

Oneida Nation

Post Office Box 365

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Oneida, WI 54155

BC Meeting Materials July 12, 2017

Open Session

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the following 54€ pages are the Open Session meeting materials presented at a meeting duly called, noticed and held on the 12th day of July, 2017.

A handwritten signature in blue ink that reads "Lisa Summers". The signature is written over a horizontal line.

Lisa Summers, Tribal Secretary
Oneida Business Committee



Oneida Business Committee

Executive Session
8:30 a.m. Tuesday, July 11, 2017
Executive Conference Room, 2nd floor, Norbert Hill Center

Regular Meeting
8:30 a.m. Wednesday, July 12, 2017
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

III. ADOPT THE AGENDA

IV. OATHS OF OFFICE

- A. Oneida Personnel Commission** – Patricia Powless, Jason Martinez, Pearl Webster, Carol Smith, Stacey Nieto, Gerald DeCoteau, and Yvonne Jourdan

V. MINUTES

- A. Approve June 28, 2017, regular meeting minutes with reconvened session on July 3, 2017**
Sponsor: Lisa Summers, Tribal Secretary

VI. STANDING COMMITTEES

A. Legislative Operating Committee

Chair: Brandon Stevens, Councilman

1. Determine next steps regarding memorandum entitled Oneida Health Board – GTC Directive

Sponsor: Brandon Stevens, Councilman; Legislative Operating Committee Chair

EXCERPT FROM JULY 3, 2017: (Reconvened from June 28, 2017) Motion by Lisa Summers to defer the remaining agenda items to the July 12, 2017, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously.

B. Finance Committee

Chair: Trish King, Tribal Treasurer

1. Approve June 29, 2017, Finance Committee meeting minutes

2. Enter E-Poll results into the record in accordance with OBC SOP entitled Conducting Electronic Voting:

Sponsor: Lisa Summers, Tribal Secretary

a. Approved June 5, 2017, Finance Committee meeting minutes

Requestor: Larry Barton, Chief Financial Officer

EXCERPT FROM JULY 3, 2017: (Reconvened from June 28, 2017) Motion by Lisa Summers to defer the remaining agenda items to the July 12, 2017, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously.

VII. APPOINTMENTS

A. Approve recommendation to appoint Robert Barton to the Oneida Airport Hotel Corp. Board of Directors

Sponsor: Tina Danforth, Tribal Chairwoman

EXCERPT FROM JULY 3, 2017: (Reconvened from June 28, 2017) Motion by Lisa Summers to defer the remaining agenda items to the July 12, 2017, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously.

B. Reconsider, review, and hear testimony from Kory Wesaw regarding appointment to Oneida Police Commission

Sponsor: Tina Danforth, Tribal Chairwoman

VIII. STANDING ITEMS

A. Accept quarterly report regarding Work Plan for Cemetery Improvements Project # 14-002

Sponsor: James Petitjean, Interim Assistant Division Director/Development

IX. UNFINISHED BUSINESS**A. Accept presentation of Development Division re-organizational structure as information
(This item is scheduled to begin at 9:00 a.m.)**

Sponsors: Jacque Boyle, Assistant Division Director/Development-Operations; Troy Parr,
Assistant Division Director/Development-Development

EXCERPT FROM JULY 3, 2017: (Reconvened from June 28, 2017) Motion by Lisa Summers to defer the remaining agenda items to the July 12, 2017, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously.

B. Approve Amended and Restated Per Capita Trust agreement – file # 2017-0614

Requestor: Susan White, Director/Trust Enrollment
Sponsor: Brandon Stevens, Councilman

EXCERPT FROM JULY 3, 2017: (Reconvened from June 28, 2017) Motion by Lisa Summers to defer the remaining agenda items to the July 12, 2017, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously.

C. Post vacancy to Oneida Personnel Commission with term end date of 2/28/21

Requestor: Kathleen Metoxen, Records Technician II/BC Support Office
Sponsor: Lisa Summers, Tribal Secretary

EXCERPT FROM JULY 3, 2017: (Reconvened from June 28, 2017) Motion by Lisa Summers to defer the remaining agenda items to the July 12, 2017, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously.

D. Approve OBC SOP entitled Stipends for OBC - Elect during Transition

Sponsor: Lisa Summers, Tribal Secretary

EXCERPT FROM JULY 3, 2017: (Reconvened from June 28, 2017) Motion by Lisa Summers to defer the remaining agenda items to the July 12, 2017, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously.

E. Accept memorandum regarding OBC Members and Political Appointments Ending Elected Terms

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

EXCERPT FROM JULY 3, 2017: (Reconvened from June 28, 2017) Motion by Lisa Summers to defer the remaining agenda items to the July 12, 2017, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously.

F. Approve authorization to proceed with construction contract award for CIP # 14-013 – Early Head Start Facility with understanding additional funds are included in FY18 budget

Requestor: Paul Witek, Senior Tribal Architect
Sponsor: Troy Parr, Assistant Division Director/Development-Development

EXCERPT FROM JULY 3, 2017: (Reconvened from June 28, 2017) Motion by Lisa Summers to defer the remaining agenda items to the July 12, 2017, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously.

G. Enter E-Poll results into the record in accordance with OBC SOP entitled Conducting Electronic Voting:

Sponsor: Lisa Summers, Tribal Secretary

1. Approved Memorandum of Understanding regarding Back Forty Mine – reference # 2017-0592

Requestor: Nathan King, Director/Intergovernmental Affairs & Communications

EXCERPT FROM JULY 3, 2017: (Reconvened from June 28, 2017) Motion by Lisa Summers to defer the remaining agenda items to the July 12, 2017, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously.

X. NEW BUSINESS

A. Enter E-Poll results into the record in accordance with OBC SOP entitled Conducting Electronic Voting:

Sponsor: Lisa Summers, Tribal Secretary

1. Approved request to add the Governmental Services Division semi-annual report into the 2016 semi-annual reports book; and update memo in book to reflect change

Requestor: Lisa Summers, Tribal Secretary

XI. TRAVEL

A. TRAVEL REPORTS

1. Accept travel report – Councilman David Jordan – WI Republican Night – Washington D.C. – April 25-27, 2017

EXCERPT FROM JULY 3, 2017: (Reconvened from June 28, 2017) Motion by Lisa Summers to defer the remaining agenda items to the July 12, 2017, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously.

2. Accept travel report – Councilman Tehassi Hill – American Indian/Alaska Native Public Witness Hearing –Washington D.C. – May 15-17, 2017

EXCERPT FROM JULY 3, 2017: (Reconvened from June 28, 2017) Motion by Lisa Summers to defer the remaining agenda items to the July 12, 2017, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously.

B. TRAVEL REQUESTS

1. Accept travel request regarding Secretary Lisa Summers & Councilwoman Fawn Billie attending 2017 North American Indigenous Games in Toronto, Ontario, July 16-23, 2017, as information

2. Enter E-Poll results into the record in accordance with OBC SOP entitled Conducting Electronic Voting:

Sponsor: Lisa Summers, Tribal Secretary

a. Approved travel request – Treasurer Trish King and up two (2) additional OBC members – Midwest Alliance of Sovereign Tribes (MAST) summer meeting – Hinkley, MN – July 13-14, 2017

Sponsor: Lisa Summers, Tribal Secretary

EXCERPT FROM JULY 3, 2017: (Reconvened from June 28, 2017) Motion by Lisa Summers to defer the remaining agenda items to the July 12, 2017, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously.

b. Approved travel request – Vice-Chairwoman Melinda J. Danforth – Partners in Action conference – July 18 and/or 20, 2017

Requestor: Melinda J. Danforth, Tribal Vice-Chairwoman

XII. GENERAL TRIBAL COUNCIL (To obtain a copy of Members Only materials, visit the BC Support Office, 2nd floor, Norbert Hill Center and present Tribal I.D. card or go to <https://goo.gl/uLp2jE>)

A. Accept Petitioner Edward Delgado’s request to withdraw kindergarten retention petition

Sponsor: Fawn Billie, Councilwoman

EXCERPT FROM JULY 3, 2017: (Reconvened from June 28, 2017) Motion by Lisa Summers to defer the remaining agenda items to the July 12, 2017, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously.

B. Petitioner Sherrole Benton: Request to change pre-employment drug testing for marijuana

1. Accept status update as information

Sponsor: Lisa Summers, Tribal Secretary

EXCERPT FROM JULY 3, 2017: (Reconvened from June 28, 2017) Motion by Lisa Summers to defer the remaining agenda items to the July 12, 2017, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously.

EXCERPT FROM MAY 24, 2017: (1) Motion by Lisa Summers to accept the financial analysis, seconded by Jennifer Webster. Motion carried unanimously. (2) Motion by Lisa Summers to direct the Secretary to come back with a proposed General Tribal Council date for this item at the next regular Business Committee meeting; and to direct the Secretary to follow-up with the petitioner to see if there’s an alternative way for the issue to be resolved, seconded by Fawn Billie. Motion carried unanimously.

EXCERPT FROM MAY 10, 2017: Motion by Fawn Billie to defer the financial analysis to the May 24, 2017 regular Business Committee meeting, seconded by David Jordan. Motion carried unanimously.

EXCERPT FROM APRIL 26, 2017: Motion by Jennifer Webster to defer the financial analysis to May 10, 2017, regular Business Committee meeting, seconded by Fawn Billie. Motion carried unanimously.

EXCERPT FROM APRIL 12, 2017: (1) Motion by David Jordan to accept the legal analysis, seconded by Jennifer Webster. Motion carried unanimously. (2) Motion by Lisa Summers to defer the financial analysis to the April 26, 2017, regular Business Committee meeting, seconded by David Jordan. Motion carried unanimously.

EXCERPT FROM MARCH 22, 2017: (1) Motion by David Jordan to accept the legislative analysis, seconded by Tehassi Hill. Motion carried unanimously. (2) Motion by Tehassi Hill to defer the legal analysis to the April 12, 2017, regular Business Committee meeting, seconded by Lisa Summers. Motion carried unanimously. (3) Motion by David Jordan to defer the financial analysis to the April 12, 2017, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously.

EXCERPT FROM MARCH 8, 2017: (1) Motion by Brandon Stevens to accept the progress report regarding legislative analysis, seconded by Tehassi Hill. Motion carried unanimously. (2) Motion by Jennifer Webster to accept the progress report regarding the legal analysis, seconded by Fawn Billie. Motion carried unanimously. (3) Motion by Jennifer Webster to accept

the progress report regarding the financial analysis, seconded by Brandon Stevens. Motion carried unanimously.

EXCERPT FROM JANUARY 11, 2017: (1) Motion by Lisa Summers to accept the verified petition from Sherrole Benton regarding a request to change pre-employment drug testing for marijuana use; 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; and 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 Fawn Billie. Motion carried unanimously.

C. Approve four (4) actions regarding Petitioner Edward Delgado: Trust Land Distribution

Sponsor: Lisa Summers, Tribal Secretary

EXCERPT FROM JULY 3, 2017: (Reconvened from June 28, 2017) Motion by Lisa Summers to defer the remaining agenda items to the July 12, 2017, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously.

1. Accept legislative analysis

Sponsor: Brandon Stevens, Councilman/Legislative Operating Committee Chair

EXCERPT FROM JULY 3, 2017: (Reconvened from June 28, 2017) Motion by Lisa Summers to defer the remaining agenda items to the July 12, 2017, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously.

D. Accept correspondence to GTC dated June 19, 2017, as information

Sponsor: Lisa Summers, Tribal Secretary

EXCERPT FROM JULY 3, 2017: (Reconvened from June 28, 2017) Motion by Lisa Summers to defer the remaining agenda items to the July 12, 2017, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously.

E. Approve August 14, 2017, special GTC meeting materials

Sponsor: Lisa Summers, Tribal Secretary

F. Enter E-Poll results into the record in accordance with OBC SOP entitled Conducting Electronic Voting:

Sponsor: Lisa Summers, Tribal Secretary

1. Approved memorandum to cancel the June 20, 2017, special GTC meeting; and direct the Tribal Secretary to combine agenda items to a later date with the Employment law and Re-organization proposal

Requestor: Brandon Stevens, Councilman

EXCERPT FROM JULY 3, 2017: (Reconvened from June 28, 2017) Motion by Lisa Summers to defer the remaining agenda items to the July 12, 2017, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously.

2. Approved correspondence which directs the Oneida Law Office to file a request with the Judiciary to provide Declaratory, Injunctive, or Other Relief regarding requirement to properly notice special GTC meeting materials for the identified June 28, 2017, date

Requestor: Lisa Summers, Tribal Secretary

EXCERPT FROM JULY 3, 2017: (Reconvened from June 28, 2017) Motion by Lisa Summers to defer the remaining agenda items to the July 12, 2017, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously.

3. Failed request to approve scheduling a special GTC meeting on October 22, 2017

Requestor: Lisa Summers, Tribal Secretary

EXCERPT FROM JULY 3, 2017: (Reconvened from June 28, 2017) Motion by Lisa Summers to defer the remaining agenda items to the July 12, 2017, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously.

4. Approved correspondence to be sent out organization-wide regarding request made by Chairwoman Danforth which indicates her calling a special GTC meeting on June 28, 2017

Requestors: Melinda J. Danforth, Tribal Vice-Chairwoman; Trish King, Tribal Treasurer; Lisa Summers, Tribal Secretary; Fawn Billie, Councilwoman; Tehassi Hill, Councilman; David Jordan, Councilman; Brandon Stevens, Councilman; Jennifer Webster, Councilwoman

XIII. EXECUTIVE SESSION (*Please Note: Scheduled times are approximate and subject to change*)

A. REPORTS

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

B. STANDING ITEMS

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

C. AUDIT COMMITTEE (*No Requested Action*)

D. UNFINISHED BUSINESS

1. **Defer report regarding contract # 2017-0088 to July 26, 2017, regular Business Committee meeting**

Sponsors: Lisa Summers, Tribal Secretary; Jennifer Webster, Councilwoman

EXCERPT FROM APRIL 26, 2017: Motion by Fawn Billie to defer the report regarding contract # 2017-0088 for sixty (60) days, seconded by Brandon Stevens. Motion carried unanimously.

EXCERPT FROM FEBRUARY 8, 2017: Motion by Lisa Summers to direct Liaisons Councilwoman Jennifer Webster and Secretary Lisa Summers to work with the Law Office on a contract item that was brought forward; and to bring back a report to the Business Committee within sixty (60) days, seconded by Trish King. Motion carried unanimously.

2. **Determine next steps regarding non-gaming employee incentive proposal for FY18**

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

EXCERPT FROM JULY 3, 2017: (Reconvened from June 28, 2017) Motion by Lisa Summers to defer this item to the July 12, 2017, regular Business Committee meeting, seconded by Jennifer Webster. Motion carried unanimously.

EXCERPT FROM MAY 24, 2017: (1) Motion by Lisa Summers to accept the Gaming request for the employment reinvestment strategy for Fiscal Year 2018 to include items 1, 2, and 3 with the agreed upon modifications, noting a final adjustment may be needed as the budget process for the 2018 proceeds, seconded by Tehassi Hill. Motion carried unanimously. (2) Motion by Fawn Billie for the Human Resources Department to bring back an employee incentive

proposal for the non-gaming entities for inclusion in the Fiscal Year 2018 budget, seconded by Lisa Summers. Motion carried unanimously.

3. Review recommendation; and agree on final decision regarding complaints # 2017-DR08-01, # 2017-DR08-02, and # 2017-DR08-03

Sponsors: David Jordan, Councilman; Brandon Stevens, Councilman; Jennifer Webster, Councilwoman

EXCERPT FROM JULY 3, 2017: (Reconvened from June 28, 2017) Motion by Lisa Summers to defer this item to the July 12, 2017, regular Business Committee meeting, seconded by Jennifer Webster. Motion carried unanimously.

E. NEW BUSINESS

1. Discussion regarding complaint # 2017-CC-05

Sponsor: David Jordan, Councilman (*This item is scheduled to begin at 8:30 a.m.*)

2. Review community concern # 2017-CC-10 and determine next steps

Sponsor: Tina Danforth, Tribal Chairwoman

3. Review complaint # 2017-DR11-01

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

XIV. ADJOURN

Posted on the Oneida Nation's official website, www.oneida-nsn.gov, at 4:10 p.m., Friday, July 7, 2017, 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: 07 / 12 / 17

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 Patricia Powless, Jason Martinez, Pearl Webster, Carol Smith, Stacey Nieto, Gerald DeCoteau, and Yvonne Jourdan to the Oneida Personnel Commission.

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 Date issue of the Kalihwisaks for (#) of vacancy(s) on the Board Name for a (#) year term with the deadline of Date. There was/were (#) applicant(s) for the (#) vacancy(s) on the Board Name. The appointment was made on the Date BC Agenda.\

During the reconvened BC meeting on July 3, 2017, the following appointments were made for two separate postings to the Oneida Personnel Commission:

Posting A:

There were 4 vacancies on the Oneida Personnel Commission for a 5 year term.

There were 6 applicants for the 4 vacancies.

The BC approved the Chair's recommendation to appoint Patricia Powless, Jason Martinez, and Pearl Webster.

They approved Carol Smith instead of the Chair's recommendation for John Orié.

Posting B:

There were 3 vacancies on the Oneida Personnel Commission for a 5 year term.

There were 3 applicants for the 3 vacancies.

The BC approved the Chair's recommendation to appoint Stacey Nieto, Gerald DeCoteau, and Yvonne Jourdan.

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: 05 / 10 / 17

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 June 28, 2017, regular meeting minutes with reconvened session on July 3, 2017

3. Supporting Materials

Report Resolution Contract

Other:

- 1.
- 2.
- 3.
- 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.

DRAFT**Oneida Business Committee****Executive Session****8:30 a.m. Tuesday, June 27, 2017****Executive Conference Room, 2nd floor, Norbert Hill Center****Regular Meeting****8:30 a.m. Wednesday, June 28, 2017****BC Conference Room, 2nd floor, Norbert Hill Center****Reconvened Meeting****10:00 a.m. Monday, July 3, 2017****BC Conference Room, 2nd floor, Norbert Hill Center****Minutes – DRAFT****EXECUTIVE SESSION****Present:** Chairwoman Tina Danforth, Vice-Chairwoman Melinda J. Danforth, Treasurer Trish King, Council members: Fawn Billie, Tehassi Hill, David Jordan, Jennifer Webster;**Not Present:** Secretary Lisa Summers;**Arrived at:** Councilman Brandon Stevens at 11:24 a.m.;**Others present:** Jo Anne House, Larry Barton, Lisa Liggins, Janice Hirth-Skenandore, Kelly McAnally, Josh Doxtator, Dena Skenandore, Nate King, Tana Aguirre, Brad Graham, Pete King III (via conference call);**REGULAR MEETING****Present:** Chairwoman Tina Danforth, Vice-Chairwoman Melinda J. Danforth, Treasurer Trish King, Secretary Lisa Summers, Council members: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster;**Not Present:** ;**Arrived at:** ;**Others present:** Jo Anne House, Candice Skenandore, Clorissa Santiago, Bonnie Pigman, Wes Martin Jr., Frank Vandehei, Gina Buenrostro, Liz Somers, Latsiklanunha Hill, Chris Johnson, Dakota House, Corben House, Debra Danforth, Cathy Metoxen, Nancy Barton, Brad Graham, Bill Graham, LouAnn Green, Dakota Oskey, Jamel Ness, Jack Mehojah, Isaiah Skenandore, Benjamin Skenandore, Nate Wisneski, RaeAnn Skenandore, Rhiannon Metoxen, Cheryl Skolaski, Debbie Melchert, Krystal John, Mike Hill, Mike Debraska, Larry Barton, Taniquelle Thurner, Edward Delgado, Sherrole Benton, Geraldine Danforth, Dan Hawk, Dylan Benton, Cheryl Stevens, Troy Parr, Jessica Wallenfang, Linda Dallas, Frank Cornelius, Pearl McLester, Winnifred Thomas, Thomas Espinosa, Ben Cannon, Lois Powless, MaryAnn Kruckeberg, Karen Smith, Joey Powless, Mark Powless, Cliff Webster, Amy Cooper, Regina Funmaker, Kendra Mejoah, Dan Hawk, Judy Cornelius, Susan White, Milton Dallas, Nadine Dallas, Paul Danforth, Arlene Benson, Becky Webster, Tina Summers, Tsyoshaht Delgado, Margaret Ellis, Sabrina Fikes-King, Tina Lopez-Webster, Margaret Fermanich, Danielle White, Janice McLester, Pearl Webster, Lora Danforth, Kyle Wisneski, Gerry Cornelius, Mike Troge, Gabriella Balbuena, Jennifer Jordan, Kaylynn Gresham, Michelle Hill, Scott Denny, Connie Doxtator, Pamela Medina, Dorothy Cornette;**RECONVENED MEETING****Present:** Vice-Chairwoman Melinda J. Danforth, Treasurer Trish King, Secretary Lisa Summers, Council members: Tehassi Hill, Brandon Stevens, Jennifer Webster;**Not Present:** Chairwoman Tina Danforth, Councilwoman Fawn Billie;

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Arrived at: Councilman David Jordan at 10:03 a.m.;

Others present: Jo Anne House, Mike Troge, Heather Heuer, Candice Skenandore, Pat Pelky, Leyne Orosco, Kaylynn Gresham, Nancy Barton, Tsyoshaht Delgado, Brad Graham, Bill Graham, Cathy L. Metoxen;

I. CALL TO ORDER AND ROLL CALL by Chairwoman Tina Danforth at 8:36 a.m. on June 28, 2017

II. OPENING by Councilman Tehassi Hill on June 28, 2017

III. ADOPT THE AGENDA (00:03:30)

Motion by Melinda J. Danforth to adopt the agenda with the following change: [Schedule the General Tribal Council agenda item XI.E. "Select date regarding the Tribal Chair's call for a special GTC meeting" at 9:00 a.m.], seconded by Tehassi Hill. Motion carried unanimously:

Ayes: Melinda J. Danforth, Fawn Billie, Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

IV. OATHS OF OFFICE (00:06:13) administered by Secretary Lisa Summers on June 28, 2017

A. Oneida Nation Veterans Affairs Committee – Benjamin Skenandore

B. Environmental Resources Board – Isaiah Skenandore

C. Oneida Public Safety Pension Board – Jack Mehojah

V. MINUTES

A. Approve May 24, 2017, regular meeting minutes (00:09:12)

Sponsor: Lisa Summers, Tribal Secretary

Motion by David Jordan to approve the May 24, 2017, regular meeting minutes with the following change: [Revise complaint # 2017-DR08-05 to # 2017-DR03-01], seconded by Melinda J. Danforth. Motion carried unanimously:

Ayes: Melinda J. Danforth, Fawn Billie, Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

B. Approve June 9, 2017, special meeting minutes (00:10:27)

Sponsor: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to approve the June 9, 2017, special meeting minutes, seconded by David Jordan. Motion carried with one abstention:

Ayes: Melinda J. Danforth, Fawn Billie, Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers

Abstained: Jennifer Webster

DRAFT**VI. RESOLUTIONS****A. Adopt resolution entitled One-Time Funding – Office of Tribal Justice Support – U.S. Dept. of the Interior/Bureau of Indian Affairs (00:11:28)**

Sponsor: Trish King, Tribal Treasurer

Motion by Trish King to adopt resolution # 06-28-17-A One-Time Funding – Office of Tribal Justice Support – U.S. Dept. of the Interior/Bureau of Indian Affairs, seconded by Lisa Summers. Motion carried unanimously:

Ayes: Melinda J. Danforth, Fawn Billie, Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

B. Adopt resolution entitled Domestic Animal Ordinance Amendments (00:12:30)

Sponsor: Brandon Stevens, Councilman/Legislative Operating Committee Chair

Motion by Brandon Stevens to adopt resolution # 06-28-17-B Domestic Animal Ordinance Amendments; with the inclusion of the following resolve: [“Now therefore be it further resolved, that in accordance with section 304.6-5(a)(1) a grandfather provision shall apply to persons who, on the date these amendments become effective, are in compliance with the Oneida Tribal Regulation of Domestic Animals Ordinance adopted by resolution BC-06-22-11-G and who own, harbor or possessed more than three (2) dogs and/or three (3) cats and/or any combination of more than five (5) dogs and cats, provided that all of such animals are properly licensed. This exclusion shall continue as long as the owner keeps such animals but does not permit the licensing of additional dogs or cats which exceed the limits identified herein.”], seconded by Fawn Billie. Motion carried unanimously:

Ayes: Melinda J. Danforth, Fawn Billie, Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Motion by Lisa Summers to recess at 12:40 p.m. until 1:45 p.m. on June 28, 2017, seconded by Fawn Billie. Motion carried unanimously: (4:08:12)

Ayes: Melinda J. Danforth, Fawn Billie, Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Meeting called to order by Chairwoman Tina Danforth at 1:59 p.m. on June 28, 2017

Councilman Tehassi Hill, Treasurer Trish King, Councilman Brandon Stevens, and Secretary Lisa Summers not present.

Councilman Tehassi Hill arrives at 2:00 p.m. on June 28, 2017

Councilman Brandon Stevens arrives at 2:00 p.m. on June 28, 2017

Secretary Lisa Summers arrives at 2:01 p.m. on June 28, 2017

Treasurer Trish King arrives at 2:02 p.m. on June 28, 2017

Councilman David Jordan departs at 2:24 p.m. on June 28, 2017

Councilman David Jordan returns at 2:26 p.m. on June 28, 2017

Councilman Tehassi Hill departs at 2:33 p.m. on June 28, 2017

Councilman Tehassi Hill returns at 2:36 p.m. on June 28, 2017

C. Adopt resolution entitled Adoption of Vehicle Driver Certification and Fleet Management Law (4:09:35)

Sponsor: Brandon Stevens, Councilman/Legislative Operating Committee Chair

Motion by Brandon Stevens to adopt resolution # 06-28-17-C Adoption of Vehicle Driver Certification and Fleet Management Law with the following changes: [Add “Now therefore be it resolved, that the Vehicle Drive Certification and Fleet Management Law is adopted for implementation and shall become effective within ninety (90) days after the date of adoption of this resolution; and add “Now therefore be it finally resolved, that the Human Resources Department shall provide an implementation guideline within thirty

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(30) days of adoption of this resolution to the organization.”], seconded by Lisa Summers. Motion carried unanimously:

Secretary Lisa Summers departs at 2:40 p.m. on June 28, 2017, before voting occurs.

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

*Treasurer Trish King departs at 3:03 p.m. on June 28, 2017
Secretary Lisa Summers returns at 3:06 p.m. on June 28, 2017
Treasurer Trish King returns at 3:16 p.m. on June 28, 2017*

D. Adopt resolution entitled Landlord-Tenant (Law) Amendments (5:10:36)

Sponsor: Brandon Stevens, Councilman/Legislative Operating Committee Chair

Motion by Brandon Stevens to adopt resolution Landlord-Tenant (Law) Amendments, seconded by Fawn Billie. Motion withdrawn.

Chairwoman Tina Danforth departs at 3:40 p.m. on June 28, 2017, Vice-Chairwoman Melinda J. Danforth assumes responsibility of the Chair.

Motion by Lisa Summers to defer the resolution entitled Landlord-Tenant (Law) Amendments to the next Business Committee work meeting, seconded by Jennifer Webster. Motion carried unanimously:

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

E. Adopt resolution entitled Conflict of Interest (Law) Amendments (5:59:05)

Sponsor: Brandon Stevens, Councilman/Legislative Operating Committee Chair

Motion by Tehassi Hill to adopt resolution # 06-28-17-D Conflict of Interest (Law) Amendments, seconded by Brandon Stevens. Motion carried unanimously:

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

F. Adopt resolution entitled Workplace Violence Law (6:00:39)

Sponsor: Brandon Stevens, Councilman/Legislative Operating Committee Chair

Motion by Lisa Summers to adopt resolution # 06-28-17-E Workplace Violence Law, seconded by Fawn Billie. Motion carried unanimously:

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

Chairwoman Tina Danforth returns at 3:57 p.m. on June 28, 2017, and resumes responsibility of the Chair.

G. Adopt resolution entitled Second Extension of the Effective Date of the Community Support Fund Law (6:01:25)

Sponsor: Brandon Stevens, Councilman/Legislative Operating Committee Chair

Motion by Tehassi Hill to adopt resolution # 06-28-17-F Second Extension of the Effective Date of the Community Support Fund Law, seconded by Jennifer Webster. Motion carried unanimously:

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Ayes: Melinda J. Danforth, Fawn Billie, Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Vice-Chairwoman Melinda J. Danforth departs at 4:08 p.m. on June 28, 2017

H. Enter E-Poll results into the record in accordance with OBC SOP entitled Conducting Electronic Voting:

Sponsor: Lisa Summers, Tribal Secretary

1. Adoption of resolution # 06-14-17-A Real Property Law Probate Rules Extension (6:17:34)

Requestor: Brandon Stevens, Councilman/Legislative Operating Committee Chair

Motion by Tehassi Hill to enter the E-Poll results into the record in accordance with OBC SOP entitled Conducting Electronic Voting for the adoption of resolution # 06-14-17-A Real Property Law Probate Rules Extension, seconded by Brandon Stevens. Motion carried unanimously:

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

Not Present: Melinda J. Danforth

2. Adoption of resolution # 06-14-17- B Oneida Nation Seal and Flag Rules Second Extension (6:22:39)

Requestor: Brandon Stevens, Councilman/Legislative Operating Committee Chair

Motion by Lisa Summers to enter the E-Poll results into the record in accordance with OBC SOP entitled Conducting Electronic Voting for the adoption of resolution # 06-14-17- B Oneida Nation Seal and Flag Rules Second Extension, seconded by David Jordan. Motion carried unanimously:

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

Not Present: Melinda J. Danforth

VII. STANDING COMMITTEES

A. Legislative Operating Committee

Chair: Brandon Stevens, Councilman

1. Accept May 17, 2017, Legislative Operating Committee meeting minutes (6:25:15)

Motion by David Jordan to accept the May 17, 2017, Legislative Operating Committee meeting minutes, seconded by Tehassi Hill. Motion carried unanimously:

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

Not Present: Melinda J. Danforth

2. Accept June 7, 2017, Legislative Operating Committee meeting minutes (6:25:57)

Motion by Fawn Billie to accept the June 7, 2017, Legislative Operating Committee meeting minutes, seconded by David Jordan. Motion carried unanimously:

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

Not Present: Melinda J. Danforth

Councilman David Jordan departs at 4:29 p.m. on June 28, 2017

DRAFT**3. Review Landlord-Tenant Rule #4 entitled Income Based Rent to Own Program, Eligibility, Selection, and Other Requirements (6:26:30)**

Motion by Lisa Summers to adopt Landlord-Tenant Rule #4 entitled Income Based Rent to Own Program, Eligibility, Selection, and Other Requirements, noting that the provisions starting on line 124 need to be adjusted to comply with the Landlord-Tenant Law language, seconded by Fawn Billie. Motion carried unanimously:

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

Meeting called to order by Tribal Vice-Chairwoman Melinda J. Danforth at 10:02 a.m. on July 3, 2017

Chairwoman Tina Danforth, Councilwoman Fawn Billie, and Councilman David Jordan not present.

Councilman David Jordan arrives at 10:03 a.m. on July 3, 2017

4. Determine next steps regarding memorandum entitled Oneida Health Board – GTC Directive

Sponsor: Brandon Stevens, Councilman; Legislative Operating Committee Chair

Motion by Lisa Summers to defer the remaining agenda items to the July 12, 2017, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously: **(8:58:41)**

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

B. Finance Committee

Chair: Trish King, Tribal Treasurer

1. Approve June 19, 2017, Finance Committee meeting minutes (6:46:34)

Motion by Jennifer Webster to approve the June 19, 2017, Finance Committee meeting minutes, seconded by Trish King. Motion carried with one abstention:

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

2. Enter E-Poll results into the record in accordance with OBC SOP entitled Conducting Electronic Voting:

Sponsor: Lisa Summers, Tribal Secretary

a. Approved June 5, 2017, Finance Committee meeting minutes

Requestor: Larry Barton, Chief Financial Officer

Motion by Lisa Summers to defer the remaining agenda items to the July 12, 2017, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously: **(8:58:41)**

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

DRAFT**VIII. APPOINTMENTS****A. Approve recommendation to appoint Patricia Powless, Jason Martinez, Pearl Webster, and John Orie to the Oneida Personnel Commission (6:48:24)**

Sponsor: Tina Danforth, Tribal Chairwoman

Motion by Jennifer Webster to approve the recommendation to appoint Patricia Powless, Jason Martinez, Pearl Webster, and John Orie to the Oneida Personnel Commission. Motion fails for lack of support.

Motion by Lisa Summers to deny the recommendation to appoint Patricia Powless, Jason Martinez, Pearl Webster, and John Orie to the Oneida Personnel Commission; and to request the Chair to make other recommendations, seconded by Jennifer Webster. Motion withdrawn.

Motion by David Jordan to appoint Patricia Powless, Jason Martinez, Pearl Webster, and Carol Smith to the Oneida Personnel Commission, noting Pearl Webster and Carol Smith already have the five (5) week training, seconded by Lisa Summers. Motion carried unanimously:

Ayes: Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Fawn Billie

B. Approve recommendation to appoint Stacey Nieto, Gerald DeCoteau, and Yvonne Jourdan to the Oneida Personnel Commission (7:01:13)

Sponsor: Tina Danforth, Tribal Chairwoman

Motion by Lisa Summers to approve the recommendation to appoint Stacey Nieto, Gerald DeCoteau, and Yvonne Jourdan to the Oneida Personnel Commission, seconded by David Jordan. Motion carried unanimously:

Ayes: Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Fawn Billie

C. Approve recommendation to appoint Robert Barton to the Oneida Airport Hotel Corp. Board of Directors

Sponsor: Tina Danforth, Tribal Chairwoman

Motion by Lisa Summers to defer the remaining agenda items to the July 12, 2017, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously: (8:58:41)

Ayes: Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Fawn Billie

IX. NEW BUSINESS**A. Accept presentation of Development Division re-organizational structure as information**

Sponsors: Jacque Boyle, Assistant Division Director/Development-Operations; Troy Parr, Assistant Division Director/Development-Development

Motion by Lisa Summers to defer the remaining agenda items to the July 12, 2017, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously: (8:58:41)

Ayes: Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Fawn Billie

DRAFT**B. Approve Amended and Restated Per Capita Trust agreement – file # 2017-0614**

Requestor: Susan White, Director/Trust Enrollment
 Sponsor: Brandon Stevens, Councilman

Motion by Lisa Summers to defer the remaining agenda items to the July 12, 2017, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously: **(8:58:41)**

Ayes: Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Fawn Billie

C. Approve limited waiver of sovereign immunity – Public Service Commission of Wisconsin agreement – file # 2017-0618 (7:22:47)

Requestor: Michael Troge, Environmental Project Manager/Eco-Services Dept.
 Sponsor: Patrick Pelky, Division Director/Environmental Health & Safety

Motion by David Jordan to approve the limited waiver of sovereign immunity – Public Service Commission of Wisconsin agreement – file # 2017-0618, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Fawn Billie

D. Approve Oneida Nation Solar LL.C. Operating agreement – file # 2017-0655 (7:01:44)

Requestor: Michael Troge, Environmental Project Manager/Eco-Services Dept.
 Sponsor: Patrick Pelky, Division Director/Environmental Health & Safety

Motion by Lisa Summers to accept the Oneida Nation Solar LL.C. Operating agreement – file # 2017-0655, as information only at this point, noting the requestors will come back and either request a special Business Committee meeting or add this item to an upcoming regular Business Committee for completion, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Fawn Billie

Motion by Lisa Summers to request the Finance Department complete the remainder of their review by Friday, July 7, 2017, so we can proceed, seconded by David Jordan. Motion carried unanimously:

Ayes: Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Fawn Billie

E. Post vacancy to Oneida Personnel Commission with term end date of 2/28/21

Requestor: Kathleen Metoxen, Records Technician II/BC Support Office
 Sponsor: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to defer the remaining agenda items to the July 12, 2017, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously: **(8:58:41)**

Ayes: Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Fawn Billie

F. Approve OBC SOP entitled Stipends for OBC - Elect during Transition

Sponsor: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to defer the remaining agenda items to the July 12, 2017, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously: **(8:58:41)**

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

G. Accept memorandum regarding OBC Members and Political Appointments Ending Elected Terms

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

Motion by Lisa Summers to defer the remaining agenda items to the July 12, 2017, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously: **(8:58:41)**

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

Secretary Lisa Summers departs at 10:43 a.m. on July 3, 2017

Secretary Lisa Summers returns at 10:46 a.m. on July 3, 2017

H. Approve authorization to proceed with construction contract award for CIP # 14-013 – Early Head Start Facility with understanding additional funds are included in FY18 budget

Requestor: Paul Witek, Senior Tribal Architect **(7:25:04)**

Sponsor: Troy Parr, Assistant Division Director/Development-Development

Motion by David Jordan to defer this item to the July 12, 2017, regular Business Committee meeting; and to request all individuals associated with the project be present for discussion, seconded by Lisa Summers. Motion carried with one opposed:

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

I. Approve Oneida Nation Fiscal Year 2018 Indian Housing Plan **(7:50:54)**

Sponsor: Dale Wheelock, Executive Director/Oneida Housing Authority

Motion by Jennifer Webster to approve the Oneida Nation Fiscal Year 2018 Indian Housing Plan, seconded by Lisa Summers. Motion carried unanimously:

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

J. Accept two (2) SOPs regarding Emergency Closures as information **(8:09:24)**

Sponsor: Kaylynn Gresham, Director/Emergency Management

Motion by Lisa Summers to accept the two (2) SOPs regarding Emergency Closures as information, seconded by David Jordan. Motion carried unanimously:

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

K. Approve two (2) actions regarding August 23, 2017, regular Business Committee meeting

Sponsor: Lisa Summers, Tribal Secretary **(7:54:04)**

Motion by Jennifer Webster to cancel the August 23, 2017, regular Business Committee meeting, seconded by Lisa Summers. Motion carried unanimously:

Ayes: Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

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Not Present: Tina Danforth, Fawn Billie

Motion by David Jordan to direct the Secretary to send the correspondence to Direct Reports and Boards, Committees, and Commissions notifying them of the cancellation, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Fawn Billie

L. Enter E-Poll results into the record in accordance with OBC SOP entitled Conducting Electronic Voting:

Sponsor: Lisa Summers, Tribal Secretary

1. Approved Memorandum of Understanding regarding Back Forty Mine – reference # 2017-0592

Requestor: Nathan King, Director/Intergovernmental Affairs & Communications

Motion by Lisa Summers to defer the remaining agenda items to the July 12, 2017, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously: **(8:58:41)**

Ayes: Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Fawn Billie

X. TRAVEL

A. TRAVEL REPORTS

1. Accept travel report – Councilman David Jordan – WI Republican Night – Washington D.C. – April 25-27, 2017

Motion by Lisa Summers to defer the remaining agenda items to the July 12, 2017, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously: **(8:58:41)**

Ayes: Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Fawn Billie

2. Accept travel report – Councilman Tehassi Hill – American Indian/Alaska Native Public Witness Hearing –Washington D.C. – May 15-17, 2017

Motion by Lisa Summers to defer the remaining agenda items to the July 12, 2017, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously: **(8:58:41)**

Ayes: Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Fawn Billie

B. TRAVEL REQUESTS

1. Enter E-Poll results into the record in accordance with OBC SOP entitled Conducting Electronic Voting:

Sponsor: Lisa Summers, Tribal Secretary

a. Approve travel request – Treasurer Trish King and up two (2) additional OBC members – Midwest Alliance of Sovereign Tribes (MAST) summer meeting – Hinkley, MN – July 13-14, 2017

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Sponsor: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to defer the remaining agenda items to the July 12, 2017, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously: **(8:58:41)**

Ayes: Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Fawn Billie

XI. GENERAL TRIBAL COUNCIL *(To obtain a copy of Members Only materials, visit the BC Support Office, 2nd floor, Norbert Hill Center and present Tribal I.D. card or go to <https://goo.gl/uLp2jE>)*

A. Accept Petitioner Edward Delgado's request to withdraw kindergarten retention petition

Sponsor: Fawn Billie, Councilwoman

Motion by Lisa Summers to defer the remaining agenda items to the July 12, 2017, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously: **(8:58:41)**

Ayes: Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Fawn Billie

B. Petitioner Sherrole Benton: Request to change pre-employment drug testing for marijuana

1. Accept status update as information

Sponsor: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to defer the remaining agenda items to the July 12, 2017, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously: **(8:58:41)**

Ayes: Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Fawn Billie

EXCERPT FROM MAY 24, 2017: (1) Motion by Lisa Summers to accept the financial analysis, seconded by Jennifer Webster. Motion carried unanimously. (2) Motion by Lisa Summers to direct the Secretary to come back with a proposed General Tribal Council date for this item at the next regular Business Committee meeting; and to direct the Secretary to follow-up with the petitioner to see if there's an alternative way for the issue to be resolved, seconded by Fawn Billie. Motion carried unanimously.

EXCERPT FROM MAY 10, 2017: Motion by Fawn Billie to defer the financial analysis to the May 24, 2017 regular Business Committee meeting, seconded by David Jordan. Motion carried unanimously.

EXCERPT FROM APRIL 26, 2017: Motion by Jennifer Webster to defer the financial analysis to May 10, 2017, regular Business Committee meeting, seconded by Fawn Billie. Motion carried unanimously.

EXCERPT FROM APRIL 12, 2017: (1) Motion by David Jordan to accept the legal analysis, seconded by Jennifer Webster. Motion carried unanimously. (2) Motion by Lisa Summers to defer the financial analysis to the April 26, 2017, regular Business Committee meeting, seconded by David Jordan. Motion carried unanimously.

EXCERPT FROM MARCH 22, 2017: (1) Motion by David Jordan to accept the legislative analysis, seconded by Tehassi Hill. Motion carried unanimously. (2) Motion by Tehassi Hill to defer the legal analysis to the April 12, 2017, regular Business Committee meeting, seconded by Lisa Summers. Motion carried unanimously. (3) Motion by David Jordan to defer the financial analysis to the April 12, 2017, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously.

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EXCERPT FROM MARCH 8, 2017: (1) Motion by Brandon Stevens to accept the progress report regarding legislative analysis, seconded by Tehassi Hill. Motion carried unanimously. (2) Motion by Jennifer Webster to accept the progress report regarding the legal analysis, seconded by Fawn Billie. Motion carried unanimously. (3) Motion by Jennifer Webster to accept the progress report regarding the financial analysis, seconded by Brandon Stevens. Motion carried unanimously.

EXCERPT FROM JANUARY 11, 2017: (1) Motion by Lisa Summers to accept the verified petition from Sherrole Benton regarding a request to change pre-employment drug testing for marijuana use; 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; and 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 Fawn Billie. Motion carried unanimously.

C. Approve four (4) actions regarding Petitioner Edward Delgado: Trust Land Distribution

Sponsor: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to defer the remaining agenda items to the July 12, 2017, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously: **(8:58:41)**

Ayes: Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Fawn Billie

1. Accept legislative analysis

Sponsor: Brandon Stevens, Councilman/Legislative Operating Committee Chair

Motion by Lisa Summers to defer the remaining agenda items to the July 12, 2017, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously: **(8:58:41)**

Ayes: Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Fawn Billie

D. Determine next steps regarding GTC directive for advising attorney (7:55:24)

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

Motion by Jennifer Webster to approve Option 2: Revise the Job Description and place the attorney position on a Special Election – Remove supervising duties for the advocates, seconded by Tehassi Hill. Motion carried unanimously:

Ayes: Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Fawn Billie

E. Select date regarding the Tribal Chair's call for a special GTC meeting (00:32:27)

Sponsor: Lisa Summers, Tribal Secretary

This item was approved to begin at 9:00 a.m. on June 28, 2017, during the adoption of the agenda.

Secretary Lisa Summers departs at 10:51 a.m. on June 28, 2017

Secretary Lisa Summers returns at 10:54 a.m. on June 28, 2017

Councilwoman Jennifer Webster departs at 10:55 a.m. on June 28, 2017

Councilwoman Jennifer Webster returns at 10:58 a.m. on June 28, 2017

Vice-Chairwoman Melinda J. Danforth departs at 10:58 a.m. on June 28, 2017

Councilman David Jordan departs at 11:01 a.m. on June 28, 2017

Councilman David Jordan returns at 11:09 a.m. on June 28, 2017

Vice-Chairwoman Melinda J. Danforth returns at 11:23 a.m. on June 28, 2017

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Motion by Trish King to reschedule the June 20, 2017, special General Tribal Council meeting to August 14, 2017; and to include the Chairwoman's two (2) items regarding the E-Poll SOP and the 120-day directive, seconded by Lisa Summers. Motion carried unanimously:

Secretary Lisa Summers departs at 12:34 p.m. on June 28, 2017, before voting occurs.

Ayes: Melinda J. Danforth, Fawn Billie, Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Jennifer Webster
 Not Present: Lisa Summers
 For the record: Chairwoman Tina Danforth stated that rescheduling the meeting from June 20th to a later date in August is a violation of General Tribal Council directive, but given that, the date has passed it's still within the 60 days that GTC members had voiced their opinion and voted on. Fortunately, it will be done within that 60-day time frame. So this motion to change it to August 14th still doesn't adhere to the General Tribal Council's directive. So part of it is a serious concern and the other part is something practical we just have to move forward in that context.

Secretary Lisa Summers returns at 12:37 p.m. on June 28, 2017

F. Accept correspondence to GTC dated June 19, 2017, as information

Sponsor: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to defer the remaining agenda items to the July 12, 2017, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously: **(8:58:41)**

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

G. Enter E-Poll results into the record in accordance with OBC SOP entitled Conducting Electronic Voting:

Sponsor: Lisa Summers, Tribal Secretary

1. Approved memorandum to cancel the June 20, 2017, special GTC meeting; and direct the Tribal Secretary to combine agenda items to a later date with the Employment law and Re-organization proposal

Requestor: Brandon Stevens, Councilman

Motion by Lisa Summers to defer the remaining agenda items to the July 12, 2017, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously: **(8:58:41)**

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

2. Approved correspondence which directs the Oneida Law Office to file a request with the Judiciary to provide Declaratory, Injunctive, or Other Relief regarding requirement to properly notice special GTC meeting materials for the identified June 28, 2017, date

Requestor: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to defer the remaining agenda items to the July 12, 2017, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously: **(8:58:41)**

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

DRAFT**3. Failed request to approve scheduling a special GTC meeting on October 22, 2017**

Requestor: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to defer the remaining agenda items to the July 12, 2017, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously: **(8:58:41)**

Ayes: Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Fawn Billie

XII. EXECUTIVE SESSION**A. REPORTS****1. Accept Chief Counsel report dated June 12, 2017 – Jo Anne House, Chief Counsel (8:21:09)**

Motion by Trish King to accept the Chief Counsel report dated June 12, 2017, seconded by Tehassi Hill.

Motion carried unanimously:

Ayes: Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Fawn Billie

Motion by Lisa Summers to request the Secretary to set up a meeting to discuss structure of Governmental Services Division with the Division Director and Organizational Development Specialist, seconded by David Jordan. Motion carried unanimously:

Ayes: Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Fawn Billie

Motion by Lisa Summers to accept the update; and to support the filing of the notice of appeal, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Fawn Billie

2. Accept Chief Counsel report dated June 27, 2017 – Jo Anne House, Chief Counsel (8:24:01)

Motion by Trish King to accept the Chief Counsel report dated June 27, 2017, seconded by David Jordan.

Motion carried unanimously:

Ayes: Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Fawn Billie

Motion by David Jordan to approve draft # 3 of the addendum of the original contract with King Solutions LLC., seconded by Trish King. Motion carried unanimously:

Ayes: Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Fawn Billie

3. Accept Intergovernmental Affairs & Communications report – Nathan King, Director (8:25:14)

Motion by Jennifer Webster to accept the Intergovernmental Affairs & Communications report, seconded by David Jordan. Motion carried unanimously:

Ayes: Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

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Not Present: Tina Danforth, Fawn Billie

Motion by Jennifer Webster to approve Councilman David Jordan to attend the Department of Transportation State-Tribal Consultation meeting hosted by Stockbridge on July 11, 2017, in Mole Lake, WI, seconded by Tehassi Hill. Motion carried unanimously:

Ayes: Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Fawn Billie

Motion by David Jordan to approve the action plan regarding the Native American hiring provision's concerns, seconded by Trish King. Motion carried unanimously:

Ayes: Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Fawn Billie

4. Accept Chief Financial Officer report – Larry Barton, Chief Financial Officer (8:26:54)

Motion by David Jordan to accept the Chief Financial Officer report, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Fawn Billie

B. STANDING ITEMS

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

2. Oneida Golf Enterprise – Ladies Professional Golf Association (8:27:21)

Sponsor: Trish King, Tribal Treasurer

Motion by Jennifer Webster to accept the update regarding the Oneida Golf Enterprise – Ladies Professional Golf Association, seconded by Tehassi Hill. Motion carried unanimously:

Ayes: Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Fawn Billie

a. Approve Oneida Golf Enterprise agent addendum (8:27:46)

Motion by Trish King to approve the Oneida Golf Enterprise agent addendum with a specific start and end date added to item 1; and to ensure the correct approval date is used throughout, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Fawn Billie

Motion by David Jordan to direct the Tribal Secretary to schedule a special meeting between the Business Committee and the Oneida Airport Hotel Corp. Bard to discuss the agent liability issue, seconded by Tehassi Hill. Motion carried unanimously:

Ayes: Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Fawn Billie

DRAFT**C. AUDIT COMMITTEE (8:28:38)**

Chair: Tehassi Hill, Councilman

1. Accept March 28, 2017, Audit Committee meeting minutes

Motion by Lisa Summers to accept the March 28, 2017, Audit Committee meeting minutes, seconded by David Jordan. Motion carried unanimously:

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

2. Accept May 22, 2017, Audit Committee meeting minutes

Motion by Lisa Summers to accept the May 22, 2017, Audit Committee meeting minutes, seconded by Brandon Stevens. Motion carried unanimously:

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

3. Approve audit entitled Employee Advocacy Dept. Performance Assurance; and lift confidentiality requirement to allow Tribal Members to view the audit

Motion by Tehassi Hill to approve the audit entitled Employee Advocacy Dept. Performance Assurance; and lift confidentiality requirement to allow Tribal Members to view the audit, seconded by David Jordan. Motion carried unanimously:

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

4. Approve audit entitled Environmental Health & Safety Performance Assurance; and lift confidentiality requirement to allow Tribal Members to view the audit

Motion by Tehassi Hill to approve the audit entitled Environmental Health & Safety Performance Assurance; and lift confidentiality requirement to allow Tribal Members to view the audit, seconded by Lisa Summers. Motion carried unanimously:

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

5. Approve audit entitled Four Card Poker Rules of Play; and lift confidentiality requirement to allow Tribal Members to view the audit

Motion by Tehassi Hill to approve the audit entitled Four Card Poker Rules of Play; and lift confidentiality requirement to allow Tribal Members to view the audit, seconded by Jennifer Webster. Motion carried unanimously:

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

6. Approve audit entitled Grants Performance Assurance; and lift confidentiality requirement to allow Tribal Members to view the audit

Motion by Tehassi Hill to approve the audit entitled Grants Performance Assurance; and lift confidentiality requirement to allow Tribal Members to view the audit, seconded by Brandon Stevens. Motion carried unanimously:

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

7. Approve audit entitled Higher Education Performance Assurance; and lift confidentiality requirement to allow Tribal Members to view the audit

Motion by Tehassi Hill to approve the audit entitled Higher Education Performance Assurance; and lift confidentiality requirement to allow Tribal Members to view the audit, seconded by Lisa Summers. Motion carried unanimously:

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

8. Approve audit entitled Integrated Food Systems Performance Assurance; and lift confidentiality requirement to allow Tribal Members to view the audit

Motion by Lisa Summers to approve the audit entitled Integrated Food Systems Performance Assurance; and lift confidentiality requirement to allow Tribal Members to view the audit, seconded by Brandon Stevens. Motion carried unanimously:

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

9. Approve audit entitled Kalihwisaks Performance Assurance; and lift confidentiality requirement to allow Tribal Members to view the audit

Motion by Tehassi Hill to approve the audit entitled Kalihwisaks Performance Assurance; and lift confidentiality requirement to allow Tribal Members to view the audit, seconded by Lisa Summers. Motion carried unanimously:

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

10. Approve audit entitled Mini Baccarat Rules of Play; and lift confidentiality requirement to allow Tribal Members to view the audit

Motion by Lisa Summers to approve the audit entitled Mini Baccarat Rules of Play; and lift confidentiality requirement to allow Tribal Members to view the audit, seconded by Tehassi Hill. Motion carried unanimously:

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

11. Approve audit entitled Pardon & Forgiveness Screening Committee Performance Assurance; and lift confidentiality requirement to allow Tribal Members to view the audit

Motion by Lisa Summers to approve the audit entitled Pardon & Forgiveness Screening Committee Performance Assurance; and lift confidentiality requirement to allow Tribal Members to view the audit, seconded by Tehassi Hill. Motion carried unanimously:

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

DRAFT**12. Approve audit entitled Three Card Poker Rules of Play; and lift confidentiality requirement to allow Tribal Members to view the audit**

Motion by Jennifer Webster to approve the audit entitled Three Card Poker Rules of Play; and lift confidentiality requirement to allow Tribal Members to view the audit, seconded by Tehassi Hill. Motion carried unanimously:

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

13. Approve audit entitled reissued Ticket and Merchandise Distribution; and lift confidentiality requirement to allow Tribal Members to view the audit

Motion by Tehassi Hill to approve the audit entitled reissued Ticket and Merchandise Distribution; and lift confidentiality requirement to allow Tribal Members to view the audit, seconded by Jennifer Webster. Motion carried unanimously:

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

14. Approve audit entitled Utilities Performance Assurance; and lift confidentiality requirement to allow Tribal Members to view the audit

Motion by Jennifer Webster to approve the audit entitled Utilities Performance Assurance; and lift confidentiality requirement to allow Tribal Members to view the audit, seconded by Tehassi Hill. Motion carried unanimously:

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

15. Approve audit entitled Veterans Service Administration Performance Assurance; and lift confidentiality requirement to allow Tribal Members to view the audit

Motion by Jennifer Webster to approve the audit entitled Veterans Service Administration Performance Assurance; and lift confidentiality requirement to allow Tribal Members to view the audit, seconded by Tehassi Hill. Motion carried unanimously:

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

16. Approve audit entitled Tsyunhehkwa Performance Assurance audit; and lift confidentiality requirement to allow Tribal Members to view the audit

Motion by David Jordan to approve the audit entitled Tsyunhehkwa Performance Assurance audit; and lift confidentiality requirement to allow Tribal Members to view the audit, seconded by Jennifer Webster. Motion carried unanimously:

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

Motion by Lisa Summers that the one (1) identified finding be submitted to the Business Committee Officer's for follow-up, seconded by David Jordan. Motion carried unanimously:

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

DRAFT**17. Approve audit entitled Tourism Performance Assurance audit; and lift confidentiality requirement to allow Tribal Members to view the audit**

Motion by Tehassi Hill to approve the audit entitled Tourism Performance Assurance audit; and lift confidentiality requirement to allow Tribal Members to view the audit, seconded by Lisa Summers. Motion carried unanimously:

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

18. Approve audit entitled Oneida Election Board Performance Assurance audit; and lift confidentiality requirement to allow Tribal Members to view the audit

Motion by Tehassi Hill to approve the audit entitled Oneida Election Board Performance Assurance audit; and lift confidentiality requirement to allow Tribal Members to view the audit, seconded by Lisa Summers. Motion carried unanimously:

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

19. Approve audit entitled Roulette Rules of Play; and lift confidentiality requirement to allow Tribal Members to view the audit

Motion by Jennifer Webster to approve the audit entitled Roulette Rules of Play; and lift confidentiality requirement to allow Tribal Members to view the audit, seconded by Tehassi Hill. Motion carried unanimously:

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

20. Approve audit entitled Oneida Nation School Board Performance Assurance audit; and lift confidentiality requirement to allow Tribal Members to view the audit

Motion by Lisa Summers to approve the audit entitled Oneida Nation School Board Performance Assurance audit; and lift confidentiality requirement to allow Tribal Members to view the audit, seconded by Tehassi Hill. Motion carried unanimously:

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

D. UNFINISHED BUSINESS

Secretary Lisa Summers departs at 11:55 a.m. on July 3, 2017

Secretary Lisa Summers returns at 11:58 a.m. on July 3, 2017

1. Defer update regarding complaint # 2017-DR16-01 to the July 26, 2017, regular Business Committee meeting (8:35:56)

Sponsors: Jennifer Webster, Councilwoman; Brandon Stevens, Councilman; Fawn Billie, Councilwoman

Motion by Jennifer Webster to defer the update regarding complaint # 2017-DR16-01 to the July 26, 2017, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously:

Ayes: Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

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Not Present: Tina Danforth, Fawn Billie

EXCERPT FROM APRIL 12, 2017: Motion by Lisa Summers to accept complaint # 2017 DR16-01 as having merit; and to assign Councilmembers Jennifer Webster, Brandon Stevens, and Fawn Billie to complete the process and any follow-up, seconded by Tehassi Hill. Motion carried unanimously.

2. Review draft policy regarding wage adjustment procedures (8:45:01)

Sponsors: Geraldine Danforth, Area Manager/Human Resources Dept.; Melinda J. Danforth, Tribal Vice-Chairwoman; Trish King, Tribal Treasurer; Lisa Summers, Tribal Secretary

Motion by Lisa Summers to accept the update regarding the FY18 wage adjustment procedures memorandum dated June 23, 2017, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Fawn Billie

Motion by Tehassi Hill to approve the two (2) recommendations listed in the FY18 wage adjustments procedures memorandum dated June 23, 2017, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Fawn Billie

EXCERPT FROM MAY 24, 2017: Motion by Jennifer Webster to accept the status update regarding wage adjustment procedures; and to direct the sub-team to bring draft policy to June 28, 2017, regular Business Committee meeting, seconded by David Jordan. Motion carried unanimously.

EXCERPT FROM APRIL 12, 2017: (1) Motion by Lisa Summers to assign the Human Resources Area Manager and a Oneida Business Committee sub-team consisting of the Offices of Secretary Lisa Summers, Vice-Chairwoman Melinda J. Danforth, and Treasurer Trish King to work together to bring forward a revised policy which achieves preservation of managerial decision-making and checks-and-balances relating to budget requirements for any type of wage adjustment, raises, bonuses, etc., seconded by Jennifer Webster. Motion carried unanimously. (2) Motion by Lisa Summers for the Oneida Business Committee sub-team and Human Resources to bring back a status update to the May 24, 2017, regular Business Committee meeting agenda in executive session, seconded by Jennifer Webster. Motion carried unanimously.

3. Determine next steps regarding non-gaming employee incentive proposal for FY18

Sponsor: Geraldine Danforth, Area Manager/Human Resources Dept. (8:46:42)

Motion by Lisa Summers to defer this item to the July 12, 2017, regular Business Committee meeting, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Fawn Billie

EXCERPT FROM MAY 24, 2017: (1) Motion by Lisa Summers to accept the Gaming request for the employment reinvestment strategy for Fiscal Year 2018 to include items 1, 2, and 3 with the agreed upon modifications, noting a final adjustment may be needed as the budget process for the 2018 proceeds, seconded by Tehassi Hill. Motion carried unanimously. (2) Motion by Fawn Billie for the Human Resources Department to bring back an employee incentive proposal for the non-gaming entities for inclusion in the Fiscal Year 2018 budget, seconded by Lisa Summers. Motion carried unanimously.

DRAFT**E. NEW BUSINESS****1. JUNE 14, 2017, AGENDA REQUESTS¹****a. Review complaint # 2017-DR06-09 (8:47:16)**

Sponsor: Lisa Summers Tribal Secretary

Motion by Lisa Summers to correct the tracking number to "2017-CC-09", seconded by Tehassi Hill.
Motion carried unanimously:

Ayes: Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers,
Jennifer Webster

Not Present: Tina Danforth, Fawn Billie

Motion by Lisa Summers that the complaint be interpreted by the Business Committee as a complaint against a subordinate employee and cannot be filed with the Business Committee, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers,
Jennifer Webster

Not Present: Tina Danforth, Fawn Billie

b. Approve Husch Blackwell LLP. attorney contract – file # 2017-0683 (8:48:51)

Chair: Yvonne Jourdan, Oneida Personnel Commission

Liaison Alt: David Jordan, Councilman

Motion by David Jordan to approve the Husch Blackwell LLP. attorney contract – file # 2017-0683, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers,
Jennifer Webster

Not Present: Tina Danforth, Fawn Billie

Motion by David Jordan to direct the Oneida Personnel Commission to come back with a budget modification to meet the terms of the contract for the remainder of FY17 prior to expending dollars, seconded by Tehassi Hill. Motion carried unanimously:

Ayes: Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers,
Jennifer Webster

Not Present: Tina Danforth, Fawn Billie

c. Adopt resolution entitled Regarding Pardon of Jennifer Wilson (8:50:10)

Sponsor: Lisa Summers, Tribal Secretary

Motion by Jennifer Webster to adopt resolution # 07-03-17-A Regarding Pardon of Jennifer Wilson, seconded by Lisa Summers. Motion carried unanimously:

Ayes: Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers,
Jennifer Webster

Not Present: Tina Danforth, Fawn Billie

2. JUNE 28, 2017, AGENDA REQUESTS**a. Approve limited waiver of sovereign immunity – Election Systems & Software LLC. – contract # 2017-0698 (8:07:38)**

Chair: Racquel Hill, Oneida Election Board

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

¹ The June 14, 2017, regular Business Committee meeting was cancelled due to unforeseen circumstances.

DRAFT

Motion by Tehassi Hill to approve the limited waiver of sovereign immunity – Election Systems & Software LLC. – contract # 2017-0698, seconded by Lisa Summers. Motion carried unanimously:

Ayes: Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Fawn Billie

b. Review recommendation; and agree on final decision regarding complaints # 2017-DR08-01, # 2017-DR08-02, and # 2017-DR08-03 (8:51:48)

Sponsors: David Jordan, Councilman; Brandon Stevens, Councilman; Jennifer Webster, Councilwoman

Motion by Jennifer Webster to defer this item to the July 12, 2017, regular Business Committee meeting, seconded by Brandon Stevens. Motion carried with one abstention:

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

Abstained: Trish King

Not Present: Tina Danforth, Fawn Billie

c. Enter E-Poll results into the record in accordance with OBC SOP entitled Conducting Electronic Voting: (8:53:05)

Sponsor: Lisa Summers, Tribal Secretary

1. Approval of Chairwoman Cristina Danforth, Councilman Tehassi Hill, and Councilman Brandon Stevens as the Oneida Nation team for the government to government meeting with Oneida Nation of New York regarding trademark issue

Requestor: Jo Anne House, Chief Counsel

Motion by Tehassi Hill to enter the E-Poll results into the record in accordance with OBC SOP entitled Conducting Electronic Voting for the approval of Chairwoman Cristina Danforth, Councilman Tehassi Hill, and Councilman Brandon Stevens as the Oneida Nation team for the government to government meeting with Oneida Nation of New York regarding trademark issue, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Fawn Billie

2. Approval of Secretary Lisa Summers, Councilman Tehassi Hill, and Councilwoman Jennifer Webster as the Oneida Nation team for the government to government meeting with the Oneida Indian Nation; and to approve the team's travel

Requestor: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to enter the E-Poll results into the record in accordance with OBC SOP entitled Conducting Electronic Voting for the approval of Secretary Lisa Summers, Councilman Tehassi Hill, and Councilwoman Jennifer Webster as the Oneida Nation team for the government to government meeting with the Oneida Indian Nation; and to approve the team's travel, seconded by Tehassi Hill. Motion carried unanimously:

Ayes: Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Fawn Billie

3. Approved correspondence regarding complaint # 2017-CC-05; and to direct the Tribal Secretary to send the correspondence

Requestor: Jo Anne House, Chief Counsel

DRAFT

Motion by Jennifer Webster to enter the E-Poll results into the record in accordance with OBC SOP entitled Conducting Electronic Voting for the approved correspondence regarding complaint # 2017-CC-05; and to direct the Tribal Secretary to send the correspondence, seconded by Tehassi Hill. Motion carried unanimously:

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

4. Approved Development Division re-organizational structure; and to assign Secretary Lisa Summers, Councilman Tehassi Hill, and Councilwoman Jennifer Webster to a sub-team authorized to complete the necessary Human Resource functions to implement the approved structure

Requestors: Jacque Boyle, Assistant Division Director/Development-Operations;
Troy Parr, Assistant Division Director/Development-Development

Motion by Tehassi Hill to enter the E-Poll results into the record in accordance with OBC SOP entitled Conducting Electronic Voting for the approved Development Division re-organizational structure; and to assign Secretary Lisa Summers, Councilman Tehassi Hill, and Councilwoman Jennifer Webster to a sub-team authorized to complete the necessary Human Resource functions to implement the approved structure, seconded by Trish King. Motion carried unanimously:

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

5. Approval of forwarding concern regarding Native American Hiring Provision (NAHP) and Tribal Equal Rights Office (TERO)/Indian Preference (IP) in totality to the Intergovernmental Affairs and Communications Department for the development of a strategy on how to address the issue to be brought back as part of the next Intergovernmental Affairs and Communications report

Requestor: Travis Wallenfang, Coordinator/Indian Preference Office

Motion by Tehassi Hill to enter the E-Poll results into the record in accordance with OBC SOP entitled Conducting Electronic Voting for the approval of forwarding concern regarding Native American Hiring Provision (NAHP) and Tribal Equal Rights Office (TERO)/Indian Preference (IP) in totality to the Intergovernmental Affairs and Communications Department for the development of a strategy on how to address the issue to be brought back as part of the next Intergovernmental Affairs and Communications report, seconded by Trish King. Motion carried unanimously:

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

6. Approval of one (1) enrollment relinquishment

Requestor: Cheryl Skolaski, Director/Enrollments Dept.

Motion by David Jordan to enter the E-Poll results into the record in accordance with OBC SOP entitled Conducting Electronic Voting for the approval of one (1) enrollment relinquishment, seconded by Tehassi Hill. Motion carried unanimously:

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

7. Approved Cooperative Governance Agreement between Oneida Nation and Town of Oneida, as amended – file # 2017-0679

Requestor: Lisa Summers, Tribal Secretary

DRAFT

Motion by Lisa Summers to enter the E-Poll results into the record in accordance with OBC SOP entitled Conducting Electronic Voting for the approved Cooperative Governance Agreement between Oneida Nation and Town of Oneida, as amended – file # 2017-0679, seconded by Tehassi Hill. Motion carried unanimously:

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

8. Adoption of resolution # 06-14-17-C Regarding Pardon of Tabitha Hill

Requestor: Kathleen Metoxen, Records Technician II/BC Support Office

Motion by David Jordan to enter the E-Poll results into the record in accordance with OBC SOP entitled Conducting Electronic Voting for the adoption of resolution # 06-14-17-C Regarding Pardon of Tabitha Hill, seconded by Tehassi Hill. Motion carried unanimously:

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

Motion by Lisa Summers to defer the remaining agenda items to the July 12, 2017, regular Business Committee meeting, seconded by Tehassi Hill. Motion carried unanimously: **(8:58:41)**

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

XIII. ADJOURN

Motion by Tehassi Hill to adjourn at 12:14 p.m. on July 3, 2017, seconded by David Jordan. Motion carried unanimously:

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

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

Lisa Summers, Secretary
 ONEIDA BUSINESS COMMITTEE

Oneida Business Committee Agenda Request

1. Meeting Date Requested: ~~06~~ / ~~28~~ / ~~17~~ Item deferred to 7/12/17 OBC Meeting

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 memorandum titled Oneida Health Board -- GTC Directive

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: Jennifer Falck, Director, Legislative Reference Office
Your Name, Title / Dept. or Tribal Member

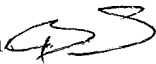
Additional Requestor: Candice E. Skenandore, Legislative Analyst, Legislative Reference Office
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.



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



TO: Oneida Business Committee
 FROM: Brandon Stevens, LOC Chairman 
 DATE: June 28, 2017
 RE: Oneida Health Board – GTC Directive

BACKGROUND

At the February 20, 2017 the General Tribal Council (GTC) considered Mr. Debraska's petition regarding an Oneida Health Care Board. A motion which directed that a new Health Care Board be created to oversee the Oneida Health Care Center, Oneida Behavioral Health, Oneida Community Health Center, Anna John Resident Centered Care Community; and Employee Health Nursing. This new board is to report directly to GTC.

An amendment was added to the motion and adopted;

“to direct the OBC to dissolve the current Business Committee appointed health board.”

The legal opinion provided the February 22, 2017 GTC meeting materials includes detail about the history of the existing Health Care board. A brief summary of that history includes;

- Originally, the Health Care Board was responsible for policymaking, and had hiring and supervisory responsibilities; but over time the Board had shifted to more of an oversight/guidance body.
- On October 29, 2008, the Oneida Business Committee (OBC) deferred appointments to the Health Board (i.e. they stopped filling the vacant seats on the board) and the Board has been vacant since that time.
- On May 25, 2011, the OBC, by motion, rescinded the last known version of the Board's bylaws.

OPTIONS TO DISSOLVE THE HEALTH BOARD

At a May Oneida Business Committee (OBC) work meeting, the OBC asked that the Legislative Operating Committee (LOC) look into options to dissolve the current Health Board. This memorandum identifies how the existing Health Care Board can be dissolved.

The act of dissolving a board is set out in the Comprehensive Policy Governing Boards, Committees and Commissions (hereinafter: “Comprehensive Policy”). The requirements for dissolving an entity are:

- [The entity] must be dissolved by OBC or GTC motion

- Within two weeks after the entity is dissolved, the chairperson and secretary of the entity must forward any materials (i.e. records) of the former entity to the Tribal Secretary for proper disposal.
- The entity's chairperson and secretary are also responsible for closing out any open business of the entity. [See the Comprehensive Policy, Sections 105.10-3 and 105.10-4.]

The Health Care Board has not had any members in almost nine years, and has not had bylaws in six years. It is unlikely that there is any open business remaining to be closed out, or that any records remain that must be forwarded to the Tribal Secretary for proper disposal.

The Comprehensive Policy Governing Boards, Committees, and Commissions requires that the Health Care Board be dissolved by OBC or GTC motion. Historically, the OBC has opted to dissolve a board by resolution. Examples include; OBC Resolution #5-17-00-A – dissolving the Oneida Small Business Development Center and the OBC Resolution #8-29-07-B – dissolving the Child Care Parent Advisory Committee.

NEXT STEPS

The OBC can formally dissolve the Health Board by motion, but may also do so by adopting a resolution. Regardless of which method is chosen, the only requirement is that the motion/resolution identify that the existing Board is being dissolved, and identify when the dissolution is effective.

In addition to making a formal statement to dissolve, the OBC may want to address whether or not the Health Care Board has open business or that it has records that could be forwarded to the Tribal Secretary.

Because the entity does not have a chairperson or secretary, the OBC may want to identify an individual or entity who would be responsible for performing those duties should it be necessary.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 07 / 12 / 17

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 June 29, 2017

3. Supporting Materials

Report Resolution Contract

Other:

1. FC E-Poll approving 6/29/17 Minutes 3. [Empty text box]

2. FC Mtg Minutes of 6/29/17 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: July 5, 2017
RE: **E-Poll Results of: FC Meeting Minutes of JUNE 29, 2017**

An E-Poll vote of the Finance Committee was conducted to approve the June 29, 2017 Finance Committee meeting minutes. The results of the completed E-Poll are as follows:

E-POLL RESULTS:

There was a Majority 4 YES votes from Patrick Stensloff, Jennifer Webster, Wesley Martin, Jr. and Chad Fuss to approve the June 29, 2017 Finance Committee Meeting Minutes.

The minutes will be placed on the next BC agenda of July 12, 2017 for approval and the next Finance Committee agenda of July 17, 2017 to ratify this E-Poll action.

Yaw^ko

* 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

June 29, 2017 – 9:00 A.M.
BC Executive Conference Room

REGULAR MEETING MINUTES

FC Regular Meeting:

Larry Barton, CFO/FC Vice-Chair
Chad Fuss, Gaming AGM/FC Alternate
Wesley Martin, Jr., Community Elder Member

Jennifer Webster, BC Council Member
Patrick Stensloff, Purchasing Director

FC Members Excused: Patricia King, Treasurer/FC Chair & David Jordan, BC Council Member

Others Present: Carla Witkowski, Ray Olson, Rose Navarro Red Hail, Connie Danforth, Michelle Danforth, Paul Witek and Denise Vigue, taking minutes

I. Call to Order: The FC regular meeting was called to order by the FC Vice Chair at 9:00 A.M.

II. Approval of Agenda: JUNE 29, 2017:

Motion by Chad Fuss to approve the Finance Committee agenda for June 29, 2017 with three Add On's under: VI. Community Fund; IX. Follow Up; and X. FYI and or Thank You. Seconded by Wesley Martin, Jr. Motion carried unanimously.

III. Approval of Minutes: JUNE 19, 2017 (approved via FC E-Poll on 6/19/17):

Motion by Patrick Stensloff to ratify the FC E-Poll action of June 19, 2017 approving the Finance Committee meeting minutes of June 19, 2017. Seconded by Jennifer Webster. Motion carried unanimously.

IV. Tabled Business:

- Research: Green Bay Packer Merchandise
Denise Vigue, Finance

Item not due until the 7/17/17 FC meeting

V. Capital Expenditures: No requests

VI. Community Fund:

- CF Update/Balance Sheet
Denise Vigue, Finance

FC agreed to review CF SOP's in a scheduled work meeting after the BC transition.

Motion by Chad Fuss to accept the Community Fund Update/Balance Sheet as FYI. Seconded by Patrick Stensloff. Motion carried unanimously.

- CF-Final Product Report for Contract Yr. 16/17
Denise Vigue, Finance

Motion by Jennifer Webster to accept the Community Fund Final Product Report for CY16-17 as FYI. Seconded by Wesley Martin, Jr. Motion carried unanimously.

- National America Miss Registration
Pamela Skenandore for granddaughter, Angelina

Motion by Wesley Martin, Jr. to approve from the Community Fund the National America Miss registration for the granddaughter of the requestor in the amount of \$200.00. Seconded by Patrick Stensloff. Motion carried unanimously.

4. Add On: Southwest Legion Baseball fees
Lisa Rauschenbach for son Marcus

Motion by Jennifer Webster to approve from the Community Fund the Southwest Legion Baseball registration fees for the son of the requestor in the amount of \$200. Seconded by Wesley Martin, Jr. Motion carried unanimously.

VII. New Business:

1. CESA 7 Special Education Services
Rose Navarro-Red Hail, BIA Early Intervention

Carla Witkowski and Rose Navarro-Red Hail were present to provide information on this and the following request. This request is for a special education teacher; this is the third year of a three year contract; federally funded no tribal contribution or match needed; the initial agreement did receive a legal review.

Motion by Wesley Martin, Jr. to approve the CESA 7 Special Education contract for teacher services in the amount of \$53,000. Seconded by Patrick Stensloff. Motion carried unanimously.

2. Direct Care Therapy Services
Rose Navarro-Red Hail, BIA Early Intervention

This is another federal grant funded contract; services for speech therapists; they have contracted with current vendor for about ten years.

Motion by Wesley Martin, Jr. to approve the Direct Care Therapy contract for speech therapy services in the amount of \$182,000. Seconded by Jennifer Webster. Motion carried unanimously.

3. Kain Energy Corp.
Jacque Boyle/Ray Olson, DPW-Facilities

Ray Olson was present to explain this project; it is a budgeted capital expenditure to update in the north wing of the NHC the HVAC system so it can be linked to the automated system; the pricing/cost from this vendor is better than GSA pricing for same services.

Motion by Jennifer Webster to approve the Kain Energy Corp contract for HVAC services/work in the amount of \$62,815. Seconded by Wesley Martin, Jr. Motion carried unanimously.

4. Oneida Post Office – P.O. Increase
Lisa Metoxen, Oneida Printing/Big Bear Media

Michelle Danforth was present to discuss the request for Purchase Order increases to the Oneida Post office and UPS; original PO was based on anticipated number of mail outs Printing was expecting from GTC meetings; as the meetings increased they find they need to increase funds to these vendors to cover mailings. There was a general discussion about alternatives to receive GTC packet information including uses of latest technology; clarified amount for this request is an increase of \$300,000. In the future Michelle and Enrollments would like to meet with the OBC to discuss some of these alternatives and other cost savings measures.

Motion by Wesley Martin, Jr. to approve the Oneida Post Office Purchase Order increase in the corrected amount of \$300,000 and approve the UPS Purchase Order increase in the amount of \$100,000. Seconded by Jennifer Webster. Motion carried unanimously.

5. UPS – P.O. Increase
Lisa Metoxen, Oneida Printing/Big Bear Media

- See Motion in New Business #4

6. Combining Multiple Xerox PO's

Lisa Metoxen, Oneida Printing/Big Bear Media

Michelle explained that the current staff is dealing with the past actions to create multiple PO's for different services with the same vendor; she would like to combine the PO's for ease of tracking through the system; this includes increasing the FY17 combined PO by \$75,000 and having one PO for FY18 with this vendor in the amount of \$300,000.

Motion by Wesley Martin, Jr. to approve the multiple Purchase Order's for Xerox be combined and approve the FY17 PO increase by \$75,000. and the FY18 Blanket PO for \$300,000. contingent upon the approval of the FY18 budget. Seconded by Chad Fuss. Motion carried unanimously.

7. One Stop-Mason Renovations-Activation of CIP Funds

Paul Witek, Engineering

Paul was present to request activation of CIP funds for this project; the project has been approved in the FY17 budget, just need funds activated; previous owner did take out the tanks; these funds will be for design and construction as needed; the closing of this property was completed last week; target date for the opening according to Retail is toward the end of September.

Motion by Wesley Martin, Jr to approve the activation of CIP funds for project #17-008 Oneida One-Stop Mason Street Renovations in the amount of \$3,500,000. Seconded by Chad Fuss. Motion carried unanimously.

8. Guardian – P.O. Increase

Connie Danforth, AJRCCC

Connie was present to discuss the Guardian PO increase; they used to be TotalMed and were bought out by the Guardian; she explained the AJRCC has gone from a two star rating to a four star rating which is good, but also means they take in more patients at acute levels that often require more attention; some with dementia require 24 hour staff presence with them in their rooms; operational expenses as a whole are down, but need to keep enough staff to match needs of the patients; they are increasing all staff hours to help but the increasing needs at the AJRCCC with patient care requires more staff from these agencies. Tried working with HRD and workplace development for nursing graduates, but they cannot compete with other nursing homes in town that offer better wages, they do have a number of Oneidas working as RN's LPN's & assistants

Motion by Wesley Martin, Jr.to approve the Guardian Purchase Order increase in the amount of \$25,000; the STAT Purchase Order increase in the amount of \$225,000; and the PRN Purchase Order increase in the amount of \$25,000. Seconded by Jennifer Webster. Motion carried unanimously.

9. STAT – P.O. Increase

Connie Danforth, AJRCCC

- See Motion in New Business #8

10. PRN – P.O. Increase

Connie Danforth, AJRCCC

- See Motion in New Business #8

VIII. Executive Session: No requests

IX. Follow Up:

1. Add On: Memo regarding Donation approved on 6/19/17
Denise Vigue, Finance

Memo outlines the need of the project sponsor to ask another one of the projects' group to step up to receive funds approved by the Finance Committee on 6/19/17; sponsor has a conviction but has not received a pardon from the Nation and as Donation funds are tribal contributions the Pardon Law requires those who receive certain benefits from the Nation and who have a conviction seek a formal Pardon. There was further discussion of the request itself and questions on how this differs from services already provided to the community by Tsyunhehkwa. Another concern was the project is not established as a non-profit with an employer identification number, which is typically what is funded through the Donation line. It was felt by the FC members present to rescind prior approval until such time the parties can be brought together in a FC work meeting to discuss how this project may differ from services already provided by the Nation. Denise will set up a work meeting for 7/17/17 & inform all the parties.

Motion by Chad Fuss to rescind the approval of \$2,500 made to the *Donation ADD-ON: Oneida Community Farm Projects* that was approved on 6/19/17 until such time there is further clarification about the project. Seconded by Wesley Martin, Jr. Motion carried unanimously.

Motion by Chad Fuss to table the request to transfer Frank Vandehei's rescinded request of \$2,500 to Ms. Shanna Lynn Torres until we can have a working meeting with Mr. Vandehei, Ms. Torres and Tsyunhehkwa to discuss how their programs differ. Seconded by Wesley Martin, Jr. Motion carried unanimously.

X. FYI and /or Thank You:

1. FYI: IGT (1) WOF BBL DIA GOLD SPIN
David Emerson, Gaming Slots Department

Motion by Jennifer Webster to accept the IGT (1) WOF BBL DIA GOLD SPIN information as FYI. Seconded by Patrick Stensloff. Motion carried unanimously.

2. Add On: FYI: Aruze (6) 90 day Trial Games
David Emerson, Gaming Slots Department

Chad Fuss noted that this is a newly licensed vendor in the state of Wisconsin; these trial games will be located at the Main Casino.

Motion by Wesley Martin, Jr. to accept the Aruze (6) 90 day Trial Games with option to purchase information as FYI. Seconded by Jennifer Webster. Motion carried unanimously.

XI. Adjourn: Motion by Jennifer Webster to adjourn. Seconded by Wesley Martin, Jr. Motion carried unanimously. The Finance Committee meeting ended at 10:21 A.M.

Minutes taken & transcribed by:

Denise Vigue, Executive Assistant to the CFO
& Finance Committee Contact /Recording Secretary

Finance Committee- E-Poll Minutes Approval Date: July 5, 2017

Oneida Business Committee's FC Minutes Approval Date: _____

Oneida Business Committee Agenda Request

1. Meeting Date Requested: ~~06~~/~~28~~/~~17~~ Item deferred to 7/12/17 OBC Meeting

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 approved Finance Committee meeting minutes of June 5, 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: Requestor: Trish King, Tribal Treasurer/Finance Committee Chair
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 Wednesday, June 14, 2017, at 1:32 p.m., the following E-Poll was conducted:

Summary:

Request for an e-poll to be conducted to approve Finance Committee meeting minutes of June 5, 2017. The attached BC agenda item was scheduled to be reviewed at the June 14, 2017, Oneida Business Committee meeting. The June 14, 2017, Oneida Business Committee meeting was cancelled due to unforeseen circumstances.

Requested Action:

Approve Finance Committee meeting minutes of June 5, 2017

Deadline for response:

The voting will be open for twelve (12) hours.

Responses are due no later than 1:30 a.m. on Thursday, June 15, 2017.

As of the deadline, below are the results:

Support: Melinda J. Danforth, Trish King, Lisa Summers, Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

REQUESTED ACTION

Enter E-Poll results into the record for approved Finance Committee meeting minutes of June 5, 2017.

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

From: TribalSecretary
Sent: Thursday, June 15, 2017 11:10 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: BC_Agenda_Requests; Denise J. Vigue; Brian A. Doxtator; Cathy L. Bachhuber; Danelle A. Wilson; Jessica L. Wallenfang; Leyne C. Orosco; Lisa A. Liggins; Lora L. Skenandore; Michael T. Debraska; Rhiannon R. Metoxen; Tammy M. Skenandore
Subject: E-POLL RESULTS: Approve Finance Committee meeting minutes of June 5, 2017
Attachments: E-Poll Request - Approve Finance Committee meeting minutes of June 5, 2017.pdf
Importance: High
Categories: Next Meeting

E-POLL RESULTS

The E-Poll request to approve Finance Committee meeting minutes of June 5, 2017, **has been approved**. As of the deadline, below are the results:

Support: Melinda J. Danforth, Trish King, Lisa Summers, Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Lisa Liggins
Assistant to Secretary Summers
Oneida Business Committee



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

office 920.869.4434
cell 920.819.7344
fax 920.869.4040

PO Box 365
Oneida, WI 54155-0365
Oneida-nsn.gov

From: TribalSecretary
Sent: Wednesday, June 14, 2017 1:32 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: Brian A. Doxtator; Cathy L. Bachhuber; Danelle A. Wilson; Jessica L. Wallenfang; Leyne C. Orosco; Lisa A. Liggins; Lora L. Skenandore; Michael T. Debraska; Rhiannon R. Metoxen; Tammy M. Skenandore
Subject: E-Poll Request - Approve Finance Committee meeting minutes of June 5, 2017
Attachments: E-Poll Request - Approve Finance Committee meeting minutes of June 5, 2017.pdf
Importance: High

E-POLL REQUEST

Summary:

Request for an e-poll to be conducted to approve Finance Committee meeting minutes of June 5, 2017. The attached BC agenda item was scheduled to be reviewed at the June 14, 2017, Oneida Business Committee meeting. The June 14, 2017, Oneida Business Committee meeting was cancelled due to unforeseen circumstances.

Requested Action:

Approve Finance Committee meeting minutes of June 5, 2017

Deadline for response:

The voting will be open for twelve (12) hours.

Responses are due no later than **1:30 a.m. on Thursday, June 15, 2017.**

Voting:

1. Use the voting button above, if available; OR
2. Reply with "support" or "oppose".

Lisa Liggins
Assistant to Secretary Summers
Oneida Business Committee



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

office 920.869.4434
cell 920.819.7344
fax 920.869.4040

Oneida Business Committee Agenda Request

1. Meeting Date Requested: ___ / ___ / ___

E-POLL REQUEST

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:

REQUEST FOR BC E-Poll-
Requested ACTION: OBC E-poll approval of the Finance Committee Meeting Minutes of June 5, 2017

3. Supporting Materials

Report Resolution Contract

Other:

1. FC Meeting Minutes of 6/5/17

3. [Empty text box]

2. FC E-Poll approving 6/5/17 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 to the CFO
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:

Due to unforeseen circumstances the regularly scheduled OBC meeting has been canceled. Requesting OBC E-Poll of the Finance Committee Meeting Minutes of 6/5/17 as there are several departmental contracts that require immediate follow-up/payment as well as a number of Community Fund requests that also require immediate follow-up/payment. 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

ONEIDA NATION

P.O. Box 365



Oneida, WI 54115

MEMORANDUM

TO: Finance Committee
CC: Business Committee
FR: Denise Vigue, Executive Assistant
DT: June 6, 2017
RE: **E-Poll Results of: FC Meeting Minutes of JUNE 5, 2017**

An E-Poll vote of the Finance Committee was conducted to approve the June 5, 2017 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 Larry Barton, David Jordan, Patrick Stensloff, Wesley Martin, Jr., Jennifer Webster and Chad Fuss to approve the June 5, 2017 Finance Committee Meeting Minutes.

The minutes will be placed on the next BC agenda of June 14, 2017 for approval and the next Finance Committee agenda of June 19, 2017 to ratify this E-Poll action.

Yaw^ko

* 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

June 5, 2017 – 10:00 A.M.
BC Executive Conference Room

REGULAR MEETING MINUTES

FC Regular Meeting:

Patricia King, Treasurer/FC Chair	Larry Barton, CFO/FC Vice-Chair
David Jordan, BC Council Member	Jennifer Webster, BC Council Member
Chad Fuss, Gaming AGM/FC Alternate	Patrick Stensloff, Purchasing Director
Wesley Martin, Jr., Community Elder Member	

Others Present: Tiffany & Elaina Bowles, Fawne Rasmussen, Frank Cornelius, Delia Smith, Dakota Oskej, Jamel Ness, Michele Doxtator and Denise Vigue, taking minutes

Introductions of Dakota and Jamel to the FC were made by the FC Chair, both are summer interns, Dakota will be in the Treasurer's Office and Jamel will be working in Councilwoman Webster's office.

I. Call to Order: The FC regular meeting was called to order by the FC Chair at 10:05 A.M.

II. Approval of Agenda: JUNE 5, 2017:

Motion by Jennifer Webster to approve the Finance Committee agenda for June 5, 2017. Seconded by David Jordan. Motion carried unanimously.

III. Approval of Minutes: MAY16, 2017 (approved via FC E-Poll on 5/16/17):

Motion by David Jordan to ratify the FC E-Poll action of May 16, 2017 approving the Finance Committee meeting minutes of May 16, 2017. Seconded by Wesley Martin, Jr. Motion carried unanimously.

IV. Tabled Business:

1. Green Bay Packer Merchandise – SOP's
Michele Doxtator, Jt. Marketing

Motion by David Jordan to remove from the table for discussion. Seconded by Chad Fuss. Motion carried unanimously.

Handout information of draft SOP's and a flow chart was provided by Michele Doxtator and she explained the Legislative Affairs/Communications office sends out periodically, notices via E-mail and information is also provided in the Kali Wi Saks. There was a discussion on the draft SOP's; what is left in stock (outdated merchandise); & communication to the community. The CFO noted that contract funding is through tribal contribution and proceeds should be more accessible to the community; the FC recommended the criteria be added for clarification; add language to what happens when event is canceled, and sign off on the SOP's; Michele will update and send to the FC. It was also suggested to add the request forms and a schedule of meeting dates of Jt. Marketing on the Intranet under *Frequently Used Forms* and on the Oneida Nation website under *Forms*; right now it is just on the members only section of the website. There was also a discussion on the Audit presentation to GTC on the merchandise distribution, the action that was taken, and the actions of the Audit Committee in regards to what body, Joint Marketing or the Finance Committee should be overseeing the distribution: the FC asked Denise Vigue to research the minutes and motions and let them know.

Motion by Wesley Martin, Jr. to accept the draft SOP's for the Green Bay Packer Merchandise as FYI and for Denise to follow up on the research of GTC actions of the Audit Report recommendations and to bring back to the Finance Committee when completed. Seconded by David Jordan. Motion carried unanimously.

V. Capital Expenditures:

1. Bally (8) Slot Games Purchase
David Emerson, Gaming Slots Department

Fawne Rasmussen from Gaming Management – Profits was present to explain this purchase; this is a FY17 budgeted and approved capital expenditure; this is the second to the last request for the year, one more will be coming up.

Motion by David Jordan to approve the Capital Expenditure purchase of 8 slot games from Bally in the amount of \$185,360.00. Seconded by Wesley Martin, Jr. Motion carried unanimously.

VI. Community Fund:

1. YMCA Camp Hot Shots registration
Elizabeth Webster for daughter, Raleiha

Motion by Chad Fuss to approve from the Community Fund the YMCA Camp Hot Shots registration for the daughter of the requestor in the amount of \$200.00. Seconded by Larry Barton. Jennifer Webster abstained. Motion carried.

2. UWGB Art Camp registration
Darnell Danforth for daughter, Mercedes

Motion by Larry Barton to approve from the Community Fund the UWGB Art camp registration for the daughter of the requestor in the amount of \$200.00. Seconded by Jennifer Webster. Motion carried unanimously.

3. Green Bay Packer-Youth Football Camp
Chelsea Gentile for son, Braylen

Motion by Jennifer Webster to approve from the Community Fund the Green Bay Packer Youth camp registration for the son of the requestor in the amount of \$200.00. Seconded by David Jordan. Motion carried unanimously.

4. 6th Annual Oneida Baseball Tournament
Jason Martinez

Motion by David Jordan to approve from the Community Fund \$750.00 and 25 Cases of Coca-Cola Product for use at the 6th Annual Oneida Baseball Tournament. Seconded by Chad Fuss. Motion carried unanimously.

5. Southwest Lacrosse registration
Yako Webster for son, Daris

Motion by Jennifer Webster to approve from the Community Fund the Southwest Lacrosse registration for the son of the requestor in the amount of \$200.00. Seconded by Wesley Martin, Jr. Motion carried unanimously.

6. Hortonville Summer Volleyball registration
Ann Stingle for daughter, Abigail

Motion by Jennifer Webster to approve from the Community Fund the Hortonville Summer Volleyball registration for the daughter of the requestor in the amount of \$50.00. Seconded by David Jordan. Motion carried unanimously.

7. Oneida Farmer's Market Bash – July
Bill VerVoort, OCIFS

Motion by David Jordan to approve from the Community Fund Twenty-Five (25) cases of Coca-Cola Product for use at the Oneida Farmer's Market Bash in July. Seconded by Wesley Martin, Jr. Motion carried unanimously.

8. Big Apple Fest – Sept.
Jeff Schofield, Apple Orchard

Motion by Wesley Martin, Jr. to approve from the Community Fund Twenty-Five (25) cases of Coca-Cola Product for use at the Big Apple Fest in September. Seconded by David Jordan. Motion carried unanimously.

9. Green Bay Packer-Youth Football Camp
Shane Skenandore for son, Grant

Motion by David Jordan to approve from the Community Fund the Green Bay Packer Youth camp registration for the son of the requestor in the amount of \$200.00. Seconded by Jennifer Webster. Motion carried unanimously.

10. Spirit of the Hoops camp – June
Lori Hill, Recreation

Motion by Wesley Martin, Jr. to approve from the Community Fund Ten (10) cases of Coca-Cola Product for use at the Spirit of the Hoops camp in June. Seconded by David Jordan. Motion carried unanimously.

11. Amplify Lacrosse registration
Delia Smith for son, Fox Paul

Motion by Larry Barton to approve from the Community Fund the Amplify Lacrosse registration for the son of the requestor in the amount of \$200.00. Seconded by Wesley Martin, Jr. Motion carried unanimously.

12. Especially for Youth camp registration
Lee Cornelius for daughter, Tiana

Motion by Jennifer Webster to approve from the Community Fund the Especially For Youth camp registration for the daughter of the requestor in the amount of \$200.00. Seconded by David Jordan. Motion carried unanimously.

13. Green Bay Metro Rebels Lacrosse registration
Redmon Danforth, Jr. for son, Redmon III

Motion by David Jordan to approve from the Community Fund the Green Bay Metro Rebels Lacrosse registration for the son of the requestor in the amount of \$200.00. Seconded by Chad Fuss. Motion carried unanimously.

14. WI Independent Baptist Fellowship Bible camp registration
Rebecca Schommer for son, Joshua

Motion by David Jordan to approve from the Community Fund the Wisconsin Independent Baptist Fellowship Bible camp registration for the son of the requestor in the amount of \$157.50. Seconded by Chad Fuss. Motion carried unanimously.

15. Team Sconnie's U15 Lacrosse registration
Katsi Danforth for son, Dailin

Motion by David Jordan to approve from the Community Fund the Team Sconnie's U15 Lacrosse registration for the son of the requestor in the amount of \$200.00. Seconded by Wesley Martin, Jr. Motion carried unanimously.

16. National American Miss Competition registration
Irene Danforth for daughter, Kaylonni

Motion by David Jordan to approve from the Community Fund the National American Miss Competition registration for the daughter of the requestor in the amount of \$200.00. Seconded by Jennifer Webster. Motion carried unanimously.

17. GB Tennis Center – Summer class registration
Tiffany Bowles for daughter, Arianna

Motion by David Jordan to approve from the Community Fund the Green Bay Tennis Center class registration fees for the two daughters of the requestor in the amount of \$200.00 each. Seconded by Chad Fuss. Motion carried unanimously.

18. GB Tennis Center – Summer class registration
Tiffany Bowles for daughter, Elaina

- See motion in CF Request #17

19. UWGB Basketball Camp registration
Karen Hill for daughter, LaCyia

Motion by Chad Fuss to approve from the Community Fund the UWGB Basketball registration for the daughter of the requestor in the amount of \$165.00. Seconded by David Jordan. Motion carried unanimously.

20. St. Norbert College – Summer Soccer Camp
Constance Danforth for son, Avary

Motion by David Jordan to approve from the Community Fund the St. Norbert College Youth Soccer camp registration for the son of the requestor in the amount of \$200.00. Seconded by Wesley Martin, Jr. Motion carried unanimously.

VII. New Business:

1. FY17 PO - Austin Straubel Lease
Chad Fuss, Gaming Administration

Chad Fuss relayed this is a multiyear agreement, the payment is for FY17 that has been budgeted; the owner of the lease is 7 Generations, they are the pass through to paying the airport. There was a discussion on why do they own the lease as well as actual cost of this and previous years' payments as it was not clear by the information provided.

Motion by Jennifer Webster to approve the Purchase Order for payment of the FY17 Austin Straubel Lease subject to clarification on the exact dollar amount and to provide payments for all previous years from start of lease in 2014. Seconded by David Jordan. Motion carried unanimously.

2. FY17 Contract – Bally Technologies
Franklin Cornelius, Gaming-Table Games

Frank was present to explain this request: this is an annual payment for table games for electronic table system as well as proprietary Table Games and trademark shufflers. There was discussion on this being a sole source and possible other vendors; Table Games is considering a free trial from another vendor this year to compare and decide how to proceed for the next budget year; currently Bally is the only vendor with a patent on class III games.

Motion by David Jordan to approve the FY17 contract with Bally Technologies in the amount of \$256,379.40. Seconded by Larry Barton. Motion carried unanimously.

3. FY17 PO Increase – Fry Bread Heaven
Louise Cornelius, Gaming Administration

Chad Fuss explained in the past few months gaming has gotten this vendor on the Micros-Data System for more accurate tracking of sales and to secure complete Accounting practices; this will be helpful for Gaming to be able to track sales and employee discounts.

Motion by David Jordan to approve the FY17 PO Increase with Fry Bread Heaven in the amount of \$50,000.00. Seconded by Wesley Martin, Jr. Motion carried unanimously.

VIII. Executive Session: No requests

IX. Follow Up: None

X. FYI and /or Thank You:

1. FYI: IGT (4) Harley lease games
David Emerson, Gaming Slots Department

Motion by Larry Barton to accept the IGT (4) Harley lease games as FYI. Seconded by Jennifer Webster. Motion carried unanimously.

XI. Other:

NOTE: This item was reviewed just before the Community Fund requests were reviewed.

1. Community Fund Update Report

Although not on the agenda the Community Fund Update Report is in the FC meeting packet for information for the FC when making decisions on requests for funds and product. In reviewing the amount spent so far in FY17 it is anticipated there will be approximately \$23,000 remaining at the end of the fiscal year; provided the fourth quarter spending equals that of the third quarter. The FC discussed several items in relation to this report including: the need to review and amend the CF SOP's to possibly raise request amounts; to use end of year excess to fund other projects namely the Disability Fund or the 78/71 as suggested by the Treasurer; or keep the current policy of having any excess funds revert back into the account for continued growth at the end of each fiscal year.

Motion by David Jordan to defer this discussion and review of the current Community Fund SOP's to a scheduled FC work meeting. Seconded by Larry Barton. Motion carried unanimously.

XII. Adjourn: Motion by David Jordan to adjourn. Seconded by Wesley Martin, Jr. Motion carried unanimously. The Finance Committee meeting ended at 11:10 A.M.

Minutes taken & transcribed by:

Denise Vigue, Executive Assistant to the CFO
& Finance Committee Contact /Recording Secretary

Finance Committee- E-Poll Minutes Approval Date: June 6, 2017

Oneida Business Committee's FC Minutes Approval Date: _____

Oneida Business Committee Agenda Request

1. Meeting Date Requested: ~~06~~/~~28~~/~~17~~ Item deferred to 7/12/17 OBC Meeting

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 recommendation to appoint Robert Barton to serve on the Oneida Airport Hotel Corporation Board of Directors.

3. Supporting Materials

Report Resolution Contract

Other:

1. memo 2. 3. 4.

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 Danforth
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 memo attached has all the information required.

- 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 *CSD*
DATE: JUNE 20, 2017
RE: ONEIDA AIRPORT HOTEL CORPORATION

There are 2 applicants for 1 vacancies on the Oneida Airport Hotel Corporation Board of Directors. The applicants are: Matt Kunstman and Robert Barton.

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 **Robert Barton** to be appointed to serve on the Oneida Airport Hotel Corporation Board of Directors.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 07 / 12 / 17

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 reconsider, review and hear the testimony from Kory Wesaw as to why he should be appointed to the Oneida Police Commission.

3. Supporting Materials

Report Resolution Contract

Other:

1. 02/08/17 BC Minutes

3. Verbal Update/Testimony by Kory Wesaw

2. 04/12/17 BC Minutes

4.

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 Tammy Skenandore, Senior Policy Advisor
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 reconsider the recommendation of Kory Wesaw to the Oneida Police Commission as he appears at the BC meeting to answer/explain anything the BC may have in question about this appointment.

- 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 Cristina Danforth

DATE: July 7, 2017

RE: Oneida Police Commission Recommendation

My recommendation **stands** to appoint Kory Wesaw to the Oneida Police Commission.

Thank you for your time and consideration in this matter.

B. Finance Committee

Chair: Trish King, Tribal Treasurer

1. Approve January 30, 2017, Finance Committee meeting minutes (1:39:14)

Motion by David Jordan to approve the January 30, 2017, Finance Committee meeting minutes, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Melinda J. Danforth, Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Trish King, Lisa Summers

VII. APPOINTMENTS**A. Approve recommendation to appoint Sandra Reveles to the Oneida Personnel Commission (1:55:12)**

Sponsor: Tina Danforth, Tribal Chairwoman

Motion by Jennifer Webster to appoint Sandra Reveles to the Oneida Personnel Commission, seconded by Fawn Billie. Motion withdrawn.

Motion by Fawn Billie to repost the vacancy on the Oneida Personnel Commission, seconded by Tehassi Hill. Motion carried unanimously:

Ayes: Melinda J. Danforth, Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Trish King, Lisa Summers

B. Approve recommendation to appoint Kory Wesaw to the Oneida Police Commission (2:04:20)

Sponsor: Tina Danforth, Tribal Chairwoman

Motion by Jennifer Webster to approve the recommendation to appoint Kory Wesaw to the Oneida Police Commission, seconded by David Jordan. Motion fails due to lack of support:

Ayes: David Jordan, Jennifer Webster

Opposed: Melinda J. Danforth, Fawn Billie, Tehassi Hill, Brandon Stevens

Not Present: Trish King, Lisa Summers

Motion by Melinda J. Danforth to request Chairwoman Tina Danforth to reconsider the other applicants in the pool in accordance with Comprehensive Policy Governing Boards, Committees, and Commissions, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Melinda J. Danforth, Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Trish King, Lisa Summers

C. Approve recommendation to appoint Lloyd Ninham and Kathryn LaRoque to the Southeastern Oneida Tribal Services Advisory Board (2:09:53)

Sponsor: Tina Danforth, Tribal Chairwoman

Motion by David Jordan to approve the recommendation to appoint Lloyd Ninham and Kathryn LaRoque to the Southeastern Oneida Tribal Services Advisory Board, seconded by Melinda J. Danforth. Motion carried unanimously:

Ayes: Melinda J. Danforth, Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Trish King, Lisa Summers

DRAFT**III. ADOPT THE AGENDA (00:03:57)**

Motion by Lisa Summers to adopt the agenda with the following changes: [Delete Open Session – Unfinished Business item X.A. "Reconsider, review, and hear testimony from Kory Wesaw regarding application to Oneida Police Commission"; delete Executive Session – Unfinished Business item XIV.E.01. "Approve limited waiver of sovereign immunity – Independent Care Health Plan-iCare Provider Service Agreement – contract # 2016-0357"; delete Executive Session – New Business item XIV.F.06. "Review information regarding Electrical Department"; add-on Executive Session – New Business item XIV.F.09. "Comprehensive Housing update"; and add-on Executive Session – New Business item XIV.F.10 "Aimbridge Hospitality request"], seconded by Jennifer Webster. Motion carried unanimously:

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

IV. OATHS OF OFFICE (00:05:39) by Secretary Lisa Summers

- A. Environmental Resources Board – Marlene Garvey
- B. Oneida Nation Veterans Affairs Committee – Arthur Cornelius (*Not Present*)

V. MINUTES**A. Approve March 22, 2017, regular meeting minutes (00:08:25)**

Sponsor: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to approve the March 22, 2017, regular meeting minutes with the following change: [Under item XIV.D.10. the complaint # in the motion should reflect the agenda item complaint # of "2017-DR06-07" instead of "2017-DR06-08"], seconded by Tehassi Hill. Motion carried unanimously:

* Secretary Lisa Summers departs at 8:41 a.m. before voting occurs.

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

VI. RESOLUTIONS**A. Adopt resolution entitled Implementing Per Capita Plan Adopted by General Tribal Council on June 13, 2016 (00:12:33)**

Sponsor: Trish King, Tribal Treasurer

Motion by Jennifer Webster to adopt resolution # 04-12-17-A Implementing Per Capita Plan Adopted by General Tribal Council on June 13, 2016, seconded by David Jordan. Motion carried unanimously:

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

Secretary Lisa Summers returns at 8:50 a.m.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 7 / 12 / 17

2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

Acceptance of Quarterly Report for Cemetery Improvements project #14-002.

3. Supporting Materials

Report Resolution Contract

Other:

1. <input type="text" value="Cemetery Improvements - Quarterly Report"/>	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: James Petitjean, Interim Asst. Division Director/Development
Your Name, Title / Dept. or Tribal Member

Additional Requestor: Paul J. Witek, Senior Tribal Architect/ Engineering Dept.
Name, Title / Dept.

Additional Requestor: Fawn Cottrell, Contract Processor/ Engineering Dept.
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

STANDING ITEM:

Purpose:

Follow-up to item VIII. A from September 28, 2016 OBC Meeting for a quarterly update on project.

Background:

On September 28, 2016 the Business Committee approved implementing the cemetery improvements project and made a motion to have "this item to be a standing item on the Business Committee agenda on a quarterly basis for updates, with the first report to be submitted for the January 11, 2017, Business Committee meeting".

Action Requesting:

1. Acceptance of Quarterly Report for Cemetery Improvements project #14-002.

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

To: Oneida Business Committee

From: Paul J. Witek, AIA, LEED-AP – Senior Tribal Architect

CC: Troy Parr – Assistant Development Division Director
James Petitjean – Interim Assistant Development Division Director
Cemetery Working Group

Date: 6/30/2017

Re: Cemetery Improvements #14-002 – Quarterly Report

Background

On September 28, 2016 the Business Committee approved implementing the cemetery improvements project and made a motion to have *“this item to be a standing item on the Business Committee agenda on a quarterly basis for updates, with the first report to be submitted for the January 11, 2017, Business Committee meeting”*.

Status

The status of the project is as follows:

Task No.:	Task Title:	Status:
1.	Design - Expand Existing Subsurface Drainage System	Complete.
2.	Construction Documents out for Bidding	Complete, one bid received April 25, 2017.
3.	Construction Contract award and Construction	Contract was awarded to Advance Construction Inc. Advance Construction mobilized on June 19 and started work on June 20.
4.	Notification to Families of Construction start	Complete, sent by Enrollments Department on June 16. Communications Department included in <i>“Update Oneida”</i> e-mail on June 19.
5.	Substantial Completion	Scheduled for week of July 10 (weather dependent).

Task No.:	Task Title:	Status:				
6.	Monitoring Well Data	On-going, report was not complete at time of this submittal, will have available at meeting.				
7.	Budget Status (project #14-002)	<table border="0"> <tr> <td>Contract Obligations to date:</td> <td style="text-align: right;">\$ 362,346.85</td> </tr> <tr> <td>Expenditures to date:</td> <td style="text-align: right;">\$ 96,273.87</td> </tr> </table>	Contract Obligations to date:	\$ 362,346.85	Expenditures to date:	\$ 96,273.87
Contract Obligations to date:	\$ 362,346.85					
Expenditures to date:	\$ 96,273.87					

Action Requesting:

1. Accept report for information.

Attachments:

- Project Photos



Sections D & E complete (looking northeast)



French Drain along west entry road being installed

Oneida Business Committee Agenda Request

1. Meeting Date Requested: ~~06~~/~~14~~/~~17~~ Item deferred to 7/12/17 OBC Meeting

2. General Information:

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

[Empty text box]

Agenda Header:

[Empty text box]

Accept as Information only

Action - please describe:

Approval of the presentation to move forward with the process of reorganization of the Development Division. Business Committee signature may be required as necessary while moving through the process.

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:

Ronald Hill, Jr.

Primary Requestor/Submitter:

Jacque Boyle, Interim Assistant Development Division Director-Operations
Your Name, Title / Dept. or Tribal Member

Additional Requestor:

Troy Parr, Assistant Development Division Director- Development
Name, Title / Dept.

Additional Requestor:

[Empty text box]
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

Follow up to previous meeting, May 23, 2017 for joint presentation in open Business Committee

Approve the report to move forward with the reorganization of the Development Division.

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



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REORGANIZATION PLAN FOR THE DEVELOPMENT DIVISION





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REORGANIZATION PLAN

DEVELOPMENT DIVISION

PURPOSE

The purpose for the reorganization of the Development Division is to allow each branch of the Division to focus on their unique visions, missions, goals, and objectives. The Development Division has been the center for strategic planning for the Oneida Nation in areas such as Community Development, Business Development, Economic Development, Environmental, Land Management, and the Department of Public Works. In years past, the Development Division has had several departments move on to be their own Divisions, such as Land Management and Environmental.

The Development Division has always provided the administrative resources needed for areas to “develop” their goals and objectives and obtain the resources necessary to achieve them. As these functional areas grow and develop, there is a need to re-evaluate the current organizational structure and adjust to allow for even more growth and development.

While the current organizational structure has worked, there are two distinct focuses: one on Development and the other on Operations. About five (5) years ago the Development Division Director created two branches of the Division by separating



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the two focuses with the creation of an Assistant Development Division Director-Development Branch and an Assistant Development Division Director-Operations.

For the past several years, the Development Branch and the Operations Branch have been operating without a division director and independently from one another. DPW staff work closely with the Development Branch on all CIP projects and other initiatives that they have the resources to support. For example: all HVAC, electrical, plumbing, custodial, maintenance, and grounds keeping are brought into the CIP planning process early as they are the experts in their respective fields and are critical to the success of the building design. This close relationship will continue with the reorganization while also streamlining processes.



RESOURCES

The resources included in the plan were to make sure that all areas that would need to assist with changes would be included. These areas would be:

Accounting: Assure that all changes to accounts, if any, are completed.

Human Resources: Assure that all job descriptions are updated to reflect the change (change Development Division to The Department of Public Works Division).

Communications: To assist with getting the information out the Oneida Nation Organization and the Community.

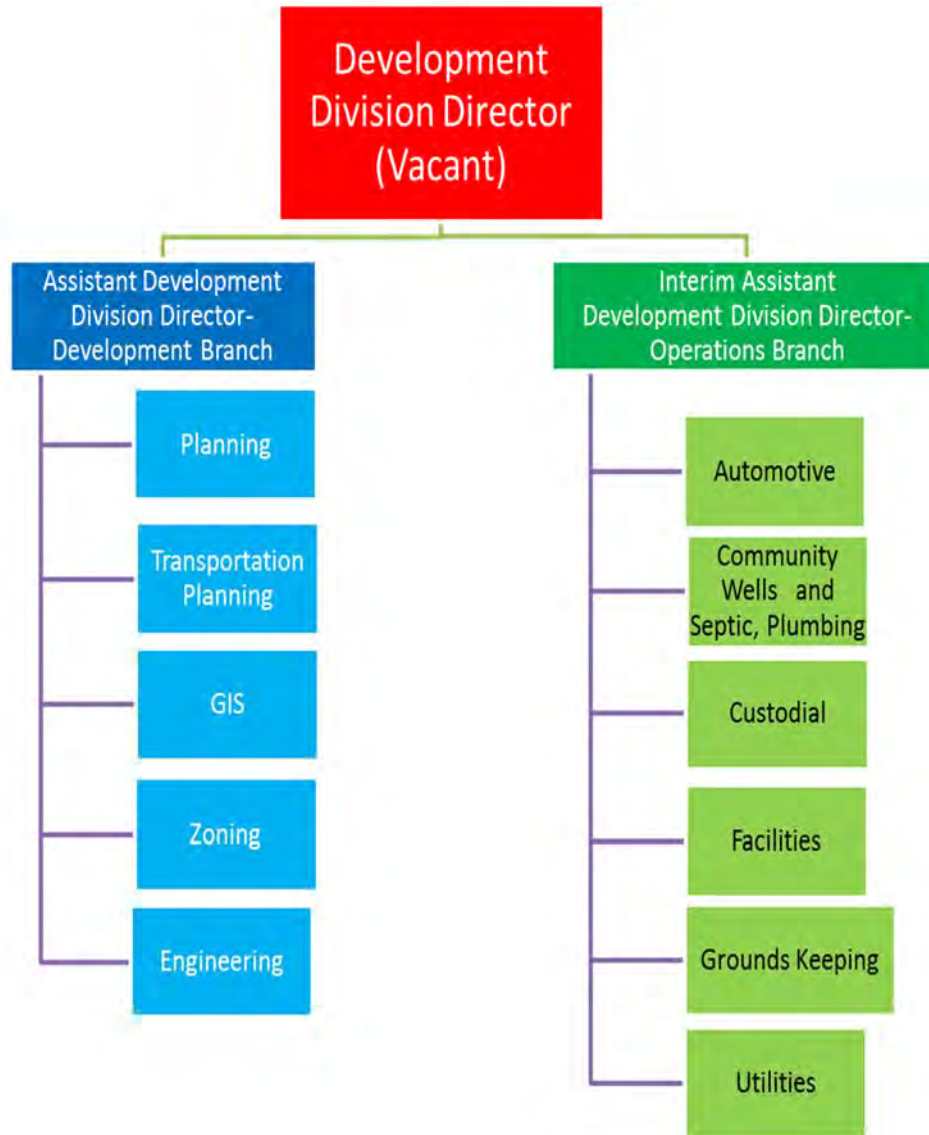
TASKS

Task #	Name	Process & Next Steps	Completion Date	Task Update
1	Troy and Jacque	Revise Vision, Mission, Goals and Objectives as needed for each division		
2	Troy and Jacque	Create a Communication Plan for the internal customers (employees), will also have the impacts on each division, department, and staff		
3	Troy and Jacque	Create a second Communication Plan for external customers and implement both plans		
4	Troy and Jacque	Meet with HRD & Accounting to assure reorganization meets the Nation's processes		
5	Troy and Jacque	Assure line-of-authority is attained. Complete new sign-off forms.		
6	Accounting	All related fund units will be identified and fund units will be aligned under their respective divisions; this includes all line items that support each division		
7	Troy and Jacque	Submit reorganization form along with current and updated organizational charts to HRD		
8	Troy and Jacque	Complete list of asset transfers to Asset Management		
9	HRD	Update job description to reflect proper division		
10	Troy and Jacque	Obtain Business Committee signatures as required on reorganization forms after Business Committee approval		



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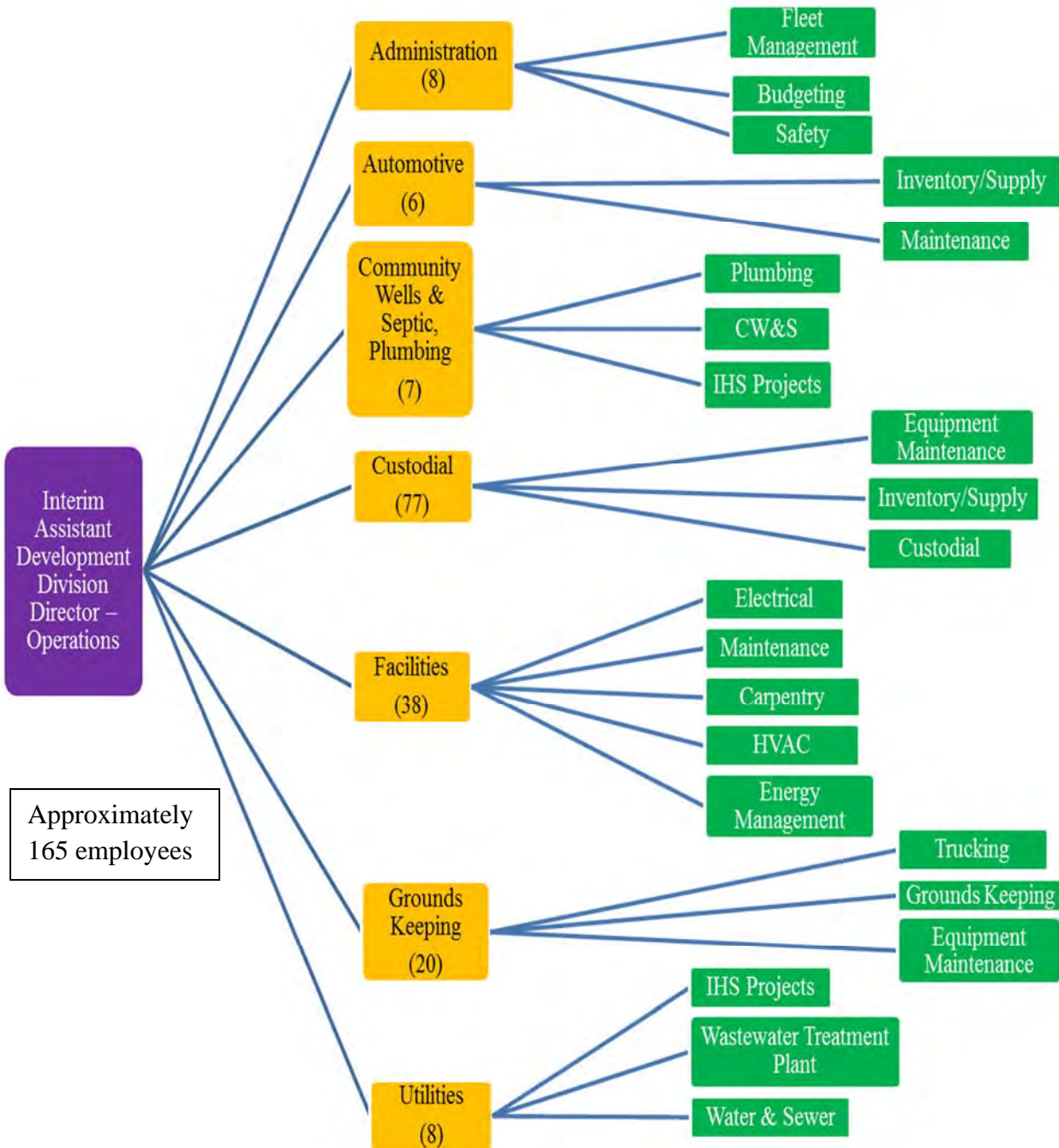
ORIGINAL DEVELOPMENT DIVISION ORGANIZATIONAL CHART





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DPW FUNCTIONAL ORGANIZATIONAL CHART





DEPARTMENT OF PUBLIC WORKS

As with any city, county, or state government, a tribal government (or Nation) is sovereign to the extent that it can govern itself, which includes the ability to allocate resources to sustain the economy, provide safety and security to its citizens, and develop/maintain its physical infrastructure. These critical infrastructures are essential to the Nation's security, safety, public health, economic security and way of life.

The Oneida Department of Public Works is involved with all aspects of sustaining the economy, providing safety and security to the membership, and maintaining the Tribe's physical infrastructure and assets. These assets must be properly maintained according to all building codes, licensing requirements, and funding agency specifications so that they continue to support the delivery of a wide range of government services which fulfill the social, economic, and environmental needs of the community.

It not only does this by its day to day management of facilities and sites, but also through its vital role in all phases of Emergency Management. Participation by public works is an integral part of any jurisdiction's emergency planning efforts. As part of the Oneida Nation's overall Emergency Management Plan and operating under the National Incident Management System (NIMS), Public Works is the primary agency responsible for the Tribe's infrastructure and Transportation in the event of disaster, whether natural or man-made. DPW has resources such as skilled personnel and equipment that can be



mobilized to provide immediate support services. It is the responsibility of local/tribal government to manage an incident from beginning to end – through prevention, preparedness, mitigation, response, and recovery. They are responsible for protecting and ensuring the continuity and resilience of the critical infrastructure and key resources of the Nation.

When a tribal jurisdiction does not have the resources it needs to respond to an emergency or disaster, it turns to mutual aid from city, county, and the state government for assistance. In this instance we are no longer self-governing but rather dependent on other jurisdictions to provide scarce resources to us while they need them as well. It contradicts our status as a sovereign. We need to be in a position to provide mutual aid instead of being solely dependent on it for our own Nation's safety and security.

Current Departments within the Department of Public Works

- | | |
|-------------------------------------|---|
| Administration | The Department of Public Works Administration provides services and support for all of DPW Business Units, internal and external customers. This includes administrative services, budget and financial support services, community services, continuous improvement, customer services, fleet vehicle services, human resources services, safety awareness, and training services. |
| Automotive | The Automotive Department provides for safe operations of vehicles used by various departments of the Nation. This is done by scheduled maintenance and repairs of departmental vehicles. |
| Community Wells & Septic | To upgrade the standard of living by providing complying Septic Systems and potable water supply from Private Wells. To be the first line Plumbing of defense against disease prevention. |



Custodial	The custodial department maintains all non-gaming Oneida Nation occupied buildings in a clean, sanitized, and safe environment through teamwork, communication, and quality customer service.
Facilities	The facilities department provides preventative and regular maintenance utilizing carpenters, electricians, HVAC technicians, and maintenance technicians, remodeling, fire and security protection and monitoring, space management, event coordination, and departmental moves.
Grounds Keeping	The overall maintenance of all of the Oneida Nation's grounds, landscaping, and 24 hour snow removal along with Tribally owned roads is the mission of the Grounds Keeping Department.
Utilities	Provide safe drinking water and environmentally safe wastewater treatment and septage removal. Provide billing for sewer and water, septic removal and refuse/recycling services.

DPW maintains and cleans over eighty (80) buildings comprising over a million square feet and valued at approximately \$225 million. In addition, these sites include 138 acres of parking lots and sidewalks to plow and 198 acres to mow. DPW maintains additional infrastructure such as roads, water, and sewer lines.

In order to gain an understanding of structures, functions, and services that are typically provided by such governmental Public Works organizations, research on the topic was completed. The research findings were then compared to the Oneida Nation's Department of Public Works departments and its organizational structure. What has become apparent is that most of the Department of Public Work's current services are in alignment with what a typical Public Works organization would include to carry out its mission to "effectively maintain public infrastructure." It was also realized



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that DPW provides services in addition to the maintenance of Oneida Nation's assets and infrastructure. Other services include: demolition of structures for Land Management, assistance to tribal members through Elder Services, space management and remodeling of current buildings, design input to Engineering on CIP projects, Fleet Management, and installation of wells and septic systems for home sites. The uniqueness of DPW means there is the flexibility and ability to do more than a traditional Public Works.

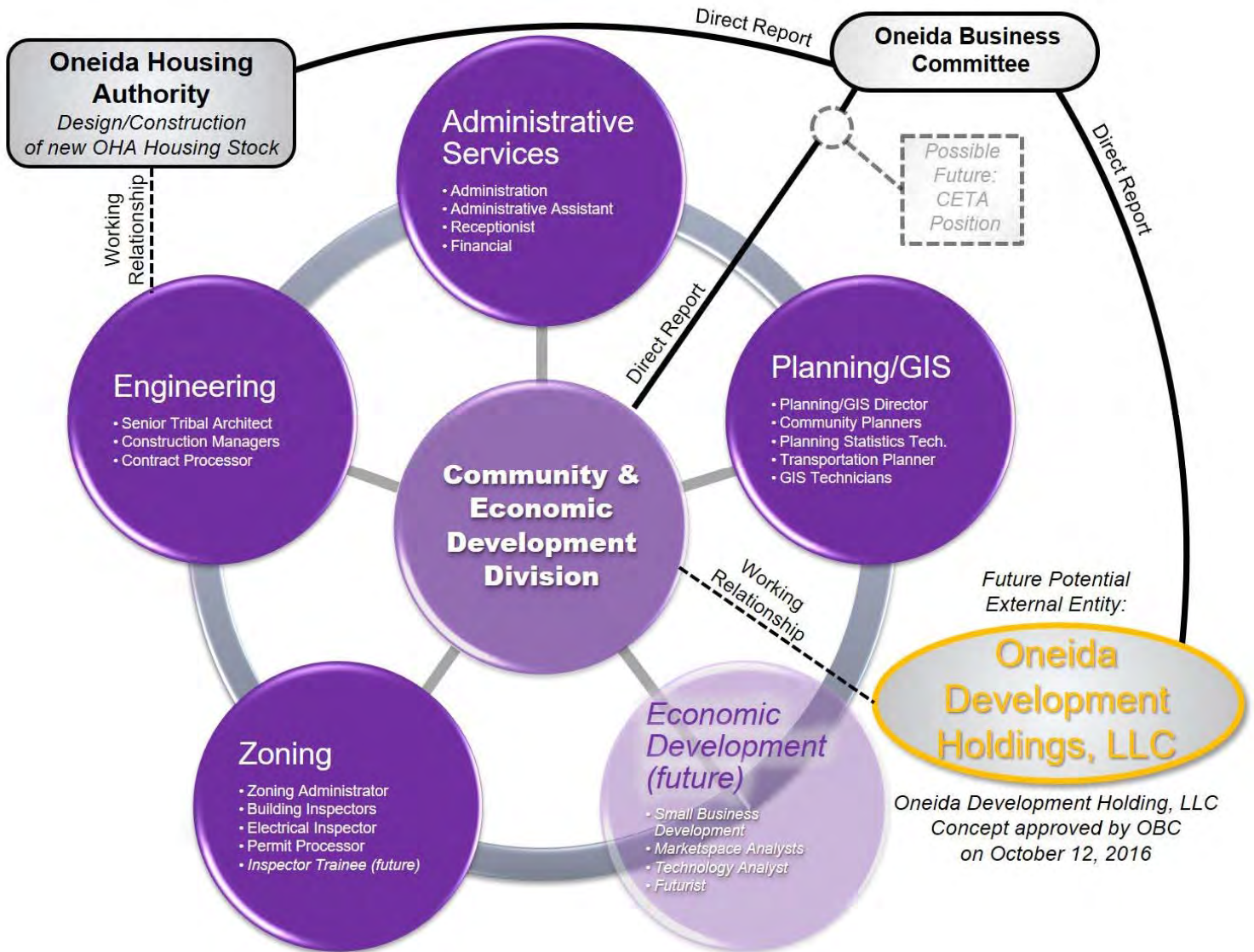
The DPW vision and mission will be created with the input from managers, supervisors, and the people that do the work, our frontline employees. This will then be brought forth to the Business Committee. One of the underlying purposes of the vision and mission is in the discussions that take place in creating it. Through these discussions, a common understanding and stewardship of the vision and mission is created and thereby making it sustainable.

Once the vision and mission have been established DPW can then work on the collective goals and objectives that will be put forth each budget cycle to fall into alignment with what the Oneida Nation budget team presents as the four strategic directions, seven practical visions, and four focus areas that drive a three year strategy in the Nation's budgeting process.



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New Organization Chart – Community and Economic Development Division





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CEDD Vision

To elevate the Oneida Nation by providing community & economic development practices that nurture and sustain Oneida families to prosperity.

CEDD Mission

*To strategically implement systems that foster sustainable development and commerce growth that reflect **Tsi' niyukwalihot** (our ways) with innovative approaches that enrich the natural, built and business environments.*

CEDD – Updated Goals:

Short Term:

- **Support and encourage entrepreneurial aspirations** for the Oneida Nation and Oneida members
- **Embrace Innovation** – research and incorporate new means/methods and educate employees
- **Establish Partnerships** – Become a regional partner in economic activity generation
- **Be a leader in Sustainable Design** – strive for net-zero
- **Support Improving Healthcare Outcomes** – creating recreational opportunities for a healthy lifestyle throughout the Oneida Reservation.
- **Design for Evolving Housing Needs** – provide adequate housing supply to meet community needs.
- **Support Sustainable Development** – while always striving to establish a sense of place that is “Uniquely Oneida”
- **Embrace Technology** – leverage technology when considering new infrastructure
- **Seek Acquisition Opportunities** – identifying potential high-growth small companies ripe for acquisition
- **Engage in Agricultural Opportunity** – building sustainable food systems for community food security and as a business development opportunity.
- **Support the Arts** - Identify creative new opportunities and venues to support Arts Programming – a constant driving economic force

Long-Term:

- **Further refine and update our Zoning Law and Building Code** - to accommodate desired community development outcomes
- **Diversify the Oneida Economy** to be significantly less reliant upon gaming
- **Explore and engage in emerging Manufacturing Technology** – Oneida’s role and opportunities in the Northeast Wisconsin (NEW) and global economies



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- ***Design for the next future primary mode of transportation, air transport*** - design the next iteration of community design to accommodate advancing aeronautic innovation.
- ***Understand the emergence of Artificial Intelligence (AI)*** – prepare for the tremendous affect it will have on jobs in the very near future.
- ***Support Positioning the Oneida Nation in Cloud Storage and Cloud Computing*** – the next iteration of processing data to compete globally in the evolution of the role
- ***Understand and Support the Evolution of Innovative Education Systems*** - plan future workforce development focus – prepare Oneida to engage

CEDD – Updated Objectives:

- Establish a renewed Oneida Nation Economic Development Growth Strategy by the end January 2018. Key components of the Strategy will address:
 - Agricultural Strategy and Agenda
 - Entrepreneurial Growth Strategy and Agenda
 - Oneida Nation Business Development Strategies and Agendas
 - Central Oneida
 - On-Reservation
 - Regional
 - New York
 - Global
- Establish Oneida Development Holdings, LLC by the end of January 2018.
- CEDD to develop and propose new emerging market business ventures for the Oneida Nation that report to the proposed Oneida Development Holdings, LLC (in an effort to diversify revenue stream) by the end of 2020.
- Establish an updated Oneida Comprehensive plan including six (6) area development plans – three (3) of which have an economic development focus - by January 2020.
- Encourage and support Oneida entrepreneurs to accelerate Central Oneida Redevelopment through private small business growth by establishing a Central Oneida Small Business Revolving Loan Fund by the end of 2018.
- Planning and Zoning Departments establish a new updated Zoning Map, Zoning Law and Building Code by January 2020 to shape future development of the Oneida Reservation.
- Research and make a strategic business decision with a definitive land use decision for the land holdings in the State of New York before January 2020.



Oneida Nation creation of:

**Division of Public Works
&
Community & Economic Development Division**

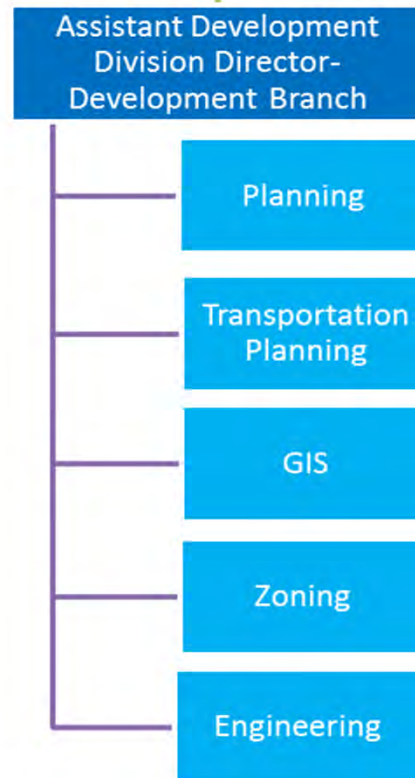
Formal approval of the split of the former "Development Division"

Presented at the Oneida Business Committee Meeting

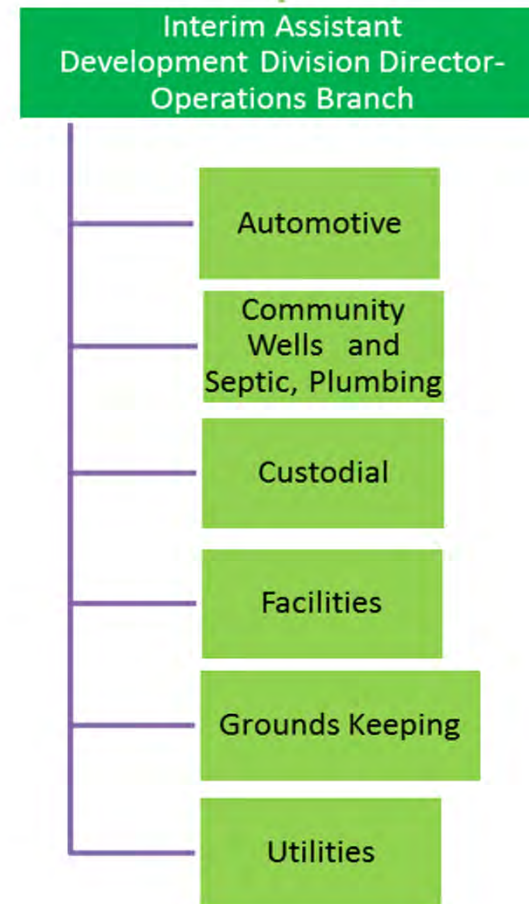
June 14, 2017

Former Development Division

Community & Economic Development Division



Division of Public Works



Task List – Pending final approval

COMMUNITY & ECONOMIC DEVELOPMENT DIVISON (C.E.D.D.)		2017	DPW	
Who	Task	Department	Task	Who
Troy D. Parr, Accountant & Asset Management	Meet with accountant to assure all fund units are under DPW. Meet with Asset Management to assure all assets are with proper fund units.	Accounting	Meet with accountant to assure all fund units are under DPW. Meet with Asset Management to assure all assets are with proper fund units.	Jacque Boyle, Accountant, & Asset Management
Troy D. Parr, & Human Resources	Meet with Human Resources to change the “Division” on all job descriptions to DPW. Assure that all positions are under the correct fund unit.	Human Resources	Meet with Human Resources to change the “Division” on all job descriptions to DPW. Assure that all positions are under the correct fund unit.	Jacque Boyle & Human Resources
Troy D. Parr, & C.E.D.D. Managers	Meet with Managers to discuss change and what it means. Meet with individual departments to communicate the change.	Communication	Meet with Managers to discuss change and what it means. Meet with individual departments to communicate the change.	Jacque Boyle & Managers
Troy D. Parr, & C.E.D.D. Managers	Develop new Vision, Mission for C.E.D.D. DONE – 6/6/17	Vision and Mission	Create a calendar of events to create an up-to-date, relevant Vision and Mission for DPW.	Jacque Boyle, Managers. & Staff
Troy D. Parr, & C.E.D.D. Managers	Develop new Goals & Objectives for C.E.D.D. DONE – 6/6/17	Goals and Objectives	Create a schedule for each department to create overall goals and objectives that are in alignment with the Vision and Mission of DPW	Jacque Boyle, Manager, & Staff



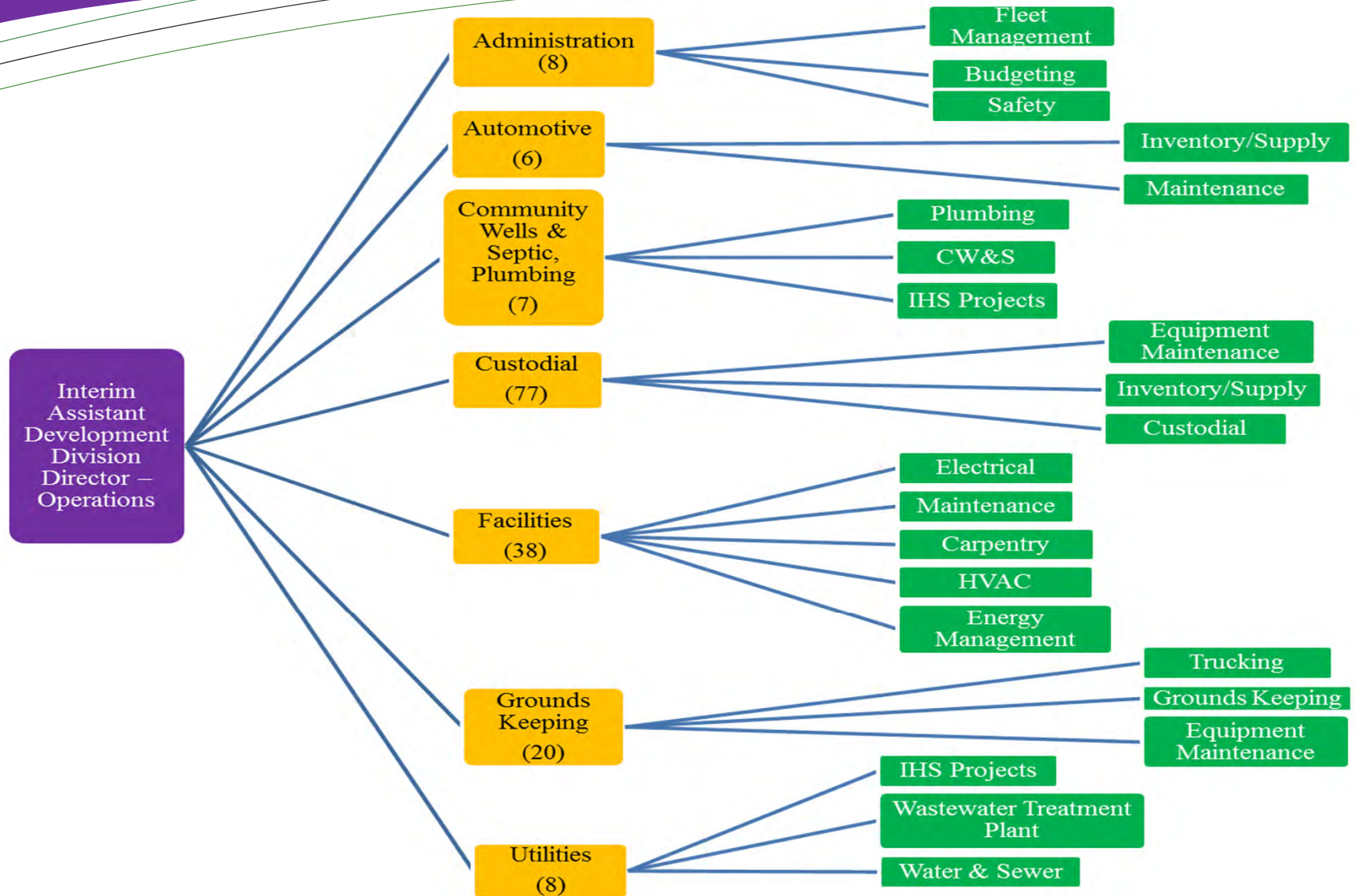
The new
**Division of
Public Works**

DPW Reorganization Highlights:

FOCUS ON THE OPERATIONS (care of the assets) OF THE NATION

- ✓ Creating Vision, Mission, Goals, and Objectives
 - ✓ Emergency Management
 - ✓ Roads (Highways and Storm Water)
 - ✓ Utilities and Wells & Septic, Plumbing
 - ✓ Landscaping
 - ✓ Maintaining and Improving the Nation's Assets
 - ✓ New Technology in all Areas/Departments
 - ✓ Training and Development of Employees
 - ✓ Building Assessments
 - ✓ Assisting Other Services within the Nation
 - ✓ Retaining Grant Dollars
 - ✓ Asserting the Nation's Sovereignty (through doing it ourselves)
-

New Division of Public Works Org. Chart





The new
**Community & Economic
Development
Division**

New C.E.D.D. Highlights:

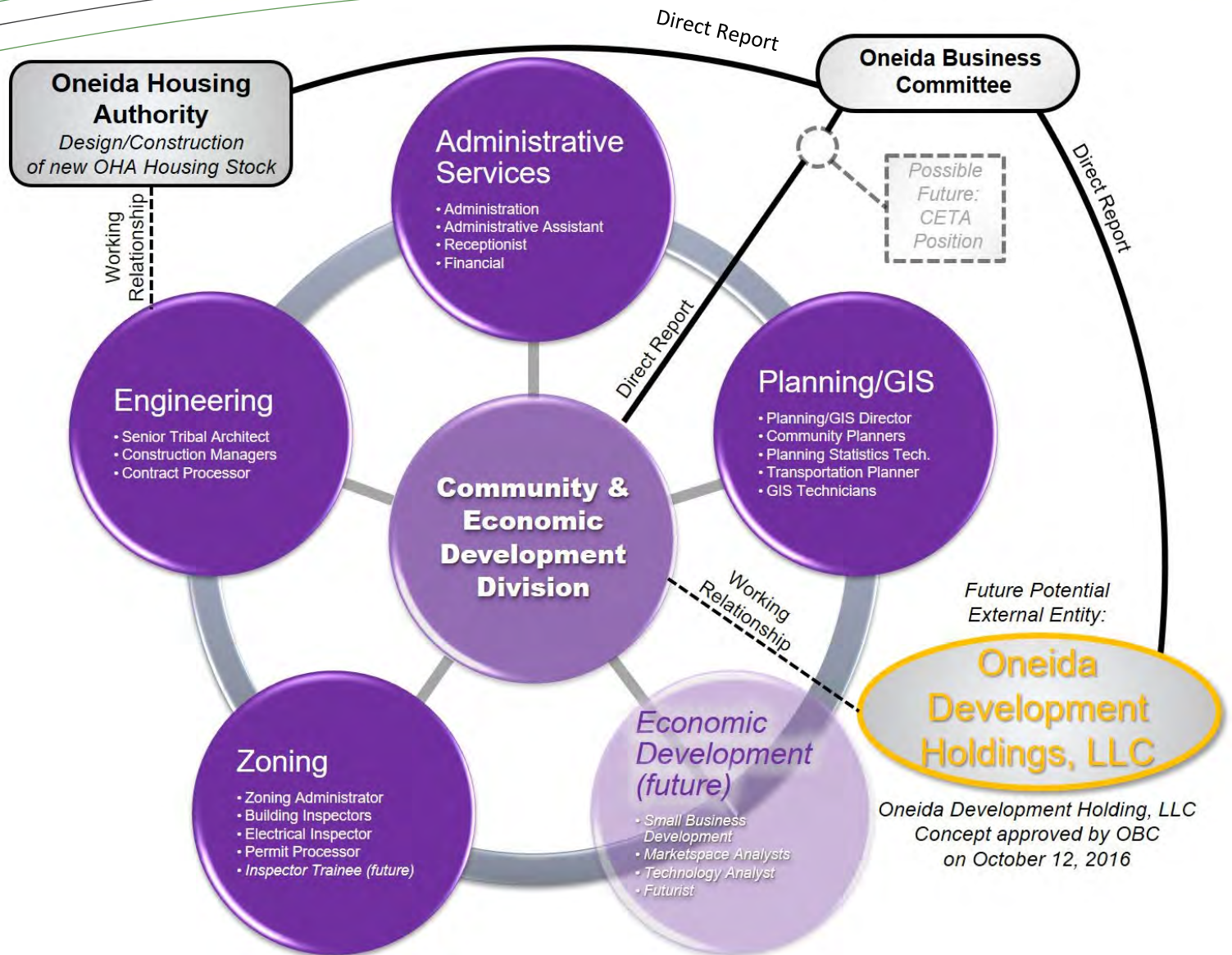
CEDD Vision

To elevate the Oneida Nation by providing community & economic development practices that nurture and sustain Oneida families to prosperity.

CEDD Mission

*To strategically implement systems that foster sustainable development and commerce growth that reflect **Tsi⁹ niyukwalihotl** (our ways) with innovative approaches that enrich the natural, built and business environments.*

New Community & Economic Development Division





Thank You

Yaw^ko

Oneida Business Committee Agenda Request

1. Meeting Date Requested: ~~6~~/~~14~~/~~17~~ Item deferred to 7/12/17 OBC Meeting

2. General Information:

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

New Business

Agenda Header:

Accept as Information only

Action - please describe:

To adopt the Amended and Restated Per Capita Trust Agreement dated 5/23/2017. This replaces the signed Per Capita Trust Agreement dated 5/13/2015.

3. Supporting Materials

Report Resolution Contract

Other:

1. 5/23/17 Amended & Restated PC Trust Agreemen

3. 2/28/17 OTEC Regular Minutes-redacted

2. 5/13/15 Amended PC Trust Agreement-signed

4. 5/23/17 OTEC Regular Minutes-redacted

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution

Budgeted - Grant Funded

Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Brandon Stevens, Council Member

Primary Requestor/Submitter: Susan White, Trust Enrollment Director
Your Name, Title / Dept. or Tribal Member

[Signature] 5/25/2017

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:

In accordance with Article XVII of the Original Per Capita Trust Agreement the trustor (GTC) may amend or modify the terms and provisions of the Agreement with the written consent of the trustee (OTEC). The Oneida Trust Enrollment Committee has reviewed and approved the following changes to the Per Capita Trust Agreement:

1. To reflect the title change of the Tribe, the Trust Enrollment Department and Trust Enrollment Committee.
2. To provide for the automatic deferral of pre-21 distributions for individuals who do not satisfy distribution requirements within prescribed time frames.
3. To amend the term length of the age 21 and over optional deferrals from 3 years to 1 year.
4. To incorporate new definitions and rules to distinguish between minor and majority age beneficiaries.
5. to clarify procedures for determining the existence of a learning or other disability under the trust
6. To clarify the use of flexible valuation dates.
7. To simplify the procedures for requesting health, education and welfare distributions for unforeseeable emergency.
8. To add language confirming payment to the estate of a deceased beneficiary in the absence of a valid designation to the contrary.

It is identified the Oneida Business Committee, acts on behalf of the trustor and as such, the OTEC is requesting the Oneida Business Committee's approval and signature on the attached Amended and Restated Per Capita Trust Agreement dated 5/23/2017.

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

ONEIDA LAW OFFICE**CONFIDENTIAL: ATTORNEY/CLIENT WORK PRODUCT**

TO: Susan White
 Trust Department
 cc: Bonnie Pigman

RSC

FROM: Attorney Robert J. Collins

Use this number on future correspondence:

2017-0614

DATE: May 30, 2017

RE: Amended Per Capita Trust Agreement

Purchasing Department Use

Contract Approved

Contract Not Approved

(see attached explanation)

If you have any questions or comments regarding this review, please call 869-4327.

The attached agreement, contract, policy and/or guaranty has been reviewed by the Oneida Law Office for legal content only. Please note the following:

- ✓ The document is in appropriate legal form. *(Execution is a management decision.)*
 - As this document is an agreement signed by both the Oneida Business Committee and the Oneida Trust Enrollment Committee, I think the Oneida Nation's letterhead and seal would be more appropriate to use than the Oneida Trust Enrollment Committee's letterhead.

- ✓ Requires Business Committee approval.



LEGAL REVIEW REQUEST FORM

Please Email Law Office File # to Enrollments@Oneidanation.org

DATE: 5/30/17	TELEPHONE: 3930
FROM: Bonnie Pigman <i>BPP</i>	EXTENSION: 3932
DEPARTMENT:	TRUST ENROLLMENT
REVIEW NEEDED BY:	5/30/17
DOCUMENT TITLE:	Per Capita Trust Agreement - Amended
COMMENTS: Please provide a legal review on the Amended Per Capita Trust Agreement approved by the OTEC.	

ATTACHMENTS: Amended Per Capita Trust Agreement, 5/13/15 Amended Per Capita Trust Agreement – signed, 2/28/17 OTEC Regular Minutes - redacted 5/23/17 OTEC Regular Minutes - redacted

TRUST ENROLLMENT TRACKING

Saved LAWOFFC		Saved to G:\Project List	
Law File # Recv'd		Add File # to PDF title	



Amended and Restated Per Capita Trust Agreement

This **Amended and Restated Per Capita Trust Agreement** is made and entered into on this _____ day of _____ 2017 between the **Oneida Business Committee**, acting on behalf of the **General Tribal Council** (“trustor”), and on behalf of the **Beneficiaries** named herein, and the **Oneida Trust Enrollment Committee** (“trustee”).

RECITALS

WHEREAS, the Oneida Business Committee and Oneida Trust Enrollment Committee are parties to the Per Capita Trust Agreement, dated as of November 9, 1994 (the “Original Agreement”);

WHEREAS, the Per Capita Trust Agreement was amended on the following dates: December 12, 2001; February 23, 2005; March 24, 2010; February 13, 2013; April 23, 2014; and May 13, 2015;

WHEREAS, the parties desire to amend and restate the Original Agreement to reflect the prior amendments and to further amend the trust (1) to reflect the change in the name of the Tribe, the Trust Enrollment Department and the Oneida Trust Enrollment Committee; (2) to provide for the automatic deferral of pre-21 distributions for individuals who do not satisfy distribution requirements within prescribed time frames; (3) to amend the term length of the age 21 and over optional deferrals from three (3) years to one (1) year; (4) to incorporate new definitions and rules to distinguish between minor and majority age beneficiaries; (5) to clarify procedures for determining the existence of a learning or other disability under the trust; (6) to clarify the use of flexible valuation dates; (7) to simplify the procedures for requesting health, education and welfare distributions for an unforeseeable emergency; and (8) to add language confirming payment to the estate of a deceased beneficiary in the absence of a valid designation to the contrary;

WHEREAS, Article XVII of the Original Agreement and subsequent amendments provides that **trustor** may amend or modify the terms and provisions of the Per Capita Trust Agreement with the written consent of **trustee**;

WHEREAS, each party is executing this Amended and Restated Per Capita Trust Agreement which will go into effect beginning with the Fiscal Year 2018 distribution.

NOW, THEREFORE, in consideration of the following covenants, the **trustor** hereby transfers authority to the **trustee** to administer the trust fund, defined as all per capita distributions of the Oneida Nation which are payable to the **beneficiaries** named herein. The **trustee** accepts the authority to hold these funds in trust and to administer these funds, directing investment, reinvestment, and collection of income from the funds. The **trustee** agrees to hold, administer and distribute the trust under the following terms and conditions.



Article I. Beneficiaries

The **beneficiaries** of the trust shall be all duly enrolled members of the Oneida Nation who are eligible to receive a per capita distribution in any year in which any such distribution is made, and who have not yet attained the age of eighteen (18) years by September 1st of each year in which such distribution is made.¹

Article II. Trust

- A. The per capita distributions(s) to each **beneficiary**, together with the net profit and income accumulations therefrom shall comprise an individual and separate trust for that **beneficiary**. Each trust shall be administered by the **trustee** as a separate trust but without the necessity of the **trustee** making physical division of the assets, unless the **trustee** deems it necessary or advisable to do so. For convenience of administration and investment, the **trustee** in making a division of the trust or any part thereof, into shares or trust as may be authorized or directed under these provisions, may allot to the trusts an undivided interest in any or all assets of the trust and may make joint investment of the funds in the trusts and may hold trusts as a common fund, dividing the net income and profits proportionately among them.
- B. The Oneida Nation ("Nation") shall be treated as the grantor and owner of any trusts established herein.
- C. The trust hereby established shall be irrevocable.
- D. The trust is intended to be a grantor trust, of which the Nation is grantor, within the meaning of subpart E, subchapter J, Chapter 1 subtitle A of the Internal Revenue Code of 1986, as amended, and shall be construed accordingly.
- E. The Nation shall have the right at any time and from time to time in its sole discretion, to substitute assets of equal fair market value for any asset held in the trust. This right is exercisable by the Nation in a non-fiduciary capacity without the approval or consent of any person in a fiduciary capacity.
- F. Where any deadline referenced in the trust falls on a Saturday, Sunday, or holiday, the deadline is construed to be the close of business on the following business day.

Article III. Distribution, Death of Beneficiary, Discretionary Payments

- A. General Rule - Distribution and Valuation:

¹ Beneficiaries under the age of eighteen (18) are referred to in the Nation's Per Capita law as a "minor beneficiary" and beneficiaries who have reached eighteen (18) years of age by September 1st and are eligible to claim a trust account for the first time in the distribution year are referred to as a "majority age beneficiary."



- (1) Uniform Distribution Date: All distributions under the trust other than those subject to subsections B (deferral) or C (health, education and welfare distributions for an unforeseeable emergency), or as otherwise provided for and approved by the **trustee**, shall be processed on a uniform distribution date to be set by the **trustee** on or after the first day of each fiscal year, October 1. Attempts will be made to establish the Trust's uniform distribution date, when practicable, to coincide with the general distribution date(s) for adult per capita payments to the general membership.

- (2) Age 18/Minimum Education Requirements: Except for those accounts subject to a deferred election or an automatic deferral as set forth in Article III(B), each **majority age beneficiary** may request one trust account maturity payment of the monies accumulated in the "Minors Trust Fund," including earnings, for that particular **beneficiary** as of the Uniform Distribution Date on or immediately after reaching the age of eighteen (18). In order for the request to be granted, the **majority age beneficiary** must submit a Trust Payment/Deferral Form by July 1 requesting to receive all or a portion of the distribution and either (1) provide the Trust Enrollment Department with an original or notarized copy of his/her high school diploma, a high school equivalency diploma or a general equivalency diploma on or before September 1, or (2) request his/her school or academic institution provide an original or notarized copy of his/her high school diploma, a high school equivalency diploma or a general equivalency diploma directly to the Trust Enrollment Department. It is the **majority age beneficiary's** responsibility to make all arrangements with his/her school or academic institution to ensure proof of education is received by the Trust Enrollment Department no later than September 1. If the foregoing requirements are not met within the prescribed time frames, the **beneficiary's** trust funds shall not be eligible for disbursement until the next Uniform Distribution Date, unless the **beneficiary** meets the requirements for a health, education and welfare distribution for an unforeseeable emergency in accordance with Article III(C). Notwithstanding the foregoing general education requirements, the trust shall recognize the following exceptions: (1) the accounts of a **majority age beneficiary** declared legally incompetent shall be placed into a trust account for the legally incompetent adult and administered and distributed in accordance with the Nation's Per Capita law, Section 123.6-2; and (2) a **majority age beneficiary** who has documentation of a learning or other disability from a professional qualified to make such a diagnosis is deemed to satisfy the foregoing education requirements by providing a certificate of twelve (12) years of school attendance. A **majority age beneficiary** who provides fraudulent proof of education is subject to the remedies provided in the Nation's Per Capita law, Section 123.6-1(d)(1)(D).

- (3) Valuation: The value of the trust shall be determined on annual or other periodic valuation date(s) as established for the valuation of trust assets by the **trustee**.

- (4) Death: Upon the death of a **beneficiary** who has not qualified for distribution of his/her trust, his/her trust shall be distributed to a designated beneficiary as named on the most recent beneficiary designation form received and accepted by the

Trust Enrollment Committee

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trustee prior to the **beneficiary's** date of death. In the absence of a valid beneficiary designation form, such benefits will be distributed in accordance with the Nation's Per Capita law, Section 123.5-3(b)(2). In all cases, such payment shall be made as soon as reasonably practicable following the date of his/her death. In the event that a **beneficiary's** trust account is not claimed or completed in accordance with the Nation's Per Capita law and other applicable rules, such benefits shall be liquidated and deposited pursuant to the Per Capita law.

B. Deferral Elections:

- (1) Uniform Deferral Date: All deferral elections under the trust (as described below) must be entered into on or before July 1 of each year for distributions that would otherwise become payable as of the Uniform Distribution Date for the next fiscal year.
- (2) A **majority age beneficiary** that desires to defer payment may enter into a deferral election as follows:
 - i. Age 18-21: Each **majority age beneficiary** that would otherwise qualify for a distribution will be provided the option to elect up to three (3) one-year deferrals between the ages of eighteen (18) and twenty-one (21), allowing for all or a portion of the **beneficiary's** then remaining account(s) to become payable on the Uniform Distribution Date following age nineteen (19), twenty (20), and/or twenty-one (21). The **majority age beneficiary** must enter into a Deferred Payment Agreement on or before July 1 of each year in which the **beneficiary** turns age eighteen (18), nineteen (19) and/or twenty (20), as applicable. Deferral elections prior to age eighteen (18) must be signed and notarized by the **beneficiary** and the **beneficiary's** parent or legal guardian. Elections upon reaching age eighteen (18) shall be signed and notarized solely by the **majority age beneficiary**. A **majority age beneficiary** who fails to meet any of the distribution requirements within the time frames set forth in Article III(A), will be deemed to have elected to automatically defer his or her distribution to the next Uniform Distribution Date. An automatic deferral shall be subject to the same restrictions, including irrevocability, that apply to a Deferred Payment Agreement.
 - ii. Age 21 and Over: Each **majority age beneficiary** who is eligible for the first time at age twenty-one (21) or who has entered into a Deferred Payment Agreement or was automatically deferred at the age of eighteen (18), nineteen (19), and/or twenty (20) will be provided the option to defer or extend their deferral each year between the ages of twenty-one (21) and thirty (30) allowing for all or a portion of the **beneficiary's** then remaining account(s) to become payable on the next Uniform Distribution Date. The **majority age beneficiary** must enter into a Deferred Payment Agreement on or before July 1 of each year that the optional deferral is sought.² If the

² If the majority age beneficiary previously entered into an optional three (3) year deferral, that deferral will remain in place for the duration of the three (3) year term.

Trust Enrollment Committee

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majority age beneficiary does not submit a Trust Payment/Deferral Form by July 1, their trust fund will automatically be liquidated and distributed to the last known address on file with the Trust Enrollment Department to avoid constructive receipt. In the annual distribution year in which a **majority age beneficiary** who has deferred funds turns thirty (30), they can no longer defer and must claim their entire trust fund. Failure to claim the trust fund pursuant to this Agreement and the Per Capita law will result in the money being deposited into a pooled account.

- iii. Deferred Payment Agreements shall, except in the case of a health, education and welfare distribution for an unforeseeable emergency, be irrevocable. Each Deferred Payment Agreement shall be in a form approved by the **trustee**.
- iv. Distribution of a **majority age beneficiary's** benefits shall thereafter be subject to the terms of the Deferred Payment Agreement rather than Section A above.

- (3) A **beneficiary** shall not vest in his or her benefits until distributed.
- (4) Deferred Payment Agreements shall be administered in a manner designed to avoid premature taxation through IRS doctrines of constructive receipt and economic benefit. The **trustee** shall implement such election forms and agreements as may be necessary to accomplish the foregoing, and shall have the power to deny distributions that would otherwise not satisfy the foregoing rules.
- (5) Trust accounts subject to a deferral election will be invested by the **trustee**. The **trustee** shall invest said accounts in accordance with any investment policy which the **trustee** may adopt and may amend from time to time. The investment policy may include an investment structure whereby the **trustee** is directed to meet (to the extent possible) hypothetical investment selections made by **beneficiaries** based on limited fund options approved by the **trustee**. The trust may also provide earnings credits (and reductions) to a **beneficiary's** account based on the hypothetical earnings/losses attributable to his or her elections. However, the **trustee**, rather than **beneficiaries**, shall have ultimate authority as to which investments or investment funds are selected for actual investment of trust assets, and the direction of those funds.

C. Early Distributions for Health, Education and Welfare:

- (1) The **trustee** may order the early distribution of trust proceeds provided that the **trustee** determines that (1) the distributed funds will be used solely for the health, education or welfare of the **beneficiary** and (2) the distribution is a result of an unforeseeable emergency.
- (2) An unforeseeable emergency for this purpose is a severe financial hardship to the **beneficiary** resulting from an illness or accident of the **beneficiary**, the **beneficiary's** spouse, the **beneficiary's** contingent **beneficiary**, or a dependent



(as defined in 26 U.S. Code Section 152(a)) of the **beneficiary**, loss of the **beneficiary's** property due to casualty, or other similar extraordinary and unforeseeable circumstances arising as a result of events beyond the control of the **beneficiary**. Any early withdrawal or modification to a Deferred Payment Agreement hereunder on account of an unforeseeable emergency approved by the **trustee** shall be limited to the amount necessary to meet the emergency, and modification of a deferral agreement may only be made on a prospective basis. An unforeseeable emergency may not exceed the amounts necessary to satisfy such emergency plus amounts necessary to pay taxes reasonably anticipated as a result of the distribution, after taking into account the extent to which such hardship is or may be relieved through reimbursement or compensation by insurance or otherwise or by liquidation of the **beneficiary's** assets (to the extent the liquidation of such assets would not itself cause severe financial hardship). The **trustee**, in its discretion, shall determine when a distribution or modification shall be made pursuant to this Section, but in accordance with rules, procedures and limitations deemed necessary for compliance with the Internal Revenue Code including rules against premature taxation due to constructive receipt and/or economic benefit. The existence of an unforeseeable emergency may be made with reference to 26 U.S. Code Section 409A.

- (3) Any petition for early distribution under this provision shall include the following information:
- i. a detailed budget of monies necessary for the **beneficiary's** health, education or welfare;
 - ii. a detailed justification for the need to expend trust funds to meet the **beneficiary's** health, education or welfare needs, including other possible sources of funds or the lack thereof;
 - iii. a showing that the request is for an unforeseeable emergency (as defined in Article III(C)(2)); and
 - iv. a showing that all other resources, including federal, state, local, and tribal assistance, have been exhausted.
- (4) A petition for a distribution under this section for a **beneficiary** under the age of age eighteen (18) must be signed and notarized by the **beneficiary** (when possible) and the **beneficiary's** parent or legal guardian. A petition filed by a **beneficiary** who is eighteen (18) years of age or older may be signed and notarized solely by the **majority age beneficiary**.

D. Minor and Majority-Aged Beneficiaries; Disability and Legal Incompetency:

- (1) Notwithstanding any trust reference to the contrary, all actions by or on behalf of a **minor beneficiary** who is under the age of eighteen (18) must be approved in writing by the **beneficiary** (when possible) and the **beneficiary's** parent or guardian. Actions by or on behalf of a **beneficiary** who has reached the age of eighteen (18) need only be approved by the **majority age beneficiary**.

Trust Enrollment Committee

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- (2) Learning or other disability determinations for purposes of deeming a **majority age beneficiary** to have satisfied the education requirements under the trust shall be made in the sole discretion of the **trustee** based on the review and opinions of a teaching professional or medical provider, as applicable.
 - (3) Determinations of legal incompetency for purposes of establishing accounts for a legally incompetent adult's health, education and welfare shall be made by a court of competent jurisdiction in accordance with the laws of the Nation and the Indian Gaming Regulatory Act (IGRA), as applicable.
 - (4) In the event that the **trustee** is informed that a review for disability or legal incompetency will be conducted or is being conducted, the **trustee** may postpone any distributions or other actions under the trust pending completion of the review.
 - (5) If a majority age beneficiary has been found to be legally incompetent and a guardian has been appointed, the guardian may sign documents referenced in the trust on the beneficiary's behalf.
- E. There shall be no distribution of a **beneficiary's** trust before his/her qualification for distribution under the conditions listed above.

Article IV. Additional funds

Additional funds may be transferred to this trust in any year in which a per capita distribution is made, or as otherwise directed by the General Tribal Council of the Oneida Nation.

Article V. Accounting by Trustee

- A. The **trustee** shall render an accounting of its administration of this trust at thirty (30) day intervals, commencing on October 30, 1994, by delivering to the **trustor** a written accounting of its transactions pursuant to this agreement.
- B. The **trustee** shall, upon written request of a parent or guardian of a **minor beneficiary**, furnish a copy of the most recent valuation to the parent or guardian of the **beneficiary**.
- C. Each accounting furnished to the **trustor** shall be final and conclusive in respect to the transactions disclosed in that account and as to all **beneficiaries** of the trust and, after settlement of the account by reason of the expiration of the sixty (60) day period after the submission of the accounting, the **trustee** shall no longer be liable to any **beneficiary** of the trust in respect to transactions disclosed in the accounting except for the **trustee's** willful fraud. However, the **trustee** may at any time during the sixty (60) day period petition the Oneida Judiciary for a settlement of its accounts submitted pursuant to this agreement.

Article VI. Trustee Powers and Duties.

To carry out the purposes of this trust, the **trustee** is vested with the following powers in addition



to powers already specified in this document and to any powers now or in the future conferred by the Oneida Nation or the State of Wisconsin:

- A. To direct the acquisition and holding of any property, real, personal, or mixed, and to direct the operation at risk of the trust of any property or business received into the trust, as long as the **trustee** deems it advisable to do so, the profit or losses of which will inure to or be chargeable to the trust.
- B. To sell, convey, or otherwise dispose of the whole or any part of any property at any time held hereunder at any time for any price, to any party or parties, in any manner, and upon other terms and conditions, as **trustee** shall deem advisable.
- C. To make such purchases or exchanges at any time, for any prices, in any manner and upon other terms and conditions as **trustee** shall deem advisable, and to invest and reinvest in securities, mortgages, insurance, leases, commodities or other evidence of rights, interests or obligations, secured or unsecured, or other property, real, personal, or mixed as **trustee** shall deem advisable, as long as such investment is in accordance with the investment policies of the **trustor**.
- D. To direct the investment and reinvestment of the principal of the trust in properties of every kind and nature, including specifically, but not limited to, saving accounts, corporate obligations, and stocks and bonds, which a reasonable person would acquire for their own account, including investments in common trust funds operated by **trustee** where **trustee** deems it in the best interest of the trust to do so.
- E. To have the power to exercise, respecting securities, all rights, powers and privileges of an absolute owner, including, but not limited to: vote stock; give proxies; pay calls for assessments; sell or exercise stock subscription or conversion rights; participate in foreclosures, reorganizations, consolidations, mergers, liquidations, pooling agreements, and voting trust and assent to corporate sales and other acts; and in connection therewith, to deposit securities with and transfer title to any protective or other committee under such terms as **trustee** may deem advisable.
- F. To pay or reserve sufficient funds to pay all expenses of management and administration of this trust, all or any part of which may, in **trustee's** discretion, be charged either to income or principal of the trust.
- G. All taxes, assessments, fees, charges and other expenses incurred by **trustee** in the administration or protection of this trust shall be a charge on the trust estate, and prior to final distribution of the trust estate shall be paid by **trustee** in full from principal or income or partially from each in such manner as **trustee** in **trustee's** absolute discretion may determine advisable.
- H. To prescribe the manner in which all checks, stock certificates or other instruments may be signed, endorsed or executed by or for the **trustee**. The **trustee** may appoint or employ such agents, agencies, attorneys, custodians, employees, assistants, accountants or legal or investment counsel as the **trustee** deems advisable. The **trustee** may make execute or deliver any transfer or their instrument or do any ministerial acts necessary or

proper to be done in the execution of any duty imposed upon the **trustee** or for any purpose the **trustee** deems appropriate or desirable. The **trustee** may charge the expense for the above-listed activities to principal or income as the **trustee** shall determine proper.

- I. To do all acts, institute all proceedings, and to exercise all other rights, powers, and privileges that an absolute owner of the property would otherwise have the right to do, subject always to the discharge of the **trustee's** fiduciary obligations.
- J. In investing, reinvesting, purchasing, acquiring, exchanging and selling property for the benefit of this trust, **trustee** shall exercise the judgement and care, under the circumstances then prevailing, that persons of prudence, discretion and intelligence exercise in the management of their own affairs, not in regard to speculation, but in regard to the permanent disposition of their funds, considering the probable income as well as the probable safety of their capital.
- K. The enumeration of certain powers in this agreement shall not limit the general or implied powers of the **trustee**. **Trustee** shall have all additional powers that may be necessary to enable **trustee** to administer this trust in accordance with the provisions of this trust instrument, subject only to limitations as may be expressly provided herein.

Article VII. Duration of Trustee Powers

All of the rights, powers, authorities, privileges and immunities given to **trustee** by this agreement shall continue after termination of the trust created hereby until **trustee** shall make actual distribution of all property held by it hereunder.

Article VIII. Assignment of Trust

The interest of all **beneficiaries** shall vest upon the receipt of funds from the trust account of the **beneficiary**.

Besides completing a beneficiary designation form, no **beneficiary** shall have the power to pledge, assign, mortgage, sell or in any manner, transfer or hypothecate any interest which they may have or expect to have in the trust.

The interests of the **beneficiaries** shall not be subject in any manner while under the direction of the **trustee** to debts, contracts, liabilities, engagements, obligations or torts of such **beneficiary** nor to the claims of the creditors of the **beneficiary**, nor to the process of law.

Article IX. Responsibility Regarding Payments to the Trust Beneficiary When the Nation is Insolvent.

- A. The **trustee** shall cease payment of benefits to trust **beneficiaries** if the Nation is insolvent. The Nation shall be considered "insolvent" for purposes of this trust agreement if the Nation becomes subject to a pending proceeding as a debtor under the United States Bankruptcy Code.
- B. Any assets held by the trust will be subject to the claims of the Nation's general creditors



under federal and other applicable law in the event of insolvency, as defined in Subsection A herein.

- (1) The Chairperson of the Nation shall have the duty to inform the **trustee** in writing of the Nation's insolvency. If a person claiming to be creditor of the Nation alleges in writing to the **trustee** that the Nation has become insolvent, the **trustee** shall determine whether the Nation is insolvent and, pending such determination, the **trustee** shall discontinue payment of benefits to trust **beneficiaries**.
 - (2) Unless the **trustee** has actual knowledge of the Nation's insolvency, or has received notice from the Nation or a person claiming to be a creditor alleging that the Nation is insolvent, the **trustee** shall have no duty to inquire whether the Nation is insolvent. The **trustee** may in all events rely on such evidence concerning the Nation's solvency as may be furnished to it that provides the **trustee** with a reasonable basis for making a determination concerning the Nation's solvency.
 - i. If at any time the **trustee** has determined that the Nation is insolvent, the **trustee** shall discontinue payments to trust **beneficiaries** and the **trustee** shall hold the assets of the trust for the benefits of the Nation's general creditors; provided that (1) nothing in this trust agreement shall in any way diminish any rights of trust **beneficiaries** to pursue their rights as general creditors of the Nation with respect to benefits due under the trust, the Revenue Allocation Plan or otherwise, and (2) nothing herein shall enhance or grant independent claim rights to the Nation's general creditors that they otherwise would not have against the Nation or its assets.
 - ii. The **trustee** shall resume the payment of benefits to **trust beneficiaries** in accordance with Subsection 2 only after the **trustee** has determined that the Nation is not insolvent (or is no longer insolvent) or after the legal claims of general creditors as satisfied (through payment or dismissal).
- C. Provided that there sufficient assets, if the **trustee** discontinues the payment of benefits from the trust pursuant to Subsection B hereof and subsequently resumes such payments, the first payments following such discontinuance shall include the aggregate amount of all payments due to trust **beneficiaries** for the period of such discontinuance, less the aggregate amount of any payments made to trust **beneficiaries** by the Nation in lieu of the payments provided for hereunder during any such period of discontinuance.
- D. In the event that any payment hereunder are discontinued (and not made up under Subsection C above or otherwise, the trust **beneficiaries** shall have (to the extent permitted under applicable law) a continuing claim against the Nation for the remaining benefits due under the trust and or the Revenue Allocation Plan.

Article X. Termination of Trust

Unless terminated as otherwise provided for in this document, this trust and all trusts created herein, shall terminate at the date of twenty-two (22) years from the initiation of this trust, or at the expiration of one (1) year after the date on which the youngest **beneficiary** named shall

Trust Enrollment Committee

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qualify for distribution, whichever is later in time.

Upon the termination of this trust, all remaining assets of the trust shall revert to the General Fund of the General Tribal Council of the Oneida Nation.

Article XI. Liability of Trustee

The **trustee**, while acting under the conditions set forth in this document, shall incur no personal or individual liability to any individual or corporation dealing with the **trustee** in administering this trust in accordance with the provisions set out in this document, and may contract in such manner that it shall expressly be exempted from any personal or individual liability, and that its liability shall be limited to the property of the trust estate under its control. In no case shall any party dealing with the **trustee** in connection with the trust or to whom any part of the trust shall be conveyed, sold, leased, or mortgaged by direction of the **trustee**, be obliged to see to the application of any purchase money, rent or money loaned to the **trustee**, or be obliged to see that the terms of this trust have been complied with, or to inquire into the necessity or expediency of any act of the said **trustee**. Each **trustee** or successor **trustee** shall be requested and required to post \$50,000.00 bond.

Article XII. Designation of Trustee

The **trustor** designates the Oneida Trust Enrollment Committee of the Oneida Nation as **trustee**. The **trustee** shall administer and distribute the trust under the terms and conditions set out in this agreement.

Article XIII. Resignation or Removal of Trustee

- A. Any **trustee** or successor **trustee** shall have the right to resign any time by giving thirty (30) days written notice thereof to the remaining members of the Oneida Trust Enrollment Committee and the **trustor**.
- B. Any removal of a **trustee** shall be pursuant the Oneida Removal law.
- C. Selecting and approving a successor **trustee** shall be pursuant to the Oneida Trust Enrollment Committee Bylaws and any other applicable laws.

Article XIV. Successor Trustee

Any successor **trustee** may accept the account rendered and property delivered by a predecessor **trustee** as a full and complete discharge of the predecessor **trustee** and without any duty to examine the books and records of any such predecessor **trustee**.

No successor **trustee** shall be liable or responsible for anything done or omitted to be done by any predecessor **trustee**; to the date such successor **trustee**, nor shall such successor be required to inquire into or take any action concerning the acts of or against any predecessor **trustee** or **trustees**.

Article XV. Dispute Resolution



- A. Disputes between the Oneida Trust Enrollment Committee and the Oneida Business Committee under this Agreement shall be resolved, whenever possible, by meeting and conferring. If a dispute under the trust cannot be resolved, the matter may be resolved by the General Tribal Council at a regular meeting or at a special meeting called for that purpose.
 - (1) In conflicts between the laws of the Oneida Nation and laws of the State, the laws of the Oneida Nation shall take precedence.
- B. If any dispute arises out of the distribution of a beneficiary's interest under the Trust, complaints may be heard in accordance with applicable law or rule.

Article XVI. Severability of Provisions

In any provision of this instrument is unenforceable, the remaining provisions shall, nevertheless, be carried into effect.

Article XVII. Amendment of Trust Agreement

Trustor, without the consent of any **beneficiary**, but with the written consent of **trustee**, may amend or modify the terms and provisions of this trust agreement.

Article XVIII. Coordination with Oneida Nation Laws and Revenue Allocation Plans

This trust shall be construed in accordance with the Nation's Code of Laws and applicable Revenue Allocation Plans, as the same may be amended from time to time, including the Nation's Per Capita law.

Article XIX. Governing Law

This agreement and the dispositions hereunder shall be construed and regulated, and their validity and effect shall be determined by the laws of the Oneida Nation and the State of Wisconsin.

In witness thereof, **trustor** and **trustee** have executed this agreement at Oneida, Wisconsin the day and year first above written.

/s/ Deborah Doxtator
Deborah Doxtator
Chairperson,
Oneida Business Committee
November 09, 1994

/s/ Lois Strong
Lois Strong
Chairperson,
Oneida Trust Committee
November 09, 1994

In witness thereof, **trustor** and **trustee** have executed this amended agreement at Oneida, Wisconsin on December 12, 2001.

/s/ Gerald Danforth

/s/ Loretta V. Metoxen

Trust Enrollment Committee
onayote'a'ka latiwista?nunha



Gerald Danforth
Chairperson,
Oneida Business Committee
December 12, 2001

Loretta V. Metoxen
Chairperson,
Oneida Trust Committee
December 12, 2001

In witness thereof, **trustor** and **trustee** have executed this amended agreement at Oneida, Wisconsin on February 23, 2005.

/s/ Cristina Danforth
Cristina Danforth
Chairperson,
Oneida Business Committee
February 23, 2005

/s/ Loretta V. Metoxen
Loretta V. Metoxen
Chairperson,
Oneida Trust Committee
February 23, 2005

In witness thereof, **trustor** and **trustee** have executed this amended agreement at Oneida, Wisconsin on March 24, 2010.

/s/ Richard G. Hill
Richard G. Hill
Chairperson,
Oneida Business Committee
March 24, 2010

/s/ Carole Liggins
Carole Liggins
Chairperson,
Oneida Trust Committee
March 24, 2010

In witness thereof, **trustor** and **trustee** have executed this amended agreement at Oneida, Wisconsin on February 13, 2013.

/s/ Edward Delgado
Edward Delgado
Chairperson,
Oneida Business Committee
February 13, 2013

/s/ Carole Liggins
Carole Liggins
Chairperson,
Oneida Trust Enrollment Committee
February 13, 2013

In witness thereof, **trustor** and **trustee** have executed this amended agreement at Oneida, Wisconsin on April 23, 2014.

/s/ Edward Delgado
Edward Delgado
Chairperson,
Oneida Business Committee
April 23, 2014

/s/ Carole Liggins
Carole Liggins
Chairperson,
Oneida Trust Enrollment Committee
April 23, 2014

Trust Enrollment Committee
onAyote'a'ka latiwista'nunha



In witness thereof, **trustor** and **trustee** have executed this amended agreement at Oneida, Wisconsin on May 13, 2015.

/s/ Cristina Danforth
Cristina Danforth
Chairperson,
Oneida Business Committee
May 13, 2015

/s/ Carole Liggins
Carole Liggins
Chairperson,
Oneida Trust Enrollment Committee
May 13, 2015

In witness thereof, **trustor** and **trustee** have executed this amended and restated agreement at Oneida, Wisconsin on _____, _____.

Cristina Danforth
Chairperson,
Oneida Business Committee
_____, 2017

Carole Liggins
Chairperson,
Oneida Trust Enrollment Committee
_____, 2017

- Amendments approved by OTC 12-05-01
- Amendments approved by OBC 12-12-01
- Amendments approved by OTC 01-28-05
- Amendments approved by OBC 02-23-05
- Amendments approved by OTC 03-02-10
- Amendments approved by OBC 03-24-10
- Amendments approved by OTC 12-18-12
- Amendments approved by OBC 02-13-13
- Amendments approved by OTC 03-25-14
- Amendments approved by OBC 04-23-14
- Amendments approved by OBC 05-13-15
- Amendments approved by OBC xx-xx-xx



ONEIDA TRUST DEPARTMENT

P.O. Box 365 • ONEIDA, WI 54155

PHONE: (920) 490-3935 FAX: (920) 496-7491

Per Capita Trust Agreement
November 9, 1994

Amended December 12, 2001
Amended February 23, 2005
Amended March 24, 2010
Amended February 13, 2013
Amended April 23, 2014
Amended May 13, 2015

This **Trust Agreement** is made and entered into on this 9th day of November 1994 between the **Oneida Business Committee of the Oneida Tribe of Indians of Wisconsin, acting on behalf of the General Tribal Council of Oneida Tribe of Indians of Wisconsin** ("trustor"), and on behalf of the **Beneficiaries** named herein, and the **Oneida Trust Committee of the Oneida Tribe of Indians of Wisconsin** ("trustee").

In consideration of the following covenants, the **trustor** hereby transfers authority to the **trustee** to administer the trust fund, defined as all Per Capita Distributions of the Oneida Tribe of Indians of Wisconsin which are payable to the **beneficiaries** named herein. The **trustee** accepts the authority to hold these funds in **trust** and to administer these funds, directing investment, reinvestment, and collection of income from the funds. The **trustee** agrees to hold, administer and distribute the **trust** under the following terms and conditions.

Article I. Beneficiaries

The **beneficiaries** of the **trust** shall be all duly enrolled members of the Oneida Tribe of Indians of Wisconsin who are eligible to receive a Per Capita Distribution in any year in which any such Distribution is made, and who have not yet attained the age of eighteen years by September 1st of the year in which such Distribution is made.

Article II. Trust

- A. The per capita distributions(s) to each **beneficiary**, together with the net profit and income accumulations therefrom shall comprise an individual and separate **trust** for that **beneficiary**. Each **trust** shall be administered by the **trustee** as a separate **trust** but without the necessity of the **trustee** making physical division of the assets, unless the **trustee** deems it necessary or advisable to do so. For convenience of administration and investment, the **trustee** in making a division of the **trust** of any part thereof, into shares or trust as may be authorized or directed under these provisions, may allot to the **trusts** an undivided interest in any or all assets of the **trust** and may make joint investment of the funds in the **trusts** and may hold **trusts** as a common fund, dividing the net income and profits proportionately among them.

- B. The Oneida Tribe of Indians of Wisconsin ("Tribe") shall be treated as the grantor and owner of any trusts established herein.
- C. The **trust** hereby established shall be irrevocable.
- D. The **trust** is intended to be a grantor trust, of which the Tribe is grantor, within the meaning of subpart E, subchapter J, Chapter 1 subtitle A of the Internal Revenue Code of 1986, as amended, and shall be construed accordingly.
- E. The Tribe shall have the right at any time and from time to time in its sole discretion, to substitute assets of equal fair market value for any asset held in the **trust**. This right is exercisable by the Tribe in a non-fiduciary capacity without the approval or consent of any person in a fiduciary capacity.

Article III. Distribution, Death of Beneficiary, Discretionary Payments

A. General Rule - Distribution and Valuation:

- (1) Uniform Distribution Date: All distributions under the **trust** other than those subject to subsections B (deferral), or C (pre-18), or as otherwise provided for and approved herein, shall be processed on a uniform annual distribution date to be set by the Trustee on or after the first day of each fiscal year, October 1. Attempts will be made to establish the Trust's uniform distribution date, when practicable, to coincide with the general distribution date(s) for adult per capita payments to the general membership. For any additional per capita payments, including supplemental payments for members who were eligible but did not make a timely submission, the Trust Committee may establish dates and deadlines associated with those payments, as needed.
- (2) Age 18/Minimum Education Requirements: Except for those accounts subject to a deferred election as set forth in B, each **beneficiary** shall receive one **trust** account maturity payment of the monies accumulated in the "Minors Trust Fund," including earnings, for that particular **beneficiary** as of the Uniform Distribution Date on or immediately after reaching the age of eighteen (18) if the **beneficiary** provides the Enrollment Department with proof he or she has obtained a high school diploma, a high school equivalency diploma or a general equivalency diploma at least 30 days prior to the Uniform Distribution Date. If such proof is not provided by the **beneficiary** by such date, his or her **trust** funds shall not be disbursed until the Uniform Distribution Date on or immediately after his or her twenty-first (21st) birthday. Minors declared legally incompetent, and minors who have a learning disability or other disability are excepted from the diploma requirement. Funds for a minor declared legally incompetent shall be put into a trust account for the legally incompetent adult. Minors with a disability providing a certificate of twelve (12) years of school attendance will be treated as high school graduates. All accounts reaching maturity throughout the year will be processed and distributed annually, as of the next Uniform Distribution Date.

- (3) Valuation: The value of the **trust** shall be determined on an annual valuation date, which shall be the 30th day of September of each year, and such other dates as established for the valuation of **trust** assets of the **trustee**.
- (4) Death: Upon the death of a **beneficiary** who has not qualified for distribution of his/her trust, his/her **trust** shall be distributed to the **beneficiary's** estate. In all cases, such payment shall be made in the name of the **beneficiary** to be paid to the estate of the **beneficiary** as soon as reasonably practicable following the date of his/her death.

B. Deferral Elections:

- (1) Uniform Deferral Date: All deferral elections under the **trust** (as described below) must be entered into on or before July 1 of each year for distributions that would otherwise become payable as of the Uniform Distribution Date for the next fiscal year.
- (2) A **beneficiary** that desires to defer payment to a later date than that set forth in A above may enter into a deferral election subject to RAP Section VIII(C)(5) and the rules and restrictions set forth herein.
 - i. Age 18-21: Each **beneficiary** that would otherwise qualify for a distribution will be provided the option to elect up to three one-year deferrals between the ages of eighteen (18) and twenty-one (21), allowing for all or a portion of the **beneficiary's** then remaining account(s) to become payable on the Uniform Distribution Date following age nineteen (19), twenty (20), and/or twenty-one (21). The **beneficiary** must enter into a Deferred Payment Agreement on or before July 1 of the fiscal year in which the **beneficiary** turns age eighteen (18), nineteen (19) and/or twenty (20) as applicable. Deferral elections prior to age eighteen (18) must be signed by the **beneficiary** and the **beneficiary's** parent or legal guardian.
 - ii. Post-Age 21: Each **beneficiary** will be provided the option to extend the deferrals previously elected under (i) above for up to three (3) three-year options allowing for all or a portion of the **beneficiary's** then remaining account(s) to become payable following age twenty-four (24), twenty-seven (27) and/or thirty (30). The **beneficiary** must enter into a Deferred Payment Agreement on or before July 1 of the fiscal year in which the **beneficiary** turns twenty-one (21), twenty-four (24), and/or twenty-seven (27) as applicable.
 - iii. Deferred Payment Agreements shall, except in the case of Unforeseeable Emergency, be irrevocable. Each Deferred Payment Agreement shall be in a form approved by the **trustee**.

- iv. Distribution of a **beneficiary's** benefits shall thereafter be subject to the terms of the Deferred Payment Agreement rather than Section A above.
- (3) Notwithstanding any other provisions of the **trust** to the contrary, benefits may become payable prior to the regular or Deferred Payment dates set forth above, and annual deferral or payment agreements entered into may be modified, in the case of an Unforeseeable Emergency. An Unforeseeable Emergency for this purpose is a severe financial hardship to the **beneficiary** resulting from an illness or accident of the **beneficiary**, the **beneficiary's** spouse, the **beneficiary's** contingent **beneficiary**, or a dependent (as defined in Code Section 152(a)) of the **beneficiary**, loss of the **beneficiary's** property due to casualty, or other similar extraordinary and unforeseeable circumstances arising as a result of events beyond the control of the **beneficiary**. Any early withdrawal or modification to a Deferred Payment Agreement hereunder on account of an Unforeseeable Emergency approved by the **trustee** shall be limited to the amount necessary to meet the emergency, and modification of a deferral agreement may only be made on a prospective basis. An Unforeseeable Emergency may not exceed the amounts necessary to satisfy such emergency plus amounts necessary to pay taxes reasonably anticipated as a result of the distribution, after taking into account the extent to which such hardship is or may be relieved through reimbursement or compensation by insurance or otherwise or by liquidation of the **beneficiary's** assets (to the extent the liquidation of such assets would not itself cause severe financial hardship). The **trustee**, in its discretion, shall determine when a distribution or modification shall be made pursuant to this Section, but in accordance with rules, procedures and limitations deemed necessary for compliance with the Internal Revenue Code including rules against premature taxation due to constructive receipt and/or economic benefit. The existence of an Unforeseeable Emergency may be made with reference to Code Section 409A.
- (4) A **beneficiary** shall not vest in his benefits until distributed.
- (5) Deferred Payment Agreements shall be administered in a manner designed to avoid premature taxation through IRS doctrines of constrictive receipt and economic benefit. The **trustee** shall implement such election forms and agreements as may be necessary to accomplish the foregoing, and shall have the power to deny distributions that would otherwise not satisfy the foregoing rules.
- (6) **Trust** accounts subject to a deferral election will be invested by the **trustees**. The **trustees** shall invest said accounts in accordance with any investment policy which the Trust Committee may adopt and may amend from time to time. The investment policy may include an investment structure whereby the **trustee** is directed to meet (to the extent possible) hypothetical investment selections made by **beneficiaries** based on limited fund options approved by the **trustees**. The **trust** may also provide earnings credits (and reductions) to a **beneficiary's** account based on the hypothetical earnings / losses attributable to his or her elections. However, the

trustees, rather than **beneficiaries**, shall have ultimate authority as to which investments or investment funds are selected for actual investment of **trust** assets, and the direction of those funds.

C. Early Distributions (pre-18) for Health Education and Welfare:

- (1) The Oneida Trust Committee may order distribution of trust proceeds prior to the beneficiary's attainment of the age of eighteen provided that the Oneida Trust Committee determines that (1) the distributed funds will be used solely for the health, education or welfare of the minor beneficiary, and (2) the distribution is a result of an Unforeseeable Emergency.
- (2) Any petition for early distribution under this provision shall include the following information:
 - i. a detailed budget of monies necessary for the beneficiary's health, education, or welfare;
 - ii. a detailed justification for the need to expend Trust funds to meet the beneficiary health, education or welfare needs, including other possible sources of funds or the lack thereof;
 - iii. a showing that the request is for an Unforeseeable Emergency (as defined in Article III, Section B; and
 - iv. and a showing that all other resources, including federal, state, local, and tribal assistance, have been exhausted.
- (3) The showing of an Unforeseeable Emergency shall be made in accordance with the rules and procedures set forth in Article III, Section B.

D. There shall be no distribution of a **beneficiary's trust** before his/her qualification for distribution under the conditions listed.

Article IV. Additional funds

Additional funds may be transferred to this **trust** in any year in which a Per Capita Distribution is made, or as otherwise directed by the General Tribal Council of the Oneida Tribe of Indians of Wisconsin.

Article V. Accounting by Trustee

- A. The **trustee** shall render an accounting of its administration of this **trust** at thirty (30) day intervals, commencing on October 30, 1994, by delivering to the **trustor** a written accounting of its transactions pursuant to this agreement.
- B. The **trustee** shall, upon written request of a parent or guardian of a **beneficiary**, furnish a copy of the most recent valuation to the parent or guardian of the **beneficiary**.
- C. Each accounting furnished to the **trustor** shall be final and conclusive in respect to the transactions disclosed in that account and as to all **beneficiaries** of the **trust** and, after

settlement of the account by reason of the expiration of the sixty (60) day period after the submission of the accounting, the **trustee** shall no longer be liable to any **beneficiary** of the **trust** in respect to transactions disclosed in the accounting except for the **trustee's** will fraud. However, the **trustee** may at any time during the sixty (60) day period petition the Oneida Appeals Commission for a settlement of its accounts submitted pursuant to this agreement.

Article VI. Trustee Powers and Duties.

To carry out the purposes of this **trust**, the **trustee** is vested with the following powers in addition to powers already specified in this document and to any powers now or in the future conferred by the Oneida Tribe of Indians of Wisconsin or the State of Wisconsin:

- A. To direct the acquisition and holding of any property, real, personal, or mixed, and to direct the operation at risk of the **trust** of any property or business received into the **trust**, as long as the **trustee** deems it advisable to do so, the profit or losses of which will inure to or be chargeable to the **trust**.
- B. To sell, convey, or otherwise dispose of the whole or any part of any property at any time held hereunder at any time for any price, to any party or parties, in any manner, and upon other terms and conditions, as **trustee** shall deem advisable.
- C. To make such purchases or exchanges at any time, for any prices, in any manner and upon other terms and conditions as **trustee** shall deem advisable, and to invest and reinvest in securities, mortgages, insurance, leases, commodities or other evidence of rights, interests or obligations, secured or unsecured, or other property, real, personal, or mixed as **trustee** shall deem advisable, as long as such investment is in accordance with the investment policies of the **trustor**.
- D. To direct the investment and reinvestment of the principal of the **trust** in properties of every kind and nature, including specifically, but not limited to, saving accounts, corporate obligations, and stocks and bonds, which a reasonable person would acquire for their own account, including investments in common trust funds operated by **trustee** where **trustee** deems it in the best interest of the **trust** to do so.
- E. To have the power to exercise, respecting securities, all rights, powers and privileges of an absolute owner, including, but not limited to, vote stock; give proxies; pay calls for assessments; sell or exercise stock subscription or conversion rights; participate in foreclosures, reorganizations, consolidations, mergers, liquidations, pooling agreements, and voting trust and assent to corporate sales and other acts; and in connection therewith, to deposit securities with and transfer title to any protective or other committee under such terms as **trustee** may deem advisable.
- F. To pay or reserve sufficient funds to pay all expenses of management and administration of this **trust**, all or any part of which may, in **trustee's** discretion, be charged either to

income or principal of the **trust**.

- G. All taxes, assessments, fees, charges and other expenses incurred by **trustee** in the administration or protection of this **trust** shall be a charge on the **trust** estate, and prior to final distribution of the **trust** estate shall be paid by **trustee** in full from principal or income or partially from each in such manner as **trustee** in **trustee's** absolute discretion may determine advisable.
- H. To prescribe the manner in which all checks, stock certificates or other instruments may be signed, endorsed or executed by or for the **trustee**. The **trustee** may appoint or employ such agents, agencies, attorney, custodians, employees, assistants, accountants or legal or investment counsel as the **trustee** deems advisable. The **trustee** may make execute or deliver any transfer or their instrument or do any ministerial acts necessary or proper to be done in the execution of any duty imposed upon the **trustee** or for any purpose the **trustee** deems appropriate or desirable. The **trustee** may charge the expense for the above-listed activities to principal or income as the **trustee** shall determine proper.
- I. To do all acts, institute all proceedings, and to exercise all other rights, powers, and privileges that an absolute owner of the property would otherwise have the right to do, subject always to the discharge of the **trustee's** fiduciary obligations.
- J. In investing, reinvesting, purchasing, acquiring, exchanging and selling property for the benefit of this **trust**, **trustee** shall exercise the judgement and care, under the circumstances then prevailing, that persons of prudence, discretion and intelligence exercise in the management of their own affairs, not in regard to speculation, but in regard to the permanent disposition of their funds, considering the probable income as well as the probable safety of their capital.
- K. The enumeration of certain powers in this agreement shall not limit the general or implied powers of the **trustee**. **Trustee** shall have all additional powers that may be necessary to enable **trustee** to administer this **trust** in accordance with the provisions of this **trust** instrument, subject only to limitations as may be expressly provided herein.

Article VII. Duration of Trustee Powers

All of the rights, powers, authorities, privileges and immunities given to **trustee** by this agreement shall continue after termination of the **trust** created hereby until **trustee** shall made actual distribution of all property held by it hereunder.

Article VIII. Assignment of Trust

The interest of all **beneficiaries** shall vest upon the receipt of funds from the **trust** account of the **beneficiary**.

No **beneficiary** shall have the power to pledge, assign, mortgage, sell or in any manner, transfer or hypothecate any interest which they may have or expect to have in the **trust**.

The interests of the **beneficiaries** shall not be subject in any manner while under the direction of the **trustee** to debts, contracts, liabilities, engagements, obligations or torts of such **beneficiary** nor to the claims of the creditors of the **beneficiary**, nor to the process of law.

**Article IX. Responsibility Regarding Payments to the
Trust Beneficiary When the Tribe is Insolvent.**

- A. The **trustee** shall cease payment of benefits to **trust beneficiaries** if the Tribe is Insolvent. The Tribe shall be considered "Insolvent" for purposes of this **trust agreement** if the Tribe becomes subject to a pending proceeding as a debtor under the United States Bankruptcy Code.
- B. Any Assets held by the **trust** will be subject to the claims of the Tribe's general creditors under federal and other applicable law in the event of insolvency, as defined in Subsection A herein.
- (1) The Chairperson of the Tribe shall have the duty to inform the **trustee** in writing of the Tribe's Insolvency. If a person claiming to be creditor of the Tribe alleges in writing to the **trustee** that the Tribe has become Insolvent, the **trustee** shall determine whether the Tribe is Insolvent and, pending such determination, the **trustee** shall discontinue payment of benefits to **trust beneficiaries**.
- (2) Unless the **trustee** has actual knowledge of the Tribe's Insolvency, or has received notice from the Tribe or a person claiming to be a creditor alleging that the Tribe is Insolvent, the **trustee** shall have no duty to inquire whether the Tribe is Insolvent. The **trustee** may in all events rely on such evidence concerning the Tribe's solvency as may be furnished to it that provides the **trustee** with a reasonable basis for making a determination concerning the Tribe's solvency.
- i. If at any time the **trustee** has determined that the Tribe is Insolvent, the **trustee** shall discontinue payments to **trust beneficiaries** and the **trustee** shall hold the assets of the **trust** for the benefits of the Tribe's general creditors; provided that (i) nothing in this **trust agreement** shall in any way diminish any rights of **trust beneficiaries** to pursue their rights as general creditors of the Tribe with respect to benefits due under the **trust**, the Gaming Allocation Plan or otherwise, and (ii) nothing herein shall enhance or grant independent claim rights to the Tribe's general creditors that they otherwise would not have against the Tribe or its assets.
- ii. The **trustee** shall resume the payment of benefits to **trust beneficiaries** in accordance with Subsection 2 only after the **trustee** has determined that the Tribe is not insolvent (or is no longer insolvent) or after the legal claims of general creditors as satisfied (through payment or dismissal).
- C. Provided that there sufficient assets, if the **trustee** discontinues the payment of benefits

from the **trust** pursuant to Subsection 3b hereof and subsequently resumes such payments, the first payments following such discontinuance shall include the aggregate amount of all payments due to **trust beneficiaries** for the period of such discontinuance, less the aggregate amount of any payments made to **trust beneficiaries** by the Tribe in lieu of the payments provided for hereunder during any such period of discontinuance.

- D. In the event that any payment hereunder are discontinued (and not made up under Subsection 3c above or otherwise, the **trust beneficiaries** shall have (to the extent permitted under applicable law) a continuing claim against the Tribe for the remaining benefits due under the **trust** and or the Gaming Allocation Plan.

Article X. Termination of Trust

Unless terminated as otherwise provided for in this document, this **trust** and all trusts created herein, shall terminate at the date of twenty-two years from the initiation of this **trust**, or at the expiration of one year after the date on which the youngest **beneficiary** named shall qualify for distribution, whichever is later in time.

Upon the termination of this **trust**, all remaining assets of the **trust** shall revert to the General Fund of the General Tribal Council of the Oneida Tribe of Indians of Wisconsin.

Article XI. Liability of Trustee

The **trustee**, while acting under the conditions set forth in this document, shall incur no personal or individual liability to any individual or corporation dealing with the **trustee** in administering this **trust** in accordance with the provisions set out in this document, and may contract in such manner that it shall expressly be exempted from any personal or individual liability, and that its liability shall be limited to the property of the **trust** estate under its control. In no case shall any party dealing with the **trustee** in connection with the **trust** or to whom any part of the **trust** shall be conveyed, sold, leased, or mortgaged by direction of the **trustee**, be obliged to see to the application of any purchase money, rent or money loaned to the **trustee**, or be obliged to see that the terms of this **trust** have been complied with, or to inquire into the necessity or expediency of any act of the said **trustee**. Each **trustee** or successor **trustee** shall be requested and required to post \$50,000.00 bond.

Article XII. Designation of Trustee

The **trustor** designates the Oneida Trust Committee of the Oneida Tribe of Indians of Wisconsin as **trustee**. The **trustee** shall administer and distribute the **trust** under the terms and conditions set out in this agreement.

Article XIII. Resignation or Removal of Trustee

- A. Any **trustee** or successor **trustee** shall have the right to resign any time by giving thirty days written notice thereof to the Trust Committee and the **trustor**.
- B. Any removal of a **trustee** shall be pursuant the Oneida Removal Ordinance.

- C. That upon the resignation, removal, or death of any **trustee** or successor **trustee**, the Chairman of the Oneida Trust Committee will select or nominate a candidate subject to the approval of the Trust Committee. Upon the approval of a successor by the Trust Committee, notice shall be sent to the Oneida Business Committee informing them of the selection of a new Trust Committee member. The successor will then serve out the terms. If the resignation or death occurs with more that one year left of the three (3) year term of the predecessor **trustee**, a new committee member will be elected at the next General Tribal Council election to serve out the remainder of that term. Any successor **trustee** shall have all the immunities, rights, duties, and powers, discretionary or otherwise, granted to the **trustee** herein.

Article XIV. Successor Trustee

Any successor **trustee** may accept the account rendered and property delivered by a predecessor **trustee** as a full and complete discharge of the predecessor **trustee** and without any duty to examine the books and records of any such predecessor **trustee**.

No successor **trustee** shall be liable or responsible for anything done or omitted to be done by any predecessor **trustee**; to the date such successor **trustee**, nor shall such successor be required to inquire into or take any action concerning the acts of or against any predecessor **trustee** or **trustees**.

Article XV. Dispute Resolution

- A. Disputes between the Oneida Trust Committee and the Oneida Business Committee under this provision shall be negotiated by the parties to this agreement. If the matter cannot be resolved, the matter shall be resolved by the General Tribal Council at a regular meeting or at a special meeting called for that purpose.
- (1) In conflicts between the laws of the Oneida Tribe of Indians of Wisconsin and laws of the State the laws of the Oneida Tribe of Indians shall take precedence over the laws of Wisconsin.
- B. If any dispute arises out of the distribution of a beneficiary's interest under the Trust, all such matters shall be resolved according to the procedures set forth in the Oneida Administrative Procedures Act, except as otherwise provided in the Oneida Tribe of Indians of Wisconsin Revenue Allocation Plan.

Article XVI. Severability of Provisions

In any provision of this instrument is unenforceable, the remaining provisions shall, nevertheless, be carried into effect.

Article XVII. Amendment of Trust Agreement

Trustor, without the consent of any **beneficiary**, but with the written consent of **trustee**, may

amend or modify the terms and provisions of this **trust agreement**.

Article XVIII. Governing Law

This agreement and the dispositions hereunder shall be construed and regulated, and their validity and effect shall be determined by the laws of the Oneida Tribe of Indians of Wisconsin and the State of Wisconsin.

In witness thereof, **trustor** and **trustee** have executed this agreement at Oneida, Wisconsin the day and year first above written.

/s/ Deborah Doxtator
Deborah Doxtator
Chairperson,
Oneida Business Committee
November 09, 1994

/s/ Lois Strong
Lois Strong
Chairperson,
Oneida Trust Committee
November 09, 1994

In witness thereof, **trustor** and **trustee** have executed this amended agreement at Oneida, Wisconsin on December 12, 2001.

/s/ Gerald Danforth
Gerald Danforth
Chairperson,
Oneida Business Committee
December 12, 2001

/s/ Loretta V. Metoxen
Loretta V. Metoxen
Chairperson,
Oneida Trust Committee
December 12, 2001

In witness thereof, **trustor** and **trustee** have executed this amended agreement at Oneida, Wisconsin on February 23, 2005.

/s/ Cristina Danforth
Cristina Danforth
Chairperson,
Oneida Business Committee
February 23, 2005

/s/ Loretta V. Metoxen
Loretta V. Metoxen
Chairperson,
Oneida Trust Committee
February 23, 2005

In witness thereof, **trustor** and **trustee** have executed this amended agreement at Oneida, Wisconsin on March 10, 2010.

/s/ Richard G. Hill

/s/ Carole Liggins

Richard G. Hill
Chairperson,
Oneida Business Committee
March 24, 2010

Carole Liggins
Chairperson,
Oneida Trust Committee
March 24, 2010

In witness thereof, **trustor** and **trustee** have executed this amended agreement at Oneida, Wisconsin on February 13, 2013.

/s/ Edward Delgado
Edward Delgado
Chairperson,
Oneida Business Committee

/s/ Carole Liggins
Carole Liggins
Chairperson,
Oneida Trust/Enrollment Committee

IN WITNESS WHEREOF, the Oneida Business Committee and the Oneida Trust Committee have caused this Fifth Amendment to the Trust to be executed by their duly authorized representative this 23rd day of April 2014.

/s/ Edward Delgado
Edward Delgado
Chairperson,
Oneida Business Committee

/s/ Carole Liggins
Carole Liggins
Chairperson,
Oneida Trust/Enrollment Committee

IN WITNESS WHEREOF, the Oneida Business Committee and the Oneida Trust Committee have caused this Fifth Amendment to the Trust to be executed by their duly authorized representative this 13th day of May 2015.

Cristina Danforth
Cristina Danforth
Chairperson,
Oneida Business Committee

Carole Liggins
Carole Liggins
Chairperson,
Oneida Trust/Enrollment Committee

- Amendments approved by OTC 12-05-01
- Amendments approved by OBC 12-12-01
- Amendments approved by OTC 01-28-05
- Amendments approved by OBC 02-23-05
- Amendments approved by OTC 03-02-10
- Amendments approved by OBC 03-24-10
- Amendments approved by OTC 12-18-12
- Amendments approved by OBC 02-13-13
- Amendments approved by OTC 03-25-14
- Amendments approved by OBC 04-23-14
- Amendments approved by OTC 03-17-15
- Amendments approved by OBC 05-13-15

Regular Trust Enrollment Minutes
28 February 2017
Page 5 of 5

E. Per Capita Trust Agreement (Minors)

Attorney Collins updated OTEC on the 7th amendment to the Per Capita Trust Agreement.

Debra Powless motioned to approve the summary of amendments to the Per Capita Trust Agreement and for the Trust Enrollment Department to forward the final agreement to the Oneida Business Committee. Seconded Loretta Metoxen. Motion carried unanimously.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Regular Trust Enrollment Committee Minutes
23 May 2017
Page 2 of 5

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

D. Per Capita Trust Agreement (Minors)

3-30-17 No update. Regular meeting rescheduled due to lack of OTEC quorum. 4-4-17 Motion to accept update and remove from agenda.

23-5-17 Status Update

Loretta Metoxen motioned to approve the 8th revision of the 7th amendment to the Per Capita Trust Agreement for minor trust accounts. Seconded Elaine Skenandore-Cornelius. Motion carried unanimously.

[REDACTED]

Oneida Business Committee Agenda Request

1. Meeting Date Requested: ~~06~~/~~14~~/~~17~~ Item deferred to 7/12/17 OBC Meeting

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 finish the term until February 28, 2021.

3. Supporting Materials

Report Resolution Contract

Other:

1.

3.

2.

4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter: Kathleen M. Metoxen, Records Tech. II/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:

On May 3, 2017 the Oneida Personnel Commission accepted the resignation of Tomas Escamea.

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: ~~06~~ / ~~14~~ / ~~17~~ Item deferred to 7/12/17 OBC Meeting

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 Oneida Business Committee Standard Operating Procedure entitled Stipends for OBC - Elect during Transition

3. Supporting Materials

Report Resolution Contract

Other:

- 1.
- 2.
- 3.
- 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: Lisa Liggins, Executive Assistant II
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:

TO: ONEIDA BUSINESS COMMITTEE

FROM: LISA SUMMERS, SECRETARY

RE: SOP entitled Stipends for OBC - Elect during Transition

****BACKGROUND****

At the May 16, 2017, Oneida Business Committee (OBC) work meeting, my office presented a plan to provide stipends for the OBC - Elect during Transition. The OBC supported this plan and my office was to work with HR.

My office has worked with the HR Area Manager and is providing the OBC with a proposed Standard Operating Procedure for approval. The SOP covers the following areas:

- Stipend Eligibility
- Stipend Rate
- Receiving and Processing a Stipend.

****REQUESTED ACTION****

Approve Oneida Business Committee Standard Operating Procedure entitled Stipends for OBC - Elect during Transition.

- 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	TITLE: Stipends for OBC - Elect during Transition	ORIGINATION DATE: 06/14/2017 REVISION DATE: N/A EFFECTIVE DATE: Upon OBC approval
<i>DIVISION:</i> Non-Divisional		
<i>DEPARTMENT:</i> Oneida Business Committee	APPROVED BY: <i>Oneida Business Committee</i> See Attached OBC Meeting Minutes	DATE: 6/14/2017
<i>AUTHORED BY:</i> Lisa Summers, Secretary	REVISED BY:	DATE: 6/14/2017
PAGE NO: 1 of 4 PRD # xxx: Assigned by PRO	REVIEWED BY: <i>Compliance Review Team</i>	DATE:

1 **1.0 PURPOSE**

2 To create a standardized process to issue stipends to Oneida Business Committee (OBC)
3 - Elect individuals during a transition period which occurs prior to taking the Oath of
4 Office.

5
6
7 **2.0 DEFINITIONS**

8 2.1 Business Committee Support Office (BCSO): means the office whose staff is
9 responsible for carrying out administrative duties in support of the Oneida
10 Business Committee.

11
12 2.2. Business Day: means Monday through Friday from 8:00 a.m. to 4:30 p.m.,
13 excluding holidays, weekends, ½ days.

14
15 2.3 Oneida Business Committee (OBC) - Elect: means the individuals who have been
16 elected to the Oneida Business Committee, who have not yet taken their Oath of
17 Office, and who are not an incumbent to an OBC position.

18
19 2.4 Transition: means the two (2) to four (4) week period there is an outgoing OBC
20 (ending their term) and incoming OBC (beginning their term).

21
22 2.5 Transition Team: means the staff members of the OBC and BCSO who organize
23 and administer the Transition.

24
25
26 **3.0 PROCEDURES**

27 Stipend Eligibility

28 3.1 The following individuals are eligible for stipends during Transition:

- 29 3.1.1 OBC - Elect
30
31 3.2 The following individuals are eligible for stipends during Transition:
32 3.2.1 Political Appointees of the OBC – Elect
33 3.2.2 Members of the outgoing OBC who have been re-elected to a new term on
34 the OBC, regardless of the position.
35

36 Stipend Rate

- 37 3.3 Stipend Rate will be calculated hourly and will correspond to the position of the
38 OBC - Elect as follows:
39 3.3.1 Chair: \$ 29.06/hour
40 3.3.2. Vice-Chair: \$ 28.50/hour
41 3.3.3 Secretary: \$ 27.94/hour
42 3.3.4 Treasurer: \$ 27.94/hour
43 3.3.5 Councilmember: \$ 26.26/hour
44
45 3.4 The hourly rate shall be adjusted when there is an approved adjustment in
46 accordance with applicable Nation law or policy.
47
48 3.5 Income Tax Withholding is the responsibility of the OBC - Elect. Contact the
49 Accounting Department for additional information.
50

51 Notifying HRD of the OBC Elect

- 52 3.6 The BCSO will review the tentative results¹ of the General Election to determine
53 the OBC - Elect within two business days of the posting.
54
55 3.7 The BCSO will forward the names of the OBC - Elect to HRD within two
56 business days.
57

58 Receiving a Stipend

- 59 3.8 Stipends are only available for Transition Activities as approved by the Transition
60 Team.
61 3.8.1 A schedule of Transition Activities will be provided to the OBC - Elect
62 not less than two weeks prior to the first activity.
63
64 3.9 BCSO will collect stipend payment information from the OBC Elect.
65 3.9.1 This information may include payment preference (check or direct
66 deposit), direct deposit information, mailing address, etc.
67
68 3.10 OBC - Elect must sign in at the beginning of each Transition Activity.
69 3.10.1 Attendance will be monitored on an hourly basis by the Transition Team.
70
71 3.11 OBC - Elect must sign out at the end of each Transition Activity.
72

¹ § 102.11-1 Election Law - The tentative results of an election shall be announced and posted by the Election Board within twenty-four (24) hours after the closing of the polls.

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Stipend Processing

3.12 At the end of each week, the BCSO will calculate the stipend amount of the OBC - Elect.

3.13 The BCSO will follow the A/P Check Request procedure to request a stipend for the OBC - Elect.

4.0 RECORDS

4.1 Transition Activity Sign In/Out

4.2 A/P Check Request Form

5.0 REFERENCES

6.1 Election Law

TRANSITION ACTIVITY SIGN IN/OUT

Activity: _____

Date: _____

Time: _____

Location: _____

<u>Name</u>	<u>Time In</u>	<u>Time Out</u>

Oneida Business Committee Agenda Request

1. Meeting Date Requested: ~~06~~ / ~~28~~ / ~~17~~ Item deferred to 7/12/17 OBC Meeting

2. General Information:

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

[Empty text box]

Agenda Header:

Accept as Information only

Action - please describe:

Information regarding BC Members and Political Appointments Ending Elected Terms

3. Supporting Materials

Report Resolution Contract

Other:

1.

3.

2.

4.

Business Committee signature required

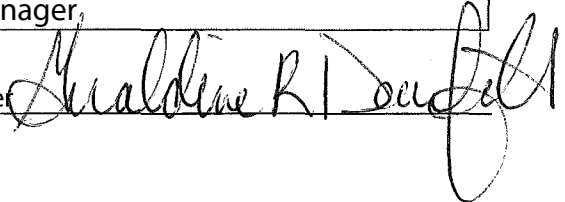
4. Budget Information

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:

Informational Memo written due to lack of policy or law regarding how to hand the ending of an elected term.

- 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

Location:
909 Packerland
Green Bay, WI 54303

Phone: (920)496-7000
<http://www.oneida-nsn.gov>



A good mind. A good heart. A strong fire. *Job Line: 1-800-236-7050*

Mailing Address:
P.O. Box 365
Oneida, WI 54155-0365

Fax: (920)496-7490

Memo

To: Oneida Business Committee
From: Geraldine R. Danforth, Human Resources Area Manager
Date: June 9, 2017
Re: BC Members and Political Appointments Ending Elected Terms

Due to a lack of policy or law on Business Committee Members (herein referred to as employee) and political appointments (herein referred as employee) whose elected term has ended, the Elected Officials and political appointments will be treated as employees under the Lay-Off Policy. Lay-off status includes the following:

- The Oneida Nation will not contest the unemployment compensation. Determination of eligibility is made by the State.
- The employee may apply for other jobs in the Oneida Nation within the 26-week layoff period. The employee will maintain continuous years of service if employment with the Tribe occurs within 26 weeks.
- Should the employee not gain employment with the Nation at the end of the 26-week layoff, any accrued vacation and/or personal time will be paid out.

If the employee chooses to have their accrued hours paid out immediately:

- Notify Human Resources at the time of separation.
- The employee may opt to have all or a partial portion of hours paid out.
- HR **will not** process weekly until hours are exhausted.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: ~~6~~/~~28~~/~~17~~ Item deferred to 7/12/17 OBC Meeting

2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

CIP #14-013 Early Head Start Facility - Authorization to proceed.

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: Paul J. Witek, Senior Tribal Architect
Your Name, Title / Dept. or Tribal Member

Additional Requestor: Fawn Cottrell, Contract Processor
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

Purpose:

The Project Team is requesting authorization to proceed with construction of the Early Head Start Facility project #14-013, due to the fact that the project's current unobligated funds are not sufficient to cover the full value of the construction contract without additional project funds and any further delay in the project will have an impact of increased costs.

Background:

The project's CIP Package and FY2015 CIP Budget activation of \$1,961,000 were approved by the OBC on 5/13/15. The CIP Package denoted a need for additional CIP Funds for the project of \$345,000 which was to be requested in the FY2016 CIP Budget. The additional funds were requested but not approved in the final FY2016 CIP Budget.

No additional funding for the project was included in the FY2017 CIP Budget as the Project Team wanted to complete design and received the construction bids to confirm if additional funding was necessary. The bids received exceeded the cost estimate (see attached Bid Summary Sheet). The Project Team has negotiated with the lowest responsible bidder (OTIE) to identify cost savings for scope reduction. The team has identified \$158,261 in saving to the contract amount, however, this reduction still leaves the project's total budget under funded. \$300,000 has been requested in the FY2018 CIP Budget to address the project's budget shortfall.

The project was put on hold by the previous GSD Director just before being put out for bids. The project was approved to proceed 51 days later. The delay had a impact on the bid values received as the bidding climate was significantly less favorable than when the project was originally scheduled to be bid. The higher bid values are partially attributable to the delay.

The project's current unobligated funds are not sufficient to cover the full value of the construction contract without additional project funds. The current budget is sufficient to cover expenditures until the additional funding is available, but we would be obligating funds not currently in the project budget (see attached Project Budget Status Report).

Action Requesting:

Authorization to proceed with the construction contract award for the Early Head Start Facility project #14-013 with the understanding that the additional project funds will be included in the FY2018 CIP Budget.

- 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

BID SUMMARY SHEET

Early Head Start Facility

Oneida Nation

Project No.: - 14-013
 Bid Date: - 11-May-17 3:00 PM
 Bid Period: - 15 Working Days

Date of Report - 12-May-17

Number of Addenda: 4
 Total Square Footage: 7,160
 Estimate - \$ 1,498,860

Of the 5 invited bidders the following submitted bids:
2 of the invited bidders were Certified Preference Vendors.

General Construction:

Bidder (Low to High)	Base Bid	IP Equivalent Base Bid	\$ over low	% over low
OTIE	1,941,900	\$ 1,867,562		
Howard Immel, Inc.	1,944,000		2,100	0.11%
Smet Construction Services	2,030,574		88,674	4.57%

Additive Alternates

#1	#2	#3	#4	#5	#6	P&P Bond Deduct	Bid Bond	Rec'd. Add.
13,250	5,750	17,500	2,100	1,300	40,500	(22,931)	X	X
12,000	5,200	14,500	2,600	1,600	44,700	(13,000)	X	X
2,262	984	3,647	2,679	1,678	34,655	n/a	X	X

LOW BIDDER ANALYSIS

Contractor	Base Bid	Estimate	% diff.	Cost/SF
General Construction: OTIE	1,941,900	1,498,860	29.56%	271.22

6/19/17
10:17:21
PROJECT:

ONEIDA NATION
ENGINEERING PROJECT BUDGET STATUS REPORT
14-013 (001-1101500-413) Early Head Start Facility

PAGE 1
EGGVDTSUM EGTVDTSUM

APPROVED BUDGET 1,961,000.00
ACTIVATED TO DATE 1,961,000.00
BALANCE TO BE ACTIVATED

Vendor	Budget Amt	Contract Amt	Thru C.O.#	Pending C.O. Amt	Approved C.O. Amt	Revised Contract Amt	Paid Expenses To Date	P.O. Balance
Soft Costs	309,800.00							
ONEIDA ENGINEERING DEPART	82,400.00	1			19,864.00-	62,536.00	61,163.00	1,373.00
RIVER VALLEY TESTING CORP	6,363.00					6,363.00	2,970.00	3,393.00
SOMERVILLE INC	166,150.00	1			8,855.00	175,005.00	117,046.37	57,958.63
	<u>254,913.00</u>				<u>11,009.00-</u>	<u>243,904.00</u>	<u>181,179.37</u>	
Construction	1,366,100.00							
FF & E	120,700.00							
Contingency	164,400.00							
Financing Expenses								
Project Budget	254,913.00				11,009.00-	243,904.00	181,179.37	
Approved Budget	1,961,000.00							
Funding variance	1,961,000.00							
							Remaining Project Funds (Gross)	1,717,096.00
							(total actual budget less total revised contract amt)	
							Less Pending Change Orders	
							Remaining Project Funds (NET)	1,717,096.00

PROJECT BUDGET STATUS REPORT - SUPPLEMENT

Project: Early Head Start Facility
 Project No.: 14-013

Project Budget: 1,961,000.00

Date of Project Budget Status Report: 6/19/2017

Vendor	Contract Amount	Pending C.O. Amount	Approved C.O. Amt	Revised Contract Amt
Totals from Budget Status Report:	254,913.00	0.00	-11,009.00	243,904.00
Construction - OTIE Bid - reduced	1,783,639.00			1,783,639.00
WPS - Utility Service - Budget	10,000.00			10,000.00
Engineering Dept Fee - Budget	30,000.00			30,000.00
				0.00
				0.00
DIV 10 - Signage - Budget	5,000.00			5,000.00
DIV 11 - Appliances - Budget	4,000.00			4,000.00
				0.00
DIV 12 - Window Treatments - Budget	7,500.00			7,500.00
DIV 12 - Furniture - Budget	101,500.00			101,500.00
				0.00
				0.00
DIV 27 - V&D Wiring - Budget	7,500.00			7,500.00
DIV 27 - WAN-LAN Equipment - Budget	5,000.00			5,000.00
DIV 27 - Telephone System - Budget	5,000.00			5,000.00
				0.00
DIV 28 - Card Access - Budget	5,000.00			5,000.00
DIV 28 - Security System - Budget	1,000.00			1,000.00
DIV 28 - Surveillance System - Budget	0.00			0.00
				0.00
Contingency	51,957.00			51,957.00
Totals:	2,272,009.00	0.00	-11,009.00	2,261,000.00

Remaining Project Funds (Gross): -300,000.00
 Less Pending Change Orders: 0.00
 Remaining Project Funds (Net): -300,000.00

CAPITAL IMPROVEMENT PROCESS (CIP) - BUDGET REQUEST
 Prepared by: Engineering Department

Revised: May 25, 2017

CIP FUNDING REQUEST SUMMARY

Project No.	Project Title	\$ App'd Pre FY 2016	\$ App'd FY 2016	\$ App'd FY 2017	\$ Request FY 2018	\$ Estimate FY 2019	\$ Estimate FY 2020
94-005	Oneida Cultural Center	216,500	0	0	0	446,000	2,090,000
23-005	Residential Home Sites	800,000	0	0	400,000	900,000	0
04-022	Oneida Public Transit Garage	915,000	0	0	0	0	0
05-013	Elder Services / Apartments Improvements	48,000	0	0	1,887,000	0	0
06-004	Duck Creek Trail	119,210	0	0	0	0	0
07-002	SSB Remodeling - Phase V	50,000	0	560,000	550,000	1,200,000	800,000
07-013	Maple Sugar Camp	0	0	0	30,000	0	0
09-011	OCHC Expansion & Consolidation	0	0	0	0	0	0
11-016	Oneida Long House Village	0	0	0	0	0	0
12-011	Oneida Reservation Visitor Center	0	0	0	0	1,819,000	0
13-001	OCHD Barn Renovation	0	0	0	0	0	0
13-010	Oneida Food Center	0	0	0	0	0	0
13-011	Oneida Nation High School	0	0	0	0	0	0
14-002	Cemetery Improvements	25,000	63,000	0	0	0	0
14-012	Oneida Farms Barn & Manure Pit	44,633	0	250,000	0	0	0
14-013	3 Sisters Head - Early Head Start Addition	1,961,000	0	0	300,000	0	0
14-014	Oneida Golf Enterprise Remodel - Phase II	235,000	265,000	0	0	0	0
15-001	Oneida Life Sustenance Community Center	0	0	0	200,000	0	0
15-003	NHC Remodeling - Phase VIII - Windows	570,000	0	393,000	311,000	0	0
15-004	Business Park Storm Water	250,000	0	0	0	0	0
16-001	Cultural Heritage Site - Restrooms		191,000	0	0	0	0
16-005	Casino Exterior Enhancements (#16-006 & #16-007)		0	500,000	805,000	0	0
16-008	O.F.F. Facility Improvements		0	0	207,000	718,000	0
16-011	Oneida Recreation Complex		0	0	0	0	0
16-014	Tsyunhehkwá Storage/Shelter		0	0	0	0	0
17-008	One Stop - Mason		100,000	3,500,000	0	0	0
17-010	1940 W Mason Building Renovation			0	788,000	0	0
TBD	NHC Remodeling - Phase IX				0	1,490,000	0
TBD	One Stop - New Location				0	3,800,000	0
	Completed or non-listed projects:		395,000				
Totals:			1,014,000	5,203,000	5,478,000	10,373,000	2,890,000

Oneida Business Committee Agenda Request

1. Meeting Date Requested: ~~06~~/~~14~~/~~17~~ Item deferred to 7/12/17 OBC Meeting

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 approved Memorandum of Understanding regarding Back Forty Mine reference # 2017-0592

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: Nathan King, Director/IGAC
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 Thursday, June 1, 2017 at 12:31 p.m., the following E-Poll was conducted:

Summary:

The issues surround the Back Forty Mine have been discussed by the Oneida Business Committee several time over the past months. The OBC adopted resolution 11-09-16-A which opposed the Back 40 Mine Project. The Menominee Nation has formally requested assistance in their efforts to stop the Aquilia mine that will impact their culturally significant sites. This MOU allows staff from Oneida and Menominee jointly work on Back 40 mine issues in a formalized manner.

The draft MOU was provided in the meeting packet for the regular OBC meeting of March 24, 2017. The draft was reviewed in executive session discussion of the Oneida Business Committee and the the final document, reviewed by the Law Office, was provided.

Please note the following names will be inserted on page 4 of the MOU:

Environmental Health and Safety Division: Pat Pelky
Intergovernmental Affairs and Communications: Nathan King
Law Office: Jim Bittorf
Overall Contact: Nathan King

Requested Action:

Approve the Memorandum of Understanding Regarding Back Forty Mine reference # 2017-0592

Deadline for response:

Responses are due no later than 12:30 a.m., Friday, June 2, 2017.

As of the deadline, below are the results:

Support: Fawn Billie, Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

REQUESTED ACTION

Enter E-Poll results into the record for approved Memorandum of Understanding regarding Back Forty Mine reference # 2017-0592

- 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, June 02, 2017 8:23 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: Brian A. Doxtator; Cathy L. Bachhuber; Danelle A. Wilson; Jessica L. Wallenfang; Leyne C. Orosco; Lisa A. Liggins; Lora L. Skenandore; Michael T. Debraska; Rhiannon R. Metoxen; Tammy M. Skenandore; BC_Agenda_Requests; Nathaniel S. King
Subject: E-POLL RESULTS: Approve the Memorandum of Understanding Regarding Back Forty Mine reference # 2017-0592
Attachments: EPOLL REQUEST -- Approve the Memorandum of Understanding Regarding Back....pdf

E-POLL RESULTS

The E-Poll request to approve the Memorandum of Understanding regarding the Back Forty Mine reference # 2017-0592, **has been approved**. As of the deadline, below are the results:

Support: Fawn Billie, Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers, Jennifer Webster

Heather Heuer

Information Management Specialist
 Business Committee Support Office (BCSO)

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, June 01, 2017 12:31 PM
To: TribalSecretary <TribalSecretary@oneidanation.org>; 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: 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>; Michael T. Debraska <mdebrask@oneidanation.org>; Rhiannon R. Metoxen <rmetoxe2@oneidanation.org>; Tammy M. Skenandore <tskenan9@oneidanation.org>
Subject: E-POLL REQUEST: Approve the Memorandum of Understanding Regarding Back Forty Mine reference # 2017-0592

E-POLL REQUEST**Summary:**

The issues surround the Back Forty Mine have been discussed by the Oneida Business Committee several time over the past months. The OBC adopted resolution 11-09-16-A which opposed the Back 40 Mine Project.

The Menominee Nation has formally requested assistance in their efforts to stop the Aquilia mine that will impact their culturally significant sites. This MOU allows staff from Oneida and Menominee jointly work on Back 40 mine issues in a formalized manner.

The draft MOU was provided in the meeting packet for the regular OBC meeting of March 24, 2017. The draft was reviewed in executive session discussion of the Oneida Business Committee and the the final document, reviewed by the Law Office, was provided.

Please note the following names will be inserted on page 4 of the MOU:

Environmental Health and Safety Division:	Pat Pelky
Intergovernmental Affairs and Communications:	Nathan King
Law Office:	Jim Bittorf
Overall Contact:	Nathan King

Requested Action:

Approve the Memorandum of Understanding Regarding Back Forty Mine reference # 2017-0592

Deadline for response:

Responses are due no later than **12:30 a.m., Friday, June 2, 2017.**

Voting:

1. Use the voting button above, if available; OR
2. Reply with "support" or "oppose".

<<Enter your signature>>

Oneida Business Committee Agenda Request

1. Meeting Date Requested: ___ / ___ / ___

2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

Approve the Memorandum of Understanding Regarding Back Forty Mine reference # 2017-0592.

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: Lisa Liggins, Executive Assistant II
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

The issues surround the Back Forty Mine have been discussed by the Oneida Business Committee several time over the past months. The OBC adopted resolution 11-09-16-A which opposed the Back 40 Mine Project.

The Menominee Nation has formally requested assistance in their efforts to stop the Aquilia mine that will impact their culturally significant sites. This MOU allows staff from Oneida and Menominee jointly work on Back 40 mine issues in a formalized manner.

The draft MOU was provided in the meeting packet for the regular OBC meeting of March 24, 2017. The draft was reviewed in executive session discussion of the Oneida Business Committee and the the final document, reviewed by the Law Office, was provided.

Please note the following names will be inserted on page 4 of the MOU:

Environmental Health and Safety Division:	Pat Pelky
Intergovernmental Affairs and Communications:	Nathan King
Law Office:	Jim Bittorf
Overall Contact:	Nathan King

REQUESTED ACTION

Approve the Memorandum of Understanding Regarding Back Forty Mine reference # 2017-0592

- 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 # 11-09-16-A Opposition to Back 40 Mine Project in Michigan

- 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 stands with the Menominee Nation and the residents in opposition to the proposed Back Forty Mine. The location on the Menominee River is historically and culturally significant to the Menominee people due to the existence of cultural properties by way of raised agricultural fields, funerary objects, multiple mounds, burial sites, and villages and is the place of origin for the Menominee people; and
- WHEREAS,** Oneida opposes any proposed mine that has any adverse impacts on the environment, health and well-being of the people of Wisconsin; and
- WHEREAS,** the Aquila Resource, Inc. will utilize open-pit mining for extraction and a removal process which has historically caused detrimental impacts to the water, environment, wildlife, animals, and cultural properties as demonstrated with other similar mines; and
- WHEREAS,** the Oneida Nation is determined to uphold and respect our original instructions to care for and protect Mother Earth. We are instilled with the responsibility to leave this place better than we found it, to uphold the next seven generation philosophy, and to promote sustainability in our daily decisions; and
- WHEREAS,** it is well known that the impacts of mining activities are widespread and long lasting and it also well known that corrective measures must be put in place to protect the long-term interests of the people and the environment in which we live; and
- WHEREAS,** the harm this proposal will inflict on residents of both the State of Michigan and State of Wisconsin, the environment, and the tourism industry cannot be justified by the mining industry and should not be permitted; and

NOW THEREFORE BE IT RESOLVED, the Oneida Nation urges the State of Michigan to include the Menominee Nation and other tribes in full and early participation in "purpose and need" infrastructure permitting decisions.

NOW THEREFORE BE IT FINALLY RESOLVED, the State of Michigan should establish a consultation process with the Menominee Nation to make certain open communication and engagement occurs and to ensure Tribal sacred places and vital cultural resources are protected.

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum; 7 members were present at a meeting duly called, noticed and held on the 9th day of November, 2016; that the forgoing resolution was duly adopted at such meeting by a vote of 6 members for, 0 members against, and 0 members not voting; and that said resolution has not been rescinded or amended in any way.



Lisa 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."



MENOMINEE INDIAN TRIBE OF WISCONSIN CHAIRMAN'S OFFICE

P.O. Box 910
Keshena, WI 54135-0910

To: Oneida Business Committee
From: Menominee Tribal Legislature
MTL Environmental Task Force
Date: January 25, 2017
RE: Aquila Back 40 Mine Presentation of 1/13/17

Posoh:


We begin by thanking the Oneida Business Committee for accepting the MTL Environmental Task Force's request to present information regarding the proposed Aquila Back 40 open-pit mine. As you know from the presentation, Aquila's Back 40 mine holdings threaten not only Menominee burial sites, archeological and historical territory, but also pose significant environmental threats to the larger Menominee River watershed including Lake Michigan. Aquila also holds ownership in potential mine sites in northwest and central Wisconsin. Together, this makes them one of the greatest threats of this generation to our environment and children.


Menominee takes this threat seriously and thus created the MTL Task Force to develop and implement the Menominee Tribe's opposition to the proposed mine. To summarize the MTL Task Force is engaged in 3 key areas. First, the Task Force is actively developing and implementing a public relations plan aimed at informing the public including potential investors of the adverse impacts of the proposed mine. Secondly, the Task Force is actively engaged in the permitting processes, including but not limited to reviewing applications, attending public meetings, commenting on permit applications, reviewing decisions of the Michigan Department of Environmental Quality (MDEQ), and developing litigation strategies to potentially challenge decisions of the MDEQ. Lastly, the Task Force is engaged in a political outreach strategy aimed at educating and influencing elected leaders with constituent interests in the proposed mine.

Following our presentation, we discussed Menominee's need for assistance and opportunities for our allies to support our efforts. To effectively implement the MTL Task Force efforts requires a variety of technical expertise and capacity, some of which the Menominee Tribe does not possess internally. Thus, we are actively adding component pieces to our team as resources allow.

Please accept this as our formal request for assistance in our efforts to stop Aquila through any viable method. Assistance in any of the following areas is greatly appreciated: 1. Technical Assistance (review existing mining applications and documents, including wetlands, NPDES, mining permit, etc...) participate in a technical planning meeting with Menominee Staff; 2. Investment Research on Aquila Inc., particularly re: Toronto Stock Exchange; 3. Monetary donation(s) to contract consultants with content expertise as deemed critical; 4. Public Relations, Branding and marketing assistance; and 5. Legal assistance regarding any aspect of permitting processes.

Respectfully,


Joan Delabreau,
Tribal Chairwoman


Gary Besaw,
MTL Environmental Task Force Chairman

ONEIDA LAW OFFICE

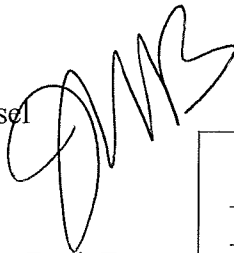
CONFIDENTIAL: ATTORNEY/CLIENT WORK PRODUCT

TO: Nathan King
Legislative Affairs

Use this number on future correspondence:

2017-0592

FROM: James R. Bittorf, Deputy Chief Counsel



DATE: May 23, 2017

RE: Menominee Indian Tribe of Wisconsin-Back Forty
Mine MOU

<u>Purchasing Department Use</u>	
<input type="checkbox"/>	Contract Approved
<input type="checkbox"/>	Contract Not Approved
<i>(see attached explanation)</i>	

If you have any questions or comments regarding this review, please call 869-4327.

The attached agreement, contract, policy and/or guaranty has been reviewed by the Oneida Law Office for legal content only. Please note the following:

- ✓ The document is in appropriate legal form. *(Execution is a management decision.)*
- ✓ Requires Business Committee approval prior to execution.

MEMORANDUM OF UNDERSTANDING REGARDING BACK FORTY MINE

THIS MEMORANDUM OF UNDERSTANDING (MOU) is by and between Menominee Indian Tribe of Wisconsin (“Menominee”) and the Oneida Nation (“Oneida”) (each a “Party” and collectively, the “Parties”).

WHEREAS, Aquila Resources, Inc. intends to develop a 2,000 foot wide, 850 foot deep gold, zinc, copper, and silver sulfide mine in the State of Michigan (the “Back 40 Mine”) within 150 feet of the Menominee River which forms the boundary between the upper peninsula of Michigan and Wisconsin, and the Back 40 Mine is subject to permitting by the State of Michigan Department of Environmental Quality (“DEQ”) and/or the United States Environmental Protection Agency (“EPA”) and other State and Federal agencies; and

WHEREAS, the Back 40 Mine has the potential to damage or destroy sacred Native American sites and significant historic and cultural resources contained within the footprint of the Back 40 Mine;

WHEREAS, the Back 40 Mine has the potential to damage air and water quality in the surrounding area; and

WHEREAS, Menominee has undertaken an initiative to investigate and examine the impacts of the Back 40 Mine and to preserve cultural, historical, and natural resources which may be imperiled by development of the Back 40 Mine (the “Back 40 Mine Initiative”); and

WHEREAS, the Parties have a common interest in protecting Native American historic and cultural resources; protecting the environmental quality of the area; and ensuring that the United States and the State of Michigan conform with all applicable laws and policies, including, but not limited to, the trust responsibility the United States owes to Native American tribes; and

WHEREAS, if one or both of the Parties conclude development of the Back 40 Mine, as may be permitted by DEQ, EPA, and other State and Federal agencies, will have an adverse impact on the natural environment, Native American historic and cultural resources, or the health and welfare of the public, one or both of the Parties may commence litigation challenging the development of the Back 40 Mine and/or the issuance of permits therefor by DEQ, EPA and other State and Federal agencies; and

WHEREAS, it is the intent and desire of the Parties that any and all communications, documents, mental impressions, factual analysis, memoranda, legal analyses, strategies and theories, confidences, analyses of experts, and information assembled, conveyed and received between or among them related to the purposes stated in these recitals (“Confidential Information”) shall be maintained as confidential and shall be subject to all applicable privileges and protections from disclosure, including without limitation, the joint defense privilege, attorney work product doctrine, attorney-client privilege, common-interest doctrine, privileges regarding mediation and settlement negotiations, and any other privilege or protection under State, Federal or Tribal law;

NOW THEREFORE, Menominee and Oneida understand and agree that staff of Menominee Departments, including but not limited to the Environmental Department, Intergovernmental Affairs Department and Legal Services Department, and staff of Oneida Departments, including but not limited to the Environmental Health and Safety Division, Intergovernmental Affairs and Communications

Department, and Law Office, may work together where feasible regarding issues of importance on the Back 40 Mine Initiative as undertaken by Menominee, subject to the following terms and conditions:

- 1) **Term.** This MOU shall have a term of one (1) year from the date of full execution and shall automatically renew for the same term, unless otherwise agreed to by the Parties, or terminated by a Party.
- 2) **Purpose.** It is the intent and desire of the Parties that their respective staff as identified above be authorized to work together at the request of Menominee subject to approval by Oneida at no additional cost to either Party.
- 3) **Modification & Termination.** The MOU is at-will and may only be modified by mutual consent of the Parties. Either Party may terminate the MOU, without cause, upon thirty (30) days written notice to the other Party. Each Party shall return Confidential Information received from the other Party to the other Party within ten (10) days of termination, and shall not maintain any copies of any portion of Confidential Information without the written consent of the other Party. Each Party shall provide written certification that copies of all Confidential Information and all excerpts therefrom have been destroyed or returned. In addition, the provisions of this MOU shall continue to apply to all Confidential Information shared under the MOU prior to termination.
- 4) **Confidentiality.** Both Parties understand that they or their staff may mutually share Confidential Information for the sole purpose set forth in the recitals.
 - a. Both Parties acknowledge that any communications, documents, mental impressions, factual analysis, memoranda, legal strategies and theories, confidences, analysis of experts, and information assembled, conveyed and received between or among them is mutually Confidential Information.
 - b. Both Parties acknowledge and will maintain the Confidential Information in strict confidence in accordance with the terms of this MOU. Except as, and to the extent, required by law or regulation, each Party will only disclose the Confidential Information internally on a “need to know” basis to its representatives who are working on the Back 40 Mine Initiative, each of whom will be advised, prior to such disclosure, of the confidential nature of the Confidential Information and the requirements of this MOU. If any of said need-to-know representatives is a third party consultant or advisor, each such third party shall execute an agreement in form satisfactory to the Parties to be bound to the terms of this Agreement.
 - c. Either party, upon attempt to compel, or compelling of disclosure of the Confidential Information or any part thereof by any person shall notify the other Party immediately; disclose only so much material from the Confidential Information that is legally required to be disclosed; and cooperate with the other Party’s efforts to protect and preserve the confidentiality of the Confidential Information.
 - d. The provisions listed above will not apply to any portion of the Confidential Information that is generally available to the public other than as a result of a breach of this Agreement, is independently developed by or on either Party’s behalf, or becomes available on a non-confidential basis from a third party, provided that such third party is not, to the Party’s knowledge, breaching any obligation of confidentiality or any other contractual, legal, or fiduciary obligation to either Party.

- e. Both Parties agree and acknowledge that unauthorized disclosure of the Confidential Information may result in irreparable harm to the other.
 - f. Nothing contained in this Agreement shall be construed, directly or indirectly, as a sale or other disposition of any ownership interest in any Confidential Information or as granting any rights under any patent, trademark or copyright, by license or otherwise, protecting the Confidential Information.
 - g. Any Confidential Information shared or transmitted by or between the Parties should be clearly marked "CONFIDENTIAL: JOINT PROSECUTION MATERIALS"; however, the failure to include such marking shall not preclude the materials from being afforded the protections of this MOU and shall not be construed to constitute a waiver of any privilege or other protection.
 - h. Each Party shall notify the other Party of any request to disclose Confidential Information generated by the other Party, or of any proceeding before any court, administrative agency, or tribunal to compel disclosure of such Confidential Information, as soon as practicable after receipt of such request or the initiation of such proceeding.
 - i. If a Party becomes subject to any judicial or administrative order purporting to compel release of Confidential Information generated by the other Party, the Party shall (a) promptly notify the other Party, and (b) make all reasonable efforts to give the other Party an opportunity to protect the Confidential Information.
- 5) **Separate Legal Counsel.** Each Party is represented by its own respective legal counsel in connection with the cooperative efforts referenced herein. Each Party's legal counsel will not have an attorney-client relationship with any other Party to this MOU as a result of the legal counsel's participation in discussions and actions related to the Parties' cooperative efforts. Similarly, each Party's legal counsel will not have a duty of loyalty or confidentiality to any Party to this MOU other than the legal counsel's specific client, and consequently, no Party may seek to disqualify the legal counsel of another Party as a result of the legal counsel's participation in discussions and actions related to the Parties' cooperative efforts.
- 6) **Waiver of Conflicts.** By this MOU the Parties each acknowledge and agree that cooperation in the matters discussed herein may involve the communication and sharing of confidential information and further agree that the interests of the Parties are not adverse as to matters within the scope of this MOU. Each of the Parties has had a full opportunity to consult with separate counsel, is fully informed, and has concluded the risk of any potential conflicts of interest is outweighed by the benefits and efficiencies afforded by the opportunities for cooperation and sharing of Confidential Information as provided for herein. The Parties consent to the sharing of Confidential Information among their counsel, waive any potential conflict of interest created thereby, and mutually agree that this sharing of Confidential Information and cooperation shall not constitute grounds for seeking disqualification of counsel in any matter or action.
- 7) **Indemnification.** Menominee shall indemnify and hold harmless Oneida, its affiliates, officers, directors, employees, and agents, from and against any and all claims, of whatever nature, for injuries, losses, or damages arising out of Menominee's negligence, gross negligence, intentional misconduct, or breach of this MOU, or the negligence, gross negligence, intentional misconduct of, or breach of this MOU by, Menominee's affiliates, officers, directors,

employees, or agents. Oneida shall indemnify and hold harmless Menominee, its affiliates, officers, directors, employees, and agents, from and against any and all claims, of whatever nature, for injuries, losses, or damages arising out of Oneida’s negligence, gross negligence, intentional misconduct, or breach of this MOU, or the negligence, gross negligence, intentional misconduct of, or breach of this MOU by Oneida’s affiliates, officers, directors, employees or agents.

- 8) **Severability.** If one or more of the sections or parts hereof are found to be unenforceable, illegal, or contrary to public policy, or are in some other manner declared to be unenforceable by a court of competent jurisdiction, this MOU shall remain in full force and effect except for that paragraph or portion determined to be unenforceable.
- 9) **Entire Agreement.** This MOU constitutes the entire agreement between the Parties. The Parties agree that no other statements, representations, agreements or warranties, except those outlined herein, apply to the terms and conditions of this MOU.
- 10) **Preservation of Rights.** Nothing in this MOU shall be construed to waive any rights, claims or privileges that a Party may have against the other Party or any other person or entity, and nothing in this MOU shall obligate any Party to share documents of information with the other Party, whether or not such documents or information would be covered by this MOU as Confidential Information.

11) **Contacts.** The designated point of contacts for the Parties shall be:

Menominee Departments:

Environmental	_____
Intergovernmental Affairs	_____
Legal Services	_____
Overall Contact	_____

Oneida Departments:

Environmental Health & Safety Division	_____
Intergovernmental Affairs and Communications	_____
Law Office	_____
Overall Contact	_____

12) **Notices.** All Notices required or permitted to be given under this MOU shall be given to the Overall Contact Person for each Party, shall be in writing, and shall be personally delivered or delivered by facsimile or email at the addresses listed below:

Menominee	Oneida
Attn: _____	Attn: _____
Menominee Indian Tribe of Wisconsin	Oneida Nation
_____	Post Office Box 365
_____	Oneida, WI 54155

- 13) **Miscellaneous.** This MOU may be executed in counterparts, each of which shall constitute one and the same document, and shall become effective on the date it is executed by all Parties. Each person executing this MOU represents and warrants that she or he has been authorized to do so by the Party on behalf of whom she or he is executing the MOU. The Parties acknowledge and agree that facsimile and electronically transmitted signatures shall be valid for all purposes and, once signed and so delivered, each Party shall thereafter, upon the request of the other Party, execute and deliver to the other Party a signed original counterpart of this MOU.

MENOMINEE INDIAN TRIBE OF WISCONSIN

By: _____
Gary Besaw, Chairman

Date: _____

ONEIDA NATION

By: _____
Cristina Danforth, Chairwoman

Date: _____

Oneida Business Committee Agenda Request

7 / 12 / 17

1. Meeting Date Requested:

~~6 / 22 / 16~~

Inadvertently not sent to BC_agenda_requests e-mail for processing onto the 6/22/16 agenda.

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 enter E-poll results into the record to approve adding the Governmental Services Division semi-annual report to the 2016 Semi-annual reports book and update the memo included in the book to reflect the change.

Update on 7/6/17: Upon review of the E-Polls conducted during this OBC term, it was found there was one E-Poll not added to an OBC agenda to enter the results into the record.

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: April Skenandore, Executive Assistant
Your Name, Title / Dept. or Tribal Member

Additional Requestor: Submitted by: Heather Heuer, Info. Mgmt. Spec. on 7/6/17
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 June 2, 2016 the following e-poll was conducted:

Summary:

On June 2, 2016, a special Business Committee (BC) meeting was held for the purpose of approving the final 2016 Semi-annual meeting materials. At that meeting, the following motions were made:

1) Motion by Tehassi Hill to approve the 2016 Semi-Annual General Tribal Council meeting materials with the following changes: Include the two (2) missing Semi-Annual reports from the Oneida Nation School Board and Southeastern Oneida Tribal Services Advisory Board; and Revise the Tribal Secretary's memorandum to note the Oneida Nation School Board and Southeastern Oneida Tribal Services Advisory Board Semi-Annual reports were received late, seconded by David Jordan. Motion carried unanimously.

2) Motion by Lisa Summers to send the Governmental Services Division and Self-Governance reporting to the Officers to address appropriately, including the notation on their performance evaluations for 2016; and that the Anna John Residential Centered Care Community Board and Oneida Arts Board be sent to the next Business Committee work meeting to determine how to address those, seconded by Tehassi Hill. Motion carried unanimously.

Following the BC meeting, the Secretary's office received a call from the Governmental Services Division (GSD) indicating their report was submitted in April. The Secretary's office reviewed the submissions and was unable to locate the GSD report; the Secretary's office requested that GSD review their records and provide documentation of the submission along with the completed report. GSD was unable to provide such documentation, but did provide the completed report (attached).

This is an e-poll request due to its time sensitive nature; the printing deadline is prior to the next Business Committee meeting. This e-poll request does not impact the 2nd motion which directed follow up with GSD from the BC Officers; this action must still be completed by the BC Officers.

Requested Action:

Add the Governmental Services Division semi-annual report to the 2016 Semi-annual reports book and update the memo included in the book to reflect the change.

Deadline for response:

Please submit your response by noon on Friday, June 3, 2016. Please use the voting button above. Thank you.

The following is the e-poll results:

Support: Tina Danforth, Trish King, Tehassi Hill, Brandon Stevens, David Jordan, Jennifer Webster, Fawn Billie

- 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

April Skenandore

From: TribalSecretary
Sent: Friday, June 03, 2016 1:13 PM
To: 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: April Skenandore; Brian A. Doxtator; Danelle A. Wilson; Dawn M. Moon-Kopetsky; Jessica L. Wallenfang; Leyne C. Oroasco; Lisa A. Liggins; Lora L. Skenandore; Rhiannon R. Metoxen
Subject: E-POLL RESULTS: Request to Add GSD Report to 2016 Semi-Annual GTC Meeting Materials
Attachments: BCAR Add GSD report to 2016 SemiAnnual GTC meeting materials.pdf
Importance: High

E-POLL RESULTS

The e-poll request to add the Governmental Services Division semi-annual report to the 2016 Semi-annual reports book and update the memo included in the book to reflect the change is approved. Below is the results:

Support: Tina Danforth, Trish King, Tehassi Hill, Brandon Stevens, David Jordan, Jennifer Webster, Fawn Billie

*April Skenandore
 Executive Assistant
 Business Committee Support Office (BCSO)
 Office: (920) 869-4316*

How can the BC Support Office help you?

Paula "Pogi" King Dessart (Executive Assistant) – Budgeting, Processing Accounts Payable, GTC Meeting Prep

April Skenandore (Executive Assistant) – BC Scheduling & Travel

Debbie Melchert (Administrative Assistant) – Signature Log, Mail Log, Kronos

Kathy Metoxen (Executive Tribal Clerk) – Pardons, Boards, Committees and Commissions

Heather Heuer (Information Management Specialist) – BC Meeting Agenda Requests, Packets, and Minutes

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, June 02, 2016 4:22 PM
To: 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: Brian A. Doxtator; Danelle A. Wilson; Dawn M. Moon-Kopetsky; Jessica L. Wallenfang; Leyne C. Oroasco; Lisa A. Liggins; Lora L. Skenandore; Rhiannon R. Metoxen
Subject: E-poll Request: Add GSD Report to 2016 Semi-Annual GTC Meeting Materials
Importance: High

E-POLL REQUEST

Summary:

On June 2, 2016, a special Business Committee (BC) meeting was held for the purpose of approving the final 2016 Semi-annual meeting materials. At that meeting, the following motions were made:

1) Motion by Tehassi Hill to approve the 2016 Semi-Annual General Tribal Council meeting materials with the following changes: Include the two (2) missing Semi-Annual reports from the Oneida Nation School Board and Southeastern Oneida Tribal Services Advisory Board; and Revise the Tribal Secretary's memorandum to note the Oneida Nation School Board and Southeastern Oneida Tribal Services Advisory Board Semi-Annual reports were received late, seconded by David Jordan. Motion carried unanimously.

2) Motion by Lisa Summers to send the Governmental Services Division and Self-Governance reporting to the Officers to address appropriately, including the notation on their performance evaluations for 2016; and that the Anna John Residential Centered Care Community Board and Oneida Arts Board be sent to the next Business Committee work meeting to determine how to address those, seconded by Tehassi Hill. Motion carried unanimously.

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Requested Action:

Add the Governmental Services Division semi-annual report to the 2016 Semi-annual reports book and update the memo included in the book to reflect the change.

Deadline for response:

Please submit your response by **noon on Friday, June 3, 2016**. Please use the voting button above. Thank you.

April Skenandore

Executive Assistant

Business Committee Support Office (BCSO)

Office: (920) 869-4316

How can the BC Support Office help you?

Paula "Pogi" King Dessart (Executive Assistant) – Budgeting, Processing Accounts Payable, GTC Meeting Prep

April Skenandore (Executive Assistant) – BC Scheduling & Travel

Debbie Melchert (Administrative Assistant) – Signature Log, Mail Log, Kronos

Kathy Metoxen (Executive Tribal Clerk) – Pardons, Boards, Committees and Commissions

Heather Heuer (Information Management Specialist) – BC Meeting Agenda Requests, Packets, and Minutes

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.*

FY-2016 Semi-annual report template

For Direct Report to the Oneida Business Committee

Governmental Services Division

Purpose:

The purpose of the Governmental Services is to increase tribal member longevity, increase personal income, and educational attainment.

Departments in your Division/Office/Area (if applicable)

Cultural Heritage Area: History, Archives, Language Revitalization, Museum, Library, Tribal Historic Preservation

Education and Training Area: Early Intervention, Childcare, Youth Enrichment Services, Higher Education, Job Training, Community Education Center, Arts

Social Services Area: Head Start/ Early Head Start, Children & Family Services, Child Support Enforcement, Elder Services, Domestic Abuse, Indian Child Welfare, Community Support, TANF, Juvenile Services, Parenting, Foster Care, Prevention/ TRAILS, Food Distribution, SEOTS

Parks and Recreation Area: Parks, Recreation, Fitness, Experiential

Transit

Veterans Services

Budget

Funding Sources for FY-2016

TRIBAL CONTRIBUTION: \$26,104,882	74%
GRANTS: \$8,355,435	23%
OTHER SOURCES:	
Other Income : \$35,550	.01%
External Sales: \$714,424	2%

Status as of 3/31/16

Total Budget:	\$35,210,291
Budget as of 3/31/16:	TC +\$13,195,694

Expenditures as of 3/31/16: TC +\$11,396,845

Variance Explanation:

Underspent because of: Personnel vacancies, Tribal Contribution (TC) is spent and then reimbursed by grants

Employees

NUMBER OF EMPLOYEES TOTAL: 297

NUMBER OF EMPLOYEES WHO ARE ENROLLED ONEIDA: 183

Who we serve

Governmental Services Department (GSD) receives funding from different sources that are for Tribal Members only, and some federal sources that fund services to both non-tribal and tribal members that are part of the Oneida community.

Update on up to Three (3) Strategic Goals for FY-2016

Please refer to your Annual Report submission for FY-2016 and provide an update on the Goals

GOAL 1

Goal:

Full implementation of 3 Sisters Human Development Initiative

Strategic Direction: Committing to Build a Responsible Nation

Practical Vision: Living a Good Mind Ka?nikuh'liyo

Update on Goal:

Governmental Services Division and Comprehensive Health Division are collaborating to identify service alignments with Six Principle Areas of Holistic Wellness. Also, Governmental Services is collaborating Education & Training with Human Resources to address workforce development and succession planning for the tribal organization.

GOAL 2

Goal:

Cascading of Governmental Services Balanced Scorecard initiative to GSD departments

Strategic Direction: Creating a Positive Organizational Culture

Practical Vision: Long Term Sustainability Plans

Update on Goal:

Governmental Services Division has used, and will continue to use the Balanced Scorecard to track service metrics with Holistic Wellness and Education Areas. We use the Scorecard for tracking customer information to make service adjustments and improvements

GOAL 3

Goal:

Alignment of all services provided by Governmental Services, with Oneida Business Committee Strategic Directions

Strategic Direction: Committing to Build a Responsible Nation

Practical Vision: An Engaged Community

Update on Goal:

Governmental Services Division utilizes the Business Committee Strategic Directions to drive service programming, service delivery and budget development for FY17

Contact

MAIN CONTACT: Barb Reynolds

MAIN CONTACT TITLE: Office Manager

MAIN PHONE: 920-490-3901

MAIN EMAIL: BREYNOLD@oneidanation.org

MAIN WEBSITE: Click here to enter website address – [example: www.oneida-nsn.gov/HigherEd](http://www.oneida-nsn.gov/HigherEd)

Oneida Business Committee Agenda Request

1. Meeting Date Requested: ~~06~~ / ~~14~~ / ~~17~~ Item deferred to 7/12/17 OBC Meeting

2. General Information:

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

[Empty text box]

Agenda Header: Travel Report

Accept as Information only

Action - please describe:

Accept Travel Report for David Jordan, WI Republican Night in DC, April 25-27, 2017, Washington, DC

3. Supporting Materials

Report Resolution Contract

Other:

1. [Empty text box] 3. [Empty text box]

2. [Empty text box] 4. [Empty text box]

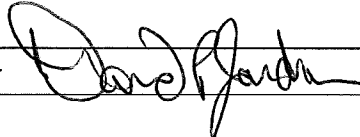
Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

David Jordan, Council Member 

Primary Requestor/Submitter:

Leyne Orosco, Executive Assistant
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:

Request the Business Committee accept my travel report for WI Republican Night in DC held on April 25-27, 2017 in Washington, DC.

- 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

BUSINESS COMMITTEE TRAVEL REPORT



Travel Report for: David Jordan

Travel Event:	WI Republican Night in DC		
Travel Location:	Washington, DC		
Departure Date:	04/25/2017	Return Date:	04/27/2017
Projected Cost:	\$1,581.40	Actual Cost:	\$1,730.57
Date Travel was Approved by OBC:	04/11/2017		

Narrative/Background:

I wanted to provide a report on my meetings in Washington DC in late April with Wisconsin State Legislators and the federal Congressional delegation.

Attending the Wisconsin Republican Night and luncheon with Speaker Ryan and Congressman Gallagher in Washington DC was well received and well worth the time. During the luncheon I was able to raise Oneida's concerns of President's Trump's skinny budget (less federal money coming to tribes) and the need look at self-governance funding. I believe the timing served the Nation well as the Joint Finance Committee began voting on the state budget the following Monday, which included Dept. of Administration - Division of Gaming.

On the state side I had the opportunity to introduce myself to and/or talk with the following legislators. Most of the meetings were a meet & greet style. When meeting with leadership and members of the Joint Finance Committee the topics were focused on the issue of the Oneida-UWGB budget provision.

Wisconsin Legislature

Rep. Robin Vos (R-Rochester), Assembly Speaker
Rep. Tyler August (R-Lake Geneva)
Rep. Jim Steineke (R-), Assembly Majority Leader

- Thanked Representatives for their leadership and authoring the motion on Oneida-UWGB budget funding issue.

Rep. John Nygren (R-Marinette), Co-Chair, Joint Finance Committee

- Thanked Representative for his leadership and support of the Oneida-UWGB budget funding issue.
- Rep. Nygren said he knew about the issue and stated his belief the committee will get what we want done.

Rep. Mike Rohrkaste (R-Appleton), Member, Joint Finance Committee

Rep. Patrick Snyder (R-Schofield)

Rep. Tyler Vorpapel (R-Plymouth)

Sen. Scott Fitzgerald (R-Juneau), Senate Majority Leader

Sen. Devin LeMahieu (R-Oostburg)

Sen. Roger Roth (R-Appleton), Senate President

Sen. Alberta Darling (R-River Hills)

Sen. Patrick Testin (R-Stevens Point)

- Sen. Testin is a freshman legislator, so this was the first time he met with Oneida representatives.

Sen. Leah Vukmir (R-Brookfield), Assistant Majority Leader

- Sen. Vukmir is a big fan of our bringing back the LPGA to Wisconsin

Federal Congressional Delegation

Speaker Paul Ryan (R-Janesville)

Cong. Sean Duffy (R-Weston)

Cong. Glenn Grothman (R-West Bend)

Cong. Mike Gallagher (R-Green Bay)

Item(s) Requiring Attention:

Click here to enter text.

Requested Action:

Accept Travel Report

Oneida Business Committee Agenda Request

1. Meeting Date Requested: ~~06~~ / ~~14~~ / ~~17~~ Item deferred to 7/12/17 OBC Meeting

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 travel report

3. Supporting Materials

Report Resolution Contract

Other:

1. <input type="text" value="Washington testimony"/>	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: Danelle Wilson, Executive Assistant
Your Name, Title / Dept. or Tribal Member

Additional Requestor: _____
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.

BUSINESS COMMITTEE TRAVEL REPORT



Travel Report for: Tehassi Hill

Travel Event: American Indian/Alaska Native Public Witness Hearing

Travel Location: Washington, DC

Departure Date: 05/15/2017 Return Date: 05/17/2017

Projected Cost: 2,030.72 Actual Cost: 1,989.43

Date Travel was Approved by OBC: 05/24/2017

Narrative/Background:

On May 15th I traveled to Washington D.C. to give testimony to the House Appropriations subcommittee on Interior, Environment, and related Agencies. The testimony was well received and in alignment with several of the other presenters. Please see attached testimony.

Item(s) Requiring Attention:

Continue to follow the budget proposals for implications for Oneida.

Requested Action:

Accept report.



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



**Testimony of Ron “Tehassi” Hill
 Oneida Business Committee Member
 Oneida Nation of Wisconsin
 May 16, 2017**

Chairman Calvert, Ranking Member McCollum, Members of the Committee, thank you for the opportunity to appear before you today. It is an honor to be here on behalf of more than 17,000 members of our Community.

I want to begin by thanking Committee leadership for its commitment to Indian Country. We appreciate the significant time, preparation and resources that go into this hearing, and I just want to say that it does not go unnoticed.

Now down to business. I am here today to make three requests of this Committee.

- 1) Incorporate Self Governance into a greater number of tribal programs;
- 2) Restore funding to the Great Lakes Restoration Initiative; and
- 3) Protect the Tribal General Assistance Program (GAP)

Self Governance

I will begin with our most broad request. Tribal Self Governance—that is tribal control of the distribution and administration of federal funding—must be expanded.

Federal dollars are most efficiently used when micro-level decisions are made at the local, tribal government level.

At Oneida, we practice what we preach. We have assumed responsibility for our healthcare, education, and most BIA programs. This means that the tribal government, not the BIA, make decisions about how to manage our grants. And it means that when refinements need to be made, we don't have to go to Washington to ask permission—we just fix the problem.

The result has been unambiguously positive. Environmental, health and education indicators have gone up, while administrative costs have gone down. Just as important, our Tribal Government capacity has also improved. Our staff now has the knowledge, skills and experience to take on new and more complex governance operations, and they do so on a regular basis.

Congress needs to learn from our experience and expand the scope of programs that are eligible for self governance.

For instance, the Department of Health and Human Services allows Indian Health Service functions to be contracted out to tribes; but the same department prohibits tribal

governments from running TANF or Medicaid programs. Similarly, U.S.D.A., Department of Homeland Security, Department of Justice and EPA programs should all allow tribes to receive direct funding rather than have their grants pass through the State.

Self Governance is good policy and it is good practice. It ensures that scarce federal dollars are used to build capacity rather than bureaucracy. And it makes good on the United States' sacred obligation to respect tribal sovereignty and allow tribal governments to manage our own affairs.

EPA--Great Lakes Restoration Initiative

Oneida Nation's creation story teaches us that everything is connected, and that there must be balance for the environment to thrive. The belief that all living beings are important is instilled into the conscious of our Tribe, and we are committed to environmental conservation and stewardship. It is this ethos that led us to our partner, the Environmental Protection Agency (EPA).

Among the most important long-term projects Oneida is working on with the EPA is the Great Lakes Restoration Initiative. Launched in 2010, the Initiative is designed to protect and restore the largest system of fresh surface water in the world--which happens to be in our backyard.

Over the last eight fiscal years, the Oneida Nation has been awarded approximately \$4.4 million for hundreds of Great Lakes watershed improvement projects. Some examples include:

- Creating adaptive management system in the Silver Creek Watershed to meet the new federal and State phosphorus regulations.
- Removing and replacing blocked culverts and dams at Brown County Golf Course and Pamperin Park, opening up 214 miles of streams for fish passage.
- Founding a natural resources technology program that has now trained and hired seven Oneida tribal members.

In short, the accomplishments of the program have been astounding. The Great Lakes Restoration Initiative has been the single most successful federal program designed to help restore our lands.

Given the enormous successes of the program at Oneida and across the Midwest, it is deeply concerning that the President proposes to virtually eliminate funding for this initiative in FY 18. This would be a catastrophic mistake. It would hurt our fishing, tourism and agriculture industries, and it would put in jeopardy hundred of millions of dollars of investments from state and local governments, as well as the private sector.

The Oneida Nation of Wisconsin strongly urges the committee to reject the proposed cuts to this program and restore it to FY 17 funding levels.

EPA--Tribal General Assistance Program

Though small in budget, the EPA Tribal General Assistance Program, also known as GAP, makes a major impact for the Oneida Nation.

The program helps tribal communities build the technical capacity to manage our own environmental programs, and ensures that we have a voice in national policy decisions that affect our land, air and water.

At Oneida, this funding allows us to expand our environmental staff. We have used the funds to hire an area environmental manager, and cover part of the costs of our wetlands program manager as well. This not only protects the health of our members and improves the environment, it also supports Oneida sovereignty.

Perhaps even more important, the GAP grant helps offset the cost of interacting with the EPA and other federal agencies on environmental policy issues. As a member of the Regional Tribal Operations Committee, I witness how important this funding is first hand. At least three times a year, my colleagues on the RTOC and I meet with the EPA to help identify how policies may impact tribal governments and tribal lands in our region.

In Fiscal Year 2017, Congress appropriated \$65,476,000 for GAP. The program also received \$65,476,000 million in Fiscal Year 2016.

While it is still unclear how the President may treat the program in his Fiscal Year 2018 budget, I ask that, at a minimum, the Committee maintain this level of investment next year. Understanding the constrained fiscal environment, I believe we can make do without an adjustment for inflation; but significant cuts below the current funding levels will directly and negatively impact the environmental health of tribes across the nation.

Conclusion

There are of course dozens of other programs that are vitally important to the Oneida Nation in the Interior, Environment and Related Agencies Appropriations bill, however in the interest of time I will conclude my remarks here.

I want to once again thank the committee for this opportunity, and I look forward to working with you to ensure that Indian Country can continue to thrive in Fiscal Year 2018 and beyond.

Oneida Business Committee Travel Request

1. OBC Meeting Date Requested: 07 / 12 / 17 e-poll requested

2. General Information:

Event Name: 2017 North American Indigneous Games

Event Location: Toronto, ON Attendee(s): Lisa Summers

Departure Date: Jul 16, 2017 Attendee(s): Fawn Billie

Return Date: Jul 23, 2017 Attendee(s):

3. Budget Information:

- Funds available in individual travel budget(s)
 Unbudgeted
 Grant Funded or Reimbursed

Cost Estimate: \$ 0.00

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:

Organizers of Team Wisconsin for the 2017 North American Indigenous Games have requested Secretary Summers and Councilwoman Billie to attend the event in their capacity as elected officials of the Oneida Nation.

The travel request is for information only; there is no request for per diem, hotel, or mileage.

REQUESTED ACTION:

Accept the travel request regarding Secretary Summers and Councilwoman Billie attending the 2017 North American Indigenous Games in Toronto, Ontario, July 16-23, 2017, as information.

5. Submission

Sponsor: Lisa Summers, Tribal Secretary and Fawn Billie, Councilmember

- 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

Oneida Business Committee Agenda Request

1. Meeting Date Requested: ~~06~~/~~28~~/~~17~~ Item deferred to 7/12/17 OBC Meeting

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 approved travel request - Treasurer King and up to two (2) additional OBC members - Midwest Alliance of Sovereign Tribes (MAST) summer meeting - Hinkley, MN - July 13-14, 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: 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 Wednesday, June 14, 2017, at 1:11 p.m., the following E-Poll was conducted:

Summary:

Request for an e-poll to be conducted to approve travel request for Treasurer King and up to two (2) additional OBC members to attend the Midwest Alliance of Sovereign Tribes (MAST) summer meeting in Hinkley, MN on July 13-14, 2017.

The attached BC agenda item was scheduled to be reviewed at the June 14, 2017, Oneida Business Committee meeting. The June 14, 2017, Oneida Business Committee meeting was cancelled due to unforeseen circumstances.

Treasurer Trish King has indicated she is interested in attending.

Requested Action:

Approve travel request for Treasurer King and up to two (2) additional OBC members to attend the Midwest Alliance of Sovereign Tribes (MAST) summer meeting in Hinkley, MN on July 13-14, 2017.

Deadline for response:

The voting will be open for twelve (12) hours.

Responses are due no later than 1:30 a.m. on Thursday, June 15, 2017.

As of the deadline, below are the results:

Support: Melinda J. Danforth, Trish King, Lisa Summers, Fawn Billie, Tehassi Hill, David Jordan, Jennifer Webster

Per section 5.4. of the BC SOP "Conducting Electronic Voting", attached are copies of any comment by an OBC member made beyond a vote.

REQUESTED ACTION

Enter E-Poll results into the record for approved travel request - Treasurer King and up to two (2) additional OBC members - Midwest Alliance of Sovereign Tribes (MAST) summer meeting - Hinkley, MN - July 13-14, 2017.

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

From: TribalSecretary
Sent: Thursday, June 15, 2017 11:12 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: BC_Agenda_Requests; Debbie J. Melchert; Brian A. Doxtator; Cathy L. Bachhuber; Danelle A. Wilson; Jessica L. Wallenfang; Leyne C. Orosco; Lisa A. Liggins; Lora L. Skenandore; Michael T. Debraska; Rhiannon R. Metoxen; Tammy M. Skenandore
Subject: E-POLL RESULTS: Approve travel request – Treasurer King and up to two (2) additional OBC members – Midwest Alliance of Sovereign Tribes (MAST) summer meeting – Hinkley, MN – July 13-14, 2017
Attachments: E-Poll Request - Approve travel request – Midwest Alliance of Sovereign Tribes (MAST) summer meeting – Hinkley, MN – July 13-14, 2017.pdf; LS Response.pdf
Importance: High
Categories: Next Meeting

E-POLL RESULTS

The E-Poll request to approve a travel request for Treasurer King and up to two (2) additional OBC members to attend the Midwest Alliance of Sovereign Tribes (MAST) summer meeting in Hinkley, MN on July 13-14, 2017, **has been approved**. As of the deadline, below are the results:

Support: Melinda J. Danforth, Trish King, Lisa Summers, Fawn Billie, Tehassi Hill, David Jordan, Jennifer Webster

Per section 5.4. of the BC SOP “Conducting Electronic Voting”, attached are copies of any comment by an OBC member made beyond a vote.

Lisa Liggins
Assistant to Secretary Summers
Oneida Business Committee



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

office 920.869.4434
cell 920.819.7344
fax 920.869.4040

PO Box 365
Oneida, WI 54155-0365
Oneida-nsn.gov

From: TribalSecretary
Sent: Wednesday, June 14, 2017 1:11 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: Brian A. Doxtator; Cathy L. Bachhuber; Danelle A. Wilson; Jessica L. Wallenfang; Leyne C. Orosco; Lisa A. Liggins; Lora L. Skenandore; Michael T. Debraska; Rhiannon R. Metoxen; Tammy M. Skenandore
Subject: E-Poll Request - Approve travel request – Treasurer King and up to two (2) additional OBC members – Midwest Alliance of Sovereign Tribes (MAST) summer meeting – Hinkley, MN – July 13-14, 2017
Attachments: E-Poll Request - Approve travel request – Midwest Alliance of Sovereign Tribes (MAST) summer meeting – Hinkley, MN – July 13-14, 2017.pdf
Importance: High

E-POLL REQUEST

Summary:

Request for an e-poll to be conducted to approve travel request for Treasurer King and up to two (2) additional OBC members to attend the Midwest Alliance of Sovereign Tribes (MAST) summer meeting in Hinkley, MN on July 13-14, 2017.

The attached BC agenda item was scheduled to be reviewed at the June 14, 2017, Oneida Business Committee meeting. The June 14, 2017, Oneida Business Committee meeting was cancelled due to unforeseen circumstances.

Treasurer Trish King has indicated she is interested in attending.

Requested Action:

Approve travel request for Treasurer King and up to two (2) additional OBC members to attend the Midwest Alliance of Sovereign Tribes (MAST) summer meeting in Hinkley, MN on July 13-14, 2017.

Deadline for response:

The voting will be open for twelve (12) hours.

Responses are due no later than **1:30 a.m. on Thursday, June 15, 2017.**

Voting:

1. Use the voting button above, if available; OR
2. Reply with “support” or “oppose”.

Lisa Liggins
Assistant to Secretary Summers
Oneida Business Committee

From: Lisa M. Summers
Sent: Wednesday, June 14, 2017 1:37 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: Brian A. Doxtator; Cathy L. Bachhuber; Danelle A. Wilson; Jessica L. Wallenfang; Leyne C. Orosco; Lisa A. Liggins; Lora L. Skenandore; Michael T. Debraska; Rhiannon R. Metoxen; Tammy M. Skenandore
Subject: RE: E-Poll Request - Approve travel request – Treasurer King and up to two (2) additional OBC members – Midwest Alliance of Sovereign Tribes (MAST) summer meeting – Hinkley, MN – July 13-14, 2017

Approve, and I would also like to be considered.

From: TribalSecretary
Sent: Wednesday, June 14, 2017 1:11 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: Brian A. Doxtator; Cathy L. Bachhuber; Danelle A. Wilson; Jessica L. Wallenfang; Leyne C. Orosco; Lisa A. Liggins; Lora L. Skenandore; Michael T. Debraska; Rhiannon R. Metoxen; Tammy M. Skenandore
Subject: E-Poll Request - Approve travel request – Treasurer King and up to two (2) additional OBC members – Midwest Alliance of Sovereign Tribes (MAST) summer meeting – Hinkley, MN – July 13-14, 2017
Importance: High

E-POLL REQUEST

Summary:

Request for an e-poll to be conducted to approve travel request for Treasurer King and up to two (2) additional OBC members to attend the Midwest Alliance of Sovereign Tribes (MAST) summer meeting in Hinkley, MN on July 13-14, 2017.

The attached BC agenda item was scheduled to be reviewed at the June 14, 2017, Oneida Business Committee meeting. The June 14, 2017, Oneida Business Committee meeting was cancelled due to unforeseen circumstances.

Treasurer Trish King has indicated she is interested in attending.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: ___ / ___ / ___

E-POLL REQUEST

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 travel request for Treasurer King and up to two (2) additional OBC members to attend the Midwest Alliance of Sovereign Tribes (MAST) summer meeting in Hinkley, MN on July 13-14, 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: Submitted by: Lisa Liggins, Executive Assistant II
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:

Request for an e-poll to be conducted to approve travel request for Treasurer King and up to two (2) additional OBC members to attend the Midwest Alliance of Sovereign Tribes (MAST) summer meeting in Hinkley, MN on July 13-14, 2017.

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Treasurer Trish King has indicated she is interested in attending.

REQUESTED ACTION:

Approve travel request for Treasurer King and up to two (2) additional OBC members to attend the Midwest Alliance of Sovereign Tribes (MAST) summer meeting in Hinkley, MN on July 13-14, 2017.

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 Travel Request

1. OBC Meeting Date Requested: 06 / 14 / 17 e-poll requested

2. General Information:

Event Name: _____ MAST Summer Meeting _____

Event Location: _____ Hinkley MN _____ 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: _____ \$ 325.50

MAST Block Rate: \$ 99.00/night
Per Diem Rate: \$ 38.25/travel day
Registration: \$ 100.00
Misc/Taxi: \$ 50.00

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:

MAST's mission is to "advance, protect, preserve, and enhance the mutual interests, treaty rights, sovereignty, and cultural way of life of the sovereign nations of the Midwest throughout the 21st century." The organization coordinates important public policy issues and initiatives at the state, regional and federal levels, promotes unity and cooperation among member Tribes and advocates for member Tribes.

MAST Summer Meeting provides the opportunity to discuss current issues. The tentative agenda is attached.

5. Submission

Sponsor:

- 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

**MIDWEST ALLIANCE OF SOVEREIGN TRIBES
SUMMER MEETING AGENDA
July 13th & 14st, 2017**

**Mille lacs band of Ojibwe
GRAND CASINO HINCKLEY
777 LADY LUCK DRIVE
Hinckley, MN 55037**

Wednesday July 13th, 2017

11:00 a.m. till 1:00 pm - Registration Entrance to Ballroom two & three

11:30 till 12:30- Lunch - Provided by Mille Lacs Band of Ojibwe – Ballroom One

Noon:

12:45 pm – **MAST GENERAL ASSEMBLY – Ballroom Two & Three**

Call to Order – President Chief Frank Cloutier
Opening Prayer –
Opening Remarks & Welcoming – Chief Executive Melanie Benjamin
Roll Call – Executive Director Scott Vele
Elders Comments/Requests –
Additions & Adopt Agenda
Executive Board Comments – Treasurer – Eugene Magnesun
Vice-President – Chairman Aaron Payment
Secretary – Chief Executive Melanie Benjamin

Tentative Issues & Speakers

1:30 p.m. Tribal Leaders Round Table Discussion/Direction
2:00 p.m. Lawrence “Larry” Roberts, Kilpatrick Townsend & Stockton LLP- Land Into Trust Projections
2:30 p.m. Environmental Safety Issues – Back Forty, Line Five – Education-
3:15 p.m. Break
3:30 p.m. Congressional Invite
4:00 p.m. Linda K. Gray Geographer Chicago Regional Office, Census Bureau
Gail Krmenech – Supervisor Chicago Regional Office, Census Bureau

4:30 p.m. Break
5:00 p.m. Dinner Sponsored by-
5:30 p.m.

6:30 p.m.

Thursday July 14st, 2017

6:45-8:00 a.m. Breakfast – Ballroom One – Sponsored by

8:10 a.m.
8:30 a.m.
9:00 a.m. William Bill Sulinckas Regional Tribal Liaison - FEMA
10:00 a.m. Phyllis Davis – Chairlady GLATHB- Request for By-Law Revisions-
11:00 a.m. Congressional Invite
11:30 a.m.

Noon Lunch Sponsored by- _____ - Meeting Adjourned

MIDWEST ALLIANCE OF SOVEREIGN TRIBES

P.O. Box 265
Gresham, WI 54128
Ph: 715-787-4494
m.a.s.t@frontiernet.net

MAST SUMMER MEETING

JULY 13TH / JULY 14TH, 2017

AT

GRAND CASINO HINCKLEY

777 LADY LUCK DRIVE-Hinckley, MN 55037

Make your hotel reservations now by calling: 1-800-472-6321 & ask for MAST block of rooms: Room Rate \$99.00 – Good till 06-22-17.

Registration form

Name: _____ Title: _____

Tribe/Organization: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

Contact Person:
E-Mail:

Fee

The cost of the registration will be \$100.00 per person.

Please get your registration in early so we can plan accordingly, thank you.

Method of Payment: () Check enclosed () Cash in Hand

Please make checks payable to: MAST

Return registration form and payment to: **MAST**
P.O. Box 265
Gresham, WI 54128-0265

*Meeting starts at Noon on 07/13/2017 and ends on 07/14/2017 at Noon.

**Nearest Airport- MSP – Minneapolis (1.5 hours from venue)

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 07 / 12 / 17

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 the approved travel request -Vice-Chairwoman Melinda J. Danforth - Partners in Action conference - July 18 and/or 20, 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:

Requestor:
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 Tuesday, June 27, 2017, at 8:56 a.m., the following E-Poll was conducted:

Summary:

Melinda Danforth has been asked to be a speaker at the Partners in Action Conference in Wisconsin Dells on July 18th or July 20th. (see attachments)

Requested Action:

Approve Melinda Danforth's travel to the Partners in Action Conference in Wisconsin Dells on July 18 or July 20th

Deadline for response:

Responses are due no later than 12:45 pm today (06/27/2017)

As of the deadline, below are the results:

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

Abstain: Melinda J. Danforth

Per section 5.4. of the BC SOP "Conducting Electronic Voting", attached are copies of any comment by an OBC member made beyond a vote.

REQUESTED ACTION

Enter E-Poll results into the record for the approved travel request -Vice-Chairwoman Melinda J. Danforth - Partners in Action conference - July 18 and/or 20, 2017

- 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, June 27, 2017 1:09 PM
To: TribalSecretary; Cristina S. Danforth; Melinda J. Danforth; Patricia M. King; Lisa M. Summers; Ronald W. Hill; Fawn J. Billie; Jennifer A. Webster; David P. Jordan; Brandon L. Yellowbird-Stevens
Cc: Rhiannon R. Metoxen; Leyne C. Orosco; Lora L. Skenandore; Jessica L. Wallenfang; Brian A. Doxtator; Lisa A. Liggins; Danelle A. Wilson; Cathy L. Bachhuber; Debbie J. Melchert; BC_Agenda_Requests
Subject: E-POLL RESULTS: Travel Request - MJD - Partners in Action - 7/18 or 20/17
Attachments: BCAR Approve travel request - MJD - PIA.pdf; Responses beyond vote.pdf

E-POLL RESULTS

The E-Poll request to approve Vice-Chairwoman Melinda J. Danforth's travel request to attend the Partners in Action conference at the Mystic Lake Hotel & Convention Center, MN on July 18 or 20, 2017, **has been approved**. As of the deadline, below are the results:

Support: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster
Abstain: Melinda J. Danforth

Per section 5.4. of the BC SOP "Conducting Electronic Voting", attached are copies of any comment by an OBC member made beyond a vote.

Heather Heuer

Information Management Specialist
Business Committee Support Office (BCSO)

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From: TribalSecretary
Sent: Tuesday, June 27, 2017 8:56 AM
To: Cristina S. Danforth <tdanfort@oneidanation.org>; TribalSecretary <TribalSecretary@oneidanation.org>; Melinda J. Danforth <MDANFORJ@ONEIDANATION.org>; Patricia M. King <TKING@ONEIDANATION.org>; Lisa M. Summers <LSUMMER2@oneidanation.org>; Ronald W. Hill <RHILL7@oneidanation.org>; Fawn J. Billie <fbillie@oneidanation.org>; Jennifer A. Webster <JWEBSTE1@oneidanation.org>; David P. Jordan <djordan1@oneidanation.org>; Brandon L. Yellowbird-Stevens <BSTEVEN@oneidanation.org>
Cc: Rhiannon R. Metoxen <rmetoxe2@oneidanation.org>; Leyne C. Orosco <lorosco@oneidanation.org>; Lora L. Skenandore <LSKENAN3@oneidanation.org>; Jessica L. Wallenfang <JWALLENF@oneidanation.org>; Brian A. Doxtator <BDOXTAT2@oneidanation.org>; Lisa A. Liggins <liggins@oneidanation.org>; Danelle A. Wilson <DWILSON1@ONEIDANATION.org>; Cathy L. Bachhuber <CBACHHUB@oneidanation.org>
Subject: E-POLL REQUEST: Melinda Danforth Travel Request
Importance: High

E-POLL REQUEST

Summary:

Melinda Danforth has been asked to be a speaker at the Partners in Action Conference in Wisconsin Dells on July 18th or July 20th. (see attachments)

Requested Action:

Approve Melinda Danforth's travel to the Partners in Action Conference in Wisconsin Dells on July 18 or July 20th

Deadline for response:

Responses are due no later than **12:45 pm today (06/27/2017)**

Voting:

1. Use the voting button above, if available; OR
2. Reply with "support" or "oppose".



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

How can the BC Support Office help you?

Paula "Pogi" King Dessart (Executive Assistant) – Budgeting, Processing A/P, GTC Meeting Prep, Scheduling

Debbie Melchert (Administrative Assistant) – Signature Log, Mail Log, Kronos, BC Travel, Scheduling

Kathy Metoxen (Executive Tribal Clerk) – Pardons, Boards, Committees and Commissions, Scheduling

Heather Heuer (Information Management Specialist) – BC/GTC Meeting Agendas, Packets, Minutes, and Resolutions, E-polls, Scheduling

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Tue 6/27/2017 9:02 AM

Melinda J. Danforth

Re: E-POLL REQUEST: Melinda Danforth Travel Request

To TribalSecretary; Cristina S. Danforth; Patricia M. King; Lisa M. Summers; Ronald W. Hill; Fawn J. Billie; Jennifer A. Webster; David P. Jordan; Brandon L. Yellowbird-Stevens
Cc Rhiannon R. Metoxen; Leyne C. Orosco; Lora L. Skenandore; Jessica L. Wallenfang; Brian A. Doxtator; Lisa A. Liggins; Danelle A. Wilson; Cathy L. Bachhuber

My apologies. The conference will be in Shakopee, MN not in Wisconsin Dells. It was in the Dells last year.



Tue 6/27/2017 9:16 AM

Lisa M. Summers

RE: E-POLL REQUEST: Melinda Danforth Travel Request

To TribalSecretary; Cristina S. Danforth; Melinda J. Danforth; Patricia M. King; Ronald W. Hill; Fawn J. Billie; Jennifer A. Webster; David P. Jordan; Brandon L. Yellowbird-Stevens
Cc Rhiannon R. Metoxen; Leyne C. Orosco; Lora L. Skenandore; Jessica L. Wallenfang; Brian A. Doxtator; Lisa A. Liggins; Danelle A. Wilson; Cathy L. Bachhuber

Approve, noting the location is in Shakopee, MN



Tue 6/27/2017 9:21 AM

David P. Jordan

Support: E-POLL REQUEST: Melinda Danforth Travel Request

To TribalSecretary
Cc David P. Jordan

 The sender responded: Support.

With 1 change the conference is at
Mystic Lake Hotel & Convention Center Prior Lake, MN



Tue 6/27/2017 9:22 AM

Fawn J. Billie

RE: E-POLL REQUEST: Melinda Danforth Travel Request

To TribalSecretary; Cristina S. Danforth; Melinda J. Danforth; Patricia M. King; Lisa M. Summers; Ronald W. Hill; Jennifer A. Webster; David P. Jordan; Brandon L. Yellowbird-Stevens
Cc Rhiannon R. Metoxen; Leyne C. Orosco; Lora L. Skenandore; Jessica L. Wallenfang; Brian A. Doxtator; Lisa A. Liggins; Danelle A. Wilson; Cathy L. Bachhuber

Support, for Vice-Chair to attend travel to Prior Lake, MN (not WI Dells)



Tue 6/27/2017 10:36 AM

Jennifer A. Webster

RE: E-POLL REQUEST: Melinda Danforth Travel Request

To TribalSecretary; Cristina S. Danforth; Melinda J. Danforth; Patricia M. King; Lisa M. Summers; Ronald W. Hill; Fawn J. Billie; David P. Jordan; Brandon L. Yellowbird-Stevens
Cc Rhiannon R. Metoxen; Leyne C. Orosco; Lora L. Skenandore; Jessica L. Wallenfang; Brian A. Doxtator; Lisa A. Liggins; Danelle A. Wilson; Cathy L. Bachhuber

Approve, for MN not Wis Dells,
Jenny

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 07 / 12 / 17

E-POLL REQUEST

2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

Requesting the Business Committee's approval to approve my travel to the Partners in Action Conference as a guest speaker in Wisconsin Dells July 18th and/or July 20th.

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:

The 2017 Partners in Action conference hosted by the BIA is being held in Wisconsin Dells July 18 - 20th. The Tribal Secretary and I have been asked to be a presenter on the topic of constitutional reform. The Tribal Secretary is unavailable to attend, thus I am requesting the Oneida Business Committee authorize me to attend and present at the conference. I am only available July 18th or July 20th and my presentation time and date has not yet been scheduled, thus I am requesting approval to attend either on July 18th or July 20th.

Action Requested: Approve the travel 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

Heather M. Heuer

From: LaPointe, Sherrel <sherrel.lapointe@bia.gov>
Sent: Thursday, June 22, 2017 7:48 AM
To: Melinda J. Danforth; Lisa M. Summers
Subject: 2017 PIA

Good morning. I am looking at topics for the 2017 Partners In Action Conference hosted by the Midwest Regional Office of the Bureau of Indian Affairs. One idea was constitutional reform. I am reaching out to tribal people who are going through or who have gone through constitutional reform. We are looking for a presenter to perhaps discuss what is involved with reforming the constitution and discuss any lessons learned. Looking at a 30-60 minute presentation with a 15-30 minute Q&A session. Please let me know your thoughts and interest in presenting. Thank you!

*Sherrel LaPointe, Tribal Operations Officer
Bureau of Indian Affairs - Midwest Region
Norman Pointe II
5600 West American Boulevard, Suite 500
Bloomington, Minnesota 55437
P1: 612.725.4554
P2: 605.226.7637
F: 612.713.4401
E: sherrel.lapointe@bia.gov*

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*Sherrel LaPointe, Tribal Operations Officer
Bureau of Indian Affairs - Midwest Region
Norman Pointe II
5600 West American Boulevard, Suite 500
Bloomington, Minnesota 55437
P1: 612.725.4554
P2: 605.226.7637
F: 612.713.4401
E: sherrel.lapointe@bia.gov*

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SAVE THE DATE

JULY 18—20, 2017

6th Annual PARTNERS IN ACTION CONFERENCE



Mystic Lake Hotel & Convention Center
Prior Lake, MN

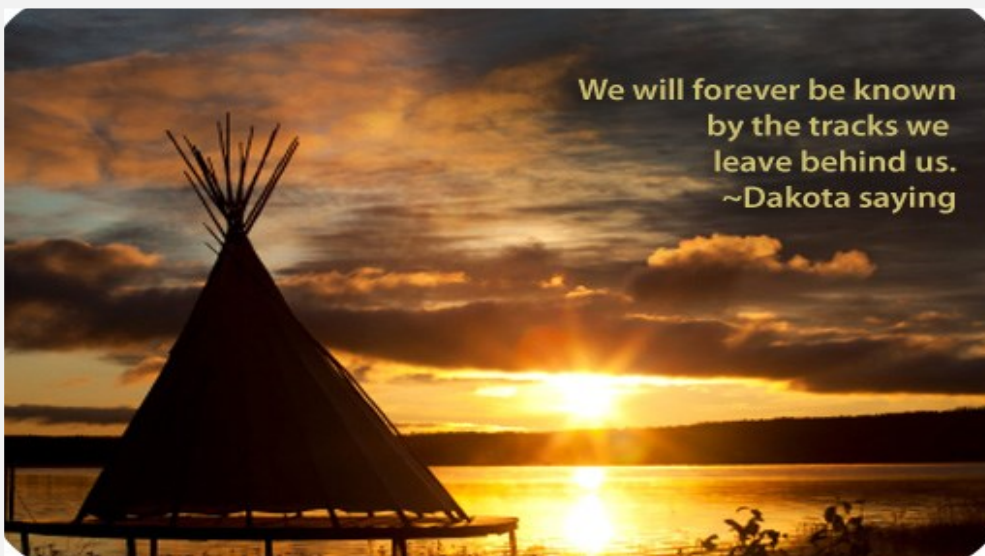
 **CLICK HERE TO REGISTER!**

*Lodging Information Will be
announced soon!*

FEATURING PRESENTATIONS ON:

*Budget, Child Welfare,
Climate Change, Emer-
gency Preparedness,
Environmental, Natu-
ral Resources, Forestry/
Fire, Gaming, Human
Services, Justice &
Safety, Office of
Hearings & Appeals,
Probate & Estates,
Property, Realty, Roads,
Transportation, Tribal
Courts, Youth Initia-
tives, and more!*

*We will forever be known
by the tracks we
leave behind us.
~Dakota saying*

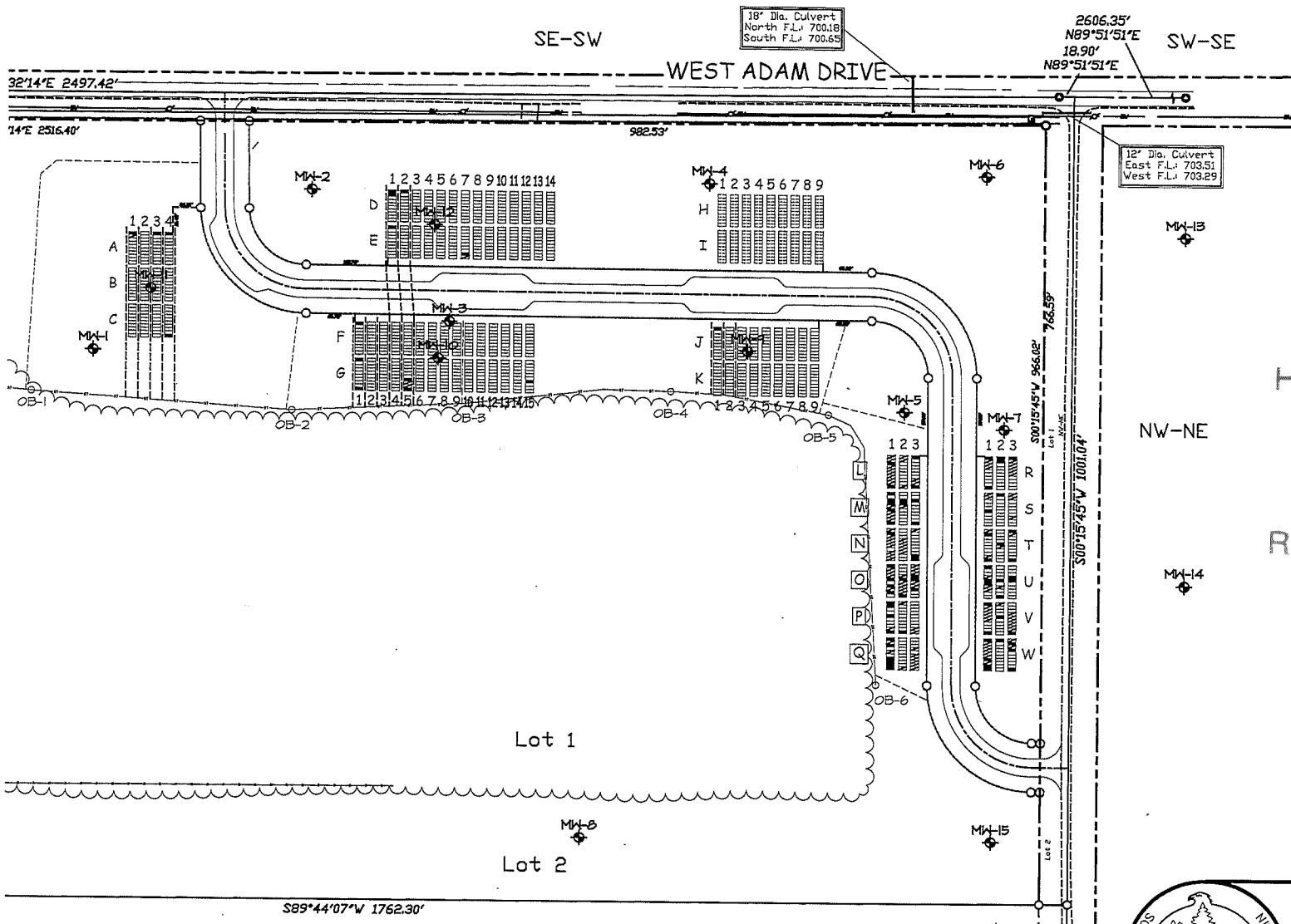


XII. GENERAL TRIBAL COUNCIL

- A. Accept Petitioner Edward Delgado's request to withdraw kindergarten retention petition**
Sponsor: Fawn Billie, Councilwoman
- B. Petitioner Sherrole Benton: Request to change pre-employment drug testing for marijuana**
- 1. Accept status update as information**
Sponsor: Lisa Summers, Tribal Secretary
- C. Approve four (4) actions regarding Petitioner Edward Delgado: Trust Land Distribution**
Sponsor: Lisa Summers, Tribal Secretary
- 1. Accept legislative analysis**
Sponsor: Brandon Stevens, Councilman/Legislative Operating Committee Chair
- D. Accept correspondence to GTC dated June 19, 2017, as information**
Sponsor: Lisa Summers, Tribal Secretary
- E. Approve August 14, 2017, special GTC meeting materials**
Sponsor: Lisa Summers, Tribal Secretary
- F. Enter E-Poll results into the record in accordance with OBC SOP entitled Conducting Electronic Voting:**
Sponsor: Lisa Summers, Tribal Secretary
- 1. Approved memorandum to cancel the June 20, 2017, special GTC meeting; and direct the Tribal Secretary to combine agenda items to a later date with the Employment law and Re-organization proposal**
Requestor: Brandon Stevens, Councilman
- 2. Approved correspondence which directs the Oneida Law Office to file a request with the Judiciary to provide Declaratory, Injunctive, or Other Relief regarding requirement to properly notice special GTC meeting materials for the identified June 28, 2017, date**
Requestor: Lisa Summers, Tribal Secretary
- 3. Failed request to approve scheduling a special GTC meeting on October 22, 2017**
Requestor: Lisa Summers, Tribal Secretary
- 4. Approved correspondence to be sent out organization-wide regarding request made by Chairwoman Danforth which indicates her calling a special GTC meeting on June 28, 2017**
Requestors: Melinda J. Danforth, Tribal Vice-Chairwoman; Trish King, Tribal Treasurer; Lisa Summers, Tribal Secretary; Fawn Billie, Councilwoman; Tehassi Hill, Councilman; David Jordan, Councilman; Brandon Stevens, Councilman; Jennifer Webster, Councilwoman

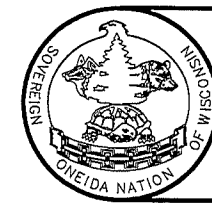
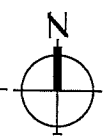
These agenda items contain information for Tribal Members only. Please visit the Business Committee Support Office on the second floor of the Norbert Hill Center with Tribal I.D. to obtain full packet materials. Materials may also be obtained after logging into the Tribal Members only portal at <https://oneida-nsn.gov/members-only/gtc-portal/bc-meeting-materials-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.



Hand out at BC Meeting
 JUL 12 2017
 Regarding item# 8.A.

SITE PLAN
 NOT TO SCALE



EXISTING CONDITIONS OF: ONEIDA SACRED BURIAL GROUNDS ONEIDA, WISCONSIN		
DEVELOPMENT DIVISION ENGINEERING DEPT. ONEIDA, WISCONSIN	DATE <u>9/20/16</u> PROJECT NO. <u>14-002</u>	SHEET <u>1</u> OF 1

Data Sheet for:
 Cemetery Monitoring Wells
 Drain Tile Discharge
 Wetland Pond Discharge
 Feb, Mar & April 2017

HANDOUT FOR ITEM - VIII.A.

Purpose: Evaluate water table

in Oneida Cemetery

Revised: 7/11/2017

Coordinates, Elevations & Depths

Date	Description	Well 1		Well 2		Well 3		Well 4		Well 5		Well 6		Well 7		Well 8		Recorded by
3/17/14	Well Coordinates	238204.121, 2442278.515		238413.961, 2442544.793		238255.165, 2442718.364		238432.610, 2443033.284		238163.590, 2443283.245		238459.255, 2443377.535		238140.114, 2443408.624		237621.570, 2442896.827		Wes Johnson
3/17/14	Top of well	708.99		707.78		710.65		707.03		708.48		706.11		707.77		707.72		Wes Johnson
3/17/14	Grade @ Well	707.25		706.77		708.84		705.29		706.56		703.63		705.71		705.58		Wes Johnson
2/21/17	WL depth & El.	1.46	705.79	0.49	706.28	3.69	705.15	0.56	704.73	5.48	701.08	1.32	702.31	3.94	701.77	3.86	701.72	Chris Jordan
3/16/17	WL depth & El.	2.86	704.39	1.89	704.88	4.59	704.25	1.46	703.83	5.98	700.58	2.12	701.51	4.74	700.97	4.06	701.52	Chris Jordan
4/6/17	WL depth & El.	1.96	705.29	0.69	706.08	4.09	704.75	0.46	704.83	5.38	701.18	1.12	702.51	3.64	702.07	3.06	702.52	Chris Jordan
4/21/17	WL depth & El.	1.06	706.19	0.29	706.48	3.29	705.55	0.66	704.63	4.88	701.68	0.52	703.11	2.44	703.27	2.26	703.32	Chris Jordan

Date	Description	Well 9		Well 10		Well 11		Well 12	
3/21/16	Well Coordinates	238245.539, 2443062.181		238210.030, 2442680.817		238289.651, 2442357.365		238367.948, 2442693.990	
3/21/16	Top of well	710.40		712.77		713.35		713.07	
3/21/16	Grade @ Well	708.31		710.50		710.86		710.48	
2/21/17	WL depth & El.	3.31	705.00	6.83	703.67	5.21	705.65	4.11	706.37
3/16/17	WL depth & El.	4.41	703.90	6.43	704.07	4.81	706.05	3.61	706.87
4/6/17	WL depth & El.	3.21	705.10	5.53	704.97	4.11	706.75	3.01	707.47
4/21/17	WL depth & El.	2.71	705.60	5.13	705.37	3.51	707.35	2.61	707.87

Recorded by
Wes Johnson
Wes Johnson
Wes Johnson
Chris Jordan
Chris Jordan
Chris Jordan
Chris Jordan

Date	Description	Well 13		Well 14		Well 15		Well 16		Well 17	
	Northing Easting	238406.73, 2443619.66		237981.526, 2443619.52		237570.374, 2443405.59		238395.647, 2444179.95		237532.291, 2444419.901	
	Top of well	708.81		710.18		718.89		705.48		706.56	
	Grade @ Well	706.30		707.40		716.20		702.60		704.00	
2/21/17	WL depth & El.	5.49	700.81	7.02	700.38	13.31	702.89	5.22	697.38	5.84	698.16
3/16/17	WL depth & El.	5.49	700.81	6.52	700.88	13.31	702.89	3.12	699.48	5.44	698.56
4/6/17	WL depth & El.	4.09	702.21	5.82	701.58	13.21	702.99	2.42	700.18	4.74	699.26
4/21/17	WL depth & El.	4.49	701.81	5.72	701.68	13.31	702.89	1.92	700.68	3.94	700.06

Recorded by
GEI
GEI
GEI
Chris Jordan
Chris Jordan
Chris Jordan
Chris Jordan

Discharge rate of drain tile		Is pond discharging	Comments	Recorded by
Date	GPM	Yes/No	Pond elevation on 6-23-2014 = 700.075	
2/21/17	19.41	Yes	No comments	Chris Jordan
3/16/17	6.60	No record	No comments	Chris Jordan
4/6/17	11.00	YES	No comments	Chris Jordan
4/21/17	33.70	YES	Rain 1" last 2 days	Chris Jordan

CONTRACT / PURCHASE APPROVAL REQUESTContacts

Date	7-10-17	Requested Review Date	7-17-17
Requestor's Name	Vicky Deer – Head Start Tsyoshaht Delgado Paul Witek – Engineering Dept.	Requestor's Phone #	496-5205 869-4543
Business Unit Name	Early Head Start Facility	Area Director	Tsyoshaht Delgado
Business Unit Number	1101500-413	Executive Representative	George Skenandore

Description of Contract (Include a summary of the contract as well as benefits associated from the contract)

Requesting transfer of funds into the CIP account for the Early Head Start Facility, project #14-013. The project needs \$345,000 of additional funding. The Finance Department has identified options for funding source.

Option 1: Transfer \$151,600.00 from Internal Services Budget Line Item and \$193,400.00 from Set-Aside funds the Tribe receives from OTIE.

Option 2: Transfer \$345,000.00 from Set-Aside funds the Tribe receives from OTIE.

See attached memo for additional information.

Terms of the Contract

Supplier Name	N/A	Vendor Number	TBD
Item(s) Purchased		Budgeted Purchase	YES
Total Commitment	\$345,000	Trade-in / Book Value	
Shipping Costs		Legal Review Number	N/A
Contract Start Date	TBD	Contract End Date	TBD
Auto-renewal clause	NO	If Yes, Notice Period	
CAP EX Approval	YES NO DATE	State License Current (Gaming Specific)	N/A
CAP EX Line Item	N/A	Account Number	001-1101500-413-703280-000

Competitive Bid/Sole Source Justification (Include a summary of the selection criteria if other than price)

	Supplier Name	Bid Amount	Indian Preference	Sole Source
Bidder #1				
Bidder #2				
Bidder #3				
Summary of selection criteria or sole source justification: .				

Approval / Review Dates	
Legal Review	N/A
Purchasing Review	N/A
Gaming Commission Review	N/A
Cap-Ex Committee Approval	N/A
Finance Committee Approval	

*For requests to the FC please refer to the FC FY12 scheduled meeting dates for submission deadlines.

To: Finance Committee
From: Paul Witek – Senior Tribal Architect
CC: Project Team
Date: 7/10/2017
Re: Early Head Start Facility CIP #14-013 – Funding Request

Purpose:

The Project Team is requesting the transfer of funding into the project's budget to allow it to proceed with construction, due to the fact that the project's current unobligated funds are not sufficient to cover the full value of the construction contract without additional project funds and any further delay in the project will have an impact of increased costs.

Background:

The project's CIP Package and FY2015 CIP Budget activation of \$1,961,000 were approved by the OBC on 5/13/15. The CIP Package denoted a need for additional CIP Funds for the project of \$345,000 which was to be requested in the FY2016 CIP Budget. The additional funds were requested but not approved in the final FY2016 CIP Budget.

No additional funding for the project was included in the FY2017 CIP Budget as the Project Team wanted to complete design and received the construction bids to confirm if additional funding was necessary. The bids received exceeded the cost estimate (see attached Bid Summary Sheet). The Project Team has negotiated with the lowest responsible bidder (OTIE) to identify cost savings for scope reduction. The team has identified \$158,261 in saving to the contract amount, however, this reduction still leaves the project's total budget underfunded. While additional funding has been requested in the FY2018 CIP Budget to address the project's budget shortfall, the timing of the budget approval is too late and additional impacts to costs will occur if we wait for the FY2018 budget approval.

The project was put on hold by the previous GSD Director just before being put out for bids. The project was approved to proceed 51 days later. The delay had an impact on the bid values received as the bidding climate was significantly less favorable than when the project was originally scheduled to be bid. The higher bid values are partially attributable to the delay.

The project's current unobligated funds are not sufficient to cover the full value of the construction contract without additional project funds. The current budget is sufficient to cover expenditures until the additional funding is available, but we would be obligating funds not currently in the project budget (see attached Project Budget Status Report).

Action Requesting:

Requesting transfer of funds into the CIP account for the Early Head Start Facility, project #14-013 from the source(s) denoted on the Finance Committee Agenda Request form.

BID SUMMARY SHEET

Early Head Start Facility

Oneida Nation

Project No.: - 14-013
 Bid Date: - 11-May-17 3:00 PM
 Bid Period: - 15 Working Days

Date of Report - 12-May-17

Number of Addenda: 4
 Total Square Footage: 7,160
 Estimate - \$ 1,498,860

Of the 5 invited bidders the following submitted bids:
2 of the invited bidders were Certified Preference Vendors.

General Construction:

Bidder (Low to High)	Base Bid	IP Equivalent Base Bid	\$ over low	% over low
OTIE	1,941,900	\$ 1,867,562		
Howard Immel, Inc.	1,944,000		2,100	0.11%
Smet Construction Services	2,030,574		88,674	4.57%

Additive Alternates						P&P Bond Deduct	Bid Bond	Rec'd. Add.
#1	#2	#3	#4	#5	#6			
13,250	5,750	17,500	2,100	1,300	40,500	(22,931)	X	X
12,000	5,200	14,500	2,600	1,600	44,700	(13,000)	X	X
2,262	984	3,647	2,679	1,678	34,655	n/a	X	X

LOW BIDDER ANALYSIS

	Contractor	Base Bid	Estimate	% diff.	Cost/SF
General Construction:	OTIE	1,941,900	1,498,860	29.56%	271.22

6 of 6 PROJECT BUDGET STATUS REPORT - SUPPLEMENT

Project: Early Head Start Facility
 Project No.: 14-013

Project Budget: 1,961,000.00

Date of Project Budget Status Report: 6/19/2017

Vendor	Contract Amount	Pending C.O. Amount	Approved C.O. Amt	Revised Contract Amt
Totals from Budget Status Report:	254,913.00	0.00	-11,009.00	243,904.00
Construction - OTIE Bid - reduced	1,783,639.00			1,783,639.00
WPS - Utility Service - Budget	10,000.00			10,000.00
Engineering Dept Fee - Budget	30,000.00			30,000.00
				0.00
				0.00
DIV 10 - Signage - Budget	5,000.00			5,000.00
DIV 11 - Appliances - Budget	4,000.00			4,000.00
				0.00
DIV 12 - Window Treatments - Budget	7,500.00			7,500.00
DIV 12 - Furniture - Budget	101,500.00			101,500.00
				0.00
				0.00
DIV 27 - V&D Wiring - Budget	7,500.00			7,500.00
DIV 27 - WAN-LAN Equipment - Budget	5,000.00			5,000.00
DIV 27 - Telephone System - Budget	5,000.00			5,000.00
				0.00
DIV 28 - Card Access - Budget	5,000.00			5,000.00
DIV 28 - Security System - Budget	1,000.00			1,000.00
DIV 28 - Surveillance System - Budget	0.00			0.00
				0.00
Contingency	96,957.00			96,957.00
Totals:	2,317,009.00	0.00	-11,009.00	2,306,000.00

Remaining Project Funds (Gross): -345,000.00
 Less Pending Change Orders: 0.00
 Remaining Project Funds (Net): -345,000.00

Oneida Nation

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Oneida, WI 54155

BC Resolution

Amending Resolution # BC-09-28-16-B to Correctly Title the Fund “Economic Development, Diversification and Community Development” and to Correct the Purpose of the Fund to Include Community Development

- WHEREAS,** the Oneida Nation is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section 1, of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** the Oneida Business Committee adopted resolution # BC-09-28-16-B, *Assignment of Return on Investment from OTIE to Economic Development and Diversification*, which created a set-aside until an endowment could be created and directed development and adoption of standard operating procedures for the use of the restricted funds; and
- WHEREAS,** the Treasurer has proposed the development of an economic development corporation, ‘Oneida Development Holdings, Inc.,’ and identifying the development of the endowment creation resolution, to fulfill the directives of resolution # BC-09-28-16-B; and
- WHEREAS,** the Oneida Business Committee approved the creation of the Community & Economic Development Division and authorized the transition into finalizing this action; and
- WHEREAS,** the Oneida Business Committee approve the following Vision and Mission statements for the new division
Vision: To elevate the Oneida Nation by providing community & economic development practices that nurture and sustain Oneida families to prosperity.
Mission: To strategically implement systems that foster sustainable development and commerce growth that reflect Tsi[?] niyukwalihot^l (our ways) with innovative approaches that enrich the natural, built and business environments; and
- WHEREAS,** the original resolution adopted in 2016 regarding the OTIE disbursements do not accurately reflect the direction given to the Community & Economic Development Division; and
- WHEREAS,** the Oneida Business Committee desires to update the 2016 resolution to correctly reflect the goals of **community development** and economic development; and

NOW THEREFORE BE IT RESOLVED, resolution # BC-09-28-2016-B is hereby amended to reflect the development of an “Economic Development, Diversification and Community Development” fund and that the purpose of the fund will include community development.

BE IT FURTHER RESOLVED, that community projects which nurture and sustain Oneida families to prosperity shall be authorized by resolution of the Oneida Business Committee upon recommendation from the Community and Economic Development Division. Provided that, until the new division is fully

Amending Resolution # BC-09-28-16-B to Correctly Title the Fund 'Economic Development, Diversification and Community Development' and to Correct the Purpose of the Fund to Include Community Development

functioning, the Oneida Business Committee shall take up such resolution requests when submitted by a member of the Oneida Business Committee.



Statement of Effect

Amending Resolution # BC-09-28-16-B to Correctly Title the Fund “Economic Development, Diversification and Community Development” and to Correct the Purpose of the Fund to Include Community Development

Summary

This proposed resolution revises a resolution adopted by the Oneida Business Committee (OBC) on September 28, 2016. That resolution created the “Economic Development and Diversification set-aside”, which was to be made up of all return-of-investment funds distributed to the Nation from Oneida Tribal Integrated Enterprises (OTIE).

The proposed resolution would re-title the fund as Economic Development, Diversification and Community Development; and corrects the purpose of the fund to allow it to also be used for community development.

Submitted by: Tani Thurner, Staff Attorney, Legislative Reference Office

Analysis by the Legislative Reference Office

On September 28, 2016, the OBC adopted a resolution creating the “Economic Development and Diversification set-aside.” All return-of-investment funds distributed to the Nation from OTIE are required to be placed in that set-aside.

According to that resolution, the set-aside was to be managed as directed by investment policies approved by the Treasurer and Finance Committee, until the OBC approved standard operating procedures for using the fund, and/or until an endowment was created under the Endowments law. To fulfill the directives of that resolution, the Treasurer has proposed the development of an economic development corporation, titled “Oneida Development Holdings, Inc.”

Since the 2016 resolution was adopted, the OBC has also approved the creation of the “Community & Economic Development Division.” However, according to the proposed resolution, the resolution adopted in 2016 does not accurately reflect the direction given to the Community & Economic Development Division. To reconcile the two, this resolution seeks to update the 2016 resolution to allow for the set-aside fund to also be used for community development; in addition to economic development.

By adopting this proposed resolution, the OBC would be:

- 1) Approving vision and mission statements for the newly-created Community & Economic Development Division.
- 2) Amending BC resolution #9-28-16-B to reflect the development of an “Economic Development, Diversification and Community Development” fund, and adding community development to the purpose of the fund.
- 3) Requiring the OBC to authorize, (by resolution, and upon recommendation from the Community and Economic Development Division), the fund to be used for community projects which nurture and sustain Oneida families to prosperity - but also adding that,

until the new Community and Economic Development Division is fully functioning, the OBC will “take up such resolution requests when submitted by a member of the” OBC.

Conclusion

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

Oneida Nation

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Oneida, WI 54155

BC Resolution

Authorizing Use of \$193,401.00 from the Economic Development, Diversification and Community Development Fund for the Purposes of CIP# 14-031

- WHEREAS,** the Oneida Nation is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section 1, of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** the Oneida Business Committee adopted resolution # BC-09-28-16-B, *Assignment of Return on Investment from OTIE to Economic Development and Diversification*, which set identified the purpose of funds for economic development; and
- WHEREAS,** the Oneida Business Committee created the Community & Economic Development Division with the directed Vision of elevating “the Oneida Nation by providing community & economic development practices that nurture and sustain Oneida families to prosperity;” and
- WHEREAS,** the Oneida Business Committee adopted resolution # BC-07-12-17-___, *Amending Resolution # BC-09-28-16-B to Correctly Title the Fund “Economic Development, Diversification and Community Development” and to Correct the Purpose of the Fund to Include Community Development*, to include in the approved uses of the fund for community development; and
- WHEREAS,** the Oneida Business Committee has received a request from Council Member Jennifer Webster, acting as a liaison for the Early Head Start program regarding CIP #14-013, and has identified that approval of an allocation from the fund will result in improved infrastructure and teaching opportunities for the Oneida Head Start program; and

NOW THEREFORE BE IT RESOLVED, the Oneida Business Committee approves transfer of \$193,401.00 from the Economic Development, Diversification and Community Development set-aside to be allocated to CIP #14-013, and that all unused funds shall be identified after the project has been concluded and returned to the Economic Development, Diversification and Community Development set-aside. No modifications to the scope and set-up of CIP #14-013 shall be made without approval of the Oneida Business Committee.



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



Statement of Effect

Authorizing Use of \$193,401 from the Economic Development, Diversification and Community Development Fund for the Purposes of CIP# 14-031

Summary

This proposed resolution would authorize the transfer of \$193,401 from the Economic Development, Diversification and Community Development set-aside fund, to a Capital Improvement Project (CIP) for the Early Head Start Program.

Under this resolution, the \$193,401 would be allocated to CIP #14-013. After the project is concluded, all unused funds must be returned to the set-aside fund. The resolution also prohibits any modifications from being made to the scope and set-up of CIP#14-013 without the approval of the Oneida Business Committee (OBC).

Submitted by: Tani Thurner, Staff Attorney, Legislative Reference Office

Analysis by the Legislative Reference Office

This proposed resolution would follow the adoption of another resolution which is being simultaneously presented to the OBC for consideration. If the other resolution is adopted, then the Nation's "Economic Development and Diversification set-aside" fund will be re-titled as the "Economic Development, Diversification and Community Development" set-aside fund and may be used for community development projects "which nurture and sustain Oneida families to prosperity."

The OBC would be able to consider requests for community development funds when they are submitted by a member of the OBC.

This proposed resolution is based on a request submitted by OBC member Jennifer Webster, acting as a liaison for the Early Head Start program, who has identified that an allocation from the set-aside fund will result in improved infrastructure and teaching opportunities for the Oneida Head Start program – falling under the classification of community development.

This resolution authorizes the transfer of \$193,401 from the Economic Development, Diversification and Community Development set-aside fund, to a CIP#14-013 for the Early Head Start Program. After the CIP project is concluded, all unused funds must be returned to the set-aside fund. The resolution also prohibits any modifications from being made to the scope and set-up of CIP#14-013 without the approval of the OBC.

Conclusion

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

However, the adoption of this resolution is predicated upon the adoption of another resolution that is being presented for adoption simultaneously. If any changes are made to the other resolution, or if the other resolution is not adopted, it is recommended that an updated statement-of-effect be prepared for the OBC to consider prior to adopting this resolution.

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Oneida, WI 54155



INFORMATION ONLY

BC Resolution # 09-28-16-B

Assignment of Return on Investment from OTIE to Economic Development and Diversification

- WHEREAS,** the Oneida Nation is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section 1, of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** the Oneida Business Committee adopted resolution # BC-04-11-07-J which created Oneida Total Integrated Enterprises, LLC (OTIE), authorized the Chairman or Vice Chairperson of the Business Committee to execute the OTIE Operating Agreement, and transferred a capital contribution in the amount of \$180,000 from the FY-2007 budget to OTIE upon the execution of the OTIE Operating Agreement; and
- WHEREAS,** section 8.4 of the OTIE Operating Agreement indicates how net profits of the company are allocated; and
- WHEREAS,** OTIE acquired 8(a) certification under the U.S. Small Business Administration on April 4, 2008; and
- WHEREAS,** the Oneida Business Committee adopted resolution # BC-11-26-08-J which approved a loan from the Oneida Nation to OTIE in the amount of \$6,200,000.00 for the purpose of acquiring TN & Associates Inc.; and
- WHEREAS,** on December 5, 2008, OTIE purchased TN & Associates Inc.; and
- WHEREAS,** the Oneida Business Committee adopted resolution # BC-12-10-08-J which approved a loan from the Oneida Nation to OTIE pursuant to a Promissory Note in the amount of \$132,215.00 for the purpose of providing operating funds; and
- WHEREAS,** the Oneida Business Committee adopted resolution # BC-12-23-08-A which amended the OTIE Operating Agreement to expand the Board of Managers from three members to five members; and
- WHEREAS,** on February 13, 2009, TN & Associates merged with OTIE; and
- WHEREAS,** the Oneida Business Committee adopted resolution # BC-09-09-09-C which rescinded the promissory note authorized by resolution # BC-11-26-08-J and authorized the use of the \$6.2 million as equity, to be treated as a preferred investment and to be reimbursed to the Nation in full; in order to assist OTIE in developing sufficient equity to complete the purchase of TN&A and to obtain surety bonding for its governmental projects; and
- WHEREAS,** in 2009, OTIE returned \$132,215.00 to the Nation pursuant to the Promissory Note authorized by resolution # BC-12-10-08-J; and

INFORMATION ONLY

- WHEREAS,** the Oneida Business Committee adopted Amendment #2 to the Operating Agreement for OTIE which, among other items, amended section 8.4.2 to reflect a change in a required payment to the Oneida Nation on an annual basis to a payment up to 75% of the net profit on an annual basis which allowed OTIE to retain profits which increased the financial stability of the corporation allowing it to grow equity for an increased and independent line of credit and bonding purposes; and
- WHEREAS,** in 2010, OTIE distributed \$500,000.00 in net profits to the Nation in accordance with the OTIE Operating Agreement; and
- WHEREAS,** the Oneida Business Committee adopted resolution # BC-01-26-11-F which amended the Articles of Organization for OTIE for the purpose of adding Article XI which sets forth standardized corporate reporting requirements; and
- WHEREAS,** the Oneida Business Committee adopted resolution # BC-03-14-12-C which established Oneida ESC Group, LLC (OESC), approved the OESC Operating Agreement, and deferred \$200,000 from the OTIE net profit distribution directly to OESC as startup funding; and
- WHEREAS,** in March 2013, OTIE distributed \$120,000 in net profits to the Nation in accordance with the OTIE Operating Agreement; and
- WHEREAS,** the Oneida Business Committee adopted resolution # BC-06-12-13-A which extended and renewed the Board of Managers' Term of OTIE in order to ensure the OTIE Board of Managers remained consistent for the purpose of OESC acquiring OTIE as a subsidiary company; and
- WHEREAS,** in March 2014, OTIE distributed \$500,000 in net profit to the Nation in accordance with the OTIE Operating Agreement; and
- WHEREAS,** in March 2015, OTIE distributed \$200,000 in net profit to the Nation in accordance with the OTIE Operating Agreement; and
- WHEREAS,** in March 2016, OTIE distributed \$1,000,000 in net profit to the Nation in accordance with the OTIE Operating Agreement; and
- WHEREAS,** net profits distributed by OTIE to the Oneida Nation are deposited into the General Fund which is consistent with the receipt of all revenues of the Nation and as part of that process are identified as carry-over of unbudgeted funds to be utilized in the every other fiscal year budgeting process; and
- WHEREAS,** the Oneida Business Committee has made Economic Development and Diversification a priority of the Oneida Nation and desires to utilize funds returned from investment in corporate entities of the Nation for the purposes of developing future economic opportunities; and

NOW THEREFORE BE IT RESOLVED, that the Oneida Business Committee creates the Economic Development and Diversification set-aside to be made up of all return-of-investment funds distributed by OTIE to the Oneida Nation. The Economic Development and Diversification set-aside shall be managed as an investment by the Finance Department as directed by investment policies approved by the Treasurer and the Finance Committee until such time as the Oneida Business Committee approves Standard Operating Procedures for the use of the fund and/or until such time as an endowment is created under the Endowments law.

INFORMATION ONLY

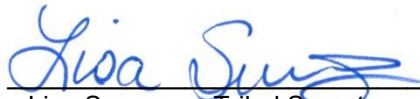
BE IT FUTHER RESOLVED, the initial funding of the Economic Development and Diversification Set Aside is the one million dollars (\$1,000,000) in net profits received in Fiscal Year 2016 from OTIE.

BE IT FUTHER RESOLVED, that the Tribal Treasurer will develop Standard Operating Procedures on how to access the Economic Development and Diversification Set Aside no later than December 1, 2016 which shall be approved by the Oneida Business Committee.

BE IT FINALLY RESOLVED, that starting with the July 2017 Semi-Annual General Tribal Council meeting, a report on the Economic Development and Diversification Set Aside shall be provided to the General Tribal Council at the Annual and Semi-Annual meetings as part of the Treasurer's report.

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum; 7 members were present at a meeting duly called, noticed and held on the 28th day of September, 2016; that the forgoing resolution was duly adopted at such meeting by a vote of 6 members for, 0 members against, and 0 members not voting; and that said resolution has not been rescinded or amended in any way.



Lisa 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."