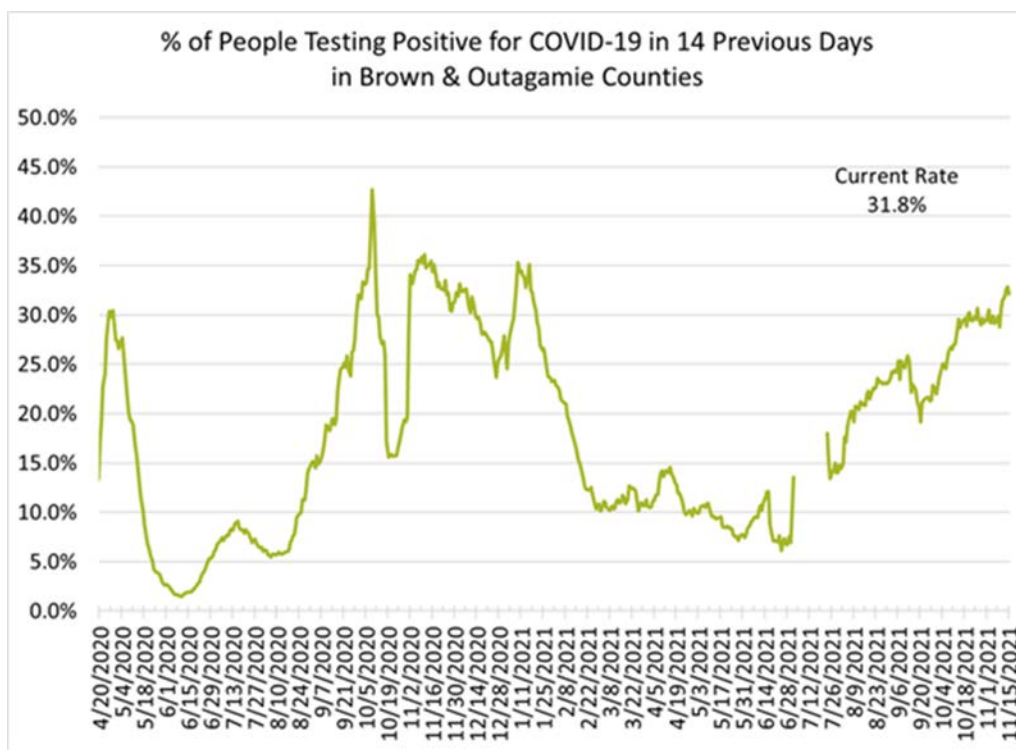
As of 11/16/2021 2:00 PM

	Confirmed Positive Cases	Active Cases	Recovered Cases	Deaths
Oneida Nation Total	1,064 (+6)	39	1,015	10
Oneida Nation – Brown County	583	23	556	4
Oneida Nation – Outagamie County	481	16	459	6

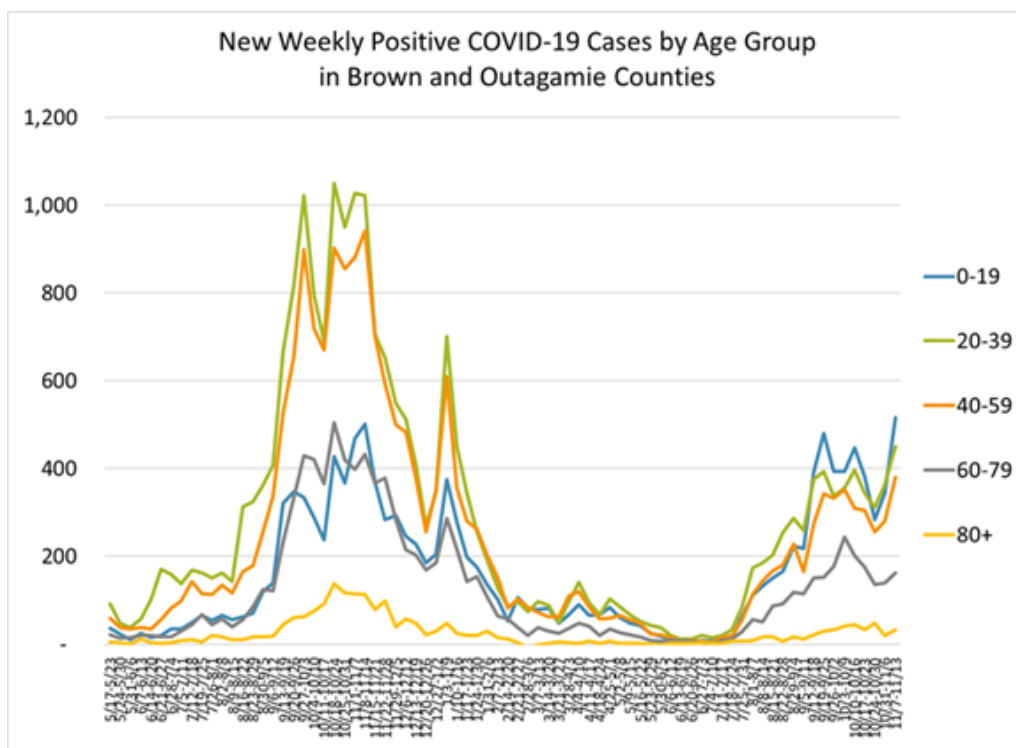
Hospitalizations (Ever Hospitalized): 110

Vaccine Breakthrough Cases: 59

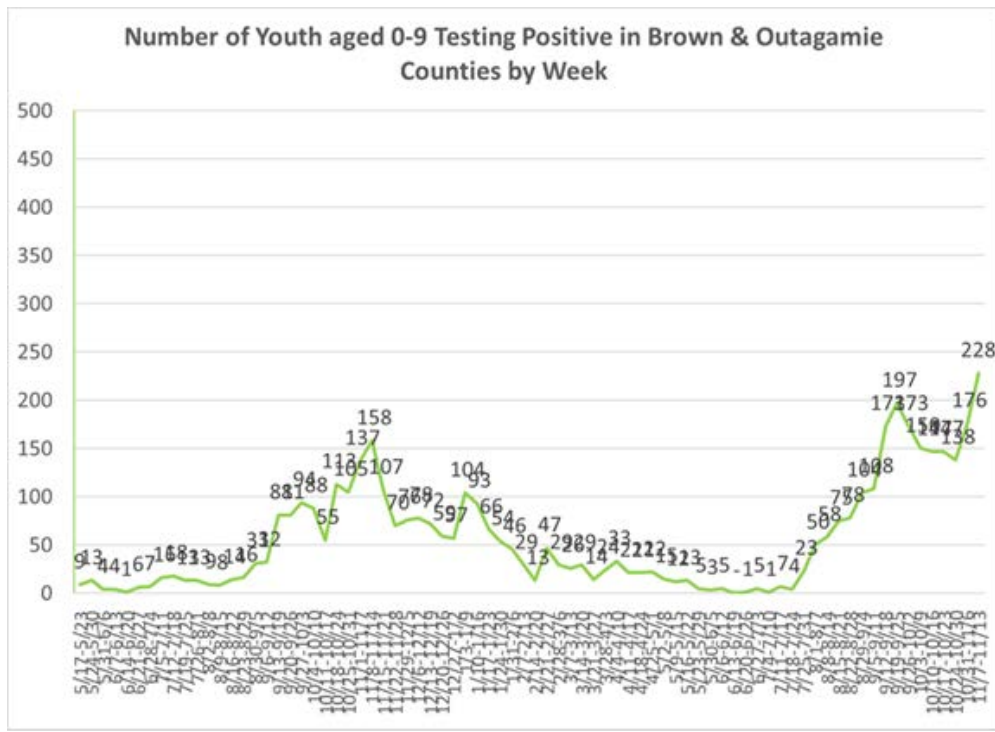
Oneida Nation Health Department retrieved 11/17/2021<https://oneida-nsn.gov/connect/news/oneida-nation-covid-19-resource-page/#Stats>*WI Department of Health Services- Public Health retrieved 11/15/2021*<https://data.dhsgis.wi.gov/datasets/covid-19-historical-data-table/data>



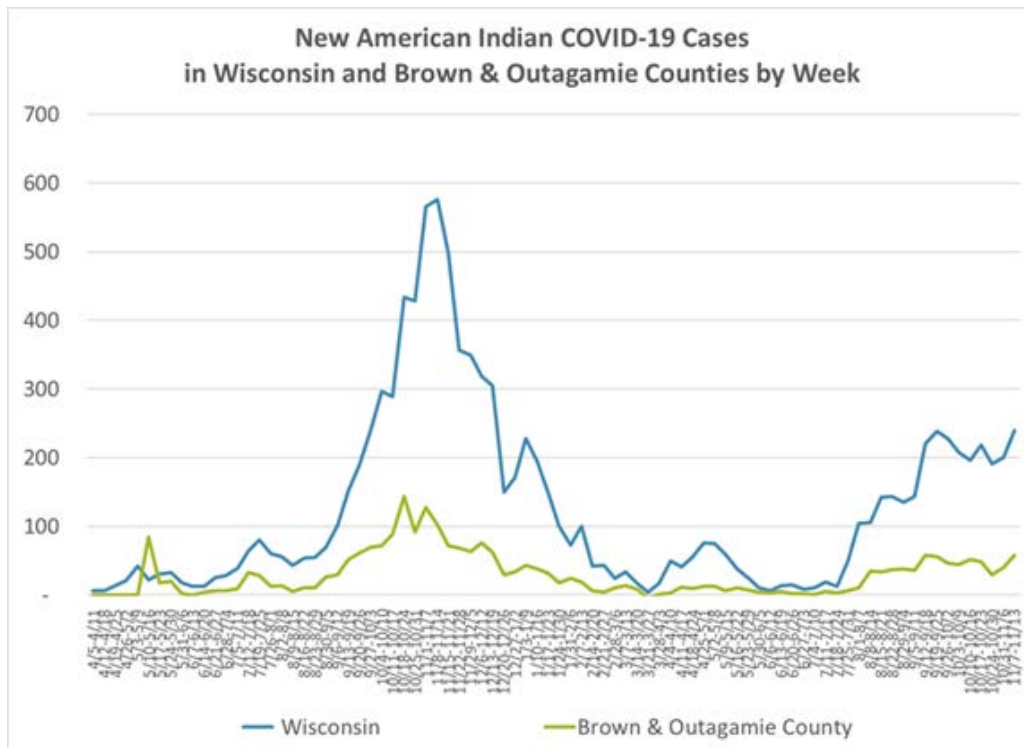
WI Department of Health Services- Public Health retrieved 11/15/2021
<https://data.dhsgis.wi.gov/datasets/covid-19-historical-data-table/data>



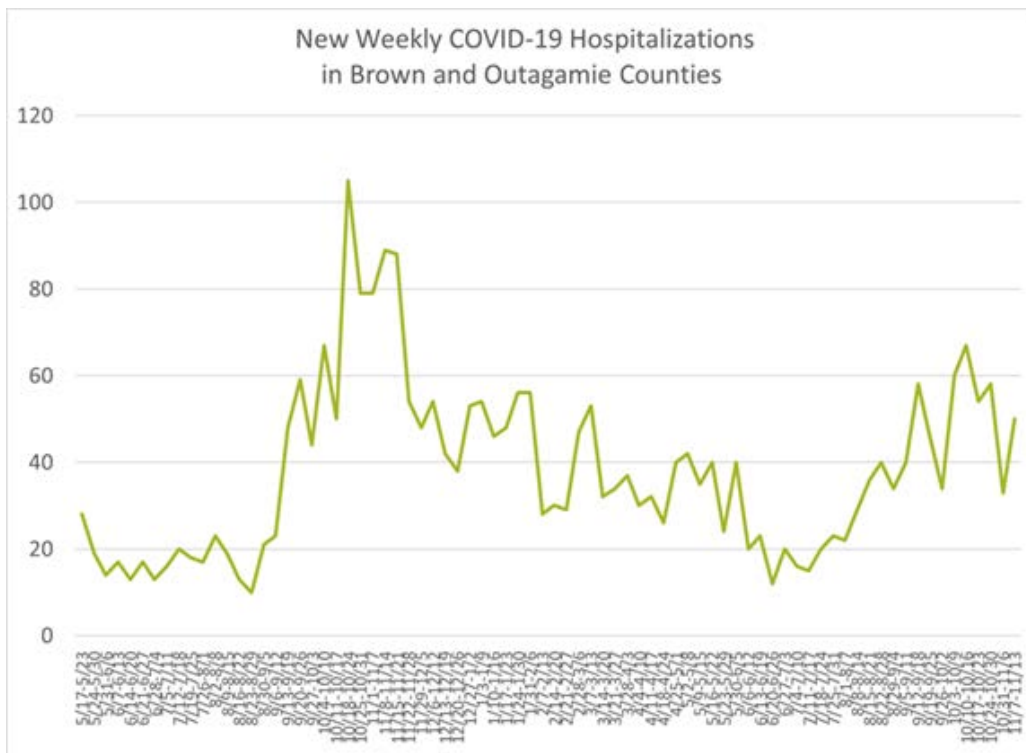
WI Department of Health Services- Public Health retrieved 11/15/2021
<https://data.dhsgis.wi.gov/datasets/covid-19-historical-data-table/data>



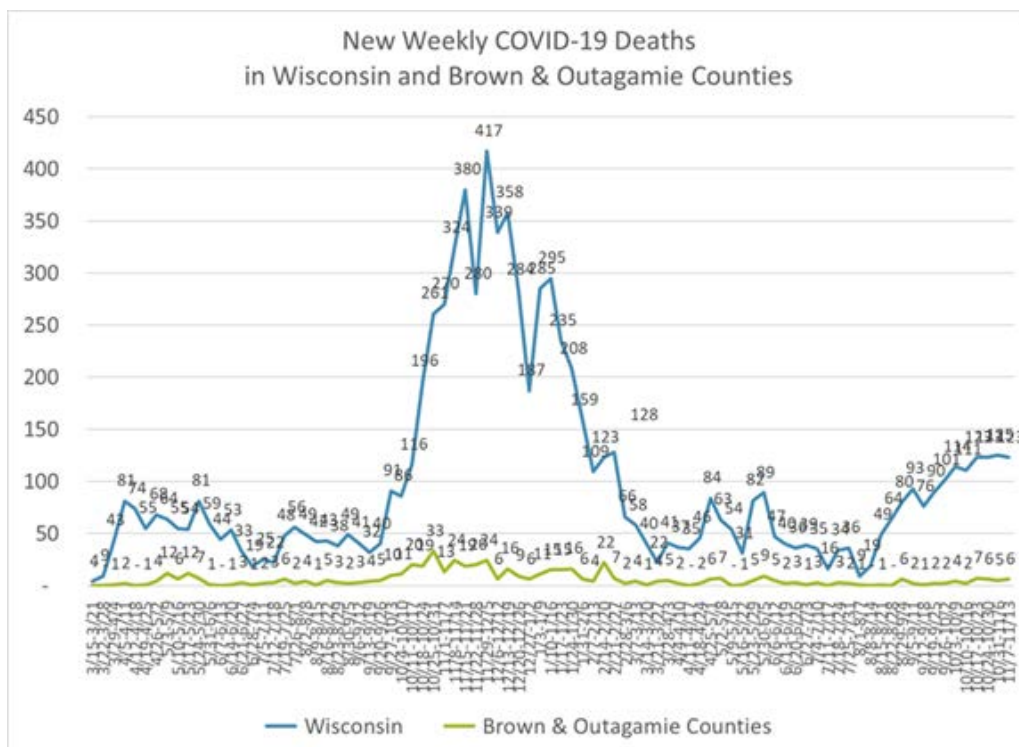
WI Department of Health Services- Public Health retrieved 11/15/2021
<https://data.dhsgis.wi.gov/datasets/covid-19-historical-data-table/data>



WI Department of Health Services- Public Health retrieved 11/15/2021
<https://data.dhsgis.wi.gov/datasets/covid-19-historical-data-table/data>

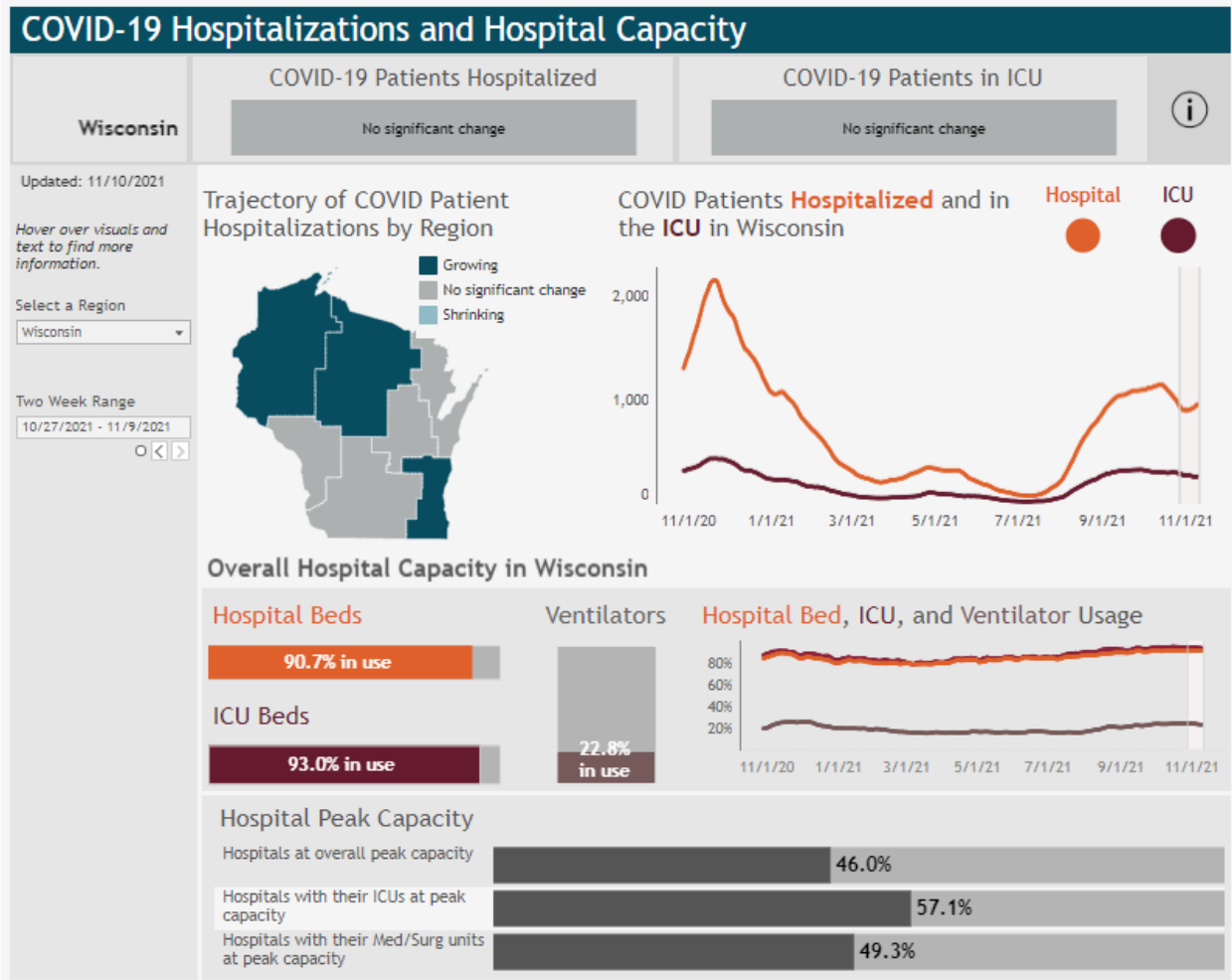


WI Department of Health Services- Public Health retrieved 11/15/2021
<https://data.dhsgis.wi.gov/datasets/covid-19-historical-data-table/data>



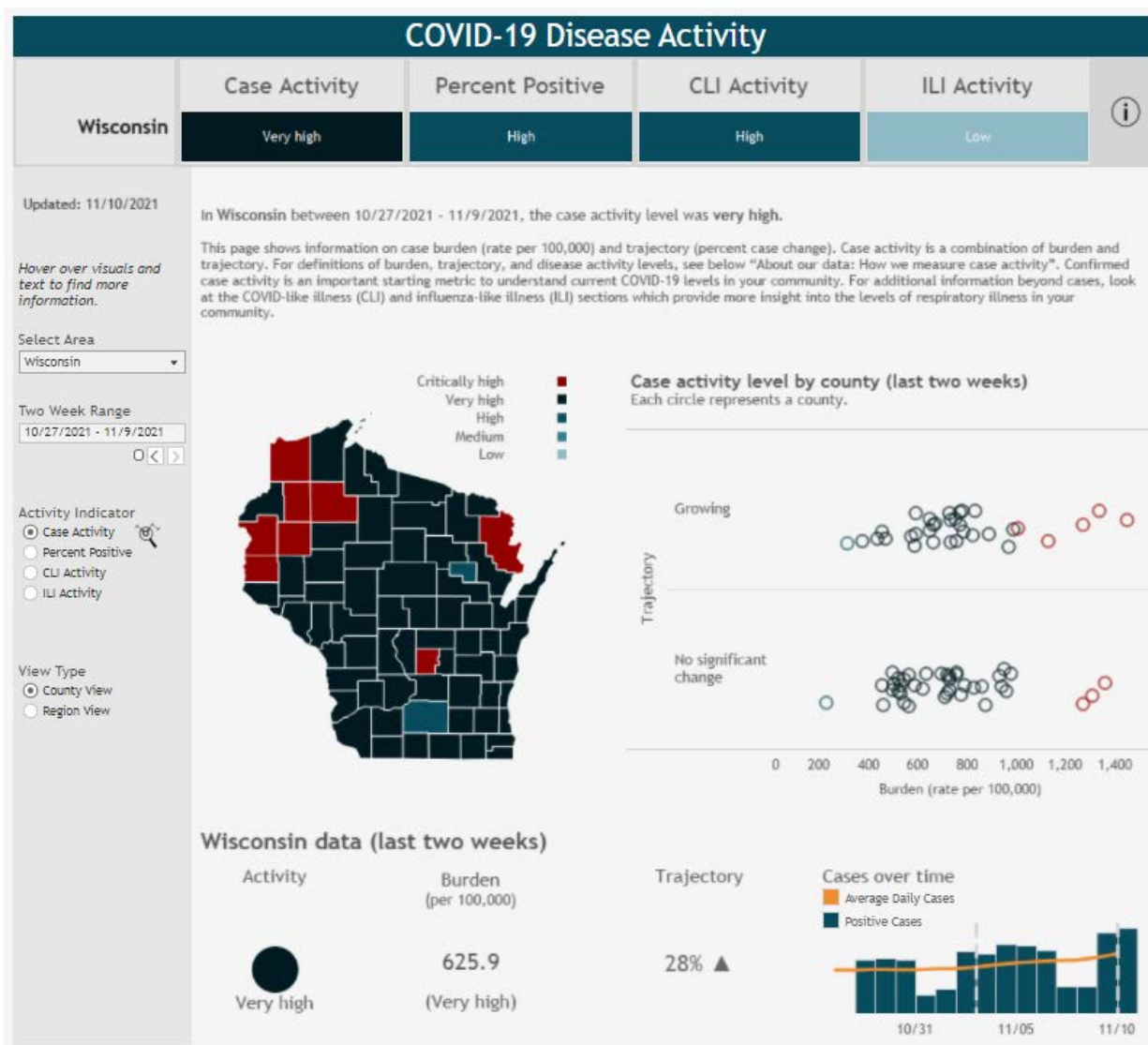
WI Department of Health Services- Public Health retrieved 11/15/2021
<https://data.dhsgis.wi.gov/datasets/covid-19-historical-data-table/data>

WISCONSIN: COVID-19 HOSPITALIZATIONS AND HOSPITAL CAPACITY



WI Department of Health Services- Public Health retrieved 11/17/2021
<https://www.dhs.wisconsin.gov/covid-19/hosp-data.htm>

WISCONSIN: COVID-19 DISEASE ACTIVITY



WI Department of Health Services- Public Health retrieved 11/17/2021
<https://www.dhs.wisconsin.gov/covid-19/local.htm>

WISCONSIN- FULLY VACCINATED AGAINST COVID-19

COVID-19 Vaccines for Wisconsin residents

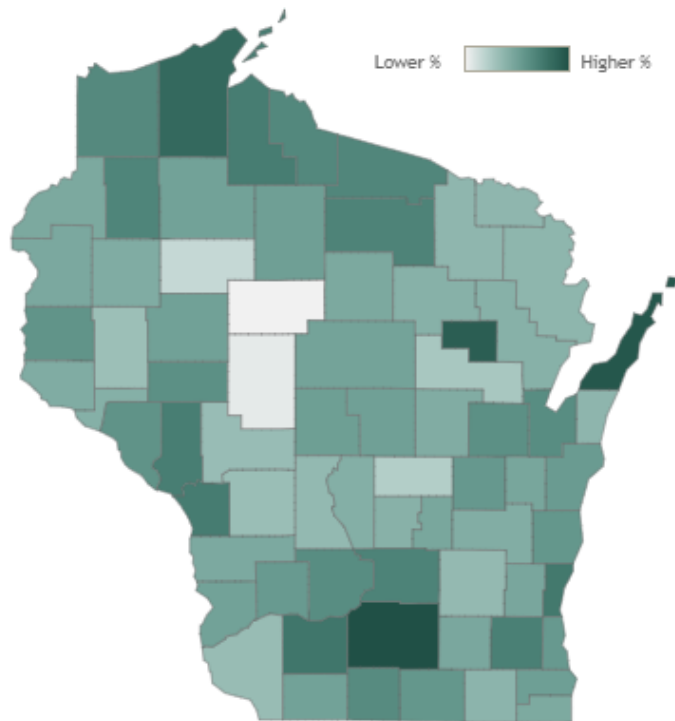
Updated: 11/5/2021

HERC region data

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

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

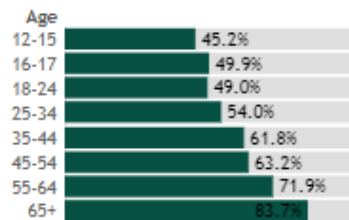
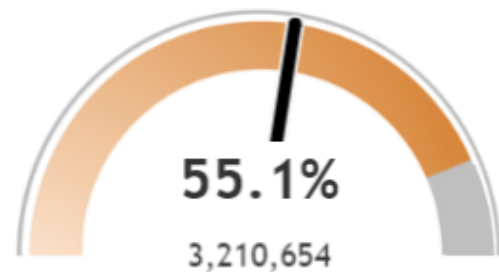
Click a county to filter data



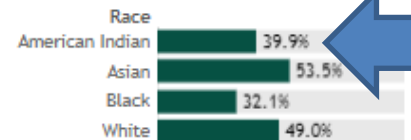
Percent of Wisconsin residents who have completed the vaccine series

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

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



*0.5% of records were reported without sex.



*9.1% of records reported a race of "Other".

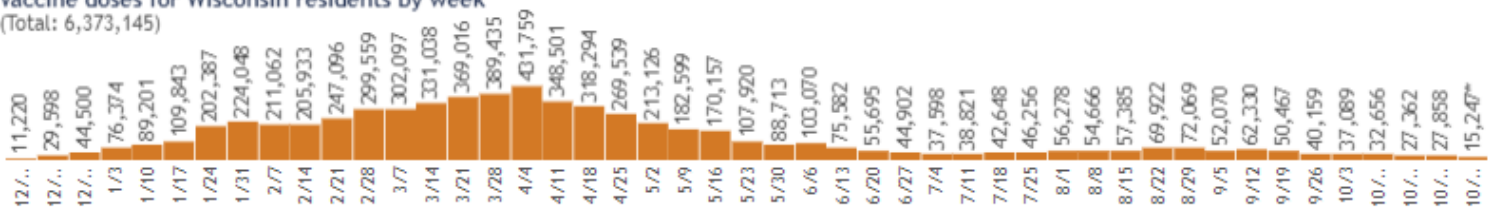
*4.6% of records reported an unknown race



*4.4% of records were reported without ethnicity.

View more data on racial and ethnic disparities in Wisconsin

Vaccine doses for Wisconsin residents by week
(Total: 6,373,145)



*Current week may be incomplete.

WI Department of Health Services- Public Health retrieved 11/17/2021

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

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BROWN COUNTY- FULLY VACCINATED AGAINST COVID-19

COVID-19 Vaccines for Wisconsin residents

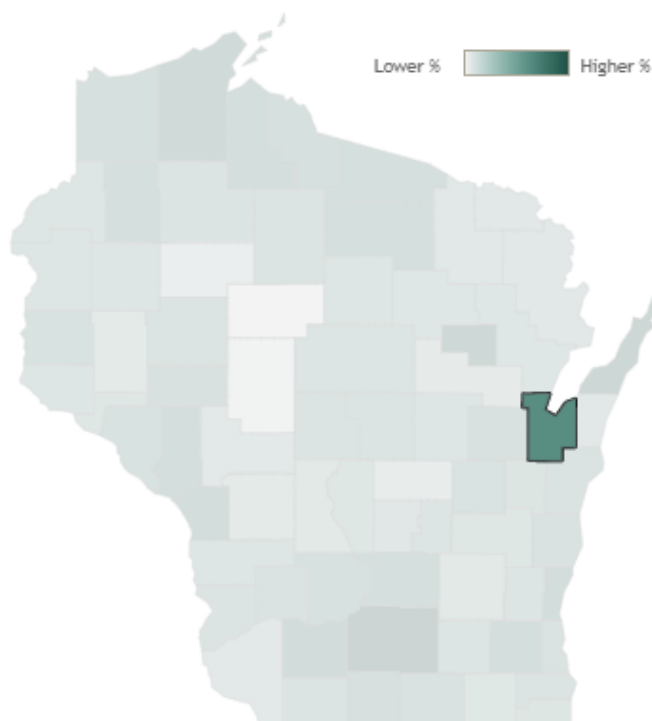
Updated: 11/5/2021

HERC region data

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

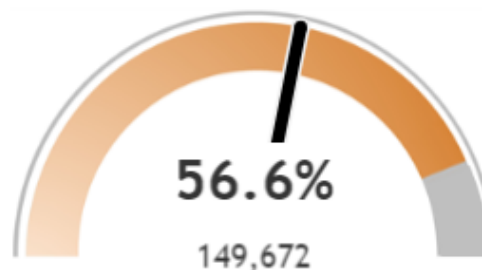
Percent of Wisconsin residents who have completed the vaccine series by county

Click a county to filter data



Percent of Brown County residents who have completed the vaccine series

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



Age	
12-15	50.5%
16-17	53.5%
18-24	51.0%
25-34	54.1%
35-44	65.6%
45-54	67.2%
55-64	76.3%
65+	88.5%

Sex	
Female	59.9%
Male	53.1%

*0.1% of records were reported without sex.

Race	
American Indian	44.8%
Asian	48.7%
Black	27.0%
White	52.1%

*8.4% of records reported a race of "Other".

*2.3% of records reported an unknown race

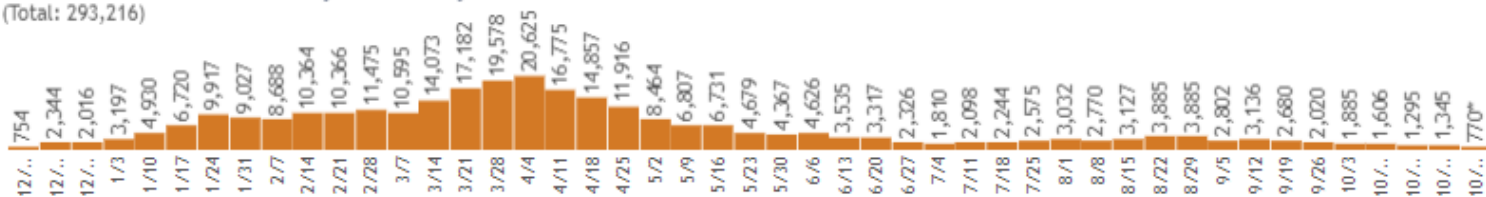
Ethnicity	
Hispanic	42.1%
Non-Hispanic	56.9%

*2.0% of records were reported without ethnicity.

View more data on racial and ethnic disparities in Wisconsin

Vaccine doses for Brown County residents by week

(Total: 293,216)



*Current week may be incomplete.

WI Department of Health Services- Public Health retrieved 11/17/2021

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

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OUTAGAMIE COUNTY- FULLY VACCINATED AGAINST COVID-19

COVID-19 Vaccines for Wisconsin residents

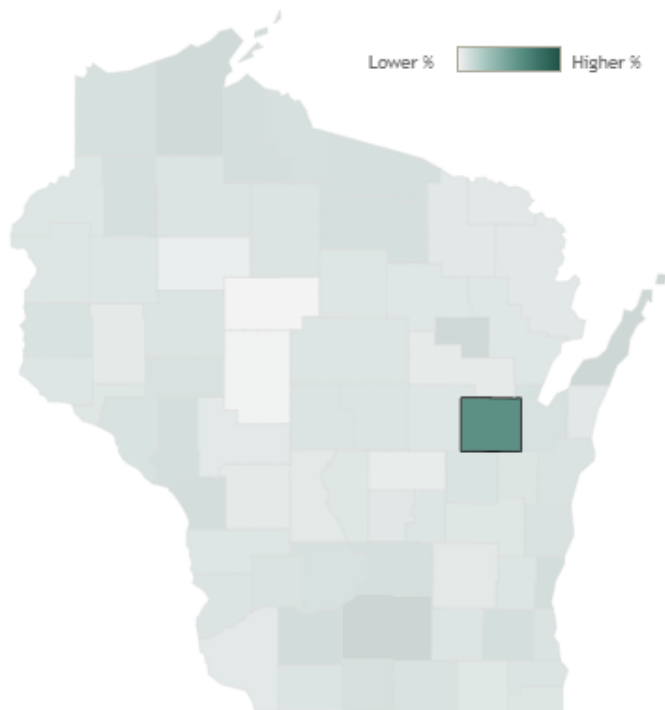
Updated: 11/5/2021

HERC region data

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

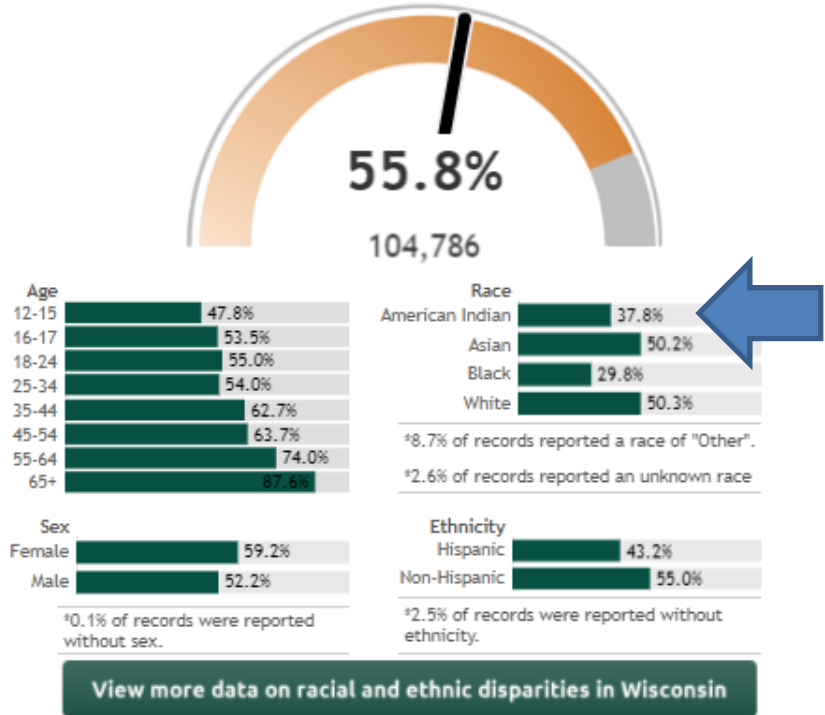
Percent of Wisconsin residents who have completed the vaccine series by county

Click a county to filter data

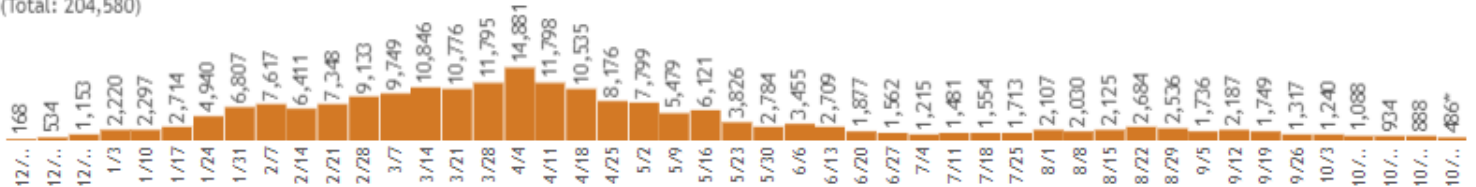


Percent of Outagamie County residents who have completed the vaccine series

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



Vaccine doses for Outagamie County residents by week
(Total: 204,580)



*Current week may be incomplete.

WI Department of Health Services- Public Health retrieved 11/17/2021

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

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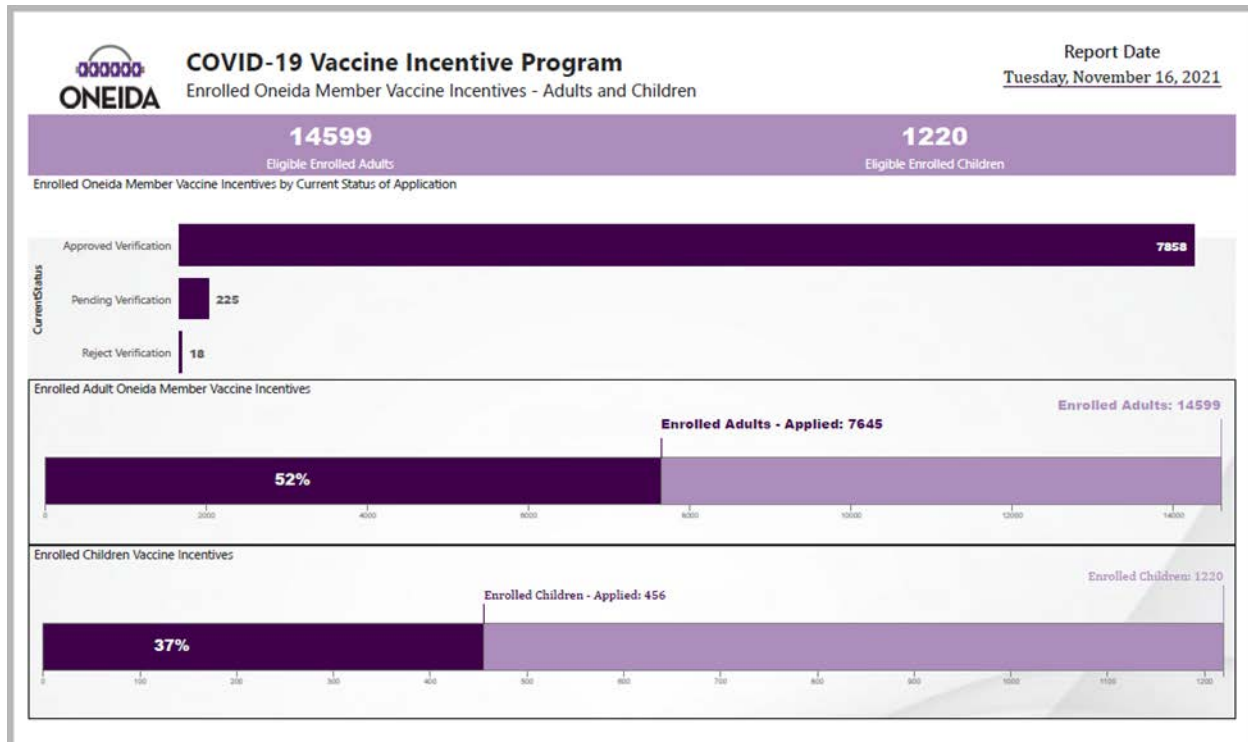


**Vaccination summary data to show the rate of those 18+ who are fully vaccinated.
As of 11/05/2021**

% of Population Aged 18+ Who are Fully Vaccinated					
Brown County		Outagamie County		Counties Combined	
All Residents	American Indians	All Residents	American Indians	All Residents	American Indians
68.6%	62.1%	67.5%	48.4%	68.1%	58.0%

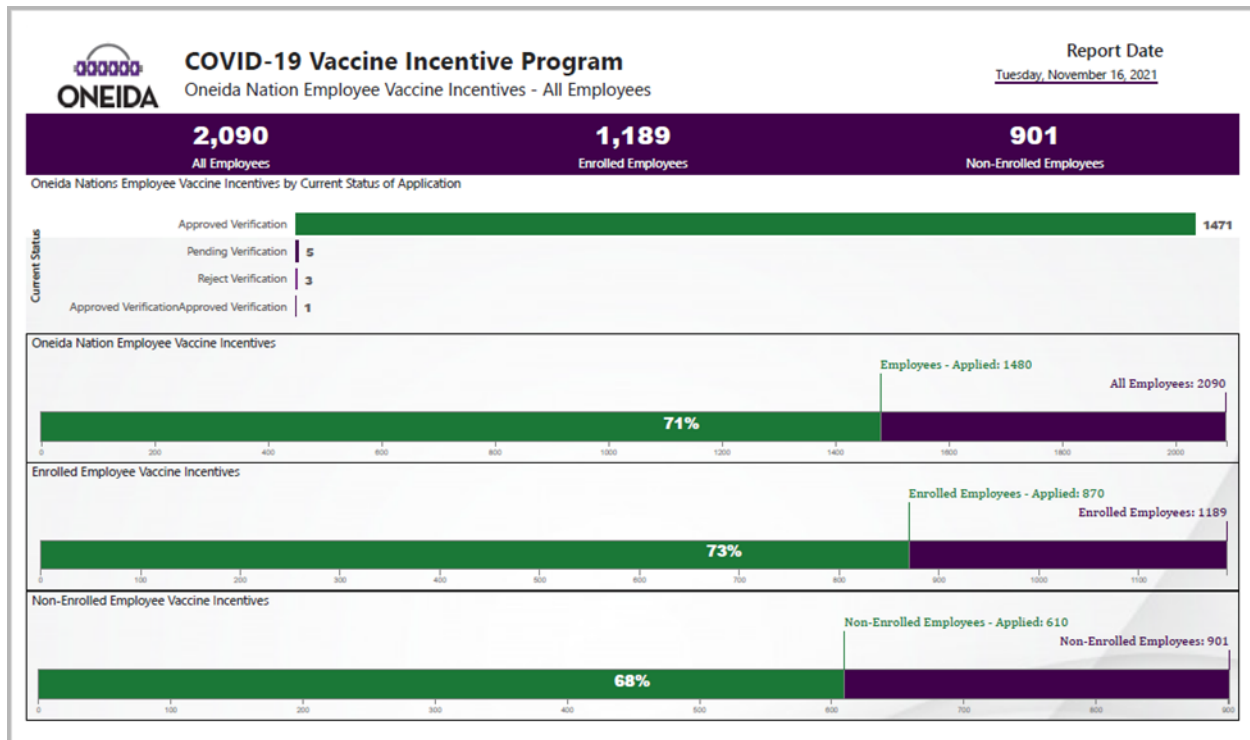
WI Department of Health Services- Public Health retrieved 11/05/2021
<https://www.dhs.wisconsin.gov/covid-19/vaccine-data.htm>

ONEIDA NATION WORKFORCE COVID-19 VACCINATION DATA:

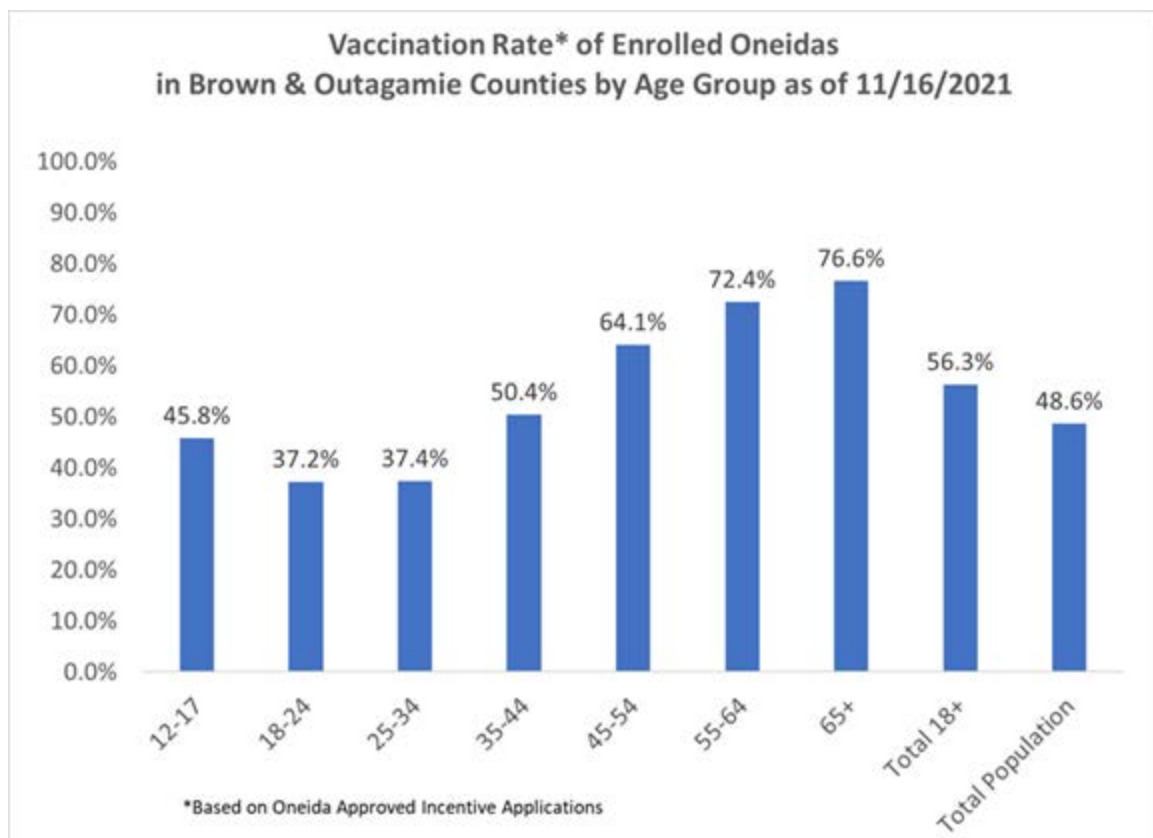


Oneida Nation COVID-19 Vaccination Incentive data retrieved 11/16/21

ONEIDA NATION ENROLLED TRIBAL MEMBERSHIP COVID-19 VACCINATION DATA:



Oneida Nation COVID-19 Vaccination Incentive data retrieved 11/16/21



Oneida Nation COVID-19 Vaccination Incentive data retrieved 11/16/21

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Determine next steps regarding three (3) vacancies - Oneida Land Claims Commission

Business Committee Agenda Request

1. Meeting Date Requested: 11/24/21

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: November 16, 2021

RE: Appointment(s) – Oneida Land Claims Commission

Background

Three (3) vacancies were posted for the Oneida Land Claims Commission. Two (2) vacancies are to complete terms ending July 31, 2023 and one (1) vacancy is to complete term ending July 31, 2024.

The vacancies have been posted since August 2021. The latest application deadline was November 5, 2021 and two (2) application(s) were received for the following applicant(s):

- Kerry Kennedy
- Chris Cornelius

Select action(s) provided below:

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

Determine next steps regarding four (4) vacancies - Oneida Nation School Board

Business Committee Agenda Request

1. Meeting Date Requested: 11/24/21

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: SDAVIS



Memorandum

TO: Oneida Business Committee

FROM: Brooke Doxtator, BCC Supervisor 

DATE: November 16, 2021

RE: Appointment(s) – Oneida Nation School Board

Background

Four (4) vacancies were posted for the Oneida Nation School Board. Two (2) vacancies are to complete term ending July 31, 2022, and two (2) vacancies are to complete term ending July 31, 2023.

The vacancies have been posted since July 2021. The application deadline was October 8, 2021 and one (1) application(s) was received for the following applicant(s):

- Sylvia Cornelius

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: 11/24/21

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: November 16, 2021

RE: Appointment(s) – Oneida Police Commission

Background

One (1) vacancy was posted for the Oneida Police Commission. The vacancy is to complete term ending July 31, 2025.

The vacancy has been posted since June 2021. The latest application deadline was October 8, 2021 and one (1) application(s) was received for the following applicant(s):

- Beverly Anderson

Select action(s) provided below:

- 1) accept the selected the applicant(s) and appoint to a term ending July 31, 2025 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 November 1, 2021, regular Finance Committee meeting minutes

1. Meeting Date Requested: 11 / 24 / 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 NOV. 1, 2021
DATE: 11/01/21

An E-Poll vote of the Finance Committee was conducted to approve the Finance Committee meeting minutes of November 1, 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 Nov. 1, 2021 Finance Committee Meeting Minutes. FC Members voting included: Kirby Metoxen, Jennifer Webster, Patrick Stensloff and Larry Barton.

These Finance Committee Minutes of November 1, 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
November 1, 2021 ▪ Time: 9:00 A.M
Via Microsoft Teams

REGULAR MEETING MINUTES

FC MEMBERS PRESENT (Via Teams):

Cristina Danforth, Treasurer/FC Chair

Larry Barton, CFO/FC Vice-Chair

Kirby Metoxen, BC Council Member

Jennifer Webster, BC Council Member

Patrick Stensloff, Purchasing Director

FC MEMBERS UNEXCUSED: Chad Fuss, Asst. Gaming CFO

OTHERS PRESENT (Via Teams): Mary Graves, Mike Debraska, Mary Wasurick, Amy Spears, Justin Nishimoto and Denise J. Vigue, taking notes

I. CALL TO ORDER: The FC Regular Meeting was called to order by the FC Vice Chair at 9:00 A.M.

II. APPROVAL OF AGENDA: NOVEMBER 1, 2021

Motion by Patrick Stensloff to approve the November 1, 2021 FC Meeting Agenda. Seconded by Kirby Metoxen. Motion carried unanimously.

III. MINUTES TO BE ACCEPTED: OCTOBER 21, 2021 (Approved via E-Poll on 10/22/21):

Motion by Patrick Stensloff to acknowledge the FC E-Poll action taken on 10/22/21 approving the October 21, 2021 Finance Committee Meeting Minutes. Seconded by Kirby Metoxen. Motion carried unanimously.

IV. TABLED BUSINESS: None

V. CAPITAL EXPENDITURES: None

VI. NEW BUSINESS:

1. FY22 Blkt PO – Davis Marketing
Mary Wasurick, Gaming Marketing

Amount: \$515,780.

Mary explained this is payment for year three of a three-year contract; savings from last year due to the pandemic; work done that cannot be done onsite & for those staff not called back.

Motion by Jennifer Webster to approve the FY22 Blanket Purchase Order for payment to Davis Marketing in the amount of \$515,780. Seconded by Patrick Stensloff. Motion carried unanimously.

VII. ONEIDA FINANCE FUND:

Report:

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

Motion by Patrick Stensloff to approve the Oneida Finance Fund report for November 2021. Seconded by Jennifer Webster. Motion carried unanimously.

Requests:

1. New Fusion Dance Class Fees Amount: \$500.
Requester: Andrew Doxtater for Scarlett

Motion by Jennifer Webster to approve from the Oneida Finance Fund the request for the New Fusion Dance Class fees for the daughter of the requester in the amount of \$500. Seconded by Kirby Metoxen. Motion carried unanimously.

Cristina Danforth joined the meeting @ 9:09 a.m.

2. Impact Fastpitch Fees Amount: \$500.
Requester: Cindy John for Nalayah

Motion by Jennifer Webster to approve from the Oneida Finance Fund the request for the Impact Fastpitch Fees for the daughter of the requester in the amount of \$500. Seconded by Patrick Stensloff. Motion carried unanimously.

3. WI Legend AAU Basketball Fees Amount: \$500.
Requester: Cindy John for Jaydah

Motion by Kirby Metoxen to approve from the Oneida Finance Fund the request for the Wisconsin Legend AAU Basketball fees for the daughter of the requester in the amount of \$500. Seconded by Jennifer Webster. Motion carried unanimously.

4. Air Force Gymnastics Fees Amount: \$500.
Requester: Andrew Doxtater for Amos

Motion by Jennifer Webster to approve from the Oneida Finance Fund the request for the Air Force Gymnastics fees for the son of the requester in the amount of \$500. Seconded by Patrick Stensloff. Motion carried unanimously.

5. Select-Sheboygan Area Girls 11U Soccer Fees Amount: \$500.
Requester: Maggie Teunissen for Demi

Motion by Jennifer Webster to approve from the Oneida Finance Fund the request for the Select-Sheboygan Area Girls 11U Soccer fees for the daughter of the requester in the amount of \$500. Seconded by Larry Barton. Motion carried unanimously.

6. Various Sports Registrations in FY22 Amount: \$459.
Requester: Margaret Vanden Heuvel for Colt

Motion by Jennifer Webster to approve from the Oneida Finance Fund the request for various sports registration fees for the son of the requester in the amount of \$459. Seconded by Kirby Metoxen. Motion carried unanimously.

7. Various Sports Registrations in FY22 Amount: \$500.
Requester: Margaret Vanden Heuvel for Gage

Motion by Jennifer Webster to approve from the Oneida Finance Fund the request for various sports registration fees for the son of the requester in the amount of \$500. Seconded by Larry Barton. Motion carried unanimously.

8. Various Sports Registrations in FY22 Amount: \$423.
Requester: Margaret Vanden Heuvel for Gavin

Motion by Jennifer Webster to approve from the Oneida Finance Fund the request for various sports registration fees for the son of the requester in the amount of \$423. Seconded by Kirby Metoxen. Motion carried unanimously.

9. Various Sports Registrations in FY22 Amount: \$229.50.
Requester: Margaret Vanden Heuvel for Jack

Motion by Jennifer Webster to approve from the Oneida Finance Fund the request for various sports registration fees for the son of the requester in the amount of \$229.50. Seconded by Kirby Metoxen. Motion carried unanimously.

10. Various Sports Registrations in FY22 Amount: \$229.50
Requester: Margaret Vanden Heuvel for Sawyer

Motion by Jennifer Webster to approve from the Oneida Finance Fund the request for various sports registration fees for the son of the requester in the amount of \$229.50. Seconded by Kirby Metoxen. Motion carried unanimously.

11. Y.W.C.A. Swimming Class Fees Amount: \$500.
Requester: Andrew Doxtater for Otto

Motion by Jennifer Webster to approve from the Oneida Finance Fund the request for Y.M.C.A. Swimming class fees for the son of the requester in the amount of \$500. Seconded by Kirby Metoxen. Motion carried unanimously.

12. Pure Barre-Green Bay membership/class Fees Amount: \$500.
Requester: Mary Graves

Motion by Jennifer Webster to approve from the Oneida Finance Fund the request for the Pure Barre-Green Bay membership/class fees in the amount of \$500. Seconded by Patrick Stensloff. Motion carried unanimously.

13. Cannabis Training University-On-Line tutorials Amount: \$360.
Requester: Michael Debraska

Motion by Jennifer Webster to approve from the Oneida Finance Fund the request for the Cannabis Training University online tutorial fees in the amount of \$360. Seconded by Kirby Metoxen. Motion carried unanimously.

14. Pure Barre-Green Bay membership/class Fees Amount: \$500.
Requester: Connor Kestell

Motion by Larry Barton to approve from the Oneida Finance Fund the request for the Pure Barre-Green Bay membership/class fees in the amount of \$500. Seconded by Jennifer Webster. Motion carried unanimously.

15. FC Elite Volleyball Club Fees Amount: \$500.
Requester: Reva Danforth for Lilliani

Motion by Larry Barton to approve from the Oneida Finance Fund the request for the FC Elite Volleyball Club fees for the daughter of the requester in the amount of \$500. Seconded by Jennifer Webster. Motion carried unanimously.

16. GB Area Youth Hockey Assn. Fees Amount: \$500.
Requester: Shakira Rasmussen for Zander

Motion by Jennifer Webster to approve from the Oneida Finance Fund the request for the Green Bay Area Youth Hockey Association fees for the son of the requester in the amount of \$500. Seconded by Kirby Metoxen. Motion carried unanimously.

VIII. EXECUTIVE SESSION: None**IX. ADMINISTRATIVE/INTERNAL:** None**X. FOLLOW UP:** None**XI. FOR INFORMATION ONLY:**

1. Gov't to Gov't Agreement – City of Green Bay
Melinda J. Danforth, Intergovernmental Affairs

Motion by Jennifer Webster to accept as FYI the Government to Government Agreement with the City of Green Bay. Seconded by Larry Barton. Motion carried unanimously.

XII. ADJOURN: Motion by Patrick Stensloff to adjourn. Seconded by Jennifer Webster. Motion carried unanimously. Time: 9:19 A.M.

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

Finance Committee Approval Date of Minutes via E-Poll: November 1, 2021

Oneida Business Committee Agenda Request

Accept the November 15, 2021, regular Finance Committee meeting minutes

1. Meeting Date Requested: 11 / 24 / 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 NOV. 15, 2021
DATE: 11/15/21

An E-Poll vote of the Finance Committee was conducted to approve the Finance Committee meeting minutes of November 15, 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 Nov. 15, 2021 Finance Committee Meeting Minutes. FC Members voting included: Jennifer Webster, Chad Fuss, Kirby Metoxen and Patrick Stensloff.

These Finance Committee Minutes of November 15, 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.

**FINANCE COMMITTEE****REGULAR MEETING****November 15, 2021 • Time: 9:00 A.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

Chad Fuss, Asst. Gaming CFO

Patrick Stensloff, Purchasing Director

FC MEMBERS EXCUSED: Cristina Danforth, Treasurer/FC Chair

OTHERS PRESENT (Via Teams): Vanessa Miller, Carol Moore, Samuel VanDen Heuvel, William Ver Voort, David Emerson, Justin Nishimoto, Amy Spears James Petitjean and Denise J. Vigue, taking notes

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

II. APPROVAL OF AGENDA: NOVEMBER 15, 2021

Motion by Patrick Stensloff to approve the November 15, 2021 FC Meeting Agenda. Seconded by Jennifer Webster. Motion carried unanimously.

III. MINUTES: NOVEMBER 1, 2021 (Approved via E-Poll on 11/01/21):

Motion by Jennifer Webster to acknowledge the FC E-Poll action taken on Nov. 1, 2021 approving the Nov. 1, 2021 Finance Committee Meeting Minutes. Seconded by Kirby Metoxen. Motion carried unanimously.

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

1. Sommerville, Inc. Agreement
Paul Witek, Engineering Dept.

Amount: \$294,100.

Sam VanDen Heuvel was on the call and explained this is for the Oneida Transit Garage; it was bid out, he also explained the scoring and due diligence; this is grant funded.

Motion by Patrick Stensloff to approve this request with Sommerville, Inc. in the amount of \$294,100.00. Seconded by Chad Fuss. Motion carried unanimously.

2. New Venture Advisors – Feasibility Study Amount: \$84,300.
Bill Ver Voort, N.A. Bus. Dev.

Bill deferred to Vanessa Miller who explained this was bid out to six vendors; worked with Purchasing to ensure proper due diligence was followed; this is a sole source request that is grant funded.

Motion by Jennifer Webster to approve this request with New Venture Advisors for a feasibility study for meat processing in the amount of \$84,300. Seconded by Kirby Metoxen. Motion carried unanimously.

VII. DONATIONS:

Report:

1. FC Donation Report – November 2021
Denise J. Vigue, Executive Assistant to the CFO

Motion by Jennifer Webster to approve the Finance Committee Donation Report for November 2021. Seconded by Patrick Stensloff. Motion carried unanimously.

Requests: None

VIII. EXECUTIVE SESSION: None

IX. ADMINISTRATIVE /INTERNAL:

1. Finance Committee – FY21 Fourth Quarter Report to the BC
Denise J. Vigue, Executive Assistant to the CFO

Motion by Patrick Stensloff to approve the FY 2021 Fourth Quarter Report to the Business Committee. Seconded by Jennifer Webster. Motion carried unanimously.

X. FOLLOW UP: None

XI. FOR INFORMATION ONLY:

1. FY22 Blkt PO's – Everi & Interblock Slot Machine Leases
David Emerson, Gaming Slots

Motion by Jennifer Webster to accept the FY 2022 Blanket Purchase Order with Everi and Interblock for slot machine leases as FYI. Seconded by Patrick Stensloff. Motion carried unanimously.

2. Fuel Oil Vendor Change (Titledown to True North Energy)

James Petitjean, Int. Asst. Retail GM

James Petitjean explained the Titledown agreement was approved by the Finance Committee this past September; Titledown was bought out by True North Energy; this is a multi-year contract and it is for the Four-Paths location. Patrick noted this will go through the system for approvals so this should be approved and not accepted as an FYI.

Motion by Patrick Stensloff to approve the True North Energy FY22 Purchase Order in the amount of \$6,000,000. Seconded by Jennifer Webster. Motion carried unanimously.

3. Gov't to Gov't Agreement – Town of Oneida

Melinda J. Danforth, Intergovernmental Affairs

Motion by Jennifer Webster to accept the Government to Government Agreement and Payment with the Town of Oneida as FYI. Seconded by Patrick Stensloff. Motion carried unanimously.

XII. ADJOURN: Motion by Patrick Stensloff to adjourn. Seconded by Jennifer Webster.

Motion carried unanimously. Time: 9:25 A.M.

Minutes submitted by:

Denise J. Vigue, Executive Assistant to the CFO

& Finance Committee Contact/Recording Secretary

Finance Committee Approval Date of Minutes via E-Poll: November 15, 2021

Oneida Business Committee Agenda Request

Accept the November 3, 2021, regular Legislative Operating Committee meeting minutes

1. Meeting Date Requested: 11 / 24 / 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
 November 3, 2021
 9:00 a.m.

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

Others Present: Clorissa N. Santiago, Kristen Hooker, Carmen Vanlanen, Brooke Doxtator, Lawrence Barton, Carl Artman, Rhiannon Metoxen (Microsoft Teams), Justin Nishimoto (Microsoft Teams), Michelle Braaten (Microsoft Teams), Jonas Hill (Microsoft Teams), Eric Boulanger (Microsoft Teams), Debra Powless (Microsoft Teams), Keith Doxtator (Microsoft Teams)

I. Call to Order and Approval of the Agenda

David P. Jordan called the November 3, 2021, Legislative Operating Committee meeting to order at 9:00 a.m.

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

II. Minutes to be Approved

1. October 20, 2021 LOC Meeting Minutes

Motion by Marie Summers to approve the October 20, 2021 LOC meeting minutes and forward to the Business Committee for consideration; seconded by Kirby Metoxen. Motion carried unanimously.

III. Current Business

1. Oneida General Welfare Law

Motion by Jennifer Webster to approve the updated draft, legislative analysis, and the fiscal impact statement request memorandum and forward to the Finance Department directing that a fiscal impact statement be prepared and submitted to the LOC by November 18, 2021; seconded by Kirby Metoxen. Motion carried unanimously.

2. Budget Management and Control Law Emergency Amendment

Motion by Jennifer Webster to approve the Budget Management and Control law emergency amendments extensions packet and forward to the Oneida Business Committee for consideration; seconded by Daniel Guzman King. Motion carried unanimously.

Motion by Kirby Metoxen to approve the draft of proposed amendments to the Budget Management and Control law and direct that a legislative analysis be developed; seconded by Jennifer Webster. Motion carried unanimously.



3. Oneida Nation Gaming Ordinance Emergency Amendments

Motion by Jennifer Webster to approve the Oneida Nation Gaming Ordinance emergency amendments extension packet and forward to the Oneida Business Committee for consideration; seconded by Marie Summers. Motion carried unanimously.

IV. New Submissions**1. Elder Assistance Program Law**

Motion by Marie Summers to add the Elder Assistance Program law to the Active Files List with David Jordan as the sponsor; seconded by Jennifer Webster. Motion carried unanimously.

V. Additions**VI. Administrative Items****VII. Executive Session****VIII. Adjourn**

Motion by Marie Summers to adjourn at 9:30 a.m.; seconded by Daniel Guzman King. Motion carried unanimously.

Oneida Business Committee Travel Request

Approve the travel request - Treasurer Tina Danforth - Native American Financial Officers Association...

1. OBC Meeting Date Requested: 11 / 24 / 21 ☐ e-poll requested**2. General Information:**Event Name: Native American Financial Officers Association December Board MeetingEvent Location: Phoenix, AZ Attendee(s): Cristina Danforth, TreasurerDeparture Date: Dec 1, 2021 Attendee(s): Return Date: Dec 3, 2021 Attendee(s): **3. Budget Information:**☐ Funds available in individual travel budget(s)☐ Unbudgeted☒ Grant Funded or ReimbursedCost Estimate: Travel covered by NAFOA**4. Justification:**

Describe the justification of this Travel Request:

Treasurer Danforth, serves as the Chairwoman of the Native American Financial Officers Association (NAFOA) and has been requested to attend the upcoming December NAFOA Board Meeting, December 1 - 3, 2021, Phoenix, AZ

Requested Action:

Approve travel request for Treasurer Danforth to attend the December NAFOA Board Meeting, December 1-3, 2021, Phoenix, AZ. Noting that travel will be covered by NAFO.

5. SubmissionSponsor: Cristina Danforth, Treasurer

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

Enter the e-poll results into the record regarding the approved travel request for Chairman Hill and...

Business Committee Agenda Request

1. Meeting Date Requested: 11/24/21

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 checked="" 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

Lisa A. Liggins

From: Secretary
Sent: Tuesday, November 9, 2021 1:18 PM
To: Secretary; Tehassi Tasi Hill; Brandon L. Yellowbird-Stevens; Cristina S. Danforth; Lisa A. Liggins; Daniel P. Guzman; David P. Jordan; Kirby W. Metoxen; Ethel M. Summers; Jennifer A. Webster
Cc: BC_Agenda_Requests; Danelle A. Wilson; Kristal E. Hill; Rhiannon R. Metoxen
Subject: E-POLL RESULTS: Approve the travel request for Chairman Tehassi Hill and Vice-Chairman Brandon Stevens to attend White House Staff meetings and the Celebration of 2021 NBA Champions Milwaukee Bucks in Washington DC - November 7-9, 2021
Attachments: BCAR Approve the travel request - Chairman TH and Vice-Chairman BYS - WH Staff meetings Celebration of 2021 NBA Champ MKE Bucks - Washington DC - November 7-9, 2021.pdf
Importance: High

E-POLL RESULTS

The e-poll to approve the travel request for Chairman Tehassi Hill and Vice-Chairman Brandon Stevens to attend White House Staff meetings and the Celebration of 2021 NBA Champions Milwaukee Bucks in Washington DC - November 7-9, 2021, has carried. Below are the results:

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

Brooke Doxtator
BCC Supervisor
Business Committee Support Office (BCSO)

office 920.869.4452
fax 920.869.4040

From: Secretary <TribalSecretary@oneidanation.org>
Sent: Friday, November 5, 2021 2:29 PM
To: Tehassi Tasi Hill <thill7@oneidanation.org>; Brandon L. Yellowbird-Stevens <bsteven@oneidanation.org>; Cristina S. Danforth <cdanfor4@oneidanation.org>; Lisa A. Liggins <lliggins@oneidanation.org>; Daniel P. Guzman <dguzman@oneidanation.org>; David P. Jordan <djordan1@oneidanation.org>; Kirby W. Metoxen <KMETOX@oneidanation.org>; Ethel M. Summers <esummer1@oneidanation.org>; Jennifer A. Webster <JWEBSTE1@oneidanation.org>
Cc: Secretary <TribalSecretary@oneidanation.org>; Kristal E. Hill <khill@oneidanation.org>; Rhiannon R. Metoxen <rmetoxe2@oneidanation.org>; Danelle A. Wilson <dwilson1@oneidanation.org>
Subject: E-POLL REQUEST: Approve the travel request for Chairman Tehassi Hill and Vice-Chairman Brandon Stevens to attend White House Staff meetings and the Celebration of 2021 NBA Champions Milwaukee Bucks in Washington DC - November 7-9, 2021
Importance: High

E-POLL REQUEST

Summary:

Chairman Hill and Vice Chairman Stevens were both formally invited by President Biden to attend the Celebration of the 2021 NBA Championship of the Milwaukee Bucks, November 8, 2021. Intergovernmental Affairs Director, is also working on securing meetings Nov. 8 and 9 with White House Staff re ICWA and appropriations.

Justification for E-Poll: The next Business Committee meeting will not take place until November 10, 2021 and this travel will take place prior to the meeting.

Requested Action:

Approve the travel request for Chairman Tehassi Hill and Vice-Chairman Brandon Stevens to attend White House Staff meetings and the Celebration of 2021 NBA Champions Milwaukee Bucks in Washington DC - November 7-9, 2021

Deadline for response:

Responses are due no later than **4:30 p.m., Monday, November 8, 2021.**

**Note: travel arrangements will begin if five (5) votes of support are received.*

Voting:

1. Use the voting button above, if available; OR
2. Reply with "Support" or "Oppose".

Lisa Liggins

Secretary

Oneida Business Committee

Oneida Business Committee Travel Request

1. OBC Meeting Date Requested: 11 / 24 / 21 ☒ e-poll requested

2. General Information:

Event Name: White House Staff Meetings/Celebration of the 2021 NBA Championship of the Milwaukee Bucks

Event Location: Washington, DC

Attendee(s): Tehassi Hill

Departure Date: Nov 7, 2021

Attendee(s): Brandon Stevens

Return Date: Nov 9, 2021

Attendee(s):

3. Budget Information:

☒ Funds available in individual travel budget(s)

☐ Unbudgeted

☐ Grant Funded or Reimbursed

Cost Estimate: \$800 per traveler

4. Justification:

Describe the justification of this Travel Request:

Summary

Chairman Hill and Vice Chairman Stevens were both formally invited by the President to attend the Celebration of the 2021 NBA Championship of the Milwaukee Bucks, November 8, 2021. Intergovernmental Affairs Director, is also working on securing meetings Nov. 8 and 9 with White House Staff re ICWA and appropriations.

Justification: The next Business Committee meeting will not take place until November 10, 2021 and this travel will take place prior to the meeting.

Requested Action:

1. Approve Chairman Hill and Vice Chairman Steven's travel request to Washington D.C., November 7-9, 2021 to meet with White House Staff on various legislation and to attend Celebration of the 2021 NBA Championship of the Milwaukee Bucks.

5. Submission

Sponsor: Tehassi Hill, Chairman

- 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

Brandon L. Yellowbird-Stevens

From: The White House Social Office RSVP <SocialOfficeRSVP@WHO.eop.gov>
Sent: Friday, November 5, 2021 12:14 PM
To: Brandon L. Yellowbird-Stevens
Subject: Invitation from The President for the celebration of the 2021 NBA Champions the Milwaukee Bucks on Monday, November 8

Dear Vice Chair Stevens,

Please see your invitation below for the celebration of the 2021 NBA Champions the Milwaukee Bucks on Monday, November 8, 2021 at 2:45 p.m. This invitation is individual to the recipient and non-transferable. **Please accept or regret using the linked invitation below.**

If you RSVP as attending, you will receive a follow-up email with access details and entry instructions. Please be prepared to arrive to the White House at 1:30 p.m. for COVID-19 testing and remain on complex until the event concludes.



*Washington, D.C. currently has a SUBSTANTIAL level of community transmission as defined by the CDC. As a result, the White House will require all individuals to wear a mask at all times when on campus. Fully vaccinated individuals (at least two weeks after the final dose) will not be required to wear a mask when outside only.

In order to ensure adequate health and safety protocols at the White House, all guests should indicate whether they are fully vaccinated when they respond using the linked invitation. In accordance with White House health and safety

policies, and consistent with guidance from the Centers for Disease Control and Prevention (CDC), all guests who are unvaccinated, partially vaccinated, or who decline to indicate whether they are fully vaccinated will be required to wear a mask at all times while on White House grounds and maintain proper social distancing. By submitting the information requested through this portal, you understand that the White House will share this information internally with relevant White House offices in order to coordinate appropriate public health and safety measures for this event.

You are considered “fully vaccinated” two weeks after completing the second dose of a two-dose COVID-19 vaccine (e.g., Pfizer or Moderna) or two weeks after receiving a single dose of a one-dose vaccine (e.g., Johnson & Johnson/Janssen).

If you have any questions regarding COVID-19 guidelines and protocols, please contact covid-ops@who.eop.gov.

Tehassi Tasi Hill

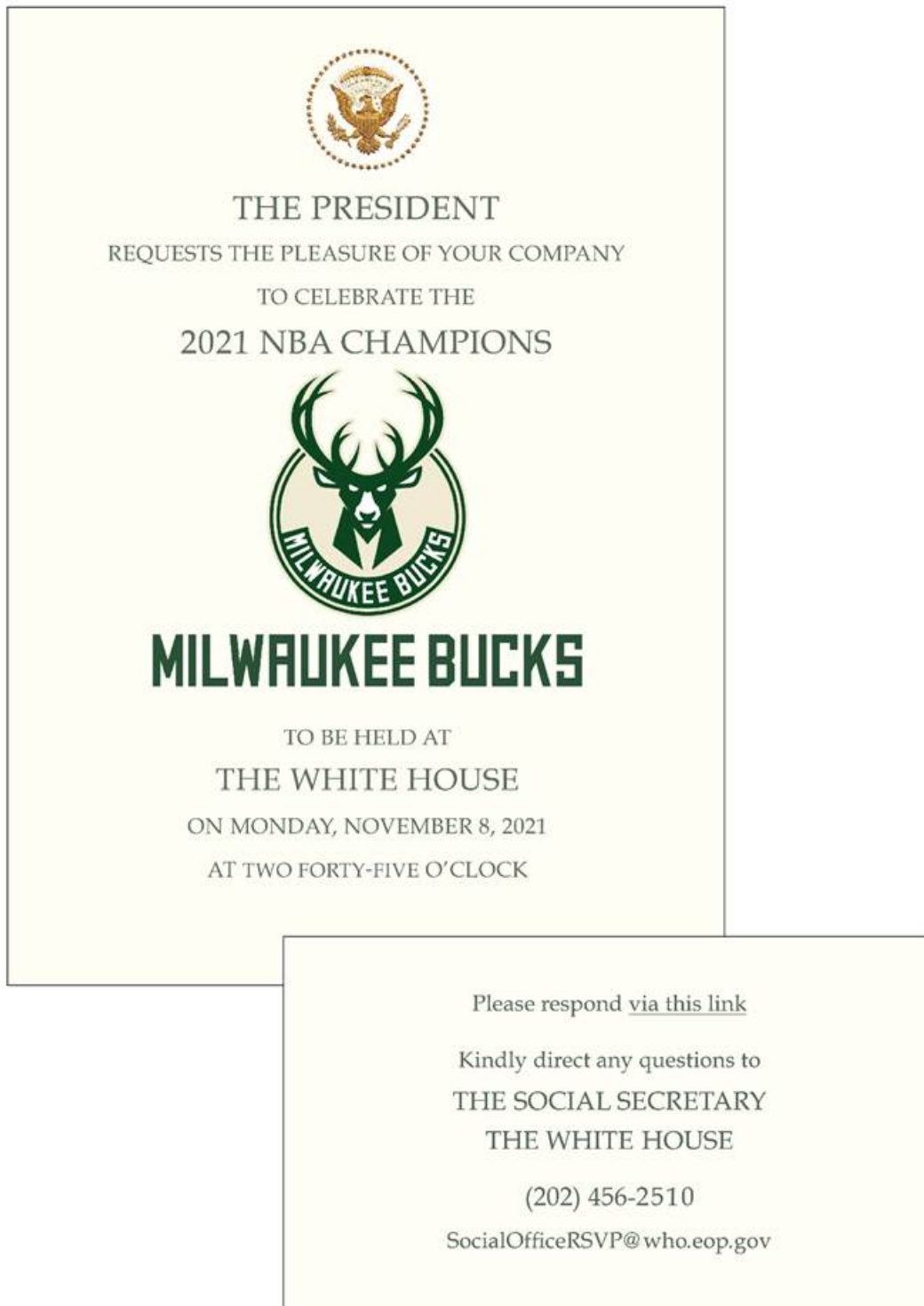
From: The White House Social Office RSVP <SocialOfficeRSVP@WHO.eop.gov>
Sent: Friday, November 5, 2021 12:14 PM
To: Tehassi Tasi Hill
Subject: Invitation from The President for the celebration of the 2021 NBA Champions the Milwaukee Bucks on Monday, November 8

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Dear Chairman Hill,

Please see your invitation below for the celebration of the 2021 NBA Champions the Milwaukee Bucks on Monday, November 8, 2021 at 2:45 p.m. This invitation is individual to the recipient and non-transferable. **Please accept or regret using the linked invitation below.**

If you RSVP as attending, you will receive a follow-up email with access details and entry instructions. Please be prepared to arrive to the White House at 1:30 p.m. for COVID-19 testing and remain on complex until the event concludes.



*Washington, D.C. currently has a SUBSTANTIAL level of community transmission as defined by the CDC. As a result, the White House will require all individuals to wear a mask at all times when on campus. Fully vaccinated individuals (at least two weeks after the final dose) will not be required to wear a mask when outside only.

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policies, and consistent with guidance from the Centers for Disease Control and Prevention (CDC), all guests who are unvaccinated, partially vaccinated, or who decline to indicate whether they are fully vaccinated will be required to wear a mask at all times while on White House grounds and maintain proper social distancing. By submitting the information requested through this portal, you understand that the White House will share this information internally with relevant White House offices in order to coordinate appropriate public health and safety measures for this event.

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If you have any questions regarding COVID-19 guidelines and protocols, please contact covid-ops@who.eop.gov.

Oneida Business Committee Agenda Request

Approve a limited waiver of sovereign immunity - Brown County Solid Waste Management Services...

1. Meeting Date Requested: 11 / 24 / 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:

Requesting approval to waive Sovereign Immunity for the Brown County Solid Waste Management Services Agreement. Also need to identify the person or department responsible for receipt of notice in section 12, Page 9.

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

Authorized Sponsor / Liaison:

Primary Requestor/Submitter:

Your Name, Title / Dept. or Tribal Member

Additional Requestor:

Mark W. Powless

Name, Title / Dept.

Digitally signed by Mark W. Powless
Date: 2021.11.04 09:02:21 -05'00'

Additional Requestor:

Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

With this agreement Brown County agrees to accept all of the Oneida Nation's collected and/or contracted collections of residential, industrial, and commercial Solid Waste and Recycling. This agreement will be ten (10) years with automatic renewal for five (5) years each until landfill is no longer in use or gets written notice from the Oneida Nation to the board.

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

ONEIDA LAW OFFICE**CONFIDENTIAL: ATTORNEY/CLIENT WORK PRODUCT**

TO: Brenda L. Skenandore
Environmental Health & Safety

Use this number on future correspondence:

FROM: James R. Bittorf, Deputy Chief Counsel

2021-0762

James R. Bittorf Digitally signed by James R. Bittorf
Date: 2021.10.26 16:27:36 -05'00'

DATE: October 26, 2021

RE: Brown County-Solid Waste Management Services
Agreement

Purchasing Department Use

Contract Approved

Contract Not Approved

(see attached explanation)

If you have any questions or comments regarding this review, please call 869-4327.

The attached agreement, contract, policy and/or guaranty has been reviewed by the Oneida Law Office for legal content only. Please note the following:

1. Please confirm that this activity complies with the Public Health Declaration and any orders issued by the COVID-19 Decision Making Team and/or Public Health Officer.
 2. Please review for compliance with FY 2021 budget resolution prior to entering into said contract.
- The document is in appropriate legal form. *(Execution is a management decision.)*
 - Agreement requires Business Committee approval prior to execution because it contains a waiver of sovereign immunity. Specifically, section 11 states that “[s]hould either party breach any provision of this Agreement, the other party may pursue the legal and equitable remedies available to it for the breach of this Agreement.” In addition, section 16 provides that “[t]he civil and regulatory laws, ordinances and regulations of Brown County and other municipalities in Brown County, which currently apply and are in force and effect or may in the future be adopted, with respect to the subject matter of this Agreement, and matters which are necessarily related, shall continue in force and effect and be enforced in the usual manner in tribal courts and state circuit courts, with regard to enforcement or interpretation of this Agreement.” Section 16 also provides that the “Agreement shall be interpreted and applied pursuant to the laws of the State of Wisconsin, and any legal dispute arising hereunder shall be venued in Brown County Circuit Court.”

Note: The Nation must identify person or department responsible for receipt of notice in section 12.

Solid Waste Management Services Agreement

This Solid Waste Management Services Agreement (the "Agreement"), made and entered into this _____ day of _____, 20____ by and between Brown County, Wisconsin, a Wisconsin body corporate ("Brown County"), through its Port & Resource Recovery Department and the Oneida Nation (the "Oneida Nation" or "Nation"), a federally recognized Indian tribe. Brown County and the Oneida Nation shall collectively be referred to herein as "the Parties." Capitalized terms used in this Agreement are defined in Section 1.

WITNESSETH:

WHEREAS, Brown County desires to enter into an Agreement with the Oneida Nation for the provision of long-term Solid Waste Management Services on the terms and subject to the conditions provided herein, such services to include the storage, transfer, source separation, processing, treatment, recovery and disposal of Solid Waste, Recycling and Household Hazardous Waste ("Solid Waste Management Services"); and,

WHEREAS, this Agreement combines and replaces the existing Solid Waste Management Services Agreement and the Municipal Recycling Agreement; and,

WHEREAS, the Oneida Nation wishes to have Brown County provide such long-term Solid Waste Management Services at a low cost; and,

WHEREAS, in 1975 the Brown County Solid Waste Department (now the Brown County Port & Resource Recovery Department) and the Brown County Solid Waste Board were created to provide solid waste management services and facilities designed to demonstrate the availability of, and access to, sufficient economically and environmentally sound Solid Waste disposal capacity for Solid Waste generated within the Brown County Solid Waste Management System for municipalities of Brown County; and,

WHEREAS, Brown County in 2002 signed the Brown, Outagamie and Winnebago County Solid Waste Partnership Agreement ("BOW Agreement") covering 25 years or until the South Landfill closes to share landfill disposal services and to construct engineered sanitary landfills that meet both the federal design standards of the Resource Conservation and Recovery Act ("RCRA"), Subtitle D and Wisconsin Department of Natural Resources standards; and,

WHEREAS, in 2009 Brown, Outagamie and Winnebago Counties jointly constructed a single-stream Material Recovery Facility to process and separate recyclable materials collected by municipalities within the three counties; and,

WHEREAS, Brown County has established a multi-tiered Solid Waste and Recycling Tipping Fee system that provides a Preferred Rate to Municipalities utilizing the Brown County Solid Waste Management System; and,

WHEREAS, persons receiving Solid Waste Management Services not performed pursuant to this Agreement will be subject to the Gate Rate; and,

WHEREAS, pursuant to Brown County Code, § 12.01(4), Brown County has the legal responsibility to act as the policy making body for the Port & Resource Recovery Department and “shall keep abreast of the latest techniques, procedures and methods that may be developed in solid waste management,” and therefore, the Oneida Nation can propose an emerging solid waste management technology concept for consideration at any meeting of the Brown County Solid Waste Board; and

WHEREAS, Brown County and the Oneida Nation agree that the mutual obligation and purpose of this Agreement is to establish a low-cost Preferred Rate, with appropriate adjustments, at Brown County’s landfill, transfer stations or designee for all solid waste and residential curbside recycling generated by the Oneida Nation, and to guarantee the delivery of all of the Oneida Nation’s solid waste and recycling, over which it has control as stipulated within the Oneida Nation’s Recycling Ordinance, to Brown County for appropriate disposal;

NOW, THEREFORE, in consideration of the mutual covenants of the parties hereinafter set forth, the receipt and sufficiency of which are hereby acknowledged by each party, the Board and the Oneida Nation agree as follows:

1. DEFINITIONS – For purposes of this Agreement, the following terms shall be defined as follows:

- A. “Additional Services” means the following services, the payment for which is not included in Tipping Fees: Household Hazardous Waste, Sharps Disposal Services, Electronic Recycling, Tire Recycling, Appliance Recycling, Scrap Metal Recycling, Food Waste Recovery and such other resource recovery services as may be offered from time to time as conditions and markets warrant.
- B. “Board” refers to the Solid Waste Board which was established by the Brown County Board under Sec. 59.07(135) (now Sec. 59.70(2), Wis. Stats.) with powers defined hereunder and in Chapter 12 of the Brown County code.
- C. “BOW Agreement” refers to the Intergovernmental Solid Waste Disposal Agreement for Brown, Outagamie and Winnebago Counties.
- D. “Designated Drop-Off Location” means the Landfill, Solid Waste Transfer Station, Recycling Transfer Station or other final disposal destination designated by Brown County as the location for Solid Waste and Recycling to be delivered pursuant to this Agreement.
- E. “Director” means the Director of the Brown County Port & Resource Recovery Department or their designee.
- F. “Force Majeure” means an act of God; strikes or other industrial disturbances; acts of public enemy; acts of terrorism; blockades; wars; insurrections or riots; epidemics and

pandemics; landslides; earthquakes; fires; storms; floods or washouts; civil disturbances; or explosions.

- G. “Gate Rate” means a Tipping Fee charged for the acceptance of solid waste or recycling not subject to any agreement.
- H. “Hazardous Waste” means waste defined as hazardous waste by Chapter 291 of the Wisconsin Statutes and the Chapter NR 600 Series of the Wisconsin Administrative Code, as may be amended from time to time.
- I. “Host Community” means the town of Holland (Stock Landfill site) in Brown County or Outagamie County or Winnebago County designated disposal locations where the Board has received WDNR landfill siting approvals to build and operate a landfill or other solid waste treatment facilities.
- J. “Host Community Agreement” means an agreement between the Board and the Host Community which describes and defines the obligations and responsibilities of the parties.
- K. “Landfill” means the designated BOW landfill facility in use during the period of this Agreement which includes the Outagamie County East landfill (and its Northeast expansion) and the Brown County South landfill which are subject to the BOW Agreement.
- L. “Recyclable Materials” are those materials designated in Wis. Stats. 287.07 (3) as banned from solid waste disposal and identified in Exhibits D and E and which include plastic bottles, aluminum cans, steel cans, glass bottles, cardboard and paper.
- M. “Recycling” means the transfer, transporting, processing, marketing and conversion of solid wastes into usable materials or products and includes the stockpiling and disposal of non-usable portions of solid wastes but does not include the collection of solid wastes.
- N. “Responsible Unit” means a municipality, county, another unit of government, including a federally recognized Indian tribe or band in this state, or solid waste management system under s. 59.70 (2), that is designated under s. 287.09 (1).
- O. “Plan of Operation” means that certain Plan of Operation approved by the State of Wisconsin for the Landfill.
- P. “Preferred Rate” means the lowest rate among the multi-tiered Tipping Fees offered.
- Q. “Solid Waste” means waste defined as solid waste by Chapter 289 of the Wisconsin Statutes and the Chapter NR 500 series of the Wisconsin Administrative Code, as may be amended from time to time.

- R. "Solid Waste Reduction Measures" means recycling or other measures taken by the Oneida Nation to reduce the amount of Solid Waste generated by the Nation.
 - S. "Tipping Fee" means the per ton rate established by the Board for the disposal, recycling, salvage or beneficial use of delivered Solid Waste and Recycling and includes both the Preferred Rate and the Gate Rate. The Board may establish different Tipping Fees for the disposal, salvage or beneficial use of other types of materials, including but not limited to, petroleum contaminated soil, asbestos, special wastes, foundry sands, construction and demolition debris, appliances, tires and batteries.
 - T. "Solid Waste Transfer Station" means a building located at 3734 West Mason Street established to transfer Solid Waste to the receiving Landfill.
 - U. "Recycling Transfer Station" means a building located at 2561 S. Broadway established to transfer recyclable material to the Tri-County Material Recovery Facility.
2. This Agreement supersedes all previous Solid Waste Management Services agreements between the Oneida Nation and the Board.
3. **TERM** – The initial term of this Agreement will be ten (10) years commencing on the date of signature by the Oneida Nation. Upon the expiration of the Initial Term, this Agreement will automatically renew for additional consecutive terms of five years each (each a "Renewal Term" and, collectively with the Initial Term, the "Term") until the Landfill is no longer in use or unless either Party hereto gives written notice to the other at least 180 days prior to the end of the Initial Term or the then current Renewal Term, in which case this Agreement shall terminate at the end of the Initial Term or such then current Renewal Term.
4. **BROWN COUNTY RESPONSIBILITIES** – The Board agrees to the following:
- A. Subject to the terms of this Agreement, Brown County agrees to accept all of the Oneida Nation's collected and/or contracted collections of residential, industrial and commercial Solid Waste and Recycling, provided such material is of a kind or nature that may be legally accepted at the Designated Drop-Off Locations.
 - B. The Brown County Solid Waste Transfer Station at 3734 W. Mason Street in the village of Hobart, Wisconsin will accept Solid Waste for transport to the Landfill or a temporary alternative disposal drop-off location mutually agreed upon by the Parties, if an emergency condition warrants. Brown County will accept only Solid Waste approved for disposal pursuant to Wisconsin Department of Natural Resources policies, the Landfill's license and approved Plan of Operation, and Wisconsin Administrative Code.
 - C. The Brown County South Landfill at 1258 Mill Road (County IL) in the town of Holland, Wisconsin will accept Solid Waste approved for disposal pursuant to Wisconsin Department of Natural Resources policies, the Landfill's license and approved Plan of Operation, and Wisconsin Administrative Code.

- D. The Brown County Recycling Transfer Station at 2561 S. Broadway in the village of Ashwaubenon, Wisconsin will accept all recyclable materials generated by the Oneida Nation through its residential curbside recycling program for transport to the Tri-County Material Recovery Facility (MRF) for processing according to all State Regulations. Acceptable materials are those materials designated in Wis. Stats. 287.07 (3) as banned from solid waste disposal as noted in Exhibits D & E and include plastic bottles, aluminum cans, steel cans, glass bottles, cardboard and paper. Upon delivery to the Brown County Recycling Transfer Station, and acceptance by Brown County, title to all such recyclable materials shall pass from the Oneida Nation to Brown County. Brown County reserves the right to add or modify the materials it accepts based upon available markets. The County will give three (3) months written notice prior to accepting or not accepting a material that is not required by the WDNR.
- DI. Brown County will make available to the Nation certain Additional Services such as Household Hazardous Waste Disposal and Sharps Disposal which Brown County deems necessary to augment Solid Waste disposal. All or part of the cost of any Additional Services may be subsidized by Landfill Tipping Fees at Brown County's sole discretion.
- DII. Brown County shall provide a certified scale to facilitate proper billing on a per ton basis.
- DIII. Brown County agrees to meet with Municipalities and the Oneida Nation in June of each year, and at other times as needed throughout the year, to discuss operations, budgets and alternative solid waste management opportunities.
- DIV. Brown County and the Oneida Nation shall endeavor to cooperate, for so long as they both agree, to investigate emerging solid waste management technologies that may be economically and environmentally beneficial to each and, in the event Brown County and the Nation mutually agree, plan, budget and fund the development and implementation of such technologies so that the economic costs and benefits resulting from such technologies are shared between Brown County and the Nation. Any such arrangement for the investigation, planning, budgeting and funding for the development and implementation of such technologies, as well as sharing the economic costs and benefits of such technologies, shall be pursuant to a separate and supplemental validly signed written agreement between Brown County and the Nation.
- DV. In the event that Brown County, without the assistance of the Nation, implements new solid waste management technologies, Brown County may undertake a financial review of the economic benefits and costs and consider, in Brown County's sole discretion, whether such benefits necessitate the renegotiation of the terms and conditions of the BOW Agreement; provided that, any such renegotiation must be in accordance with the terms of the BOW Agreement.
- DVI. Brown County agrees to provide disposal or recycling services for other materials as listed in Exhibit C and Exhibit F for a separate fee. These materials and fees will be set on an annual basis depending on the availability of markets.

5. ONEIDA RESPONSIBILITIES – the Oneida Nation agrees to the following:

- A. Unless otherwise authorized in writing by the Director, the Nation agrees to deliver all collected and/or contracted collections of acceptable Solid Waste and Recyclable Materials under control of the Nation and generated by the Nation and its constituents or residents for the term of this Agreement to the Designated Drop Off Locations. Acceptable Solid Waste types are shown in Exhibit A; unacceptable Solid Waste types are shown in Exhibit B; acceptable Recyclable Materials are shown in Exhibit D. Construction debris and excavation material generated by an agreement with a private vendor that may be used as clean fill elsewhere is exempt from this Agreement. Brown County recognizes that Solid Waste Reduction Measures may result in reductions in total annual tonnage received from the Nation.
- B. The Nation will pay the Preferred Rate on a per ton basis for all Solid Waste delivered to and accepted by Brown County pursuant to this Agreement.
- C. The Nation shall be responsible for disposal of, and all associated costs for handling, unacceptable waste delivered to and rejected by the Designated Drop-Off Location. If unacceptable waste is delivered to the Designated Drop-Off Location, the Director or designee shall notify the Nation to have the waste removed, transported and disposed in accordance with all applicable laws. If the Nation does not make arrangements to remove the waste within six (6) hours of said notice, in a manner to the satisfaction of Brown County at its sole discretion, then Brown County may, but is not obligated to, manage the waste at its discretion and at the Nation's sole expense. The Nation is responsible for any and all costs associated with limiting the Designated Drop-Off Location operation and/or for any other Designated Drop-Off Location users' additional costs associated with the user's inability to use the Designated Drop-Off Location due to unacceptable waste delivered to the Designated Drop-Off Location by the Nation. The Nation shall indemnify and hold harmless Brown County for any costs and/or damages incurred as a result of the Nation's failure to comply with this subsection of Section Five of this Agreement.
Notwithstanding any other portions of this Agreement, nothing contained herein is intended to waive or estop the Nation or its insurers from relying upon the limitations, defenses, and immunities contained within Sections 345.05 and 893.80, Wis. Stats. To the extent that indemnification is available and enforceable, the Nation or its insurers shall not be liable in indemnity, contribution, or otherwise for an amount greater than the limits of liability of municipal claims established under Wisconsin law.
- D. The Nation shall require all vehicles transporting Solid Waste delivered pursuant to this Agreement to transport such wastes in enclosed trucks, trailers, or vehicles, or shall cover the Solid Waste with a secure tarpaulin. The Nation shall not permit or fail to adequately prevent any Solid Waste material from falling out or off of, or blowing out or off of, any vehicle transporting Solid Waste for the Nation.

- E. The Nation will ensure that all third-party contracts negotiated for the collection and hauling of municipally collected recyclables under control of the Nation require delivery of all such material to Brown County.
- F. The Nation shall retain its RU status as defined by the WDNR. The Nation shall be required to insure it meets all obligations of this status and perform as required tasks such as enforcement, education, etc.
- G. The Nation agrees to take necessary steps to ensure high level quality for the recyclable material it collects and delivers to Brown County's facility. These steps may include, but are not limited to education, cart/bin inspections, rejecting material curbside, etc. Brown County reserves the right to reject poor quality loads at the Nation's expense.
- H. The Nation will limit the compaction of its recycling loads by using suitably designed collection routes and appropriately sized collection vehicles that limit compaction to no more than 600 lbs/cy. The Nation is responsible for providing all necessary collection carts, bins and vehicles in order to properly manage its recycling collection program.

6. TIPPING FEES – Tipping Fees for Solid Waste and Recycling will be set separately as follows:

- A. **SOLID WASTE TIPPING FEE** - The initial Preferred Rate and the Gate Rate of the Solid Waste Tipping Fees for this Agreement shall be identified in Attachment #1. The Solid Waste Tipping Fees (both Preferred Rate and Gate Rate) may be adjusted on January 1 of each year at Brown County's discretion. Except as noted in Attachment #2 Schedule for Utilization of the Rate Stabilization Fund, the Solid Waste Tipping Fees may annually increase by not more than the annual change from May to May of the Consumer Price Index, for all Urban Wage Earners and Clerical Workers (CPI-W). In addition to the CPI-W adjustment, the Solid Waste Tipping Fee may also be increased as a direct result of (i) a Federal or State mandated capital project; (ii) an increase in State imposed tipping fee surcharges; (iii) an act or event beyond the reasonable control of Brown County; (iv) an increase in fees associated with the Host Community Fees; or (v) an increase or decrease in tonnage at the Designated Drop-Off Location. In the event there is an unanticipated major capital construction project, Brown County has the ability to approach the Oneida Nation for a Solid Waste Tipping Fee increase.
- B. **RECYCLING TIPPING FEE** - Brown County agrees to calculate a Recycling Tipping Fee each month based upon operating costs and current market conditions. If at any time the cost of processing materials exceeds revenue, a rate per ton may be assessed to the Oneida Nation. Furthermore, if revenues exceed the operational cost Brown County may pay Oneida Nation a rate per ton for collected materials.

7. OPERATING DAYS AND HOURS – Brown County agrees to receive the Nation’s material at the Designated Drop-Off Locations during regular operations:

Solid Waste Transfer Station

Regular Hours:

January 1st - March 31st

Mon. - Fri. 7:30 am - 4:00 pm

Sat. 7:30 am - noon

April 1st - December 31st

Mon. - Fri. 7:00 am – 4:00 pm

Sat. 7:00 am – 2:00 pm

South Landfill

Regular Hours:

Mon. - Fri. 7:30 am - 5:00 pm

Sat. 7:30 am – 12:30 pm

Recycling Transfer Station

Regular Hours:

Mon. - Fri. 7:30 am - 4:00 pm

Brown County reserves the right to alter the regular operating hours as deemed necessary by Brown County. Brown County will provide reasonable notification to the Nation of any change in regular operating hours.

If a holiday occurs during a week, the Director agrees to provide a reasonable period of operating hours for the Designated Drop-Off Location to accommodate the holiday. Nothing in this section shall preclude the Director from closing the Designated Drop-Off Location during inclement weather, such as days with high winds or any day that makes the disposal of wastes under existing state law unacceptable to Brown County. The Parties agree that the Director may extend or limit the aforementioned hours at the Director’s sole discretion.

The Oneida Nation may, with at least twenty-four (24) hours’ notice, request the Director to extend normal operating hours. The Nation agrees to pay an hourly rate established by Brown County for extended hours.

8. PENALTIES – the Nation is obligated to deliver all Solid Waste and Recyclable Brown County, as provided in Section 5. In the event that the Nation diverts Solid Waste treatment or disposal to a facility owned or operated by a person other than Brown County, a penalty shall be assessed to offset the losses incurred by Brown County. The total penalty shall be calculated based on the amount of tonnage diverted in a year, multiplied by the Preferred Rate. The penalty will be assessed at the end of each Agreement year and shall be promptly paid by the Nation. Penalties shall not be assessed for the reduction of Solid Waste delivery due to SolidWaste Reduction Measures.

9. FORCE MAJEURE – Should Brown County or the Nation be delayed or prevented in whole or in part from performing any obligation or condition hereunder by reason of or as a result of any Force Majeure, Brown County or the Nation shall be excused from performing such obligations or conditions while Brown County or the Nation is so delayed or prevented

and for ten (10) days thereafter. The Director shall use best efforts to arrange for the Nation's Solid Waste to be accepted for disposal at another landfill or Recyclable Materials at another Material Recovery Facility during any Force Majeure event that prevents normal operations at the Designated Drop-Off Locations.

10. ASSIGNMENT – The Parties shall not assign or transfer any interest or obligation in this Agreement, whether by assignment or notation, without the prior written consent of the Director.

11. DEFAULT – Should either party breach any provision of this Agreement, the other party may pursue the legal and equitable remedies available to it for the breach of this Agreement. The breaching party must cure the breach within ten (10) working days of its actual notice of breach or this Agreement may be terminated by the other party upon thirty (30) days written notice of the failure to cure the breach.

12. NOTICE – A letter addressed and sent by certified United States mail to either party at its business address shown hereinafter shall be sufficient notice whenever required for any purpose in this Agreement.

Brown County Port & Resource Recovery Department
2561 South Broadway
Green Bay, WI 54304

13. DAMAGES – The Nation shall pay Brown County for any damages, fees, expenses, costs, penalties, fines, whatsoever incurred by Brown County as a result of the nation's delivery of materials which fail to meet the standards identified in the Plan of Operation or Exhibit A of this Agreement, as may be amended from time to time as provided for in Section 4 hereof. The Nation shall also pay Brown County the penalties, if any, called for by Section 8 hereof, and such penalties shall be in addition to and not in lieu of other damages.

14. TERMINATION

This Agreement is null and void if Brown County determines not to renew the BOW Agreement for consecutive 25-year terms, or if the Brown County South Landfill reaches capacity.

The Nation may terminate this agreement upon ninety (90) day written notice if Brown County raises Solid Waste Tipping Fees beyond the allowable CPI-W adjustment for reasons not contemplated in Paragraph 6 of this Agreement.

15. SEVERABILITY – If any one (1) or more of the provisions contained in this Agreement shall, for any reason, be held to be invalid, illegal, or unenforceable in any respect, such illegality or unenforceability shall not affect the legality or enforceability of any other provision of this Agreement.

16. APPLICABLE LAW – The civil and regulatory laws, ordinances and regulations of Brown County and other municipalities in Brown County, which currently apply and are in force and

effect or may in the future be adopted, with respect to the subject matter of this Agreement, and matters which are necessarily related, shall continue in force and effect and be enforced in the usual manner in tribal court and state circuit courts, with regard to enforcement or interpretation of this Agreement. This provision shall continue for the term of this Agreement.

Any future Brown County ordinances that affect the Solid Waste Management System, and any future civil and regulatory laws, ordinances and regulations of other municipalities in Brown County, may result in an addendum to this Agreement.

This Agreement shall be interpreted and applied pursuant to the laws of the State of Wisconsin, and any legal dispute arising hereunder shall be venued in Brown County Circuit Court.

17. HOLD HARMLESS – Brown County agrees to defend, indemnify, save and hold harmless the Nation, its elected and appointed officials, officers, employees and agents, representatives and volunteers and each of them from and against any and all suits, actions, legal or administrative proceedings, claims, damages, liabilities, interest, attorneys fees, costs and expenses of whatsoever kind of natured in any manner directly caused, occasioned, or contributed to in whole or in part or claimed to be causes, occasioned or contributed to in whole or in part, arising or claimed to arise from implementation and operation of this Agreement when such liability, damage, loss, claim, demand, or action is based upon any illegal solid waste flow control or any allegation of Federal or State Anti-Trust or Commerce clause violations. The obligation to indemnify, defend and hold harmless the Nation, its elected and appointed officials, officers, employees, agents, representatives and volunteers, and each of them, shall be applicable except to the extent that liability results from the negligence or intentional actions or inactions of the Nation, its elected and appointed officials, officers, employees, agents, representatives and volunteers. It is the intent of this clause that Brown County will defend or pay the defense expenses of the Nation and reimburse the Nation for cost incurred, including damages, fines, fees, judgments, forfeitures, and any other cost imposed by virtue of claims made or litigation commenced against the Nation when such claim or litigation is based upon the above. Nothing in this Section 17 is intended to waive or affect any other right, title, interest, defense or claim to other legal or equitable relief of the Parties, all such rights, claims and defenses being expressly reserved, including the right to seek contribution under the federal Comprehensive Environmental Response, Compensation, and Liability Act and counterpart state law. This indemnity provision shall survive the termination or expiration of this Agreement

[Signature page follows]

IN WITNESS WHEREOF, the undersigned have set their hands and seals the day and year first above written.

Brown County Executive

Oneida Nation

Brown County Port & Resource Recovery
Director

(Oneida Official)

(Title)

Attachment #1

This Attachment #1 is incorporated into and made a part of the Agreement by this reference.

The Solid Waste Preferred Rate tipping fee for 2022 is \$47.82/ton; the Solid Waste Gate Rate is \$53.00/ton. The Recycling Tipping Fee is set each month based on market conditions. Solid Waste Management Services not performed pursuant to this Agreement will be subject to the Gate Rate. Future Tipping Fees will be established by the Board under the terms of the Agreement.

Attachment #2

This Attachment #2 is incorporated into and made a part of the Agreement by this reference.

The Brown County Rate Stabilization Fund was established in the 2013 Budget in an effort to reduce the occurrence of major tipping fee increases in any one budget year. The Fund will be used to mitigate the expected \$8/ton increase in tipping fees for municipal customers due to the openings of the Brown County South Landfill in 2022 and the Outagamie County Northwest Landfill in 2024 to allow for an incremental increase in the municipal Preferred Contract Rate. The initial cost increase is estimated at \$8.00/ton not including CPI in the first five years. Brown County will use its Rate Stabilization Fund to incrementally increase the Preferred Rate by \$1.50 per ton each year not including CPI increases. After Year 2, the County will reevaluate costs and adjust the Rate Stabilization Funds usage to recognize actual costs and discuss with the customer any tipping fee increase necessary beyond CPI. The targeted amount of the fund was \$1 million. At the time of this Agreement, Brown County had a fund balance of \$1.1 million in the account.

Schedule for Utilization of the Rate Stabilization Fund

5-year TIP Fee Increase	2021	2022	2023	2024	2025	2026	Total
Estimated Annual Tonnage	85,000	85,000	85,000	85,000	85,000	85,000	
Stabilized Annual Tip Fee Increase	\$ -	\$ 1.50	\$ 1.50	\$ 1.50	\$ 1.50	\$ 1.50	\$ 7.50
Annual CPI Increase	\$ 0.23	\$ 2.48	\$ 0.50	\$ 0.50	\$ 0.50	\$ 0.50	\$ 4.48
Total Annual Tip Fee Increase	\$ 0.23	\$ 3.98	\$ 2.00	\$ 2.00	\$ 2.00	\$ 2.00	\$ 11.98
Annual Tip Fee w/Rate Stabilization (Estimate)	\$ 43.84	\$ 47.82	\$ 49.82	\$ 51.82	\$ 53.82	\$ 55.82	
Annual Tip Fee w/o Rate Stabilization (Estimate)	\$ 43.84	\$ 51.82	\$ 52.32	\$ 55.32	\$ 55.82	\$ 56.32	
Stabilization Rate		\$ 4.00	\$ 2.50	\$ 3.50	\$ 2.00	\$ 0.50	
Rate Stabilization Fund Usage		\$ 340,000	\$ 212,500	\$ 297,500	\$ 170,000	\$ 42,500	\$ 1,062,500

Exhibit A

Acceptable Solid Waste – Solid Waste Transfer Station and/or Landfill

1. Residential waste, refuse and garbage. (Transfer Station and/or Landfill)
2. Large items, except those identified in Exhibit B (Transfer Station and/or Landfill)
3. Commercial Waste (Transfer Station and/or Landfill)
4. Industrial Waste, except those listed in Exhibit B (Transfer Station and/or Landfill)
5. Construction and Demolition Waste (Transfer Station and/or Landfill)
6. Special Waste as approved by Brown County (Landfill)

Exhibit B

Unacceptable Solid Waste

1. Liquid waste
2. All industrial process waste unless approved in advance by the Director in writing
3. Hazardous waste (toxic, corrosive, reactive, or flammable)
4. Automobile hulks
5. Septic tank waste
6. Yard waste
7. Asbestos, unless approved in advance by the Director in writing
8. Incinerator residue, unless approved in advance by the Director in writing
9. Contaminated soil, unless approved in advance by the Director in writing
10. Gasoline, Diesel or other fuel tanks unless approved in advance by the Director in writing
11. Radioactive, biological or infectious waste

Exhibit C

Solid waste accepted at Transfer Station or Landfill for recycling

1. Household appliances
2. Vehicle batteries
3. Vehicle tires
4. Scrap metal

Exhibit D

Acceptable Recyclable Material – Recycling Transfer Station

1. Aluminum Cans and Bottles
2. Steel and Bi-Metal Cans
3. Metal Lids and Caps
4. Empty Aerosol Cans, not Containing a Pesticide
5. All Plastic Household Bottles, Jugs and Containers
6. Green Glass Containers
7. Brown Glass Containers
8. Clear (Flint) Glass Containers
9. Newspapers (ONP) and Inserts
10. Phone Books, Catalogs and Magazines
11. Books, both Hardcover and Softcover
12. Paperboard (Cereal, Cracker, Soda Boxes, etc.)
13. Dairy and Frozen Food Boxes
14. Mixed Office and Writing Paper
15. Corrugated Cardboard (OCC)
16. Junk Mail and Envelopes
17. Brown Paper Bags
18. Shredded Paper
19. Aseptic Cartons and Gable Topped Cartons
20. Other Recyclable Commodities as Agreed in Writing

Exhibit E

Additional Recycling Quality Requirements

In addition to the standards set forth above, Recyclable Materials must be of such quality and nature as not to:

1. Be delivered in plastic bags (minimal amounts of plastic bags are acceptable, however, Supplier will continually educate their customers not to use plastic bags), or
2. Be overly compacted (average density computed for all semi-trailer loads delivered in a specific calendar month may be up to 300 pounds/cubic yard, with no individual load being more dense than 600 pounds/cubic yard); or
3. Materially impair the strength or the durability of the MRF structures or equipment; or
4. Create flammable or explosive conditions in the MRF; or
5. Contain material that is on fire, smoldering, or potentially flammable; or
6. Contain chemical or other properties which are deleterious or capable of causing material damage to any part of the MRF, its personnel or the public; or
7. Include any hazardous or toxic substances as defined by applicable federal or state regulations, or any medical waste.

Exhibit F

2022 BROWN COUNTY PORT & RESOURCE RECOVERY RATES & FEES

WASTE DISPOSAL & RESOURCE RECOVERY			
		FEE	UNIT
Regular Refuse - Brown County Waste Transfer Station and South Landfill			
	Preferred Contract Rate Tipping Fee	\$47.83	Per Ton
	Contract Rate Tipping Fee	\$50.65	Per Ton
	Gate Rate Tipping Fee	\$53.00	Per Ton
	Minimum Fee	\$24.00	Each Load
	Waste Tires	\$325.00	Per Ton
	Asbestos	*	Per Ton
	Concrete (Landfill Only)	*	Per Ton
	Stumps and Wood Waste (Landfill Only)	*	Per Ton
	Shingles - Clean	\$18.00	Per Ton
	Large Appliances (Containing Freon)	\$15.00	Per Unit
	Large Appliances (Non-Freon Containing) & Microwaves	\$5.00	Per Unit
	Lead Acid Batteries	\$1.00	Per Unit
	Early/Late Delivery - Solid Waste Transfer Station	\$200.00	Per Hour
	Truck Scale Only	\$10.00	Per Transaction
	Safety Vests	\$5.00	Each
Recycling - Brown County Recycling Transfer Station			
	Recycling Tipping Fee	Market Rate	Per Ton
	Glass Recycling Fee	Mkt Rate + \$25.00	Per Ton
	Early/Late Delivery - Recycling Transfer Station	\$200.00	Per Hour
	Refused Material at Recycling Transfer Station	\$55.00	Per Incident
	Truck Scale only	\$10.00	Per Transaction
	Safety Vests	\$5.00	Each
Hazardous Waste - Brown County Hazardous Material Recovery Facility			
	Out-of-County Household Hazardous Waste Disposal	**	Per Pound
	Very Small Quantity Business Hazardous Waste Disposal	**	Per Pound
	Extinguishers, Waste Oil, Antifreeze, Household Batteries, Bulbs, Lamps	\$0.30	Per Pound
	Fire Extinguishers	\$5.00	Each
	Propane Cylinders (1 lb)	\$1.00	Each
*See www.BrownCountyRecycling.org for further information, terms and definitions.			
**Call Port & Resource Recovery office at (920) 492-4950 for information and specific rates.			
PORT OF GREEN BAY			
		FEE	UNIT
Bay Port Dredged Material Rehandling Disposal Facility			
	Out-Of-County Dredged Sediment	\$19.61	Per Cu Yd
	Private Dredged Sediment	\$17.61	Per Cu Yd
	Commercial Terminal Operator Dredged Sediment	\$15.61	Per Cu Yd
	U.S. Army Corps of Engineers	\$13.61	Per Cu Yd
Harbor Tonnage Assessment			
	Over 400,000 Tons	\$0.030	Per Metric Ton
	300,000-399,999 Tons	\$0.035	Per Metric Ton
	200,000-299,999 Tons	\$0.040	Per Metric Ton
	100,000-199,999 Tons	\$0.045	Per Metric Ton
	99,999 Tons and Under	\$0.065	Per Metric Ton
	Project Cargo	\$1.50	Per Ton
	Special Projects	\$375.00	Each
	Active Minimum	\$1,550.00	Per Year
	Inactive Minimum	\$600.00	Per Year

Accept the FY-2022 Workforce Level Report pursuant to Agenda Item 09-22-21-E

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 11 / 24 / 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:

Todd VanDen Heuvel, Executive HR Director

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:

According to BC Resolution # 09-22-21-E, the Oneida Business Committee authorized the continuation of the operations and the expenditure of funds in accordance that the Executive Director of the Human Resources Department submit a report at the November 24, 2021 regular meeting on the current workforce levels and an explanation of how these workforce levels were determined.

- 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

Todd VanDen Heuvel,
Executive HR Director
P.O. Box 365
Oneida, WI 54155
920-496-7358



November 16, 2021

To: Oneida Business Committee

RE: HRD report on Workforce levels

According to BC Resolution # 09-22-21-E, the Oneida Business Committee authorized the continuation of the operations and the expenditure of funds in accordance that the Executive Director of the Human Resources Department submit a report at the November 24, 2021 regular meeting on the current workforce levels and an explanation of how these workforce levels were determined. This was in conjunction of an employment cap of 2200 employees being put in place based on all employees identified in the weekly HR full time equivalent (FTE) employment count. The FTE count excludes positions that are fully grant funded.

Attached is the spreadsheet with comprehensive breakdown of current workforce levels compiled as a result of this resolution. Also included in the attached spreadsheet includes the overall budgeted positions for those respective areas. HRD worked collectively with the particular areas in determining current workforce levels. HRD has continued to monitor weekly FTE employment counts and total number of employees. Below is a snapshot of the most recent compiled weekly reports going back for a 6-week period:

Recent Workforce "FTE" Weekly reports

Date:	9/28/2021	10/5/2021	10/12/2021	10/19/2021	10/26/2021	11/2/2021
	1	1	1	1		1
Total No. Employees	2086	2078	2084	2080	2079	2080
Program Employees	525	525	526	527	527	526
Enterprise Employees	102	103	101	102	103	103
Gaming Employees	697	692	695	694	695	694
General Manager Employees	762	758	762	757	754	757
Minus 100% Grant Funded	(188)	(186)	(188)	(187)	(190)	(193)
Full-Time Equivalent	1802	1794.25	1795.5	1793.75	1788	1787.75

Workforce Levels FY2022

Workforce level reports were submitted to HRD from the respective areas which resulted in an overall comprehensive workforce levels report for FY 2022. Current actual FTE is 1788 employees. Overall the budgeted FTE was 2400.25 which included 77.5 FTE that were 100% budgeted through external grant funding. This resulted in a net FTE count of 2322.75. Attached is the comprehensive workforce level report for FY 2022.

[illegible]

As of: November 16, 2021

Enter the e-poll results into the record regarding the authorization for the Chairman to sign and submit the

Business Committee Agenda Request

1. Meeting Date Requested: 11/24/21

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 checked="" 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

Lisa A. Liggins

From: Secretary
Sent: Saturday, November 6, 2021 11:46 AM
To: Secretary; Brandon L. Yellowbird-Stevens; Cristina S. Danforth; Daniel P. Guzman; David P. Jordan; Ethel M. Summers; Jennifer A. Webster; Kirby W. Metoxen; Lisa A. Liggins; Tehassi Tasi Hill
Cc: BC_Agenda_Requests; Kristal E. Hill; Rhiannon R. Metoxen; Danelle A. Wilson
Subject: E-POLL RESULTS: Authorize the Chairman to sign and submit the consultation letter to the U.S. Department of the Interior relating to the Protection and Restoration of Tribal Homelands
Attachments: Epoll - Authorize Chairman to sign & submit consultation letter to US DOI relating to protection and restoration of tribal homelands.pdf
Importance: High

E-POLL RESULTS

The e-poll authorize the Chairman to sign and submit the consultation letter to the U.S. Department of the Interior relating to the Protection and Restoration of Tribal Homelands, **has carried**. Below are the results:

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

Abstain: Daniel Guzman King

Lisa Liggins
Secretary
Oneida Business Committee

From: Secretary <TribalSecretary@oneidanation.org>
Sent: Thursday, November 4, 2021 4:32 PM
To: Tehassi Tasi Hill <thill7@oneidanation.org>; Brandon L. Yellowbird-Stevens <bsteven@oneidanation.org>; Cristina S. Danforth <cdanfor4@oneidanation.org>; Lisa A. Liggins <lliggins@oneidanation.org>; Daniel P. Guzman <dguzman@oneidanation.org>; David P. Jordan <djordan1@oneidanation.org>; Kirby W. Metoxen <KMETOX@oneidanation.org>; Ethel M. Summers <esummer1@oneidanation.org>; Jennifer A. Webster <JWEBSTE1@oneidanation.org>
Cc: Secretary <TribalSecretary@oneidanation.org>; Danelle A. Wilson <dwilson1@oneidanation.org>; Rhiannon R. Metoxen <rmetoxe2@oneidanation.org>; Kristal E. Hill <khill@oneidanation.org>
Subject: E-POLL REQUEST: Authorize the Chairman to sign and submit the consultation letter to the U.S. Department of the Interior relating to the Protection and Restoration of Tribal Homelands
Importance: High

E-POLL REQUEST

Summary:

The new Assistant Secretary of the Interior hosted consultations relating to the Protection & Restoration of tribal homelands. In the attached consultation letter, the DOI seeks written comments from Tribes on issues related to the Land into Trust, Leasing & Rights of Ways, and Sacred Sites through the use of a framing paper. Consultation comments are due Friday, November 5, 2021.

IGAC worked within the organization to gain feedback on the framing paper questions, and assisted in the development of the attached letter being presented for the Business Committee's approval.

Justification for E-Poll: The next Business Committee meeting will not take place until November 10, 2021 and the consultation comments are due on November 5, 2021.

Requested Action:

Authorize the Chairman to sign and submit the consultation letter to the U.S. Department of the Interior relating to the Protection and Restoration of Tribal Homelands.

Deadline for response:

Responses are due no later than **4:30 p.m. Friday, November 5, 2021.**

Voting:

1. Use the voting button above, if available; OR
2. Reply with "Support" or "Oppose".

Brooke Doxtator

BCC Supervisor

Business Committee Support Office (BCSO)

office 920.869.4452

fax 920.869.4040

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

Authorize the Chairman to sign and submit the consultation letter to the U.S. Department of the Interior relating to the Protection and Restoration of Tribal Homelands

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: Melinda J. Danforth
Your Name, Title / Dept. or Tribal MemberAdditional Requestor: _____
Name, Title / Dept.Additional Requestor: _____
Name, Title / Dept.



November 5, 2021

Honorable Bryan Newland, Assistant Secretary of Indian Affairs
U.S. Department of the Interior
Office of the Secretary
Washington, DC 20240

Electronically Submitted to consultation@bia.gov

Dear Assistance Secretary Newland,

On behalf of the Oneida Nation, we extend our greetings to you and Secretary Deb Haaland. I would like to express our gratitude to the U.S. Department of the Interior's leadership for consulting with Tribal Nations relating to the protection and restoration of tribal homelands. This subject matter is of great importance to Tribal Nations, and we appreciated the robust consultation sessions recently held.

The Oneida Nation recognizes and shares the unique and historical relationship that exists between the Nation and the United States.

During the Revolutionary War in the winter of 1777-1778, our ancestors provided aid to George Washington and his starving army at Valley Forge. During this time, the war was not going well for the Continental Army as the British had captured Philadelphia, the first Capital and home to the Continental Congress. After Congress escaped, Washington and his troops made their winter camp at Valley Forge. The winter conditions worsened, the troops were weary, and the army's supply system was stifled, and it was difficult to get the necessary goods to the soldiers. The soldiers were starving and had inadequate supplies and clothing, with soldiers' feet bleeding from freezing inside of their boots. Oneidas, including Chief Shenandoah who was an unwavering friend to the Americans, traveled over 200 miles from Fort Stanwix to Valley Forge to provide several hundred bushels of corn to feed the army. We believe that this historical event had a significant impact on the outcome of the war, and ultimately the birth of the United States.

Subsequently, the Oneida Nation entered into treaties with the United States which were meant to guarantee the Nation possession of our lands, in now what is the State of New York. Despite

these treaties, the State of New York acquired Oneida land in a series of illegal transactions. Further, the federal government's removal policies forced Oneidas to emigrate to the Michigan territory. This move, to what is now the State of Wisconsin, paved a new path for the Nation, one that was laid with challenges. In 1822, Menominee Nation entered into an agreement and negotiated a 9-million-acre land base with the Oneida, in what is now the Northeast Wisconsin region. Then in 1831 this acreage was reduced to 500,000 acres due to the Stambaugh Treaty.¹ The Treaty of Buffalo Creek was subsequently entered into on February 3, 1838. This treaty identifies the Oneida Nation ceded its interests in the land set aside under the Menominee treaties in exchange for its present reservation located near Green Bay, Wisconsin, consisting of approximately 65,430 acres. Today the Oneida Nation owns approximately 42% of land within the boundaries of the Nation's reservation.

The Oneida Nation is also a Self-Governance Tribe and serves a tribal population of 17,308 members. Locally, the Oneida Nation has a \$750 million annual economic impact in our region and is one of the largest employers within Brown and Outagamie Counties, with approximately half of our employee base being non-Oneida employees from neighboring communities. Our Nation provides a multitude of services to our community, employees and tribal members including several governmental service programs, police protection, housing, public works, transportation, sewer and water, environmental health/safety, banking, childcare, education, food security, food distribution and much more.

I felt it important to address our history and touch upon the unique treaty relationship the Oneida Nation has with the United States, prior to addressing the questions posed by the Department of the Interior relating to land-into-trust, leasing, rights-of-ways, and sacred sites. As we begin our comments on the Interior's framing paper subjects, our Nation's leadership acknowledges the letter submitted by our honorable chiefs and clan mothers from the Onyota'a:ka (Oneida Nation of the Thames), and indicate our support for the fundamental philosophy addressing the colonized lens with which the Interior views preserving and restoring indigenous lands through the fee to trust process. However, our leadership acknowledges that the Department of the Interior leadership desires to effectuate change within their authority over the course of this administration that will positively impact Tribal Nations across Indian Country. Below will begin our comments on the Department of Interior's framing paper.

¹ This treaty also included Stockbridge and Munsee; Brothertown; Six Nations and St. Regis Tribe. A full timeline of Oneida Nation history can be located here: <https://exploreoneida.com/oneida-timeline/>

Land-Into-Trust Process

1. Does the Department's land-into-trust process adequately allow Tribes to consolidate landholdings in or near existing reservations?

The short answer is No.

Reclamation of lands within the Nation's reservation boundaries and the continued protection and enhancement of the Nation's sovereignty and jurisdiction continues to be a top priority for our elected leadership. The Nation's governing body has adopted an aggressive goal to repurchase lands within the Nation's reservation boundaries and has dedicated significant financial, labor and federal resources to attain this goal. The Nation understands that buying land and placing the land into trust may cause angst amongst some local governments, and for many decades, the Nation has worked diligently to establish positive government to government relationships. These relationships have continued to enhance understandings between the governments, and we continue to strive toward a cooperative governance structure to create partnerships and a win-win mindset to resolve complex political and jurisdictional issues. However, the best intentions do not prevent government challenges. The Oneida Nation faces jurisdictional, political and sovereignty issues with local municipalities that often take an adverse political position against the Nation placing land into trust. Below we will discuss the issues we face relating to land into trust, and some proposed solutions for the Department of the Interior to consider.

151.10 (f) On-Reservation Acquisitions – Consideration of Jurisdictional & Land Use Conflicts

Under 25 CFR § 151.10 (f), the Secretary of the Interior must consider the potential jurisdiction problems and potential conflicts of land use which may arise by local governments. The Nation believes the Department of the Interior places a significant amount of deference upon local government submittals.

As stated above, the Nation is diligent in its efforts to create positive government to government relationships with local governments to mitigate the tax impacts and cost of services provided to lands being placed in to trust.

The Department of the Interior should assess the process used to consider local government submittals and take any administrative actions necessary to facilitate timely considerations that provides balance to the Nation's application and local government submittals.

Interior Board of Indian Appeals (IBIA)

The Nation's experience is that the Interior Board of Indian Appeals process is overly weighted to favor local governments and is inefficient. It appears that a local government challenge or

appeal can indefinitely delay a trust application. The Oneida Nation currently has eight applications at the IBIA awaiting a decision and have been frustrated with the length of time it has taken to render a decision.

To give an example, the Nation submitted an application in 2006 and a Notice of Decision was issued in 2010, an appeal was filed, and IBIA remanded back to the Secretary. Currently, the Nation has been awaiting a Notice of Decision for over three years on an application submitted 15 years ago.

According to our BIA Midwest Regional Office, IBIA Appeals decisions are taking an average of three and a half years. The length of time in this process must be deemed unacceptable to the Department of the Interior leadership. From the Nation's perspective, it encourages local governments to continue filing appeals even if they are frivolous. With this uncertainty, it delays in the Nation's progress to provide housing, economic development, and build infrastructure on the reservation. At times, this also leads to jurisdictional issues arising with local governments when the property is in fee status, and then litigation ensues. This leads to the Nation expending funds to defend our sovereignty and jurisdiction in court, instead of directing those dollars to the needs of our community. This litigious process may also involve the federal government, leading to the unnecessary expenditure of tax-payer dollars as well.

The Nation encourages the Department of the Interior to assess this process and consider allocating the necessary resources to complete the backlog of cases pending before the IBIA and create an automatic approval status at the appeal level, when the agency fails to render a timely decision.

Critical Position Turnover

The Oneida Nation, like other Tribal Nations experiences a lengthy fee to trust process. Our frontline staff have indicated that contributing factors include the high turnover in critical positions that are required to fulfill functions of the fee to trust process. Employment turnover requires investment into extensive training and development for a new employee, and once fully trained and acclimated, employees will leave the position for better pay, better location or an advancement in position. High turnover then stalls the application process for Tribes. As a solution, the Nation asks the Department of the Interior to consider assessing our regional office. We would also request consideration of setting achievable goals in completing applications and providing an incentive program to enhance the timeliness of the fee to trust process.

Creation of Tax Set Aside Fund

In most instances, when the Nation purchases land within the reservation boundaries it is acquired in fee. The Nation pays taxes on the land until the land is placed in to trust status. As

described above, the land into trust process is lengthy, and the Nation recommends the Department of the Interior to create a tax set aside fund that would assist Tribes in paying taxes on lands while awaiting trust applications to be approved by the Department of the Interior or that are awaiting an appeal decision.

Land Covenant Restrictions

The Oneida Nation's Reservation expands across two counties and six municipalities. The Nation has a good working relationship with all of the governments, with an exception being the Village of Hobart. The Village is 99% within the Nation's Reservation boundaries and has a long history of litigation with the Nation. The Village believes the Nation and our boundaries have been extinguished, although this question has been answered several times in federal court. The Village has employed a strategy that would apply restrictive covenants to land within the Nation's reservation boundaries that specifically states;

"Without the express written consent of the Village of Hobart, no owner of any interest in the Subject Real Estate (or any part thereof) shall transfer any interest in the Subject Real Estate, to any individual, entity (whether corporation, limited liability company, limited partnership, limited liability partnership, general partnership or otherwise), organization, or sovereign nation, or during the period of ownership take any other action, the result of which would: (1) remove or eliminate the Subject Real Estate (or any part thereof) from the tax rolls of the Village of Hobart; (2) diminish or eliminate the payment of real estate taxes levied or assessed against the Subject Real Estate (or any part thereof), and/or (3) remove the Subject Real Estate (or any part thereof) from the jurisdiction of the Village of Hobart, including but not limited to, zoning authority and controls. This restriction shall apply to the transfer of an interest in an entity that is an owner of the Subject Real Estate if, as a result of the transfer, any of items (1) – (3) above would occur."

The Nation's position relative to these restrictive covenants are that it is discriminating land ownership, is illegal, immoral and modern redlining. This tactic is of grave concern and the Nation urgently suggests the engagement of the Department of the Interior to assist in addressing this issue as other Tribal Nations are also seeing this tactic being used by local governments.

2. Does the Department's land-into-trust process adequately allow Tribes to establish homelands for landless Tribes?

The Oneida Nation is not a landless Tribe and we have no comments to provide.

3. How can the Department improve its land-into-trust process to facilitate protection of sacred sites, conservation, and the exercise of civil and criminal jurisdiction?

The Oneida Nation is well situated with the protection of our sacred sites and conservation lands, as the Nation exercises its jurisdiction through the Nation's laws, policies and regulations. However, where the Department of the Interior could be helpful is the acceleration of the land into trust timelines for land which are sacred sites, conservation lands, or lands upon which historical sites and buildings are located.

Major development projects that occur on the Nation's reservation by developers or governments can impact on and off reservation properties and a variety of stakeholders including the Nation, private landowners, governments and government agencies at the federal, state, local and tribal levels. A prime example is the development or reconstruction of pipelines, mining and energy development.

At times, the agencies, whether federal, state, or local, do not always communicate effectively amongst one another or consult with the Nation. Lack of consultation could potentially compromise the protection of sacred sites and treaty rights and significantly impact the project outcome and create political and jurisdictional conflicts. The Department could assist in facilitating a comprehensive approach that considers the cumulative effects these projects have on reservation lands, people and resources. To ensure the protection and preservation of the Nation's interests, implementing a cumulative effects analysis that requires multiple agencies and tribes to work together at the beginning stages of project development needs should occur.

4. For Tribes in Alaska, how should the Department approach the land-into-trust process to adequately account for factors that are unique to Alaska?

This does not apply to the Oneida Nation.

Leasing & Rights-of-Ways

5. Are the Department's existing regulations governing agricultural leasing on Indian lands adequate to protect the interests of Tribes and Indian landowners?

The Oneida Nation is a HEARTH Act Nation, so we administer our own agricultural leases, subject to the minimum requirements contained in our leasing law. As such, we do not believe that any additional provisions are needed to protect the interest of Tribes and Indian landowners. That being said, the Nation believes that the BIA should develop a process to allow tribes with HEARTH Act responsibilities to process their own easements and rights of way – at a minimum for utility projects. This would place control back into tribal hands and prevent

BIA processing from creating barriers to economic, residential and agricultural development in Indian Country.

6. Are any changes needed to the Department's leasing and rights-of-way procedures to clarify taxing jurisdiction in Indian country and to promote economic development in Indian country?

Clarity related to taxation is needed and regulations could be revised to remove existing doubt relating to tribes' authority to tax pursuant to rights-of-way and leasing regulations. Expressly answering the question of taxation in regulation would put tribes in a better position to negotiate all types of agreements with non-tribal members that could stimulate the economy in Indian Country. In addition to facilitating negotiation of agreements with non-tribal members, answering the question of taxation specifically in regulation will prevent unnecessary litigation between the parties under applicable agreements with tribes on the back end of the agreements and, in that way, will facilitate tribal lease administration and eliminate the need for those tribal nations to participate in costly litigation.

Sacred Sites & Treaty Rights

- 7. What steps can the Department take to ensure that Tribes have the ability to protect their sacred places and access those sites to exercise religious rights?**
- 8. What steps can the Department take to protect the exercise of off-reservation treaty rights, including habitat for treaty resources?**
- 9. What actions can the Department take in relation to other agencies to ensure the protection of sacred sites and treaty rights?**

The Oneida Nation lands are essential to our economy, our language and culture and our way of living. Our people maintain a deep sense of connection with Mother Earth from a physical, spiritual, and cultural perspective. Our lands are also at the heart of tribal governance, as our governmental leadership is charged with protecting our lands, natural resources, and sacred places. We are deeply concerned over the management, control, and restoration of our lands, and this is particularly true when off-reservation development projects continue to displace cultural items and/or impact the Nation's work to improve the natural environment or execute our comprehensive plan for sustainable development that give deference to mitigating the environmental impact. It is essential that Tribes have increased decision-making authority regarding off-reservation projects that directly impact our cultural, governance, or resource interests.

For example, the Oneida Nation has expended federal, state and tribal resources to restore natural wetlands, habitats and creeks through the Nation's reservation. A major housing development project, whether it is on or off the reservation, by a local government and/or

developer has significant impact on the sustainability of the creek and impacts the ability of the Nation to exercise its rights to hunt, fish and gather.

Overall Issues

Department of the Interior's Proactive Engagement in Litigation

The Oneida Nation, like many other Tribes continue to engage in litigation with local governments where jurisdiction issues are not resolved amicably. Recently, the Nation won a federal case, which many called the "Big Applefest case" where the Village of Hobart tried to impose its special event permit on the Oneida Nation. Although the outcome of the case favored the Oneida Nation, and the U.S. Department of the Interior filed an amicus brief on behalf of the Nation, we had hoped the United States would have been more proactive in protecting the Reservation boundaries and the Nation's sovereignty and jurisdiction. As early as 2009, the Village of Hobart claimed the provisions of the 1838 Treaty establishing the Oneida Reservation were moot and it possessed full municipal authority over everyone, including the Nation, on all fee lands within its boundaries. Since we knew it was only a matter of time until Hobart's claims would result in litigation, in 2009, the Nation formally requested the Department of Interior to take action to defend the Reservation boundaries and the Nation's sovereignty and jurisdiction by agreeing to join the Nation as either co-plaintiff or co-defendant in litigation against Hobart regarding the Reservation boundaries. In the letter, we laid out in explicit detail Hobart's actions, the impact of Hobart's actions on the Nation's sovereignty, the legal basis for defending the Reservation boundaries, and the United States' Trust responsibility to protect the Oneida Reservation and the Nation's sovereignty. The letter resulted in a meeting the then-Deputy Solicitor, but little else. When the Big Apple Fest case arose in 2016, we were essentially starting from square one with the Department of Interior. We again asked for assistance and were advised that we should avoid litigating the Reservation boundaries and should instead claim sovereign immunity from enforcement of village ordinances. Because this response was unsatisfactory, and the suggested course of action likely would not have been successful, the Nation filed suit on its own to protect the Reservation and its sovereignty. In the end, the Seventh Circuit ruled in favor of the Nation on the exact same legal grounds laid out in 2009 letter to the former Deputy Solicitor. In the course of the litigation, the process for engaging the United States as amicus curiae was cumbersome and lengthy, and at the court of appeals stage, would not have been concluded in time for the United States to file a brief if we had not obtained adjournments for purposes of mediation. We feel that the Department of the Interior needs to take a more proactive approach in litigation matters whereby Tribes are protecting their sovereignty, jurisdiction and homelands.

As we conclude our comments, we again appreciate the opportunity extend to Indian Country to relay our concerns to the Department of the Interior's leadership. We look forward to our

continued discussions on improving the land into trust process, expanding tribal governance and jurisdiction, and the protection and restoration of our lands.

With a Good Mind, a Good Heart & Strong Fire,

Tehassi tasi Hill, Chairman
Oneida Nation



United States Department of the Interior

OFFICE OF THE SECRETARY

Washington, DC 20240

SEP 10 2021

Dear Tribal Leader:

I am honored to serve as the new Assistant Secretary – Indian Affairs. As I undertake the solemn duties of this position, I am making it a priority to reach out and garner input from Tribal leaders on several topics. The ability to protect and restore Tribal homelands is an important issue that the Department of the Interior (Department) will strive to improve and expand upon. As part of our process to undertake these efforts, we are seeking your input as to what the Department's top priorities should be with regard to several topics related to the protection and restoration of Tribal homelands. Please find enclosed a framing paper laying out topics and questions for your consideration.

To best accommodate your locations and ensure everyone's safety, we will be holding virtual sessions scheduled by time zone. If you are unable to make the session reserved for the time zone in which your Tribe is located, please feel free to join an alternate session. I look forward to speaking with you at one or more of the following sessions:

Alaska Time Zone

Monday, October 18, 2021

10:00 a.m. – 12:00 p.m. ADT

Please register in advance at:

<https://www.zoomgov.com/meeting/register/vJItc-yopjoqHFybM7shlc8K5hb8oa0FJB4>

Eastern and Central Time Zones

Thursday, October 21, 2021

2:00 p.m. – 4:00 p.m. EDT / 1:00 p.m. – 3:00 p.m. CDT

Please register in advance at:

<https://www.zoomgov.com/meeting/register/vJlscO6hpzwoHyTxxS4siXAZfsSB5ZixZRI>

Mountain Daylight Time Zone

Monday, October 25, 2021

1:00 p.m. – 3:00 p.m. MDT

Please register in advance at:

https://www.zoomgov.com/meeting/register/vJlsduiuqjgsH74Mwjdzpgw9uaCJVD_Uu_Y

Pacific and Mountain Standard Time Zones

Tuesday, October 26, 2021

10:00 a.m. – 12:00 p.m. PDT

Please register in advance at:

<https://www.zoomgov.com/meeting/register/vJltd-qvqT4rGagVja9wUUoFds41BDPgMYc>

In addition to joining one of the consultation sessions listed above, please submit any written comments to consultation@bia.gov by 11:59 p.m. ET on Friday, November 5, 2021.

I look forward to speaking with you. If you have any questions regarding this effort in the meantime, please feel free to contact Ms. Elizabeth K. Appel, Director, Office of Regulatory Affairs & Collaborative Action, at (202) 738-6065 or elizabeth.appel@bia.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "B. Newland".

Bryan Newland
Assistant Secretary – Indian Affairs

Enclosure

A large, faint, circular seal of the Bureau of Indian Affairs is visible in the background of the lower half of the page. It features an eagle with spread wings in the center, surrounded by the words "BUREAU OF INDIAN AFFAIRS" and "DEPARTMENT OF THE INTERIOR".

Framing Paper

Tribal Consultation on Protection and Restoration of Tribal Homelands

Protecting and restoring Tribal homelands is a key priority of the Department. While the importance of Tribal homelands undoubtedly touches upon many facets critical to Tribal sovereignty and self-determination, the consultation will focus on three specific topics: the land-into-trust process; leasing and rights-of-way; and sacred sites and treaty rights. As a starting point to facilitate discussion, the Department poses the questions stated below and organized by topic. Indian Affairs also welcomes additional comments and suggestions from Tribes beyond the questions listed.

Land-Into-Trust Process

1. Does the Department's land-into-trust process adequately allow Tribes to consolidate landholdings in or near existing reservations?
2. Does the Department's land-into-trust process adequately allow Tribes to establish homelands for landless Tribes?
3. How can the Department improve its land-into-trust process to facilitate protection of sacred sites, conservation, and the exercise of civil and criminal jurisdiction?
4. For Tribes in Alaska, how should the Department approach the land-into-trust process to adequately account for factors that are unique to Alaska?

Leasing and Rights-of-Way

5. Are the Department's existing regulations governing agricultural leasing on Indian lands adequate to protect the interests of Tribes and Indian landowners?
6. Are any changes needed to the Department's leasing and rights-of-way procedures to clarify taxing jurisdiction in Indian country and to promote economic development in Indian country?

Sacred Sites and Treaty Rights

7. What steps can the Department take to ensure that Tribes have the ability to protect their sacred places and access those sites to exercise religious rights?
8. What steps can the Department take to protect the exercise of off-reservation treaty rights, including habitat for treaty resources?
9. What actions can the Department take in relation to other agencies to ensure the protection of sacred sites and treaty rights?

Overall

10. What is the most pressing need for protection and restoration of Tribal homelands that the Assistant Secretary – Indian Affairs can help address?

Directions for Submitting Written Comments

Please submit any written comments in relation to these questions to: consultation@bia.gov by 11:59 Eastern Time on Friday, November 5, 2021.

POSITION OF THE ONYOTA' A:KA LOTIANESHU CONCERNING OUR ANCESTRAL LANDS AND INHERENT RIGHTS

As is our custom, we, the chiefs and clan mothers of the Onyota;a:ka (Oneida) wish to extend the best wishes and the continuing friendship of our people to those who will receive these words, and in particular to President Joseph Biden as the leader of the United States of America with whom we have treaties and agreements dating back to 1784.

We also extend our best wishes and continuing friendship to the Honorable Debra Haaland, Secretary of the Interior and Assistant Secretary for Indian Affairs Bryan Newland. It is our hope that your appointments to these positions will bring about a significant change in the tenor, focus and potential for truly re-establishing the nation-to-nation relationship between our countries.

Today, we have been compelled to bring forth this Position concerning our ancestral lands and the inherent rights of our nation and people due to the inability of the American government to conclude a satisfactory resolution to a land issue we have sought to resolve for more than 40 years.

As it is with ourselves, we have found that we need to refresh our memory from time to time about the relations we have with the other governments who are now present on our Turtle Island. And so it is that many generations ago our ancestors concluded what has come to be known as the:

- Tekeniteiohate Guswentá (2 Row Wampum) – earliest one is 1615 with the Dutch;
- Silver Covenant Chain – offered to us by the British 1765;
- 1768 Ft. Stanwix Treaty (Britain)
- 1784 Ft. Stanwix Treaty (U.S.)
- 1794 Canandaigua (U.S.)

At the time of these treaties, it was recognized that we would have to come together every so often to “polish the chain” – meaning that we would have to refresh the Agreement and the Terms and Conditions contained in it. With the signing of the Treaty of Fort Stanwix in 1784, this fundamental relationship was affirmed between our two countries.

Our issuance of this Position is our way of reigniting the Council Fire and initiating the polishing of the Silver Covenant Chain and the treaties that we have between us.

As was said by our ancestors in those days we believe that through these treaties and agreements we stand side-by-side on Turtle Island as equals. Each of us possess our own nations; our own forms of governments; and most importantly we jointly hold the future of our nations and peoples as sacred responsibilities.

From those early times we have always made it clear that we know that it was the intent of the Creation that all peoples were created in their ancestral places for the specific purpose of being the caretakers and custodians of those places. Through that deliberate placement of our nations and peoples on this part of Turtle Island we were conferred a never-ending responsibility that in English we could equate to “sovereignty”.

With the arrival and settlement of the English, and other nationalities, on this Turtle Island it has come to be that there are now several peoples inhabiting this wondrous land as co-sovereigns, as governments for their peoples.

The biggest challenge we have before us is the “colonial lens” through which America views its relations with Indigenous governments and peoples. That way of seeing begins with the Doctrine of Discovery and has been institutionally and systemically refined down through the centuries by American Congresses and Supreme Court rulings.

This challenge immediately takes form through the wording of the questions you have posed:

1. Does the Department’s land-into-trust process adequately allow Tribes to consolidate landholdings in or near existing reservations?
2. Does the Department’s land-into-trust process adequately allow Tribes to establish homelands for landless Tribes?

These two questions automatically assume that “land-into-trust” is the only process on the table. They automatically assume the retention of the colonial structures legislated, adjudicated and administered by the U.S. through its Department of the Interior.

In both questions are the words “adequately allow Tribes”, making it clear as to who is holding the leash. So, we are immediately asked to participate in a discussion about the continuation of the colonial character of America’s holding of our lands and resources as though we are children not capable of taking care of our affairs.

None of the above treaties surrender or relinquish Onyota’a:ka land or land-based rights. None of the above treaties surrender or relinquish any inherent rights. They establish boundaries between the Haudenosaunee Country and the U.S.

The American argument has been that the only way Indigenous held lands are considered part of “Indian Country” is that those lands must be held in trust by the U.S. through the Department of the Interior.

The practice of the U.S. taking Indigenous land into trust begins with the treaties made to the west of our country where the U.S. would take all of the land and then “give back” some to create a reservation. This did not occur in our territory. What did occur were a series of land thefts involving the state of New York and private land speculators. The U.S. Supreme Court has agreed with this characterization.

In 1871 the American Congress passed the Appropriations Act of March 3 declaring the U.S. will no longer negotiate treaties stating: *“Provided, That hereafter no Indian nation or tribe within the territory of the United States shall be acknowledged or recognized as an independent nation, tribe, or power with whom the United States may contract by treaty: Provided further, That nothing herein contained shall be construed to invalidate or impair the obligation of any treaty heretofore lawfully made and ratified with any such Indian nation or tribe.”*

What’s important to keep in mind is the phrase: *“..hereafter no Indian nation or tribe within the territory of the United States shall be acknowledged or recognized as an independent nation, tribe, or power with whom the United States may contract by treaty..”* this means from 1871

going forward – it is not retroactive. It is our understanding that since our treaties are before 1871, we are therefore an entity “..recognized as an independent, nation, tribe or power..”

In 1887, the General Allotment Act (aka Dawes Act) is passed to reinforce America’s illegal control over Indigenous lands. Haudenosaunee lands are not allotted and not held in trust. We rejected the Dawes Act. Yet, we are “federally recognized” so it is not about the land being held in trust.

The assertion of the U.S. Supreme Court is that to be “federally recognized” requires that our land must be held in trust - is simply not true. Keep in mind this is a policy statement – now law.

Customary international law has always held that the negotiation of a treaty constitutes “recognition”. And that the parties to a treaty are “subjects of international law”. This is then codified in the 1933 Montevideo Convention on the Law of Nations which defines a nation as having four characteristics:

- Having a defined territory.
- Having a stabile population.
- Possessing the institutions of governance and law.
- Possessing the ability to enter into international treaties and agreements.

The following Convention articles address the laws and rules regarding being recognized as an international entity:

Article 3

The political existence of the state is independent of recognition by the other states. Even before recognition the state has the right to defend its integrity and independence, to provide for its conservation and prosperity, and consequently to organize itself as it sees fit, to legislate upon its interests, administer its services, and to define the jurisdiction and competence of its courts.

Article 6

The recognition of a state merely signifies that the state which recognizes it accepts the personality of the other with all the rights and duties determined by international law. Recognition is unconditional and irrevocable.

Article 7

The recognition of a state may be expressed or tacit. The latter results from any act which implies the intention of recognizing the new state.

The key language is: “..any act which implies the intention of recognizing..” The treaty is exactly such an act.

The Dutch were the first European government with whom we made a treaty in 1615. The Dutch government recently reaffirmed the Two Row Wampum and their continuing recognition of the Haudenosaunee.

After the Revolutionary War the U.S. signaled its intent to be the successor to the British treaties by negotiating the 1784 Ft. Stanwix – this creates the American recognition of our international character.

The Vienna Convention on Succession of States in Respect of Treaties defines the following: *"succession of States" means the replacement of one State by another in the responsibility for the international relations of territory;*”, and *"successor State" means the State which has replaced another State on the occurrence of a succession of States;*”.

1784 Ft. Stanwix preserves the continuity of international recognition and is the replacement of the British by the U.S. since the language is strikingly similar to our 1768 Ft. Stanwix Treaty with the British.

So, if Indigenous land title is to be recognized by a process other than “land-into-trust:” what would that process be?

Our position is that such recognition has already occurred with the signing of the Treaty of Fort Stanwix 1784. What America has to do is simply follow the international laws and rules for recognizing the territorial integrity of another state.

In the beginning of the 1800’s events began to occur in the newly formed United States that caused the violent removal of our people from our homelands creating a diaspora of the Onyota’a:ka to other parts of Turtle Island. But at no time did the chiefs and clan mothers of the nation surrender our title to our homelands. Our removal was a matter of American policy, not law.

In the back of its collective consciousness America knows it has always done wrong regarding Indigenous lands so it created the Indian Claims Commission, an independent agency, established by Congress in 1946 to hear and determine the claims of tribes and other identifiable groups of American Indians living in the United States. These claims represent attempts by Indian tribes to obtain redress for any failure of the Government to complete payments for lands ceded under treaty, for the acquisition of land at an unconscionably low price or for other failure to comply with a treaty or legislative action regarding Indian lands that grew out of the westward expansion of the United States.

This entire process has been a joke, a treaty violation and a violation of international laws. We have never agreed with the concept of “land claims” but rather what is at issue is the affirmation and exercising of our “land rights”.

With “land-into-trust” off the table, what is up for negotiation?

Oneida Business Committee Agenda Request

Accept the Comprehensive Health Division FY-2021 4th quarter report

1. Meeting Date Requested: 11 / 24 / 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**

Mark W. Powless

Digitally signed by Mark W.

Powless

Date: 2021.11.09 08:45:04 -06'00'

Authorized Sponsor / Liaison:

Mark W. Powless, General Manager

Primary Requestor/Submitter:

Ravinder Vir, OCHD Division Director-Medical

Your Name, Title / Dept. or Tribal Member

Additional Requestor:

Dave Larson for Debra Danforth, OCHD Division Director-Operations.

Name, Title / Dept.

Additional Requestor:

Name, Title / Dept.

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

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

Accept the 4th quarter report for the Comprehensive Health Division.

NOTE: The FY 2021 4th quarter report is the same as the FY 2022 Annual Report submitted.

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

FY-2021 4th quarter report

ONEIDA COMPREHENSIVE HEALTH DIVISION (OCHD)

A health system positioned to respond to current and future health challenges while protecting and promoting the holistic health and well-being of our Oneida Community. Services are provided to all members of Federally recognized Tribes in accordance with our Multi-Year Funding Agreement with the Department of Health and Human Services-Indian Health Service.

See the attached 2022 Annual Report for the Comprehensive Health Division's 4th Quarter report.

2022 Annual Report Template

For Direct Report to the Oneida Business Committee

Note: If you have other required reporting that must be included in the FY-2022 Annual Report, please submit such reports along with this completed template. Thank you.

Oneida Comprehensive Health Division (OCHD)

Purpose: A responsive, sustainable health system that is positioned to respond to current and future health challenges and protects and promotes the holistic health and well- being of OUR Oneida Community.

Departments in your area/division/deparment, if applicable

Oneida Community Health Center

Oneida Behavioral Health

Anna John Resident Centered Care Community

Employee Health Nursing

Budget

Funding Sources for FY-2021

TRIBAL CONTRIBUTION:	9.09%
GRANTS:	3.17%
OTHER SOURCES:	
Indian Health Service (IHS)	49.79%
Ext Sales/3 RD Party/Other	37.94%

Total Budget

TOTAL BUDGET FOR FY-2021: \$74,998,196.00

TOTAL EXPENDITURES FOR FY-2021: \$56,765,709.56

VARIANCE: \$18,232,486.44

VARIANCE EXPLANATION: Positive variance is due to numerous Covid funds received from Federal and State governments.

Employees

NUMBER OF EMPLOYEES TOTAL: 345 (AS OF 10/01/21)

NUMBER OF EMPLOYEES WHO ARE ENROLLED ONEIDA: 109

Who we serve

Oneida Membership, Oneida Descendants, members of federally recognized tribes, and Oneida Nation Employees

Accomplishments for FY-2021

Please refer to 20xx Annual and 20xx Semi-Annual Report submissions; provide a final update on the Goals identified

ACCOMPLISHMENT #1

As of the Fourth quarter of FY 2021, our current employee count is at 345. Prior to Covid, we were at 362 employees which was our HRD cap for employee base. We are still short staffed in specific areas of the division and these positions have been posted. Enhancing, engaging, and developing our workforce has continued to face some challenges throughout the fourth quarter, however we are continuing to look at various methods to engage our workforce and support their mental health needs during the pandemic. Staff shortages in many areas of the division continue to pose challenges in meeting patient access to care. We continue to fill those critical positions which have been lost and/or employees have chosen to retire from their positions. Access continues to slowly be improving in some areas throughout the Division but still remains difficult due to shortages of providers and loss of staff and fear of potential exposure to COVID.

ACCOMPLISHMENT #2

All areas of OCHD to complete Strategic Plans to align with OCHD. The OCHD Strategic Plan was presented to the Division staff at Town Hall meeting and will continue to be revisited with each Town Hall meeting. The Comprehensive Health Division's Communication Philosophy was created and presented to Division staff. The Comprehensive Health Division's Communication Philosophy is the belief that all forms of communication are timely, complete, concise, considerate, clear, and honest.

ACCOMPLISHMENT #3

The implementation of the Electronic Health Record has accomplished the following major areas of optimization over the 4th quarter FY 21. The patient surveys are being revised due to the pandemic. We continue to send out surveys to patients, however, since our service delivery area has changed, we are in the process of making appropriate upgrades to obtain the most actionable information from our patients.

Goals for FY-2022**GOAL 1**

Engaging & Developing a Successful Workforce: Improve Human Resource Service to Meet the OCHD Needs of the Division; Promotion of Health Careers; Enhance Employee Engagement.

Improving Organizational Changes

GOAL 2

Revitalizing Values-Driven Leadership: Enhance the Quality & Communication of our Leadership Team; Promote & Prioritize Decision Making of OCHD.

Improving Organizational Changes

GOAL 3

Analyzing & Improving Health Technology: Improve Information Technology Services to meet OCHD Needs.

Promoting Positive Community Relations

Contact

MAIN CONTACT: DEBRA DANFORTH RN, BSN,

RAVINDER VIR, MD, MBA, FACP

MAIN CONTACT TITLE: Oneida Comprehensive Health Division Directors

MAIN PHONE: (920) 869-2711

MAIN EMAIL: ddanfort@oneidanation.org, rvir@oneidanation.org

MAIN WEBSITE: Oneida Nation Health (<https://oneida-nsn.gov/resources/health/>)

Division Director/Direct Report Picture

Please provide only high quality *.jpg images



Other Pictures that may be included in your section of the report



Accept the Environmental Health, Safety, Land and Agriculture Division FY- 2021 4th quarter report
Orinda Business Committee Agenda Request

1. Meeting Date Requested: 11 / 24 / 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:

EHSLA Division Fourth Quarter Report

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

Mark W. Powless

Digitally signed by Mark W.
Powless
Date: 2021.11.08 15:15:21 -06'00'

Authorized Sponsor / Liaison:

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

Additional Requestor:
Name, Title / Dept.

Additional Requestor:
Name, Title / Dept.



Oneida Environmental, Health, Safety, Land & Agriculture Division Quarterly Report FY21 4th Quarter

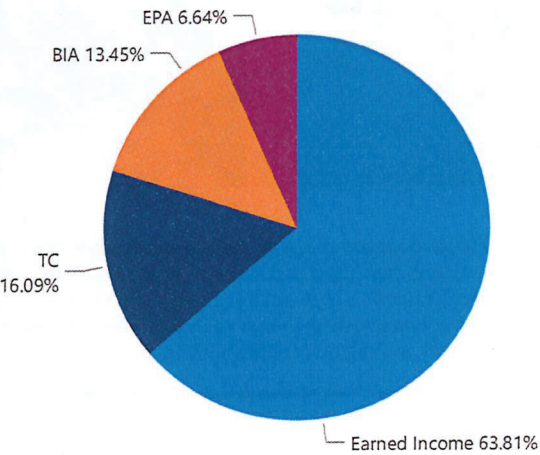
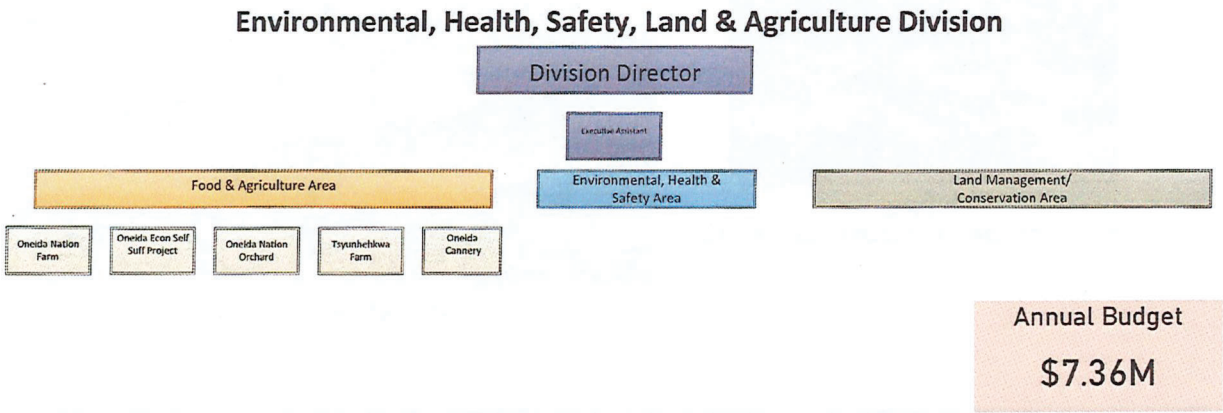
Environmental, Health, Safety, Land and Agriculture Vision Statement (Desired future position)

By fulfilling our fiduciary responsibilities we manage, restore, reclaim and enhance the resources and assets of the Oneida Nation that protect human health and wellness, and the natural and built environment.

Environmental, Health, Safety, Land and Agriculture Mission Statement (Defines what we do)

We provide high quality services that protect and improve the health of the human and natural environment, consistent with Oneida’s culture and vision.

Amount by EHSLA Division Funding



Report Prepared By: Victoria Flowers, Environmental Compliance Coordinator

Report Submitted By: Nicole Rommel, EHSLA Division Director



Oneida Environmental, Health, Safety, Land & Agriculture Division Quarterly Report FY21 4th Quarter

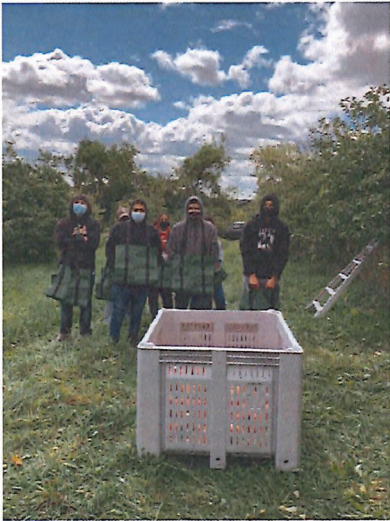
Oneida Lake Fish Camp



Tire Waterer for Oneida Nation Pasture



Oneida Nation Orchard Community Apple Picking



Great day working with our Oneida High School Students teaching them how to make homemade applesauce and fruit leather! They were able to see the entire process from Orchard as they harvested early this week and then to production with creating a few different products from one type of 🍏



Oneida Cemetery



EHS Area Goal Statement

We provide high quality services that protect and improve the health of the human and natural environment, consistent with Oneida’s culture and vision.

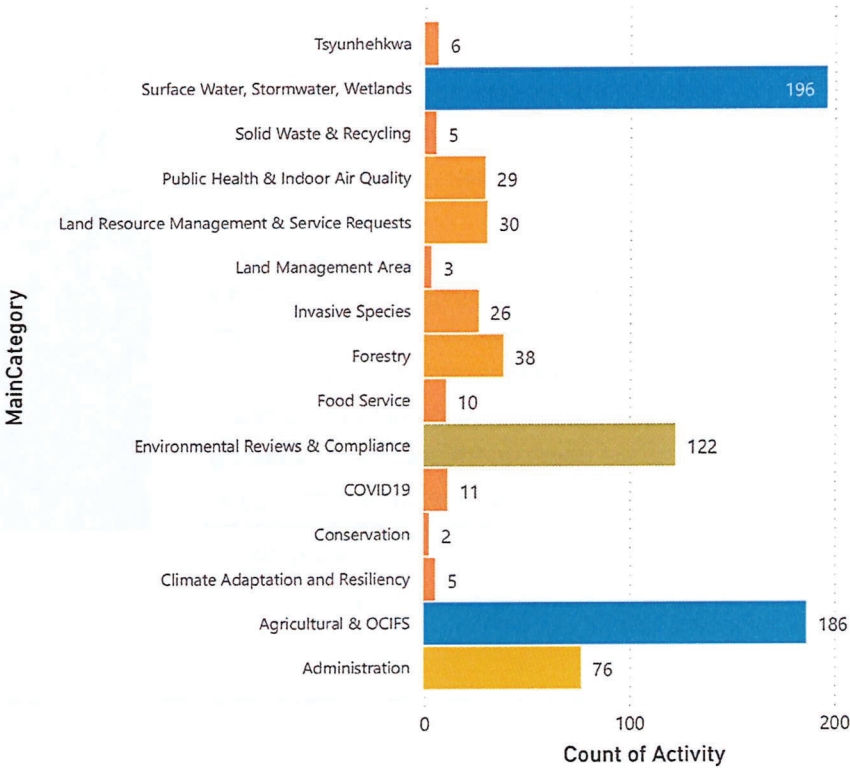


EHS Activities Supporting OBC Priorities

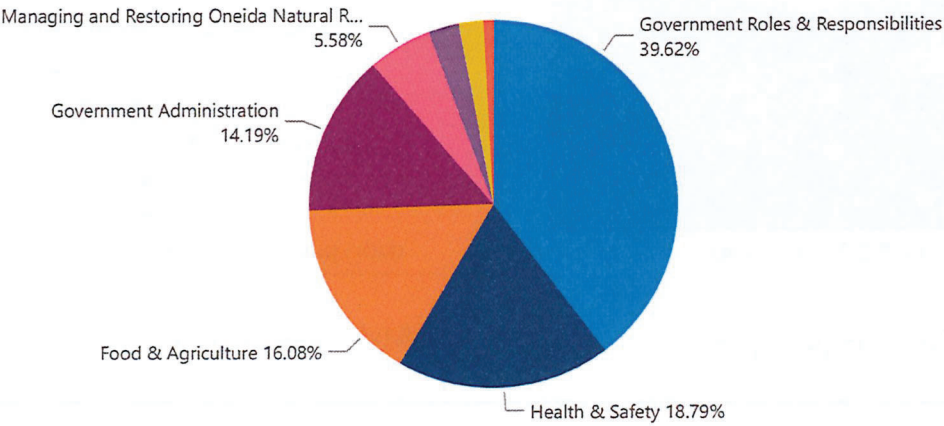
EHS Activities
2,633.36
Acres Impacted

EHS Total Activities
1508
Count of Activities

Count of Activities By Program Area



Activities By Priority



EHS Area Mission Statement

We provide high quality services that protect and improve the health of the human and natural environment, consistent with Oneida’s culture and vision.



EHS Area Highlights

EHS Food & Agriculture Highlights

- Project Name
- Brook trout stocking, photo and video processing and dist.
 - Cover Crop Podcast
 - Grassworks Picnic and Pasture Walk
 - Grazing Consulting
 - Stocking of walleye from St. Croix
 - Walleye delivery from Menominee

Agriculture Technical Assistance Acres Impacted

1,519.98

Acres Impacted

Oneida Lake Kayak Launch



EHS Resource Protection Highlights

- Project Name
- ACOE Public Assistance program coordination
 - Audubon volunteer appreciation event coordination
 - Discussion of Ranaovel Dairy with EPA (Ben Atkinson)
 - Haskell University presentation on habitat restoration
 - Jordan Wetland determination
 - Kayak launch installation at Oneida Lake
 - Meeting with NEW Water on Outagamie Co. Drainage Board
 - Met with WI DATCP Reps
 - National Audubon interview
 - Natural Resource Foundation and Lawrence University tour
 - Phragmites Treatment State Farm Wetland)

Hazard Tree Assessment & Removal

31

Hazardous & E-Waste

139

Vouchers Issued

Hazardous and E-Waste Vouchers					
Pounds of Hazardous Waste	Pounds of Non-Hazardous	Refrigerant Devices-Small	Microwaves	Lead Batteries	Brown County Charge
1,995	10,106	15	10	2	\$3,308.80

Land Area Mission Statement

Land Management is committed to building a responsible nation to enhance and strengthen the Oneida Nation’s sovereignty by reacquiring land, expanding trust lands and distributing for community use.

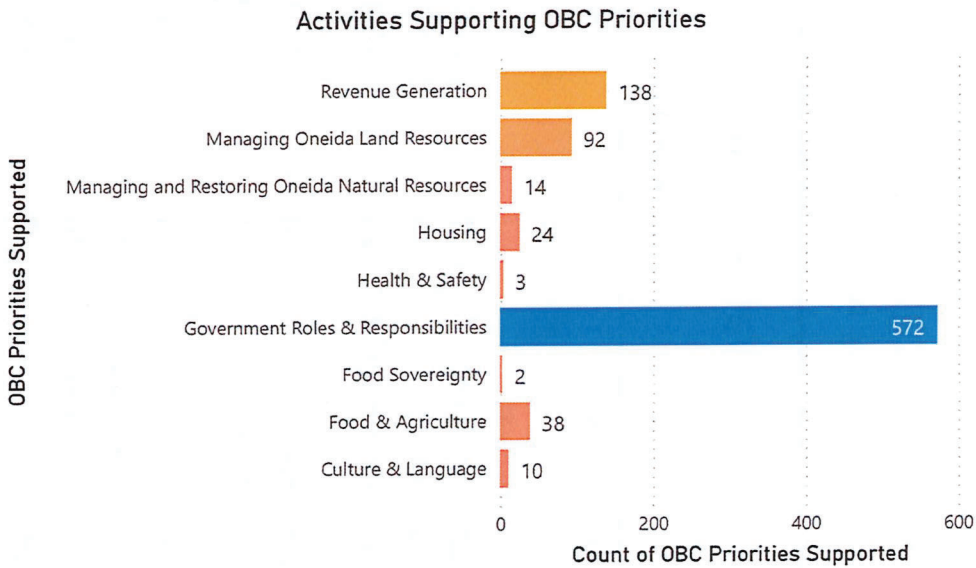


Land & Conservation Activities Supporting BC Priorities

Activities Supporting Culture	Probate Cases Worked On	Food & Agriculture	Revenue Generation	Housing	Oneida Sacred Burial Grounds Assistance
10	24	1,732.77	680.60	152.23	36
Ceremonial Firewood Deliveries	Count of Activity	Acres Impacted	Acres Impacted	Acres Impacted	

Activities Supporting Food & Agriculture		
Activity	Count	Acres Impacted
Agricultural Lease Fee Land	27	1,415.61
Agricultural Lease Trust Land	6	312.66
Land Acquisition Agricultural	5	4.50
Picking & Harvest	1	
Tsyunhehkwa Program Administration, Development and Evaluation	1	
Total	40	1,732.77

Revenue Generation		
Activity	Count	Acres Impacted
Commercial Lease Fee Land	61	162.20
Commercial Lease Trust Land	34	493.71
Harvest License and Permit Sales and Issuance	23	
Land Acquisition Commercial	9	22.69
Land Use Agreement	9	
Land Use Permit Trust Land	2	2.00
Total	138	680.60



Land Area Mission Statement

Land Management is committed to building a responsible nation to enhance and strengthen the Oneida Nation's sovereignty by reacquiring land, expanding trust lands and distributing for community use.

Land & Conservation Activities Supporting BC Priorities

Activity	Count	Acres Impacted
Consultation or Coordination	2	0.92
Customer Service	60	239.15
Customer Service - Conservation	7	
Divisional Administrative Support	20	286.93
Document Recording - Other	14	8.95
Document Recording Assignment of Lease	23	16.23
Document Recording Lease	14	89.91
Document Recording Lease Modification	1	13.00
Document Recording Mortgage	23	15.06
Document Recording Satisfaction	14	7.08
Easement Agreements Trust Land	10	24.63
Encroachments Fee Land	7	24.43
Encroachments Trust Land	1	22.44
Harvest Registration	3	
Individual Trust Land - Gift Conveyance	8	2.64
Individual Trust Land - Sale of Trust Land	4	1.50
Individual Trust Land - Technical Assistance	6	
Information Management	96	127.04
Interdepartmental Agreements	10	146.40
Interdepartmental Collaboration	2	
Land Commission	23	25.45
Land Use Agreement	1	
OPD Request Trust	1	
Other Agreements	35	17,648.60
Pet Licenses Issued	1	
Service Agreement County	7	
Service Agreement Municipality	2	
Title Search Fee Land	4	35.44
Title Search Trust Land	22	38.96
Total	421	18,774.76

Housing		
Activity	Count	Acres Impacted
Demolition Fee Land	12	129.03
Land Acquisition HIP	5	
Reporting	3	8.00
Residential Lease Fee Land	2	6.61
Residential Lease Trust Land	2	8.59
Total	24	152.23

Food & Agriculture Area Mission Statement

Create a sustainable, self-sufficient food system as a comprehensive approach to enhancing our community's health and wellness.



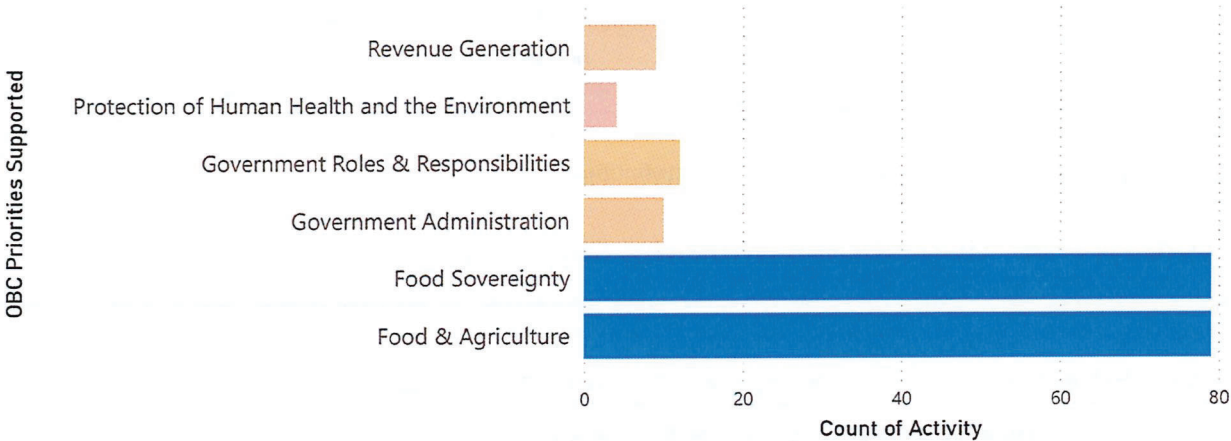
A good mind. A good heart. A strong fire.

Food & Agriculture Activities Support BC Priorities

Area formally organized on June 16, 2021



Activities By Priority



Activities Supporting Food & Agriculture

Activity	Count of Activity
Agricultural equipment, repair and maintenance	1
Agricultural Outreach and Education	8
Agricultural Product Order	3
Agriculture Technical Assistance	2
Beef Production & Sales	1
Beef Sales & Donations	1
Buffalo Sales or Donations	1
Composting Workshop	4
Divisional Budget and Finance	1
Egg Sales or Donations	3
External Agricultural Collaborations	18
Food Sovereignty and Security Projects	13
Grant Administration	9
Hemp Technical Assistance	1
Information Management	14
Interdepartmental Collaboration	1
Medicine Gardens	2
Oneida Farmers Market	40
Orchard Distribution and Sales	2
Picking & Harvest	2
Records Management	3
Reporting	7
Seed or Plant Distribution Sales or Dontations	1
Staff Meetings	15
Technical or Professional Workgroup	1
Training or Webinar	16
Tsyunhehkw Community Outreach	1
White Corn Activities	1
Workforce Management	7
Youth Agricultural Workshops	7
Total	186

Food & Agriculture Area Mission Statement

Create a sustainable, self-sufficient food system as a comprehensive approach to enhancing our community's health and wellness.



OBC Priorities Revenue Generation and Health & Safety Highlights

Highlights Supporting Revenue Generation and Health & Safety

Project Name	Comments
Beef Total into Elder Food Boxes	2709 pounds \$13,509.00
Buffalo total into elder Food Boxes	2,744 pounds \$20,550.00
Community compost workshop	Facilitated the Community Composting workshop at Tsyunhehkwa where we had 15 community members attend.
Compost information for workshop	Scanned in the 62 page 'Master Composter' Home Study Course and sent it to the 15 community members in the compost workshop.
Compost workshop material virtually	Completed putting together the information for the Community Composting Workshops and put it on the webpage for participants to access virtually.
Egg Sales to Radisson	112 Dozen Eggs sold to Radisson
Eggs Donated to Pantry	134 dozen eggs donated
Elder Boox Boxes	300 Dozen eggs into Elder Food Boxes
Prepared for composting workshop	Put together informational folders to be used at the September 18 composting workshop and gathered gift backs and items for the last workshop.
Waupun Correctional and Oneida products	Spoke with Chaplin Mitch Freeman from Waupun Correctional facility re: the facility ordering Oneida food products. Called Sarah White and connected her with the Chaplin.

Food & Agriculture Area Mission Statement

Create a sustainable, self-sufficient food system as a comprehensive approach to enhancing our community's health and wellness.



OBC Priorities Food & Agriculture & Food Sovereignty Highlights

Project Name	Comments
Brought sweet grass pots to Cannery	Took the 58 pots of sweet grass to the Cannery.
Center for Integrated Ag OCIFS tour prep	Arranged for the Center for Integrated Ag Tour to have lunch at Veteran Services. Contact Lamers and completed a quote request form to take the 35 participants to the tour locations. Arranged for cooking space for the chef to make white corn for the group.
Completed the site prep at 4-H land	Began moving workshop material, gates and doors removed, tables and chairs and gardening equipment back into the 4-H barn after DPW made the improvements. This will be used for the Youth Ag Workshops.
Created 3 tour agendas for OCIFS	Created tour agendas for Center for Integrated Ag 8.5.21; Feeding America 8.13.21; OCIFS Tour 8.16.21 and WOKSAPE Community Food System 9.28.21.
DPW got electricity to the 4-H barn	Met with Mitch from DPW to review the electrical set up and demonstrate the breaker box system at the 4-H barn for the upcoming 2022 youth workshops.
Experiential Learning Center	Had a Team meeting with NWTC, CMN and Menominee Nation re: the Experiential Learning Center and the collaborations that will need to be developed. Discussed the top 3 priorities the group wants to work on. Organized and typed up the notes and sent them to the group.
First Nations Grant Awarded	20,000 FNDI Grant Awarded to fully fund a design plan for the business plan for the Food Innovation Plan
Meat Processing Feasibility Study	Had a Teams meeting with Kathy Nyquist from New Venture Advisors re: starting the Meat Processing Feasibility study for Oneida. Created a contract and review request for Law office.
Mobile Meat Processing Facility Licensed	the Mobile Processing Unit was Licensed by DATCP
Promote Oneida and UN Report	Put together the information from the United Nations report and the WBAY interview of Vanessa Miller on Sept. 4, sent it out to key people for dissemination.
Sustainable Ag High School Students	11 students from the High Schools Sustainable Ag Class came to the orchard to learn about the varieties and harvesting, they then helped harvest that week and were able to take back apples to process themselves with the Cannery
Sweet Corn Donated to Pantry	143 dozen

Food & Agriculture Area Mission Statement

Create a sustainable, self-sufficient food system as a comprehensive approach to enhancing our community's health and wellness.



Oneida Nation Farm Food & Agriculture Activities

Oneida Nation Beef

Beef - Between July 1, 2021 and Sept. 30, 2021, how many individual customers ordered hanging beef?	Beef - Between July 1, 2021 and Sept. 30, 2021, how many total head of cattle were slaughtered (just the total number of head)?	Beef - Between July 1, 2021 and Sept. 30, 2021, what was total hanging weight of individual customer beef sales (do not include B&B)?	Beef - Between July 1, 2021 and Sept. 30, 2021, what was the total hanging weight of cattle slaughtered?	Beef - Between July 1, 2021 and Sept. 30, 2021, what was the to gross revenue generated from individual customer beef sales?
42	33	11,313	27,654	\$34,676

Oneida Nation Buffalo

Buffalo - Between July 1, 2021 and Sept. 30, 2021, how many individual customers ordered hanging buffalo?	Buffalo - Between July 1, 2021 and Sept. 30, 2021, how many total head of buffalo were slaughtered (just the total number of head)?	Buffalo - Between July 1, 2021 and Sept. 30, 2021, what was the total hanging weight of buffalo cattle slaughtered?	Buffalo - Between July 1, 2021 and Sept. 30, 2021, what was the to gross revenue generated from individual customer buffalo sales?
1	4	1,701	\$697

Oneida B&B Market

B&B Market - Between July 1, 2021 and Sept. 30, 2021, how many pounds of beef was sold at the B&B Market?	B&B Market - Between July 1, 2021 and Sept. 30, 2021, how many pounds of buffalo was sold at the B&B Market?	B&B Market - Between July 1, 2021 and Sept. 30, 2021, what was the gross revenue of all sales at the B&B Market?
2,359.07	687.46	\$20,309

Beef - Between July 1, 2021 and Sept. 30, 2021, how many calves were born?

53 heifer calves, 43 bull calves

Food & Agriculture Area Mission Statement

Create a sustainable, self-sufficient food system as a comprehensive approach to enhancing our community's health and wellness.



OBC Priorities Revenue Generation and Food & Agriculture

Project Name	Comments
Sales from Retail Location Deliveries 2020-2021	\$32,268.00 of revenue from product delivery to Packerland/Larsen Location and 54 One Stops
Processing fees waived since covid 2020-2021	\$6,626.50 waived in processing fees for community members and oneida programs (corn, meat, equipment usage, apples, etc.)
2020-2021 Grant Processed Raw Products	111 quarts processed tomatoe products 36 pints pickled beets
Corn Processed for Community Members for 2020-2021 year	1500 pounds
Jam Production 2020-2021	1652 8 ounzer units produced
Salsa Units Produced	171 units of salsa produced
2020-2021 White Corn to Oneida Nation School System	174 pounds of dehy ordered
Apple Products 2020-2021	174 units Apple Butter (1/2 pint) 203 units applesauce 366 units freeze dried apples 452 units dehydrated apple chips
Pickle Production 2020-2021	183 units of pickles 141 units of bread and nutter pickles
Community Raw Produce Processed 2020-2021	194 pints of raw product (apple sauce, tomatoes, etc.)
Pints of Maple Syrup Processed from sugar Camp 2020-2021	232 pints
2020-2021 products ordered by SEOTS	40units dehy 10 unitss pickles 25 units of cornbread 20 units Kanastole flour
Internal Order Sales 2020-2021	approximately \$28,000.00 in internal orders for the year (mush kits for department events, strawberry drink for events, corn soup for drive through events, various gift bags for department events, etc)
Corn Product Production 2020-2021	White Corn Dehy/Fresh Hull- 4280 Pounds Dehy-2893 pounds 1 pound Corn Bread-101 units Corn Bread Flour-1410 pounds Corn Bread-2708 units Corn Mush Flour-1272 pounds Mush flour #1-803 units All purpose flour-20 pounds Radisson Roasted Flour-60 pounds Anna John Dehydrated Corn-145 pounds

Accept the Governmental Services Division FY-2021 4th quarter report

Business Committee Agenda Request

1. Meeting Date Requested: 11/24/21

2. General Information:

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

Justification: *Choose reason for Executive.*

3. Supporting Documents:

- | | | |
|---|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input checked="" type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input 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: Mark W. Powless, General Manager

Primary Requestor: _____

Additional Requestor: (Name, Title/Entity)

Additional Requestor: (Name, Title/Entity)

Submitted By: LLIGGINS

FY-2021 4th quarter report

GOVERNMENTAL SERVICES DIVISION

Status report of Outcomes/Goals

1. Which outcome/goal(s) does the Division wish to report on?
2. What metric is being used to measure the outcome/goal?
3. What are the accomplishments (i.e. positives, things for which the Division is proud, brags) have occurred over the reporting period that reflect the Division's progress for reaching the outcome/goal?
4. What can the community expect to see in the future (i.e. 6 months; next year; 18 months) from the Division related to the outcome/ goal?

Outcome/Goal # 1

Develop an engaged and successful workforce.

MEASUREMENT:

- A shared network folder for all GSD employees to access. (COMPLETED)
- 360' evaluations (Phase 1 COMPLETE)
- Historical Trauma training
- Talent Alignment Plans
- Improved employee morale

ACCOMPLISHMENTS RELATED TO THE OUTCOME/GOAL:

1. Talent Alignment – GSD departments continue to work with HRD Organizational Development Specialist to develop action plans. Departments that have completed their plans this quarter include: Recreation, Museum,
2. Historical Trauma – Family Services has taken the lead on this project. They will be using the Trauma Informed Parenting curriculum and making modifications.
3. 360' evaluations – GSD is implementing in phases. Phase 1 – GSD Director direct reports in 2021. All GSD Director's direct reports have had a 360' evaluation. GSD Directors and Managers decided that all employees in GSD would have an evaluation done this year. Phase 2 will begin next year (2022) with the Directors and Managers implementing 360' evaluations.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

The community can expect a compassionate, understanding employee base that provides excellent customer service. GSD employees are more engaged. Employee retention will improve.

Outcome/Goal # 2

Strengthen our efficiencies and effectiveness.

MEASUREMENT:

- A performance management system is in place.
- Quality improvement is implemented
- Reorganization

PERFORMANCE MANAGEMENT SYSTEM



ACCOMPLISHMENTS RELATED TO THE OUTCOME/GOAL:

1. Performance Management Plan department presentations are being provided by the Division Director. Departments have determined the performance standards and have entered them into a database.
2. Cultural Heritage restructure and organization.
 - a. SOP for job descriptions and wages has been sent to HRD EEO for input/comments. Per HRD, needs to go to BC for approval.
 - b. Traditional Healer job description has been submitted to HRD Generalist. This cannot be completed until the SOP is approved.
3. Recreation restructure and organization.
 - a. Recreation continues to have concerns with the pay grade determination by HRD Compensation. This has made it difficult to hire the last 2 positions.
 - b. Recreation staff implemented a pilot schedule to open to a limited amount of youth for a summer program. There were 8 boys and 1 girl that attended.
 - c. Recreation plans to be open from 1:00 pm to 9:00 pm beginning August 23, 2021, for after school programming. They have an approved safety plan.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

The community can expect program accountability and quality improvement. The

Performance Management system will help Directors and Managers improve their services, determine the impact of their programs and services, and make data driven decisions to services and programs. Next steps are for all departments to determine their performance standards and enter them into the database. The reorganization in Cultural Heritage will model the clan system of decision making as well as provide traditional healing practices for the community.

Outcome/Goal # 3

Prioritize excellent customer service.

MEASUREMENT:

- 5-Star Customer Service to increase customer satisfaction
- Marketing Plan

ACCOMPLISHMENTS RELATED TO THE OUTCOME/GOAL:

1. A team was established to create and implement a 5-Star Customer Service model.
2. A Customer Service SOP is being developed.
3. A training for all GSD employees has been created. Due to the new HR system having a new e-Learning module, this training will be provided via Power Point with a link to a Sharepoint form to test the employees on what they have learned.
4. GSD Administration reached out to HRD Training and Development to be included in future Customer Service Trainings that are developed for the Comprehensive Health Division. All GSD employees will participate in annual Customer Service training beginning January 2022.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

The community can expect the best customer service from GSD departments and employees. Customer Service SOP is in place. Customer Service model/training needs to be created in e-Learning and assigned to all GSD employees. Implement annual GSD Customer Service Training for all GSD employees.

Outcome/Goal # 4

Create financial stability.

MEASUREMENT:

- Waivers for cash/in-kind match
- New grant resources/renewal approvals
- Revenue generation

ACCOMPLISHMENTS RELATED TO THE OUTCOME/GOAL:

1. Oneida Library was awarded a Library Enhancement Grant in the amount of \$96,288.75 by the IMLS which will cover the cost of a Library Aide for 2 years.

2. Oneida Food Pantry was awarded \$50,000 in funding to purchase a corn sheller which will increase production. It will also allow the Pantry to purchase Oneida products such as hanging weights of animals, Cannery products, White Corn, etc.
3. Arts Program was awarded an NEA American Rescue Plan grant to organizations #2 in the amount of \$150,000 for 2 years. This will fund operations

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

We expect to use less tribal funds in GSD.

Outcome/Goal # 5

Promote community involvement.

MEASUREMENT:

- Increased volunteerism
- Implement G.I.F.T.S – Getting Involved for Tribal Success

ACCOMPLISHMENTS RELATED TO THE OUTCOME/GOAL:

1. GSD Departments have submitted requests for the Summer Intern program with HRD.
2. TANF Summer Youth Program has 47 youth to be placed within the organization.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

With the current staffing levels and fiscal year 2021 budget based on Tier V, volunteers may be needed to assist department in reopening or expanding their services that have been limited throughout the pandemic.

GSD Concerns:

- The timeline for the Compensation Studies may result in the inability to hire some of our very low graded positions. This will result in limitations to provide services in areas such as Recreation.

Contact Info

CONTACT: Tina Jorgensen, MS, RDN

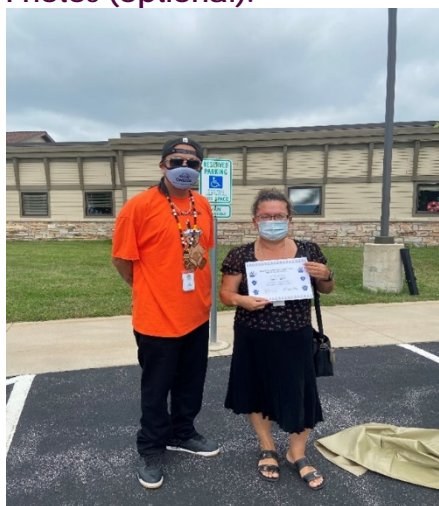
TITLE: Governmental Services Division Director

PHONE NUMBER: 920-490-3904

E-MAIL: tjorgens@oneidanation.org

MAIN WEBSITE: <https://oneida-nsn.gov/divisions/governmental-services-division-2/>

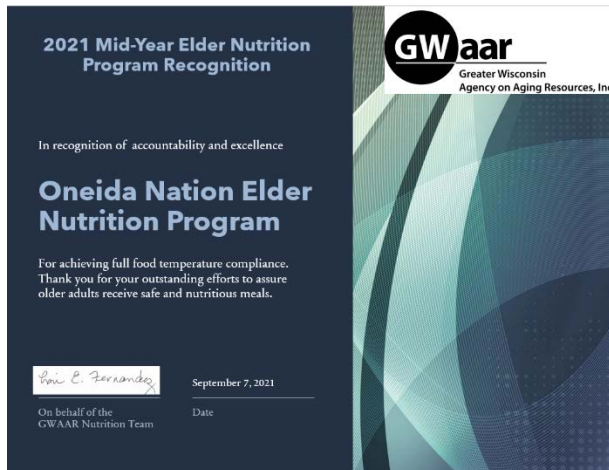
Photos (optional):



Robert Kinzhuma Scholarship Award winner Terri Schlitz.



Aging and Disability hosted an Elder Expo drive-through event on August 6, 2021. There were over 300 elders that received the program information and lunch boxes.



Our Elder Meals Program received recognition from the State for being compliant with achieving full food temperatures.



Economic Support collaborated with other departments to provide a back-to-school drive-through event on August 12, 2021.



Delia Smith and Sean Powless accepted an award for being selected as the Region 5 Winner of the National Indian & Native American Employment Training Program in September 2021.

Accept the Public Works Division FY-2021 4th quarter report

Business Committee Agenda Request

1. Meeting Date Requested: 11/24/21

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 |
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| <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: Mark W. Powless, General Manager

Primary Requestor: _____

Additional Requestor: (Name, Title/Entity)

Additional Requestor: (Name, Title/Entity)

Submitted By: LLIGGINS

FY-2021 4th Quarter Report

PUBLIC WORKS DIVISION/JACQUE BOYLE

Public Works currently includes the following areas/departments:

Public Works – Automotive/Fleet Management, Facilities, Wells/Septic, Utilities, Custodial, Groundskeeping/Parks, Indian Preference

Community Development Area – Engineering, Zoning, GIS/Planning, Tribal Transportation

Comprehensive Housing – Income based and general rentals, Rent-to-own, Residential leasing, home ownership mortgages, HBO sites, HUD Housing Development, CARES and ARPA HUD funding plans and implementation

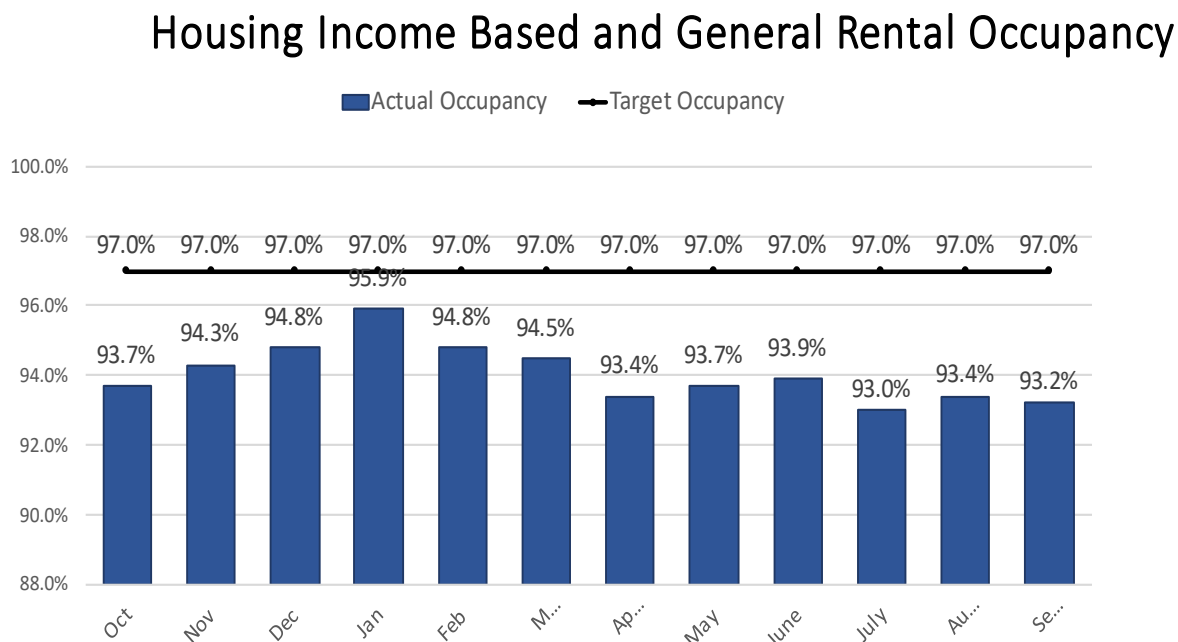
Outcome/Goal # 1

Improve Monthly Occupancy Rate of Oneida Housing Rental Units, which includes 341 income based units and 102 general rentals for a total of 443 rental units.

MEASUREMENT: $\text{Occupancy Rate} = \frac{\text{Number of Occupied Units}}{\text{Number of Total Units}}$.

The goal is to have a 97% monthly occupancy rate which is 13 vacant units at any given time. The bar graph illustrates the occupancy rate for October 2020 through September 2021. As a reference point, in May 2020 there were 36 vacant rental units which is an occupancy rate of 91.8% . The occupancy rate has been consistently between the 93% to 94% but should be improving in the next several months as contractors have been hired to assist in the renovation of the units. Long lead time on construction materials and appliances continues to delay completion of units. There are other variables that impact the occupancy rate including the size of the unit, condition of the unit, reason it was vacated, material availability, and the number of units vacated in any given month.

HOUSING INCOME BASED AND GENERAL RENTAL OCCUPANCY RATES



ACCOMPLISHMENTS RELATED TO THE OUTCOME/GOAL:

The contractors are on site and working on several units and Housing also has several crews working on units. Depending on how many move-outs there are in the next few months, there should be an overall increase in occupancy rates seen. Many of the older units are also requiring major updates to them in addition to what would normally be done to turn the units. The crews are addressing backlogged workorders due to Covid and daily emergency workorders. Weekly meetings between the Housing maintenance/rehab supervisors and the manager are being held to keep schedules on track and address any issues with the renovations.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

- Increase monthly occupancy rate of rental units
 - Weekly meetings are being held to document progress and address issues with the vacant unit renovations. MS2 and CCS Property Services and Housing crews have been organized to focus on vacant units. The scope of work for the units is being identified before work commences in the units which assists with scheduling by identifying lead times for materials.

- Implement a turnaround grading system (duration of time unit is vacant)
- Establish standardized report on vacant homes including plans and status
 - Various reports are being reviewed including inventory report, vacancy reports, completed units report, and move in report to prepare a standardized consolidated report addressing vacancies.
- Identify funding for loan programs to be re-established for home/land purchases and home improvement
 - The funding has been established through the Community and Economic Development Fund for FY'20 to repurchase homes, improve homes for resale, and purchase land for the HIP homes. There are plans and schedules in place to perform the demolitions of homes that are not feasible to renovate. This will allow for additional HBO sites to be identified.

HOW HAS THE COVID-19 PANDEMIC IMPACTED THE OUTCOME/GOAL:

Covid continues to play a role in the delay of turning units due to the long lead times of appliances, lumber and various other materials and supplies. In addition, the costs of materials and appliances are increasing. Housing has also received three different funds to address Covid related housing issues. There is the rental assistance fund) of \$5.17 million, The Housing Assistance Fund (HAF) of \$2.2 million, and the IHBG funds of \$2.7 million, which will include an initiative to implement a voucher program for renters. There has been a delay in the Treasury approving the Tribal HAF plans which has delayed us from receiving the funding allocated for mortgage assistance.

Outcome/Goal # 2

Expand the use of technology to enhance our existing capabilities throughout the Division along with optimizing the use of limited resources.

For example, utilize our current GIS System to be more connected, expand access to data and mapping for informed Planning and Zoning decisions, utilize for departmental metrics, and improve collaboration with fewer available staff throughout the Divisions.

MEASUREMENT:

1. The number of new GIS related capabilities accessed by Oneida Nation Personnel
 - a. The network connectivity project to the Housing warehouse is progressing. This will allow for the maintenance personnel to use a Kronos clock and access the Housing workorder system to aid in the planning, scheduling, and close out of rental unit workorders. Equipment has been received and installed. We are waiting for the vendor for connectivity to be completed. MIS is coordinating this project.

- b. The Utilities Department has progressively been increasing the participation with their online payment module.
 - i. 1st quarter there were 32 transactions for a total of \$2,695 collected
 - ii. 2nd quarter there were 154 transactions for a total of \$11,307 collected
 - iii. 3rd quarter there were 191 transactions for a total of \$14,695 collected
 - iv. 4th quarter there were 285 transactions for a total of \$20,148 collectedThis is expected to keep increasing as Utilities continues to advertise this option and customers become more familiar with it. This saves on Utilities' staff manually processing payments and customers benefit by not having to mail or physically drop off payments.
 - c. The Access Control Integration Project managed by the Energy and Controls Manager is currently 90% complete. The project consists of upgrading & consolidating facilities access control databases into one database. NHC is the last site that needs to be converted. Training has been completed on the new system for the Health Center, Retail, and Turtle School as well as a backup supervisor for all the sites. The project allows for remote management of the systems through our network and ensures automated backups are done instead of needing manual site backups.
 - d. Extensive work has been accomplished in developing an accurate spreadsheet that identifies the POWTS under Tribal jurisdiction. This data will be imported into the GIS system to continually track systems and identify which ones are due for the required 3 year inspections. Zoning will then send a letter to the homeowner identifying the inspection is needed.
 2. The number of personnel who have training and access to the GIS data
The GIS Department is pleased to have completed the internal transfer of Stephanie Skenandore from Groundskeeping to the GIS Department as our new GIS Technician. Stephanie will be working with current Planning/GIS Area Leader Troy Parr to design the next iteration of GIS interactive data access. An example of a new interface and internal user experience for the Nation's Employee base is available at *Oneida Trail System Story Map*, by Stephanie Skenandore: <https://arcg.is/0TrG4P>. This format - location-based GIS data delivery – offers a unique “Story Teller's” approach to geographic data-presentation.
 3. The number of GPS systems installed in Oneida Nation vehicles
The dump trucks and tippers have had GPS installed. The plan is to eventually have all the Fleet with GPS systems. The next vehicles we are planning on installing GPS on would be the DPW trucks/vans and Housing Trucks. equipment was purchased through the Tribal Transportation roads budget.
 4. Use of power apps to automate record keeping and reporting
Housing, Land, Environmental, MIS, and Community Development are working on the NEPA process flow as it is being implemented in an electronic format. This will allow for monitoring the approvals, reduce paper transactions, and streamline the overall process.

5. Track utilization of automated equipment such as mower and custodial equipment
Weekly printouts are available for the automated scrubber at the Turtle school that identifies how many labor hours are saved. The number of hours used is documented for the remote mower.

ACCOMPLISHMENTS RELATED TO THE OUTCOME/GOAL:

The GIS area will continue to build to the future by evolving into the next generation of interactive location-based, connected, intelligent mapping and data sharing. We strive to provide our internal clients with the best possible user experiences now and as we move forward. The GIS area has initiated the digital transformation of work process flow and document handling to leverage technology to accomplish more with less staff available. The Department has shifted to a non-paper map delivery, with the preferred media of PDF documents. The GIS system is currently being prepared by our internal MIS resources to become external to our Oneida Nation internal domain users and available for Oneida Nation employees to securely connect with the dataset from a mobile device. This means fewer trips back to the office for field staff to review internal mapping and other existing GIS datasets. This information could soon be available on mobile devices whose user has been granted the security rights to connect to the GIS data. Technicians who are working out in the field collecting data, can easily capture and update existing GIS data from remote locations. Additionally, this will allow us to connect vehicles, equipment, and people with mobile devices – to improve efficiency and optimize work performance with fewer resources.



EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

- Employee development in the use of technology and software applications
- Increased efficiency in the performance of job functions
- Advanced tracking, data analysis, and reporting capabilities
- Improved Customer Service

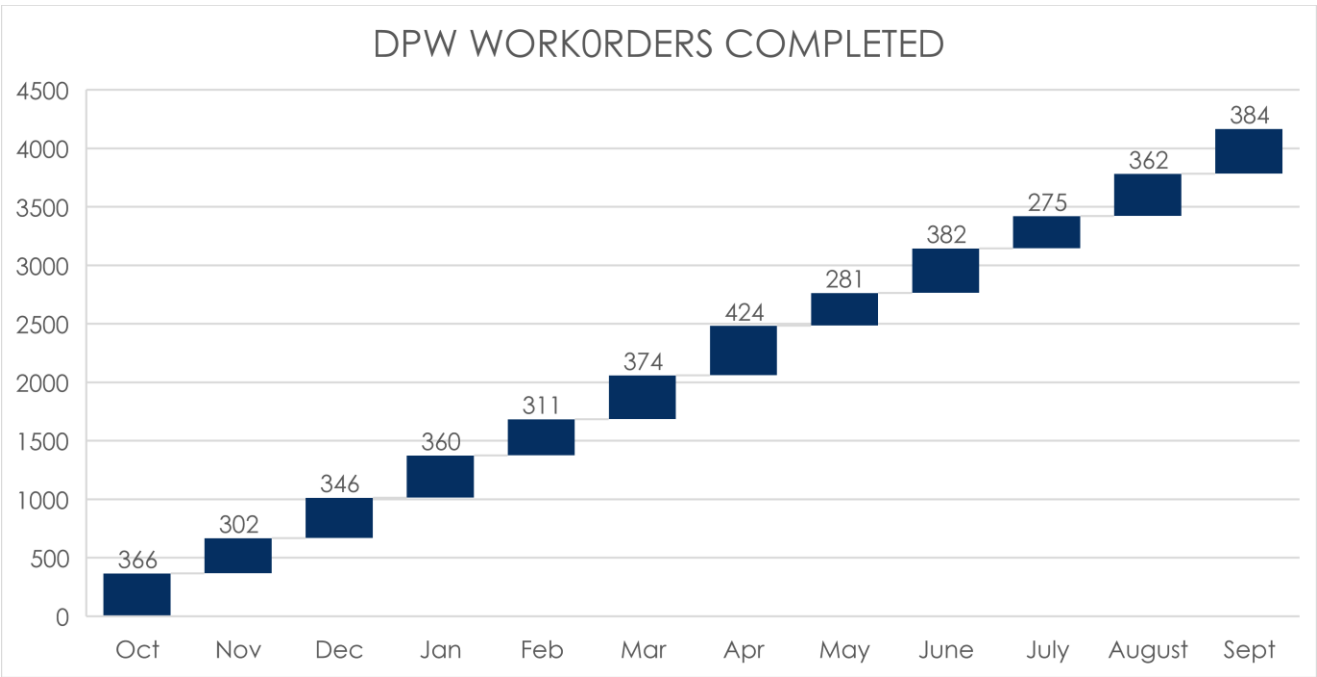
HOW HAS THE COVID-19 PANDEMIC IMPACTED THE OUTCOME/GOAL:

Covid-19 quickly advanced the research and use of technology to do more with less. Current jobs require new skill sets in the use of technology and automated systems to achieve higher performance levels.

Outcome/Goal # 3

Maintain and increase the overall value of the Oneida Nation infrastructure

MEASUREMENT: The number of Building and Maintenance Projects completed compared to the budgeted projects and the number of on-demand and preventive maintenance work orders completed.



ACCOMPLISHMENTS RELATED TO THE OUTCOME/GOAL:

Even with reduced staffing levels, the various departments are maintaining systems and completing projects in their respective areas according to plans and budgets that were developed for this year. A few of the larger building improvement projects that have been

completed this year, include: Installation of Plumbing, lighting, HVAC modifications for the Homeless Shelter, Installation of Plumbing for new Housing Development, Installation of new electrical service and generator at the Health Center, Replacement of Skenandoah roof top units, Install of new electrical service at Mission Park and walking bridge, HVAC upgrade at Community Education Center, Upgrades to HVAC and access controls throughout the facilities, Replacement of fluorescent fixtures throughout the buildings with LED flat panel fixtures, installation of generators and replacement of variable frequency drives at the Wastewater Treatment Plant.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

There are numerous projects included in the FY22 budget for water and wastewater infrastructure upgrades, HVAC equipment replacements at various buildings, lighting upgrades, Civic Center renovations, and generator installations.

HOW HAS THE COVID-19 PANDEMIC IMPACTED THE OUTCOME/GOAL:

The maintenance crews' priorities were changed to performing work that improved engineering controls to address Covid such as switching the type of HVAC filters, adjusting building air exchanges, installing ionization units, making plexiglass barriers, running electrical for temperature kiosks, minimizing the purchase of new materials and supplies, and assisting other areas that were short staffed.

Organization Changes

The organizational changes that occurred within the Public Works Division during Covid, included the following departments and/or functions being added to the Division: Comprehensive Housing, Engineering, Zoning, Planning, GIS, Tribal Transportation Program, Indian Preference, and Parks.

There were 70 employees that were initially placed on furlough or layoff within the Division. There were also transfers, retirements, and recently vacated positions before and during Covid that were not filled. As of the September 2020, all HUD funded positions have returned to work.

Custodial positions are continually posted as pool positions which are open to all. It has been a challenge to hire enough staff due to the minimal applications received, replacing those leaving the department due to retirement or job changes, and covering vacancies due to medical leaves.

Public Works Division Organizational Chart



Contact Info

CONTACT:	Jacque Boyle
TITLE:	Public Works Director
PHONE NUMBER:	(920) 562-4655
E-MAIL:	jboyle@oneidanation.org
MAIN WEBSITE:	oneida-nsn.gov

Accept the Management Information Systems FY-2021 4th quarter report

Business Committee Agenda Request

1. Meeting Date Requested: 11/24/21

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 |
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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: Mark W. Powless, General Manager

Primary Requestor: _____

Additional Requestor: (Name, Title/Entity)

Additional Requestor: (Name, Title/Entity)

Submitted By: LLIGGINS

FY-2021 4th quarter report

MANAGEMENT INFORMATION SYSTEMS (MIS)

Status report of Outcomes/Goals

1. Which outcome/goal(s) does the Division wish to report on?
2. What metric is being used to measure the outcome/goal?
3. What are the accomplishments (i.e. positives, things for which the Division is proud, brags) have occurred over the reporting period that reflect the Division's progress for reaching the outcome/goal?
4. What can the community expect to see in the future (i.e. 6 months; next year; 18 months) from the Division related to the outcome/ goal?

Outcome/Goal # 1

Expand and improve technology systems, infrastructure, and support

MEASUREMENT: TribalHub IT Assessment - Findings/Recommendations Roadmap Completion

Core Findings - 6

- Core Findings Completion - 1/6
- Core Findings Recommendations Completed - 1/9
 - Recommendations In-Progress - 3/9

Additional Findings - 6

- Additional Findings Completion - 0/6
- Additional Findings Recommendations Completed - 0/7
 - Recommendations In-Progress - 3/7

ACCOMPLISHMENTS RELATED TO THE OUTCOME/GOAL:

- Chief Information Officer (CIO) – Hired and now onboarding.
- Personnel issues (hiring and separations) has slowed and/or halted the progress of completing findings/recommendations.
- CIO hiring amongst other factors (hiring, wage, cloud adoption, etc.) should be able to help jump start work on the findings/recommendations.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

Core Findings/Recommendations - 6 Findings and 9 Recommendations

1. Single MIS Leader - **IN PROGRESS**
 - a. CIO Hiring - **COMPLETED**
 1. CIO ONBOARDING
 - b. ~~IT Director Hiring~~ – Recommendation discontinued per GM/OBC

1. **ON HOLD UNTIL CIO HIRED FIRST**
2. Executive Technology Steering Committee
 - a. Create functional executive level technology steering committee representative of all Oneida.
3. Project Management Resources - **IN PROGRESS**
 - a. Identify and/or hire one or more project managers (PM).
 1. **BUDGETED FOR FY22, WORK FOR PROJECT MANAGEMENT OFFICE (PMO) UNDERWAY**
 - b. Create nimble, agile, and repeatable project methodology to be used across the organization.
 1. **CENTRALIZED PROJECT LISTING CREATED WITHIN MS TEAMS.**
4. Data Management/Accessibility - **IN PROGRESS**
 - a. Resources focused on making data usable, accessible, and integrated in the organization.
 - b. Data governance/classification Project
 1. **SYNERCOMM CONTRACT (INFORMATION SECURITY AUGMENTATION SERVICES)**
 - a. **DATA LOSS PREVENTION**
 - b. **LOG MANAGEMENT - SECURITY INFORMATION AND EVENT MANAGEMENT**
 - c. **CLOUD SECURITY**
 - d. **NIST GAP ANALYSIS - CYBERSECURITY FRAMEWORK**
 2. **HIRING ADDITIONAL INFORMATION SECURITY ADMINISTRATOR - GAMING**
5. Hybrid MIS Structure
 - a. Create Hybrid MIS structure.
 1. Technology management structure under CIO that matches functions/responsibilities of hybrid model.
 2. Centralized/strategic technology focus across organization through single technology leader.
 3. Direct on-site MIS resources to divisions/enterprise as well as operational oversight/reporting.
6. MIS Re-Branding
 - a. Rename Management Information Systems (MIS) to Information Technology Services (ITS)
 0. **CIO very interested in modernizing and rebranding the MIS Department name, brand, and services.**

Additional Findings/Recommendations - 6 Findings and 7 Recommendations

1. IT Procurement - **PLANNED**
 - a. Add personnel/staffing for procurement.
 - i. **BUDGETED FOR FY22**
2. Contract Negotiation and Review
 - a. 1 or more senior level MIS members should review and negotiate all new and renewal technology system/service agreements.
3. Help Desk Inefficiencies - **IN PROGRESS**
 - a. Automate password resets, review Help Desk for operational resolutions and efficiencies.

- i. **PROJECT UNDERWAY FOR PASSWORD RESETS**
 - a. **RESEARCH, DEVELOPMENT, AND DOCUMENTATION UNDERWAY**
 - b. **ROLLOUT DATE TO BE DETERMINED (THIS YEAR)**
- 4. MIS Policies and Procedures - **IN PROGRESS**
 - a. Review existing P&P's, centralize P&P's, create additional P&P's as necessary and communicate them out.
 - i. **PROJECT KICKED OFF TO REVIEW ALL TECHNOLOGY POLICIES AND PROCEDURES**
- 5. Training - Technology and Soft Skills - **IN PROGRESS**
 - a. Provide Learning Management System for technology.
 - i. **ONLINE LEARNING PLATFORMS (OLP) RESEARCHED**
 - ii. **WILL PURCHASE OLP IN FY21 - Q4**
 - b. Create training/development plan as part of the evaluation process.
 - i. **EVALUATIONS CANCELED FOR FY21**
 - ii. **AFTER OLP PURCHASED, WILL DEVELOP TRAINING/DEVELOPMENT PLANS FOR MIS PERSONNEL**
- 6. In-House Application Review
 - Review all In-House applications and make determination if they can be replaced with something that is more efficient and cost effective.

Outcome/Goal # 2

Provide Technologies and Processes that Promote Information Sharing and Collaboration

MEASUREMENT: Improve Utilization of Microsoft Office Tools

Due to staff shortages, this goal has been put on hold.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

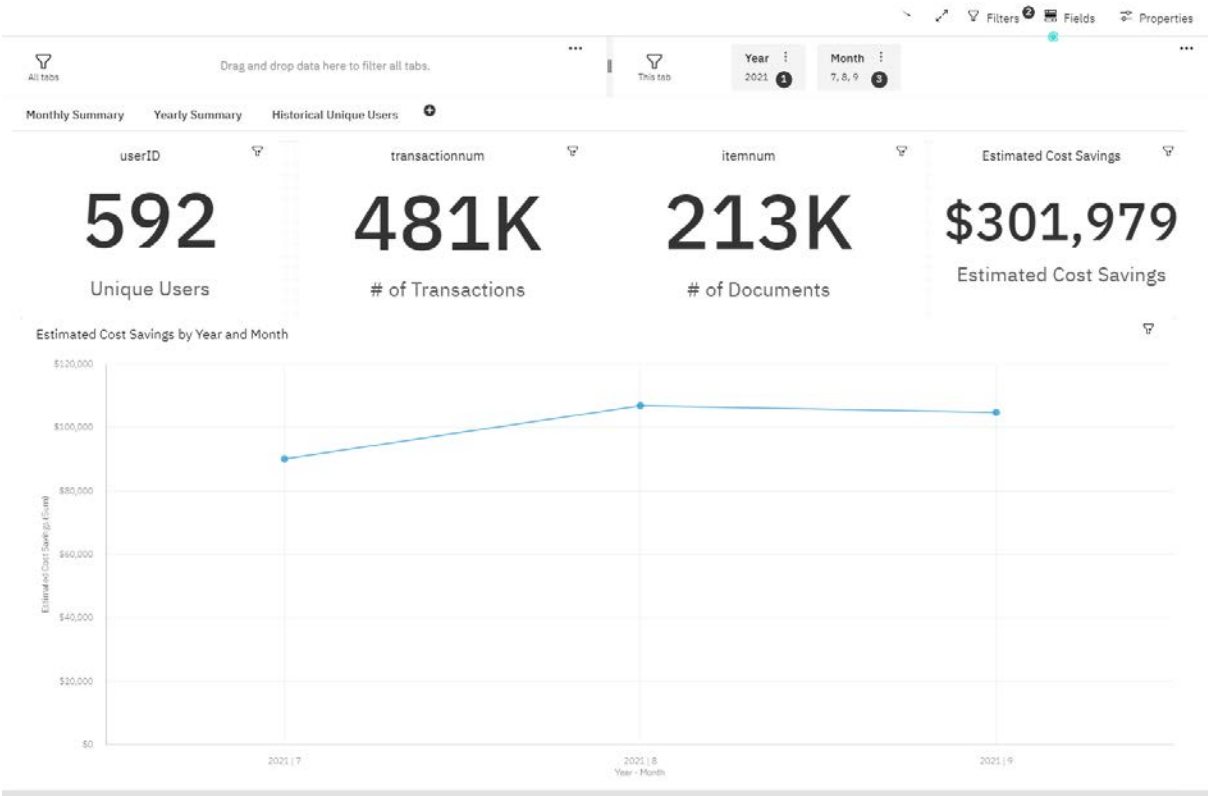
Future Plans

- Establish an external business partner to complete an assessment of the Power Apps Platform. Assessment to include:
 - Design Strategy
 - Security Review
 - Deployment Best Practices
- Leverage partner for Managed Services Support
- Evaluate Staff Augmentation opportunities
- Update existing job description to match the current skills, roles, and responsibilities of the position to attract potential candidates

Outcome/Goal # 3

Optimize Use of Resources

MEASUREMENT: Increase Labor Savings by digitizing manual processes



ACCOMPLISHMENTS RELATED TO THE OUTCOME/GOAL:

Utilizing the Nation’s Document Management solution OnBase, 592 unique users generated 481K transactions uploading and retrieving 213K unique documents for an estimated labor savings of **\$301,979** to the organization.

The cost savings is calculated as # of transactions * 2.5 (estimated minutes saved in a transaction from physical files (3 minutes / manual transaction) – (0.5 minutes) for digital transaction) / 60 minutes per hour * \$15 dollars per hour for the labor cost.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

MIS staff will continue to look for opportunities to automate manual processes to reduce manual labor hours and improve access to Programs and Services throughout the Oneida Nation.

Contact Info

CONTACT: JOSIE SKENANDORE, ERIC BRISTOL, JASON DOXTATOR

TITLE: GAMING MIS MANAGER, APPLICATION SERVICES MANAGER, NETWORK SERVICES MANAGER

PHONE NUMBER: 920-869-4357

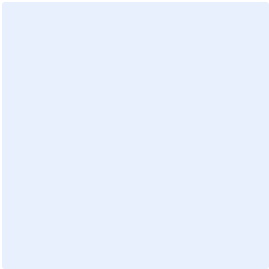
E-MAIL: CUSTOMER_SERVICE_CENTER@ONEIDNATION.ORG

MAIN WEBSITE: <https://oneida.sharepoint.com/sites/TechnologyResources>

Photos (optional):

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Accept the Tribal Action Plan FY-2021 4th quarter report

Business Committee Agenda Request

1. Meeting Date Requested: 11/24/21

2. General Information:

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

Justification: *Choose reason for Executive.*

3. Supporting Documents:

- | | | |
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5. Submission:

Authorized Sponsor: Mark W. Powless, General Manager

Primary Requestor: _____

Additional Requestor: (Name, Title/Entity)

Additional Requestor: (Name, Title/Entity)

Submitted By: LLIGGINS

FY-2021 Quarterly Report

November 12, 2021

TRIBAL ACTION PLAN

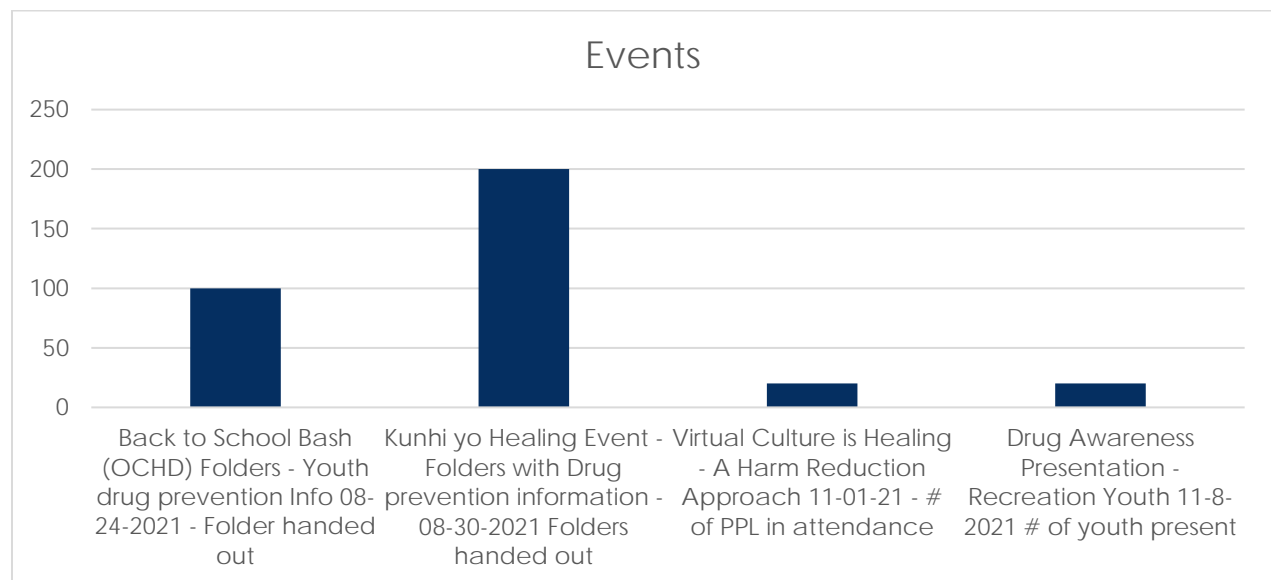
Status report of Outcomes/Goals

1. Which outcome/goal(s) does the Division/Direct Report wish to report on?
2. What metric is being used to measure the outcome/goal?
3. What are the accomplishments (i.e. positives, things for which the Division/Direct Report is proud, brags) have occurred over the reporting period that reflect the Division/Direct Report's progress for reaching the outcome/goal?
4. What can the community expect to see in the future (i.e. 6 months; next year; 18 months) from the Division/Direct Report related to the outcome/ goal?

Outcome/Goal # 1

TAP informational handouts/Presentations

MEASUREMENT:



ACCOMPLISHMENTS RELATED TO THE OUTCOME/GOAL:

The TAP staff has been collaborating with various departments on assisting with events. We not only assist with the planning an implementation of events, we also take the time to hand out informational brochures, flyers, resources to community members at these events. We keep track of how many folders or information items we hand out at the events and we also keep a sign in sheet for participants such as for the Drug Awareness Presentation.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

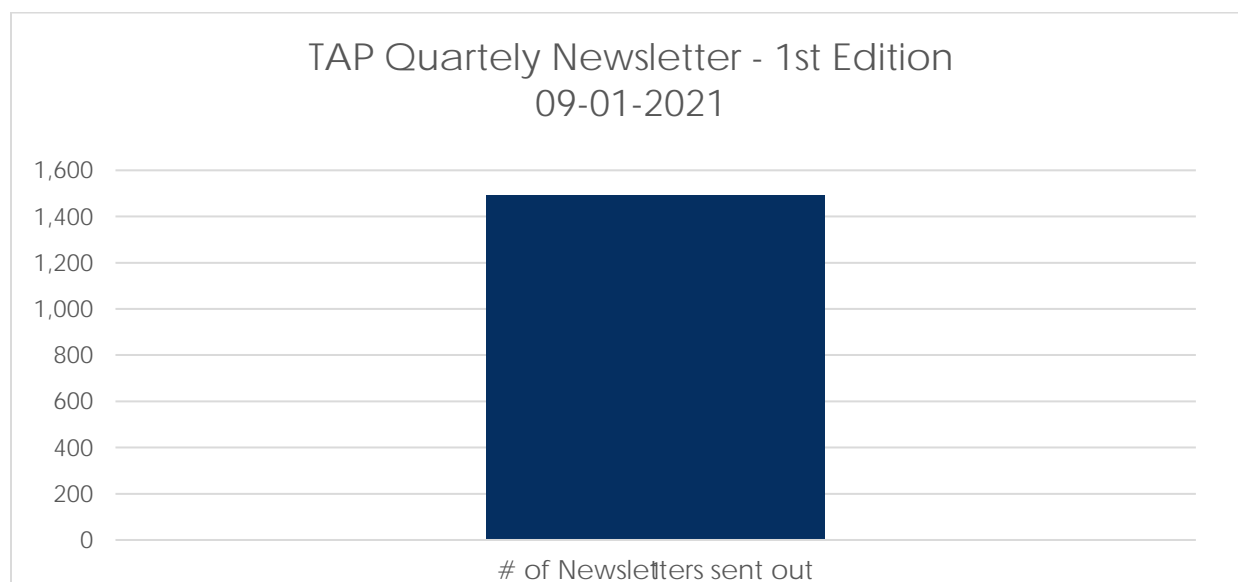
TAP will continue to collaborate with various departments with assisting events or activities. We will continue to hand out informational flyers, brochures, resources to the community members at these events.

HOW HAS THE COVID-19 PANDEMIC IMPACTED THE OUTCOME/GOAL:

Due to the Covid 19 and the Oneida Nation's "No Public Gathering", TAP has had to hold off on having some events such as the community clean ups. We have been having to have events virtually.

Outcome/Goal # 2

Quarterly Newsletter

MEASUREMENT:

ACCOMPLISHMENTS RELATED TO THE OUTCOME/GOAL: TAP staff created a Quarterly Newsletter with the 1st one being sent out on September 1, 2021. The Newsletter was sent out to 1,492 households of Enrolled Tribal Members within the Oneida Reservation Boundaries, One per household 18 years of age and up. We can keep track of how many of the newsletters are sent out to Oneida Enrolled Tribal Members within reservation boundaries, 1 per household.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

TAP will continue to send out quarterly newsletters with the next one being sent out in December. Included will be OPD drug statistics, event information, other department information that pertains to TAP Goals and objectives and pictures of events. We would like to reach out to more members next time that are in the Outagamie and Brown Counties.

HOW HAS THE COVID-19 PANDEMIC IMPACTED THE OUTCOME/GOAL:

COVID - 19 Pandemic has not had an impact on TAP creating the newsletter or sending it out to community members.

Outcome/Goal # 3

Hire on Administrative Assistant – Full time

ACCOMPLISHMENTS RELATED TO THE OUTCOME/Goal:

Under the Community Opioid Intervention Pilot Project, TAP has been approved to hire a full time, 100% grant funded Administrative Assistant. This position started on Monday, October 18, 2021.

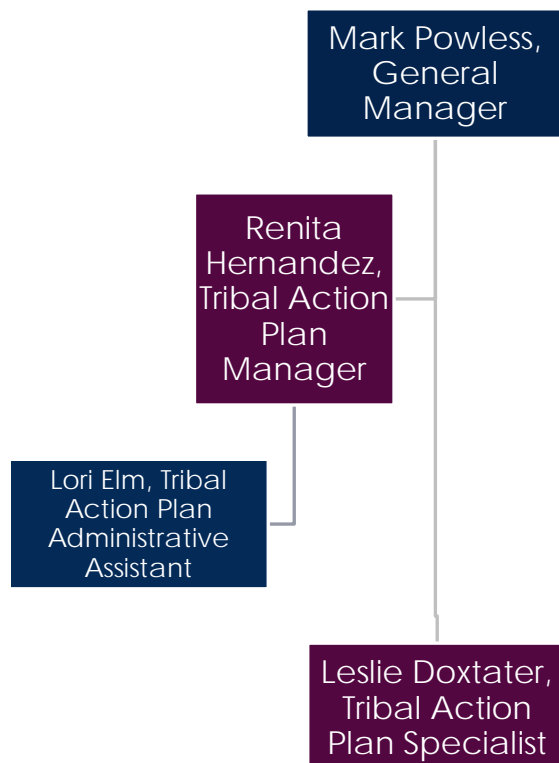
EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

The TAP Administrative Assistant will assist the Manager with providing administrative support for the TAP staff. The Administrative Assistant is currently assisting the TAP staff to organize upcoming events, creating the TAP communication plan, updating the TAP Website, assist with the management of the COIPP grant. The community can look forward to a more organized TAP.

HOW HAS THE COVID-19 PANDEMIC IMPACTED THE OUTCOME/GOAL:

COVID – 19 Pandemic has not had an impact of the outcome/goal. We are taking this time to get more organized.

Organization Changes, if any



Contact Info

CONTACT:	Renita Hernandez
TITLE:	Tribal Action Plan Manager
PHONE NUMBER:	920-490-3796
E-MAIL:	rhernan1@oneidanation.org
MAIN WEBSITE:	Oneida Nation Tribal Action Plan (oneida-nsn.gov)

Accept the Big Bear Media FY-2021 4th quarter report

Business Committee Agenda Request

1. Meeting Date Requested: 11/24/21

2. General Information:

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

Justification: *Choose reason for Executive.*

3. Supporting Documents:

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4. Budget Information:

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| <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Other: <i>Describe</i> | |

5. Submission:

Authorized Sponsor: Mark W. Powless, General Manager

Primary Requestor: _____

Additional Requestor: (Name, Title/Entity)

Additional Requestor: (Name, Title/Entity)

Submitted By: LLIGGINS

FY-2021 Quarter 4 Report

GENERAL MANGER / BIG BEAR MEDIA (PRINT/MAIL/TOURISM/KALI)

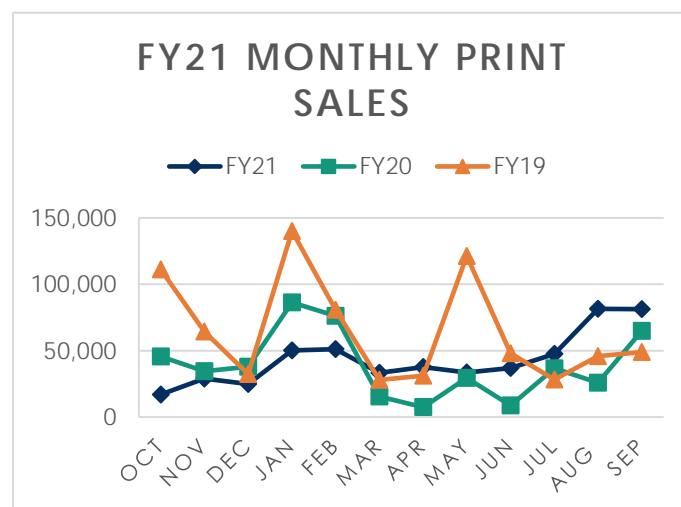
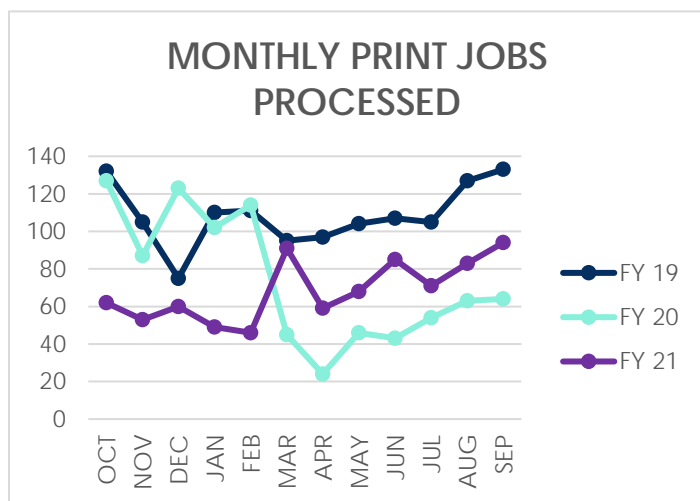
Status report of Outcomes/Goals

1. This report will focus on the operational sustainability for Big Bear Media/Print Operations. Printing has been an in-plant service that seeks outside customers and funding. Submitted WI Humanities grant \$16,301(Develop educational template)
2. The top accomplishment: Average Print jobs processed 82. An increase from Q3 64.
3. Hired new PT Admin with a starting date of Nov. 1, 2021.

Outcome/Goal # 1

Operational Sustainability BBM: Print Operation, Mail Center, Tourism & Kalihwisaks

MEASUREMENT: Quarter 4 Statistics



ACCOMPLISHMENTS RELATED TO THE OUTCOME/GOAL:

Quarter 4 FY21 Sales projection was \$410,000, actual 523,404. TC need for FY21 76,220, an improvement from FY21(188,506). Paper prices have increased 3X in the last year and BBM has some paper supply stocked due to market shortages.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

Working with language nest to create language materials. This has been identified as a possible future niche for the print operation.

1 Year – NEW: Digital Store Front to assist with the ordering of print jobs & external customers.
Update – working with MIS on the overall RFP. RFP will be supplied in Oct with demonstrations and decision in November 2021. Seek ARPA funds for business development in December 2021.

HOW HAS THE COVID-19 PANDEMIC IMPACTED THE OUTCOME/GOAL:

Consistent to last Qtr. - Limited staff equates to a reactive workforce. This is not a sustainable formula for growth and continues to be one of our biggest weakness. Example: Kali/employee sick delay in getting the issue out.

Outcome/Goal # 2

Advancing On^yote?a.ka Principles

MEASUREMENT:

Video Transfer Oneida Elder Interviews	Total Tapes	Completed Transfer/YouTube	% Completed
Mini DV Tapes Phase I	294	294	100% 100% YouTube
Beta Tapes Phase II	387	315	0
REEL to REEL Phase III	TBD @ cottage		0
Gordy McLester Collection	Current Box	Total pieces scanned	Total pieces Uploaded to web
9/30/21	17 of 32 boxes have been numbered and indexed	1,244 On hold until boxes completely organized	1,149 (some items not for public)
Social Media FB (limited)	Total Posts	Reached	Engaged Users
Jul – Sep 2021	79	70,697	4,719 – highest Virtual Pow Wow
Jul – Sep 2020	41	26,495	4,053
Oneida Tours (ON HOLD)	# of Tours 2	Total Persons 12	1 – 2022 booked

ACCOMPLISHMENTS RELATED TO THE OUTCOME/GOAL:

Began laying out Amelia Cornelius Culture Park Master Plan to submit for ARPA funds with a completion of 2023. Includes trail and accessibility features to enhance the level of the park. Ready for submission in December 2021.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

6 Months – Continue to assist in the care taking of the Gordy McLester Collection. Contract worker (3-10 hours week) continue work on Gordy's papers & exploreoneida.com timeline. Collection boxes/documents being numbered and indexed. 6 linear feet of photos/misc remains untouched. Continue with this work and redesign the exploreoneida.com timeline.

HOW HAS THE COVID-19 PANDEMIC IMPACTED THE OUTCOME/GOAL:

(Continues) - Greatest impact is not having enough time to focus on creating digital humanities media.

Outcome/Goal # 3

Advance Forward using Technology

MEASUREMENT:

Project #1 – 3D printing capacity, setting up 2nd printer in July. - Complete

Project #2 – Oneida Talking Paintings – Adding additional panel for log home/Rosa Minoka Hill & Josiah Powless (10% complete) – on hold until the winter.

Project #3 New – Digital Store Front – a streamline process to ordering print jobs. – Oct will have the RFP sent to potential vendors.

ACCOMPLISHMENTS RELATED TO THE OUTCOME/GOAL:

Utilizing an outside graphics contract to streamline the Kali production process. Working through RFP process for digital store front with MIS.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

In Q1 FY22 – BBM should be printing our first cobs of 3D Corn. Future goal is to print 1,560 cobs of corn for the long house display. Ganondagan Long House/NY has expressed interest of purchasing corn braids in the future.

HOW HAS THE COVID-19 PANDEMIC IMPACTED THE OUTCOME/GOAL:

Continues: Greatest impact is having very limited time to work with new technology.

Contact Info

CONTACT: Michelle Danforth Anderson
TITLE: Marketing & Tourism Director
PHONE NUMBER: 920.496.5624
E-MAIL: mdanfor8@oneidanation.org
MAIN WEBSITE: ExploreOneida.com FB: OneidaTourism



Accept the Education and Training FY-2021 4th quarter report

Business Committee Agenda Request

1. Meeting Date Requested: 11/24/21

2. General Information:

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

Justification: *Choose reason for Executive.*

3. Supporting Documents:

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5. Submission:

Authorized Sponsor: Mark W. Powless, General Manager

Primary Requestor: _____

Additional Requestor: (Name, Title/Entity)

Additional Requestor: (Name, Title/Entity)

Submitted By: LLIGGINS

FY-2021 4th quarter report

EDUCATION & TRAINING AREA

Status report of Outcomes/Goals

1. Which outcome/goal(s) does the Division wish to report on?
2. What metric is being used to measure the outcome/goal?
3. What are the accomplishments (i.e. positives, things for which the Division is proud, brags) have occurred over the reporting period that reflect the Division's progress for reaching the outcome/goal? ? Include initial outcomes—answers the question of what difference did this program make—what new knowledge, changed attitudes, new skills, changed behaviors, altered conditions, changed status—what changes in knowledge, skills, attitudes, and opinions---were achieved during Q2—should be able to match up with scorecard and/or grant evaluation design
4. What can the community expect to see in the future (i.e. 6 months; next year; 18 months) from the Division related to the outcome/ goal?

Outcome/Goal # 1

Early Childhood Goal: Support Kindergarten readiness through curricula focused on cognitive, social-emotional, and physical domains.

PROGRAMS WORKING ON OUTCOME:

- Child Care
- Head Start
- Early Head Start

MEASUREMENT:

Child Care:

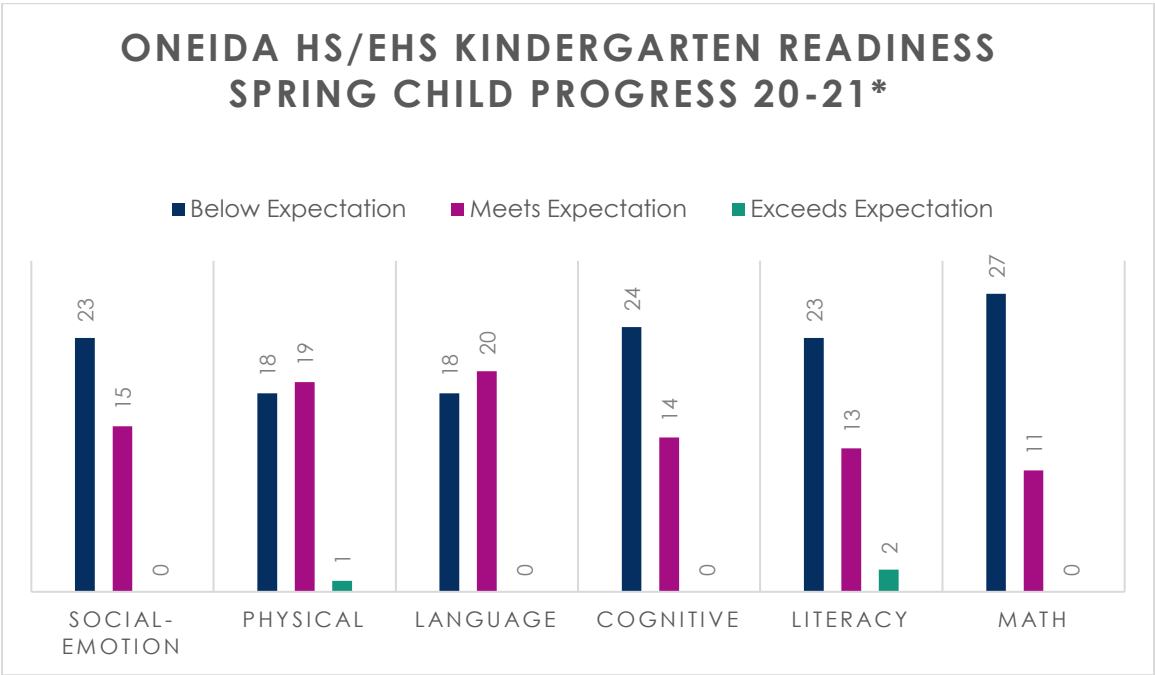
This will be measured by staff observation and by using the Teaching Strategies Gold Child Assessment Portfolio. These tools and methods will help staff understand child interactions, knowledge, and skills to support the child's development and make appropriate referrals for further evaluation. Provide childcare and developed twenty-nine (29) children portfolios with teacher observations recorded for each child, weekly lesson plans to meet developmental needs.

Head Start/Early Head Start:

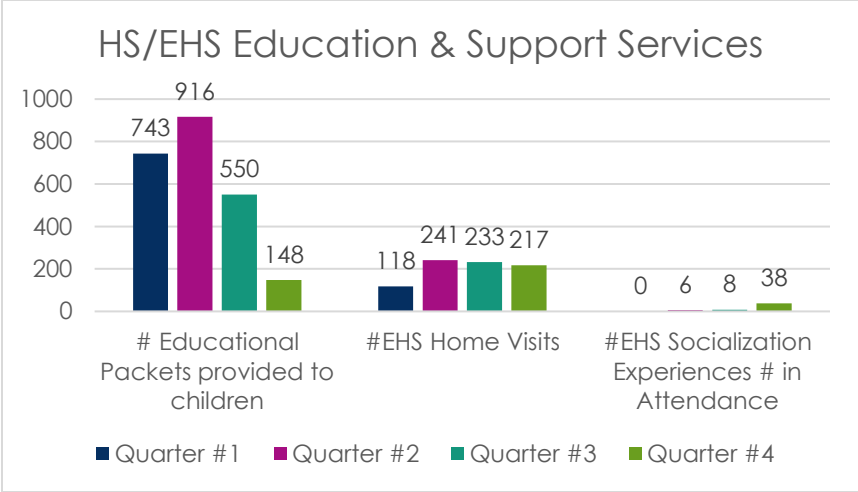
A Special in person Summer Session was provided for 24 four-year-old for six weeks with two co-horts. The session went very well, and parents and teachers alike were confident that children were ready to start Kindergarten in the fall.

All Head Start/Early Head (HS/EHS) children's progress are tracked in an early education teaching database. Measurements are affected by COVID-19 and Staffing shortages. Enrollment has been capped and students have had their initial school readiness assessment. An A/B co-hort has been implemented in order to allow for more students to attend school on Mon/Tues and every other Wednesday and Thurs/Fri and every other Wednesday.

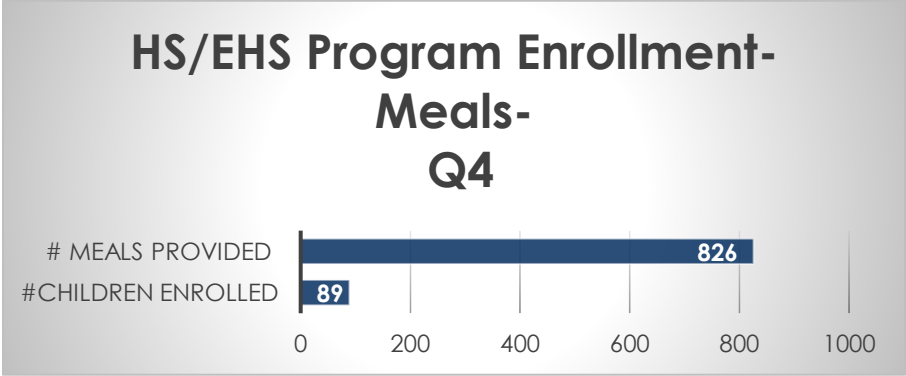
Classrooms use Teaching Strategies Gold, Childplus and Seesaw® classroom software to track classroom and parent interactions. Each student has a digital portfolio that measures their developmental stages and levels of family engagement. Students initial school readiness scores will be tracked through the school year to measure progress



** Measurements are affected by COVID-19 and the ability to only conduct virtual classrooms versus in person observations/assessments; Fall 2021 child assessments available in November.*



This last quarters educational packets were able to be reduced as the school year ended. Socialization attendance increased for EHS as some of the COVID restrictions began to be lifted. Families were very positive about their children being able to engage in external activities again.



EHS Group Socialization Catching Minnows (Eye-Hand Coord.)



EHS Family Event-At the Lake 7/21

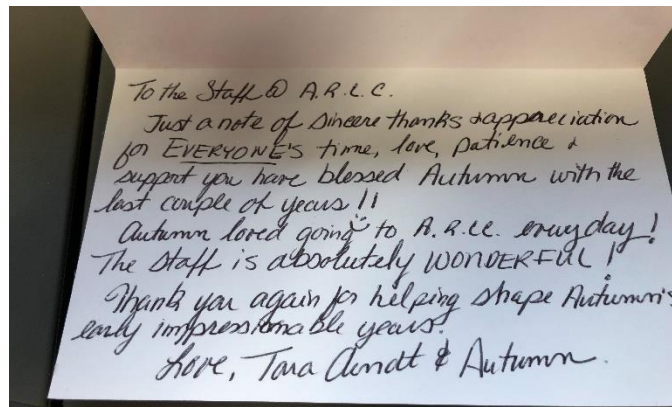
ACCOMPLISHMENTS RELATED TO THE OUTCOME/GOAL

Child Care:

Served 29 children during the fourth quarter. 3493 meals/snacks were served to Childcare children.

One (1) child has transitioned during the fourth quarter. Transitions occur when children are age and developmentally ready for new challenges and with the parent's support. Due to Covid-19 restrictions there are twenty-nine (29) active child portfolios. Lesson plans are completed weekly by each classroom, they incorporate opportunities and experiences that children need to developmental expectations.

Six (6) children have left the Childcare program to attend 4-K/ kindergarten this fall. A parent shares her appreciation to ARCC Staff for the time, love, patience and support they have provided to her child over the years.



Head Start/Early Head Start:

Served 89 children during the fourth quarter. The program provided approximately 148 educational learning packets for EHS center-based children during the quarter. meals were provided for HS/EHS children. 60 HS children and 49 EHS children served through in-person learning and home visits. EHS provided 217 home visits and 38 children attended 8 Group Socializations. Early Head Start resumed in-person learning in the classroom on Monday, May 17. There was an A & B Cohort on Mon/Tues – Thurs/Fri, with Wed. set aside for teacher preparation and classroom deep cleaning. Head Start School Year was September 8 with an A/B schedule (2 days & every other Wed.) due to staff shortages and limited bussing availability. The program opened 4 HS classrooms, 2 at each site.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

Child Care:

Portfolios will continue to be updated each month as teachers observe new skills. Teachers will contact parents to report their child/children's progress. Lesson plans are completed weekly by each classroom that incorporate opportunities and experiences that children need to meet developmental expectations. Teachers are scheduled to receive additional training on the use of educational software to track learning progress.

Head Start/Early Head Start:

HS is planning to continue its current operations through the end of the calendar year. Masking and Health Screenings will continue, and recruitment and retention plans will be put in place to address the staffing shortage. It is our hope to open up more classrooms and return to five day a week classroom attendance after January 1, 2022.

Outcome/Goal # 2

Implement Individual Education Plans (IEPs) for children with educational disabilities

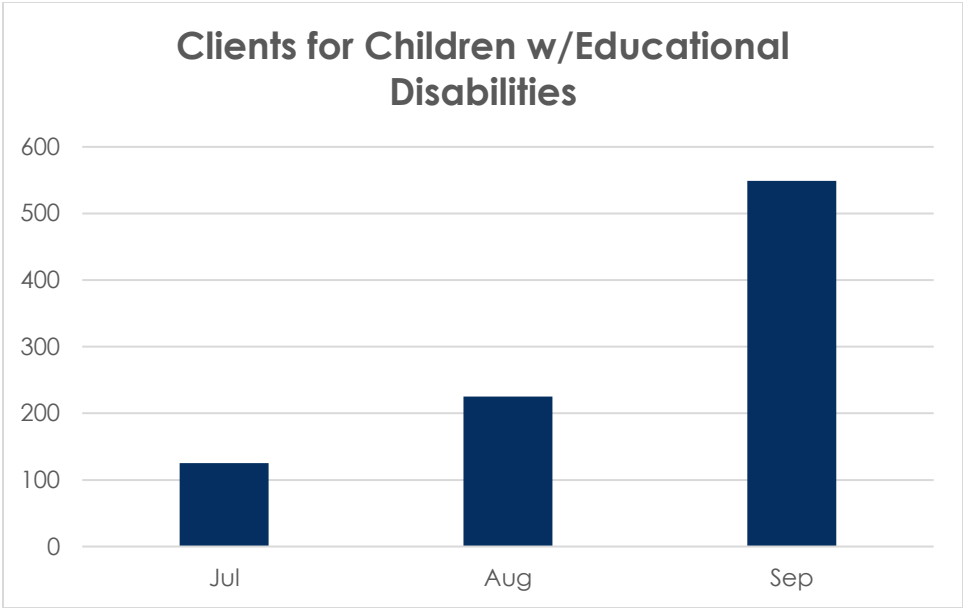
PROGRAMS WORKING ON OUTCOME:

- Oneida Early Intervention
- Head Start/Early Head Start

MEASUREMENT:

Oneida Early Intervention:

Provide therapy sessions to children identified with disabilities and evaluation of progress.

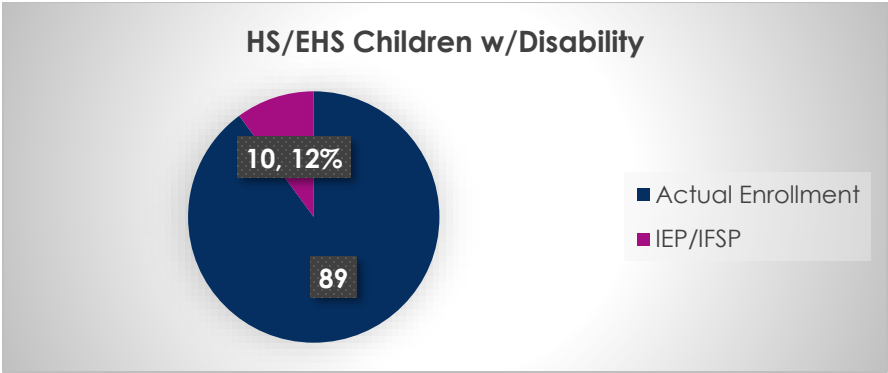


** All Infant/Toddler (Birth to 3) therapy services provided in collaboration with Brown & Outagamie Counties.*



Head Start/Early Head Start (HS/EHS):

Head Start/Early Head Start had 10 children (12%) on an IEP or IFSP enrolled in the program during the quarter. Head Start requires programs to ensure at least 10 percent of its total funded enrollment is filled by children eligible for services under IDEA.



ACCOMPLISHMENTS RELATED TO THE OUTCOME/GOAL:

Oneida Early Intervention:

Third quarter programming for children has been updated to include onsite programming in addition to teletherapy and educational packets. Direct therapy and onsite screens and evaluations have increased our case load considerably.

Head Start/Early Head Start (HS/EHS):

HS/EHS works collaboratively with Oneida Early Intervention to refer children with suspected disabilities for evaluation. HS/EHS staff participate in the Individual Education Plans and modifications of in classroom teaching methodologies. Oneida Early Intervention continues to provide speech, occupational and physical therapy services to enrolled Head Start/Early Head Start students with disabilities.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

Oneida Early Intervention:

Program has adjusted service delivery model to increase family services in addition to children services. Provide enrichment activities for parents and children to use at home which are simple to use and require little preparation for parents.

Head Start/Early Head Start:

Continued recruitment, identification of, and enrollment of children with disabilities. Program selection criteria includes prioritization of children with disabilities. Will continue to work with Oneida Early Intervention on procedures for referrals and timelines for evaluations and development of Individual Education Plans.

Outcome/Goal # 3

Students eligible for Youth Enrichment Services in elementary, middle, and high school are on tracked to graduate and Higher Education Scholarships are awarded for post-secondary education

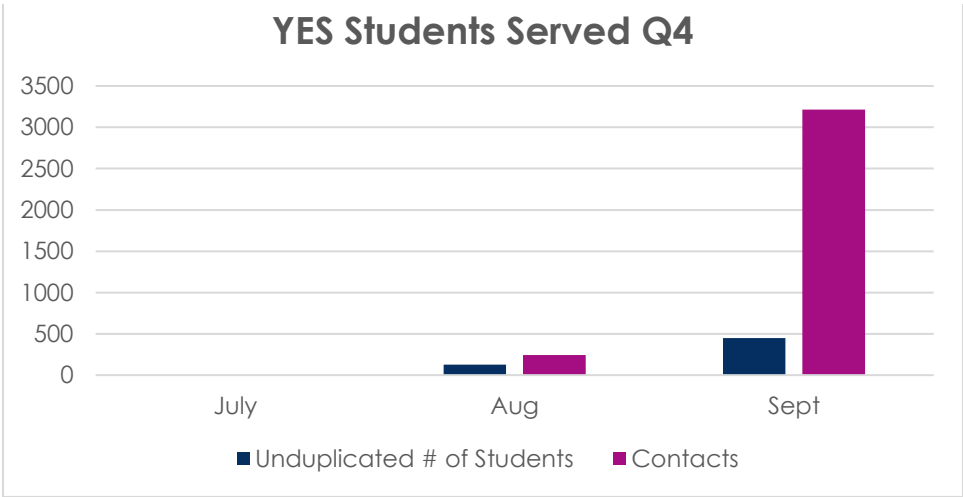
PROGRAMS WORKING ON OUTCOME:

- Youth Enrichment Services (YES)
- Higher Education

MEASUREMENT:

Youth Enrichment Services (YES):

YES educates, advocates, and provides mentoring to services to American Indian students in grades Kindergarten to 12th in a school setting. The number of contacts made with students to ensure they are on track to graduate as measured by attendance, grades, and social behaviors.



*school is out of session in July and August

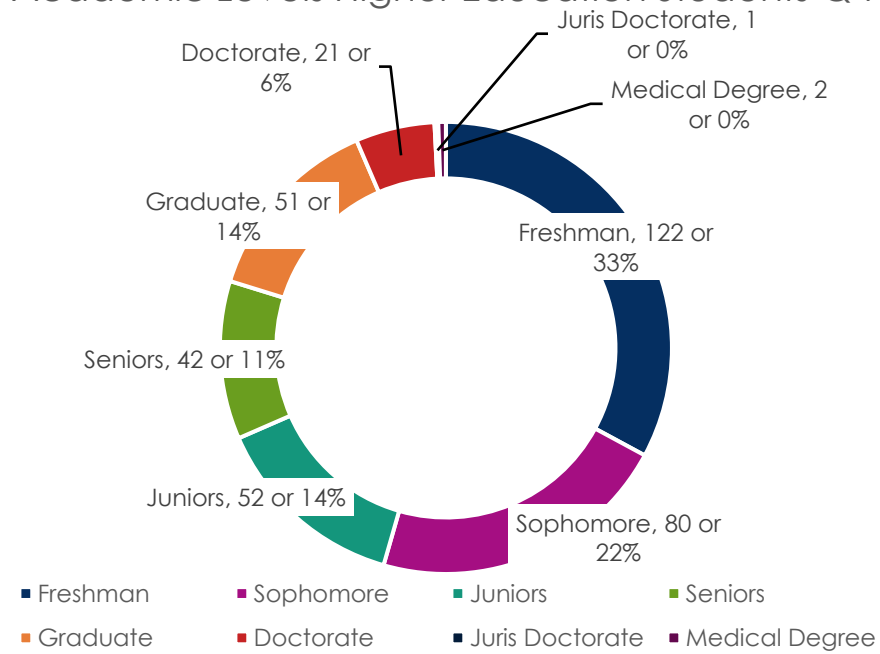
Y.E.S. Program Graduate Summary by School					
High School	Total Number of American Indian Seniors	Y.E.S. Eligible American Indian Seniors	Y.E.S. Eligible Graduates	Non-Y.E.S. Eligible American Indian Graduates	American Indian Students with Incomplete Y.E.S. Program Application Graduates
Southwest*	28	17	4 (24%)	1	2
Seymour	24	17	12 (71%)	6	0
West De Pere	16	14	14 (100%)	0	2
Totals	68	48	30 (63%)	7	4

**Graduation Status Unknown due to: Student data unavailable at the end of the school, students participate in alternative school programming, or students working on credit recovery to graduate after summer school. Some of the students not graduation will return to school in the fall.*

Higher Education:

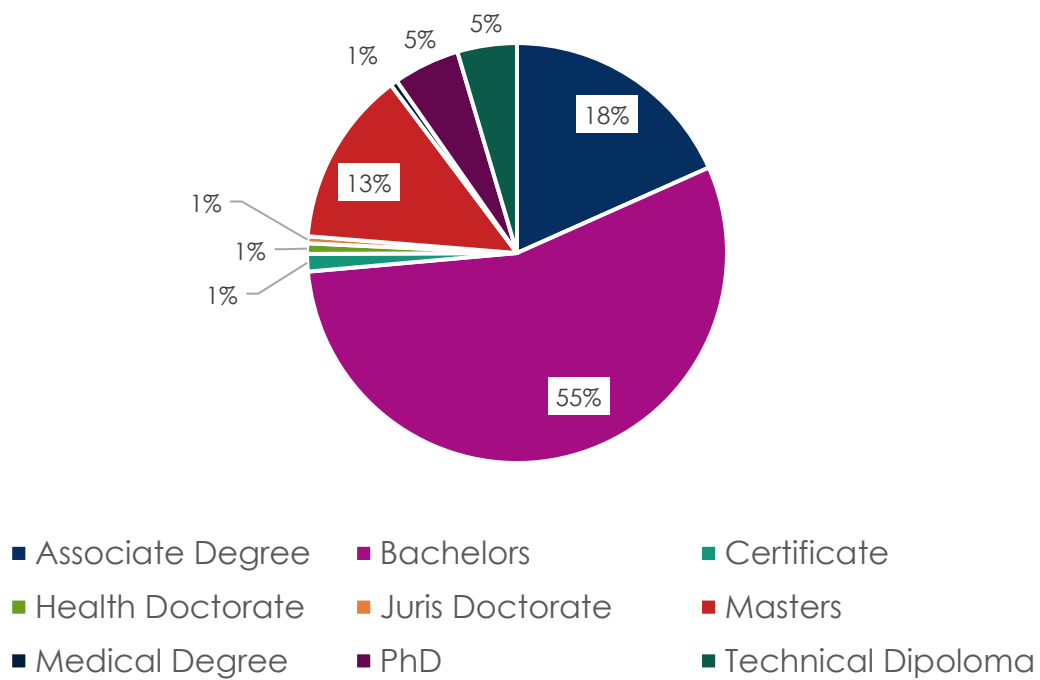
In the fourth quarter, 371 Tribal Members received the Higher Education Scholarship
Students Receiving the Higher Education Scholarship this quarter are at the following academic levels:

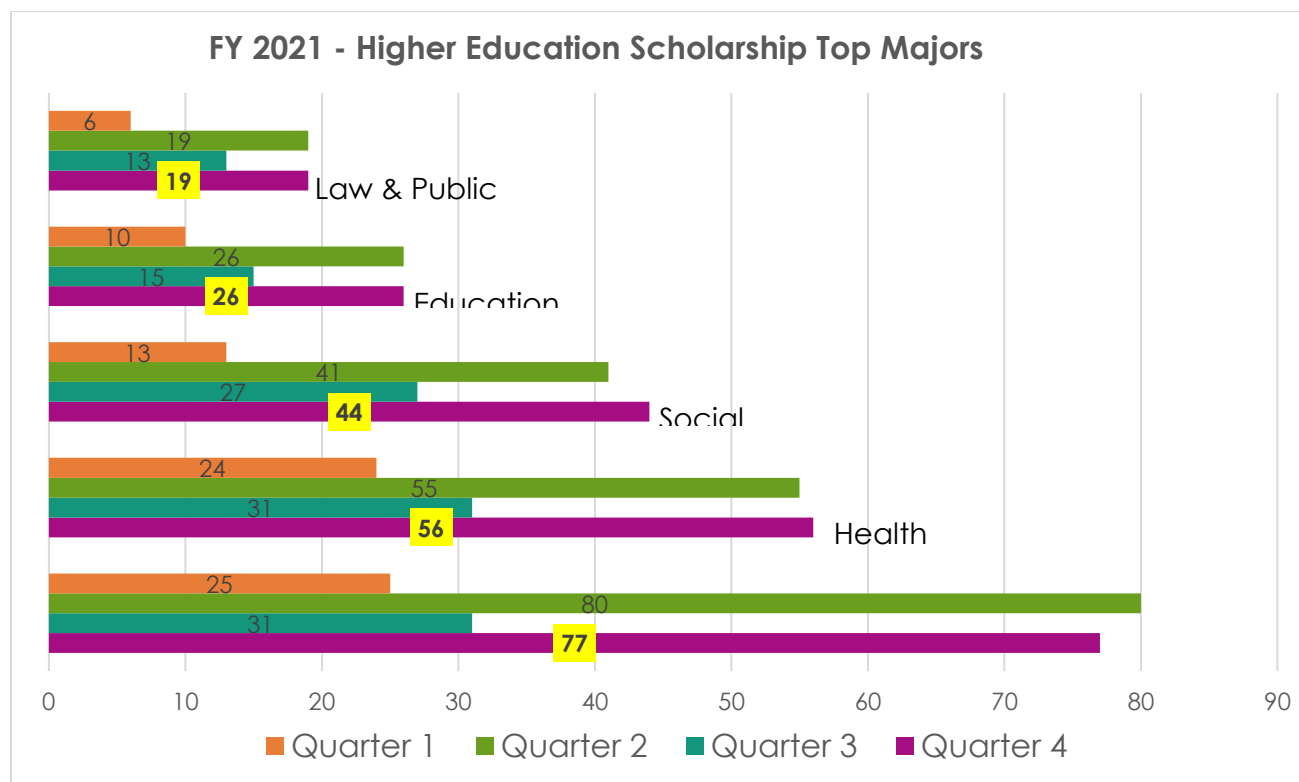
Academic Levels Higher Education Students Q4



Higher Education Scholarships are funding the following degrees

Degree Type Higher Education Q4





ACCOMPLISHMENTS RELATED TO THE OUTCOME/GOAL:

Youth Enrichment Services (YES): Forty-eight (48) YES eligible High School Seniors graduated in Academic Year 2020-2021.

Higher Education: provides scholarships for any enrolled Oneida Tribal member who has obtained a high school diploma and attending an accredited college or university. During the fourth quarter, 371 students received the Oneida Higher Education grant. Of the total number of students who turned in their grades, 87% or 322 students received funding in the next semester. Students who turned in their grades during this quarter was 314 with 8% (25) students going on probation and 7% (22) put on suspension.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

YES: Program staff are being recalled to the workplace from seasonal layoff in August 2021 and will return to the eight (8) schools for the start of the 2021-2022 academic year.

Outcome/Goal # 4

Provide culturally sensitive vocational rehabilitation services to Native Americans with disabilities who reside on or near Oneida leading to gainful employment consistent with their strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice to build individual self-sufficiency.

PROGRAMS WORKING ON OUTCOME:

- Oneida Vocational Rehabilitation (OVR)

MEASUREMENT: The program will steadily increase the number of consumers served, volume and variety of services utilized and successful employment outcomes.

ACCOMPLISHMENTS RELATED TO THE OUTCOME/GOAL:

The OVR program has been re-establishing its visibility and credibility in the Oneida community. Program is updating internal operating procedures and reporting structures.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

Program is updating internal operating standards and continues to work with local Wisconsin DVR offices on dual enrollment.

Contact Info

CONTACT:	Jacqueline (Jackie) Smith
TITLE:	Education & Training Area Manager
PHONE NUMBER:	920-869-4037
E-MAIL:	jsmith@oneidanation.org
MAIN WEBSITE:	https://oneida-nsn.gov/education

Accept the Grants FY-2021 4th quarter report

Business Committee Agenda Request

1. Meeting Date Requested: 11/24/21

2. General Information:

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

Justification: *Choose reason for Executive.*

3. Supporting Documents:

- | | | |
|---|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input checked="" type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input 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: Mark W. Powless, General Manager

Primary Requestor: _____

Additional Requestor: (Name, Title/Entity)

Additional Requestor: (Name, Title/Entity)

Submitted By: LLIGGINS

FY-2021 4th quarter report

GRANTS OFFICE – INTERNAL SERVICES DIVISION

Status report of Outcomes/Goals - Based off our FY 2019-2021 Triennial Strategic Plan

Outcome/Goal # 1

Enhance tribal services with external grant funding of \$5 million dollars per year.

MEASUREMENT: We use an excel spreadsheet to track our denied, approved, and pending grants. An example of our total funded/denied grants follows:

FUNDED/DENIED TOTALS

2016	FUNDED	DENIED			
Funded Grants:					
TOTAL:	\$11,625,643.00	\$5,257,501.00			
2017					
Funded Grants:			2020	\$9,252,907.00	
TOTAL:	\$16,440,502.56	\$2,669,265.00	2021	\$15,378,986.98	
			2022		
2018			2023		
Funded Grants:			2024		
TOTAL:	\$5,734,269.12	\$2,967,189.00	TOTALS:	\$24,631,893.98	
2019					
Funded Grants:					
TOTAL:	\$8,287,777.28	\$2,340,381.00			
2020					
Funded Grants:					
TOTAL:	\$9,252,907.00	\$10,712,288.00			
2021					
Funded Grants:					
TOTAL:	\$15,378,986.98	\$13,423,847.78			
2022					
Funded Grants:					
TOTAL:	\$3,253,189.33	\$524,123.00			

ACCOMPLISHMENTS RELATED TO THE OUTCOME/GOAL:

End of FY 2021 4th quarter, we have \$15,378,986.98 in grant dollars that this office

has worked on in some capacity: planning, developing, writing, modifications, signatures, upload, etc. This amount is far beyond our goal, however, is high due to ARPA monies that also came in as well as annual and/or competitive grants. We have over \$3.2 million in grants funded for FY 2022, with another \$20 million pending, \$12.4 being one grant for MIS Broadband that is pending.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

New or increased services to community members, as well as additional grand-funded job opportunities for the nation.

Outcome/Goal # 2

To increase Oneida Nation staff knowledge by providing grants training to programs/departments in need.

MEASUREMENT:

The Grants Office had planned to provide grant training, however with Covid-19 protocols, this has not been provided as much as planned. Loss of staff and added workloads have prevented remaining staff to provide a group virtual training as well. We have worked with programs on an as-needed basis. Once we meet this goal, we can measure the tools and sessions that will be provided on a quarterly basis thru surveys and/or on-going communication.

ACCOMPLISHMENTS RELATED TO THE OUTCOME/GOAL:

With the loss of many employees, we have been trying to meet this goal by training new or transferred staff as we move through the grants process of applying on an as-needed basis.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

The Grants Office plans on providing grant writing training sessions in the future. When we find time, we can develop a short training tool, such as a video or power point on the grants process that will be virtual.

Outcome/Goal # 3

Provide administrative and fundraising support to the Oneida Youth Leadership Institute (OYLI): The Oneida Youth Leadership Institute is a 7871 charitable organization of the Oneida Nation located in Oneida, Wisconsin. We help youth organizations raise funding and provide funding opportunities to develop young Oneida leaders.

MEASUREMENT:

We have approved By Laws and a Charter that provides guidance in meeting our goal of provided services. We keep a log of all transactions, meetings minutes, disbursements, and communication.

ACCOMPLISHMENTS RELATED TO THE OUTCOME/GOAL:

Although there has been no activity since the Pandemic and the on-going "Declaration of Public Health State of Emergency" within the Nation, we did get a new Board Member in June. Since this is a volunteer Board, and with shortages and layoffs, the Board members time has been drastically stretched with their regular jobs/duties and have not met.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

WE hope to meet one time before end of year to strategize for the next year. We currently have a full board of seven (with two being on extended terms).

Contact Info

CONTACT: Cheryl Stevens
TITLE: Manager
PHONE NUMBER: 920-496-7331
E-MAIL: cstevens@oneidanation.org
MAIN WEBSITE: oneidanation.org

Grant Funded projects:

Tribal Action Plan grant project (3-year funding)



Native American Agriculture Fund Youth Agricultural Education grant (2-year grant)

Oneida Business Committee Agenda Request

Accept the Anna John Resident Centered Care Community Board FY-2021 4th quarter report

1. Meeting Date Requested: 11 / 24 / 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 Member

Additional Requestor:

Additional Requestor:

2021 report template

For Boards, Committees, and Commissions (BCCs)

Approved by official entity action on: [Click here to enter approval date](#)

Submitted by: Brooke Doxtator, BCC Supervisor

OBC Liaison: Jennifer Webster

OBC Liaison: Marie Summers

OBC Liaison: Daniel Guzman-King

AJRCCC BOARD – FY21 Q4 REPORT

Purpose:

The purpose of the Anna John Resident Centered Care Community (AJRCCC) Board is to serve in an advisory capacity ensuring operations of AJRCCC are within the guidelines and policies of the Oneida Nation and within all regulations, rules, policies governing the operation of a nursing home.

The Board ensures the AJRCCC maintains a safe and sanitary environment while providing quality care and services to residents of the facility and as ordered by each resident’s attending physician.

BCC Members

Kristin Jorgenson-Dann
Chair
7/31/2023

Joshua Hicks
Board Member
07/31/2020

Beverly Anderson
Vice-Chair
7/31/2023

Jeanette Ninham
Board Member
7/31/2024

Valeri Groleau
Board Member
7/31/2022

Vacant
Board Member
7/31/2022

Patricia Moore
Board Member
7/31/2024

Substantiated Complaints (if applicable)

Per § 105.12-4.(a) of the Boards, Committees and Commissions law, annual and semi-annual reports shall contain information on the number of substantiated complaints against all members of the entity.

Per § 105.3-1.(q) a "Substantiated complaint" means a complaint or allegation in a complaint that was found to be valid by clear and convincing evidence.

NUMBER OF SUBSTANTIATED COMPLAINTS: Zero (0)

Meetings

Held every 2nd Wednesday of the month at 5:00 p.m. via Microsoft Teams during the Public Health Emergency.

The AJRCCC Board met twice this quarter due to lack of quorum.

Emergency Meetings: Zero (0)

Contact Info

CONTACT: Kristin Jorgenson-Dann
 TITLE: AJRCCC Board Chair
 E-MAIL: ajc-kjor@oneidanation.org

Status report of Three-Year Outcomes/Goals

Outcome/Goal # 1

Encouraging Tsi? NiyukwalihoTÁ (We have everything here to sustain us): Community and organizational buy-in will be formed and Economic sustainability will be promoted.

IS THIS A LONG-TERM OR QUARTERLY GOAL? Long-term

GOOD GOVERNANCE PRINCIPLE:

Participation - Fostering a system in which the public feels that they are part of decision-making processes, including freedom of expression and assiduous concern for the best interests of the Tribe and community in general

HOW OUTCOME/GOAL SUPPORTS THE GOOD GOVERNANCE PRINCIPLE:

The Board is scheduled to meet monthly and attend the Resident Council Meetings. By attending these meetings, the Board can hear concerns directly from the residents and can attempt to solve issues or bring up concerns to other areas such as the Oneida Business Committee

ACCOMPLISHMENTS REGARDING THE OUTCOME/GOAL:

No AJRCCC Board members were able to attend a meeting during this quarter due to scheduling conflicts. However, the administration has been providing updates to the board. Q&A's regarding community concerns have been brought to the administrations attention when addressed by the board. Main topics of discussion have been safety protocols for residents and COVID-19, vaccinations, mental health checks for residents, and future procedures for visitations.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

Continue to try to attend these meetings along with a BC liaison to keep lines of communication open and to address concerns from the residents.

Outcome/Goal # 2

Continue and update education of AJRCCC Board members

IS THIS A LONG-TERM OR QUARTERLY GOAL? Quarterly

GOOD GOVERNANCE PRINCIPLE:

Responsiveness - Availability to the public and timeous reaction to the needs and opinions of the public

HOW OUTCOME/GOAL SUPPORTS THE GOOD GOVERNANCE PRINCIPLE:

It is important for the AJRCCC Board to be knowledgeable on the latest health topics, treatments, initiatives, etc. The National Indian Health Board provides information that the board member(s) can bring back to AJRCCC administration and the rest of the board.

ACCOMPLISHMENTS REGARDING THE OUTCOME/GOAL:

The board has been communicating with AJRCCC Administration on planning for education and trainings for the board to bring back information for AJRCCC.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

The board will have to discuss attending virtual trainings as they become available and monitor the COVID-19 situation.

Stipends

Per the Boards, Committees, and Commissions law, stipends are set via OBC resolution. BC resolution # 08-12-20-C sets the stipend amounts.

Budget Information

FY-2021 BUDGET:

Line Item in AJRCCC Budget

FY-2021 EXPENDITURES AS OF END OF REPORTING

PERIOD:

\$2,550

Requests

Other

In the fourth quarter there were two (2) vacancies and currently there are two (2) members whose terms expired but have continued serving in their positions in accordance with §105.6-2 (a) (1) of the Boards, Committees, and Commissions law. There was one (1) application received and processed at the end of the fourth quarter and the applicant will be sworn in during the first quarter of FY2022.

Oneida Business Committee Agenda Request

Accept the Oneida Nation Arts Board FY-2021 4th quarter report

1. Meeting Date Requested: 11 / 24 / 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 Member

Additional Requestor:

Additional Requestor:

2021 report template

For Boards, Committees, and Commissions (BCCs)

Approved by official entity action on: May 18, 2021

Submitted by: Brooke Doxtator, BCC Supervisor

OBC Liaison: Kirby Metoxen

OBC Alternate Liaison: Jennifer Webster

ONEIDA NATION ARTS BOARD – FY2021 4TH QTR

Purpose:

The purpose of the Oneida Nation Arts Board is to provide guidance and support to the Oneida Nation Arts Program. The Oneida Nation Arts Board performs the responsibilities granted to the Board under the Dollars for Arts Program.

BCC Members

Kelli Strickland	Amy Wilde
Chair	Board Member
3/31/23	2/28/22
Kent Hutchison	Vacant
Vice Chair	Member
3/31/23	2/28/22
Dawn Walschinski	Vacant
Board Member	Member
2/28/22	3/31/24
Christopher Powless	
Board Member	
2/28/2022	

Substantiated Complaints (if applicable)

Per § 105.12-4.(a) of the [Boards, Committees and Commissions law](#), annual and semi-annual reports shall contain information on the number of substantiated complaints against all members of the entity.

Per § 105.3-1.(q) a “Substantiated complaint” means a complaint or allegation in a complaint that was found to be valid by clear and convincing evidence.

NUMBER OF SUBSTANTIATED COMPLAINTS:

Zero (0)

Meetings

Held every 2nd Tuesday of the month.

Emergency Meetings: Zero (0)

Contact Info

CONTACT: Sherrole Benton

TITLE: Arts Program Supervisor

PHONE NUMBER: 920-490-3832

E-MAIL: sbenton@oneidanation.org

MAIN WEBSITE: www.oneidanationarts.org

Status report of Three-Year Outcomes/Goals

Outcome/Goal # 1

Improve engagement and participation through the Dollars for Arts Program.

IS THIS A LONG-TERM OR QUARTERLY GOAL?

Long-term

GOOD GOVERNANCE PRINCIPLE:

Equity and Inclusiveness - Providing the opportunity for the Nation's stakeholders to maintain, enhance, or generally improve their well-being which provides the most compelling message regarding its reason for existence and value to the Nation

HOW OUTCOME/GOAL SUPPORTS THE GOOD GOVERNANCE PRINCIPLE:

The Dollars for Arts Program provides community members with opportunity to secure funding through a grant to improve themselves artistically or professionally in the arts.

ACCOMPLISHMENTS REGARDING THE OUTCOME/GOAL:

Oneida Nation Arts Program staff have been working extremely hard to update the policies and procedures of the DAP to better address the needs of the community. On a simple level we have separated the policy from the procedures so that we can more easily adjust our procedures without having to redo our policy. Our procedures change includes new

guidelines that recognize the artist's journey into grant world and professional development. Community and Nation are able to start with small \$500 grants and progress to community grants.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

We expect to have more people applying for DAP grants, with more first-time grant applicants able to receive funds. We also expect that we will be able to assist artists develop stronger proposals, leading to better opportunities and exposure for them.

Outcome/Goal # 2

Strengthen ONAB leadership and governance.

IS THIS A LONG-TERM OR QUARTERLY GOAL? Long-term

GOOD GOVERNANCE PRINCIPLE:

Effectiveness and Efficiency - Processes implemented by the Nation producing favorable results which meets the needs of Membership, Employees, Community, while making the best use of resources – human, technological, financial, natural and environmental

HOW OUTCOME/GOAL SUPPORTS THE GOOD GOVERNANCE PRINCIPLE:

The effectiveness and efficiency of ONAB as a BCC under the Oneida Business Committee is in question. Currently the OBC calling into question filling vacancies for ONAB and stipend.

ACCOMPLISHMENTS REGARDING THE OUTCOME/GOAL:

ONAB has submitted report to the GM on ONAB leadership and governance. It is the question of either modifying the existing board and committee policies to include recognition of advisory boards or allowing ONAB to self govern.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

This is a larger discussion between ONAB and OBC.

Stipends

Per the Boards, Committees, and Commissions law, stipends are set via OBC resolution. BC resolution # 05-08-19-B sets the stipend amounts. In addition, the Oneida Nation Arts Board bylaws do not allow for stipends per section 5-1.

Budget Information

FY-2021 BUDGET: \$0

FY-2021 EXPENDITURES AS OF END OF REPORTING
PERIOD:

\$0

Requests

Other

The Board has struggled with holding meetings, it was agreed that in the first quarter of FY2022 the Arts Board By-Laws would be reviewed and changes to meeting frequency would be changed from monthly to quarterly; as well as adding a stipend payment. There was one (1) board member to resign in the fourth quarter. There are now two (2) vacancies on the Arts Board.

Accept the Oneida Police Commission FY-2021 4th quarter report

Business Committee Agenda Request

1. Meeting Date Requested: 11/24/21

2. General Information:

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

Justification: *Choose reason for Executive.*

3. Supporting Documents:

- | | | |
|---|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input checked="" type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input 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: Richard VanBoxtel, Chair/Oneida Police Commission

Primary Requestor: Brooke Doxtator, BCC Supervisor

Additional Requestor: (Name, Title/Entity)

Additional Requestor: (Name, Title/Entity)

Submitted By: BDOXTAT1

2021 report template

For Boards, Committees, and Commissions (BCCs)

Approved by official entity action on: 10/27/21

Submitted by: Richard Van Boxtel, Chair

OBC Liaison: Brandon Stevens

OBC Liaison Alternates: Tehassi Hill & Daniel Guzman

ONEIDA POLICE COMMISSION

Purpose:

The purpose of the Oneida Police Commission is to regulate the conduct of the Oneida Nation Law Enforcement personnel according to the highest professional standards, to provide oversight regarding the activities and actions of the law enforcement operations, to provide the greatest possible professional services to the Oneida Community, and to allow the community input regarding those law enforcement services through its representatives on the Police Commission. This entity is created as an oversight body of the Oneida Police Department. The Chief of Police is responsible for the day to day activities of the law enforcement services provided to our community.

BCC Members

Richard Van Boxtel
Chairwoman
7-31-2023

Kory Wesaw
Member
10-31-2022

Beverly Anderson
Secretary
7-31-2021

Kim Rae Nishimoto
Vice-Chairwoman
7-31-2024

Vacant
Member
7-31-2022

Substantiated Complaints (if applicable)

Per § 105.12-4.(a) of the [Boards, Committees and Commissions law](#), annual and semi-annual reports shall contain information on the number of substantiated complaints against all members of the entity.

Per § 105.3-1.(q) a “Substantiated complaint” means a complaint or allegation in a complaint that was found to be valid by clear and convincing evidence.

NUMBER OF SUBSTANTIATED COMPLAINTS

0

Meetings

Held every 4th Wednesday of the month.

Emergency Meetings: 0

Contact Info

CONTACT: Brooke Doxtator

TITLE: Boards, Committees, and Commissions Supervisor

PHONE NUMBER: 920-869-4452

E-MAIL: police_commission@oneidanation.org

MAIN WEBSITE: <https://oneida-nsn.gov/government/boards-committees-and-commissions/appointed/#Oneida-Police-Commission>

Status report of Three-Year Outcomes/Goals

Outcome/Goal # 1

One of the Commissions goals is to develop positive relationships with the Oneida Community

IS THIS A LONG-TERM OR QUARTERLY GOAL? Long-term

GOOD GOVERNANCE PRINCIPLE:

Participation - Fostering a system in which the public feels that they are part of decision-making processes, including freedom of expression and assiduous concern for the best interests of the Tribe and community in general

HOW OUTCOME/GOAL SUPPORTS THE GOOD GOVERNANCE PRINCIPLE:

The Oneida Police Commission is appointed by the Oneida Business Committee and entrusted with oversight of the Oneida Police Department. Duties include evaluating appointments and promotions, standard operating procedures and work standards (SOP/WS), Memorandum of Agreements (MOA), expenditures and grant opportunities. The Commission is a “checks and balances” of the Police Department because it is composed of Tribal members who are vested in the Oneida Community, which in turn encourages citizen input. The Oneida Police Department had several unfilled police officer positions. To address the vacant positions, the Commission has given approval to hire non-tribal members at entry level positions.

ACCOMPLISHMENTS REGARDING THE OUTCOME/GOAL:

The Police Commission has open mandatory monthly meeting with the Police Chief and/or Assistant Police Chief to review and approve the Oneida Police Departments monthly report and to keep the Police Commission informed of all the duties and responsibilities of the department and provide guidance. In accordance with the Law Enforcement Ordinance, the Commission worked with the Police Department to approve and fill vacant positions and approve standard operating procedures and work standards (SOP/WS).

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

In the future, the Police commission will continue to develop a positive relationship with the community and the Police Department. The Police Commission can plan and attend events together showing support.

Outcome/Goal # 2

Develop three community events to promote good relations between the community, Police Commission and Police Department while measuring attendance at events.

IS THIS A LONG-TERM OR QUARTERLY GOAL? Long-term

GOOD GOVERNANCE PRINCIPLE:

Responsiveness - Availability to the public and timeous reaction to the needs and opinions of the public

HOW OUTCOME/GOAL SUPPORTS THE GOOD GOVERNANCE PRINCIPLE:

The Oneida Police Commissioners are dedicated to building a strong community built on Tsi? Niyukwaliho'*ta by participating in community events and sharing our knowledge and experience. The Oneida Police Commission and Oneida Police Department collaborates with other tribal entities and other municipalities to strengthen our community.

ACCOMPLISHMENTS REGARDING THE OUTCOME/GOAL:

The community event aspect of this goal has been placed on hold due to the COVID-19 pandemic, however, it remains a priority for the Commission and we hope to resume these activities as soon as it safe to do so.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

The Oneida Police Commission will continue to collaborate with other tribal entities and municipalities. We can also investigate alternative methods to reach out to community in a safe manner during the pandemic.

Stipends

Per the Boards, Committees, and Commissions law, stipends are set via OBC resolution. BC resolution # 08-12-20-C sets the stipend amounts.

Budget Information

FY-2021 BUDGET: \$5,500

FY-2021 EXPENDITURES AS OF END OF REPORTING PERIOD: \$600

Requests

No requests.

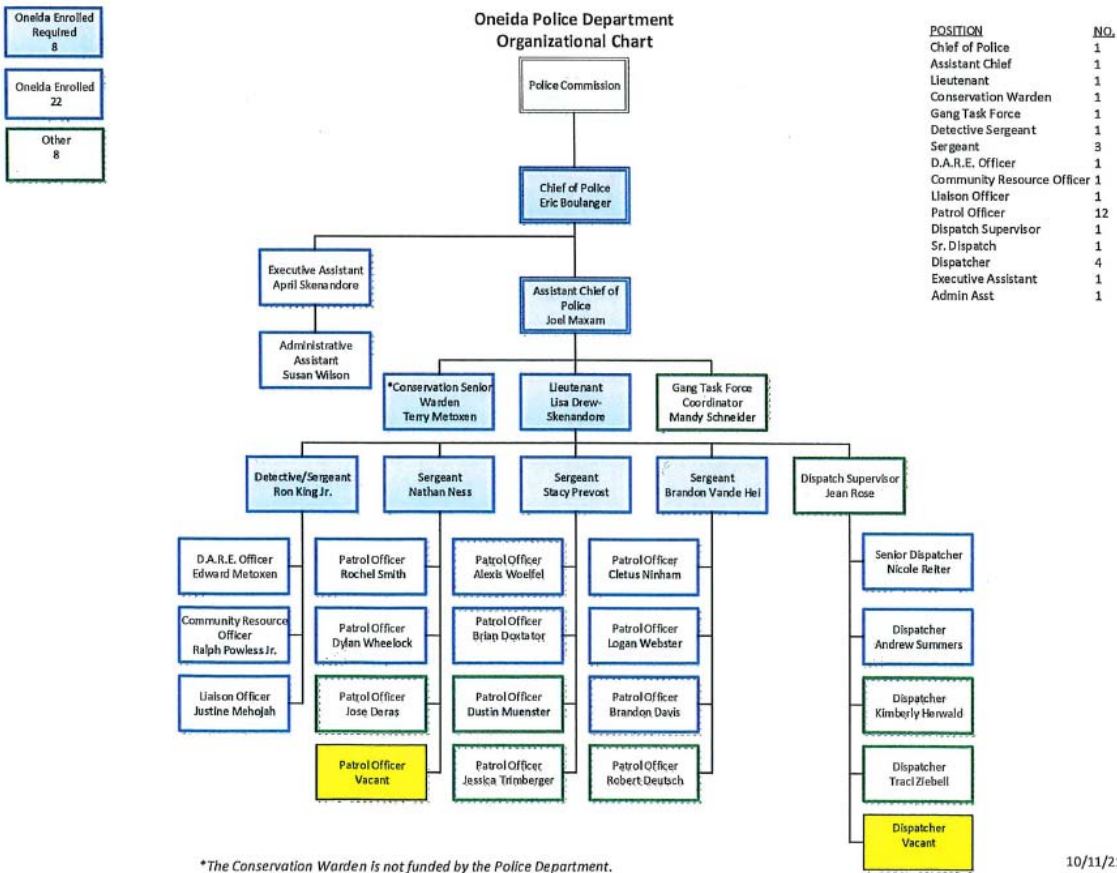
Other

- OPD Organization Chart is attached.
- We accepted the resignation of Sandra Reveles, effective March 31, 2021. Her position has been posted for several months; as of August 12, 2021, the BC Support Office has received an application for this position which was forwarded to the Business Committee for consideration at their October 27, 2021 meeting. Beverly Andersons term expired on July 31, 2021 and one application was received as of the August 6, 2021 application deadline, the BC Support office is waiting on drug test results before forwarding that application to the Business Committee for consideration.

PERSONNEL

The organizational chart indicates the number of budgeted positions, vacancies and which positions are held by Oneida Tribal members.

- Patrol: There is one vacant Police Officer position, the position is posted.
- Dispatch: Two applicants tested and interviewed. Traci Ziebell accepted position with a start date of October 11, 2021. One position will be reposted.



Accept the Oneida Election Board FY-2021 4th quarter report

Business Committee Agenda Request

1. Meeting Date Requested: 11/24/21

2. General Information:

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

Justification: *Choose reason for Executive.*

3. Supporting Documents:

- | | | |
|---|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input checked="" type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input 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: Pamela Nohr, Chair/Oneida Election Board

Primary Requestor: _____

Additional Requestor: (Name, Title/Entity)

Additional Requestor: (Name, Title/Entity)

Submitted By: LLIGGINS

2021 report template

For Boards, Committees, and Commissions (BCCs)

Approved by official entity action on: November 15, 2021

Submitted by: Shannon Davis, Recording Clerk

OBC Liaison: Lisa Liggins

OBC Liaison: Cristina Danforth

ONEIDA ELECTION BOARD – FY21 Q4 REPORT

Purpose:

Responsible for conducting fair and orderly elections for the Oneida Nation, and responsible to count hand and/or ballot votes at General Tribal Council (GTC) meetings.

BCC Members

Pamela Nohr Chair 7/31/2024	Candace House Member 7/31/2022
Tonya Webster Vice Chair 7/31/2023	Christina Liggins Member 7/31/2023
Tina Skenandore Secretary 7/31/2023	Melinda K. Danforth Member 7/31/2024
Patricia Moore Member 7/31/2022	Stephanie Metoxen Member 7/31/2024
Racquel Hill Member 7/31/2022	

Substantiated Complaints (if applicable)

Per § 105.12-4.(a) of the [Boards, Committees and Commissions law](#), annual and semi-annual reports shall contain information on the number of substantiated complaints against all members of the entity.

Per § 105.3-1.(q) a “Substantiated complaint” means a complaint or allegation in a complaint that was found to be valid by clear and convincing evidence.

NUMBER OF SUBSTANTIATED COMPLAINTS: Zero (0)

Meetings

Held the 2nd and 4th Monday of every month. Meetings are held via Microsoft Teams during the Public Health Emergency.

Emergency Meetings: Zero (0)

Contact Info

CONTACT: Pamela Nohr
 TITLE: Chair
 E-MAIL: Election_Board@oneidanation.org
 MAIN WEBSITE: <https://oneida-nsn.gov/government/boards-committees-and-commissions/elected/>

Status report of Three-Year Outcomes/Goals

Outcome/Goal # 1

The Election Board will conduct all Oneida Elections in compliance with Oneida Law, Policy and/or Resolution.

IS THIS A LONG-TERM OR QUARTERLY GOAL? Long-term

GOOD GOVERNANCE PRINCIPLE:

Rule of Law - Ensuring the rules are known and applied equally to all with clear appeal (if needed) and are enforced by an impartial regulatory body, for the full protection of Oneida Nation stakeholders

HOW OUTCOME/GOAL SUPPORTS THE GOOD GOVERNANCE PRINCIPLE:

The Election Board has been following Oneida Law, Policy, and/or Resolutions. This ensure the General Tribal Council an orderly and straightforward understanding of all elections.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

In Quarter 4 of FY-21, the Election Board conducted the Special Election in July. The election was conducted in a safe manner taking in consideration the COVID-19 pandemic. There were several precautions taken to ensure the membership safety during the COVID-19 pandemic is accounted for and done in compliance with the law.

Stipends

Per the Boards, Committees, and Commissions law, stipends are set via OBC resolution. BC resolution # 08-12-20-C sets the stipend amounts.

Budget Information

FY-2021 BUDGET: \$81,200

FY-2021 EXPENDITURES AS OF END OF REPORTING PERIOD: \$ 24,117

Requests

Other

Accept the Oneida Gaming Commission FY-2021 4th quarter report

Business Committee Agenda Request

1. Meeting Date Requested: 11/24/21

2. General Information:

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

Justification: *Choose reason for Executive.*

3. Supporting Documents:

- | | | |
|---|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input checked="" type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input 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: Mark A. Powless Sr. Chair/Oneida Gaming Commission

Primary Requestor: Shannon Davis, Recording Clerk

Additional Requestor: (Name, Title/Entity)

Additional Requestor: (Name, Title/Entity)

Submitted By: SDAVIS

2021 4th Quarter Report (July '21– Sept.'21)

For Boards, Committees, and Commissions (BCCs)

Approved by official entity action on: 11/16/2021

Submitted by: Mark A. Powless Sr, Chairman

OBC Liaison: Marie Summers

OBC Liaison: Brandon Yellowbird-Stevens

ONEIDA GAMING COMMISSION

Purpose:

The Oneida Gaming Commission and its departments collectively promote and ensure the integrity, security, honesty and fairness of the regulation and administration of all Gaming activities within the jurisdiction of the Oneida Nation.

BCC Members

Mark A. Powless Sr. Chairman August 2023	Reynold “Tom” Danforth Vice Chair August 2025
Michelle Braaten Secretary August 2022	Jonas Hill Commissioner August 2024

Substantiated Complaints (if applicable)

Per § 105.12-4.(a) of the Boards, Committees and Commissions law, annual and semi-annual reports shall contain information on the number of substantiated complaints against all members of the entity.

Per § 105.3-1.(q) a “Substantiated complaint” means a complaint or allegation in a complaint that was found to be valid by clear and convincing evidence.

NUMBER OF SUBSTANTIATED COMPLAINTS: 0

Meetings

Held every 1st and 3rd Monday of the month.

Emergency Meetings: There were no Emergency Meetings

Contact Info

CONTACT:	Mark A. Powless Sr,
TITLE:	Chairman
PHONE NUMBER:	(920)497-5850

E-MAIL: Mpowles5@oneidanation.org

MAIN WEBSITE: www.Oneida-nsn.gov/GamingComm

Status report of Three-Year Outcomes/Goals

Outcome/Goal # 1

Develop/Finalize and revise all regulations, as necessary, including the OGMICS and regulations for Compliance and Enforcement, Employee Licensing, Hearings, Administration/Staffing, and Raffles.

IS THIS A LONG-TERM OR QUARTERLY GOAL? Long-term

GOOD GOVERNANCE PRINCIPLE:

Rule of Law - Ensuring the rules are known and applied equally to all with clear appeal (if needed) and are enforced by an impartial regulatory body, for the full protection of Oneida Nation stakeholders

HOW OUTCOME/GOAL SUPPORTS THE GOOD GOVERNANCE PRINCIPLE:

Establishing and maintaining comprehensive and clear regulations that promulgate the rule of law, ensures fair and consistent processes are followed by the Gaming Commission and its departments. Keeping regulations up to date and available for stakeholder reference also allows for a transparent process and knowledge of what is expected. Up-to-date regulations provide for operational and customer references that benefit the Nation and assist the OGC to regulate Oneida Gaming effectively.

ACCOMPLISHMENTS REGARDING THE OUTCOME/GOAL:

The following chapters of the Oneida Nation Gaming Minimum Internal Control Standards have been revised and reviewed in the 4th quarter: Chapter 8 Sports Wagering.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL: OGMIC's – Definitions Section, General Section, Revenue Audit, Audit and Accounting.

Outcome/Goal # 2

To attain and maintain department wide the new compliance requirements related to the use of Criminal History Record Information (CHRI) as required by the FBI and National Indian Gaming Commission (NIGC) audits. These are mandatory requirements to continue licensing gaming employees.

IS THIS A LONG-TERM OR QUARTERLY GOAL? Long-term

GOOD GOVERNANCE PRINCIPLE:

Effectiveness and Efficiency - Processes implemented by the Nation producing favorable results which meets the needs of Membership, Employees, Community, while making the best use of resources – human, technological, financial, natural and environmental

HOW OUTCOME/GOAL SUPPORTS THE GOOD GOVERNANCE PRINCIPLE:

Making sure that everyone is updated on the CHRI requirements ensures positive Federal and NIGC Audit results.

ACCOMPLISHMENTS REGARDING THE OUTCOME/GOAL:

Processes had to and continue to be changed to accomplish additional compliance demands by the FBI and NIGC. Beside Procedural changes, technical support has become a very important part of meeting compliance.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

Currently working and keeping up with the changes of the CHRI, all people in our area have passed the tests. Commission is still in the process, of completing SOP's to stay in compliance with what the Federal entities put forth.

Outcome/Goal # 3

Determine staff competencies and expectations, evaluate staff and identify gaps, and train accordingly.

IS THIS A LONG-TERM OR QUARTERLY GOAL? Long-term

GOOD GOVERNANCE PRINCIPLE:

Accountability - The acknowledgement and assumption of responsibility for decisions and actions as well as the applicable rules of law

HOW OUTCOME/GOAL SUPPORTS THE GOOD GOVERNANCE PRINCIPLE:

Accountability is achievable when expectations are communicated, and stakeholders are held to those expectations. In order to ensure the OGC departments are sufficiently accountable, required competencies must first be identified, staff evaluated, and subsequently trained, accordingly. For accountability-sake, stakeholders need to acknowledge determined expectations and be held to them as standards of performance.

ACCOMPLISHMENTS REGARDING THE OUTCOME/GOAL:

Competencies and expectations have been identified, staff evaluated and trained identified and/or planned for all departments to ensure staff is aware and understands expectations. The Surveillance department has already initiated on-going staff training with

periodic assessments. The training material continues to be improved upon as the on-going assessments ensue. Each department within the Commission has been introduced in one manner or other to helping each other.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

Further training within other departments to further close gaps in order to maintain efficient workflows as a department.

Stipends

Per the Boards, Committees, and Commissions law, stipends are set via OBC resolution. BC resolution # 05-08-19-B sets the stipend amounts.

Budget Information

FY-2021 BUDGET: \$4,559,084

FY-2021 EXPENDITURES AS OF END OF REPORTING
PERIOD: \$239,866.86

The OGC's budget, along with the budgets for the departments under the Oneida Gaming Commission oversight and the umbrella guidance of the OGC, are utilized to accomplish regulatory requirements and expectations.

Requests

- 1) None

Other

1. The Commission pursued Covid-19 rapid testing with Oneida Health Department for Surveillance Department frontline workers in hopes for preventing a breakout within the department.
2. All Commissioners and Staff were required to take a Criminal History Report Information (CHRI) test. There will be further testing in the future.

Accept the Oneida Land Commission FY-2021 4th quarter report

Business Committee Agenda Request

1. Meeting Date Requested: 11/24/21

2. General Information:

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

Justification: *Choose reason for Executive.*

3. Supporting Documents:

- | | | |
|---|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input checked="" type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input 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: Becky Webster, Chair/Oneida Land Commission

Primary Requestor: Brooke Doxtator, BCC Supervisor

Additional Requestor: (Name, Title/Entity)

Additional Requestor: (Name, Title/Entity)

Submitted By: BDOXTAT1

2021 Quarterly Report 4

For Boards, Committees, and Commissions (BCCs)

Approved by official entity action on: Monday October 25, 2021

Submitted: Sidney White

OBC Liaison: Cristina Danforth

OBC Liaison: Jennifer Webster / Marie Summers

ONEIDA LAND COMMISSION

Purpose:

The Land Commission was established for the purpose of managing the Nation's land resources, with authority to carry out all the powers and duties as delegated under the following laws of the Nation:

- 1.The Real Property Law;
- 2.The Leasing Law;
- 3.The Building Code;
- 4.The Condominium Ordinance;
- 5.The Zoning and Shoreland Protection Law;
- 6.The Eviction and Termination Law;
- 7.The Landlord-Tenant Law;
- 8.The Mortgage and Foreclosure Law;
- 9.The Cemetery Law; and
- 10.All other delegating law, policy, rule and/or resolution of the Nation.

BCC Members

Rebeca Webster
Chair
07/31/2022

Sidney White
Secretary
07/31/2023

Sherrole Benton
Commissioner
07/31/2024

Pat Cornelius
Commissioner
07/31/2022

Fred Muscavitch
Vice-Chair
07/31/2024

Julie Barton
Commissioner
07/31/2023

Donald McLester
Commissioner
07/31/2024

Substantiated Complaints (if applicable)

Per § 105.12-4.(a) of the [Boards, Committees and Commissions law](#), annual and semi-annual reports shall contain information on the number of substantiated complaints against all members of the entity.

Per § 105.3-1.(q) a “Substantiated complaint” means a complaint or allegation in a complaint that was found to be valid by clear and convincing evidence.

NUMBER OF SUBSTANTIATED COMPLAINTS: 0

Meetings

Held every 2nd and 4th Monday of the month.

Emergency Meetings: none

Contact Info

CONTACT: Oneida Business Committee Support Office

TITLE: Brooke Doxtator

PHONE NUMBER: (920) 869-1690

E-MAIL: Land_Commission@oneidanation.org

MAIN WEBSITE: <https://oneida-nsn.gov/government/boards-committees-and-commissions/elected/#Oneida-Land-Commission>

Status report of Three-Year Outcomes/Goals

Outcome/Goal # 1

Promoting Positive Community Relations

IS THIS A LONG-TERM OR QUARTERLY GOAL? Long-term

GOOD GOVERNANCE PRINCIPLE:

Transparency - Open communication about actions taken and decisions made ensuring access to information is clear

HOW OUTCOME/GOAL SUPPORTS THE GOOD GOVERNANCE PRINCIPLE:

The Land Commission strives to be open and transparent regarding its actions and decisions. Goal for regular communication with membership via General Tribal Council meetings and postings on "Members-Only" page. Goal for the membership being informed and engaged with land acquisition, zoning and land use as it pertains to our Nation.

ACCOMPLISHMENTS REGARDING THE OUTCOME/GOAL:

Reporting to general membership primarily through online and/or the Kalihwisaks. No general update to the membership since the last General Tribal Council (GTC) meeting. Potential updates via Oneida-nsn.gov website and/or the online version of the Kalihwisaks.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

Information will be presented during annual and semi-annual meetings to the membership. Communicate to membership any "high-profile" land acquisition matters to ensure transparency.

Outcome/Goal # 2

Exercising Sovereignty

IS THIS A LONG-TERM OR QUARTERLY GOAL? Long-term

GOOD GOVERNANCE PRINCIPLE:

Rule of Law - Ensuring the rules are known and applied equally to all with clear appeal (if needed) and are enforced by an impartial regulatory body, for the full protection of Oneida Nation stakeholders

HOW OUTCOME/GOAL SUPPORTS THE GOOD GOVERNANCE PRINCIPLE:

Re-establish roles & responsibilities to fully implement the 2033 Plan approved by GTC. The 2033 Plan provides an allocation of funds to reacquire land within the Oneida Reservation.

ACCOMPLISHMENTS REGARDING THE OUTCOME/GOAL:

Fourth Quarter Closing: Oneida VFW Land, 2980 W. Service Rd, 0.93 acres, commercial

Fiscal Year Closings: 31.55 acres, \$157,000 savings. NRDA grant \$85,000 to purchase 4530 Hillcrest Dr. WisDOT donation surplus land off HWY 172. Allowances of \$45,000 for 4530 Hillcrest and W322 Crook Road to complete repairs

Oneida Nation currently owns 27,641.88 acres and 42.5% of the Oneida Nation Reservation.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

The Land Commission goal is to acquire land, use land appropriately, and exercise the Oneida Nation's sovereignty. Pending COVID-19 pandemic response, membership may continue to see new acquisitions and programs being established with their input to maximize the use of Nation land and properties.

Outcome/Goal # 3

Promoting Positive Community Relations

IS THIS A LONG-TERM OR QUARTERLY GOAL? Long-term

GOOD GOVERNANCE PRINCIPLE:

Participation - Fostering a system in which the public feels that they are part of decision-making processes, including freedom of expression and assiduous concern for the best interests of the Tribe and community in general

HOW OUTCOME/GOAL SUPPORTS THE GOOD GOVERNANCE PRINCIPLE:

Develop Land Use policy to better serve the needs of the membership. Focus on programs to serve individual farmers, entrepreneurs, and community organizations.

ACCOMPLISHMENTS REGARDING THE OUTCOME/GOAL:

Delays continue to be expected on new rules being enacted and implemented due the COVID-19 pandemic and response effort. There was no substantial progress made on new rules this past quarter.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

Anticipated changes and rules to promote positive impact on the Nation and neighbors for the future. Plan for programs and expansion pending COVID-19 pandemic.

Stipends

Per the Boards, Committees, and Commissions law, stipends are set via OBC resolution. BC resolution # 05-08-19-B sets the stipend amounts.

Budget Information

<u>FY-2021 BUDGET:</u>	\$8,400.00 budgeted
<u>FY-2021 EXPENDITURES AS OF END OF REPORTING PERIOD:</u>	\$15,200 stipends (note: \$50 was budgeted for the year instead of \$100)

Requests

Enter request(s), if needed.

Other

Fourth Quarter Closing: Oneida VFW Land, 2980 W. Service Rd, 0.93 acres, commercial

2020-2021 Fiscal Year Closings				
Date	File #	Property Address	Acreage	Use
10/15/2020	112020901RES	W223 Crook Road	10.81	Residential and Ag
11/18/2020	11201905RES	4530 Hillcrest Dr	19.72	Residential and Ag
01/12/2021		HWY 172	0.095	Right of Way
08/31/2021	08201701C	2980 W. Service Rd	0.93	Commercial

Oneida Business Committee Agenda Request

Accept the Oneida Trust Enrollment Committee FY-2021 4th quarter report

1. Meeting Date Requested: 11 / 24 / 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.

2021 report template

For Boards, Committees, and Commissions (BCCs)

Approved by official entity action on: 11/16/2021

Submitted by: Venessa Cardish

OBC Liaison: Jennifer Webster

OBC Liaison: [Click here to enter OBC Liaison](#)

ONEIDA TRUST ENROLLMENT COMMITTEE

Purpose:

Sustain the Oneida membership and protect our trust assets. To exercise stewardship over tribal enrollment and trust assets while providing leadership to sustain the tribe.

BCC Members

Vacant

Member

July 2024

Sandra Skenandore

Member

July 2023

Pamela Ninham

Secretary

July 2022

Barbara “Bobbi” Webster

Member

July 2023

Jennifer Webster, Member, July 2023

Enter Board Member Title, if any

Dylan Benton

Member

July 2024

Norbert Hill Jr.

Member

July 2022

Jennifer Hill-Kelley

Member

July 2021

William “Bill” Gollnick

Member

July 2022

Substantiated Complaints (if applicable)

Per § 105.12-4.(a) of the [Boards, Committees and Commissions law](#), annual and semi-annual reports shall contain information on the number of substantiated complaints against all members of the entity.

Per § 105.3-1.(q) a “Substantiated complaint” means a complaint or allegation in a complaint that was found to be valid by clear and convincing evidence.

NUMBER OF SUBSTANTIATED COMPLAINTS: 0

Meetings

4th Tuesday.

Emergency Meetings:

Contact Info

CONTACT:	Keith Doxtator
TITLE:	Trust Enrollment Director
PHONE NUMBER:	(920)869-6200 or 1-800-571-9902
E-MAIL:	kdoxtat1@oneidanation.org
MAIN WEBSITE:	TrustEnrollments@oneidanation.org

Status report of Three-Year Outcomes/Goals

Outcome/Goal # 1

Continue to engage the community on identity, belonging, and citizenship

IS THIS A LONG-TERM OR QUARTERLY GOAL?

Long-term

GOOD GOVERNANCE PRINCIPLE:

Equity and Inclusiveness - Providing the opportunity for the Nation's stakeholders to maintain, enhance, or generally improve their well-being which provides the most compelling message regarding its reason for existence and value to the Nation

HOW OUTCOME/GOAL SUPPORTS THE GOOD GOVERNANCE PRINCIPLE:

Sustain Oneida continues to inform the membership with statistics on the previous, current and future potential growth of the membership through weekly podcasts. Simultaneously gathering community feedback. Monthly updates are reported to Trust Enrollment Committee. Quarterly updates are given to OBC and request united support in moving forward with presenting the issue to GTC. Lastly, Sustain is eagerly awaiting to present to GTC and receive feedback on a larger scale.

ACCOMPLISHMENTS REGARDING THE OUTCOME/GOAL:

Engagement and outreach involving the community is still ongoing. Live stream videos are held (2) two times a week and geared towards including the community OTEC has requested to hold a Special Sustain Oneida GTC meeting when allowed due to the Public Health Emergency.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

The Sustain Oneida Project Specialist continues to follow a project communication strategy. It involves engaging the community on different platforms via online, social media, written articles, video presentations and mailings are planned to be utilized. Sustain Oneida is eagerly awaiting presentation to the GTC to gather feedback on a larger scale to determine what direction to move forward. OTEC would like to continue the idea of creation of sub-committee team for preliminary roadmap for constitutional change.

Outcome/Goal # 2

Developing and transitioning from insurance provider distributing death benefit for deceased tribal members to an Oneida distributed death benefit.

IS THIS A LONG-TERM OR QUARTERLY GOAL?

Long-term

GOOD GOVERNANCE PRINCIPLE:

Accountability - The acknowledgement and assumption of responsibility for decisions and actions as well as the applicable rules of law

HOW OUTCOME/GOAL SUPPORTS THE GOOD GOVERNANCE PRINCIPLE:

The continued goal of this consolidated process, once it has transitioned, is to expedite the process and distribute the allocated funds to the deceased members designated beneficiary efficiently. The Oneida death benefit program will save in paying a monthly administrative expense to an insurance company. Additionally, the committee requested legal review by staff attorney on the language of the GTC law that approved the original life insurance benefit to see if the change would require GTC approval. Lastly, tax implications from benefit distribution to non-tribal family members is being examined.

ACCOMPLISHMENTS REGARDING THE OUTCOME/GOAL:

OTEC has approved the project's progress, development and timeline of transition. Current insurance policy with Epic will end September 30th, 2022. OTEC notified OBC of the update at the September Joint meeting.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

Efficient distribution of the deceased members death benefit. Projected savings in the new Fiscal year.

Outcome/Goal # 3

Transition and adaptation to virtual environment and services to membership

IS THIS A LONG-TERM OR QUARTERLY GOAL? Quarterly

GOOD GOVERNANCE PRINCIPLE:

Responsiveness - Availability to the public and timeous reaction to the needs and opinions of the public

HOW OUTCOME/GOAL SUPPORTS THE GOOD GOVERNANCE PRINCIPLE:

Due to the continued extensions Public Health State of Emergency the Trust Enrollment Department is not fully open to the public and able to service walk-ins. However, with limited staff, we have been able to provide members with 30- minute appointments times (disinfecting between customers), Monday-Friday, 8:30 am-4 pm. This assists when the nation provides a benefit, service or assistance that requires proof of Oneida enrollment.

ACCOMPLISHMENTS REGARDING THE OUTCOME/GOAL:

Staff offering walk-up notary services outside during the summer months from 9 am-12 pm (noon) Tuesday & Thursday assisted greatly in receipt of both the Elder Per Cap and Minor Trust forms. By providing the service outside in limited close contact and the area was disinfected between customers. Additionally, it assisted in reducing an additional contact exposure for members because their form was notarized, received and a receipt issued at the same time.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

The Trust Enrollment Department continues to provide limited services including scheduled, minimal contact appointments for new tribal ID's, land use ID's, new enrollment paperwork. Notary services outside are no longer available outside on Tuesday's & Thursdays. Staff will continue to clean and disinfect in between appointments to ensure a clean, safe environment for customer safety. When it is approved for the nation to move forth with reopening the Trust Enrollment Department and Trust Enrollment Committee will adhere accordingly.

Stipends

Per the Boards, Committees, and Commissions law, stipends are set via OBC resolution. BC resolution # 08-12-20-C sets the stipend amounts.

Budget Information

FY-2021 BUDGET: \$196, 386 (July-Sept)

FY-2021 EXPENDITURES AS OF END OF REPORTING PERIOD: \$159,647 (July-Sept)

Accept the Community Development Planning Committee FY-2021 4th quarter report

Business Committee Agenda Request

1. Meeting Date Requested: 11/24/21

2. General Information:

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

Justification: *Choose reason for Executive.*

3. Supporting Documents:

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

4. Budget Information:

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

5. Submission:

Authorized Sponsor: Brandon Stevens, Vice-Chairman

Primary Requestor: Brooke Doxtator, BCC Supervisor

Additional Requestor: (Name, Title/Entity)

Additional Requestor: (Name, Title/Entity)

Submitted By: BDOXTAT1

Community Development Planning Committee

Quarterly Report for FY-2021 4th Quarter

July-September 2021

**CDPC Members**

Brandon Stevens, CDPC Chair
Daniel Guzman-King, CDPC Vice-Chair
Kirby Metoxen, CDPC Member

Marie Summers, CDPC Member
Tehassi Hill, CDPC Member

Purpose

To ensure that the Land Use Plan, Comprehensive Plan, Vision Oneida Plan, Housing Plan, all economic development efforts and land use recommendations are working in coordination with each other to improve the Oneida Tribal community and operations.

Meetings

The CDPC meets every 1st Thursday of the month at 9 a.m. virtually via Microsoft Teams.

Activities Summary

For the 4th quarter of FY2021, three regular CDPC meetings were held in July, August, and September.

Highlights**Oneida Nation Burial Grounds**

The Cemetery update was added to Standing Updates in February 2021 as a monthly update to review ground maintenance and utilization report and the cemetery improvement project report. This has been a multi-year and multi-phase project. In order to keep project moving forward and keep communication up to date the Committee has asked for monthly reports until further notice.

Burial Ground maintenance reports and cemetery improvement project reports continue to be submitted monthly. A chronology of the cemetery was to be put together in a report, which would be held at the Land Office.

Bicentennial Project

The planning for the Bicentennial has been revived. Due to COVID-19 the project was on hold and has since lost many of the sub-committee members. Amy Spears, Strategic Planner has been assigned as the new temporary lead and will be providing quarterly updates.

Facility Management Team (FMT) recommendation regarding Employee Assistance Program (EAP)

EAP is looking for alternative ideas to expand their existing facility or a possible relocation based on the rising needs of their program. The FMT provided an analysis of the available options for relocation and

recommended to relocated EAP to Suite E of the W. Mason Street Business Center. The CDPC supports this recommendation.

THC Legalization Business Strategy Team update

The Oneida Business Committee directed the formation of a THC Legalization Business Strategy Team. They asked for the reports to be submitted to the CDPC on a monthly basis. The first update to the CDPC was provided in August 2021.

The team held its first meeting on August 2, 2021. The team is working to gather information on the industry, community statistics, legal and legislative issues, and identifying the necessary competencies needed to develop a business plan in this industry.

Water Circle Place

This subject centers around discussion on potential uses of Water Circle Place and using OESC Group, LLC or one its subsidiaries like 1822 as the developer and MS2 as the general contractor. This discussion falls in line with BC Resolution 04-08-20-K Appointing Oneida ESC Group, LLC as Nation's General Contractor for Construction Projects.

Reporting Schedule

- Monthly:
 - Cemetery
 - THC Legalization
- Quarterly
 - Bicentennial Project

Oneida Business Committee Agenda Request

Accept the Finance Committee FY-2021 4th quarter report

1. Meeting Date Requested: 11 / 24 / 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.

FINANCE COMMITTEE

FY21 – Fourth Quarter Report (Jul. to Sept. 2021)

Approved by Official BC Action on: 7/19/95

PURPOSE: The Finance Committee (FC) is a working Sub-Committee of the Oneida Business Committee and is responsible for recommending financial decisions related to policies, organizational expenditures and budgets; while supporting the mission, values, and strategic goals of the Oneida Nation.

WHO WE SERVE: The FC serves all departments within the Nation to ensure expenditures of any substantial amount are procured in the most cost effective and fair manner; as established by the processes and procedures of the Purchasing Department. The FC also serves Oneida Community groups, local charitable organizations, and Oneida members through Finance Committee Donations and the Oneida Finance Fund (formerly the Community Fund).

FINANCE COMMITTEE MEMBERS: Members include two BC Council Members Jennifer Webster and Kirby Metoxen; the Treasurer, Cristina Danforth who chairs the meetings; Chief Financial Officer, Larry Barton who acts as the Vice-Chair; Gaming General Manager, Louise Cornelius; Purchasing Director, Patrick Stensloff; and a Community Elder Member (position is currently vacant). Chad Fuss, Asst. Gaming CFO and RaLinda Ninham-Lamberies, Assist. CFO are alternates for the GGM and CFO.

MEETINGS: Meetings are held twice a month, on a Monday one week prior to the regularly scheduled BC meetings. Due to the BC Declaration of Public Health State of Emergency relating to the COVID-19 virus/pandemic and the stay at home order, five of the six meetings were held virtually. In August when things opened there was one in-person meeting. In the 4th Quarter, the Finance Committee held six meetings on: Jul. 6th & 19th; Aug. 2nd & 16th; & 30th and Sept. 13, 2021. There were no work meetings.

GOALS: The three identified goals of the Finance Committee remain the same as last year. They are as follows:

1. *To support and improve all processes, procedures, laws, budgets, and resolutions that pertain to responsible financial oversight/expenditures for the Nation.*
2. *Demonstrate consistent community commitment by providing Donations to Not-for-Profits, veteran's groups, and charitable organizations; and by offering Community Funds/Products to the Oneida membership and Oneida community groups.*
3. *Continue to develop endowments for the Nation in the areas of Language, Land, and Health to sustain funding for these important areas for future generations.*

INTERNAL OPERATIONS/DEPARTMENT ACTIVITIES:

In the 4th Quarter the FC reviewed and approved Ninety-Four (94) requests from the organization for a total of \$111,602,430.29. The requests consisted mainly of FY22 Blanket Purchase Orders. The remainder were for FY21 Blanket Purchase Order increases, Gaming Capital Expenditure, OHC Service contract (COVID funds), Printing Capital Expenditures, services contracts and insurance premium payments.

Informational requests are reported to the Finance Committee to provide transparency within the organization of all business activities/procedures; Intergovernmental Agreements; and Reports for and by the Finance Committee. In the 4th Quarter the FC reviewed Thirteen (13) requests and internal reports including: internal monthly reports, forms/SOP's for FY22 and Gaming Slot Lease Games. There were also seven (7) other requests from donations, copier fleet, and government to government contract totaling \$9,665,000.

INVESTMENT UPDATES:

There were no Investment Updates in the 4th Quarter

COMMUNITY FUND:

The Finance Committee has designated that they review Community Fund (CF) requests at their first meeting of each month. The Fiscal Year 2021 funding for use from the previous years' earnings is \$51,361.85, and all funds were expended in the 3rd quarter. Per the FC Community Fund criteria all approved funding requests from Oneida members represent the following categories: 1.) Self-Development; 2.) Community Events; and 3.) Fundraising activities. Most of the requests were from self-development as the pandemic limited the activities in the other two categories.

The Community Fund FY 2021 Product amount is \$5,000.00 which approximates to 497 Cases. In the 4th Quarter the Finance Committee reviewed and approved one Product requests for a total of 25 Cases. At their 8/2/21 meeting they also approved 240 Cases for the three upcoming GTC meetings, but all the meetings were canceled.

Also, at the Aug. 2nd meeting, the Finance Committee, at the request of the LOC did review and approve a name change beginning in FY 2022. The new name will be the ***Oneida Finance Fund***. The new forms, instructions and announcement of the new name were also posted on the Oneida Website and Oneida Portal along with the FY22 FC meeting schedule.

FC DONATIONS

The Finance Committee Reviews Donation requests at their second meeting of each month. The Donation allocation for fiscal year 2021 was \$50,000.00. Per the FC Donation criteria all requests approved represent the following categories:

- 1.) Oneida Community Causes
- 2.) Local Groups (charitable) and
- 3.) Nation Groups (Indian Affiliated).

At the end of the 3rd Quarter the balance for Donations was \$31,393.10. There were four Donation requests approved in the 4th Quarter for a total amount of \$10,000. The Donation balance at the end of the 4th Quarter was \$21,393.10. A listing of Q4 donations is attached for your reference.

It is anticipated that in FY22 there will be increased requests for donations. In the final Finance Committee meeting of FY2021 the FC formally approved an increase to the maximum amount for requests to \$3,000 for FY22. The FY22 Donation packets are posted on the Oneida Website (under the Finance Committee) and the Oneida Portal (under Finance forms) along with the FY22 meeting schedule/submission dates.

FINANCE COMMITTEE DONATION REQUESTS

4TH QUARTER – FY2021

Q4	Mtg Date	Requester	Representing	Request Amt	Category	Request Description	FC Action
1	7/19/21	Aaron Geitner	Local Not-for-Profit	\$ 2,500.	Oneida Comm Causes	Exceptional Equestrians more programs/sessions for treatment of clients	Approved
2	7/19/21	Aliskwet Ellis	WIA, Inc.	\$ 2,500.	Oneida Comm Causes	Woodland Indian Art Show & Market-	Approved
3	7/19/21	Alexa Priddy	Local Not-for-Profit	\$ 2,500.	Oneida Comm Causes	Annual Fundraiser for the CP Center-Oct 2021	Approved
NO DONATION REQUESTS RECEIVED FOR AUGUST 8/16/21							
4	9/13/21	Andrew Sutherland	Feeding America Eastern WI	\$ 5,000.	Nat'l Group	Feeding America - General Donation	Appr- \$2500.

4th QUARTER DONATIONS			
Designations/Percentages	ALLOCATIONS	EXPENDITURES	BALANCE
1. Oneida Community Causes - 40%	\$18,893.10	\$7,500	\$11,393.10
2. Local Groups (Charitable) - 40%	\$2,500	\$0	\$2,500.00
3. Nat'l Groups (Indian Affil.) - 20%	\$10,000	\$2,500	\$7,500.00
	\$31,393.10	\$10,000.00	\$21,393.10

Oneida Business Committee Agenda Request

Accept the Legislative Operating Committee FY-2021 4th quarter report

1. Meeting Date Requested: 11 / 24 / 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 54115-0365
Oneida-nsn.gov
















Legislative Operating Committee FY2021 Fourth Quarter Report

Active Files List As of 9/30/2021

Work completed July 1, 2021 – September 30, 2021

Name of Legislation	Development	Public Input	GTC/OBC Consideration or Adoption
Audit Committee Bylaws Amendments			
Budget Management and Control Law Amendments			
Business Corporations Law			
Children's Code Amendments			
Code of Ethics Law Amendments			
Community Support Fund Law Amendments			
Credit Collections Law Amendments			
Drug and Alcohol-Free Law for Elected and Appointed Officials			
Early Return to Work Law Emergency Amendments <i>Emerg. Expires 11/12/21</i>			
Election Law Emergency Amendments <i>Emerg. Expires 10/28/21</i>			
Emergency Management and Homeland Security Law Amendments			
Endowments Law			
Environmental Review Law			
Fire Signs Law			
Furlough Law Amendments			
GTC Meeting Stipends Payment Policy Emergency Amendments <i>Emerg. Expired 4/8/21</i>			
Guardianship Law			
Industrial Hemp Law			
Investigative Leave Policy Amendments			
Law Enforcement Ordinance Amendments			
Layoff Policy Amendments			
Local Land Use Regulation Reimbursement Policy Repeal			
Marijuana Law			
Misappropriations of Funds Law			
Oneida General Welfare Law Emergency Amendments <i>Emerg. Expires 2/10/22</i>			
Oneida Higher Education Pandemic Relief Fund Law Emergency Amendments <i>Emerg. Expired 8/24/21</i>			
Oneida Land Trust Law			
Oneida Nation Emergency Planning Committee Bylaws			
Oneida Nation Gaming Ordinance Emergency Amendments <i>Emerg. Expires 11/12/21</i>			
Oneida Personnel Policies and Procedures Emergency Amendments			

Oneida Worker's Compensation Law Emergency Amendments <i>Emerg. Expires 11/12/21</i>	
Oneida Trust Enrollment Committee Bylaws	
Pandemic Relief Assistance Law <i>Emerg. Expired 5/24/21</i>	
Pardon and Forgiveness Law Emergency Amendments <i>Emerg. Expires 10/28/21</i>	
Pardon and Forgiveness Screening Committee Bylaws Amendments	
Public Peace Law	
Real Property Law Amendments	
Recycling and Solid Waste Disposal Law Amendments	
Sanctions and Penalties Law	
Taxation Law	
Traffic Law	
Wellness Court Law	
Workplace Violence Law Amendments	

Legislative Operating Committee Action on Legislative Requests

During the FY21 Fourth Quarter the Legislative Operating Committee added four (4) legislative items to its Active Files List and denied the request for three (3) legislative items.

Items Added to the Active Files List by the Legislative Operating Committee

On July 7, 2021, the Legislative Operating Committee added the Local Land Use Regulation Reimbursement Policy Repeal to its Active Files List.

Then on August 4, 2021, the Legislative Operating Committee added the Oneida Nation Emergency Planning Committee Bylaws Amendments to its Active Files List.

On August 18, 2021, the Legislative Operating Committee added the following items to its Active Files List:

- Fire Signs Law; and
- Oneida Personnel, Policies and Procedures Emergency Amendments – Selection Policy.

Items Denied by the Legislative Operating Committee

On August 18, 2021, the Legislative Operating Committee denied the request for amendments to the Workplace Violence law and the Oneida Personnel Policies and Procedures – Revision of HRD Manager Title due to the fact that these items were already on the Active Files List.

On September 15, 2021, the Legislative Operating Committee denied the request to add the Children's Code Amendments, and the Guardianship law and Adoption law to the Active Files List noting that the Children's Code Amendments and the Guardianship law are already currently on the Active Files List.

FY21 Fourth Quarter Legislative Accomplishments

The Legislative Operating Committee brought forward the following legislation for adoption or amendment during the FY21 Fourth Quarter:

Oneida General Welfare Law Emergency Amendments Extension

The Oneida General Welfare law was adopted by the Oneida Business Committee on an emergency basis through resolution BC-08-12-20-D for the purpose of providing assistance on a non-taxable basis, to eligible Tribal members through approved programs that promote the general welfare of the Nation including programs designed to enhance the promotion of health, education, self-sufficiency, self-determination, and the maintenance of culture and tradition, entrepreneurship, and employment. [10 O.C. 1001.1-1, 1001.1-3, 1001.9-2]. The emergency adoption of the Oneida General Welfare law was set to expire on February 12, 2021.

Emergency amendments to the Oneida General Welfare law were then adopted by the Oneida Business Committee through resolution BC-02-10-21-B for the purpose of addressing how an approved program would be adopted by the Oneida Business Committee to allow for more flexibility and efficiency in addressing the needs of the Nation. The emergency amendment to the Oneida General Welfare law revised the definition of approved program to allow an approved program to be adopted by the Oneida Business Committee through resolution or law of the Nation. [10 O.C. 1001.3-1(a)]. Previously, an approved program could only be adopted by the Oneida Business Committee through a law of the Nation. These emergency amendments to the Oneida General Welfare law were set to expire on August 10, 2021.

On July 28, 2021, the Oneida Business Committee extended the emergency amendments for an additional six (6) month period through the adoption of resolution BC-07-28-21-M. A six (6) month extension of the emergency amendments to the Oneida General Welfare law was granted to provide additional time for the Legislative Operating Committee to process the adoption of permanent amendments to the Oneida General Welfare law. The emergency amendments to the Oneida General Welfare law will now expire on February 10, 2022.

Public Peace Law

The purpose of the Public Peace law is to set forth community standards and expectations which preserve the peace, harmony, safety, health, and general welfare of individuals who live within the boundaries of the Reservation. [1 O.C. 309.1-1]. The Public Peace law:

- Delegates jurisdiction to the Trial Court for any action brought under this law [3 O.C. 309.4-1];
- Delegates authority to the Oneida Police Department to investigate complaints involving civil infractions under this law and issue citations for violations of this law [3 O.C. 309.4-3];
- Prohibits a person from committing a civil infraction under this law [3 O.C. 309.4-4];
- Provides the various civil infractions including:
 - Civil infractions against property [3 O.C. 309.5];
 - Civil infractions against the peace [3 O.C. 309.6];
 - Civil infractions against government [3 O.C. 309.7];
 - Civil infractions against the person [3 O.C. 309.8];
 - Civil infractions involving alcohol, tobacco, and drugs [3 O.C. 309.9]; and
 - Civil Infractions affecting health and safety [3 O.C. 309.10];
- Provides that a citation for a violation of this law shall be processed in accordance with the procedure contained in the Nation's laws and policies governing citations [3 O.C. 309.11-1(b)];

- Requires that an Oneida Police Department officer provide notice to the Oneida Law Office attorney assigned to the Comprehensive Housing Division of any citation issued to an individual located at a property rented or leased through the Comprehensive Housing Division [3 O.C. 309.11-1(c)]; and
- Provides various penalties to be utilized by the Trial Court upon a finding that a violation of this law has occurred, including:
 - Fines [3 O.C. 309.11-2(a)];
 - Community service [3 O.C. 309.11-2(b)];
 - Counseling and/or other programs [3 O.C. 309.11-2(c)];
 - Restitution [3 O.C. 309.11-2(d)]; and/or
 - Any other penalty as deemed appropriate by the Trial Court [3 O.C. 309.11-2(e)].

The Oneida Business Committee adopted the Public Peace law on September 8, 2021, through resolution BC-09-08-21-A.

FY21 Fourth Quarter Administrative Accomplishments

The Legislative Operating Committee brought forward the following administrative items for adoption or approval during the FY21 Fourth Quarter:

Adoption of the Leasing Law Rule No. 5 – Tribal Housing Reacquisition of Individual Fee and Trust Title (THRIFTT)

The Leasing law was adopted for purposes of setting forth the Nation’s authority to issue, review, approve, and enforce leases. [6 O.C. 602.1-1]. The Leasing law delegates authority to the Oneida Land Commission and Land Management to jointly develop rules related to obtaining residential, agricultural, or business leases. [6 O.C. 602.5-1]. Land Management is defined in the Leasing law as “the Division of Land Management or other entity responsible for entering into leases of tribal land”. [6 O.C. 602.3-1(i)]. According to the Real Property law, the Comprehensive Housing Division is the entity responsible for processing all residential leases of Tribal land. [6 O.C. 601.9-1]. Therefore, the Comprehensive Housing Division is Land Management for purposes of the rulemaking authority delegated under the Leasing law.

The purpose of the Leasing law Rule No. 5 – Tribal Housing Reacquisition of Individual Fee and Trust Title (“the Rule”) is to increase the Nation’s land base while maintaining individual homeownership. Through the program, eligible homeowners can sell their land to the Nation and then enter into a residential lease with the Comprehensive Housing Division that will allow them to retain ownership of the improvements, as well as rights to the land upon which those improvements are located.

On September 1, 2021, the Legislative Operating Committee reviewed and certified the Rule, finding good cause under section 106.7-1(a) of the Administrative Rulemaking law to certify this Rule, despite being presented for certification outside of the time limits allowed by the Administrative Rulemaking law upon closure of the public comment period. This Rule was then adopted by the Oneida Business Committee on September 8, 2021. This Rule was later repealed by the Oneida Business Committee on October 13, 2021.

Amendments to the Leasing Law Rule No. 6 -Homeownership by Independent Purchase Program (HIPP)

The Leasing law was adopted for purposes of setting forth the Nation’s authority to issue, review, approve, and enforce leases. [6 O.C. 602.1-1]. The Leasing law delegates authority to the Oneida Land Commission and Land Management to jointly develop rules related to obtaining residential, agricultural, or business leases. [6 O.C. 602.5-1]. Land Management is defined in the Leasing law as “the Division of Land Management or other entity responsible for entering into leases of tribal land”. [6 O.C. 602.3-1(i)]. According to the Real Property law, the Comprehensive Housing Division is the entity responsible for processing all residential leases of Tribal land. [6 O.C. 601.9-1]. Therefore, the Comprehensive Housing Division is Land Management for purposes of the rulemaking authority delegated under the Leasing law.

The purpose of the Leasing law Rule No. 6 – Homeownership by Independent Purchase (HIP) Program (“Rule”) was to amend the HIP Program which was originally promulgated to expand the services being offered by the Nation through a program in which the prospective lessee buyer initiates a purchase where the buyer purchases the improvements; the Nation purchases the land per the Land Management’s Land Acquisitions for Residential Leasing Standard Operating Procedure; and the buyer then enters into a HIP residential lease for the land through the Comprehensive Housing Division. Amendments to the Rule were pursued to modify the existing HIP Program process to account for the division of the Comprehensive Housing Division and Land Management; to incorporate the updated residential leasing rules which now allow parties to have more than one (1) lease at a time; and to open up the HIP Program to non-Tribal members.

On September 1, 2021, the Legislative Operating Committee reviewed and certified the amendments to the Rule, finding good cause under section 106.7-1(a) of the Administrative Rulemaking law to certify the Rule, despite being presented for certification outside of the time limits allowed by law upon closure of the public comment period. [1 O.C. 106.7-1(a)]. This Rule was then adopted by the Oneida Business Committee with revisions on September 8, 2021.

FY21 Fourth Quarter Legislative Highlights

The Legislative Operating Committee would like to highlight its work on the following legislative items during the FY21 Fourth Quarter:

Budget Management and Control Law Amendments

The Legislative Operating Committee held one (1) work meeting during the FY21 Fourth Quarter on the development of amendments to the Budget Management and Control law. The work meeting was held in collaboration with the Treasurer, Finance Administration, and Budget Analyst.

Fire Signs Law

The Legislative Operating Committee held two (2) work meetings during the FY21 Fourth Quarter on the development of a Fire Signs law. The work meeting was held in collaboration with Intergovernmental Affairs and Communications.

Furlough Law Amendments

The Legislative Operating Committee held six (6) work meetings during the FY21 Fourth Quarter on the development of proposed amendments to the Furlough law. Some of the work meetings were held in collaboration with representatives from the Human Resources Department and Retail. On August 4, 2021, the Legislative Operating Committee approved the Furlough law amendments draft and directed that a legislative analysis be prepared for consideration at the next meeting. On August 18, 2021, the Legislative Operating Committee approved the draft amendments to the Furlough law and legislative analysis and deferred these items to a work meeting for further consideration.

Local Land Use Regulation Reimbursement Policy Repeal

The Legislative Operating Committee held one (1) work meetings during the FY21 Fourth Quarter on the proposed repeal of the Local Land Use Regulation Reimbursement Policy. The work meeting was held in collaboration with the Intergovernmental Affairs and Communications Department. On August 18, 2021, the Legislative Operating Committee approved the Local Land Use Regulation Reimbursement Policy Repeal legislative analysis and public meeting notice, and tentatively scheduled a public meeting for the repeal of the Local Land Use Regulation Reimbursement Policy to be held on September 9, 2021.

The September 9, 2021, public meeting for the repeal of the Local Land Use Regulation Reimbursement Policy was canceled in accordance with Oneida Business Committee resolution BC-08-03-21-A, *Setting Public Gathering Guidelines during Public Health State of Emergency—COVID-19*, which prohibits public gatherings when the COVID-19 infection rates within Brown or Outagamie Counties exceed “Low” as identified by the Wisconsin Department of Health Services. The Wisconsin Department of Health Services reported the infections rates within Brown and Outagamie Counties as “Very High” during this time frame. The public comment period remained open in accordance with the Nation’s COVID-19 Team’s March 27, 2020, declaration, *Suspension of Public Meetings under the Legislative Procedures Act*, which suspends the Legislative Procedures Act’s requirement to hold a public meeting during the public comment period due to the COVID-19 public health emergency. Although there was no public meeting, the public comment period was held open for written comments to be submitted until the close of business on September 16, 2021. No public comments were received during this timeframe.

Oneida General Welfare Law

The Legislative Operating Committee held one (1) work meeting during the FY21 Fourth Quarter on the permanent adoption of the Oneida General Welfare law. On July 7, 2021, the Legislative Operating Committee accepted the public comments that were received for the Oneida General Welfare law amendments question: “*Should assistance provided by an approved program under the Oneida General Welfare law be subject to attachment or garnishment?*” Then on July 21, 2021, the Legislative Operating Committee approved the Oneida General Welfare law emergency amendments extension packet and forwarded the materials to the Oneida Business Committee for consideration. The emergency amendments to the Oneida General Welfare law were extended by the Oneida Business Committee on July 28, 2021. On September 1, 2021 the Legislative Operating Committee approved the draft of the Oneida General Welfare law and directed that a legislative analysis be completed. On September 15, 2021, the Legislative Operating Committee approved the legislative analysis and the Oneida General Welfare law public comment period notice and

forwarded the Oneida General Welfare law to a public comment period to be held open until October 13, 2021.

Oneida Nation Gaming Ordinance Amendments

The Legislative Operating Committee held one (1) work meeting during the FY21 Fourth Quarter on the amendments to the Oneida Nation Gaming Ordinance.

Oneida Personnel Policies and Procedures Emergency Amendments

The Legislative Operating Committee held two (2) work meetings during the FY21 Fourth Quarter on the emergency amendments to the Oneida Personnel Policies and Procedures. The work meetings were held in collaboration with the Human Resources Department.

Real Property Law Amendments

The Legislative Operating Committee held two (2) work meetings during the FY21 Fourth Quarter on the Real Property law amendments. The work meetings were held in collaboration with the Comprehensive Housing Division, Oneida Law Office, Department of Public Works, and the Environmental, Safety, Health, Land and Agriculture Division.

Public Peace Law

The Legislative Operating Committee held seven (7) work meetings during the FY21 Fourth Quarter on the development a Public Peace law and its accompanying Citations Schedule Resolution. The work meeting was held in collaboration with the Oneida Law Office and the Oneida Police Department. On July 7, 2021, the Legislative Operating Committee accepted the public comments that were received and the public comment review memorandum, and forwarded these items to a work session for further consideration. On July 21, 2021, the Legislative Operating Committee accepted the updated public comment review memorandum and directed the drafting attorney to prepare the final draft of the proposed Public Peace law. On August 4, 2021, the Legislative Operating Committee approved the draft of the Public Peace law and the fiscal impact statement request memorandum and forwarded these items to the Finance Department directing that a fiscal impact statement be prepared and submitted to the LOC by August 18, 2021. The fiscal impact statement was received from the Finance Department on August 17, 2021. On September 1, 2021 the Legislative Operating Committee approved the Public Peace law adoption packet, with updated materials, and forwarded to the Oneida Business Committee for consideration. The Public Peace law was then adopted by the Oneida Business Committee on September 8, 2021.

FY21 Fourth Quarter Legislative Operating Committee Meetings

Typically, all Legislative Operating Committee meetings are open to the public and held on the first and third Wednesday of each month, at 9:00 a.m. in the Norbert Hill Center's Business Committee Conference Room.

Due to the COVID-19 pandemic and the Nation's Public Health State of Emergency, the Legislative Operating Committee meetings were closed to the public during the FY21 Fourth Quarter. Oneida Business Committee resolution BC-08-03-21-A, *Setting Public Gathering Guidelines during Public Health State of Emergency - COVID-19*, requires that Legislative Operating Committee meetings be closed to the public due to the Nation's Public Health State of

Emergency when infection rates within Brown or Outagamie Counties exceed a “Low” designation by the Wisconsin Department of Health Services.

Employees of the Nation are provided the opportunity to attend the Legislative Operating Committee meeting through Microsoft Teams. An audio recording of the Legislative Operating Committee meeting is made available on the Nation’s website after the meeting concludes. Any non-employee who would like to access the Legislative Operating Committee meeting through Microsoft Teams can provide their name, phone number or e-mail address to LOC@oneidanation.org by the close of business the day before a meeting of the Legislative Operating Committee to receive the link to the Microsoft Teams meeting. Additionally, any individual who has comments or questions regarding open session items on a Legislative Operating Committee meeting agenda may submit the comments or questions to LOC@oneidanation.org no later than the close of business the day prior to any Legislative Operating Committee meeting. Any comments received are noticed to the Legislative Operating Committee.

The Legislative Operating Committee held the following meetings during the FY21 Fourth Quarter:

- July 7, 2021 – Regular meeting;
- July 21, 2021 – Regular meeting;
- August 4, 2021 – Regular meeting;
- August 18, 2021 – Regular meeting;
- September 1, 2021 – Regular meeting;
- September 15, 2021 – Regular meeting.

Goals for FY22 First Quarter

During the FY22 First Quarter the Legislative Operating Committee will focus its legislative efforts on the following matters:

1. Continued response to the COVID-19 pandemic;
2. Adoption of the Oneida General Welfare law;
3. Adoption of the Furlough law;
4. Public meeting for the amendments to the Budget Management and Control law;
5. Development of amendments to the Children’s Code;
6. Development of permanent amendments to the Oneida Nation Gaming Ordinance; and
7. Development of amendments to the Real Property law.

Legislative Reference Office

The Legislative Reference Office’s mission is to provide support for the Legislative Operating Committee in developing clear and consistent legislation that reflects the Nation’s values, builds upon the Nation’s strong foundation, and reaffirms our inherent sovereignty. The Legislative Reference Office is currently staffed by the following individuals:

- Clorissa N. Santiago, Senior Legislative Staff Attorney;
- Kristen Hooker, Legislative Staff Attorney; and
- Carmen Vanlanen, Legislative Analyst.
 - Carmen was welcomed to the Legislative Reference Office in August 2021.

Legislative Operating Committee Contact Information

Feel free to contact the LOC at LOC@oneidanation.org with any questions or comments, or individual LOC members at the following:

- David Jordan, LOC Chairman
djordan1@oneidanation.org
- Kirby Metoxen, LOC Vice-Chairman
kmetox@oneidanation.org
- Jennifer Webster, LOC Member
jwebste1@oneidanation.org
- Daniel Guzman King, LOC Member
dguzman@oneidanation.org
- Marie Summers, LOC Member
esummer1@oneidanation.org



Accept the Quality of Life Committee FY-2021 4th quarter report

Business Committee Agenda Request

1. Meeting Date Requested: 11/24/21

2. General Information:

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

Justification: *Choose reason for Executive.*

3. Supporting Documents:

- | | | |
|---|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input checked="" type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input 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: Marie Summers, Councilwoman

Primary Requestor: Brooke Doxtator, BCC Supervisor

Additional Requestor: (Name, Title/Entity)

Additional Requestor: (Name, Title/Entity)

Submitted By: BDOXTAT1



Quality of Life (QOL) Committee

FY-2021 4th Quarter Report (July - September)

PURPOSE

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.

COMMITTEE MEMBERS

Councilwoman Marie Summers, Quality of Life Committee Chair
Councilman Daniel Guzman-King, Quality of Life Committee Vice Chair
Vice-Chairman Brandon Stevens, Quality of Life Committee Member
Chairman Tehassi Hill, Quality of Life Committee Member

Other partners include: General Manager, Oneida Police Department, Division Directors, other senior leaders, and their staff.

MEETINGS

Quality of Life Committee meetings were held on the third Thursday of every month starting at 9:00 a.m. Meetings in the 4th quarter were held in July, August, and September.

ACTIVITIES SUMMARY

1. Environmental Issues

The Proclamation of the Right of Nature resolution has been finalized and will be submitted to the Oneida Business Committee for approval. This resolution coincides with the Food Security resolution and strategic plan that will also be forwarded to the Oneida Business Committee

2. Food Security

The Food Sovereignty Team is working on finalizing the Food Sovereignty and Food Sovereignty resolution and Food Sovereignty strategic plan to submit to the Oneida Business Committee for approval.

3. Tribal Action Plan (TAP)

TAP has been working on the issue about Sharps being found throughout the community. The Memorandum of Understanding (MOU) with OBH and Vivent Health for a needle exchange program has been signed. A meeting is being set up for logistics and training.

TAP is collaborating with the Native Justice Coalition to do a virtual presentation for the community on Harm Reduction. The Partnership agreement has been sent up to the Law Office for review.

Community events scheduled were placed on hold due to the Public Health Emergency.

TAP is continuously working on applying for grants, planning community smudges, and community outreach.

4. Recreation Integration

Working with DPW to plan for a safe reopening of recreation depending on the Public Health Emergency. They are having a difficult time hiring for the Recreation Specialist position due to the pay grade.

5. Detox Center Request

A needs assessment study was conducted by Behavioral Health in an effort to learn how to best support the Oneida community in our efforts to address specific opioid, substance, and alcohol use and disorders.

A presentation was provided that summarized the data and analysis from the survey, which covered multiple themes (e.g., drug and alcohol use and misuse, demographics, treatment, traditional medicine, and more) and demographic measures.

The results will be used to inform current services and programs, and to pave the way for the development of education, prevention, and treatment strategies for the Oneida community to implement in the near future.

6. Zero Suicide

No updates during this quarter

7. Cultural Heritage

Oneida Cultural Heritage Strategic Plan was provided to the Business Committee as information on June 23, 2021. An SOP has been created to provide direction on the job description requirements, pay grade and hiring for Traditional Healer, Archivist, Advisor,

and Clan Manager positions. There was some concern with the wage equivalent decisions which have been reduced. The SOP needs to be approved by the BC, per HRD. This will be on the BC agenda for August 25th. Upon approval, the Traditional Healer position can be posted. The Clan Manager positions cannot be created or filled until the budget is approved for FY-2022.

Historical Archivist position is now under the Museum. There is a need for a Museum Registrar. Director is working with HRD to create the Registrar position. The Language Archivist position is filled. Area Manager LTE has been hired with a contract that ends 12/31/21.

Next steps include: 1. Post the Traditional Healer position by end FY-2021. 2. Create the Clan Manager positions and post. 3. Reorganize the departments and positions that will report to a specific Clan Manager.

8. Wellness Council

Due to a position transition and the attention of this area directed to COVID-19, the Wellness Council has been put on hold.

REQUESTED ACTION:

Motion to accept the Quality of Life Committee FY-2021 4th Quarter Report.

Accept the Oneida Youth Leadership Institute Board FY-2021 4th quarter report

Business Committee Agenda Request

1. Meeting Date Requested: 11/24/21

2. General Information:

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

Justification: *Choose reason for Executive.*

3. Supporting Documents:

- | | | |
|---|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input checked="" type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input 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: Mark W. Powless, General Manager

Primary Requestor: Brooke Doxtator, BCC Supervisor

Additional Requestor: (Name, Title/Entity)

Additional Requestor: (Name, Title/Entity)

Submitted By: BDOXTAT1

2021 4th Quarter Report

For Boards, Committees, and Commissions (BCCs)

Approved by official entity action on:

Submitted by: Cheryl Stevens

OBC Liaison: Lisa Liggins

Oneida Youth Leadership Institute

Purpose: Overall Outcome/Goal

Oneida Youth Leadership Institute Mission Statement:

Investing in the development of our youth to enhance nation building by learning from our past, embracing our present, and leaving a legacy for the future.

The Oneida Youth Leadership Institute is a tax-deductible 7871 entity of the Oneida Nation actively planning for the 7th generation by providing opportunities, initiatives, and trainings that can help inspire our Native youth to become strong, progressive leaders. The Youth Leadership Institute will foster youth growth and development in the following areas:

- Tradition Heritage/Culture
- Citizen Engagement
- Academic Excellence
- Networking
- Healthy Minds/Healthy Bodies
- Leadership
- Entrepreneurship

BCC Members

Melissa Metoxen
Board Member
June 2021

Marlon Skenandore
Board Member
June 2023

Elijah Metoxen
Board Member
June 2021

Jeff House
Board Member
Extended

Margaret Ellis
Treasurer
Extended

Paul Ninham
Board Member
June 2023

Aliskwet (Cheryl) Ellis
Board Member
May 2024

Substantiated Complaints (if applicable)

Per § 105.12-4.(a) of the Boards, Committees and Commissions law, annual and semi-annual reports shall contain information on the number of substantiated complaints against all members of the entity.

Per § 105.3-1.(q) a "Substantiated complaint" means a complaint or allegation in a complaint that was found to be valid by clear and convincing evidence.

NUMBER OF SUBSTANTIATED COMPLAINTS:

No complaints received

Meetings

Open meetings every 3rd Thursday on the Month. We have only had one meeting since the Pandemic and the on-going "Declaration of Public Health State of Emergency" within the Nation began. We will have one meeting before end of this year to discuss our 2022 plans.

Emergency Meetings: None

Contact Info

CONTACT: Cheryl Stevens
 TITLE: Executive Manager
 PHONE NUMBER: 920-496-7331
 E-MAIL: cstevens@oneidanation.org
 MAIN WEBSITE: <http://oneidayouthleadership.org/>

Status report of Three-Year Outcomes/Goals

Incorporate Good Governance Principles to: 1) Clear the path for Tribal operations; 2) Fulfill our constitutional responsibility to conserve and develop our common resources; 3) Promote the welfare of ourselves and our descendants

Outcome/Goal # 1

To provide administrative and fundraising support to youth organizations that will bring additional insights and funding opportunities from the non-profit aspect of fundraising.

IS THIS A LONG-TERM OR QUARTERLY GOAL? Long-term

GOOD GOVERNANCE PRINCIPLE:

Equity and Inclusiveness - Providing the opportunity for the Nation's stakeholders to maintain, enhance, or generally improve their well-being which provides the most compelling message regarding its reason for existence and value to the Nation

HOW OUTCOME/GOAL SUPPORTS THE GOOD GOVERNANCE PRINCIPLE:

The Oneida Youth Leadership Institute is a tax-deductible 7871 entity of the Oneida Nation actively planning for the 7th generation by providing opportunities, initiatives, and trainings that can help inspire our Native youth to become strong, progressive leaders. The Youth Leadership Institute assists youth organizations and programs to foster traditional culture; healthy minds & bodies; community engagement; leadership enhancement; academic excellence; entrepreneurship; and networking. The Oneida Youth Leadership Institute (OYLI) is fully engaged with the community as we are a community tool for tax-exempt fundraising efforts. We provide enhanced services to groups seeking to fundraise for youth activities/events and assist in the development of initiatives that will create leadership qualities in our youth. A 5% administrative fee of all fundraising/donations is charged for any operating costs as well as internal fundraising for the program. We have both the internal Accounting Dept. accounting and auditing process to follow as well as the process and auditing of the Bay Bank, in which our accounts are held.

ACCOMPLISHMENTS REGARDING THE OUTCOME/GOAL:

We have assisted with fundraising efforts of 10 various youth groups and over 100 community youth thus far in various venues such as traditions and culture, 4H entrepreneur activities, and health and wellness, while building leadership qualities within the youth participants. However, this past year couple of years have been stricken with the Covid-19 pandemic. And with the fact that we work with youth and youth programs, all activity has been halted until further notice. Also, the current Board members are all volunteer. Therefore, with the shortage of staff/resources, and higher workloads, the Board has not met since the shutdown, however we do plan on meeting this month.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

The OYLI had been assisting community youth groups raise money as a tax-exempt fundraising entity and hopes to continue this effort soon. Once we are able, we will resume fundraising activities as well as expand OYLI programming. As mentioned, we are planning to resume our monthly meetings starting in June.

Outcome/Goal # 2

Provide open communication to the Nation and community to assure access to updated information. on skills training will also be required of all staff so that we can provide the utmost best customer service to our clientele.

IS THIS A LONG-TERM OR QUARTERLY GOAL? Quarterly

GOOD GOVERNANCE PRINCIPLE:

Transparency - Open communication about actions taken and decisions made ensuring access to information is clear

HOW OUTCOME/GOAL SUPPORTS THE GOOD GOVERNANCE PRINCIPLE:

We advertise in the Kalihwisaks and on the Oneida Nation website. Additional training is requested from MIS to update our Facebook page has not been achieved due to the pandemic. Once able, communication skills training will also be required of all board members so that we can provide the utmost best customer service to our clientele. We have two current members who's terms ended this past year, and will re-submit applications.

ACCOMPLISHMENTS REGARDING THE OUTCOME/GOAL:

We currently have a website that provides for on-line donations however, with the pandemic, we have no activity therefore there is currently nothing to update. We use the DonorPerfect software for all on-line donations, a donor management system for reporting, client data, and gift processing We will plan to work with MIS to develop a true database of our accounts.

EXPECTATIONS/FUTURE PLANS REGARDING THE OUTCOME/GOAL:

Our hope was to have a fully functioning website, Facebook page, and online data system in place for smoother donation practices and open communication. These efforts have been pushed back due to the pandemic and current restrictions. This was also halted due to limited staff time. This Pandemic has put a hold on much of our work, as many of the board members have fulltime jobs and due to the staff shortages and time off from work, it has been difficult to continue our efforts at this time as OYLI is not an urgent or essential need at this time.

Stipends

Per the Boards, Committees, and Commissions law, stipends are set via OBC resolution. BC resolution # 05-08-19-B sets the stipend amounts.

Budget Information

FY-2021 BUDGET:

\$0 – no stipends

FY-2021 EXPENDITURES AS OF END OF REPORTING

PERIOD:

\$0 – no expenditures

Requests

We currently have a full board however we have a few Board Members that wish to step down from the board. They have agreed to have their terms be extended until we get additional board member applicants and/or members.

Other -

None