



Oneida Business Committee

Regular Meeting
8:30 AM Wednesday, January 12, 2022
BC Conference Room, 2nd floor, Norbert Hill Center

Agenda

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

NOTICE

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

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

I. CALL TO ORDER

II. OPENING

III. ADOPT THE AGENDA

IV. MINUTES

- A. Approve the December 22, 2022, regular Business Committee meeting minutes
Sponsor: Lisa Liggins, Secretary

V. RESOLUTIONS

- A. Adopt resolution entitled Setting the Oneida Business Committee Regular Meeting and Executive Session Discussion Schedule
Sponsor: Lisa Liggins, Secretary
- B. Adopt resolution entitled Extension of Declaration of Public Health State of Emergency Until March 24, 2022
Sponsor: Tehassi Hill, Chairman

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

- 1. Accept the Oneida Nation Student Relief Fund (SRF) Program report**
Sponsor: Mark W. Powless, General Manager
- 2. Accept the booster incentive assessment**
Sponsor: Mark W. Powless, General Manager

VII. TRAVEL REQUESTS

- A. Approve the travel request - Councilwoman Jennifer Webster - Administration for Children and Families Tribal Advisory Committee Triannual Meeting - Washington DC - February 22-25, 2022**
Sponsor: Jennifer Webster, Councilwoman

VIII. NEW BUSINESS

- A. Approve a limited waiver of sovereign immunity - Inventory Optimization Solutions LLC confidentiality agreement - file # 2021-0760**
Sponsor: Mark W. Powless, General Manager

IX. EXECUTIVE SESSION**A. REPORTS**

1. **Accept the Chief Counsel report**
Sponsor: Jo Anne House, Chief Counsel
2. **Accept the General Manager report**
Sponsor: Mark W. Powless, General Manager

B. NEW BUSINESS

1. **Approve a limited waiver of sovereign immunity - Wolters Kluwer Health Inc-master subscription (Lippencot Solutions) agreement - file # 2021-0757**
Sponsor: Mark W. Powless, General Manager
2. **Determine next steps regarding Comprehensive Health Division (CHD) compensation study**
Sponsor: Todd VanDen Heuvel, Executive HR Director
3. **Complaint # 2022-DR08-01 - Review and determine next steps (10:30 a.m.)**
Sponsor: Kristal Hill, Executive Assistant
4. **Complaint # 2022-DR08-02 - Review and determine next steps (11:00 a.m.)**
Sponsor: Kristal Hill, Executive Assistant
5. **Enter e-poll results into the record regarding the approval of a new dealer wage scale and approval of actions to address wage compression**
Sponsor: Lisa Liggins, Secretary

X. 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

Approve the December 22, 2022, regular Business Committee meeting minutes

Business Committee Agenda Request

1. Meeting Date Requested: 01/12/22

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: CWILSON1

DRAFT**Oneida Business Committee**

Regular Meeting
8:30 AM Wednesday, December 22, 2021
Virtual Meeting - Microsoft Teams¹

Minutes**REGULAR MEETING**

Present: Chairman Tehassi Hill, Vice-Chairman Brandon Stevens, Secretary Lisa Liggins, Council members: Daniel Guzman King, David P. Jordan, Kirby Metoxen,

Not Present: Councilman Kirby Metoxen, Councilwoman Jennifer Webster;

Arrived at: Treasurer Tina Danforth at 8:34 a.m., Councilwoman Marie Summers at 8:33 a.m;

Others present: Jo Anne House, Larry Barton, Ralinda Ninham-Lamberies, Mark W. Powless, Mary Graves, Danelle Wilson, Carmen Vanlanen, Amy Spears, Kristal Hill, Nicole Rommel, Mike Debraska, Justin Nishimoto, Jessica Vandekamp, Rae Skenandore, Kristen Hooker, Melanie Burkhart, Rhiannon Metoxen, Debra Powless, Lori Hill, Melinda J. Danforth, Todd Vandenheuvel, Stacie Cutbank, Troy Parr, Paul Witek, Chad Wilson, Loucinda Conway, Kaylynn Gresham, Renita Hernandez, Jacque Boyle;

I. CALL TO ORDER

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

For the record: Councilwoman Jennifer Webster is out sick. Councilman Kirby Metoxen is out on leave. Vice-Chairman Brandon Stevens is taking a call from Indian Health Services on behalf of Councilwoman Jennifer Webster at 2:00 p.m.

II. OPENING (00:01:15)

Opening provided by Councilman Daniel Guzman King.

III. ADOPT THE AGENDA (00:02:32)

Councilwoman Marie Summers arrived at 8:33 a.m.

Treasurer Tina Danforth arrived at 8:34 a.m.

Motion by Lisa Liggins to adopt agenda with two (2) additions [1) under section Unfinished Business, add item IX.B Update regarding the dual language sign program; and 2) under section Executive Session Reports, add item XIII.V.5. November 2021 Treasures Report], noting the SEOTS item has been identified as a community concern will be address with the Oneida Business Committee Standard Operating Procedure (SOP) entitled Community Complaints and/or Concerns, seconded by Daniel Guzman King. Motion carried:

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

Not Present: Kirby Metoxen, Jennifer Webster

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

DRAFT

IV. OATH OF OFFICE

Oath of office administered by Secretary Lisa Liggins. Chris Cornelius was present via Microsoft Teams.

A. Oneida Land Claims Commission - Chris Cornelius (00:06:00)

Sponsor: Lisa Liggins, Secretary

V. MINUTES

A. Approve the December 8, 2021, regular Business Committee meeting minutes (00:08:17)

Sponsor: Lisa Liggins, Secretary

Motion by David P. Jordan to approve the December 8, 2021, regular Business Committee meeting minutes, seconded by Marie Summers. Motion carried:

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

Not Present: Kirby Metoxen, Jennifer Webster

B. Approve the December 17, 2021, special Business Committee meeting minutes (00:09:05)

Sponsor: Lisa Liggins, Secretary

Motion by Marie Summers to approve the December 17, 2021, special Business Committee meeting minutes, seconded by David P. Jordan. Motion carried:

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

Not Present: Kirby Metoxen, Jennifer Webster

VI. RESOLUTIONS

A. Enter the e-poll results into the record regarding the adoption of resolution BC-12-02-21-A Amendment of BC Resolution # 10-13-21-B Adoption of the 2021 Pandemic Relief Food Card Distribution Utilizing American Rescue Plan Act of 2021 FRF (00:08:45)

Sponsor: Lisa Liggins, Secretary

Motion by David P. Jordan to enter the e-poll results into the record regarding the adoption of resolution BC-12-02-21-A Amendment of BC Resolution # 10-13-21-B Adoption of the 2021 Pandemic Relief Food Card Distribution Utilizing American Rescue Plan Act of 2021 FRF, seconded by Lisa Liggins. Motion carried:

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

Not Present: Kirby Metoxen, Jennifer Webster

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

1. **Accept the October 7, 2021, regular Community Development Planning Committee meeting minutes (00:10:38)**

Sponsor: Brandon Stevens, Vice-Chairman

Motion by Marie Summers to accept the October 7, 2021, regular Community Development Planning Committee meeting minutes, seconded by David P. Jordan. Motion carried:

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

Not Present: Kirby Metoxen, Jennifer Webster

2. **Accept the November 4, 2021, regular Community Development Planning Committee meeting minutes (00:11:19)**

Sponsor: Brandon Stevens, Vice-Chairman

Motion by David P. Jordan to accept the November 4, 2021, regular Community Development Planning Committee meeting minutes, seconded by Lisa Liggins. Motion carried:

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

Not Present: Kirby Metoxen, Jennifer Webster

B. FINANCE COMMITTEE

1. **Accept the November 29, 2021, regular Finance Committee meeting minutes (00:11:54)**

Sponsor: Tina Danforth, Treasurer

Motion by David P. Jordan to accept the November 29, 2021, regular Finance Committee meeting minutes, seconded by Lisa Liggins. Motion carried:

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

Not Present: Kirby Metoxen, Jennifer Webster

2. **Accept the December 13, 2021, regular Finance Committee meeting minutes (00:12:33)**

Sponsor: Tina Danforth, Treasurer

Motion by David P. Jordan to accept the December 13, 2021, regular Finance Committee meeting minutes, seconded by Lisa Liggins. Motion carried:

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

Not Present: Kirby Metoxen, Jennifer Webster

DRAFT**C. LEGISLATIVE OPERATING COMMITTEE**

1. **Accept the December 1, 2021, regular Legislative Operating Committee meeting minutes (00:13:12)**

Sponsor: David P. Jordan, Councilman

Motion by Marie Summers to accept the December 1, 2021, regular Legislative Operating Committee meeting minutes, seconded by Lisa Liggins. Motion carried:

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

Not Present: Kirby Metoxen, Jennifer Webster

D. QUALITY OF LIFE COMMITTEE

1. **Accept the October 21, 2021, regular Quality of Life Committee meeting minutes (00:13:48)**

Sponsor: Marie Summers, Councilwoman

Motion by Lisa Liggins to accept the October 21, 2021, regular Quality of Life Committee meeting minutes, seconded by Brandon Stevens. Motion carried:

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

Not Present: Kirby Metoxen, Jennifer Webster

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

1. **Consider request for an ARPA booster vaccine incentive program (00:14:31)**

Sponsor: Michael Debraska, Tribal member, and Nancy Barton, Tribal member

Motion by Lisa Liggins to accept the request for an ARPA booster vaccine incentive program, to forward the request to the General Manager for further assessment, and to direct the General Manager to bring back a report to the January 12, 2022, regular Business Committee meeting, seconded by Marie Summers. Motion carried:

Ayes: Tina Danforth, David P. Jordan, Lisa Liggins, Brandon Stevens, Marie Summers

Opposed: Daniel Guzman King

Not Present: Kirby Metoxen, Jennifer Webster

DRAFT**IX. UNFINISHED BUSINESS**

- A. Accept the FY-2021 report regarding the Economic Development, Diversification, and Community Development funds transferred to Oneida Land Commission (00:33:46)**

Sponsor: Mark W. Powless, General Manager

Treasurer Tina Danforth left at 9:25 a.m.

Motion by Marie Summers to accept the revised FY-2021 report regarding the Economic Development, Diversification, and Community Development funds transferred to Oneida Land Commission and direct the General Manager to provide a monthly update at the second regular Business Committee meeting on the status of the demolitions until they are complete, seconded by Lisa Liggins. Motion carried:

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

Not Present: Tina Danforth, Kirby Metoxen, Jennifer Webster

Treasurer Tina Danforth returned at 9:30 a.m.

- B. Accept the update regarding the Dual Language Signs program (00:58:57)**

Sponsor: Marie Summers, Councilwoman

Treasurer Tina Danforth left at 9:31 a.m.

Motion by Marie Summers to accept the update regarding the Dual Language Signs program as information, seconded by Lisa Liggins. Motion carried:

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

Not Present: Tina Danforth, Kirby Metoxen, Jennifer Webster

X. TRAVEL REPORTS

- A. Approve the travel report - Chairman Tehassi Hill and Vice-Chairman Brandon Stevens - White House Staff meetings and the Celebration of 2021 NBA Champion Milwaukee Bucks - Washington DC - November 7-9, 2021 (01:03:25)**

Sponsor: Tehassi Hill, Chairman

Motion by Lisa Liggins to approve the travel report from Chairman Tehassi Hill and Vice-Chairman Brandon Stevens for the White House Staff meetings and the Celebration of 2021 NBA Champion Milwaukee Bucks in Washington DC - November 7-9, 2021, seconded by David P. Jordan. Motion carried:

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

Not Present: Tina Danforth, Kirby Metoxen, Jennifer Webster

Vice-Chairman Brandon Stevens left at 9:34 a.m.

DRAFT**XI. NEW BUSINESS****A. Approve two (2) actions regarding Oneida Casino Gaming Facilities Licensing 2021-2024 (01:04:35)**

Sponsor: Mark W. Powless, General Manager

Motion by Lisa Liggins to accept the recommendations from Zoning Administrator, to approve the 2021-2024 Gaming Facility Licensing, seconded by Marie Summers. Motion carried:

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

Treasurer Tina Danforth returned at 9:37 a.m.

Motion by Lisa Liggins to accept the recommendation from the Zoning Administrator to notice the Oneida Gaming Commission the letter of compliance for the facilities portion of the Oneida Nation Gaming Compact, seconded by Marie Summers. Motion carried:

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

B. CDC # 20-101 Museum Relocation - Activate \$300,000 from the FY-2022 CIP budget (01:06:55)

Sponsor: Mark W. Powless, General Manager

Motion by Lisa Liggins to activate \$300,000 from the FY-2022 CIP budget for Museum Relocation - CDC # 20-101, seconded by Marie Summers. Motion carried:

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

C. CIP # 07-002 SSB Remodeling Phase V - Activate \$3,386,000 from the FY-2022 CIP budget (01:22:00)

Sponsor: Mark W. Powless, General Manager

Vice-Chairman Brandon Stevens returned at 9:54 a.m.

Motion by Lisa Liggins to activate \$3,386,000 from the FY-2022 CIP budget for SSB Remodeling Phase V Stage 3 - CIP # 07-002, seconded by David P. Jordan. Motion carried:

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

D. CIP # 15-003 NHC Remodeling Phase VIII - Activate \$300,000 from the FY-2022 CIP budget (01:25:40)

Sponsor: Mark W. Powless, General Manager

Motion by Lisa Liggins to activate \$300,000 from the FY-2022 CIP budget for NHC Remodeling Phase VIII stage 4a - CIP # 15-003, seconded by Marie Summers. Motion carried:

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

DRAFT

E. Consider request for increase to the additional assistance provided under the Oneida Higher Education Scholarship and the Oneida Nation Student Relief Fund (01:30:35)

Sponsor: Mary Graves, Tribal member

Treasurer Tina Danforth left 10:29 a.m.

Motion by Lisa Liggins to accept discussion as information and to direct the General Manager to report on these issues and the opening of the program on January 1, 2022, to the January 12, 2022, regular Business Committee meeting, seconded by Marie Summers. Motion carried:

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

Not Present: Tina Danforth, Kirby Metoxen, Jennifer Webster

Secretary Lisa Liggins left at 10:47 a.m.

F. Consider request for use of FY-2021 positive variance for additional Food Pantry purchase (02:20:40)

Sponsor: Nancy Barton, Tribal member

Councilwoman Marie Summers left at 10:57 a.m.

Secretary Lisa Liggins returned at 10:58 p.m.

Councilwoman Marie Summers returned at 11:00 a.m.

Motion by Daniel Guzman King to accept discussion as information, seconded by Marie Summers. Motion carried:

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

Not Present: Tina Danforth, Kirby Metoxen, Jennifer Webster

Motion by David P. Jordan to direct the General Manager regarding the Oneida Pantry and if there are additional needs that are unmet and bring back a report to the January 26, 2022 regular Business Committee meeting, seconded by Marie Summers. Motion carried:

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

Not Present: Tina Danforth, Kirby Metoxen, Jennifer Webster

Motion by Lisa Liggins to assign the Chairman's office to work with the General Manager and Intergovernmental Affairs Director for the appreciation letter to the entities in relation to the food distributions that have occurred over the last year and a half, seconded by Daniel Guzman King. Motion carried:

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

Not Present: Tina Danforth, Kirby Metoxen, Jennifer Webster

DRAFT**G. Post two (2) vacancies - Oneida Nation Arts Board (02:48:20)**

Sponsor: Lisa Liggins, Secretary

Motion by David P. Jordan to post two (2) vacancies for the Oneida Nation Arts Board, seconded by Marie Summers. Motion carried:

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

Not Present: Tina Danforth, Kirby Metoxen, Jennifer Webster

H. Approve the revised Oneida Business Committee Standard Operating Procedure (SOP) entitled Community Complaints and/or Concerns (02:48:56)

Sponsor: Lisa Liggins, Secretary

Councilman David P. Jordan left at 11:23 a.m.

Councilman David P. Jordan returned at 11:25 a.m.

Motion by Lisa Liggins to approve the revised Oneida Business Committee Standard Operating Procedure (SOP) entitled Community Complaints and/or Concerns, seconded by Brandon Stevens. Motion carried:

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

Not Present: Tina Danforth, Kirby Metoxen, Jennifer Webster

XII. GENERAL TRIBAL COUNCIL**A. Approve (3) actions regarding the next step(s) for 2022 annual reports (03:00:38)**

Sponsor: Lisa Liggins, Secretary

Motion by Lisa Liggins to adopt resolution 12-22-21-A Quarterly, Annual and Semi-Annual Reporting for Calendar Year 2022 noting a correction on line 57 change calendar years to calendar year, to approve the 2022 Annual Reports, and to approve mailing the 2022 Annual Reports to all tribal members 18 and over, head of household, seconded by David P. Jordan. Motion carried:

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

Not Present: Tina Danforth, Kirby Metoxen, Jennifer Webster

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

Vice-Chairman Brandon Stevens returned at 11:34 a.m.

B. Determine next steps regarding directives provided in resolution # BC-10-27-21-C Amending Fiscal Year 2022 budget approval timelines provided in BC resolution # 09-22-21-E Continue to Operate Fiscal Year 2022 (03:05:52)

Sponsor: Lisa Liggins, Secretary

Motion by Marie Summers to adopt resolution 12-22-21-B Adoption of Fiscal Year 2022 Budget that includes the language from Finance, seconded by David P. Jordan. Motion carried:

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

Not Present: Tina Danforth, Kirby Metoxen, Jennifer Webster

DRAFT

Vice-Chairman Brandon Stevens left at 11:39 a.m.

Vice-Chairman Brandon Stevens returned at 11:41 a.m.

Vice-Chairman Brandon Stevens left at 11:44 a.m.

Vice-Chairman Brandon Stevens returned at 11:45 a.m.

Motion by Marie Summers to recess for lunch at 11:48 a.m., seconded by Lisa Liggins. Motion carried:

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

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

Roll call for the record:

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

XIII. EXECUTIVE SESSION (03:15:55)

Motion by Lisa Liggins to go into executive session at 1:31 p.m., seconded by David P. Jordan. Motion carried:

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

Motion by Marie Summers to come out of executive session at 3:49 p.m., seconded by Daniel Guzman King. Motion Carried:

Ayes: Daniel Guzman King, David P. Jordan, Lisa Liggins, Marie Summers
Abstained: Tina Danforth²
Not Present: Kirby Metoxen, Brandon Stevens, Jennifer Webster

A. REPORTS**1. Accept the Chief Financial Officer December 2021 report (03:19:45)**

Sponsor: Larry Barton, Chief Financial Officer

Motion by David P. Jordan to accept the Chief Financial Officer December 2021 report, seconded by Marie Summers. Motion carried:

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

² Per the section 6.6 of the Standard Operating Procedure entitled OBC Virtual Meetings, "The Chairperson shall poll each individual member of the OBC to vocalize his or her support, opposition, or abstention to the motion." The member(s) listed here were present, but not polled by the Chairman.

DRAFT

Motion by Marie Summers to set an employment cap of 2200 employees based on all employees identified in the weekly Human Resource Department Full-Time Equivalent (FTE) Employment Count, "Total Number of Employees", seconded by David P. Jordan. Motion carried:

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

Motion by Marie Summers to forward the discussion about adjusting the employment cap to the January 3, 2022, BC Officer meeting in order to discuss the next steps with all BC Direct Reports, seconded by David P. Jordan. Motion carried:

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

2. Accept the Chief Counsel report (03:22:15)

Sponsor: Jo Anne House, Chief Counsel

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

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

3. Accept the Intergovernmental Affairs, Communications, and Self-Governance November 2021 report (03:22:45)

Sponsor: Melinda J. Danforth, Director/Intergovernmental Affairs

Motion by Lisa Liggins to accept the Intergovernmental Affairs, Communications, and Self-Governance November 2021 report, to accept the December 20, 2021 BC Work Session notes, and to direct the Chairman, Vice-Chairman, Treasurer, Intergovernmental Affairs Director, and the Law Office to work with Attorney Locklear and Mr. Dacey to informally execute Step 1 of the process outlined in the attached memorandum dated December 20, 2021, seconded by Tina Danforth. Motion carried:

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

4. Accept the General Manager report (03:23:50)

Sponsor: Mark W. Powless, General Manager

Motion by Marie Summers to accept the General Manager report, seconded by David P. Jordan. Motion carried:

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

5. Accept the November 2021 Treasurer's report (03:24:20)

Sponsor: Tina Danforth, Treasurer

Motion by David P. Jordan to accept the November 2021 Treasurer's report, seconded by Marie Summers. Motion carried:

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

DRAFT**B. AUDIT COMMITTEE****1. Discuss notice regarding the FY-2021 audit information and determine next steps (03:24:43)**

Sponsor: Lisa Liggins, Secretary

Motion by David P. Jordan to approve the addition of a notice regarding the Oneida Nations Annual Audit to the Business Committee's 2022 annual report, seconded by Lisa Liggins. Motion carried:

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

Not Present: Kirby Metoxen, Brandon Stevens, Jennifer Webster

C. NEW BUSINESS**1. Approve the Transamerica Retirement Services - Governmental 401k Plan second amendment - file # 2011-0160 (03:25:27)**

Sponsor: Larry Barton, Chief Financial Officer

Motion by Lisa Liggins to adopt the resolution 12-22-21-C Approval of Special Vesting and New Benefit Features in the Nation's 401(k) Plans and to direct the CFO to verify that all legal reviews have been completed, seconded by Marie Summers. Motion carried:

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

Not Present: Kirby Metoxen, Brandon Stevens, Jennifer Webster

XIV. ADJOURN (03:25:27)

Motion by Marie Summers to adjourn at 3:56 p.m., seconded by Lisa Liggins. Motion carried:

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

Not Present: Kirby Metoxen, Brandon Stevens, Jennifer Webster

Minutes prepared by Chad Wilson, Senior Information Management Specialist.

Minutes approved as presented on _____.

Lisa Liggins, Secretary
ONEIDA BUSINESS COMMITTEE

Adopt resolution entitled Setting the Oneida Business Committee Regular Meeting and Executive Session

Business Committee Agenda Request

1. Meeting Date Requested: 01/12/22

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 checked="" type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input checked="" type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

4. Budget Information:

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

5. Submission:

Authorized Sponsor: Lisa Liggins, Secretary

Primary Requestor: _____

Additional Requestor: (Name, Title/Entity)

Additional Requestor: (Name, Title/Entity)

Submitted By: CWILSON1

Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Resolution # _____

Setting the Oneida Business Committee Regular Meeting and Executive Session Discussion Schedule

- 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,** Article III, Section 3 of the Tribal Constitution provides that "Regular meetings of the Business Committee may be established by resolution of the Business Committee"; and
- WHEREAS,** the Oneida Business Committee (OBC) has established and modified their regular meeting schedule by resolutions # BC-07-7-87-A, # BC-03-25-88-B, # BC-04-26-91-A, # BC-02-11-04-A, # BC-12-10-08-A, # BC-06-23-10-E, # BC-11-23-16-C, # BC-12-27-16-A, # BC-09-27-17-D, # BC-01-22-20-D, and # BC-09-23-20-C; and
- WHEREAS,** the OBC has determined that there are no changes needed to the schedule for regular meetings of the OBC; and
- WHEREAS,** the OBC has established a quarterly reporting expectation in the Executive Session section of the regular meeting agenda for the Gaming General Manager, the Retail General Manager, and the Executive HR Director; and
- WHEREAS,** the OBC has determined that holding periodic, separate discussions on items submitted to the Executive Session section of the regular meeting agenda is the best use of resources available and would better serve the membership of the Oneida Nation and the OBC.

Regular Meetings

NOW THEREFORE BE IT RESOLVED, regular meetings of the OBC shall continue to be held the second and fourth Wednesday each month, at 8:30 a.m.

OBC Direct Report Quarterly Reports – Executive Session Discussion

BE IT FURTHER RESOLVED, for the first regular meeting of February, May, August, and November, the discussion on the Executive Session section of the regular meeting agenda shall be held on Tuesday at 8:30 a.m. starting on February 8, 2022.

Executive Session Discussion

BE IT FURTHER RESOLVED, for the second regular meeting of each month, the discussion on the Executive Session section of the regular meeting agenda shall be held on Tuesday at 8:30 a.m. starting on January 25, 2022.

BC Resolution # _____

Setting the Oneida Business Committee Regular Meeting and Executive Session Discussion
Schedule
Page 2 of 2

44 *Superseding Prior Schedules*
45 **BE IT FINALLY RESOLVED**, this resolution shall supersede all prior motions, practices, or resolutions
46 regarding the subject of regular meetings of the Oneida Business Committee.



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



Statement of Effect

Setting the Oneida Business Committee Regular Meeting and Executive Session Discussion Schedule

Summary

Through this resolution, the Oneida Business Committee (“OBC”) declares that regular meetings of the OBC shall continue to be held on the second and fourth Wednesday of each month, at 8:30 a.m. In addition, it modifies the discussion schedule for quarterly reports and other items submitted to the Executive Session section of the OBC’s regular meeting agenda in a manner that better serves the OBC, as well as the membership of the Oneida Nation, and best uses available resources.

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

Date: January 4, 2022

Analysis by the Legislative Reference Office

Article III, Section 3 of the Constitution of the Oneida Nation (“Constitution”) provides that regular meetings of the Oneida Business Committee may be established by resolution of the OBC. The Oneida Business Committee Meetings law (“Law”), which was established to identify how the OBC is to carry out the responsibilities delegated to it by the Constitution, states, with respect to its meeting schedule, “the Oneida Nation Secretary shall present, on or around October of each year, a proposed schedule for regular meetings of the Oneida Business Committee for approval by the Oneida Business Committee.” [1 O.C. 117.6-1]. And, for reports to the OBC, the Law further states “the Oneida Nation Secretary shall present, on or around October of each year, a proposed schedule for presentation of reports by entities at regular meetings of the Oneida Business Committee for approval by the Oneida Business Committee.” [1 O.C. 117.6-2].

Along with its schedule, the Law governs, in part, organization of the OBC’s meeting agenda. [1 O.C. 117.7-1]. Relevant here, section 117.7-1 of the Law requires that the OBC agenda contain a section entitled, Reports, and a section entitled, Executive Session. The Reports section is to be used to present quarterly reports as directed by the OBC, [1 O.C. 117.7-1(p)], while the Executive Session section is to be used to discuss matters that require confidentiality under the Open Records and Open Meetings law [1 O.C. 117.7-1(q)]. The Law allows for the Executive Session section of the agenda to be organized to meet the needs of the OBC. [Id.]

Over the years, the OBC has been presented with and adopted the following regular meeting schedules:

- BC-07-07-87-A – regular meetings every Tuesday at 1:30 p.m. and every Friday at 9:00 a.m.;
- BC-03-25-88-B – regular meetings every Friday at 9:00 a.m., and informational meetings the first Monday of each month at 7:00 p.m.;
- BC-04-26-91-A – regular meetings every Wednesday at 9:00 a.m.;

- *BC-02-11-04-A* – regular meetings every other Wednesday at 9:00 a.m.;
- *BC-12-10-08-A* – regular meetings every second and fourth Wednesday at 9:00 a.m.;
- *BC-06-23-10-E* – executive discussion meetings added every second and fourth Tuesday at 9:00 a.m.;
- *BC-11-23-16-C* – regular meetings every second and fourth Wednesday at 8:30 a.m., and executive discussion meetings every second and fourth Tuesday at 8:30 a.m.;
- *BC-12-27-16-A* – regular meetings every second and fourth Wednesday at 8:30 a.m., and quarterly report meetings the fourth Thursday in January, April, July and October at 8:00 a.m.;
- *BC-09-27-17-D* – quarterly report meetings the fourth Thursday of February, May, August and November at 8:00 a.m.;
- *BC-01-22-20-D* – quarterly report meetings eliminated, executive discussion meetings every second and fourth Tuesday at 8:30 a.m., and regular meetings every second and fourth Wednesday at 8:30 a.m.; and
- *BC-09-23-20-C* – executive discussion meetings eliminated, and regular meetings every second and fourth Wednesday at 8:30 a.m.

The OBC has established a quarterly reporting expectation in the Executive Session section of its regular meeting agenda for the Gaming and Retail General Managers, as well as the Executive Human Resources Director, and has now determined that holding periodic, separate discussions on items submitted to that section is the best way to use available resources. In addition, the OBC believes that it would better serve the membership of the Nation and the OBC.

Through this resolution, the OBC declares as follows with respect to its regular meeting and executive session discussion schedules:

- That, regular meetings of the OBC shall continue to be held on the second and fourth Wednesday of each month, at 8:30 a.m.;
- That, for the first regular meeting of February, May, August and November, the discussion on the Executive Session section of the regular meeting agenda shall be held on Tuesday at 8:30 a.m., starting on February 8, 2022; and
- That, for the second regular meeting of each month, the discussion on the Executive Session section of the regular meeting agenda shall be held on Tuesday at 8:30 a.m., starting on January 25, 2022.

This resolution further declares that it supersedes all prior motions, practices or resolutions regarding the subject of regular meetings of the Oneida Business Committee.

Conclusion

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

Adopt resolution entitled Extension of Declaration of Public Health State of Emergency Until March 24, 20

Business Committee Agenda Request

1. Meeting Date Requested: 01/12/22

2. Session:

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

Justification: Other - type reason

3. Requested Motion:

☐ Accept as information; OR

Action: 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 February 11, 2022.

4. Areas potentially impacted or affected by this request:

☐ Finance

☐ Programs/Services

☐ Law Office

☐ MIS

☐ Gaming/Retail

☐ Boards, Committees, or Commissions

☐ Other: *Describe*

5. Additional attendees needed for this request:

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

6. 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 checked="" type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input checked="" type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input checked="" type="checkbox"/> Other: Public Health Recommendation | | |

7. Budget Information:

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

8. Submission:

Authorized Sponsor: Tehassi Hill, Chairman

Primary Requestor: Jameson Wilson, Project Coordinator

Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Resolution # _____

Extension of Declaration of Public Health State of Emergency Until March 24, 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, # BC-09-22-21-A; and # BC-11-24-21-F; 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 March 24, 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 January 4, 2022, the vaccination levels of Oneida's members have reached 50% and
62 the vaccination levels of Oneida Nation employees have reached 71% based on the
63 information from those who have applied and have had their vaccination status verified for
64 the Oneida Nation Vaccination Incentive Program for Oneida Nation Members and for the
65 Oneida Nation Employee Vaccination Incentive Plan for Employees Who Are Not Oneida
66 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 March 24, 2022.



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



Statement of Effect

Extension of Declaration of Public Health State of Emergency Until March 24, 2022

Summary

This resolution extends the Nation's Declaration of the Public Health State of Emergency until March 24, 2022.

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

Date: January 4, 2022

Analysis by the Legislative Reference Office

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

Under the Emergency Management law, the OBC is delegated 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 OBC may last for longer than sixty (60) days, unless renewed by the OBC. [3 O.C. 302.8-2].

As a result of the COVID-19 virus, in accordance with the authority granted to the OBC under 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 OBC has since extended the Public Health State of Emergency until January 23, 2022, through 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, BC-09-22-21-A and BC-11-24-21-F. [3 O.C. 302.8-2].

The Emergency Management Director and Community/Public Health Officer have advised an extension of the Public Health State of Emergency declaration, supported by information from the Centers for Disease Control, as well as the level of spread of COVID-19 throughout the State of Wisconsin, surrounding states, and the United States of America. This resolution provides that the OBC has determined that continuing the Public Health State of Emergency remains necessary.

Additionally, the OBC 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 reach seventy-five percent (75%), the safety of public health will be considered to be effectively managed, and the OBC 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 March 24, 2022.

Conclusion

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

Oneida Comprehensive Health Division

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



To: Oneida Business Committee

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

Date: January 4, 2022

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, WI, Brown and Outagamie Counties.
- COVID-19 testing percent positivity; Brown and Outagamie Counties.
- COVID-19 Hospitalization and deaths; WI, Brown and Outagamie Counties.
- COVID-19 vaccination; WI, Brown and Outagamie Counties.

The COVID-19 Omicron variant accounts for more than half of circulating COVID-19 illness in the United States. As Omicron is thought to be significantly more transmissible, it is only a matter of time before the Omicron variant takes hold as the dominant strain here in WI.

The vast majority of hospitalization and deaths connected to COVID-19 illness are among the unvaccinated. 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 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.

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” (Outagamie) and “critically high” (Brown) levels of COVID-19 community transmission, the Public Health Order to require facial coverings indoors and in enclosed spaces regardless of vaccination status will likely be extended.

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
Dr Vir, Oneida Comprehensive Health Division Medical Director
Mark Powless, General Manager

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



January 4, 2022

Updated COVID19 data to consider during discussions:

Extension of the Oneida Nation Public Health Emergency declaration.

Submitted by:
Debra Danforth, Michelle Myers

Please note:

- 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/>

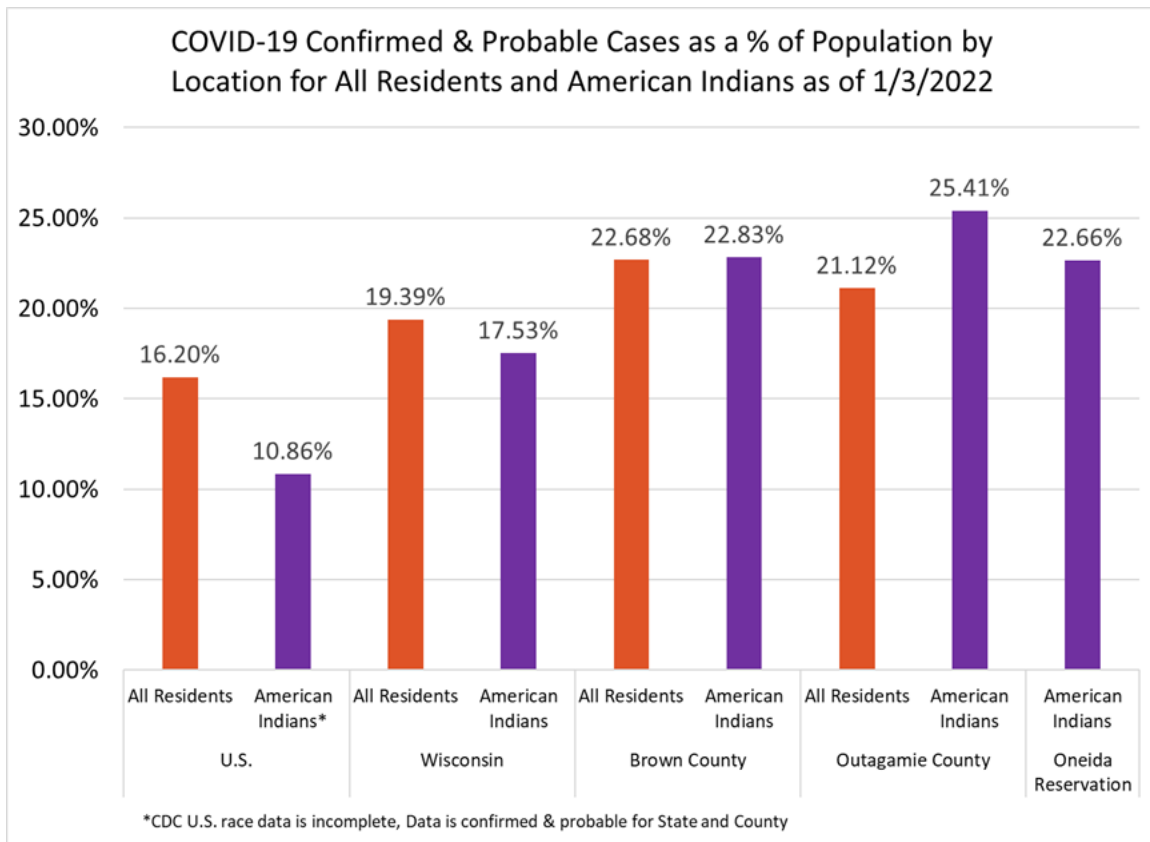
Oneida Community Health Center
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525 Airport Rd., Oneida, WI 54155
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Phone: (920) 405-4492

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

Relevant COVID-19 Data:



WI Department of Health Services- Public Health

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

U.S. Centers for Disease Control and Prevention

https://covid.cdc.gov/covid-data-tracker/#cases_casesinlast7days

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>

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

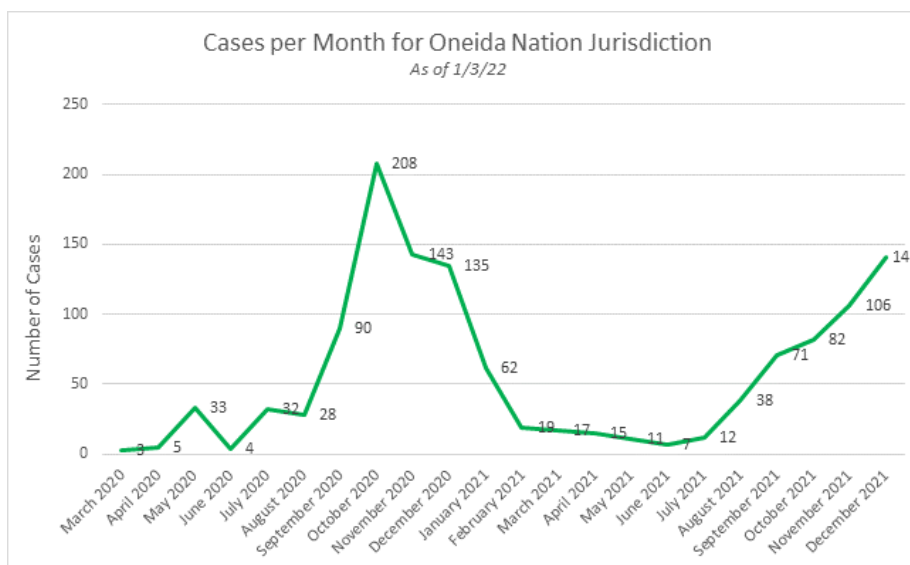
Oneida Nation COVID-19 Data

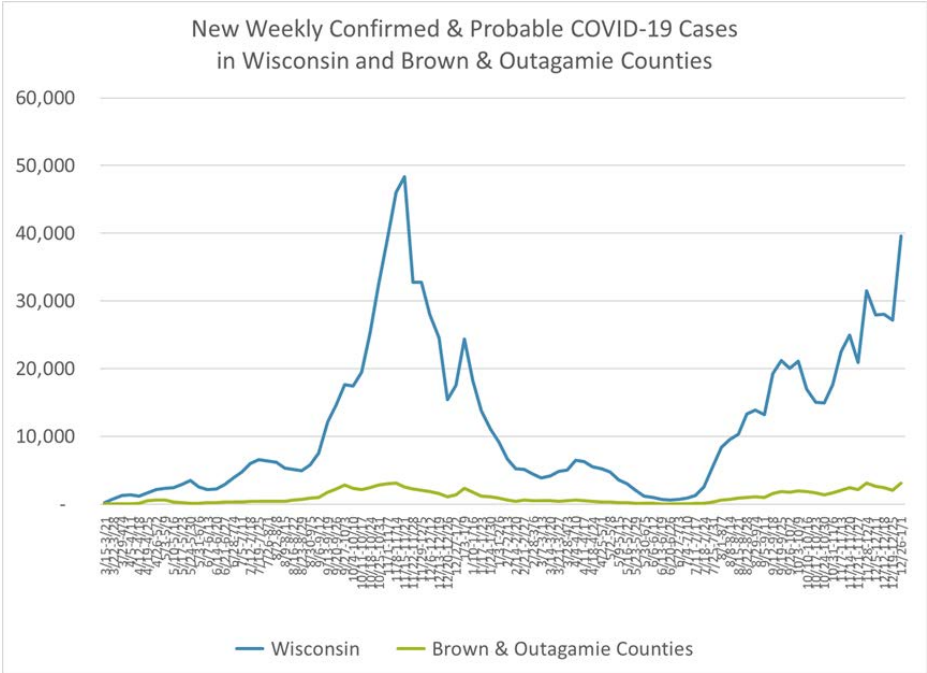
As of 1/3/2022 2:00 PM

	Confirmed Positive Cases	Active Cases	Recovered Cases	Deaths
Oneida Nation Total	1,262 (+23)	56	1,196	10
Oneida Nation – Brown County	703	32	667	4
Oneida Nation – Outagamie County	559	24	529	6

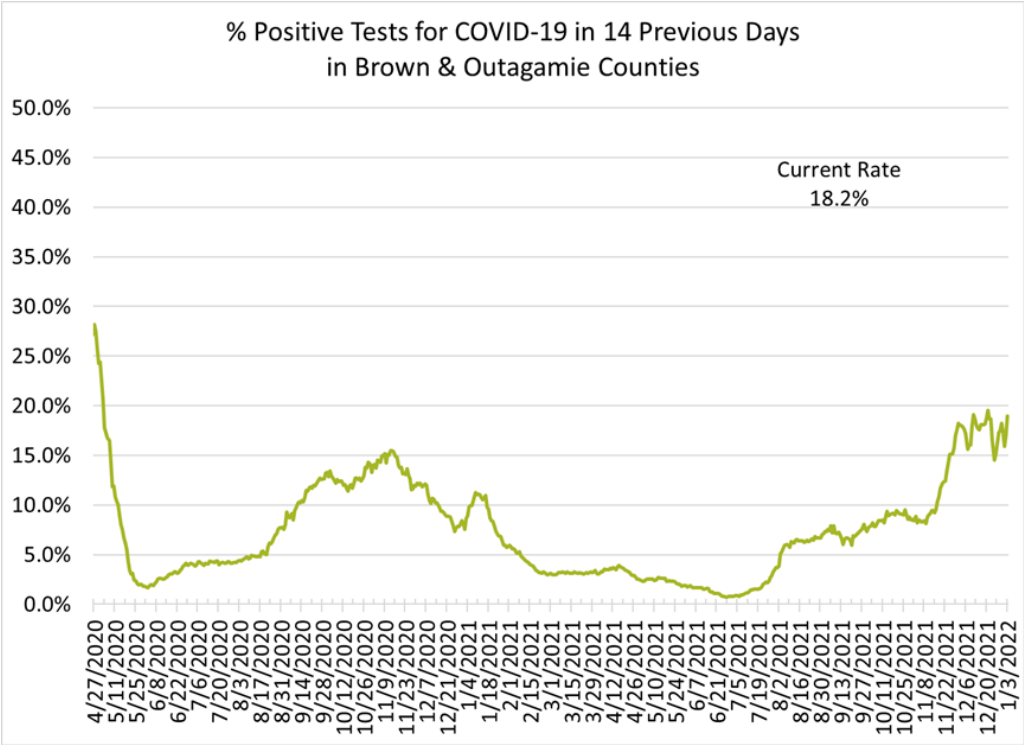
Hospitalizations (Ever Hospitalized): 116

Vaccine Breakthrough Cases: 129

Oneida Nation Health Department retrieved 01/03/2022<https://oneida-nsn.gov/connect/news/oneida-nation-covid-19-resource-page/#Stats>*Oneida Nation Health Department retrieved 01/03/2022*

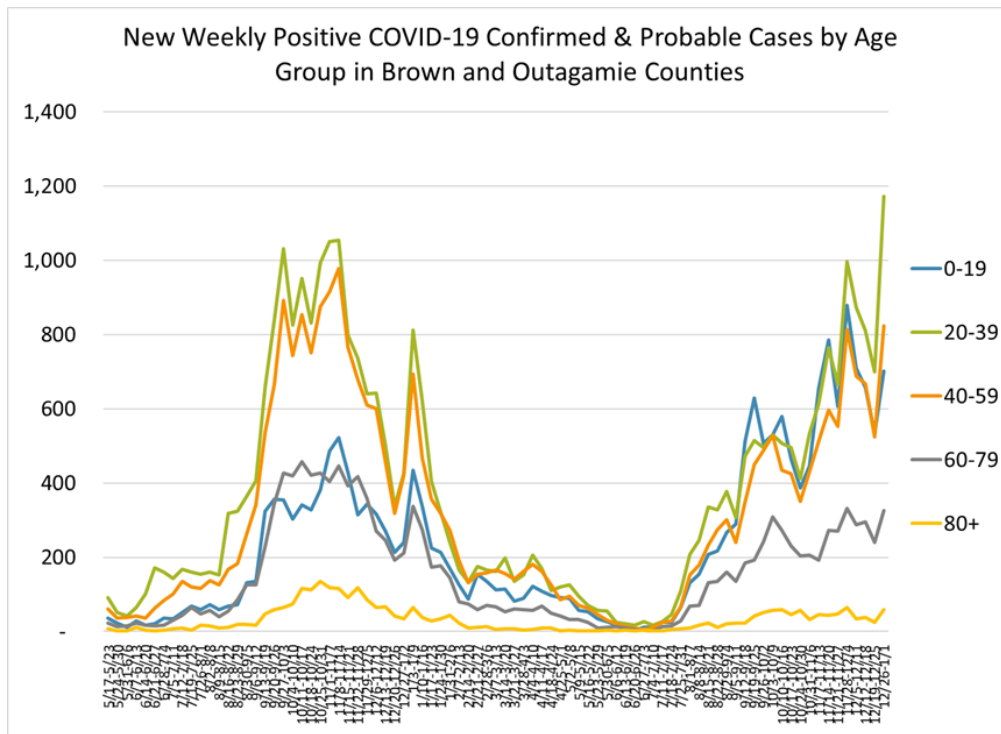


WI Department of Health Services- Public Health retrieved 01/03/2022
<https://data.dhsgis.wi.gov/datasets/covid-19-historical-data-table/data>

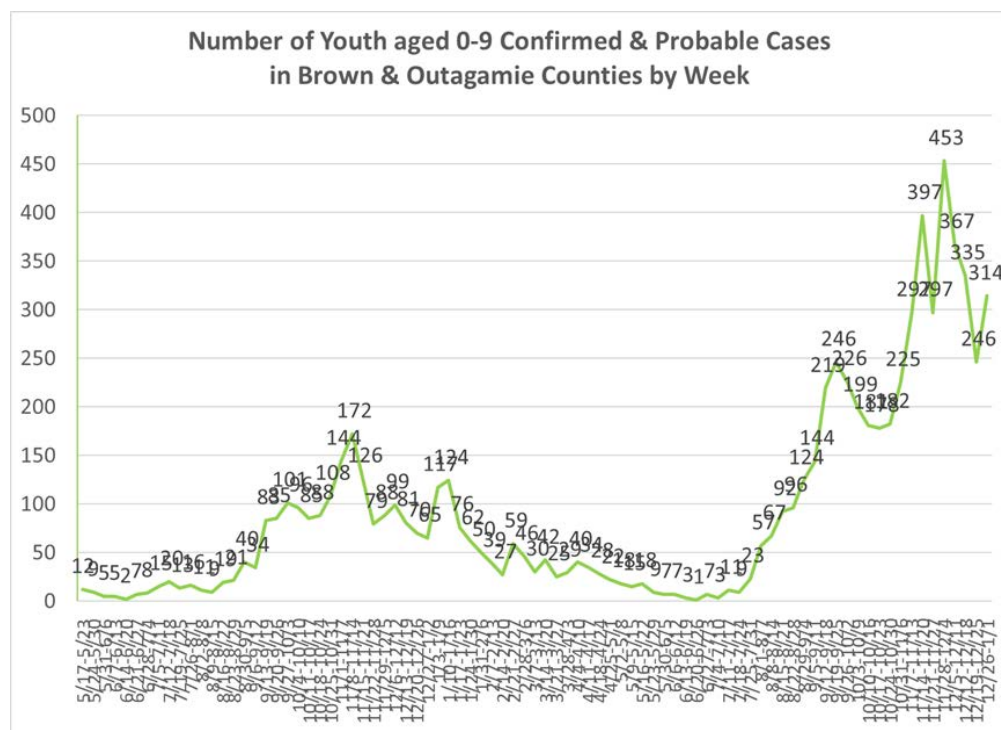


WI Department of Health Services- Public Health retrieved 01/03/2022
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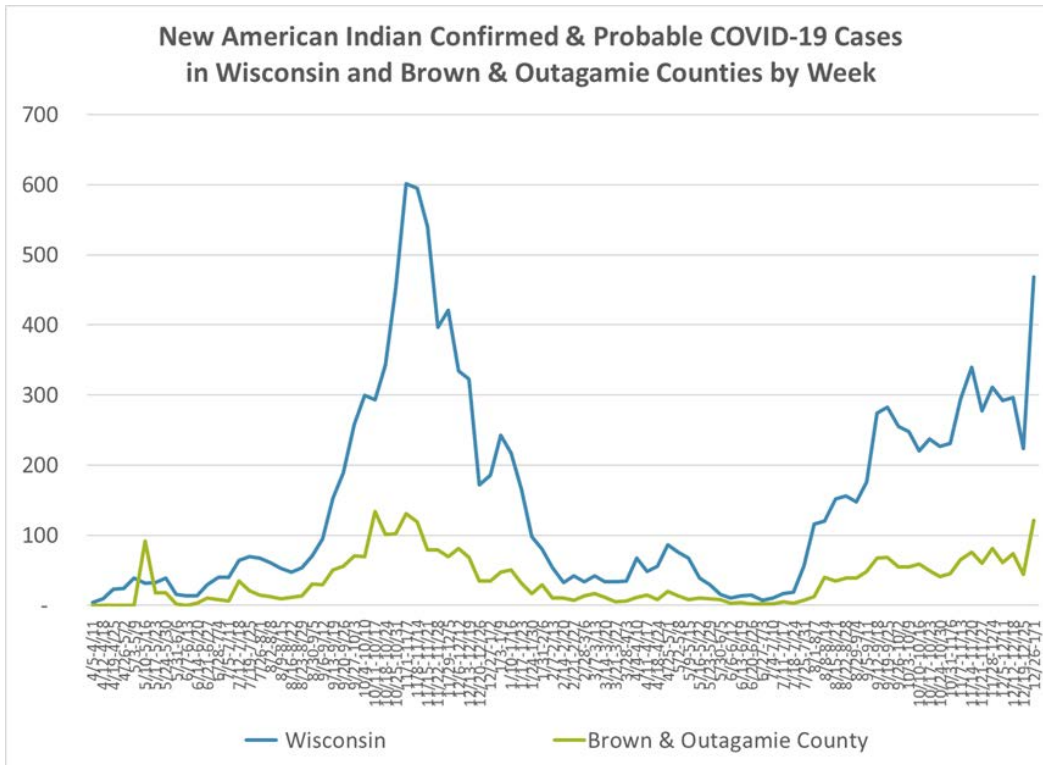




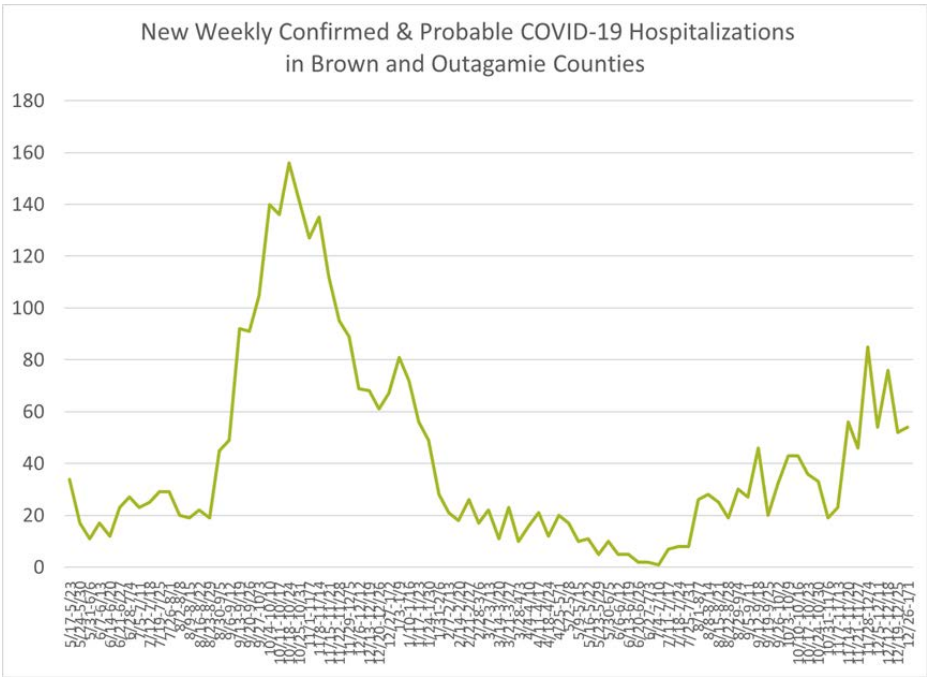
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<https://data.dhsgis.wi.gov/datasets/covid-19-historical-data-table/data>



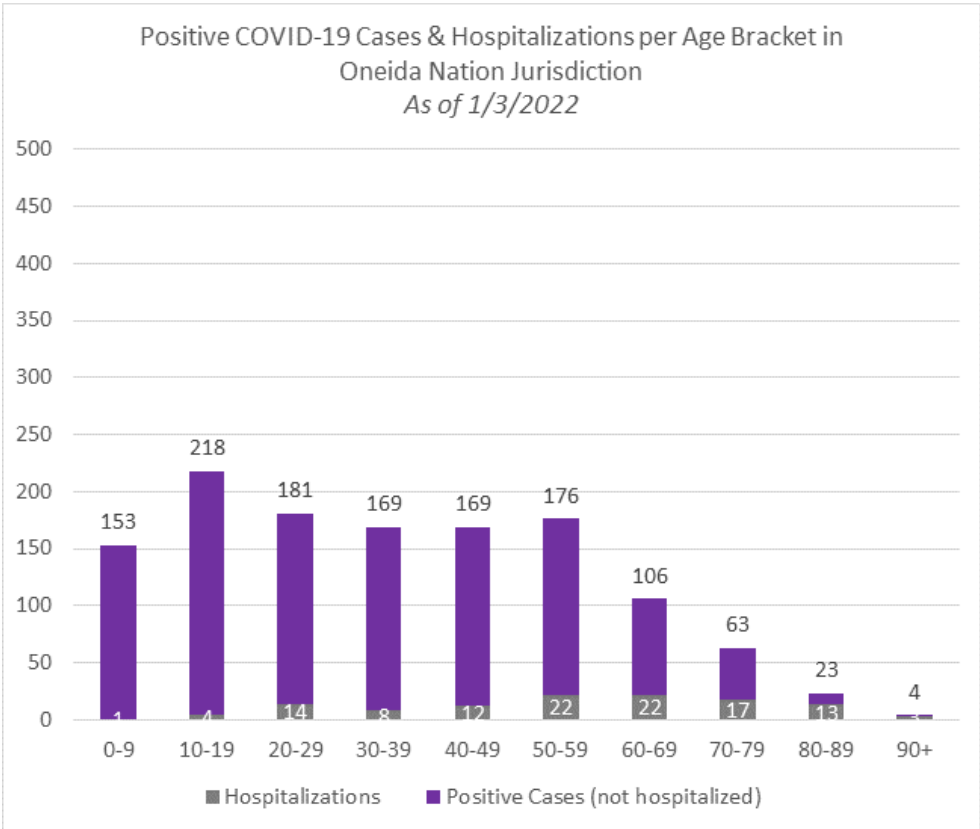
WI Department of Health Services- Public Health retrieved 01/03/2022
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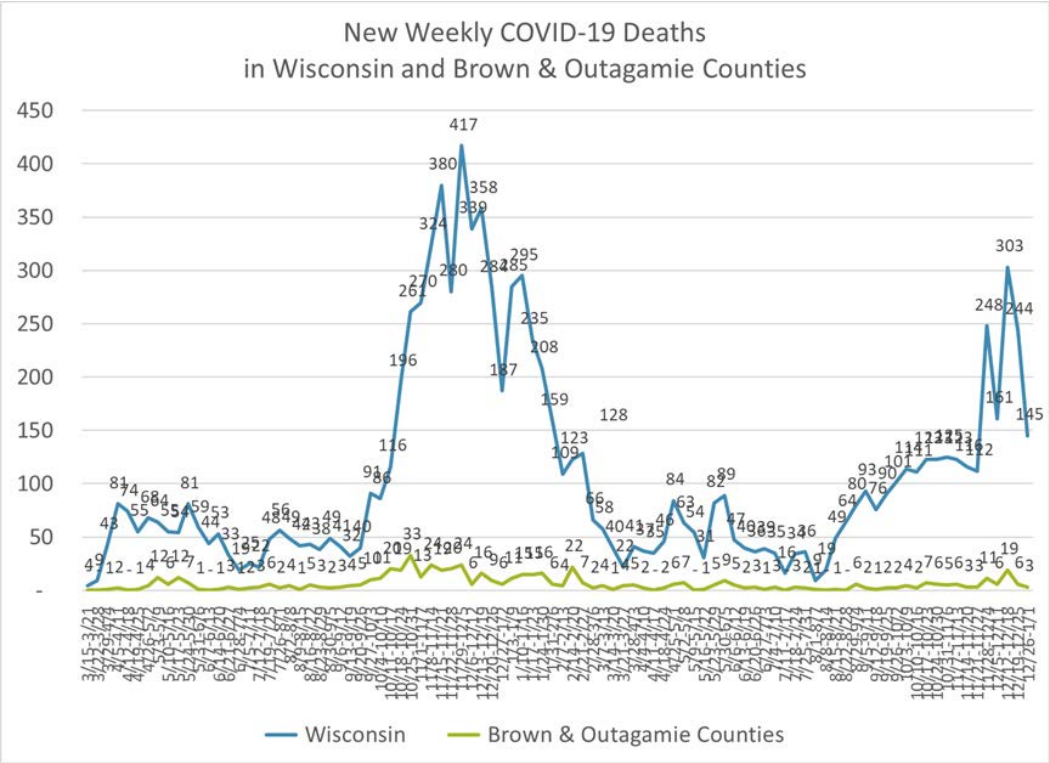
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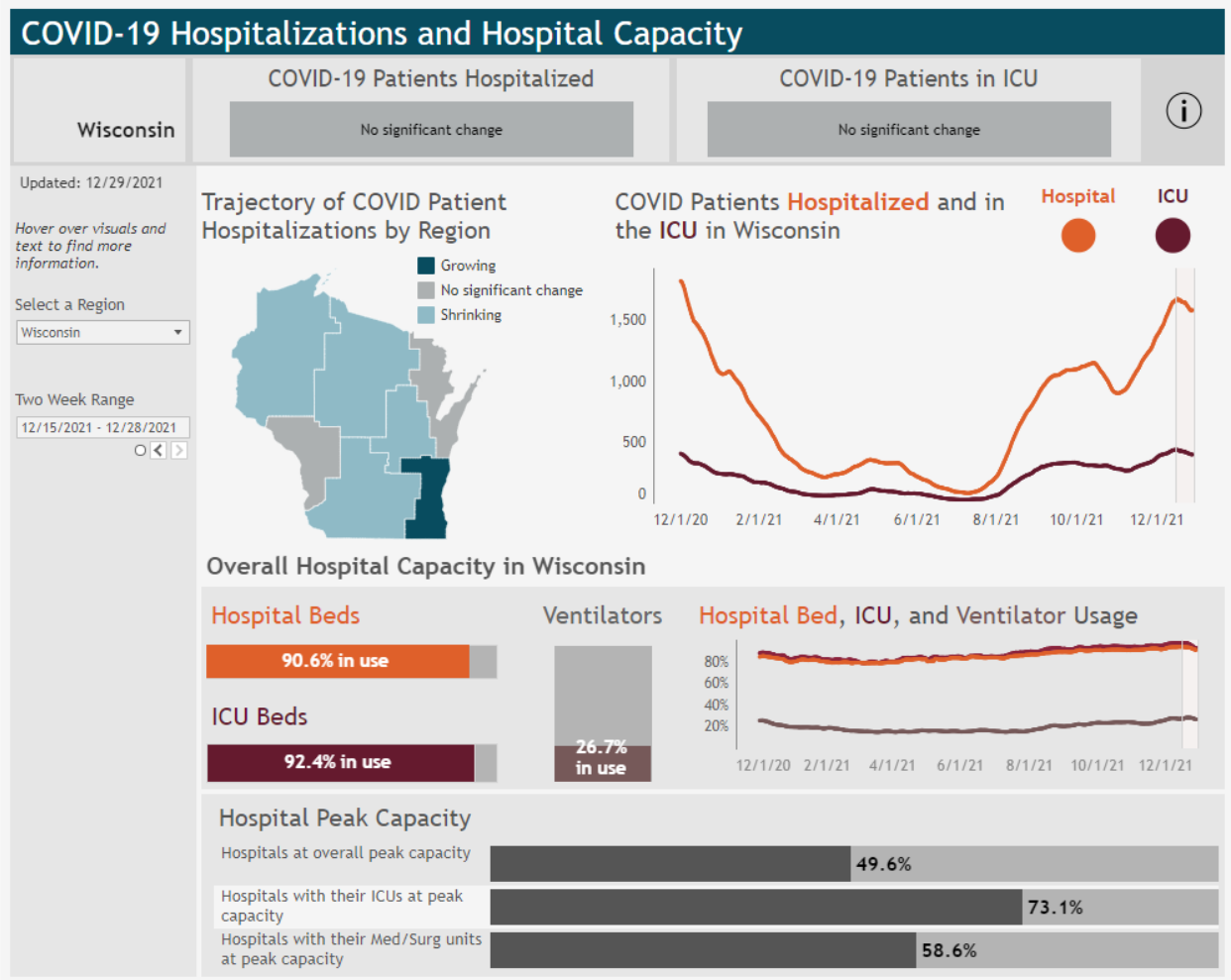
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Oneida Nation Health Department retrieved 01/03/2022

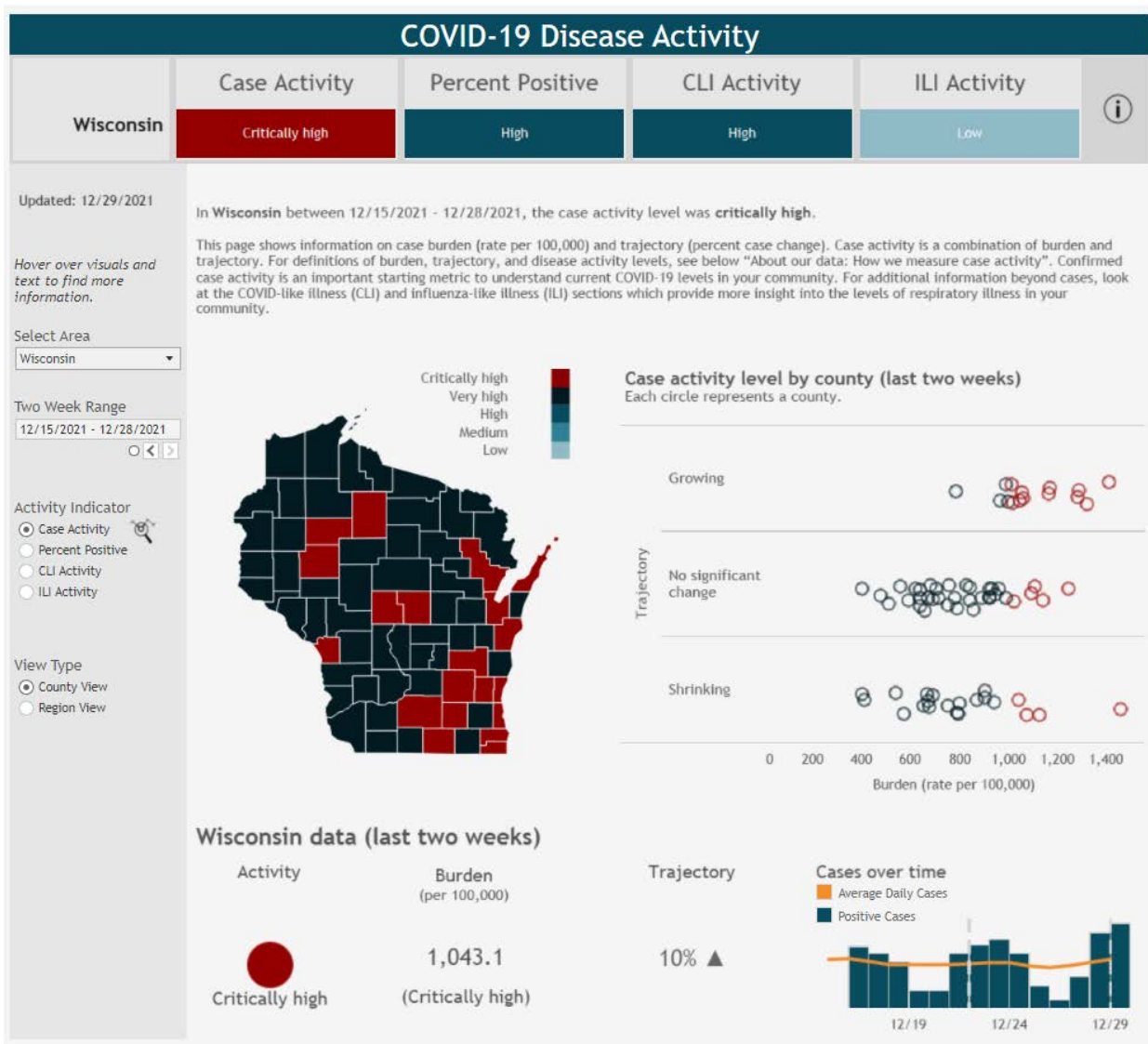


WISCONSIN: COVID-19 HOSPITALIZATIONS AND HOSPITAL CAPACITY



WI Department of Health Services- Public Health retrieved 01/03/2022
<https://www.dhs.wisconsin.gov/covid-19/hosp-data.htm>

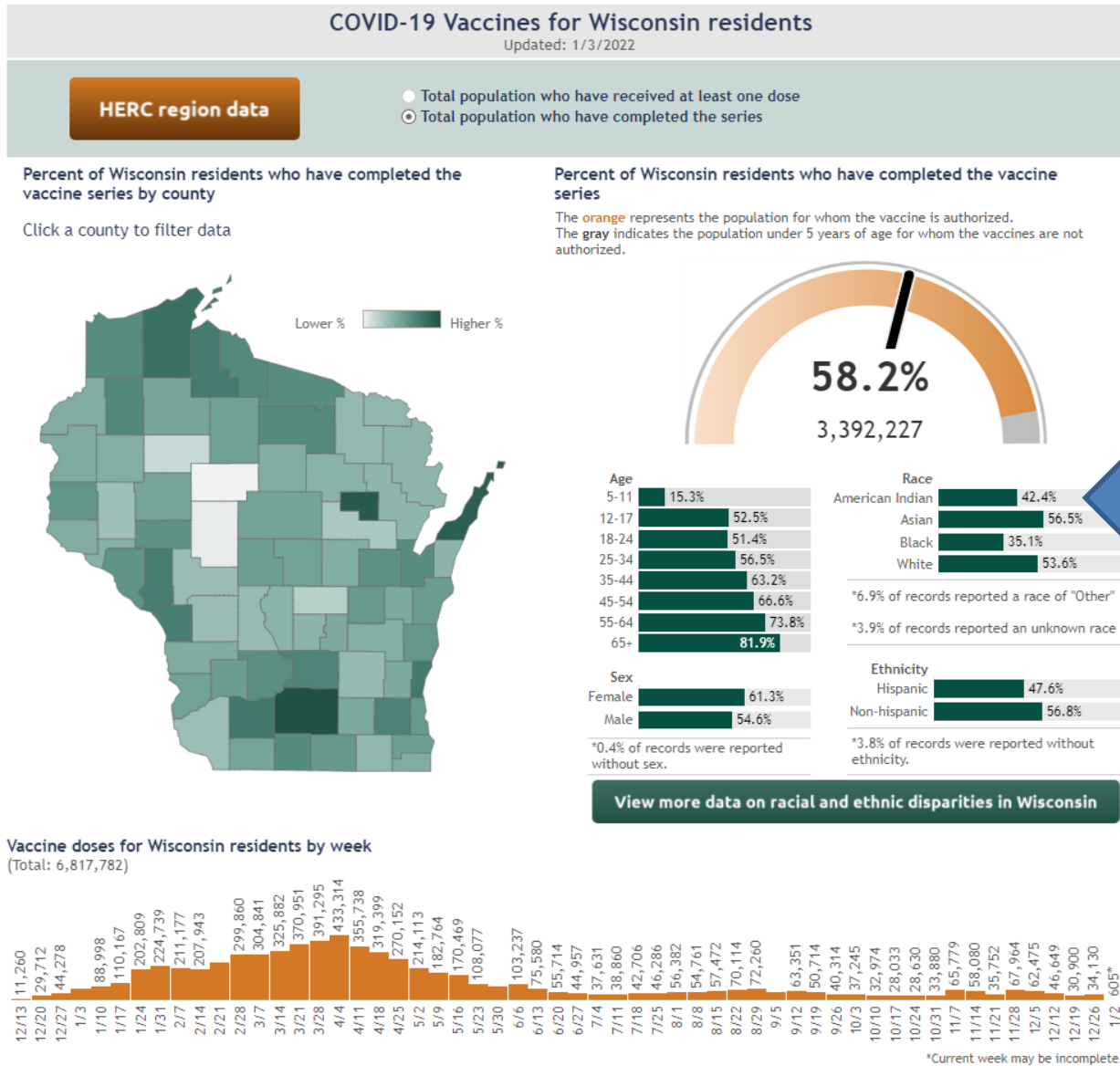
WISCONSIN: COVID-19 DISEASE ACTIVITY



WI Department of Health Services- Public Health retrieved 01/03/2022

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

WISCONSIN- FULLY VACCINATED AGAINST COVID-19



WI Department of Health Services- Public Health retrieved 01/03/2022

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

BROWN COUNTY- FULLY VACCINATED AGAINST COVID-19

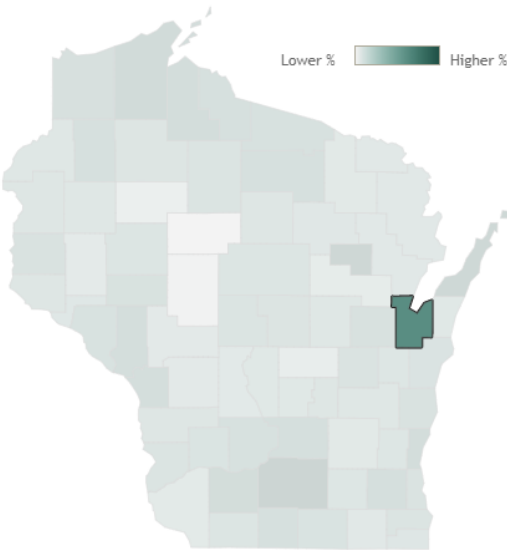
COVID-19 Vaccines for Wisconsin residents
Updated: 1/3/2022

HERC region data

- Total population who have received at least one dose
- Total population who have completed the series

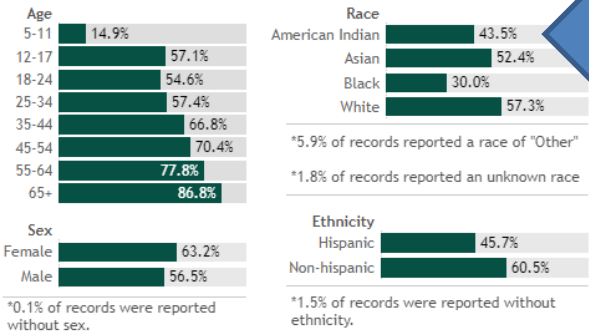
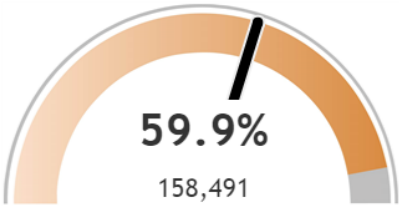
Percent of Wisconsin residents who have completed the vaccine series by county

Click a county to filter data



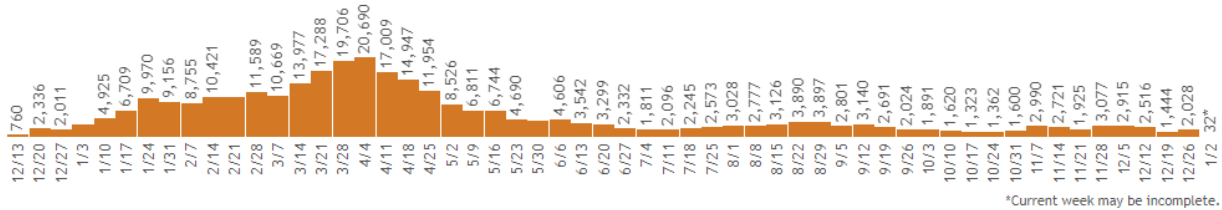
Percent of Brown County residents who have completed the vaccine series

The orange represents the population for whom the vaccine is authorized. The gray indicates the population under 5 years of age for whom the vaccines are not authorized.



View more data on racial and ethnic disparities in Wisconsin

Vaccine doses for Brown County residents by week
(Total: 315,054)



WI Department of Health Services- Public Health retrieved 01/03/2022
<https://www.dhs.wisconsin.gov/covid-19/vaccine-data.htm>



OUTAGAMIE COUNTY- FULLY VACCINATED AGAINST COVID-19

COVID-19 Vaccines for Wisconsin residents

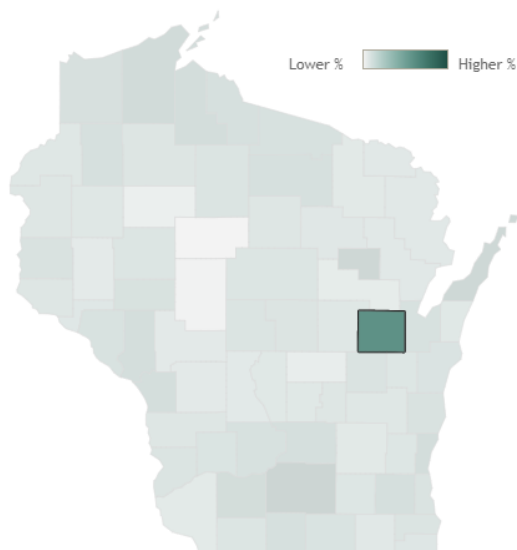
Updated: 1/3/2022

HERC region data

- Total population who have received at least one dose
- Total population who have completed the series

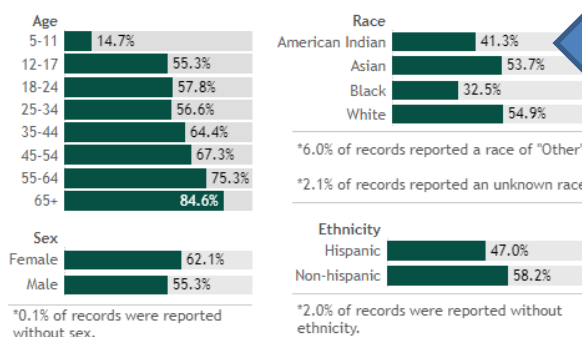
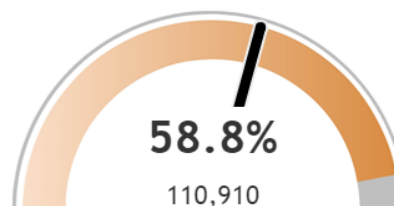
Percent of Wisconsin residents who have completed the vaccine series by county

Click a county to filter data



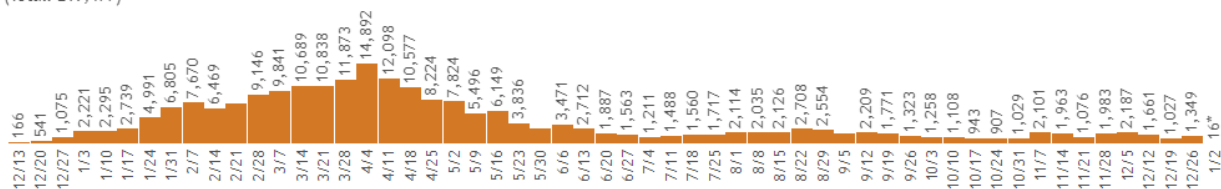
Percent of Outagamie County residents who have completed the vaccine series

The orange represents the population for whom the vaccine is authorized. The gray indicates the population under 5 years of age for whom the vaccines are not authorized.



View more data on racial and ethnic disparities in Wisconsin

Vaccine doses for Outagamie County residents by week
(Total: 219,477)

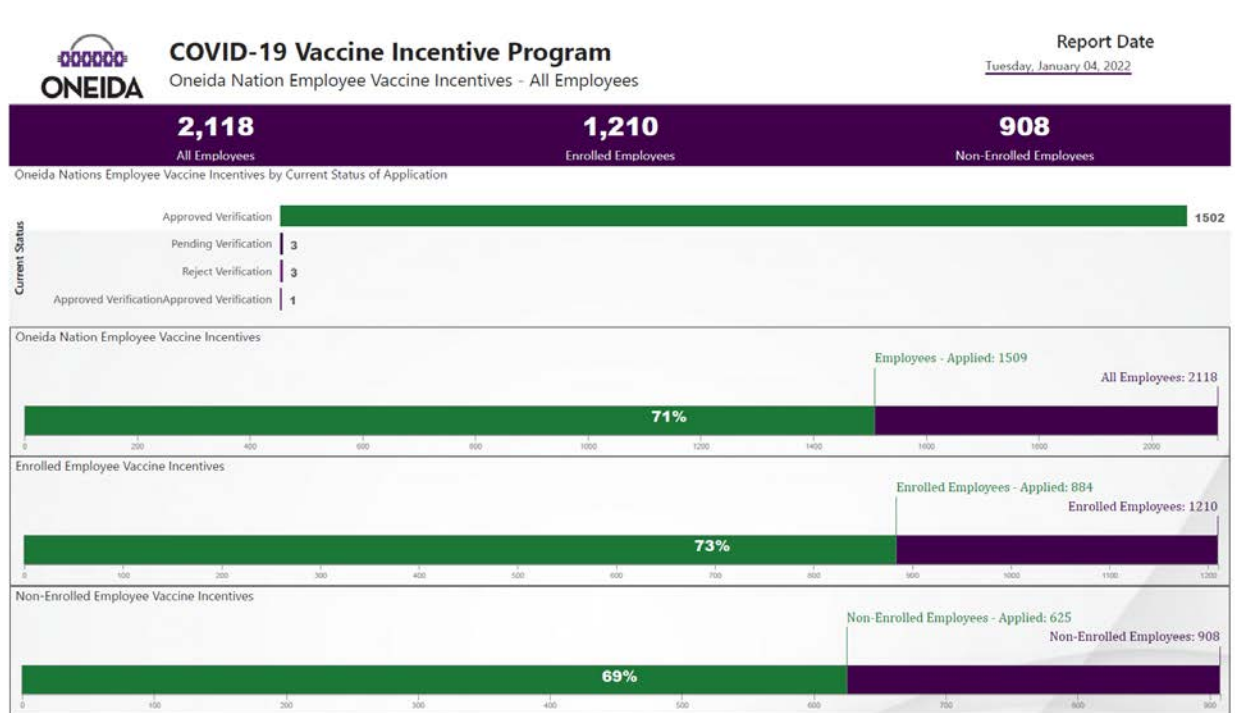


*Current week may be incomplete.

WI Department of Health Services- Public Health retrieved 01/03/2022

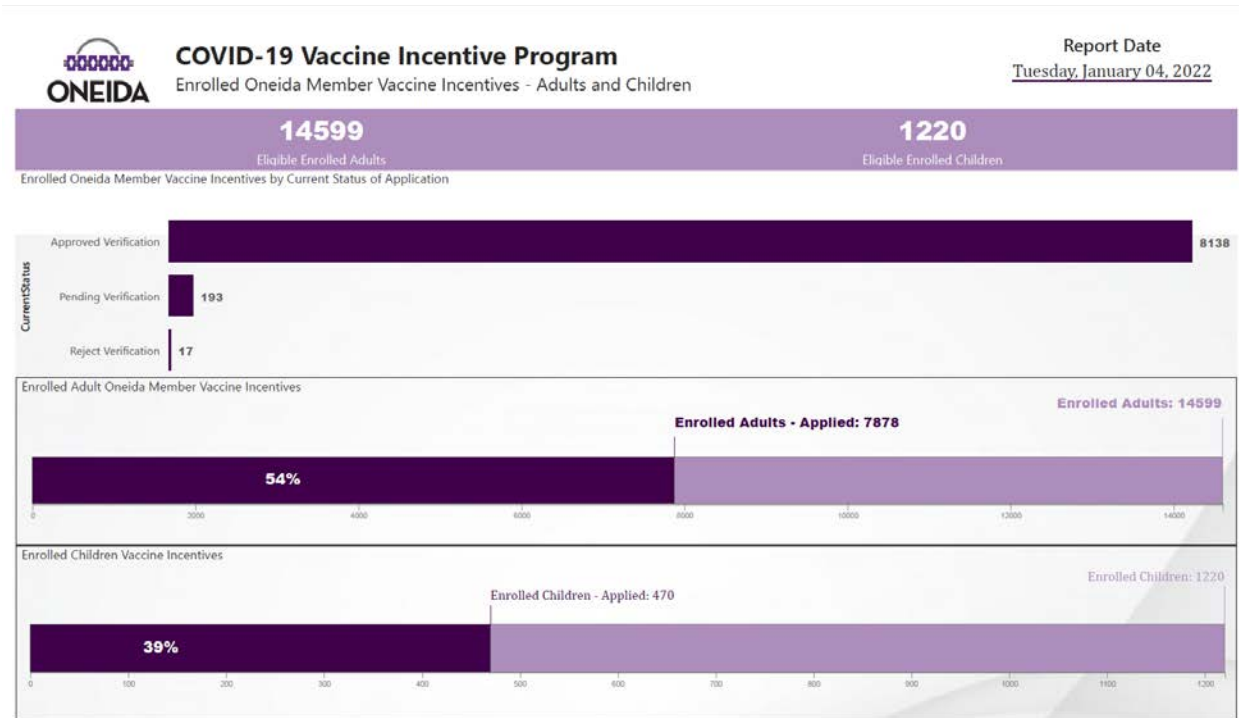
<https://www.dhs.wisconsin.gov/covid-19/vaccine-data.htm>

ONEIDA NATION WORKFORCE COVID-19 VACCINATION DATA:

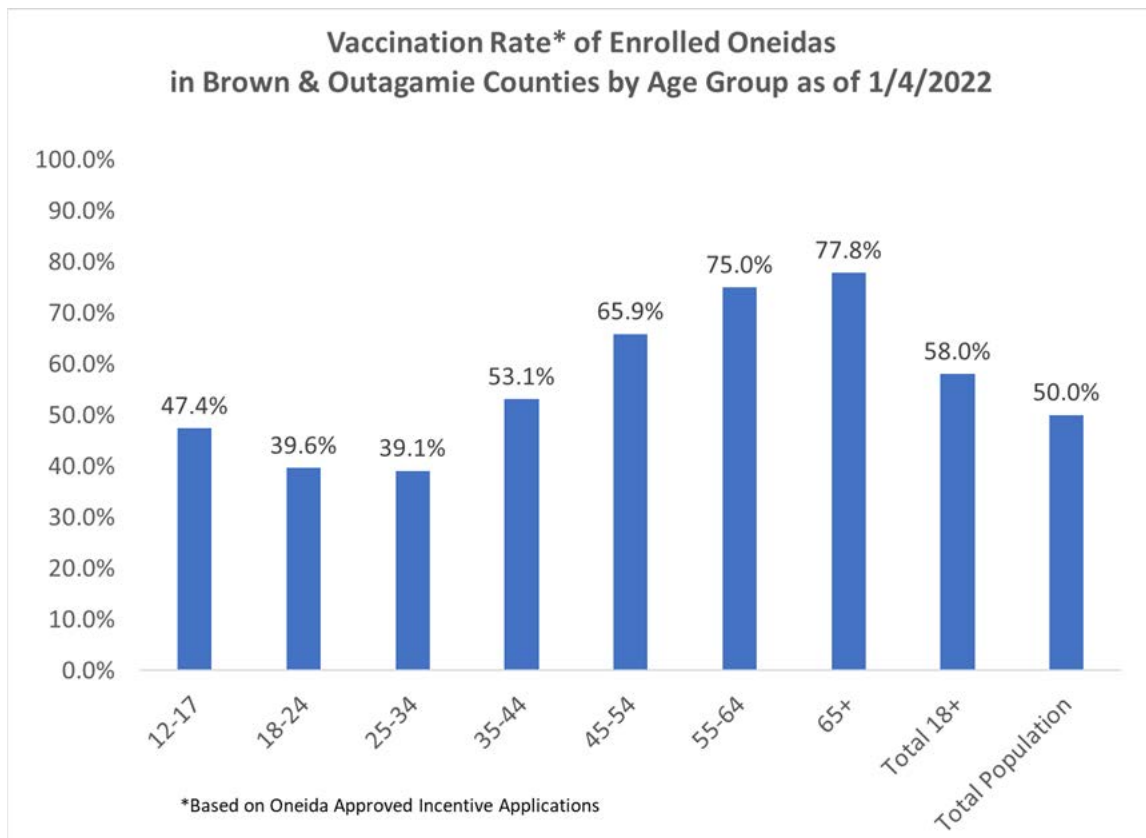


Oneida Nation COVID-19 Vaccination Incentive data retrieved 01/04/2022

ONEIDA NATION ENROLLED TRIBAL MEMBERSHIP COVID-19 VACCINATION DATA:



Oneida Nation COVID-19 Vaccination Incentive data retrieved 01/04/2022



Oneida Nation COVID-19 Vaccination Incentive data retrieved 01/04/2022

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



Accept the Oneida Nation Student Relief Fund (SRF) Program report

Business Committee Agenda Request

1. Meeting Date Requested: 01/12/22

2. Session:

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

Justification: *Choose or type justification.*

3. Requested Motion:

☒ Accept as information; OR

Enter the requested motion related to this item.

4. Areas potentially impacted or affected by this request:

☐ Finance

☐ Programs/Services

☐ Law Office

☐ MIS

☐ Gaming/Retail

☐ Boards, Committees, or Commissions

☐ Other: *Describe*

5. Additional attendees needed for this request:

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

6. Supporting Documents:

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

7. Budget Information:

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

8. Submission:

Authorized Sponsor: Mark W. Powless, General Manager

Primary Requestor: (Name, Title/Entity)

Memo

General Manager
909 Packerland Dr.
Green Bay, WI 54303
920-496-7000



To: Oneida Business Committee
From: Mark W. Powless, General Manager
Date: January 5, 2022
Re: Student Relief Fund Program Update

Mark W. Powless

Digitally signed by Mark W.
Powless
Date: 2022.01.06 19:11:19 -06'00'

The purpose of this memorandum is to provide an update per the approved motion from the December 22, 2021 Oneida Business Committee Regular Meeting.

Motion by Lisa Liggins to accept discussion as information and to direct the General Manager to report on these issues and the opening of the program on January 1, 2022 to the January 12, 2021, regular Business Committee meeting, seconded by Marie Summers. Motion carried:

On December 29, 2021 the Oneida Higher Education Department announced the availability of the Student Relief Fund Program. Full details as well as the application forms are included with this memorandum.

Current and future communication includes Kalihwisaks, Communications email, Oneida Sharepoint Bulletin Board, Higher Education Facebook, Higher Education Website, Flyers to Departments, and direct mail post cards to all membership households.

The stipend to assist students with their monthly costs is \$1,200 monthly, for all programs lasting longer than one month.

Yaw^ko to Jackie Smith, Education and Training Area Manager; Mitch Metoxen, Higher Education Department Manager; as well as staff, community members, and the Oneida Business Committee for assisting in the development and implementation of this program, by the requested deadlines.

Oneida Higher Education – Student Relief Fund (SRF) Program

The Oneida Higher Education Department will have two new opportunities for students interested in improving job opportunities through education. Funds have been approved to assist post secondary students with a wide-range of educational needs.

Additional Information and Applications

- 18 Years of age as of August 1, 2021 and an enrolled tribal member
- Available for the Spring 2022 semester – application available on the Oneida Higher Education website on or before January 1, 2022
- <https://oneida-nsn.gov/education/highereducation/how-to-apply/#Application-Forms>
- Call Oneida Higher Education at 920-869-4033


Eligibility

- **SUSPENDED Students** – students who are currently suspended from the Oneida Higher Education Program will be eligible to apply for credits to be applied toward their suspension and assist with regaining eligibility for the Oneida Higher Education Scholarship program
- **Equal or Lesser Degrees** – Students who are seeking a degree at the same or lower level than their current degree are eligible to apply
- **Other Types of Training including:**
 - **Certifications**
 - **Workshops**
 - **Classes**
 - **Other types of training may be considered-call the Higher Education office with questions**

Expenses Covered

- **Tuition and required books/program supplies up to established Higher Education limits for degree**
- **Stipend – under review**
- **FAFSA not required**



 STUDENT RELIEF FUND APPLICATION	<p align="center">Oneida Nation HIGHER EDUCATION OFFICE P.O. BOX 365 • ONEIDA, WI 54155 (920) 869-4033 • 1-800-236-2214 • FAX (920) 869-4039 email: highered@oneidanation.org www.oneida-nsn.gov/education/highereducation</p>	<p align="center">Academic School Year</p> <p align="center">20____ – 20____</p>
---	--	--

→ **STUDENT SECTION - ALL INFORMATION REQUIRED**

Applicant Name: (Last) (First) (MI)		Currently Employed <input type="checkbox"/> Current Oneida Nation Employee <input type="checkbox"/>
Social Security Number:	Date of Birth: (mm/dd/yy)	Gender: <input type="checkbox"/> M <input type="checkbox"/> F Applying for: 1. Suspended Student <input type="checkbox"/> 2. Equal or Lesser Degree <input type="checkbox"/> 3. Other Training <input type="checkbox"/>
Mailing Address: (if address changes, please contact us) City State Zip Code		
Telephone Home: () Cell: ()		email Address: (Required)
High School Attended: (Name, City, State)		Type of Degree: <input type="checkbox"/> H.S. Diploma <input type="checkbox"/> GED <input type="checkbox"/> HSED HS Graduation Date: (mm/dd/yy)
College/University/Training Center you will attend: (name, city, state, zip) Type of Training:		College Academic Level: <input type="checkbox"/> Freshman <input type="checkbox"/> Sophomore <input type="checkbox"/> Junior <input type="checkbox"/> Senior <input type="checkbox"/> Graduate <input type="checkbox"/> JD <input type="checkbox"/> Doctorate <input type="checkbox"/> MD <input type="checkbox"/> Not Applicable Semester/Term Starting: <input type="checkbox"/> Fall <input type="checkbox"/> Winter <input type="checkbox"/> Spring <input type="checkbox"/> Summer
Expected Enrollment Status: <input type="checkbox"/> 12+ credits <input type="checkbox"/> 9-11 credits <input type="checkbox"/> 6-8 credits <input type="checkbox"/> 1-5 credits	Class/Workshop/Seminar Start Date: (mm/dd/yy)	Expected Grad. Date: (mm/dd/yy) Intended Major or Program: Credentials Earned
Type of degree you will earn: <input type="checkbox"/> Cert <input type="checkbox"/> Tech-Diploma <input type="checkbox"/> Associate <input type="checkbox"/> Bachelors <input type="checkbox"/> Masters <input type="checkbox"/> PhD <input type="checkbox"/> MD <input type="checkbox"/> Not Applicable		List previous college/university attended and degrees obtained:

→ **STUDENT CONSENT AND RELEASE OF INFORMATION**

- I certify that the information given by me on this form is true, correct and complete to the best of my knowledge.
- I authorize the sharing of information on this form between the Oneida Higher Education Office (OHE), the State and the college/university/school/program/sponsor in order to complete my financial aid package.
- I authorize the school's financial aid office to provide the OHE with my financial need analysis.
- I authorize the college/university/school to disclose my educational records to the OHE office.
- I authorize my Oneida Nation Department to identify if current training dollars are available for funding my education request.


By signing below, I consent to the aforementioned:

Applicant Signature: _____ **Date:** _____

TO BE COMPLETED BY THE ONEIDA HIGHER EDUCATION (OHE) DEPARTMENT

The above named applicant is _____ degree Oneida and enrolled in the Oneida Nation.

Enrollment Number: _____ OHE certifying initials: _____ Date: _____

 <p>STUDENT RELIEF FUND ACKNOWLEDGMENT AND AGREEMENT</p>	<p>Oneida Nation HIGHER EDUCATION OFFICE P.O. BOX 365 • ONEIDA, WI 54155 (920) 869-4033 • 1-800-236-2214 • FAX (920) 869-4039 email: highered@oneidanation.org www.oneida-nsn.gov/education/highereducation</p>	<p>Academic School Year 20____ - 20____</p>
---	--	--

As a participant in the Oneida Nation Student Relief Fund Program (hereinafter referred to as the SRF Program), I acknowledge I have read and understand the rules, terms and conditions ("Rules") of this program and agree to abide by the Rules. I acknowledge the Rules may be amended and modified and I agree to comply with future amendments. I understand my failure to comply with the Rules shall result in my immediate and permanent termination from the SRF Program, and I may be required to repay funds used in violation of the Rules.

I understand and agree if I knowingly provide false information while applying to the Student Relief Fund Program the provision of the false information, and the false information itself, shall constitute fraud. Receipt of funds from the Student Relief Fund Program in reliance on fraudulent information shall constitute theft of Oneida Nation monies. I understand providing fraudulent information will make me ineligible for any future participation in the Student Relief Fund Program and the Oneida Higher Education Scholarship Program. The Oneida Higher Education Department will provide me with written notice of my ineligibility for these programs.

As a recipient of Student Relief Fund Program funds, I agree to be and shall be legally obligated to apply all funds solely to the educational purpose specified in my application. If I withdraw, drop out, or am expelled from any classes, or if I reduce the initial number of credits or classes taken or otherwise fail to complete the program for which the funds should be applied, any money which may remain on academic account or which is refunded or returned to the Participant, shall be returned to Oneida Higher Education Department within five (5) business days after such funds are returned to the Participant. Failure to do so shall constitute a material breach of the Student Relief Fund Program Agreement and shall be deemed theft of Oneida Nation funds. (Money returned to the Scholarship Program shall be made payable to Oneida Nation and sent to: Oneida Nation, Higher Education Department, P.O. Box 365, Oneida, Wisconsin 54155).

I agree participation in this program is strictly voluntary. The Oneida Nation assumes no responsibility or liability for any effects the Student Relief Fund Program may have on any other funding anticipated or actually received by the participant including, but not limited to, Social Security, Supplemental Security Income (SSI), Medicare, or other grants, scholarships and/or fellowships provided by private, state or federal entities.


I accept responsibility for my participation in the Student Relief Fund Program. I understand the existence of the Student Relief Fund Program does not guarantee funds will be awarded.

I agree that an image of the signed document in a portable document format ("pdf,") or a signed facsimile (fax) copy of this agreement shall have the same force and effect as a signed original and shall bind me to this agreement.

I, _____, by signing below, state that I have read and
(PRINT NAME)
fully understand the contents of this document. Participant Social Security # _____

Participant Signature _____

Date _____

 ACADEMIC PLAN	<p style="text-align: center;">Oneida Nation HIGHER EDUCATION OFFICE P.O. BOX 365 • ONEIDA, WI 54155 (920) 869-4033 • 1-800-236-2214 • FAX (920) 869-4039 email: highered@oneidanation.org www.oneida-nsn.gov/education/highereducation</p>	<p style="text-align: center;">Academic School Year 20____ - 20____</p>
---	--	--

→ **COMPLETE THIS FORM ENTIRELY WITH ALL APPROPRIATE SIGNATURES PRIOR TO EACH SEMESTER/TERM OR UPON CLASS REGISTRATION.**

Applicant Name: (Last) (First) (MI)			Social Security Number:
College/University Attending:	Academic Level: <input type="checkbox"/> Freshman <input type="checkbox"/> Sophomore <input type="checkbox"/> Junior <input type="checkbox"/> Senior <input type="checkbox"/> Graduate <input type="checkbox"/> JD <input type="checkbox"/> PHD <input type="checkbox"/> MD		
Declared Major/Program:	Type of Degree you will earn: (Circle) Tech-Diploma <input type="radio"/> AA/AS <input type="radio"/> BA/BS <input type="radio"/> MA/MS <input type="radio"/> JD <input type="radio"/> PHD <input type="radio"/> MD Other _____		Expected Graduation Date: (mm/dd/yy)

→ **PLEASE CHECK ONE TERM ONLY & LIST ALL COURSES/INFORMATION FOR THAT SEMESTER/TERM.**

(If your program or major does not have semesters/terms please contact our office for help in listing the proper amount of courses.)

CHECK ONE: <input type="checkbox"/> FALL TERM <input type="checkbox"/> WINTER TERM <input type="checkbox"/> SPRING TERM <input type="checkbox"/> SUMMER TERM					
NAME OF COURSE	COURSE NUMBER	CHECK IF ON-LINE	CREDITS	START DATE	END DATE

List future goals: _____

PLEASE READ & SIGN

The Oneida Academic Plan must be submitted for each semester/term you plan to attend. The academic plan is to assist you and your advisor with planning and selecting appropriate courses as required for your degree. If any changes or revisions occur you must submit an updated plan. I certify the information given by me on this form is true, correct and complete to the best of my knowledge.

Student Signature: _____ **Date:** _____

Email (Student): _____

School Counselor/Advisor Signature: _____ **Date:** _____

Print Name (Advisor): _____

Email (Advisor): _____

Telephone Number (Advisor): _____

ONEIDA NATION/COVID-19 RESOURCE PAGE

JOB OPPORTUNITIES AND BENEFITS



Student Relief Fund (SRF) Application & Forms

Oneida Nation Student Relief Fund will be effective January 1, 2022. This program may fund:

- *Currently suspended students from the Oneida Higher Education Scholarship*
- *Students seeking equal or lesser degrees*
- *Work Related Certifications, Professional Advancement (i.e. workshops & seminars)*
- *Students who have maxed their Oneida Higher Education terms of funding*

Application Materials can be submitted via:

Email: highered@oneidanation.org

Fax: 920-869-4039

Mail: Higher Education, PO Box 365, Oneida, WI 54155


Drop Off: Ridgeview Plaza Suite 3, 3759 W Mason St, Oneida, WI 54155 (Mailbox outside of Suite 3 door)

Student Relief Fund Application and Forms

Student Relief Fund Application

[skip to site navigation](#)

SRF Participant Agreement

 ONEIDA NATION WORK STANDARD	TITLE: Oneida Nation Student Relief Fund	ORIGINATION DATE: 12/27/21 REVISION DATE: EFFECTIVE DATE: After last signature
AUTHOR: Misty Herzog	APPROVED BY: Title & Signature Senior Advisor Misty Herzog	DATE: 12/27/21
DEPARTMENT: Higher Education Manager	APPROVED BY: Title & Signature Manager Mitchell R. Melton	DATE 12/27/21
AREA MANAGER EDUCATION AND TRAINING:	APPROVED BY: Title & Signature Jacqueline (Jackie) Smith	DATE: Digitally signed by Jacqueline (Jackie) Smith Date: 2021.12.29 07:58:10 -06'00'
DIVISION: General Manager	APPROVED BY: Title & Signature Mark W. Powless	DATE: Digitally signed by Mark W. Powless Date: 2021.12.29 09:43:13 -06'00'
PAGE NO: 1 of 6		

1.0 PURPOSE

- 1.1 Beginning August 1, 2021, The Oneida Nation Student Relief Fund program may financially assist Oneida enrolled members, who are 18 years of age as of August 1, 2021 who are seeking advanced degrees or training.
 - 1.1.1 Students currently suspended from the Oneida Higher Education Scholarship may use these funds to gain credits to regain good standing with the Oneida Nation Higher Education Scholarship.
 - 1.1.2 Students seeking degrees equal to or lesser than their current degree may use this funding.
 - 1.1.3 Students or tribal members may use these funds towards workshops or seminars to improve their current job skills to find employment, locate better paying jobs, retain current employment, gain new skills or freshen up skills to work outside the Nation or bring new skills to the Nation.

2.0 DEFINITIONS

- 2.1 Oneida Nation Student Relief Fund: Funds provided through BC Resolution #12-08-21-D.
- 2.2 Oneida Higher Education Department: Department managing Oneida Nation Student Relief Fund

- 2.3 Funding Year: August – July
- 2.4 Academic Year: August – July
- 2.5 Official Transcript: Must be sent directly to Oneida Higher Education from school's Registrar's office via regular mail, third party transcript service if school utilizes or office that awards certificates of training completion from all other training sources.
- 2.6 Student Relief Fund Suspended Component: funding that focuses on students currently suspended from the Oneida Higher Education Scholarship.
- 2.7 Student Relief Fund Equal or Lesser Degree Component: funding that focuses on students taking courses towards a degree level they currently possess or towards funding for a lesser degree. This is also available for seminars and workshops.
- 2.8 Institution of Learning is a college or university that is accredited through an accredited body recognized by the U.S. Department of Education or professional organization.

3.0 WORK STANDARDS / PROCEDURES

Work Standards

Application Process:

- 3.1 The following information will be required by Oneida Higher Education:
 - 3.1.1 Tribal Enrollment Number
 - 3.1.1.1 Tribal enrollment will be verified by Oneida Higher Education through the Oneida Enrollment Department.
 - 3.1.2 A completed Student Relief Fund application packet
 - 3.1.2.1 Acceptance letter or Enrollment Agreement/Verification from college or institution you are attending.
 - 3.1.2.2 Student Relief Fund Application submitted each Academic Year.
 - 3.1.2.3 Student Relief Fund Acknowledgement and Agreement form submitted each Academic Year.
 - 3.1.2.4 Academic Plan submitted each semester, term, quarter, or seminar/workshop.
 - 3.1.2.5 Financial Needs Analysis form completed by school/institution.
 - 3.1.2.6 Official Transcripts for continuing students
 - 3.1.3 Identify qualifying expenditures
 - 3.1.3.1 Tuition Assistance.
 - 3.1.3.2 Required Book Assistance.
 - 3.1.3.3 Required program specific tools/supplies.
 - 3.1.3.4 For programs lasting longer than one month a stipend of \$1,200 per month may be added.
 - 3.1.3.5 Educational opportunities lasting a month or less will be eligible for books and tuition only.

- 3.1.3.6 Short-term educational opportunities (30 days or less) such as trainings and seminars will be limited to two (2) per Academic Year.
 - 3.1.4 Student Relief Fund Award letter will be sent to both applicant and school/training center.
 - 3.1.5 Checks for tuition will be sent directly to school/training facility.
 - 3.1.6 Checks for books and stipend will be sent directly to applicant.
 - 3.1.7 Applicants seeking reimbursement for the period of August 1, 2021 to December 31, 2021 will be eligible for books and tuition only and will be required to submit the following by May 31, 2022.
 - 3.1.7.1 Acceptance letter or enrollment agreement from their institution.
 - 3.1.7.2 Student Relief Fund Application for Academic Year 2021-22.
 - 3.1.7.3 Student Relief Fund Acknowledgment and Agreement form for Academic Year 2021-22.
 - 3.1.7.4 School/training center billing statement.
 - 3.1.7.5 Receipt of payment.
 - 3.1.7.6 Financial Needs Analysis returned to Higher Education Dept.
 - 3.1.7.7 Payment will count towards annual max limits.
 - 3.1.8 Application can be submitted:
 - 3.1.8.1 Email to highered@oneidanation.org
 - 3.1.8.2 Fax to 920-869-4039
 - 3.1.8.3 Mail to:
Oneida Higher Education
PO Box 365
Oneida, WI 54155
 - 3.1.8.4 Drop Off (drop box only):
Ridgeview Plaza
3759 West Mason Street
Suite 3
Oneida, WI 54155
- 3.2 Applicants funded in a current Academic Year by Oneida Higher Education Scholarship and meet the requirements of the Scholarship will be required to continue using Oneida Higher Education Scholarship funds.
- 3.3 Student Relief Fund Suspended Component will fund enrolled Oneida members who are currently suspended from the Higher Education Scholarship.

- 3.4 Student Relief Fund Equal or Lesser Component will fund enrolled Oneida members taking courses equal to their current obtained degree level or lower. This includes individuals seeking funding for certifications, professional advancement class(es) or training from an institution of learning accredited by the United States Department of Education or Professional Organization.
 - 3.4.1 Applicants that have currently maxed allowed terms of funding with Higher Education will also be eligible to apply under this component.
- 3.5 Eligible applicants enrolled in a higher education school/training center will need a complete file in the Higher Education Office before the term/semester/program, or class they are applying for ends. This is 100% the student's responsibility.
- 3.6 Eligible applicants who are current Oneida Nation employees must utilize budgeted departmental training funds when possible and must adhere to all internal departmental policies and procedures regarding such training.
- 3.7 A Financial Needs Analysis form will be sent by the Oneida Higher Education Department upon receipt of a Student Relief Fund Application to the school/training facility to get book and tuition costs.
- 3.8 Eligible applicants will receive payment, based on the Student Relief Fund program formula, not to exceed the yearly max funding amounts of \$20,000 for training and vocational level, \$20,000 for bachelor's degree level, \$25,000 for master's degree level and \$30,000 for Doctoral level. Yearly limits take into account any Oneida Nation Higher Education Scholarship awards.
- 3.9 Higher Education process will include:
 - 3.9.1 Process the application(s),
 - 3.9.2 Process payments via interface with accounting.
 - 3.9.3 Report to Education and Training Area Manager shall include, but is not limited to:
 - 3.9.3.1 Amount of assistance distributed;
 - 3.9.3.2 Number of applications received;
 - 3.9.3.3 Number of applications approved;
 - 3.9.3.4 Number of applications denied and reason;
- 3.10 Tuition assistance will be issued via a paper check that will be mailed to the address provided by the school/institution on the Financial Needs Analysis form.
 - 3.10.1 Payments other than tuition will be mailed to the address provided by the applicant on their application.
 - 3.10.2 Checks returned to sender shall be forwarded to Higher Education to complete the appropriate follow up with the applicant.

- 3.10.3 Checks not cashed within the timeframe indicated on the check shall become void and not reissued.
- 3.11 Recipients must show proof of successful completion after each funded semester/term/quarter/seminar/workshop.
 - 3.11.1 For programs that offer grades, official transcripts submitted must show credits were earned for continued funding.
 - 3.11.2 For programs that do not offer grades, student must submit certificate of completion or attendance.
 - 3.11.3 Recipients who did not pass at least half of the funded credits for the term will be suspended and no longer eligible to apply for the Oneida Nation Student Relief Program.
 - 3.11.4 Recipients who failed on a pass/fail system will be suspended and no longer eligible to apply for the Oneida Nation Student Relief Program.
 - 3.11.5 Recipients who attended workshops & training must submit certificate of attendance to remain eligible.
 - 3.11.6 Recipients suspended from Oneida Nation Student Relief Fund can appeal based on extenuating circumstances.
 - 3.11.6.1.1 Appeals will follow the appeals process of the Oneida Nation Higher Education Scholarship.
 - 3.11.6.1.2 Appeal approval is not guaranteed.
- 3.12 Assistance available under the program is subject to change according to guidance provided to the Nation regarding the use of Student Relief Funding.
- 3.13 The Nation's programs and enterprises are not eligible for assistance.

Procedures

- 3.14 Higher Education or designee will advertise to Oneida members outlining the purpose of the program, eligibility criteria, deadline to qualify for payment, and how to apply.
- 3.15 Applicant will submit application and supporting documents by email, online, fax, postal service or drop box.
- 3.16 Higher Education staff will verify the application is complete.
 - 3.16.1 Higher Education staff or designee(s) may follow up with the applicant to retrieve missing information.
- 3.17 Higher Education staff will process the completed application for payment.
- 3.18 A complete file before a term/semester/program/course ends is 100% the responsibility of the applicant.**
- 3.19 Applicants can only apply for one program at a time:
 - 3.19.1 Oneida Higher Education Scholarship, or
 - 3.19.2 Student Relief Fund Suspended, or
 - 3.19.3 Student Relief Fund Equal or Lesser/Training vocational needs.

4.0 REFERENCES

- 4.1 BC Resolution #12-08-21-D
- 4.2 Oneida Higher Education Scholarship Student Handbook (Appeal Procedure)

5.0 FORMS

- 5.1 Student Relief Fund Application
- 5.2 Student Relief Fund Agreement and Acknowledgement form
- 5.3 Academic plan
- 5.4 Higher Education Financial Needs Analysis

Accept the booster incentive assessment

Business Committee Agenda Request

1. Meeting Date Requested: 01/12/22

2. Session:

☒ Open ☐ Executive – must qualify under §107.4-1.
Justification: *Choose or type justification.*

3. Requested Motion:

☒ Accept as information; OR

Enter the requested motion related to this item.

4. Areas potentially impacted or affected by this request:

<input type="checkbox"/> Finance	<input type="checkbox"/> Programs/Services
<input type="checkbox"/> Law Office	<input type="checkbox"/> MIS
<input type="checkbox"/> Gaming/Retail	<input type="checkbox"/> Boards, Committees, or Commissions
<input type="checkbox"/> Other: <i>Describe</i>	

5. Additional attendees needed for this request:

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

6. Supporting Documents:

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

7. Budget Information:

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

8. Submission:

Authorized Sponsor: Mark W. Powless, General Manager

Primary Requestor: (Name, Title/Entity)

Memo

General Manager
909 Packerland Dr.
Green Bay, WI 54303
920-496-7000



To: Oneida Business Committee
From: Mark W. Powless, General Manager
Date: January 7, 2022
Re: Booster Incentive Assessment

Mark W. Powless

Digitally signed by Mark W.
Powless
Date: 2022.01.07 11:51:49 -06'00'

The purpose of this memorandum is to provide a response to following approved motion from the December 22, 2021 Oneida Business Committee Regular Meeting:

Motion by Lisa Liggins to accept the request for an ARPA booster vaccine incentive program, to forward the request to the General Manager for further assessment, and to direct the General Manager to bring back a report to the January 12, 2022, regular Business Committee meeting, seconded by Marie Summers. Motion carried:

Per the Comprehensive Health Division:

In response to your request for information regarding the Extension of Vaccine Incentive to include Boosters. OCHD does not support extending the Vaccine Incentive to include Boosters. To be consistent with CDC guidance it made sense to incentivize the initial vaccination series, but this does not include booster doses. This is based upon the following:

- Paying people to vaccinate is ethically a very unusual concept for Public Health and for Health care in general. When COVID-19 vaccine was new, it was a strategy that many communities used to promote vaccination. Some communities were very successful with this strategy and others were not as successful. After more than a year of vaccinating, we have significant scientific data to support the safety and benefits of COVID-19 vaccine. There seems to be an increase in the public trusting the efficacy of the vaccine and therefore more likely to follow future recommendations around COVID-19 vaccine because it is a healthy choice supported by evidence-based data.
- The OCHD is unaware of other communities implementing this strategy for boosters currently.
- We still have three months of the incentive strategy for initial vaccination series. Vaccine verification for boosters would potentially be a huge task for our overwhelmed public health team considering the recent surge due to the Omicron variant. If the incentive were to be extended to include boosters it would likely impact staff verifying Enrollment status on applications. Also, MIS staff to develop something for applications to be submitted. It really takes a lot from the workforce to implement such an enormous activity.

- Currently the COVID-19 Vaccine is a one-time booster dose. But we don't know if there will be additional booster recommendations, maybe even every year as we move forward. We simply don't know what the recommendations will be as we move forward. There could be community complaints if boosters were incentivized one time but not in the future.

Estimated Cost:

- Currently 8,348 Tribal members have been approved to receive the vaccine incentive. With the incentive currently available through March 2022, this total number will increase.
- If the total number of Tribal members approved for the vaccine incentive also applied for the booster incentive the additional cost would be approximately \$4.1 million.

Additional Data:

- On Wednesday, December 22, CNBC reported:
 - More than 62 million Americans have received a booster as of Tuesday, according to the Centers for Disease Control and Prevention, representing roughly 19% of all Americans and 30% of those who are fully vaccinated. About 55% of fully vaccinated seniors have received an additional dose.

Approve the travel request – Councilwoman Jennifer Webster – Administration for Children and Families.

Business Committee Agenda Request

1. Meeting Date Requested: 1/12/22

2. General Information:

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

Justification: *Choose reason for Executive.*

3. Supporting Documents:

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

4. Budget Information:

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

5. Submission:

Authorized Sponsor: Jennifer Webster, Councilwoman

Primary Requestor: _____

Additional Requestor: (Name, Title/Entity)

Additional Requestor: (Name, Title/Entity)

Submitted By: CWILSON1

Oneida Business Committee Travel Request

1. OBC Meeting Date Requested: 01/ / 12 / 22 ☐ e-poll requested

2. General Information:

Event Name: Administration for Children and Families Tribal Advisory Committee Triannual Meeting

Event Location: Washington, DC Attendee(s): Jennifer Webster

Departure Date: February 22, 2022 Attendee(s):

Return Date: February 25, 2022 Attendee(s):

3. Budget Information:

☐ Funds available in individual travel budget(s)

☐ Unbudgeted

☒ Grant Funded or Reimbursed

Cost Estimate: \$2,000 to be paid by ACF (estimate)

4. Justification:

Describe the justification of this Travel Request:

Administration for Children and Families Tribal Advisory Committee (ACF TAC) triannual meeting is slated to take place in-person, in Washington, DC in February 23-24, 2022. ACF covers in-person meeting participation costs for primary delegates. Covered costs include air travel, ground transportation to/from the airport, ground transportation to/from ACF headquarters to your hotel, hotel lodging, and meals.

5. Submission

Sponsor: Jennifer Webster, Councilmember

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

[Save a Copy...](#)

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

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

Kristal E. Hill

Subject: FW: ACF-TAC February 23-24, 2022 Triannual Meeting**Importance:** High**From:** Beadle, Mirtha R. (ACF) <Mirtha.Beadle@acf.hhs.gov>**Sent:** Friday, December 17, 2021 2:46 PM**To:** tilford.denver@bishoppaiute.org; lorraine.gouge@lco-nsn.gov; wjones@spipa.org; jeromys@pgst.nsn.us; gail.hatcher@klamathtribes.com; Nez, Jonathan (NAVAJO-NSN.GOV) <jonathannez@navajo-nsn.gov>; myronlizer@navajo-nsn.gov; Jennifer A. Webster <JWEBSTE1@oneidanation.org>; mmckerchie@saulttribe.net; lee.spoonhunter@northernarapaho.com; vkorthuis@avcp.org; swosecretary@swo-nsn.gov; lgreninger@jamestowntribe.org; michael.augustine@penobscotnation.org; mdavid@kawerak.org; germainsmith@shinnecock.org; gale.spottedtail@rst-nsn.gov; elizabeth@neptuneadvantage.com**Cc:** Macdonald Lonetree, Hope (ACF) <Hope.Macdonaldlonetree@acf.hhs.gov>; Candice E. Skenandore <cskena10@oneidanation.org>; santeelewis@navajo-nsn.gov; ccurley@nnwo.org; george.lopez@klamathtribes.com; Rose, Teresa (ACF) (CTR) <Teresa.Rose@acf.hhs.gov>; Washington, Angel (ACF) (CTR) <Angel.Washington@acf.hhs.gov>; Platero, Laura (NPAIHB.ORG) <lpatero@npaihb.org>; Cheryl Miller <cmiller@pgst.nsn.us>; Mary K. Henry <MHenry@avcp.org>; 'Deannah Neswood-Gishey' <dngishey@navajo-nsn.gov>; 'David E. Simmons' <DESimmons@nicwa.org>; shawna.crispin@northernarapaho.com; Anna Moriarty <amoriarty@tribaltechllc.com>; 'Caitrin McCarron Shuy' <CShuy@hobbsstrauss.com>; VRush@hobbsstrauss.com; gbasconcillo@gnbcinc.com; Candice Jimenez <cjimenez@npaihb.org>; Denisewilliams@shinnecock.org**Subject:** Vote: February 23-24, 2022 Triannual Meeting**Importance:** High

Dear ACF TAC Delegates:

During yesterday's ACF TAC meeting, Chairman Denver noted that the upcoming ACF TAC meeting is slated to take place in-person, in Washington, DC. While the ACF TAC voted to have primary and alternate delegates attend all meetings to ensure all members are informed about discussions, input, recommendations, and votes, ACF only covers in-person meeting participation costs for primary delegates. Covered costs include air travel, ground transportation to/from the airport, ground transportation to/from ACF headquarters to your hotel, hotel lodging, and meals based on government rates. Should the primary delegate not be available to participate in an in-person meeting, ACF will support the participation of the alternate delegate. Otherwise alternate delegates participate virtually.

Because in-person meetings require more time to plan, your preference on an in-person versus a virtual meeting is being sought. In addition to the usual planning, an in-person meeting will require meeting planning that meets COVID guidance.

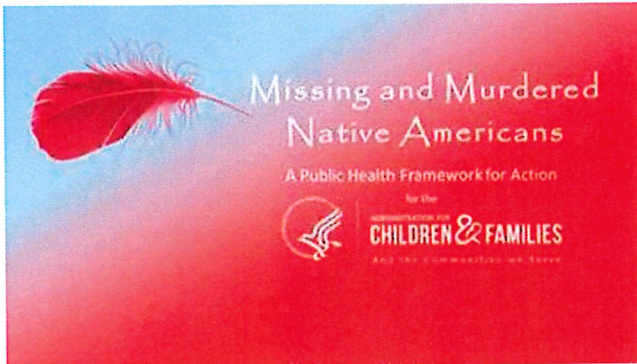
The request is for primary and alternate delegates to e-mail me by Thursday, December 23, whether you prefer to meet in-person or virtually. The request for alternates to vote is to have information in the event that the primary delegate is unavailable or chooses not to attend in-person. To minimize excessive mailing for everyone, please only send your response to me. I will compile the votes and send you a detailed summary of all ACF TAC delegate votes.

Please let us know if you have questions or need more information.

Have a safe and enjoyable weekend,

Mirtha

Mirtha Beadle
 Senior Policy Advisor
 Administration for Children and Families
mirtha.beadle@acf.hhs.gov
 202-420-8623 (Cell)



From: Beadle, Mirtha R. (ACF)

Sent: Thursday, December 16, 2021 6:49 PM

To: Tilford Denver <tilford.denver@bishoppaiute.org>; lorraine.gouge@lco-nsn.gov; wjones@spipa.org; jeromys@pgst.nsn.us; gail.hatcher@klamathtribes.com; Nez, Jonathan (NAVAJO-NSN.GOV) <jonathannez@navajo-nsn.gov>; myronlizer@navajo-nsn.gov; jwebste1@oneidanation.org; mmckerchie@saulttribe.net; lee.spoonhunter@northernarapaho.com; vkorthuis@avcp.org; swosecretary@swo-nsn.gov; Loni Greninger <lgreninger@jamestowntribe.org>; Michael Augustine <Michael.Augustine@penobscotnation.org>; Mary David (MDavid@kawerak.org) <MDavid@kawerak.org>; Larry Handerhan (ACF) (<Larry.Handerhan@acf.hhs.gov>); Johnson, Debra (ACF) <Debra.Johnson@acf.hhs.gov>; Cannistra, Jennifer (ACF) <Jennifer.Cannistra@acf.hhs.gov>; Schomburg, Aysha (ACF) <Aysha.Schomburg@acf.hhs.gov>; Hamm, Katie (ACF) <Katie.Hamm@acf.hhs.gov>; Friedman, Ruth (ACF) <Ruth.Friedman@acf.hhs.gov>; Koutstaal, Stanley (ACF) (<stanley.koutstaal@acf.hhs.gov>); 'Lanikque Howard (ACF) (<Lanikque.Howard@acf.hhs.gov>); Futrell, Bernadine (ACF) (<Bernadine.Futrell@acf.hhs.gov>); Grant, Natalie (ACF) <Natalie.Grant@acf.hhs.gov>; Barlow, Amanda (ACF) <Amanda.Barlow@ACF.HHS.GOV>; 'Aleta Meyer' <Aleta.Meyer@ACF.hhs.gov>; Chon, Katherine (ACF) <Katherine.Chon@acf.hhs.gov>; Webb, Sandra (ACF) (<Sandra.Webb@acf.hhs.gov>); germainsmith@shinnecock.org; gale.spottedtail@rst-nsn.gov; elizabeth@neptuneadvantage.com; Macdonald Lonetree, Hope (ACF) (<Hope.Macdonaldlonetree@acf.hhs.gov>); Hoffman, Cheri (ACF) (<Cheri.Hoffman@acf.hhs.gov>); Waller, Kimberly (ACF) <Kimberly.Waller@acf.hhs.gov>; Gray, Tangler (ACF) (<Tangler.Gray@acf.hhs.gov>); Burns, Samira (ACF) <Samira.Burns@acf.hhs.gov>
Cc: Candice E. Skenandore <cskena10@oneidanation.org>; Santee D. Lewis (<santeelewis@navajo-nsn.gov>); george.lopez@klamathtribes.com; 'Teresa (ACF) Rose (CTR) (<Teresa.Rose@acf.hhs.gov>); Washington, Angel (ACF) (CTR) <Angel.Washington@acf.hhs.gov>; Platero, Laura (NPAIHB.ORG) <lplatero@npaihb.org>; Cheryl Miller <cmiller@pgst.nsn.us>; Bonner, Amy (ACF) <Amy.Bonner@acf.hhs.gov>; Mary K. Henry <mhenry@avcp.org>; Boyer, Linda (ACF) <linda.boyer@acf.hhs.gov>; Debbie A. Powell (ACF) (<debbie.powell@acf.hhs.gov>); 'Michelle Sauve (ACF) (<Michelle.Sauve@acf.hhs.gov>); Thurston, Tamika <Tamika.Thurston@icf.com>; Collins, Gail (ACF) <gail.collins@acf.hhs.gov>; Trowbridge, Scott (ACF) <Scott.Trowbridge@acf.hhs.gov>; Beltangady, Moushumi (ACF) <moushumi.beltangady@acf.hhs.gov>; Dawson, Shawndell (ACF) <Shawndell.Dawson@ACF.hhs.gov>; 'Ramsburg, Dawn (ACF) (<dawn.ramsburg@acf.hhs.gov>); Golonka, Susan (ACF) <Susan.Golonka@acf.hhs.gov>; Johnson, Melissa (ACF) <Melissa.Johnson@acf.hhs.gov>; Adams, Monica (ACF) <Monica.Adams@acf.hhs.gov>; Butler, Dr. Yolanda (ACF) <yolanda.butler@acf.hhs.gov>; Bell, Barbara (ACF) <Barbara.Bell@acf.hhs.gov>; Lertjuntharangool, Todd (ACF) <Todd.Lertjuntharangool@ACF.hhs.gov>; Pope Jackson,

Approve a limited waiver of sovereign immunity - Inventory Optimization Solutions LLC confidentiality...

Business Committee Agenda Request

1. Meeting Date Requested: 01/12/22

2. Session:

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

Justification: *Choose or type justification.*

3. Requested Motion:

☐ Accept as information; OR

Approve a limited waiver of sovereign immunity – Inventory Optimization Solutions LLC - Confidentiality Agreement – file # 2021-0760

4. Areas potentially impacted or affected by this request:

- | | |
|---|---|
| <input type="checkbox"/> Finance | <input type="checkbox"/> Programs/Services |
| <input type="checkbox"/> Law Office | <input checked="" type="checkbox"/> MIS |
| <input type="checkbox"/> Gaming/Retail | <input type="checkbox"/> Boards, Committees, or Commissions |
| <input checked="" type="checkbox"/> Other: OCHC | |

5. Additional attendees needed for this request:

Debbie Danforth, Division Director/Operations OCHC

Debra Danforth, RN/OCHC

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

6. Supporting Documents:

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

7. Budget Information:

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

8. Submission:

Authorized Sponsor: Mark W. Powless, General Manager

Primary Requestor: Lynn Schmidt, Business Systems Analyst/MIS

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 1 / 12 / 22

2. General Information:

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

Agenda Header:

☐ Accept as Information only

☒ Action - please describe:

Motion to approve waiver of sovereign immunity on Contract #2021-0760

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

Debra J. Danforth RN, BSN

1/4/2022

Authorized Sponsor / Liaison:

Debbie Danforth, Division Director/Operations

Primary Requestor/Submitter:

Lynn Schmidt, Business System Analyst/MIS

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 Oneida Comprehensive Health Division is in need of an Inventory Control software solution to keep track of medical and other supplies for the Medical Clinic, Optical, Dental, Behavioral Health and AJRCCC. The MIS RFP process was used to select this software, but the vendor requires an NDA to be signed before they will fill out the Cyber SRA forms required by Risk Management and the MIS Information Security team. Details are as follows:

1. Yes, there was an attempt to negotiate with the vendor to remove the waiver of sovereign immunity. The version of the NDA attached is the result of that negotiation. They were willing to remove the line about being governed by the laws of the state of Texas, but they were not willing to remove the paragraph about injunctive relief.

Please note that the vendor's Master Services Agreement and Order Form were also reviewed by the Law Office, and the vendor was willing to make changes to the Master Services Agreement to remove the sovereign immunity issues. It is only the NDA that is still having issues that they refuse to address.

2. Three bids were not obtained, because the MIS RFP Process was used instead. This is the process that is used for software purchases, to make sure that the software meets our needs. The selected software was the only one that met all areas' requirements for an Inventory Control system.

3. No other vendor was willing to remove sovereign immunity issues because no other vendors' software had the needed functionality.

4. The cost of going to another vendor is not applicable, because no other vendors' software had the needed functionality.

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: Lynn Schmidt
MIS-Management Information Systems

*Use this number on future correspondence:***2021-0760**

FROM: Jo Anne House, Chief Counsel



Digitally signed by Jo Anne House
Date: 2021.11.02 09:39:12 -05'00'

DATE: November 2, 2021

RE: Inventory Optimization Solutions LLC-
Confidentiality 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.)*
- ✓ Requires Business Committee approval prior to execution, pursuant injunctive relief clause. If this contract is submitted to the Oneida Business Committee for approval of a limited waiver of sovereign immunity, the following information should be submitted along with the agenda review request and contract.
1. Was there an attempt to negotiate with the vendor regarding the waiver of sovereign immunity?
 2. Were three bids obtained? If not, why not?
 3. Was any other vendor willing to remove sovereign immunity issues?
 4. What is the cost of going to another vendor?

“Each party acknowledges that monetary damages may not be a sufficient remedy for the unauthorized disclosure or use of the Confidential Information and that the aggrieved party shall be entitled, without waiving any other rights or remedies and without the necessity of posting bond, to seek such injunctive or equitable relief as may be deemed proper by a court of competent jurisdiction.”

Provista Legal Comment: We cannot remove. We may need injunctive relief to stop an unauthorized disclosure. Can we get a further explanation on how this is a waiver of sovereignty?

NOTE: Removal of the language regarding governing law does not remove the question of whether there exists a court of competent jurisdiction. Agreement to this NDA implies that the Oneida Nation can be brought into court.

CONFIDENTIALITY AGREEMENT

This Confidentiality Agreement ("Agreement") is entered into on the 1st day of November, 2021 (the "Effective Date") by and between Inventory Optimization Solutions, LLC ("IOS") and Oneida Nation, located at 909 Packerland Dr., Green Bay, WI 54303 (the "Company").

WHEREAS, each party, for the purpose of evaluating a project, purpose or relationship or to determine the feasibility of entering into a business transaction (the "Purpose"), desires to disclose to the other party certain proprietary and confidential information.

NOW THEREFORE, the parties agree as follows:

The Receiving Party (defined below) will, for a period of three (3) years from the date of receipt of any Confidential Information (the "Confidentiality Period"), (a) maintain and not disclose Confidential Information received hereunder, (b) use the same degree of care as it uses to safeguard its own Confidential Information of a similar nature (but in no event less than reasonable care), (c) use such Confidential Information only for its internal evaluation relating to the Purpose, and (d) make such Confidential Information available only to its employees or agents who have a "need to know", who have been informed by the Receiving Party of the confidentiality obligations contained in this Agreement and who agree to abide by and comply with such confidentiality obligations.

"Confidential Information" means information that one party (the "Disclosing Party") discloses to the other party (the "Receiving Party") in the form of (a) documents or other tangible materials marked with the legend "Confidential" or the substantial equivalent, (b) visual or oral disclosures that are identified as confidential at the time of disclosure and are confirmed in a writing that is marked as "Confidential" or the substantial equivalent, and forwarded to the Receiving Party within ten (10) days after disclosure, or (c) this Agreement. Confidential Information also includes, without the need to mark it as such, any of either party's project plans, financial information, program specifics, pricing and/or purchasing information, business strategies, forecasts, employee and vendor information, software (including all documentation, code and specifications), hardware and system designs, architectures, structure and protocols, products, processes, devices, inventions, methods, trade secrets, customers, contracts, vendor lists and such other information that either party considers confidential or proprietary regardless of the form or manner of disclosure to the Receiving Party.

Confidential Information shall not include any information which is:

- a. already known to the Receiving Party prior to being received hereunder;
- b. independently developed by the Receiving Party without reference to the Confidential Information;
- c. publicly available or otherwise in the public domain through no wrongful act of Receiving Party;
- d. rightfully furnished to the Receiving Party from any third party without confidentiality restriction; or
- e. disclosed by the Receiving Party pursuant to any court order or valid request by a governmental agency, provided the Receiving Party shall notify the Disclosing Party within a reasonable time prior to disclosure and shall allow the Disclosing Party a reasonable opportunity to seek appropriate protective measures.

Nothing in this Agreement may be construed as granting the Receiving Party (a) any right to use Confidential Information received hereunder except as provided herein, or (b) any right, including but not limited to a license to use, under any patent, trademark, copyright, or other intellectual property right now or hereafter owned or controlled by the Disclosing Party. The Disclosing Party shall retain all right, title

and interest in and to the Confidential Information disclosed pursuant to this Agreement and any copies thereof.

NO WARRANTIES OF ANY KIND, EITHER EXPRESS OR IMPLIED, ARE MADE WITH RESPECT TO THE PROVISION OR USE OF THE CONFIDENTIAL INFORMATION, INCLUDING WITHOUT LIMITATION, WARRANTIES OF FITNESS FOR A PARTICULAR PURPOSE OR OF MERCHANTABILITY. The Confidential Information is provided "as is".

Neither party has any obligation under or by virtue of this Agreement to enter into a definitive agreement relating to the Purpose or any other arrangement with the other party.

This Agreement will be effective for six (6) months commencing on the Effective Date, unless otherwise terminated by mutual agreement of the parties in writing or by either party upon ten (10) days prior written notice to the other party. Upon receipt of the Disclosing Party's written request, the Receiving Party will promptly return or destroy all Confidential Information received hereunder and all copies thereof. The Receiving Party's obligation to protect Confidential Information will survive termination of this Agreement and continue for the length of the Confidentiality Period.

Each party acknowledges that monetary damages may not be a sufficient remedy for the unauthorized disclosure or use of the Confidential Information and that the aggrieved party shall be entitled, without waiving any other rights or remedies and without the necessity of posting bond, to seek such injunctive or equitable relief as may be deemed proper by a court of competent jurisdiction.

This Agreement contains the entire understanding between the parties related to the exchange of Confidential Information, and supersedes any prior agreements, written or oral. This Agreement may not be modified, except by written amendment duly executed by an authorized representative of each party. If a court of competent jurisdiction finds any of the provisions hereof so overly broad as to be unenforceable, such provisions may be reduced in scope by the court to the extent it deems necessary to render the provisions enforceable. The failure of either party at any time to enforce any right or remedy available to it under this Agreement or otherwise with respect to any breach or failure by the other party shall not be construed to be a waiver of such right or remedy with respect to any other breach or failure by the other party. ~~This Agreement shall be governed by and construed in accordance with the laws of the State of Texas.~~ This Agreement may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. Facsimile or other electronically reproduced signatures shall be deemed to be originals for purposes of this Agreement. All notices hereunder shall be deemed to have been duly given upon actual receipt if addressed as follows (unless such addresses are changed by written notice): For IOS, Attn: General Counsel, 250 E. John Carpenter Freeway, Suite 120, Irving, TX 75062 and for Company, the address first set forth above.

IN WITNESS WHEREOF, an authorized representative of each party hereto has executed this Agreement on the date indicated below.

INVENTORY OPTIMIZATION SOLUTIONS, LLC
ONEIDA NATION _____ ("COMPANY")

By: _____	By: _____
Printed Name: _____	Printed Name: _____
Title: _____	Title: _____
Date: _____	Date: _____

Commented [P1]: Provista Legal Comment: We cannot remove. We may need injunctive relief to stop an unauthorized disclosure. Can we get a further explanation on how this is a waiver of sovereignty?

Commented [P2]: Provista Legal Comment: We can agree to remain silent.