

Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Meeting Materials November 23, 2016

Open Session

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the following 787 pages are the Open Session meeting materials presented at a meeting duly called, noticed and held on the 23rd day of November, 2016.

A handwritten signature in blue ink that reads "Lisa Summers". The signature is written in a cursive style and is positioned above a horizontal line.

Lisa Summers, Tribal Secretary
Oneida Business Committee



Oneida Business Committee

Executive Session
9:00 a.m. Tuesday, November 22, 2016
Executive Conference Room, 2nd floor, Norbert Hill Center

Regular Meeting
9:00 a.m. Wednesday, November 23, 2016
BC Conference Room, 2nd floor, Norbert Hill Center

Agenda

To get a copy of the agenda, go to: oneida-nsn.gov/government/business-committee/agendas-packets/

I. CALL TO ORDER AND ROLL CALL

II. OPENING

A. Special Recognition for Years of Service

Sponsor: Geraldine Danforth, Area Manager/Human Resources Dept.

pp. 13-15

III. ADOPT THE AGENDA

pp. 1-12

IV. OATHS OF OFFICE

A. Oneida Pow Wow Committee – Vicki Cornelius, Yasiman Metoxen, Floyd Silas Jr.

pp. 16-17

B. Oneida Personnel Commission – Richard Hill-Elm

pp. 18-19

V. MINUTES

A. Approve corrected October 12, 2016, regular meeting minutes

Sponsor: Lisa Summers, Tribal Secretary

pp. 20-53

B. Approve November 9, 2016, regular meeting minutes

Sponsor: Lisa Summers, Tribal Secretary

pp. 54-70

VI. RESOLUTIONS

A. Adopt resolution entitled CY 2017 County Tribal Law Enforcement – Outagamie County

Sponsor: Joanie Buckley, Division Director/Internal Services

pp. 71-74

B. Adopt resolution entitled CY 2017 County Tribal Law Enforcement – Brown County

Sponsor: Joanie Buckley, Division Director/Internal Services

pp. 75-78

- C. Adopt resolution entitled Oneida Business Committee Regular Meeting Schedule** pp. 79-83
Sponsor: Lisa Summers, Tribal Secretary

VII. STANDING COMMITTEES

A. Legislative Operating Committee

Chair: Brandon Stevens, Councilman

1. **Accept November 2, 2016, Legislative Operating Committee meeting minutes** pp. 84-87
2. **Modify Oneida Business Committee agenda to have Reports and Executive Session moved up the agenda and placed just after Minutes** pp. 88-90

B. Finance Committee

Chair: Trish King, Tribal Treasurer

1. **Approve November 14, 2016, Finance Committee meeting minutes** pp. 91-98

C. Quality of Life Committee

1. **Accept September 15, 2016, Quality of Life Committee meeting minutes** pp. 99-101

VIII. APPOINTMENTS

- A. Approve recommendation to appoint Tonya Webster and Gina Powless-Buenrostro to Oneida Election Board** pp. 102-103
Sponsor: Tina Danforth, Tribal Chairwoman

IX. UNFINISHED BUSINESS

- A. Review request from Tribal Member for assistance and donations to Standing Rock Sioux Tribe, Sacred Stone camp, and Oceti Sakowin Camps in their fight against Dakota Access Pipeline** pp. 104-105
Sponsor: Lisa Summers, Tribal Secretary

EXCERPT FROM NOVEMBER 9, 2016: Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously.

- B. Approve draft letter to President Barack Obama regarding Dakota Access Pipeline** pp. 106-110
Sponsor: Brandon Stevens, Councilman

EXCERPT FROM NOVEMBER 9, 2016: Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously.

- C. Review, discuss, and make any recommendations regarding letter from Ray Halbritter** pp. 111-114
Sponsor: Tina Danforth, Tribal Chairwoman

EXCERPT FROM NOVEMBER 9, 2016: Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously.

- D. Approve request to repost one (1) vacancy on the Southeastern Oneida Tribal Services Advisory Board, as there were no applications received** pp. 115-117
Sponsor: Tina Danforth, Tribal Chairwoman

EXCERPT FROM NOVEMBER 9, 2016: Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously.

- E. Approve request to post one (1) vacancy on the Southeastern Oneida Tribal Services Advisory Board, due to resignation** pp. 118-119
Sponsor: Lisa Summers, Tribal Secretary

EXCERPT FROM NOVEMBER 9, 2016: Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously.

- F. Approve procedural exception to the Disposition of Excess Tribal Property policy to allow Oneida Lab to see Hematology Analyzer to outside vendor** pp. 120-126
Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

EXCERPT FROM NOVEMBER 9, 2016: Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously.

X. NEW BUSINESS

- A. Post one (1) vacancy on Oneida Personnel Commission to fulfill a full term length** pp. 127-128
Sponsor: Lisa Summers, Tribal Secretary

- B. Approve concept paper regarding CIP # 16-014 – Tsyunhehkwa Storage/Shelter** pp. 129-146
Sponsor: Troy Parr, Assistant Division Director/Development

- C. Approve postings of vacancies to occur through 2017 for Boards, Committees, Commissions, and Tribal Corporations** pp. 147-150
Sponsor: Lisa Summers, Tribal Secretary

- D. Review letter regarding law enforcement agencies and Tribal Members on tribal land** pp. 151-152
Sponsor: Tina Danforth, Tribal Chairwoman

- E. Accept letter from Great Lakes Inter-Tribal Council Inc. regarding Native American Adolescent Wellness Treatment Center Project as information** *pp. 153-155*
Sponsor: Tina Danforth, Tribal Chairwoman
- F. Enter E-Poll results into the record in accordance with BC SOP Conducting Electronic Voting:**
- Sponsor: Lisa Summers, Tribal Secretary
- 1. Failed request to allow procedural exception to Disposition of Excess Tribal Property Policy for Oneida Lab to sell Hematology Analyzer to outside vendor** *pp. 156-165*
Requestor: Debra Danforth, Division Director/Comprehensive Health Operations

XI. TRAVEL

A. TRAVEL REQUESTS

- 1. Enter E-Poll results into the record in accordance with BC SOP Conducting Electronic Voting:**
Sponsor: Lisa Summers, Tribal Secretary
- a. Failed 100% grant funded travel request – Councilwoman Jennifer Webster – 2016 Head Start Program Performance Standards – Chandler, AZ – December 12-16, 2016** *pp. 166-176*
Requestor: Jennifer Webster, Councilwoman
- 2. Enter E-Poll results into the record in accordance with BC SOP Conducting Electronic Voting:**
- a. Failed travel request – Secretary Lisa Summers – State-Tribal Relations Committee Caucus & Intertribal Criminal Justice meetings – Danbury, WI – November 16-17, 2016** *pp. 177-182*
Sponsor: Lisa Summers, Tribal Secretary
- 3. Approve travel request – Secretary Lisa Summers – Post-Presidential Election results review – Prior Lake, MN – December 3-4, 2016** *pp. 183-199*
- 4. Approve travel request – Chairwoman Tina Danforth – Bureau of Indian Affairs Midwest Regional Director Retirement Celebration of Diane Rosen & Post-Presidential Election results review – Prior Lake, MN – December 4-6, 2016** *pp. 200-202*
- 5. Approve travel request – Vice-Chairwoman Melinda J. Danforth – Bemidji Area Indian Health Service – Annual Tribal Budget Formulation meeting – Bloomington, MN – December 6-8, 2016** *pp. 203-204*
- 6. Accept “Save the Date” regarding Bemidji Area Indian Health Service – Annual Tribal Budget Formulation meeting – Bloomington, MN – December 6-8, 2016, as information** *pp. 205-206*
Sponsor: Tina Danforth, Tribal Chairwoman

XII. REPORTS *(This section of the agenda is scheduled to begin at 1:30 p.m.)***A. UNFINISHED REPORTS**

- 1. Accept Governmental Services Division FY '16 4th quarter report (1:30 p.m.-1:50 p.m.)** pp. 207-222
Sponsor: Liz Somers, Division Director/Governmental Services

EXCERPT FROM NOVEMBER 9, 2016: Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously.

- 2. Accept Oneida Election Board FY '16 4th quarter report (1:50 p.m.-2:05 p.m.)** pp. 223-224
Chair: Racquel Hill
Liaison: Melinda J. Danforth, Tribal Vice-Chairwoman

EXCERPT FROM NOVEMBER 9, 2016: Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously.

- 3. Accept Oneida Nation Commission on Aging FY '16 4th quarter report (2:05 p.m.-2:20 p.m.)** pp. 225-233
Chair: Patricia Lassila
Liaison: Melinda J. Danforth, Tribal Vice-Chairwoman

EXCERPT FROM NOVEMBER 9, 2016: Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously.

- 4. Accept Oneida Gaming Commission FY '16 4th quarter report (2:20 p.m.-2:35 p.m.)** pp. 234-237
Chair: Mark A. Powless
Liaison: Brandon Stevens, Councilman

EXCERPT FROM NOVEMBER 9, 2016: Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously.

B. OPERATIONAL REPORTS

- 1. Defer Comprehensive Health Division FY '16 4th quarter report to the December 14, 2016, regular Business Committee meeting** pp. 238-239
Sponsors: Debra Danforth Division Director/Comprehensive Health Operations; Dr. Ravinder Vir, Medical Director/Medical Operations

C. BOARDS, COMMITTEES, AND COMMISSIONS

1. **Accept Environmental Resources Board FY '16 4th quarter report (2:35 p.m.-2:50 p.m.)** pp. 240-244
Chair: Marlene Garvey
Liaison: Tehassi Hill, Councilman
2. **Accept Oneida Child Protective Board FY '16 4th quarter report (2:50 p.m.-3:05 p.m.)** pp. 245-258
Chair: Dale Powless
Liaison: Lisa Summers, Tribal Secretary
3. **Accept Oneida Library Board FY '16 4th quarter report (3:05 p.m.-3:20 p.m.)** pp. 259-261
Vice-Chair: Roxanne Anderson
Liaison: Fawn Billie, Councilwoman
4. **Accept Land Claims Commission FY '16 quarter report (3:20 p.m.-3:35 p.m.)** pp. 262-265
Vice-Chair: Loretta Metoxen
Liaison: Brandon Stevens, Councilman
5. **Accept Oneida Nation School Board FY '16 4th quarter report (3:35 p.m.-3:50 p.m.)** pp. 266-275
Chair: Debra Danforth
Liaison: Fawn Billie, Councilwoman

XIII. GENERAL TRIBAL COUNCIL (To obtain a copy of Members Only Materials, please visit the BC Support Office, located on the 2nd floor of the Norbert Hill Center and present Tribal I.D. card)**A. Petitioners Madelyn Genskow and Yvonne Metivier: Incentive stipends for Oneida Nation elections starting 2017**

1. **Accept legal analysis** pp. 276-289
Sponsor: Jo Anne House, Chief Counsel
2. **Accept financial analysis** pp. 290-294
Sponsor: Larry Barton, Chief Financial Officer

EXCERPT FROM NOVEMBER 9, 2016: Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously.

EXCERPT FROM OCTOBER 26, 2016: (1) Motion by Brandon Stevens to accept the updated legislative analysis, seconded by Lisa Summers. Motion carried unanimously. (2) Motion by Jennifer Webster to accept the progress report regarding the legal analysis, seconded by Lisa Summers. Motion carried unanimously. (3) Motion by Lisa Summers to accept the progress report regarding the financial analysis, seconded by Jennifer Webster. Motion carried unanimously.

EXCERPT FROM AUGUST 24, 2016: (1) Motion by Lisa Summers to accept the verified petition submitted by Madelyn Genskow and Yvonne Metivier regarding incentive stipends for Oneida Nation elections starting 2017, seconded by Jennifer Webster. Motion carried unanimously. (2) Motion by Lisa Summers to send the verified petition to the Law, Finance, and Legislative Reference, and Direct Report Offices for the legal, financial, legislative, and administrative analyses to be completed, seconded by Fawn Billie. Motion carried unanimously. (3) Motion by Lisa Summers to direct the Law, Finance, and Legislative Reference Offices to submit their analyses to the Tribal Secretary's Office within sixty (60) days; and that a progress report be submitted in forty-five (45) days, seconded by Jennifer

Webster. Motion carried unanimously. (4) Motion by Lisa Summers to direct the Direct Report Offices to submit appropriate administrative analyses regarding the petition to be submitted to the Tribal Secretary's Office within thirty (30) days, seconded by Jennifer Webster. Motion carried unanimously.

B. Forward resolution entitled Designation of the Oneida Judiciary as the Judiciary Authorized Pursuant to Article V – Judiciary of the Oneida Nation Constitution, to the General Tribal Council for consideration

pp. 295-306

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

EXCERPT FROM NOVEMBER 9, 2016: Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously.

C. Accept petition submitted by Frank Vandehei regarding support for Oceti Sakowin Camp and the Standing Rock Sioux Tribe in their battle against the Dakota Access Pipeline, as information only, as it does not meet the number of required signatures in accordance with the Oneida Nation Constitution and By-laws to call a special GTC meeting; and direct the Tribal Secretary to notify the petitioner of the action taken

pp. 307-316

Sponsor: Lisa Summers, Tribal Secretary

EXCERPT FROM NOVEMBER 9, 2016: Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously.

D. Enter E-Poll results into the record in accordance with BC SOP Conducting Electronic Voting:

1. Approved 2017 Annual General Tribal Council meeting agenda, noting the remaining back up materials must be submitted by Noon on Friday, November 18, 2016

pp. 317-326

Sponsor: Lisa Summers, Tribal Secretary

E. Approve 2017 Annual General Tribal Council meeting materials and reports

pp. 327-328

Sponsor: Lisa Summers, Tribal Secretary

F. Request Tribal Chair to call a special General Tribal Council meeting to consider the Employment Law

pp. 329-331

Sponsor: Councilman Brandon Stevens/Legislative Operating Committee Chair

XIV. EXECUTIVE SESSION**A. UNFINISHED REPORTS**

1. **Accept Intergovernmental Affairs & Communications report from October 25, 2016 –** Nathan King, Director pp. 332-338

EXCERPT FROM NOVEMBER 9, 2016: Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously.

EXCERPT FROM OCTOBER 26, 2016: Motion by Jennifer Webster to defer the Intergovernmental Affairs & Communications report to the November 9, 2016, seconded by Lisa Summers. Motion carried unanimously.

2. **Accept Chief Counsel report from November 8, 2016 –** Jo Anne House, Chief Counsel p. 339

EXCERPT FROM NOVEMBER 9, 2016: Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously.

B. REPORTS

1. **Accept Intergovernmental Affairs & Communications report –** Nathan King, Director pp. 340-356
(10:00 a.m.-11:30 a.m.)
2. **Accept Gaming General Manager report –** Louise Cornelius, Gaming General Manager pp. 357-433
3. **Accept Chief Counsel report –** Jo Anne House, Chief Counsel p. 434

C. STANDING ITEMS

1. **Land Claims Strategy** *(No Requested Action)*
2. **Oneida Golf Enterprise – Ladies Professional Golf Association** pp. 435-451
(This item is scheduled to begin at 9:00 a.m.)

D. AUDIT COMMITTEE

Chair: Tehassi Hill, Councilman

1. **Approve Table Games audit and lift confidentiality requirement to allow Tribal Members to view the audit** pp. 452-472

EXCERPT FROM NOVEMBER 9, 2016: Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously.

E. UNFINISHED BUSINESS

- 1. Accept close-out report and recommendations regarding complaint # 2016-DR07-01** pp. 473-478
Sponsor: Lisa Summers, Tribal Secretary

EXCERPT FROM NOVEMBER 9, 2016: Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously.

EXCERPT FROM OCTOBER 26, 2016: Motion by Lisa Summers to accept the update; and to acknowledge that a close-out report with the final recommendations will be made for the November 9, 2016, regular Business Committee meeting agenda, seconded by Jennifer Webster. Motion carried unanimously.

EXCERPT FROM OCTOBER 12, 2016: Motion by Tehassi Hill to accept the verbal update; and to request an update be brought back in two (2) weeks, seconded by Jennifer Webster. Motion carried unanimously.

- 2. Approve limited waiver of sovereign immunity Ignite Payments, LLC. – contract # 2016-0979** pp. 479-544
Sponsor: Joanie Buckley, Division Director/Internal Services

EXCERPT FROM NOVEMBER 9, 2016: Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously.

- 3. Accept Final Monitoring Report regarding on-site performance review of Indian Housing Block Grant and Indian Community Development Block grant programs; and defer concern # 2016IHBG-1, concern # 2016-IHBG-2, finding # 2016-IHBG-3, and finding # 2016IHBG-4, to the appropriate parties for follow-up** pp. 545-618
Sponsor: Lisa Summers, Tribal Secretary

EXCERPT FROM NOVEMBER 9, 2016: Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously.

- 4. Review request regarding Right-of-Way and Signage Issue** pp. 619-660
Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

EXCERPT FROM NOVEMBER 9, 2016: Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously.

- 5. Review, discuss and make any recommendations regarding amendment agreement – contract # 2014-1164** pp. 661-667
Sponsor: Tina Danforth, Tribal Chairwoman

EXCERPT FROM NOVEMBER 9, 2016: Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal

Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously.

6. Review, discuss and make any recommendations regarding amendment agreement – contract # 2012-1280

pp. 668-674

Sponsor: Tina Danforth, Tribal Chairwoman

EXCERPT FROM NOVEMBER 9, 2016: *Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously.*

7. Review, discuss and make any recommendations regarding amendment agreement – contract # 2012-1281

pp. 675-681

Sponsor: Tina Danforth, Tribal Chairwoman

EXCERPT FROM NOVEMBER 9, 2016: *Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously.*

8. Approve appointment termination of Oneida Library Board member

pp. 682-683

Sponsor: Fawn Billie, Councilwoman; Liaison/Oneida Library Board

EXCERPT FROM NOVEMBER 9, 2016: *Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously.*

9. Approve Fletcher Law, PLCC. – contract # 2016-1209

pp. 684-700

Sponsor: Larry Barton, Chief Financial Officer

EXCERPT FROM NOVEMBER 9, 2016: *Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously.*

10. Review, discuss, and make any recommendations regarding directive from October 30, 2016, General Tribal Council meeting regarding reappointments of Oneida Total Integrated Enterprise Board

pp. 701-702

Sponsor: Tina Danforth, Tribal Chairwoman

EXCERPT FROM NOVEMBER 9, 2016: *Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously.*

- 11. Accept update regarding attendance of direct reports at mandatory active shooter training as information** pp. 703-705
Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman
- EXCERPT FROM NOVEMBER 9, 2016: Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously.*
- 12. Review and determine next steps regarding request from Attorney Sam Wayne** pp. 706-711
Sponsor: Tina Danforth, Tribal Chairwoman
- EXCERPT FROM NOVEMBER 9, 2016: Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously.*
- 13. Enter E-Poll results into the record in accordance with BC SOP Conducting Electronic Voting**
- Sponsor: Lisa Summers, Tribal Secretary
- a. Approved draft correspondence regarding Ancillary Facilities for Tribal Chair's signature** pp. 712-725
Requestor: Jo Anne House, Chief Counsel
- EXCERPT FROM NOVEMBER 9, 2016: Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously.*
- 14. Review request to reconsider denial of Oneida Personnel Commission – Attorney Retainer Agreement – contract # 2016-1084** pp. 726-740
Sponsor: David Jordan, Councilman; Liaison Alternate/Oneida Personnel Commission
- EXCERPT FROM NOVEMBER 9, 2016: Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously.*
- 15. Review complaint # 2016-DR06-06** pp. 741-763
Sponsor: Lisa Summers, Tribal Secretary
- EXCERPT FROM NOVEMBER 9, 2016: Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously.*

16. Review complaint # 2016-DR06-07

pp. 764-775

Sponsor: Lisa Summers, Tribal Secretary

EXCERPT FROM NOVEMBER 9, 2016: Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously.

17. Review complaint # 2016-DR11-01

pp. 776-790

Sponsor: Lisa Summers, Tribal Secretary

EXCERPT FROM NOVEMBER 9, 2016: Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously.

18. Review complaint # 2016-DR14-01

pp. 791-805

Sponsor: Lisa Summers, Tribal Secretary

EXCERPT FROM NOVEMBER 9, 2016: Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously.

F. NEW BUSINESS**1. Approve Oneida Housing Authority recommendation for Oneida Business Committee to identify funds to pay for U.S. Dept. of Housing and Urban Development (HUD) Final Monitoring Report finding # 2016IHBG-3**

pp. 806-815

Sponsor: Dale Wheelock, Executive Director/Oneida Housing Authority

2. Approve lease for Oneida Emergency Food Pantry

pp. 816-834

Sponsor: Lisa Summers, Tribal Secretary

XV. ADJOURN

Posted on the Oneida Nation's official website, www.oneida-nsn.gov, at 1:00 p.m., Friday, November 18, 2016, pursuant to the Open Records and Open Meetings Law, section 7.17-1.

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

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

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 11 / 23 / 16

2. General Information:

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

[Empty text box]

Agenda Header: Annoucement/Recognition

Accept as Information only

Action - please describe:

Presentation of Years of Service Certificates to fourteen (14) employees by their immediate supervisor along with the Business Committee.

3. Supporting Materials

Report Resolution Contract

Other:

1. List of employees to be recognized

3. [Empty text box]

2. [Empty text box]

4. [Empty text box]

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Geraldine R. Danforth 11/15/16
Geraldine R. Danforth, HRD Area Manager

Primary Requestor:

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:

HRD coordinates efforts on a quarterly basis, with all supervisors and the Business Committee to recognize employees who have reached the 25+ years milestone. With the assistance from each supervisor, HRD will create the certificate to be presented to the Years of Service recipient.

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

Name	Supervisor Name	ADOH	Years	
4th Quarter November 23rd				
NICHOLAS,JUDITH A	MENDOLLA-BUCKLEY,BRENDA J	9/22/1991	25	
METOXEN,WAYNE D	WITEK,PAUL J	9/23/1991	25	
DELGADO,GRACE J	HILL,JUSTINE	9/25/1991	25	
COTTRELL,RICHARD N	DANFORTH,KATSITSIYO T	9/30/1991	25	
COTTRELL,COLLEEN M	PARR,TROY D	8/8/1986	30	Unable to attend
JOHN,BRIDGET E	COTTRELL,SCOTT D	8/11/1986	30	
HILL,LORI S	HOUSE,SUSAN	8/12/1986	30	Unable to attend
YEALEY,ROGER A	ANTONE,DOROTHY A	9/16/1986	30	
JOHNSON,VICTORIA L	HAEN,BRENDA S	9/17/1986	30	
VANDENBERG,CHERYL	SCHUYLER,TRINA	8/25/1976	35	
SCHUYLER,LEE A	KING,CARIE	7/3/1991	25	
STEVENS,SHELLYRAE L	PEGUERO,YVETTE M	8/19/1991	25	Rec'd Certificate
DANFORTH,GAIL	MOUSSEAU,SHARON A	8/4/1986	30	Rec'd Certificate
PEGUERO,YVETTE M	MOUSSEAU,SHARON A	8/24/1981	35	Rec'd Certificate
DANFORTH,REYNOLD T	POWLESS, JOHN JR.	8/7/1991	25	

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 11 / 23 / 16

2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

Administer Oath of Office to Yasiman Metoxen, Vicki Cornelius and Floyd Silas Jr to the Oneida Pow Committee.

3. Supporting Materials

Report Resolution Contract

Other:

1.

3.

2.

4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution

Budgeted - Grant Funded

Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter:

Kathleen M. Metoxen, executive Tribal Clerk

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 posting was in the September 15, 2016 issue of the Kalihwisaks for Three (3) of vacancies on the Oneida Pow Wow Committee for a Three (3) year term with the deadline of October 10, 2016. There were Five (5) applicants for the Three (3) vacancies on the Oneida Pow Wow Committee. The appointment was made on the November 9, 2016 BC Agenda.

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

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 11 / 23 / 16

2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

Administer Oath of Office to Richard Hill-Elm to the Personnel Commission for a full term.

3. Supporting Materials

Report Resolution Contract

Other:

1.

3.

2.

4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter: Kathleen M. Metoxen, executive Tribal Clerk
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 posting was in the June 16, 2016, issue of the Kalihwisaks for two (2) vacancies on the Oneida Personnel Commission. The vacancies were for five (5) year terms. The deadline for applications was July 15, 2016.

There were four (4) applicants for the two (2) vacancies for that posting. During the August 24, 2016, regular BC meeting, one (1) of the vacancies was filled through the Chair's approved recommendation to appoint Leland Wigg-Ninham. Leland took his oath during the September 28, 2016, regular BC meeting.

During the November 9, 2016, regular BC meeting, the second vacancy was ultimately filled through the Chair's approved recommendation to appoint Richard Hill-Elm. Richard has been sent correspondence that his oath of office is scheduled at the November 23, 2016, regular BC meeting.

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

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

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 11 / 23 / 16

2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

Approve corrected October 12, 2016, regular meeting minutes

3. Supporting Materials

Report Resolution Contract

Other:

1.

3.

2.

4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter: Submitted by: Heather Heuer, Info. Mgmt. Spec./BC Support Office
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:

BACKGROUND

It was brought to our attention that corrections were needed in the October 12, 2016, regular BC meeting minutes to the first motion made regarding item 10.F. Approve three (3) requests regarding 2017 Oneida Business Committee Standing Meeting Schedule (found at the bottom of page 7 of the minutes).

Upon re-review of the audio, this following is the correct motion:

Motion by Fawn Billie to approve the 2017 Oneida Business Committee Standing Meeting Schedule as presented with the following changes: [Revise start time of Business Committee executive and regular meetings to begin at 8:30 a.m.; and limit Agenda Review meetings from 1:30-2:30 p.m.], seconded by Jennifer Webster. Motion carried unanimously.

Instead of:

Motion by Fawn Billie to approve the 2017 Oneida Business Committee Standing Meeting Schedule presented with the following changes: [Revise start time of Business Committee regular meetings to begin at 8:30 a.m.; and Revise to start time of Agenda Review meetings to begin at 2:30 p.m.], seconded by Jennifer Webster. Motion carried unanimously.

REQUESTED ACTION

Approve corrected October 12, 2016, regular meeting minutes.

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



Oneida Business Committee

Executive Session

9:00 a.m. Tuesday, October 11, 2016

Executive Conference Room, 2nd floor, Norbert Hill Center

Regular Meeting

9:00 a.m. Wednesday, October 12, 2016

BC Conference Room, 2nd floor, Norbert Hill Center

Minutes

EXECUTIVE SESSION

Present: Chairwoman Tina Danforth, Secretary Lisa Summers (*excused at 12:00 p.m.-personal*), Council members: Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster;

Not Present: Vice-Chairwoman Melinda J. Danforth, Treasurer Trish King;

Arrived at: Councilwoman Fawn Billie at 9:30 a.m. (*excused-personal*);

Others present: Jo Anne House, Larry Barton, Troy Parr, Joanie Buckley, Jacque Boyle;

REGULAR MEETING

Present: Chairwoman Tina Danforth, Council members: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster;

Not Present: Treasurer Trish King, Secretary Lisa Summers;

Arrived at: Vice-Chairwoman Melinda J. Danforth at 1:25 p.m.;

Others present: Jo Anne House, Brad Graham, Bill Graham, Rhiannon Metoxen, Jessica Wallenfang, Lisa Liggins, Nancy Barton, Kathy Metoxen, Cathy Bachhuber, Heather Heuer, Dale Wheelock, Chris Johnson, Michelle Gordon, Clorissa Santiago, Brian Doxtator, Laura Manthe, Denice Beans, Gerald Hill, Ed Delgado, Marcus Zelenski, Layatalati Hill, Tonya Webster, Leyne Orosco, Krystal John, Troy Parr, Larry Barton, Cathy Metoxen, Mike Debraska, Taniquelle Thurner, Geraldine Danforth, Debra Danforth, Paul Witek, Larry Cornelius, Jacque Boyle, Scott Cottrell, Mark A. Powless, Lori Elm, James Petitjean, Brenda Skenandore, Sylvia Cornelius, Lauren Hartman, Mary Adams, RaLinda Ninham-Lamberies, Lorraine Monita, Barb Erickson, Sharon Mousseau, Tom Danforth, Linda Jenkins;

I. CALL TO ORDER AND ROLL CALL by Chairwoman Tina Danforth at 9:05 a.m.

For the record: Chairwoman Tina Danforth will be out of the office during the afternoon session on personal time. Vice-Chairwoman Melinda J. Danforth is out of the office on personal time, but will arrive for the afternoon session to chair the meeting. Treasurer Trish King and Secretary Lisa Summers are out of the office on personal time.

II. OPENING by Councilman Tehassi Hill

III. ADOPT THE AGENDA (00:04:25)

Motion by Fawn Billie to adopt the agenda with the following changes: [Add-on to Resolutions section 6.F. Adopt resolution entitled Election Law Emergency Amendments Extension; and Add-on to Executive Session – New Business section 14.D.18. Review two (2) requests regarding the release of confidential employee information], seconded by Tehassi Hill. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster
Not Present: Melinda J. Danforth, Trish King, Lisa Summers

IV. OATHS OF OFFICE (00:11:05) by Chairwoman Tina Danforth

A. Oneida Family Court Judge – Marcus S. Zelenski

V. MINUTES

A. Approve September 28, 2016, regular meeting minutes

(00:14:39)

Sponsor: Lisa Summers, Tribal Secretary

Motion by David Jordan to approve the September 28, 2016, regular meeting minutes, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster
Not Present: Melinda J. Danforth, Trish King, Lisa Summers

B. Approve September 30, 2016, special meeting minutes

(00:15:12)

Sponsor: Lisa Summers, Tribal Secretary

Motion by David Jordan to approve the September 30, 2016, special meeting minutes, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster
Not Present: Melinda J. Danforth, Trish King, Lisa Summers

VI. RESOLUTIONS

A. Adopt resolution entitled Eviction and Termination Law

(00:15:38)

Sponsor: Councilman Brandon Stevens, Chair/Legislative Operating Committee

Motion by Brandon Stevens to adopt resolution # 10-12-16-A Eviction and Termination Law, seconded by Tehassi Hill. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster
Not Present: Melinda J. Danforth, Trish King, Lisa Summers

B. Adopt resolution entitled Defining Comprehensive Housing Division in the Eviction and Termination Law**(00:56:39)**

Sponsor: Councilman Brandon Stevens, Chair/Legislative Operating Committee

Motion by Tehassi Hill to adopt resolution # 10-12-16-B Defining Comprehensive Housing Division in the Eviction and Termination Law, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Melinda J. Danforth, Trish King, Lisa Summers

For the record: Chairwoman Tina Danforth stated I think this needs more work overall and maybe in 120 days we'll see what we find, but thank you.

C. Adopt resolution entitled Landlord-Tenant Law**(1:44:52)**

Sponsor: Councilman Brandon Stevens, Chair/Legislative Operating Committee

Motion by Tehassi Hill to adopt resolution # 10-12-16-C Landlord-Tenant Law, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Melinda J. Danforth, Trish King, Lisa Summers

D. Adopt resolution entitled Defining Comprehensive Housing Division in the Landlord-Tenant Law**(1:46:27)**

Sponsor: Councilman Brandon Stevens, Chair/Legislative Operating Committee

Motion by Tehassi Hill to adopt resolution # 10-12-16-D Defining Comprehensive Housing Division in the Landlord-Tenant Law, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Melinda J. Danforth, Trish King, Lisa Summers

Councilman David Jordan departs at 11:02 a.m.

Councilman David Jordan returns at 11:07 a.m.

E. Adopt resolution entitled Vendor Licensing Law Amendments (1:47:17)

Sponsor: Councilman Brandon Stevens, Chair/Legislative Operating Committee

Motion by Jennifer Webster to adopt resolution # 10-12-16-E Vendor Licensing Law Amendments with the following changes:

- [Revise section 56.5-3(b) by replacing "...appeal the decision." With "file a complaint with the Judiciary challenging the Department's action.";
- Revise header of section 56.9 by replacing "Appeals of Licensing Decisions" with "Department Decisions";
- Revise section 56.9-1 to read "The Judiciary is granted jurisdiction to hear complaints filed regarding actions taken by the Department pursuant to this law.";
- Add section 56.9-2 to read "No administrative hearing body, including a board, committee or commission, is authorized to hear a complaint filed regarding actions taken pursuant to this law."; and

- Add section 56.9-3 to read “Complaints filed with the Judiciary shall name the Licensing Department as the responding party”],
- seconded by Tehassi Hill. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Melinda J. Danforth, Trish King, Lisa Summers

Motion by Jennifer Webster to request the Finance Department to develop an analysis on whether the fees minus the funds collected for Trust are covering the costs of the Licensing Department; and for that analysis to be due back to the Business Committee within thirty (30) days, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Melinda J. Danforth, Trish King, Lisa Summers

Councilwoman Jennifer Webster departs at 11:18 a.m.

Councilwoman Jennifer Webster returns at 11:22 a.m.

F. Adopt resolution entitled Emergency Election Law Amendments Extension (2:13:38)

Sponsor: Councilman Brandon Stevens, Chair/Legislative Operating Committee

Motion by Brandon Stevens to adopt resolution # 10-12-16-F Emergency Election Law Amendments Extension, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Melinda J. Danforth, Trish King, Lisa Summers

VII. APPOINTMENTS

A. Approve recommendation to appoint Weldon “Ted” Hawk to the Environmental Resources Board (2:30:17)

Sponsor: Tina Danforth, Tribal Chairwoman

Motion by Jennifer Webster to approve the recommendation to appoint Weldon “Ted” Hawk to the Environmental Resources Board, seconded by Fawn Billie. Motion carried with one abstention:

Ayes: Fawn Billie, Tehassi Hill, Brandon Stevens, Jennifer Webster

Abstained: David Jordan

Not Present: Melinda J. Danforth, Trish King, Lisa Summers

For the record: Councilman David Jordan abstained due to the appointee being a relative.

B. Approve recommendation to appoint Felicia Bernhardt to the Southeastern Oneida Tribal Services Advisory Board (2:30:59)

Sponsor: Tina Danforth, Tribal Chairwoman

Motion by Jennifer Webster to approve the recommendation to appoint Felicia Bernhardt to the Southeastern Oneida Tribal Services Advisory Board, seconded by David Jordan. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Melinda J. Danforth, Trish King, Lisa Summers

VIII. STANDING COMMITTEES**A. Finance Committee**

Sponsor: Trish King, Tribal Treasurer

*Councilman Tehassi Hill departs at 11:40 a.m.**Councilman Tehassi Hill returns at 11:43 a.m.***1. Approve October 3, 2016, Finance Committee meeting minutes
(2:31:31)**

Motion by David Jordan to approve the October 3, 2016, Finance Committee meeting minutes, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Melinda J. Danforth, Trish King, Lisa Summers

IX. UNFINISHED BUSINESS**A. Review final report and accept recommendation regarding Medicare Part B Research
(2:48:50)**

Sponsors: Debra Danforth Division Director/Comprehensive Health Operations; Dr. Ravinder Vir, Division Director/Medical Operations

*EXCERPT FROM APRIL 08, 2015: Motion by Melinda J. Danforth to defer the Medicare Part B research back to the Comprehensive Health Division Directors and to comeback with a report in 90 days that researches the opportunities we would have to provide insurance to those individuals of 65 and over that are Oneida Tribal members and have a work meeting with the directors to clarify and develop the scope, seconded by Lisa Summers. Motion carried unanimously.**EXCERPT FROM FEBRUARY 11, 2015: Motion by Melinda Danforth to accept the Oneida Nation Commission on Aging report and that the request from ONCOA regarding researching whether or not the Tribe should pay for Medicare Part B benefits for Tribal members who use the Oneida Health Center be assigned to the Comprehensive Health Division Directors to research and bring back in 60 days, seconded by Lisa Summers. Motion carried unanimously.*

Motion by Jennifer Webster to defer this item to the October 26, 2016, regular Business Committee meeting, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Melinda J. Danforth, Trish King, Lisa Summers

B. Review update regarding vacancies and appointment recommendations regarding Oneida Personnel Commission (Not submitted) (2:51:08)

Sponsor: Tina Danforth, Tribal Chairwoman

*EXCERPT FROM SEPTEMBER 14, 2016: Motion by Lisa Summers to defer this item back to Chair's Office regarding the (2) two Oneida Personnel Commission vacancies not filled through posting #3 which had the deadline of June 20, 2016, and the one (1) vacancy not filled through posting #4 which had the deadline of July 15, 2016; and to request clarifications be brought back to the October 12, 2016, regular Business Committee, seconded by Tehassi Hill. Motion carried with two abstentions.**EXCERPT FROM AUGUST 24, 2016: (1) Motion by David Jordan to approve the recommendation to appoint Leland Wigg-Ninham, Eric Krawczyk, and Jennifer L. Hill to Oneida Personnel Commission, seconded by Melinda J. Danforth. Motion carried with one abstention. (2) Amendment*

to the main motion by Lisa Summers to direct the Tribal Secretary to bring back a chronology of events for these particular vacancies for information to the Business Committee, seconded by Jennifer Webster. Motion carried unanimously.

Motion by Jennifer Webster to defer this item to the October 26, 2016, regular Business Committee meeting, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster
Not Present: Melinda J. Danforth, Trish King, Lisa Summers

X. NEW BUSINESS¹

A. Approve request from Environmental Resources Board to support Menominee Nation in opposing the Back Forty

Mine (3:26:00)

Chair: Marlene Garvey; Environmental Resources Board
Liaison: Tehassi Hill, Councilman

Motion by Tehassi Hill to forward this item to the Intergovernmental Affairs & Communications Department to do further research; and for that area to bring back a report and proposed correspondence for the Business Committee to consider and support, to be conducted before the October 26, 2016, regular Business Committee meeting so that any action that may be taken can be accepted at the October 26, 2016, regular Business Committee meeting, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster
Not Present: Tina Danforth, Trish King, Lisa Summers

B. Approve annual Gaming Facilities Compliance Inspections; and request a letter be drafted by Tribal Secretary certifying approved request

(3:14:40)

Sponsor: Troy Parr, Division Director/Development

Motion by Fawn Billie to approve the annual Gaming Facilities Compliance Inspections, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster
Not Present: Tina Danforth, Trish King, Lisa Summers

Motion by Jennifer Webster to request a letter be drafted in a timely manner by the Tribal Secretary certifying the approved annual Gaming Facilities Compliance Inspections, seconded by David Jordan. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster
Not Present: Tina Danforth, Trish King, Lisa Summers

¹ This section occurs during the afternoon session.

C. Approve changes to the Rules of Play – Poker which were adopted by Oneida Gaming Commission on September 30, 2016**(3:29:12)**

Chair: Mark A. Powless Sr.
Liaison: Brandon Stevens, Councilman

Motion by Jennifer Webster to accept the changes to the Rules of Play – Poker which were adopted by Oneida Gaming Commission on September 30, 2016, seconded by Tehassi Hill. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster
Not Present: Tina Danforth, Trish King, Lisa Summers

D. Approve request from Oneida Nation School Board regarding the Final Settlement Agreement in the Ramah Navajo Chapter, et al., v. Jewell case**(3:31:15)**

Chair: Debra Danforth; Oneida Nation School Board
Liaison: Fawn Billie, Councilwoman

Motion by Jennifer Webster to approve the request to affirm that the awarded money shall not reduce or eliminate any grants or tribal contributions that the Oneida Nation School System is currently receiving or will be eligible to receive, seconded by David Jordan. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster
Not Present: Tina Danforth, Trish King, Lisa Summers

Motion by Brandon Stevens to request the Business Committee to meet with the Oneida Nation School Board to discuss the pre-planning for utilization of the Final Settlement Agreement funds, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster
Not Present: Tina Danforth, Trish King, Lisa Summers

E. Approve limited waiver of sovereign immunity – Wisconsin Public Service – contract # 2016-1143 for CIP project # 14-008 Uskah Village Infrastructure (3:38:32)

Sponsor: James Petitjean, Interim Assistant Division Director/Development

Motion by David Jordan to approve the limited waiver of sovereign immunity – Wisconsin Public Service – contract # 2016-1143 for CIP project # 14-008 Uskah Village Infrastructure, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster
Not Present: Tina Danforth, Trish King, Lisa Summers

F. Approve three (3) requests regarding 2017 Oneida Business Committee Standing Meeting Schedule**(3:39:03)**

Sponsor: Lisa Summers, Tribal Secretary

Motion by Fawn Billie to approve the 2017 Oneida Business Committee Standing Meeting Schedule as presented with the following changes: [Revise start time of Business Committee executive and regular meetings to begin at 8:30 a.m.; and Revise to limit start time of Agenda Review meetings to begin at from 1:30-2:30 p.m.], seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Trish King, Lisa Summers

Motion by Jennifer Webster to request that any 2017 Oneida Business Committee Standing Meeting Schedule updates be submitted to a Business Committee work meeting as information, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Trish King, Lisa Summers

Motion by Jennifer Webster to request meetings from the approved 2017 Oneida Business Committee Standing Meeting Schedule be sent to Business Committee members and their aides from the Tribal Secretary E-mail account, seconded by David Jordan. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Trish King, Lisa Summers

G. Approve 2017 Quarterly Report Schedule; and direct Tribal Secretary to provide notification of schedule to Boards, Committees, and Commissions, Standing Committees, and Corporate Boards no later than December 1, 2016

(3:45:41)

Sponsor: Lisa Summers, Tribal Secretary

Motion by Tehassi Hill to approve the 2017 Quarterly Report Schedule, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Trish King, Lisa Summers

Motion by Tehassi Hill to direct Tribal Secretary to provide notification of the schedule to Boards, Committees, and Commissions, Standing Committees, and Corporate Boards no later than December 1, 2016, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Trish King, Lisa Summers

H. Approve limited waiver of sovereign immunity – CNH America LLC-CHN Industrial Capital – contract # 2016-

0973 (3:47:58)

Sponsor: Larry Barton, Chief Financial Officer

Motion by Fawn Billie to approve the limited waiver of sovereign immunity – CNH America LLC-CHN Industrial Capital – contract # 2016-0973, seconded by David Jordan. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Trish King, Lisa Summers

Vice-Chairwoman Melinda J. Danforth calls for a five (5) minute recess at 2:20 p.m. (3:49:00)

Meeting called to order by Melinda J. Danforth at 2:25 p.m.

Chairwoman Tina Danforth, Treasurer Trish King, and Secretary Lisa Summers not present.

XI. TRAVEL**A. TRAVEL REPORTS**

1. **Accept travel report – Councilman David Jordan – 34th Annual Native American Finance Officers Association (NAFOA) conference – Phoenix, AZ – April 17-20, 2016**
(3:49:22)

Motion by Fawn Billie to accept the travel report – Councilman David Jordan – 34th Annual Native American Finance Officers Association (NAFOA) conference – Phoenix, AZ – April 17-20, 2016, seconded by Tehassi Hill. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster
Not Present: Tina Danforth, Trish King, Lisa Summers

2. **Accept travel report – Councilman David Jordan – Democratic National Convention – Philadelphia, PA – July 24-29, 2016**
(3:52:55)

Motion by Jennifer Webster to accept the travel report – Councilman David Jordan – Democratic National Convention – Philadelphia, PA – July 24-29, 2016, seconded by Fawn Billie. Motion carried with one abstention:

Ayes: Fawn Billie, Tehassi Hill, Brandon Stevens, Jennifer Webster
Abstained: David Jordan
Not Present: Tina Danforth, Trish King, Lisa Summers

B. TRAVEL REQUESTS

1. **Enter E-Poll results into the record in accordance with BC SOP Conducting Electronic Voting (3:43:18)**

Sponsor: Lisa Summers, Tribal Secretary

- a. **Approved travel request – Councilman Brandon Stevens – White House Tribal Nations conference – Washington D.C. – September 25-27, 2016**

Requestor: Brandon Stevens, Councilman

Motion by Tehassi Hill to enter the E-Poll results into the record for approved travel request – Councilman Brandon Stevens – White House Tribal Nations conference – Washington D.C. – September 25-27, 2016, seconded by Fawn Billie. Motion carried with one abstention:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Jennifer Webster
Abstained: Brandon Stevens
Not Present: Tina Danforth, Trish King, Lisa Summers

Motion by David Jordan to recess at 12:01 p.m. until 1:30 p.m., seconded by Fawn Billie. Motion carried unanimously: **(2:56:07)**

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster
Not Present: Melinda J. Danforth, Trish King, Lisa Summers

Meeting called to order by Vice-Chairwoman Melinda J. Danforth at 1:30 p.m.

Chairwoman Tina Danforth, Treasurer Trish King, and Secretary Lisa Summers not present.

XII. REPORTS *(This section of the agenda is scheduled to begin at 1:30 p.m.)***A. OPERATIONAL REPORTS****1. Accept Development Division FY '16 4th quarter report****(2:56:42)****(1:30 p.m.-1:50 p.m.)**Sponsors: Troy Parr, Division Director/Development; Jacque Boyle, Interim Assistant
Division Director/Operations; Scott Cottrell, Utilities ManagerMotion by Jennifer Webster to accept the Development Division FY '16 4th quarter report, seconded by Tehassi Hill. Motion carried unanimously:Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer
Webster

Not Present: Tina Danforth, Trish King, Lisa Summers

2. Accept Environmental Health & Safety Division FY '16 4th quarter report**(3:02:55)****(1:50 p.m.-2:10 p.m.)**

Sponsor: Patrick Pelky, Division Director/Environmental Health & Safety

Motion by David Jordan to accept the Environmental Health & Safety Division FY '16 4th quarter report, seconded by Fawn Billie. Motion carried unanimously:Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer
Webster

Not Present: Tina Danforth, Trish King, Lisa Summers

3. Accept Division of Land Management FY '16 4th quarter report**(3:08:19)****(2:10 p.m.-2:30 p.m.)**

Sponsor: Patrick Pelky, Division Director/Land Management

Motion by Jennifer Webster to accept the Division of Land Management FY '16 4th quarter report, seconded by Brandon Stevens. Motion carried unanimously:Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer
Webster

Not Present: Tina Danforth, Trish King, Lisa Summers

B. BOARDS, COMMITTEES, AND COMMISSIONS*Councilman Tehassi Hill departs at 1:44 p.m.**Councilman Tehassi Hill returns at 1:47 p.m.**Councilwoman Fawn Billie departs at 1:55 p.m.***1. Accept Anna John Residential Centered Care Community Board FY '16 4th quarter report** **(2:30 p.m.-2:45 p.m.)****(3:17:50)**

Chair: Candace House

Liaison: Melinda J. Danforth, Tribal Vice-Chairwoman

Motion by David Jordan to accept the Anna John Residential Centered Care Community Board FY '16 4th quarter report, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Fawn Billie, Trish King, Lisa Summers

Councilwoman Fawn Billie returns at 1:57 p.m.

2. Defer Oneida Nation Arts Board FY '16 4th quarter report to the October 26, 2016, regular Business Committee meeting

(3:13:44)

Chair-Elect: Dawn Walschinski

Liaison: Jennifer Webster, Councilwoman

Motion by Jennifer Webster to defer the Oneida Nation Arts Board FY '16 4th quarter report to the October 26, 2016, regular Business Committee meeting, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King, Lisa Summers

XIII. GENERAL TRIBAL COUNCIL *(To obtain a copy of Members Only Materials, please visit the BC Support Office, located on the 2nd floor of the Norbert Hill Center and present Tribal I.D. card)*

A. Schedule the 2nd reconvened special General Tribal Council meeting

(3:54:09)

Sponsor: Lisa Summers, Tribal Secretary

Motion by David Jordan to approve scheduling the 2nd reconvened special General Tribal Council meeting on Monday, November 14, 2016, at 6:00 p.m., seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Trish King, Lisa Summers

B. Approve reprint and mailing of meeting materials for the 2nd reconvened special General Tribal Council meeting

(3:56:23)

Sponsor: Lisa Summers, Tribal Secretary

Motion by Tehassi Hill to approve the reprint and mailing of meeting materials for the 2nd reconvened special General Tribal Council meeting scheduled on Monday, November 14, 2016, at 6:00 p.m., seconded by Jennifer Webster. Motion carried with one opposed:

Ayes: Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Opposed: Fawn Billie

Not Present: Tina Danforth, Trish King, Lisa Summers

XIV. EXECUTIVE SESSION

A. REPORTS

1. Accept Chief Counsel report – Jo Anne House, Chief Counsel (4:03:18)

Motion by Tehassi Hill to accept the Chief Counsel report, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Trish King, Lisa Summers

B. STANDING ITEMS

1. Land Claims Strategy (*No Requested Action*)

C. UNFINISHED BUSINESS

1. Review report regarding request from Tribal Member's concern over depletion of Bureau of Indian Affairs – General Assistant Grant funds (*Not submitted*) (4:03:35)

Sponsors: Chris Johns, Coordinator/Self-Governance; Liz Somers, Division Director/Governmental Services

EXCERPT FROM AUGUST 24 & 29, 2016: (1) Motion by Jennifer Webster to accept the request as information; and to request the Governmental Services Division and Self-Governance Director to provide a report, seconded by Lisa Summers. Motion carried unanimously. (2) Amendment to the main motion by Lisa Summers to defer this item to a Business Committee Officer's for continued monitoring and follow-up; and to request the initial report be brought back within thirty (30) days, seconded by Tehassi Hill. Motion carried unanimously.

EXCERPT FROM AUGUST 10, 2016: Motion by Trish King to defer the remaining agenda items to the August 24, 2016, regular Business Committee meeting..., seconded by Lisa Summers. Motion carried unanimously.

Motion by David Jordan to defer this item to the October 26, 2016, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Trish King, Lisa Summers

D. NEW BUSINESS

1. Accept update regarding white corn crop damage as information (4:04:13) (*This item is scheduled to begin at 9:00 a.m.*)

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

Motion by Jennifer Webster to accept the report; for follow-up information to be provided in the tribal newspaper; and for the employee part of the complaint to be referred to the Internal Services Division Director for follow-up, seconded by Brandon Stevens. Motion carried with one abstention:

Ayes: Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Abstained: Fawn Billie

Not Present: Tina Danforth, Trish King, Lisa Summers

2. Review concern regarding safety and lockdown procedures at Skenandoah building and determine next steps (4:07:11) (*This item is scheduled to begin at 9:30 a.m.*)

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

Motion by Jennifer Webster to accept this item as information; and to request a notification to the Business Committee when the Emergency Management procedures are complete, seconded by Tehassi Hill. Motion carried with one abstention:

Ayes: Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Abstained: Fawn Billie

Not Present: Tina Danforth, Trish King, Lisa Summers

3. Accept update regarding Department of Public Works HVAC contracts as information (4:07:56) (This item is scheduled to begin at 10:00 a.m.)

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

Motion by David Jordan to defer this item to the Legislative Operating Committee, Law Office, and Purchasing Department to develop policies and solutions; and for an update to be brought back within sixty (60) days, seconded by Jennifer Webster. Motion carried with one abstention:

Ayes: Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster
 Abstained: Fawn Billie
 Not Present: Tina Danforth, Trish King, Lisa Summers

4. Review close-out report regarding 340-B certification and determine next steps (4:08:30) (This item is scheduled to begin at 10:30 a.m.)

Sponsors: Debra Danforth Division Director/Comprehensive Health Operations; Dr. Ravinder Vir, Division Director/Medical Operations

Motion by Fawn Billie to accept the close-out report; to include the sales comparison; and request the report to be released from executive session by placing it into open session for the October 26, 2016, regular Business Committee meeting, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster
 Not Present: Tina Danforth, Trish King, Lisa Summers

5. Approve limited waiver of sovereign immunity – Fredericks Peebles & Morgan LLP – contract # 2016-1076 (4:10:24) (This item is scheduled to begin at 11:00 a.m.)

Chair: Debra Danforth; Oneida Nation School Board
 Liaison: Fawn Billie, Councilwoman

Motion by Jennifer Webster to approve the limited waiver of sovereign immunity – Fredericks Peebles & Morgan LLP – contract # 2016-1076, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster
 Not Present: Tina Danforth, Trish King, Lisa Summers

6. Review submission regarding complaint # 2016-DR07-01 (4:18:45) (This item is scheduled to begin at 11:30 a.m.)

Sponsor: Lisa Summers, Tribal Secretary

Motion by Tehassi Hill to accept the verbal update; and to request an update be brought back in two (2) weeks, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Jennifer Webster
 Not Present: Tina Danforth, Trish King, Brandon Stevens, Lisa Summers

7. Review proposed Economic Development Structure and determine next steps (4:11:09) (This item is scheduled to begin at 1:30 p.m.)

Sponsor: Troy Parr, Division Director/Development

Motion by Brandon Stevens to accept the proposed concept regarding the Economic Development Structure, seconded by Tehassi Hill. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster
 Not Present: Tina Danforth, Trish King, Lisa Summers

8. Approve limited waiver of sovereign immunity – Wisconsin Division of Transportation – Sealed Bid for Purchase of Excess Highway Property – contract # 2016-1123

(4:12:26) *(This item is scheduled to begin at 2:30 p.m.)*

Sponsor: Patrick Pelky, Division Director/Land Management

Motion by Tehassi Hill to approve the limited waiver of sovereign immunity – Wisconsin Division of Transportation – Sealed Bid for Purchase of Excess Highway Property – contract # 2016-1123, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Trish King, Lisa Summers

9. Review and accept concern # 2016-CC-17 as information

(4:12:49)

Sponsor: Tina Danforth, Tribal Chairwoman

Motion by Brandon Stevens to acknowledge the receipt of information regarding concern # 2016-CC-17, seconded by Jennifer Webster. Motion carried with two abstentions:

Ayes: David Jordan, Brandon Stevens, Jennifer Webster

Abstained: Fawn Billie, Tehassi Hill

Not Present: Tina Danforth, Trish King, Lisa Summers

10. Review concern # 2016-CC-18 and determine next steps

(4:13:28)

Sponsor: Tina Danforth, Tribal Chairwoman

Motion by Jennifer Webster to acknowledge receipt of information regarding concern # 2016-CC-18, seconded by David Jordan. Motion carried with one abstention:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Jennifer Webster

Abstained: Brandon Stevens

Not Present: Tina Danforth, Trish King, Lisa Summers

11. Review item regarding Ancillary Facilities and determine next steps

(4:13:47)

Sponsor: Tina Danforth, Tribal Chairwoman

Motion by David Jordan to direct the Law Office to develop the correspondence; and to submit the correspondence for an E-Poll approval by the Business Committee by Wednesday, October 19, 2016, seconded by Fawn Billie. Motion carried with one unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Trish King, Lisa Summers

12. Discuss Self-Governance Coordinator succession planning and determine next steps

(4:14:55)

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

Motion by Fawn Billie to defer this item to the October 26, 2016, regular Business Committee meeting, seconded by David Jordan. Motion carried with one unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Trish King, Lisa Summers

13. Review update regarding Tribal Ombudsman (4:14:17)

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

Motion by Tehassi Hill to accept the verbal update; and to direct the Business Committee Officers to bring back a location recommendation to the Business Committee within sixty (60) days, seconded by Fawn Billie. Motion carried with one unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Trish King, Lisa Summers

14. Approve request for title change of Medical Director to Comprehensive Health Division Director-Medical (4:16:10)

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

Motion by Jennifer Webster to defer this item to the October 26, 2016, regular Business Committee in order to allow for additional information to be followed up on, seconded by Tehassi Hill. Motion carried with one unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Trish King, Lisa Summers

15. Discuss performance expectations for new Direct Reports (4:16:35)

Sponsor: Trish King, Tribal Treasurer

Motion by David Jordan to approve the request and defer this item to the October 17, 2016, Business Committee work meeting, seconded by Fawn Billie. Motion carried with one unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Trish King, Lisa Summers

16. Review complaint # 2016-DR06-05 and determine next steps (4:16:58)

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

Motion by David Jordan to accept the draft memorandum; and to direct the memorandum be forwarded to the appropriate parties, seconded by Brandon Stevens. Motion carried with one with one abstention:

Ayes: Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Abstained: Fawn Billie

Not Present: Tina Danforth, Trish King, Lisa Summers

17. Approve limited waiver of sovereign immunity – PoliticalCalling.com – contract # 2016-1128 (4:17:47)

Sponsor: Nathan King, Director/Intergovernmental Affairs & Communications

Motion by Jennifer Webster to approve the limited waiver of sovereign immunity – PoliticalCalling.com – contract # 2016-1128, seconded by Tehassi Hill. Motion carried with one with one abstention:

Ayes: Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Abstained: Fawn Billie

Not Present: Tina Danforth, Trish King, Lisa Summers

Motion by Fawn Billie to go into executive session at 2:54 p.m., seconded by Tehassi Hill. Motion carried with one unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Trish King, Lisa Summers

Councilman Brandon Stevens departs at 3:40 p.m.

Motion by Tehassi Hill to come out of executive session at 3:42 p.m., seconded by Fawn Billie. Motion carried with one unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Jennifer Webster
Not Present: Tina Danforth, Trish King, Brandon Stevens, Lisa Summers

**18. Review two (2) requests regarding release of confidential employee information
(4:20:28)**

Sponsor: Tehassi Hill, Councilman

Motion by Tehassi Hill to request the Finance Department to identify cost and funds to potentially provide identity theft insurance to the thirty-eight (38) employees; and to direct that report to come back in two (2) weeks, seconded by Jennifer Webster. Motion carried with one unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Jennifer Webster
Not Present: Tina Danforth, Trish King, Brandon Stevens, Lisa Summers

XV. ADJOURN

Motion by David Jordan to adjourn at 3:45 p.m., seconded by Fawn Billie. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Jennifer Webster
Not Present: Tina Danforth, Trish King, Brandon Stevens, Lisa Summers

Minutes prepared by Heather Heuer, Information Management Specialist
Minutes approved as presented/corrected on October 26, 2016.

Lisa Summers, Secretary
ONEIDA BUSINESS COMMITTEE



Oneida Business Committee

Executive Session

9:00 a.m. Tuesday, October 11, 2016

Executive Conference Room, 2nd floor, Norbert Hill Center

Regular Meeting

9:00 a.m. Wednesday, October 12, 2016

BC Conference Room, 2nd floor, Norbert Hill Center

Minutes

EXECUTIVE SESSION

Present: Chairwoman Tina Danforth, Secretary Lisa Summers (*excused at 12:00 p.m.-personal*), Council members: Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster;

Not Present: Vice-Chairwoman Melinda J. Danforth, Treasurer Trish King;

Arrived at: Councilwoman Fawn Billie at 9:30 a.m. (*excused-personal*);

Others present: Jo Anne House, Larry Barton, Troy Parr, Joanie Buckley, Jacque Boyle;

REGULAR MEETING

Present: Chairwoman Tina Danforth, Council members: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster;

Not Present: Treasurer Trish King, Secretary Lisa Summers;

Arrived at: Vice-Chairwoman Melinda J. Danforth at 1:25 p.m.;

Others present: Jo Anne House, Brad Graham, Bill Graham, Rhiannon Metoxen, Jessica Wallenfang, Lisa Liggins, Nancy Barton, Kathy Metoxen, Cathy Bachhuber, Heather Heuer, Dale Wheelock, Chris Johnson, Michelle Gordon, Clorissa Santiago, Brian Doxtator, Laura Manthe, Denice Beans, Gerald Hill, Ed Delgado, Marcus Zelenski, Layatalati Hill, Tonya Webster, Leyne Orosco, Krystal John, Troy Parr, Larry Barton, Cathy Metoxen, Mike Debraska, Taniquelle Thurner, Geraldine Danforth, Debra Danforth, Paul Witek, Larry Cornelius, Jacque Boyle, Scott Cottrell, Mark A. Powless, Lori Elm, James Petitjean, Brenda Skenandore, Sylvia Cornelius, Lauren Hartman, Mary Adams, RaLinda Ninham-Lamberies, Lorraine Monita, Barb Erickson, Sharon Mousseau, Tom Danforth, Linda Jenkins;

I. CALL TO ORDER AND ROLL CALL by Chairwoman Tina Danforth at 9:05 a.m.

For the record: Chairwoman Tina Danforth will be out of the office during the afternoon session on personal time. Vice-Chairwoman Melinda J. Danforth is out of the office on personal time, but will arrive for the afternoon session to chair the meeting. Treasurer Trish King and Secretary Lisa Summers are out of the office on personal time.

II. OPENING by Councilman Tehassi Hill

III. ADOPT THE AGENDA (00:04:25)

Motion by Fawn Billie to adopt the agenda with the following changes: [Add-on to Resolutions section 6.F. Adopt resolution entitled Election Law Emergency Amendments Extension; and Add-on to Executive Session – New Business section 14.D.18. Review two (2) requests regarding the release of confidential employee information], seconded by Tehassi Hill. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster
Not Present: Melinda J. Danforth, Trish King, Lisa Summers

IV. OATHS OF OFFICE (00:11:05) by Chairwoman Tina Danforth

A. Oneida Family Court Judge – Marcus S. Zelenski

V. MINUTES

A. Approve September 28, 2016, regular meeting minutes

(00:14:39)

Sponsor: Lisa Summers, Tribal Secretary

Motion by David Jordan to approve the September 28, 2016, regular meeting minutes, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster
Not Present: Melinda J. Danforth, Trish King, Lisa Summers

B. Approve September 30, 2016, special meeting minutes

(00:15:12)

Sponsor: Lisa Summers, Tribal Secretary

Motion by David Jordan to approve the September 30, 2016, special meeting minutes, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster
Not Present: Melinda J. Danforth, Trish King, Lisa Summers

VI. RESOLUTIONS

A. Adopt resolution entitled Eviction and Termination Law

(00:15:38)

Sponsor: Councilman Brandon Stevens, Chair/Legislative Operating Committee

Motion by Brandon Stevens to adopt resolution # 10-12-16-A Eviction and Termination Law, seconded by Tehassi Hill. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster
Not Present: Melinda J. Danforth, Trish King, Lisa Summers

B. Adopt resolution entitled Defining Comprehensive Housing Division in the Eviction and Termination Law**(00:56:39)**

Sponsor: Councilman Brandon Stevens, Chair/Legislative Operating Committee

Motion by Tehassi Hill to adopt resolution # 10-12-16-B Defining Comprehensive Housing Division in the Eviction and Termination Law, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Melinda J. Danforth, Trish King, Lisa Summers

For the record: Chairwoman Tina Danforth stated I think this needs more work overall and maybe in 120 days we'll see what we find, but thank you.

C. Adopt resolution entitled Landlord-Tenant Law**(1:44:52)**

Sponsor: Councilman Brandon Stevens, Chair/Legislative Operating Committee

Motion by Tehassi Hill to adopt resolution # 10-12-16-C Landlord-Tenant Law, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Melinda J. Danforth, Trish King, Lisa Summers

D. Adopt resolution entitled Defining Comprehensive Housing Division in the Landlord-Tenant Law**(1:46:27)**

Sponsor: Councilman Brandon Stevens, Chair/Legislative Operating Committee

Motion by Tehassi Hill to adopt resolution # 10-12-16-D Defining Comprehensive Housing Division in the Landlord-Tenant Law, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Melinda J. Danforth, Trish King, Lisa Summers

Councilman David Jordan departs at 11:02 a.m.

Councilman David Jordan returns at 11:07 a.m.

E. Adopt resolution entitled Vendor Licensing Law Amendments (1:47:17)

Sponsor: Councilman Brandon Stevens, Chair/Legislative Operating Committee

Motion by Jennifer Webster to adopt resolution # 10-12-16-E Vendor Licensing Law Amendments with the following changes:

- [Revise section 56.5-3(b) by replacing "...appeal the decision." With "file a complaint with the Judiciary challenging the Department's action.";
- Revise header of section 56.9 by replacing "Appeals of Licensing Decisions" with "Department Decisions";
- Revise section 56.9-1 to read "The Judiciary is granted jurisdiction to hear complaints filed regarding actions taken by the Department pursuant to this law.";
- Add section 56.9-2 to read "No administrative hearing body, including a board, committee or commission, is authorized to hear a complaint filed regarding actions taken pursuant to this law."; and

- Add section 56.9-3 to read “Complaints filed with the Judiciary shall name the Licensing Department as the responding party”],
- seconded by Tehassi Hill. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Melinda J. Danforth, Trish King, Lisa Summers

Motion by Jennifer Webster to request the Finance Department to develop an analysis on whether the fees minus the funds collected for Trust are covering the costs of the Licensing Department; and for that analysis to be due back to the Business Committee within thirty (30) days, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Melinda J. Danforth, Trish King, Lisa Summers

Councilwoman Jennifer Webster departs at 11:18 a.m.

Councilwoman Jennifer Webster returns at 11:22 a.m.

F. Adopt resolution entitled Emergency Election Law Amendments Extension (2:13:38)

Sponsor: Councilman Brandon Stevens, Chair/Legislative Operating Committee

Motion by Brandon Stevens to adopt resolution # 10-12-16-F Emergency Election Law Amendments Extension, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Melinda J. Danforth, Trish King, Lisa Summers

VII. APPOINTMENTS

A. Approve recommendation to appoint Weldon “Ted” Hawk to the Environmental Resources Board (2:30:17)

Sponsor: Tina Danforth, Tribal Chairwoman

Motion by Jennifer Webster to approve the recommendation to appoint Weldon “Ted” Hawk to the Environmental Resources Board, seconded by Fawn Billie. Motion carried with one abstention:

Ayes: Fawn Billie, Tehassi Hill, Brandon Stevens, Jennifer Webster

Abstained: David Jordan

Not Present: Melinda J. Danforth, Trish King, Lisa Summers

For the record: Councilman David Jordan abstained due to the appointee being a relative.

B. Approve recommendation to appoint Felicia Bernhardt to the Southeastern Oneida Tribal Services Advisory Board (2:30:59)

Sponsor: Tina Danforth, Tribal Chairwoman

Motion by Jennifer Webster to approve the recommendation to appoint Felicia Bernhardt to the Southeastern Oneida Tribal Services Advisory Board, seconded by David Jordan. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Melinda J. Danforth, Trish King, Lisa Summers

VIII. STANDING COMMITTEES**A. Finance Committee**

Sponsor: Trish King, Tribal Treasurer

*Councilman Tehassi Hill departs at 11:40 a.m.**Councilman Tehassi Hill returns at 11:43 a.m.***1. Approve October 3, 2016, Finance Committee meeting minutes
(2:31:31)**

Motion by David Jordan to approve the October 3, 2016, Finance Committee meeting minutes, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Melinda J. Danforth, Trish King, Lisa Summers

IX. UNFINISHED BUSINESS**A. Review final report and accept recommendation regarding Medicare Part B Research
(2:48:50)**

Sponsors: Debra Danforth Division Director/Comprehensive Health Operations; Dr. Ravinder Vir, Division Director/Medical Operations

*EXCERPT FROM APRIL 08, 2015: Motion by Melinda J. Danforth to defer the Medicare Part B research back to the Comprehensive Health Division Directors and to comeback with a report in 90 days that researches the opportunities we would have to provide insurance to those individuals of 65 and over that are Oneida Tribal members and have a work meeting with the directors to clarify and develop the scope, seconded by Lisa Summers. Motion carried unanimously.**EXCERPT FROM FEBRUARY 11, 2015: Motion by Melinda Danforth to accept the Oneida Nation Commission on Aging report and that the request from ONCOA regarding researching whether or not the Tribe should pay for Medicare Part B benefits for Tribal members who use the Oneida Health Center be assigned to the Comprehensive Health Division Directors to research and bring back in 60 days, seconded by Lisa Summers. Motion carried unanimously.*

Motion by Jennifer Webster to defer this item to the October 26, 2016, regular Business Committee meeting, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Melinda J. Danforth, Trish King, Lisa Summers

B. Review update regarding vacancies and appointment recommendations regarding Oneida Personnel Commission (Not submitted) (2:51:08)

Sponsor: Tina Danforth, Tribal Chairwoman

*EXCERPT FROM SEPTEMBER 14, 2016: Motion by Lisa Summers to defer this item back to Chair's Office regarding the (2) two Oneida Personnel Commission vacancies not filled through posting #3 which had the deadline of June 20, 2016, and the one (1) vacancy not filled through posting #4 which had the deadline of July 15, 2016; and to request clarifications be brought back to the October 12, 2016, regular Business Committee, seconded by Tehassi Hill. Motion carried with two abstentions.**EXCERPT FROM AUGUST 24, 2016: (1) Motion by David Jordan to approve the recommendation to appoint Leland Wigg-Ninham, Eric Krawczyk, and Jennifer L. Hill to Oneida Personnel Commission, seconded by Melinda J. Danforth. Motion carried with one abstention. (2) Amendment*

to the main motion by Lisa Summers to direct the Tribal Secretary to bring back a chronology of events for these particular vacancies for information to the Business Committee, seconded by Jennifer Webster. Motion carried unanimously.

Motion by Jennifer Webster to defer this item to the October 26, 2016, regular Business Committee meeting, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster
Not Present: Melinda J. Danforth, Trish King, Lisa Summers

X. NEW BUSINESS¹

A. Approve request from Environmental Resources Board to support Menominee Nation in opposing the Back Forty

Mine (3:26:00)

Chair: Marlene Garvey; Environmental Resources Board
Liaison: Tehassi Hill, Councilman

Motion by Tehassi Hill to forward this item to the Intergovernmental Affairs & Communications Department to do further research; and for that area to bring back a report and proposed correspondence for the Business Committee to consider and support, to be conducted before the October 26, 2016, regular Business Committee meeting so that any action that may be taken can be accepted at the October 26, 2016, regular Business Committee meeting, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster
Not Present: Tina Danforth, Trish King, Lisa Summers

B. Approve annual Gaming Facilities Compliance Inspections; and request a letter be drafted by Tribal Secretary certifying approved request

(3:14:40)

Sponsor: Troy Parr, Division Director/Development

Motion by Fawn Billie to approve the annual Gaming Facilities Compliance Inspections, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster
Not Present: Tina Danforth, Trish King, Lisa Summers

Motion by Jennifer Webster to request a letter be drafted in a timely manner by the Tribal Secretary certifying the approved annual Gaming Facilities Compliance Inspections, seconded by David Jordan. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster
Not Present: Tina Danforth, Trish King, Lisa Summers

¹ This section occurs during the afternoon session.

C. Approve changes to the Rules of Play – Poker which were adopted by Oneida Gaming Commission on September 30, 2016**(3:29:12)**

Chair: Mark A. Powless Sr.
Liaison: Brandon Stevens, Councilman

Motion by Jennifer Webster to accept the changes to the Rules of Play – Poker which were adopted by Oneida Gaming Commission on September 30, 2016, seconded by Tehassi Hill. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster
Not Present: Tina Danforth, Trish King, Lisa Summers

D. Approve request from Oneida Nation School Board regarding the Final Settlement Agreement in the Ramah Navajo Chapter, et al., v. Jewell case**(3:31:15)**

Chair: Debra Danforth; Oneida Nation School Board
Liaison: Fawn Billie, Councilwoman

Motion by Jennifer Webster to approve the request to affirm that the awarded money shall not reduce or eliminate any grants or tribal contributions that the Oneida Nation School System is currently receiving or will be eligible to receive, seconded by David Jordan. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster
Not Present: Tina Danforth, Trish King, Lisa Summers

Motion by Brandon Stevens to request the Business Committee to meet with the Oneida Nation School Board to discuss the pre-planning for utilization of the Final Settlement Agreement funds, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster
Not Present: Tina Danforth, Trish King, Lisa Summers

E. Approve limited waiver of sovereign immunity – Wisconsin Public Service – contract # 2016-1143 for CIP project # 14-008 Uskah Village Infrastructure (3:38:32)

Sponsor: James Petitjean, Interim Assistant Division Director/Development

Motion by David Jordan to approve the limited waiver of sovereign immunity – Wisconsin Public Service – contract # 2016-1143 for CIP project # 14-008 Uskah Village Infrastructure, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster
Not Present: Tina Danforth, Trish King, Lisa Summers

F. Approve three (3) requests regarding 2017 Oneida Business Committee Standing Meeting Schedule**(3:39:03)**

Sponsor: Lisa Summers, Tribal Secretary

Motion by Fawn Billie to approve the 2017 Oneida Business Committee Standing Meeting Schedule as presented with the following changes: [Revise start time of Business Committee executive and regular meetings to begin at 8:30 a.m.; and to limit Agenda Review meetings from 1:30-2:30 p.m.], seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Trish King, Lisa Summers

Motion by Jennifer Webster to request that any 2017 Oneida Business Committee Standing Meeting Schedule updates be submitted to a Business Committee work meeting as information, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Trish King, Lisa Summers

Motion by Jennifer Webster to request meetings from the approved 2017 Oneida Business Committee Standing Meeting Schedule be sent to Business Committee members and their aides from the Tribal Secretary E-mail account, seconded by David Jordan. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Trish King, Lisa Summers

G. Approve 2017 Quarterly Report Schedule; and direct Tribal Secretary to provide notification of schedule to Boards, Committees, and Commissions, Standing Committees, and Corporate Boards no later than December 1, 2016

(3:45:41)

Sponsor: Lisa Summers, Tribal Secretary

Motion by Tehassi Hill to approve the 2017 Quarterly Report Schedule, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Trish King, Lisa Summers

Motion by Tehassi Hill to direct Tribal Secretary to provide notification of the schedule to Boards, Committees, and Commissions, Standing Committees, and Corporate Boards no later than December 1, 2016, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Trish King, Lisa Summers

H. Approve limited waiver of sovereign immunity – CNH America LLC-CHN Industrial Capital – contract # 2016-

0973 (3:47:58)

Sponsor: Larry Barton, Chief Financial Officer

Motion by Fawn Billie to approve the limited waiver of sovereign immunity – CNH America LLC-CHN Industrial Capital – contract # 2016-0973, seconded by David Jordan. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Trish King, Lisa Summers

Vice-Chairwoman Melinda J. Danforth calls for a five (5) minute recess at 2:20 p.m. (3:49:00)

Meeting called to order by Melinda J. Danforth at 2:25 p.m.

Chairwoman Tina Danforth, Treasurer Trish King, and Secretary Lisa Summers not present.

XI. TRAVEL**A. TRAVEL REPORTS**

1. **Accept travel report – Councilman David Jordan – 34th Annual Native American Finance Officers Association (NAFOA) conference – Phoenix, AZ – April 17-20, 2016**
(3:49:22)

Motion by Fawn Billie to accept the travel report – Councilman David Jordan – 34th Annual Native American Finance Officers Association (NAFOA) conference – Phoenix, AZ – April 17-20, 2016, seconded by Tehassi Hill. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Trish King, Lisa Summers

2. **Accept travel report – Councilman David Jordan – Democratic National Convention – Philadelphia, PA – July 24-29, 2016**
(3:52:55)

Motion by Jennifer Webster to accept the travel report – Councilman David Jordan – Democratic National Convention – Philadelphia, PA – July 24-29, 2016, seconded by Fawn Billie. Motion carried with one abstention:

Ayes: Fawn Billie, Tehassi Hill, Brandon Stevens, Jennifer Webster

Abstained: David Jordan

Not Present: Tina Danforth, Trish King, Lisa Summers

B. TRAVEL REQUESTS

1. **Enter E-Poll results into the record in accordance with BC SOP Conducting Electronic Voting (3:43:18)**

Sponsor: Lisa Summers, Tribal Secretary

- a. **Approved travel request – Councilman Brandon Stevens – White House Tribal Nations conference – Washington D.C. – September 25-27, 2016**

Requestor: Brandon Stevens, Councilman

Motion by Tehassi Hill to enter the E-Poll results into the record for approved travel request – Councilman Brandon Stevens – White House Tribal Nations conference – Washington D.C. – September 25-27, 2016, seconded by Fawn Billie. Motion carried with one abstention:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Jennifer Webster

Abstained: Brandon Stevens

Not Present: Tina Danforth, Trish King, Lisa Summers

Motion by David Jordan to recess at 12:01 p.m. until 1:30 p.m., seconded by Fawn Billie. Motion carried unanimously: **(2:56:07)**

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Melinda J. Danforth, Trish King, Lisa Summers

Meeting called to order by Vice-Chairwoman Melinda J. Danforth at 1:30 p.m.

Chairwoman Tina Danforth, Treasurer Trish King, and Secretary Lisa Summers not present.

XII. REPORTS *(This section of the agenda is scheduled to begin at 1:30 p.m.)***A. OPERATIONAL REPORTS****1. Accept Development Division FY '16 4th quarter report****(2:56:42)****(1:30 p.m.-1:50 p.m.)**Sponsors: Troy Parr, Division Director/Development; Jacque Boyle, Interim Assistant
Division Director/Operations; Scott Cottrell, Utilities ManagerMotion by Jennifer Webster to accept the Development Division FY '16 4th quarter report, seconded by Tehassi Hill. Motion carried unanimously:Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer
Webster

Not Present: Tina Danforth, Trish King, Lisa Summers

2. Accept Environmental Health & Safety Division FY '16 4th quarter report**(3:02:55)****(1:50 p.m.-2:10 p.m.)**

Sponsor: Patrick Pelky, Division Director/Environmental Health & Safety

Motion by David Jordan to accept the Environmental Health & Safety Division FY '16 4th quarter report, seconded by Fawn Billie. Motion carried unanimously:Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer
Webster

Not Present: Tina Danforth, Trish King, Lisa Summers

3. Accept Division of Land Management FY '16 4th quarter report**(3:08:19)****(2:10 p.m.-2:30 p.m.)**

Sponsor: Patrick Pelky, Division Director/Land Management

Motion by Jennifer Webster to accept the Division of Land Management FY '16 4th quarter report, seconded by Brandon Stevens. Motion carried unanimously:Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer
Webster

Not Present: Tina Danforth, Trish King, Lisa Summers

B. BOARDS, COMMITTEES, AND COMMISSIONS*Councilman Tehassi Hill departs at 1:44 p.m.**Councilman Tehassi Hill returns at 1:47 p.m.**Councilwoman Fawn Billie departs at 1:55 p.m.***1. Accept Anna John Residential Centered Care Community Board FY '16 4th quarter report** **(2:30 p.m.-2:45 p.m.)****(3:17:50)**

Chair: Candace House

Liaison: Melinda J. Danforth, Tribal Vice-Chairwoman

Motion by David Jordan to accept the Anna John Residential Centered Care Community Board FY '16 4th quarter report, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Fawn Billie, Trish King, Lisa Summers

Councilwoman Fawn Billie returns at 1:57 p.m.

2. Defer Oneida Nation Arts Board FY '16 4th quarter report to the October 26, 2016, regular Business Committee meeting

(3:13:44)

Chair-Elect: Dawn Walschinski

Liaison: Jennifer Webster, Councilwoman

Motion by Jennifer Webster to defer the Oneida Nation Arts Board FY '16 4th quarter report to the October 26, 2016, regular Business Committee meeting, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Tehassi Hill, Trish King, Lisa Summers

XIII. GENERAL TRIBAL COUNCIL *(To obtain a copy of Members Only Materials, please visit the BC Support Office, located on the 2nd floor of the Norbert Hill Center and present Tribal I.D. card)*

A. Schedule the 2nd reconvened special General Tribal Council meeting

(3:54:09)

Sponsor: Lisa Summers, Tribal Secretary

Motion by David Jordan to approve scheduling the 2nd reconvened special General Tribal Council meeting on Monday, November 14, 2016, at 6:00 p.m., seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Trish King, Lisa Summers

B. Approve reprint and mailing of meeting materials for the 2nd reconvened special General Tribal Council meeting

(3:56:23)

Sponsor: Lisa Summers, Tribal Secretary

Motion by Tehassi Hill to approve the reprint and mailing of meeting materials for the 2nd reconvened special General Tribal Council meeting scheduled on Monday, November 14, 2016, at 6:00 p.m., seconded by Jennifer Webster. Motion carried with one opposed:

Ayes: Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Opposed: Fawn Billie

Not Present: Tina Danforth, Trish King, Lisa Summers

XIV. EXECUTIVE SESSION

A. REPORTS

1. Accept Chief Counsel report – Jo Anne House, Chief Counsel (4:03:18)

Motion by Tehassi Hill to accept the Chief Counsel report, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Trish King, Lisa Summers

B. STANDING ITEMS

1. Land Claims Strategy *(No Requested Action)*

C. UNFINISHED BUSINESS

1. Review report regarding request from Tribal Member's concern over depletion of Bureau of Indian Affairs – General Assistant Grant funds *(Not submitted) (4:03:35)*

Sponsors: Chris Johns, Coordinator/Self-Governance; Liz Somers, Division Director/Governmental Services

EXCERPT FROM AUGUST 24 & 29, 2016: (1) Motion by Jennifer Webster to accept the request as information; and to request the Governmental Services Division and Self-Governance Director to provide a report, seconded by Lisa Summers. Motion carried unanimously. (2) Amendment to the main motion by Lisa Summers to defer this item to a Business Committee Officer's for continued monitoring and follow-up; and to request the initial report be brought back within thirty (30) days, seconded by Tehassi Hill. Motion carried unanimously.

EXCERPT FROM AUGUST 10, 2016: Motion by Trish King to defer the remaining agenda items to the August 24, 2016, regular Business Committee meeting..., seconded by Lisa Summers. Motion carried unanimously.

Motion by David Jordan to defer this item to the October 26, 2016, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Trish King, Lisa Summers

D. NEW BUSINESS

1. Accept update regarding white corn crop damage as information *(4:04:13)*
(This item is scheduled to begin at 9:00 a.m.)

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

Motion by Jennifer Webster to accept the report; for follow-up information to be provided in the tribal newspaper; and for the employee part of the complaint to be referred to the Internal Services Division Director for follow-up, seconded by Brandon Stevens. Motion carried with one abstention:

Ayes: Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Abstained: Fawn Billie

Not Present: Tina Danforth, Trish King, Lisa Summers

2. Review concern regarding safety and lockdown procedures at Skenandoah building and determine next steps *(4:07:11)* *(This item is scheduled to begin at 9:30 a.m.)*

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

Motion by Jennifer Webster to accept this item as information; and to request a notification to the Business Committee when the Emergency Management procedures are complete, seconded by Tehassi Hill. Motion carried with one abstention:

Ayes: Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Abstained: Fawn Billie

Not Present: Tina Danforth, Trish King, Lisa Summers

3. Accept update regarding Department of Public Works HVAC contracts as information (4:07:56) (This item is scheduled to begin at 10:00 a.m.)

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

Motion by David Jordan to defer this item to the Legislative Operating Committee, Law Office, and Purchasing Department to develop policies and solutions; and for an update to be brought back within sixty (60) days, seconded by Jennifer Webster. Motion carried with one abstention:

Ayes: Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster
 Abstained: Fawn Billie
 Not Present: Tina Danforth, Trish King, Lisa Summers

4. Review close-out report regarding 340-B certification and determine next steps (4:08:30) (This item is scheduled to begin at 10:30 a.m.)

Sponsors: Debra Danforth Division Director/Comprehensive Health Operations; Dr. Ravinder Vir, Division Director/Medical Operations

Motion by Fawn Billie to accept the close-out report; to include the sales comparison; and request the report to be released from executive session by placing it into open session for the October 26, 2016, regular Business Committee meeting, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster
 Not Present: Tina Danforth, Trish King, Lisa Summers

5. Approve limited waiver of sovereign immunity – Fredericks Peebles & Morgan LLP – contract # 2016-1076 (4:10:24) (This item is scheduled to begin at 11:00 a.m.)

Chair: Debra Danforth; Oneida Nation School Board
 Liaison: Fawn Billie, Councilwoman

Motion by Jennifer Webster to approve the limited waiver of sovereign immunity – Fredericks Peebles & Morgan LLP – contract # 2016-1076, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster
 Not Present: Tina Danforth, Trish King, Lisa Summers

6. Review submission regarding complaint # 2016-DR07-01 (4:18:45) (This item is scheduled to begin at 11:30 a.m.)

Sponsor: Lisa Summers, Tribal Secretary

Motion by Tehassi Hill to accept the verbal update; and to request an update be brought back in two (2) weeks, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Jennifer Webster
 Not Present: Tina Danforth, Trish King, Brandon Stevens, Lisa Summers

7. Review proposed Economic Development Structure and determine next steps (4:11:09) (This item is scheduled to begin at 1:30 p.m.)

Sponsor: Troy Parr, Division Director/Development

Motion by Brandon Stevens to accept the proposed concept regarding the Economic Development Structure, seconded by Tehassi Hill. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster
 Not Present: Tina Danforth, Trish King, Lisa Summers

8. Approve limited waiver of sovereign immunity – Wisconsin Division of Transportation – Sealed Bid for Purchase of Excess Highway Property – contract # 2016-1123

(4:12:26) *(This item is scheduled to begin at 2:30 p.m.)*

Sponsor: Patrick Pelky, Division Director/Land Management

Motion by Tehassi Hill to approve the limited waiver of sovereign immunity – Wisconsin Division of Transportation – Sealed Bid for Purchase of Excess Highway Property – contract # 2016-1123, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Trish King, Lisa Summers

9. Review and accept concern # 2016-CC-17 as information

(4:12:49)

Sponsor: Tina Danforth, Tribal Chairwoman

Motion by Brandon Stevens to acknowledge the receipt of information regarding concern # 2016-CC-17, seconded by Jennifer Webster. Motion carried with two abstentions:

Ayes: David Jordan, Brandon Stevens, Jennifer Webster

Abstained: Fawn Billie, Tehassi Hill

Not Present: Tina Danforth, Trish King, Lisa Summers

10. Review concern # 2016-CC-18 and determine next steps

(4:13:28)

Sponsor: Tina Danforth, Tribal Chairwoman

Motion by Jennifer Webster to acknowledge receipt of information regarding concern # 2016-CC-18, seconded by David Jordan. Motion carried with one abstention:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Jennifer Webster

Abstained: Brandon Stevens

Not Present: Tina Danforth, Trish King, Lisa Summers

11. Review item regarding Ancillary Facilities and determine next steps

(4:13:47)

Sponsor: Tina Danforth, Tribal Chairwoman

Motion by David Jordan to direct the Law Office to develop the correspondence; and to submit the correspondence for an E-Poll approval by the Business Committee by Wednesday, October 19, 2016, seconded by Fawn Billie. Motion carried with one unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Trish King, Lisa Summers

12. Discuss Self-Governance Coordinator succession planning and determine next steps

(4:14:55)

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

Motion by Fawn Billie to defer this item to the October 26, 2016, regular Business Committee meeting, seconded by David Jordan. Motion carried with one unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Trish King, Lisa Summers

13. Review update regarding Tribal Ombudsman (4:14:17)

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

Motion by Tehassi Hill to accept the verbal update; and to direct the Business Committee Officers to bring back a location recommendation to the Business Committee within sixty (60) days, seconded by Fawn Billie. Motion carried with one unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Trish King, Lisa Summers

14. Approve request for title change of Medical Director to Comprehensive Health Division Director-Medical (4:16:10)

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

Motion by Jennifer Webster to defer this item to the October 26, 2016, regular Business Committee in order to allow for additional information to be followed up on, seconded by Tehassi Hill. Motion carried with one unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Trish King, Lisa Summers

15. Discuss performance expectations for new Direct Reports (4:16:35)

Sponsor: Trish King, Tribal Treasurer

Motion by David Jordan to approve the request and defer this item to the October 17, 2016, Business Committee work meeting, seconded by Fawn Billie. Motion carried with one unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Trish King, Lisa Summers

16. Review complaint # 2016-DR06-05 and determine next steps (4:16:58)

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

Motion by David Jordan to accept the draft memorandum; and to direct the memorandum be forwarded to the appropriate parties, seconded by Brandon Stevens. Motion carried with one with one abstention:

Ayes: Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Abstained: Fawn Billie

Not Present: Tina Danforth, Trish King, Lisa Summers

17. Approve limited waiver of sovereign immunity – PoliticalCalling.com – contract # 2016-1128 (4:17:47)

Sponsor: Nathan King, Director/Intergovernmental Affairs & Communications

Motion by Jennifer Webster to approve the limited waiver of sovereign immunity – PoliticalCalling.com – contract # 2016-1128, seconded by Tehassi Hill. Motion carried with one with one abstention:

Ayes: Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Abstained: Fawn Billie

Not Present: Tina Danforth, Trish King, Lisa Summers

Motion by Fawn Billie to go into executive session at 2:54 p.m., seconded by Tehassi Hill. Motion carried with one unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Tina Danforth, Trish King, Lisa Summers

Councilman Brandon Stevens departs at 3:40 p.m.

Motion by Tehassi Hill to come out of executive session at 3:42 p.m., seconded by Fawn Billie. Motion carried with one unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Jennifer Webster
Not Present: Tina Danforth, Trish King, Brandon Stevens, Lisa Summers

**18. Review two (2) requests regarding release of confidential employee information
(4:20:28)**

Sponsor: Tehassi Hill, Councilman

Motion by Tehassi Hill to request the Finance Department to identify cost and funds to potentially provide identity theft insurance to the thirty-eight (38) employees; and to direct that report to come back in two (2) weeks, seconded by Jennifer Webster. Motion carried with one unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Jennifer Webster
Not Present: Tina Danforth, Trish King, Brandon Stevens, Lisa Summers

XV. ADJOURN

Motion by David Jordan to adjourn at 3:45 p.m., seconded by Fawn Billie. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Jennifer Webster
Not Present: Tina Danforth, Trish King, Brandon Stevens, Lisa Summers

Minutes prepared by Heather Heuer, Information Management Specialist
Minutes approved as presented/corrected on October 26, 2016.

Lisa Summers, Secretary
ONEIDA BUSINESS COMMITTEE

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 11 / 23 / 16

2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

Approve November 9, 2016, regular meeting minutes

3. Supporting Materials

Report Resolution Contract

Other:

1. <input type="text" value="November 9, 2016, regular meeting minutes"/>	3. <input type="text"/>
2. <input type="text"/>	4. <input type="text"/>

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter: Submitted by: Heather Heuer, Info. Mgmt. Spec./BC Support Office
Your Name, Title / Dept. or Tribal Member

Additional Requestor: _____
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.

DRAFT**Oneida Business Committee****Executive Session****9:00 a.m. Tuesday, November 8, 2016****Executive Conference Room, 2nd floor, Norbert Hill Center****Regular Meeting****9:00 a.m. Wednesday, November 9, 2016****BC Conference Room, 2nd floor, Norbert Hill Center****Minutes – DRAFT****EXECUTIVE SESSION****Present:** Vice-Chairwoman Melinda J. Danforth, Secretary Lisa Summers, Council members: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster;**Not Present:** Treasurer Trish King;**Arrived at:** Chairwoman Tina Danforth at 9:05 a.m.;**Others present:** Jim Bittorf, Bill Vervoort, Joanie Buckley, Nathan King, Racquel Hill, Troy Parr, Patrick Pelky, Debra Danforth, Dale Wheelock, Larry Barton, Henrietta Cornelius;**REGULAR MEETING****Present:** Chairwoman Tina Danforth, Vice-Chairwoman Melinda J. Danforth, Secretary Lisa Summers, Council members: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster;**Not Present:** Treasurer Trish King;**Arrived at:** ;**Others present:** Jo Anne House, Brad Graham, Bill Graham, Heather Heuer, Nancy Barton, Michele Danforth, Geraldine Danforth, Jen Falck, Phil Wisneski, Owen Summers, Leyne Orosco, Jessica Wallenfang, Chris Johnson, Cathy Metoxen, Wes Martin Jr., Rosa Francour, Tracy Williams, Madelyn Genskow, Mike A. Powless, Dianne McLester Heim, Rhiannon Metoxen, Debra Danforth, Jacque Boyle, Larry Barton, Dale Wheelock, Gina Buenrosto, Troy Parr, Jamie Willis, Dave Cluckey, Bec Kurznске, Marianne Close, Matt Denny, Carrie Ninham, Josh Cottrell, Jeff Metoxen, Liz Somers, Joanie Buckley, Dawn Walschinski, Bill Vervoort, Tanya Arce, Jean Metoxen, Tina Moore, Debra Cornelius, Orville Cornelius Jr., Lucy Neville, Laura Laitinen-Warren, Graves Todd, Trudell Kohlwey, Virginia Peltier, David Emerson, Gail Grissman, Jay Rasmussen, Michelle Schneider, Jackie Smith, Travis Cottrell, Louise Cornelius, Barb Erickson, Arlie Doxtator, Rena Metoxen;**I. CALL TO ORDER AND ROLL CALL** by Chairwoman Tina Danforth at 9:05 a.m.

For the record: Treasurer Trish King is out of the office on personal time.

II. OPENING by Tribal Member Leander Danforth**A. Presentation of grant award to Pulaski School District for Oneida Language program**

Sponsor: Jennifer Webster, Councilwoman

DRAFT**B. Special Recognition for Years of Service**

Sponsor: Geraldine Danforth, Area Manager/Human Resources Department

Special Recognition by Tanya Arce of Jean Metoxen (35 years); Special Recognition by Tina Moore of Debra Cornelius (25 years); Special Recognition by Councilman Tehassi Hill of Orville Cornelius Jr. (25 years); Special Recognition by Lucy Neville of Laura Laitinen-Warren (25 years); Special Recognition by Graves Todd of Trudell Kohlwey (25 years); Special Recognition by Graves Todd of Virginia Peltier (25 years); and Special Recognition by David Emerson of Gail Grissman (25 years). Recognition by Geraldine Danforth of the following individuals who were not present: Reynold T. Danforth for 25 years of service, Michael Metoxen for 25 years of service, and Frances Nunies for 25 years of service.

III. ADOPT THE AGENDA (00:27:36)

Motion by Fawn Billie to adopt the agenda with the following change: [Add-on New Business item 09.F. Approve procedural exception to the Disposition of Excess Tribal Property policy to allow Oneida Lab to sell Hematology Analyzer to outside vendor; and delete item 13.F.14. Accept concern # 2016-CC-19 as information], seconded by Brandon Stevens. Motion carried with two abstentions:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Jennifer Webster
 Abstained: Tehassi Hill, Lisa Summers
 Not Present: Melinda J. Danforth, Trish King

Amendment to main motion by Brandon Stevens to move General Tribal Council item 12.B. Accept status update on the Emergency Food Pantry Implementation to the top of the agenda, seconded by David Jordan. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster
 Not Present: Melinda J. Danforth, Trish King

IV. MINUTES (2:14:40)**A. Approve October 26, 2016, regular meeting minutes**

Sponsor: Lisa Summers, Tribal Secretary

Motion by David Jordan to approve the October 26, 2016, regular meeting minutes, seconded by Fawn Billie. Motion carried with one abstention:

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster
 Abstained: Tehassi Hill
 Not Present: Melinda J. Danforth, Trish King

V. RESOLUTIONS**A. Adopt resolution entitled Opposition to Back 40 Mine Project in Michigan (2:17:15)**

Sponsor: Nathan King, Director/Intergovernmental Affairs & Communications

Motion by Lisa Summers to adopt resolution # 11-09-16-A Opposition to Back 40 Mine Project in Michigan, seconded by David Jordan. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster
 Not Present: Melinda J. Danforth, Trish King

DRAFT

Councilwoman Jennifer Webster departs at 11:24 a.m.

Councilwoman Jennifer Webster returns at 11:27 a.m.

Councilman Brandon Stevens departs at 11:34 a.m.

Councilman Brandon Stevens returns at 11:38 a.m.

B. Adopt resolution entitled Adoption of Definition and Guidance Regarding “Day-to-Day”

Sponsor: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to adopt resolution # 11-09-16-B Adoption of Definition and Guidance Regarding “Day-to-Day”, seconded by Tehassi Hill. Motion not voted on, item tabled. **(2:18:18)**

Motion by Lisa Summers to table this item until right after lunch so that we can make the proper changes that we’ve identified for the formatting and to see if we can include the other piece that has been identified from a history perspective, seconded by Tehassi Hill. Motion carried unanimously: **(2:43:26)**

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Melinda J. Danforth, Trish King

Motion by Brandon Stevens to take the item from the table, seconded by Jennifer Webster. Motion carried unanimously: **(2:55:30)**

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Melinda J. Danforth, Tehassi Hill, Trish King

Motion by Brandon Stevens adopt resolution # 11-09-16-B Adoption of Definition and Guidance Regarding “Day-to-Day”, noting there are changes from this morning it’s just formatting and adding additional hyphens, seconded by Jennifer Webster. Motion carried unanimously: **(3:00:00)**

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Melinda J. Danforth, Tehassi Hill, Trish King

VI. STANDING COMMITTEES**A. Legislative Operating Committee**

Chair: Brandon Stevens, Councilman

1. Accept October 20, 2016, Legislative Operating Committee meeting minutes (2:44:13)

Motion by Brandon Stevens to accept the October 20, 2016, Legislative Operating Committee meeting minutes seconded by Tehassi Hill. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Melinda J. Danforth, Trish King

B. Finance Committee

Chair: Trish King, Tribal Treasurer

1. Approve October 31, 2016, Finance Committee meeting minutes (2:44:50)

Motion by Jennifer Webster to approve the October 31, 2016, Finance Committee meeting minutes, seconded by David Jordan. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Melinda J. Danforth, Trish King

DRAFT**VII. APPOINTMENTS****A. Approve recommendation to appoint Vicki Cornelius, Floyd Silas Jr., and Yasiman Metoxen to the Oneida Pow Wow Committee (2:45:23)**

Sponsor: Tina Danforth, Tribal Chairwoman

Motion by Lisa Summers to approve the recommendation to appoint Vicki Cornelius, Floyd Silas Jr., and Yasiman Metoxen to the Oneida Pow Wow Committee, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster
 Not Present: Melinda J. Danforth, Trish King

VIII. UNFINISHED BUSINESS**A. Approve recommendations regarding vacancies on the Oneida Personnel Commission (2:46:02)**

Sponsor: Tina Danforth, Tribal Chairwoman

EXCERPT FROM OCTOBER 26, 2016: Motion by Lisa Summers to accept the request to defer the update regarding vacancies on the Oneida Personnel Commission to the November 9, 2016, regular Business Committee meeting, seconded by Fawn Billie. Motion carried unanimously.

EXCERPT FROM OCTOBER 12, 2016: Motion by Jennifer Webster to defer this item to the October 26, 2016, regular Business Committee meeting, seconded by Brandon Stevens. Motion carried unanimously.

EXCERPT FROM SEPTEMBER 14, 2016: Motion by Lisa Summers to defer this item back to Chair's Office regarding the (2) two Oneida Personnel Commission vacancies not filled through posting #3 which had the deadline of June 20, 2016, and the one (1) vacancy not filled through posting #4 which had the deadline of July 15, 2016; and to request clarifications be brought back to the October 12, 2016, regular Business Committee, seconded by Tehassi Hill. Motion carried with two abstentions.

EXCERPT FROM AUGUST 24, 2016: (1) Motion by David Jordan to approve the recommendation to appoint Leland Wigg-Ninham, Eric Krawczyk, and Jennifer L. Hill to Oneida Personnel Commission, seconded by Melinda J. Danforth. Motion carried with one abstention. (2) Amendment to the main motion by Lisa Summers to direct the Tribal Secretary to bring back a chronology of events for these particular vacancies for information to the Business Committee, seconded by Jennifer Webster. Motion carried unanimously.

Motion by Lisa Summers to accept the identified recommendations dated November 1, 2016, to post two (2) vacancies; and to accept the recommendation to appoint Richard Hill-Elm to the Oneida Personnel Commission for the second posting, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster
 Not Present: Melinda J. Danforth, Trish King

B. Enter E-Poll results into the record in accordance with BC SOP Conducting Electronic Voting

Sponsor: Lisa Summers, Tribal Secretary

1. Approved letter of support for the Menominee Nation opposing the Back Forty Mine (2:53:37)

Requestor: Nathan King, Director/Intergovernmental Affairs & Communications

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EXCERPT FROM OCTOBER 26, 2016: Motion by Jennifer Webster to defer this item for two (2) weeks with the understanding that Intergovernmental Affairs & Communications will submit an E-Poll request with the letter of support for the Menominee Nation opposing the Back Forty Mine to Michigan Department of Environmental Quality, seconded by Fawn Billie. Motion carried unanimously.

EXCERPT FROM OCTOBER 12, 2016: Motion by Tehassi Hill to forward this item to the Intergovernmental Affairs & Communications Department to do further research; and for that area to bring back a report and proposed correspondence for the Business Committee to consider and support, to be conducted before the October 26, 2016, regular Business Committee meeting so that any action that may be taken can be accepted at the October 26, 2016, regular Business Committee meeting, seconded by Jennifer Webster. Motion carried unanimously.

Motion by Brandon Stevens to enter the E-Poll results into the record for approved letter of support for the Menominee Nation opposing the Back Forty Mine, seconded by Fawn Billie. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Melinda J. Danforth, Trish King

IX. NEW BUSINESS**A. Review request from Tribal Member for assistance and donations to Standing Rock Sioux Tribe, Sacred Stone camp, and Oceti Sakowin Camps in their fight against Dakota Access Pipeline**

Sponsor: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously: **(5:50:45)**

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Lisa Summers, Jennifer Webster

Not Present: Melinda J. Danforth, Brandon Stevens, Trish King

B. Approve draft letter to President Barack Obama regarding Dakota Access Pipeline

Sponsor: Brandon Stevens, Councilman

Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously: **(5:50:45)**

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Lisa Summers, Jennifer Webster

Not Present: Melinda J. Danforth, Brandon Stevens, Trish King

C. Review, discuss, and make any recommendations regarding letter from Ray Halbritter

Sponsor: Tina Danforth, Tribal Chairwoman

Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously: **(5:50:45)**

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Lisa Summers, Jennifer Webster

Not Present: Melinda J. Danforth, Brandon Stevens, Trish King

DRAFT**D. Approve request to repost one (1) vacancy on the Southeastern Oneida Tribal Services Advisory Board, as there were no applications received**

Sponsor: Tina Danforth, Tribal Chairwoman

Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously: **(5:50:45)**

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Lisa Summers, Jennifer Webster
Not Present: Melinda J. Danforth, Brandon Stevens, Trish King

E. Approve request to post one (1) vacancy on the Southeastern Oneida Tribal Services Advisory Board, due to resignation

Sponsor: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously: **(5:50:45)**

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Lisa Summers, Jennifer Webster
Not Present: Melinda J. Danforth, Brandon Stevens, Trish King

F. Approve procedural exception to the Disposition of Excess Tribal Property policy to allow Oneida Lab to sell Hematology Analyzer to outside vendor

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously: **(5:50:45)**

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Lisa Summers, Jennifer Webster
Not Present: Melinda J. Danforth, Brandon Stevens, Trish King

X. TRAVEL**A. TRAVEL REQUESTS****1. Approve 100% grant funded travel request – Councilwoman Jennifer Webster – 2016 Head Start Program Performance Standards – Chandler, AZ – December 12-16, 2016**

Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously: **(5:50:45)**

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Lisa Summers, Jennifer Webster
Not Present: Melinda J. Danforth, Brandon Stevens, Trish King

Motion by David Jordan to recess at 12:00 p.m. until 1:30 p.m., seconded by Jennifer Webster. Motion carried unanimously: **(2:54:13)**

Ayes: Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster
Not Present: Melinda J. Danforth, Tehassi Hill, Trish King

Meeting called to order by Chairwoman Tina Danforth at 1:35 p.m.

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Vice-Chairwoman Melinda J. Danforth, Treasurer Trish King, and Councilman Tehassi Hill not present.

XI. REPORTS *(This section of the agenda is scheduled to begin at 1:30 p.m.)***A. OPERATIONAL REPORTS**

Councilman Tehassi Hill arrives at 2:27 p.m.

1. Accept Tribal Ombudsman FY '16 4th quarter report (3:22:10)
(1:30 p.m.-1:50 p.m.)

Sponsor: Dianne McLester Heim, Tribal Ombudsman

Motion by David Jordan to accept the Tribal Ombudsman FY '16 4th quarter report, seconded by Lisa Summers. Motion carried with one abstention:

Ayes:	Fawn Billie, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster
Abstained:	Tehassi Hill
Not Present:	Melinda J. Danforth, Trish King

Secretary Lisa Summers departs at 2:47 p.m.

Secretary Lisa Summers returns at 3:03 p.m.

Councilman David Jordan departs at 3:18 p.m.

2. Accept Human Resources Department FY '16 4th quarter report (3:49:19)
(1:50 p.m.-2:10 p.m.)

Sponsor: Geraldine Danforth, Area Manager/Human Resources Department

Motion by Tehassi Hill to accept the Human Resources Department FY '16 4th quarter report, seconded by Jennifer Webster. Motion carried unanimously:

Ayes:	Fawn Billie, Tehassi Hill, Brandon Stevens, Lisa Summers, Jennifer Webster
Not Present:	Melinda J. Danforth, David Jordan, Trish King

Councilman Brandon Stevens departs at 3:30 p.m.

Councilman David Jordan returns at 3:38 p.m.

3. Accept Internal Services Division FY '16 4th quarter report (4:44:18)
(2:10 p.m.-2:30 p.m.)

Sponsor: Joanie Buckley, Division Director/Internal Services

Motion by Tehassi Hill to accept the Internal Services Division FY '16 4th quarter report, seconded by Fawn Billie. Motion carried unanimously:

Ayes:	Fawn Billie, Tehassi Hill, David Jordan, Lisa Summers, Jennifer Webster
Not Present:	Melinda J. Danforth, Brandon Stevens, Trish King

Motion by Lisa Summers to recess until November 10, 2016, at 8:00 a.m. Motion withdrawn. **(5:46:15)**

4. Accept Governmental Services Division FY '16 4th quarter report (5:31:46)
(2:30 p.m.-2:50 p.m.)

Sponsor: Liz Somers, Division Director/Governmental Services

Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by

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the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously: **(5:50:45)**

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Lisa Summers, Jennifer Webster
Not Present: Melinda J. Danforth, Brandon Stevens, Trish King

B. BOARDS, COMMITTEES, AND COMMISSIONS**1. Accept Oneida Election Board FY '16 4th quarter report****(2:50 p.m.-3:05 p.m.)**

Chair: Racquel Hill
Liaison: Melinda J. Danforth, Tribal Vice-Chairwoman

Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously: **(5:50:45)**

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Lisa Summers, Jennifer Webster
Not Present: Melinda J. Danforth, Brandon Stevens, Trish King

2. Accept Oneida Nation Commission on Aging FY '16 4th quarter report**(3:05 p.m.-3:20 p.m.)**

Chair: Patricia Lassila
Liaison: Melinda J. Danforth, Tribal Vice-Chairwoman

Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously: **(5:50:45)**

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Lisa Summers, Jennifer Webster
Not Present: Melinda J. Danforth, Brandon Stevens, Trish King

3. Accept Oneida Gaming Commission FY '16 4th quarter report**(3:20 p.m.-3:35 p.m.)**

Chair: Mark A. Powless
Liaison: Brandon Stevens, Councilman

Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously: **(5:50:45)**

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Lisa Summers, Jennifer Webster
Not Present: Melinda J. Danforth, Brandon Stevens, Trish King

DRAFT**XII. GENERAL TRIBAL COUNCIL** *(To obtain a copy of Members Only Materials, please visit the BC Support Office, located on the 2nd floor of the Norbert Hill Center and present Tribal I.D. card)***A. Petitioners Madelyn Genskow and Yvonne Metivier: Incentive stipends for Oneida Nation elections starting 2017****1. Accept legal analysis**

Sponsor: Jo Anne House, Chief Counsel

Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously: **(5:50:45)**

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Lisa Summers, Jennifer Webster
Not Present: Melinda J. Danforth, Brandon Stevens, Trish King

2. Accept financial analysis

Sponsor: Larry Barton, Chief Financial Officer

Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously: **(5:50:45)**

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Lisa Summers, Jennifer Webster
Not Present: Melinda J. Danforth, Brandon Stevens, Trish King

EXCERPT FROM OCTOBER 26, 2016: (1) Motion by Brandon Stevens to accept the updated legislative analysis, seconded by Lisa Summers. Motion carried unanimously. (2) Motion by Jennifer Webster to accept the progress report regarding the legal analysis, seconded by Lisa Summers. Motion carried unanimously. (3) Motion by Lisa Summers to accept the progress report regarding the financial analysis, seconded by Jennifer Webster. Motion carried unanimously.

EXCERPT FROM AUGUST 24, 2016: (1) Motion by Lisa Summers to accept the verified petition submitted by Madelyn Genskow and Yvonne Metivier regarding incentive stipends for Oneida Nation elections starting 2017, seconded by Jennifer Webster. Motion carried unanimously. (2) Motion by Lisa Summers to send the verified petition to the Law, Finance, and Legislative Reference, and Direct Report Offices for the legal, financial, legislative, and administrative analyses to be completed, seconded by Fawn Billie. Motion carried unanimously. (3) Motion by Lisa Summers to direct the Law, Finance, and Legislative Reference Offices to submit their analyses to the Tribal Secretary's Office within sixty (60) days; and that a progress report be submitted in forty-five (45) days, seconded by Jennifer Webster. Motion carried unanimously. (4) Motion by Lisa Summers to direct the Direct Report Offices to submit appropriate administrative analyses regarding the petition to be submitted to the Tribal Secretary's Office within thirty (30) days, seconded by Jennifer Webster. Motion carried unanimously.

Councilman Tehassi Hill departs at 10:02 a.m.

Councilman Tehassi Hill returns at 10:03 a.m.

Secretary Lisa Summers departs at 10:54 a.m.

Secretary Lisa Summers returns at 10:57 a.m.

DRAFT**B. Accept status update on the Emergency Food Pantry Implementation (00:47:55)**

Sponsor: Lisa Summers, Tribal Secretary

EXCERPT FROM OCTOBER 26, 2016: Motion by Lisa Summers to accept the Tribal Member's request; and to direct a written update be provided at the November 9, 2016, regular Business Committee meeting, seconded by Fawn Billie. Motion carried unanimously.

Motion by Tehassi Hill to accept the update on the Emergency Food Pantry Implementation, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Melinda J. Danforth, Trish King

Motion by Brandon Stevens to approve the definition of "Food Emergency"; to determine that the residency should be open; and that income eligibility validation should on a case-by-base basis, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Melinda J. Danforth, Trish King

Motion by David Jordan to add Petitioner Nancy Barton to the team on a voluntary basis, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Melinda J. Danforth, Trish King

For the record:

Secretary Lisa Summers stated one of things also that we have a challenge with is that we are not provided contact information. We are to contact her through Enrollments. That's her requested contact relay and so even if we were to schedule a meeting tomorrow I have no way of notifying her except through Enrollments. By the time I would get something through Enrollments to notice to get it to her it would already go by and I don't want to be boxed if okay I don't want to be in a situation where I am being accused of not following up with the motion at this point. I'll just put it out there so I'm just going to oppose. I want those comments added for the record because I just don't feel like we are going to be in a situation where we are going to be successful because history tells us that those things can occur and we have a lot things to get done in the next week.

For the record:

Secretary Lisa Summers stated that the Business Committee did clarify that the intent is to keep the petitioner updated on the progress of the team and to not hold up progress.

For the record:

Chairwoman Tina Danforth stated that the motion says that she be a part of the team as a volunteer and that was the intent.

C. Approve the 2017 Annual General Tribal Council meeting agenda, noting the remaining back up materials must be submitted by Noon on Friday, November 18, 2016

Sponsor: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously: **(5:50:45)**

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Lisa Summers, Jennifer Webster

Not Present: Melinda J. Danforth, Brandon Stevens, Trish King

DRAFT**D. Forward resolution entitled Designation of the Oneida Judiciary as the Judiciary Authorized Pursuant to Article V – Judiciary of the Oneida Nation Constitution, to the General Tribal Council for consideration**

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously: **(5:50:45)**

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Lisa Summers, Jennifer Webster
Not Present: Melinda J. Danforth, Brandon Stevens, Trish King

E. Accept petition submitted by Frank Vandehei regarding support for Oceti Sakowin Camp and the Standing Rock Sioux Tribe in their battle against the Dakota Access Pipeline, as information only, as it does not meet the number of required signatures in accordance with the Oneida Nation Constitution and By-laws to call a special GTC meeting; and direct the Tribal Secretary to notify the petitioner of the action taken

Sponsor: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously: **(5:50:45)**

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Lisa Summers, Jennifer Webster
Not Present: Melinda J. Danforth, Brandon Stevens, Trish King

XIII. EXECUTIVE SESSION**A. UNFINISHED REPORTS****1. Accept Intergovernmental Affairs & Communications report – Nathan King, Director**

EXCERPT FROM OCTOBER 26, 2016: Motion by Jennifer Webster to defer the Intergovernmental Affairs & Communications report to the November 9, 2016, seconded by Lisa Summers. Motion carried unanimously.

Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously: **(5:50:45)**

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Lisa Summers, Jennifer Webster
Not Present: Melinda J. Danforth, Brandon Stevens, Trish King

B. REPORTS**1. Accept Chief Counsel report – Jo Anne House, Chief Counsel**

Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously: **(5:50:45)**

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Lisa Summers, Jennifer Webster
Not Present: Melinda J. Danforth, Brandon Stevens, Trish King

DRAFT**C. STANDING ITEMS****1. Land Claims Strategy *(No Requested Action)*****D. AUDIT COMMITTEE**

Chair: Tehassi Hill, Councilman

1. Approve Table Games audit and lift confidentiality requirement to allow Tribal Members to view the audit

Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously: **(5:50:45)**

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Lisa Summers, Jennifer Webster
Not Present: Melinda J. Danforth, Brandon Stevens, Trish King

E. UNFINISHED BUSINESS**1. Accept close-out report and recommendations regarding complaint # 2016-DR07-01**

Sponsor: Lisa Summers, Tribal Secretary

EXCERPT FROM OCTOBER 26, 2016: Motion by Lisa Summers to accept the update; and to acknowledge that a close-out report with the final recommendations will be made for the November 9, 2016, regular Business Committee meeting agenda, seconded by Jennifer Webster. Motion carried unanimously.

EXCERPT FROM OCTOBER 12, 2016: Motion by Tehassi Hill to accept the verbal update; and to request an update be brought back in two (2) weeks, seconded by Jennifer Webster. Motion carried unanimously.

Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously: **(5:50:45)**

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Lisa Summers, Jennifer Webster
Not Present: Melinda J. Danforth, Brandon Stevens, Trish King

F. NEW BUSINESS**1. Approve limited waiver of sovereign immunity Ignite Payments, LLC. – contract # 2016-0979 *(This item is scheduled at 9:00 a.m.)***

Sponsor: Joanie Buckley, Division Director/Internal Services

Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously: **(5:50:45)**

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Lisa Summers, Jennifer Webster
Not Present: Melinda J. Danforth, Brandon Stevens, Trish King

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- 2. Accept Final Monitoring Report regarding on-site performance review of Indian Housing Block Grant and Indian Community Development Block grant programs; and defer concern # 2016IHBG-1, concern # 2016-IHBG-2, finding # 2016-IHBG-3, and finding # 2016IHBG-4, to the appropriate parties for follow-up**
(This item is scheduled at 1:30 p.m.)

Sponsor: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously: **(5:50:45)**

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Lisa Summers, Jennifer Webster
 Not Present: Melinda J. Danforth, Brandon Stevens, Trish King

- 3. Review request regarding Right-of-Way and Signage Issue**

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously: **(5:50:45)**

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Lisa Summers, Jennifer Webster
 Not Present: Melinda J. Danforth, Brandon Stevens, Trish King

- 4. Review, discuss and make any recommendations regarding amendment agreement – contract # 2014-1164**

Sponsor: Tina Danforth, Tribal Chairwoman

Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously: **(5:50:45)**

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Lisa Summers, Jennifer Webster
 Not Present: Melinda J. Danforth, Brandon Stevens, Trish King

- 5. Review, discuss and make any recommendations regarding amendment agreement – contract # 2012-1280**

Sponsor: Tina Danforth, Tribal Chairwoman

Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously: **(5:50:45)**

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Lisa Summers, Jennifer Webster
 Not Present: Melinda J. Danforth, Brandon Stevens, Trish King

- 6. Review, discuss and make any recommendations regarding amendment agreement – contract # 2012-1281**

Sponsor: Tina Danforth, Tribal Chairwoman

Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously: **(5:50:45)**

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Lisa Summers, Jennifer Webster

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Not Present: Melinda J. Danforth, Brandon Stevens, Trish King

7. Approve appointment termination of Oneida Library Board member

Sponsor: Fawn Billie, Councilwoman; Liaison/Oneida Library Board

Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously: **(5:50:45)**

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Lisa Summers, Jennifer Webster
Not Present: Melinda J. Danforth, Brandon Stevens, Trish King

8. Approve Fletcher Law, PLCC. – contract # 2016-1209

Sponsor: Larry Barton, Chief Financial Officer

Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously: **(5:50:45)**

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Lisa Summers, Jennifer Webster
Not Present: Melinda J. Danforth, Brandon Stevens, Trish King

9. Review, discuss, and make any recommendations regarding directive from October 30, 2016, General Tribal Council meeting regarding reappointments of Oneida Total Integrated Enterprise Board

Sponsor: Tina Danforth, Tribal Chairwoman

Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously: **(5:50:45)**

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Lisa Summers, Jennifer Webster
Not Present: Melinda J. Danforth, Brandon Stevens, Trish King

10. Accept update regarding attendance of direct reports at mandatory active shooter training as information

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously: **(5:50:45)**

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Lisa Summers, Jennifer Webster
Not Present: Melinda J. Danforth, Brandon Stevens, Trish King

11. Review and determine next steps regarding request from Attorney Sam Wayne

Sponsor: Tina Danforth, Tribal Chairwoman

Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously: **(5:50:45)**

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Lisa Summers, Jennifer Webster
Not Present: Melinda J. Danforth, Brandon Stevens, Trish King

DRAFT**12. Enter E-Poll results into the record in accordance with BC SOP Conducting Electronic Voting**

Sponsor: Lisa Summers, Tribal Secretary

a. Approved draft correspondence regarding Ancillary Facilities for Tribal Chair's signature

Requestor: Jo Anne House, Chief Counsel

Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously: **(5:50:45)**

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Lisa Summers, Jennifer Webster
Not Present: Melinda J. Danforth, Brandon Stevens, Trish King

13. Review request to reconsider denial of Oneida Personnel Commission – Attorney Retainer Agreement – contract # 2016-1084

Sponsor: David Jordan, Councilman; Liaison Alternate/Oneida Personnel Commission

Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously: **(5:50:45)**

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Lisa Summers, Jennifer Webster
Not Present: Melinda J. Danforth, Brandon Stevens, Trish King

~~14. Accept concern # 2016-CC-19 as information~~~~Sponsor: Tina Danforth, Tribal Chairwoman~~*Item deleted at the adoption of the agenda.***15. Review complaint # 2016-DR06-06**

Sponsor: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously: **(5:50:45)**

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Lisa Summers, Jennifer Webster
Not Present: Melinda J. Danforth, Brandon Stevens, Trish King

16. Review complaint # 2016-DR06-07

Sponsor: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously: **(5:50:45)**

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Lisa Summers, Jennifer Webster
Not Present: Melinda J. Danforth, Brandon Stevens, Trish King

DRAFT**17. Review complaint # 2016-DR11-01**

Sponsor: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously: **(5:50:45)**

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Lisa Summers, Jennifer Webster
Not Present: Melinda J. Danforth, Brandon Stevens, Trish King

18. Review complaint # 2016-DR14-01

Sponsor: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously: **(5:50:45)**

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Lisa Summers, Jennifer Webster
Not Present: Melinda J. Danforth, Brandon Stevens, Trish King

XIV. ADJOURN

Motion by Lisa Summers to adjourn at 4:33 p.m., seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Lisa Summers, Jennifer Webster
Not Present: Melinda J. Danforth, Brandon Stevens, Trish King

Minutes prepared by Heather Heuer, Information Management Specialist
Minutes approved as presented/corrected on _____.

Lisa Summers, Secretary
ONEIDA BUSINESS COMMITTEE

RECEIVED

NOV 7

INTERNAL SERVICES
EMERGENCY DIVISION

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 11 / 23 / 16

2. General Information:

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

[Empty text box]

Agenda Header: Resolutions

Accept as Information only

Action - please describe:

Approval of a resolution to support and submit a grant application to the State of Wisconsin/Department of Justice for a 2017 County Tribal Law Enforcement.

3. Supporting Materials

Report Resolution Contract

Other:

1. [Empty text box]

3. [Empty text box]

2. [Empty text box]

4. [Empty text box]

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Joanie Buckley, Division Director/Internal Services

Joanie Buckley 11/09/16

Primary Requestor/Submitter:

Cheryl Stevens, Director - Grants Office
Your Name, Title / Dept. or Tribal Member

Cheryl Stevens

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 State of Wisconsin/Department of Justice requires an approved, signed resolution as part of the grant application guidelines.

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

Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

**BC Resolution # Leave this line blank
CY 2017 County Tribal Law Enforcement – Outagamie County**

- WHEREAS,** the Oneida Nation is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section 1, of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** The Oneida Nation has determined that the overall goal of the Oneida Nation is to protect, maintain and improve the standard of living and the environment in which the Oneida people live; and
- WHEREAS,** The Oneida Nation established the Oneida Police Department whose mission is to....*serve the community, within the Oneida Reservation boundaries, by helping build a stronger, safer community through police protection and services while instilling a sense of unity and treating all with respect, dignity and compassion;* and
- WHEREAS,** the Oneida Nation encourages the collaborative effort between the Oneida Police Department and other local law enforcement agencies, such as the Outagamie County Sheriff's Department to continue to provide joint community policing efforts for our community and members; and

NOW THEREFORE BE IT RESOLVED, that the Oneida Nation authorizes and supports the submission of a grant application to the State of Wisconsin/Department of Justice for the CY 2017 County Tribal Law Enforcement grant in the amount of \$16,037.00.

GRANT SYNOPSIS

GRANT: CY 2017 County Tribal Law Enforcement – Outagamie County
State of Wisconsin/Department of Justice

PROGRAM: Oneida Police Department

PROGRAM DIRECTOR: Rich Van Boxtel, Chief of Police

GRANT AMOUNT: \$16,037.00

MATCH: None

SUMMARY: Funding will be used to provide our officers with the tools, supplies and program funding to meet those goals.

RECEIVED

NOV 7

INTERNAL SERVICES
EMPLOYMENT DIVISION

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 11 / 23 / 16

2. General Information:

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

[Empty text box]

Agenda Header: Resolutions

Accept as Information only

Action - please describe:

Approval of a resolution to support and submit a grant application to the State of Wisconsin/Department of Justice for a 2017 County Tribal Law Enforcement.

3. Supporting Materials

Report Resolution Contract

Other:

1. [Empty text box]

3. [Empty text box]

2. [Empty text box]

4. [Empty text box]

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Joanie Buckley, Division Director/Internal Services *Joanie Buckley* 11/08/16

Primary Requestor/Submitter: Cheryl Stevens, Director - Grants Office *Cheryl Stevens*
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 State of Wisconsin/Department of Justice requires an approved, signed resolution as part of the grant application guidelines.

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

Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Resolution # Leave this line blank CY 2017 County Tribal Law Enforcement – Brown County

- WHEREAS,** the Oneida Nation is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section 1, of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** The Oneida Nation has determined that the overall goal of the Oneida Nation is to protect, maintain and improve the standard of living and the environment in which the Oneida people live; and
- WHEREAS,** The Oneida Nation established the Oneida Police Department whose mission is to....*serve the community, within the Oneida Reservation boundaries, by helping build a stronger, safer community through police protection and services while instilling a sense of unity and treating all with respect, dignity and compassion;* and
- WHEREAS,** the Oneida Nation encourages the collaborative effort between the Oneida Police Department and other local law enforcement agencies, such as the Brown County Sheriff's Department to continue to provide joint community policing efforts for our community and members; and

NOW THEREFORE BE IT RESOLVED, that the Oneida Nation authorizes and supports the submission of a grant application to the State of Wisconsin/Department of Justice for the CY 2017 County Tribal Law Enforcement grant in the amount of \$18,222.00.

GRANT SYNOPSIS

GRANT: CY 2017 County Tribal Law Enforcement – Brown County
State of Wisconsin/Department of Justice

PROGRAM: Oneida Police Department

PROGRAM DIRECTOR: Rich Van Boxtel, Chief of Police

GRANT AMOUNT: \$18,222.00

MATCH: None

SUMMARY: Funding will be used to provide our officers with the tools, supplies and program funding to meet those goals.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 11 / 23 / 16

2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

Adopt resolution entitled Oneida Business Committee Regular Meeting Schedule

3. Supporting Materials

Report Resolution Contract

Other:

1. <input type="text" value="Statement of Effect"/>	3. <input type="text"/>
2. <input type="text"/>	4. <input type="text"/>

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter: _____
Your Name, Title / Dept. or Tribal Member

Additional Requestor: _____
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

*****BACKGROUND*****

During the October 12, 2016, regular BC meeting, the BC approved the 2017 OBC Standing Meeting Schedule with a revised start time for open and executives sessions to begin at 8:30 a.m. instead of 9:00 a.m.

Attached is a resolution that establishes this new start time and would supersede all prior motion, practices, or resolutions, in particular BC Resolutions 12-10-08-A and 06-23-10-E, regarding the subject of regular meetings of the Oneida Business Committee.

*****REQUESTED ACTION*****

Adopt resolution entitled Oneida Business Committee Regular Meeting Schedule.

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

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

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

Oneida Nation

Post Office Box 365

Phone: (920)869-2214

Oneida, WI 54155



BC Resolution # _____

Oneida Business Committee Regular Meeting Schedule

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- 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,** with the passage of BC Resolution 7-7-87-A, the Business Committee established a regular meeting schedule to meet of each Tuesday, at 1:30 p.m., and each Friday, at 9:00 a.m.; and
- WHEREAS,** with the passage of BC Resolution 3-25-88-B, the Business Committee modified the regular meeting schedule to meet each Friday, at 9:00 a.m., and held informational meetings the first Monday each month, at 7:00 p.m.; and
- WHEREAS,** with the passage of BC Resolution 4-26-91-A, the Business Committee modified the regular meeting schedule to meet each week on Wednesday, at 9:00 a.m.; and
- WHEREAS,** with the passage of BC Resolution 2-11-04-A, the Business Committee modified the regular meeting schedule to meet every other week on Wednesday, at 9:00 a.m.; and
- WHEREAS,** with the passage of BC Resolution 12-10-08-A, the Business Committee modified the regular meeting schedule to meet every second and fourth Wednesday each month, at 9:00 a.m.; and
- WHEREAS,** with the passage of BC Resolution 06-23-10-E, the Business Committee modified the regular meeting schedule to include executive discussion meetings every second and fourth Tuesday of the month, at 9:00 a.m.; and
- WHEREAS,** the Business Committee has determined that a change in the regular meeting schedule would better serve the membership of the Oneida Nation and the Business Committee.

NOW THEREFORE BE IT FURTHER RESOLVED, that executive discussion meetings shall be held every second and fourth Tuesday each month, at 8:30 a.m. starting on January 10, 2017;

BE IT FURTHER RESOLVED, that regular meetings of the Oneida Business Committee shall be held every second and fourth Wednesday each month, at 8:30 a.m., starting on January 11, 2017;

46 **BE IT FINALLY RESOLVED**, that this resolution shall supersede all prior motions, practices or resolutions,
47 in particular BC Resolutions 12-10-08-A and 06-23-10-E, regarding the subject of regular meetings of the
48 Oneida Business Committee.



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



Statement of Effect

Oneida Business Committee Regular Meeting Schedule

Summary

This Resolution would require that the Oneida Business Committee hold executive discussion meetings every second and fourth Tuesday each month, at 8:30 a.m., starting on January 10, 2017, and that the regular meetings of the Oneida Business Committee be held every second and fourth Wednesday each month, at 8:30 a.m., starting January 11, 2017.

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

Analysis by the Legislative Reference Office

Article III, Section 3 of the Constitution of the Oneida Nation states “Regular meetings of the Business Committee may be established by resolution of the Business Committee.” Currently, the Business Committee holds executive discussion meetings every second and fourth Tuesday each month, at 9:00 a.m. (BC-06-23-10-E); and regular meetings every second and fourth Wednesday each month, at 9:00 a.m. (BC-12-10-08-A).

The Resolution specifies that the Oneida Business Committee shall hold executive discussion meetings every second and fourth Tuesday each month, at 8:30 a.m., starting on January 10, 2017, and that the regular meetings of the Oneida Business Committee shall be held every second and fourth Wednesday each month, at 8:30 a.m., starting January 11, 2017. The Oneida Business Committee has determined that this change in the regular meeting schedule would better serve the membership of the Oneida Nation and the Business Committee.

Lastly, the Resolution specifies that it shall supersede all prior motions, practices or resolutions, in particular BC Resolutions 12-10-08-A and 06-23-10-E, 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.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 11 / 23 / 16

2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

3. Supporting Materials

Report Resolution Contract

Other:

1. 3.

2. 4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter: Jennifer Falck, LRO Director
Your Name, Title / Dept. or Tribal Member

Additional Requestor: _____
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

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



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



LEGISLATIVE OPERATING COMMITTEE MEETING MINUTES

Business Committee Conference Room-2nd Floor Norbert Hill Center

November 2, 2016 9:00 a.m.

Present: Brandon Stevens, Tehassi Hill, Jennifer Webster, Fawn Billie

Others Present: Jennifer Falck, Tani Thurner, Clorissa Santiago, Maureen Perkins, Rhiannon Metoxen, Krystal John, Terry Cornelius, Dianne McLester-Heim, Ed Delgado, Danelle Wilson

I. Call to Order and Approval of the Agenda

Brandon Stevens called the November 2, 2016 Legislative Operating Committee meeting to order at 9:05 a.m.

Motion by Tehassi Hill to adopt the agenda; seconded by Fawn Billie. Motion carried unanimously.

II. Minutes to be approved

1. October 20, 2016 LOC Meeting Minutes

Motion by Fawn Billie to approve the October 20, 2016 LOC meeting minutes; seconded by Tehassi Hill. Motion carried unanimously.

III. Current Business

1. Oneida Nation Seal & Flag Law

Motion by Jennifer Webster to approve the Oneida Nation Seal & Flag law public meeting packet, and to direct the Legislative Reference Office to hold a second public meeting on December 1, 2016; seconded by Tehassi Hill. Motion carried unanimously.

Motion by Tehassi Hill to accept the legislative analysis for the Oneida Nation Seal and Flag law; seconded by Jennifer Webster. Motion carried unanimously.

2. Real Property Law Amendments

Motion by Fawn Billie to accept the public meeting comments for the Real Property Law Amendments, and make the changes recommended in the public comment review memo, and to change the wording in section 601.5 from “mechanism” to “method”; seconded by Jennifer Webster. Motion carried unanimously.

Motion by Fawn Billie to forward the Real Property Law Amendments to a public meeting to be held on December 1, 2016 and to authorize an e-poll for approval of the public meeting packet; seconded by Tehassi Hill. Motion carried unanimously.

3. Per Capita Law Amendments

Motion by Fawn Billie to defer the Per Capita Law Amendments to the November 16, 2016 Legislative Operating Committee meeting; seconded by Jennifer Webster.

Legislative Operating Committee Meeting Minutes of November 2, 2016

Motion carried unanimously.

IV. New Submissions

1. Drug and Alcohol Free Law for Elected & Appointed Officials

Motion by Jennifer Webster to add the Drug and Alcohol Free Law for Elected & Appointed Officials to the active files list as a high priority with Fawn Billie and Jennifer Webster as co-sponsors; seconded by Fawn Billie. Motion carried unanimously.

V. Additions

VI. Administrative Updates

1. Post Law Adoption SOP

Motion by Jennifer Webster to accept the Post Law Adoption Standard Operating Procedure as information; seconded by Tehassi Hill. Motion carried unanimously.

2. Election Law Amendments Analysis E-Poll

Motion by Tehassi Hill to enter into the record the support of the Election Law Amendments Analysis e-poll conducted on October 20, 2016; seconded by Fawn Billie. Motion carried unanimously.

VII. Executive Session

VIII. Recess/Adjourn

Motion by Tehassi Hill to adjourn the November 2, 2016 Legislative Operating Committee meeting at 9:37 a.m.; seconded by Fawn Billie. Motion carried unanimously.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 11 / 23 / 16

2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

Modify Oneida Business Committee agenda to have Reports and Executive Session moved up the agenda and placed just after Minutes

3. Supporting Materials

Report Resolution Contract

Other:

1. <input type="text" value="Memo"/>	3. <input type="text"/>
2. <input type="text"/>	4. <input type="text"/>

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter: _____
Your Name, Title / Dept. or Tribal Member

Additional Requestor: _____
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.



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



TO: Lisa M. Summers, Secretary
FROM: Brandon Stevens, LOC Chair *BS*
DATE: November 16, 2016
RE: Oneida Business Committee Agenda-Order of Business

BACKGROUND

In the course of discussing the development of a law regarding the procedures of Oneida Business Committee meetings the LOC has identified an agenda change that could be implemented immediately- in an effort to make meetings more efficient.

Move the Quarterly Reports and Executive Session items from their current place, to just after Minutes.

Current Format	Proposed Format
I. Call to Order and Roll Call	I. Call to Order and Roll Call
II. Opening	II. Opening
III. Adopt the Agenda	III. Adopt the Agenda
IV. Oaths of Office	IV. Oaths of Office
V. Minutes	V. Minutes
VI. Resolutions	VI. Reports
VII. Standing Committees	VII. Executive Session
VIII. Appointments	VIII. Resolutions
IX. Unfinished Business	IX. Standing Committees
X. New Business	X. Appointments
XI. Travel	XI. Unfinished Business
XII. Reports	XII. New Business
XIII. GTC	XIII. Travel
XIV. Executive Session	XIV. GTC
XV. Adjourn	XV. Adjourn

BENEFITS & IMPACTS

1. The purpose of this request is to have the presentation of reports first thing to allow direct reports and others an opportunity to present the reports and get back to work. This is the part of the agenda where most questions and comments occur.
2. We are suggesting that the Executive Session segment be moved directly following Reports- to allow action to be taken on items already discussed. Since no further discussion is needed for these items, the move would allow those employees relying on

their directives coming out of Executive Session to leave the meeting and begin implementing those directives without delay.

3. The remainder of the agenda items are fully discussed before the Business Committee Meetings- at other subcommittee meetings, at Public Meetings, and at Legislative Operating Committee meetings. Or they are items for which only simple acceptance is needed.

REQUEST

Consider action of bringing a request for formal action modifying the Oneida Business Committee agenda to have Reports and Executive Session moved up the agenda and placed just after Minutes.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 11 / 23 / 16

2. General Information:

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

[Empty text box]

Agenda Header: Standing Committees

Accept as Information only

Action - please describe:

BC approval of Finance Committee Meeting Minutes of November 14, 2016

3. Supporting Materials

Report Resolution Contract

Other:

1. FC Mtg Minutes of 11/14/16

3. [Empty text box]

2. FC E-Poll approving 11/14/16 Minutes

4. [Empty text box]

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Trish King, Tribal Treasurer

Primary Requestor: Denise Vigue, Executive Assistant /Finance Administration
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:

Oneida Business Committee approval is required to approve all Finance Committee meeting actions as the FC is a standing committee of the OBC.

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

ONEIDA NATION

P.O. Box 365



Oneida, WI 54115

MEMORANDUM

TO: Finance Committee
CC: Business Committee
FR: Denise Vigue, Executive Assistant
DT: November 15, 2016
RE: **E-Poll Results of: FC Meeting Minutes of Nov. 14, 2016**

An E-Poll vote of the Finance Committee was conducted to approve the November 14, 2016 Finance Committee meeting minutes. The results of the completed E-Poll are as follows:

E-POLL RESULTS:

There was a Majority 6 YES votes from David Jordan, Jennifer Webster, Larry Barton, Patrick Stensloff, Wesley Martin, Jr., and Chad Fuss to approve the NOVEMBER 14, 2016 Finance Committee Meeting Minutes.

The minutes will be placed on the next BC agenda of Nov. 23, 2016 for approval and the next Finance Committee agenda of Dec. 5, 2016 to ratify this E-Poll action.

Yawλko

* Per the Finance Committee By-Laws Article III-Meetings, 3-4 Quorum. Four (4) members of the Finance Committee shall constitute a quorum & 3-6 Voting. (d) The Finance Committee shall act by a majority of vote of the quorum present at any meeting.



ONEIDA FINANCE COMMITTEE

REGULAR MEETING

November 14, 2016 – 10:00 A.M.
BC Executive Conference Room

REGULAR MEETING MINUTES

FC Members Present:

Patricia King, Treasurer/FC Chair	Larry Barton, CFO/FC Vice-Chair
David Jordan, BC Council Member	Jenny Webster, BC Council Member
Chad Fuss, Gaming AGM/FC Alternate	Patrick Stensloff, Purchasing Director
Wesley Martin, Jr., Community Elder Member	

Others Present: Henrietta Cornelius, David Emerson, Don DeChamps, Lesley Ness, and Denise Vigue, FC recording secretary

I. Call to Order: The Regular FC meeting was called to order by the FC Chair at 10:00 A.M.

II. Approval of Agenda: NOVEMBER 14, 2016:

Motion by Jennifer Webster to approve the Finance Committee agenda for November 14, 2016. Seconded by David Jordan. Motion carried unanimously.

III. Approval of Minutes: OCTOBER 31, 2016 (approved via FC E-Poll on 11/1/16):

Motion by Jennifer Webster to ratify the FC E-Poll action of Nov. 1, 2016 approving the Finance Committee meeting minutes of Oct. 31, 2016. Seconded by David Jordan. Motion carried unanimously.

IV. Approval of E-Poll: (FC approved on 11/2/16):

- Two CF Requests – Fundraiser for Alex Theodore A. Skenandore, for grandson, Alex

Motion by David Jordan to ratify the FC E-Poll action of Nov. 2, 2016 approving the two Community Fund requests for 10 Cases of Coca-Cola Products and \$200 to be used to support a fundraiser for an Oneida youth. Seconded by Wesley Martin, Jr. Motion carried unanimously.

V. Tabled Business:

- FC Recommendation RE: Acheson Education Endowment
Patricia King, Treasurer

Responses not due until the 12/5/16 FC meeting; item remains on the table.

VI. Capital Expenditures:

- Gitchi Gaming, Inc. - 450 Slot Stools
David Emerson, Gaming Slots Department

David Emerson was present to explain request including: slot stools are for replacement of stools at the IMAC facility; stools at IMAC not replaced since 1990's; sole source for consistency as same vendor provided same stools already for Main and West Mason Street casinos; Chad Fuss added that three years ago when other sites replaced stools they did go through a 3 bid purchasing process; this vendor is also an Indian Preference vendor licensed in the State of Wisconsin.

Motion by Wesley Martin, Jr. to approve the Capital Expenditure purchase of 450 Slot Stools from Gitchi Gaming in the amount of \$150,050. Seconded by Jennifer Webster. Motion carried unanimously.

2. Everi – 6 Core HDX Games @Main Amount: \$110,040.
David Emerson, Gaming Slots Department

David Emerson discussed items #2 through #9 including: This is Gaming's annual purchase of slot machines and slot games as budgeted; noted same vendor several times this is based on multiple locations where they will be placed: this represents ten percent of floor replacement, replacing underperforming machines and outdated machines where they can no longer obtain service; he noted when machines get replaced they always see a significant jump in play; he provided handouts for #7 & #9; #1- #6 & #8-backup approvals that were in the process when sent to FC; all purchases amount to 156 slots/games being requests under the Gaming Slots Capital Expenditure budget for FY17.

Motion by David Jordan to approve the Capital Expenditure purchases of one-hundred fifty-six (156) slot games/machines for NB #2 through #9 in the amounts stated. Seconded by Wesley Martin, Jr. Motion carried unanimously.

3. Everi – 6 Core HDX Games Amount: \$101,670.
David Emerson, Gaming Slots Department

Motion by David Jordan to approve the Capital Expenditure purchases of one-hundred fifty-six (156) slot games/machines for NB #2 through #9 in the amounts stated. Seconded by Wesley Martin, Jr. Motion carried unanimously.

4. Everi – 6 Core HDX Games @ WMSC Amount: \$101,670.
David Emerson, Gaming Slots Department

Motion by David Jordan to approve the Capital Expenditure purchases of one-hundred fifty-six (156) slot games/machines for NB #2 through #9 in the amounts stated. Seconded by Wesley Martin, Jr. Motion carried unanimously.

5. IGT – 56 games Amount: \$800,960.
David Emerson, Gaming Slots Department

Motion by David Jordan to approve the Capital Expenditure purchases of one-hundred fifty-six (156) slot games/machines for NB #2 through #9 in the amounts stated. Seconded by Wesley Martin, Jr. Motion carried unanimously.

6. Bally – 40 Slot Games Amount: \$711,480.
David Emerson, Gaming Slots Department

Motion by David Jordan to approve the Capital Expenditure purchases of one-hundred fifty-six (156) slot games/machines for NB #2 through #9 in the amounts stated. Seconded by Wesley Martin, Jr. Motion carried unanimously.

7. Konami Gaming, Inc. – 16 Slot Games Amount: \$271,040.
David Emerson, Gaming Slots Department

Motion by David Jordan to approve the Capital Expenditure purchases of one-hundred fifty-six (156) slot games/machines for NB #2 through #9 in the amounts stated. Seconded by Wesley Martin, Jr. Motion carried unanimously.

8. Aristocrat – 16 Slot Games Amount: \$285,940.
David Emerson, Gaming Slots Department

Motion by David Jordan to approve the Capital Expenditure purchases of one-hundred fifty-six (156) slot games/machines for NB #2 through #9 in the amounts stated. Seconded by Wesley Martin, Jr. Motion carried unanimously.

9. Konami Gaming, Inc. – 10 Slot Games Amount: \$169,900.
David Emerson, Gaming Slots Department

Motion by David Jordan to approve the Capital Expenditure purchases of one-hundred fifty-six (156) slot games/machines for NB #2 through #9 in the amounts stated. Seconded by Wesley Martin, Jr. Motion carried unanimously.

VII. New Business:

1. Bally Technologies-Maintenance Amount: \$845,750.
Don DeChamps, Gaming MIS

Don DeChamps was present to discuss this request: this is the software side for Gaming MIS to track coin in/out and information sent to Gaming Accounting; this contract was taken out in 2009 and gaming management and law office working on re-negotiation of terms and condition; this is for a blanket purchase order for monthly maintenance of the system; cost is gauged by total amount of machines, with no machines now at EE & 54 One Stops the cost is lower than last year.

Motion by Jennifer Webster to approve the Bally Technologies Blanket Purchase Order for FY17 with Gaming MIS in the amount of \$845,750. Seconded by David Jordan. Motion carried unanimously.

2. Jezeski Accounting & Tax Service (payroll)
David Larson, COPS/OCHC

Leslie Ness was present to discuss with the FC the three requests from the COPS program including: this one which is payroll Jezeski provides (3rd party) to family members taking care of other family members participating in the COPS program. There was discussion regarding last year when this was on the agenda, motion was approval for last year of program (FY16), would need to rescind that motion if approving this request; there was discussion over need of program and outside factors affecting this grant. Need to include last year's motion in order to rescind it in order to approve this.

FC Motion of 11/16/15: Motion by Larry Barton to approve the Jezeski Accounting and Tax Service sole source contract with the COPS Program in the amount of \$433,014.30 noting that this is the last year of this contract as future contracts for these services must be bid out. Seconded by Wesley Martin, Jr. Motion carried unanimously.

Motion by Chad Fuss to rescind the motion of 11/16/15 as noted above due to extenuating circumstances discussed today that necessitate the continuation of the COPS program for FY17. Seconded by Jennifer Webster. Motion carried unanimously.

Motion by David Jordan to approve the Jezeski Accounting & Tax Service Purchase Order for FY17 for payroll services for the COPS Program in the amount of \$433,014.30. Seconded by Wesley Martin, Jr. Motion carried unanimously.

3. Jezeski Accounting & Tax Service (Prep)
David Larson, COPS/OCHC

Leslie noted this is for the preparation of state and federal taxes the COPS program pays.

Motion by David Jordan to approve the Jezeski Accounting & Tax Service Purchase Order for FY17 for preparation services for the COPS Program in the amount of \$50,350.50. Seconded by Jennifer Webster. Motion carried unanimously.

4. Home Instead Senior Care
David Larson, COPS/OCHC

Leslie explained this is for care of participants in the COPS program who have the need to have temporary senior care outside of their homes.

Motion by David Jordan to approve the Home Instead Senior Care Purchase Order for FY17 in the amount of \$105,736. Seconded by Wesley Martin, Jr. Motion carried unanimously.

VIII. Executive Session:

1. Independent Contract #2016-1235
Debbie Danforth, Consolidated Health Services/OCHC

Motion by David Jordan to move into Executive Session. Seconded by Chad Fuss. Motion carried unanimously. Time: 10:30 A.M.

Motion by David Jordan to come out of Executive Session. Seconded by Jennifer Webster. Motion carried unanimously. Time: 10:35 A.M.

Motion by David Jordan to approve the FY17 Purchase Order for the Independent Contract #2016-1235 in the amount specified. Seconded by Wesley Martin, Jr. Motion carried unanimously.

IX. Donation Requests: No items

X. Follow Up: No items

XI. FYI and /or Thank You:

1. FYI: Bally -3 Willy Wonka games

David Emerson, Gaming Slots Department

Motion by Wesley Martin, Jr. to accept Follow Up items #1 through #4 as FYI. Seconded by Jennifer Webster. Motion carried unanimously.

2. FYI: Bally -10 Blade Trial games

David Emerson, Gaming Slots Department

Motion by Wesley Martin, Jr. to accept Follow Up items #1 through #4 as FYI. Seconded by Jennifer Webster. Motion carried unanimously.

3. FYI: Aristocrat -(4) 16 Lightning Link

David Emerson, Gaming Slots Department

Motion by Wesley Martin, Jr. to accept Follow Up items #1 through #4 as FYI. Seconded by Jennifer Webster. Motion carried unanimously.

4. FYI: Bally -5 Alpha Wave games

David Emerson, Gaming Slots Department

Motion by Wesley Martin, Jr. to accept Follow Up items #1 through #4 as FYI. Seconded by Jennifer Webster. Motion carried unanimously.

Motion by Chad Fuss to add the following item as an FYI. Seconded by David Jordan. Motion carried unanimously.

5. Late ADD: Ramah Navajo Chapter, et al. v. Jewell

Patricia King, Treasurer

The Treasurer wanted to announce that in the above named class action lawsuit the tribe has received their portion in the amount of \$728,874.85; this is regarding BIE underfunding of tribal schools. This notes official receipt of this information and the check; the OBC and the School Board will meet and come to an agreement on how this money will be spent.

XII. Other:

1. Late ADD: Endowments

Patricia King, Treasurer

The Treasurer noted that she would like to start-up the FC work meetings beginning at the next meeting date of 12/5/16; she is working on several other endowments including the conclusion of the Acheson Education Endowment that is now awaiting final comments.

Others still needing long term planning and work such as resolutions, assessments, Performa's, and public comments are the Disability Fund, Language and Culture, and Land, i.e. Property Taxes/Acquisitions; these are all areas of priority as identified by the Business Committee.

2. Late ADD: FY 2017 Tribal Budget

Patricia King, Treasurer

There is a timeline in place for input from all areas to address recent items that will affect the FY 2017 budget including cost of Per Capita and the Food Pantry; GSD is now working on an intake process for the Food Pantry which is non-income based; she is seeking input from the FC.

XIII. Adjourn: Motion by Jennifer Webster to adjourn. Seconded by Chad Fuss. Motion carried unanimously. The Regular FC meeting ended at 11:07 A.M.

Minutes taken and transcribed by:
Denise Vigue, Executive Assistant in Finance
& Finance Committee Recording Secretary

Finance Committee- E-Poll Minutes Approval Date: November 15, 2016

Oneida Business Committee- FC Minutes- Approval Date: _____

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 11 / 23 / 16

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 accept the September 15, 2016 Quality of Life minutes.

3. Supporting Materials

Report Resolution Contract

Other:

1. <input type="text" value="9/15/16 QOL Minutes"/>	3. <input type="text"/>
2. <input type="text"/>	4. <input type="text"/>

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter: Cathy Bachhuber, Executive Assistant
Your Name, Title / Dept. or Tribal Member

Additional Requestor: _____
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.



Quality of Life Committee

Meeting Minutes for September 15, 2016

I. Call to Order and Roll Call

Meeting called to order by QOL Chairwoman Fawn Billie at 8:33 a.m. Present: Fawn Billie, Committee Chairwoman; Trish King, Treasurer; Brandon Stevens, Tehassi Hill, council members. **Not Present:** Jennifer Webster, council member; Lisa Summers, Tribal Secretary. **Others present:** Melissa Nuthals, Debbie Melchert, Kelly McAndrews, Sandy Sieloff, Kala Cornelius, Jackie Smith, Tina Jorgensen, Eric Boulanger, Jay Rasmussen, Michelle Schneider, Gabrielle Metoxen, Dianne McLester-Heim, Tracey Cordova, Danelle Wilson

II. Approval of the agenda

Motion by Tehassi Hill to adopt the agenda as presented, seconded by Trish King. Motion carried unanimously.

III. Approval of Meeting Minutes

A. June 9, 2016 Quality of Life meeting minutes

Motion by Tehassi Hill to accept the June 9, 2016 Quality of Life meeting minutes, seconded by Trish King. Motion carried unanimously.

B. July 14, 2016 Quality of Life meeting minutes

Motion by Tehassi Hill to accept July 14, 2016 meeting minutes as FYI, seconded by Trish King. Motion carried unanimously.

IV. Unfinished Business

A. Standing Agenda Items

i. Creating a Drug-Free Oneida Community - Fawn Billie

1. Update: Drug abuse recognition training - Eric Boulanger

Excerpt from June 9, 2016 Quality of Life Meeting: Motion by Lisa Summers to accept report and that Eric Boulanger will work with Communications to publicize training event to ensure there is community attendance, and Tribal Secretary Lisa Summers will work with direct reports to ensure appropriate staff will attend, seconded by Tehassi Hill. Motion carried unanimously.

Motion by Trish King to accept the update on the Drug Identification training, seconded by Brandon Stevens. Motion carried unanimously.

Motion by Tehassi Hill to request the QOL Chair to send a request to the Oneida Business Committee for drug statistics from the organization, seconded by Brandon Stevens. Motion carried unanimously.



2. **Update: Lincoln Hills and Copper Lake State of WI juvenile detention schools tour** – Fawn Billie

Motion by Tehassi to accept the report, seconded by Trish King. Motion carried unanimously.

3. **Films: Paper Tigers and Seventh Fire** - Fawn Billie

FYI

4. **Request for Oneida Drug Facts** – Fawn Billie & Brandon Stevens

No action

B. Follow-Up

- i. **Employee Exercise Pilot Program report**—Tina Jorgensen, Wellness Council

Excerpt from April 14, 2016 Quality of Life Meeting: Motion by Tehassi Hill to accept the update, seconded by Brandon Stevens. Motion carried unanimously.

Motion by Tehassi Hill to accept the Employee Exercise Pilot Program update and have the team bring back a resolution and implementation plan for the first Oneida Business Committee meeting in 2017, seconded by Trish King. Motion carried unanimously.

V. New Business

VI. Reports

VII. Additions

VIII. Adjourn

Motion by Tehassi Hill to adjourn at 10:24 a.m., seconded by Trish King. Motion carried unanimously.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 11 / 23 / 16

2. General Information:

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

[Empty text box]

Agenda Header: Appointments

Accept as Information only

Action - please describe:

Approve appointment of Tonya Webster and Gina Buenrostro to the Oneida Election Board.

3. Supporting Materials

Report Resolution Contract

Other:

1. memo 3. [Empty text box]
2. [Empty text box] 4. [Empty text box]

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Cristina Danforth, Tribal Chairwoman

Primary Requestor/Submitter: Submitted by Lora Skenandore, Assistant to Chairwoman
Your Name, Title / Dept. or Tribal Member

Additional Requestor: _____
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.



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



TO: ONEIDA BUSINESS COMMITTEE

FROM: CHAIRWOMAN TINA DANFORTH *TD*

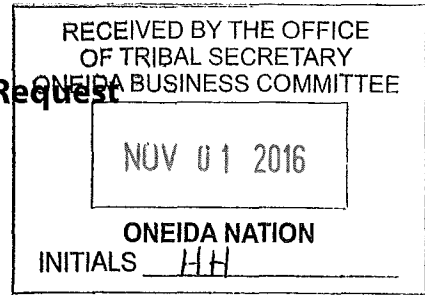
DATE: NOVEMBER 15, 2016

RE: ONEIDA ELECTION BOARD

There are 5 applicants for 2 vacancies on the Oneida Election Board. The applicants are: Tonya Webster, Patricia Moore, Gina Powless-Buenrostro, Kalene White, and Stephanie Muscavitch VanEvery.

The candidates are qualified to serve. In accordance with the Article VI., Section 6-2 (c) of the Comprehensive Policy Governing Boards, Committees and Commissions, I recommend Tonya Webster and Gina Buenrostro to be appointed to serve on the Oneida Election Board.

Oneida Business Committee Agenda Request



1. Meeting Date Requested: 11 / 9 / 2016

2. General Information:

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

Agenda Header: Assistance to the Standing Rock Sioux Tribe

Accept as Information only

Action - please describe:

I'm requesting donations from various departments of Oneida Tribe to aid the people of Standing Rock Sioux tribe, Sacred Stone Camp, and Oceti Sakowin Camps in Cannonball, N.D. in their fight against the Dakota Access Pipeline and Energy Transfer Partners.

3. Supporting Materials

Report Resolution Contract

Other:

1. _____

3. _____

2. _____

4. _____

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Lisa Summers, Tribal Secretary

Primary Requestor/Submitter: Frank Vandehei Oneida Tribal Member
Your Name, Title / Dept. or Tribal Member

Additional Requestor: _____
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

The purpose is to assist the people of Ocete Sakowin camp, Sacred Stone Camp and the Standing Rock Sioux tribe in the fight to protect the water supply and the Missouri River from possible contamination by the Dakota Access pipeline.

- 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 Business Committee Agenda Request

1. Meeting Date Requested: 11 / 09 / 16

2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

Approve Draft letter to President Obama regarding Dakota Access Pipeline.

3. Supporting Materials

Report Resolution Contract

Other:

1. <input type="text" value="Memorandum"/>	3. <input type="text"/>
2. <input type="text"/>	4. <input type="text"/>

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter: Brian A. Doxtator, Executive Assistant to Tribal Treasurer
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:

Approve memo and Direct Chairwoman Danforth to finalize memo.

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

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

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



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



President Barack Obama
United States Capitol

Sakoli (Greetings) Mr. President:

As Chairwoman of the Oneida Nation located within the State of Wisconsin, I respectfully address this message to you as leader of the great United States of America to which we are tied by unique historic bonds of alliance and treaties. The Oneida people and many other Tribes and Nations have always been firmly committed to seeking a lasting peace while advancing sustainability of our peoples.

It is through our unique historic bonds of alliance and treaties where we have been engaged in dealing with the impact the Dakota Access Pipeline may have on the Standing Rock Sioux Nation. The Oneida Nation government stresses the importance of our support to the Standing Rock Sioux Nation in their endeavor to protect the next Seven Generations. For your information, attached is the Oneida Business Committee resolution #08-17-16-A – Oneida Nation Objecting to the Construction of the Dakota Access Pipeline and Support of Standing Rock Sioux Tribe.

Mr. President, it is due to recent events where tension has escalated because of heightened law enforcement tactics; whereas the “water protectors” who are acting peacefully, using prayer as their only weapon, are feeling the detrimental effects of those tactics. Reaching out to you is absolutely necessary, at this time. On behalf of the Oneida Nation, and Indian Country as a whole, we urge your administration to mediate the strain by reinforcing the Tribal Consultation policy with the diverse stakeholders of the Dakota Access Pipeline. By mediating the strain, our cultural teachings show us that the outcome will be peaceful and appreciated by many generations to come.

We are taught to respect all sacred sites and to care for Mother Earth as she sustains us all. Thank you for your time and consideration to this extremely important matter. I encourage you to please do what is within your power to cease and desist the pipeline construction until a resolve in favor of all involved parties can be realized.

Respectfully,

Cristina Danforth, Chairwoman
Oneida Nation

**BC Resolution # 08-17-16-A****Oneida Nation Objecting to the Construction of the Dakota Access Pipeline and Support of Standing Rock Sioux Tribe**

- 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,** it is the culture and essential nature of the Oneida Nation to protect Mother Earth made up of the waters, air, earth and all of the fish, birds, animals and plants on it; and
- WHEREAS,** the Oneida Nation recognizes the conflict this responsibility to Mother Earth and the world we live in today causes in providing resources in this modern world; and
- WHEREAS,** the Oneida Nation recognizes that transportation of resources across the United States poses difficulties in regards to safely obtaining the resources and the dangers that occur moving the resources; and
- WHEREAS,** the Oneida Nation believes that the reports of the safety of pipeline transportation over rail or truck transportation is greatly exaggerated as it is not possible to replace sacred sites or lost medicines when oils spills occur and that there is no dollar value that can be placed on these losses when they occur, *see Furchtgott-Roth, D. (June 2013) Pipelines are Safest for Transportation of Oil and Gas, Manhattan Institute, Issue Brief No. 23.*; and
- WHEREAS,** the Oneida Nation believes that streams, rivers, and lakes not only serve the local environment it also provides drinking water for the surrounding and downstream communities that must be kept in mind in all decisions affecting those waters; and
- WHEREAS,** the Oneida Nation, having reviewed the materials related to the Dakota Access Pipeline, also known as the Bakkan Pipeline, believes that the federal government, particularly the U.S. Army Corps of Engineers, has failed in its responsibilities to the Standing Rock Sioux Tribe and community by failing to clearly identify the impact of the proposed pipeline, to clearly and publicly engage in government-to-government consultations with the Tribe, and by failing to address the concerns raised by the Standing Rock Sioux Tribe, *see Native Communities Stand Up to Proposed Oil Pipeline: 'This is Keystone 3'; at thinkprogress.org, Sioux Tribe Fights \$3.8B Pipeline Through Ancestral Lands at law360.com, and Dakota Access Pipeline Standoff: Mni Wiconi, Water is Life at indiancountrytodaymedianetwork.com*; and
- WHEREAS,** the needs of Tribes and tribal communities are equally as important as surrounding communities and have been disregarded when identifying the pipeline route when the route was changed to avoid potential environmental concerns regarding water resources to the

city of Bismark while not giving the same thought and concerns to the Standing Rock Sioux Tribe and community; and

WHEREAS, the Oneida Nation believes that the government-to-government relations and consultations are meant to be meaningful and result in protections of the self-governance of Tribes and the trust responsibilities the United States holds today to governments in which it has treaty relations with, *see U.S. Army Corps of Engineers Tribal Consultation Policy and Related Documents (2013)*; and

WHEREAS, based on the review of the Oneida Nation of the proposed pipeline and the activities surrounding approvals of permits and applications, the Oneida Nation believes that neither the requirements of government-to-government consultation nor the spirit of governments working together inherent in those consultation processes has been met; and

NOW THEREFORE BE IT RESOLVED, the Oneida Business Committee does hereby support the Standing Rock Sioux Tribe in opposing the issuance of permits, construction and the location of the Dakota Access Pipeline.

NOW THEREFORE BE IT FURTHER RESOLVED, that the Oneida Business Committee does hereby urge the Secretary of the Interior, Sally Jewell and the Assistant Secretary, Indian Affairs, Lawrence Roberts, to take any and all steps necessary to protect the environment and water resources of the Standing Rock Sioux Tribe and community.

NOW THEREFORE BE IT FINALLY RESOLVED, that the Oneida Business Committee does hereby request Commanding General and Chief of Engineers, Lieutenant General Todd T. Semonite to review this series of actions and direct that issuance of permits and any construction be halted until such time as the government-to-government consultation process can be fully implemented not only as to the processes but the inherent spirit of recognizing the sovereignty of the Standing Rock Sioux Tribe.

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum; 8 members voted in an electronic poll held on the 17th day of August, 2016; that the forgoing resolution was duly adopted at such meeting by a vote of 8 members for, 0 members against, and 0 members not voting; and that said resolution has not been rescinded or amended in any way. This e-poll will be presented for ratification at the next Oneida Business Committee scheduled on September 14, 2016.

Lisa Summers, Tribal Secretary
Oneida Business Committee

*According to the By-Laws, Article I, Section 1, the Chair votes "only in the case of a tie."

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 11 / 09 / 16

2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

BC to review, discuss and make any recommendations with regards to the Halbritter letter.

3. Supporting Materials

Report Resolution Contract

Other:

1.

3.

2.

4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter: Submitted by Lora Skenandore, Assistant to C hairwoman
Your Name, Title / Dept. or Tribal Member

Additional Requestor: _____
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.

Oneida Business Committee Agenda Request

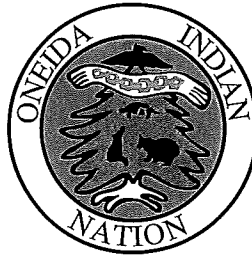
6. Cover Memo:

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

Letter from Mr. Ray Halbritter needs review and discussion if any recommendations are needed regarding his request.

- 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 INDIAN NATION



ONEIDA NATION HOMELANDS

September 22, 2016

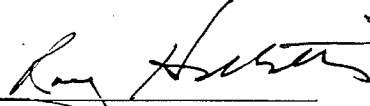
Ms. Cristina Danforth
Chairwoman
Oneida Tribe of Indians of Wisconsin
N7210 Seminary Road
Oneida, WI 54155

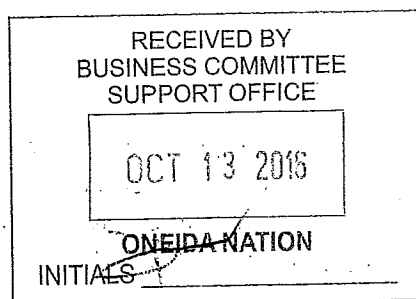
Dear Chairwoman Danforth:

Shekóli. We are writing to you regarding a very important issue to all of us, preserving the language of the Oneida people. Although we have had a history of issues that have risen between us, we are writing to see if we can work together on an initiative to preserve our language regardless of any issues that have or will arise between our communities.

Are you interested in working on a language program to fully preserve our Oneida language? We are prepared to begin a discussion. Please let me know if you are interested, and hopefully we can move forward on this critically important initiative.

NΛ ki' wa,


Ray Halbritter
Nation Representative





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



October 14, 2016

Mr. Ray Halbritter
Oneida Indian Nation
Oneida Nation Homelands
Via Oneida, New York 13421

Dear Mr. Halbritter,

Thank you for the letter of interest in regards to preserving the language of the Oneida people.

The Oneida Nation has dedicated resources to preserving the Oneida language. This is an opportunity that could potentially be beneficial to all Oneida people in our respective communities.

I will bring this to the attention of the Oneida Business Committee for follow up to see what their level of interest is and will keep you apprised of the outcome.

Thank you for your consideration in this matter.

Sincerely,

Cristina Danforth
Oneida Nation Chairwoman

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 11 / 09 / 16

2. General Information:

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

[Empty text box]

Agenda Header: Appointments

Accept as Information only

Action - please describe:

BC to approve to repost for the SEOTS Board as there were no applications.

3. Supporting Materials

Report Resolution Contract

Other:

1. Memo 3. [Empty text box]
2. [Empty text box] 4. [Empty text box]

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Cristina Danforth, Tribal Chairwoman

Primary Requestor/Submitter: Submitted by Lora Skenandore, Assistant to Chairwoman
Your Name, Title / Dept. or Tribal Member

Additional Requestor: _____
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.

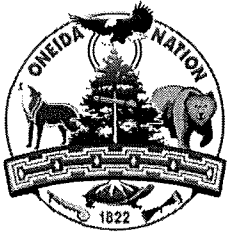
Oneida Business Committee Agenda Request

6. Cover Memo:

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

BC to approve to repost for SEOTS Board.

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



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



TO: ONEIDA BUSINESS COMMITTEE
FROM: CHAIRWOMAN TINA DANFORTH
DATE: NOVEMBER 1, 2016
RE: SEOTS ADVISORY BOARD

There were no applicants for 1 vacancy on the SEOTS Advisory Board, I recommend this appointment be reposted.

Thank You.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 11 / 09 / 16

2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

Request to post for (1) vacancy on the SEOTS Board due to a resignation and finish the term until 2/28/19.

3. Supporting Materials

Report Resolution Contract

Other:

1.

3.

2.

4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter: Kathleen M. Metoxen, Executive Tribal Clerk
Your Name, Title / Dept. or Tribal Member

Additional Requestor: _____
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

On September 27, 2016 the SEOTS Board accepted the resignation of Casey Houtsinger.

- 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

IX. UNFINISHED BUSINESS

F. Approve procedural exception to the Disposition of Excess Tribal Property policy to allow Oneida Lab to see Hematology Analyzer to outside vendor

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

EXCERPT FROM NOVEMBER 9, 2016: Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously.

Item deleted at adoption of the agenda.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 11 / 23 / 16

2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

Request to post for (1) vacancy on the Oneida Personnel Commission due to a resignation and be for a full term.

3. Supporting Materials

Report Resolution Contract

Other:

1.

3.

2.

4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution

Budgeted - Grant Funded

Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter:

Kathleen M. Metoxen, Executive Tribal Clerk

Your Name, Title / Dept. or Tribal Member

Additional Requestor:

Name, Title / Dept.

Additional Requestor:

Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

On October 18, 2016 the Oneida Personnel Commission accepted the resignation of Rochelle Powless.

- 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 Business Committee Agenda Request

1. Meeting Date Requested: 11 / 23 / 16

2. General Information:

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

[Empty text box]

Agenda Header: New Business

Accept as Information only

Action - please describe:

Approval of CIP #16-014 Concept Paper.

3. Supporting Materials

Report Resolution Contract

Other:

1. CIP #06-014 Concept Paper

3. [Empty text box]

2. [Empty text box]

4. [Empty text box]

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Troy Parr, Asst. Division Director/Development

Primary Requestor/Submitter: James Petitjean, Interim Asst. Division Director/Development
Your Name, Title / Dept. or Tribal Member

Additional Requestor: Paul Witek, Senior Tribal Architect / Engineering
Name, Title / Dept.

Additional Requestor: Fawn Cottrell, Contract Processor / Engineering
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

Purpose:

The project team is seeking approval of the project's Capital Improvement Process (CIP) Concept Paper, see attached.

Background:

Approval of the project's CIP Concept Paper will allow the project to proceed into the next phase of the process, completing a CIP Package. The CIP Package would then be brought forward for approval before the project could proceed.

Action Requesting:

1. Approval of the CIP Concept Paper for Project CIP #16-014.

- 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

CAPITAL IMPROVEMENT PROCESS (CIP) – CONCEPT PAPER
For
Tsyunhehkwa Storage/Shelter
CIP #16-014

October 19, 2016

I. Purpose:

- A. The proposed project is needed to address: a public space sufficient to accommodate a safe and secure space for public participation in harvest and husking bee operations; a shelter to provide coverage and storage of tribal assets inclusive of farm equipment, supplies and materials.

II. Project Analysis

- A. Project Description: The project includes the purchase and construction of two pole building structures. One structure will serve as a safe and secure structure for public participation in community outreach activities, harvest operations and husking bee. Currently Tsyunhehkwa incurs annual costs to rent a tent structure for these occasions. This building shall have electricity and water services for public requirements. A second structure will serve to provide coverage and storage of tribal assets such as farming equipment, materials and supplies from continual exposure to inclement weather which leads to accelerated deterioration of items. This building shall have electricity and water service to aid in the seasonal repair and service of equipment.

Pictures of existing similar structure at Waseda Farms Door County are attached.

B. Assumptions:

1. That the Tribal organization will support the project moving forward.
2. Funding will be available for developing the project.
3. Management will support the project.
4. The current property will be the long-term location for the program

C. Operational Impact:

1. No additional staffing from DPW, Custodial, MIS, etc. will be needed to service the additional buildings. A full evaluation will be included in the project's CIP Package.
2. May require additional funding for building utility costs & maintenance supplies.

D. Organizational Goals: The project would support the following goals and objectives of the 2008 Comprehensive Plan for the Oneida Reservation and its 2014 update:

1. Plan Element: Agricultural Growth
 - a) GOAL #1: To provide a level of industrial, commercial and agricultural development: that promotes a minimum level of unemployment among the Oneida people and produces goods and services required by area residents; and to develop a stable revenue source for the Oneida Nation.

CIP - Concept Paper
CIP #16-014

- (1) Objective 1.1: Enhancement of agricultural development.
- (2) Objective 1.2: Production of needed goods and services.
- (3) Objective 1.3: Improve revenue earnings through cost containment and asset loss reduction.

2. Plan Element: Education

- a) Goal #1: Develop a viable agricultural operation on the Oneida Reservation together with an educational program relating agriculture to the Oneida culture and traditional land ethic.
 - (1) Objective 1.1: Provide safe and secure flexible space to house an ever increasing variety of community outreach activities.

III. Market

- A. Market Served: Community members attending Harvest, Husking Bee, and other events throughout the year at the Tsyunhehkwa Site.
- B. Competition: None.

IV. Potential Risk:

- A. Additional incurred costs for larger tent structures as growth of community interests, increased white corn production, and demand for organic foods increases.
- B. Accelerated loss of assets due to deterioration of equipment in an unprotected setting.
- C. Increased potential to public injury due to higher levels of public access and exposure to farm implements.
- D. Failure to meet and fulfill the Comprehensive Plan's goals and objectives supported by this project.

V. Potential Investment

- A. Funding Sources: Potential funding sources for this project include:
 1. CIP Budget
 2. Grants
- B. Development Costs: This project will not require any funding for completing the project's CIP Package if the Concept Paper is approved.
- C. Construction Cost Target:
 1. Construction cost is targeted to be in the \$40 - \$60 Per square foot range for the buildings only. Site work, soft and miscellaneous costs, furniture, fixtures, equipment, and contingency are in addition to this construction cost.
 2. The project's CIP Package will identify the total project budget estimate.

CIP - Concept Paper
CIP #16-014

VI. Time Line Upon approval of the Concept Paper:

- | | |
|---|----------|
| A. CIP Phase I - CIP Package | 5 weeks |
| B. CIP Phase II -Project Ranking and Approval | 10 weeks |
| C. CIP Phase III –Design | 20 weeks |
| D. CIP Phase IV- Construction | 40 weeks |

VII. Recommendations

- A. It is recommended strong consideration be given to this project in order to help Tsyunhehkwa accomplish goals and objectives in their work plans as well as those set in the Oneida Reservation Comprehensive Plan.

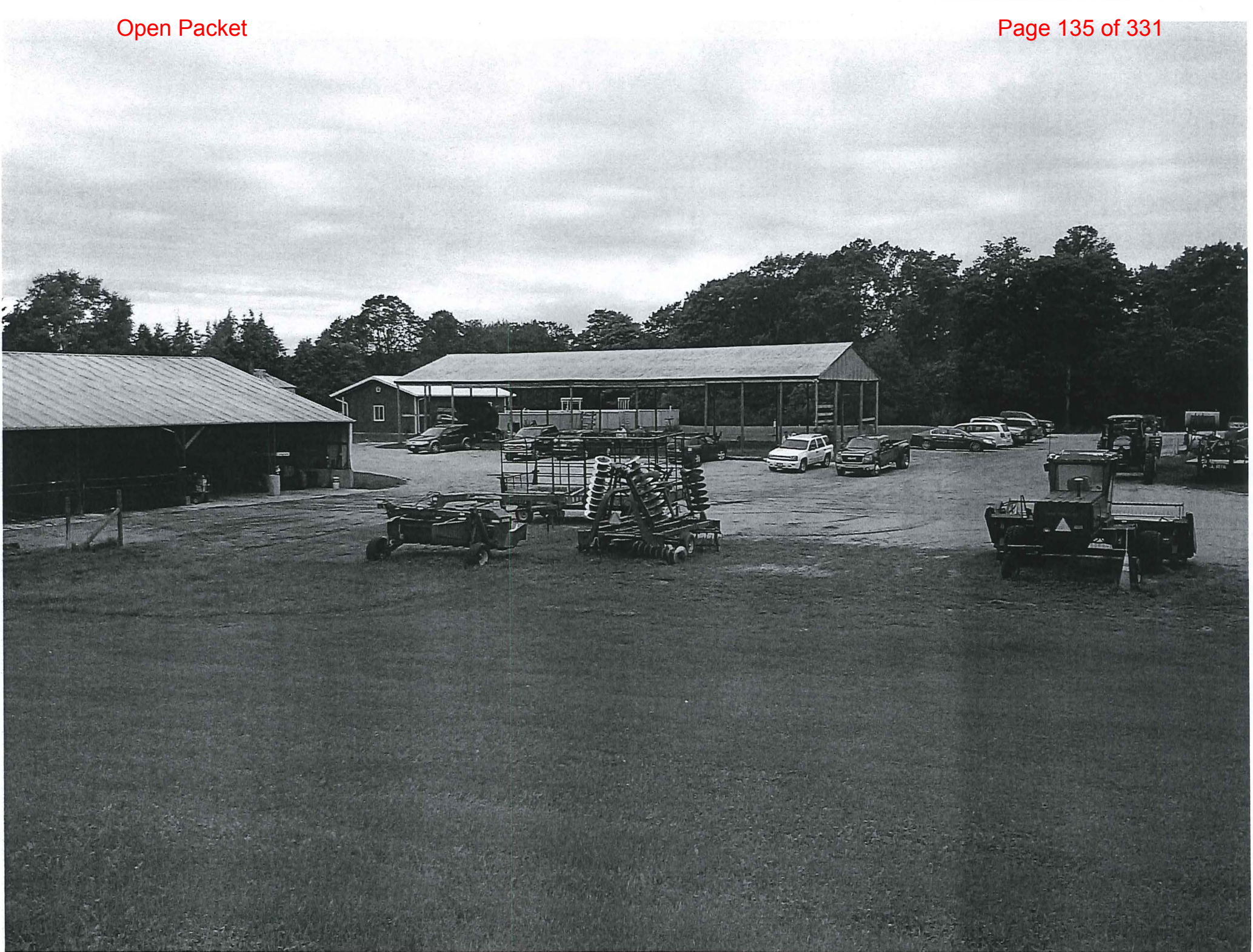
VIII. Client Approval A signed copy of the CIP-05 Form is attached indicating approval by client's division director.

ATTACHMENT: FORM CIP-05

Photos of a similar type structure

Waseda Farms

Door County, WI























Oneida Tribe of Indians of Wisconsin**ENGINEERING DEPARTMENT****Location:**

N7332 Water Circle Place
Oneida, WI 54155

Phone: (920) 869-1600

**Mailing Address:**

P.O. Box 365
Oneida, WI 54155-0365

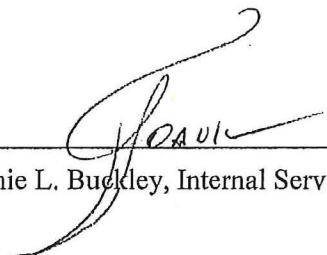
Fax: (920) 869-1610

**Capital Improvement Process (CIP)
- Client Division Director Approval Form**

To: Joanie L. Buckley, Internal Services Division Director
Through: Jeffrey M. Metoxen, Tsyunhehkwa Director
From: Sam VanDen Heuvel - Construction Manager
Date: October 19, 2016
Re: Tsyunhehkwa Pole Building, CIP #16-014

I have reviewed the attached Capital Improvement Process (CIP) document identified below for the above noted project and approve of the project moving into the next phase of the CIP Process.

- CIP Concept Paper – dated: October 19, 2016
 CIP Package – dated:



Joanie L. Buckley, Internal Services Division Director



Date

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 11 / 23 / 16

2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

Approve postings of vacancies to occur throughout 2017.

3. Supporting Materials

Report Resolution Contract

Other:

1.

3.

2.

4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution

Budgeted - Grant Funded

Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter:

Kathleen Metoxen, Executive Tribal Clerk

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:

This request is to approve the postings of the 2017 Boards, Committees and Commissions vacancies and also the Corporations that need Business Committee recommendations. This will help getting them out there in a timely manner instead of waiting to put them on each Business Committee agenda each month.

- 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

2017 BCC Vacancies

Airport Hotel (5yr)
Airport Hotel (5yr)
Airport Hotel (3yr)
AJRCCC (3yr)
AJRCCC (3yr)
AJRCCC (3yr)
Arts Board (3yr)
Arts Board (3yr)
Bay Bank Corporation (3yr)
Child Protective Board (4yr)
Child Protective Board (4yr)
Child Protective Board (3yr)
Election Board (3yr)
Election Board (3yr)
Election Board (3yr)
ERB Board (3yr)
ERB Board (3yr)
ERB Board (3yr)
Finance Committee (3yr)
Gaming Commission (5yr)
Oneida Tribal Judicial System 3yr
Oneida Tribal Judicial System 3yr
Oneida Tribal Judicial System 3yr
Land Commission (3yr)
Land Commission (3yr)
Land Commission (3yr)
Library Board (3yr)
ONCOA (3yr)
ONCOA (3yr)
ONCOA (3yr)
ONVAC (3yr)
ONVAC (3yr)
ONVAC (3yr)
Pardon & Forgiveness Committee
Pardon & Forgiveness Committee
Pardon & Forgiveness Committee
Pardon & Forgiveness Committee

Pardon & Forgiveness Committee
Pardon & Forgiveness Committee
Pardon & Forgiveness Committee
Pardon & Forgiveness Committee
Personnel Commission (5yr)
Personnel Commission (5yr)
Personnel Commission (5yr)
Personnel Commission (5yr)
School Board (3yr) Parent
School Board (3yr) Parent
SEOTS (3yr)
SEOTS (3yr)
Trust/Enrollment (3yr)
Trust/Enrollment (3yr)

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 11 / 23 / 16

2. General Information:

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

[Empty text box]

Agenda Header: New Business

Accept as Information only

Action - please describe:

BC to review, discuss the content of letter and explain which law enforcement agency do tribal members living on tribal land call for service.

3. Supporting Materials

Report Resolution Contract

Other:

1. See attached letter

3. [Empty text box]

2. [Empty text box]

4. [Empty text box]

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

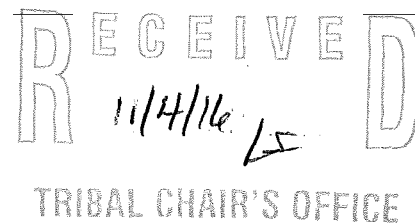
5. Submission

Authorized Sponsor / Liaison: Cristina Danforth, Tribal Chairwoman

Primary Requestor/Submitter: Julie Barton, Tribal Member
Your Name, Title / Dept. or Tribal Member

Additional Requestor: Submitted by Lora Skenandore
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.



The Outagamie County Sheriff's Department and the Oneida Police Department have been made aware of some misunderstandings regarding law enforcement services in the Town of Oneida. Both agencies would like to take this opportunity to clear up any confusion that may exist. We would also like to assure you nothing has changed in the delivery of law enforcement services in your area.

The Outagamie County Sheriff's Department and the Oneida Police Department strive to provide our citizens with the most professional and efficient law enforcement service possible. Often, both departments work together to deliver these services.

The Outagamie County Sheriff's Department is the jurisdictional law enforcement provider for all citizens within the county including the Town of Oneida. This includes tribal and non tribal members of our community.

The Oneida Police Department serves as the primary law enforcement provider for issues arising on Tribal property within Outagamie County.

In the event of an emergency call for service such as a serious car accident, in progress crime, fire or medical emergencies both the Outagamie County Sheriff's Department and the Oneida Police Department are dispatched. We refer to this as "dual dispatch". This ensures the closest available officers arrive at the scene as soon as possible to mitigate the situation. The incident is then handled by the agency responsible for that area.

In the event of an emergency please dial 911 and the appropriate resources will be sent.

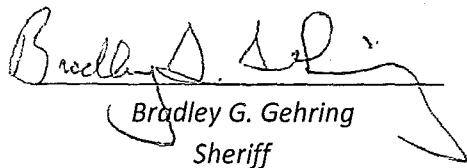
In the event of a non emergency complaint where immediate emergency police response is not needed the following numbers are appropriate:

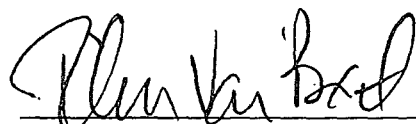
*Citizens on Tribal property may call the Oneida Police Department at (920) 869-2239
or the Outagamie County Sheriff's Department at (920) 832-5000.*

*For any citizen not on Tribal property you may call the Outagamie County Sheriff's Department
at (920) 832-5000.*

If you have any concerns about your law enforcement service please do not hesitate to contact us.

Sincerely,


Bradley G. Gehring
Sheriff


Richard VanBoxtel
Chief of Police

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 11 / 23 / 16

2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

3. Supporting Materials

Report Resolution Contract

Other:

1.

3.

2.

4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter:
Your Name, Title / Dept. or Tribal Member

Additional Requestor: _____
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.

**GREAT LAKES INTER-TRIBAL COUNCIL, INC.**

P.O. Box 9, Lac du Flambeau, Wisconsin 54538
Phone: 715-588-3324 Fax: 715-588-7900
TTY: 715-588-1774 Email: glitc@glitc.org

November 8, 2016

Scott Neitzel, Secretary
Wisconsin Dept. of Administration
101 East Wilson Street, Floor 10
PO Box 7864
Madison, WI 53707-7864

Dear Secretary Neitzel:

On behalf of the Great Lakes Inter-Tribal Council (GLITC), it is our desire to apprise you on our current status of the proposed Native American Adolescent Wellness Treatment Center Project. All 11 Tribes in Wisconsin are committed to making this project their number one budget priority, in terms of state budget funding.

Under the oversight of GLITC, the Stockbridge-Munsee Community is taking the lead on gathering information from qualified firms or individuals to complete a comprehensive feasibility study on the potential of developing a 30 bed regional juvenile treatment facility in Central Wisconsin.

The purpose of this feasibility study is to provide tribal and urban Native American communities with tools and resources to plan and design a holistic, culturally-based, coordinated wellness center designed to support mental health and wellness for children, youth, and their families.

The results of the study are intended to increase the capacity and effectiveness of youth wellness services for Wisconsin Native American communities. The focus is on the need to coordinate wellness services through the formation of a centrally located youth wellness center and the availability and coordination of mental health, substance abuse, and co-occurring disorders for children, youth, and young adults from birth through age 25 and their families.

Deliverables:

Because there is a shortage of Native American behavioral health providers, there is also a lack of specific tribal remedies and treatment options. Certainly, a greater representation of Native Americans on all levels of mental health service delivery can assist in addressing this issue (SAMHSA). The final report will consist of a documented feasibility study, which will incorporate the following specific deliverables and/or other objectives that will be mutually determined by the working committee and the consultant:

1. Research market demand for use of a regional wellness center, by conducting secondary research of potential users within the region.
2. Conduct primary research of potential tribal clients within the state via focus groups, telephone interviews and/or surveys of constituents with a stake in treating youth in a wellness facility, working in collaboration with working committee with interviews and/or meetings.
3. Researching a centralized location for the facility.
4. Determining ownership of the facility.
5. Financial responsibility for the construction of the facility including grants, donations, state funding, and Tribal participation.
6. Identify the types of services that should be offered, and the types of resources and collaborators that should be part of the network.
11. Identify functional requirements of the facility, e.g. administrative needs.
14. Determine estimated capital costs for equipment.
15. Determine estimate capital costs of building improvements necessary for desired sanitary requirements, and equipment needs.
16. Propose organizational legal strategy.
21. Develop a project timeline that include costs and budgeting of a three-year pro forma budget (including costs and income).

This feasibility study will need to assess business models that would sustain this type of wellness program throughout the Tribal communities' regions within the State of Wisconsin.

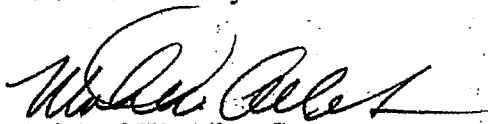
We appreciate your continued interest and look forward to providing you periodic updates and the opportunity to dialogue and assist in furthering our endeavor.

Most sincerely,

Chris McGeshick
GLITC President and Sokaogon Chippewa Community Chairman

Shannon Holsey
GLITC Vice President and Stockbridge-Munsee Community President

Cristina Danforth
GLITC Secretary/Treasurer and Oneida Tribe of Indians of Wisconsin Chairwoman



Michael W. Allen, Sr.
GLITC Executive Director

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 11 / 23 / 16

2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

Enter E-Poll results into the record for failed request to approve a procedural exception to the Disposition of Excess Tribal Property Policy for the Oneida Lab to sell the Hematology Analyzer to LabPro LLC.

3. Supporting Materials

Report Resolution Contract

Other:

1.

3.

2.

4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter: Requestor: Debbie Danforth, Division Director/Comp. Health Operations
Your Name, Title / Dept. or Tribal Member

Additional Requestor: Jon Giguere, Laboratory Supervisor
Name, Title / Dept.

Additional Requestor: Submitted by: Heather Heuer Info. Mgmt. Spec./BC Support Office
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

BACKGROUND

On Thursday, November 3, 2016, at 1:18 p.m., the following E-Poll was conducted:

Summary:

Oneida Comprehensive Health is requesting a procedural exception to the Disposition of Excess Tribal Property Policy with regards to selling a used Hematology Analyzer to local Vendor, LabPro LLC. This analyzer was recently replaced because the manufacturer, Beckman-Coulter, will be discontinuing support of the older version in the near future. With that said the analyzer has very little, if any, monetary value. LabPro LLC., a laboratory and biomedical company, is willing to purchase the old analyzer for \$450. Also, they will pick up the used analyzer and take away at no charge.

Please note, LabPro LLC. would be purchasing the equipment outright; with no contract or other stipulations.

Requested Action:

Approve procedural exception to the Disposition of Excess Tribal Property Policy for the Oneida Lab to sell the Hematology Analyzer to LabPro LLC.

Deadline for response:

Responses are due no later than (NOON) 12:00 p.m., Friday, November 4, 2016.

As of the deadline, below are the responses:

Support: Tehassi Hill, David Jordan, Lisa Summers, Jennifer Webster

In accordance with section 5.1.b. of BC SOP Conducting Electronic Voting, "E-Polls which result in a denied request may be reconsidered by the Oneida Business Committee at the next available meeting as provided for in Robert's Rules of Order, Rule 37," the requestors subsequently submitted an add-on request for the BC to reconsider the approval of this item at the November 9, 2016, regular BC agenda. The BC accepted the add-on request, but the item was later deferred to the November 23, 2016, regular BC agenda.

REQUESTED BC ACTION

Enter E-Poll results into the record for failed request to approve a procedural exception to the Disposition of Excess Tribal Property Policy for the Oneida Lab to sell the Hematology Analyzer to LabPro LLC.

- 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

Heather M. Heuer

From: TribalSecretary
Sent: Friday, November 04, 2016 12:09 PM
To: TribalSecretary; Brandon L. Yellowbird-Stevens; Cristina S. Danforth; David P. Jordan; Fawn J. Billie; Jennifer A. Webster; Lisa M. Summers; Melinda J. Danforth; Patricia M. King; Ronald W. Hill
Cc: Jo A. House; Lawrence E. Barton; Brian A. Doxtator; Cathy L. Bachhuber; Danelle A. Wilson; Jessica L. Wallenfang; Leyne C. Orosco; Lisa A. Liggins; Lora L. Skenandore; Rhiannon R. Metoxen
Subject: E-POLL RESULTS: Approve procedural exception to Disposition of Excess Tribal Property Policy re: Used Hematology Analyzer
Attachments: E-Poll request - Exception to Disposition of Excess Tribal Property Poli....pdf

E-POLL RESULTS

The request to approve a procedural exception to the Disposition of Excess Tribal Property Policy for the Oneida Lab to sell the Hematology Analyzer to LabPro LLC, **has failed**. Below are the results:

Support: Tehassi Hill, David Jordan, Lisa Summers, Jennifer Webster

Heather Heuer

Information Management Specialist
 Business Committee Support Office (BCSO)



office 920.869.4421
 cell 920.471.5002
 fax 920.869.4040

CONFIDENTIALITY NOTICE: This message and any included attachments are intended only for the addressee. This message may contain privileged, confidential, or proprietary information. Unauthorized forwarding, printing, copying, distribution, or use of such information is strictly prohibited and may be unlawful. If you have received this message in error, please inform us promptly by reply e-mail, then delete the e-mail and destroy any printed copy.

From: TribalSecretary
Sent: Thursday, November 03, 2016 1:18 PM
To: Brandon L. Yellowbird-Stevens <BSTEVEN@oneidanation.org>; Cristina S. Danforth <tdanfort@oneidanation.org>; David P. Jordan <djordan1@oneidanation.org>; Fawn J. Billie <fbillie@oneidanation.org>; Jennifer A. Webster <JWEBSTE1@oneidanation.org>; Lisa M. Summers <LSUMMER2@oneidanation.org>; Melinda J. Danforth <MDANFORJ@ONEIDANATION.org>; Patricia M. King <TKING@ONEIDANATION.org>; Ronald W. Hill <RHILL7@oneidanation.org>
Cc: Jo A. House <JHOUSE1@oneidanation.org>; Lawrence E. Barton <LBARTON@oneidanation.org>; Brian A. Doxtator <BDOXTAT2@oneidanation.org>; Cathy L. Bachhuber <CBACHHUB@oneidanation.org>; Danelle A. Wilson <DWILSON1@ONEIDANATION.org>; Jessica L. Wallenfang <JWALLENF@oneidanation.org>; Leyne C. Orosco <lorosco@oneidanation.org>; Lisa A. Liggins <lliggins@oneidanation.org>; Lora L. Skenandore <LSKENAN3@oneidanation.org>; Rhiannon R. Metoxen <rmetoxe2@oneidanation.org>
Subject: E-POLL REQUEST: Approve procedural exception to Disposition of Excess Tribal Property Policy re: Used

Hematology Analyzer

Importance: High

E-POLL REQUEST

Summary:

Oneida Comprehensive Health is requesting a procedural exception to the Disposition of Excess Tribal Property Policy with regards to selling a used Hematology Analyzer to local Vendor, LabPro LLC. This analyzer was recently replaced because the manufacturer, Beckman-Coulter, will be discontinuing support of the older version in the near future. With that said the analyzer has very little, if any, monetary value. LabPro LLC., a laboratory and biomedical company, is willing to purchase the old analyzer for \$450. Also, they will pick up the used analyzer and take away at no charge.

Please note, LabPro LLC. would be purchasing the equipment outright; with no contract or other stipulations.

Requested Action:

Approve procedural exception to the Disposition of Excess Tribal Property Policy for the Oneida Lab to sell the Hematology Analyzer to LabPro LLC.

Deadline for response:

Responses are due no later than **(NOON) 12:00 p.m., Friday, November 4, 2016.**

Voting:

1. Use the voting button above, if available; OR
2. Reply with "support" or "oppose"

Heather Heuer

Information Management Specialist
Business Committee Support Office (BCSO)



office 920.869.4421

cell 920.471.5002

fax 920.869.4040

CONFIDENTIALITY NOTICE: This message and any included attachments are intended only for the addressee. This message may contain privileged, confidential, or proprietary information. Unauthorized forwarding, printing, copying, distribution, or use of such information is strictly prohibited and may be unlawful. If you have received this message in error, please inform us promptly by reply e-mail, then delete the e-mail and destroy any printed copy.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 11 / 3 / 16

2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

E-Poll request to approve procedural exception to the Disposition of Excess Tribal Property Policy for the Oneida Lab to sell the Hematology Analyzer to LabPro LLC.

***Please note, LabPro would be purchasing the equipment outright; with no contract or other stipulations. Also, an E-Poll is requested as this buyer is willing to pick up item at no charge; we do not want to lose the buyer.

3. Supporting Materials

Report Resolution Contract

Other:

1.

3.

2.

4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter: Submitted by: Mercie Danforth, Executive Assistant/Comprehensive Health
Your Name, Title / Dept. or Tribal Member

Additional Requestor: Jon Giguere, Laboratory Supervisor
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.

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



Date: November 2, 2016

To: Oneida Business Committee

From: Jon Giguere, OCHC Laboratory Supervisor 

Subject: Procedural exception to Fixed Asset Disposal Policy

Disposition of Excess Tribal Property Policy

I am requesting a procedural exception to the ~~Fixed Asset Disposal Policy~~ with regards to selling a used Hematology Analyzer to a local vendor.

Recently we replaced this analyzer because the manufacturer, Beckman-Coulter, will be discontinuing support of the old version in the near future. With that said the analyzer has very little, if any, monetary value. We have followed Beckman-Coulter's instructions to decontaminate this analyzer, but I do not feel it would be safe to allow a medical device to be purchased by a non-medical entity. A local vendor, Tom Brosig, LabPro, LLC, a laboratory and biomedical company, is willing to purchase the old analyzer for \$450. He will pick up the used analyzer and take away for no charge.

Thank you for considering this request.

Cc: Debra Danforth, OCHD Division Director – Operations
Dr. Ravi Vir, OCHD Division Director - Medical

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

**Disposition of Excess Tribal Property Policy
Table of Contents**

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Disposition of Excess Tribal Property Policy

Article I. Policy and Purpose

1-1. All excess property of programs and enterprises of the Oneida Tribe of Indians of Wisconsin is the property of the Tribe, including property which is no longer needed within the program or enterprise.

1-2. It is the policy of the Tribe to provide excess property to Tribal members as a first priority, either through use by departments or by directing the departments to transfer the property to Tribal members. To the extent possible, Tribal property will be reassigned to other departments, or auctioned, otherwise sold, or donated to Tribal members to maximize the benefit of the property to Tribal members. Second priority shall be given to local Indian organizations. In cases where non-Tribal entities have an interest in the property, open bidding may be required on the excess property.

Article II. Adoption, Amendment, Repeal

2-1. This policy is adopted by the Oneida Business Committee under authority delegated by the Oneida General Tribal Council by Resolution # BC-3-5-97-C.

2-2. This policy may be amended pursuant to the procedures set out in the Oneida Administrative Procedures Act by the Oneida Business Committee or the Oneida General Tribal Council.

2-3. Should a provision of this policy or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this policy which are considered to have legal force without the invalid portions.

2-4. All other Oneida laws, policies, regulations, rules, resolutions, motions and all other similar actions which are inconsistent with this policy are hereby repealed unless specifically re-enacted after adoption of this policy.

Article III. Definitions

3-1. This article shall govern the definitions of words as phrases as used herein. All words not defined herein shall be used in their ordinary and everyday sense.

3-2. "Excess property" means property not utilized by the entity of the Tribe, whether as a result of replacement equipment, upgrade to equipment, or out-of-date equipment. Excess property shall include confiscated property obtained under the authority of the Oneida Tribe or other jurisdictions which shall not be returned to the original owner. Excess property shall not mean real estate or buildings thereon, whether leased or owned by the Tribe or any gaming devices or equipment and/or supplies that are unique to the operation of Class II and/or Class III gaming and are not common to regular Tribal Operations.

3-3. "Value" as used herein means either the book value or market value, whichever is greater.

3-4. "Gaming Property" that equipment specifically identified as gaming equipment either in the Oneida Tribal/State Compact, the Comprehensive Gaming Ordinance, or the Indian Gaming Regulatory Act involved in Class I, Class II, or Class III gaming. In addition, any equipment specifically identified by the Oneida Gaming Commission as gaming equipment.

Article IV. Procedures

4-1. The Accounting Property Management Office will send out a notice on a quarterly basis to all

directors requesting a list of excess property. The Property Management Office will group the listing by Division. The entire list will be sent to the Tribal Treasurer and the General Manager.

4-2. The General Manager will report a listing of excess property to the appropriate Division Director. Depending on the type of property, the Division Director will establish a team for the evaluation and proper disposal of the excess equipment.

4-3. The team will consist of

- a. Division Director
- b. Buildings and Grounds Manager - Vehicles
- c. MIS Manager - Computers
- d. Land Director - Land
- e. Property Management Office
- f. Purchasing Supervisor - Office Equipment, Furniture
- g. Chief Financial Officer

4-4. An evaluation and description of the property will be made by the appropriate department as noted above. It will be determined whether or not other entities have an interest in the property and the Property Management Office will be contacted to identify any required procedures for disposal. Provided no requirements restrict the disposal, the following procedures will be used.

4-5. If the property description is similar to a budgeted need of a program or enterprise, this program or enterprise will be assigned this equipment if it is in satisfactory condition and will satisfy the needs.

4-6. If the property is not in a program or enterprise budget, a notice will be sent to all departments, including the description, condition, and value of the equipment. The Property Management Office will notify the appropriate Accounting personnel that a transfer has occurred which was budgeted for under the capital asset budget line item and that amount budgeted should be transferred to the General Budget line of the Oneida Tribe.

4-7. Asset tags shall be removed or destroyed on property disposed of through this policy. Prior to removal or destruction, notice will be forwarded to the Accounting Property Management Office with the following information:

1. Description of the asset
2. Asset tag number
3. Amount for which asset was disposed of. Provided that assets donated shall be so noted.

Article V. Community Benefit

5-1. Certain excess property may benefit community members. The team established may recommend the excess property be donated to community members in need. This recommendation will include a fair and equitable distribution plan. Prior to all distributions approval from the Oneida Business Committee shall be obtained.

Article VI. Public Auction

6-1. If no tribal department is interested in this equipment, and it is determined not to donate the property to community members, a public advertising regarding the property will be made to Tribal membership. Sealed bids will be required for this process. Provided that, the team established may recommend a public auction because of the nature and quantity of items.

6-2. Present at the bid opening will be the committee established, and for equipment valued at over

\$50,000, the Treasurer will be included.

Article VII. Gaming Equipment

7-1. All gaming equipment shall be disposed as set out in this Article.

7-2. Gaming equipment shall be inventoried by the Department Director and shall be listed in an orderly fashion identifying:

1. Type of equipment
2. Asset number - including both Tribal and manufacturer numbers as well as any other identification number associated with the machine to aid in identification
3. Value of equipment as listed in Tribal asset listings
4. Recommended disposition of equipment.

Provided that, during the disposal process, all gaming equipment shall be stored in a secured area.

7-3. This list shall be forwarded to the Gaming General Manager, or designated personnel, and to the Gaming Commission. Provided that, no action to dispose of equipment may take place, excluding the identification of an approved licensed manufacturer or distributor, within ten days of notification being sent to the Gaming Commission.

7-4. Gaming equipment shall be disposed of in accordance with applicable laws, including the Oneida Tribal/State Compact, the Comprehensive Gaming Ordinance, the Indian Gaming Regulatory Act, or as otherwise specifically designated by the Gaming Commission.

7-5. Upon disposal, notice of final disposal destination shall be forwarded to the Gaming Commission.

End.

Adopted - BC-3-5-97-C

Adopted - 4-20-94, motion

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 11 / 23 / 16

2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

Enter E-Poll results into the record for failed travel request from Councilwoman Jennifer Webster to attend the 2016 Head Start Program Performance Standards in Chandler, AZ from December 12-16, 2016.

3. Supporting Materials

Report Resolution Contract

Other:

1.

3.

2.

4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter: Requestor: Jennifer Webster, Councilwoman
Your Name, Title / Dept. or Tribal Member

Additional Requestor: Submitted by: Heather Heuer, Info. Mgmt. Spec./BC Support Office
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

BACKGROUND

On Monday, November 14, 2016, at 8:22 a.m., the following E-Poll was conducted;

Summary:

The E-Poll is being conducted for an unfinished agenda item in accordance with the following excerpt:
Excerpt from the November 9, 2016, regular BC meeting: Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously.

Requested Action:

Approve 100% grant funded travel request – Councilwoman Jennifer Webster – 2016 Head Start Program Performance Standards – Chandler, AZ – December 12-16, 2016

Deadline for response:

Responses are due no later than 8:21 p.m. TODAY, Monday, November 14, 2016.

As of the deadline, below are the responses:

Support: Melinda J. Danforth, David Jordan, Trish King, Lisa Summers

In accordance with section 5.4.c. of the Electronic Voting SOP, attached are any comments made beyond a vote.

REQUESTED BC ACTION

Enter E-Poll results into the record for failed travel request from Councilwoman Jennifer Webster to attend the 2016 Head Start Program Performance Standards in Chandler, AZ from December 12-16, 2016.

- 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

Heather M. Heuer

From: TribalSecretary
Sent: Tuesday, November 15, 2016 10:40 AM
To: TribalSecretary; Brandon L. Yellowbird-Stevens; Cristina S. Danforth; David P. Jordan; Fawn J. Billie; Jennifer A. Webster; Lisa M. Summers; Melinda J. Danforth; Patricia M. King; Ronald W. Hill
Cc: Debbie J. Melchert; Brian A. Doxtator; Cathy L. Bachhuber; Danelle A. Wilson; Jessica L. Wallenfang; Leyne C. Orosco; Lisa A. Liggins; Lora L. Skenandore; Rhiannon R. Metoxen
Subject: E-POLL RESULTS: Approve 100% grant funded travel - Councilwoman JW - 2016 Head Start Program Perf. Standards - Chandler AZ - Dec. 12-16, 2016
Attachments: E-POLL REQUEST re Grant funded travel - JW - 2016 Head Start Program Per....pdf; TD response.pdf; LS response.pdf; SOP Epoll Conducting Electronic Voting - Revised 10-26-16.pdf

E-POLL RESULTS

The request to approve the 100% grant funded travel request for Councilwoman Jennifer Webster to attend the 2016 Head Start Program Performance Standards in Chandler, AZ from December 12-16, 2016, **has failed**. Below are the results received by the deadline:

Support: Melinda J. Danforth, David Jordan, Trish King, Lisa Summers

In accordance with section 5.4.c. of the Electronic Voting SOP, attached are any comments made beyond a vote.

As a friendly reminder, according to section 5.6. no responses from Legislative or Executive Assistants shall be accepted.

Heather Heuer

Information Management Specialist
 Business Committee Support Office (BCSO)



office 920.869.4421
 cell 920.471.5002
 fax 920.869.4040

From: TribalSecretary
Sent: Monday, November 14, 2016 8:22 AM
To: Brandon L. Yellowbird-Stevens <BSTEVEN@oneidanation.org>; Cristina S. Danforth <tdanfort@oneidanation.org>; David P. Jordan <djordan1@oneidanation.org>; Fawn J. Billie <fbillie@oneidanation.org>; Jennifer A. Webster <JWEBSTE1@oneidanation.org>; Lisa M. Summers <LSUMMER2@oneidanation.org>; Melinda J. Danforth <MDANFORJ@ONEIDANATION.org>; Patricia M. King <TKING@ONEIDANATION.org>; Ronald W. Hill <RHILL7@oneidanation.org>
Cc: Debbie J. Melchert <DMELCHER@oneidanation.org>; Brian A. Doxtator <BDOXTAT2@oneidanation.org>; Cathy L. Bachhuber <CBACHHUB@oneidanation.org>; Danelle A. Wilson <DWILSON1@ONEIDANATION.org>; Jessica L. Wallenfang <JWALLENF@oneidanation.org>; Leyne C. Orosco <lorosco@oneidanation.org>; Lisa A. Liggins <lliggins@oneidanation.org>; Lora L. Skenandore <LSKENAN3@oneidanation.org>; Rhiannon R. Metoxen

<rmetoxe2@oneidanation.org>

Subject: E-POLL REQUEST: Approve 100% grant funded travel - Councilwoman JW - 2016 Head Start Program Perf. Standards - Chandler AZ - Dec. 12-16, 2016

Importance: High

E-POLL REQUEST

Summary:

The E-Poll is being conducted for an unfinished agenda item in accordance with the following excerpt:

Excerpt from the November 9, 2016, regular BC meeting: Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously.

Requested Action:

Approve 100% grant funded travel request – Councilwoman Jennifer Webster – 2016 Head Start Program Performance Standards – Chandler, AZ – December 12-16, 2016

Deadline for response:

Responses are due no later than **8:21 p.m. TODAY, Monday, November 14, 2016.**

Voting:

1. Use the voting button above, if available; OR
2. Reply with “support” or “oppose”

Heather Heuer

Information Management Specialist
Business Committee Support Office (BCSO)



office 920.869.4421
cell 920.471.5002
fax 920.869.4040

Heather M. Heuer

From: Cristina S. Danforth
Sent: Monday, November 14, 2016 4:17 PM
To: Patricia M. King; Danelle A. Wilson; TribalSecretary; Brandon L. Yellowbird-Stevens; David P. Jordan; Fawn J. Billie; Jennifer A. Webster; Lisa M. Summers; Melinda J. Danforth; Ronald W. Hill
Cc: Debbie J. Melchert; Brian A. Doxtator; Cathy L. Bachhuber; Jessica L. Wallenfang; Leyne C. Orosco; Lisa A. Liggins; Lora L. Skenandore; Rhiannon R. Metoxen
Subject: RE: E-POLL REQUEST: Approve 100% grant funded travel - Councilwoman JW - 2016 Head Start Program Perf. Standards - Chandler AZ - Dec. 12-16, 2016

I am not in support of this expenditure. This is appropriate to take staff of the Head Start program who work with families and staff on a daily basis. It's also my understanding that Head Start activities have been curtailed due to budget.

Even though this is grant funded so were some of the other Head Start initiatives. Thought we were supposed to lead by example.

From: Patricia M. King
Sent: Monday, November 14, 2016 2:33 PM
To: Danelle A. Wilson; TribalSecretary; Brandon L. Yellowbird-Stevens; Cristina S. Danforth; David P. Jordan; Fawn J. Billie; Jennifer A. Webster; Lisa M. Summers; Melinda J. Danforth; Ronald W. Hill
Cc: Debbie J. Melchert; Brian A. Doxtator; Cathy L. Bachhuber; Jessica L. Wallenfang; Leyne C. Orosco; Lisa A. Liggins; Lora L. Skenandore; Rhiannon R. Metoxen
Subject: RE: E-POLL REQUEST: Approve 100% grant funded travel - Councilwoman JW - 2016 Head Start Program Perf. Standards - Chandler AZ - Dec. 12-16, 2016

support

From: Danelle A. Wilson
Sent: Monday, November 14, 2016 2:06 PM
To: TribalSecretary; Brandon L. Yellowbird-Stevens; Cristina S. Danforth; David P. Jordan; Fawn J. Billie; Jennifer A. Webster; Lisa M. Summers; Melinda J. Danforth; Patricia M. King; Ronald W. Hill
Cc: Debbie J. Melchert; Brian A. Doxtator; Cathy L. Bachhuber; Jessica L. Wallenfang; Leyne C. Orosco; Lisa A. Liggins; Lora L. Skenandore; Rhiannon R. Metoxen
Subject: RE: E-POLL REQUEST: Approve 100% grant funded travel - Councilwoman JW - 2016 Head Start Program Perf. Standards - Chandler AZ - Dec. 12-16, 2016

On behalf of Councilman Tehassi Hill - Support

Danelle Wilson

Executive Assistant
 Office of Councilman Tehassi Hill
 920.869.4389
dwilson1@oneidation.org

=[]=[]=<>=[]=[]=

The only person you are destined to become is the person you decide to be ~

Ralph Waldo Emerson

Heather M. Heuer

From: Lisa M. Summers
Sent: Monday, November 14, 2016 4:22 PM
To: TribalSecretary; Brandon L. Yellowbird-Stevens; Cristina S. Danforth; David P. Jordan; Fawn J. Billie; Jennifer A. Webster; Melinda J. Danforth; Patricia M. King; Ronald W. Hill
Cc: Debbie J. Melchert; Brian A. Doxtator; Cathy L. Bachhuber; Danelle A. Wilson; Jessica L. Wallenfang; Leyne C. Orosco; Lisa A. Liggins; Lora L. Skenandore; Rhiannon R. Metoxen
Subject: RE: E-POLL REQUEST: Approve 100% grant funded travel - Councilwoman JW - 2016 Head Start Program Perf. Standards - Chandler AZ - Dec. 12-16, 2016

Support as Jenny is our liaison in the area and is a an active participant.

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: TribalSecretary <TribalSecretary@oneidanation.org>

Date: 11/14/16 8:21 AM (GMT-06:00)

To: "Brandon L. Yellowbird-Stevens" <bstevens@oneidanation.org>, "Cristina S. Danforth" <tdanfort@oneidanation.org>, "David P. Jordan" <djordan1@oneidanation.org>, "Fawn J. Billie" <fbillie@oneidanation.org>, "Jennifer A. Webster" <JWEBSTE1@oneidanation.org>, "Lisa M. Summers" <lsummer2@oneidanation.org>, "Melinda J. Danforth" <mdanforj@oneidanation.org>, "Patricia M. King" <tking@oneidanation.org>, "Ronald W. Hill" <rhill7@oneidanation.org>

Cc: "Debbie J. Melchert" <DMELCHER@oneidanation.org>, "Brian A. Doxtator" <bdoxtat2@oneidanation.org>, "Cathy L. Bachhuber" <CBACHHUB@oneidanation.org>, "Danelle A. Wilson" <dwilson1@oneidanation.org>, "Jessica L. Wallenfang" <JWALLENF@oneidanation.org>, "Leyne C. Orosco" <lorosco@oneidanation.org>, "Lisa A. Liggins" <lliggins@oneidanation.org>, "Lora L. Skenandore" <LSKENAN3@oneidanation.org>, "Rhiannon R. Metoxen" <rmetoxe2@oneidanation.org>

Subject: E-POLL REQUEST: Approve 100% grant funded travel - Councilwoman JW - 2016 Head Start Program Perf. Standards - Chandler AZ - Dec. 12-16, 2016

E-POLL REQUEST**Summary:**

The E-Poll is being conducted for an unfinished agenda item in accordance with the following excerpt:

Excerpt from the November 9, 2016, regular BC meeting: Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously.

Requested Action:

Approve 100% grant funded travel request – Councilwoman Jennifer Webster – 2016 Head Start Program Performance Standards – Chandler, AZ – December 12-16, 2016

Deadline for response:

Responses are due no later than **8:21 p.m. TODAY, Monday, November 14, 2016.**

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 11 / 14 / 16

2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

E-Poll request to approve 100% grant funded travel request - Councilwoman Jennifer Webster - 2016 Head Start Program Performance Standards - Chandler, AZ - December 12-16, 2016.

3. Supporting Materials

Report Resolution Contract

Other:

1. 3.

2. 4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter: Requestor: Jennifer Webster, Councilwoman
Your Name, Title / Dept. or Tribal Member

Additional Requestor: Submitted by: Heather Heuer, Info. Mgmt. Spec./BC Support Office
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

BACKGROUND

Excerpt from the November 9, 2016, BC meeting: Motion by Lisa Summers to defer the remaining items to the November 23, 2016, regular Business Committee unless there are items that the Tribal Secretary can identify that need immediate attention by the Business Committee at which time the Tribal Secretary will ask for an E-Poll to be conducted to address those items, seconded by Tehassi Hill. Motion carried unanimously.

The following agenda item regarding approval of a 100% grant funded travel request from Councilwoman Jennifer Webster to attend the 2016 Head Start Program Performance Standards in Chandler, AZ from Dec. 12-16, 2016, is being conducted in order to get the lowest airfare and expenses possible.

E-POLL REQUESTED ACTION

Approve 100% grant funded travel request - Councilwoman Jennifer Webster - 2016 Head Start Program Performance Standards - Chandler, AZ - December 12-16, 2016.

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 TRIBE OF INDIANS OF WISCONSIN
TRAVEL AUTHORIZATION REQUEST**

General Travel Information

Name of Traveler	Jennifer Webster		
Please list name as it appears on Travelers Driver's License or WI State ID			
Employee #	466	Date of Birth	
Destination	Phoenix, AZ		
Departure date	Dec. 12, 2016	Return date	Dec. 16, 2016
Purpose of travel	2016 HeadStart Program Performance Standards		
Charged GL Account	001-5211620-000-701000-000 - 72% (HS) 001-5211620-400-701000-000 - 28% (EHS)		

GSA Rate Information for the destination

Per Diem rate per day	\$ 59.00	Lodging rate per day	\$ 118.00
-----------------------	----------	----------------------	-----------

Cost Estimate Information

Description	Rate	Factor	Days/ Miles	Total
Per Diem initial travel date	\$ 59.00	75 %	1	\$ 44.25
Per Diem full day at destination	\$ 59.00	100 %	3	\$ 177.00
Per Diem return travel date	\$ 59.00	75 %	1	\$ 44.25
Subtract included meals				\$
Lodging including room rate plus taxes	\$ 118.00		4	\$ 472.00
Airfare	\$			\$ 700.00
Private Car Mileage	\$			\$
Taxi or car rental	\$			\$ 50.00
Luggage Fees	\$			\$ 50.00
Registration - accept VISA? Yes / No	\$			\$
Allowable price adjustment If travel arrangements exceed the <u>Total Cost Estimate</u> re-approval is required				\$ 200.00
Total Cost Estimate				\$ 1,537.50

I understand this advance will be deducted from my claim for reimbursement of actual travel expenses. I also understand that if this advance is not cleared within 10 calendar days after my travel return date, I shall be held responsible for the full amount advanced and that I may be reprimanded in accordance with the Personal Policies and Procedures for my failure to clear this matter within the time so allotted. Further, in the event that the advance payment is not cleared within 10 calendar days of my return, and I have not filed a formal written dispute as to the amount due, by signing below, I am hereby making a knowing and voluntary wage deduction for the entire amount outstanding.

Signatures / Approvals

	Signature	Date	Contact Phone #
Traveler	Jennifer Webster	10-25-16	X4457
Program Director	Joan Christof	11-1-16	Not needed
General Manager			Not needed



An Orientation:

The 2016 Head Start Program Performance Standards

On September 1, 2016, the U.S. Department of Health and Human Services (HHS) announced new Head Start Program Performance Standards (HSPPS) that will further improve and strengthen the Head Start program. The regulation is the first comprehensive revision of the Head Start Program Performance Standards since they were originally published in 1975. Join us for a 3 day orientation that will highlight key elements of the new HSPPS as well as AIAN exceptions.

Sessions will include:

- ◇ Fiscal and Administrative Requirements
- ◇ Early Childhood Systems
- ◇ Early Childhood Education
- ◇ ERSEA
- ◇ Family and Community Engagement
- ◇ Governance
- ◇ Health
- ◇ Human Resources and Professional Development
- ◇ Program Management

Who should Attend?

- ◇ This event is intended for the executive leadership of Region XI Head Start grantee organizations including Head Start/Early Head Start Directors and Tribal Council members.
- ◇ Registration will be limited to two (2) participants per grantee organization.

Training provided by the OHS Region XI Program Specialists and the OHS Region XI T/TA Network ICF.

Event Date, Schedule, & Registration

December 13—15, 2016

Daily Schedule

Tuesday December 13	9:00 am—5:00 pm
Wednesday December 14	9:00 am—5:00pm
Thursday December 15	9:00 am—5:00pm

Register for this FREE 2016 HSPPS Orientation by clicking on the link below.

Register Online

Location and Hotel Information

Sheraton Grand at Wild Horse Pass
5594 W. Wild Horse Pass Blvd, Chandler, AZ 85226

Room Rates:

\$113.00 per night double occupancy plus 13% sales tax

Reservations:

Room Block under OHS Region XI

<https://www.starwoodmeeting.com/Book/OHSRegionXI>

Call 866-837-4156

***Programs are responsible for travel and lodging costs

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 11 / 23 / 16

2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

Enter E-Poll results into the record for failed travel request for Secretary Lisa Summers to attend the State-Tribal Relations Committee Caucus & Intertribal Criminal Justice meetings in Danbury, WI from November 16-17, 2016.

3. Supporting Materials

Report Resolution Contract

Other:

1.

3.

2.

4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter: Submitted by: Heather Heuer Info. Mgmt. Spec./BC Support Office
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:

BACKGROUND

On Monday, November 14, 2016, at 9:35 a.m., the following E-Poll was conducted:

Summary:

Secretary Lisa Summers respectfully requests an E-Poll to approve her attendance at the Tribes' Caucus Meeting Re: State/Tribal Relations Committee meeting and the Inter-Tribal Criminal Justice meeting in Danbury, WI from November 16-17, 2016.

Requested Action:

Approve travel request - Secretary Lisa Summers – State-Tribal Relations Committee Caucus & Intertribal Criminal Justice meetings – Danbury, WI – November 16-17, 2016.

Deadline for response:

Responses are due no later than 2:00 p.m. TODAY, Monday, November 14, 2016.

As of the deadline, below are the responses:

Support: David Jordan, Trish King, Brandon Stevens, Jennifer Webster

REQUESTED BC ACTION

Enter E-Poll results into the record for failed travel request for Secretary Lisa Summers to attend the State-Tribal Relations Committee Caucus & Intertribal Criminal Justice meetings in Danbury, WI from November 16-17, 2016.

- 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

Heather M. Heuer

From: TribalSecretary
Sent: Monday, November 14, 2016 2:24 PM
To: TribalSecretary; Brandon L. Yellowbird-Stevens; Cristina S. Danforth; David P. Jordan; Fawn J. Billie; Jennifer A. Webster; Lisa M. Summers; Melinda J. Danforth; Patricia M. King; Ronald W. Hill
Cc: Debbie J. Melchert; Brian A. Doxtator; Cathy L. Bachhuber; Danelle A. Wilson; Jessica L. Wallenfang; Leyne C. Orosco; Lisa A. Liggins; Lora L. Skenandore; Rhiannon R. Metoxen
Subject: E-POLL RESULTS: Travel request - LS - State/Tribal Relations Caucus - Danbury WI - Nov. 16-17,2016
Attachments: E-POLL REQUEST re Travel - Secretary LS - State-Tribal Caucus and Intert....pdf

E-POLL RESULTS

The travel request for Secretary Lisa Summers to attend the State-Tribal Relations Committee Caucus & Intertribal Criminal Justice meetings in Danbury, WI from November 16-17, 2016, **has failed**. Below are the results as of the deadline:

Support: David Jordan, Trish King, Brandon Stevens, Jennifer Webster

Heather Heuer

Information Management Specialist
 Business Committee Support Office (BCSO)



office 920.869.4421
 cell 920.471.5002
 fax 920.869.4040

From: TribalSecretary
Sent: Monday, November 14, 2016 9:35 AM
To: Brandon L. Yellowbird-Stevens <BSTEVEN@oneidanation.org>; Cristina S. Danforth <tdanfort@oneidanation.org>; David P. Jordan <djordan1@oneidanation.org>; Fawn J. Billie <fbillie@oneidanation.org>; Jennifer A. Webster <JWEBSTE1@oneidanation.org>; Lisa M. Summers <LSUMMER2@oneidanation.org>; Melinda J. Danforth <MDANFORJ@ONEIDANATION.org>; Patricia M. King <TKING@ONEIDANATION.org>; Ronald W. Hill <RHILL7@oneidanation.org>
Cc: Debbie J. Melchert <DMELCHER@oneidanation.org>; Brian A. Doxtator <BDOXTAT2@oneidanation.org>; Cathy L. Bachhuber <CBACHHUB@oneidanation.org>; Danelle A. Wilson <DWILSON1@ONEIDANATION.org>; Jessica L. Wallenfang <JWALLENF@oneidanation.org>; Leyne C. Orosco <lorosco@oneidanation.org>; Lisa A. Liggins <lliggins@oneidanation.org>; Lora L. Skenandore <LSKENAN3@oneidanation.org>; Rhiannon R. Metoxen <rmetoxe2@oneidanation.org>
Subject: E-POLL REQUEST:
Importance: High

E-POLL REQUEST

Summary:

Secretary Lisa Summers respectfully requests an E-Poll to approve her attendance at the Tribes' Caucus Meeting Re: State/Tribal Relations Committee meeting and the Inter-Tribal Criminal Justice meeting in Danbury, WI from November 16-17, 2016.

Requested Action:

Approve travel request - Secretary Lisa Summers – State-Tribal Relations Committee Caucus & Intertribal Criminal Justice meetings – Danbury, WI – November 16-17, 2016.

Deadline for response:

Responses are due no later than **2:00 p.m. TODAY, Monday, November 14, 2016.**

Voting:

1. Use the voting button above, if available; OR
2. Reply with “support” or “oppose”

Heather Heuer

Information Management Specialist
Business Committee Support Office (BCSO)



office 920.869.4421
cell 920.471.5002
fax 920.869.4040

Oneida Business Committee Travel Request

1. OBC Meeting Date Requested: 11 / 14 / 16 e-poll requested

2. General Information:

Event Name: 2016 Tribes' Caucus Re: State/Tribal Relations Committee & Intertribal Criminal Justice meetings

Event Location: Danbury, WI

Attendee(s):

Departure Date:

Attendee(s):

Return Date:

Attendee(s):

3. Budget Information:

- Funds available in individual travel budget(s)
 Unbudgeted
 Grant Funded or Reimbursed

Cost Estimate: 250.00

4. Justification:

- Liaison Appointment Responsibilities

To which Strategic Direction(s) does this travel relate?

- Advancing Onlyote?a-ka Principles Creating a Positive Organizational Culture
 Committing to Building a Responsible Nation Implementing Good Governance Processes

Describe the purpose of Travel and how it relates to the Strategic Direction(s) and/or your liaison area:

I am the appointee to the Special Committee on State/Tribal Relations, these two meetings are both to prepare, share information and advance the tribes' agenda with the State of WI.

5. Submission

Sponsor:

- 1) Save a copy of this form for your records.
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Tribes' Caucus Meeting Re: State/Tribal Relations Committee

AGENDA

Date
November 17, 2016

Time
9:30 to 12:00

Place of Meeting
St. Croix Casino
30222 WI-35
Danbury, WI 54830

- + Welcome & Introductions
- + Special Committee on State-Tribal Relations update
- + Act 31
 - Brian Jackson, WIEA
- + Matrix
 - Review and Update
- + Discussion on any new proposals
 - DPI Consultation
- + Meeting Date
 - Meeting date and location announcement
- + Adjournment

Oneida Business Committee Travel Request

1. OBC Meeting Date Requested: 11 / 23 / 16 e-poll requested

2. General Information:

Event Name: Post-Presidential Review meeting

Event Location: Prior Lake, MN Attendee(s): Lisa Summers

Departure Date: Dec 3, 2016 Attendee(s):

Return Date: Dec 4, 2016 Attendee(s):

3. Budget Information:

- Funds available in individual travel budget(s)
 Unbudgeted
 Grant Funded or Reimbursed

Cost Estimate: 550.00

4. Justification:

- Liaison Appointment Responsibilities

To which Strategic Direction(s) does this travel relate?

- Advancing Onnyote?a-ka Principles Creating a Positive Organizational Culture
 Committing to Building a Responsible Nation Implementing Good Governance Processes

Describe the purpose of Travel and how it relates to the Strategic Direction(s) and/or your liaison area:

I have been committed to participate in MAST for this term and this meeting will be the tribes in the region coming together to collaborate on efforts to work with the incoming Trump administration and other various legislative concerns which will be identified during the session.

I also recommend at least one more BC member participate at this session.

5. Submission

Sponsor: Lisa Summers, Tribal Secretary

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MAPETSI POLICY GROUP

NOVEMBER 2016 – POST ELECTION REPORT

2016 Post-Election Report



President-Elect Donald John Trump prepares to take the stage at a rally during the 2016 Election.

Donald Trump to Become 45th President of the U.S.

Donald J. Trump shocked the world, politicians of both parties, the pollsters and some in his own campaign on November 8, 2016 by winning at least 290 electoral votes, including large upsets in Wisconsin and Pennsylvania.

With the win, Republicans will control the Administration and both chambers of the U.S. Capitol when the 115th Session of Congress convenes in January of 2017.

Republicans limited losses in the U.S. Senate to two seats despite a challenging map. The Republican Senate majority will stand at 52 - 48. Republicans also limited losses in the House of Representatives to single digits. Current results give House Republicans a 238 - 193 majority with votes being counted in 4 races.

The following pages provide details on the results, potential changes to committee leadership posts, and possible impacts for Indian Country policy initiatives.

Topic	Page
Presidential Election Results	1 - 2
Potential Indian Country Impacts	3
Upcoming Lame Duck Session	4
Senate Results & Leadership	5
House Results & Leadership	6 - 7
Senate & House Committee Changes	8 - 9
State Governor Race Results	10
Indian Country Race-by-Race Results	11 - 16

Presidential Election Results Continued

Secretary Hillary Clinton called Trump at 2:45am on November 9th to concede the election. He then delivered a brief acceptance speech asking the country to come together. “Now it’s time for America to bind the wounds of division. So all Republicans and Democrats and Independents across this nation, I say it is time for us to come together as one united people.”

Trump’s victory was based on electoral map wins in the battleground states of Florida, North Carolina, Ohio, Iowa, Maine’s 2nd District, and unexpected wins in Pennsylvania and Wisconsin.

Trump can dedicate his success to disgruntled white working class men in rural areas of the rust belt states of Pennsylvania, Ohio, Michigan and Wisconsin who have lost steel, coal, and manufacturing jobs over the past several decades. He is the first Republican to win PA, MI, or WI since 1988 (*vote are still being counted in MI*).

The Trump triumph was also based on Clinton’s inability to energize the “Obama coalition”.

The gender gap in this election was historic. Clinton was +12 among women, while Trump was +12 among men. However, Mrs. Clinton did not expand the share of female voters brought in by

President Obama. Mr. Trump nearly doubled Governor Romney’s share of male voters.

Trump’s vote total will come in lower than both McCain in 2008 (60 million) and Romney in 2012 (61 million). As a result, Secretary Clinton could win the popular vote. She currently leads with 60.1 million votes to Trump’s 59.8 million.

However, Clinton failed to motivate the overall electorate. Of the nearly 130 million votes cast in 2008, Obama took 69.5 million. In 2012, Americans cast 128 million with Obama taking 66 million. In 2016, little more than 120 million votes will have been cast for President.

First 100 Days of a Trump Administration

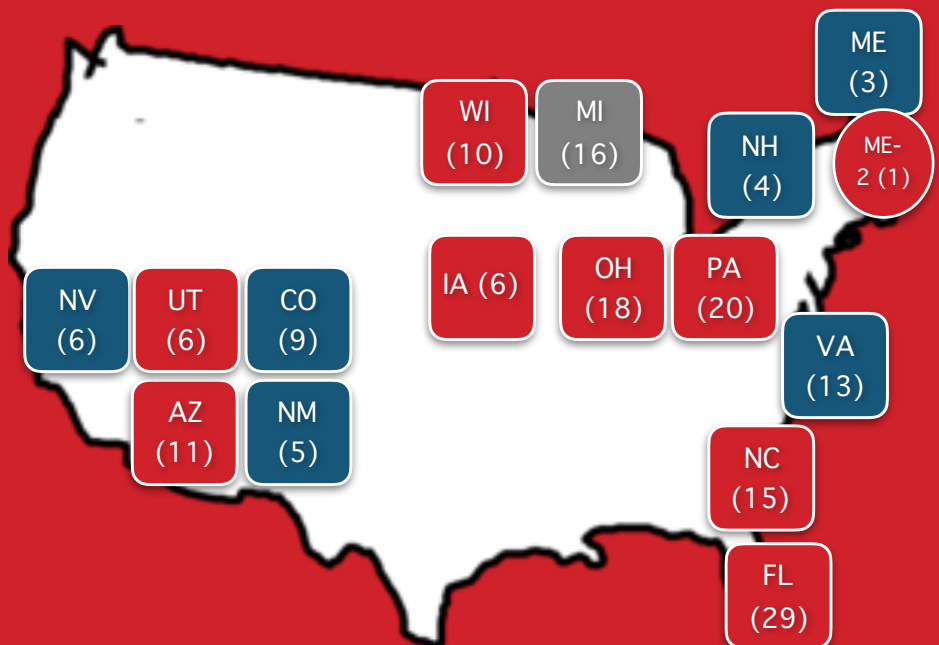
Based on the many promises made, Trump is expected to repeal many of President Obama’s Executive Orders, especially those relating to immigration, climate change, and energy development.

Policy wise, he will work with Congress to repeal and replace the Affordable Care Act and repair America’s infrastructure.

Soon after taking the oath of office, Trump will also nominate a conservative to fill the now longstanding vacancy on the U.S. Supreme Court.

Electoral Battleground Map Results

At right is a look at the battleground states where the election was won and lost. Mr. Trump won over white working class voters from Wisconsin, through Iowa, Ohio, and Pennsylvania, and south to North Carolina and Florida. Meanwhile, Native American and Latino votes delivered New Mexico, Colorado and Nevada to Secretary Clinton and kept the red state of Arizona close. Votes are still being counted in Michigan.



Presidential Election: Indian Country Impacts

New Jersey Governor Chris Christie is heading President-Elect Trump's transition team. His highest priority will be suggesting a potential Trump Cabinet.

Possible Impacts for Indian Country

Of greatest impact to Indian Country are appointments to serve as Attorney General to lead the DOJ, the Secretary of the Interior, the Secretary of Health and Human Services, and the National Indian Gaming Commission (NIGC).

Early names floated to serve as Attorney General are former New York City Mayor Rudy Giuliani and Christie himself who formerly served as U.S. Attorney for his home state.

DOJ provides critical law enforcement services to Indian Country. U.S. Attorneys and FBI agents investigate and prosecute major violent crimes on Indian lands. The agency also administers a number of important justice programs that serve tribal courts, police, juvenile justice and other local tribal law enforcement services. Finally, DOJ is also responsible for litigation to uphold the Government's treaty and trust obligations to Indian tribes as well as weighing in with the NIGC on the administration of IGRA.

The top name for Interior Secretary is Forrest Lucas, founder of Lucas Oil. Trump's sons have also been rumored to be interested in the job. DOI oversees the BIA, BIE and federal land management agencies as well as the Bureau of Reclamation. The Interior Secretary will also appoint the agency's top attorneys in the Interior Office of the Solicitor, which is also responsible for upholding treaty and trust obligations and issuing legal opinions on dozens of federal laws that seek to meet the Government's obligations to Indian Country.

Louisiana Governor Bobby Jindal and Dr. Ben Carson are rumored to be on the list as potential Secretary of Health and Human Services, which oversees the Indian Health Service and SAMHSA.

The NIGC will continue to be led by Chairman Jonodev Chaudhuri (through April 2018), Vice Chair Kathryn Isom-Clause (March 2019), and Commissioner Sequoyah Simermeyer (Nov. 2018). President Trump and the Interior Secretary will make appointments to the NIGC when those posts expire.

Indian Affairs Issues in a Trump Administration

With regard to potential policy issues within a Trump Administration, the President-Elect has stated that infrastructure and tax reform will be priorities.

Indian tribes nationwide will look to work with the Executive branch and Congress on rebuilding our Nation's crumbling infrastructure. Tribes will work to ensure that Indian Country's long neglected roads, communications, and other essential infrastructure are addressed in any national efforts.

Indian Country will also work to ensure greater respect for the treatment of tribes as governments in the expected tax reform efforts that will take place in 2017 and 2018. Dozens of federal tax laws fail to acknowledge Indian tribes as governments for purposes of federal tax credits that state and local governments regularly use as fundamental tools for economic development.

On a more pessimistic note, tribes could have a much more difficult task working with the incoming Administration to continue the promotion of Indian gaming and the protection of Indian lands and the exercise of treaty rights on federal lands.

Regarding Indian gaming, in past Republican Administrations, tribes faced a nearly 8-year battle over regulations and attempts to limit the ability of tribes to utilize advanced technology with class II Indian gaming. During the George W. Bush Administration, tribes consistently won federal court challenges to class II games and successfully beat back regulatory proposals to limit class II games.

On the land forefront, the Obama Administration went above and beyond all past Presidents in the education of field agencies to protect Native sacred places. Just last week, President Obama noted that he was considering recommending re-routing the Dakota Access Pipeline that destroyed sacred sites of the Standing Rock Sioux Tribe. Tribes will likely not receive similar respect for sacred places from the incoming Administration and in the 115th Congress.

The U.S. Supreme Court

The most long-lasting impact of the next Administration on Indian Country will be nominations made to the U.S. Supreme Court and lower federal courts. Indian Country escaped significant damage to tribal sovereignty in the 2015-16 term due in part to the passing of Justice Antonin Scalia. Tribes won 3 major sovereignty cases before the Court.

President-Elect Trump has promised to nominate a jurist at least as conservative as Justice Scalia, which will likely not bode well for cases involving a conflict between tribal and state sovereignty.

Upcoming Lame Duck Session

The session of Congress that takes place after an election is referred to as a “lame duck” session because some Members returning for this final work period will not return for the next full session because they have retired or lost re-election.

Congress now turns to the lame duck session, which opens on November 15th, and could last through mid-December.

Because Republicans will soon control the Executive and Legislative branches of government, many expect a short and inactive lame duck.

Republican leaders in the House and Senate will soon meet to determine legislative priorities in the few remaining days of the 114th Congress.

The primary order of business will be funding federal agencies and government programs beyond the FY17 continuing resolution (CR), which expires on December 9, 2016.

President Obama and Senate Democrats will make a hard push for an Omnibus spending bill to fund the Government through September 30, 2017. An Omnibus would include slight funding increases and potential policy riders.

However, House Freedom Caucus Members and hard fiscal conservatives will press House and Senate leaders to reject an Omnibus.

Along this same line of thinking, reports have surfaced that the incoming Administration is urging passage of another short-term CR through early 2017 to enable President Trump to influence funding for the remainder of FY17.

If Congress takes this route, it would likely result in changes that cut domestic spending to provide increases to defense programs.

A final decision on FY17 spending will be made in the coming weeks.

House and Senate leaders will also look to finalize the FY17 National Defense Authorization Act (NDAA) (conferees have

been appointed), the 21st Century Medical Cures Act, and the Water Resources Development Act (WRDA). A public lands bill could be attached to the NDAA or WRDA bills.

While these bills are considered, there will still be an opportunity to pass smaller non-controversial bills, but Congress will almost certainly recess by December 9th when the current CR expires if not sooner.

Indian Affairs Issues in the Lame Duck

While more and more unlikely, the best case scenario for Indian Country would be an Omnibus spending bill for FY17.

The House and Senate Interior Appropriations Subcommittees have adopted moderate but meaningful increases for critical tribal government programs in each of their FY17 spending bills.

An Omnibus would also leave open the possibility for increases to tribal public safety and justice programs within the Commerce, Justice Science portion of the bill. The House and Senate bills would mandate that tribes receive a 5% set-aside from the Crime Victims Fund, which would garner Indian Country \$150 million in new money for victims services in the form of mental health support, suicide prevention, referral services, crisis counseling, temporary housing, criminal justice advocacy support and other needs.

The Senate bill also mandates a 7% set-aside for Indian tribes from all DOJ discretionary programs within the Office of Justice Programs. This would nearly double the DOJ Consolidated Tribal Assistance Solicitation (CTAS) grant program, which funds tribal courts, law enforcement, juvenile justice, and other public safety priorities.



Sen. Mitch McConnell (R-KY) will return as Senate Majority Leader in the 115th Congress

Republicans Retain Senate Majority

When the 115th Congress opens in January of 2017, the Republican party will remain in control of the U.S. Senate, successfully beating back a tough map and stiff headwinds. Republicans will hold a 52 - 48 seat edge over Democrats.

With eight races considered tossups leading into the election, Democrats could only muster two pickups, with Rep. Tammy Duckworth (IL) easily defeating sitting Senator Mark Kirk (R-IL) and former New Hampshire Governor Maggie Hassan (D) narrowly defeating incumbent Sen. Kelly Ayotte.

Republicans held Senate seats in the battleground states of Arizona (John McCain), Florida (Marco Rubio), North Carolina (Richard Burr), Pennsylvania (Pat Toomey), and Wisconsin (Ron Johnson). Incumbent Senator Roy Blunt (R-MO) also managed to hold off a strong campaign by Iraq War Vet and sitting Secretary of State Jason Kander.

The Senate holds in Pennsylvania and Wisconsin were made possible by the same white working class voters that gave Donald Trump the upset victories in those states, which propelled him to the Presidency.

Senate Leadership-115th Congress

The biggest change in Senate leadership will take place on the Democratic side of the aisle where longtime Democratic Leader Harry Reid (D-NV) has retired. Sen. Chuck Schumer (D-NY) will become the Democratic Minority Leader in the 115th Congress. Senator Patty Murray (WA) and Sen. Dick Durbin (IL) will vie for the number two spot in the Senate.

Senate Republican leadership will likely remain unchanged with Sen. Mitch McConnell (KY) keeping the reins as Majority Leader, and Texas Senator John Cornyn and South Dakota Sen. John Thune holding the Majority Whip Republican Conference Chair positions. Senators of both parties will conference later this month to officially determine leadership posts.

Results of Key Senate Tossup Races

AZ	John McCain (R) defeats Ann Kirkpatrick (R)	53%	
CO	Michael Bennett (D) defeats Darryl Glenn (R)	49%	
FL	Marco Rubio (R) defeats Patrick Murphy (D)	52%	
IL	Tammy Duckworth (D) defeats Mark Kirk (D)	54%	Dem Pickup
IN	Todd Young (D) defeats Evan Bayh (D)	52%	
MO	Roy Blunt (R) defeats Jason Kander (D)	49%	
NV	Catherine Cortez Masto (D) defeats Joe Heck (R)	47%	
NH	Maggie Hassan(D) defeats Kelly Ayotte (R)	48%	Dem Pickup
NC	Richard Burr (R) defeats Deborah Ross (D)	51%	
PA	Pat Toomey (R) defeats Katie McGinty (D)	49%	
WI	Ron Johnson (R) defeats Russ Feingold (D)	50%	



Speaker of the House Paul Ryan (R-WI) will contend with a difficult majority, but is expected to return as Speaker in the next Congress.

Republicans Retain House: Limit Losses

House Republicans entered election night expecting to lose the White House and possibly incurring double-digit losses in the lower chamber.

Throughout the 2016 election, Speaker of the House Paul Ryan (R-WI) expressed criticism of the Republican nominee and kept his distance, refusing to campaign with Trump.

The Trump - Pence ticket, however, defied expectations and the intra-party divisions, and helped re-elect many Republican House members down ticket.

Twenty seats were considered tossups heading into Tuesday night's election, and Republicans won at least 14 of those 20 races.

While some votes are still being counted, House Republicans will enter the 115th Session of Congress with at least a 238 - 193 majority in early January of 2017.

House Leadership-115th Congress

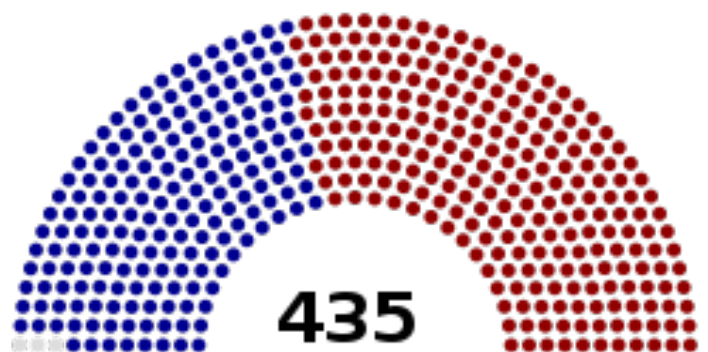
In spite of the public rift between Ryan and Trump, and a potential takeover by the ultra-conservative House Freedom Caucus, recent reports show that Rep. Ryan will survive and continue on a Speaker of the House in the next Congress.

Ryan made great efforts to makeup with the President-Elect with a statement on Wednesday,

Nov. 9th, acknowledging that Trump brought his home State of Wisconsin's 10 electoral to a Republican for the first time since 1984.

Ryan stated, "Let me just say, this is the most incredible political feat I have seen in my lifetime.... Donald Trump heard a voice out in this country that no one else heard. He connected with—he connected in ways with people no one else did. He turned politics on its head."

House Majority continued next page



House Republicans will enter the 115th Congress with at least a 238 - 193 majority. Most pundits expected double digit losses for Republicans. However, Trump voters carried conservatives down ticket, limiting Republican losses to six seats.

Republicans Maintain Wide House Majority (cont'd)

Most expect the remainder of House leadership to remain intact. If so, Rep. Kevin McCarthy (R-CA) would return as Majority Leader, along with Steve Scalise (R-LA) - Majority Whip, and Cathy McMorris-Rogers (R-WA) as Conference Chair.

House Republicans will hold a closed-door meeting to officially elect leadership for the 115th Congress when they returns for the lame duck session on November 15th. House and Senate Committee assignments will not be officially decided until later in November or early December. Predictions for potential changes are posted in the pages that follow.

For Indian Country, the Co-Chairs of the House Native American Caucus will continue to be led by the steady and strong hands of Rep. Tom Cole (R-OK) and Rep. Betty McCollum (D-MN).

Mapetsi will continue to track these assignments, as well as other potential appointments in the Trump Administration and report to you on this important information.



The House Native American Caucus, a group of approximately 100 Members of Congress, will remain a strong voice to protect tribal sovereignty and respect for Indian tribes as governments in the 115th Congress. Republican Co-Chair Tom Cole (R-OK)(Chickasaw) and Democratic Co-Chair Betty McCollum (D-MN) are expected to keep their posts on this important Caucus.

Republicans Take Majority of Tossup Races

	CA-49	Darrel Issa (R) defeats Douglas Applegate (D)	51%	GOP hold
	CO-06	Mike Coffman (R) defeats Morgan Carroll (D)	51%	GOP hold
	FL-07	Stephanie Murphy (D) defeats John Mica (R)	51%	Dem pickup
Open Murphy (D)	FL-18	Brian Mast (R) defeats Randy Perkins (D)	54%	GOP pickup
	FL-26	Carlos Curbelo (R) defeats Joe Garcia (D)	53%	GOP hold
	IA-01	Rob Blum (R) defeats Monica Vernon (D)	54%	GOP hold
	IA-03	David Young (R) defeats Jim Mowrer (D)	54%	GOP hold
	IL-10	Brad Schneider (D) defeats Rob Dold (R)	52%	Dem pickup
	ME-02	Bruce Poliquin (R) defeats Emilly Cain (D)	55%	GOP hold
Open Benishek (R)	MI-01	Jack Bergman (R) defeats Lon Johnson (D)	55%	GOP hold
Open Kline (R)	MN-02	Jason Lewis (R) defeats Angie Craig (D)	47%	GOP hold
	NE-02	Don Bacon (R) defeats Brad Ashford (D)	49%	GOP pickup
Open Heck (R)	NV-03	Jackie Rosen (D) defeats Danny Tarkanian (R)	47%	Dem pickup
	NV-04	Ruben Kihuen(D) defeats Crescent Hardy (R)	49%	Dem pickup
	NH-01	Carol Shea Porter (D) defeats Frank Guinta (R)	44%	Dem pickup
	NJ-05	Josh Gottheimer (D) defeats Scott Garrett (R)	51%	Dem pickup
Open Gibson (R)	NY-19	John Faso (R) defeats Zephyr Teachout (D)	55%	GOP hold
Open Hanna (R)	NY-22	Claudia Tenney (R) defeats Kim Meyers (D)	47%	GOP hold
Open Fitzpatrick (R)	PA-08	Brian Fitzpatrick (R) defeats Steve Santasario (D)	54%	GOP hold
	TX-23	Will Hurd (R) defeats Pete Gallego (D)	48%	GOP hold
	VA-10	Barbara Comstock (R) defeats Luann Bennett (D)	53%	GOP hold

Senate Committee Leadership Changes

Congressional committees play a vital role in the consideration and passage of legislation. The perks of chairing a committee are substantial. Committee chairs have larger budgets at their disposal, enabling them to hire more staff and more qualified personnel. Committee chairs have complete control to set the committee's agenda, including topics for committee hearings, agency oversight, and legislation that the committee will consider and vote on. Committee chairs remain prized positions.

Assignments and chairmanships will not be officially decided until December. However, below are predictions and a brief overview of what could happen to several committees of importance to Indian Country.

Indian Affairs: John Barrasso (R-WY) is expected to take over as Chairman of the Environment and Public Works Committee. Senators Lisa Murkowski (R-AK) and John McCain (R-AZ) both chair other Committees. As a result, this important Committee could be chaired by either Sen. John Hoeven (R-ND) or Sen. James Lankford (R-OK) as of January 2017. Jon Tester (D-MT) is eligible to remain as SCIA Vice Chair, but he could pass that position to New Mexico Senator Tom Udall.

Appropriations: Senator Thad Cochran (R-MS) will retain the gavel of this important Committee, which is responsible for funding federal agencies and government programs and services. The top Democrat will change with the retirement of Maryland Sen. Barbara Mikulski. In line to take over as Ranking Member are Senators Patrick Leahy (D-VT), Patty Murray (D-WA), Diane Feinstein (D-CA), or Dick Durbin (D-IL).

Of great importance to Indian Country is the Senate Interior Appropriations Subcommittee, which funds essential tribal government programs at the BIA, BIE and IHS. It is expected that champions of Indian Country, Senators Lisa Murkowski (R-AK) and Tom Udall (D-NM), will stay on a Chair and Ranking Member.

Energy and Natural Resources: Alaska Senator Lisa Murkowski (R) will likely retain the gavel here as well. This important

Committee has jurisdiction over public lands bills and energy development legislation. There is a growing push by anti-conservationists to open federal lands for development and the battle will intensify in the 115th Congress. Senator Maria Cantwell (D-WA) will stay on as the Ranking Member.

Finance: The Senate Finance Committee has jurisdiction over all tax related legislation and will hold the key to expected efforts at reforming the U.S. tax code. No changes here as Utah Senator Orrin Hatch (R) will stay on as Chair and Oregon Sen. Ron Wyden (D) will continue as the Ranking Member. The Finance Committee will also have a say in efforts to repeal the Affordable Care Act.

Health, Education, Labor & Pensions: Tennessee Sen. Lamar Alexander (R) will return as Chairman of the HELP Committee. Sen. Bernie Sanders (D-VT) could rise to take over as the top Democrat. Senate Majority Leader Mitch McConnell has already stated that it will be the Senate's top priority to repeal President Obama's Affordable Care Act, which also includes the permanent reauthorization of the Indian Health Care Improvement Act. While tribal governments have opposed the IRS's interpretation that the ACA's large employer mandate applies to tribal employers, tribes will work with senators in both parties to ensure that the IHCA is protected in any changes to the ACA.



Changes in Senate Committee leadership posts may open the door for North Dakota Sen. John Hoeven to take over as Chair of the important Senate Committee on Indian Affairs. No SCIA members have retired or lost election. As a result, the makeup of the Committee should not change in the next Congress.

House Committee Leadership Changes

Despite the fact that Republicans retain control of the House, there will be a shakeup in leadership in as many as 7 of the 21 House Committees due to retirements and term limits. Most notably there will be new chairs for the Appropriations, the Energy & Commerce, the Education & Workforce, the Veterans Affairs, the Ethics, and the House Administration Committees. Below are some of the possible Committee leadership changes as well as an update on the Committees that will most impact Indian Country policy goals.

Natural Resources: The House Natural Resources Committee has jurisdiction over most legislation impacting Indian affairs. Chairman Rob Bishop (R-UT) will remain the Chair the Committee in the 115th Congress with 4 years remaining in his term. Raul Grijalva (D-AZ) will remain the Ranking Member. One possible change could be the Chair of the Indian, Insular, and Alaska Native Affairs Subcommittee if Rep. Don Young (R-AK) is forced to step down due to term limits. Rep. Raul Ruiz (D-CA) is expected to remain on as the Ranking Member of this Subcommittee.

Appropriations: Like its Senate counterpart, this Committee funds federal agencies and government programs relied upon by tribal, state and federal governments. Rep. Rodney Frelinghuysen (R-NJ) is likely to take over as the new Chair of the Committee as Rep. Harold Rogers (R-KY) could be forced out because of term limits. Rep. Nita Lowey (D-NY) will stay on as the top Democrat.

Interior Appropriations Subcommittee: Rep. Ken Calvert (R-CA) will likely return to Chair the Interior Appropriations Subcommittee, which funds the BIA, IHS, and many other tribal programs. Rep. Betty McCollum (D-MN) will remain Ranking Member.

Budget: Chairman Tom Price (R-GA) will remain as the Chairman of the Budget Committee. However, with current Ranking Member Rep.

Chris Van Hollen (D-MD) being elected to the Senate, Rep. John Yarmuth (D-KY) and Rep. Xavier Becerra (D-CA) have been mentioned as possible replacements.

Education and the Workforce: With the retirement of current Committee Chair Rep. John Kline (R-MN), Rep. Virginia Foxx (R-NC) is likely to become the new Chair. Virginia Democrat Bobby Scott will remain the Ranking Member.

Energy and Commerce: This Committee has jurisdiction over both energy and health issues. Rep. John Shimkus (R-IL) or Rep. Greg Walden (R-OR) will take the gavel depending upon the outcome of Leadership and Committee elections, replacing Rep. Fred Upton (R-MI) who is term-limited. Rep. Frank Pallone (D-NJ) will stay on as the top Democrat. This Committee's top assignment from House Leadership will be to craft the repeal and possible replacement for the Affordable Care Act. Indian Country will work closely with members to ensure that the Indian Health Care Improvement Act is protected at all costs.

Veterans Affairs: With current Chairman Jeff Miller (R-FL) retiring, there will be a competition between Rep. Phil Roe (R-TN) and the Vice Chairman Rep. Gus Bilirakis (R-FL) to become the new Chairman of Veterans Affairs. On the Democrat side, Acting Ranking Member Mark Takano (D-CA) is facing a challenge from Rep. Tim Walz (D-MN).

Ways and Means: Current Chairman Kevin Brady (R-TX) will remain the Chair of this powerful Committee. He will be shepherding comprehensive tax reform legislation that is expected to be introduced next Congress. Rep. Sander Levin (D-MI) will remain the Ranking Member. As this Committee is the House equivalent of the Senate Finance Committee, it will also play a role in the repeal and potential replacement of the Affordable Care Act and any impacts to Indian health care.

Republicans Gain Three Governor Seats

Twelve states held gubernatorial elections on November 8th. Eight of the seats were held by Democrats and four by Republicans. *(By comparison 2014, 36 states held elections for governors).* In 48 of the 50 states, governors serve a term of four years. The exceptions are New Hampshire and Vermont where governors serve two-year terms.

After all votes are counted, Republicans are set to hold 34 of 50 state houses, the highest mark for Republican Governors since 1922.

While the GOP made an expected pickup in red-state Missouri, the party made stunning gains in deep blue Vermont and traditionally blue New Hampshire. Democrats managed to hold red States Montana and West Virginia, and could pick up battleground North Carolina where the vote is still too close to call.

Going into yesterday's election, five of the 12 races for governor were considered tossups,

including three Democrats (MO, NH, VT) and two Republicans (IN, NC). Republicans are set to take four of these five tossup races.

State governors and legislatures will next re-draw federal congressional district ("redistrict") after the 2020 census. Those in office as of 2020 will make these important decisions.

Twenty-eight of the 36 states that held governors elections yesterday have Indian Country within their borders. The importance of who holds the position of governor cannot be understated.

State governors make decisions on whether and how to negotiate gaming, law enforcement, taxation and other agreements with tribal governments. They can open, shut, or make it more difficult for tribal governments to access federal funding that too often is funneled through states. And they often weigh in on decisions to litigate, negotiate, or otherwise cooperate with Indian tribes.

Results of Gubernatorial Elections

DE	John Carney (D) defeats Colin Bonini (R)	58%
IN	Eric Holcomb (R) defeats John Gregg (D)	51%
MO	Eric Greitens (R) defeats Chris Koster (D)	51% <i>Republican Pickup</i>
MT	Steve Bullock (D) defeats Greg Gianforte (D)	50%
NH	Chris Sununu (D) defeats Colin Van Ostern (D)	49% <i>Republican Pickup</i>
NC	Roy Cooper (D) defeats Pat McCrory (D)	49% <i>recount expected</i>
ND	Doug Burgum (D) defeats Marvin Nelson (R)	77%
OR	Kate Brown (D) defeats Bud Pierce (R)	51%
UT	Gary Herbert (R) defeats Mike Weinoltz (R)	67%
VT	Phil Scott (R) defeats Sue Minter (D)	53% <i>Republican Pickup</i>
WA	Jay Inslee (D) defeats Bill Bryant (R)	56%
WV	Jim Justice (D) defeats Bill Cole (R)	49%

State by State Returns

Below is a listing of races important to Indian Country and to the makeup of the 115th Congress. Incumbent listed in *italics*, winners highlighted in blue and red boxes.

- (AL) - at large
- (G) - Green Party
- (I) - Independent Party
- (L) - Libertarian Party



Alabama

Senate

Ron Crumpton (D)	36%
Richard Shelby (R)	64%

House of Representatives

AL-01	Bradley Byrne (R)	unopposed
AL-02	Nathan Mathis (D)	45%
	Martha Roby (R)	55%
AL-03	Jesse Smith (D)	33%
	Mike Rogers (R)	67%
AL-04	Robert Aderholt (R)	unopposed
AL-05	Will Boyd (D)	33%
	Mo Brooks (R)	67%
AL-06	David Putman (D)	25%
	Gary Palmer (R)	75%
AL-07	Terri Sewell (D)	unopposed

Alaska

Senate

Ray Metcalfe (D)	11%
Lisa Murkowski (R)	44%
Joe Miller(L)	30%

House of Representatives

AK-AL	Don Young (R)	50%
	Steve Lindbeck (D)	37%
	Jim McDermott (L)	10%
	Bernie Souphanavong (I)	3%

Arizona

Senate

Ann Kirkpatrick (D)	41%
John McCain (R)	53%

House of Representatives

AZ-01	Tom O'Halleran (D)	51%
(open)	Paul Babeau (R)	43%
AZ-02	Matt Heinz (D)	43%
	Martha McSally (R)	57%
AZ-03	Raul Grijalva (D)	unopposed
AZ-04	Mike Weisser (D)	28%
	Paul Gosar (R)	72%
AZ-05	Talia Fuentes (D)	37%
	Andy Biggs (R)	63%
AZ-06	John Williamson (D)	38%
	David Schweikert (R)	62%
AZ-07	Ruben Gallego (D)	74%
	Eve Nunes (R)	26%
AZ-08	Mark Salazar (G)	31%
	Trent Franks (R)	69%
AZ-09	Krysten Sinema (D)	61%
	Dave Giles (R)	39%

California

Senate (open D)

Loretta Sanchez (D)	37%
Kamala Harris (D)	63%

House of Representatives:

CA-01	Jim Reed (D)	41%
	Doug LaMalfa (R)	59%
CA-03	John Garamendi (D)	60%
	Eugene Cleek (R)	40%
CA-04	Bob Derlet (D)	38%
	Tom McClintock (R)	62%
CA-07	Ami Bera (D)	51%
	Scott Jones (R)	49%
CA-08	Rita Ramirez (D)	36%
	Paul Cook (R)	64%
CA-10	Michael Eggman (D)	48%
	Jeff Denham (R)	52%
CA-12	Nancy Pelosi (D)	81%
	Preston Picus (I)	18%
CA-21	Emilio Huerta (D)	41%
	David Valadeo (R)	59%
CA-22	Louie Campos (D)	32%
	Devin Nunes (R)	68%
CA-23	Raul Garcia (D)	29%
	Kevin McCarthy (R)	71%
CA-25	Bryan Caforio (D)	46%
	Steve Knight (R)	54%
CA-29	Tony Cardenas (D)	75%
	Richard Alarcon (D)	25%
CA-31	Pete Aguilar (D)	55%
	Paul Chabot (R)	45%
CA-34	Xavier Becerra (D)	79%
	Adrienne Edwards (D)	21%
CA-35	Norma Torres (D)	72%
	Tyler Fischella (R)	28%
CA-36	Raul Ruiz (D)	60%
	Jeff Stone (R)	40%
CA-42	Tim Sheridan (D)	40%
	Ken Calvert (R)	60%
CA-49	Doug Applegate (D)	49%
	Darrell Issa (R)	51%

Colorado

Senate

Michael Bennett (D)	49%
Darryl Glenn (R)	45%

House of Representatives

CO-02	Jared Polis (D)	57%
	Nicholas Morse (R)	45%
CO-05	Irv Halter (D)	40.2%
	Doug Lamborn (R)	62%
CO-06	Morgan Carroll (D)	43%
	Mike Coffman (R)	51%

Florida

Senate

Patrick Murphy (D)	44%
Marco Rubio (R)	52%

House of Representatives:

FL-01	Steven Specht (D)	31%
	Matt Gaetz (R)	69%
FL-02	Walter Dartland (D)	50%
	Neal Dunn (R)	49%
FL-03	Ken McGurn (D)	40%
	Ted Yoho (R)	57%
FL-04	Alan Grayson (D)	53%
	John Rutherford (R)	43%
FL-05	Al Lawson (D)	64%
	Glo Smith (R)	36%
FL-06	Jonathan Snow (D)	32%
	Ron DeSantis (R)	63%
FL-07	Stephanie Murphy (D)	51%
	John Mica (R)	49%
FL-09	Darren Soto (D)	53%
	Carol Platt (R)	43%
FL-10	Val Demings (D)	65%
	Thuy Lowe (R)	35%
FL-11	Dave Koller (D)	32%
	Daniel Webster (R)	65%
FL-12	Jonathan Snow (D)	31%
	Gus Bilirakis (R)	69%
FL-13	Charlie Christ (D)	52%
	David Jolly (R)	48%
FL-14	Kathy Castor (D)	62%
	Christine Quinn (R)	38%

Florida (continued)

House of Representatives

FL-16	Keith Fitzgerald (D)	40%
	Vernon Buchanan (R)	60%
FL-17	April Freeman (D)	34%
	Tom Rooney (R)	62%
FL-18	Randy Perkins (D)	43%
	Brian Mast (R)	54%
FL-19	Robert Neeld (D)	34%
	Francis Rooney (R)	66%
FL-20	Alcee Hastings (D)	80%
	Gary Stein (R)	20%
FL-21	Lois Frankel (D)	63%
	Paul Spain (R)	35%
FL-22	Ted Deutch (D)	59%
	Andrea McGee (R)	41%
FL-23	Debbie Wasserman Schultz (D)	57%
	Joe Kaufman (R)	41%
FL-24	Frederica Wilson (D)	unopposed
FL-25	Alina Valdes (D)	
	Mario Diaz-Balart (R)	62%
FL-26	Joe Garcia (D)	41%
	Carlos Curbelo (R)	53%
FL-27	Scott Fuhrman (D)	45%
	Ileana Ros-Lehtinen (R)	55%

Hawaii

Senate

Brian Schatz (D)	74%
John Carroll (R)	22%

House of Representatives

HI-01	Colleen Hanabusa (D)	72%
	Shirlene Ostrov (R)	23%
HI-02	Tulsi Gabbard (D)	81%
	Angela Kaaihue (R)	19%

Idaho

Senate

Nels Mitchell (D)	28%
Mike Crapo (R)	66%

House of Representatives:

ID-01	James Piotrowski (D)	32%
	Raul Labrador (R)	68%
ID-02	Jennifer Martinez (D)	29%
	Mike Simpson (R)	63%

Kansas

Senate

Patrick Weisner (D)	32%
Jerry Moran (R)	62%
Robert Garrard (L)	6%

House of Representatives

KS-01	Alan LaPolice (I)	26%
	Roger Marshall (R)	66%
KS-02	Britani Potter (D)	32%
	Lynn Jenkins (R)	61%
KS-03	Jay Sidie (D)	41%
	Kevin Yoder (R)	51%
KS-04	Daniel Giroux (D)	29%
	Mike Pompeo (R)	61%

Maine

House of Representatives

ME-01	Chellie Pingree (D)	58%
	Mark Holbrook (R)	42%
ME-02	Emily Cain (D)	45%
	Bruce Poliquin (R)	55%

Michigan

House of Representatives

MI-01	Lon Johnson (D)	40%
	Jack Bergman (R)	55%
MI-03	Douglas Smith (D)	38%
	Justin Amash (R)	59%
MI-05	Dan Kildee (D)	61%
	Allen Hardwick (R)	35%
MI-06	Paul Clements (D)	36%
	Fred Upton (R)	59%

Minnesota

House of Representatives

MN-01	Tim Walz (D)	50%
	Jim Hagedorn (R)	49%
MN-02	Angie Craig (D)	45%
(open)	Jason Lewis (R)	47%
MN-03	Terri Bonoff (D)	43%
	Erik Paulsen (R)	57%
MN-04	Betty McCollum (D)	58%
	Greg Ryan (R)	34%
MN-05	Keith Ellison (D)	70%
	Frank Drake (R)	24%
MN-06	David Snyder (D)	34%
	Tom Emmer (R)	66%
MN-07	Collin Peterson (D)	53%
	Dave Hughes (R)	47%
MN-08	Rick Nolan (D)	50%
	Stewart Mills (R)	49%

Mississippi

House of Representatives

MS-01	Jacob Owens (D)	28%
(open)	Trent Kelly (R)	69%
MS-02	Bennie Thompson (D)	67%
	John Bouie (R)	29%
MS-03	Dennis Quinn (D)	30%
	Greg Harper (R)	66%
MS-04	Matthew Moore (D)	28%
	Steve Palazzo (R)	65%

Montana

House of Representatives

MT-AL	Denise Juneau (D)	40%
	Ryan Zinke (R)	57%
	Mike Fellows (L)	3%

Nevada

Senate

	Catherine Cortez Masto (D)	47%
	Joe Heck (R)	45%

House of Representatives

NV-01	Dina Titus (D)	62%
	Mary Perry (R)	29%
NV-02	Chip Evans (D)	37%
	Mark Amodei (R)	58%
NV-03	Jacky Rosen (D)	47%
(open)	Danny Tarkanian (R)	46%
NV-04	Ruben Kihuen (D)	48%
	Cresent Hardy (R)	45%

New Mexico

House of Representatives

NM-01	Michelle Lujan Grisham (D)	65%
	Richard Preim (R)	35%
NM-02	Merrie Lee Soules (D)	37%
	Steve Pearce (R)	63%
NM-03	Ben Ray Lujan (D)	63%
	Michael Romero (R)	37%

New York

Senate

	Charles Schumer (D)	70%
	Wendy Long (R)	27%

House of Representatives

NY-02	Duwayne Gregory (D)	38%
	Peter King (R)	62%
NY-03	Thomas Souzzi (D)	52%
(open)	Jack Martins (R)	48%
NY-11	Richard Reichard (D)	36%
	Dan Donovan (R)	62%
NY-23	John Plumb (D)	42%
	Tom Reed (R)	58%
NY-24	Colleen Deacon (D)	39%
	John Katko (R)	61%

North Carolina

Senate

Deborah Ross (D)	45%
Richard Burr (R)	51%
Sean Haugh (L)	4%

House of Representatives

NC-01	G.K. Butterfield (D)	69%
	H. Powell Dew Jr. (R)	29%
NC-02	John McNeil (D)	43%
	George Holding (R)	57%
NC-03	Ernest Reeves (D)	33%
	Walter Jones (R)	67%
NC-05	Josh Brannon (D)	32%
	Virginia Foxx (R)	58%
NC-10	Andy Millard (D)	37%
	Patrick McHenry (R)	65%
NC-11	Rick Bryson (D)	36%
	Mark Meadows (R)	64%

North Dakota

Senate

Eliot Glassheim (D)	17%
John Hoeven (R)	79%

House of Representatives (open)

ND-AL	Chase Iron Eyes (D)	24%
	Kevin Cramer (R)	69%
	Jack Seaman (L)	7%

Oklahoma

Senate

Mike Workman (D)	25%
James Lankford (R)	68%

House of Representatives

OK-01	Jim Bridenstine (R)	unopposed
OK-02	Joshua Harris-Till (D)	23%
	Mark Wayne Mullin (R)	71%
OK-03	Frankie Robbins (D)	22%
	Frank Lucas (R)	78%
OK-04	Christina Owen (D)	26%
	Tom Cole (R)	70%
OK-05	Al McAffrey (D)	37%
	Steve Russell (R)	57%

Oregon

Senate

Ron Wyden (D)	54%
Mark Callahan (R)	34%

House of Representatives

OR-01	Suzanne Bonamici (D)	60%
	Brian Heinrich (R)	37%
OR-02	James Crary (D)	28%
	Greg Walden (R)	72%
OR-03	Earl Blumenauer (D)	73%
	David Walker (I)	20%
OR-04	Peter DeFazio (D)	55%
	Art Robinson (R)	40%
OR-05	Kurt Schrader (D)	53%
	Colm Willis (R)	43%

South Dakota

House of Representatives

SD-AL	Paula Hawks (D)	36%
	Kristi Noem (R)	64%

Utah

House of Representatives:

UT-01	Peter Clemens (D)	28%
	Rob Bishop (R)	65%
UT-02	Charlene Albarran (D)	34%
	Chris Stewart (R)	61%
UT-03	Stephen Tryon (D)	26%
	Jason Chaffetz (R)	74%
UT-04	Doug Owens (D)	43%
(open)	Mia Love (R)	53%

Washington

Senate

Patty Murry (D)	61%
Chris Vance (R)	39%

House of Representatives

WA-01 Suzan DelBene (D)	57%
Robert Sutherland (R)	43%

WA-02 Rick Larsen (D)	65%
Mark Hennemann (R)	35%

WA-03 Jim Moeller (D)	41%
Jaime Herrera-Beutler (R)	59%

WA-04 Dan Newhouse (R)	58%
Clint Didier (R)	42%

WA-05 Joe Pakootas (D)	42%
Cathy McMorris-Rogers (R)	58%

WA-06 Derek Kilmer (D)	62%
Todd Bloom (R)	38%

WA-07 Pramila Jayapal (D)	57%
(open) Brady Walkinshaw (D)	43%

WA-08 Jason Ritchie (D)	42%
Dave Reichert (R)	58%

WA-09 Adam Smith (D)	74%
Doug Basler (R)	26%

WA-10 Denny Heck (D)	60%
Jim Postma (R)	40%

Wisconsin

Senate

Russ Feingold (D)	47%
Ron Johnson (R)	50%

House of Representatives

WI-01 Ryan Solen (D)	30%
Paul Ryan (R)	65%

WI-02 Mark Pocan (D)	69%
Peter Theron (R)	31%

WI-03 Ron Kind (D)	unopposed
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WI-04 Gwen Moore (D)	77%
Robert Raymond (I)	12%

WI-05 Khary Penebaker (D)	29%
Jim Sensenbrenner (R)	67%

WI-06 Sarah Lloyd (D)	37%
Glenn Grothman (R)	57%

WI-07 Mary Hoeft (D)	38%
Sean Duffy (R)	62%

WI-08 Tom Nelson (D)	37%
(open) Mike Gallagher (R)	63%

Wyoming

House of Representatives

WY-AL Ryan Greene (D)	30%
(open) Liz Cheney (R)	62%
Laurence Struempf (L)	4%

Oneida Business Committee Travel Request

1. OBC Meeting Date Requested: 11 / 23 / 16 e-poll requested

2. General Information:

Event Name: Retirement Celebration - Diane Rosen, BIA Midwest Regional Director

Event Location: Prior Lake, MN Attendee(s): Cristina Danforth

Departure Date: Dec 4, 2016 Attendee(s):

Return Date: Dec 6, 2016 Attendee(s):

3. Budget Information:

- Funds available in individual travel budget(s)
 Unbudgeted
 Grant Funded or Reimbursed

Cost Estimate: \$350.00

4. Justification:

- Liaison Appointment Responsibilities

To which Strategic Direction(s) does this travel relate?

- Advancing Onoyote?a-ka Principles Creating a Positive Organizational Culture
 Committing to Building a Responsible Nation Implementing Good Governance Processes

Describe the purpose of Travel and how it relates to the Strategic Direction(s) and/or your liaison area:

Diane Rosen, BIA Midwest Regional Director is retiring after 31 years of service with the BIA. It is important as Chairwoman to be present to honor and support one of our great colleagues.

Also, on Sun., Dec. 4th there will be a GLITC Board "transition" meeting while in Prior Lake, MN. This meeting is regarding the administration change in Washington, D.C. As Treasurer of the GLITC board it is important to attend apprised of any changes forthcoming for our Nation.

5. Submission

Sponsor: Cristina Danforth, Tribal Chairwoman

- 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

Let's Celebrate
Diane Rosen

Retirement after 31 years of service with the
 Bureau of Indian Affairs
 and Serving the Tribes of the Midwest Region

Monday, December 5, 2016
Mystic Lake Casino & Event Center
 2400 Mystic Lake Blvd,
 Prior Lake MN 55372

5:30 pm Cocktails (cash bar)
6:00 pm Dinner

Entrée Selections:

\$40/person

Each meal served with:
 Mixed Greens, Chef's Choice of
 Starch, Vegetables, Baked rolls,
 Dessert and Coffee/Tea

- ❖ *Chicken*
- ❖ *Walleye*
- ❖ *Vegetarian Lasagna*

Advance payment for Meals is required
Payments will be accepted until November 21st

PAYMENT OPTIONS:

- Cash Payment to BIA Office listed below
or via
- PayPal [paypal.me/BIASocialEvents](https://www.paypal.me/BIASocialEvents)
After PayPal payment submitted, contact a
Point of Contact below to provide entrée
selection

To make a cash payment and provide your entrée selection contact:

Midwest Regional Office – Leana DeJesus (612) 725-4502; leana.dejesus@bia.gov

Minnesota Agency – Patty Olby (218) 751-2011; patricial.olby@bia.gov

Great Lakes Agency – Joni Guenther or Laura Corbine (715) 682-4527;
joni.guenther@bia.gov or laura.corbine@bia.gov

Michigan Agency – Jolynda Brown (906)632-6809; jolynda.brown@bia.gov

Lora L. Skenandore

From: Therese Safford <TSafford@glitc.org>
Sent: Tuesday, November 15, 2016 3:10 PM
To: Adam Van Zile (adam.vanzile@scc-nsn.gov); brtsecretary@badriver-nsn.gov; Debrah Wolf (Debrahw@stcroixtribalcenter.com); Jason Schlender (jason.schlender@lco-nsn.gov); Jeanne Gordon; Jerilyn Johnson (tribal.council@mohican-nsn.gov); Lena Shawano (lena.shawano@fcpotawatomi-nsn.gov); Linda L. Peters; Lora L. Skenandore; Lorna Shawno (lornas@fcpotawatomi.com); michaeld@stcroixtribalcenter.com; Norma Ross (norma.ross@lco-nsn.gov); Rose Gokee (rose.gokee@lco-nsn.gov); Rusty Barber (rbarberlco@yahoo.com); Sarah Lemieux (Sarah.Lemieux@ho-chunk.com); Tasha M. Caldwell; Terri Miller (tmiller@lco-nsn.gov); Vera Klingman (vera.klingman@lvdtribal.com); vickie.ackley@scc-nsn.gov
Cc: Chris McGeshick (chris.mcgeshick@scc-nsn.gov); Mike Allen
Subject: Transition Meeting

Hello Ladies!

Scott Vele of MAST has made arrangements for the "Washington Administration Transition" meeting. It will be Sunday 12/4/16, 4 PM to 8 PM or longer if necessary. He will be sending out a notice tomorrow. It looks like tribal leaders can plan on spending the first full week of December in Mystic Lake.

12/4/16	4 – 8 PM	Washington Administration Transition Meeting
12/5/16	1 – 4 PM	BIA Budget Formulation Meeting
12/5/16	5:30 PM	Diane Rosen Retirement Dinner
12/6/16	8:30 – 4:00	BIA Budget Formulation Meeting
12/6/16 – 12/8/16		IHS Budget Formulation Meeting

Therese

Therese Safford
 Executive Administrative Assistant
 Great Lakes Inter-Tribal Council, Inc.
 PO Box 9
 2932 Highway 47 North
 Lac du Flambeau, WI 54538

715-588-1013 Direct
 715-588-3324 Main
 800-472-7207 Toll Free
 715-588-7900 Fax

Cubs win!! Fly the W

Oneida Business Committee Travel Request

1. **OBC Meeting Date Requested:** 11 / 23 / 16 e-poll requested

2. General Information:

Event Name: Bemidji Area Indian Health Service Annual Tribal Formulation Meeting

Event Location: Bloomington, MN Attendee(s): Melinda J. Danforth

Departure Date: Dec 6, 2016 Attendee(s):

Return Date: Dec 8, 2016 Attendee(s):

3. Budget Information:

- Funds available in individual travel budget(s)
 Unbudgeted
 Grant Funded or Reimbursed

Cost Estimate: \$500

4. Justification:

- Liaison Appointment Responsibilities

To which Strategic Direction(s) does this travel relate?

- Advancing Oniyote?a·ka Principles Creating a Positive Organizational Culture
 Committing to Building a Responsible Nation Implementing Good Governance Processes

Describe the purpose of Travel and how it relates to the Strategic Direction(s) and/or your liaison area:

As a board member of the Great Lakes Area Tribal Health Board (BLATHB) representing WI, I am respectfully requesting to join my fellow board members at the most important meeting of the year.

At this gathering, we will be meeting with Indian Health Services (IHS) who will be giving us the federal budget dollars allocated for the mid-west region. We will be determining the priority areas to be funded and how to split the federal dollars amongst the tribes.

I will be driving an Oneida Nation vehicle provided by DPW and am requesting hotel, per diem, and gasoline.

5. Submission

Sponsor: Melinda J. Danforth, Tribal Vice Chairwoman

- 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

Save the Date

The Bemidji Area Indian Health Service will host the Annual
Tribal Budget Formulation meeting

December 6th- 8th, 2016

Radisson Blu 2100 Killebrew Drive Bloomington, MN

(952) 881-5258

Bemidji Area Indian
Health Service



For more information please contact our
office for any questions
Phone: 218-441-0452
Fax: 218-441-0457
E-mail: josephina.persson@ihs.gov

XI. TRAVEL

A. Travel Requests

- 06. Accept "Save the Date" regarding Bemidji Area Indian Health Service – Annual Tribal Budget Formulation meeting – Bloomington, MN – December 6-8, 2016, as information**

Sponsor: Tina Danforth, Tribal Chairwoman

Item deleted at adoption of the agenda.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 11 / 9 / 16

2. General Information:

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

[Empty text box]

Agenda Header:

Reports

Accept as Information only

Action - please describe:

Fourth Quarter Governmental Services Division Report

3. Supporting Materials

Report Resolution Contract

Other:

1. [Empty text box]

3. [Empty text box]

2. [Empty text box]

4. [Empty text box]

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Liz Somers, Director, Governmental Services Division



Primary Requestor/Submitter:

Your Name, Title / Dept. or Tribal Member

Additional Requestor:

Name, Title / Dept.

Additional Requestor:

Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

The attached report is for the fourth quarter for the Governmental Services Division. The highlights include new staff and new amenities for community use.

- 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

11/2/2016



Governmental Services Division
FY'16 Fourth Quarter Report



Liz Somers, Director
Governmental Services Division

Governmental Services Division

*FY'16 Fourth Quarter Report***Executive Summary**

The Governmental Services Division highlights for FY'16, fourth quarter include the hiring of a new Division Director. Big splash about our new director and direction as management expectations to include accountability were rolled out.

The **Education & Training Area** has experienced and increase in younger children/Early Intervention behavioral issues while high school/YES program behavioral concerns increased at a more significant pace. In response to the increase, YES and Behavioral Health collaborate in responding to the need for youth counseling. Childcare capacity limitations continue prompting discussions and the development of a business plan that, when complete, will evaluate options available for consideration.

The **Parks and Recreation Area** most notable highlight is the opening of our lacrosse field in the Flying Leaf Neighborhood a tremendous amenity for Flying Leaf and our entire community. Although the lacrosse field has been 'winterize' come spring, look forward to seeing many games and tournaments being played on this field. Parks and Rec have begun to put the final touches on our expanding winter programming that include new programs, recruiting/outreach efforts and fitness activities for the Recreation, Guys and Girls Youth groups and our elder activities.

The **Cultural Heritage Area** focused on goals and objectives listed in the 2005-2025 Comprehensive Plan with an increased engagement and participation in Cultural Identity and Oneida Language acquisition. A Healer Facilitator has been hired who has begun seeing clients, and working to provide healthy opportunities for our membership providing traditional teachings that include ceremonies to address mind, body & spirit, food we eat, and our Oneida identity.

The **Social Services Area** continues to serve the "most in need" Oneida population addressing the many and varying challenges on and off the reservation. Social Service diverse programming includes TANF, Indian Child Welfare, SEOTS, and Child Support Enforcement to name a few. Within these programs are multiple funding sources that originate from tribal contribution, BIA, State and Federal agencies. As an example, Distribution ensures uninterrupted funding by monitoring and complying with USDA's extensive program requirements to enable Social Services programs continue as an important safety net for tribal membership as a last resort assistance.

Education & Training Area

Early Intervention: As predicted in the third quarter report we have much higher than average referrals and evaluations starting the school year. In the past most of the referrals and evaluations were between October and November, this year we started the first day of school with 17 evaluations. The staff was prepared for this and so far everything is running smoothly with all evaluations being completed within the Federal time line.

Child Care: Child Care currently has a waiting list of 107 with Priority II-Oneida's working for Oneida being the largest group waiting at 60 children. Largest age group continues to be the 1-2 year old age group at 24 children.

Job Training: As anticipated at the end of the prior quarter request for participation has leveled off, and in fact the numbers of participants in both VR and WIOA have decreased slightly. We can attribute this trend to the expansion of the labor market. Consistent growth in northeastern Wisconsin is creating more employment opportunities for our consumer base.

Y.E.S.: Some of the youth were anxious about the start of the new school year and that affected attendance this year. More children and adolescents are not living with their parents. Seymour High School's freshman class is large (31) this year. West De Pere High School youth are having difficulty in their English class. Difficulty in obtaining Parental Releases for students at Seymour Rock Ledge (for the very young students) and student at Green Bay schools. Our staff is having difficulty getting parent to complete Green Bay's new (new release and new process) Release of Information, which allows the Y.E.S. Staff to monitor student's progress/attendance through the district's student database. Not as many parents have applied for assistance with school fees so far this year, yet fees have not been paid. Increased school sponsored extra-curricular activity participation by the Y.E.S. youth at Seymour High School and West De Pere Middle School. There is an increased number of American Indian youth not meeting the "quarter or enrolled" eligibility criteria for the Y.E.S. Program. More Y.E.S. youth (approximately 100) participated in the Oneida Higher Education College Fair than in previous years.

Higher Education: The 2015-2106 academic year came to a close at the end of July with Higher Education funding a total of 876 students. This is 49 students less than last year. The start of the new academic year also is showing slightly less students receiving funding YTD than last year.

Arts: The rise and growth of community arts organizations. In the last 10 years, we have seen the organization and growth of the basket guild and the beading circle.

CEC: We are developing new services that are helping transform the center into a lifelong learning organization. We are seeing better utilization of our services.

Parks & Recreation Area

The Parks and Recreation has a few notable highlights for the 4th quarter. In Recreation, we had a record 202 Summer Program Participants (63 of these participants also played baseball), and 77 Baseball Participants. Our total Participants in summer activities = 279

The Parks and Recreation Area worked closely with Education and Training this past summer to offer many summer programs throughout the summer, We provide a quality summer program that meets the needs of our customers, in FY16: 119/202 (summer program only) = 59% - which is an increase of 5% from FY15 for the Recreation program. Based on staffing and space for Recreation, we have 200 spots available for the youth during the summer program. We allowed 202, which we are able to handle due to vacations, etc. This was the first year we filled every spot in every age group. In addition to the youth program, we provide a baseball program. This did see a decrease, with 140 participants/ 186 available slots = 75%. We did not have enough interest in a Pony League team this year. Also, Lacrosse is gaining a lot of support in the community and practices and games are at the same time as baseball.

The Flying Leaf Lacrosse field was completed this summer. The grand opening was October 24, 2016. The field is open for community use, however, we are able to reserve times, please call Recreation: 920-869-1088. In addition to the Lacrosse Field, the Cora House Park is also available for reservations,

Cora House Park Reservations: 920-490-3803

Lacrosse Field Reservations: 920-869-1088

Our Fitness facility provides classes and training space for more than 4,000 customers. The pool has seen a 2% increase in use since FY'15. We are also offering classes and sessions for employees to receive RAS (Reasonable Alternative Standard) so the employee can reduce their insurance cost. In addition, the Adventure department offers healthy alternatives to deal with stress and to work with the participants on having healthy habits and hobbies.

Cultural Heritage Area

During 4th quarter, Oneida Cultural Heritage focused on goals and objectives listed in the 2005-2025 Comprehensive Plan to increase engagement and participation in Cultural Identity and Oneida Language acquisition.

Cultural Wellness Facilitator

During the 4th quarter I had 121 sessions with a total 83 individual clientele. I focused on continued increase utilization of new clientele to expose them to Oneida Cultural Wellness healing model based on Tsi'niyukwalihot^.

Language In FY 16 we had less learning opportunities but more than a 30% increase in # of people attending the opportunities: 4,444 (FY15 2,772). And, utilization also increased by 50%: 17,655 (FY15 8,246)

<p>Initiative(s) (Objective): Create language learning opportunities for the community, focused on quality of opportunities pertaining to best practices in language acquisition & culturally relevant information.</p>	<p>Activities:</p> <ul style="list-style-type: none"> • Language weekend canoe trip • Family Language Camp • Youth Mural project 	<p>Outcomes:</p> <ul style="list-style-type: none"> • 21 Community members learned how to canoe and associated vocabulary • 9 Families learned fishing practices and associated vocabulary and created their own children's book and a song • 5 Youth from ages 12-17 participated in creating a traveling mural (to be unveiled next quarter) expressing the idea of what it means to live in Oneida
<p>Cultivate and strengthen relationships within the Confederacy</p>	<ul style="list-style-type: none"> • Attended Kaliwiyo Ceremonies at Tonawanda Longhouse 	<ul style="list-style-type: none"> • 10 people from our community participated • 4 staff members increased their KSAs pertaining to ceremonial language and protocol

The Oneida Language Department focused on a quality language learning experience in FY16 for our customers. We increased customer satisfaction and utilization by providing less opportunities targeted to our customer's needs.

Oneida Museum

The museum accomplished the objectives and activities for the fourth quarter. We focused our energy and efforts in creating and installing new exhibits, offering community activities and increasing gift shop sales. In addition, we partnered with a gallery to create a traveling exhibit.

Generally, the majority of business occurs during the first quarter due to gift shop sales, holiday specific hands-on activities, and school tours. The second quarter drops drastically. Weather is usually a factor because visitors do not like driving in the snow, especially with limited day light. We use this quarter to focus on in-house projects such as archives, collections and exhibits.

The visitor counts once again increases in the 3rd and 4th quarters. During this time, we plan exhibits, work with artists, conduct tours for visitors from other countries, restock the gift shop, install and maintain the gardens, work on the trails, and partner with other agencies within and outside the Oneida Nation.

In 4Q we conducted tours for the West De Pere administrators and teachers facilitating teaching ideas through information, activities and updated exhibits. Impressed, the teachers are planning class trips/visits in the near future.

Social Media

Museum staff has all contributed to the improvements to our social media. We continually add images of tours, hands-on activities, off-site presentations, upcoming events, exhibit openings, and gift shop merchandise to social media. As a result, our numbers continue to grow.

Gift Shop

Working diligently to increase the number of tribal vendors within the Oneida Nation and other Haudensaunee Nations. Many items are hand crafted.

* Install New Exhibits * Incorporate Technology Into Exhibits * Install Culturally relevant exhibit
* Participate in traveling exhibit * Promote tribal artists * Installed interactive language component into exhibit * Installed Raised Beadwork Exhibit educating visitors on importance of art form

Social Services Area

The *Oneida Tribal Social Service programs* continue to serve the Oneida population meeting its diverse and challenging needs on and off the reservation. The Oneida Social Service programs offer many diverse programming. Multiple funding sources originate from tribal, BIA, State and Federal agencies. Programs supply basic support and emergency assistance to families who meet eligibility

requirements, and have a need. The programs serve as a last resort assistance unit and social service programs continue to be an important safety net for the membership.

Food Distribution:

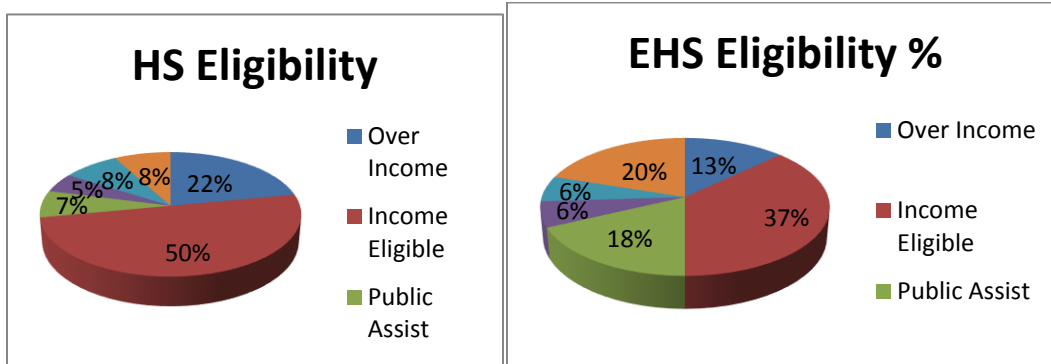
Customer Trends: There has been an increase in the number of applicants formerly on SNAP, (Food Stamps), Food Share now utilizing Food Distribution for their basic food needs. This could be attributed to the complete and nutritious food package we offer from USDA and to some extent to the lower monthly assistance levels currently allowed under SNAP. Focusing on Wellness, Distribution increased fresh fruits and vegetables portions through educational pamphlets, DVD;s and taste test efforts. To ensure continued funding, Distribution continues to monitor and comply with the USDA’s extensive program requirements.

Head Start/ Early Head Start:

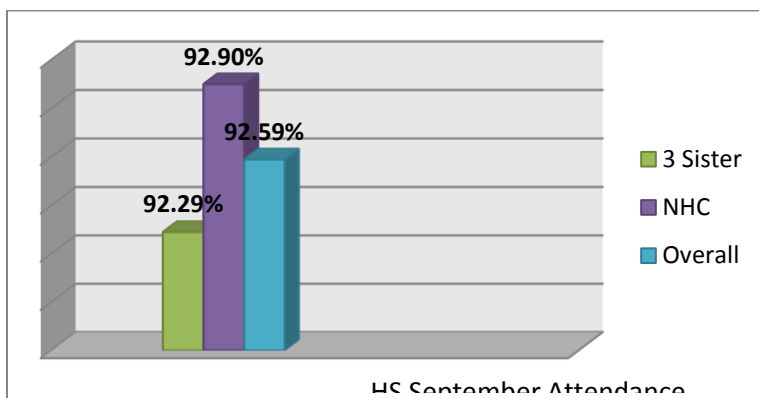
During 4th quarter, Oneida Head Start/Early Head Start had lower numbers because Head Start was closed for the months of July and August.

Membership total: 424 Duplication of Numbers: (Utilization) 591

Federal regulations allow Tribal programs to have up to 49% of the children over income provided that all income eligible children are given opportunities to be in the program



1302.16 (b) If a programs monthly average daily attendance rate falls below 85 percent, the program must analyze the causes.



4 th Quarter Focus		
Initiative	Activities	Outcomes
Head Start monthly child attendance at 91% or above	<ol style="list-style-type: none"> 1. Parent information on attendance requirements given at first home visit in August 2. Attendance Policy discussed at Parent Orientation on August 17, 2016 3. Parent attendance reminders went out to all Head Start parents whose children fell below 85% for attendance which is the federal benchmark 	<ol style="list-style-type: none"> 1. September attendance is at 92.59%
Based on the Tribal Budget alignment, 95% of children reaching developmental milestones to get the children ready for school.1302.33 (b)(2) A program must regularly use information to determine children’s strengths/needs and to adjust data to better support the children’s development	<ol style="list-style-type: none"> 1. Weekly educational home visits with families in the Early Head Start program 2. Monthly family Socialization for EHS families 3. Data collected quarterly. HS was not in session during this quarter 	<p>Early Head Start</p> <p>Social Emotional</p> <p>94%</p> <p>Large Motor</p> <p>97%</p> <p>Fine Motor</p> <p>98%</p> <p>Cognitive</p> <p>98%</p> <p>Literacy</p> <p>86%</p> <p>Math</p> <p>69%</p>

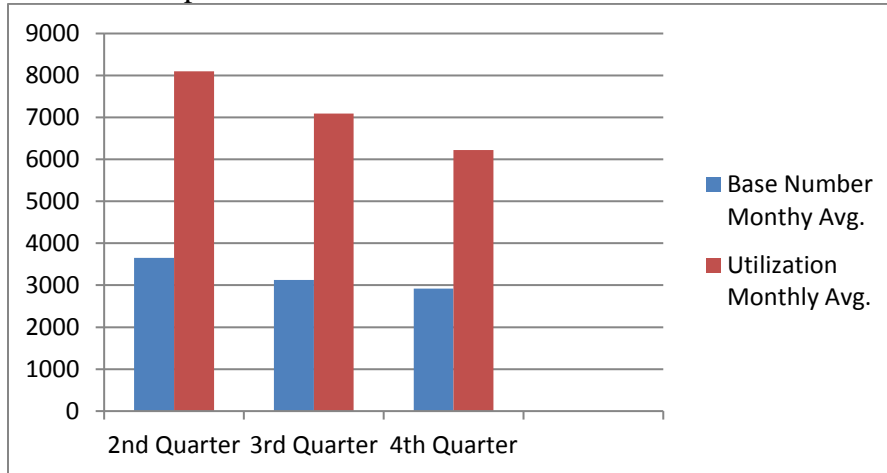
Oneida Head Start/Early Head Start’s customer satisfaction rating was at 96% on average for the quarter.

Family Support Services focused on increasing utilization in services to promote safe and healthy families in addition to increasing financial stability for families through improved collection rates for Child Support.

Clients/cases: (Base Number) 2,917 monthly average

Number of client contact: (Utilization) 6,219 monthly average

FY 2016 Comparison



4 th Quarter			
Program	Initiative (On-Going)	Activities	Outcomes
Child Support	Increase collections of current support for children	<ul style="list-style-type: none"> *Career and Community resource fair *Community outreach (CAN) *Barrier Assessment *Offer Co-Parenting Class 	<ul style="list-style-type: none"> *Community members were connected to employers *Utilized during initial appointments-referral *September 27, 2016-5 attendees
Indian Child Welfare (ICW)	Increase safety and permanency for children	<ul style="list-style-type: none"> *Case management of Oneida children in the Child Welfare system *Ensure placement preferences are followed 	<ul style="list-style-type: none"> *191 new referrals *53 current on-going cases *81% w/parent or relative
Foster Care/Kinship Care	Providing support for Kinship providers Providing Oneida foster homes for children in need of	Kinship Care payments Collaboration with ICW	<ul style="list-style-type: none"> *45 Families served monthly for Kinship Care *12 children in Oneida Foster Homes

	placements		
Parenting	Successful completion of program	*Trauma Informed Parenting *Teen Parents *PEC	
Prevention	Education	*July 11-28 Summer Program for 2 nd & 3 rd graders *Boys Summer Group 3 rd -5 th grade *3 Sisters Safe Communities Picnic *Smoking Cessation *Child Welfare Prevention work *3 Sister After School Presentation *On-going weekly programming at Turtle school for Elementary and Middle School.	
Domestic Violence	Education/Awareness/Support	*	
Yetiya?tanu'nha	Supporting students credit recovery	*	

Family Support Services conducts quarterly customer satisfaction surveys for the Child Support, Prevention and Domestic Violence programs. The average satisfaction rating was 99%. The surveys give us feedback on our program and services, staff, as well as the facility.

Economic Support Services

Program	Trending	POP	Base #'s	Utilization	Qualitative Improvement
Income Maintenance	Seems to be increasing at a steady rate each month averaging 30-50 new IM cases.	Low Income	1330	Participants in these programs have 6 mo as well as annual reviews so some months are higher than others	New programming of FSET requirements has added single people to be eligible for services.
N.E.W (New Employment Works)	This program has case #'s that fluctuate depending on new employment.	"	6	Some times of the year are higher than others due to this grant is specifically for new employment	SOP revised for implementation

General Assistance	Consistent	"	4	Consistent	This is a calendar year grant and ends Dec. 31, each year. SOP being reviewed currently to assure alignment.
TANF	Consistent	"	12	Participants in these programs have 6 mo as well as annual reviews so some months are higher than others	TANF Manager and 2 Case management staff attended the National TANF Institute on 7/17/16.
TANF Diversion/Crisis/Support Services	Consistent	"	38	There is always consistent utilization for these services	Investigating new support services we can offer clients.
Child Care	CC needs are rising: Jul-142 Aug-139 Sep- 158	"	146	Always utilized consistently and has risen	Child Care is always looking to improve the way services are delivered and adjustments made accordingly.
Daycare	Services stay consistent each mo.	"	135	This day care is utilized by parents w/ appts throughout the SSB	In July the Day Care teachers have completed the Conscious Discipline Training for implementation.
Oneida Food Cards	Consistent	"	117	It seems that members are utilizing the food card more often due to the food share requirements changing	Planning to investigate this program further to see what can be improved.
Community Support	Consistent	"	82	This program has not been utilized as much this year as in years past.	SOP's still need revisions due to currently working with the LOC on changes to the Fund Policy.
WHEAP	This case # rises in Oct.-Apr. ea. Yr.	"	42	Consistent	WHEAP program is continuing to keep us updated on any new program requirements.

CSBG (Community Services Block Grant)	These counts fluctuate as well each mo.	"	23	Members utilize these funds for rental assistance as well as emergency food assistance.	This is part of the Family Services Grant shared with Children and Family Services. Investigating other ways we can utilize these funds.
The Base #'s for our programs constantly change due to the nature of our programs.					

Community Support assisted as many as 31 members in July and then 27 in Sep. These numbers will fluctuate each month and cannot be projected.

Southeastern Oneida Tribal Services (SEOTS)

During the 4th Quarter of fiscal year 2016, SEOTS focused on 1) partnering with local agencies to improve overall community offerings and 2) surveying indicators of wellness within the Oneida community of southeast Wisconsin. A continuing effort is maximizing community participation in SEOTS events and activities.

Most Utilized Programs/Services: Medication Distribution (610), Tuesday Elder Activities (284), Office Equipment Use (125), Native Beats for Life (91), Smoke Dance Class (71).

SEOTS partnered with Gerald L. Ignace Indian Health Center and Indian Community School to offer Native Beats for Life, a suicide prevention event targeting Native American youth in the Milwaukee area. The event featured slam dunk champion Kenny Dobbs as well as a rap performance by Quese MC and DJ Brian Frejo. The event attracted more than 100 people. The second half of the SEOTS community wellness survey was developed during the 4th quarter and will be deployed in November 2016. The survey was developed with the help of many local agencies and uses wellness indicators to measure the overall wellness of the community. SEOTS continues to maintain a close relationship with the Oneida Elder community of southeast Wisconsin. Of the 1,474 visits during the 4th quarter, almost 900 were age 55+.

Elder Services

4th Quarter Focus – Increase engagement		
Initiative	Activities	Outcomes
Work with AJRCCC to send out high quality food that the elders enjoy but still meet guidelines.	Recruit volunteers and attend and keep the communication open with the Nutrition Advisory Council	Working with the Nutrition Advisory Board and volunteers to help maintain independence when coming to the meal site.
Dementia Care Specialist to increase awareness of Dementia Care Program	Keeping the Nutrition Advisory Council involved by having them participate in the meals. Offered presentations to other	Support for caregivers and people with dementia have a social outlet by offering Memory Café

<p>Help make the tribe Dementia Friendly</p>	<p>tribal departments Offer Purple Angel program Started Memory Café and offer memory screens</p>	<p>Support caregivers in their efforts to care for their loved ones at home and stay in the community longer.</p>
<p>Keeping people in their communities and out of nursing homes will be an increasingly important issue as we go forward.</p>	<p>Enrolled caregiver in REACH program to help keep elders stay at home longer Attend state meetings and trainings on Aging programs</p>	<p>Support people who may have dementia who are looking for services and need a diagnosis Planning upcoming evidence based workshop for Healthy Living with Diabetes, Stepping On</p>
<p>Providing adequate Long Term Care Services.</p>	<p>Alzheimer’s Caregiver program for coordination of home and community based services with the Native American Family Caregiver program.</p>	<p>fall prevention and Powerful Tools for Caregivers. 3 Staff trained in all 3 courses</p>
<p>Keep elders safe in their homes</p>	<p>Work with OPD, other entities to ensure policies are in place</p>	<p>Elder Abuse and Adult Protective Services</p>

Public Transit

Public Transit continues to experience decreasing utilization trends in FY16. Public Transit customers are made up two distinct demographics: 1. Lower Middle Income and 2. Low income. Following national trends, Oneida Public Transit experienced an increase in utilization for elders, youth, and infants while during the same time period, experiencing a decrease of 5% in adults 18 to 55 ridership due to low gas prices and low unemployment. With fuel prices forecasted to remain status quo, Transit anticipates no change in rider utilization over the next six months.

In our continued efforts to improve “on-time” performance, Transit will be implementing an automatic dispatching system. Facing more drivers reaching retirement age, Transit will be focusing on both recruitment and building more efficiencies with new drivers.

Number of Trips & Total Miles Fiscal Year 2016

	Adult (18—54)	Elder (55+)	Youth (6—17)	Infant (0—5)	Wheel Chair	Total	Miles
July	1,145	1,655	516	162	290	3,768	26,704
August	1,381	1,783	579	159	304	4,206	32,739
September	1,303	1,455	1,115	129	252	4,254	27,648
4rd Qtr Total	3,829	4,893	2,210	450	846	12,228	87,091

Grand Total FY	15,991	18,532	14,048	1,310	3,400	53,281		399,486
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Veterans Dept.

One of Veterans Department Ongoing initiatives is Improving Customer Service and our Clientele numbers maintain approx. 260 visits per month and approx. 366 calls per month.

Another initiative is to end for Homeless Veterans in Oneida. Currently working with the Dept. of Veteran Affairs HUD/VASH program thru OHA and a Veteran Affairs Case Manager, 7 Oneida veterans have been identified and deemed eligible. Veteran Department was awarded 20 housing vouchers in 2016.

Implementation of the AJRRC VA Contract Nursing Home program is complete. We have Oneida Nation Veterans utilizing this benefit. Veterans with a disability rating of 70% or higher are entitled to maintain their assets with the Federal Government covering their stay at AJRRC, either in rehab or extended stay.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 11 / 09 / 16

2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

Accept Election Board 4th quarter report

3. Supporting Materials

Report Resolution Contract

Other:

1.

3.

2.

4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution

Budgeted - Grant Funded

Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Melinda J. Danforth, Tribal Vice Chairwoman

Primary Requestor/Submitter:

Racquel Hill, Election Board Chairperson

Your Name, Title / Dept. or Tribal Member

Additional Requestor:

Name, Title / Dept.

Additional Requestor:

Name, Title / Dept.

ONEIDA ELECTION BOARD QUARTERLY REPORT
July - September 2016
October 19, 2016

Report Submitted By: Racquel Hill, Chairperson
Election_Board@oneidanation.org

Board Members: Teresa Schuman, Vice Chairperson
 Vicki L. Cornelius
 Constance Danforth
 Lori Elm
 Candace House
 Sunshine Wheelock

BC Liaison: Melinda J. Danforth, Vice Chairwoman
 Alternate Lisa Summers, Tribal Secretary

Meetings:

	Regular Meeting	Special Meeting	GTC Meeting
July	2	0	1
August	1	0	1
September	0	1	2

Highlights for the quarter:

1. 2016 Special Election was held July 9, 2016 with no challenges to the election process.
2. Orientation for newly elected provided at the first meeting attended along with election of officers taking place. Currently, the Board does not have a Secretary but will fill that position once the two (2) appointments are made. Two (2) vacancies are due to one person elected declining the seat and a vacancy remained as three (3) seats needed to be filled with only two (2) candidates running in the 2016 Special Election.

Goals and Objectives:

- ❖ Conduct Tribal Elections in compliance with Tribal law.
- ❖ Develop, adopt, and review applicable standard operating procedures.
- ❖ Strive to serve the Oneida membership fairly while being fiscally responsible.

Meeting requirements: The Oneida Election Board is required to meet once per month with special meetings scheduled as needed. An extra meeting in July was held to prepare and set up the polling sites for the 2016 Special Election. The special meeting held in September focused on amending and drafting the appropriate standard operating procedures.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 11 / 09 / 16

2. General Information:

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

[Empty text box]

Agenda Header: Reports

Accept as Information only

Action - please describe:

ONCOA Bylaws require a quarterly report to the OBC.

3. Supporting Materials

Report Resolution Contract

Other:

1. [Empty text box]

3. [Empty text box]

2. [Empty text box]

4. [Empty text box]

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Melinda J. Danforth, Tribal Vice Chairwoman

Primary Requestor/Submitter: Patricia Lassila, ONCOA Chairwoman
Your Name, Title / Dept. or Tribal Member

Additional Requestor: Lois Strong, ONCOA Coordinator
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

To: OBC
FR: ONCOA
RE: ONCOA Quarterly Report

ONCOA submits the quarterly report which is required in ONCOA Bylaws. Please reference attached report.

Thank you

- 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

**ONCOA QUARTER 4 REPORT TO OBC
NOVEMBER 2016**

Period: July, August, September 2016

MISSION: ONCOA ADVOCATES FOR ALL SERVICES THAT PLACE PRIORITY ON THE WELL-BEING OF OUR ELDERS

ONEIDA NATION COMMISSION ON AGING

Wesley Martin, Jr., Chairman	MaryAnn Kruckeberg, Member
Arlie Doxtator, Vice Chairman	Patricia L. Lassila, Member
Marlene Summers, Secretary (resigned Aug 2016)	Lois J. Powless, Member
Shirley Barber, Member	Dorothy J. Skenandore, Member
Carol Elm, Member	

July 2016 Elections: Arlie Doxtator, Mary Ann Kruckeberg & Dale Webster
New Officer Effective September 2016: Patricia Lassila – Chairwoman, Arlie Doxtator – Vice-Chairman, and Dale Webster - Secretary
Out-going Member: Wesley Martin
Terms: Two three-year consecutive terms elected by General Tribal Membership then must sit out one year before serving again

Melinda Danforth, OBC Liaison; and Lisa Summers, Alternate OBC Liaison.

Primary Focus Areas for ONCOA

- **Long Term Care Services & Support** – Alzheimer’s & Other Dementia Diseases; Affordable & Accessible Elder Housing; Adult Day Services; Personal Care Agency
- **Communication** -- Tribal Elders, Elder Service Staff and Community
- **Training & Education** -- ONCOA and staff

ONCOA Meetings July, August, September 2016		
July 2 July 26	August 9 August 23	September 6 September 27

PROJECTS/TRAINING/EDUCATION

Treasurer’s Budget Planning – FY2017, FY2018, FY2019

- Monthly meetings were held to gain understanding of guiding strategies: Vision, Mission, Core Values, Four Strategic Directions, Seven Practical Visions and Value Based Budgeting.

Elder Tree

- The Elder Tree project is an effort to spread technology that will help older adults remain independent, living in their home as long as possible. Participants will be provided an Ipad and WiFi access along with training to use the Ipad and Wifi service. This project was developed at the University of Wisconsin-Madison.
- Ten adult champions from the Oneida community have been selected to be trained on Elder Tree to help build a base of users in the community.

ONCOA QUARTER 4 REPORT TO OBC**November 2016****Period: July, August, September 2016**

- Elder Services and ONCOA are collaborating with Univ of Wis- Madison to develop a Baldwin Grant which will provide access to computer/internet technology and the Elder Tree website for 25 elders who are members of the Oneida Nation in order to improve communication; access to tribal information; establish a group of community Elder Tree Coaches; and spread the Oneida Elder Tree experience to the other 10 tribes in Wisconsin.

Elder Expo – 4th Annual

- Elder Services and ONCOA hosted another Elder Expo on August 26th. Oneida Business Committee also participated at the event. The event was held at the Radisson. Approximately 100 people enjoyed 30 tribal and external vendors who offered valuable resources and information to the attendees. Additional sponsors were OTIE, Oneida Tourism Oneida Joint Marketing, Gaming and the Oneida Business Committee. \$1,417 was raised from the silent auction, the 50/50 raffle, and community member donations.

Elder Village – Cottage Neighborhood

- Affordable and accessible housing for our elders is a priority need in our community. To address this need, ONCOA played a major role in identifying the Elder Village Concept as a neighborhood that would enhance “Quality of Life” principles for elders. The cottages are unique with materials, varied layout, and are in a park-like setting with ample green space surrounding the homes. There is a trail connection to other Oneida areas like Site I, Turtle School, and eventually Site II. The Elder Village homes meet the minimum ADA standards.
- Collaborative efforts continue with OHA, Oneida Planning, ONCOA and others throughout the various phases of development. ONCOA and Project Team Status meetings were held monthly to stay informed on the progress at various stages of development. Project Team Meetings were held at the Elder Services Conference Room and OBC members are invited to attend any of the meetings.
- Occupancy of the units was been completed by the Oneida Housing Authority during this quarter. ONCOA and Project Team had a tour of two of the cottages.

Elder Village – Redesign of Phase II of Ten Cottages

- A project team has been formed to redesign Phase II of the next ten cottages. Representatives include the following areas: ONCOA, Oneida Housing Authority, Senior Architect, Planning and Solar Energy,
- The plan is to start over with the redesign instead of modifying the existing plan and to take into account the best quality of life needs for the elder. There will be some minor adjustments for the future cottages as well as considering smaller unites to keep cost down. Solar panels for future homes was discussed. The bedrooms and garages need ADA clearance. We need to have a discussion about the total costs of the cottages. It's not just about the design. For example, the bidding package could be broken down so we get more potential contractors working at the same time.

ONCOA QUARTER 4 REPORT TO OBC**November 2016****Period: July, August, September 2016****Adult Day Services**

- ONCOA has identified the need for Adult Day Services and garages for the Tribal Elder Apartments. The Adult Day Service was deleted from the original ORCCC project and slated for a future development CIP. These projects are related to the development of the Lee McLester II Complex. ONCOA will be working with Elder Services to support moving these projects forward.
- ONCOA will start researching adult day care programs.
- **Current Status Adult Day Services:** ONCOA and Elder Services continue to work with Leanne Doxtator, Planning Office, to prepare a concept paper and CIP plan.

Tribal Elder Apartment Garages

- In **February 2005** Elder Services started the plans for a capital improvement project request for garages for tenants occupying the Elder Service apartments. Project justification continues to be for health and safety issues. Because the existing building is located on top of a hill, it can be extremely windy with harsh weather conditions. Elders are especially susceptible to health problems caused by these conditions and it can be very difficult for elders to get to and from their vehicles in inclement weather.
- **Current Status Apartment Garages:** The GSD Division Director has approved and signed off on the CIP package and the project now needs approval at the OBC level. Currently there is \$48,000 available to continue planning for this project.

Solar Deployment in Oneida Community

- ONCOA has been identified as a project champion of solar deployment in Oneida and to serve as a conduit for getting out the message and generating grassroots support.
- The Oneida Nation is taking advantage of federal grants and incentives, as well as private financing, to install solar panel on nine tribal buildings at no up-front cost to the tribe. These projects will protect and preserve the environment for future generations.
- Solar Energy Planners were featured in the August 26, 2016 Fourth Annual Elder Expo at the Radisson.
- **Current Status:** Michael Troge, Solar Specialist, is joining the Redesign of Elder Cottages Phase II team. His expertise with solar energy will be useful when considering redesign of the cottages.

Alzheimer's Awareness and Research Initiative

- In **December 2014**, ONCOA connected with the Wisconsin Alzheimer's Disease Research Center after meeting representatives at the Annual Wisconsin Alzheimer's conference. The UW-Madison's Alzheimer Disease Research Center is one of the Nation's leading research centers providing scientific research, resources, and expertise in Alzheimer's disease and related illnesses. ONCOA supports Oneida

ONCOA QUARTER 4 REPORT TO OBC

November 2016

Period: July, August, September 2016

tribal members to expand their awareness of Alzheimer's disease and other dementias and to participate in the national effort to end Alzheimer's.

- In **May 2015**, Dr. Dorothy Farrar-Edwards, Dr. Carey Gleason, Fabu Carter and Carol Hutchinson from the University of Wisconsin School of Medicine and Public Health Alzheimer's disease Research Center (ADRC) met with Oneida elders and others at the mealsite to provide Alzheimer's Disease information.
- ONCOA held a meeting with Dr. Dorothy Edwards and Dr. Carey Gleason to discuss the potential collaboration between Oneida and UW-Madison's Alzheimer's Disease Research Center. Potential areas of collaboration are: Training Dementia Care Specialist; Community Education; Promoting Timely Recognition of Memory Disorders; Connecting to Oneida Health Center and Anna John RCCC. The Green Bay area has a large Native population and would be ideal for a satellite center for a UW-Madison Alzheimer's Resource Center.
- **Alzheimer's Clinical Trials**-- ONCOA continues to work on encouraging tribal members to become participants in Alzheimer's clinic trials. There is very little information on Native Americans that would indicate how prevalent the disease is in Indian country. We can fight this disease by becoming research volunteers who provide critical data needed to move science forward. Several Oneida volunteers have already signed up and are encouraging others to participate.

Long Term Care Group

- A Long Term Care (LTC) group consisting of representatives from Oneida Health Center, Governmental Services, and ONCOA has been formed to develop a strategic LTC-Services and Supports plan for Oneida. Out of this large a core team has been formed.
- Lately the core team (Health Center, GSD, Elder Services, ONCOA, Law) have been meeting to deal with the **Tribal Only Waiver**. The Tribally operated Medicaid (low income) Home and Community Based Services (HCBS) waiver is an option for Wisconsin American Indian Tribes to provide long term supports for adults with long-term care needs in Wisconsin. This waiver is important because it aligns administration with the unique authorities of Tribal Governments, and assures that services will meet the unique needs of tribal members when meeting their long term care needs.
- During the past months the waiver plan was changed to Tribally Operated Waiver. It is expected that solutions will be developed to narrow the health care gap in critical risk areas experienced disproportionately among American Indians.
- The Tribal Only Waiver will allow for 100% reimbursement at the federal level directly to tribes. The State will then not have to pay a percentage of the eligible service. We have not received any notification that the Tribal Only Waiver has been approved.
- **Current Status:** The Tribal Long Term Care Study Group, consisting of State and Tribal representatives, continues to work with CMS to get the Tribal Waiver approved.

Money Follows the Person (MFP) Tribal Initiative

- The Centers for Medicare and Medicaid Services is offering states and tribes between \$850,000 and \$1.93 million in grant funding in order to build sustainable community-based Long Term Services and supports specifically for Tribal Members. Wisconsin must have an active partnership with the participating tribes or tribal organizations in order to be eligible for the grant. Oneida submitted a letter regarding our willingness to move forward with the

ONCOA QUARTER 4 REPORT TO OBC

November 2016

Period: July, August, September 2016

State in developing systems to address tribal member needs. Each tribe selects an option that is most appropriate to the tribal needs.

- The project Oneida has selected to develop is a **Tribal Personal Care Agency** along with needed infrastructure to deliver Long Term Care services to Oneida Tribal Members. Having a Personal Care Agency will allow **Elder Services and Oneida Health Center** to obtain Third Party Billing Payments through Medicaid for In-Home Care and Home Chore Services. Currently, Oneida provides In-Home Care and Home Chore Services that are paid through Tribal Contribution. In the future, Elder Services could potentially increase these services utilizing the third party reimbursement received by the Tribe.
- **Up Date:** The Tribal Personal Care Agency application was to be submitted to the State on June 1, 2015. Unfortunately more work needed to be accomplished. Currently no revised date has been determined. The LTC Core team needs to meet to learn what is needed to be able to submit the application. ONCOA supports having a personal care agency **to help defray Tribal Contribution costs to the Elder Service budget**. The reimbursement will come from those services provided to clients who meet low income eligibility (Medicaid) and are eligible for the COP program. The COP program will expire in December 2017 and those services will then come through managed care.

Great Lakes Native American Elders Association (GLNAEA)

- GLNAEA meetings are held quarterly and membership is comprised of elders from the eleven tribes in Wisconsin. Each tribe takes a turn at sponsoring a meeting on their reservation. Tribal news and current issues in Indian country are discussed at the meetings. Social interaction between the tribes is an important aspect of the association that keeps members participating in the meetings. The March meeting was held in Lac du Flambeau.

National Indian Council on Aging Biennial Conference

- Two ONCOA members were able to attend this conference held in Niagra Falls, NY. This is one of two national level conference that deal with Native Elder issues.

Webinars and Training

- ONCOA attends webinars that are held monthly in the Elder Services Conference Room. These webinars pertain to services for Elders. The webinars are sponsored by GWAAR Health Promotion Team and Long-Term Care Services and Supports Technical Center. Efforts are made to seek local training offered in Oneida and in Wisconsin to keep training expenses to a minimum.
- Topics covered: ADRS Policy, Music & Memory Program, CMS Technical Assistance, and Financial Protection for Elders & Falls Prevention.

Wisconsin Tribal Aging Directors Association

- ONCOA members participate in these monthly meetings along with Elder Services Director, Florence Petri. All eleven tribes belong to this association and meet to discuss Aging Issues in Indian Country and to formulate ways to best meet the needs of our Native Elders.
- This is a collaborative relationship that ONCOA has maintained with Elders Services and the other tribes since the inception of the organization.

Elder Service Staff Meetings

- Elder Service Staff Meetings are held on the first Tuesday of each month. Updated monthly calendar of events, speakers, and staff information comprise the agenda.

**ONCOA QUARTER 4 REPORT TO OBC
November 2016
Period: July, August, September 2016**

There is at least one ONCOA Representative in attendance to provide a status of ONCOA Activities.

Title V – Senior Community Service Employment Program (SCSEP)

- SCSEP is Elder job training funded through a grant from the U.S. Dept. of Labor.
- ONCOA has employed Title V staff for the past 8 years and we have always had great success working with the Title V program. We currently employ an elder in an administrative assistant position. Since our budget is limited we seek out resources to assist us in meeting our administrative needs.

JTPA – Summer Youth Program

- For the past several summers ONCOA has employed a youth worker. We have had great success with our youth placements. The youth worker is stationed in the office and gains experience in the administrative assistant area.

Other Activities/Projects

- Elder Gardens – Landscaping project as memorial garden for elders

Meeting Requirements

ONCOA meets on the second and fourth Tuesday of each month at 1:00 p.m. in the Elder Services, Conference Room. Special Meetings are held during the month to address specific topics related to the goals and objectives of ONCOA. Meetings are open and community members are encouraged to attend.

GOALS

GOAL I	ONCOA will create policies and work together with Elder Services in an effort to improve the quality of life of our Elders.
GOAL II	ONCOA will communicate with Elders on issues, policies and services in order to increase their awareness and participation.
GOAL III	ONCOA will advocate at all levels (tribal, local, state, national) for resources to provide for elder services

ONCOA QUARTER 4 REPORT TO OBC**November 2016****Period: July, August, September 2016****COMMENTS**

Each commissioner, along with the ONCOA staff, brings with him/her a varied background of employment, life experiences, education, and community/state/national involvement to work toward a common goal of advocating for services that place emphasis on our elders. The following list demonstrates the extent of current community/state/national involvement for the ONCOA commissioners and staff:

Oneida Nutrition Board	Anna John RCCC Board
National Indian Council on Aging (NICOA)	Oneida Personnel Commission
Veterans of Foreign Wars (VFW) Auxiliary	Oneida Child Protective Board
Oneida Police Commission	<i>(Pat, Lois P. & Dale community ?)</i>
National Indian Child Welfare Association	
Great Lakes Native American Elders Association, members & Board of Directors	
Greater Wisconsin Agency on Aging Resources (GWAAR), Board of Directors	

G:\ONCOA\Quarterly Reports 2010 -2016\Qt'ly Report 4 Nov 2016 July Aug Sept 2016

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 11 / 09 / 16

2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

Accept the OGC 4th Qtr Report

3. Supporting Materials

Report Resolution Contract

Other:

1.

3.

2.

4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution

Budgeted - Grant Funded

Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter:

Your Name, Title / Dept. or Tribal Member

Additional Requestor:

Name, Title / Dept.

Additional Requestor:

Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

As required a copy of the Gaming Commission's current quarterly report for July, August & September (4th Qtr) is being submitted for approval.

- 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 GAMING COMMISSION QUARTERLY REPORT

FY 2016 Fourth Quarter: July, August, and September

Prepared on November 1, 2016

Article I. Purpose

The purpose of the Oneida Gaming Commission (OGC) is to protect the assets and integrity of Oneida Gaming through regulatory oversight. The OGC regulatory oversight leads to current and consistent regulatory practices within the gaming operation.

Article II. Names

2-1. There are four (4) full time Commissioners which include: Chairman Mark A. Powless Sr., Vice Chair Matthew W. Denny, Secretary R. Tom Danforth, and Commissioner Barbara Erickson. The OGC also has an Executive Director who oversees eleven (11) staff members and the OGC also oversees thirty-six (36) Surveillance personnel. Currently, the OGC is short staffed by two (2) positions in the Surveillance area.

2-2. Report is submitted by the Oneida Gaming Commission Executive Director, Tamara Van Schyndel. The Oneida Gaming Commission can be reached by calling 920-497-5850.

2-3. The Oneida Business Committee Liaison for the Oneida Gaming Commission is Brandon Yellowbird-Stevens.

Article III. Meetings & Reports

OGC Meetings

July	07/18/16 Regular
August	08/15/16 Regular
	08/29/16 Regular
September	09/12/16 Regular

Security Joint Meetings

July	CNX
August	08/08/16
September	09/12/16

Gaming Joint Meetings

July	07/14/16
August	CNX
September	09/13/16

Employee Investigations and Vendor Licensing

	License Investigations	Temporary Licenses (Work Permits) Approvals/Denials	New Employee Orientation & Spectra	Vendor Work Permits
July	23	93/12 Denials	24/0	25/0 Denials
August	22	156/11 Denials	21/0	76/0 Denials
September	19	160/14 Denials	19/0	89/0 Denials

Employee Licensing and Hearings

	Employees Licensed	Hearings
July	93	0
August	156	1
September	160	3

Surveillance Reports

	# of Reports
July	65
August	54
September	52

July

- NTGCR Planning Meeting 07/07/16-07/10/16 in Las Vegas, NV

August

- Bally User Conference 08/09/16-08/10/16 in Carter, WI
- NIGC Meeting regarding Consolidated Financial Statement Reporting 08/16/16
- NTGCR Conference 08/30/16-09/01/16 in Milwaukee, WI

September

- Surveillance Transition Meeting (OGC/MIS/OPD) 09/06/16
- NIGC Regulatory Compliance Training 09/19/16-09/22/16 in Battle Creek, MI
- NTGCR Conference 09/19/16-09/23/16 in Buffalo, NY
- G2E Conference 09/25/16-09/29/16 in Las Vegas, NV
- 4th Quarter Payment to NIGC 09/30/16

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 11 / 23 / 16

2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

Defer Comprehensive Health Division's quarterly report to the next BC meeting (December 14, 2016).

3. Supporting Materials

Report Resolution Contract

Other:

1.

3.

2.

4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter: _____
Your Name, Title / Dept. or Tribal Member

Additional Requestor: _____
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

Comprehensive Health Division quarterly report. Requesting to defer this report to the December 14, 2016 BC meeting due to unforeseen circumstances that prevented us from completing the report.

- 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 Business Committee Agenda Request

1. Meeting Date Requested: 11 / 07 / 16

2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

3. Supporting Materials

Report Resolution Contract

Other:

1.

3.

2.

4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter: Chad Wilson, Project Manager/ERB
Your Name, Title / Dept. or Tribal Member

Additional Requestor: Laura Manthe, Director/ERB
Name, Title / Dept.

Additional Requestor: Marlene "Minnie" Garvey, Chairwoman/ERB
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

Regular quarterly reporting.

- 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@oneidation.org

ENVIRONMENTAL RESOURCE BOARD

FY '16 Quarter Report: July, August, September

ERB MEMBERSHIP

Marlene Garvey, Chair	Al Manders, Vice-Chair	Megan White, Secretary
Shawn Skenandore	Ted Hawk	Gerald Jordan
Tom Oudenhoven	Richard Baird	Nicole Steeber

Oneida Business Committee Liaison: Councilman Tehassi Hill

MINUTES

Action Taken July 7:

- Motion to approve Oneida Adventures request to waive fishing license requirement for a 2 hour event on 8/10 to promote/explore fishing for Oneida members via kayak/canoe.

Action Taken August 4:

- Motion to modify ERB hearing script in consultation with attorney Kelly McAndrews.
- Motion to approve increasing the pan fish harvest at Oneida Lake.
- Motion to approve CIP #13-011 Casino Exterior Enhancements with no environmental concerns.

Action Taken September 8:

- Motion to support veteran's hunt at Tsyunhehkwa working with Veteran's Affairs with no limits for turkey harvest.
- Motion for letter to request the Business Committee to support Menominee with their opposition to the Aquila Resources, Inc. mine permits.
- Motion for recommendation for Ted Hawk for reappointment.

Hearing on September 15

- Citation hearings regarding violations of Domestic Animals Ordinance & Hunting, Fishing, and Trapping Law

FINANCIALS

FY2016 Tribal Contribution -	\$ 258,910
Current Month Transactions – July	\$ 15,871
Current Month Transactions – August	\$ 16,038
Current Month Transactions – September	\$ 20,879

SUMMARY OF ACTIVITIES

- ERB holds *citation hearings* to ensure the enforcement of health and safety measures for the Oneida community.

- Continue work LOC on *Hunting, Fishing, Trapping, and Gathering law* to streamline law and separate regulations from the law.
- Communication of *Public Use of Tribal Lands law* and promotion of natural areas for community use.
- *Onyota'a:ka Lake* summer management activities, planning for Phase II, and adding additional recreation amenities.
- Participation in the initiatives of the *Wellness team* to improve nutrition, recreation, and flex-time for fitness opportunities.
- *Silver Creek Project Team* coordination meetings for implementation of non-point strategies to reduce phosphorous inputs to streams from agricultural fields.
- Multi-year planning for *Former State Farm property* that promotes environmental quality and economic vitality on Oneida lands through the Oneida Sustainable Resource Advisory Council (OSRAC).
- Participate with the *DOE Solar Deployment Grant* implementation team.
- Other *interdepartmental team* activities or coordination efforts that arise on a short-term basis to meet the vision of the Oneida Nation.

GOALS

#	GOAL STATEMENT
1	To provide the Oneida community with environmental education through community events, workshops, and educational materials. These will include local, regional, and national issues.
2	Monitor environmental and other projects for compliance with community goals, support Sustainable Community development projects and energy efficiency program development, and appropriately manage grant and bonding commitments.
3	To continue updates and reviews of the Hunting, Fishing, and Trapping regulations, the Domestic Animals Ordinance, the ATV Law, the Water Resources Ordinance, the Public Use of Tribal Lands Law, and other policies regarding environmental stewardship.

OBJECTIVES

#	OBJECTIVE STATEMENT	MEASUREMENT	COMPLETION DATE	GOAL # (above)
1	Community outreach regarding Onyota'a:ka Lake management and natural areas.	Provide coordination with Planning and EH&SD	Ongoing	1
2	Implement of Safe Routes to School trail and planning for additional Community Trails connections.	Interdepartmental coordination	Community trails team meetings	2

3	Hearing body for citations issued for Hunting, Fishing, and Trapping Law and Domestic Animals ordinance.	Providing a reliable and dependable hearing structure	4 citations heard this quarter.	3
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MEETING REQUIREMENTS

The ERB currently holds meetings once a month. Meetings are normally held on the 1st Thursday of each month. Hearings are held as required. ERB also attends Business Committee meetings, other public meetings, and performs volunteer service in the community as required or deemed appropriate by the ERB. Yaw^ko!

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 11 / 23 / 16

2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

Approval needed

3. Supporting Materials

Report Resolution Contract

Other:

1.

3.

2.

4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter:

Your Name, Title / Dept. or Tribal Member

Additional Requestor:

Name, Title / Dept.

Additional Requestor:

Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

Requesting approval for 4th quarter report for the Oneida Child Protective Board.

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

Oneida Child Protective Board Quarterly Report
For Oneida Business Committee
Period: July, August and September 2016
Fourth Quarter report due: November 15, 2016

ONEIDA CHILD PROTECTIVE BOARD

Dale Powless, Chairman
Lois Strong, Vice Chair
Jeanette Ninham, Secretary
Beverly Anderson, Member

Wesley Martin, Member
Carol Silva, Member
Melinda K. Danforth, Member
Lisa Summers, OBC Liaison

MISSION: To secure a stable environment that includes the physical, mental, cultural and financial well-being of Oneida children.

PURPOSE: In accordance with the Indian Child Welfare Act, 25 U.S.C. 1901, etseq. , the purpose of the Board is to protect the best interest of Oneida children and to promote the stability and security of Oneida families. When placements of such children in foster or adoptive homes or facilities are necessary, these homes must reflect the unique values of Indian culture. For this purpose, the Board may intervene in federal, state, and county courts concerning the following proceedings: foster care placement, termination of parental rights, pre-adoptive placement, adoptions and out of home placements.

MEETING REQUIREMENTS

Oneida Child Protective Board meets weekly and by special requests from family members, counties departments, or community members.

MINUTES

Due to confidentiality nature of minors, all minutes are kept in locked fireproof file cabinet, in a locked room within the building.

FINANCIALS

The OCPB is on schedule with meeting our financial goals.

EDUCATION/TRAINING

- ICW Directors Meeting on July 13th, 2016 @ the Mole Lake Casino in Mole Lake, Wisconsin.
- Ho Chunk Nations Family Wellness Court on July 27th, 2016 in Green Bay, WI.
- Strategies for Treating Anger & Aggression in Children & Adolescents on July 29th, 2016 @ the Radisson Paper Valley Hotel in Appleton, Wisconsin.
- BIA Training on Final ICWA Rule on August 18th, 2016 @ the Double Tree in St. Paul, Minnesota.

Oneida Child Protective Board Quarterly Report
For Oneida Business Committee
Period: July, August and September 2016
Fourth Quarter report due: November 15, 2016

GOALS AND OBJECTIVES

- Facilitate appropriate training opportunities for OCPB members for certificate/report of completion per OCPB Bylaws.
- Develop working relationship and improve judicial relationships through meetings with tribal, state, and county personnel.
- Work in accordance with the Oneida Law Office and Tribal Social services to enforce the provisions of the Indian Child Welfare Act.

COMMENTS

- Has attended state court hearings in support of placement of Oneida children and their families.
- Actively heard, discussed and recommended the best solution for cases that came before us. The following chart demonstrates the approximate number of cases for the quarter:
- Worked with the ICW staff to provide a brochure to have available for families. This information should be provided by the Adoption agency, but this is not always the case. Therefore we feel it is imperative they have knowledge since there is a timeline for applying for these funds. (see attachment)
- Bureau of Indian Affairs Final Rule: Indian Child Custody Proceedings going into effect on December 12th, 2016 (see attachment)

Oneida Child Protective Board Quarterly Report
 For Oneida Business Committee
 Period: July, August and September 2016
 Fourth Quarter report due: November 15, 2016

July	
<i>On-Going Cases</i>	22
<i>New Cases</i>	3
<i>Relative Placement</i>	16
<i>Future Adoptive Placement</i>	-
<i>Treatment Facility Placement</i>	-
<i>Shelter Care Placement</i>	-
<i>Foster Care Placement</i>	5
<i>Parent Placement</i>	4
<i>Fictive Kin</i>	-
<i>Guardianship</i>	7
<i>Kinship</i>	-

August	
<i>On-Going Cases</i>	24
<i>New Cases</i>	2
<i>Relative Placement</i>	16
<i>Future Adoptive Placement</i>	-
<i>Treatment Facility Placement</i>	-
<i>Shelter Care Placement</i>	-
<i>Foster Care Placement</i>	7
<i>Parent Placement</i>	3
<i>Fictive Kin</i>	-
<i>Guardianship</i>	2
<i>Kinship</i>	-

September	
<i>On-Going Cases</i>	27
<i>New Cases</i>	11
<i>Relative Placement</i>	23
<i>Future Adoptive Placement</i>	1
<i>Treatment Facility Placement</i>	-
<i>Shelter Care Placement</i>	-
<i>Foster Care Placement</i>	12
<i>Parent Placement</i>	3
<i>Fictive Kin</i>	-
<i>Guardianship</i>	3
<i>Kinship</i>	2

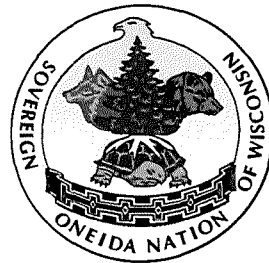
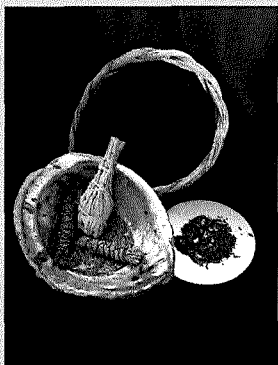
Local Adoption Resources

If you have more questions you may contact:

Lutheran Social Services of WI & Upper MI; 3003 A N. Richmond Street, Appleton 54911 Phone: 920-730-1322

Family Services Post-Adoption Resource Center; 300 Crooks Street, Green Bay Phone: 920-436-4360 x1264

Foster Care and Adoption Resource Center, 6682 West Greenfield Avenue, Suite 310 Milwaukee WI 53214 Phone: 414-475-1246

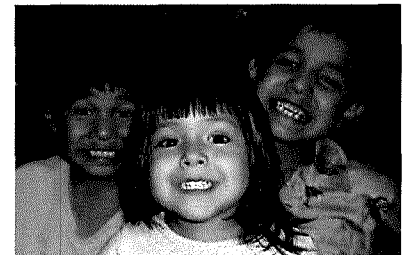


Oneida Social Services
2640 West Point Road
Green Bay, WI 54304

Child Placement Coordinator
Phone: 920-490-3822
Fax: 920-90-3799
Toll Free 1-888-490-2457

Oneida Family Support Services

A Guide to Adopting a Native American Child



Oneida Social Services

Telephone: 920-490-3700

Introduction to Adoption

The following guide is a very brief introduction to adoption resources and information.

For more information and guidance, please contact: Foster Care and Adoption Resource Center at 414-475-1246

or visit:
www.wifostercareandadoption.org/

Financial Adoption Support:

- ◆ Eligibility Requirement: Child must be Native American
- ◆ The adoption social worker (through the licensed adoption agency you choose) will submit the necessary Adoption Assistance application materials to the Department of Children and Families for eligibility determination.
- ◆ Adoption assistance should be requested before the adoption becomes final.

- ◆ Benefits are not income based
- ◆ A monthly financial payment to assist in meeting financial demands-not to exceed \$2,000
- ◆ Adoption Assistance also includes Medical Assistance eligibility through Wisconsin's Medicaid Program. If a family's health plan fails to provide coverage, the Wisconsin Medicaid Program may cover some necessary health care costs.
- ◆ Adoption Assistance may continue until 18 or 19 years & child is enrolled as a full-time high school student.

To learn more about the Adoption Assistance Program, visit: wifostercareandadoption.org/ or call: 414-475-1246

Tax Credit:

- ◆ Adoptive parents are also eligible for a one time Federal Adoption Tax Credit (based on income). Speak to your tax consultant about this for more information or visit:
<https://www.nacac.org/taxcredit/taxcredit.html> or call: 651-644-3036

Adoption Cost Reimbursement:

- ◆ The costs incurred during the adoptions process (fees, court costs, attorney fees, etc.) may be reimbursed up to a maximum of \$2000 through adoption assistance. This claim must be submitted within two years from the date of the adoption finalization.
- ◆ The form to complete and return address can be obtained by asking your adoption worker or by calling 866-666-5532.

***Oneida Nation Social Services does **not** process adoptions, but does assist with Kinship and Foster Care Services

Active Efforts



U.S. Department of the Interior, Bureau of Indian Affairs
Final Rule: Indian Child Custody Proceedings
25 CFR § 23.2, § 23.120

What are active efforts?

Active efforts are affirmative, active, thorough, and timely efforts intended primarily to maintain or reunite an Indian child with his or her family.

What must active efforts involve?

Where an agency is involved in the child-custody proceeding, active efforts must involve assisting the parent(s) or Indian custodian through the steps of a case plan and with accessing or developing the resources necessary to satisfy the case plan.

How should active efforts be provided?

To the maximum extent possible, active efforts should be provided in a manner consistent with the prevailing social and cultural conditions and way of life of the Indian child's Tribe and should be conducted in partnership with the Indian child and the Indian child's parents, extended family members, Indian custodians, and Tribe.

Are active efforts tailored to each case?

Yes, active efforts are to be tailored to the facts and circumstances of the case.

When are active efforts required?

The active efforts requirement applies in any foster-care or termination-of-parental-rights proceeding involving an "Indian child" (see 25 CFR 23). The court must conclude, prior to ordering an involuntary foster-care placement or termination of parental rights, that active efforts have been made to prevent the breakup of the Indian family and that those efforts have been unsuccessful.

Must active efforts be documented?

Yes, the court will require active efforts to be documented in detail in the record.

Active efforts may include, for example:

- (1) Conducting a comprehensive assessment of the circumstances of the Indian child's family, with a focus on safe reunification as the most desirable goal;
- (2) Identifying appropriate services and helping the parents to overcome barriers, including actively assisting the parents in obtaining such services;
- (3) Identifying, notifying, and inviting representatives of the Indian child's Tribe to participate in providing support and services to the Indian child's family and in family team meetings, permanency planning, and resolution of placement issues;
- (4) Conducting or causing to be conducted a diligent search for the Indian child's extended family members, and contacting and consulting with extended family members to provide family structure and support for the Indian child and the Indian child's parents;
- (5) Offering and employing all available and culturally appropriate family preservation strategies and facilitating the use of remedial and rehabilitative services provided by the child's Tribe;
- (6) Taking steps to keep siblings together whenever possible;
- (7) Supporting regular visits with parents or Indian custodians in the most natural setting possible as well as trial home visits of the Indian child during any period of removal, consistent with the need to ensure the health, safety, and welfare of the child;
- (8) Identifying community resources including housing, financial, transportation, mental health, substance abuse, and peer support services and actively assisting the Indian child's parents or, when appropriate, the child's family, in utilizing and accessing those resources;
- (9) Monitoring progress and participation in services;
- (10) Considering alternative ways to address the needs of the Indian child's parents and, where appropriate, the family, if the optimum services do not exist or are not available;
- (11) Providing post-reunification services and monitoring.

Quick Reference Sheet for State Court Personnel



U.S. Department of the Interior, Bureau of Indian Affairs
Final Rule: Indian Child Custody Proceedings
 25 CFR 23

All Child Custody Proceedings

Inquiry. Ask in every child custody proceeding (emergency, involuntary, and voluntary): *"Do you know, or is there a reason to know, the child is an 'Indian child' under the Indian Child Welfare Act (ICWA)?"*

An "Indian child" is:

- A member of a federally recognized Tribe or
- Eligible for membership in a federally recognized Tribe and has a biological parent who is a member.

Indications of "reason to know" include—

- Anyone, including the child, tells the court the child is an Indian child or there is information indicating the child is an Indian child;
- The domicile or residence of the child or parent/Indian custodian is on a reservation or in an Alaska Native village;
- The child is, or has been, a ward of Tribal court; or
- Either parent or the child has an ID indicating Tribal membership.

Whether a child is an "Indian child" does not consider factors outside the definition, such as:

- Participation of the parents or child in Tribal activities;
- Relationship between the child and his or her parents;
- Whether the parent ever had custody of the child, or
- The child's blood quantum.

Pending verification. If there is reason to know the child is an Indian child, treat the child as an Indian child, unless and until it is determined on the record that the child is not an "Indian child."

Verification with Tribe and identification of "Indian child's Tribe." Confirm, on the record, that the agency or other party used due diligence to identify and work with all of the Tribes of which there is reason to know the child may be a member (or eligible), to verify whether the child is a member or a biological parent is a member and the child is eligible. Determine **the Indian child's Tribe** for purposes of the Act.

Determine jurisdiction. The Indian child's Tribe has exclusive jurisdiction over the case if the Indian child's domicile or residence is on a reservation where the Tribe exercises exclusive jurisdiction over child-custody proceedings or the child is a ward of Tribal court. A parent or Indian custodian and the Indian child's Tribe may request a transfer of a foster-care or termination-of-parental-rights (TPR) proceeding to Tribal jurisdiction, at any stage and at any time, orally on the record or in writing. Upon such a request, the court **must** transfer unless:

- Either parent objects to such transfer;
- The Tribal court declines the transfer; or
- Good cause exists for denying the transfer.

The reasons for denial must be on the record.

A determination that good cause exists to deny transfer may **not** include the considerations listed at § 23.118(c).

Placement preferences. ICWA's placement preferences apply in any preadoptive, adoptive, or foster-care placement (voluntary or involuntary) of an Indian child.¹ Or, if the Indian child's Tribe has established, by resolution, a different order of preference, the Tribe's placement preferences apply instead. Deviations from the placement preferences are permitted only for *good cause*. Good cause must be on the record and should be shown by clear and convincing evidence and be based only on one or more of the considerations listed at § 23.132(c).

A placement may not depart from the preferences:

- Based on the socioeconomic status of any placement relative to another
- Based solely on ordinary bonding or attachment that flowed from time spent in a non-preferred placement that was made in violation of ICWA.

¹ See ICWA's placement preferences at 25 U.S.C. 1915 or 25 CFR §§ 23.129-131.

Involuntary Proceedings

Notice. The record must include proof that clear and understandable notice was provided to the parents (and/or Indian custodian, if any) and Tribe, by registered or certified mail, return receipt requested, of the involuntary proceeding. No foster-care-placement or TPR proceeding may be held until at least **10 days after receipt** of the notice of that particular proceeding (with extensions allowed at option of parent or Tribe).

Active Efforts. Before ordering an involuntary foster care placement or TPR, the court must conclude that active efforts have been made to prevent the breakup of the Indian family and those efforts have been unsuccessful. Active efforts must be documented in detail in the record.

Active efforts are affirmative, active, thorough, and timely efforts intended primarily to maintain or reunite an Indian child with his or her family. See § 23.2 for the more expansive definition and examples.

Standards of Evidence.

Foster-care placement and TPR may be ordered only if there is:

- **Clear and convincing evidence** (for foster-care placement) or **evidence beyond a reasonable doubt** (for TPR),
- Including the testimony of qualified expert witness(es),
- That the child's continued custody by the child's parent or Indian custodian is likely to result in "serious emotional or physical damage" to the child.

The evidence must show a **causal relationship** between the particular conditions in the home and the likelihood that continued custody of the child will result in serious emotional or physical damage to the particular child who is the subject of the child-custody proceeding.

Without a causal relationship, evidence that shows only the existence of community or family poverty, isolation, single parenthood, custodian age, crowded or inadequate housing, substance abuse, or nonconforming social behavior does not by itself meet the standard of evidence.

The **qualified expert witness** must be qualified to testify regarding whether the child's continued custody by the parent or Indian custodian is likely to result in serious emotional or physical damage to the child, and should be qualified to testify as to the prevailing social and cultural standards of the Indian child's Tribe. The qualified expert witness may not be the social worker regularly assigned to the Indian child.

Emergency Proceedings

An emergency removal or placement is any removal/placement of an Indian child under State law without the full suite of ICWA protections, regardless of the label used for the removal or placement; the emergency removal or placement must terminate immediately when the removal or placement is no longer necessary to prevent "imminent physical damage or harm" to the child and **cannot last more than 30 days** unless the court makes the determinations at § 23.113(e). An emergency proceeding can be terminated by one or more of the following actions:

- (1) Initiation of a child-custody proceeding subject to the provisions of ICWA;
- (2) Transfer of the child to the jurisdiction of the appropriate Indian Tribe; or
- (3) Restoring the child to the parent or Indian custodian.

Voluntary Proceedings

A voluntary proceeding must be truly voluntary (of the parent or custodian's free will, without a threat of removal by a State agency). The provisions summarized in "All Child Custody Proceedings" on p. 1 of this guide (including, e.g., placement preferences) apply. In addition, the court must ensure the safeguards for the parent or custodian's consent and withdrawal of consent are followed. See §§ 23.125 - 23.128.

2

IMPORTANT NOTE: This quick reference guide is not comprehensive and highlights only some of the requirements of the statute at 25 U.S.C 1901 *et seq.* and regulations at 25 CFR 23. To the extent there are any discrepancies, the statute and regulations govern.

Quick Reference Sheet for Voluntary Proceedings



U.S. Department of the Interior, Bureau of Indian Affairs
Final Rule: Indian Child Custody Proceedings
 25 CFR 23

Voluntary proceedings. A proceeding is “voluntary” only if either parent, both parents, or the Indian custodian has, of his or her or their free will, without a threat of removal by a State agency, consented to the placement for the Indian child, or if the proceeding is for voluntary termination of parental rights. The Indian Child Welfare Act (ICWA) and the regulations include provisions that apply to voluntary proceedings (highlighted by this guide).

The only voluntary placement to which ICWA does **not** apply to is a voluntary placement where the parent or Indian custodian can regain custody of the child **upon demand** – meaning simply upon verbal request, without any formalities or contingencies.

Inquiry. At the outset of the proceeding, the court will ask whether you know, or if there is a reason to know, the child is an “Indian child” under ICWA.

An “Indian child” is:

- A member of a federally recognized Tribe or
- Eligible for membership in a federally recognized Tribe and has a biological parent who is a member.

Indications of “reason to know” include—

- Anyone, including the child, tells the court the child is an Indian child or there is information indicating the child is an Indian child;
- The domicile or residence of the child or parent/Indian custodian is on a reservation or in an Alaska Native village;
- The child is, or has been, a ward of Tribal court; or
- Either parent or the child has an ID indicating Tribal membership.

Whether a child is an “Indian child” does not consider factors outside the definition, such as:

- Participation of the parents or the Indian child in Tribal activities;
- Relationship between the Indian child and his or her parents;
- Whether the parent ever had custody of the child, or
- The Indian child's blood quantum.

Pending verification. If there is a reason to know the child is an Indian child, the court will treat the child as an Indian child, unless and until it is determined on the record that the child is not an “Indian child” under ICWA.

Due diligence to identify “Indian child’s Tribe” and verify membership/eligibility. Use due diligence to identify and work with all of the Tribes of which there is reason to know the child may be a member (or eligible for membership), to verify whether the child is a member or a biological parent is a member and the child is eligible for membership.

Effect of a request for anonymity. A request for anonymity does not relieve the court, agency, or other party from any duty of compliance with ICWA, including the obligation to verify whether the child is an “Indian child.” If the consenting parent provides a written request for anonymity, the court must keep relevant documents pertaining to the inquiry required under this section confidential and under seal and the Tribe receiving information related to this inquiry must keep documents and information confidential.

Inquire as to domicile and residence. The court will look at whether the Indian child's domicile or residence is on a reservation or the child is a ward of Tribal court to determine whether the Indian child's Tribe has exclusive jurisdiction.

Notice. ICWA and the regulations do not necessarily require notice to the other parent or Tribe, but the Department recommends notice to promote compliance with the placement preferences and stability for the Indian child.

Placement Preferences. Seek to identify placements that meet ICWA's placement preferences (or the Indian child's Tribe's placement preferences established by resolution, if applicable). The court will apply the placement preferences in any preadoptive, adoptive, or foster-care placement of an Indian child.

ICWA's top preferred placement is a member of the Indian child's extended family.
For the remaining preferences, see 25 U.S.C. 1915 or 25 CFR §§ 23.129-131.

The court will allow for deviations of the placement preferences only for *good cause* described on the record. Good cause should be shown by clear and convincing evidence and based on one or more of the considerations at § 23.132(c). Note that:

- A prerequisite to finding good cause based on the *unavailability* of a suitable preferred placement is that a diligent search for suitable preferred placements must have been conducted. The standards for determining whether a placement is *unavailable* must conform to the prevailing social and cultural standards of the Indian community.
- If the Indian child's parent(s) wants to request a placement that departs from the placement preferences, the parent(s) must attest that they have reviewed the placement options, if any, that comply with the order of preference.

A placement may not depart from the preferences:

- Based on the socioeconomic status of any placement relative to another placement
- Based solely on ordinary bonding or attachment that flowed from time spent in a non-preferred placement that was made in violation of ICWA.

Consent Safeguards. A parent's or Indian custodian's consent to a voluntary termination of parental rights or to a foster-care, preadoptive, or adoptive placement must be executed in writing, include the contents listed at § 23.126, and be recorded before a court of competent jurisdiction. Prior to accepting the consent, the court must:

- Explain to the parent or Indian custodian the terms and consequences of the consent in detail; and
- Explain to the parent or Indian custodian the limitations on withdrawal of consent listed in § 23.125(b)(2);
- Certify that the terms and consequences of the consent were explained on the record in detail (in the appropriate language) and were fully understood by the parent or Indian custodian.

A consent given prior to, or within 10 days after, the birth of an Indian child is not valid.

Withdrawal of Consent. The rule provides information for how a parent may withdraw consent to a voluntary foster-care placement, voluntary termination of parental rights, and voluntary adoption. See §§ 23.127 - 23.128. For example, a parent or Indian custodian may withdraw consent to an adoption any time prior to entry of the final adoption decree by filing a written document with the court of otherwise testifying before the court. Additional methods of withdrawing consent may be available under State law.

Adult Adoptees' Right to Information. An Indian who has reached age 18 who was the subject of an adoptive placement may apply to the court that entered the final adoption decree for information, and the court must inform such individual of the Tribal affiliations, if any, of the individual's biological parents and provide such other information necessary to protect any rights, which may include Tribal membership, resulting from the individual's Tribal relationship.

2

IMPORTANT NOTE: This quick reference guide is not comprehensive and highlights only some of the requirements of the statute at 25 U.S.C 1901 *et seq.* and regulations at 25 CFR 23. To the extent there are any discrepancies, the statute and regulations govern.

Quick Reference Sheet for Tribes



U.S. Department of the Interior, Bureau of Indian Affairs
 Final Rule: Indian Child Custody Proceedings
 25 CFR 23

Identifying an "Indian child." State agency personnel will be contacting you to verify whether a child is an "Indian child" under the Indian Child Welfare Act (ICWA). An "Indian child" is:

- A member of a federally recognized Tribe or
- Eligible for membership in a federally recognized Tribe and has a biological parent who is a member.

Verifying membership/eligibility. The Tribe is the authoritative source on whether a child is a member, or whether the parent is a member and the child is eligible for membership, and the rule directs the State court to defer to the Tribe as a source in determining whether the child is an Indian child for purposes of the child-custody proceeding. Your response is therefore an important step to ensuring ICWA's protections apply.

Contact Information. The BIA final rule directs States to provide the notice and inquiry to the agent you designate for receipt of ICWA notices, as listed in the Federal Register and available on www.bia.gov.

The Indian child's domicile and residence. The court will look at whether the Indian child's domicile or residence is on a reservation where the Tribe exercises exclusive jurisdiction or whether the child is a ward of Tribal court. If either of these criteria is met, the Tribe has exclusive jurisdiction. For this reason, you may wish to notify State agency and court personnel, as early as possible, if you know either of these criteria is met.

Becoming designated as "the Indian child's Tribe." ICWA provides that only one Tribe may be designated as the Indian child's Tribe for the purposes of an ICWA child custody proceeding, even if the child meets the definition of "Indian child" through multiple Tribes. You may agree with the other Tribes as to which should be designated as the Indian child's Tribe and the court will designate the agreed-upon Tribe as the Indian child's Tribe. Otherwise, the court will designate the Indian child's Tribe under § 23.109(c).

A determination of the Indian child's Tribe for purposes of ICWA does not constitute a determination for any other purpose.

Participation in active efforts. Tribes may participate in providing active efforts to prevent the breakup of the Indian family. The rule provides that, to the maximum extent possible, active efforts should be conducted in partnership with the Indian child's Tribe (as well as the parents and others). Before ordering an involuntary foster care placement or termination of parental rights (TPR), the court must conclude that active efforts have been made to prevent the breakup of the Indian family and those efforts have been unsuccessful. The court will also require active efforts to be documented in detail in the record.

Examples of active efforts include:

- Identifying, notifying, and inviting representatives of the Indian child's Tribe to participate in providing support and services to the Indian child's family and in family team meetings, permanency planning, and resolution of placement issues;
- Offering and employing all available and culturally appropriate family preservation strategies and facilitating the use of remedial and rehabilitative services provided by the child's Tribe.

Right to notice. The Indian child's Tribe (and parents or Indian custodians) must receive clear and understandable notice, by registered or certified mail, return receipt requested, of an involuntary proceeding. The court will check to ensure there is proof that the notice was given and will not hold a foster-care-placement or TPR proceeding until at least **10 days after receipt** of the notice of that particular proceeding (with extensions allowed at option of parent or Tribe). The Indian child's Tribe has the right to be granted, **upon request, up to 20 additional days** to prepare for the child-custody proceedings.

Right to transfer jurisdiction. The Indian child's Tribe (and parents or Indian custodians) may request a transfer of a foster-care or TPR proceeding to Tribal jurisdiction, at any stage and at any time, orally on the record or in writing. Upon such a request, the court must transfer unless:

- Either parent objects to such transfer;
- The Tribal court declines the transfer; or
- Good cause exists for denying the transfer.

The reasons for denying a request to transfer must be on the record.

A determination that good cause exists to deny transfer of jurisdiction may **not** include the considerations listed at § 23.118(c) regarding advanced stage, prior proceedings, potential placements, cultural connections, socioeconomic conditions, or negative perceptions of Tribal or BIA systems.

Right to intervene. The Indian child Tribe's has the right to intervene, at any time, in a State-court proceeding for the foster-care placement of or TPR to an Indian child.

Qualified expert witnesses. The court will order foster-care placement or TPR only if certain standards of evidence are met, including the testimony of qualified expert witness(es). You, as the Indian child's Tribe, may designate an individual as being qualified to testify to the prevailing social and cultural standards of the Indian child's Tribe. The court or any party may request your assistance in locating persons qualified to serve as expert witnesses

The qualified expert witness must be qualified to testify regarding whether the child's continued custody by the parent or Indian custodian is likely to result in serious emotional or physical damage to the child, and should be qualified to testify as to the prevailing social and cultural standards of the Indian child's Tribe.

Placement preferences. Placement preferences apply in both voluntary and involuntary child custody proceedings. The Indian child's Tribe may establish, by resolution, an order of preference for placements that is different from the list in ICWA and which will then supersede the ICWA order of preference. Tribes may assist in identifying placements for the child. The court will allow for deviations of the placement preferences only for *good cause*. Good cause must be on the record, should be shown by clear and convincing evidence, and should be based the considerations listed at § 23.132(c)

Right to examine documents. The rule provides that each party to an emergency proceeding or a foster-care-placement or termination-of-parental-rights proceeding under State law involving an Indian child has a right to timely examine all reports and other documents filed or lodged with the court upon which any decision with respect to such action may be based. In addition, Tribes are sovereign entities that have concurrent jurisdiction over child-custody proceedings, and they should have the ability to review documents relevant to those proceedings. State agencies must share records with Tribal agencies that are parties to child-custody cases as they would other parties and governmental entities.

Right to request access accommodations. You have the right to request the court to allow alternative methods of participation in State-court child-custody proceedings involving an Indian child, such as participation by telephone, videoconferencing, or other methods.

Right to petition to invalidate an action. The Indian child's Tribe may petition any court of competent jurisdiction to invalidate an action for foster-care placement or termination of parental rights under State law where it is alleged that 25 U.S.C. 1911, 1912, or 1913 has been violated.

Right to obtain placement records. The Indian child's Tribe may require a State to provide the record for a voluntary or involuntary foster-care, preadoptive, and adoptive placement of an Indian child within 14 days of the request.

2

IMPORTANT NOTE: This quick reference guide is not comprehensive and highlights only some of the requirements of the statute at 25 U.S.C 1901 *et seq.* and regulations at 25 CFR 23. To the extent there are any discrepancies, the statute and regulations govern.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 11 / 23 / 16

2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

Accept Oneida Library Board FY '16 4th quarter report

3. Supporting Materials

Report Resolution Contract

Other:

1.

3.

2.

4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution

Budgeted - Grant Funded

Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter:

Submitted by Carol Cornelius, Secretary of Oneida Library Board

Your Name, Title / Dept. or Tribal Member

Additional Requestor:

Name, Title / Dept.

Additional Requestor:

Name, Title / Dept.

**ONEIDA COMMUNITY LIBRARY BOARD
QUARTERLY REPORT July, August, Sept. 2016**

MISSION STATEMENT: Provide for the informational needs of the Oneida Community while building a collection that reflects our unique Oneida heritage. All persons will have access to current, balanced materials, services and programs that will enrich their information, cultural and recreational needs.

NAME OF BOARD: Oneida Community Library Board

CONTACT: Roxanne Anderson, Vice Chairperson

MEMBERS: Roxanne Anderson, Vice Chairperson
Dr. Carol Cornelius, Secretary
Bridget John , Member
Dylan Benton, Member
Marena A. Bridges - Member as of May 2016

BC LIAISON: Fawn Billie

MINUTES:

The following meeting minutes have been approved by the Oneida Community Library Board and sent to Kathy Metoxen:

July 20, 2016

August 8, 2016

Sept 14, 2016

ACTION TAKEN:

The Board meets at the Library, the second Wednesday of the month at 4:30 p.m.

HIGHLIGHTS OF THE LIBRARY

July, 2016

- * Summer Reading Program in full gear. Children are planting a raised bed garden. The students and parents will be going on an outing to Oneida Lake several times during the summer program.
- * Both libraries have summer student workers from a variety of organizations: NWTC, Tribal School, Green Bay and West De Pere high schools. Green Earth has a worker from the Elder Wise program.
- *All staff attended mandatory Active Shooter Training.
- * The library is spending grants funds to replenish the collections including, audio, Native American books, and Native American audio mysteries!
- *We discussed that a variety of (Science, Technology, Engineering and Math) STEM stations have been created at Green Earth. These stations provide include circuit boards on reading and activities on variety of topic areas.
- * OWLSNET collection agency resolution, report from Wanda
Wanda Boivin reported on the meeting regarding the OWLSNET system wide project which would be to support sending overdue bills over \$50.00 to a collection agency which all libraries OWLSNET would use. Current policy, the library receives a computer update every day:
 1. Over due notice sent by mail, or email.
 2. A second notice is sent
 3. After 2 weeks, the patron receives a bill for the overdue materials
 4. Patron can't use library until the bill is taken care of
 The law office was contacted to see if it needed a legal opinion.
- *Patron count: 3,270

August 2016

*Summer Reading Program theme "On Your Mark Get Set...Read" The summer is full of activities such as STEM learning centers and craft table for creativity, drop in activities every day, summer story and craft, cultural activities, teen programs, adult summer reading times, Toddler Twosday, Hooray for Pre-K, Fan club, book club, writers' group, reading incentives.

*Oneida language Tuesday and Thursday

* Madeline Genskow asked to be on the Sept. agenda regarding interviews she did with elders.

Patron count; 3,127

Sept. 2016

*We agreed to have our guest Madeline Genskow make her presentation first. Madeline discussed the Elders she had taped back in the 1970's. We did show her that we obtained from the Museum, CD copies of those interviews. She discussed Irene More, her aunt, 1976 talked about HUD housing and Head Start. Amos Christjohn was an electrician and talked about boarding school, being in the military, Oneida language program, visiting people in prison, treaty with Menominee, grandparents . Anna John talked out who would be educated at the Oneida boarding school and sent Amos and Isaiah and talked out the loss of land. She did these interviews on her own, and the copyright to the tribe. She would like to make these interviews available, and suggested advertizing in the Kaliwisaks, having workshops and group discussions. There is paperwork on some of them. She says Ruth Baird wanted her interview be listened to only at the Museum. Madeline also donated a CD "Trail of Tears" by Lee Johnson. Carol Cornelius made a motion to table to next meeting to set up a plan for advertizing these interviews. Bridget John seconded.

*The summer reading program ended in August with a summer party at Green Earth and Main Library. The Environmental Health and Safety Director, Jeff Mears gave a presentation on Global Warming which fifteen students from the summer reading program attended. They were very attentive and polite. A Star Wars convention was included in the celebration total participants 89.

* The library received a donation of a about 500 items from PHD Mary Sasse's Native American collection on Native America Literature. We had a wonderful meeting with her and her daughter

* Building art work refurbished by Scott Hill with Tourism paying for it

*Total Patrons for August 3, 499

FINANCIAL:

All library budgets have a positive variance.

The Library will continue to apply for grants and will follow purchasing guidelines to stay within the budget.

The Library is taking great care to abide by cost containment guidelines.

SPECIAL EVENTS AND TRAVEL:

Reference Highlights of the Library above.

UPCOMING EVENTS

Planning a series of workshops on climate change with the Environmental department. Two sessions held, with more sessions being planned.

PERSONAL COMMENTS:

The Board would like to commend the Library Staff for the valuable services they provide to the community.

The Oneida Library provides a safe, welcoming, and positive place for our young people and the community.

The Oneida Library provides a hub of activities for families and the community.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 11 / 23 / 2016

2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

Accept Land Claims Commission FY16 4th quarter report

3. Supporting Materials

Report Resolution Contract

Other:

1.

3.

2.

4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution

Budgeted - Grant Funded

Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter:

Your Name, Title / Dept. or Tribal Member

Additional Requestor:

Name, Title / Dept.

Additional Requestor:

Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

4th quarter report

- 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 LAND CLAIMS COMMISSION
4th QUARTER REPORT**

July 1, 2016 to September 31, 2016

Submitted by Dakota Webster, LCC Secretary 920-228-0623

LAND CLAIMS COMMISSIONERS:

Officers: Chairperson- Vacant, Vice Chair-Loretta V. Metoxen, Secretary/Treasurer-Dakota Webster

Commissioners: Jay Rasmussen, Donald McLester, Chris Cornelius, Tomas Escamea, Charles Wheelock

LCC Liaison: Jennifer Webster

PURPOSE:

The Oneida Land Claims Commission will make informed thoughtful recommendations to the General Tribal Council and Business Committee on issues pertaining to all Oneida land claim issues. We also encourage active participation from the membership.

MISSION:

Actively pursuing education, recommendations, and resolutions to all land claim settlement offers; honoring our ancestors, treaties, and the seven generations.

OBJECTIVES:

The Oneida Land Claims Commission is an elected governing body to meet the needs of the General Tribal Council. The Land Claims Commission continues to actively participate in all Business Committee meetings in regards to the New York Land Claims – Congressional Fix issues along with land claims in progress, and land claim issues which may arise. The Land Claims Commission is in the process of updating the By-Laws which govern the commission. The Land Claims Commission is working to set up a website so information involving land claims is accessible to tribal membership. The Land Claims Commission is planning to conduct community outreach sessions aimed to educate and receive feedback on all land claims which our General Tribal Council is entitled to.

MEETINGS:

July 27

August 18, 25 (special)

September 8 (special), 29

The Land Claims Commission meets twice a month on a regular basis as scheduled; the first and third Thursday of every month at 5:30 p.m. Meeting location to be announced.

FOLLOW UP:

The Oneida Land Claims Commission, with the assistance of Steve Webster, has nearly completed the uploading of all land claims sensitive documentation to the OnBase computerized system. The Land Claims Commission met with Business Committee Secretary Lisa Summers, Treasurer Trish King, member Jennifer Webster, and Executive Assistant Brian Doxtator in which an MOU was established regarding the transfer of duties for the vacant Land Commission Executive Assistant position. The Land Claims Commission will be utilizing staff from the Business Committee Secretary's office, in lieu of a hiring an Executive Assistant, to reduce costs. Renovations are at a standstill due to funding. The Land Claims Commission adopted a revised purpose and mission to align with our new education and strategic goals.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 11 / 23 / 16

2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

3. Supporting Materials

Report Resolution Contract

Other:

1.

3.

2.

4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution

Budgeted - Grant Funded

Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter:

Your Name, Title / Dept. or Tribal Member

Additional Requestor:
Name, Title / Dept.

Additional Requestor:
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

School Board quarterly report to Business Committee

- 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

accept the report. Rhiannon Metoxen seconded. Motion carried.

Rhiannon Metoxen moved to recess to the conference room for the rest of the agenda. Neset Skenandore seconded. Motion carried. School Board recessed at 5:45 pm

School Board back in session at 5:50 pm.

B. Follow-UP

1. Solar Panels at Elementary School – Mike Troge, Adam Gusse – Neset Skenandore moved to accept the report and requests a cost comparison (different designs/locations and who will benefit from savings – BIE or Tribe?). Rhiannon Metoxen seconded. Shanna Torres abstained. Motion carried.

VI. New Business

- A. September meeting date – Neset Skenandore moved to hold September regular School Board meeting on September 12, 2016. Fred Muscavitch seconded. Motion carried.

VII. Reports

- A. Superintendent's Report – Neset Skenandore moved to approve. Rhiannon Metoxen seconded. Motion carried.
 1. Technology Plan – Rhiannon Metoxen moved to approve. Neset Skenandore seconded. Motion carried.
- B. Administrative Staff Reports – Melinda K. Danforth moved to accept reports. Neset Skenandore seconded. Motion carried.
 1. Business Manager
 2. K-8 Principal
 - a. Assistant Principal
 - b. Gifted and Talented
 3. 9-12 Principal
 4. Special Education - none
 5. Technology
 6. FACE - none

VIII. Executive Session - Resignations

Rhiannon Metoxen moved to go into executive session at 7:10 pm. Melinda K. Danforth seconded. Motion carried.

Rhiannon Metoxen moved to come out of executive session at 7:12 pm. Neset Skenandore seconded. Motion carried.

Rhiannon Metoxen moved to accept 1st grade teacher resignation. Neset Skenandore seconded. Motion carried.

Melinda K. Danforth moved to approve posting. Rhiannon Metoxen seconded. Motion carried.

Neset Skenandore moved to accept the food service worker resignation. Melinda K. Danforth seconded. Motion carried.

Melinda K. Danforth moved to approve posting of food service worker. Rhiannon Metoxen seconded. Motion carried.

IX. Recess/Adjourn

Rhiannon Metoxen moved to adjourn. Neset Skenandore seconded. Motion carried.

Meeting adjourned at 7:19 pm

Respectfully submitted,



Rhiannon RC Metoxen
Secretary
Oneida Nation School Board

Approved/corrected

DATE

Oneida Nation School Board
Regular Meeting Minutes

Date: Monday, October 3, 2016

Time: 5:00 p.m.

Place: ONES Library

The Oneida Nation School Board is committed and accountable to students, parents, families, staff, and community members to provide regulatory oversight for a safe, positive, culturally diverse, holistic, learning atmosphere based on Onlayoté a'ka values. We will provide the expectations, resources, and educational opportunities to encourage students to be productive.

PRESENT: Debra J. Danforth, Sharon Mousseau, Melinda K. Danforth, Fred Muscavitch, Rhiannon "RC Metoxen", Neset Skenandore, Shanna Torres, Artley Skenandore, Yvette Peguero, Linda Jenkins, John Bestul, Jacquelyn Daigle, Fay LeMense

EXCUSED: Todd Hill

OTHERS: Tina Jacobson, Micheal Troge

OPENING: Artley Skenandore

Call to Order by: Debra J. Danforth

Time: 5:09 p.m.

I: Approval of Agenda:

RC Metoxen moved to approve. Neset Skenandore seconded. Motion carries.

II: Special Presentation – Short Program Graduates

A: High School Graduates

Neset Skenandore moved to approve High School graduates. RC Metoxen seconded. Motion carries.

III. Minutes

A: Regular Meeting- August 1, 2016

RC Metoxen moved to approve the regular meeting Minutes of August 1st. Neset Skenandore seconded. Motion carries.

B: Special Meetings – None

C: Ratification of Board Polls

1. August 22, 2016 Resignation

RC Metoxen moved to ratify. Neset Skenandore seconded. Motion carries.

2. August 24, 2016 FACE travel

Fred Muscavitch moved to ratify. RC Metoxen seconded. Motion carries.

3. September 22, 2016 Hiring of Special Education Co-Teacher

Neset Skenandore moved to ratify. Melinda K. Danforth seconded. Motion carries.

IV: Tabled Business:

A: None

V: Old Business / Follow-Up:**A: Standing Agenda Items:**

1. CIP – High School – Planning Department
No update.
2. Language Program
Sheri Mousseau: Couple of staff are going to NM for a training and will provide a report upon their return. The Language Grant was not received this year. Neset moved to accept update. Melinda Danforth seconded. Motion carries.
3. Staff Recognition Program
BC has quarterly recognitions.
4. Athletics – Update from Artley Skenandore
Reviewing and making corrections with form that parents will need to sign for middle and high school athletics. Working on middle school coaches' handbook. RC Metoxen moved to accept update. Neset Skenandore seconded. Motion carries.
5. JOM Program – Schedule attached from September packet.
JOM requested to provide a \$30.00 gift card for Parent / Teacher conferences this Thursday. Follow up request to have a list of everything asked for from JOM such as Bylaws, Minutes, Budget Breakdown, and reasoning behind what they find for criteria for funding. Neset Skenandore moved to accept update. Melinda K. Danforth seconded. Motion carries.

B: Follow-up

1. Solar Panels – Mike Troge
RC Metoxen moved to defer this item until follow up with Jackie Boyle is made to obtain input from DPW. Melinda K. Danforth seconded. Fred Muscavitch opposed. Motion carries.
2. Youth Risk Behavior Surveillance System (YRBSS) – Tina Jacobson
RC Metoxen moved to defer item until updated version and link is received. Melinda K. Danforth seconded. Motion carries.
3. Ramah Navaho Settlement
A letter was sent to the Business Committee based upon Fred Muscavitch's action last November that no cut to our tribal contribution was to be made and that official action from the Business Committee be made. Letter is on the October 12, 2016 BC Agenda. RC Metoxen moved to accept the update. Neset Skenandore seconded. Motion carries.

VI: New Business:**A: Board Vacancies**

Melinda K Danforth moved to post two vacancies. Seconded by RC Metoxen. Motion carries.

B: Chaperones for Homecoming

Seeking chaperones for two-hour blocks from 1am – 7a.m. at the O.N.E.S. gym for school lock-in this coming weekend.

C: Add-On: Boo Bash

Seeking donations for 700 wrapped treat or prizes and volunteers to dress in

costumes. Shanna Torres volunteered to be present. Melinda K. Danforth moved to accept. RC Metoxen seconded. Motion carries.

VII: Reports

A: Superintendent's Report – September and October

1. Calendar Adjustment Change - Approval requested
Requesting to approve an amended calendar to include the Kahliwiyo ceremonies so staff can participate without having to use personal time. RC Metoxen moved to approve the calendar change. Neset Skenandore seconded. Motion carries.
RC moved to accept Superintendent report. Melinda K. Danforth seconded. Motion carries.

B: Administrative Staff Reports – September and October

1. Business Manager
2. K-8 Principal
 - a. Assistant Principal
 - b. Gifted and Talented
3. 9-12 School Principal
4. Special Education
5. Technology
6. FACE

Melinda K. Danforth moved to accept Administrative Staff reports. Neset Skenandore seconded. Motion carries.

VIII: Executive Session: None.

IX: Recess/Adjourn: *RC Metoxen moved to adjourn at 6:19 p.m. Neset Skenandore seconded. Motion carries.*

Respectfully submitted,



Rhiannon Metoxen
Secretary
Oneida Nation School Board

approved / corrected

Date

ONEIDA NATION SCHOOL SYSTEM

Oneida Nation Elementary School
 P.O. Box 365
 N7125 Seminary Road
 Oneida, WI 54155
 Phone (920) 869-1676
 FAX (920) 869-1684



Oneida Nation High School
 P.O. Box 365
 N7210 Seminary Road
 Oneida, WI 54155
 Phone (920) 869-4308
 FAX (920) 869-4045

November 18, 2016

BOARD: Oneida Nation School Board

MEMBERS: Debra Danforth, Chair
 Rhiannon Metoxen, Secretary
 Melinda K. Danforth, member At-large
 Todd Hill, Member
 Fred Muscavitch, member At-large
 Neset Skenandore, Member
 Shanna Torres, Member

CONTACT PERSON: Rhiannon Metoxen
OBC LIAISON: Fawn Billie

MINUTES: August 2016
 October 2016

UPDATES

2016-2017 School Year Student Enrollment: K-8 = 325 9-12 = 127 Total = 452

The High School enrollment has increased since the last end of school year.

The 2016-2017 school year began with a school-wide tobacco burning. Staff were able to attend a week long in-service on various topics ranging from A.L.I.C.E on-line training to trauma sensitive school training. Staff are saddened by the unexpected passing of our maintenance supervisor / volunteer fire-fighter, Mr. John Brocker. We are fortunate that Ms. Tanya Hill-Horkman has been mentored by John and is currently working as the maintenance supervisor at O.N.E.S.

The school system has five staff members who are continuing to participate in the Bureau of Indian Education's National Board Certification program for teachers. The Bureau of Indian Education is providing for a monetary bonus to each teacher that successfully completes the program.

The School Board has had one retreat so far to start review the draft education code which was previously submitted to the LOC. The next review session will be scheduled for January 2017 with the presence of the School Board Attorney.

The Elementary School held its annual Family Feast in November with an estimate total of 500 people in attendance.

GOALS AND OBJECTIVES

Our students continue to increase their knowledge of Oneida language and culture, as they attend language / culture and social dance classes as part of their daily education. Improving daily attendance and raising the reading and mathematics academic levels continue to be the overall goals for this school year. Administration is currently waiting for another grant to be available to obtain funding to enhance the language program outreach to families.

Both schools have implemented Stage two of the Positive Behavior Intervention and Supports (P.B.I.S.) program, and staff are still in process of improving the implementation and strategies.

The Environmental Department presented a Solar Panel project, which was determined to not be in the best benefit of the School System at this time due to future funding and maintenance issues and concerns.

MEETING REQUIREMENTS

The Oneida Nation School Board meets the first Monday of every month at 5:00 p.m. in the library at the Elementary School, and meetings are open to the public. Special meetings are called by the School Board Chair when deemed necessary.

XI-4. GENERAL TRIBAL COUNCIL

- A. Petitioners Madelyn Genskow and Yvonne Metivier: Incentive stipends for Oneida Nation elections starting 2017**
- 1. Accept legal analysis**
Sponsor: Jo Anne House, Chief Counsel
 - 2. Accept financial analysis**
Sponsor: Larry Barton, Chief Financial Officer
- B. Forward resolution entitled Designation of the Oneida Judiciary as the Judiciary Authorized Pursuant to Article V – Judiciary of the Oneida Nation Constitution, to the General Tribal Council for consideration**
Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman
- C. Accept petition submitted by Frank Vandehei regarding support for Oceti Sakowin Camp and the Standing Rock Sioux Tribe in their battle against the Dakota Access Pipeline, as information only, as it does not meet the number of required signatures in accordance with the Oneida Nation Constitution and By-laws to call a special GTC meeting; and direct the Tribal Secretary to notify the petitioner of the action taken**
Sponsor: Lisa Summers, Tribal Secretary
- D. Enter E-Poll results into the record in accordance with BC SOP Conducting Electronic Voting:**
- 1. Approved 2017 Annual General Tribal Council meeting agenda, noting the remaining back up materials must be submitted by Noon on Friday, November 18, 2016**
Sponsor: Lisa Summers, Tribal Secretary
- E. Approve 2017 Annual General Tribal Council meeting materials and reports**
Sponsor: Lisa Summers, Tribal Secretary
- F. Request Tribal Chair to call a special General Tribal Council meeting to consider the Employment Law**
Sponsor: Councilman Brandon Stevens/Legislative Operating Committee Chair

These agenda items contain information for Tribal Members only. Please visit the Business Committee Support Office on the second floor of the Norbert Hill Center with Tribal I.D. to obtain full packet materials. Materials may also be obtained after logging into the Tribal Members only portal at <https://oneida-nsn.gov/members-only/gtc-portal/bc-meeting-materials-for-members-only/>

For any questions, please call the Business Committee Support Office at (920)869-4364 or send an email to TribalSecretary@oneidanation.org. Thank you.

HANDOUTS A. B. C. D. and E. for the following item:

XII. GENERAL TRIBAL COUNCIL

A. Approve 2017 Annual General Tribal Council meeting materials and reports

Sponsor: Lisa Summers, Tribal Secretary

This agenda item contains information for Tribal Members only. Please visit the Business Committee Support Office on the second floor of the Norbert Hill Center with Tribal I.D. to obtain full packet materials. Materials may also be obtained after logging into the Tribal Members only portal at <https://oneida-nsn.gov/members-only/gtc-portal/bc-meeting-materials-for-members-only/>

For any questions, please call the Business Committee Support Office at (920)869-4364 or send an email to TribalSecretary@oneidanation.org. Thank you.

Oneida Tribe of Indians of Wisconsin
On-Site Monitoring Review

FINAL REPORT



U. S. Department of Housing and Urban Development
Eastern / Woodlands Office of Native American Programs (E/WONAP)
Grants Evaluation Division

William O. Dawson III, Director

October 19, 2016

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Oneida Tribe of Indians of Wisconsin

Final Monitoring Report

IHBG

On December 1–3, 2015, the Eastern Woodlands Office of Native American Programs (E/WONAP) conducted an on-site monitoring review of the Oneida Tribe of Indians of Wisconsin’s (OTIW) Indian Housing Block Grant (IHBG) program. The purpose of the review was to fulfill the U.S. Department of Housing and Urban Development’s statutory obligation under Section 405 of the Native American Housing Assistance and Self-Determination Act (NAHASDA), to review the performance of an IHBG recipient’s compliance with the requirements of NAHASDA.

The review was designed to evaluate OTIW’s performance in: complying with its Indian Housing Plans (IHP); implementation of eligible activities in a timely manner; submission of accurate Annual Performance Reports (APR); and carrying out its programs in accordance with the requirements and primary objectives of NAHASDA, the IHBG program regulations at 24 CFR Part 1000, and other applicable laws and authorities¹. The performance measures at 24 CFR Section 1000.524 were used to conduct the monitoring review.

The grant reviewed was:

Indian Housing Block Grant (IHBG)
55IT5549100

The areas reviewed for these programs were:

- Organization and Structure
- Financial and Fiscal Management
- Procurement and Contract Administration
- Self-Monitoring

E/WONAP staff who participated in the review were:

- Mario Lindsey, Grants Evaluation Specialist
- Mary White, Grants Management Specialist

¹ Note: Effective December 26, 2014, the regulations at 2 CFR Part 200 replaced Office of Management and Budget Circulars A-21, A-50, A-87, A-89, A-102, A-110, A-122, and A-133; and the regulations at 24 CFR Parts 84 and 85, and 2 CFR Parts 215, 220, 225, and 230. HUD will make every attempt to cross reference the obsolete and new citations.

An entrance conference was held on December 1, 2015 with the following officials and staff representing OTIW:

Lisa Summers, Tribal Secretary
JoAnne House, Chief Counsel
Geraldine Danforth, HR Area Manager
Larry Barton, CFO
Justine Hill, Office Manager
Cindy Kohl, Sr. Accounting Assistant
Jaime Metoxen, Sr. Accounting Assistant
Dana McLester, Accounting Supervisor
Jean Van Dyke, Accounting Manager
Lee Thomas, Controller
Scott Denny, Operations Manager
Paul Witek, Senior Tribal Architect
Troy D. Parr, Asst. Development Division Director
Trish King, Treasurer

The following staff representing OTIW were consulted or interviewed as part of the review:

Scott Denny, Housing Operations Manager
Jean Van Dyke, Accounting Manager
Dana McLester, Accounting Supervisor
Lawrence Barton, Chief Financial Officer
Patrick Stensloff, Director of Purchasing
Travis Wallenfang, Indian Preference Coordinator
Paul Witek, Senior Tribal Architect
Troy Parr, Assistant Development Division Director

An exit conference was held on December 3, 2015 with the following officials and staff representing OTIW:

Lee Thomas, Controller
Scott Denny, Operations Manager
Troy D. Parr, Asst. Development Division Director
Paul Witek, Senior Tribal Architect
Jenny Webster, Council Member
Tehassi Hill, Councilman
David Jordan, Councilman
Laurel Spooner, Collection Specialist
Geraldine Danforth, HR Area Manager
Lisa Summers, Tribal Secretary
Dana McLester, Accounting Supervisor
Jean Van Dyke, Accounting Manager
JoAnne House, Chief Counsel
Dawn Moon-Kopetsky, Senior Policy Advisor
Larry Barton, CFO
Patrick Stensloff, Director of Purchasing
Cindy Kohl, Sr. Accounting Assistant

Jaime Metoxen, Sr. Accounting Assistant
Lisa Vega, Resident Service Specialist
Justine Hill, Office Manager
Trish King, Treasurer

SUMMARY OF FINDINGS AND CONCERNS

The review identified four (4) findings and two (2) concerns. A finding is a deficiency in program performance that represents a violation of a statutory or regulatory requirement. Corrective actions must be taken to address a finding.

A concern is a deficiency in program performance that does not constitute a violation of a statutory or regulatory requirement. While it is not required that concerns be addressed, doing so can avoid a reoccurrence of the problems or ensure that these problems do not develop into something more serious.

The summary of findings and concerns identified during the monitoring review is presented below.

- **Organization and Structure**
 - No findings or concerns in this area

- **Financial and Fiscal Management**
 - No findings or concerns in this area

- **Procurement and Contract Administration**
 - Finding #2016IHBG-1: Conflict of Interest Policy - CLOSED
 - Concern #2016IHBG-1: Procurement Process
 - Finding #2016IHBG-2: Procurement by Sealed Bid - CLOSED
 - Concern #2016IHBG-2: Bonding Requirements
 - Finding #2016IHBG-3: Procurement by Noncompetitive Proposals - OPEN
 - Finding #2016IHBG-4: Organizational Conflicts of Interest - OPEN

- **Self-Monitoring**
 - No findings or concerns in this area

SIGNIFICANT ACCOMPLISHMENTS

OTIW developed subdivisions near central Oneida to construct individual houses on the majority of the lots within the neighborhoods. The Green Valley neighborhood infrastructure was completed in 2012 and the Elder Village neighborhood infrastructure was completed in 2014. OTIW used IHBG funds under the Native American Housing Assistance and Self Determination Act (NAHASDA) to build housing. The residents of the Elder Village neighborhood are tribal member elders. The Green Valley neighborhood is a mix of low to moderate income tribal members and tribal member owned homes. The projects were completed in December 2015.

The Oneida Housing Authority with assistance from VISTA Worker Joann Muir is in the process of developing a Handbook entitled “Ensuring Your Success.” The Handbook is directed towards participants of the Housing Authority’s two programs, Rental and Homeownership. The Handbook will provide a complete guide of what is expected from participants in either program. Some of the areas addressed for renters include: payment of rent, Insurance, maintenance and inspections. The Housing Authority provides homeownership counseling to families entering homeownership programs. In addition, OHA requires families on the waiting list to attend educational programs to assist them in understanding the admission and occupancy policies as well as the tribal laws that are incorporated into these policies and the handbook. The handbook will be given to all applicants that apply for the rental or homeownership programs. It is the goal of the Housing Authority to educate tenants as to what is required to have a successful housing experience.

ORGANIZATION AND STRUCTURE

The purpose of the organization and structure and administration of programs review is to determine the recipient’s implementation of key areas of authority, appropriate lines of reporting, and adequate controls to ensure that assets are safeguarded. Proper administration and structure are important to the operation of any organization because they provide the overall framework for planning, directing, and controlling operations. Structure defines the form and nature of the organization as well as the management functions and reporting relationships, and is a key element of internal control.

The NAHASDA statute and the regulations at 24 CFR Part 1000 establish the framework within which HUD evaluates a grant recipient’s administrative capacity to manage the IHBG program. Administrative capacity measures a recipient’s ability to effectively undertake the affordable housing activities in its Indian Housing Plan (IHP). E/WONAP considered the following elements of administrative capacity in its assessment:

- Organizational structure and related systems of internal control which minimize the potential for fraud, waste, and mismanagement.
- Policies, procedures, and certifications that meet the requirements of the NAHASDA Statute and the regulations at 24 CFR Part 1000.

Documents Reviewed

- Oneida Tribe of Wisconsin Constitution and Bylaws
- Oneida Tribe of Wisconsin Code of Ethics, Chapter 3, adopted 10-21-91 and amended 9-27-06.
- Oneida Tribe of Wisconsin Travel Policy, adopted on October 6, 2003
- Oneida Housing Authority, Policies and Procedures, approved on April 19, 2006
- Oneida Housing Authority Housing Policies
 - Maintenance Policy
 - Tribal Housing Criteria and Selection Policy
 - NAHASDA Self-Monitoring Policy
 - Admissions and Occupancy
- Oneida Tribe of Wisconsin Tribal Council Meeting Minutes

- November 25, 2015
- December 9, 2015
- Special Meeting, December 18,2015
- December 23, 2015
- January13, 2016

Staff Interviewed

OHA Housing Director
 OHA Office Manager
 Finance Director
 Accounting Director

The Oneida Tribe of Wisconsin Constitution and By-Laws, were originally adopted on November 14, 1936 by the Oneida Tribe and approved by the Secretary of Interior, December 21, 1936. The By-Laws establish that the Oneida Business committed is made up of (a) a chairman, (b) a vice –chairman, (c) a secretary, (d) a treasurer, (e) and five councilmen, which are elected by voters of OTIW. A majority of the Business Committee including the Chairman or the Vice-Chairman shall constitute a quorum of this body. Regular meetings of the Business Committee may be established by resolution of the Business committee. In 2009 the Oneida Housing Authority (OHA) formally a THDE became a Department of the Tribe and thus the oversight of the Housing Department is relegated to the Oneida Business Committee. The Housing Director reports quarterly to the Oneida Business Committee. In addition, the housing authority participates in monthly meetings with the Community Development Planning committee comprised of Business Committee members and other entities of the organization.

The Oneida Housing Authority does not use any of its NAHASDA funds for stipends. However, travel monies, wages and fringe benefits are charged to the Admin and Planning line item of the IHP.

E/WONAP staff reviewed five (5) sets of Oneida Business Committee (OBC) meeting minutes from the period of November 25, 2015 to January 2016. The OBC minutes demonstrated that the Council is functioning as a policy-making body. While it is clear that the Oneida Business Committee is a decision making body for the Tribe, there were no housing related issues in any of the above referenced meetings. In order to further analyze how decisions that affect the Housing Authority were made, the E/WONAP staff requested copies of:

- July 8, 2015 meeting minutes which includes action by the Business Committee to approve the FY '15 3rd quarter report from Oneida Housing Authority
- July 13, 2015 meeting minutes which includes action by the Business Committee to approve the Indian Housing Plan for FY 2016
- October 14, 2015 meeting minutes that include action by the Business Committee to approve to amend the FY 2015 Indian Housing plan to include Housing Acquisition and to approve the FY '15 4th quarter report from the Housing Authority.

Certification, Policies and Procedures

Sections 203 and 207 of NAHASDA, implementing regulations at 24 CFR Part 1000, and 2 CFR Sections 200.300 and 200.318 require that the recipient develop written policies and procedures to provide guidance for its programs, and implement effective internal controls. In order for the housing department to successfully administer its grants, it is essential that policies and procedures are adopted and followed. If the policies are available and utilized, they will assist all parties in understanding NAHASDA requirements concerning eligibility, participant selection, management and maintenance of housing units, property acquisition, procurement and contract administration, and how daily operations are to be conducted in order to ensure program compliance.

Grant recipients are required to develop written policies in the following areas:

1. Rents and homebuyer payments
2. Eligibility, admission, and occupancy
3. Tenant and homebuyer selection
4. Management and maintenance
5. Fiscal and Financial Management
6. Procurement and contract Administration

In addition to the policies listed above, the following standards, statements, or policies are required:

1. Real property acquisition and relocation
2. Tribal or Indian Preference
3. Provision, to the maximum extent possible, of job training, employment, and contracting opportunities for low-income individuals pursuant to Section 3 of the Housing and Urban Development Act of 1968 and 24 CFR Section 1000.42

Finally, the following policies, procedures, or standards are required under certain circumstances:

1. Investment and Internal Control
2. Travel

NAHASDA Section 102(b)(2)(D) requires certification of compliance with the following requirements:

- Certification that the recipient will comply with the applicable provisions of Title II of the Civil Rights Act of 1968, and other applicable Federal laws and regulations;
- Certification that the recipient will maintain adequate insurance coverage for housing units that are owned and operated or assisted with grant amounts under NAHASDA;
- Certification that the recipient has policies in effect and available for review by the Secretary and the public governing the eligibility, admission, and occupancy of families for housing assisted with grant amounts provided under NAHASDA;
- Certification that the recipient has policies in effect and available for review by the Secretary and the public governing rents and homebuyer payments;
- Certification that the recipient has policies in effect and available for review by the Secretary and the public governing the management and maintenance of housing assisted with grant amounts under NAHASDA; and
- Certification that the recipient will comply with Section 104(b), i.e., Labor Standards.

E/WONAP staff reviewed a series of Oneida Tribe of Wisconsin and Oneida Housing Authority Housing Board Policies and Procedures as follow:

- Oneida Tribe of Wisconsin (Amended) Constitution and By-Laws
- Oneida Tribe of Wisconsin Purchasing Policies and Procedures, October 15, 2012
- Oneida Tribe of Wisconsin Code of Ethics, Amended 9/27/06
- Oneida Tribe of Wisconsin Travel and expense policy, Amended August 6, 2008
- Oneida Tribe of Wisconsin Drug and Alcohol Free Work place policy, Amended December 11, 2013
- Oneida Tribe of Wisconsin Real Property Law, Amended April 28, 2010
- Oneida Housing Authority Housing Board Policies
 - Admissions and Occupancy
 - Compensation and Benefits Policy
 - Maintenance Policy
 - Memorandum of Understanding between Oneida Housing Authority and the Division of Land Management
 - NAHASDA Self-Monitoring Policy
 - Oneida Housing Authority Organizational Chart.

The policies and procedures established by the Oneida Business Committee did not disclose any violations of NAHASDA requirements at Sections 203 and 207 and at 24 CFR Section 1000.30-36.

E/WONAP staff reviewed the OTW Organizational Chart which outlines the structure for the Oneida housing department and which includes the following staffing for its operation:

- Executive Director
- Operations Manager
- Office Manager
- Administrative Assistant I – 1 position
- Administrative Assistant II – 1 position
- Recreation Specialist (crime prevention) – 1 position
- Maintenance Supervisor
- Maintenance Crew – 7 positions
- Carpenter Trainee- 1 position
- Rehabilitation Supervisor
- Rehab crew – 9 positions
- Resident Services Specialists – 4 positions
- Case Worker – 1 position
- Housing resource Coordinator – 1 position
- New Development Project manager – 1 position
- Vista Worker – 1 position
- Central accounting: Accounting Supervisor
- Senior accounting assistants – 2 positions

A review of the Constitution, Business Committee meeting minutes and accompanying resolutions and Oneida Tribe of Wisconsin policies and procedures disclosed that they are comprehensive, indicate approval dates and are well-maintained. The E/WONAP review of OTIW administration of its programs did not disclose any violation or noncompliance with the regulatory requirements set forth on 24 CFR Part 1000 and 2 CFR Part 200. The policies and procedures are established in accordance with Section 203 of NAHASDA.

There were no findings or concerns identified in the Organization and Structure monitoring area.

FINANCIAL AND FISCAL MANAGEMENT

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (“Uniform Requirements”) at 2 CFR Part 200 is applicable to non-federal entities that either receive or distribute federal awards. The scope of the performance review for financial and fiscal management included funds drawn down, accounting records, internal controls, cash management, budget control, audits, and investments.

The Uniform Requirements, at 2 CFR Section 200.302(a), state that each non-federal entity must have a financial management system that is sufficient to permit the tracing of funds to a level of expenditures adequate to establish that such funds have been used according to the Federal statutes, regulations, and the terms and conditions of the Federal award.

In general, an audit that complies with the Uniform Administrative Requirements also assists HUD in making the determination that the recipient’s IHBG funds have not been used in violation of the restrictions and prohibitions of NAHASDA, and the implementing regulations. Specifically, the Uniform Administrative Requirements require, under 2 CFR Section 200.302(b)(2), non-federal entities to provide accurate, current, and complete disclosure of each federal award or program in accordance with its reporting requirements. Reporting requirements are addressed in NAHASDA Guidance No. 98-04. The Line of Credit Control System (LOCCS) requires semi-annual reports for certain grants provided under the U.S. Housing Act of 1937 (1937 Housing Act), as well quarterly reports for NAHASDA grants. When progress reports are not submitted as required, LOCCS does not allow funds to be disbursed.

NAHASDA recipients are required to submit the Federal Financial Report (SF 425) and the APR. The SF 425 is due from the recipient no later than calendar 30 days following the end of the quarter. Regarding financial audits, the Uniform Administrative Requirements require, under 2 CFR Sections 200.501 and 200.514, that any non-federal entity that expends \$750,000 or more in federal funds in a fiscal year must have an annual audit conducted which meets the Generally Accepted Government Auditing Standards (“GAGAS”). Also, the Uniform Administrative Requirements state, under 2 CFR Sections 200.507(c)(1) and 200.512(a)(1), that the non-federal entity must submit the audit to the Federal Audit Clearinghouse (“FAC”) within 30 calendar days after receipt of the auditor’s report, or nine months after the end of the audit period. The audit should cover all IHBG grants that were open at any time during the audit period. The regulations at 24 CFR Section 1000.548 require that a copy of the latest audit, compliant the

Uniform Administrative Requirements, be submitted to the Area ONAP at the same time it is submitted to the Federal Audit Clearinghouse.

HUD regulation 24 CFR Section 1000.156 requires housing funded under the IHBG program be of moderate design. Further, 24 CFR Section 1000.158 establishes Total Development Cost (TDC) limits that a recipient may not exceed, without prior HUD approval, when developing its low-income units. Notice PIH 2011-63, which extends Notice PIN 2010-47, states that the tribe/Tribally Designated Housing Entity (TDHE) is responsible for ensuring that the amount of funds from all sources used to develop each low-income unit does not exceed the established TDC limits. The tribe/TDHE must maintain records showing that the housing was developed in keeping with this and other applicable requirements.

Documents Reviewed

- Accounts Payable Invoice Processing – Proof, Edit, Vouchering and Posting Policy, December 28, 2011
- Tribal Cash Handling Policy, Revised September 8, 2011
- Processing & Review of Journal Entries Standard Operating Procedure, July 20, 2004
- Chart of Accounts, April 29, 2015
- Current Trial Balance, November 13, 2015
- LOCCS Disbursement History for IHBG 55IT5549100
- Federal Financial Reports (SF-425) IHBG, Sept. 30, 2014 – Sept. 30, 2015
- Selected General Ledger reports, IHBG August 29, 2013 – August 25, 2015
- 2014 Annual Performance Report (APR)
- 2014 Audit

Staff Interviewed

Scott Denny, Housing Operations Manager
Jean Van Dyke, Accounting Manager
Dana McLester, Accounting Supervisor

E/WONAP staff reviewed the documents that OTIW uses to determine accounting policies and procedures. These documents include the Accounts Payable Invoice Processing Policy, Processing & Review of Journal Entries Standard Operating Procedure, and Tribal Cash Handling Policy. These documents provide guidance to OTIW Central Accounting for classification of accounting activity including the procedures for receiving funds including NAHASDA draws, journal entries, and accounts receivable and account payable processes. The Processing & Review of Journal Entries procedure ensures accounting controls as set forth by the Sarbanes Oxley Act. The financial management system for OTIW properly retains records, provides methods for collection, transmission and storage of information.

E/WONAP staff reviewed OTIW trial balance, general ledgers and income statements. The 2014 Annual Performance Report (APR) and 2014 audit which were previously been submitted by OTIW to E/WONAP were utilized for reconciliation. OTIW's Federal Financial Reports (SF-425), which were submitted quarterly, also provided a reference for NAHASDA funded expenditures.

E/WONAP staff reviewed OTIW's financial documentation which supports five (5) recent LOCCS drawdowns from the IHBG 55IT5549100. The draws occurred in Fiscal Years 2013, 2014 and 2015.

The following table lists the LOCCS draws which were reviewed.

TABLE 1	
Drawdowns Reviewed	
Date	Amount
August 29, 2013	\$1,207,306.91
December 5, 2013	\$745,834.12
August 21, 2014	\$290,528.25
July 1, 2015	\$2,482,923.44
August 25, 2015	\$1,209,518.10

OTIW's documentation indicated the draws were expenses from OTIW's housing department, Oneida Housing Authority (OHA)'s activity. Documents OTIW provided include the Attachment to Reconciliation, which lists the amount drawn; the Revenue & Expense Summary which summarizes the general accounts; and the Detail Report, which lists the individual transactions. E/WONAP staff reviewed these documents.

The following table summarizes OTIW's drawdown of \$1,209,518.10 made on August 25, 2015.

TABLE 2				
August 25, 2015 Drawdown				
Description	General Ledger Account	Class Description	Current Months Transaction	Subtotal
Development	001-1209100-100-401100-000	Program/Cont Revenue-Fed	-\$150,720.25	
	001-1209100-100-401301-000	Capital Grant-Federal	\$185,778.90	
Subtotal/Total Revenue				\$35,058.65
Development	001-1209100-100-401100-000	Program/Cont Revenue-Fed	\$341,815.09	
Subtotal				\$341,815.09
Crime Prevention	001-1209200-200-401100-000	Program/Cont Revenue-Fed	\$10,277.57	
Subtotal				\$10,277.57
Total Revenue				\$352,092.66
Development	001-1209300-100-401100-000	Program/Cont Revenue-Fed	\$54,343.57	

		Subtotal/Total Revenue		\$54,343.57
Development	001-1209400-100-401100-000	Program/Cont Revenue-Fed	\$557,303.91	
		Subtotal		\$557,303.91
Crime Prevention	001-1209400-200-401100-000	Program/Cont Revenue-Fed	\$11,254.93	
		Subtotal		\$11,254.93
		Total Revenue		\$568,558.84
Planning	001-1209500-100-401100-000	Program/Cont Revenue-Fed	\$199,464.38	
		Subtotal/Total Revenue		\$199,464.38
Total				\$1,209,518.10

E/WONAP staff was able to determine the items on the backup documentation for the August 25, 2015 reconciled with the amount drawn.

The following table summarizes OTIW's drawdown of \$2,482,923.44 made on July 1, 2015.

TABLE 3				
July 1, 2015 Drawdown				
Description	General Ledger Account	Class Description	Current Months Transaction	Subtotal
Development	001-1209200-100-401100-000	Program/Cont Revenue-Fede	\$43,045.41	
		Subtotal		\$43,045.41
Crime Prevention	001-1209200-200-401100-000	Program/Cont Revenue-Fede	\$19,240.95	
		Subtotal		\$19,240.95
Development	001-1209200-100-401100-000	Program/Cont Revenue-Fede	\$47,766.95	
		Subtotal		\$47,766.95
		Total Revenue		\$110,053.31
Development	001-1209300-100-401100-000	Program/Cont Revenue-Fede	\$1,654,214.27	
		Subtotal		\$1,654,214.27
Rehabilitation	001-1209300-300-401100-000	Program/Cont Revenue-Fede	\$68,729.67	
		Subtotal		\$68,729.67
Development	001-1209300-100-401100-000	Program/Cont Revenue-Fede	\$536,314.42	

		Subtotal		\$536,314.42
		Total Revenue		\$2,259,258.36
Development	001-1209100-100-401100-000	Program/Cont Revenue-Fede	\$4,834.48	
		Subtotal/Total Revenue		\$4,834.48
Planning	001-1209500-001-401100-000	Program/Cont Revenue-Fede	\$108,777.29	
		Subtotal/Total Revenue		\$108,777.29
Total				\$2,482,923.44

On July 1, 2015, OTIW made a LOCCS draw in the amount of \$2,482,923.44. The supporting Attachment to Reconciliation documents list Accrual/Deferral amounts of \$110,053.31, \$2,259,258.36, \$4,834.48, and \$108,777.29. OTIW accounting staff explained to E/WONAP staff that these totals are added to determine the amount that is drawn. Upon review of the supporting Revenue & Expense Summaries for the July 1 drawdown, it was determined that total expenses were \$110,053.31, \$2,259,258.36, \$4,834.48, and \$108,777.29.

E/WONAP staff randomly selected line items from OTIW's financial record and OTIW provided supporting documentation for those items.

The following table is a breakdown of a line item of \$565,174.26 taken from the General Ledger.

TABLE 4				
Invoice Analysis - Green Valley/Elder Village - May 4, 2015				
Phase/Task	Invoice #	Invoice Date	Vendor	Subtotal
Duplex C Lot 1	151110	15-Apr-15	OTIE	\$44,077.29
Duplex C Lot 3	151110	15-Apr-15	OTIE	\$53,013.96
Duplex C Lot 18	151110	15-Apr-15	OTIE	\$82,077.86
Duplex C Lot 20	151110	15-Apr-15	OTIE	\$113,519.19
Duplex C Lot 6 Henry Road	151110	15-Apr-15	OTIE	\$19,530.71
Split Level D Lot 2	151110	15-Apr-15	OTIE	\$107,105.92
Split Level D Lot 4	151110	15-Apr-15	OTIE	\$79,669.05
Split Level D Lot 19	151110	15-Apr-15	OTIE	\$50,195.30
Subtotal				\$549,189.28
Green Valley Site Work	151110	15-Apr-15	OTIE	\$15,984.98
Subtotal				\$15,984.98
Total				\$565,174.26

OTIW provided a summary of these items in an Invoice Analysis document, the Application and Certification for Payment from the vendor, and Continuation Sheet which is an itemized invoice for the specific properties. These items reconciled with the General Ledger line item.

Insurance Coverage Documentation:

E/WONAP staff reviewed the OTW business liability and property replacement insurance as required by NAHASDA Section 203(c) and 24 CFR Sections 1000.136 – 139. A review of the Amerind Risk Management Corporation, Schedule of Property Coverage Document number ARMHO/003288/2015, documented that the single family housing units, multi-family housing units and commercial properties are insured as required. A review of the OTW insurance coverage did not disclose any violation of the program and regulatory requirements applicable to NAHASDA Section 203(c) and 24 CFR Sections 1000.136 – 139.

E/WONAP staff reviewed the OTW business liability and property replacement insurance as required by NAHASDA Section 203(c) and 24 CFR Sections 1000.136 – 139. A review of the Amerind Risk Management Corporation, Schedule of Property Coverage Document number ARMHO/003288/2015, documented that the single family housing units, multi-family housing units and commercial properties are insured as required. A review of the OTW insurance coverage did not disclose any violation of the program and regulatory requirements applicable to NAHASDA Section 203(c) and 24 CFR Sections 1000.136 – 139.

TABLE 5				
OTW Insurance Documentation January 01, 2015 – December 31, 2015				
Supplier Name	Coverage Document	Invoice/Doc #	Date	Amount (\$)
Amerind Risk Management Corporation	ARMHO/003288/2015	3288-12	12/17/2014	118,422.00

No findings and no concerns were identified in the Financial and Fiscal Management monitoring area.

PROCUREMENT AND CONTRACT ADMINISTRATION

The Uniform Requirements are applicable to all non-federal entities that either receive or distribute federal awards. The regulations at 2 CFR Section 200.319 require that all procurement transactions be conducted in a manner providing full and open competition consistent with the standards set forth the Uniform Requirements. The regulations at 2 CFR Section 200.318(i) also require the maintenance of procurement records sufficient to detail the significant history of procurement. These records are to included, but are not necessarily limited to documentation of the rationale for: These records are to include, but are not necessarily limited to documentation of the rationale for: 1) the method of procurement (small purchase, sealed bid, competitive or noncompetitive proposals); 2) the selection of contract type; 3) the contractor selection or rejection; and 4) the basis for the contract price, including the cost or price analysis required by 2 CFR Section 200.323. Additionally, for a cost to be allowable, under 2 CFR Section 200.403, it must be “necessary and reasonable” and conform to the program requirements. The regulations at 2 CFR Section 200.318(b) require grantees have a contract administration system in place to ensure

that contractors perform in accordance with the terms, conditions, and specifications of the contract or purchase orders.

The Uniform Requirements at 2 CFR Section 200.318(c)(1) require that grantees maintain a written code of standards of conduct governing the performance of their employees engaged in the award and administration of contracts. The written code of conduct must contain a conflict of interest provision specifically prohibiting the grantee's employees, officers or agents from participating in the selection, or in the award or administration of a contract if a conflict of interest, whether real or apparent, would be involved. A conflict of interest arises when: (i) such an employee, officer or agent of the grantee, (ii) any member of his immediate family, (iii) his or her partner, or, (iv) an organization which employs, or is about to employ, any of the above, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. Additionally, the officers, employees, and agents of the non-Federal entity must neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts, except to the extent the non-Federal entity has set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct must also provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-Federal entity.

Documents Reviewed

- OTIW Purchasing Policies and Procedures Manual, dated October 2012 and revised September 2014
- Oneida Code of Laws, Chapter 3 Code of Ethics, Adopted October 1994; Amended September 2006
- Oneida Code of Laws, Chapter 57 Indian Preference in Contracting, Adopted March 2013
- Oneida Tribal Policies, Conflict of Interest Policy, Adopted June 1998; Amended September 2006
- Procurement
 - Green Valley / Elder Village Project

Staff Interviewed

Lawrence Barton, Chief Financial Officer
Patrick Stensloff, Director of Purchasing
Travis Wallenfang, Indian Preference Coordinator
Paul Witek, Senior Tribal Architect
Troy Parr, Assistant Development Division Director

E/WONAP staff reviewed the OTIW Purchasing Policies and Procedures Manual which was revised in September 2014. As required by regulations at 2 CFR Section 200.318(a) (24 CFR Section 85.36(b)(1)), OTIW has a procurement policy which appear sufficiently detailed to ensure compliance with the regulations and provide general directions to staff. The purchasing policy provides procurement threshold amounts that different from the amounts allowed by NAHASDA. For purchases up to \$3,000, OTIW requires competitive sourcing. Purchases for amounts between \$3,001 and \$25,000, a written quote is required from an adequate number of qualified sources. Purchases that are greater than \$25,001 require the sealed bid process. The

written standards for conduct covering conflict of interest are in the procurement policy and the Oneida Tribal Policies. NAHASDA Sec 203(g) allows for micro-purchase simplified acquisition procedures for purchase of supplies or services up to \$5,000. In addition, 2 CFR Section 200.88 notes small purchase methods may be used to purchase property or services up to the Simplified Acquisition Threshold of \$150,000.

OTIW has a conflict of interest policy which requires employees and officials to disclose conflicts of interest to OTIW. The OTIW Conflict of Interest Policy does not require employees and officials that disclose potential conflicts of interest be excluded from decision making capacity. The OTIW Code of Ethics includes requirements for government officials to disqualify themselves when their action or inaction may be reasonably questioned for reasons including personal bias and individual or family financial interest. However, the OTIW Code of Ethics do not appear sufficient to ensure compliance with the conflict of interest requirements in the procurement regulations. Specifically, OTIW's Code of Ethics provides an exception through which OTIW may waive an employee's conflict of interest after disclosure, but 2 CFR Section 200.318(c) does not recognize such an exception.

**FINDING #2016IHBG-1: Noncompliance: Conflict of Interest Policy - CLOSED
2 CFR Section 200.318(c)(1)**

Condition:

The OTIW Conflict of Interest Policy does not include the requirement that no employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest.

Criteria:

The regulation at 2 CFR Section 200.318(c)(1) requires the non-Federal entity must maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest.

Cause and Effect:

The OTIW Conflict of Interest Policy requires employees and officials to disclose conflicts of interests, but does not disqualify those who disclose conflicts of interest from decision-making capacity in procurements. The OTIW Code of Ethics provides an exception which could allow government official to participate in a proceeding or action after disclosing conflicts of interests. As a result, an OTIW employee, officer, or agent with a conflict of interest may be allowed to participate in the selection, award, or administration of a contract supported by a Federal award if the conflict of interest has been disclosed.

Recommended Corrective Action:

To address this finding, OTIW should provide E/WONAP with an updated OTIW Conflict of Interest Policy which states no employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest.

OTIW Response:

The report identifies that the Oneida Nation's Conflict of Interest Policy does not meet the requirements of purchasing using federal funds. We have reviewed this policy and agree with the recommendation.

The Oneida Housing Authority was originally an autonomous independent entity chartered by the Oneida Nation. As a result of audits and reporting, the Oneida Business Committee adopted a resolution moving the Oneida Housing Authority from an autonomous independent entity to a program of the Oneida Nation. *Resolutions # BC-01-09-08-B and BC-06-30-08-A*. In addition, the Oneida Business Committee identified that the Oneida Nation was designated as the TDHE. The movement of the Oneida Housing Authority into the Oneida Nation's organizational structure was gradual and involved a significant transition of both financial and employment activities.

The Oneida Business Committee adopts, amends, or repeals laws in accordance with the Legislative Procedures Act.² The Conflict of Interest Policy was adopted by resolution # BC-0610-98-C and amended in 2006 by resolutions # BC-04-12-06-JJ (emergency amendments) and BC-09-27-06-E. The process took approximately five months to complete from the emergency amendments to the permanent action in 2006. The Legislative Procedures Act has shortened some of the notice and posting periods, however, the time required to make amendments still takes several months to complete.

The draft report identifies that 2 C.F.R. 200.318(c)(1) requires that individuals with conflicts of interest be prohibited from participating in the selection, award or administration of a contract. Our Conflicts of Interest Policy was drafted with the understanding that elected officials and employees serve in a different capacity for the Oneida Nation and that their duties and responsibilities recognize that conflicts can exist, but would not necessarily prohibit their participation. We understand that incorporating the TDHE responsibilities within the organization has inadvertently caused a conflict between federal regulatory requirements and our requirements for the actions of government officials and employees. We believe that amendments to the Conflicts of Interest Policy can be drafted and the policy can be amended to accommodate the federal regulatory requirements without undermining the Oneida Nation's beliefs and desires regarding the actions of its government officials. The Oneida Business Committee has adopted the following motion at its July 13, 2016 meeting.

"Motion by Lisa Summers to request the Legislative Operating Committee to develop emergency amendments to the Conflict of Interest Policy to address mandatory recusal in the event of certain conflicts within forty-five (45) days; and to bring back final amendments as soon as possible (in regards to Finding #1), seconded by Brandon Stevens, Motion carried unanimously."
July 13, 2016, Oneida Business Committee minutes, p. 14.

² Prior to 2013 the guiding law for actions regarding laws was the Administrative Procedures Act. The Legislative Procedures Act and other laws and resolutions cited in this memo are located on the Oneida Nation's website.

The Legislative Operating Committee has placed this on its agenda and is moving forward with drafting the emergency amendments to be presented to the Oneida Business Committee in accordance with the Legislative Procedures Act. The emergency amendments were presented at a regularly scheduled meeting of the Oneida Business Committee on August 10, 2016, and adopted by resolution # BC-08-10-16-M. The permanent amendments can be completed within six months of that date in accordance with the Legislative Procedures Act.

E/WONAP Response:

OTIW submitted an updated conflict of interest policy which states that no employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a conflict of interest as prescribed in E/WONAP’s recommended corrective action. This finding is closed.

E/WONAP staff randomly selected reviewed IHBG procurement transactions and related supporting documentation to review for compliance with the OTIW procurement policy and applicable regulations.

The following table summarizes the OTIW procurements that were reviewed:

TABLE 6				
OTIW: Random Procurement Samples				
Vendor Name	Description	Invoice Number	Check Number	Invoice Amount
ABC Supply	Supplies & Materials	41532279	1717081	\$6,279.36
Olson Trailer & Body	Equipment Purchases	61258E	1701724	\$5,322.00
Menards Inc.	Supplies & Materials	8486	1639707	\$1,837.84

The purchase order for ABC Supply was issued on May 27, 2015. This item was part of an invoice dated July 1, 2015 which totaled \$7,367.55. The amount charged to IHBG funds was itemized as a “Metro HD Shingle Shadow Wood” for \$6,279.36. The order form which was dated on May 26, 2015 from OTIW listed Oneida Housing Authority as the business unit had a total of \$9,122.73. The sole source justification was for an emergency roof repair. Provided information did not include necessary approval for purchase as required in the OTIW purchasing policy.

The purchase with Olson Trailer & Body included quotes with other vendors. The record is complete and compiles with the OTIW purchasing policy.

The purchase with Menards was part of a \$100,000 purchase order which was for items purchased during Fiscal Year 2012. The transaction date was October 31, 2012, which is during Fiscal Year 2013. The invoice price for this purchase was \$5,513.52.

The following table lists the October 31, 2012 purchase from Menards:

TABLE 7			
Menards - Purchase October 31, 2012			
Quantity	SKU	Description	Invoice Amount
20.00	3003027	Cutler Hammer Special Ord	4,987.20
18.00	3640881	Yellow Wiregard 18-10 Awg	167.04
1.00	3003029	GB Special Order	22.15
6.00	3003029	GB Special Order	165.36
18.00	3640894	Red Wiregard 18-10 Awg	167.04
1.00	3641244	Blue Wiregard 22-16 Awg	4.73
Total			5,513.52

This invoice total of \$5,513.52 was broken into three line items on the OTIW general ledgers in equal amounts of \$1,837.84.

CONCERN #2016IHBG-1: Procurement Process

Condition:

OTIW procurements invoiced on July 1, 2015 and October 31, 2012 lack documentation which show OTIW procurement process was followed completely in respective procurements.

Cause and Effect:

The purchase with ABC Supply was the result of an emergency procurement. The OTIW procurement policy allows for a sole source emergency purchase when the Business Unit obtains the necessary approval for the purchase as soon as possible after the emergency. The purchase is below the threshold of \$50,000 which would require OTIW Finance Committee approval. The supporting documentation for the purchase does not include approval. The purchase with Menards was completed after the authorizing purchase order expired on September 30, 2012. Payment for the invoiced amount of \$5,513.52 was recorded in OTIW general ledger in amounts that are below OTIW micro-purchase threshold of \$3,000. As a result of these actions, the records appear to show that these procurements were not consistent with the OTIW procurement requirements.

Suggested Action:

While a concern does not require a corrective action plan, OTIW should understand that a non-Federal entity is required to adhere to its own documented procurement procedures according to 2 CFR Section 200.318. Therefore, OTIW procurement records must clearly document the justification for special circumstances within the procurement process.

OTIW Response:

You have identified that there were some purchases that lacked sufficient documentation regarding procurement procedures and approvals in accordance with the Oneida Nation's procurement policies. These purchases involved emergency purchases during a construction project. As a result of the amount of some of the purchases, the purchase documentation fell

below the required specific types of documentation and that some of the emergency purchases utilized an expired purchase order.

We have reviewed this and agree that sufficient documentation should be maintained regarding all purchases. Dale Wheelock, Housing Authority Director, Troy Parr, Assistant Development Division Director, James Pettijean, Interim Planning Director, and Patrick Stensloff, Director of Purchasing will be reviewing the purchasing processes to ensure that this does not occur. In addition, our Internal Audit Department has been notified of this concern and the possible need to include a procedural audit of these types of purchases in its regular audit schedule.

E/WONAP Response:

E/WONAP acknowledges OTIW’s response to Concern #2016-1 and its revised purchasing processes as noted above.

Green Valley and Elder Village

OTIW submitted a letter to E/WONAP on July 9, 2015 requesting a review of the contracting process of the Elder Village Cottages project due to concerns errors may have been made during the procurement. OTIW asked E/WONAP to conduct an on-site monitoring review to ensure OTIW conducted the proper processes to meet regulatory requirements. The company selected for the project was Oneida Total Integrated Enterprises, LLC (OTIE). OTIE is a wholly-owned corporation of OTIW.

In the letter, OTIW provided a disclosure of the relationship of the tribe’s Development Division Director Wilbert “Butch” Rentmeester with OTIE. Mr. Rentmeester served on the OTIE Board of Directors. OTIW was aware of Mr. Rentmeester’s dual roles and understood he recused himself by not participating in the bidding process with OTIW and the administration processes with OTIE. OTIW had discussions in the Business Committee and the Development Division about the relationship and realized the protections Mr. Rentmeester implemented to protect OTIW from a conflict of interest. At the time of the letter, Mr. Rentmeester had retired from his employment with OTIW though he was still a member of the OTIE Board of Directors.

A cost analysis for the Green Valley and Elder Village dated August 29, 2014 was provided to OTIW by the project architect, Standing Stone Design.

The following table shows the cost analysis for the Green Valley/Elder Village project:

TABLE 8			
Green Valley/Elder Village Cost Analysis			
Model	Unit Estimate	Number of Units	Total
Green Valley Duplex	\$329,150	5	\$1,645,750
Green Valley Split Level D	\$275,338	3	\$826,014
Elder Village Cottage A	\$247,050	2	\$494,100
Elder Village Cottage B	\$248,340	6	\$1,490,040

The Green Valley and Elder Village Housing Development project was advertised in OTIW's newspaper *Kalihwisaks* in the September 4, 2014 and September 17, 2014 issues. According to the advertisement, the project would consist of five (5) duplexes, three (3) split level, four (4) Cottage A designs, and four (4) Cottage B designs. The published invitation for bids listed locations where the project specifications could be found, Indian Preference, and that the bids had to be received by September 23, 2016 at 2:00 PM. The advertisement posted the sealed bids would be opened publicly.

The *Oneida Housing Project for Green Valley/Elder Village Subdivisions* project manual was dated September 4, 2014. The document confirmed the bids had to be received by OTIW by September 23, 2014 at 2:00 PM. The Project Manual differs from the Invitation for Bid in adding the bids would be opened, reviewed, and qualified privately by the Architect (Standing Stone Design) and Owner (OTIW).

OTIW received bids from three (3) companies: Oneida Total Integrated Enterprises, LLC; Green Bay Area Builders, LLC (GBAB); and Bear Claw Construction Management (BCC). OTIW opened the sealed bids privately, contrary to its advertisement.

**FINDING #2016IHBG-2: Noncompliance: Procurement by Sealed Bid - CLOSED
24 CFR Section 85.36(d)(2)(ii)(C)**

Condition:

The Green Valley and Elder Village housing project Invitation for Bid did not provide a time and location for the public opening of the sealed bids following the bid closing date and time.

Criteria:

The regulation at 24 CFR Section 85.36(d) (which has been updated in 2 CFR Section 200.320(c)) requires that all bids will be opened at the time and place prescribed in the invitation for bids, and for local and tribal governments, the bids must be opened publicly. The OTIW procurement policy includes this regulation.

Cause and Effect:

OTIW staff opened sealed bids at a date and time which were not publicly disclosed. As a result, OTIW denied bidders the opportunity to compete in a full and open competitive process.

Recommended Corrective Action:

To address this finding, OTIW should provide E/WONAP with:

- 1) Documentation that explains the irregularities identified in the OTIW procurement record for this sealed bid project.
- 2) Scheduled Procurement training dates for appropriate OTIW staff. Also, provide EWONAP with training certificate(s) upon completion of training.

OTIW Response:

You have identified that the requirements of 2 C.F.R. 200.318 were not met because of a conflict between the posted bid notice and the Project Manual. We agree with the description of the

processes that occurred at this bid opening. However, we believe what actually happened at the bid opening reflected the bidder's understanding of the posted bid notice, not the Project Manual. Since 2008, the Oneida Nation's organizational structure and employee base has undergone significant change as a result of retirement, reducing the work force levels, and re-organization. In addition, there have been changes regarding federal procurement, reporting and auditing requirements that have affected the Oneida Nation. We believe that it is timely to institute training and cross-training for employees of the Oneida Nation so that no gap exists in regards to the Oneida Nation's or the federal government's requirements regarding purchasing. As a result, the Oneida Business Committee adopted the following motion on July 13, 2016.

"Motion by Lisa Summers to direct the Chief Financial Officer to address training requirements, including that there is cross-training to ensure a trained employee is available during each step of the process (in regards to Finding #2), seconded by Jennifer Webster. Motion caned unanimously."
July 13, 2016, Oneida Business Committee minutes, p. 14.

To comply with this directive, the Chief Financial Officer has engaged William Helmich with Bill Helmich Associates to provide training to the Housing Authority and other relevant areas of the Oneida Nation. This on-site training is scheduled for October 2016, the earliest date it could be provided. The goal of this training is a broader perspective on federal procurement requirements.

In addition, Dale Wheelock, Housing Authority Director, is coordinating attendance at the 2016 NAHASDA Essentials Training on August 25 and 26, 2016, instructed by Mike Boyd. This training will provide a "comprehensive introduction to Native American Housing Assistance & Self Determination Act (NAHSDA)." This is scheduled to include personnel from the Housing Authority, Purchasing Department, Law Office, Finance/Accounting Department, and Development Division. This training is intended to specifically address federal procurement from the construction project and Housing Authority perspective.

Specifically regarding the sealed bid opening for Green Valley/Elder Village, the following is presented. The advertisement for bids, as indicated in the draft report, identified that the bid opening would be public. The Project Manual developed by Standing Stone Design, LLC was based on the Oneida Nation's standard manual. Our internal processes when utilizing the Oneida Nation's funds are set forth in the standard project manual our Development Division utilizes. Standing Stone Design, LLC did not incorporate the public bid opening requirement into the Project Manual. However, the bid opening was attended by subcontractor representatives from Seymour Lumber, OTIE and Menominee Tribal Enterprises who were present based on the notice presented in the advertisement.

Mike Showers was the Project Manager assigned to the Green Valley/Elder Village project. He had attended technical assistance training on Procurement Management presented by the Native American Housing Council on December 2-5, 2013. He should have caught this error between the bid notice and the Project Manual.

Additional individuals who would have identified this error were unavailable to review and correct this error. Wilbert Rentmeester, the prior Development Division Director, was aware of

this requirement. However, he had recused himself as a result of the conflict with his also being on the Board of Directors of OTIE. He was unable to review any documents related to this project. Ultimately, he retired from his position as Development Division Director as the contract was being finalized. Dale Wheelock, Housing Authority Director, would have identified this error but he was not employed during the bidding of this project. Upon his re-employment, his review of the project did identify corrective actions that needed to occur prior to the project moving forward specifically regarding the total development costs.

As identified above, we recognize the gaps within our organization that could be addressed through further cross-training. We have scheduled that and the appropriate personnel will be attending the training. In the interim, Mr. Wheelock will be available to provide additional assistance and review to ensure the Oneida Nation is complying with the applicable laws and regulations. Further, we have asked Mr. Wheelock to develop a reminder that refresher training should be scheduled to insure future gaps do not occur and employees are given reminders of federal requirements.

In addition, the Development Division and the Housing Authority will be creating a HUD Project Checklist to confirm that required elements are present before bidding documents are released. This checklist is somewhat complex; however we anticipate that it should be completed within six months.

Finally, Patrick Stensloff, Director of Purchasing has reviewed the existing Standard Operating Procedures to identify this issue. A draft has been completed and it is anticipated that it will be finalized and approved by the Chief Financial Officer and/or the Finance Committee before the end of September, 2016.

E/WONAP Response:

E/WONAP acknowledges the explanation provided by OTIW about confusion among the participating parties resulting in OTIW not publicly disclosing the bid opening date and time for the Green Valley and Elder Village housing project. OTIW has scheduled procurement training for the housing department and other relevant areas of the Oneida Nation as prescribed in E/WONAP's recommended corrective actions. This finding is closed.

On Monday, September 29, 2014 at 3:02 PM, the Oneida Engineer Department Project Manager sent an email to the respective bidders to the Green Valley and Elder Village project. The email revealed that bonding requirements should have been included in the Project Manual. The email required the bidders to submit bonding information to OTIW by close of business on Friday, October 3, 2014. An attachment to the email included information about the bonding requirements.

GBAB replied to OTIW that they did not have the bonding required. BCC emailed a desire to find a resolution to the bonding issue, but did not provide the required bonding. As a result, these bids were considered non-responsive and the bids were disqualified.

CONCERN #2016IHBG-2: Bonding Requirements

Condition:

OTIW did not disclose bonding requirements to prospective bidders prior the September 23, 2014 deadline for sealed bid submission for the Green Valley and Elder Village housing project.

Cause and Effect:

OTIW did not include bonded requirements in the project specifications. When OTIW realized the required bonding information had been excluded, bidders were contacted after the close of the bidding and given four (4) business days to provide bonding information. No explanation was provided on why only four days were given to other bidders to secure bonding, or whether the four-day time period was commercially reasonable in light of the scale and the complexity of the project. The bidding period during which the bonding requirements were not disclosed was the nineteen (19) calendar days. As a result, two bidders did not provide the bonding information and their respective bids were disqualified.

Suggested Action:

While a concern does not require a corrective action plan, OTIW should recognize not disclosing requirements for potential vendors prevents a full and open competitive process. Green Valley/Elder Village was a construction project which exceeded the Simplified Acquisition Threshold of \$150,000, so the bonding requirements of 24 CFR Section 85.36(h) applied. The OTIW procurement policy also includes this bonding requirement. OTIW should schedule procurement training dates for appropriate OTIW staff to ensure comprehension of the regulation. OTIW should disclose bonding requirements to potential bidders in future procurements. Failure to provide a disclosure could be determined to be a finding for inhibiting fair and open competition in OTIW procurements.

OTIW Response:

The original bids for the Green Valley/Elder Village project did not disclose bonding requirements prior to the bid deadline. The draft report identifies that four days were given to all bidders to respond with information regarding bonding requirements. Two bidders did not provide the information and were ultimately disqualified.

The Oneida Nation has reviewed this concern and agrees that there are projects that require bonds and that information should be located in the bid package. During this particular project, a transition between two Housing Directors and two project managers (one from housing and then one from the Development Division) occurred during the early portions of the project. This led to the Development Division being responsible for the first time in a Housing Authority construction project.

We were also attempting to begin this project in time to avoid winter construction project conditions. Finally, the Development Division project manager assigned was also a relatively new employee. As identified above, Mr. Showers had received training in regards to federal procurement processes, this was his first project. Although we have identified that mentoring and supervision were appropriate, the project underwent too many supervisory changes.

We have asked Larry Barton, Chief Financial Officer, Troy Parr, Assistant Development Division Director, and Dale Wheelock, Housing Authority Director, to ensure that appropriate

cross-training is in place to allow for a more seamless transition when supervision on this, or any other project, changes during the course of the project. We have also asked the Troy Parr and Patrick Stensloff, Director of Purchasing, to review the bidding processes for these types of activities, including checklists and form documents, to verify that the processes and documents conform to the higher of federal or Oneida Nation's purchasing and procurement requirements. This should allow any project to meet or exceed existing requirements and avoid this from occurring in the future. Finally, we have asked that the Patrick Stensloff schedule annual reviews of purchasing and procurement processes in order to verify that we continue to meet or exceed federal procurement requirements.

However, we have also committed to the utilization of Indian preference in contracting. In part, where there is no mandatory requirement for bonding, we may avoid requiring a bond as it may be outside of the ability of an Indian preference contractor to obtain a bond. We balance this requirement to protect the work product of the projects and its completion, against other methods of ensuring quality and complete projects.

E/WONAP Response:

E/WONAP acknowledges OTIW's response to Concern #2016-2 and its bonding efforts.

As a result of two bids being determined non-responsive, the only responsive and responsible bid came from OTIE.

The following table shows the bid tabulation for the Green Valley/Elder Village project, dated October 6, 2014:

TABLE 9

		Green Bay Area Builders		Bear Claw Construction		Oneida Total Integrated Enterprises (OTIE)		OTIE - Indian Preference Equivalent	
Description	Qty.	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
Green Valley									
Duplex C	5	\$386,916	\$1,934,580	\$383,827	\$1,919,135	\$410,155	\$2,050,775	\$379,147	\$1,895,736
Split Level D	3	\$345,148	\$1,035,444	\$355,898	\$1,067,694	\$314,267	\$942,801	\$314,267	\$942,801
Site Work	1	\$117,500	\$117,500	\$202,654	\$202,654	\$388,885	\$388,885	\$357,830	\$357,830
Subtotal			\$3,087,524		\$3,189,483		\$3,382,461		\$3,196,367
Elder Village									
Cottage A	2	\$269,329	\$538,658	\$314,225	\$628,450	\$304,746	\$609,492	\$279,961	\$559,922
Cottage B	6	\$262,669	\$1,576,014	\$325,133	\$1,950,798	\$313,569	\$1,881,414	\$288,255	\$1,729,529
Site Work	1	\$117,500	\$117,500	\$202,654	\$202,654	\$388,885	\$388,885	\$357,830	\$357,830
Subtotal			\$2,232,172		\$2,781,902		\$2,879,791		\$2,647,281
Project Total			\$5,319,696		\$5,971,385		\$6,262,252*		\$5,843,648

*Bid recorded on OTIW Bid Tabulation document was \$6,251,728 which was based on the alternate bid for Elder Village.

OTIE was registered with OTIW as a Native American owned company and qualified for the bid to be discounted in the sealed bid competition. The Indian Preference discount allows Indian owned businesses greater flexibility in sealed bid competition based on lowest price. The OTIW procurement policy includes the following scale to calculate Indian Preference discount in construction contracts:

- Ten percent (10%) of the first \$50,000 segment of a bid.
- Plus nine percent (9%) of the next \$50,000 segment of a bid.
- Plus eight percent (8%) of the next \$100,000 segment of a bid.
- Plus seven percent (7%) of the next \$100,000 segment of a bid.
- Plus six percent (6%) of the next \$100,000 segment of a bid.
- Plus five percent (5%) of the next \$100,000 segment of a bid.
- Plus four percent (4%) of the next \$500,000 segment of a bid.
- Plus two percent (2%) of the next \$1,000,000 segment of a bid.
- Plus one percent (1%) of any amount over \$2,000,000.

GBAB and BCC were not documented in this procurement as qualifying for Indian Preference. OTIE had the highest bid of the three bidders, but was lower than the BCC bid when factoring in Indian Preference. OTIE was the only bidder which met the bonding requirement and as a result, OTIE submitted the only bid determined to be responsive.

OTIW advertised the original invitation for bids for the project in two issues of OTIW's newspaper *Kalihwisaks*. Despite cost analysis forecasting this project would cost over \$5,000,000, OTIW only received three (3) bids from potential vendors. After the two bidders were deemed unqualified due to their inability to secure bonding within four (4) business days, OTIW did not rebid the project with a new invitation to bid including bonding requirements with broadened advertisements to attract the greatest level of potential responsive and responsible bidders in hopes of greater competition to promote lower pricing for OTIW for more efficient use of Federal funds. Rather, OTIW proceeded to treat the Green Valley and Elder Village project as a sole source procurement. The OTIW procurement policy allows sole source purchases over \$50,000 with Oneida Finance Committee approval. OTIE's bid was approved by the Finance Committee as submitted. 24 CFR Section 1000.158 states projects cannot exceed the Total Development Cost (TDC) by more than ten (10) percent without prior HUD approval. Since OTIE's bid was more than 10 percent higher than the TDC, OTIW would need to consult with E/WONAP before awarding the project as a noncompetitive procurement.

The following table compares the project cost analysis, TDC and the final OTIE bid:

		Cost Analysis		Total Development Cost (TDC) PIH 2014-16		Oneida Total Integrated Enterprises (OTIE)	
Description	Qty.	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
Green Valley							
Duplex C	5	\$329,150	\$1,645,750	\$384,391	\$1,921,955	\$410,155	\$2,050,775
Split Level D	3	\$275,338	\$826,014	\$384,391	\$1,153,173	\$314,267	\$942,801

Site Work	1					\$383,623	\$383,623
Subtotal		\$2,471,764		\$3,075,128		\$3,377,199	
Elder Village							
Cottage A	2	\$247,050	\$494,100	\$307,408	\$614,816	\$304,746	\$609,492
Cottage B	6	\$248,340	\$1,490,040	\$307,408	\$1,844,448	\$313,569	\$1,881,414
Site Work	1					\$383,623	\$383,623
Subtotal		\$1,984,140		\$2,459,264		\$2,874,529	
Project Total		\$4,455,904		\$5,534,392		\$6,251,728	

OTIE's bid was approved by the Oneida Finance Committee without documented negotiation to lower the price from the original bid. A contract was completed between OTIW and OTIE for a price of \$6,251,728 on October 27, 2014. E/WONAP was not contacted to approve this procurement by non-competitive proposal. OTIE's bid was \$932,032 higher than the disqualified low bid that OTIW received for this project. After an April 2015 project change order in the amount of \$5,535,856, the procurement with OTIE was \$216,160.36 higher than the original low bid.

**FINDING #2016IHBG-3: Noncompliance: Procurement by Noncompetitive Proposals - OPEN
24 CFR Section 85.36(d)(4)(i)**

Disallowed Costs: \$116,822.96

Condition:

OTIW approved a noncompetitive proposal (sole source) which exceeded the Simplified Acquisition Threshold without getting approval from HUD and when other competitive proposals were not infeasible.

Criteria:

The regulation at 24 CFR Section 85.36(d)(4) (which has been updated in 2 CFR Section 200.320(f)) states procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source, or after solicitation of a number of sources, competition is determined inadequate. Procurement by noncompetitive proposals may be used only when the award of a contract is infeasible under small purchase procedures, sealed bids or competitive proposals and one of the following circumstances applies:

- (A) The item is available only from a single source;
- (B) The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
- (C) The awarding agency authorizes noncompetitive proposals; or
- (D) After solicitation of a number of sources, competition is determined inadequate.

Cause and Effect:

OTIW determined that only one qualified bid was received during the sealed bid procurement, so the project was categorized as a sole source procurement. OTIW followed their policy and

submitted the proposal to the Oneida Finance Committee for approval. As a result, the Green Valley and Elder Village project was treated as a noncompetitive proposal.

Recommended Corrective Action:

To address this finding, OTIW should provide E/WONAP with:

- 1) An updated OTIW Procurement Policy that clarifies the procurement process for sole source procurements that exceed the Simplified Acquisition Threshold to comply with the Federal regulation for noncompetitive proposals.
- 2) Scheduled Procurement training dates for appropriate OTIW staff. Also, provide EWONAP with training certificate(s) upon completion of training.
- 3) Please note that failure to provide sufficient documentation for this procurement activity may result in any questioned costs being determined to be unallowable and returned to HUD using non-federal funds either by check or electronic funds.
- 4) The subject funds must be returned either by check or electronic funds. Any amount over \$2,000 should be sent as a wire transfer.

Provide E/WONAP, by fax, a copy of the repayment transaction. Send fax to 1-312-353-8936.

If returning by check, send to:

U. S. Department of HUD
Project/Grant No. 55IT3717440
P. O. Box 277303
Atlanta, GA 30384-7303

If sending a wire transfer, please use the following information:

Treasury Dept. Code: ABA Number 021030004 TREAS NYC HUD FTW, TX
Beneficiary: D
Agency Location Code: 86011101

Include all other necessary data on the disposition and amount of funds in the wire, to include the grant number and the line item the funds are to be deposited into.

OTIW Response:

The project solicited open competitive bidding via published advertisements for bids. The Pre-Bid Conference attendance listing identifies there were multiple companies that were interested. Only three bids were received by the bid date: Green Bay Area Builders (GBAB), Bear Claw Construction (BCC), and Oneida Total Integrated Enterprise (OTIE). Shortly after bid opening it was discovered that the requirement for Payment and Performance Bonds was not included in the Bid Documents. The Project Manager (Mike Showers) solicited bond pricing from the three bidders request a very quick response time in order to keep the project moving forward to avoid winter conditions costs in the construction work.

Two of the bidders (GBAB and BCC) were unable to provide the required bonds and were deemed as non-responsive bids. The contract approval process was initiated with OTIE as the only responsive bid. Under the Oneida Nation's bidding process, it was determined that this

resulted in a sole source bidding process which required approval from the Oneida Nation's Finance Committee in order to move forward. This process was followed and Finance Committee approval was received.

The Project Manager was not aware that this situation also resulted in a noncompetitive proposal which exceeded the Simplified Acquisition Threshold and should have had HUD approval to proceed with contract award. The individual with the most knowledge of the federal procurement processes, Wilbert Rentmeester, Development Division Director, had recused himself from the bidding and award process to avoid any conflict of interest as a board member of OTIE. Had Mr. Rentmeester been involved he most likely would have brought the issue to light and the project would have been re-bid. Another key person who is familiar with the requirements is the Housing Authority Director, Dale Wheelock; unfortunately Mr. Wheelock was not employed with the Oneida Nation during this time period. Mr. Wheelock would have identified the issue had he been available to be involved in the process.

After contract award it was discovered that some of the costs of the units exceeded the allowable Total Development Cost (TDC). The discrepancy wasn't noticed sooner because again the Project Manager was unfamiliar with the requirement and key players were not involved in the process at the time. Upon the discovery the design of the units was changed to reduce the square footage and associated costs. A change order to OTIE's contract was issued to bring the unit cost within TDC allowances (OTIE Change Order was previously submitted to E/WONAP) regarding the Green Valley and Elder Village projects shows the breakdown of final unit's costs relative to TDC.

The report identifies the TDC for Duplex C as $\$384,391 \times 5 \text{ buildings} = \$1,921,955$; which is treating each building as a four bedroom unit. The duplexes constructed consist of two independent units with 2 bedrooms each forming a building. It is our understanding that TDC would be calculated as $\$307,408 \times 2 \text{ units} = \$614,816 \times 5 \text{ buildings} = \$3,074,080$. Each side of the duplex has a different tenant, separate living, kitchen, bath, bedroom, and garage and there is no inside access from side to side, so the building shouldn't be considered a four bedroom unit. With the corrected TDC value, the contracted amount is well within the TDC for Duplex C.

The report notes a value of \$216,160.36 as a difference between the OTIE Contract value and the original low bid; however, this value fails to acknowledge that the OTIE value includes the costs of bonds and the original low bid does not. OTIE's contract includes a total amount for bonds of \$56,012.04. Further, a change order to OTIE's contract regarding an unused contingency line in the amount of \$43,325.36 should also be deducted from the OTIE contract amount. This would make the total questioned costs \$116,822.96. Upon review of this information and a final determination regarding questioned costs, the Oneida Nation will wire the amount within the identified time frame.

There was no intent to not comply with federal regulations on this project it was simply the key players not being available and the staff working on the project not having the procurement experience with federal funded projects. All parties currently involved in the procurement process are now familiar with these requirements and will ensure this situation does not reoccur. In addition, the Oneida Business Committee adopted the following motion.

"Motion by Lisa Summers to direct the Chief Financial Officer to begin development of an updated or new Standard Operating Procedure addressing sole source contracting and, where needed, documentation of external funding approval of sole source (in regards to Finding #3), seconded by David Jordan. Motion carried unanimously." *July 13, 2016, Oneida Business Committee minutes, p. 14.*

Patrick Stensloff, Director of Purchasing, has been tasked with reviewing the Standard Operating Procedures of the Purchasing Department and the procedures of the Finance Committee and developing corrections to address this issue and ensure the proper approvals are in place. A draft of the revised procedures is included in Attachment #5. We anticipate that a final document will be approved within 60 days.

E/WONAP Response:

E/WONAP accepts the OTIW calculation for repayment and adjusts the disallowable costs to \$116,822.96. OTIW has scheduled procurement training for the housing department and other relevant areas of the Oneida Nation as prescribed in E/WONAP's recommended corrective action. OTIW is revising its procurement policy and should provide the final version of the policy upon OTIW approval.

FMR Recommended Corrective Action:

To address this finding, OTIW must provide E/WONAP with:

- 1) A copy of the updated OTIW Procurement Policy that clarifies the procurement process for sole source procurements that exceed the Simplified Acquisition Threshold to comply with the Federal regulation for noncompetitive proposals with confirmation the policy has been adopted by OTIW.
- 2) The subject funds must be returned either by check or electronic funds transfer and any amount exceeding \$2,000 should be sent via wire transfer in accordance with the instructions above.

Target Date for Completion: February 20, 2017

The Green Valley and Elder Village contractor, OTIE, is a wholly-owned corporation of OTIW. This relationship is disclosed on the Consultant/Contractor Conflict of Interest Disclosure Form which is "Exhibit D" of the contract between OTIW and OTIE. Several people are listed as having both positions with OTIW organizations and on the OTIE Board of Managers. The Development/Engineering Director of the Development Division for OTIW was also the Chairperson of the OTIE Board of Managers. The Development Division was the department for OTIW which was responsible for planning and completing the housing project. The Director reportedly recused himself with both OTIW and OTIE for the project. E/WONAP staff was not provided any documentation such as meeting minutes which would confirm recusals of OTIW or OTIE staff in the procurement process other than the disclosures included in the agreement between OTIW and OTIE.

OTIW solicited bids for a construction project with cost projections over \$5,000,000. OTIW received three (3) bids including from OTIE, a company that OTIW owns. The sealed bid from OTIE did not include a disclosure of potential conflicts of interest in the relationship between the company and OTIW. OTIW did not provide a notice of a public opening of the sealed bid, but OTIE was in attendance while the other bidders were not. The other bidders were disqualified when they were unable to satisfy bonding requirements after OTIW emailed a notice of bonding requirements after the deadline to receive sealed bids. Afterwards, OTIW chose to follow its sole source procurement process instead of resubmitting an Invitation for Bid. Based on the sole sourcing process, OTIW approved an agreement with OTIE which was 40% higher than OTIW's cost analysis for the project. OTIW currently does not have a specific Conflict of Interest policy which addresses organizational conflicts of interest.

FINDING #2016IHBG-4: Noncompliance: Organizational Conflicts of Interest - OPEN
2 CFR Section 200.318(c)(2)

Condition:

OTIW has a wholly owned subsidiary which competes for Federal-funded OTIW projects, but OTIW does not have an organizational conflicts of interest policy.

Criteria:

The regulation at 2 CFR Section 200.318(c)(2) states if the non-Federal entity has a parent, affiliate, or subsidiary organization that is not a state, local government, or Indian tribe, the non-Federal entity must also maintain written standards of conduct covering organizational conflicts of interest. Organizational conflicts of interest means that because of relationships with a parent company, affiliate, or subsidiary organization, the non-Federal entity is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization.

Cause and Effect:

OTIW has a subsidiary organization which participates in OTIW procurement opportunities. OTIW does not have written standards of conduct covering organizational conflicts of interest. As a result, OTIW's Conflict of Interest policy creates a process that could allow OTIW's subsidiary to be an influence in procurement selection.

Recommended Corrective Action:

To address this finding, OTIW should provide E/WONAP with:

- 1) An updated OTIW Conflicts of Interest Policy which includes written standards of conduct covering organizational conflicts of interest. This policy update would create an impartial process for a procurement action involving a related organization.
- 2) Scheduled Procurement training dates for appropriate OTIW staff. Also, provide EWONAP with training certificate(s) upon completion of training.

OTIW Response:

The Oneida Nation employs individuals and reviews conflicts of interest at the point of employment. Employees are expected to report conflicts of interest during their term of employment. In addition, the Oneida Nation appoints members to boards, committees and

commissions of the Oneida Nation. Each application requests applicants to identify potential conflicts of interests. The Oneida Nation also engages in contracts with individuals who may also be employees, these conflicts are reviewed in the contracting process. Finally, the Oneida Nation appoints members to corporate boards and reviews conflicts of interests during the appointment process.

The current federal regulations define an 'organizational conflict of interest as, "because of a relationship with a parent company, affiliate, or subsidiary organization, the non-Federal entity is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization." *U.S. Dept. Housing and Urban Development, Notice #SD-2015-01, dated February 26, 2015.* The effective date of this regulation was December 26, 2014, before the contract activity under review.

Wilbert Rentmeester was Development Division Director and member of the board of directors of the Oneida Total Integrated Enterprises, a company that participates in construction projects as a sub-contractor and general contractor, as well as an engineering design firm. At the time of this appointment, Housing Authority projects were managed separately outside of the Development Division. Thus no conflict existed. Mr. Rentmeester had already recused himself from all projects in which there was a conflict with OTIE participating in bidding or bid document development,

However, as a result of organizational changes and changes in the construction processes at the Housing Authority, the Development Division became more involved. This included employees under Mr. Rentmeester's supervision. The Oneida Business Committee was aware of the actions of recusal by Mr. Rentmeester in the bid processes before the Housing Authority construction projects were transferred to the Development Division. Further, the Mr. Stensloff, Director of Purchasing, along with the Development Division staff, had recently indicated that developing design documents and bidding on those design documents was a conflict of interest and would not be allowed.

The Oneida Business agrees that further steps are needed regarding managing conflicts of interest. Please see Finding # 2016IHBG-1 regarding amending the Conflict of Interest Policy. In addition, we are taking further actions regarding the corporate board of director's appointment process to address this issue.

"Motion by Lisa Summers to direct the Tribal Secretary to develop Standard Operating Procedures and necessary charter amendments regarding appointments to boards and agenda* of corporate entities which prohibit conflict with duties as a tribal employee (in regards to Finding #4), seconded by Jennifer Webster. Motion carried unanimously."

July 13, 2016, Oneida Business Committee minutes, p. 14.

* This should be "agents" not "agenda" as identified in the minutes.

This Standard Operating Procedure is being developed and will be presented at a work meeting of the Oneida Business Committee for discussion and revisions, and final approval will be made at an Oneida Business Committee meeting. We anticipate this could take approximately three months from the July 13th motion to complete.

E/WONAP Response:

The regulation at 2 CFR Section 200.318(c)(2) requires that a non-Federal entity which has a subsidy organization must also maintain written standards of conduct covering organizational conflicts of interest. OTIE is a wholly owned subsidiary of OTIW. Because OTIW has a subsidy organization which may pursue OTIW procurement opportunities, OTIW is required to have an organizational conflicts of interest policy which focuses on the organizational relationship between OTIW and its subsidiaries. These relationships are in addition to the conflicts of interest that the updated OTIW conflict of interest policy addresses. The organizational conflicts of interest policy is required in order for OTIW to be in compliance with the Federal regulation.

OTIW has scheduled procurement training for the housing department and other relevant areas of the Oneida Nation as prescribed in E/WONAP's recommended corrective action.

FMR Recommended Corrective Action:

To address this finding, OTIW must provide E/WONAP with an updated OTIW Conflicts of Interest Policy which includes written standards of conduct covering organizational conflicts of interest. This policy update would create an impartial process for a procurement action involving a related organization.

Target Date for Completion: February 20, 2017

Before construction commenced, OTIW realized the contract with OTIE exceeded TDC. According to Federal regulation 24 CFR Section 1000.158, projects cannot exceed TDC by more than ten (10) percent without prior HUD approval. OTIE revised the project to lower costs. OTIE submitted a proposal of revisions to OTIW on April 21, 2015. A change order was completed and signed by OTIW and OTIE on April 21, 2015.

The following table compares the original and revised contract prices as well as TDC:

TABLE 11				
	Original (2014)	Revised (2015)	Difference	TDC
Green Valley Total Costs				
Duplex C	\$2,050,775	\$2,050,775	\$0	\$1,921,955
Split Level D	\$942,801	\$917,894	\$24,907	\$1,153,173
Site Work	\$383,623	\$310,634	\$72,989	
Subtotal	\$3,377,199	\$3,279,303	\$97,896	\$3,075,128
Elder Village Total Costs				
Cottage A	\$609,492	\$500,164	\$109,328	\$614,816
Cottage B	\$1,881,414	\$1,503,317	\$378,097	\$1,844,448
Site Work	\$383,623	\$253,073	\$130,550	
Subtotal	\$2,874,529	\$2,256,554	\$617,975	\$2,459,264
Project Total	\$6,251,728	\$5,535,856	\$715,872	\$5,534,392

Four (4) findings and two (2) concerns were identified in the Procurement and Contract Administration monitoring area.

SELF-MONITORING

The IHBG program regulations at 24 CFR Section 1000.502 (a) requires that recipients of NAHASDA funds establish an effective system to monitor its grant activities, ensure compliance with applicable Federal requirements, and monitor its Indian Housing Plan (IHP) performance goals. In accordance with 24 CFR Section 1000.502(b), if the grant recipient is the TDHE, the grant beneficiary, the tribe, is also responsible for monitoring IHBG compliance requirements by requiring the TDHE to prepare periodic progress reports including the annual compliance assessment, performance and audit reports.

Documents Reviewed

- Oneida Tribe of Wisconsin NAHASDA Self-Monitoring Policy, dated October 10, 2012
- OHA Annual Performance Report dated FY2014
- OHA FYE September 30, 2014, accepted by the FAC on January 19, 2015
- OHA Self-Monitoring Assessment – FY2015

Staff Interviewed

Scott Denny, Acting Director, Oneida Housing Authority

OHA APR Submission

The FY2014 Oneida Housing Authority APR submission affirmed in Section 10: Self-Monitoring, that the OHA has a procedure and/or policy for self-monitoring and that it conducts an annual self-monitoring assessment in accordance with NAHASDA at Section 403(b), and the implementing regulations at 24 CFR Section 1000.52. The OHA summarized the self-monitoring activities reported to the Tribal Council as follows:

- OHA Residential Development Activities
- Maintenance and Rehab Activities
- Active Housing Stock
- Occupancy Rate

OHA Audit Submission

In accordance with OMB Circular A-133 and NAHASDA requirements, OHA submitted an unqualified single audit for FYE September 30, 2014 activities to the Federal Clearing House on January 19 2015. A copy of the audit was submitted to the E/WONAP via email on January 19 2015. The audit contained no findings.

OHA Self-Monitoring Policy

The Oneida Tribe of Wisconsin NAHASDA Self-Monitoring Policy affirms that the OHA has a procedure for self-monitoring and that it conducts an annual self-monitoring assessment in accordance with NAHASDA at Section 403(b), and the implementing regulations at 24 CFR Section 1000.502. The policy states that the self-monitoring process will be conducted by an impartial appraiser, that the results of this assessment will be made accessible to the public and

that recommendation to improve areas of significant compliance deficiencies will be developed and implemented during the preceding program year.

OHA FY 2015 Self-Monitoring Assessment

While on-site, E/WONAP staff requested and reviewed a copy of the OHA 2015 Self-Monitoring Assessment. The 3-page report provides a narrative of OHA's major programs. The report is comprehensive and includes the following elements:

- Current Housing Stock
- Occupancy Rate
- Tenant Accounts Receivable (TAR)
- Labor Standards
- Construction Standards
- Maintenance Status
- Rehabilitation Status
- New Construction Development

No findings or concerns were identified in the recipient's Self-Monitoring review area.

Oneida Tribe of Indians of Wisconsin

Draft Monitoring Report

ICDBG

On December 1 - 3, 2015, the Eastern Woodlands Office of Native American Programs (E/WONAP) conducted an on-site monitoring review of the Indian Community Development Block Grant (ICDBG) program managed by the Oneida Tribe of Indians of Wisconsin (OTIW). The purpose of the review is to fulfill the U.S. Department of Housing and Urban Development's regulatory obligation under 24 CFR Section 1003.700 to review compliance with the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5301 et seq.), the Indian Community Development Block Grant program regulations at 24 CFR Part 1003, the grant agreement, and other applicable laws and regulations. In addition, the program regulations require HUD to determine if an ICDBG recipient has carried out program activities substantially as described in its approved application and if it has made substantial progress in implementing its program.

The grants reviewed were:

ICDBG Number	Grant Funds Awarded	
	Date	Amount
B11-SR-55-4910	09/07/2011	\$600,000.00
B12-SR-55-4910	05/12/2012	\$600,000.00

The areas reviewed for these programs were:

- Administration and Grant Compliance
- Environmental Review Compliance
- Financial and Fiscal Management
- Financial Reporting
- Procurement and Contract Administration

E/WONAP staff who participated in the review was:

- David C. Thomas, Grants Evaluation Team Lead

An entrance conference was held on December 1, 2015 with the following officials and staff representing the OTIW:

Lisa Summers, Tribal Secretary
JoAnne House, Chief Counsel
Geraldine Danforth, HR Area Manager
Larry Barton, Chief Financial Officer
Justine Hill, Office Manager
Cindy Kohl, Sr. Accounting Assistant
Jaime Metoxen, Sr. Accounting Assistant
Dana McLester, Accounting Supervisor
Jean Van Dyke, Accounting Manager
Lee Thomas, Controller
Scott Denny, Interim Housing Director and Housing Operations Manager
Paul Witek, Senior Tribal Architect
Troy D. Parr, Asst. Development Division Director
Trish King, Treasurer

The following staff representing the OTIW were consulted or interviewed as part of the review:

Scott Denny, Interim Housing Director and Housing Operations Manager
Jean Van Dyke, Accounting Manager
Lawrence Barton, Chief Financial Officer
Patrick Stensloff, Director of Purchasing
Travis J. Wallenfang, Indian Preference Coordinator
Victoria Flowers, Environmental Specialist
Paul J. Witek, Senior Tribal Architect
Troy D. Parr, Oneida Development Division - Branch Director
Kevin House, Construction Manager

An exit conference was held on December 3, 2015 with the following officials and staff representing the OTIW:

Lee Thomas, Controller
Scott Denny, Operations Manager
Troy D. Parr, Asst. Development Division Director
Paul Witek, Senior Tribal Architect
Jenny Webster, Council Member
Tehassi Hill, Councilman
David Jordan, Councilman
Laurel Spooner, Collection Specialist
Geraldine Danforth, HR Area Manager
Lisa Summers, Tribal Secretary
Dana McLester, Accounting Supervisor
Jean Van Dyke, Accounting Manager
JoAnne House, Chief Counsel
Dawn Moon-Kopetsky, Senior Policy Advisor
Larry Barton, CFO
Patrick Stensloff, Director of Purchasing
Cindy Kohl, Sr. Accounting Assistant

Jaime Metoxen, Sr. Accounting Assistant
Lisa Vega, Resident Service Specialist
Justine Hill, Office Manager
Trish King, Treasurer

SUMMARY OF FINDINGS AND CONCERNS

The ICDBG summary of findings identified during the monitoring review is presented below.

- Administration and Grant Compliance
 - No findings or concerns in this area
- Environmental Review Compliance
 - No findings or concerns in this area
- Financial and Fiscal Management
 - No findings or concerns in this area
- Financial Reporting
 - No findings or concerns in this area
- Procurement and Contract Administration
 - Finding #2016 ICDBG-01: Arbitrary Action in Procurement Process - CLOSED

ADMINISTRATION and GRANT COMPLIANCE

E/WONAP interviewed key project staff and reviewed OTIW files to ensure compliance with the approved application per 24 CFR Section 1003.700(b)(1) and with the Uniform Administrative Requirements at 2 CFR Sections 200.300 and 200.328.

Staff Interviewed

Scott Denny, Housing Operations Manager
Kevin House, Construction Manager
Paul J. Witek, Senior Tribal Architect
Troy D. Parr, Oneida Development Division - Branch Director

B-11-SR-55-4910: Henry Road Elder Village Infrastructure

In response to the HUD 2011 NOFA, dated April 20, 2011, OTIW, through its housing program, the Oneida Housing Authority (OHA), submitted a competitive proposal for Indian Community Development Block Grant funds to construct 1,800 linear feet of infrastructure to connect to a mixed-income housing neighborhood in the central portion of the Oneida Reservation, the Henry Road Elder Village Housing Infrastructure Project. The infrastructure project, to include storm water retention and detention, water lines, sanitary sewer, and paved roads with curb and gutter, was approved by OTIW Resolution 06-08-11-A on June 8, 2011. The project would ultimately support twenty-four (24) new construction elder units for the benefit of low and moderate income Oneida families. The total infrastructure cost was estimated at \$821,136, which

included a ten (10) percent contingency. OTIW requested \$600,000 of ICDBG funds and pledged to match the grant with an estimated \$200,000 from the housing program's 2011 Indian Housing Block Grant allocation.

The engineering firm McMahon Associates, Inc. was selected to provide overall design and construction related services to include property surveying, project design, acceptance of bids, contracting, conducting construction meetings, and reviewing contractor payment applications. OTIW staff provided project management, project engineering, administrative and financial oversight. Energy efficiency as an element of the project was established by the Oneida Tribe Energy Team, including the Tribe's Senior Tribal Architect and the Oneida Development Division Branch Director serving as Project Manager/Engineer.

In a letter dated September 7, 2011, E/WONAP notified OTIW that its proposal had received a score of 98 in the competitive ranking, and that the project was awarded the full \$600,000 of its request as award #B-11-SR-55-4910.

The first phase of the Elder Village Infrastructure Project was completed in June 2014. Utility hookups, natural gas and electric installations, were completed in October 2015. On September 29, 2015, OTIW submitted HUD SF-4125, ICDBG Implementation Schedule, and a request for an extension of time due numerous to project management staffing turnovers. The second phase of development, road and infrastructure design was underway and projected to be completed by August 2016.

B-12-SR-55-4910: Uskah Village/Smit Farm Infrastructure

In response to the HUD 2012 ICDBG NOFA (FR-5600-N-02), dated October 4, 2011, OTIW, through OHA, submitted a competitive proposal for ICDBG funds to construct 1,500 linear feet of infrastructure to connect to a mixed-income housing neighborhood in the central portion of the Oneida Reservation, the Uskah Village Infrastructure Project. The infrastructure project was to include storm water retention and detention, water lines, sanitary sewer, and paved roads with curb and gutter. The project will ultimately support forty (40) new construction single-family housing units for the benefit of low and moderate income Oneida families. The site is situated within walking distance of the Oneida Health Center, Oneida Child Care, and is located near Highway 172, a major thoroughfare. The total infrastructure cost was estimated at \$800,000, which included a ten (10) percent contingency. OTIW requested \$600,000 of ICDBG funds and pledged to match the grant with an estimated \$200,000 from the housing program's 2012 Indian Housing Block Grant allocation.

The ICDBG application stated that the engineering firm McMahon Associates, Inc. had been selected to provide overall design and construction related services to include property surveying, project design, acceptance of bids, contracting, conducting construction meetings, and reviewing contractor payment applications. OTIW staff will provide project management, project engineering, planning, administrative and financial oversight. Energy efficiency as an element of the project was established by the Oneida Tribe Energy Team, including the Tribe's Senior Tribal Architect and the Oneida Development Division Branch Director serving as Project Manager/Engineer. In a letter dated May 1, 2012, E/WONAP notified OTIW that its proposal had received a score of 94 in the competitive ranking, and that the project was awarded the full \$600,000 of its request as award B-12-SR-55-4910.

On November 25, 2015, the Oneida Housing Authority Housing Operations Manager and Interim Executive Director submitted a narrative report and Implementation Schedule, HUD Form 4125 for this project. The road and infrastructure design for the Uskah/Elder Village Infrastructure Project was completed in September 2015. The construction phase of the road was scheduled to begin in late November 2015 with a planned completion of July 2016. On September 29, 2015, OTIW submitted HUD SF-4125, ICDBG Implementation Schedule, and a request for an extension of time due numerous to project management staffing turnovers. The second phase of development, road and infrastructure design was underway and projected to be completed by August 2016.

E/WONAP's review of the OTIW's ICDBG administration and grant compliance did not disclose any violations of the ICDBG program regulations at 24 CFR Section 1003.700(b)(1) or the Uniform Administrative Requirements at 2 CFR Sections 200.300 and 200.328.

ENVIRONMENTAL REVIEW COMPLIANCE

The purpose of the environmental review is to determine the recipient's compliance with HUD's environmental review and clearance requirements as outlined at 24 CFR Part 58. The program regulations at 24 CFR Section 1003.605(a) state that if a tribe assumes environmental review responsibilities for Indian Community Development Block Grant (ICDBG) program activities, HUD's environmental review and clearance requirements per 24 CFR Part 58 apply. Funds may not be committed to a grant activity or project before the completion of the environmental review and approval of the request for release of funds, except as allowed under 24 CFR Part 58. The program regulations at 24 CFR Section 1003.605 also state that upon completion of the environmental review, the grantee must submit a certification and request for release of funds for particular projects in accordance with 24 CFR Part 58. The regulations at 24 CFR Sections 58.34 and 58.35 state that certain activities are exempt or categorically excluded. The responsible entity, however, must document in writing its determination that each activity or project is exempt or categorically excluded, and that each project meets the conditions specified for such exemption.

The "Responsible Entity" for NAHASDA program environmental reviews is defined at 24 CFR Section 58.2(a)(7) as the Indian Tribe, whether or not a Tribally Designated Housing Entity (TDHE) is authorized to receive grant amounts on behalf of the Tribe. Under the terms of the certification required by 24 CFR Section 58.71, a responsible entity's Certifying Officer (CO) is the "responsible Federal official" as that term is used in Section 102 of the National Environmental Protection Act ("NEPA") and in the regulatory provisions cited in 24 CFR Section 58.1(b)(10). The CO is therefore responsible for all the requirements of NEPA Section 102 and the related provisions in 40 CFR Parts 1500 through 1508, and 24 CFR Part 58, including the related Federal laws and authorities listed in 24 CFR Section 58.5. The CO must also ensure that the responsible entity reviews and comments on all environmental assessments (EA) or environmental impact statements (EIS) prepared for Federal projects that may have an impact on the recipient's program.

Documents Reviewed

- Environmental Review Record (ERR) for ICDBG No. B-11-SR-55-4910

- Release of Funds, HUD 52734-A for ICDBG No. B-11-SR-55-4910, dated September 16, 2011
- Environmental Review Record (ERR) for ICDBG No. B-12-SR-55-4910
- Release of Funds, HUD 52734-A for ICDBG No. B-12-SR-55-4910, dated May 17, 2012

Staff Interviewed

Victoria Flowers, Environmental Specialist/Certifying Officer

The following conclusions were reached as a result of the review:

The OTIW maintains comprehensive and well-organized environmental review records. The ERR's for ICDBG Nos. B-11-SR-55-4910 and B-12-SR-55-4910 contained the public notices and written determinations of environmental findings required by 24 CFR Part 58.

The review of the environmental documentation files did not disclose any violation of the regulatory requirements for 24 CFR Section 1003.605(a), 24 CFR Part 50, and 24 CFR Part 58.

FINANCIAL AND FISCAL MANAGEMENT

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards ("Uniform Requirements") at 2 CFR Part 200, is applicable to non-federal entities that either receive or distribute federal awards.³ 24 CFR Parts 84 and 85, as well as OMB A-87 and OMB A-133 have been superseded by the Uniform Administrative Requirements now codified in 2 CFR Part 200. The scope of the performance review for financial and fiscal management included funds drawn down, accounting records, internal controls, cash management, budget control, audits, and investments.

The Uniform Administrative Requirements, at 2 CFR Section 200.302(a), state that each non-federal entity must have a financial management system that is sufficient to permit the tracing of funds to a level of expenditures adequate to establish that such funds have been used according to the Federal statutes, regulations, and the terms and conditions of the Federal award.

In general, an audit that complies with the Uniform Administrative Requirements also assists HUD in making the determination that the recipient's ICDBG funds have not been used in violation of the restrictions and prohibitions of NAHASDA, and the implementing regulations. Specifically, the Uniform Administrative Requirements, under 2 CFR Section 200.302(b)(2), require non-federal entities to provide accurate, current, and complete disclosure of each federal award or program in accordance with its reporting requirements. The Line of Credit Control System (LOCCS) requires semi-annual reports for certain grants provided under the U.S. Housing Act of 1937 (1937 Housing Act), as well quarterly reports for NAHASDA grants. When progress reports are not submitted as required, LOCCS does not allow funds to be disbursed.

³ On December 26, 2014, HUD adopted the Uniform Requirements, 78 Fed.Reg. 78590, replacing various regulatory requirements for grant administration. Both the old regulations and the Uniform Administrative Requirements are cited in parts of this report, as old rules apply to actions or omissions that occurred before December 26, 2014. Additionally, there is a one fiscal year grace period for implementation of the new procurement standards in 2 CFR 200.317 through 200.326.

ICDBG recipients are required to submit to HUD the Federal Financial Report (SF 425) no later than 30 days following the end of the quarter. Regarding financial audits, the Uniform Administrative Requirements state, under 2 CFR Sections 200.501 and 200.514, that any non-federal entity that expends \$750,000 or more in federal funds in a fiscal year must have an annual audit conducted which meets the Generally Accepted Government Auditing Standards (“GAGAS”). Also, the Uniform Administrative Requirements, under 2 CFR Sections 200.507(c)(1) and 200.512(a)(1), state that the non-federal entity must submit the audit to the Federal Audit Clearinghouse (“FAC”) within 30 calendar days after receipt of the auditor’s report, or nine months after the end of the audit period. The audit should cover all ICDBG grants that were open at any time during the audit period.

Documents Reviewed

- Tribal Cash Handling Policy, Revised September 8, 2011
- Accounts Payable Invoice Processing, December 28, 2011
- Chart of Accounts, April 29, 2015
 - Current Trial Balance, November 13, 2015
- Line of Credit Control System (LOCCS) Grant Detail and Disbursement History Reports for B-11-SR-55-4910 and B-12-SR-55-4910
- Randomly selected checks with supporting documentation for FY’s 2013 - 2015
- Selected LOCCS ICDBG Payment Vouchers and Documentation

Staff Interviewed

Scott Denny, Housing Operations Manager
Jean Van Dyke, Accounting Manager
Dana McLester, Accounting Supervisor

E/WONAP staff reviewed the documents that OTIW uses to determine accounting policies and procedures. These documents include the Accounts Payable Invoice Processing Policy, Processing & Review of Journal Entries Standard Operating Procedure, and Tribal Cash Handling Policy. These documents provide guidance to OTIW Central Accounting for classification of accounting activity including the procedures for receiving funds including NAHASDA draws, journal entries, and accounts receivable and account payable processes. The Processing & Review of Journal Entries procedure ensures accounting controls as set forth by the Sarbanes Oxley Act. The financial management system for OTIW properly retains records, provides methods for collection, transmission and storage of information.

E/WONAP staff reviewed OTIW trial balance, general ledgers and income statements. The 2014 Annual Performance Report (APR) and 2014 audit which were previously been submitted by OTIW to E/WONAP were utilized for reconciliation. OTIW’s Federal Financial Reports (SF-425), which were submitted quarterly, also provided a reference for NAHASDA funded expenditures. E/WONAP staff reviewed the OTIW’s monthly bank reconciliations, trial balance, general ledger and the adjusting journal for the purpose of verifying compliance with the OTIW’s Financial Management Policy, Procurement Code, and 2 CFR Section 200.302(a) of the Uniform Administrative Requirements.

Staff Interviewed

Jean Van Dyke, Accounting Manager
 Dana McLester, Accounting Supervisor

Invoicing Documentation:

E/WONAP staff randomly selected three (3) recent vendor payments and requested copies of the applicable checks and supporting documentation. All supporting documentation was accurate and had been properly authorized for payment. All information was consistent with the Payment Register report as indicated in the following table:

Table 12			
OTIW Payment Register/Invoicing Documentation			
Check Number	Date	Vendor	Amount (\$)
1695615	09/29/2014	Robert J. Immel Excavating Inc.	77,708.74
1696050	10/03/2014	Robert J. Immel Excavating Inc.	70,000.00
1720918	08/27/2015	Professional Service	8,496.00

E/WONAP staff’s review of the disbursement transaction process and supporting documentation did not disclose any inconsistency of expenditures that were charged to the ICDBG program.

LOCCS Payment Voucher Documentation

E/WONAP staff reviewed nine (9) LOCCS payment vouchers and supporting documentation from B-11-SR-55-4910 and B-12-SR-55-4910 covering FY’s 2013, 2014, and 2015. OTIW’s ledger reports, vouchers and invoices supported the LOCCS draws for the nine (9) vouchers sampled for this review. The results of that review are shown in the following table:

Table 13				
OTIW LOCCS Draw Down vs. Supporting Documentation Review Results				
LOCCS – B-11-SR-55-4910		Funds	Supporting	Cost Category
Payment Voucher #	Draw Date	Requested (\$)	Documentation (\$)	
2192081	10/23/2013	11,331.54	11,331.54	Contract Services
2192677	01/27/2014	250,215.14	250,215.14	Contract Services, General Capital Outlay
2194016	02/11/2014	177,561.46	177,561.46	Construction (Immel), Personnel, Fringe
2194446	07/01/2015	1,280.07	1,280.07	Personnel, Fringe, Engineering
2194734	09/26.2015	11,546.90	11,546.90	Contract and Engineering Services
LOCCS – B-12-SR-55-4910		Funds	Supporting	Cost Category
Payment Voucher #	Draw Date	Requested (\$)	Documentation (\$)	

2193126	06/03/2014	1,554.72	1,554.72	Personnel, Fringe
2194017	01/27/2015	7,902.84	7,902.84	Personnel, Fringe, Engineering
2194268	04/25/2015	9,860.38	9,860.38	Personnel, Fringe, Contract Services
2194735	07/01/2015	28,440.35	28,440.35	Contract and Engineering Services

OTIW provided the required documentation to support the randomly-selected LOCCS draws for ICDBG awards B-11-SR-55-4910 and B-12-SR-55-4910.

The review of the financial and fiscal management documentation files did not disclose any violation of the regulatory requirements for 2 CFR Section 200.302(a).

FINANCIAL REPORTING

The Uniform Requirements, under 2 CFR Section 200.302(b)(2), require accurate, current, and complete disclosure of the financial results of each Federal award. LOCCS requires semi-annual reports for certain 1937 Housing Act grants as well as quarterly reports for NAHASDA grants. When progress reports are not submitted as required, LOCCS does not allow funds to be disbursed.

The Uniform Administrative Requirements require, under 2 CFR Section 200.501 and 200.514, state that each non-Federal entity that expends a total amount of Federal awards equal to or in excess of \$750,000 in any fiscal year to have either a single audit or a program-specific audit made for such fiscal year. Also, the Uniform Administrative Requirements, under 2 CFR Sections 200.507(c)(1) and 200.512(a)(1), state that the non-federal entity must submit a copy of the annual single audit or a program-specific audit to the FAC within thirty (30) days after receipt of the auditor's report, or nine (9) months after the end of the audit period.

PIH Notice 2012-02, issued on January 4, 2012, states that recipients of ICDBG funds must submit quarterly financial reports on HUD form SF-425. The quarterly financial reports are due within thirty (30) days following the end of each quarter.

Documents Reviewed:

- Independent Public Audit report (IPA) for the OTIW 2014 Audit
- FAC report for Single Audit submission, FY2014
- LOCCS, Grant History for B-11-SR-55-4910 and B-12-SR-55-4910
- HUD Standard Form 425 Federal Financial Reports (SF-425), for FY's 2013 through 2015

The OTIW FYE September 30, 2014 audit was due to the FAC by June 30, 2015. The FAC website (<https://harvester.census.gov/facweb/Default.aspx>) confirmed that OTIW was compliant in its submission of its FY2014, FY2013, and FY2014 audits. The 2014 audit was received and accepted by the FAC on January 19, 2015. The FYE September 30, 2013 audit was accepted by the FAC on January 18, 2014, and the FYE September 30, 2012 audit was accepted by the FAC on January 4, 2013.

During FY's 2013 through 2015, the OTIW submitted to E/WONAP the quarterly Federal Financial Reports (HUD SF-425) for ICDBG B-11-SR-55-4910 and B-12-SR-55-4910. The funds expended as shown on the HUD SF-425 were consistent with the LOCCS reports. The OTIW submitted eleven (11) of the twelve (12) quarterly SF-425s reviewed in a timely manner as required by 24 CFR Section 85.26 for all reports submitted prior to December 2014, and 2 CFR Sections 200.507(c)(1) and 200.512(a)(1) for all reports submitted after December 2014. The due dates and received dates for the two open ICDBG grants are noted in the following table:

Table 14			
OTIW B-11-SR-55-4910 and B-12-SR-55-4910 SF-425 Reports Review Results			
Period Ending	Due to EWONAP	Date Report Submitted	Status
9/30/2015	10/30/2015	10/27/2015	Compliant
6/30/2015	7/30/2015	7/15/2015	Compliant
3/31/2015	4/30/2015	5/5/2015	Late
12/31/2014	1/31/2015	1/23/2015	Compliant
9/30/2014	10/30/2014	10/29/2014	Compliant
6/30/2014	7/30/2014	7/28/2015	Compliant
3/31/2014	4/30/2014	4/21/2015	Compliant
12/31/2013	1/31/2014	1/27/2015	Compliant
9/30/2013	10/30/2013	10/15/2013	Compliant
6/30/2013	7/30/2013	7/25/2013	Compliant
3/31/2013	4/30/2013	4/15/2013	Compliant
12/31/2012	1/31/2013	1/29/2013	Compliant

With the exception of a single case of a five-day late SF-425 report for the period ending March 31, 2015, each of the SF-425s for the period of December 31, 2012 through September 30, 2015 were submitted in a timely manner.

E/WONAP's review of the OTIW's fiscal management and financial reporting did not disclose any violations of the NAHASDA program regulations at 24 CFR Section 1003.501 or 2 CFR Sections 200.507(c)(1) and 200.512(a)(1).

PROCUREMENT AND CONTRACT ADMINISTRATION

ICDBG program regulations at 24 CFR Section 1003.501(a)(13) require recipients to comply with 2 CFR Sections 200.317-326, previously 24 CFR Section 85.36, when procuring goods and services. The requirements at 2 CFR Section 200.319, previously 24 CFR Section 85.36(c), require that all procurement transactions be conducted in a manner providing full and open competition. The requirements at 2 CFR Section 200.318(i), previously 24 CFR Section 85.36(b)(9), also require the maintenance of procurement records sufficient to detail the significant

history of a procurement. These records are to include, but are not necessarily limited to documentation of the rationale for the method of procurement (small purchase, sealed bid, competitive or noncompetitive proposals), the selection of contract type, the contractor selection or rejection, and the basis for the contract price. Additionally, for a cost to be allowable, under 2 CFR Part 225 (2 CFR Part 200), it must be “necessary and reasonable” and conform to the program requirements. The requirements at 2 CFR Section 200.318(b), previously 24 CFR Section 85.36(b)(2), require that grantees have a contract administration system in place to ensure that contractors perform in accordance with the terms, conditions, and specifications of the contract or purchase orders.

The Uniform Requirements at 2 CFR Section 200.318(c)(1), previously, 24 CFR Section 85.36(b)(3), require that

The non-Federal entity must maintain written standards of conduct covering conflicts of interest and governing the performance of its employees engaged in the selection, award and administration of contracts. No employee, officer, or agent must participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the non-Federal entity must neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, non-Federal entities may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-Federal entity.

Documents Reviewed

- OTIW Purchasing Policies and Procedures Manual, dated October 2012 and revised September 2014
- Oneida Code of Laws, Chapter 3 Code of Ethics, Adopted October 1994; Amended September 2006
- Oneida Code of Laws, Chapter 57 Indian Preference in Contracting, Adopted March 2013
- Oneida Tribal Policies, Conflict of Interest Policy, Adopted June 1998; Amended September 2006
- Request for Proposals (RFP) for Design Civil Engineering Services, Elder Village Infrastructure Project, November 7, 2011
- Public Posting of the RFP:
 - The Post-Crescent Newspaper, November 11 – November 15, 2011
 - www.Kalihwisaks.com, November 17, 2011
- Proposal Scoring Summary, December 29, 2011
- Contract for Design Services, Elder Village Infrastructure, March 7, 2012

- Request for Proposals (RFP) for Construction Services, Elder Village Infrastructure Project, May 21, 2013
- Public Posting of the RFP:
 - Green Bay Press Gazette, May 21 and May 25, 2013
 - www.Kalihwisaks.com, May 30, 2013
- Bid Opening Attendance Sheet, June 7, 2013
- Bid Tabulation Sheet, June 7, 2013
- Contract for Construction, OTIW and Robert J. Immel, September 5, 2013, for \$488,124.55

Staff Interviewed

Lawrence Barton, Chief Financial Officer
 Patrick Stensloff, Director of Purchasing
 Travis Wallenfang, Indian Preference Coordinator
 Paul Witek, Senior Tribal Architect
 Troy Parr, Assistant Development Division Director

E/WONAP staff reviewed the OTIW Purchasing Policies and Procedures Manual, revised in September 2014. As required by regulations at 24 CFR Section 85.36(b)(1) (2 CFR Section 200.318(a)), OTIW has a procurement policy which appear sufficiently detailed to ensure compliance with the regulations and provide general directions to staff. For purchases up to \$3,000, OTIW requires competitive sourcing. For those purchases of goods and services for amounts between \$3,001 and \$25,000, a written quote is required from an adequate number of qualified sources. Purchases that are greater than \$25,001 require the use of a sealed bid process. The written standards for conduct covering conflict of interest are in the procurement policy and the Oneida Tribal Policies. NAHASDA Sec 203 (g) allows for micro-purchase simplified acquisition procedures for purchase of supplies or services up to \$5,000. In addition, 2 CFR Section 200.88 allows that small purchase methods may be used to purchase property or services up to the Simplified Acquisition Threshold of \$150,000.

B-11-SR-55-4910: Design and Civil Engineering Services- Elder Village Infrastructure

A Request for Proposals for design and civil engineering services for the Elder Village Infrastructure project was prepared and dated November 7, 2011. It was posted publically in The Post-Crescent newspaper in Appleton, Wisconsin from November 11 through November 15, 2011 and in the tribal on-line newspaper, www.Kalihwisaks.com on November 17, 2011. Proposals were to be submitted by November 29, 2011 and the Selection Committee would review and score the proposals by December 5, 2011. A “Proposal Scoring Summary, dated 29 December 2011 indicated that three (3) bids had been received by the cut-off date. They were Graef USA, Mau and Associates, LLP, and Oneida Total Integrated Enterprises, LLC (OTIE). The results of the scoring summary are included in the following table:

Table 15	OTIW: Elder Village Infrastructure Project Proposal Scoring Summary for Design and Civil Engineering Services December 29, 2011
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Bidder	Score (out of a possible 200)	Bid Price (\$)
Graef USA	136.6	47,050.00
Mau & Associates, LLP	140.4	59,395.00
OTIE	182.2	114,050.00

OTIE received the highest score and was awarded a Contract for Design Services for Elder Village Infrastructure, fully executed by all parties on March 7, 2012. This contract contained a renegotiated final price of \$83,641.00 quoted in Exhibit C, Article 2, C2.01.A.3.

FINDING #2016ICDBG-01: Arbitrary Action in Procurement Process - CLOSED
24 CFR Section 85.36(c)(1)(vii)

Questioned Costs: None

Condition:

The OTIW December 29, 2011 Proposal Scoring Summary sheet included a scoring category entitled “Other Relevant Issues.” For this category, Graef USA received a score of 9.6/200; Mau & Associates received a 12.8/200; and OTIE received a 17.6/200.

The OTIW Senior Tribal Architect described the meaning of this category in an email dated February 10, 2016.

“This criterion allows the reviewer to consider other elements such as: quality of firm, value of services provided, any potential risk, and positive previous experience of the firm working with the Oneida Nation. I sometimes describe it as what is your “gut feeling” of this firm for this project.”

Criteria:

The procurement regulations in effect at the time of this activity were found at 24 CFR Part 85. 24 CFR Section 85.36(c)(1) states that all procurement transactions will be conducted in a manner providing full and open competition, and 24 CFR Section 85.36(c)(1)(vii) states that such transactions must not include “any arbitrary action in the procurement process.”

Cause and Effect:

Since it is possible that OTIW did not have prior working experience with either Graef USA or Mau & Associates, it is arbitrary to attempt to quantify a “gut feeling” score, which in this case, clearly benefitted OTIE in the ranking.

Recommended Corrective Actions:

To address **FINDING #ICDBG-01**, OTIW must remove the category, “Other Relevant Issues,” from its Proposal Scoring Summary and not use such general and open-ended categorizations in its ratings system. Actual categorization of, for example, prior positive or negative experience(s) with a vendor may be acceptable in making a determination of whether a bidder is responsible if the rationale is fully documented. OTIW must submit a copy of a revised Proposal Scoring Summary sheet to E/WONAP for review.

OTIW Response:

In its September 14, 2016 response to the DMR, OTIW reiterated its position that the rating process used was a qualification-based procurement for Architect/Engineer Professional Services in accordance with 24 CFR Section 85.36(d)(3)(v). OTIW agreed that the subjective category of "Other Issues (value, risk, quality, etc.)," was included on the scoresheet utilized by five reviewers in assessing the architectural and engineer proposals associated with the Elder Village Infrastructure project.

OTIW reported that it rescored the project by removing the "Other Issues" category from the Proposal Scoring Summary for the Elder Village Infrastructure project and this did not change the selection results. OTIW submitted Attachment #9, a revised scoring summary sheet, from which the subjective criterion had been removed and for which new scores were determined. Of the possible 180 total points, OTIE was still the highest scoring firm: Graef USA received an average of 127/180, Mau & Associates, LLP received 127.6/180, and OTIE received 164.6/180.

OTIW’s response concluded with the statement that *“for all future bidding processes, this category will be removed from the scoring sheet and more specific qualifications will be identified — such as prior history/knowledge of the project.”*

E/WONAP Response:

OTIW’s revised Proposal Scoring Summary sheet, its recalculation of the three (3) architectural and engineering firms’ proposals for the design and civil engineering services associated with the Elder Village Infrastructure project, and its agreement to utilize specific criteria in its future proposal selection processes are all acceptable corrective actions to address Finding #2016ICDBG-01. Additionally, E/WONAP accepts that the results of the selection process would not have changed substantially because of the subjective scoring category. Therefore, there are no longer any questioned costs, and this finding is closed.

B-12-SR-55-4910: Construction for Elder Village Infrastructure

The road and infrastructure design for the Uskah/Elder Village Infrastructure Project, was scheduled to have been completed by September 2015. A request for an extension of time projected completion by August 2016 (see also B-11-SR-55-4910). The construction phase of the road was scheduled to begin in late November 2015.

A notice that OTIW was accepting sealed bids for a Construction Contract for the Elder Village Infrastructure project was posted publically in the Green Bay Press Gazette newspaper on May 21 and May 25, 2013, and in the tribal on-line newspaper, www.Kalihwisaks.com on May 30, 2013. The project was described as the “construction of 2,000 feet of new roadways including sewer and water mains and storm infrastructure.” Sealed bids were to be submitted by 2:00pm on June 7, 2013 to the Oneida Engineering Office. A Bid Tabulation Sheet, dated June 7, 2013 indicated that eight (8) bids had been received by the cut-off date. The results of the sealed bid review are included in the following table:

Table 16	
OTIW Construction Bid Review: Uskah/Elder Village Infrastructure Project – June 7, 2013	
Bidder	Bid Price (\$)

*Robert J. Immel Excavating, Inc.	488,124.55
MCC, Inc.	511,078.08
Wood Sewer & Excavating, Inc.	532,053.12
PTS Contractors, Inc.	551,885.84
Carl Bowers & Sons Construction Co., Inc.	570,725.88
Van Straten Construction	596,143.75
Jossart Brothers, Inc.	607,082.13
De Groot, Inc.	663,377.58

*Robert J. Immel Excavating, Inc. was the lowest bidder and received the award.

With the exception of the closed **Finding #2016ICDBG-01**, E/WONAP's review of OTIW's procurement and contract administration did not disclose any violations of the program regulations at 24 CFR Section 1003.501(a)(13), compliance with federal procurement standards found at 24 CFR Section 85.36 (2 CFR Sections 200.317-326); 24 CFR Section 85.36(c) (2 CFR Section 200.319), full and open competition; or 24 CFR Section 85.36(b)(9) (2 CFR Section 200.318(i)), maintenance of procurement records.



Oneida Tribe of Indians of Wisconsin
On-Site Monitoring Review
Final Report

U.S. Department of Housing and Urban Development
Eastern / Woodlands Office of Native American Programs
Grants Evaluation Division

William O. Dawson, Director

October 19, 2016

Business Committee Meeting

9:00 a.m. Wednesday, November 23, 2016

Thank you for printing clearly

~~W. L. H. H. H. H. H.~~
BRAD GRAHAM
Ma H. J. Denny Sr.
Dina Bruner
Marsha Danforth
Bryant E. H.
Judy Nicely
Cherice Santiago
Sharon Moussem
Yvette Preen
Shelly Stevens
Upson metoxen
Hal Higgins
Floyd Silas Jr.
Grom Jorda
Bryant Neville
Roger Gealey
Casey
Ariee Sorender
Matt w Denny

Wendy Alvarez
Wes Martin
~~J. M. H.~~
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