



Oneida Business Committee

Executive Session

9:00 a.m. Tuesday, November 24, 2015
BC Conference Room, 2nd floor, Norbert Hill Center

Regular Meeting

9:00 a.m. Wednesday, November 25, 2015
BC Conference Room, 2nd floor, Norbert Hill Center

Minutes

EXECUTIVE SESSION

Present: Chairwoman Tina Danforth, Treasurer Trish King, Secretary Lisa Summers, Council members: Fawn Billie, David Jordan, Brandon Stevens;

Not Present: Vice-Chairwoman Melinda J. Danforth, Councilman Tehassi Hill;

Arrived at: Councilwoman Jennifer Webster at 10:00 a.m.;

Others present: Jo Anne House, Larry Barton, Louise Cornelius, Chad Fuss, Janice Hirth, Nathan King, Jim Bittorf, Chris Cornelius, John Otto, Joanne Whiterabbit, Kelly McAndrews;

REGULAR MEETING

Present: Chairwoman Tina Danforth, Treasurer Trish King, Secretary Lisa Summers, Council members: Fawn Billie, David Jordan, Jennifer Webster;

Not Present: Vice-Chairwoman Melinda J. Danforth, Tehassi Hill;

Arrived at: Councilman Brandon Stevens at 1:36 p.m.;

Others present: Jo Anne House, Heather Heuer, Bill Graham, Brad Graham, Nancy Barton, Rhiannon Metoxen, Terry Cornelius, Chris Johnson, Danelle Wilson, Madelyn Genskow, Brian Doxtator, Lora Skenandore, Larry Barton, Jessica Wallenfang, Paul Witek, Ed Delgado, Dawn Moon-Kopetsky, Candice Skenandore, Krystal John, RaLinda Ninham-Lamberies, Nic Reynolds, Mike Debraska, Marlene Summers, Wes Martin Jr., Debra Danforth, Carol Elm, Cathy Metoxen, Jen Falk, Frank Cornelius, David Emerson, Tom Danforth, Lois Strong;

I. Call to Order and Roll Call by Chairwoman Tina Danforth at 9:02 a.m.

For the record:

Vice-Chairwoman Melinda J. Danforth is on maternity leave for the next eight weeks. Councilman Tehassi Hill is away on personal time. Councilman Brandon Stevens is taking personal time until the afternoon.

II. Opening by Tribal Member Marlene Summers

III. Adopt the agenda (00:01:30)

Motion by Lisa Summers to adopt the agenda with the following changes [add on XII.C. Approve Tribal Members requests regarding Sacred Burial Grounds; and move XV.E.07. Review "Communications" item to open session as New Business item XII.D.] and to accept the handout for item XIV.C.1. Accept Anna John Residential Centered Care Community Board FY '15 4th quarter report, seconded by Jennifer Webster. Motion carried unanimously:

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

IV. Oaths of Office (No Requested Action)

V. Minutes (00:03:12)

A. Approve November 10, 2015, regular meeting minutes

Sponsor: Lisa Summers, Tribal Secretary

Motion by David Jordan to approve the November 10, 2015, regular meeting minutes, seconded by Jennifer Webster. Motion carried unanimously:

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

VI. Resolutions (00:09:30)

A. Adopt resolution titled Fiscal Year 2015, Fiscal Year 2016, Fiscal Year 2017, and Fiscal Year 2018 Budget Guidance and Strategic Planning for Fiscal Year 2019 Budget

Sponsor: Trish King, Tribal Treasurer

Motion by Jennifer Webster to defer the resolution titled Fiscal Year 2015, Fiscal Year 2016, Fiscal Year 2017, and Fiscal Year 2018 Budget Guidance and Strategic Planning for Fiscal Year 2019 Budget back to the Budget Core Team; to invite the Chairwoman to attend; and to bring back when ready, seconded by Lisa Summers.

Motion carried with one opposed:

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

VII. Appointments (No Requested Action)

VIII. Standing Committees (00:55:50)

A. Legislative Operating Committee

Sponsor: Councilman Brandon Stevens, Chair

1. Accept November 4, 2015, Legislative Operating Committee meeting minutes

Motion by Lisa Summers to accept the November 4, 2015, Legislative Operating Committee meeting minutes, seconded by Fawn Billie. Motion carried with one abstention:

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

B. Finance Committee

Sponsor: Tribal Treasurer Trish King, Chair

1. Approve November 16, 2015, Finance Committee meeting minutes, excluding the seven (7) Capital Expenditure requests

Motion by David Jordan to approve the November 16, 2015, Finance Committee meeting minutes, excluding the seven (7) Capital Expenditure requests, seconded by Trish King. Motion carried with one abstention:

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

2. Approve request for procedural exception to BC Resolution # 09-30-15-A Continuing Budget Resolution for Fiscal Year 2016 in regards to Capital Expenditures

Motion by Jennifer Webster to approve the request for a procedural exception to BC Resolution # 09-30-15-A Continuing Budget Resolution for Fiscal Year 2016 in regards to Capital Expenditures, seconded by David Jordan. Motion carried unanimously:

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

C. Community Development Planning Committee (No Requested Action)

D. Quality of Life (No Requested Action)

IX. General Tribal Council (1:17:25)

Treasurer Trish King departs at 10:22 a.m.

A. Petitioner Madelyn Genskow: Special GTC meeting to address six resolutions

- 1) Completed Scheduling General Tribal Council Meetings**
- 2) Fee to Trust Process**
- 3) In Progress Elder Services Means Testing**
- 4) In Research Record Subcommittee Meetings**
- 5) Governmental Services Chain of Command**
- 6) Unclaimed Per Capita Payments**

Sponsor: Lisa Summers, Tribal Secretary

EXCERPT FROM OCTOBER 14, 2015: Motion by Lisa Summers to accept the financial analyses for resolution 1 with the following change [correction in the Chief Financial Officer's memorandum with either the elimination of "TO: Tina Danforth, Treasurer" or replacement of "TO: Patricia King, Treasurer"] and resolution 2, seconded by David Jordan. Motion carried unanimously.

EXCERPT FROM SEPTEMBER 23, 2015: Motion by Melinda J. Danforth to accept the update on this item and to place this petition and six (6) resolutions on the March 19, 2016 Special General Tribal Council meeting agenda, and to request the fiscal analyses on all six (6) resolutions be submitted to the Tribal Secretary's Office in a timely manner, seconded by Lisa Summers. Motion carried unanimously.

EXCERPT FROM SEPTEMBER 9, 2015: Motion by Jennifer Webster to accept the legal analysis for resolution 5) Governmental Services Chain of Command, seconded by Lisa Summers. Motion carried unanimously.

EXCERPT FROM AUGUST 26, 2015: (1) Motion by Brandon Stevens to accept the legal analyses for resolution 3, 4, and 6, seconded by Lisa Summers. Motion carried unanimously. (2) Motion by Lisa Summers to defer the legal analysis for resolution 5 to be completed by the September 9, 2015, regular Business Committee meeting and to defer the financial analyses for resolution 3, 4, and 6 to the September 23, 2015, regular Business Committee meeting, seconded by Fawn Billie. Motion carried unanimously.

EXCERPT FROM JULY 8, 2015: Motion by David Jordan to defer the remaining legal and financial analyses to the second regular Business Committee meeting in August 2015, seconded by Brandon Stevens. Motion carried unanimously.

EXCERPT FROM JUNE 24, 2015: Motion by David Jordan to accept the legal analysis for resolution 1) Completed Scheduling General Tribal Council Meetings and note that the remaining analyses are due back at the July 8, 2015, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously.

EXCERPT FROM MAY 13, 2015: Motion by David Jordan to accept the legal analysis for resolution 2, seconded by Trish King. Motion carried unanimously.

EXCERPT FROM APRIL 22, 2015: Motion by Lisa Summers to accept the legislative analyses for resolutions 1-6 and to provide an additional sixty (60) days for the Law and Finance Offices to complete their portions of the analyses, seconded by Jennifer Webster. Motion carried unanimously.

EXCERPT FROM FEBRUARY 25, 2015: (1) Motion by Tehassi Hill to accept the verified petitions from Petitioner Madelyn Genskow: Request Special GTC meeting to address six (6) resolutions, seconded by Jennifer Webster. Motion carried unanimously. (2) Motion by Tehassi Hill to send the verified petitions to the Law, Finance, 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 Jennifer Webster to direct Law, Finance, and Legislative Reference Offices to submit the analyses to the Secretary's Office within sixty (60) days and that a progress report be submitted in forty-five (45) days, seconded by Lisa Summers. Motion carried unanimously. (4) Motion by Lisa Summers to direct the Direct Report Offices to submit appropriate administrative analyses to the Secretary's Office within thirty (30) days, seconded by Fawn Billie. Motion carried unanimously.

Motion by David Jordan to accept the fiscal analysis for resolution 3) In Progress Elder Services Means Testing, seconded by Lisa Summers. Motion carried unanimously:

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

Motion by Lisa Summers to request the remaining fiscal analyses come back in sixty (60) days, seconded by Jennifer Webster. Motion carried unanimously:

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

- B. Petitioner Frank Cornelius: Special GTC meeting to address four resolutions**
- 1) Audit of Oneida Seven Generations Corporation**
 - 2) Oneida Seven Generations Corporation Return Money to Tribe**
 - 3) Freedom of the Press**
 - 4) Tax Oneida Business Committee for Failure to Dissolve Oneida Seven Generations Corporation**

Sponsor: Lisa Summers, Tribal Secretary

EXCERPT FROM SEPTEMBER 9, 2015: (1) Motion by Jennifer Webster to accept the update from Chief Counsel regarding legal analyses of resolutions 1-4, seconded by Brandon Stevens. Motion carried unanimously. (2) Amendment to the main motion by Melinda J. Danforth to provide a new due date of November 25, 2015, for the legal and financial analyses of resolutions 1-4, seconded by Lisa Summers. Motion carried unanimously.

EXCERPT FROM AUGUST 26, 2015: Motion by David Jordan to accept the legislative analyses for resolution 1-4, seconded by Jennifer Webster. Motion carried unanimously.

EXCERPT FROM AUGUST 17, 2015: (1) Motion by Lisa Summers to take this item from the table, seconded by David Jordan. Motion carried unanimously. (2) Motion by Jennifer Webster to forward the four resolutions to the Legislative, Law, Finance Offices for the appropriate analyses and for those analyses to be due at the September 9, 2015, regular Business Committee meeting, seconded by Lisa Summers. Motion carried unanimously. (3) Motion by Lisa Summers to request the Law Office provide a legal opinion about what occurs when a petition is submitted which does not have all the appropriate documentation that would go with the petition, seconded by Tehassi Hill. Motion carried with one abstention.

EXCERPT FROM AUGUST 12, 2015: Motion by Lisa Summers to adjourn at 2:06 p.m. and to direct the Tribal Secretary to coordinate Business Committee special meeting date for the remainder of this agenda, seconded by Brandon Stevens. Motion carried unanimously.

EXCERPT FROM JULY 22, 2015: Motion by Brandon Stevens to table this item to next regular Business Committee meeting, seconded by David Jordan. Motion carried unanimously.

EXCERPT FROM JULY 8, 2015: Motion by Tehassi Hill to accept the update as information and defer this item to the July 22, 2015, regular Business Committee meeting as agreed upon by the Business Committee members and the petitioner, seconded by David Jordan. Motion carried unanimously.

EXCERPT FROM JUNE 24, 2015: Motion by Fawn Billie to defer this item to the next regular Business Committee meeting and direct the Secretary to work with the petitioner to find a solution to the concerns, seconded by Tehassi Hill. Motion carried unanimously.

EXCERPT FROM MAY 27, 2015: Motion by David Jordan to direct the Secretary to reach out to Petitioner Frank Cornelius to request the four (4) resolutions mentioned in the petition be submitted in thirty (30) days, seconded by Lisa Summers. Motion carried unanimously.

EXCERPT FROM MAY 13, 2015: (1) Motion by Trish King to acknowledge receipt of the petition submitted by Frank Cornelius, seconded by Fawn Billie. Motion carried unanimously. (2) Motion by Trish King to send the verified petition to the Law, Finance, Legislative Reference and Direct Report Offices for legal, financial, legislative and administrative analyses to be completed; to direct the Law, Finance and Legislative Offices to submit the analyses to the Secretary within sixty (60) days and a that a progress report is submitted in forty-five (45) days, seconded by David Jordan. Motion carried unanimously. (3) Motion by David Jordan to direct the Direct Report Offices to submit the appropriate administrative analyses to the Secretary within thirty (30) days, seconded by Trish King. Motion carried unanimously.

Motion by Lisa Summers to defer the fiscal analyses to the December 9, 2015, regular Business Committee meeting, seconded by Jennifer Webster. Motion carried with one abstention:

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

C. Petitioner Madelyn Genskow: Special GTC meeting to address three (3) resolutions

1) Oneida Business Committee Accountability

2) Repeal Judiciary Law

3) Open Records and Open Meetings Law

Sponsor: Tina Danforth, Tribal Chairwoman

EXCERPT FROM NOVEMBER 10, 2015: Motion by Tehassi Hill to deny the request by Madelyn Genskow to only place the petition, "Special GTC meeting to address three (3) resolutions", on the March 19, 2016, special General Tribal Council meeting agenda, seconded by Brandon Stevens. Motion carried unanimously.

EXCERPT FROM OCTOBER 28, 2015: Motion by Lisa Summers to accept the legal analysis for resolution 2, noting it was not actually due until the November 25, 2015, regular Business Committee meeting, seconded by Trish King. Motion carried unanimously.

EXCERPT FROM OCTOBER 14, 2015: Motion by Lisa Summers to accept the legal analysis for resolution 1 and to note the remaining legal analyses are not due until the November 25, 2015, regular Business Committee meeting, seconded by David Jordan. Motion carried unanimously.

EXCERPT FROM SEPTEMBER 9, 2015: Motion by Jennifer Webster to accept the update from Chief Counsel and to provide an additional sixty (60) days for the legal analyses of resolutions 1-3, seconded by Lisa Summers. Motion carried unanimously.

EXCERPT FROM JUNE 24, 2015: Motion by David Jordan to accept the legislative analyses for resolutions 1-3 of the petition and to provide an additional sixty (60) days for the Law and Finance Offices to submit the appropriate analyses, seconded by Tehassi Hill. Motion carried unanimously.

EXCERPT FROM JUNE 10, 2015: Motion by Tehassi Hill to accept the status report from the Legislative Operating Committee as information, seconded by Jennifer Webster. Motion carried unanimously.

EXCERPT FROM APRIL 22, 2015: Motion by Jennifer Webster to accept the verified petition submitted by Madelyn Genskow; to send the verified petition to the Law, Finance, Legislative Reference and Direct Report Offices for the legal, financial, legislative and administrative analyses to be completed; to direct the Law, Finance, and Legislative Reference Offices to submit the analyses to the Tribal Secretary's office within sixty (60) days and that a progress report is submitted in forty-five (45) days; and to direct the Direct Report offices to submit the appropriate administrative analyses to the Tribal Secretary's office within thirty (30) days, seconded by Lisa Summers. Motion carried unanimously.

Motion by David Jordan to accept the legal analysis for resolution 3) Open Records and Open Meetings Law, seconded by Lisa Summers. Motion carried unanimously:

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

Motion by Lisa Summers to request the Finance Office to submit the appropriate fiscal analyses for these resolutions within sixty (60) days, seconded by Fawn Billie. Motion carried unanimously:

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

Treasurer Trish King returns at 10:40 a.m.

Councilman David Jordan departs at 10:55 a.m.

Councilman David Jordan returns at 10:57 a.m.

D. Approve January 4, 2016, Annual General Tribal Council meeting materials

Sponsor: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to approve the January 4, 2016, Annual General Tribal Council meeting packet materials; to include sections for updates on the Cemetery and the Dialysis Center; and to include a Litigation/Key Issues update to be done at the beginning of the meeting, seconded by Fawn Billie. Motion carried unanimously:

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

Motion by David Jordan to add the nine (9) reports and to make a note that they were submitted late, seconded by Jennifer Webster. Motion carried unanimously:

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

X. Unfinished Business (No Requested Action)

XI. Tabled Business (1:57:20)

A. Adopt resolution titled No Trade Back for Cash for Fiscal Year 2016

Sponsor: Trish King, Tribal Treasurer

EXCERPT FROM OCTOBER 14, 2015: Motion by David Jordan to table to this item, seconded by Tehassi Hill. Motion carried with one opposed.

Motion by Lisa Summers to take this item from the table, seconded by David Jordan. Motion carried unanimously:

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

Motion by Lisa Summers to adopt resolution 11-25-15-A No Trade Back for Cash for Fiscal Year 2016, seconded by Jennifer Webster. Motion carried unanimously:

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

Motion by David Jordan to direct the Human Resource Department and Division Directors to budget the Trade Back for Cash benefit to allow each eligible employee to trade back no more than forty (40) hours in Fiscal Year 2017, seconded by Lisa Summers. Motion carried unanimously:

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

XII. New Business (2:27:19)

A. Approve CIP Concept Paper and activate \$50,000 from approved FY2015 CIP Budget for project # 07-002 Social Services Building Remodel – Phase V

Sponsor: Troy Parr, Assistant Division Director/Development

Motion by Lisa Summers to approve the CIP Concept Paper and to activate \$50,000 from the approved FY2015 CIP Budget for project # 07-002 Social Services Building Remodel – Phase V, seconded by Jennifer Webster.

Motion carried unanimously:

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

B. Approve request to make Oneida Vendor List available to any enrolled Tribal member upon request and that it include names of entity and individual(s) who own and operate it

Sponsor: Tina Danforth, Tribal Chairwoman

Motion by Lisa Summers to defer the request to make the Oneida Vendor List available to any enrolled Tribal member upon request and that it include names of entity and individual(s) who own and operate it to the Law Office for a legal opinion to be brought back in thirty (30) days, seconded by Jennifer Webster. Motion carried unanimously:

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

Councilman David Jordan departs at 11:45 a.m.

Councilman David Jordan returns at 11:52 a.m.

Councilwoman Fawn Billie departs at 11:52 a.m.

Councilwoman Fawn Billie returns at 11:56 a.m.

Secretary Lisa Summers departs at 11:56 a.m.

Secretary Lisa Summers returns at 11:59 a.m.

C. Approve Tribal Members requests regarding Sacred Burial Grounds

Sponsor: Lisa Summers, Tribal Secretary

Motion by Jennifer Webster to request the Division Director of Environmental Health and Safety, Pat Pelky, to give an update at the December 9, 2015, regular Business Committee meeting, seconded by David Jordan.

Motion carried opposed:

Ayes: Fawn Billie, David Jordan, Trish King, Jennifer Webster
Opposed: Lisa Summers
Not Present: Melinda J. Danforth, Tehassi Hill, Brandon Stevens
For the record: Secretary Lisa Summers stated the reason that I opposed is because the items that were identified in that meeting were actually taken on by the Officers to come back with an action plan and that included doing all of the follow-ups that were already included in the...we're intending to do today. So it's not that I don't support the intent of the action, it's just that we've already taken action to do that and we've fulfilled that and I understand the concerns and I think if there's an issue that we need to take up with one of our Direct Reports, it becomes a personnel issue and we deal with it that way. That's why I oppose that motion.

Motion by Lisa Summers to recess at 12:08 p.m. until 1:30 p.m., seconded by Fawn Billie. Motion carried unanimously:

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

Called to order by Chairwoman Tina Danforth at 1:33 p.m.

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

Councilman Brandon Stevens arrives at 1:36 p.m.

D. Review “Communications” item

Sponsor: Tina Danforth, Tribal Chairwoman

Motion by Lisa Summers to defer this topic to the December 1, 2015, Business Committee work meeting; to request the Business Committee come prepared to share all of their examples and offer up solutions; and to affirm Group Agreements to proceed in a way that identifies the Business Committee’s standards moving forward, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Lisa Summers, Brandon Stevens, Jennifer Webster
Not Present: Melinda J. Danforth, Tehassi Hill, Trish King
For the record: Councilman David Jordan stated I do not participate in Facebook at all during work hours or away from work hours. I just wanted to make that statement because of this situation alone. I feel like if something was brought up, I would react to it and that’s why I don’t participate in any of that. Thank you.

XIII. Travel (5:10:54)

A. Travel Reports

1. Accept travel report – Chairwoman Tina Danforth – 7th Annual White House Tribal Nations Conference – Washington D.C. – November 5-6, 2015

Motion by David Jordan to accept the travel report – Chairwoman Tina Danforth – 7th Annual White House Tribal Nations Conference – Washington D.C. – November 5-6, 2015, seconded by Lisa Summers. Motion carried unanimously:

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

B. Travel Requests

1. Approve travel request – Vice-Chairwoman Melinda J. Danforth – 2016 Tribal Technical Advisory Group (TTAG) Face-to-Face Meetings – Washington D.C. – Calendar Year 2016

Motion by Jennifer Webster to approve the travel request – Vice-Chairwoman Melinda J. Danforth – 2016 Tribal Technical Advisory Group (TTAG) Face-to-Face Meetings – Washington D.C. – Calendar Year 2016, noting travel is funded by Indian Health Services, seconded by David Jordan. Motion carried unanimously:

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

2. Enter E-poll results into the record – Councilwoman Jennifer Webster – Wisconsin Tribes Meeting with Officials from Wisconsin Department of Health and Human Services (DHHS) and Centers for Medicare and Medicaid Services (CMS)– Washington D.C. – November 17-19, 2015

Motion by Lisa Summers to enter the E-poll results into the record – Councilwoman Jennifer Webster – Wisconsin Tribes Meeting with Officials from Wisconsin Department of Health and Human Services (DHHS) and Centers for Medicare and Medicaid Services (CMS)– Washington D.C. – November 17-19, 2015, seconded by Fawn Billie. Motion carried with one abstention:

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

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

3. Enter E-poll results into the record – Chairwoman Tina Danforth – CME Group-Ladies Professional Golf Association (LPGA) Tour Championship – Naples, FL – November 20, 2015

Motion by Jennifer Webster to enter the E-poll results into the record – Chairwoman Tina Danforth – CME Group-Ladies Professional Golf Association (LPGA) Tour Championship – Naples, FL – November 20, 2015, seconded by Lisa Summers. Motion carried one abstention:

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

4. Enter E-poll results into the record – Treasurer Trish King – CME Group-Ladies Professional Golf Association (LPGA) Tour Championship – Naples, FL – November 20, 2015

Motion by Jennifer Webster to enter the E-poll results into the record – Treasurer Trish King – CME Group-Ladies Professional Golf Association (LPGA) Tour Championship – Naples, FL – November 20, 2015, noting the request was withdrawn via e-mail dated November 16, 2015, seconded by Lisa Summers. Motion carried unanimously:

Ayes: Fawn Billie, David Jordan, Lisa Summers, Brandon Stevens, Jennifer Webster
Not Present: Melinda J. Danforth, Tehassi Hill, Trish King
For the record: Councilwoman Jennifer Webster stated Treasurer Trish King did not attend. She ended up changing her mind and not attending after all.
For the record: Councilman David Jordan stated I think her purse was stolen.

XIV. Reports (3:06:00) (This section of the agenda is scheduled to begin at 1:30 p.m.)

A. Operational Reports (No Requested Action)

B. Corporate Reports (No Requested Action)

C. Boards, Committees, and Commissions

1. Accept Anna John Residential Centered Care Community Board FY '15 4th quarter report –
Kimberly Schultz, Vice-Chair
Liaison: Melinda J. Danforth, Tribal Vice-Chairwoman

EXCERPT FROM NOVEMBER 10, 2015: Motion by Jennifer Webster to defer the Anna John Residential Centered Care Community Board FY '15 4th quarter report to the November 25, 2015, regular Business Committee meeting and to direct the Tribal Secretary's Office to notify the Anna John Residential Centered Care Community Board that stipends will be withheld if they do not comply for the next Business Committee meeting, seconded by David Jordan. Motion carried unanimously.

EXCERPT FROM OCTOBER 28, 2015: Motion by Lisa Summers to defer the Anna John Residential Centered Care Community Board FY '15 4th quarter report to the November 10, 2015, regular Business Committee meeting; to request the Liaison follow-up to ensure a representative will be present to answer questions; and to request financial information be provided in the report, seconded by David Jordan. Motion carried unanimously.

EXCERPT FROM OCTOBER 14, 2015: Motion by Lisa Summers to defer the Anna John Residential Centered Care Community Board FY '15 4th quarter report to the October 28, 2015, regular Business Committee meeting, seconded by Brandon Stevens. Motion carried unanimously.

Motion by Jennifer Webster to accept the Anna John Residential Centered Care Community Board FY '15 4th quarter report, seconded by Fawn Billie. Motion carried unanimously:

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

2. Accept Oneida Nation Commission on Aging FY '15 4th quarter report – Wes Martin Jr., Chair
Liaison: Melinda J. Danforth, Tribal Vice-Chairwoman

EXCERPT FROM NOVEMBER 10, 2015: Motion by Tehassi Hill to defer the Oneida Nation Commission on Aging FY '15 4th quarter report to the November 25, 2015, regular Business Committee meeting, seconded by Trish King. Motion carried unanimously.

Motion by Lisa Summers to accept the Oneida Nation Commission on Aging FY '15 4th quarter report, seconded by David Jordan. Motion carried unanimously:

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

Secretary Lisa Summers departs at 2:36 p.m.

Secretary Lisa Summers returns at 2:39 p.m.

3. Accept Oneida School Board FY '15 4th quarter report – Debra Danforth, Chair
Liaison: Fawn Billie, Councilwoman

Motion by Jennifer Webster to accept the Oneida School Board FY '15 4th quarter report, seconded by Lisa Summers. Motion carried unanimously:

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

4. Accept Land Claims Commission FY '15 4th quarter report – Amelia Cornelius, Chair
Liaison: Brandon Stevens, Councilman

Motion by Lisa Summers to defer the Land Claims Commission FY '15 4th quarter report to the December 9, 2015, regular Business Committee meeting and to have the Liaison follow-up with them to request somebody to be present, seconded by Brandon Stevens. Motion carried unanimously:

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

5. Accept Land Commission FY '15 4th quarter report – Amelia Cornelius, Chair
Liaison: Tehassi Hill, Councilman

Motion by Lisa Summers to defer the Land Commission FY '15 4th quarter report to the December 9, 2015, regular Business Committee meeting and to have the Liaison follow-up with them to request somebody to be present, seconded by Fawn Billie. Motion carried unanimously:

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

XV. Executive Session (5:26:00)

A. Reports

1. Accept Chief Counsel report – Jo Anne House, Chief Counsel

Motion by Lisa Summers to accept the Chief Counsel report and to request a written update to accompany that report to be provided by December 2, 2015, seconded by Jennifer Webster. Motion carried unanimously:

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

2. Accept Gaming General Manger report – Louise Cornelius, Gaming General Manager

Motion by Lisa Summers to accept the Gaming General Manger report of November 24, 2015, seconded by Jennifer Webster. Motion carried unanimously:

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

3. Accept Intergovernmental Affairs and Communication report – Nathan King, Director/Intergovernmental Affairs and Communication

Motion by Lisa Summers to accept the Intergovernmental Affairs and Communication report of November 24, 2015, noting that the Chair is assigned to identify the follow-ups, seconded by David Jordan. Motion carried unanimously:

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

B. Standing Items

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

2. Goldwater suit – Indian Child Welfare case (*No Requested Action*)

3. Oneida Golf Enterprise – Ladies Professional Golf Association

Motion by Lisa Summers to accept the verbal update from the Oneida Golf Enterprise regarding the Ladies Professional Golf Association event, seconded by David Jordan. Motion carried unanimously:

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

C. Audit Committee

Sponsor: Councilman Tehassi Hill, Chair

1. Accept October 15, 2015, Audit Committee meeting minutes

Motion by Brandon Stevens to accept the October 15, 2015, Audit Committee meeting minutes, seconded by Fawn Billie. Motion carried unanimously:

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

2. Accept Audit Committee FY '15 4th quarter report

Motion by Brandon Stevens to accept the Audit Committee FY '15 4th quarter report, seconded by Lisa Summers. Motion carried unanimously:

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

3. Schedule special executive session Business Committee meeting on December 18, 2015

Motion by Lisa Summers to schedule a special executive session Business Committee meeting on December 18, 2015 at 1:30 p.m. to approve the annual audit, seconded by Fawn Billie. Motion carried unanimously:

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

D. Unfinished Business

1. Accept final report for procedural exception to allow Health Providers to exceed 280 hour cap for FY '16 based on contractual obligations (*This item is scheduled at 9:00 a.m. on November 24, 2015*)

Sponsor: Debra Danforth, Division Director/Comprehensive Health Operations

EXCERPT FROM NOVEMBER 10, 2015: Motion by David Jordan to defer this item to the November 25, 2015, regular Business Committee meeting and to require the Operations and Medical Division Directors attend that meeting, seconded by Jennifer Webster. Motion carried unanimously.

EXCERPT FROM OCTOBER 28, 2015: Motion by Lisa Summers to request a final report be brought back at the November 10, 2015, regular Business Committee meeting, seconded by David Jordan. Motion carried unanimously.

EXCERPT FROM OCTOBER 14, 2015: Motion by Tehassi Hill to defer the request of a procedural exception to allow Health Providers to exceed the 280 hour cap for FY '16 based on contractual obligations to the October 28, 2015, regular Business Committee meeting, seconded by David Jordan. Motion carried unanimously.

EXCERPT FROM SEPTEMBER 23, 2015: Motion by David Jordan to request the Comprehensive Health Directors to bring back an alternative plan at the October 14, 2015, regular Business Committee meeting, seconded by Fawn Billie. Motion carried unanimously.

Motion by Lisa Summers to accept the final report on the procedural exception request, seconded by Brandon Stevens. Motion carried unanimously:

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

2. Approve extension request for complaint # 2015-DR13-01

Sponsor: Fawn Billie, Councilwoman

EXCERPT FROM SEPTEMBER 23, 2015: (1) Motion by Lisa Summers to take this item from the table, seconded by Fawn Billie. Motion carried unanimously. (2) Motion by David Jordan to assign Councilwoman Jennifer Webster, Councilwoman Fawn Billie, and Councilman Tehassi Hill to investigate complaint # 2015-DR13-01, seconded by Lisa Summers. Motion carried unanimously.

EXCERPT FROM SEPTEMBER 9, 2015: Motion by Lisa Summers to table this item, seconded by Brandon Stevens. Motion carried unanimously.

Motion by David Jordan to approve the extension request for complaint # 2015-DR13-01 to the December 22, 2015 executive session Business Committee meeting, seconded by Lisa Summers. Motion carried unanimously:

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

E. New Business

1. Approve limited waiver of sovereign immunity – RJ Reynolds Tobacco Co. – contract # 2015-0894

Sponsor: Michele Doxtator, Area Manager/Retail Profits

Motion by Lisa Summers to approve the limited waiver of sovereign immunity – RJ Reynolds Tobacco Co. – contract # 2015-0894, seconded by Jennifer Webster. Motion carried unanimously:

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

2. Approve limited waiver of sovereign immunity – Liggett Vector Brands Inc. – contract # 2015-1068

Sponsor: Michele Doxtator, Area Manager/Retail Profits

Motion by Jennifer Webster to approve the limited waiver of sovereign immunity – Liggett Vector Brands Inc. – contract # 2015-1068, seconded by Lisa Summers. Motion carried unanimously:

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

3. Approve Native Diversification Network – Procurement Technical Assistance Center (NDN-PTAC) donation request from Minnesota American Indian Chamber of Commerce

Sponsor: David Jordan, Councilman

Motion by Lisa Summers to accept the request for support and to defer item to the Finance Committee to review the request; to identify funding source; and to bring back a final recommendation for the December 23, 2015, regular Business Committee meeting, seconded by Fawn Billie. Motion carried unanimously:

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

Motion by Lisa Summers to defer this item to a four (4) member Business Committee team to work with the presenters on other opportunities NDN-PTAC may be able to provide for the Tribe, seconded by Jennifer Webster. Motion carried unanimously:

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

4. Determine appropriate action to address personnel concern # 2015-DR11-01

Sponsor: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to accept the presented recommendation in the memorandum dated November 20, 2015, and to direct the Tribal Secretary to complete the follow-up, seconded by Fawn Billie. Motion carried with one opposed:

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

5. Review complaint # 2015-DR03-02 in accordance with Standard Operating Procedure

Sponsor: Lisa Summers, Tribal Secretary

Motion by Lisa Summer to accept the request as information and ask the Tribal Secretary to send follow-up correspondence to the complainant, seconded by Jennifer Webster. Motion carried unanimously:

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

6. Approve two (2) requests regarding September Treasurer's Report (Preliminary Revised)

Sponsor: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to request the Direct Reports submit a written explanation for any positive or negative variance of \$100,000 or more to be due December 2, 2015 for the December 9, 2015, regular Business Committee meeting, seconded by Jennifer Webster. Motion carried unanimously:

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

~~7. Review "Communications" item~~

~~Sponsor: Tina Danforth, Tribal Chairwoman~~

Item moved to open session (XII.D.) at the adoption of the agenda.

XVI. Adjourn

Motion by David Jordan to adjourn at 4:25 p.m., seconded by Fawn Billie. Motion carried unanimously:

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

Minutes prepared by Heather Heuer, Information Management Specialist
Minutes approved as presented/corrected on December 9, 2015.



Lisa Summers, Secretary
ONEIDA BUSINESS COMMITTEE