

Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Meeting Materials September 13, 2017

Open Session

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the following 475 pages are the Open Session meeting materials presented at a meeting duly called, noticed and held on the 13th day of September, 2017.

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

Lisa Summers, Tribal Secretary
Oneida Business Committee



Oneida Business Committee

Executive Session

8:30 a.m. Tuesday, September 12, 2017

Executive Conference Room, 2nd floor, Norbert Hill Center

Regular Meeting

8:30 a.m. Wednesday, September 13, 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. MINUTES

A. Approve corrected July 26, 2017, regular meeting minutes

Sponsor: Lisa Summers, Tribal Secretary

B. Approve August 9, 2017, regular meeting minutes

Sponsor: Lisa Summers, Tribal Secretary

C. Approve August 17, 2017, special meeting minutes

Sponsor: Lisa Summers, Tribal Secretary

D. Approve August 30, 2017, special meeting minutes

Sponsor: Lisa Summers, Tribal Secretary

V. RESOLUTIONS

A. Adopt resolution regarding Oneida Nation Budget Contingency Plan

Sponsor: Trish King, Tribal Treasurer

- B. Adopt resolution entitled Oneida Retail Selling Alcohol Beverages in Accordance with Oneida Alcohol Beverage Licensing Law - Oneida Airport Hotel Corp. dba Radisson Inn**
Sponsor: Larry Barton, Chief Financial Officer
- C. Adopt resolution entitled Oneida Retail Selling Alcohol Beverages in Accordance with Oneida Alcohol Beverage Licensing Law - Oneida Airport Hotel Corp. dba Wingate**
Sponsor: Larry Barton, Chief Financial Officer
- D. Adopt resolution entitled Oneida Retail Selling Alcohol Beverages in Accordance with Oneida Alcohol Beverage Licensing Law - Oneida Bingo & Casino (Main)**
Sponsor: Larry Barton, Chief Financial Officer
- E. Adopt resolution entitled Oneida Retail Selling Alcohol Beverages in Accordance with Oneida Alcohol Beverage Licensing Law - Oneida Casino Travel Center**
Sponsor: Larry Barton, Chief Financial Officer
- F. Adopt resolution entitled Oneida Retail Selling Alcohol Beverages in Accordance with Oneida Alcohol Beverage Licensing Law - Oneida Golf Enterprise-Thornberry**
Sponsor: Larry Barton, Chief Financial Officer
- G. Adopt resolution entitled Oneida Retail Selling Alcohol Beverages in Accordance with Oneida Alcohol Beverage Licensing Law - Oneida One Stop-E & EE**
Sponsor: Larry Barton, Chief Financial Officer
- H. Adopt resolution entitled Oneida Retail Selling Alcohol Beverages in Accordance with Oneida Alcohol Beverage Licensing Law - Oneida One Stop-Larson**
Sponsor: Larry Barton, Chief Financial Officer
- I. Adopt resolution entitled Oneida Retail Selling Alcohol Beverages in Accordance with Oneida Alcohol Beverage Licensing Law - Oneida One Stop-Packerland**
Sponsor: Larry Barton, Chief Financial Officer
- J. Adopt resolution entitled Oneida Retail Selling Alcohol Beverages in Accordance with Oneida Alcohol Beverage Licensing Law - Oneida One Stop-Westwind**
Sponsor: Larry Barton, Chief Financial Officer
- K. Adopt resolution entitled Oneida Retail Selling Alcohol Beverages in Accordance with Oneida Alcohol Beverage Licensing Law - Oneida West Mason St. Casino**
Sponsor: Larry Barton, Chief Financial Officer
- L. Adopt resolution entitled Adopt resolution entitled Legal Resource Center**
Sponsor: David Jordan, Councilman; Legislative Operating Committee Chair

VI. STANDING COMMITTEES

- A. Legislative Operating Committee**
Chair: David Jordan, Councilman
 - 1. Accept August 2, 2017, Legislative Operating Committee meeting minutes**

2. **Accept August 11, 2017, Legislative Operating Committee meeting minutes**
3. **Accept Children's Code Implementation Plan as information**
4. **Consider Oneida Nation Seal & Flag Rule #1 for adoption**

B. Finance Committee

Chair: Trish King, Tribal Treasurer

1. **Approve September 5, 2017, Finance Committee meeting minutes**

VII. UNFINISHED BUSINESS

A. Accept status update regarding Oneida Public Service Announcements; and direct appropriate areas to provide implementation plan at October 17, 2017, OBC work meeting

Sponsor: Trish King, Tribal Treasurer

EXCERPT FROM FEBRUARY 22, 2017: Motion by Jennifer Webster to approve the Treasurer's request to formulate a cross-functional team to create public service announcements regarding Oneida/Haudenosaunee history, language, and culture, seconded by Tehassi Hill. Motion carried unanimously.

B. Direct HR Area Manager and Chief Financial Officer to submit completed wage analysis at the October 17, 2017, OBC work meeting

Sponsor: Trish King, Tribal Treasurer

EXCERPT FROM APRIL 12, 2017: Motion by Lisa Summers to accept the Treasurer's draft memorandum dated April 4, 2017; and to accept items for this request as identified in numbers 1-6, 1) being a yes; 2) being a yes, 3) being a no, but to plan for FY 2019; 4) being a yes, 5) being a yes, noting that it will also have to comply with the policies and procedures, and 6) being a yes, seconded by Tehassi Hill. Motion carried unanimously.

VIII. NEW BUSINESS

A. Approve 2017 Special Election schedule

Sponsor: Tehassi Hill, Tribal Chairman

B. Approve limited waiver of sovereign immunity - Renaissance Learning Inc. - file # 2017-0786

Sponsor: Brandon Stevens, Tribal Vice-Chairman

C. Delegate a Direct Report to be responsible to work on 2017-2018 United Way Workplace Campaign

Sponsor: Lisa Summers, Tribal Secretary

D. Post one (1) vacancy on the Environmental Resource Board with a term expiration date of March 25, 2018

Sponsor: Lisa Summers, Tribal Secretary

- E. **Enter E-Poll results into the record for approval of “Option 1: First Come, First Serve” for distribution of one-hundred (100) tickets - Indian Summer Festival - Milwaukee, WI - September 8-10, 2017**
Sponsor: Lisa Summers, Tribal Secretary

IX. TRAVEL

A. Travel Requests

1. **Approve travel request - Vice-Chairman Brandon Stevens - 2017 Fall Haskell Board of Regents meeting - Lawrence, KS - October 10-12, 2017**
Sponsor: Brandon Stevens, Tribal Vice-Chairman
2. **Approve travel request - Councilwoman Jennifer Webster and Director of Head Start - Annual Federal Office of Head Start Tribal Consultation - Anchorage, AK - October 17-20, 2017**
Sponsor: Brandon Stevens, Tribal Vice-Chairman
3. **Approve travel request - Councilwoman Jennifer Webster, Councilman Daniel Guzman King, and one (1) assistant – Medicare & Medicaid Policy Committee (MMPC) and Center for Medicare & Medicaid (CMS) Tribal Technical Advisory Group (TTAG) meetings - Washington D.C. - October 30-November 3, 2017**
Sponsor: Daniel Guzman King, Councilman
4. **Enter E-Poll results into the record for approved travel request - Chairman Tehassi Hill – Democratic National Convention (DNC) Native American Roundtable - Washington D.C. - September 12-13, 2017**
Sponsor: Lisa Summers, Tribal Secretary
5. **Enter E-Poll results into the record for approved travel request - Councilwoman Jennifer Webster & Councilman Daniel Guzman King – Center for Medicare & Medicaid Services (CMS) meeting - Washington D.C. - September 12-14, 2017**
Sponsor: Lisa Summers, Tribal Secretary
6. **Enter E-Poll results into the record for the approved travel request - Treasurer Trish King - 2017 Native American Finance Officer Association (NAFOA) Fall Finance & Tribal Economies conference - Tulsa, OK - October 1-4, 2017**
Sponsor: Lisa Summers, Tribal Secretary

X. OPERATIONAL REPORTS *(Please note: Scheduled times are tentative and subject to change.)*

- A. **Accept Internal Services Division FY '17 3rd quarter report (1:30 p.m.-2:00 p.m.)**
Sponsor: Joanie Buckley, Division Director/Internal Services

XI. GENERAL TRIBAL COUNCIL**A. Accept legal opinion regarding Petitioner Linda Dallas: 2017 Tri-Annual General Election**

Sponsor: Jo Anne House, Chief Counsel

B. Schedule date and time for 2018 Annual GTC meeting

Sponsor: Lisa Summers, Tribal Secretary

XII. EXECUTIVE SESSION (Please note: Scheduled times are tentative and subject to change.)**A. REPORTS****1. Accept Chief Counsel report**

Sponsor: Jo Anne House, Chief Counsel

2. Accept Chief Financial Officer report dated September 7, 2017

Sponsor: Jo Anne House, Chief Counsel

B. STANDING ITEMS**1. Land Claims Strategy (No Requested Action)****C. UNFINISHED BUSINESS****1. Accept recommendation regarding community concern # 2017-CC-11**

Sponsor: Lisa Summers, Tribal Secretary

EXCERPT FROM AUGUST 9, 2017: Motion by Tehassi Hill to forward the message to the Oneida Police Dept. for their review and consideration for further actions, seconded by Trish King. Motion carried unanimously.

2. Review follow-up regarding complaint # 2017-DR11-01 (Not Submitted)

Sponsors: Brandon Stevens, Tribal Vice-Chairman; Jennifer Webster, Councilwoman

EXCERPT FROM AUGUST 9, 2017: Motion by David Jordan to assign OBC members Brandon Stevens and Jennifer Webster for follow-up; and for this item to be brought to the September 13, 2017, regular Business Committee meeting, seconded by Trish King. Motion carried unanimously.

EXCERPT FROM JULY 27, 2017: (Reconvened from July 26, 2017) Motion by Jennifer Webster to direct Vice-Chairwoman Melinda J. Danforth to complete the follow-up on behalf of the OBC Officers; and to direct that the report from Comprehensive Health be due at the August 9, 2017, regular Business Committee meeting, seconded by David Jordan. Motion carried unanimously.

EXCERPT FROM JULY 12, 2017: Motion by Motion by Jennifer Webster to defer this item to the Oneida Business Committee Officers for follow up with the Comprehensive Health Operations Division Director; and for a report to be brought back to the July 26, 2017, regular Business Committee meeting, seconded by Fawn Billie. Motion carried unanimously.

D. NEW BUSINESS

1. **Approve one-hundred twenty-five (125) new enrollments; and one (1) relinquishment**
Sponsor: Kirby Metoxen, Councilman
2. **Approve limited waiver of sovereign immunity - Luxottica USA LLC. - file # 2016-0551**
Sponsor: Brandon Stevens, Tribal Vice-Chairman
3. **Approve limited waiver of sovereign immunity - LexisNexis Time Matters Annual Maintenance agreement - file # 2017-1047**
Sponsor: Jo Anne House, Chief Counsel
4. **Review and determine appropriate next steps regarding Parental Time Policy**
Sponsor: Lisa Summers, Tribal Secretary
5. **Determine next steps regarding concern # 2017-DR-G-01**
Sponsor: Lisa Summers, Tribal Secretary
6. **Determine next steps regarding concern # 2017-DR-G-02**
Sponsor: Lisa Summers, Tribal Secretary
7. **Approve two (2) actions regarding 161 Agreement (*This item is scheduled to begin at 11:00 a.m.*)**
Sponsor: Kirby Metoxen, Councilman

XIII. ADJOURN

Posted on the Oneida Nation's official website, www.oneida-nsn.gov, at 8:45 p.m., Sunday, September 10, 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: 09 / 13 / 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 corrected July 26, 2017, regular meeting minutes

3. Supporting Materials

Report Resolution Contract

Other:

1. <input type="text" value="July 26, 2017, regular meeting mins (corrected)"/>	3. <input type="text"/>
2. <input type="text"/>	4. <input type="text"/>

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

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

Additional Requestor: _____
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

BACKGROUND

Notification was received regarding the motion for item VI.J. Adopt resolution entitled Landlord-Tenant Emergency Amendments. It was clarified in the meeting's audio that this resolution was the last extension and that "Extension" should be added to end of the resolution's title. The correction has been made and is placed on the OBC agenda for approval.

REQUESTED ACTION

Approve corrected July 26, 2017, regular meeting minutes.

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



Oneida Business Committee

Executive Session

8:30 a.m. Tuesday, July 25, 2017

Executive Conference Room, 2nd floor, Norbert Hill Center

Regular Meeting

8:30 a.m. Wednesday, July 26, 2017

BC Conference Room, 2nd floor, Norbert Hill Center

Reconvened Meeting

2:54 p.m. Thursday, July 27, 2017

BC Conference Room, 2nd floor, Norbert Hill Center

Minutes

EXECUTIVE SESSION

Present: Chairwoman Tina Danforth, Vice-Chairwoman Melinda J. Danforth, Treasurer Trish King, Council members: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster;

Not Present: Secretary Lisa Summers;

Arrived at: ;

Others present: Jo Anne House, RaLinda Ninham-Lamberies, Lisa Liggins, Louise Cornelius, Chad Fuss, Jeff Bowman, Brad Graham, Jeff House, Jackie Zalim, Janice Hirth-Skenandore, Josh Doxtator, Justin Knight, Steve Ninham, Mary Shaw, Kelly Losee, Nate King, Larry Barton;

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: Larry Barton, Jo Anne House, Heather Heuer, Candice Skenandore, Clorissa Santiago, Jen Falck, RaLinda Ninham-Lamberies, Rhiannon Metoxen, Jessica Wallenfang, Lee Cornelius, Lora Skenandore, Chris Johnson, Brad Graham, Pogi King Dessart, Steve Webster, Joanie Buckley, Louise Cornelius, Geraldine Danforth, Tammy Skenandore, Donald Miller, Dan Hawk, Taniquelle Thurner, Janice Decorah, Denise Vigue, Debbie Melchert, Krystal John, Rae Skenandore, Mike Hill, Leyne Orosco, Jacque Boyle, Ed Delgado, Lisa Liggins, Bonnie Pigman, Cathy Metoxen, Cathy Bachhuber, Maureen Perkins, Nancy Barton, Kory Wesaw, Pearl Webster, Carol Smith, Gerald DeCoteau, Patrick Pelky, Frank Vandehei, Debra Danforth, Ravinder Vir, Susan House, Linda Dallas, Sid White, Troy Parr, Kristy Krenke, Carol Smith, Judy Cornelius, Gene Schmidt, Barb Erickson, Karen Parr;

RECONVENED MEETING

Present: Vice-Chairwoman Melinda J. Danforth, Treasurer Trish King, Council members: Fawn Billie, Tehassi Hill, Brandon Stevens, Jennifer Webster;

Not Present: Chairwoman Tina Danforth, Secretary Lisa Summers;

Arrived at: Councilman David Jordan at 3:03 p.m.;

Others present: Jo Anne House, RaLinda Ninham-Lamberies, Heather Heuer;

I. CALL TO ORDER AND ROLL CALL by at Chairwoman Tina Danforth 8:30 a.m. on July 26, 2017

II. OPENING by Councilman Tehassi Hill on July 26, 2017

**A. Special Recognition – Oneida athletes – North American Indigenous Games (NAIG)
Toronto, Ontario – July 17-21, 2017 (3:33:27)**

Sponsor: Fawn Billie, Councilwoman

Special Recognition by coaches (Jamison King, Anthony Cornelius, Terry Melchert, Dugan Webster, Margaret Ellis, Lois Stevens, Nona Danforth, Kokomoss White, Michael Ninham, Kristin Zablocki, Vincente Vega, Leah Stroobants, Brad Vanevery, Dana Isaac, Sid White, Kilabrew Vandyke, Shad Webster, Tanya Skenandore, Justine Mehojah, and Jenna Cornelius-Daubon), the many community members supporters, and the Oneida Business Committee of the Oneida Nation athletes who participated in the North American Indigenous Games: Crimson Powless, Elijah Metoxen, Jonathon Massey, Anthony Hernandez, Ty Melchert, Isaiah Funmaker, Richard Summers III, David Danforth, Lexandria Metoxen, M'Kenzy Ackley, Lieda Rodriquez, Sadie Schuman, Malia Jacobs, Imani Ninham, Namoi House, Miranda Skenandore, Yanet Torres-Mejia, Rilee Powless, Shania Barber, Taliah Degroot, Mercedes Ackley, Skylee Elm, Kiandra Gerald, Jaelynn Danforth, Skye Degroot, Aaliyah House-Webster, Presley Cornelius, Levi Williams, Brylee King, Jamozzy Skenandore, Trent Thomas, Brandon King, Danika Zablocki, Briana Zablocki, Jackie Zablocki, Bree Bzdawka, Anastacia Reyes-Elm, Altaezza Douangmala, Sophie Skenandore, Savanna Fish, Lindsey Danforth, Sandra Torres-Mejia, Sadie Kelly, Cameron Skenandore, Nathan Ninham, Kelly Stevens, Blake Doxtator, Willard Johnson Jr., Desmond Degroot, Jeremiah Webster, Gavin White, Nathaniel Padron, Seth Charles, Patrick Baillie, Darwin Issac, Kyle Betters, Brandon Granquist, Melvin Matson, Miguel Hernandez, Damon Denny, Paige Skenandore, Tianna Hackett, Laiyah Lee, Jashon Killspotted, Riley Rasmussen, Lillian Cooper, Chaselyn Parker, Tiara Barber, Caleb Aguirre, Jackson Schuyler, Joshua Skenandore, Danny Herrera, Kiara Skenandore, Dylan Danforth, Jose Guzman, Camillie Billie, Mia Channon, Jashelle King-Skenandore, Nakai Webster, Sadie Danforth, Kailey Hill, Caydence Cornelius, Wayne Williams, and Margo Francour.

B. Special Recognition for Years of Service – Seventeen (17) Oneida Nation employees

Sponsor: Geraldine Danforth, Area Manager/Human Resources Dept. (00:04:50)

Special Recognition by Steve Webster of Paula (Pogi) King Dessart(35 years of service); Special Recognition by Louise Cornelius of Samantha Skenandore (35 years of service); Special Recognition by Kim Laluzerne of Victoria Reed-Vanderzanden (30 years of service); Special Recognition by Kim Laluzerne of Susan Kelly (25 years of service); Special Recognition by Kim Laluzerne of Tina Moore (25 years of service); Special Recognition by Franklin Cornelius of Kim Laluzerne (25years of service); Special Recognition by Jeffrey Carlson of Kelly Skenandore (25 years of service); Special Recognition by Louise Cornelius of Lorna Skenandore (25 years of service); Special Recognition by Robert Chambers of Dorothy Cornette (25 years of service); and Special Recognition by Chad Cornelius of Shelly Stevens (25 years of service). Special Recognition for the following individuals who could not be present: William Stevens for 40 years of service; Carl Prevost for 35 years of service; Gene Thomas for 30 years of service; Philip Smith for 30 years of service; Richard VanBoxtel for 25 years of service; Jill Green for 25 years of service; Floyd Schuman Jr. for 25 years of service; James Petitjean for 25 years of service; Owen Somers for 25 years of service; Dale Powless for 25 years of service; Wendy Summers for 25 years of service; and Tracy Charles for 25 years of service.

C. Special Recognition – Chairwoman Tina Danforth – Oneida Business Committee (Add-on)

Sponsor: Larry Barton, Chief Financial Officer (00:24:00)

Special Recognition by family members, community members, and colleagues of Chairwoman Tina Danforth for 18 years of service as a tribal leader with the Business Committee. Song and drum provided by Trevon Danforth.

III. ADOPT THE AGENDA (00:46:14)

Motion by Brandon Stevens to adopt the agenda with the following changes: [Schedule Unfinished Business item 10.A. Approve four (4) actions regarding Oneida Nation Solar LLC. Operating agreement – file # 2017-0655, at 10:00 a.m.; Add-on General Tribal Council item regarding Petitioner Frank Vandehei: Modify or eliminate E-Poll process; Note the scheduled time frames for item II.A. and section XII. Operational Reports; and Add-on II.C. Special Recognition for Chairwoman Tina Danforth of the Oneida Business Committee], seconded by David Jordan. Motion carried unanimously:

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

Amendment to the main motion by David Jordan to schedule Executive Session – New Business items XIV.E.05. and XIV.E.06. at 3:30 p.m., seconded by Melinda J. Danforth. Motion carried with one abstention:

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

Treasurer Trish King departs at 9:29 a.m. on July 26, 2017

IV. OATHS OF OFFICE (00:56:54) administered by Secretary Lisa Summers

A. Oneida Police Commission – Kory Wesaw

B. Oneida Personnel Commission – Pearl Webster, Carol Smith, and Gerald DeCoteau

V. MINUTES (00:59:43)

(July 26, 2017, regular meeting)

A. Approve July 12, 2017, regular meeting minutes

Sponsor: Lisa Summers, Tribal Secretary

Motion by David Jordan to approve the July 12, 2017, regular meeting minutes, seconded by Lisa Summers. Motion carried with two abstentions:

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

VI. RESOLUTIONS

Treasurer Trish King returns at 9:32 a.m. on July 26, 2017

(July 26, 2017, regular meeting)

A. Adopt resolution entitled Native American Business Development Institute (NABDI) Feasibility Study (1:00:17)

Sponsor: Joanie Buckley, Division Director/Internal Services

Motion by Lisa Summers to defer this item to the August 9, 2017, regular Business Committee meeting until we can get more information from the Community & Economic Development Division on this request, 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

(July 26, 2017, regular meeting)

B. Adopt resolution entitled Well Abandonment Law Amendments (1:09:25)

Sponsor: Brandon Stevens, Councilman/Legislative Operating Committee Chair

Motion by Lisa Summers to adopt resolution # 07-26-17-A Well Abandonment Law Amendments, seconded by David Jordan. Motion carried unanimously:

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

(July 26, 2017, regular meeting)

C. Adopt resolution entitled Tribal Environmental Response Law Amendments (1:10:58)

Sponsor: Brandon Stevens, Councilman/Legislative Operating Committee Chair

Motion by David Jordan to adopt resolution # 07-26-17-B Tribal Environmental Response Law Amendments, 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

Secretary Lisa Summers departs at 9:43 a.m. on July 26, 2017

Secretary Lisa Summers returns at 9:46 a.m. on July 26, 2017

(July 26, 2017, regular meeting)

D. Adopt resolution entitled On-Site Waste Disposal Law Amendments (1:11:23)

Sponsor: Brandon Stevens, Councilman/Legislative Operating Committee Chair

Motion by Melinda J. Danforth to adopt resolution # 07-26-17-C On-Site Waste Disposal Law Amendments, seconded by Brandon Stevens. Motion carried with one abstention:

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

Abstained: Lisa Summers

(July 26, 2017, regular meeting)

E. Adopt resolution entitled Public Use of Tribal Land Law Amendments (1:16:12)

Sponsor: Brandon Stevens, Councilman/Legislative Operating Committee Chair

Motion by Brandon Stevens to adopt resolution # 07-26-17-D Public Use of Tribal Land Law Amendments, 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

(July 26, 2017, regular meeting)

F. Adopt resolution entitled All-Terrain Vehicle Law Amendments (1:16:56)

Sponsor: Brandon Stevens, Councilman/Legislative Operating Committee Chair

Motion by Melinda J. Danforth to adopt resolution # 07-26-17-E All-Terrain Vehicle Law Amendments, noting the effective date will be October 1, 2017, 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

(July 26, 2017, regular meeting)

G. Adopt resolution entitled Hunting, Fishing and Trapping Law Amendments (1:17:36)

Sponsor: Brandon Stevens, Councilman/Legislative Operating Committee Chair

Motion by Lisa Summers to adopt resolution # 07-26-17-F Hunting, Fishing and Trapping Law Amendments, noting the effective date will be October 1, 2017, seconded by Trish King. Motion carried with one abstention:

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

(July 26, 2017, regular meeting)

H. Adopt resolution entitled Water Resources Ordinance Amendments (1:18:52)

Sponsor: Brandon Stevens, Councilman/Legislative Operating Committee Chair

Motion by Trish King to adopt resolution # 07-26-17-G Water Resources Ordinance Amendments, noting the effective date will be October 1, 2017, 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

Councilman Tehassi Hill departs at 10:03 a.m. on July 26, 2017

Councilman Tehassi Hill returns at 10:09 a.m. on July 26, 2017

(July 26, 2017, regular meeting)

I. Adopt resolution entitled Oneida Business Committee Meetings Law (1:19:44)

Sponsor: Brandon Stevens, Councilman/Legislative Operating Committee Chair

Motion by Lisa Summers to adopt resolution # 07-26-17-H Oneida Business Committee Meetings Law; and to request the Intergovernmental Affairs & Communications Dept. to assist with communicating the changes, seconded by David Jordan. Motion carried with one opposed:

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

Amendment to the main motion by David Jordan that under line 107, change three (3) minutes to five (5) minutes per agenda item; and under section 117.7-2(e) to allow for community members to also make requests to the agenda, seconded by Brandon Stevens. Motion carried with one abstention:

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

Amendment to the main motion by Lisa Summers for a review to be done by the Legislative Operating Committee in six (6) months after implementation, seconded by David Jordan. Motion carried unanimously:

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

Business Committee moves to item X.A. scheduled at 10:00 a.m.

(July 26, 2017, regular meeting)

J. Adopt resolution entitled Landlord-Tenant Emergency Amendments (1:55:20)

Sponsor: Brandon Stevens, Councilman/Legislative Operating Committee Chair

Motion by Brandon Stevens to adopt resolution # 07-26-17-I Landlord-Tenant Emergency Amendments Extension, seconded by David Jordan. Motion carried unanimously:

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

Councilwoman Fawn Billie returns at 10:34 a.m. on July 26, 2017

Vice-Chairwoman Melinda J. Danforth returns at 10:36 a.m. on July 26, 2017
Secretary Lisa Summers departs at 10:43 a.m. on July 26, 2017
Secretary Lisa Summers returns at 10:46 a.m. on July 26, 2017

(July 26, 2017, regular meeting)

K. Adopt resolution entitled Adoption of the Children's Code and the Nation's Indian Child Welfare Act Policy (1:59:30)

Sponsor: Brandon Stevens, Councilman/Legislative Operating Committee Chair

Motion by Brandon Stevens to adopt resolution # 07-26-17-J Adoption of the Children's Code and the Nation's Indian Child Welfare Act Policy, 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

Amendment to the main motion by Lisa Summers that includes quarterly reporting regarding the transition back to the Business Committee work meetings or regular meetings with the full transition plan to be submitted for the September 9, 2017, regular Business Committee meeting and for quarterly reports to be submitted thereafter; and to request a one (1) year review of the law itself as it relates to its full implementation to make sure that if there are any changes that are necessary we are also undertaking those as well, seconded by David Jordan. Motion carried unanimously:

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

Chairwoman Tina Danforth departs at 11:10 a.m. Vice-Chairwoman Melinda J. Danforth assumes responsibility of the Chair on July 26, 2017.

Chairwoman Tina Danforth returns at 11:37 a.m. and resumes responsibility of the Chair on July 26, 2017.

Councilwoman Jennifer Webster departs at 11:37 a.m. on July 26, 2017
Councilwoman Jennifer Webster returns at 11:40 a.m. on July 26, 2017
Treasurer Trish King departs at 11:41 a.m. on July 26, 2017
Treasurer Trish King returns at 11:43 a.m. on July 26, 2017
Councilwoman Fawn Billie departs at 11:47 a.m. on July 26, 2017
Councilwoman Fawn Billie returns at 11:50 a.m. on July 26, 2017
Secretary Lisa Summers departs at 11:51 a.m. on July 26, 2017
Secretary Lisa Summers returns at 11:58 a.m. on July 26, 2017
Vice-Chairwoman Melinda J. Danforth departs at 12:00 p.m. on July 26, 2017

(July 26, 2017, regular meeting)

L. Adopt resolution entitled Cemetery Law Amendments (2:39:48)

Sponsor: Brandon Stevens, Councilman/Legislative Operating Committee Chair

Motion by David Jordan to adopt resolution # 07-26-17-K Cemetery Law Amendments, seconded by Jennifer Webster. Motion carried with one abstention:

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

Abstained: Lisa Summers

Not Present: Melinda J. Danforth

For the record: Secretary Lisa Summers stated I am going to abstain at this point because I asked for a consideration for this to be deferred out a little bit more so that we could have proper communication and I wasn't able to get that amendment in. So I just wanted everybody to know that is why.

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

Chair: Brandon Stevens, Councilman

(July 26, 2017, regular meeting)

1. Accept June 21, 2017, Legislative Operating Committee meeting minutes (4:40:26)

Motion by Brandon Stevens to accept the June 21, 2017, Legislative Operating Committee meeting minutes, Legislative Operating Committee meeting minutes, seconded by Fawn Billie. Motion carried unanimously:

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

B. Finance Committee

Chair: Trish King, Tribal Treasurer

(July 26, 2017, regular meeting)

1. Approve July 17, 2017, Finance Committee meeting minutes (4:42:40)

Motion by Jennifer Webster to approve the July 17, 2017, Finance Committee meeting minutes, seconded by Fawn Billie. Motion carried with one abstention:

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

(July 26, 2017, regular meeting)

2. Approve Finance Committee E-Poll results regarding Prevea Clinics, Inc. Psychiatric Services agreement – file # 2017-0808 (4:42:55)

Motion by Trish King to approve the Finance Committee E-Poll results regarding Prevea Clinics, Inc. Psychiatric Services agreement – file # 2017-0808, 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

(July 26, 2017, regular meeting)

3. Approve Finance Committee E-Poll results regarding (2) two Capital Expenditure transfer of funds for \$300,000 from Elder Services to CIP # 05-013 – Elder Services/Apartment Improvements; and \$21,000 from 3 Sisters Asphalt Replacement to CIP # 14-013 – Early Head Start Facility (4:54:00)

Motion by Trish King to approve the Finance Committee E-Poll results regarding (2) two Capital Expenditure transfer of funds for \$300,000 from Elder Services to CIP # 05-013 – Elder Services/Apartment Improvements; and \$21,000 from 3 Sisters Asphalt Replacement to CIP # 14-013 – Early Head Start Facility, 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

C. Quality of Life Committee

Chair: Fawn Billie, Councilwoman

*(July 26, 2017, regular meeting)***1. Accept May 11, 2017, Quality of Life meeting minutes (4:55:41)**

Motion by Lisa Summers to accept the May 11, 2017, Quality of Life meeting minutes, seconded by Fawn Billie. Motion carried unanimously:

Secretary Lisa Summers departs at 3:16 p.m. before voting occurs on July 26, 2017.

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

VIII. APPOINTMENTS*(July 26, 2017, regular meeting)***A. Approve recommendation to appoint Jeanette Archiquette-Ninham to Pardon and Forgiveness Screening Committee; and re-post the other three (3) vacancies (5:20:30)**

Sponsor: Cristina Danforth, Tribal Chairwoman

Motion by David Jordan to approve the recommendation to appoint Jeanette Archiquette-Ninham to Pardon and Forgiveness Screening Committee; and re-post the other three (3) vacancies, seconded by Jennifer Webster. Motion carried unanimously:

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

*(July 26, 2017, regular meeting)***B. Approve recommendation to appoint Elaine Skenandore-Cornelius to Bay Bancorporation Board of Directors (5:20:56)**

Liaison Alternate: David Jordan, Councilman

Motion by David Jordan to approve the recommendation to appoint Elaine Skenandore-Cornelius to Bay Bancorporation Board of Directors, seconded by Fawn Billie. Motion carried unanimously:

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

IX. TABLED BUSINESS (5:21:31)*(July 26, 2017, regular meeting)***A. Approve recommendation to appoint Robert Barton to Oneida Airport Hotel Corp. Board of Directors**

Sponsor: Cristina Danforth, Tribal Chairwoman

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

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

Motion by David Jordan to approve the recommendation to appoint Robert Barton to Oneida Airport Hotel Corp. Board of Directors, seconded by Jennifer Webster. Motion carried with two abstentions:

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

EXCERPT FROM JULY 12, 2017: (1) Motion by Fawn Billie to approve the recommendation to appoint Robert Barton to the Oneida Airport Hotel Corporation Board of Directors, seconded by David Jordan. Motion not voted on; item tabled. (2) Motion by Lisa Summers to table this item, seconded by Tehassi Hill.

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. UNFINISHED BUSINESS (1:43:14)

*Vice-Chairwoman Melinda J. Danforth departs at 10:15 a.m. on July 26, 2017
 Councilwoman Fawn Billie departs at 10:16 a.m. on July 26, 2017*

(July 26, 2017, regular meeting)

A. Approve four (4) actions regarding Oneida Nation Solar LLC. Operating agreement – file # 2017-0655

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

Motion by Lisa Summers to approve the Oneida Nation Solar LLC. Operating agreement – file # 2017-0655, contingent upon a positive review by Sovereign Finance, seconded by Jennifer Webster. Motion carried unanimously:

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

Amendment to the main motion by David Jordan to approve Michael Troge to be the Oneida Nation representative of Oneida Nation Solar LLC.; and to approve James Bittorf to be the Oneida Nation Dispute Representative of Oneida Nation Solar LLC.; and to acknowledge supporting materials were submitted by Friday, July 21, 2017, seconded by Tehassi Hill. Motion carried unanimously:

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

EXCERPT FROM JUNE 28, 2017: (1) Motion by Lisa Summers to accept the Oneida Nation Solar LLC. 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. (2) 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.

Business Committee resumes agenda at item VI.J.

XI. NEW BUSINESS

(July 26, 2017, regular meeting)

A. Approve revised OBC SOP entitled Hiring and Negotiating Oneida Business Committee (OBC) Political Appointments (5:26:03)

Sponsor: Tehassi Hill, Councilman

Motion by Jennifer Webster to approve the addition of section 3.3 “The Tribal Chair’s Office is eligible for two (2) full-time positions with the option of the Tribal Chair hiring two (2) part-time (0-20 hours a week) employees to equal one full-time positions,” back into OBC SOP entitled Hiring and Negotiating Oneida Business Committee (OBC) Political Appointments, seconded by Trish King. Motion carried unanimously:

Councilwoman Jennifer Webster departs at 3:42 p.m. before voting occurs on July 26, 2017.

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

Motion by David Jordan to recess at 4:45 p.m. on July 26, 2017, seconded by Fawn Billie. Motion carried unanimously: (6:47:59)

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

*Meeting called to order by Vice-Chairwoman Melinda J. Danforth at 2:54 p.m. on July 27, 2017
Chairwoman Tina Danforth, Secretary Lisa Summers, and Councilman David Jordan not present.*

(July 27, 2017, reconvened regular meeting)

B. Schedule special Business Committee meeting for purpose of administering oaths of office for remaining elected officials¹

Sponsor: Lisa Summers, Tribal Secretary

Motion by Jennifer Webster to approve scheduling a special Business Committee meeting for the purpose of administering oaths of office for remaining elected officials on August 17, 2017, at 5:00 p.m., seconded by Tehassi Hill. Motion carried unanimously:

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

Motion by David Jordan to recess at 12:04 p.m. until 1:30 p.m. on July 26, 2017, seconded by Brandon Stevens. Motion carried unanimously: (3:32:52)

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

*Meeting called to order by Vice-Chairwoman Melinda J. Danforth at 1:30 p.m. on July 26, 2017.
Chairwoman Tina Danforth not present.*

¹ Audio inadvertently did not record during this item.

XII. OPERATIONAL REPORTS

Chairwoman Tina Danforth arrives at 1:40 p.m. on July 26, 2017
Vice-Chairwoman Melinda J. Danforth departs at 1:49 p.m. on July 26, 2017
Councilman Tehassi Hill departs at 1:52 p.m. on July 26, 2017
Councilman Tehassi Hill returns at 1:56 p.m. on July 26, 2017
Secretary Lisa Summers departs at 1:57 p.m. on July 26, 2017
Treasurer Trish King departs at 2:05 p.m. on July 26, 2017

(July 26, 2017, regular meeting)

A. Accept Comprehensive Health Division FY '17 3rd quarter report (3:59:22)

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

Motion by David Jordan to accept the Comprehensive Health Division FY '17 3rd quarter report, seconded by Jennifer Webster. Motion carried unanimously:

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

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

Treasurer Trish King returns at 2:12 p.m. on July 26, 2017
Secretary Lisa Summers returns at 2:19 p.m. on July 26, 2017

(July 26, 2017, regular meeting)

B. Accept Community & Economic Development Division FY '17 3rd quarter report (4:13:40)

Sponsor: Troy Parr, Division Director/Community & Economic Development – Development Branch

Motion by David Jordan to accept the Community & Economic Development Division FY '17 3rd quarter report, seconded by Jennifer Webster. Motion carried unanimously:

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

Not Present: Melinda J. Danforth

(July 26, 2017, regular meeting)

C. Accept Public Works Division FY '17 3rd quarter report (4:22:38)

Sponsors: Jacque Boyle, Interim Assistant Division Director/Public Works – Development Branch

Motion by Jennifer Webster to accept the Public Works Division FY '17 3rd quarter report, seconded by Lisa Summers. Motion carried unanimously:

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

Not Present: Melinda J. Danforth

(July 26, 2017, regular meeting)

D. Accept Governmental Services Division FY '17 3rd quarter report (4:28:28)

Sponsor: George Skenandore, Division Director/Governmental Services

Motion by David Jordan to accept the Governmental Services Division FY '17 3rd quarter report, seconded by Fawn Billie. Motion carried unanimously:

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

Not Present: Melinda J. Danforth

XIII. 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>)*

(July 27, 2017, reconvened regular meeting)

A. Approve four (4) actions regarding Petitioner Edward Delgado – Trust Land Distribution

Sponsor: Lisa Summers, Tribal Secretary **(6:48:33)**

Motion by Tehassi Hill to acknowledge receipt of the petition submitted by Edward Delgado regarding Trust Land Distribution, seconded by Fawn Billie. Motion carried unanimously:

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

Not Present: Tina Danforth, David Jordan, Lisa Summers

Motion by Tehassi Hill to send the verified petition to the Law, Finance, Legislative Reference, and Direct Report Offices' for legal financial, legislative, and administrative analyses, seconded by Trish King.

Motion carried unanimously:

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

Not Present: Tina Danforth, David Jordan, Lisa Summers

Motion by Tehassi Hill to direct the Law, Finance, and Legislative Reference Office to submit their analyses to the Tribal Secretary within sixty (60) days with a progress report to be submitted within forty-five (45) days, with a reminder of the July 7, 2017, GTC directive that GTC petitions "submitted to the Tribal Secretary's Office shall be processed and a GTC meeting be convened with 120 calendar days of receipt by the Tribal Secretary's Office", seconded by Fawn Billie. Motion carried unanimously:

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

Not Present: Tina Danforth, David Jordan, Lisa Summers

Motion by Tehassi Hill to direct the Direct Report Offices to submit administrative analyses to Tribal Secretary within thirty (30) days, seconded by Fawn Billie. Motion carried unanimously:

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

Not Present: Tina Danforth, David Jordan, Lisa Summers

EXCERPT FROM JULY 12, 2017: No formal action taken on this item.

EXCERPT 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 JUNE 14, 2017: Meeting cancelled.

(July 27, 2017, reconvened regular meeting)

B. Approve four (4) actions regarding Petitioner Linda Dallas – 2017 Tri-Annual General Election (6:51:25)

Sponsor: Lisa Summers, Tribal Secretary

Motion by Brandon Stevens to acknowledge receipt of the petition submitted by Linda Dallas regarding the 2017 Tri-Annual Election, seconded by Trish King. Motion carried unanimously:

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

Not Present: Tina Danforth, David Jordan, Lisa Summers

Motion by Trish King to send the verified petition to the Law, Finance, Legislative Reference, and Direct Report Offices' for legal financial, legislative, and administrative analyses, seconded by Tehassi Hill.

Motion carried unanimously:

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

Motion by Tehassi Hill to direct the Law, Finance, and Legislative Reference Office to submit their analyses to the Tribal Secretary within sixty (60) days with a progress report to be submitted within forty-five (45) days, seconded by Fawn Billie. Motion carried unanimously:

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

Motion by Tehassi Hill to direct the Direct Report Offices to submit administrative analyses to Tribal Secretary within thirty (30) days, seconded by Brandon Stevens. Motion carried unanimously:

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

Councilman David Jordan arrives at 3:03 p.m. on July 27, 2017

Councilwoman Jennifer Webster departs at 3:31 p.m. on July 27, 2017

Councilwoman Jennifer Webster returns at 3:34 p.m. on July 27, 2017

(July 27, 2017, reconvened regular meeting)

C. Determine appropriate date and reschedule FY '18 GTC budget meeting (6:54:00)

Sponsor: Trish King, Tribal Treasurer

Motion by Tehassi Hill to reschedule the FY '18 GTC budget meeting to from Sunday, September 17, 2017, to Sunday, October 8, 2017, seconded by Brandon Stevens. Motion withdrawn.

Motion by Tehassi Hill to rescind the February 8, 2017, Business Committee motion that scheduled the FY '18 GTC budget on Sunday, September 17, 2017, at 1:00 p.m.; and to reschedule the FY '18 GTC budget meeting to Sunday, October 8, 2017, at 10:00 a.m., seconded by Trish King. Motion carried unanimously:

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

(July 27, 2017, reconvened regular meeting)

D. Approve two (2) actions regarding special GTC meeting (7:32:03)

Sponsor: Lisa Summers, Tribal Secretary

Motion by Tehassi Hill to approve scheduling a special GTC meeting on Sunday, September 17, 2017, at 1:00 p.m. for the remaining 2017 Semi-Annual GTC agenda items, seconded by Jennifer Webster.

Motion carried with one abstention:

Ayes: Fawn Billie, Tehassi Hill, Trish King, Brandon Stevens, Jennifer Webster
 Abstained: David Jordan
 Not Present: Tina Danforth, Lisa Summers
 For the record: Councilman David Jordan stated I am scheduled vacation out of state.

Motion by Brandon Stevens to approve the mailer and notice, seconded by Fawn Billie. Motion carried unanimously:

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

Treasurer Trish King departs at 3:43 p.m. during July 27, 2017

Treasurer Trish King returns 3:46 p.m. during July 27, 2017

(July 27, 2017, reconvened regular meeting)

E. Accept legal opinion of Referendum Question regarding development of law which provides for sanctions and due process for elected officials (7:35:02)

Sponsor: Jo Anne House, Chief Counsel

Motion by Tehassi Hill to accept the legal opinion regarding development of a law which provides for sanctions and due process for elected officials, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Fawn Billie, Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Jennifer Webster
 Not Present: Tina Danforth, Lisa Summers
 For the record: Vice-Chairwoman Melinda J. Danforth stated that the referendum question process is laid out in the Election Law and that there will be next steps after this.

(July 27, 2017, reconvened regular meeting)

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

Sponsor: Lisa Summers, Tribal Secretary

a. 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 (7:44:08)

Requestor: Brandon Stevens, Councilman

Motion by Brandon Stevens to enter the E-Poll results into the record for the 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, seconded by Tehassi Hill. Motion carried unanimously:

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

EXCERPT FROM JULY 12, 2017: Motion by Lisa Summers to enter the E-Poll results into the record for the approved memorandum to cancel the June 20, 2017, special GTC meeting; and to direct the Tribal Secretary to combine agenda items to a later date with the Employment law and Re-organization proposal, seconded by Jennifer Webster. Motion not formally voted on.

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.

(July 27, 2017, reconvened regular meeting)

G. Approve four (4) actions regarding Petitioner Frank Vandehei – E-Poll process (Add-on)

Sponsor: Lisa Summers, Tribal Secretary (7:38:45)

Motion by Tehassi Hill to acknowledge receipt of the petition submitted Frank Vandehei regarding the E-Poll process, seconded by David Jordan. Motion carried unanimously:

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

Motion by Tehassi Hill to send the verified petition to the Law, Finance, Legislative Reference, and Direct Report Offices' for legal financial, legislative, and administrative analyses, seconded by Fawn Billie.

Motion carried unanimously:

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

Not Present: Tina Danforth, Lisa Summers

Motion by Tehassi Hill to direct the Law, Finance, and Legislative Reference Office to submit their analyses to the Tribal Secretary within sixty (60) days with a progress report to be submitted within forty-five (45) days, seconded by David Jordan. Motion carried unanimously:

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

Not Present: Tina Danforth, Lisa Summers

Motion by Tehassi Hill to direct the Direct Report Offices to submit administrative analyses to Tribal Secretary within thirty (30) days, seconded by David Jordan. Motion carried unanimously:

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

Not Present: Tina Danforth, Lisa Summers

XIV. EXECUTIVE SESSION (7:44:41)

A. REPORTS

(July 27, 2017, reconvened regular meeting)

1. Determine appropriate actions regarding Oneida Seven Generations Corporation FY '17 3rd quarter report

Agent: Pete King III

Liaison: Tina Danforth, Tribal Chairwoman

Motion by Jennifer Webster to defer the Oneida Seven Generations Corporation FY '17 3rd quarter report to the August 9, 2017, regular Business Committee meeting, seconded by Trish King. Motion carried unanimously:

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

Not Present: Tina Danforth, Lisa Summers

(July 27, 2017, reconvened regular meeting)

2. Accept Bay Bancorporation, Inc. FY '17 3rd quarter report

President: Jeff Bowman

Liaison: Tina Danforth, Tribal Chairwoman

Motion by Trish King to accept the Bay Bancorporation, Inc. FY '17 3rd quarter report, seconded by Brandon Stevens. Motion carried unanimously:

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

Not Present: Tina Danforth, Lisa Summers

(July 27, 2017, reconvened regular meeting)

3. Accept Oneida ESC Group, LLC. FY '17 3rd quarter report

Chair: Jackie Zalim

Liaison: Tehassi Hill, Councilman

Motion by Trish King to accept the Oneida ESC Group, LLC. FY '17 3rd quarter report, seconded by Jennifer Webster. Motion carried unanimously:

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

(July 27, 2017, reconvened regular meeting)

4. Accept Oneida Airport Hotel Corporation FY '17 3rd quarter report

Agent: Janice Hirth-Skenandore
Liaison: Trish King, Tribal Treasurer

Motion by Tehassi Hill to accept the Oneida Airport Hotel Corporation FY '17 3rd quarter report, seconded by Jennifer Webster. Motion carried unanimously:

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

(July 27, 2017, reconvened regular meeting)

5. Accept Oneida Golf Enterprise FY '17 3rd quarter report

Agent: Janice Hirth-Skenandore
Liaison: Trish King, Tribal Treasurer

Motion by Trish King to accept the Oneida Golf Enterprise FY '17 3rd quarter report, seconded by Tehassi Hill. Motion carried unanimously:

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

(July 27, 2017, reconvened regular meeting)

6. Accept Gaming General Manager report – Louise Cornelius, Gaming General Manager

Motion by David Jordan to accept the Gaming General Manager report, seconded by Tehassi Hill. Motion carried with one abstention:

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

(July 27, 2017, reconvened regular meeting)

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

Motion by David Jordan to accept the Chief Counsel report, seconded by Trish King. Motion carried with one abstention:

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

Motion by Jennifer Webster to direct Chief Counsel to complete the requested follow-up for the August 9, 2017, regular Business Committee meeting, seconded by David Jordan. Motion carried with one abstention:

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

(July 27, 2017, reconvened regular meeting)

8. Accept Intergovernmental Affairs & Communications report – Nathan King, Director

Motion by Trish King to accept the Intergovernmental Affairs & Communications report, seconded by Jennifer Webster. Motion carried with one abstention:

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

Motion by David Jordan to approve the Memorandum of Agreement – file # 2017-0673, correcting “Tribe” to “Nation” throughout, seconded by Jennifer Webster. Motion carried with one abstention:

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

Motion by Brandon Stevens to direct the Intergovernmental Affairs & Communications Dept. to bring back a strategy to address the notice dated June 23, 2017; and to direct the strategy be brought to the August 9, 2017, regular Business Committee meeting, seconded by Jennifer Webster. Motion carried with one abstention:

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

B. STANDING ITEMS

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

(July 27, 2017, reconvened regular meeting)

2. Oneida Golf Enterprise – Ladies Professional Golf Association

Sponsor: Trish King, Tribal Treasurer

Motion by Tehassi Hill to accept the update regarding Oneida Golf Enterprise – Ladies Professional Golf Association, seconded by Trish King. Motion carried with one abstention:

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

C. AUDIT COMMITTEE

Chair: Tehassi Hill, Councilman

(July 27, 2017, reconvened regular meeting)

1. Accept Audit Committee FY '17 3rd quarter report

Motion by Jennifer Webster to accept the Audit Committee FY '17 3rd quarter report, seconded by David Jordan. Motion carried with one abstention:

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

D. UNFINISHED BUSINESS

(July 27, 2017, reconvened regular meeting)

1. Accept report regarding contract # 2017-0088 and determine next steps

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

Motion by David Jordan to defer the report regarding contract # 2017-0088 to the August 9, 2017, regular Business Committee meeting, seconded by Brandon Stevens. Motion carried with one abstention:

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

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.

(July 27, 2017, reconvened regular meeting)

2. Review final recommendation; and determine next steps regarding complaints # 2017-DR08-01, # 2017-DR08-02, and # 2017-DR08-03

Sponsors: Councilmembers Brandon Stevens, David Jordan, Jennifer Webster

Motion by Tehassi Hill to accept the written report regarding complaint # 2017-DR08-02, seconded by Jennifer Webster. Motion carried with two abstention:

Ayes: Tehassi Hill, David Jordan, Brandon Stevens, Lisa Summers, Jennifer Webster
 Abstained: Fawn Billie, Trish King
 Not Present: Tina Danforth, Lisa Summers
 For the record: Vice-Chairwoman Melinda J. Danforth stated Trish is recused from this matter.

Motion by David Jordan to go into executive session at 4:01 p.m., seconded by Fawn Billie. Motion carried unanimously:

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

Treasurer Trish King and Councilwoman Fawn Billie depart at 4:01 p.m.

Motion by Tehassi Hill to come out of executive session at 4:05 p.m., seconded by Jennifer Webster. Motion carried unanimously:

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

Motion by Jennifer Webster to approve the recommendations 1-3 regarding complaint # 2017-DR08-02 listed in the written report dated July 26, 2017, seconded by Tehassi Hill. Motion carried unanimously:

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

Motion by Tehassi Hill to assign Secretary Lisa Summers and Councilwoman Jennifer Webster to carry out the action, seconded by Brandon Stevens. Motion carried unanimously:

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

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

Motion by Jennifer Webster to accept the written report regarding complaint # 2017-DR08-01 and complaint # 2017-DR08-03, seconded by Tehassi Hill. Motion carried unanimously:

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

Motion by Jennifer Webster to approve the recommendations 1-4 regarding complaint # 2017-DR08-01 and complaint # 2017-DR08-03 listed in the written report dated July 26, 2017, seconded by Tehassi Hill. Motion carried unanimously:

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

Motion by Jennifer Webster to assign Vice-Chairwoman Melinda J. Danforth and Councilman David Jordan to carry out the action, seconded by Tehassi Hill. Motion carried unanimously:

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

EXCERPT FROM JULY 12, 2017: Motion by Lisa Summers to defer this item to the July 26, 2017, regular Business Committee meeting for the team to do the additional follow-up that was identified, seconded by Jennifer Webster. Motion carried with one abstention.

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.

(July 27, 2017, reconvened regular meeting)

3. Discussion regarding complaint # 2017-CC-05

Sponsor: David Jordan, Councilman

Motion by David Jordan to accept the discussion regarding complaint # 2017-CC-05 as information, seconded by Tehassi Hill. Motion carried unanimously:

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

EXCERPT FROM JULY 12, 2017: Motion by Lisa Summers to defer this item to the July 25, 2017, Oneida Business Committee executive session agenda for a 9:00 a.m. start time, seconded by David Jordan. Motion carried unanimously.

(July 27, 2017, reconvened regular meeting)

4. Defer report regarding complaint # 2017-DR11-01 to August 9, 2017, regular Business Committee meeting

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

Motion by Jennifer Webster to direct Vice-Chairwoman Melinda J. Danforth to complete the follow-up on behalf of the OBC Officers; and to direct that the report from Comprehensive Health be due at the August 9, 2017, regular Business Committee meeting, seconded by David Jordan. Motion carried unanimously:

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

EXCERPT FROM JULY 12, 2017: Motion by Jennifer Webster to defer this item to the Oneida Business Committee Officers for follow up with the Comprehensive Health Operations Division Director; and for a report to be brought back to the July 26, 2017, regular Business Committee meeting, seconded by Fawn Billie. Motion carried unanimously.

E. NEW BUSINESS

(July 27, 2017, reconvened regular meeting)

1. Approve limited waiver of sovereign immunity – Laredo Ender User License agreement – file # 2017-0125

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

Motion by Jennifer Webster to approve the limited waiver of sovereign immunity – Laredo Ender User License agreement – file # 2017-0125, seconded by Tehassi Hill. Motion carried unanimously:

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

(July 27, 2017, reconvened regular meeting)

2. Approve limited waiver of sovereign immunity – Baker Tilly Virchow Krause LLP.-Engagement Letter – file # 2017-0483

Sponsor: Larry Barton, Chief Financial Officer

Motion by Jennifer Webster to approve the limited waiver of sovereign immunity – Baker Tilly Virchow Krause LLP.-Engagement Letter – file # 2017-0483, seconded by Tehassi Hill. Motion carried unanimously:

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

(July 27, 2017, reconvened regular meeting)

3. Approve procedural exception to allow Dept. of Public Works to carryover funds from FY '17 operational equipment into FY '18

Sponsor: Trish King, Tribal Treasurer

Motion by Tehassi Hill to approve the procedural exception to allow Dept. of Public Works to carryover funds from FY '17 operational equipment into FY '18, seconded by David Jordan. Motion carried unanimously:

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

(July 27, 2017, reconvened regular meeting)

4. Create position expectations for Direct Report – 21

Sponsor: Tehassi Hill, Councilman

Motion by Tehassi Hill to direct Jessica Wallenfang to format the expectations; and to set-up a meeting time between the Business Committee and the Direct Report shortly after hire to review expectations, seconded by David Jordan. Motion carried unanimously:

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

(July 26, 2017, regular meeting)

5. Accept sign-in sheets from June 20, 2017, as information (5:47:07)

Sponsor: Cristina Danforth, Tribal Chairwoman

Motion by David Jordan to accept the sign in sheets from June 20, 2017, as information for the record, noting 1) that the title be corrected to Informational Meeting; 2) that the signatures and names be redacted; and 3) that there is no stipend for the June 20, 2017, informational meeting, seconded by Trish King. Motion carried with two opposed and one abstention:

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

Abstained: Fawn Billie
Not Present: Melinda J. Danforth, Lisa Summers

(July 26, 2017, regular meeting)

6. Accept sign-in sheets from June 28, 2017, as information (6:03:34)

Sponsor: Cristina Danforth, Tribal Chairwoman

Motion by Trish King to create standard operating procedures to support the Oneida Business Committee to carry out their duties and responsibilities in accordance with the constitution, seconded by Jennifer Webster. Motion called out of order by Chairwoman Tina Danforth.

Motion by David Jordan to defer this item to the August 9, 2017, regular Business Committee meeting; and for the back-up to include minutes, seconded by Brandon Stevens. Motion carried unanimously:

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

Not Present: Melinda J. Danforth, Lisa Summers

XV. ADJOURN

Motion by Tehassi Hill to adjourn at 4:12 p.m. on July 27, 2017, seconded by David Jordan. Motion carried unanimously:

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

Not Present: Melinda J. Danforth, Lisa Summers

Minutes prepared by Heather Heuer, Information Management Specialist
Minutes approved as presented on August 9, 2017.

Lisa Summers, Secretary
ONEIDA BUSINESS COMMITTEE

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 09 / 13 / 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 August 9, 2017, regular meeting minutes

3. Supporting Materials

Report Resolution Contract

Other:

1. <input type="text" value="August 9, 2017, regular meeting minutes"/>	3. <input type="text"/>
2. <input type="text"/>	4. <input type="text"/>

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

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

Additional Requestor: _____
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.

DRAFT**Oneida Business Committee****Executive Session****8:30 a.m. Tuesday, August 08, 2017****Executive Conference Room, 2nd floor, Norbert Hill Center****Regular Meeting****8:30 a.m. Wednesday, August 09, 2017****BC Conference Room, 2nd floor, Norbert Hill Center****Minutes – DRAFT****EXECUTIVE SESSION****Present:** Chairwoman Tina Danforth, , Treasurer Trish King, Secretary Lisa Summers, Council members: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster;**Not Present:** ;**Arrived at:** Vice-Chairwoman Melinda J. Danforth at 1:30 p.m.;**Others present:** Jo Anne House, Larry Barton, Pete King III, Art Harrington, Joe Nicks, Michele Doxtator;**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;**Not Present:** Councilwoman Jennifer Webster;**Arrived at:** ;**Others present:** Jo Anne House, Brad Graham, Bill Graham, Leyne Orosco, Rhiannon Metoxen, Katrina Mungo, Heather Heuer, Clorissa Santiago, Candace Skenandore, Chris Johnson, Don Miller, Nancy Barton, Bonnie Pigman, Racquel Hill, Taniquelle Thurner, Cathy Bachhuber, Gina Buenrostro, Danelle Wilson, Maureen Perkins, Larry Barton, Michelle Gordon, Jessica Wallenfang, Cathy Metoxen, Lisa Liggins, Ed Delgado, Jen Falck, Patrick Pelky, Nic Reynolds, Geraldine Danforth, Matt Denny, Dale Wheelock, Marianne Close, Cheryl Stevens, Tami Fleisner, Nancy Cook;**I. CALL TO ORDER AND ROLL CALL** by Chairwoman Tina Danforth at 8:29 a.m.

For the record: Councilwoman Jennifer Webster is out of the office on vacation time.

II. OPENING by Councilman Tehassi Hill**III. ADOPT THE AGENDA (00:03:32)**

Motion by Lisa Summers to adopt the agenda with the following changes: [Delete item VI.C. Adopt resolution entitled Adoption of the Governance of Boards, Committees and Commissions Amendments; Delete item X.A.03. Approve travel request - Councilman Brandon Stevens - 40th Anniversary of American Indian Science Engineering Society (AISES) & National conference and the Tribal Nations Advisory Council (TNAC) meeting - Denver, CO - September 20-23, 2017; Move the resolution and Statement of Effect from Executive Session – New Business item XIII.E.02. Adopt resolution entitled Transfer of Language Department to Oneida Nation School System, to Open Session; and Note the

DRAFT

scheduled time for item for item IX.A. Approve 2017 General Election Final Results report, at 8:45 a.m.], seconded by Fawn Billie. Motion carried unanimously:

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

IV. OATHS OF OFFICE

- A. Oneida Pardon and Forgiveness Screening Committee - Jeanette Archiquette-Ninham**
(Not Present)
Sponsor: Lisa Summers, Tribal Secretary

V. MINUTES

- A. Approve July 26, 2017, regular Business Committee meeting minutes with reconvened session on July 27, 2017 (00:04:49)**
Sponsor: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to approve the July 26, 2017, regular Business Committee meeting minutes with the reconvened session on July 27, 2017, seconded by Trish King. Motion carried unanimously:

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

- B. Approve July 27, 2017, FY '17 3rd quarter reports Business Committee meeting minutes (00:06:26)**
Sponsor: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to approve the July 27, 2017, FY '17 3rd quarter reports Business Committee meeting minutes, regular meeting minutes, seconded by Fawn Billie. Motion carried unanimously:

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

VI. RESOLUTIONS

- A. Adopt resolution entitled Administrative Rulemaking Law Amendments (00:07:05)**
Sponsor: Brandon Stevens, Councilman/ Legislative Operating Committee Chair

Motion by Brandon Stevens to adopt resolution # 08-09-17-A Administrative Rulemaking Law Amendments, seconded by Tehassi Hill. Motion carried unanimously:

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

Business Committee moves to item IX.A. scheduled at 8:45 a.m.

*Secretary Lisa Summers returns at 9:31 a.m.
Councilman Tehassi Hill returns at 9:33 a.m.*

DRAFT**B. Adopt resolution entitled Audit Law Amendments (00:53:52)**

Sponsor: Brandon Stevens, Councilman/ Legislative Operating Committee Chair

Motion by Brandon Stevens to adopt resolution # 08-09-17-B Internal Audit Law Amendments, seconded by Tehassi Hill. Motion carried with one abstention:

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

C. ~~Adopt resolution entitled Adoption of the Governance of Boards, Committees and Commissions Amendments~~

~~Sponsor: Brandon Stevens, Councilman/ Legislative Operating Committee Chair~~

Item deleted at the adoption of the agenda.

Treasurer Trish King departs at 10:00 a.m.

Treasurer Trish King returns at 10:06 a.m.

D. Adopt resolution entitled Child Care Department Consumer Complaint Law (1:20:30)

Sponsor: Brandon Stevens, Councilman/ Legislative Operating Committee Chair

Motion by David Jordan to adopt resolution # 08-09-17-C Child Care Department Consumer Complaint Law, seconded by Fawn Billie. Motion carried unanimously:

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

Councilman David Jordan departs at 10:17 a.m.

E. Adopt resolution entitled Transfer of Language Department to Oneida Nation School System (1:42:55) (Resolution and Statement of Effect moved from Executive Session)

Sponsor: Jo Anne House, Chief Counsel

Motion by Lisa Summers to adopt resolution # 08-09-17-D Transfer of Language Department to Oneida Nation School System, seconded by Tehassi Hill. Motion carried unanimously:

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

Chairwoman Tina Danforth calls for a five (5) minute recess at 10:31 a.m.

Meeting called to order by Chairwoman Tina Danforth at 10:45 a.m.

Vice-Chairwoman Melinda J. Danforth, Councilwoman Fawn Billie, and Councilwoman Jennifer Webster not present.

DRAFT**VII. STANDING COMMITTEES****A. Legislative Operating Committee**

Sponsor: Brandon Stevens, Councilman/Legislative Operating Committee Chair

1. Accept July 19, 2017, Legislative Operating Committee meeting minutes (1:56:21)

Motion by Brandon Stevens to accept the July 19, 2017, Legislative Operating Committee meeting minutes, seconded by Tehassi Hill. Motion carried unanimously:

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

B. Finance Committee

Sponsor: Trish King, Tribal Treasurer/Finance Committee Chair

1. Approve July 31, 2017, Finance Committee meeting minutes (2:06:40)

Motion by Trish King to approve the July 31, 2017, Finance Committee meeting minutes, seconded by David Jordan. Motion carried unanimously:

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

2. Approve Finance Committee E-Poll action of August 3, 2017 regarding approval of a Purchase Order increase of \$14,613.88 to Lamers Bus, Inc. - file # 2015-0374 (2:40:40)

Motion by David Jordan to approve the Finance Committee E-Poll action of August 3, 2017 regarding approval of a Purchase Order increase of \$14,613.88 to Lamers Bus, Inc. - file # 2015-0374, seconded by Trish King. Motion carried with one abstention:

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

C. Quality of Life

Sponsor: Fawn Billie, Councilwoman/Quality of Life Committee Chair

1. Accept June 15, 2017, Quality of Life meeting minutes (2:41:18)

Motion by Trish King to accept the June 15, 2017, Quality of Life meeting minutes, seconded by David Jordan. Motion carried unanimously:

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

2. Accept Quality of Life Committee - End of Term Report (2:42:05)

Motion by Tehassi Hill to accept the Quality of Life Committee - End of Term Report, seconded by Lisa Summers. Motion carried unanimously:

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

DRAFT**VIII. UNFINISHED BUSINESS****A. Adopt resolution entitled Native American Business Development Institute Feasibility (NABDI) Study (2:43:00)**

Sponsor: Joanie Buckley, Division Director/Internal Services

Motion by Lisa Summers to adopt resolution # 08-09-17-E Native American Business Development Institute Feasibility (NABDI) Study, seconded by Tehassi Hill. Motion carried unanimously:

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

IX. NEW BUSINESS**A. Approve 2017 General Election Final Results report (00:20:07)**

Sponsor: Melinda J Danforth, Tribal Vice-Chairwoman

Motion by Melinda J. Danforth to approve the 2017 General Election Final Results report in accordance with 102.11-13. of the Election Law, declare the official results of the 2017 General Election, seconded by Fawn Billie. Motion carried unanimously:

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

Motion by Lisa Summers to send all the items identified in section 6 of the 2017 General Election Final Report to the Legislative Operating Committee to begin the process of addressing the identified items, seconded by Trish King. Motion carried unanimously:

Ayes: Melinda J. Danforth, Fawn Billie, Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers
Not Present: Jennifer Webster
For the record: Chairwoman Tina Danforth stated that I do have a formal request to the Business Committee to allow me to be sworn in on August 16th at 8:30 due to my unavailability on August 17th.

Business Committee resumes agenda at item VI.B.

Councilman Tehassi Hill departs at 9:25 a.m.

Secretary Lisa Summers departs at 9:26 a.m.

Vice-Chairwoman Melinda J. Danforth departs at 9:26 a.m.

B. Approve an option for disbursement of fifty (50) complimentary admission passes - 5th Annual Indian Horse Relay - Canterbury Park, MN - August 24-26, 2017 (2:46:46)

Sponsor: Lisa Summers, Tribal Secretary

Motion by Brandon Stevens to approve the first come, first serve option for the disbursement of fifty (50) complimentary admission passes - 5th Annual Indian Horse Relay - Canterbury Park, MN - August 24-26, 2017, seconded by Tehassi Hill. Motion carried unanimously:

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

DRAFT**X. TRAVEL****A. Travel Requests**

1. **Approve travel request in accordance with Travel & Expense Policy - Five (5) Oneida Nation Veterans Affairs Committee members - Indian Summer Festival – Milwaukee, WI - September 8-10, 2017 (2:50:54)**
Chair: James Martin
Liaison: Jennifer Webster, Councilwoman

Motion by Lisa Summers to approve the travel request in accordance with the Travel & Expense Policy - Five (5) Oneida Nation Veterans Affairs Committee members - Indian Summer Festival – Milwaukee, WI - September 8-10, 2017, seconded by Trish King. Motion carried unanimously:

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

2. **Approve travel request - Up to three (3) OBC members - 2017 Bemidji Area Partnership for Family Wellness conference - New Buffalo, MI - September 11-15, 2017 (2:52:56)**
Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

Motion by Lisa Summers to approve the travel request - Up to three (3) OBC members - 2017 Bemidji Area Partnership for Family Wellness conference - New Buffalo, MI - September 11-15, 2017, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Tehassi Hill, David Jordan, Trish King, Brandon Stevens, Lisa Summers
Not Present: Melinda J. Danforth, Fawn Billie, Jennifer Webster
For the record: Councilman David Jordan stated I am going to be on approved vacation during that same time frame so I will not be present and there's a BC meeting that week. We discussed we would send staff members or (inaudible). Just for clarification.

- ~~3. Approve travel request – Councilman Brandon Stevens – 40th Anniversary of American Indian Science Engineering Society (AISES) & National conference and the Tribal Nations Advisory Council (TNAC) meeting – Denver, CO – September 20-23, 2017~~

Item deleted at the adoption of the agenda.

B. Travel Reports

1. **Accept travel report - Secretary Lisa Summers - Wisconsin Dept. of Corrections tribal consultation - Hayward, WI - May 8-9, 2017 (2:54:48)**

Motion by Brandon Stevens to accept the travel report - Secretary Lisa Summers - Wisconsin Dept. of Corrections tribal consultation - Hayward, WI - May 8-9, 2017, seconded by Brandon Stevens. Motion carried unanimously:

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

2. **Accept travel report - Secretary Lisa Summers & Councilwoman Jennifer**

DRAFT**Webster - 31st Annual Wisconsin Indian Education Association (WIEA) conference - Minocqua, WI - May 11-14, 2017 (2:56:29)**

Motion by Brandon Stevens to accept the travel report - Secretary Lisa Summers & Councilwoman Jennifer Webster - 31st Annual Wisconsin Indian Education Association (WIEA) conference - Minocqua, WI - May 11-14, 2017, seconded by Trish King. Motion carried unanimously:

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

Secretary Lisa Summers departs at 11:55 a.m.

Secretary Lisa Summers returns at 11:57 a.m.

3. Accept travel report - Secretary Lisa Summers, Councilwoman Jennifer Webster, & Councilman Tehassi Hill - National Congress of American Indians (NCAI) mid-year conference - Uncasville, CT - June 11-15, 2017 (2:58:40)

Motion by Trish King to accept the travel report - Secretary Lisa Summers, Councilwoman Jennifer Webster, & Councilman Tehassi Hill - National Congress of American Indians (NCAI) mid-year conference - Uncasville, CT - June 11-15, 2017; and to defer the two (2) identified items to the Intergovernmental Affairs & Communications Dept. for monitoring and assistance where needed, seconded by David Jordan. Motion carried with one abstention:

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

4. Accept travel report - Secretary Lisa Summers & Councilwoman Fawn Billie - North American Indigenous Games (NAIG) 2017 - Toronto, ON Canada - July 14-23, 2017 (3:10:55)

Motion by David Jordan to accept the travel report - Secretary Lisa Summers & Councilwoman Fawn Billie - North American Indigenous Games (NAIG) 2017 - Toronto, ON Canada - July 14-23, 2017, seconded by Tehassi Hill. Motion carried unanimously:

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

Motion by Lisa Summers to recess at 12:02 p.m. until 1:30 p.m., seconded by Tehassi Hill. Motion carried unanimously:

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

Meeting called to order by Chairwoman Tina Danforth at 1:30 p.m.

Vice-Chairwoman Melinda J. Danforth, Councilwoman Fawn Billie, Treasurer Trish King, and Councilwoman Jennifer Webster not present.

XI. OPERATIONAL REPORTS

A. Accept Environmental Health & Safety FY '17 3rd quarter report (3:14:21)

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

Motion by David Jordan to accept the Environmental Health & Safety FY '17 3rd quarter report, seconded by Tehassi Hill. Motion carried unanimously:

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

Oneida Business Committee Regular Meeting Minutes DRAFT of August 09, 2017

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Treasurer Trish King arrives at 1:44 p.m.

B. Accept Division of Land Management FY '17 3rd quarter report (3:20:35)

Sponsor: Patrick Pelky, Division Director/Division of Land Management

Motion by David Jordan to accept the Division of Land Management FY '17 3rd quarter report, seconded by Trish King. Motion carried unanimously:

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

Councilman David Jordan departs at 2:20 p.m.

Councilman David Jordan returns at 2:28 p.m.

C. Accept Oneida Housing Authority FY '17 3rd quarter report (3:38:51)

Sponsor: Dale Wheelock, Executive Director/Oneida Housing Authority

Motion by Tehassi Hill to accept the Oneida Housing Authority FY '17 3rd quarter report, seconded by Lisa Summers. Motion carried unanimously:

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

Secretary Lisa Summers departs at 2:45 a.m.

D. Accept Human Resources Dept. FY '17 3rd quarter report (4:20:50)

Sponsor: Geraldine Danforth, Area Manager/Human Resources

Motion by Tehassi Hill to accept the Human Resources Dept. FY '17 3rd quarter report, seconded by David Jordan. Motion carried unanimously:

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

Chairwoman Tina Danforth calls for a five (5) minute recess at 3:20 p.m.

Meeting called to order by Chairwoman Tina Danforth at 3:25 p.m.

Vice-Chairwoman Melinda J. Danforth, Councilwoman Fawn Billie, Tribal Lisa Summers, and Councilwoman Jennifer Webster not present.

E. Accept Retail Enterprise FY '17 3rd quarter report (5:00:15)

Sponsor: Michele Doxtator, Area Manager/Retail Profits

Motion by David Jordan to accept the Retail Enterprise FY '17 3rd quarter report, seconded by Trish King. Motion carried unanimously:

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

DRAFT**XIII. EXECUTIVE SESSION****A. REPORTS**

1. **Accept Oneida Seven Generations Corporation FY '17 3rd quarter report (5:02:13)**
Sponsor: Cristina Danforth, Tribal Chairwoman

Motion by Trish King to accept the Oneida Seven Generations Corporation FY '17 3rd quarter report, seconded by Brandon Stevens. Motion carried unanimously:

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

2. **Accept Retail Enterprise FY '17 3rd quarter report (5:02:29)**
Sponsor: Michele Doxtator, Area Manager/Retail Profits

Motion by Brandon Stevens to accept the Retail Enterprise FY '17 3rd quarter report, seconded by David Jordan. Motion carried unanimously:

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

3. **Accept Chief Counsel report (5:02:45)**
Sponsor: Jo Anne House, Chief Counsel

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

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

B. STANDING ITEMS

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

C. AUDIT COMMITTEE

Sponsor: Tehassi Hill, Councilman/Audit Committee Chair

1. **Accept June 9, 2017, Audit Committee meeting minutes (5:03:05)**

Motion by David Jordan to accept the June 9, 2017, Audit Committee meeting minutes, seconded by Tehassi Hill. Motion carried unanimously:

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

2. **Accept July 13, 2017, Audit Committee meeting minutes (5:03:25)**

Motion by David Jordan to accept the July 13, 2017, Audit Committee meeting minutes, seconded by Trish King. Motion carried unanimously:

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

DRAFT**3. Accept audit entitled SEOTS Performance Assurance and lift confidentiality requirement (5:03:38)**

Motion by David Jordan to accept the audit entitled SEOTS Performance Assurance and lift confidentiality requirement, seconded by Tehassi Hill. Motion carried unanimously:

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

4. Accept audit entitled Oneida Elder Services Performance Assurance and lift confidentiality requirement (5:03:55)

Motion by David Jordan to accept the audit entitled Oneida Elder Services Performance Assurance and lift confidentiality requirement, seconded by Tehassi Hill. Motion carried unanimously:

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

5. Accept audit entitled Ultimate Texas Hold'em Rules of Play and lift confidentiality requirement (5:04:13)

Motion by Brandon Stevens to accept the audit entitled Ultimate Texas Hold'em Rules of Play and lift confidentiality requirement, seconded by David Jordan. Motion carried unanimously:

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

6. Accept audit entitled Cultural Heritage Performance Assurance and lift confidentiality requirement (5:04:29)

Motion by Trish King to defer the audit entitled Cultural Heritage Performance Assurance to a meeting with the Governmental Services Division Director for further discussion, seconded by Tehassi Hill. Motion carried unanimously:

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

D. UNFINISHED BUSINESS**1. Accept report regarding contract # 2017-0088; and accept recommended actions Sponsors: Lisa Summers, Tribal Secretary; Jennifer Webster, Councilwoman (5:05:02)**

Motion by David Jordan to report regarding contract # 2017-0088; and to accept the three (3) recommended actions, seconded by Tehassi Hill. Motion carried unanimously:

Ayes: Tehassi Hill, David Jordan, Trish King, Brandon Stevens
Not Present: Melinda J. Danforth, Fawn Billie, Lisa Summers, Jennifer Webster
For the record: Chairwoman Tina Danforth stated please note for the record that (placing item in the close-out file) is the intent of item 3.

2. Accept strategy regarding IGAC report from July 26, 2017, Business Committee meeting (5:06:36)

Sponsor: Nathan King, Director/Intergovernmental Affairs & Communications

Motion by Brandon Stevens to accept the update; and to direct the IGAC Director to work with the Law Office for the identified follow-up, seconded by Trish King. Motion carried unanimously:

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

DRAFT**3. Accept report regarding complaint # 2017-DR11-01 (5:07:32)**

Sponsor: Melinda J. Danforth, Tribal Vice-Chairwoman

EXCERPT FROM JULY 27, 2017: (Reconvened from July 26, 2017) Motion by Jennifer Webster to direct Vice-Chairwoman Melinda J. Danforth to complete the follow-up on behalf of the OBC Officers; and to direct that the report from Comprehensive Health be due at the August 9, 2017, regular Business Committee meeting, seconded by David Jordan. Motion carried unanimously.

EXCERPT FROM JULY 12, 2017: Motion by Jennifer Webster to defer this item to the Oneida Business Committee Officers for follow up with the Comprehensive Health Operations Division Director; and for a report to be brought back to the July 26, 2017, regular Business Committee meeting, seconded by Fawn Billie. Motion carried unanimously.

Motion by David Jordan to assign OBC members Brandon Stevens and Jennifer Webster for follow-up; and for this item to be brought to the September 13, 2017, regular Business Committee meeting, seconded by Trish King. Motion carried unanimously:

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

4. Accept sign-in sheets from June 28, 2017, as information

Sponsor: Cristina Danforth, Tribal Chairwoman (5:08:43)

EXCERPT FROM JULY 26, 2017: (1) Motion by Trish King to create standard operating procedures to support the Oneida Business Committee to carry out their duties and responsibilities in accordance with the constitution, seconded by Jennifer Webster. Motion called out of order by Chairwoman Tina Danforth. (2) Motion by David Jordan to defer this item to the August 9, 2017, regular Business Committee meeting; and for the back-up to include minutes, seconded by Brandon Stevens. Motion carried unanimously.

Motion by Brandon Stevens to accept the sign-in sheets as information; and to retitle to Community Informational Meeting Minutes, seconded by David Jordan. Motion carried with one abstention:

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

E. NEW BUSINESS**1. Approve letter of agreement - Attorney's Process & Investigation Services, Inc. - file # 2017-0892 (5:10:50)**

Sponsor: David Jordan, Councilman

Motion by David Jordan to approve the letter of agreement - Attorney's Process & Investigation Services, Inc. - file # 2017-0892, dated August 8, 2017, seconded by Tehassi Hill. Motion carried with one opposed:

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

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- 2. ~~Adopt resolution entitled Transfer of Language Department to Oneida Nation School System~~

Sponsor: Jo Anne House, Chief Counsel

Item moved to Open Session at the adoption of the agenda (Resolution and Statement of Effect only).

- 3. **Review concern # 2017-CC-11 and determine next steps (5:14:04)**

Sponsor: Lisa Summers, Tribal Secretary

Motion by Tehassi Hill to forward the message to the Oneida Police Dept. for their review and consideration for further actions, seconded by Trish King. Motion carried unanimously:

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

XIV. ADJOURN

Motion by David Jordan to adjourn at 3:37 p.m., seconded by Trish King. Motion carried unanimously:

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

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

Lisa Summers, Secretary
 ONEIDA BUSINESS COMMITTEE

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 09 / 13 / 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 August 17, 2017, special meeting minutes

3. Supporting Materials

Report Resolution Contract

Other:

1. <input type="text" value="August 17, 2017, special meeting minutes"/>	3. <input type="text"/>
2. <input type="text"/>	4. <input type="text"/>

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

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

Additional Requestor: _____
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.

DRAFT**Oneida Business Committee****Special Meeting**

5:00 p.m. Thursday, August 17, 2017
BC Conference Room, 2nd floor, Norbert Hill Center

Minutes – DRAFT**SPECIAL MEETING**

Present: Chairman Tehassi Hill, Treasurer Trish King, Secretary Lisa Summers, Council members: Daniel Guzman King, David Jordan, Kirby Metoxen, Ernest Stevens III;

Not Present: Vice-Chairman Brandon Stevens and Councilwoman Jennifer Webster;

Arrived at: ;

Others present: Jennifer Falck, Jo Anne House, Nic Reynolds, Geraldine Danforth, Tsyoslake House, Wesley Martin, Jr., Rae Skenandore, Julie Barton, Jennifer L. Hill, Dellora Cornelius, Cristina Danforth, Geno Danforth, Elaine Skenandore-Cornelius, Barbara Webster, Mark A. Powless, Sheila Shawanokasic, Tina Skenandore, Pat Lassila, Chrissy Liggins, Rhiannon Metoxen, Melinda J. Danforth, Larry Barton, Heather Heuer, Leyne Orosco, Kathy Metoxen, Cathy Bachhuber, Debbie Melchert, Zachary Schrap, Elijah Metoxen, Sharon House, Susan White;

I. CALL TO ORDER AND ROLL CALL by Chairman Tehassi Hill at 5:00 p.m.

For the record: Vice-Chairman Brandon Stevens and Councilwoman Jennifer Webster are attending the Wisconsin Indian Education Association Act 31 event at the Menominee Casino Convention Center in Keshena, WI.

II. OPENING by Chairman Tehassi Hill at 5:00 p.m.

III. ADOPT THE AGENDA (00:03:37)

Motion by Lisa Summers to adopt the agenda with the following change: [Add New Business item V.C. Approve four (4) actions regarding Petitioner Brad Graham - 2017 General Election], seconded by Daniel Guzman King. Motion carried unanimously:

Ayes: Daniel Guzman King, David P. Jordan, Trish King, Kirby Metoxen, Ernest Stevens III, Lisa Summers

Not Present: Brandon Stevens, Jennifer Webster

IV. OATHS OF OFFICE (00:04:33) & (00:19:53)

- A. GTC Legal Advocates** - Tsyoslake House, Wesley Martin, Jr.
Land Commission - Rae Skenandore, Julie Barton, Jennifer L. Hill
Oneida Commission on Aging - Dellora Cornelius, Cristina Danforth, Geno Danforth
Trust Enrollment Committee - Elaine Skenandore-Cornelius, Barbara Webster
Oneida Land Claims Commission - Sheila Shawanokasic
Oneida Election Board - Tina Skenandore, Pat Lassila, Chrissy Liggins
Oneida School Board - Rhiannon Metoxen, Melinda J. Danforth

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For the record: Secretary Lisa Summers stated Cristina (Danforth) was taking her oath of office for two boards and it was for the Commission on Aging and the Gaming Commission.

V. NEW BUSINESS

A. Add Oaths of Office for remaining officials to the August 30, 2017, special OBC meeting agenda

Sponsor: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to defer this item to the end of the agenda, seconded by Kirby Metoxen.

Motion carried unanimously: (00:10:43)

Ayes: Daniel Guzman King, David P. Jordan, Trish King, Kirby Metoxen, Ernest Stevens III, Lisa Summers

Not Present: Brandon Stevens, Jennifer Webster

Motion by Lisa Summers to delete this item from the agenda, noting it is no longer needed, seconded by Trish King. Motion carried unanimously: (00:24:13)

Ayes: Daniel Guzman King, David P. Jordan, Trish King, Kirby Metoxen, Ernest Stevens III, Lisa Summers

Not Present: Brandon Stevens, Jennifer Webster

B. Approve FranklinCovey Client Sales Inc. - All Access Pass License Agreement - file # 2017-0625 (00:12:00)

Sponsor: Geraldine Danforth, Area Manager/Human Resources

Motion by David P. Jordan to approve the limited waiver of sovereign immunity - FranklinCovey Client Sales Inc. - All Access Pass License Agreement - file # 2017-0625, seconded by Ernest Stevens III. Motion carried unanimously:

Ayes: Daniel Guzman King, David P. Jordan, Trish King, Kirby Metoxen, Ernest Stevens III, Lisa Summers

Not Present: Brandon Stevens, Jennifer Webster

C. Approve four (4) actions regarding Petitioner Brad Graham - 2017 General Election (Add-on item) (00:22:18)

Sponsor: Lisa Summers, Tribal Secretary

Motion by Kirby Metoxen to acknowledge receipt of the petition submitted by Brad Graham regarding the 2017 Tri-Annual General Election; to send the verified petition to the Law, Finance, Legislative Reference, and Direct Report Offices for legal, financial, legislative, and administrative analyses; to direct the Law, Finance, and Legislative Reference Offices to submit their analyses to the Tribal Secretary within sixty (60) days with a progress report to be submitted within forty-five (45) days; and to direct the Direct Report Offices to submit administrative analyses to Tribal Secretary within thirty (30) days, seconded by Lisa Summers. Motion carried unanimously:

Ayes: Daniel Guzman King, David P. Jordan, Trish King, Kirby Metoxen, Ernest Stevens III, Lisa Summers

Not Present: Brandon Stevens, Jennifer Webster

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VII. ADJOURN

Motion by David P. Jordan to adjourn at 5:25 p.m., seconded by Lisa Summers. Motion carried unanimously:

Ayes: Daniel Guzman King, David P. Jordan, Trish King, Kirby Metoxen, Ernest Stevens III, Lisa Summers

Not Present: Brandon Stevens, Jennifer Webster

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: 09 / 13 / 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 August 30, 2017, special meeting minutes

3. Supporting Materials

Report Resolution Contract

Other:

1. <input type="text" value="August 30, 2017, special meeting minutes"/>	3. <input type="text"/>
2. <input type="text"/>	4. <input type="text"/>

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

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

Additional Requestor: _____
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.

DRAFT**Oneida Business Committee**

Special Meeting
10:00 a.m. Wednesday, August 30, 2017
BC Conference Room, 2nd floor, Norbert Hill Center

Minutes - DRAFT**SPECIAL MEETING**

Present: Chairman Tehassi Hill, Treasurer Trish King, Secretary Lisa Summers, Council members: Daniel Guzman King, David Jordan, Kirby Metoxen, Ernest Stevens III, Jennifer Webster;

Not Present: Vice-Chairman Brandon Stevens;

Arrived at: ;

Others present: Jo Anne House, Bonnie Pigman, Lisa Liggins, Cathy Bachhuber, RaLinda Ninham-Lamberies, Larry Barton, Rosa Laster, Danelle Wilson, Jessica Wallenfang, Brian Doxtator, Michele Doxtator, Rhiannon Metoxen, Heather Heuer, Susan White;

I. CALL TO ORDER AND ROLL CALL by Chairman Tehassi Hill at 10:02 a.m.

For the record: Vice-Chairman Brandon Stevens is out of the office on vacation time.

II. OPENING by Councilman Daniel Guzman King

III. ADOPT THE AGENDA (00:01:15)

Motion by Lisa Summers to adopt the agenda with the following changes: [Correct "Jennifer Hill-Kelly" to "Jennifer Hill-Kelley" in item IV.A.03; Delete Resolution item IV.A.11. entitled Appointing Representative to the Tribal Technical Advisory Group to the Centers for Medicare & Medicaid Services; Add-on Travel Request – Vice-Chairman Brandon Stevens – National Indian Gaming Association (NIGA) Mid-Year conference and expo – Phoenix, AZ – September 18-21, 2017; and Add-on Travel Request to item V.A.01. – Councilman Kirby Metoxen – Native American Tourism of Wisconsin (NATOW) conference – Milwaukee, WI – September 5-6, 2017], seconded by David Jordan. Motion carried unanimously:

Ayes: Daniel Guzman King, David Jordan, Trish King, Kirby Metoxen, Ernest Stevens III, Lisa Summers, Jennifer Webster

Not Present: Brandon Stevens

IV. RESOLUTIONS

A. Adopt resolutions for the 2017-2020 OBC Liaison Appointments for Organization Entities
 Sponsor: Lisa Summers, Tribal Secretary

1. Adopt resolution entitled Appointment of Liaison Responsibilities for Organization Entities (00:03:15)

Motion by Lisa Summers to adopt resolution # 08-30-17-A Appointment of Liaison Responsibilities for Organization Entities, with the following changes: [Remove Secretary Lisa Summers from the Health care area noting there are already three Business Committee members that are in that area; Correct title of

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“Trust/Enrollment Committee” to “Trust Enrollment Committee”; Debra J. Danforth to the TTAG group; and to include any other changes to names and titles provided in the handout], seconded by Kirby Metoxen. Motion carried unanimously:

Ayes: Daniel Guzman King, David Jordan, Trish King, Kirby Metoxen, Ernest Stevens III, Lisa Summers, Jennifer Webster
 Not Present: Brandon Stevens

2. Adopt resolution entitled Appointing Representative to the Great Lakes Inter-Tribal Council (00:06:05)

Motion by Lisa Summers to adopt resolution # 08-30-17-B Appointing Representative to the Great Lakes Inter-Tribal Council, seconded by Kirby Metoxen. Motion carried unanimously:

Ayes: Daniel Guzman King, David Jordan, Trish King, Kirby Metoxen, Ernest Stevens III, Lisa Summers, Jennifer Webster
 Not Present: Brandon Stevens

3. Adopt resolution entitled Appointment of Brandon Yellowbird-Stevens, Vice-Chairman, on behalf of the Oneida Nation to the Haskell Indian Nations University National Board of Regents and identify Ernest Stevens III, Councilmember, and Jennifer Hill Kelley, Area Manager of Education and Training, as Alternates (00:06:34)

Motion by Jennifer Webster to adopt resolution # 08-30-17-C Appointment of Brandon Yellowbird-Stevens, Vice-Chairman, on behalf of the Oneida Nation to the Haskell Indian Nations University National Board of Regents and identify Ernest Stevens III, Councilmember, and Jennifer Hill Kelley, Area Manager of Education and Training, as Alternates, seconded by Lisa Summers. Motion carried unanimously:

Ayes: Daniel Guzman King, David Jordan, Trish King, Kirby Metoxen, Ernest Stevens III, Lisa Summers, Jennifer Webster
 Not Present: Brandon Stevens

4. Adopt resolution entitled Appointing Representative to Midwest Alliance of Sovereign Tribes (00:07:14)

Motion by David Jordan to adopt resolution # 08-30-17-D Appointing Representative to Midwest Alliance of Sovereign Tribes, seconded by Ernest Stevens III. Motion carried unanimously:

Ayes: Daniel Guzman King, David Jordan, Trish King, Kirby Metoxen, Ernest Stevens III, Lisa Summers, Jennifer Webster
 Not Present: Brandon Stevens

5. Adopt resolution entitled Appointing Delegates to the National Congress of American Indians (00:07:42)

Motion by Kirby Metoxen to adopt resolution # 08-30-17-E Appointing Delegates to the National Congress of American Indians, seconded by David Jordan. Motion carried unanimously:

Ayes: Daniel Guzman King, David Jordan, Trish King, Kirby Metoxen, Ernest Stevens III, Lisa Summers, Jennifer Webster
 Not Present: Brandon Stevens
 For the record: Chairman Tehassi Hill stated the corrected resolution was the handout material.

6. Adopt resolution entitled Appointing Representatives to the National Indian Gaming Association (00:08:44)

Motion by David Jordan to adopt resolution # 08-30-17-F Appointing Representatives to the National Indian Gaming Association, seconded by Jennifer Webster. Motion carried unanimously:

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Ayes: Daniel Guzman King, David Jordan, Trish King, Kirby Metoxen, Ernest Stevens III, Lisa Summers, Jennifer Webster
 Not Present: Brandon Stevens

7. Adopt resolution entitled Appointing Representative for Membership in the Native American Finance Officers Association (00:09:10)

Motion by Lisa Summers to adopt resolution # 08-30-17-G Appointing Representative for Membership in the Native American Finance Officers Association, seconded by Kirby Metoxen. Motion carried unanimously:

Ayes: Daniel Guzman King, David Jordan, Trish King, Kirby Metoxen, Ernest Stevens III, Lisa Summers, Jennifer Webster
 Not Present: Brandon Stevens

8. Adopt resolution entitled Appointing Representative to Natural Resource Damage Assessment Trustee Council (00:09:32)

Motion by Lisa Summers to adopt resolution # 08-30-17-H Appointing Representative to Natural Resource Damage Assessment Trustee Council, seconded by Kirby Metoxen. Motion carried unanimously:

Ayes: Daniel Guzman King, David Jordan, Trish King, Kirby Metoxen, Ernest Stevens III, Lisa Summers, Jennifer Webster
 Not Present: Brandon Stevens

9. Adopt resolution entitled Appointing Representatives for the Environmental Protection Agency Regional Tribal Operations Committee (00:10:04)

Motion by Kirby Metoxen to adopt resolution # 08-30-17-I Appointing Representatives for the Environmental Protection Agency Regional Tribal Operations Committee, seconded by David Jordan. Motion carried unanimously:

Ayes: Daniel Guzman King, David Jordan, Trish King, Kirby Metoxen, Ernest Stevens III, Lisa Summers, Jennifer Webster
 Not Present: Brandon Stevens

10. Adopt resolution entitled Appointing Representative on the Wisconsin Department of Corrections Religious Practices Advisory Committee (00:10:27)

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

Ayes: Daniel Guzman King, David Jordan, Trish King, Kirby Metoxen, Ernest Stevens III, Lisa Summers, Jennifer Webster
 Not Present: Brandon Stevens

~~**11. Adopt resolution entitled Appointing Representative to the Tribal Technical Advisory Group to the Centers for Medicare & Medicaid Services**~~

Item deleted at adoption of agenda.

12. Adopt resolution entitled Appointing Representative to the State of Wisconsin Special Committee on State-Tribal Relations (00:11:49)

Motion by David Jordan to adopt resolution # 08-30-17-J Appointing Representative to the State of Wisconsin Special Committee on State-Tribal Relations, seconded by Jennifer Webster. Motion carried unanimously:

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Ayes: Daniel Guzman King, David Jordan, Trish King, Kirby Metoxen, Ernest Stevens III, Lisa Summers, Jennifer Webster
 Not Present: Brandon Stevens

V. TRAVEL**A. TRAVEL REQUESTS**

- 1. Approve travel request - various Oneida Business Committee members - Great Lakes Inter-tribal Council (GLITC); Tribute to Survival Exhibit; and Indian Summer - Milwaukee, WI - September 6-10, 2017; with the add-on travel request - Councilman Kirby Metoxen – Native American Tourism of Wisconsin (NATOW) conference – Milwaukee, WI – September 5-6, 2017 (00:12:16)**

Motion by Lisa Summers approve the to travel request - various Oneida Business Committee members - Great Lakes Inter-tribal Council (GLITC); Tribute to Survival Exhibit; and Indian Summer - Milwaukee, WI - September 6-10, 2017; including the add-on travel request - Councilman Kirby Metoxen - Native American Tourism of Wisconsin (NATOW) conference - Milwaukee, WI - September 5-6, 2017, seconded by David Jordan. Motion carried unanimously:

Ayes: Daniel Guzman King, David Jordan, Trish King, Kirby Metoxen, Ernest Stevens III, Lisa Summers, Jennifer Webster
 Not Present: Brandon Stevens
 For the record: Secretary Lisa Summers stated the dates actually for these four events start on September 5th run through September 10th, including the notation that we are adding the Native Tourism of Wisconsin event on this item.

- 2. Approve travel request - Oneida Business Committee - National Congress of American Indians (NCAI) 74th Annual Convention & Marketplace - Milwaukee, WI - October 16-20, 2017 (00:13:31)**

Motion by David Jordan to approve the travel request - Oneida Business Committee - National Congress of American Indians (NCAI) 74th Annual Convention & Marketplace - Milwaukee, WI - October 16-20, 2017, seconded by Kirby Metoxen. Motion carried unanimously:

Ayes: Daniel Guzman King, David Jordan, Trish King, Kirby Metoxen, Ernest Stevens III, Lisa Summers, Jennifer Webster
 Not Present: Brandon Stevens

- 3. Approve travel request - Vice-Chairman Brandon Stevens - National Indian Gaming Association (NIGA) Mid-Year conference and expo - Phoenix, AZ - September 18-21, 2017 (Add-on item) (00:14:14)**

Motion by Lisa Summers to approve the travel request - Vice-Chairman Brandon Stevens; with the addition of Councilman Kirby Metoxen - National Indian Gaming Association (NIGA) Mid-Year conference and expo - Phoenix, AZ - September 18-21, 2017, seconded by Jennifer Webster. Motion carried with two abstentions:

Ayes: David Jordan, Daniel Guzman King, Trish King, Lisa Summers, Jennifer Webster
 Abstained: Kirby Metoxen, Ernest Stevens III
 Not Present: Brandon Stevens
 For the record: Councilman Ernest Stevens III stated I would like to ask the committee to allow me to retroactively change my vote to abstention, and I wanted to add for the record that we state that the purpose of that is to just avoid a potential conflict of interest and knowing that the individual named in that approval is a family member and I that I'll do my best to be diligent in

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abstaining from those requests in the future and I'll ask the committee to consider that and retroactively change that to abstention. (00:52:07)

VI. 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. Approve three (3) actions regarding October 8, 2017, GTC meeting agenda and materials

Sponsor: Lisa Summers, Tribal Secretary (00:15:20)

Motion by Lisa Summers to adopt the packet with the following changes: [Include the updated resolution, Statement of Effect, and corrected headers as presented in the handouts; and include the revised Budget Process Change Initiative diagram], seconded by Jennifer Webster. Motion carried with one opposed:

Ayes: David Jordan, Trish King, Kirby Metoxen, Ernest Stevens III, Lisa Summers, Jennifer Webster
 Opposed: Daniel Guzman King
 Not Present: Brandon Stevens

Motion by Lisa Summers for the Strategic Workforce Planning topic be sent to the September Business Committee work meeting, and to include the following elements: [Report from the Human Resources Dept. regarding current levels, full, partial, temporary employees, and full time equivalents; and to include the development of a resolution that considers placing a hold on expanding the employment base until the workforce levels have been assessed and the Strategic Workforce Plan is completed], seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Daniel Guzman King, David Jordan, Trish King, Kirby Metoxen, Ernest Stevens III, Lisa Summers, Jennifer Webster
 Not Present: Brandon Stevens

B. Approve request to schedule a Sustain Oneida Initiative presentation to an upcoming GTC meeting date (00:52:22)

Sponsor: Kirby Metoxen, Councilman

Motion by Kirby Metoxen to defer this item to the Secretary's Office to come back with options, seconded by Jennifer Webster. Motion carried unanimously:

Ayes: Daniel Guzman King, David Jordan, Trish King, Kirby Metoxen, Ernest Stevens III, Lisa Summers, Jennifer Webster
 Not Present: Brandon Stevens

VII. ADJOURN

Motion by David Jordan to adjourn at 11:06 a.m., seconded by Lisa Summers. Motion carried unanimously:

Ayes: Daniel Guzman King, David Jordan, Trish King, Kirby Metoxen, Ernest Stevens III, Lisa Summers, Jennifer Webster
 Not Present: Brandon Stevens

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: 09 / 13 / 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 approval of Oneida Nation Budget Contingency Plan as submitted by the Finance Committee

3. Supporting Materials

Report Resolution Contract

Other:

1.

3.

2.

4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor: 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 meetings /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



The purpose of the Budget Contingency Plan is to establish a guideline and general approach to respond to financial distress and conditions that could negatively impact the Oneida Nation's fiscal health. The primary goals established in this plan will be the foundation and basis for budgetary decision-making. This plan includes a systematic response to financial distress, as opposed to reactionary decision-making that could have a long-term negative impact to the Nation.

PRIMARY GOALS

The primary goals of the Nation's Budget Contingency Plan are as follows:

- To protect the integrity and sovereignty of the Nation
- Preserve the Nation's solvency
- Maintain a balanced budget
- Preserve the Nation's core services, according to the Budget Management Control Act 121.5-3 (a)
- To ensure there is reliable communication

The Nation will strive to continue providing a balance of services within its financial ability. The plan will include the continued ability to achieve the Nation's mission to strengthen and protect our people, reclaim our land and enhance the environment by exercising our sovereignty. This will be achieved through fiscal responsibility, attentive planning, and continuous improvement.

IDENTIFIED TRIGGERS

The execution of the plan will be anticipated by the identified triggers that influence financial distress circumstances. These circumstances are defined in the Budget Management and Control Act 121.4-3 (c): Natural disasters, human-made disasters, United States government shutdown, Tribal shut down, and economic downturns.

- Natural Disasters
 - Tornadoes
 - Blizzards
 - Extreme weather conditions
 - Ice
 - Any environmental event having an impact on revenue generators
- Human-made Disasters
 - Computers
 - Software breaches
 - Hostage
 - Electricity

- Pandemic
- Water supply becomes contaminated through man made or the land fill fails
- External government influences or changes in policy shift, for example taxation of Gaming
 - United States Government Shutdown
 - Grants – Tribal contribution is impacted
 - Discretionary spending
 - Repeal of Affordable Care Act, change in federal policy
- Tribal Shutdown
 - BC/GTC mandates
- Economic Downturns
 - Gross domestic product declines 3 consecutive quarters
 - Regional downturn
 - Sectors impacting gross domestic product

KEY FUNDAMENTALS

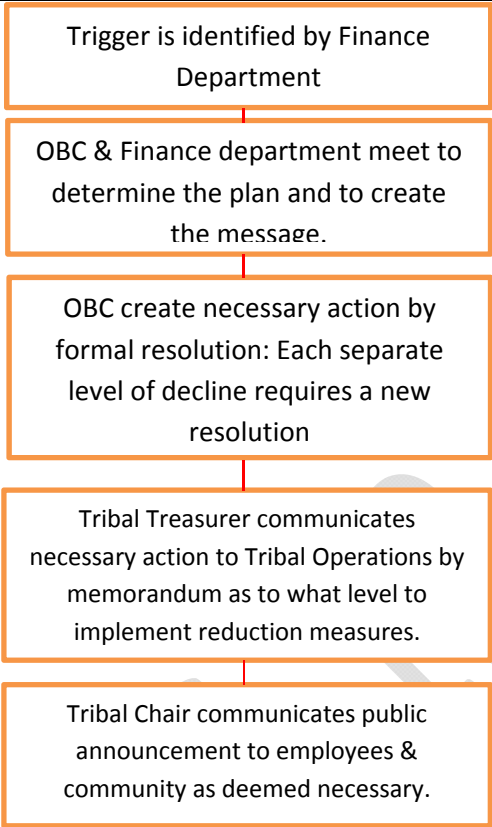
1. Utilize Permanent Executive Contingency Fund
Objective: To assess the type of fiscal challenge. The type of challenge (temporary or permanent) will determine the strategy used based on the CFO's professional assessment
 - a. The type of financial distress will determine the level of utilization of the Permanent Executive Contingency Fund. The following purposes, and only to the extent that alternative funding sources are unavailable are:
 - i. Payments to notes payable to debt service, both principal and interest, and applicable service fees;
 - ii. (2) Employee payroll, including all applicable taxes;
 - iii. (3) Payments to vendors for gaming and retail;
 - iv. (4) Payments to vendors for governmental operations;
 - v. (5) Payments to any other debt; and
 - vi. (6) To sustain any of the Nation's other operations during implementation of the budget contingency plan.
2. Identify Budget Balancing Options
 - a. In the long-term, there are typically two basic budget balancing options:
 - i. Identify alternative funding resources
 - ii. Reduce expenditures
 - b. In the short-term, use of the Executive Permanent Contingency Fund is an option, but is not a long-term solution

3. Strategy – An agreement of the reviewed processes will be established between the Tribal Operations and the CFO’s office. Tribal Operations are responsible for identifying expenditure reduction options that are:
 - i. Realistic and ongoing
 - ii. Reflect the least service impacts
 - iii. Maintain essential needs
4. Preparing Operating Expenditure Reduction Measures
 - a. Reduction measures will be based on priorities. The priorities have been identified as:
 - i. Safety
 - ii. Health
 - iii. Regulatory
5. Capital Improvement (CI) Plan Projects & Capital Expenditures (Cap Ex)
 - a. CI projects needed to maintain existing infrastructure will have a higher priority
 - b. Cap Ex identified as priority
 - c. IT & Technology projects identified as priority
6. Provide Ongoing Monitoring of the Nation’s Fiscal Health
 - a. In effort to keep the lines of communication open for the employees and community, the Finance Office will provide ongoing reporting and monitoring on a quarterly basis or more frequently if the need arises
7. Employee Connection
 - a. Communication efforts shall be made with the employees and community
 - b. This approach is being used as Oneida Nation believes in treating employees with respect which means keeping the employees abreast about the Nation’s plans that could potentially affect them

APPROVAL AND IMPLEMENTATION

The Oneida Business Committees approved this plan for implementation on [insert date]. The CFO’s office will closely monitor this plan to ensure the Nation is achieving its goals. The Oneida Business Committee, with the advice from the CFO’s office is responsible for preparing the recommended action plan whereas the O.B.C. shall create necessary action by formal resolution and each separate level of decline shall require a new resolution.

BUDGET REDUCTIONS COMMUNICATION PROCESS



Level of Decline

Definition of Reductions (all actions are with the advisement of the CFO's office)

Tier I

1% - Delaying expenses, deferment

Tier II

2% - Cost containments

Tier III

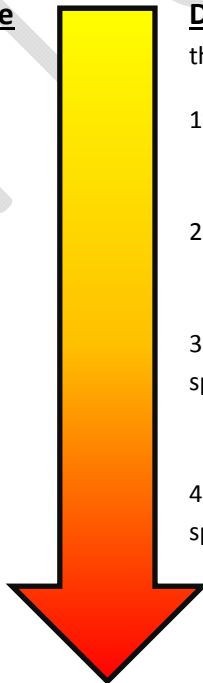
3% - Tribal Operations identify and preserve specific core services

Tier IV

4% - Tribal Operations & OBC identify and preserve specific core services

Tier V

5% - The OBC identify mandatory cuts across the Nation



Oneida Business Committee Agenda Request

1. Meeting Date Requested: 9 / 13 / 17

2. General Information:

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

Oneida Alcohol License Renewal - approval needed for Oneida Airport Hotel Corp d/b/a R

Agenda Header:

Accept as Information only

Action - please describe:

Approval Needed for an Oneida Alcohol License Renewal - Oneida Airport Hotel Corp d/b/a Radisson Inn.

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: Tonya Webster - License Administrator
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:

Looking for approval to grant Oneida Airport Hotel Corporation d/b/a Radisson Inn their annual Oneida Alcohol License.

- 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 Licensing Division

P.O. Box 365
Oneida, WI 54155
(920) 496-5311
Fax (920) 496-7491

DATE: **August 14, 2017**
TO: **Oneida Business Committee**
RE: **Alcohol License – Approval Needed**
FROM: **Tonya Webster, Oneida License Department**

This cover letter serves as certification The Oneida Airport Hotel Corporation d/b/a Radisson Inn Green Bay is in compliance with the requirements needed to receive an alcohol license from the Oneida Nation. Listed below are all the requirements, and all have been received.

1. BC Resolution for approval
2. Renewal Alcohol Beverage License Application
3. Auxiliary Questionnaire
4. Local Municipality Alcohol License
5. Gross Profit Memo
6. Proof of payment for the \$100 Application Fee

The Oneida Airport Hotel Corp d/b/a Radisson Inn is ready to receive approval from the Oneida Business Committee.

Thank You

Oneida Nation

Post Office Box 365

Phone: (920)869-2214

Oneida, WI

54155



RESOLUTION # _____

The Oneida Airport Hotel Corp. dba Radisson Inn Green Bay Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law

- WHEREAS, the Oneida Nation is a federally recognized Indian government, a Treaty Tribe recognized by the laws of the United States; and
- WHEREAS, the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS, the Oneida Business Committee has been delegated authority under Article IV, Section 1 of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS, the Oneida Business Committee may grant a license to sell alcohol beverages through a resolution pursuant to Article 59.4-2 of the Oneida Alcohol Beverage Licensing Law; and
- WHEREAS, the Oneida Airport Hotel Corp. dba Radisson Inn Green Bay, has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the Village of Ashwaubenon, WI; and
- WHEREAS, Oneida Airport Hotel Corp has requested the Oneida Business Committee grant it a license to sell alcohol at the Radisson Inn Green Bay; and
- WHEREAS, the Oneida License Department has reviewed the Radisson Inn Green Bay's renewal application along with all required documents, and have determined they are in compliance for renewal.

NOW, THEREFORE, BE IT RESOLVED: that Oneida Airport Hotel Corporation may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law, and the prevailing laws of the local municipality, the Village of Ashwaubenon, WI, to be issued by the Oneida License Department.

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. ___ members were present at a meeting duly called, noticed and held on the ___th day of ___ 2017; that the foregoing resolution was duly adopted at such meeting by a vote of ___ members for, ___ members against, and ___ members not voting; and that said resolution has not been rescinded or amended in any way.

Lisa Summers, Secretary
Oneida Business Committee

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 9 / 13 / 17

2. General Information:

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

Oneida Alcohol License Renewal - approval needed for Oneida Bingo & Casino (Main)

Agenda Header: New Business

Accept as Information only

Action - please describe:

Approval Needed for an Oneida Alcohol License Renewal - Oneida Bingo & Casino (Main)

3. Supporting Materials

Report Resolution Contract

Other:

1. Memo

3.

2.

4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Larry Barton, Chief Financial Officer

Primary Requestor/Submitter: Tonya Webster - License Administrator
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:

Looking for approval to grant Oneida Bingo & Casino (Main) their annual Oneida Alcohol License.

- 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 Licensing Division

P.O. Box 365
Oneida, WI 54155
(920) 496-5311
Fax (920) 496-7491

DATE: **August 14, 2017**
TO: **Oneida Business Committee**
RE: **Alcohol License – Approval Needed**
FROM: **Tonya Webster, Oneida License Department**

This cover letter serves as certification The Oneida Bingo & Casino (Main) is in compliance with the requirements needed to receive an alcohol license from the Oneida Nation. Listed below are all the requirements, and all have been received.

1. BC Resolution for approval
2. Renewal Alcohol Beverage License Application
3. Auxiliary Questionnaire
4. Local Municipality Alcohol License
5. Gross Profit Memo
6. Proof of payment for the \$100 Application Fee

The Oneida Bingo & Casino (Main) is ready to receive approval from the Oneida Business Committee.

Thank You

Oneida Nation

Post Office Box 365

Phone: (920)869-2214

Oneida, WI 54155



RESOLUTION # _____

Oneida Bingo and Casino Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law

- WHEREAS, the Oneida Nation is a federally recognized Indian government, a Treaty Tribe recognized by the laws of the United States; and
- WHEREAS, the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS, the Oneida Business Committee has been delegated authority under Article IV, Section 1 of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS, the Oneida Business Committee may grant a license to sell alcohol beverages through a resolution pursuant to Article 59.4-2 of the Oneida Alcohol Beverage Licensing Law; and
- WHEREAS, the Oneida Bingo & Casino, has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the Village of Ashwaubenon; and
- WHEREAS, the Oneida Bingo & Casino has requested the Oneida Business Committee grant it a license to sell alcohol at the Casino; and
- WHEREAS, the Oneida License Department has reviewed Oneida Bingo & Casino's application along with all required documents, and have determined they are in compliance for renewal.

NOW, THEREFORE, BE IT RESOLVED: the Oneida Bingo & Casino sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law and the prevailing laws of the local municipality, the Village of Ashwaubenon, WI, to be issued by the Oneida License Department.

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. ___ members were present at a meeting duly called, noticed and held on the ___th day of ___ 2017; that the foregoing resolution was duly adopted at such meeting by a vote of ___ members for, ___ members against, and ___ members not voting; and that said resolution has not been rescinded or amended in any way.

Lisa Summers, Secretary
Oneida Business Committee

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 9 / 13 / 17

2. General Information:

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

Oneida Alcohol License Renewal - approval needed for Oneida Airport Hotel Corp. d/b/a '1

Agenda Header:

Accept as Information only

Action - please describe:

Approval Needed for an Oneida Alcohol License Renewal - Oneida Airport Hotel Corp. d/b/a Wingate by Wyndham

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: Tonya Webster - License Administrator
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:

Looking for approval to grant Oneida Airport Hotel Corp. d/b/a Wingate by Wyndham their annual Oneida Alcohol License.

- 1) Save a copy of this form for your records.
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Oneida Licensing Division

P.O. Box 365
Oneida, WI 54155
(920) 496-5311
Fax (920) 496-7491

DATE: **August 14, 2017**
TO: **Oneida Business Committee**
RE: **Alcohol License – Approval Needed**
FROM: **Tonya Webster, Oneida License Department**

This cover letter serves as certification The Oneida Airport Hotel Corp d/b/a Wingate by Wyndham is in compliance with the requirements needed to receive an alcohol license from the Oneida Nation. Listed below are all the requirements, and all have been received.

1. BC Resolution for approval
2. Renewal Alcohol Beverage License Application
3. Auxiliary Questionnaire
4. Local Municipality Alcohol License
5. Gross Profit Memo
6. Proof of payment for the \$100 Application Fee

The Oneida Airport Hotel Corp. d/b/a Wingate by Wyndham is ready to receive approval from the Oneida Business Committee.

Thank You

Oneida Nation

Post Office Box 365

Phone: (920)869-2214

Oneida, WI 54155



RESOLUTION # _____

The Three Clans Airport d/b/a Wingate by Wyndham will be selling alcohol beverages in Accordance with the Oneida Alcohol Beverage Licensing Law

- WHEREAS, the Oneida Nation a federally recognized Indian government, a Treaty Tribe recognized by the laws of the United States; and
- WHEREAS, the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS, the Oneida Business Committee has been delegated authority under Article IV, Section 1 of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS, the Oneida Business Committee may grant a license to sell alcohol beverages through a resolution pursuant to Article 59.4-2 of the Oneida Alcohol Beverage Licensing Law; and
- WHEREAS, the Three Clans Airport d/b/a Wingate by Wyndham has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the Village of Ashwaubenon, WI; and
- WHEREAS, Oneida Airport Hotel Corp has requested the Oneida Business Committee grant it a license to sell alcohol at the Wingate By Wyndham; and
- WHEREAS, the Oneida License Department has reviewed the Three Clans Airport d/b/a Wingate By Wyndham renewal application along with all required documents, and have determined they are in compliance for renewal.

NOW, THEREFORE, BE IT RESOLVED: that may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law, and the prevailing laws of the local municipality, the Village of Ashwaubenon, WI, to be issued by the Oneida License Department.

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. ___ members were present at a meeting duly called, noticed and held on the ___th day of ___ 2017; that the foregoing resolution was duly adopted at such meeting by a vote of ___ members for, ___ members against, and ___ members not voting; and that said resolution has not been rescinded or amended in any way.

Lisa Summers-Hoeft, Secretary
Oneida Business Committee

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 9 / 13 / 17

2. General Information:

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

Oneida Alcohol License Renewal - approval needed for Oneida Casino Travel Center

Agenda Header: New Business

Accept as Information only

Action - please describe:

Approval Needed for an Oneida Alcohol License Renewal - Oneida Casino Travel Center

3. Supporting Materials

Report Resolution Contract

Other:

1. Memo

3.

2.

4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Larry Barton, Chief Financial Officer

Primary Requestor/Submitter: Tonya Webster - License Administrator
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:

Looking for approval to grant Oneida Casino Travel Center their annual Oneida Alcohol License.

- 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 Licensing Division

P.O. Box 365
Oneida, WI 54155
(920) 496-5311
Fax (920) 496-7491

DATE: **August 14, 2017**
TO: **Oneida Business Committee**
RE: **Alcohol License – Approval Needed**
FROM: **Tonya Webster, Oneida License Department**

This cover letter serves as certification The Oneida Casino Travel Center is in compliance with the requirements needed to receive an alcohol license from the Oneida Nation. Listed below are all the requirements, and all have been received.

1. BC Resolution for approval
2. Renewal Alcohol Beverage License Application
3. Auxiliary Questionnaire
4. Local Municipality Alcohol License
5. Gross Profit Memo
6. Proof of payment for the \$100 Application Fee

The Oneida Casino Travel Center is ready to receive approval from the Oneida Business Committee.

Thank You

Oneida Nation

Post Office Box 365

Phone: (920)869-2214

Oneida, WI 54155



BC Resolution # Title

- 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 may grant a license to sell alcohol beverages through a resolution pursuant to Article 59.4-2 of the Oneida Alcohol Beverage Licensing law; and
- WHEREAS** the Oneida Casino Travel Center, by Oneida Retail Enterprise, has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the Town of Pittsfield; and
- WHEREAS** the Oneida Retail Enterprise has requested the Oneida Business Committee grant Oneida Retail a license to sell alcohol at the Oneida Casino Travel Center; and
- WHEREAS** the Oneida License Department has reviewed Oneida Travel Center's Renewal application along with all required documents, and have determined they are in compliance for renewal.

NOW THEREFORE BE IT RESOLVED, that Oneida Retail Enterprise may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law and the prevailing laws of the local municipality, the Town of Pittsfield, WI to be issued by the Oneida License Department.

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; [#] members were present at a meeting duly called, noticed and held on the [] day of [], [2017]; that the forgoing resolution was duly adopted at such meeting by a vote of [] for, [] members against, and [] 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."

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 9 / 13 / 17

2. General Information:

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

Oneida Alcohol License Renewal - approval needed for Oneida One-Stop E & EE

Agenda Header: New Business

Accept as Information only

Action - please describe:

Approval Needed for an Oneida Alcohol License Renewal - Oneida One Stop E & EE

3. Supporting Materials

Report Resolution Contract

Other:

1. Memo 3.

2. 4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Larry Barton, Chief Financial Officer

Primary Requestor/Submitter: Tonya Webster - License Administrator
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:

Looking for approval to grant Oneida One-Stop E & EE their annual Oneida Alcohol License.

- 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 Licensing Division

P.O. Box 365
Oneida, WI 54155
(920) 496-5311
Fax (920) 496-7491

DATE: **August 14, 2017**
TO: **Oneida Business Committee**
RE: **Alcohol License – Approval Needed**
FROM: **Tonya Webster, Oneida License Department**

This cover letter serves as certification The Oneida One Stop – E & EE is in compliance with the requirements needed to receive an alcohol license from the Oneida Nation. Listed below are all the requirements, and all have been received.

1. BC Resolution for approval
2. Renewal Alcohol Beverage License Application
3. Auxiliary Questionnaire
4. Local Municipality Alcohol License
5. Gross Profit Memo
6. Proof of payment for the \$100 Application Fee

The Oneida One Stop – E & EE is ready to receive approval from the Oneida Business Committee.

Thank You

Oneida Nation

Post Office Box 365

Phone: (920)869-2214

Oneida, WI 54155



RESOLUTION # _____

Oneida Retail Enterprise Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law

- WHEREAS, the Oneida Nation is a federally recognized Indian government, a Treaty Tribe recognized by the laws of the United States; and
- WHEREAS, the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS, the Oneida Business Committee has been delegated authority under Article IV, Section 1 of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS, the Oneida Business Committee may grant a license to sell alcohol beverages through a resolution pursuant to Article 59.4-2 of the Oneida Alcohol Beverage Licensing Law; and
- WHEREAS, the Oneida One Stop – E & EE, by Oneida Retail Enterprise, has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the Town of Oneida; and
- WHEREAS, Oneida Retail Enterprise has requested the Oneida Business Committee grant it a license to sell alcohol at the Oneida One Stop – E & EE; and
- WHEREAS, the Oneida License Department has reviewed Oneida One Stop – E & EE’s Renewal application along with all required documents, and have determined they are in compliance for renewal.

NOW, THEREFORE, BE IT RESOLVED: that Oneida Retail Enterprise may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law and the prevailing laws of the local municipality, the Town of Oneida, WI, to be issued by the Oneida License Department.

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. ___ members were present at a meeting duly called, noticed and held on the ___th day of ___ 2017; that the foregoing resolution was duly adopted at such meeting by a vote of ___ members for, ___ members against, and ___ members not voting; and that said resolution has not been rescinded or amended in any way.

Lisa Summers, Secretary
Oneida Business Committee

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 9 11 30 / 17

2. General Information:

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

Oneida Alcohol License Renewal - approval needed for Oneida Golf Enterprise for Thornberry

Agenda Header:

Accept as Information only

Action - please describe:

Approval Needed for an Oneida Alcohol License Renewal - Oneida Golf Enterprise for Thornberry

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: Tonya Webster - License Administrator
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:

Looking for approval to grant Oneida Golf Enterprise for Thornberry their annual Oneida Alcohol License.

- 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 Licensing Division

P.O. Box 365
Oneida, WI 54155
(920) 496-5311
Fax (920) 496-7491

DATE: **August 14, 2017**
TO: **Oneida Business Committee**
RE: **Alcohol License – Approval Needed**
FROM: **Tonya Webster, Oneida License Department**

This cover letter serves as certification The Oneida Golf Enterprise for Thornberry Creek is in compliance with the requirements needed to receive an alcohol license from the Oneida Nation. Listed below are all the requirements, and all have been received.

1. BC Resolution for approval
2. Renewal Alcohol Beverage License Application
3. Auxiliary Questionnaire
4. Local Municipality Alcohol License
5. Gross Profit Memo
6. Proof of payment for the \$100 Application Fee

The Oneida Golf Enterprise for Thornberry is ready to receive approval from the Oneida Business Committee.

Thank You

Oneida Nation

Post Office Box 365

Phone: (920)869-2214

Oneida, WI 54155



RESOLUTION # _____

Oneida Golf Enterprises for Thornberry Creek at Oneida Selling Alcohol Beverages in Accordance
with the Oneida Alcohol Beverage Licensing Law

- WHEREAS, the Oneida Nation is a federally recognized Indian government, a Treaty Tribe recognized by the laws of the United States; and
- WHEREAS, the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS, the Oneida Business Committee has been delegated authority under Article IV, Section 1 of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS, the Oneida Business Committee may grant a license to sell alcohol beverages through a resolution pursuant to Article 59.4-2 of the Oneida Alcohol Beverage Licensing Law; and
- WHEREAS, the Oneida Golf Enterprises for Thornberry Creek At Oneida, has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the Village of Hobart; and
- WHEREAS, Oneida Golf Enterprises has requested the Oneida Business Committee grant it a license to sell alcohol at the Thornberry Creek; and
- WHEREAS, the Oneida License Department has reviewed Oneida Thornberry Creek's Renewal application along with all required documents, and have determined they are in compliance for renewal.

NOW, THEREFORE, BE IT RESOLVED: that Oneida Golf Enterprises may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law and the prevailing laws of the local municipality, the Village of Hobart, WI, to be issued by the Oneida License Department.

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. ___ members were present at a meeting duly called, noticed and held on the ___th day of ___ 2017; that the foregoing resolution was duly adopted at such meeting by a vote of ___ members for, ___ members against, and ___ members not voting; and that said resolution has not been rescinded or amended in any way.

Lisa Summers, Secretary
Oneida Business Committee

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 9 / 13 / 17

2. General Information:

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

Oneida Alcohol License Renewal - approval needed for Oneida One-Stop Larsen

Agenda Header: New Business

Accept as Information only

Action - please describe:

Approval Needed for an Oneida Alcohol License Renewal - Oneida One Stop Larsen

3. Supporting Materials

Report Resolution Contract

Other:

1. Memo

3.

2.

4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Larry Barton, Chief Financial Officer

Primary Requestor/Submitter: Tonya Webster - License Administrator
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:

Looking for approval to grant Oneida One-Stop Larsen their annual Oneida Alcohol License.

- 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 Licensing Division

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Oneida, WI 54155
(920) 496-5311
Fax (920) 496-7491

DATE: **August 14, 2017**
TO: **Oneida Business Committee**
RE: **Alcohol License – Approval Needed**
FROM: **Tonya Webster, Oneida License Department**

This cover letter serves as certification The Oneida One Stop – Larsen is in compliance with the requirements needed to receive an alcohol license from the Oneida Nation. Listed below are all the requirements, and all have been received.

1. BC Resolution for approval
2. Renewal Alcohol Beverage License Application
3. Auxiliary Questionnaire
4. Local Municipality Alcohol License
5. Gross Profit Memo
6. Proof of payment for the \$100 Application Fee

The Oneida One Stop – Larsen is ready to receive approval from the Oneida Business Committee.

Thank You

Oneida Nation

Post Office Box 365

Phone: (920)869-2214

Oneida, WI 54155



RESOLUTION # _____

Oneida Retail Enterprise Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law

- WHEREAS, the Oneida Nation is a federally recognized Indian government, a Treaty Tribe recognized by the laws of the United States; and
- WHEREAS, the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS, the Oneida Business Committee has been delegated authority under Article IV, Section 1 of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS, the Oneida Business Committee may grant a license to sell alcohol beverages through a resolution pursuant to Article 59.4-2 of the Oneida Alcohol Beverage Licensing Law; and
- WHEREAS, the Oneida One Stop – Larsen, by Oneida Retail Enterprise, has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the City of Green Bay; and
- WHEREAS, Oneida Retail Enterprise has requested the Oneida Business Committee grant it a license to sell alcohol at the Oneida One Stop - Larsen; and
- WHEREAS, the Oneida License Department has reviewed Oneida One Stop – Larsen’s Renewal application along with all required documents and have determined they are in compliance for renewal.

NOW, THEREFORE, BE IT RESOLVED: that Oneida Retail Enterprise may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law and the prevailing laws of the local municipality, the City of Green Bay, WI, to be issued by the Oneida License Department.

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. ___ members were present at a meeting duly called, noticed and held on the ___th day of ___ 2017; that the foregoing resolution was duly adopted at such meeting by a vote of ___ members for, ___ members against, and ___ members not voting; and that said resolution has not been rescinded or amended in any way.

Lisa Summers, Secretary
Oneida Business Committee

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 9 / 13 / 17

2. General Information:

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

Oneida Alcohol License Renewal - approval needed for Oneida One-Stop Westwind

Agenda Header: New Business

Accept as Information only

Action - please describe:

Approval Needed for an Oneida Alcohol License Renewal - Oneida One Stop Westwind

3. Supporting Materials

Report Resolution Contract

Other:

1. Memo

3.

2.

4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Larry Barton, Chief Financial Officer

Primary Requestor/Submitter: Tonya Webster - License Administrator
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:

Looking for approval to grant Oneida One-Stop Westwind their annual Oneida Alcohol License.

- 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 Licensing Division

P.O. Box 365
Oneida, WI 54155
(920) 496-5311
Fax (920) 496-7491

DATE: **August 14, 2017**
TO: **Oneida Business Committee**
RE: **Alcohol License – Approval Needed**
FROM: **Tonya Webster, Oneida License Department**

This cover letter serves as certification The Oneida One Stop – Westwind is in compliance with the requirements needed to receive an alcohol license from the Oneida Nation. Listed below are all the requirements, and all have been received.

1. BC Resolution for approval
2. Renewal Alcohol Beverage License Application
3. Auxiliary Questionnaire
4. Local Municipality Alcohol License
5. Gross Profit Memo
6. Proof of payment for the \$100 Application Fee

The Oneida One Stop – Westwind is ready to receive approval from the Oneida Business Committee.

Thank You

Oneida Nation

Post Office Box 365

Phone: (920)869-2214

Oneida, WI 54155



RESOLUTION # _____

Oneida Retail Enterprise Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law

- WHEREAS, the Oneida Nation is a federally recognized Indian government, a Treaty Tribe recognized by the laws of the United States; and
- WHEREAS, the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS, the Oneida Business Committee has been delegated authority under Article IV, Section 1 of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS, the Oneida Business Committee may grant a license to sell alcohol beverages through a resolution pursuant to Article 59.4-2 of the Oneida Alcohol Beverage Licensing Law; and
- WHEREAS, the Oneida One Stop – Westwind by Oneida Retail Enterprise, has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the City of Green Bay; and
- WHEREAS, Oneida Retail Enterprise has requested the Oneida Business Committee grant it a license to sell alcohol at the Oneida One Stop – Westwind; and
- WHEREAS, the Oneida License Department has reviewed Oneida One Stop – Westwind’s Renewal application along with all required documents, and have determined they are in compliance for renewal.

NOW, THEREFORE, BE IT RESOLVED: that Oneida Retail Enterprise may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law and the prevailing laws of the local municipality, the City of Green Bay, WI, to be issued by the Oneida License Department.

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. ___ members were present at a meeting duly called, noticed and held on the ___th day of ___ 2017; that the foregoing resolution was duly adopted at such meeting by a vote of ___ members for, ___ members against, and ___ members not voting; and that said resolution has not been rescinded or amended in any way.

Lisa Summers, Secretary
Oneida Business Committee

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 9 / 13 / 17

2. General Information:

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

Oneida Alcohol License Renewal - approval needed for Oneida One-Stop Packerland

Agenda Header: New Business

Accept as Information only

Action - please describe:

Approval Needed for an Oneida Alcohol License Renewal - Oneida One Stop Packerland

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: Larry Barton, Chief Financial Officer

Primary Requestor/Submitter: Tonya Webster - License Administrator
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:

Looking for approval to grant Oneida One-Stop Packerland their annual Oneida Alcohol License.

- 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 Licensing Division

P.O. Box 365
Oneida, WI 54155
(920) 496-5311
Fax (920) 496-7491

DATE: **August 14, 2017**
TO: **Oneida Business Committee**
RE: **Alcohol License – Approval Needed**
FROM: **Tonya Webster, Oneida License Department**

This cover letter serves as certification The Oneida One Stop – Packerland is in compliance with the requirements needed to receive an alcohol license from the Oneida Nation. Listed below are all the requirements, and all have been received.

1. BC Resolution for approval
2. Renewal Alcohol Beverage License Application
3. Auxiliary Questionnaire
4. Local Municipality Alcohol License
5. Gross Profit Memo
6. Proof of payment for the \$100 Application Fee

The Oneida One Stop – Packerland is ready to receive approval from the Oneida Business Committee.

Thank You

Oneida Nation

Post Office Box 365

Phone: (920)869-2214

Oneida, WI 54155



RESOLUTION # _____

Oneida Retail Enterprise Selling Alcohol Beverages in Accordance With the Oneida Alcohol Beverage Licensing Law

- WHEREAS, the Oneida Nation is a federally recognized Indian government, a Treaty Tribe Recognized by the laws of the United States; and
- WHEREAS, the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS, the Oneida Business Committee has been delegated authority under Article IV, Section 1 of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS, the Oneida Business Committee may grant a license to sell alcohol beverages through a resolution pursuant to Article 59.4-2 of the Oneida Alcohol Beverage Licensing Law; and
- WHEREAS, the Oneida One Stop - Packerland, by Oneida Retail Enterprise, has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the Village of Ashwaubenon; and
- WHEREAS, Oneida Retail Enterprise has requested the Oneida Business Committee grant it a license to sell alcohol at the Oneida One Stop - Packerland; and
- WHEREAS, the Oneida License Department has reviewed Oneida One Stop – Packerland’s Renewal application along with all required documents, and has determined they are in compliance for renewal.

NOW, THEREFORE, BE IT RESOLVED: that Oneida Retail Enterprise may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law and the prevailing laws of the local municipality, the Village of Ashwaubenon, WI, to be issued by the Oneida License Department.

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. ___ Members were present at a meeting duly called, noticed and held on the ___th day of ___ 2017; that the foregoing resolution was duly adopted at such meeting by a vote of ___ members for, ___ members against and ___ members not voting; and that said resolution has not been rescinded or amended in any way.

Lisa Summers, Secretary
Oneida Business Committee

[Deadlines](#)

Oneida Business Committee Agenda Request

[Instructions](#)

1. Meeting Date Requested: 9/13/2017

2. General Information:

Session: Open Executive (See instructions for the applicable laws and choose one from menu below.)
Choose an item.

Agenda Section: Resolutions

3. Supporting Materials:

Report Resolution Contract # _____ Minutes
Memo, Statement of Effect, Legislative Analysis, Law (Redline), Law (Clean,
 Other (Describe): Fiscal Impact

Business Committee signature required *(Requestor is responsible for follow-up after approval by sending final document(s) to BC_SignOff_Requests@oneidanation.org)*

4. Budget Information:

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted Not Applicable

5. Submission: (Name, Title/Dept.)

Authorized Sponsor/Liaison: David Jordan, Councilman

Primary Requestor: Jennifer Falck, LRO Director

Additional Requestor: (N/A)

Additional Requestor: (N/A)

Request Form Submitted By: Jennifer Falck, LRO Director

6. Cover Memo:

Describe the purpose, background, history:

Please see attached memo.

Requested Action of the Business Committee: *(To approve., To accept., To adopt resolution entitled., etc.)*

Adopt resolution entitled Legal Resource Center.



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



TO: Oneida Business Committee (OBC)
 FROM: David P. Jordan, LOC Chairperson
 DATE: September 13, 2017
 RE: Legal Resource Center

Please find attached the following for your consideration regarding the Legal Resource Center:

1. Resolution: Legal Resource Center
2. Statement of Effect: Legal Resource Center
3. Legal Resource Center: Legislative Analysis
4. Legal Resource Center: Law (Redline to Emergency)
5. Legal Resource Center: Law (Clean)
6. Legal Resource Center Fiscal Impact Statement

Overview

On November 14, 2016, the General Tribal Council (GTC) directed the OBC to establish a legal office consisting of advocates and an advising attorney and these individuals be elected at the 2017 General Election. On May 24, 2017, the OBC adopted the Legal Resource Center Emergency Law pursuant to BC Resolution 05-24-17-A in order to meet the 2017 General Election deadline which was July 8, 2017. The emergency law is set to expire on November 24, 2017. In accordance with the Legislative Procedures Act, the emergency law can be extended up for an additional six (6) months [See *Legislative Procedures Act, 1 O.C. 109.9-5 (b)*].

The attached resolution would permanently adopt the Legal Resource Center (Law). The Law permanently establishes the Legal Resource Center. In addition, the Law specifies the organizational structure of the Legal Resource Center which includes at least one attorney and at least two full time advocates. Furthermore, the Law identifies the attorney and advocate qualifications, roles, and responsibilities which include, among other things, providing advice and representation to both members of the Nation and the Nation's employees in cases brought before the Judiciary as well as representing the GTC and GTC meetings. Lastly, the Law includes the process for discipline and removal of the attorney and advocates.

There are three noted changes made to this Law that differ from the current emergency law, they include: 1) the attorney position will no longer have supervisory authority over the advocates, 2) a vacant position can be filled through a special election, and 3) clarification that there are no fees associated with representation; however, clients are responsible for Judiciary filing fees and any other costs related to the case.

On July 20, 2017, the LOC held a public meeting on the Law pursuant to the Legislative Procedures Act [See *Legislative Procedures Act, 1 O.C. 109.8*]. No comments were received at the public meeting or during the public comment period which closed on July 27, 2017. This Law will become effective ten (10) business days after the date of adoption of the resolution as identified in section 109.9-3 of the Legislative Procedures Act. The anticipated effective date will be Wednesday, September 27, 2017.

Requested Action

Approve Resolution: Legal Resource Center

BC Resolution # _____
Legal Resource Center

1
2
3
4 **WHEREAS**, the Oneida Nation is a federally recognized Indian government and a treaty tribe
5 recognized by the laws of the United States of America; and
6

7 **WHEREAS**, the Oneida General Tribal Council is the governing body of the Oneida Nation;
8 and
9

10 **WHEREAS**, the Oneida Business Committee has been delegated the authority of Article IV,
11 Section 1, of the Oneida Tribal Constitution by the Oneida General Tribal
12 Council; and
13

14 **WHEREAS**, on November 14, 2016, the Oneida General Tribal Council directed the Oneida
15 Business Committee to establish a legal office consisting of advocates and an
16 advising attorney to represent Tribal members and employees in any type of
17 litigation at the Oneida Judiciary and to advise the Oneida General Tribal Council
18 during duly called General Tribal Council meetings; and
19

20 **WHEREAS**, the Oneida General Tribal Council required the advising attorney and advocates
21 be elected at the 2017 General Election; and
22

23 **WHEREAS**, the 2017 General Election was held on July 8, 2017; and
24

25 **WHEREAS**, on May 24, 2017, the Oneida Business Committee enacted emergency legislation
26 pursuant to BC Resolution 05-24-17-A which established the Legal Resource
27 Center; and
28

29 **WHEREAS**, the proposed law would permanently create the Legal Resource Center; and
30

31 **WHEREAS**, a public meeting was held on July 20, 2017, in accordance with the Legislative
32 Procedures Act and no comments were received.
33

34 **NOW THEREFORE BE IT RESOLVED**, that the Legal Resource Center law is hereby
35 adopted.
36

37 **BE IT FURTHER RESOLVED**, that the Oneida Business Committee hereby implements the
38 following Transition Plan:

39 (1) *Elections*. The elections for the Legal Resource Center were held during the 2017
40 general election. The election process followed the Nation's Election law and during
41 the first Legal Resource Center election, the Advocates' terms shall be as follows:

- 42 a. The candidate for Advocate with the highest number of votes shall be elected
43 to a term of four (4) years.
44 b. The candidate for Advocate with the next highest number of votes shall be
45 elected to a term of three (3) years.

46 c. In the event of any tie vote, the provisions of the Nation’s Election law for
47 resolving a tie vote shall determine the outcome.

48 (2) *Legal Resource Center Opening.* The Legal Resource Center shall be open to Tribal
49 members and employees beginning on February 1, 2018.

50
51 **BE IT FINALLY RESOLVED**, that the Oneida Business Committee is authorized to make
52 such modifications and additions to the above Transition Plan as it deems necessary to
53 implement the Legal Resource Center in accordance with the proposed timelines, and shall
54 subsequently file a report at the annual or semi-annual meeting of the Oneida General Tribal
55 Council that occurs after the modifications or additions are made.

56
57
58



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



Statement of Effect

Legal Resource Center

Summary

This Resolution adopts the Legal Resource Center (Law) that permanently establishes the Legal Resource Center.

Submitted by: Robert J. Collins II, Staff Attorney, Oneida Law Office.

Analysis by the Legislative Reference Office

This Resolution permanently establishes the Legal Resource Center. On November 14, 2016, the Oneida General Tribal Council (GTC) directed the Oneida Business Committee to establish a department that will provide legal advice and representation to Tribal members and employees in cases brought forth in the Judiciary and to represent GTC at GTC meetings. GTC directed the legal office to consist of advocates and an advising attorney and that these individuals be elected at the 2017 General Election, which took place on July 8, 2017.

On May 24, 2017, the Oneida Business Committee enacted emergency legislation pursuant to BC Resolution 05-24-17-A which established the Legal Resource Center. Emergency legislation was necessary to meet GTC's deadline of the 2017 General Election.

On July 20, 2017, the Legislative Operating Committee held a public meeting pursuant to the Legislative Procedures Act. No comments were received at the public meeting or during the public meeting comment period which closed on July 27, 2017. In accordance with the Legislative Procedures Act, this Law will become effective ten (10) business days after the date of adoption of the Resolution.

The Resolution adopts the Law on a permanent basis and includes a Transition Plan.

Conclusion

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



Legal Resource Center Legislative Analysis

SECTION 1. BACKGROUND

REQUESTER: GTC Directive	SPONSOR: Daniel Guzman King	DRAFTER: Robert J. Collins	ANALYST: Maureen Perkins
Intent of Law	To govern the Legal Resource Center (LRC) including the establishment of the center, restrictions, prohibitions, filling vacancies, establishing qualifications of advocates and attorneys, election and duties of attorneys and advocates, and detail the discipline and removal process.		
Purpose	The purpose of this law is to establish a Legal Resource Center to provide legal advice and representation to both Tribal members and employees in cases before the Judiciary and to represent the Oneida General Tribal Council at General Tribal Council meetings [see 811.1-1].		
Affected Entities	Judiciary, Employees of the Nation, Tribal members, attorneys, advocates, Oneida General Tribal Council (GTC), Oneida Business Committee (OBC)		
Affected Legislation	Removal Law, Professional Conduct for Attorneys and Advocates (in development), Judiciary Rules of Admission		
Enforcement/Due Process	Attorneys and advocates are subject to disciplinary actions pursuant to the Professional Conduct for Attorneys and Advocates law and any other laws that govern discipline and/or removal of elected positions [see 811.7-1]. Attorneys and advocates are subject to the Removal Law if they have their admission to practice before the Judiciary revoked or no longer qualifies for the position [see 811.7-2].		
Public Meeting	This draft is presented for permanent adoption. A public meeting was held July 20, 2017. There were no comments received.		

SECTION 2. LEGISLATIVE DEVELOPMENT

- 1
- 2 A. The proposed legislation was developed in response to a directive from the GTC. This draft is
- 3 presented for permanent adoption. The law was adopted as emergency legislation on May 24, 2017
- 4 because there was not enough time to follow the regular legislative process to have the legislation in
- 5 place by the July 8, 2017 General Election.
- 6 B. An alternative to this legislation was considered. Early on, there was discussion about setting the
- 7 office up as a Tribal corporate entity similar to a legal aid entity; however, based on the motion and
- 8 the timelines it was decided that the office would be created via legislation similar to that of the
- 9 Judiciary.
- 10 C. The benefits to this legislation include the development of the framework as a governing document to
- 11 implement the Legal Resource Center to fulfill the GTC directive to elect advocates and an attorney
- 12 to represent Tribal members and employees before the Judiciary and to represent the GTC at GTC
- 13 meetings.
- 14

SECTION 3. CONSULTATION

- 15
- 16 A. The Oneida Business Committee and the Oneida Judiciary were consulted about the contents of the
- 17 legislation.

18 B. The laws and rules pertaining to the Judiciary were consulted in the drafting of this legislation.
19

20 SECTION 4. PROCESS

- 21 A. This law has been adopted as emergency legislation in order to have a governing document in place
22 when the Legal Resource Center advocates are elected at the general election on July 8, 2017. This is
23 the correct legislative process in light of the fact that there isn't time to have this law in place by the
24 election through the regular legislative process. The current draft is presented for permanent adoption.
25 B. This creation of the Legal Resource Center was directed by the GTC on 11/14/2016 and this law was
26 added to the Active Files List as an emergency on 4/5/17. The law was adopted on an emergency
27 basis on 5/24/17. The current draft is presented for permanent adoption.
28

29 SECTION 5. CONTENTS OF THE LEGISLATION

- 30 A. This legislation establishes general provisions related to the Legal Resource Center *[see 811.4]*.
- 31 • Established the Legal Resource Center which will provide legal advice and representation to
32 Tribal members and employees in cases brought before the Judiciary and to represent the GTC at
33 GTC meetings *[see 811.4-1]*.
 - 34 • Restrictions are provided which limit the actions of the Legal Resource Center *[see 811.4-2]*.
 - 35 ○ The Legal Resource Center will not:
 - 36 ▪ accept a case that is frivolous
 - 37 ▪ accept a case that causes a conflict of interest
 - 38 ▪ appear in any case before the Judiciary before the client has applied for services
 - 39 ▪ charge a fee for representation
 - 40 • filing fees related to the Judiciary are separate from this law and will be
41 the responsibility of the client; as well as any other costs related to the
42 case *[see 811.4-2(d)]*
 - 43 • The attorney or advocates elected by the GTC are prohibited from being elected or appointed to
44 serve on any of the Nation's boards, committees or commissions or be otherwise employed,
45 elected or appointed by the Nation *[see 811.4-3]*.
 - 46 • Vacancies of the attorney or advocate positions may be appointed by the OBC until the next
47 general election at which time the successor will be elected to a four (4) year term or may be
48 placed on a special election *[see 811.4-4]*.
 - 49 • If there is no attorney in office (there are no candidates on the July 8, 2017 general election ballot
50 for the attorney position), then the advocates shall assume duties related to the administration of
51 the Legal Resource Center *[see 811.4-5]* until an attorney is elected by general or special election
52 or appointed by the OBC.
 - 53 B. The attorney is detailed in section 811.5 including:
 - 54 • Qualifications *[see 811.5-1]*:
 - 55 ○ There shall be at least one full-time elected attorney with qualifications detailed in this
56 section.
 - 57 ▪ enrolled member of the Nation
 - 58 ▪ have a juris doctorate degree
 - 59 ▪ have at least two (2) years' experience practicing law or a combination of
60 education and experience
 - 61 ▪ be licensed to practice law in the State of Wisconsin and in good standing

- 62 ▪ be admitted to practice before the Judiciary
- 63 • The elected term is four (4) years *[see 811.5-2]*.
- 64 • Duties are detailed in section 811.5-3 and include:
- 65 ○ providing legal services
- 66 ○ maintaining ethical standards
- 67 ○ setting up the Legal Resource Center including drafting any rules or standard operating
- 68 procedures (SOP's)
- 69 ○ representing the Legal Resource Center at functions and meetings
- 70 ○ managing the Legal Resource Center including budgeting and reporting
- 71 ○ advising the GTC at GTC meetings
- 72 ○ providing training to Tribal members regarding the Oneida Code of Laws and the
- 73 Judiciary's processes and procedures
- 74 ○ any other duties prescribed by the Nation's laws and the Legal Resources Center's
- 75 SOP's.

76 C. The advocates are detailed in section 811.6 including:

- 77 • Qualifications *[see 811.6-1]*:
- 78 ○ There shall be at least two (2) full time advocates elected by the Nation's membership
- 79 with qualifications detailed in this section.
- 80 ▪ Admission to practice before the Judiciary includes standards that appear in
- 81 section 811.6-1 and passing a background check, receiving a pardon or
- 82 forgiveness from the Nation if the background check includes a conviction of any
- 83 offense involving fraud or misrepresentation or any felony *[see Judiciary Rules*
- 84 *of Admission Rule 1-2(A)]*.
- 85 • The elected term is four (4) years *[see 811.6-2]*.
- 86 • Duties are detailed in section 811.6-3 and include:
- 87 ○ providing legal services
- 88 ○ representing the LRC at functions as appropriate
- 89 ○ maintaining ethical standards
- 90 ○ attending continuous training
- 91 ○ maintaining informed regarding applicable laws
- 92 ○ other duties as assigned by the attorney or the laws and rules of the Nation and the LRC's
- 93 SOPs.
- 94 ○ The advocates are responsible for a portion of the attorney's duties related to the
- 95 administration of the Legal Resource Center if this position is vacant *[see 811.4-5]*.

96 D. Discipline and Removal *[see 811.7]*.

- 97 • Attorneys and advocates are subject to disciplinary actions according to the Professional Conduct
- 98 for Attorneys and Advocates law (under development) and the Removal Law.

99 E. Administrative Rulemaking Authority

- 100 • The attorney shall promulgate rules establishing how clients apply for the Legal Resource
- 101 Center's services *[see 811.5-3(l)]*. The advocates shall assume this duty if no attorney is in office
- 102 *[see 811.4-5]*.

103 F. The proposed legislation is written clearly and simply.

104

105 **SECTION 6. INTENT**

- 106 A. The purpose of this law is to provide the foundation for the LRC in order to guide the development of
107 the office.
- 108 B. This legislation clearly applies to the elected positions of the LRC including the attorney and the
109 advocates.
110

111 SECTION 7. EFFECT ON EXISTING LEGISLATION

- 112 A. This law does not impact or conflict with any existing laws of the Nation. The attorney and advocates
113 shall act in accordance with all existing laws and rules of the Nation that establish guidelines for
114 attorneys and advocates including:
- 115 • The Rules of Civil Procedure *[see Chapter 803]*
 - 116 ○ Establishes the role and responsibilities of attorneys and advocates in the civil
117 proceedings
 - 118 • The Rules of Appellate Procedure *[see chapter 805]*
 - 119 ○ Establishes the role and responsibilities of attorneys and advocates in the appellate
120 proceedings
 - 121 • Oneida Judiciary Rules of Evidence *[see Chapter 804]*
 - 122 ○ Establishes the attorney-client and advocate-client relationship
 - 123 • Divorce, Annulment, Legal Separation *[see Chapter 702]*
 - 124 ○ Establishes the role and responsibilities of an attorney or advocate representing a party in
125 divorce, annulment, or legal separation proceedings.
 - 126 • Professional Conduct for Attorneys and Advocates law (under development)
 - 127 ○ Governs the conduct of attorneys and advocates admitted to practice law before the
128 Judiciary.
 - 129 • Judiciary Rules of Admission *[See Judiciary Website]*
 - 130 ○ Establishes minimum requirements for admission to practice before the Judiciary and to
131 regulate those admitted to practice.
- 132 B. Although it is not a conflict; this law establishes advocates as elected by the membership, whereas the
133 laws above do not consider advocates to be elected positions; rather non-attorneys admitted by the
134 Judiciary to practice law as a representative or advisor to a party *[see Rules of Civil Procedure,*
135 *803.3(a)]*.
136

137 SECTION 8. EFFECTS ON EXISTING RIGHTS, PRIVILEGES, OR 138 OBLIGATIONS

- 139 A. This legislation does not impact existing rights, privileges, benefits or obligations.
- 140 B. Due process is addressed through the Professional Conduct for Attorneys and Advocates law (in
141 development) regarding disciplinary action and the Removal Law regarding elected attorneys or
142 advocates who have their admission to practice before the Judiciary revoked or no longer qualify to
143 serve as an attorney or advocate *[see 811.7]*.
- 144 C. The Judiciary Rules of Admission details the revocation process should an attorney or advocate violate
145 any of the rules of admission and no long qualify to practice before the Judiciary *[see Judiciary Rules*
146 *of Admission on the Judiciary website]*.

- 147 **D.** The attorney and the advocates are elected to four year terms. The first election for the advocates will
148 be for staggered terms with the advocate with the highest votes getting a term of four (4) years and the
149 candidate with the next highest votes with a term of three (3) years [*see adopting Resolution*].

- 150 **E.** This legislation will not affect any existing legislation or any processes currently in place.

151 **SECTION 9. ENFORCEMENT**

- 152 **A.** The Professional Conduct for Attorneys and Advocates law (currently in development) will establish:

- 153 • the requirement of competent representation of clients
- 154 • the scope of representation, promptness of representation
- 155 • the required nature of communication with clients
- 156 • any legal fees
- 157 • the confidential nature of representation
- 158 • address any conflicts of interest
- 159 • duties to former clients
- 160 • restrictions for former judges, mediators, or peacemakers
- 161 • representing clients with diminished capacity
- 162 • declining or terminating representation
- 163 • duties to perspective clients
- 164 • the role as advisor
- 165 • candor and impartiality toward the Judiciary
- 166 • fairness to opposing party and counsel
- 167 • counsel as witness
- 168 • admittance to practice and disciplinary matters
- 169 • misconduct
- 170 • civil actions for negligence or violation of duty
- 171 • disciplinary actions

- 172 **B.** The GTC will enforce this law in accordance with the Removal Law which governs the removal of
173 elected officials [*see Removal Law, 104.4-1*].

174

175 **SECTION 10. ACCOUNTABILITY**

- 176 **A.** The attorney and the advocates are elected positions who are accountable directly to the GTC.

- 177 **B.** The Legal Resource Center will report to GTC on an Annual and Semi-Annual schedule.

- 178 **C.** These reports are available to Tribal members at GTC meetings, on the Members Only website, or
179 through the Secretary's Office.

180

181 **SECTION 11. OTHER CONSIDERATIONS**

- 182 **A.** Section 109.9-5 of the Legislative Procedures Act authorizes the OBC to temporarily enact an
183 emergency law where legislation is necessary for the immediate preservation of the public health,
184 safety or general welfare of the reservation population and the enactment or amendment of legislation
185 is required sooner than would be possible by utilizing the standard legislative process [*see Legislative*
186 *Procedures Act, 109.9-5(b)*]. This law was adopted by emergency resolution on May 25, 2017
187 because there would not be time to implement the law through the standard legislative process prior
188 to the Nation's general election on July 8, 2017.

- 189 The emergency adoption of this law will remain in effect for up to six months (October 24, 2017),
190 with the possibility of a one-time extension of up to an additional six months [*see Legislative*
191 *Procedures Act, 109.9-5(b)*].
- 192 **B.** There were no candidates for the attorney position on for the general election that took place July 8,
193 2017. The OBC took action on July 3, 2017 to place the attorney position on the special election to
194 take place this fall. The elected advocates will be responsible for the implementation of this law and
195 establishing and administering the Legal Resource Center until an attorney is elected or appointed by
196 the OBC [*see 811.4-5*].
- 197 **C.** The adopting resolution for this legislation includes a transition plan which includes staggered terms
198 for the advocate positions as noted above, and an official opening date for the Legal Resource Center
199 of February 1, 2018 to allow the elected advocates time to create the rules and SOP's necessary to run
200 the LRC [*see adopting resolution*].

201

Title 8. Judiciary – Chapter 811
LEGAL RESOURCE CENTER

811.1. Purpose and Policy
811.2. Adoption, Amendment, Repeal
811.3. Definitions
811.4. General Provisions

811.5. ~~Supervising~~ Attorney
811.6. Advocates
811.7. Discipline and Removal

811.1. Purpose and Policy

811.1-1. *Purpose.* The purpose of this law is to establish a Legal Resource Center to provide legal advice and representation to both Tribal members and employees in cases before the Judiciary and to represent the Oneida General Tribal Council at General Tribal Council meetings.

811.1-2. *Policy.* It is the policy of the Nation to provide legal assistance to its members and employees in an effort to protect individual rights.

811.2. Adoption, Amendment, Repeal

811.2-1. This law was adopted by the Oneida Business Committee by resolution BC-__-__-__-__.

811.2-2. This law may be amended or repealed by the Oneida Business Committee and/or Oneida General Tribal Council pursuant to the procedures set out in the Legislative Procedures Act.

811.2-3. Should a provision of this law or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this law which are considered to have legal force without the invalid portions.

811.2-4. In the event of a conflict between a provision of this law and a provision of another law, the provisions of this law shall control.

811.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.

811.3. Definitions

811.3-1. This section shall govern the definitions of words and phrases used within this law. All words not defined herein shall be used in their ordinary and everyday sense.

(a) “Advocate” means a person elected by the membership who is a non-attorney admitted to practice law before the Judiciary and presented to the Court as the representative or advisor to a party.

(b) “Attorney” means a person elected by the membership who is trained and licensed to represent another person in Court, to prepare documents, and to give advice or counsel on matters of law.

(c) “Employee” means any individual hired by the Nation and on the Nation’s payroll and encompasses all forms of employment, including but not limited to: full-time, part-time, at-will, elected/appointed officials, political appointees, and contracted persons.

(d) “Judiciary” means the judicial system responsible for applying the laws of the Oneida Nation. The three branches, as identified in resolutions BC-05-08-13-A and GTC 01-07-13-B are the Family Court, Trial Court, and Appellate Court.

(e) “Nation” means the Oneida Nation.

40 | ~~(d)~~(f) “Rule” means a set of requirements enacted by an authorized agency in accordance
 41 | with the Administrative Rulemaking law based on authority delegated in this law in order
 42 | to implement, interpret, and/or enforce this law.

43 | ~~(e)~~ “Supervising Attorney” means a person elected by the membership who is trained and
 44 | licensed to represent another person in Court, to prepare documents, and to give advice or
 45 | counsel on matters of law.

46 | ~~(f)~~(g) “Tribal member” means an individual who is an enrolled member of the Nation.
 47 |

48 | **811.4. General Provisions**

49 | 811.4-1. *Establishment.* There is hereby established a Legal Resource Center, which shall
 50 | provide legal advice and representation to Tribal members and employees in cases brought forth
 51 | in the Judiciary and to represent the Oneida General Tribal Council at General Tribal Council
 52 | meetings.

53 | 811.4-2. *Restrictions.* The Legal Resource Center shall not:

54 | (a) Accept a case that is determined to be frivolous or without legal merit. Whenever the
 55 | ~~Supervising~~ Attorney or Advocate makes such a determination in a case where a notice of
 56 | representation has been filed or an appearance has been made, he or she shall motion the
 57 | court for withdrawal;

58 | (b) Accept a case when there is a conflict of interest pursuant to the Professional Conduct
 59 | for Attorneys and Advocates law;

60 | ~~(c)~~ Appear in any case before the Judiciary prior to the client applying for the services of
 61 | the Legal Resource Center;

62 | ~~(e)~~(d) Charge a client a fee for representation; however, the client shall be responsible
 63 | for all filing fees and other costs associated with the case including but not limited to:
 64 | service of process fees, guardian ad litem fees, physical and mental examinations, expert
 65 | witness fees, substance abuse assessments, and court costs; or

66 | ~~(d)~~(e) Appear in any case before the Judiciary where the ~~Supervising~~ Attorney or
 67 | Advocate does not meet the qualifications established by law.

68 | 811.4-3. *Prohibitions.* While serving a term of office, no ~~Supervising~~ Attorney or Advocate
 69 | may:

70 | (a) Be elected or appointed to serve on any of the Nation’s boards, committees or
 71 | commissions; or

72 | (b) Be otherwise employed, elected, or appointed by the Nation.

73 | 811.4-4. *Vacancies.* If an ~~Supervising~~ Attorney or Advocate dies, resigns, is removed from
 74 | office, becomes incapacitated for a period in excess of one hundred eighty (180) consecutive
 75 | days, or is declared incompetent by a court of competent jurisdiction, the position shall be
 76 | declared vacant by the Oneida Business Committee and the Oneida Business Committee may
 77 | either appoint a successor to fill the position until the next general election at which time a
 78 | successor will be elected to a four (4) year term or fill the position through a special election.

79 | 811.4-5. *Assumption of Duties.* If there is no ~~Supervising~~ Attorney in office, then the Advocates
 80 | shall share the duties promulgated by sections 811.5-3(b), ~~(dc)~~, ~~(ed)~~, ~~(fe)~~, ~~(gf)~~, ~~(hg)~~, ~~(lk)~~, ~~(ml)~~,
 81 | and ~~(on)~~.

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811.5. ~~Supervising~~ Attorney

811.5-1. *Qualifications.* There shall be at least one (1) full-time ~~Supervising~~ Attorney of the Legal Resource Center. This position shall be an elected position and shall have the following qualifications:

- (a) is an enrolled Tribal member and is at least twenty-one (21) years of age on the date of the election;
- (b) have a juris doctor (J.D.) degree from an accredited law school;
- (c) have at least two (2) years of previous experience practicing law and/or equivalent combination of education and experience;
- (d) be licensed to practice law in the State of Wisconsin and in good standing; and
- (e) be admitted to practice before the Judiciary.

811.5-2. *Election.* The ~~Supervising~~ Attorney shall be elected by the Nation's membership to a term of four (4) years.

811.5-3. *Duties.* The ~~Supervising~~ Attorney shall have the duty of administering the Legal Resource Center, which shall include the following:

- (a) provide legal services;
- (b) oversee the assignment of cases to the Advocates;
- ~~(c)~~ (e) supervise the Advocates;
- ~~(d)~~ (c) supervise any administrative personnel;
- ~~(e)~~ (d) establish standards concerning the training and continued education for the Advocates;
- ~~(f)~~ (e) manage the operation, activities, policies, and procedures of the Legal Resource Center;
- ~~(g)~~ (f) submit an annual budget for consideration by the Oneida General Tribal Council;
- ~~(h)~~ (g) provide annual and semi-annual reports to the Oneida General Tribal Council;
- ~~(i)~~ (h) represent the Legal Resource Center at functions and meetings where appropriate;
- ~~(j)~~ (i) maintain the integrity of the legal process by acting ethically and honestly both in private and in public and maintaining the strictest of confidentiality;
- ~~(k)~~ (j) remain informed about changes to Tribal, state and federal laws, and state and federal court and administrative hearing body decisions that may impact Indian country;
- ~~(l)~~ (k) develop standard operating procedures to ensure confidentiality and accommodate the handling of potential conflicts of interest by the Legal Resource Center (e.g. should the Legal Resource Center represent both parties to an action, written informed consent shall be obtained by both parties prior to the commencement of representation). The procedures shall not conflict with existing law, including the Professional Conduct for Attorneys and Advocates law;
- ~~(m)~~ (l) promulgate rules establishing how clients apply for the Legal Resource Center's services;
- ~~(n)~~ (m) advise the Oneida General Tribal Council during General Tribal Council meetings;
- ~~(o)~~ (n) provide bi-annual training starting in FY 2018 that is open to all Tribal members and includes, but is not limited to, training on the Oneida Code of Laws and the Judiciary's processes and procedures; and
- ~~(p)~~ (o) other duties as prescribed by the Nation's laws and the Legal Resource Center's standard operating procedures.

128

129 **811.6. Advocates**

130 811.6-1. *Qualifications.* There shall be at least two (2) full-time Advocates in the Legal
131 Resource Center. The Advocates shall be elected by the Nation's membership and have the
132 following qualifications:

133 (a) is an enrolled Tribal member and is at least twenty-one (21) years of age on the date
134 of the election;

135 (b) have one (1) of the following from an accredited institution:

136 (1) a juris doctor degree;

137 (2) a doctor of philosophy degree;

138 (3) a master's degree; or

139 (4) a bachelor's degree or associate's degree in one of the following fields of
140 study, provided that a degree in a similar field of study shall also apply:

141 (A) Criminal Justice

142 (B) Education

143 (C) Political Science (including Government, Politics or Public Policy)

144 (D) Human Rights

145 (E) Journalism

146 (F) Legal Studies

147 (G) Native American Studies

148 (H) Psychology

149 (I) Sociology

150 (J) Public Administration

151 (K) History

152 (L) Business Administration

153 (M) Economics or Finance

154 (N) Philosophy

155 (O) Judicial Studies

156 (P) Paralegal Studies

157 (Q) Family Law

158 (c) have at least two (2) years of experience in litigation, negotiation, or advocacy and/or
159 equivalent combination of education and experience; and

160 (d) be admitted to practice before the Judiciary.

161 811.6-2. *Election.* Advocates shall be elected by the Nation's membership to a term of four (4)
162 years.

163 811.6-3. *Duties.* Advocates shall represent clients in accordance with the Professional Conduct
164 for Attorneys and Advocates law. In addition to all other duties imposed by this law and other
165 laws or rules of the Nation, advocates shall:

166 (a) provide legal services;

167 (b) complete assignments given by the ~~Supervising~~ Attorney or pursuant to section
168 811.4-5;

169 (c) represent the Legal Resource Center at functions and meetings where appropriate;

170 (d) maintain the integrity of the legal process by acting ethically and honestly both in
171 private and in public and maintaining the strictest of confidentiality;

172 (e) attend training and continued education;

173 (f) remain informed about changes to Tribal, state and federal laws, and state and federal
174 court and administrative hearing body decisions that may impact Indian country; and
175 | (g) other duties as established by the ~~Supervising~~ Attorney or pursuant to section 811.4-5,
176 the Nation's laws and rules, and the Legal Resource Center's standard operating
177 procedures.

178

811.7. Discipline and Removal

180 | 811.7-1. ~~Supervising~~ Attorneys and Advocates shall be subject to disciplinary actions pursuant
181 to the Professional Conduct for Attorneys and Advocates law and any other laws that govern
182 discipline and/or removal of elected positions.

183 | 811.7-2. ~~Supervising~~ Attorneys and Advocates shall at all times be subject to removal. When an
184 ~~Supervising~~ Attorney or Advocate has their admission to practice before the Judiciary revoked or
185 no longer qualifies to serve as an ~~Supervising~~ Attorney or Advocate, removal proceedings shall
186 be commenced in accordance with the Removal Law.

187

188 *End.*

189 | Emergency Adoption – BC-05-24-17-A

190 Adopted – BC-_____

Title 8. Judiciary – Chapter 811
LEGAL RESOURCE CENTER

811.1. Purpose and Policy

811.2. Adoption, Amendment, Repeal

811.3. Definitions

811.4. General Provisions

811.5. Attorney

811.6. Advocates

811.7. Discipline and Removal

1 **811.1. Purpose and Policy**

2 811.1-1. *Purpose.* The purpose of this law is to establish a Legal Resource Center to provide
3 legal advice and representation to both Tribal members and employees in cases before the
4 Judiciary and to represent the Oneida General Tribal Council at General Tribal Council
5 meetings.

6 811.1-2. *Policy.* It is the policy of the Nation to provide legal assistance to its members and
7 employees in an effort to protect individual rights.

8

9 **811.2. Adoption, Amendment, Repeal**

10 811.2-1. This law was adopted by the Oneida Business Committee by resolution BC-__-__-__-
11 __.

12 811.2-2. This law may be amended or repealed by the Oneida Business Committee and/or
13 Oneida General Tribal Council pursuant to the procedures set out in the Legislative Procedures
14 Act.

15 811.2-3. Should a provision of this law or the application thereof to any person or circumstances
16 be held as invalid, such invalidity shall not affect other provisions of this law which are
17 considered to have legal force without the invalid portions.

18 811.2-4. In the event of a conflict between a provision of this law and a provision of another
19 law, the provisions of this law shall control.

20 811.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.

21

22 **811.3. Definitions**

23 811.3-1. This section shall govern the definitions of words and phrases used within this law. All
24 words not defined herein shall be used in their ordinary and everyday sense.

25 (a) “Advocate” means a person elected by the membership who is a non-attorney admitted to
26 practice law before the Judiciary and presented to the Court as the representative or
27 advisor to a party.

28 (b) “Attorney” means a person elected by the membership who is trained and licensed to
29 represent another person in Court, to prepare documents, and to give advice or counsel on
30 matters of law.

31 (c) “Employee” means any individual hired by the Nation and on the Nation’s payroll
32 and encompasses all forms of employment, including but not limited to: full-time,
33 part-time, at-will, elected/appointed officials, political appointees, and contracted
34 persons.

35 (d) “Judiciary” means the judicial system responsible for applying the laws of the Oneida
36 Nation. The three branches, as identified in resolutions BC-05-08-13-A and GTC 01-07-
37 13-B are the Family Court, Trial Court, and Appellate Court.

38 (e) “Nation” means the Oneida Nation.

- 39 (f) “Rule” means a set of requirements enacted by an authorized agency in accordance with
40 the Administrative Rulemaking law based on authority delegated in this law in order to
41 implement, interpret, and/or enforce this law.
42 (g) “Tribal member” means an individual who is an enrolled member of the Nation.
43

44 **811.4. General Provisions**

45 811.4-1. *Establishment.* There is hereby established a Legal Resource Center, which shall
46 provide legal advice and representation to Tribal members and employees in cases brought forth
47 in the Judiciary and to represent the Oneida General Tribal Council at General Tribal Council
48 meetings.

49 811.4-2. *Restrictions.* The Legal Resource Center shall not:

- 50 (a) Accept a case that is determined to be frivolous or without legal merit. Whenever the
51 Attorney or Advocate makes such a determination in a case where a notice of
52 representation has been filed or an appearance has been made, he or she shall motion the
53 court for withdrawal;
54 (b) Accept a case when there is a conflict of interest pursuant to the Professional Conduct
55 for Attorneys and Advocates law;
56 (c) Appear in any case before the Judiciary prior to the client applying for the services of
57 the Legal Resource Center;
58 (d) Charge a client a fee for representation; however, the client shall be responsible for
59 all filing fees and other costs associated with the case including but not limited to: service
60 of process fees, guardian ad litem fees, physical and mental examinations, expert witness
61 fees, substance abuse assessments, and court costs; or
62 (e) Appear in any case before the Judiciary where the Attorney or Advocate does not
63 meet the qualifications established by law.

64 811.4-3. *Prohibitions.* While serving a term of office, no Attorney or Advocate may:

- 65 (a) Be elected or appointed to serve on any of the Nation’s boards, committees or
66 commissions; or
67 (b) Be otherwise employed, elected, or appointed by the Nation.

68 811.4-4. *Vacancies.* If an Attorney or Advocate dies, resigns, is removed from office, becomes
69 incapacitated for a period in excess of one hundred eighty (180) consecutive days, or is declared
70 incompetent by a court of competent jurisdiction, the position shall be declared vacant by the
71 Oneida Business Committee and the Oneida Business Committee may either appoint a successor
72 to fill the position until the next general election at which time a successor will be elected to a
73 four (4) year term or fill the position through a special election.

74 811.4-5. *Assumption of Duties.* If there is no Attorney in office, then the Advocates shall share
75 the duties promulgated by sections 811.5-3(b), (c), (d), (e), (f), (g), (k), (l), and (n).
76

77 **811.5. Attorney**

78 811.5-1. *Qualifications.* There shall be at least one (1) full-time Attorney of the Legal Resource
79 Center. This position shall be an elected position and shall have the following qualifications:

- 80 (a) is an enrolled Tribal member and is at least twenty-one (21) years of age on the date
81 of the election;
82 (b) have a juris doctor (J.D.) degree from an accredited law school;
83 (c) have at least two (2) years of previous experience practicing law and/or equivalent
84 combination of education and experience;

85 (d) be licensed to practice law in the State of Wisconsin and in good standing; and

86 (e) be admitted to practice before the Judiciary.

87 811.5-2. *Election*. The Attorney shall be elected by the Nation's membership to a term of four
88 (4) years.

89 811.5-3. *Duties*. The Attorney shall have the duty of administering the Legal Resource Center,
90 which shall include the following:

91 (a) provide legal services;

92 (b) oversee the assignment of cases to the Advocates;

93 (c) supervise any administrative personnel;

94 (d) establish standards concerning the training and continued education for the
95 Advocates;

96 (e) manage the operation, activities, policies, and procedures of the Legal Resource
97 Center;

98 (f) submit an annual budget for consideration by the Oneida General Tribal Council;

99 (g) provide annual and semi-annual reports to the Oneida General Tribal Council;

100 (h) represent the Legal Resource Center at functions and meetings where appropriate;

101 (i) maintain the integrity of the legal process by acting ethically and honestly both in
102 private and in public and maintaining the strictest of confidentiality;

103 (j) remain informed about changes to Tribal, state and federal laws, and state and federal
104 court and administrative hearing body decisions that may impact Indian country;

105 (k) develop standard operating procedures to ensure confidentiality and accommodate the
106 handling of potential conflicts of interest by the Legal Resource Center (e.g. should the
107 Legal Resource Center represent both parties to an action, written informed consent shall
108 be obtained by both parties prior to the commencement of representation). The
109 procedures shall not conflict with existing law, including the Professional Conduct for
110 Attorneys and Advocates law;

111 (l) promulgate rules establishing how clients apply for the Legal Resource Center's
112 services;

113 (m) advise the Oneida General Tribal Council during General Tribal Council meetings;

114 (n) provide bi-annual training starting in FY 2018 that is open to all Tribal members and
115 includes, but is not limited to, training on the Oneida Code of Laws and the Judiciary's
116 processes and procedures; and

117 (o) other duties as prescribed by the Nation's laws and the Legal Resource Center's
118 standard operating procedures.

119

120 **811.6. Advocates**

121 811.6-1. *Qualifications*. There shall be at least two (2) full-time Advocates in the Legal
122 Resource Center. The Advocates shall be elected by the Nation's membership and have the
123 following qualifications:

124 (a) is an enrolled Tribal member and is at least twenty-one (21) years of age on the date
125 of the election;

126 (b) have one (1) of the following from an accredited institution:

127 (1) a juris doctor degree;

128 (2) a doctor of philosophy degree;

129 (3) a master's degree; or

- 130 (4) a bachelor's degree or associate's degree in one of the following fields of
131 study, provided that a degree in a similar field of study shall also apply:
- 132 (A) Criminal Justice
 - 133 (B) Education
 - 134 (C) Political Science (including Government, Politics or Public Policy)
 - 135 (D) Human Rights
 - 136 (E) Journalism
 - 137 (F) Legal Studies
 - 138 (G) Native American Studies
 - 139 (H) Psychology
 - 140 (I) Sociology
 - 141 (J) Public Administration
 - 142 (K) History
 - 143 (L) Business Administration
 - 144 (M) Economics or Finance
 - 145 (N) Philosophy
 - 146 (O) Judicial Studies
 - 147 (P) Paralegal Studies
 - 148 (Q) Family Law

149 (c) have at least two (2) years of experience in litigation, negotiation, or advocacy and/or
150 equivalent combination of education and experience; and

151 (d) be admitted to practice before the Judiciary.

152 811.6-2. *Election.* Advocates shall be elected by the Nation's membership to a term of four (4)
153 years.

154 811.6-3. *Duties.* Advocates shall represent clients in accordance with the Professional Conduct
155 for Attorneys and Advocates law. In addition to all other duties imposed by this law and other
156 laws or rules of the Nation, advocates shall:

157 (a) provide legal services;

158 (b) complete assignments given by the Attorney or pursuant to section 811.4-5;

159 (c) represent the Legal Resource Center at functions and meetings where appropriate;

160 (d) maintain the integrity of the legal process by acting ethically and honestly both in
161 private and in public and maintaining the strictest of confidentiality;

162 (e) attend training and continued education;

163 (f) remain informed about changes to Tribal, state and federal laws, and state and federal
164 court and administrative hearing body decisions that may impact Indian country; and

165 (g) other duties as established by the Attorney or pursuant to section 811.4-5, the
166 Nation's laws and rules, and the Legal Resource Center's standard operating procedures.

167

168 **811.7. Discipline and Removal**

169 811.7-1. Attorneys and Advocates shall be subject to disciplinary actions pursuant to the
170 Professional Conduct for Attorneys and Advocates law and any other laws that govern discipline
171 and/or removal of elected positions.

172 811.7-2. Attorneys and Advocates shall at all times be subject to removal. When an Attorney or
173 Advocate has their admission to practice before the Judiciary revoked or no longer qualifies to
174 serve as an Attorney or Advocate, removal proceedings shall be commenced in accordance with
175 the Removal Law.

176

177 *End.*

178 Emergency Adoption – BC-05-24-17-A

179 Adopted – BC-_____

FINANCE ADMINISTRATION

Fiscal Impact Statement



MEMORANDUM

DATE: August 18, 2017

FROM: Rae Skenandore, Financial Management Analyst

TO: Larry Barton, Chief Financial Officer
Ralinda Ninham-Lamberies, Assistant Chief Financial Officer

RE: **Financial Impact of the Legal Resource Center**

I. Estimated Fiscal Impact Summary

Law: Legal Resource Center		Draft 6
Implementing Agency	Oneida Business Committee	
Estimated time to comply	Immediately upon approval	
Estimated Impact	Current Fiscal Year	10 Year Estimate*
Startup (2017 budget)	\$49,354	\$49,354
Personnel (FY 2018)	\$303,291	\$3,786,125
Other Expenses (FY 2018)	\$23,097	\$259,071
Total Estimated Fiscal Impact	\$375,742	\$ 4,094,549

II. Background

A. Legislative History

This legislation arose from a GTC petition to provide elected advocates and an attorney to represent Tribal members and employees before the Judiciary and at GTC meetings.

B. Summary of Content

The legislation establishes the framework of the Legal Resource Center (LRC) which will provide legal advice and representation to Tribal members and employees in cases brought before the Judiciary and to represent the GTC at GTC meetings. The legislation includes the following;

1. Restrictions to LRC and advocates.

*Please see the spreadsheet & assumptions for more details on the projections.

2. Attorney qualifications, term, and duties.
3. Advocates qualifications, term and duties
4. Discipline and Removal

C. Methodology and Assumptions

1. A “Fiscal Impact Statement” means an estimate of the total identifiable fiscal year financial effects associated with legislation and includes startup costs, personnel, office, documentation costs, as well as an estimate of the amount of time necessary for an agency to comply with the Law after implementation.
2. Finance does NOT identify the source of funding for the estimated cost or allocate any funds to the legislation.
3. The analysis was completed based on the information provided as of the date of this memo.

II. Agency

The Business Committee, the Law Office, the Legislative Reference Office, the Legislative Operating Committee and the Election Board have worked to implement this GTC directive. A 2017 budget of \$49,354 was established for this office by the Oneida Business Committee. Based on the listed assumptions below, Finance estimates a Fiscal Year 2018 impact of approximately \$326,388 and including 2017, a 10 year impact of approximately \$ 4,094,549.

Two advocates have been elected and the election for the attorney position is tentatively scheduled for December of 2017.

III. Financial Impact

If fully staffed, the estimated impact is \$326,388 in 2018 and a 10 year impact of approximately \$ 4,094,549 including the 2017 budget.

IV. Recommendation

Finance does not make a recommendation in regards to course of action in this matter. Rather, it is the purpose of this report to disclose potential financial impact of an action, so that the Oneida Business Committee and General Tribal Council has the information with which to render a decision.

Personnel	Grade	Wage	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028
Attorney	E08	\$ 43.69	\$ 141,493	\$ 145,030	\$ 148,656	\$ 152,372	\$ 156,181	\$ 160,086	\$ 164,088	\$ 168,190	\$ 172,395	\$ 176,705	\$ 181,123
Advocate	E04	24.98	\$ 80,899	\$ 82,922	\$ 84,995	\$ 87,120	\$ 89,298	\$ 91,530	\$ 93,818	\$ 96,164	\$ 98,568	\$ 101,032	\$ 103,558
Advocate	E04	24.98	\$ 80,899	\$ 82,922	\$ 84,995	\$ 87,120	\$ 89,298	\$ 91,530	\$ 93,818	\$ 96,164	\$ 98,568	\$ 101,032	\$ 103,558
Subtotal Personnel Costs			\$ 303,291	\$ 310,873	\$ 318,645	\$ 326,611	\$ 334,777	\$ 343,146	\$ 351,725	\$ 360,518	\$ 369,531	\$ 378,769	\$ 388,238
Annual expenses of three (3) staff		Per staff											
laptops/docking stations -One time exp		\$ 2,400	\$ 2,400										
Supplies		\$ 150	\$ 450	\$ 461	\$ 473	\$ 485	\$ 497	\$ 509	\$ 522	\$ 535	\$ 548	\$ 562	\$ 576
Copy charges		\$ 150	\$ 450	\$ 461	\$ 473	\$ 485	\$ 497	\$ 509	\$ 522	\$ 535	\$ 548	\$ 562	\$ 576
news/subscriptions			\$ 1,000	\$ 1,025	\$ 1,051	\$ 1,077	\$ 1,104	\$ 1,131	\$ 1,160	\$ 1,189	\$ 1,218	\$ 1,249	\$ 1,280
WI Bar Dues & Assessments			\$ 494	\$ 506	\$ 519	\$ 532	\$ 545	\$ 559	\$ 573	\$ 587	\$ 602	\$ 617	\$ 632
Mileage		\$ 500	\$ 1,500	\$ 1,538	\$ 1,576	\$ 1,615	\$ 1,656	\$ 1,697	\$ 1,740	\$ 1,783	\$ 1,828	\$ 1,873	\$ 1,920
Outside services			\$ 384	\$ 394	\$ 403	\$ 414	\$ 424	\$ 434	\$ 445	\$ 456	\$ 468	\$ 480	\$ 492
Training/Travel/Education		\$ 350	\$ 1,050	\$ 1,076	\$ 1,103	\$ 1,131	\$ 1,159	\$ 1,188	\$ 1,218	\$ 1,248	\$ 1,279	\$ 1,311	\$ 1,344
Rental Usage (copy machine)			\$ 2,400	\$ 2,460	\$ 2,522	\$ 2,585	\$ 2,649	\$ 2,715	\$ 2,783	\$ 2,853	\$ 2,924	\$ 2,997	\$ 3,072
Heat & Lights			\$ 2,600	\$ 2,665	\$ 2,732	\$ 2,800	\$ 2,870	\$ 2,942	\$ 3,015	\$ 3,091	\$ 3,168	\$ 3,247	\$ 3,328
Cell Phones		\$ 45	\$ 135	\$ 138	\$ 142	\$ 145	\$ 149	\$ 153	\$ 157	\$ 160	\$ 164	\$ 169	\$ 173
Telephone - Land line		\$ 50	\$ 150	\$ 154	\$ 158	\$ 162	\$ 166	\$ 170	\$ 174	\$ 178	\$ 183	\$ 187	\$ 192
Insurance			\$ 612	\$ 627	\$ 643	\$ 659	\$ 675	\$ 692	\$ 709	\$ 727	\$ 745	\$ 764	\$ 783
Water & Sewer			\$ 380	\$ 390	\$ 399	\$ 409	\$ 419	\$ 430	\$ 441	\$ 452	\$ 463	\$ 475	\$ 486
Printing		\$ 500	\$ 1,500	\$ 1,538	\$ 1,576	\$ 1,615	\$ 1,656	\$ 1,697	\$ 1,740	\$ 1,783	\$ 1,828	\$ 1,873	\$ 1,920
Rent Expense			\$ 7,392	\$ 7,577	\$ 7,766	\$ 7,960	\$ 8,159	\$ 8,363	\$ 8,572	\$ 8,787	\$ 9,006	\$ 9,232	\$ 9,462
Judiciary Fee (one time)		\$ 200	\$ 200		\$ 200		\$ 200		\$ 200		\$ 200		\$ 200
Subtotal of expenses			\$ 23,097	\$ 21,009	\$ 21,534	\$ 22,273	\$ 22,625	\$ 23,190	\$ 23,970	\$ 24,364	\$ 24,973	\$ 25,798	\$ 26,238
Total Administrative Costs			\$ 326,388	\$ 331,883	\$ 340,180	\$ 348,884	\$ 357,401	\$ 366,336	\$ 375,695	\$ 384,882	\$ 394,504	\$ 404,567	\$ 414,476
Assumptions													
Does not include budget or actuals for 2017													
Assumes a full staff and an approved budget at the start of the fiscal year													
All wage & salaries are set at the midpoint of the FY2017 Wage Chart provided by HRD													
Tribal rate of 39.3% is used for fringe													
Tribal indirect rate of 16.4%													
The telephone land line is an estimate													
No furniture is included.													
No signage is included													
2.5% Inflation annually													

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 9 / 13 / 17

2. General Information:

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

Oneida Alcohol License Renewal - approval needed for Oneida West Mason St. Casino

Agenda Header: New Business

Accept as Information only

Action - please describe:

Approval Needed for an Oneida Alcohol License Renewal - Oneida West Mason St. Casino

3. Supporting Materials

Report Resolution Contract

Other:

1. Memo

3.

2.

4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Larry Barton, Chief Financial Officer

Primary Requestor/Submitter: Tonya Webster - License Administrator
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:

Looking for approval to grant Oneida West Mason St. Casino their annual Oneida Alcohol License.

- 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 Licensing Division

P.O. Box 365
Oneida, WI 54155
(920) 496-5311
Fax (920) 496-7491

DATE: **August 14, 2017**
TO: **Oneida Business Committee**
RE: **Alcohol License – Approval Needed**
FROM: **Tonya Webster, Oneida License Department**

This cover letter serves as certification The Oneida West Mason Street Casino is in compliance with the requirements needed to receive an alcohol license from the Oneida Nation. Listed below are all the requirements, and all have been received.

1. BC Resolution for approval
2. Renewal Alcohol Beverage License Application
3. Auxiliary Questionnaire
4. Local Municipality Alcohol License
5. Gross Profit Memo
6. Proof of payment for the \$100 Application Fee

The Oneida West Mason Street Casino is ready to receive approval from the Oneida Business Committee.

Thank You

Oneida Nation

Post Office Box 365

Phone: (920)869-2214

Oneida, WI 54155



RESOLUTION # _____

West Mason Street Casino Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law

- WHEREAS, the Oneida Nation of Wisconsin is a federally recognized Indian government, a Treaty Tribe recognized by the laws of the United States; and
- WHEREAS, the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS, the Oneida Business Committee has been delegated authority under Article IV, Section 1 of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS, the Oneida Business Committee may grant a license to sell alcohol beverages through a resolution pursuant to Article 59.4-2 of the Oneida Alcohol Beverage Licensing Law; and
- WHEREAS, the West Mason Street Casino, has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the City of Green Bay; and
- WHEREAS, the West Mason St Casino has requested the Oneida Business Committee grant it a license to sell alcohol at the Casino; and
- WHEREAS, the Oneida License Department has reviewed the West Mason's Street's application along with all required documents, and have determined they are in compliance for renewal.

NOW, THEREFORE, BE IT RESOLVED: the West Mason Street Casino may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law and the prevailing laws of the local municipality, the City of Green Bay, WI, to be issued by the Oneida License Department.

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. ___ members were present at a meeting duly called, noticed and held on the ___th day of ___ 2017; that the foregoing resolution was duly adopted at such meeting by a vote of ___ members for, ___ members against, and ___ members not voting; and that said resolution has not been rescinded or amended in any way.

Lisa Summers, Secretary
Oneida Business Committee

Oneida Business Committee Agenda Request

6. Cover Memo:

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

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



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



LEGISLATIVE OPERATING COMMITTEE MEETING MINUTES

Business Committee Conference Room-2nd Floor Norbert Hill Center

August 2, 2017

9:00 a.m.

Present: Brandon Stevens, Jennifer Webster, David P. Jordan, Tehassi Hill

Excused: Fawn Billie

Others Present: Candice Skenandore, Tani Thurner, Clorissa Santiago, Maureen Perkins, Jen Falck, Rae Skenandore, Lee Cornelius, Ed Delgado, Krystal L. John, Rhiannon Metoxen, Robert J. Collins II

I. Call to Order and Approval of the Agenda

Brandon Stevens called the August 2, 2017 Legislative Operating Committee meeting to order at 9:00 a.m.

Motion by Jennifer Webster to adopt the agenda with the addition of Professional Conduct for Attorneys and Advocates as the first agenda item; seconded by David P. Jordan. Motion carried unanimously.

II. Minutes to be approved

1. July 19, 2017 LOC Meeting Minutes

Motion by David P. Jordan to approve the July 19, 2017 LOC meeting minutes; seconded by Jennifer Webster. Motion carried unanimously.

III. Current Business

1. **Petition: Child Care Department Consumer Complaint Policy** (04:06-07:16)

Motion by Tehassi Hill to accept the fiscal impact statement for the Child Care Department Consumer Complaint law; seconded by David P. Jordan. Motion carried unanimously.

Motion by Jennifer Webster to approve the public meeting comment review memo and updated draft; seconded by Tehassi Hill. Motion carried unanimously.

Motion by David P. Jordan to approve the adoption packet and forward the Petition: Child Care Department Consumer Complaint Policy to the Business Committee for consideration; seconded by Jennifer Webster. Motion carried unanimously.

2. **Administrative Rulemaking Amendments** (07:16-11:19)

Motion by Tehassi Hill to accept the fiscal impact of the Administrative Rulemaking Amendments; seconded by Jennifer Webster. Motion carried unanimously.

Motion by Tehassi Hill to approve the public comment review memo and updated draft; seconded by Jennifer Webster. Motion approved unanimously.

Motion by David P. Jordan to approve the adoption packet and forward the Administrative Rulemaking Amendments to the Oneida Business Committee for consideration; seconded by Tehassi Hill. Motion approved unanimously.

3. Comprehensive Policy Governing Boards, Committees, and Commissions Amendments (11:20-19:28)

Motion by David P. Jordan to approve the public meeting comment review memo with considerations; seconded by Tehassi Hill. Motion carried unanimously.

Motion by Tehassi Hill to request the Finance Department to complete a fiscal statement and submit to the LRO by August 7, 2017; seconded by Jenny Webster. Motion carried unanimously.

4. General Tribal Council Meetings Law (19:30-25:00)

Motion by Jennifer Webster to accept the public comments and forward to a work meeting; seconded by Tehassi Hill. Motion carried unanimously.

5. Audit Law Amendments (25:04-31:59)

Motion by Tehassi Hill to direct the LRO to send out an e-poll with the updated packets; seconded by Jennifer Webster. Motion carried unanimously.

IV. New Submissions

V. Additions

1. Professional Conduct for Attorneys and Advocates (01:00 – 03:57)

Motion by Tehassi Hill to accept the public meeting comments and comment review memo; seconded by Jennifer Webster. Motion carried unanimously.

Motion by Jennifer Webster to direct the LRO to prepare an adoption packet; seconded by David Jordan. Motion carried unanimously.

VI. Administrative Updates

1. Public Meeting Standard Operating Procedure (1:40:18-1:41:15)

Motion by Jennifer Webster to accept the Public Meeting Standard Operating Procedure as information; seconded by Tehassi Hill. Motion carried unanimously.

VII. Executive Session

VIII. Adjourn

Motion by David P. Jordan to adjourn the August 02, 2017 Legislative Operating Committee meeting at 9:36 a.m.; seconded by Tehassi Hill. Motion carried unanimously.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 9 / 13 / 17

2. General Information:

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

Agenda Header: Standing Committees

Accept as Information only

Action - please describe:

Approve the August 11, 2017 LOC Meeting Minutes

3. Supporting Materials

Report Resolution Contract

Other:

1. 8/11/17 LOC Meeting Minutes	3.
2. 	4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison: David P. Jordan, LOC Chairman

Primary Requestor/Submitter: Jennifer Falck, LRO Director
Your Name, Title / Dept. or Tribal Member

Additional Requestor: _____
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

- 1) Save a copy of this form for your records.
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Oneida Nation
Oneida Business Committee
Legislative Operating Committee
PO Box 365 • Oneida, WI 54155-0365
Oneida-nsn.gov



**LEGISLATIVE OPERATING COMMITTEE
OFFICER SELECTION MEETING MINUTES**

Business Committee Conference Room-2nd Floor Norbert Hill Center
August 11, 2017

Present: Kirby Metoxen, Daniel Guzman King, Ernie Stevens III, David P. Jordan

Excused: Jennifer Webster

Others Present: Jen Falck, Rosa Laster, Brandon Stevens, Cathy Bachhuber

I. Call to Order

David P. Jordan called the August 11, 2017 Legislative Operating Committee Officer Selection meeting to order at 11:44 a.m.

II. Officer Selection

1. LOC Chairman

Motion by Kirby Metoxen to elect David P. Jordan as Legislative Operating Committee Chairman; seconded by Daniel Guzman King. Motion carried unanimously.

2. LOC Vice Chairman

Motion by David P. Jordan to elect Kirby Metoxen as Legislative Operating Committee Vice Chairman; seconded by Ernie Stevens III. Motion carried unanimously.

III. Adjourn

Motion by Ernie Stevens III to adjourn the August 11, 2017 Legislative Operating Committee Officer Selection meeting at 11:45 a.m.; seconded by Daniel Guzman King. Motion carried unanimously.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 9 / 13 / 17

2. General Information:

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

Agenda Header: Standing Committees

Accept as Information only

Action - please describe:

Accept the Children's Code Implementation Plan as information

3. Supporting Materials

Report Resolution Contract

Other:

1. Children's Code Implementation Plan 3.

2. 4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison: David P. Jordan, LOC Chairman

Primary Requestor/Submitter: Jennifer Falck, LRO Director
Your Name, Title / Dept. or Tribal Member

Additional Requestor: _____
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

On July 6, 2017, the Oneida Business Committee adopted the Children's Code and directed that a full transition plan be submitted to the OBC, with quarterly reports submitted thereafter, and a one year review of the Code itself as it relates to full implementation.

The Children's Code Implementation Plan is attached.

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

2017

CHILDREN'S CODE IMPLEMENTATION PLAN



By: Legislative Operating Committee
Oneida Nation
9/13/2017

CHILDREN’S CODE

Implementation Plan

ONEIDA FAMILY COURT 2

 HIRING 3

 TRAINING 3

 ADDITIONAL DUTIES 3

ONEIDA INDIAN CHILD WELFARE DEPARTMENT 6

 TRAINING 9

OUTSIDE TRAINING: SUPERVISOR 9

INTERNAL TRAINING: SUPERVISOR..... 14

 ADDITIONAL DUTIES 16

 DEVELOP INTERNAL STANDARD OPERATING PROCEDURES 18

 FOSTER CARE 20

 FOSTER CARE COORDINATOR: PROFESSIONAL DEVELOPMENT TRAINING 20

 FOSTER CARE COORDINATOR: INTERNAL TRAINING 22

 FOSTER CARE COORDINATOR: ADDITIONAL DUTIES 23

 ONGOING-INTAKE WORKER: PROFESSIONAL DEVELOPMENT TRAINING 25

 ONGOING-INTAKE WORKER: INTERNAL TRAINING..... 30

 PARALEGAL 31

 PARENTING COORDINATOR 32

ONEIDA POLICE DEPARTMENT..... 33

ONEIDA CHILD SUPPORT AGENCY..... 33

ONEIDA NATION CULTURAL HERITAGE DEPARTMENT 34

 HIRING 34

 TRAINING 35

 ADDITIONAL DUTIES 35

Purpose: The Children’s Code was adopted by the Oneida Business Committee through resolution BC-07-26-17-J with the purpose of providing for the welfare, care, and protection of Oneida children through the preservation of the family unit, by assisting parents in fulfilling their responsibilities as well as facilitating the return of Oneida children to the jurisdiction of the Nation, and acknowledging the customs and traditions of the Nation when raising an Oneida child.

On July 26, 2017, the Oneida Business Committee directed that a full transition plan be submitted to the Oneida Business Committee, with quarterly reports submitted thereafter, and a one (1) year review of the Code itself as it relates to the full implementation.

This implementation plan describes the various duties and responsibilities of the Oneida Family Court, the Indian Child Welfare Department, Oneida Nation Child Support Agency, Oneida Police Department, Trust Enrollment Department and/or Committee, and Cultural Heritage Department. This implementation plan is not exhaustive, but serves as an example of the many tasks that must be accomplished for a successful implementation of the Children’s Code.

ONEIDA FAMILY COURT

This section of the implementation plan describes the various duties and responsibilities assigned to the Oneida Family Court (OFC) in order for the successful implementation of the Children’s Code.

Tasks	Today	FY 18 Budget Adoption	Number of Months prior to Implementation												Implementation Date		
			15	14	13	12	11	10	9	8	7	6	5	4		3	2
HIRING																	
Review & Revise Job Descriptions																	
Post Positions																	
Hiring Process for Clerk																	
Appointment Process for Judge																	
Hire Judge & Clerk																	
TRAINING																	
Train for OFC Current Workload																	
Outside Training on Children’s Code																	
ADDITIONAL DUTIES																	
Take on OFC Current Workload Duties																	
Develop OFC Manual																	
Develop Internal SOPs																	
Outreach with County Courts																	
Adoption Record Retention																	
Develop GAL Training																	
Develop Legal Documents																	
Develop Training Plan for Children’s Code																	
Meeting w/ Trial Court: Case Scheduling																	
Judge Trains OFC Staff of Children’s Code																	
Recruit GALs																	
Hold GAL Training Sessions																	
Prepare for Case Transfers																	
Provide Completion of Tasks for Quarterly Report																	

HIRING

Review and Revise Job Descriptions. From now until the approval of the Fiscal Year 2018 Budget the Oneida Family Court (OFC) must review the job descriptions for the OFC Judge and OFC Clerk, and make any necessary revisions to the job descriptions.

Post OFC Positions. Once the Fiscal Year 2018 Budget is approved, the OFC will work with Human Resources Department (HRD) to post the Oneida Family Court Judge and Clerk positions and begin searching for potential applicants.

Hiring Process for Clerk. The hiring process for the OFC Clerk position should be completed thirteen (13) months prior to implementation. The hiring process will include interviews of potential applicants, background checks, negotiations, as well as allotting the potential OFC Clerk enough time to provide proper notice to his or her current employer, if necessary. The OFC Clerk should begin employment at the OFC no later than twelve (12) months prior to implementation date of the Children's Code, but can begin as soon as possible when hired.

Appointment Process for Judge. The Oneida Business Committee, in conjunction with the OFC and HRD will have from fifteen (15) months to thirteen (13) months prior to implementation to complete the appointment process for the OFC Judge position. The appointment process will include interviews of potential applicants, background checks, negotiations, as well as allotting the potential OFC Judge enough time to provide proper notice to his or her current employer, if necessary. The OFC Judge should begin employment at the OFC no later than twelve (12) months prior to implementation date of the Children's Code, but can begin as soon as possible when hired.

Hire Judge and Clerk. The OFC Judge and Clerk positions must be hired no later than twelve (12) months prior to implementation date of the Children's Code. This is to allow enough time for the OFC to complete the following tasks necessary to successfully implement the Children's Code.

TRAINING

Train for OFC Current Workload. The newly hired OFC Judge and Clerk will begin training on child support; divorce; custody, placement, and visitation matters; and any other OFC duties as soon as they are hired, but no later than twelve (12) months prior to implementation. The experience of the newly hired Judge and Clerk will directly affect the amount of training that will be required before the new Judge and Clerk can begin alleviating some of the current caseload from the current OFC Judge and Clerk. Appointing a Judge with child welfare experience may be a fiscal benefit in that he or she can assist or provide the necessary training to staff, thus eliminating a need for outside training. If the current Judge and Clerk are required to provide extensive training to new staff, it will result in a push back on the current case load.

Outside Training on Children's Code. The newly hired OFC Judge and Clerk will begin training on child welfare matters as soon as they are hired, but no later than twelve (12) months prior to implementation. The experience of the newly hired Judge and Clerk will directly affect the amount of training that will be required. Outside sources may need to be utilized to provide the necessary training to successfully implement the Children's Code. Examples include: the Conference on Child Welfare and the Courts- Inspiring Hope and Building Resiliency Among our Youth in October 2017, and the Together for Children Conference, and the Child Welfare Law Orientation both in April 2017, all provided by the Children's Court Improvement Program of Wisconsin. There are also Juvenile Clerk Associations that provide trainings and recourses to court clerks.

ADDITIONAL DUTIES

Take on OFC Current Workload Duties. Once the proper training is received, the newly hired OFC Judge and Clerk may begin hearing current cases in the OFC, including child support, divorce, custody, and placement

cases. The newly hired OFC Judge and Clerk can begin hearing current cases as early as twelve (12) months prior to implementation, depending on the experience of the Judge and Clerk and the amount of training that is necessary.

Develop OFC Manual. At least twelve (12) months prior to the implementation date of the Children's Code, the OFC shall begin the development of a user friendly OFC Manual. The plain language OFC Manual will be available for use by members of the community and will contain information and resources pertaining to all areas of the law the OFC has jurisdiction over including child support, divorce, custody, placement, and child welfare.

Outreach with County Courts. At least twelve (12) months prior to the implementation date of the Children's Code the OFC may begin reaching out to Brown and Outagamie County courts informing them the Nation will be exercising jurisdiction over child welfare proceedings. The OFC has already begun reaching out to the counties informing the counties that the county caseload may be lessened with adoption of the Children's Code.

Adoption Records Retention. The OFC shall continue to collaborate with the Indian Child Welfare Department and Records Management to develop a process for adoption records retention as required by the Code [See Children's Code, 7 O.C. 708.41-3 (e)]. Prior to the implementation date of the Children's Code, the OFC, Indian Child Welfare Department and Records Management shall develop a procedure for the retention of adoption records and determine how adoption records shall be maintained.

Develop GAL Training. Between twelve (12) months and four (4) months prior to the implementation date of the Children's Code the OFC shall develop guardian ad litem (GAL) training. The OFC already has training developed for GALs pertaining to the cases the OFC currently hears, but training specific to child welfare proceedings and the newly adopted Children's Code will have to be created. In addition to the development of content for GAL training, the OFC will have to develop a training plan for providing the best opportunity for interested individuals to be trained as a GAL.

Develop Training Plan for Children's Code. Between ten (10) months and seven (7) months prior to the implementation date of the Children's Code the two (2) OFC Judges shall develop a training plan for all OFC staff to obtain training on child welfare proceedings, as no current staff possess experience or training on these proceedings.

Judges Train OFC Staff for Children's Code. Between six (6) months and three (3) months prior to the implementation date of the Children's Code the OFC Judges shall train all OFC staff on matters regarding child welfare proceedings. The intent to train staff closer to the implementation date is so that staff will better retain the information yet still provide enough time to more training if necessary.

Recruit GALs. Although the general recruitment of GALs can begin immediately, the recruitment of GALs specific to child welfare proceedings should occur at least between six (6) months and four (4) months prior to implementation of the Children's Code. The OFC currently has a limited number of GALs, and the current GALs are only trained to hear current cases involving child support, divorce, custody, and placement matters. The Children's Code requires a GAL to be assigned to a child for certain proceedings related to child welfare. It is uncertain how many current GALs will show interest in serving as a GAL for child welfare proceeding, due to the difficult subject matter, and that will invest in more training specific to child welfare proceedings. Therefore, in order to properly take jurisdiction over child welfare proceedings the OFC needs to recruit more GALs.

Hold GAL Training Sessions. Between four (4) months and two (2) months prior to the implementation of the Children's Code the OFC will hold training sessions for recruited GALs to ensure the GALs are properly prepared for involvement with child welfare proceedings. The OFC will determine the best training plan for potential GALs, and will most likely hold multiple trainings in an effort to increase the number of available GALs for those cases that fall within the jurisdiction of the Children's Code. Trainings are held closer to the implementation date to allow the GALs to more accurately retain the information provided.

Develop Legal Documents. At least twelve (12) months to six (6) months prior to the implementation of the Children's Code the OFC will have to develop any and all legal documents relevant to child welfare proceedings. The legal documents will need to be developed prior to training OFC staff on the Children's Code. Legal documents that will be necessary to be developed will include:

- Temporary Physical Custody Form
- Order for Temporary Physical Custody
- Uniform Child Custody Jurisdiction & Enforcement Act Affidavit
- Petition for Protection or Services
- Dispositional Order: Protection or Services
- Petition for Termination of Parental Rights
- Summons: Termination of Parental Rights
- Order Concerning Termination of Parental Rights
- Notice of Hearing
- Motion for Transfer to Tribal Court
- Motion for Transfer to State Court
- Notice of Change in Placement
- Request to Change in Placement
- Request to Revise Dispositional Order
- Request to Extend Dispositional Order
- Request to Review Permanency Plan
- Stipulation for Consent Decree
- Consent Decree
- Order for Extension of Dispositional Order
- Order for Extension of Consent Decree
- Petition to Vacate Consent Decree
- Order on Petition Vacating Consent Decree and Reinstating Proceedings
- Order for Change of Placement
- Permanency Hearing Order
- Petition for Appointment of Guardian
- Dispositional Order Appoint Guardian
- Petition for Termination of Guardianship
- Order on Petition Termination of Guardianship
- Notice and Order of Hearing for Publication
- Consent to Termination of Parental Rights
- Petition for Adoptive Placement
- Consent to Adoption
- Order for Hearing and Investigation: Adoption
- Order for Hearing and Screening: Step-parent Adoption
- Order to Adoptive Placement
- Order Registering a Foreign Adoption Order
- Notice of Post-Termination of Parental Rights Change in Placement
- Order for Post-Termination of Parental Rights Change in Placement
- Injunction in Juvenile Court: Termination of Parental Rights
- Notice of Permanency Plan Hearing
- Plea Questionnaire/Waiver of Rights: Child in Need of Protection or Services
- Request to Inspect Child Welfare Court Records
- Order to Inspect Child Welfare Court Records
- Order Dismissing Petition
- Notice Concerning Grounds to Terminate Parental Rights
- Order Terminating Dispositional Order
- Stipulate to Revise Dispositional Order
- Order on Stipulation to Revise Dispositional Order
- Order for Revision of Dispositional Order
- Permanency Plan Hearing Order
- Order Appointing Guardian ad Litem
- Statement/Report of Guardian ad Litem (template)
- Request to Extend Consent Decree
- Request for Trial Reunification
- Request for Extension of Trial Reunification
- Request for Revocation of Trial Reunification
- Order for Trial Reunification
- Order Extension of Trial Reunification
- Order for Revocation of Trial Reunification

Meet with Trial Court Regarding Case Scheduling. Starting at least ten (10) months prior to implementation the OFC should meet with the Oneida Trial Court regarding future case scheduling. The Oneida Nation Judiciary only has two (2) court rooms available for hearings, so both the Trial Court and OFC will have to collaborate to determine how hearings will be scheduled and managed. Please note that the Children's Code requires

emergency custody hearings to take place as soon as possible but no later than seventy-two (72) hours of the time the decisions to hold the child was made, excluding weekends and holidays [See Children’s Code, 7 O.C. 708.16]. Between two (2) months and one (1) month prior to the implementation of the Children’s Code the OFC will meet with the Oneida Trial Court staff to again discuss case scheduling once the OFC receives the memorandum from the Legislative Operating Committee (LOC) discussing the projected number of cases that could transfer to the OFC.

Prepare for Case Transfers. Sixty (60) days prior to the implementation of the Children’s Code the LOC will meet with the Indian Child Welfare Department to discuss the potential number of cases that will be transferring to the OFC when the Children’s Code becomes effective. The LOC will then take the information regarding potential number of cases that will transfer to the OFC, and provide this information to the OFC in a memorandum so the OFC can better prepare to hear child welfare matters. This memorandum will not discuss specific case information but rather provide the OFC with an idea of how many cases will be transferred.

Provide Completion of Tasks for Quarterly Report. Beginning immediately, and up until the date of implementation, the OFC will track and document all tasks completed and provide updates on the progress of implementation of the Children’s Code.

ONEIDA INDIAN CHILD WELFARE DEPARTMENT

This section of the implementation plan describes the various duties and responsibilities assigned to the Nation’s Indian Child Welfare Department (ICW) in order for the successful implementation of the Children’s Code.

HIRING

Tasks	Today	FY 18 Budget Adoption	Number of Months prior to Implementation													Implementation Date
			15	14	13	12	11	10	9	8	7	6	5	4	3	
HIRING																
Review, Revise, & Develop Job Descriptions																
Post Intake Supervisor Position																
Post Child Placement Coordinator Position																
Post 2 On-Going Worker Positions																
Post Intake/Investigator Position																
Post Parenting Coordinator Position																
Hiring Process for Intake Supervisor																
Hiring Process for Child Placement Coordinator																
Hiring Process for 2 On-Going Workers																
Hiring Process for Intake/Investigator																
Hiring Process for Parenting Coordinator																
Hire Intake Supervisor																
Hire Child Placement Coordinator																
Hire 2 On-Going Workers																
Hire Intake/Investigator																
Hire Parenting Coordinator																
Post Paralegal Position																
Hiring Process for Paralegal																
Hire Paralegal																
Post PT Security Officer Position																
Hiring Process for PT Security Officer																
Hire PT Security Officer																

Review, Revise & Develop Job Descriptions. Beginning immediately the Indian Child Welfare Department (ICW), along with the Social Services Area Manager, the Governmental Services Division Director and HRD will form a working group to review, revise and develop job descriptions for the ICW positions needed to implement the Children's Code. The job description working group will also discuss a potential restructuring of ICW to ensure the department is conducting business in an effective and efficient manner.

Post Intake Supervisor Position. Upon approval of the Fiscal Year 2018 Budget the ICW in conjunction with HRD will post the ICW intake supervisor position and begin searching for potential applicants.

Post Child Placement Coordinator Position. Upon approval of the Fiscal Year 2018 Budget the ICW in conjunction with HRD will post the child placement coordinator position and begin searching for potential applicants.

Post Two On-Going Worker Positions. Upon approval of the Fiscal Year 2018 Budget the ICW in conjunction with HRD will post two (2) ongoing worker positions and begin searching for potential applicants.

Post Intake/Investigator Position. Upon approval of the Fiscal Year 2018 Budget the ICW in conjunction with HRD will post the intake/investigator position and begin searching for potential applicants.

Post Parenting Coordinator Position. Upon approval of the Fiscal Year 2018 Budget the ICW in conjunction with HRD will post the parenting coordinator position and begin searching for potential applicants.

Hiring Process for Intake Supervisor. ICW and HRD will have from fifteen (15) months to thirteen (13) months prior to implementation to complete the hiring process for the intake supervisor position. The hiring process will include interviews of potential applicants, background checks, negotiations, as well as allotting the potential intake supervisor enough time to provide proper notice to his or her current employer, if necessary.

Hiring Process for Child Placement Coordinator. ICW and HRD will have from fifteen (15) months to thirteen (13) months prior to implementation to complete the hiring process for the child placement coordinator position. The hiring process will include interviews of potential applicants, background checks, negotiations, as well as allotting the potential child placement coordinator enough time to provide proper notice to his or her current employer, if necessary.

Hiring Process for Two On-Going Workers. ICW and HRD will have from fifteen (15) months to thirteen (13) months prior to implementation to complete the hiring process for two on-going worker positions. The hiring process will include interviews of potential applicants, background checks, negotiations, as well as allotting the potential on-going workers enough time to provide proper notice to their current employer, if necessary.

Hiring Process for Intake/Investigator. ICW and HRD will have from fifteen (15) months to thirteen (13) months prior to implementation to complete the hiring process for the intake/investigator position. The hiring process will include interviews of potential applicants, background checks, negotiations, as well as allotting the potential intake/investigator enough time to provide proper notice to his or her current employer, if necessary.

Hiring Process for Parenting Coordinator. ICW and HRD will have from fifteen (15) months to thirteen (13) months prior to implementation to complete the hiring process for the parenting coordinator position. The hiring process will include interviews of potential applicants, background checks, negotiations, as well as allotting the potential parenting coordinator enough time to provide proper notice to his or her current employer, if necessary.

Hire Intake Supervisor. The intake supervisor should begin employment at ICW no later than twelve (12) months prior to implementation date of the Children's Code, but can begin as soon as possible when hired. This is to allow enough time for the intake supervisor to complete the training and tasks necessary to successfully implement the Children's Code.

Hire Child Placement Coordinator. The child placement coordinator should begin employment at ICW no later than twelve (12) months prior to implementation date of the Children's Code, but can begin as soon as possible when hired. This is to allow enough time for the child placement coordinator to complete the training and tasks necessary to successfully implement the Children's Code.

Hire Two On-Going Workers. The two on-going workers should begin employment at ICW no later than twelve (12) months prior to implementation date of the Children's Code, but can begin as soon as possible when hired. This is to allow enough time for the two on-going workers to complete the training and tasks necessary to successfully implement the Children's Code.

Hire Intake/Investigator. The intake/investigator should begin employment at ICW no later than twelve (12) months prior to implementation date of the Children's Code, but can begin as soon as possible when hired. This is to allow enough time for the intake/investigator to complete the training and tasks necessary to successfully implement the Children's Code.

Hire Parenting Coordinator. The parenting coordinator should begin employment at ICW no later than twelve (12) months prior to implementation date of the Children's Code, but can begin as soon as possible when hired. This is to allow enough time for the parenting coordinator to complete the training and tasks necessary to successfully implement the Children's Code.

Post Paralegal Position. At least eight (8) months prior to the implementation of the Children's Code ICW will post the paralegal position and begin searching for potential applicants.

Hiring Process for Paralegal. ICW will have from eight (8) months to seven (7) months prior to implementation to complete the hiring process for the paralegal position. The hiring process will include interviews of potential applicants, background checks, negotiations, as well as allotting the potential paralegal enough time to provide proper notice to his or her current employer, if necessary.

Hire Paralegal. The paralegal should begin employment at ICW no later than six (6) months prior to implementation date of the Children's Code, but can begin as soon as possible when hired. This is to allow enough time for the paralegal to complete the training and tasks necessary to successfully implement the Children's Code.

Post PT Security Officer Position. At least two (2) months prior to the implementation of the Children's Code ICW will post the part-time security officer position and begin searching for potential applicants.

Hiring Process for PT Security Officer. ICW will have from two (2) months to one (1) month prior to implementation to complete the hiring process for the part-time security officer position. The hiring process will include interviews of potential applicants, background checks, negotiations, as well as allotting the potential security officer enough time to provide proper notice to his or her current employer, if necessary.

Hire PT Security Officer. The part-time security officer should begin employment at ICW no later than the implementation date of the Children's Code, but can begin as soon as possible when hired.

TRAINING

OUTSIDE TRAINING: SUPERVISOR

Tasks	Today	FY 18 Budget Adoption	Number of Months prior to Implementation													Implementation Date	
			15	14	13	12	11	10	9	8	7	6	5	4	3		2
OUTSIDE TRAINING: SUPERVISOR																	
Administrative Rule DCF 43																	
Safety in Child Protective Services: Present Danger																	
Safety in Child Protective Services: Impending Danger																	
Engaging to Build Trusting Relationships																	
Supporting Change Through Engagement																	
Case Practice with American Indian Tribes*****																	
Placement																	
Access																	
Initial Assessment																	
Ongoing Case Planning																	
Trauma Informed Practice																	
In the Best Interest of the Child: Making the Most of Family Interaction																	
Stepping Up to Supervision: Orientation for New Supervisors																	
Administrative Supervision: Supervisor as Manager																	
Educational Supervision: Supervisor as Coach																	
Supportive Supervision: Supervisor as Team Leader																	
Clinical Supervision: Supervisor as Critical Thinker																	
Confirming Safe Environments (CSE)																	
Understanding Sex Trafficking in Wisconsin																	

Tasks	Today	FY 18 Budget Adoption	Number of Months prior to Implementation													Implementation Date	
			15	14	13	12	11	10	9	8	7	6	5	4	3		2
OUTSIDE TRAINING: SUPERVISOR CONTINUED																	
SAFE Training																	
SAFE Supervisors																	
Secondary Traumatic Stress: Building Resilience in Staff																	
Reflective Supervision in Child and Family Services																	
Leading and Managing from the Middle Leadership																	
Conflict Management: Having Challenging Conversations																	
Child Adolescent Needs and Strengths (CANS)																	

The Wisconsin Child Welfare Professional Development System provides a variety of professional development trainings to those individuals who provide child welfare services in one of the county departments of social/human services in Wisconsin, individuals who provide child welfare services in one of the Indian Child Welfare departments in Wisconsin, and Department of Children and Families and Bureau of Regional Operations staff. The above chart assumes that the Fiscal Year 2018 Budget will be adopted in October 2017, and illustrates the availability of trainings based on that fact.

The ICW Department supervisors will have the opportunity to obtain the following professional development foundation trainings from the Wisconsin Child Welfare Professional Development System:

Administrative Rule DCF 43. This training outlines the training requirements described in Administrative Rule DCF 43 for pre-service, foundation and ongoing trainings that are required by county staff.

Safety in Child Protective Services: Present Danger. This is a one (1) day course that looks at recognizing present dangers, and protective planning. ICW intends to look at training opportunities in the greater Fox Valley area, and the above chart reflects such, but the training is available in the following locations on the following dates:

Appleton	March 20, 2018;
Pewaukee	October 10, 2017;
Fond du Lac	November 28, 2017;
Madison	January 17, 2018.
Eau Claire	May 8, 2018;

Safety in Child Protective Services: Impending Danger. This is a two (2) day course that looks at recognizing impending dangers and safety in child protective services. ICW intends to look at training opportunities in the greater Fox Valley area, and the above chart reflects such, but the training is available in the following locations on the following dates:

Appleton	April 5, 2018 - April 6, 2018;
Pewaukee	October 24, 2017 - October 25, 2017;
Fond du Lac	December 19, 2017 - December 20, 2017;
Madison	February 7, 2018 - February 8, 2018;
Eau Claire	May 23, 2018 - May 23, 2018.

Engaging to Build Trusting Relationships. This is a two (2) day course that looks at providing guidance to workers on how to engage families to build trusting relationships. ICW intends to look at training opportunities in the greater Fox Valley area, and the above chart reflects such, but the training is available in the following locations on the following dates:

Appleton	January 9, 2018 – January 10, 2018;
Fond du Lac	October 12, 2017 - October 13, 2017;
Madison	November 16, 2018 – November 17, 2018;
Eau Claire	February 20, 2018 – February 21, 2018.
Pewaukee	April 12, 2018 – April 13, 2018;
Tomah	May 2, 2018 – May 3, 2018.

Supporting Change Through Engagement. This is a two (2) day course that can only be taken after *Engaging to Build Trusting Relationships* is taken. ICW intends to look at training opportunities in the greater Fox Valley area, and the above chart reflects such, but the training is available in the following locations on the following dates:

Appleton	February 7, 2018 – February 8, 2018;
Weston	October 26, 2017 – October 27, 2017;
Fond du Lac	November 7, 2017 – November 8, 2017;
Madison	December 13, 2017 – December 14, 2017;
Eau Claire	March 21, 2018 – March 22, 2018;

Pewaukee May 23, 2018 – May 24, 2018.

Case Practice with American Indian Tribes. This is a two (2) day course that provides guidance and standards for case practice with American Indian Tribes. ICW intends to look at training opportunities in the greater Fox Valley area, and the above chart reflects such, but the training is available in the following locations on the following dates:

Appleton	June 12, 2018 – June 13, 2018;
Fond du Lac	February 5, 2018 – February 6, 2018;
Eau Claire	January 17, 2018 – January 18, 2018;
Madison	March 20, 2018 – March 21, 2018;

Placement. This is a two (2) day course that provides training on placement. ICW intends to look at training opportunities in the greater Fox Valley area, and the above chart reflects such, but the training is available in the following locations on the following dates:

Appleton	March 15, 2018 – March 16, 2018;
Tomah	November 8, 2017- November 9, 2017;
Weston	December 13, 2017 – December 14, 2017;
Fond du Lac	January 17, 2018 – January 18, 2018;
Madison	May 16, 2018 – May 17, 2018;

Access. This is a one (1) day course that provides training on access. ICW intends to look at training opportunities in the greater Fox Valley area, and the above chart reflects such, but the training is available in the following locations on the following dates:

Appleton	October 26, 2017;
Pewaukee	December 20, 2017;
Eau Claire	February 6, 2018;
Madison	April 4, 2018;
Weston	May 22, 2018.

Initial Assessment. This is a three (3) day course that can only be taken after *Safety in Child Protective Services - Present Danger* and *Safety in Child Protective Services - Impending Danger* foundation courses are completed. This course intends to provide guidance on conducting initial assessments. ICW intends to look at training opportunities in the greater Fox Valley area, and the above chart reflects such, but the training is available in the following locations on the following dates:

Appleton	April 24, 2018 – April 26, 2018;
Pewaukee	December 5, 2017 – December 7, 2017;
Madison	March 6, 2018 – March 8, 2018;
Weston	June 6, 2018 – June 8, 2018.

Ongoing Case Planning. This is a two (2) day course that can only be taken after *Safety in Child Protective Services - Present Danger* and *Safety in Child Protective Services - Impending Danger* foundation courses are completed. This course intends to provide guidance on conducting ongoing case planning. ICW intends to look at training opportunities in the greater Fox Valley area, and the above chart reflects such, but the training is available in the following locations on the following dates:

Appleton	May 9, 2017 – May 10, 2017;
Pewaukee	November 14, 2017 – November 15, 2017;
Madison	February 21, 2018 – February 22, 2018;
Eau Claire	June 13, 2018 – June 14, 2018.

Trauma Informed Practice. This is a two (2) day course that provides training on trauma informed practice. ICW intends to look at training opportunities in the greater Fox Valley area, and the above chart reflects such, but the training is available in the following locations on the following dates:

Appleton	October 17, 2017 – October 18, 2017;
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Pewaukee	January 25, 2018 – January 26, 2018;
Weston	January 31, 2018 – February 1, 2018;
Eau Claire	April 10, 2018 – April 11, 2018;
Madison	April 17, 2018 – April 18, 2018.

In the Best Interest of the Child: Making the Most of Family Interaction. This is a new two (2) day course providing training on making the most of family interactions in the best interest of the child. ICW intends to look at training opportunities in the greater Fox Valley area, and the above chart reflects such, but the training is available in the following locations on the following dates:

Appleton	March 6, 2018 – March 7, 2018;
Eau Claire	November 29, 2017 – November 30, 2017;
Madison	June 7, 2018 – June 8, 2018.

Stepping Up to Supervision: Orientation for New Supervisors. This is a one (1) day course that provides orientation for new child welfare supervisors. This training will provide information that is most necessary for new supervisors early in their position: leadership, transitioning into supervision and the four roles of supervisors. The Wisconsin Child Welfare Model for Practice is central to the work of child welfare and will be introduced. Department of Children and Families staff will provide an overview of the department as well as staff and resources available to assist supervisors, information about eWisacwis and administrative rules/memos pertaining to their position. An overview of the Wisconsin Child Welfare Professional Development training system will be provided and resources and trainings available as well as how to access them. The training is available in the following locations on the following dates:

Weston	November 1, 2017;
Madison	December 6, 2017;
Madison	February 7, 2018;
Weston	March 7, 2018;
Madison	April 4, 2018;
Weston	May 2, 2018;
Madison	June 6, 2018.

Administrative Supervision: Supervisor as Manager. This is a two (2) day course which focuses on those areas of supervision which relate to the efficient and effective delivery of services. Key concepts covered include: supervising to the agency practice model, leading in a challenging environment, understanding the use of power, decision-making with data, recruiting and selecting workers, transitioning from peer to supervisor, managing performance. The training is available in the following locations on the following dates:

Milwaukee	September 12, 2017 – September 13, 2017;
Eau Claire	March 13, 2018 – March 14, 2018.

Educational Supervision: Supervisor as Coach. This is a two (2) day course which focuses on educating workers and staff in order to attain higher performance. Key topics include: coaching, learning styles, employee orientation, stages of worker development, transfer of learning. The training is available in the following locations on the following dates:

Milwaukee	October 10, 2017 – October 11, 2017;
Eau Claire	April 10, 2018 – April 11, 2018.

Supportive Supervision: Supervisor as Team Leader. This is a two (2) day course which focuses on supporting, nurturing, and motivating your workers to attain a high level of performance. This training reflects the reality of the supervisor's position as head cheerleader, arbitrator, and counselor, and the goal of creating supportive and enabling environment that promotes effective and efficient completion of mission-critical casework activities. The training is available in the following locations on the following dates:

Milwaukee	November 14, 2017 – November 15, 2017;
Eau Claire	May 8, 2018 – May 9, 2018.

Clinical Supervision: Supervisor as Critical Thinker. This is a two (2) day course in which supervisors will learn key elements of clinical practice and case consultation. During the training the supervisor will explore the use of solution focused supervision skills, providing individual and group supervision, knowing the supervisor's and worker's responsibilities in assessing for and achieving safety, permanency, and well-being, and understanding how to facilitate quality case practice. The training is available in the following locations on the following dates:

Milwaukee	December 12, 2017 – December 13, 2017;
Eau Claire	June 12, 2018 – June 13, 2018.

Confirming Safe Environments (CSE). This is a three (3) hour online training course that can be completed at any time. This training provides guidance and standards for those individuals who are responsible for confirming the safety of the placement environment when children are placed in out-of-home care, including unlicensed homes, foster homes, group homes, and residential care settings. This training prepares a supervisor or worker to better integrate these responsibilities into agency casework and promotes consistent, thorough approach to assessing safety in out-of-home care. This training provides more understanding behind the rationale and use of this CSE assessment.

Understanding Sex Trafficking in Wisconsin. This is an online training course that can be completed at any time. This training provides more understanding to the current condition of sex trafficking in Wisconsin.

SAFE Training. This is a two (2) day course in which the Structured Analysis Family Evaluation (SAFE) home study tool, which is required for all foster care licensing, is discussed. This standardized tool assists foster care coordinators in conducting a thorough evaluation of prospective foster families. The training is available in the following locations on the following dates:

Milwaukee	November 29, 2017 – November 30, 2017;
Madison	March 27, 2018 – March 28, 2018;
Eau Claire	June 26, 2018 – June 27, 2018.

SAFE Supervisors. This is a one (1) day course focusing on the Structured Analysis Family Evaluation (SAFE) home study tool in regards to supervisors. The training is available in the following locations on the following dates:

Milwaukee	December 1, 2017;
Madison	March 29, 2018;
Eau Claire	June 28, 2018.

Secondary Traumatic Stress: Building Resilience in Staff. This is a two (2) day supervisor and leadership continuing education course that is offered in Waupaca on March 27, 2018 – March 28, 2018.

Reflective Supervision in Child and Family Services. This is a one (1) day supervisor and leadership continuing education course. ICW intends to look at training opportunities in the greater Fox Valley area, and the above chart reflects such, but the training is available in the following locations on the following dates:

Appleton	April 19, 2018;
Madison	November 2, 2017.

Leading and Managing from the Middle. This is a one (1) day supervisor and leadership continuing education course that is offered in Waupaca on November 8, 2017.

Leadership. This is a one (1) day supervisor and leadership continuing education course that is offered in Eau Claire on May 16, 2017.

Conflict Management: Having Challenging Conversations. This is a one (1) day supervisor and leadership continuing education course that is offered in Madison on June 27, 2017.

Child Adolescent Needs and Strengths (CANS). This is a two (2) day training for the Child Adolescent Needs and Strengths (CANS) tool, which is an assessment strategy that is designed to be used for decision support and outcomes management. The use of the CANS assessment tool will allow ICW to focus on serving children and families, by representing children at all levels of need in the child welfare system. ICW staff will use the CANS assessment to determine the following:

1. the child’s mental health needs;
2. the level of need of a child, and the level of placement for the child based on the identified needs and strengths; and
3. a supplemental rate to be included in the foster care reimbursement.

ICW intends to look at training opportunities in the greater Fox Valley area, and the above chart reflects such, but the training is available in the following locations on the following dates:

- Appleton April 18, 2018;
- Eau Claire October 5, 2017;
- Pewaukee February 1, 2018.

INTERNAL TRAINING: SUPERVISOR

Tasks	Today	FY 18 Budget Adoption	Number of Months prior to Implementation													Implementation Date	
			15	14	13	12	11	10	9	8	7	6	5	4	3		2
INTERNAL TRAINING: SUPERVISOR																	
Develop Children’s Code Training																	
Provide Children’s Code Training to Staff																	
Develop on the Job Training for New Staff																	
Provide on the Job Training to New Staff																	
CANS: New Staff																	
Develop Current Duties Training																	
Provide Current Duties Training to New Staff																	
Develop Court Procedures Training																	
Provide Court Procedures Training to New Staff																	
Develop ICW & Client Training																	
Provide ICW & Client Training																	
Receiving Cultural Training																	
Provide Title IV-E Time Studies Training																	

Develop Children’s Code Training. Beginning immediately, and up until six (6) months prior to implementation of the Children’s Code, the ICW supervisors shall begin developing training for current and new ICW staff on the newly adopted Children’s Code. The ICW Department will have to become familiar with all responsibilities, requirements, processes, and procedures within the Children’s Code.

Provide Children’s Code Training to Staff. The ICW supervisors will have from six (6) months prior to the implementation date up until the Children’s Code implementation date to provide training on the Children’s Code to ICW staff.

Develop on the Job Training for New Staff. Beginning immediately, and up until twelve (12) months prior to implementation of the Children’s Code, the ICW supervisors shall begin developing on-the-job training for new ICW staff that will allow the staff to successfully take on current ICW job responsibilities and cases.

Provide on the Job Training to New Staff. At least twelve (12) months prior to implementation, but as soon as the new staff members are hired, the ICW supervisors can begin providing on the job training to the new ICW staff for their responsibilities and duties related to ICWA/WICWA cases. The new ICWA staff will immediately be assigned current ICWA/WICWA cases which will alleviate the caseload of current ICW staff.

CANS: New Staff. At least eight (8) months prior to implementation, but as soon as the new staff members are hired, the new staff members can begin obtaining Child and Adolescent Needs and Strengths (CANS) assessment training. The use of the CANS assessment tool will allow ICW to focus on serving children and families, by representing children at all levels of need in the child welfare system. ICW staff will use the CANS assessment to determine the following:

1. the child's mental health needs;
2. the level of need of a child, and the level of placement for the child based on the identified needs and strengths; and
3. a supplemental rate to be included in the foster care reimbursement.

Develop Current Duties Training. Beginning immediately, and up until twelve (12) months prior to implementation of the Children's Code, the ICW supervisors shall begin developing training for new ICW staff that will allow the staff to successfully take on current ICW job responsibilities and cases.

Provide Current Duties Training to New Staff. At least twelve (12) months prior to implementation, but as soon as the new staff members are hired, the ICW supervisors can begin providing training to the new ICW staff for their responsibilities and duties related to current ICW Department duties. The new ICWA staff will immediately be assigned current ICWA/WICWA cases which will alleviate the caseload of current ICW staff.

Develop Court Procedures Training. Beginning immediately, and up until twelve (12) months prior to implementation of the Children's Code, the ICW supervisors shall begin developing training for new ICW staff regarding the various court proceedings and procedures ICW workers will be expected to know.

Provide Court Procedures Training to New Staff. At least twelve (12) months prior to implementation, but as soon as the new staff members are hired, the ICW supervisors can begin providing training on court procedures and processes ICW workers will be required to know.

Develop ICW & Client Training. Beginning immediately, and up until seven (7) months prior to implementation of the Children's Code, the ICW supervisors shall begin developing general training regarding the ICW Department and relationships with clients.

Provide ICW & Client Training. At least six (6) months prior to implementation, but as soon as the new staff members are hired, the ICW supervisors can begin providing general training on the ICW Department and how to foster good relationships with clients.

Receiving Cultural Training. At least three (3) months prior to implementation, the entire ICW department shall receive training from the Cultural Facilitator on Oneida culture and traditions, and how culture can be utilized and encouraged through the ICW process.

Provide Title IV-E Time Studies Training. At least twelve (12) months prior to implementation, but as soon as the new staff members are hired, the ICW supervisors can begin providing training on Title IV-E reimbursement and the time studies that are required as part of the reimbursement. Title IV-E of the Social Security Act provides funds for states and tribes to provide foster care, transitional independent living programs for children, guardianship assistance, and adoption assistance for children with special needs.

ADDITIONAL DUTIES

Tasks	Today	FY 18 Budget Adoption	Number of Months prior to Implementation													Implementation Date	
			15	14	13	12	11	10	9	8	7	6	5	4	3		2
ADDITIONAL DUTIES: ICW																	
Collaboration with County Agencies																	
Collaboration with Oneida Nation Child Support Agency																	
Collaboration with Trust Enrollment Department/Committee																	
Collaboration with OPD																	
Enter into MOA with Counties																	
Enter into MOA with Child Support																	
Enter into MOA with Trust Enrollment																	
Enter into MOA with OPD																	
Develop Placement Philosophy																	
Obtain Access to Electronic Database																	
161 Agreement Development																	
161 Agreement Negotiations																	
Provide Completion of Tasks for Children's Code Quarterly Report																	
Case Transfer: Current Client Outreach																	
Case Transfer: Better Suited in OFC																	
Case Transfer: LOC Work Meeting																	

Collaboration with County Agencies. Beginning immediately, ICW may begin collaborating and communicating with Brown and Outagamie County agencies to inform the county agencies that the Nation will be exercising jurisdiction over child welfare proceedings when the Children’s Code becomes effective, and to collaborate to determine the roles, responsibilities, and relationships between ICW and the county agencies and how child welfare matters will be processed and transferred between the two agencies. ICW will seek to enter into memorandums of agreement with Brown and Outagamie County regarding these matters.

Collaboration with Oneida Nation Child Support Agency. Beginning immediately, ICW may begin collaborating and communicating with the Oneida Nation Child Support Agency to discuss and determine how child support referrals will be handled and processed by the Nation when a child welfare case intersects with a child support issue. Examples of when child support might need to be addressed or modified during an ICW case include trial reunifications and out-of-home placements. ICW will seek to enter into a memorandum of agreement with the Oneida Nation Child Support Agency regarding this matter.

Collaboration with Trust Enrollment Department/Committee. Beginning immediately, up until two (2) months prior to the date of implementation, ICW may begin collaborating and communicating with the Nation’s Trust Enrollment Department and/or Committee to discuss and determine how ICW will access the information they need from the Enrollment Database to properly implement the duties and responsibilities delegated to ICW by the Children’s Code. ICW will seek to enter into a memorandum of agreement with the Trust Enrollment Department and/or Committee regarding this matter.

Collaboration with OPD. Beginning immediately, up until two (2) months prior to the date of implementation, ICW may begin collaborating and communicating with the Oneida Police Department to discuss and determine the roles and responsibilities of each department, and how the Oneida Police Department will handle child welfare matters, and refer child welfare matters to ICW. ICW will seek to enter into a memorandum of agreement with the Oneida Police Department regarding this matter.

Enter into MOA with Counties. Beginning as soon as collaboration and communication with Brown and Outagamie Counties is complete, but at least two (2) months before implementation, ICW shall negotiate and enter into memorandums of agreement with both Brown County and Outagamie County.

Enter into MOA with Child Support. Beginning as soon as collaboration and communication with the Oneida Nation Child Support Agency is complete, but at least one (1) month before implementation, ICW shall negotiate and enter into a memorandum of agreement with the Oneida Nation Child Support Agency.

Enter into MOA with Trust Enrollment. Beginning as soon as collaboration and communication with the Trust Enrollment Department and/or Committee is complete, but at least one (1) month before implementation, ICW shall negotiate and enter into a memorandum of agreement with the Trust Enrollment Department and/or Committee.

Enter into MOA with OPD. Beginning as soon as collaboration and communication with the Oneida Police Department is complete, but at least one (1) month before implementation, ICW shall negotiate and enter into a memorandum of agreement with the Oneida Police Department.

Develop Placement Philosophy. Beginning immediately, up until one (1) month prior to the date of implementation, ICW in conjunction with the Social Services Area Manager and the Governmental Services Division Director will meet to discuss and determine a philosophy regarding placement that reflects the goals and intent of the Children's Code that will serve as a guide for ICW staff.

Obtain Access to Electronic Database. Beginning immediately, up until one (1) month prior to the date of implementation, ICW must obtain access to an electronic database, or software, something similar to eWISACWIS, which is the Wisconsin Statewide Automated Child Welfare Information Systems. Currently, ICW has limited access to eWISACWIS that will either need to be expanded to allow for the new duties of responsibilities of the ICW staff when the Children's Code becomes effective, or ICW will have to obtain access to another electronic database or software to maintain records.

161 Agreement Development. Beginning immediately, ICW along with other individuals from the formed subcommittee (including the Governmental Services Division Director, the Social Services Area Manager, and other individuals from Legislative Affairs, the Oneida Law Office, the Legislative Reference Office, and Finance) will continue to develop a draft 161 Agreement, describing when the Nation and either Brown or Outagamie County agrees to funding out-of-home placement, for approval by the Oneida Business Committee. The 161 Agreement subcommittee group has set the goal of providing a draft 161 Agreement to the Oneida Business Committee for approval prior to the approval of the Fiscal Year 2018 Budget. The 161 Agreements should be entered into as soon as possible, but should be in place prior to implementation. 161 Agreements are only valid for one year and must be re-negotiated and renewed every year.

161 Agreement Negotiations. As soon as the draft of the 161 Agreement is developed, and approved by the Oneida Business Committee, the Nation shall seek to enter into negotiations with both Brown County and Outagamie County for the 161 Agreement.

Provide Completion of Tasks for Quarterly Report. Beginning immediately, and up until the date of implementation, ICW will track and document all tasks completed and provide updates on the progress of implementation of the Children's Code.

Case Transfer: Current Client Outreach. Between four (4) months and two (2) months prior to implementation of the Children's Code, ICW must meet with each affected family to discuss the status of their case, what jurisdiction the case would be better suited in, and the family's feelings on transfer to the Oneida Family Court.

Case Transfer: Better Suited in OFC. Between four (4) months and two (2) months prior to implementation of the Children’s Code, but after ICW meets with each affected family, ICW will make the determination as to which cases would be better suited in the OFC.

Case Transfer: LOC Work Meeting. At least sixty (60) days before the Children’s Code becomes effective the LOC and the ICW Department shall hold a work meeting to discuss the number of cases seeking transfer to the Oneida Family Court.

DEVELOP INTERNAL STANDARD OPERATING PROCEDURES

Tasks	Today	FY 18 Budget Adoption	Number of Months prior to Implementation													Implementation Date
			15	14	13	12	11	10	9	8	7	6	5	4	3	
DEVELOP INTERNAL SOPs & WORK STANDARDS																
Standards for Substantiated Cases																
CANS: Standards to Determine Rates																
Process for Communication with County																
Process for Communication with OPD																
Process for Communication with Trust Enrollment																
Process for Communication with Child Support Agency																
On Call Process																
Adoption Records Retention																
Develop a Checks and Balances System																
Develop Process for Background Checks																
How to Determine if a Home is Safe																
Develop Best Practice Standards																
Revise Complaint Process																

Standards for Substantiated Cases. Beginning immediately, ICW will have to develop internal standard operating procedures governing the standards and conditions for when ICW will determine a case should be substantiated or unsubstantiated. ICW will need to determine if they will utilize the Wisconsin standards, or modify the standards.

CANS: Standards to Determine Rates. Beginning immediately, ICW will have to develop internal standard operating procedures governing which assessment tool they will use to determine the child’s mental health needs, the level of placement for the child based on the identified needs and strengths, and a supplemental rate to be included in the foster care reimbursement. ICW will have to determine whether they will continue using Wisconsin’s CANS assessment tool, or create a new assessment tool.

Process for Communication with County. Beginning immediately, ICW will have to develop internal standard operating procedures governing how ICW communicates and collaborates with both Brown and Outagamie County and their Child Protective Services workers.

Process for Communication with OPD. Beginning immediately, ICW will have to develop internal standard operating procedures governing how ICW communicates and collaborates with the Oneida Police Department, and how cases are referred between the two (2) departments.

Process for Communication with Trust Enrollment. Beginning immediately, ICW will have to develop internal standard operating procedures governing how ICW communicates and collaborates with the Trust Enrollment Department and/or Committee, including how information regarding the child, and information derived from the Enrollment Database is communicated and shared.

Process for Communication with Child Support Agency. Beginning immediately, ICW will have to develop internal standard operating procedures governing how ICW communicates and collaborates with the Oneida Nation Child Support Agency, including how relevant information and referrals are processed between the two (2) departments.

On Call Process. Beginning immediately, ICW will have to develop internal standard operating procedures describing the processes and procedures for those employees that will be on call.

Adoption Records Retention. Beginning immediately, ICW will have to develop internal standard operating procedures describing the procedure for the retention and maintenance of adoption records. ICW shall continue to collaborate with the Oneida Family Court and Records Management to develop a process for adoption records retention as required by the Code [*See Children's Code, 7 O.C. 708.41-3 (e)*].

Develop a Checks and Balances System. Since ICW, along with the attorney assigned to handle the Nation's child welfare matters, were delegated the Oneida Child Protective Board's authority and responsibilities upon dissolution of the Oneida Child Protective Board by Oneida Business Committee resolution BC-07-26-17-J, ICW should immediately begin to develop internal standard operating procedures describing the internal checks and balances that will be in place within ICW to ensure that the placement preferences and other standards described in the Children's Code are being properly followed.

Process for Background Checks. Beginning immediately, ICW will have to develop internal standard operating procedures describing the procedure and standards for background checks ICW will be following.

How to Determine if a Home is Safe. Beginning immediately, ICW will have to develop internal standard operating procedures that will govern such standards as when ICW makes the determination that a home is safe for a child to remain or return there. ICW will need to determine if they will utilize the Wisconsin standards, or modify the standards.

Develop Best Practice Standards. Beginning immediately, ICW will have to develop internal standard operating procedures that will govern best practice standards for all roles, responsibilities, and job duties of an individual employed in the ICW Department.

Revise Complaint Process. Beginning immediately, ICW will have to develop internal standard operating procedures that will govern how complaints made from families and clients involved with ICW will be handled and processed to ensure that the ICW Department is providing the best possible service to Oneida families.

FOSTER CARE

FOSTER CARE COORDINATOR: PROFESSIONAL DEVELOPMENT TRAINING

Tasks	Today	FY 18 Budget Adoption	Number of Months prior to Implementation													Implementation Date
			15	14	13	12	11	10	9	8	7	6	5	4	3	
FOSTER CARE COORDINATOR: PROFESSIONAL DEVELOPMENT TRAINING																
Professional Development Training:																
Structured Analysis Family Evaluation Training (SAFE)	█			█				█			█					
Foster Care Coordinator Pre-Service Training	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█
DCF 56: New Licensors		█		█		█										
Foster Parent Pre-Placement Training	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█
Confirming Safe Environments (CSE)	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█
Child Adolescent Needs and Strengths (CANS)			█			█		█								
SAFE Structured Analysis Family Evaluation Booster Training				█												
DCF 58: Kinship Care Coordinators			█	█				█	█	█						
Foster Parent Foundation Training of Content								█								
SAFE TA Phone Calls				█			█			█						

The Wisconsin Child Welfare Professional Development System provides a variety of professional development trainings to those individuals who provide child welfare services in one of the county departments of social/human services in Wisconsin, individuals who provide child welfare services in one of the Indian Child Welfare departments in Wisconsin, and Department of Children and Families and Bureau of Regional Operations staff. The above chart assumes that the Fiscal Year 2018 Budget will be adopted in October 2017, and illustrates the availability of trainings based on that fact.

Structured Analysis Family Evaluation Training (SAFE). This is a two (2) day course in which the Structured Analysis Family Evaluation (SAFE) home study tool, which is required for all foster care licensing, is discussed. This standardized tool assists foster care coordinators in conducting a thorough evaluation of prospective foster families. The training is available in the following locations on the following dates:

- Milwaukee November 29, 2017 – November 30, 2017;
- Madison March 27, 2018 – March 28, 2018;
- Eau Claire June 26, 2018 – June 27, 2018.

Foster Care Coordinator Pre-Service Training. This is an online training that can be obtained at any time. The Foster Care Coordinator Pre-Service Training explains the process by which children are placed into out-of-home care; the role of the Foster Care Coordinator within a licensing agency; the role that the Foster Care Coordinator will play with families; and the licensing process, including documentation requirements.

DCF 56: New Licensors. This is a two (2) day course that can only be taken after the *Foster Care Coordinator Pre-Service Training* is completed. This training will provide a review of Ch. DCF 56, Admin. Code highlighting recent changes or interpretations and review implementation of rules. Participants in this training will review all licensing materials as well as discuss licensing questions and foster care related issues. ICW intends to look at training opportunities in the greater Fox Valley area, and the above chart reflects such, but the training is available in the following locations on the following dates:

- Appleton March 1, 2018 – March 2, 2018;
- Madison October 19, 2017 – October 20, 2017;
- Milwaukee May 10, 2018 – May 11, 2017.

Foster Parent Pre-Placement Training. This is an online training that can be obtained at any time. This training is intended for foster parents, but as a foster care coordinator it is best practice to become familiar with content in this training which will assist in the licensing process.

Confirming Safe Environments (CSE). This is a three (3) hour online training course that can be completed at any time. This training provides guidance and standards for those individuals who are responsible for confirming the safety of the placement environment when children are placed in out-of-home care, including unlicensed homes, foster homes, group homes, and residential care settings. This training prepares a supervisor or foster care coordinator to better integrate these responsibilities into agency casework and promotes consistent, thorough approach to assessing safety in out-of-home care. This training provides more understanding behind the rationale and use of this CSE assessment.

Child Adolescent Needs and Strengths (CANS). This is a two (2) day training for the Child Adolescent Needs and Strengths (CANS) tool, which is an assessment strategy that is designed to be used for decision support and outcomes management. The use of the CANS assessment tool will allow ICW to focus on serving children and families, by representing children at all levels of need in the child welfare system. ICW staff will use the CANS assessment to determine the following:

1. the child's mental health needs;
2. the level of need of a child, and the level of placement for the child based on the identified needs and strengths; and
3. a supplemental rate to be included in the foster care reimbursement.

ICW intends to look at training opportunities in the greater Fox Valley area, and the above chart reflects such, but the training is available in the following locations on the following dates:

Appleton	April 18, 2018;
Eau Claire	October 5, 2017;
Pewaukee	February 1, 2018.

SAFE Structured Analysis Family Evaluation Booster Training. This is a one (1) day optional training for those who have completed the initial training and would like a refresher on information regarding the Structured Analysis Family Evaluation (SAFE) home study tool, which is required for all foster care licensing. This training can only be taken after the *Structured Analysis Family Evaluation Training (SAFE)* is completed. This training is offered in Milwaukee on November 28, 2017.

DCF 58: Kinship Care Coordinators. This is a one (1) day training that provides a review of Ch. DCF 58, Admin. Code highlighting recent changes or interpretations and review implementation of rules. Participants in this training will review all materials as well as discuss any kinship care related issues. ICW intends to look at training opportunities in the greater Fox Valley area, and the above chart reflects such, but the training is available in the following locations on the following dates:

Appleton	June 21, 2018;
Wausau	October 26, 2017;
Madison	November 8, 2017;
Eau Claire	April 5, 2018;
Madison	April 11, 2018;
Wausau	May 10, 2018.

Foster Parent Foundation Training of Content. This is a two (2) day training that provides a review of foster parent foundation training of content. This training will be offered in Appleton from April 11, 2018, to April 12, 2018.

SAFE TA Phone Calls. This is a telephonic training opportunity in which telephone calls are allowed from one (1) o'clock until three (3) o'clock in the afternoon on the following dates:

December 12, 2017;

March 6, 2018;
June 12, 2018.

FOSTER CARE COORDINATOR: INTERNAL TRAINING

Tasks	Today	FY 18 Budget Adoption	Number of Months prior to Implementation													Implementation Date		
			15	14	13	12	11	10	9	8	7	6	5	4	3		2	1
			FOSTER CARE COORDINATOR: INTERNAL TRAINING															
SAFE Homes Study Training																		
Foundation Training																		
On Job Training																		
Cultural Training																		
Foster Care Coordinator Regional Training (Monthly)																		
State-wide Training (Quarterly)																		

SAFE Homes Study Training. At least twelve (12) months prior to implementation, but as soon as the new foster care coordinator is hired, the foster care coordinator can begin obtaining further training from the current foster care coordinator on best practices when conducting SAFE home studies. The foster care coordinator will also obtain on the job training on how this assessment tool is utilized.

Foundation Training. At least twelve (12) months prior to implementation, but as soon as the new foster care coordinator is hired, up until two (2) months prior to the implementation of the Children’s Code, the foster care coordinator will obtain foundational training on the key concepts and processes of the Indian Child Welfare Department and child welfare matters.

On Job Training. At least twelve (12) months prior to implementation, but as soon as the new foster care coordinator is hired, up until two (2) months prior to the implementation of the Children’s Code, the foster care coordinator will obtain on the job training of all current duties and responsibilities the foster care coordinator has.

Cultural Training. At least three (3) months prior to implementation, the foster care coordinators shall receive training from the Cultural Facilitator on Oneida culture and traditions, and how culture can be utilized and encouraged through the ICW process.

Foster Care Coordinator Regional Training (Monthly). The foster care coordinators are required to participate in regional trainings and meetings on a monthly basis.

State-wide Training (Quarterly). The foster care coordinators are required to participate in state wide trainings on a quarterly basis.

FOSTER CARE COORDINATOR: ADDITIONAL DUTIES

Tasks	Today	FY 18 Budget Adoption	Number of Months prior to Implementation													Implementation Date		
			15	14	13	12	11	10	9	8	7	6	5	4	3		2	1
			FOSTER CARE COORDINATOR: ADDITIONAL DUTIES															
Develop Foster Care Training																		
Develop Current Foster Parents Recognition Events																		
Establish Support Groups for Foster Parents																		
Establish Evaluation Process																		
Recruitment of Foster Homes																		
Licensing Foster Homes																		
Re-licensing Foster Homes																		
Maintain Current Placement																		
Kinship Care																		
Renewal Evaluation																		
Monthly Reports to State																		
Maintain Licensing Capabilities																		
Complying with State Audits																		
Provide Training for Foster Homes																		
Title IV-E Time Studies																		

Develop Foster Care Training. Beginning immediately, up until the implementation of the Children’s Code, the foster care coordinators shall develop trainings and programs regarding foster care that can be utilized by foster homes and potential foster homes in order to gain more knowledge, understand, and support of the foster care system.

Develop Current Foster Parents Recognition Events. At least six (6) months prior to implementation, the foster care coordinator will develop recognition events and programs for current foster homes. The purpose of these events is to honor those families that open up their homes to foster children, and to bring more awareness to the foster care system.

Establish Support Groups for Foster Parents. Beginning immediately, the foster care coordinators will begin to establish support groups for foster parents. It is important that foster families feel supported in their endeavor to support Oneida families and children. Fostering a strong community of foster families is also a goal of ICW Department.

Establish Evaluation Process. Beginning immediately, the foster care coordinators shall establish an evaluation process that can be provided to current and potential foster families to garner feedback on how the ICW Department and its foster care coordinators can better provide service to Oneida families and children. It is ICW’s goal to provide a better service to Oneida families than what the families are currently receiving in the counties, so it is important that ICW garner feedback on what they are doing well, and what behaviors and services can be improved upon.

Recruitment of Foster Homes. Beginning immediately, the foster care coordinators shall work on the recruitment of foster homes. At the end of July 2017 the Nation had nine (9) foster homes, although some of those homes are child specific, and the potential to license four (4) more homes in the near future. When the Children’s Code is implemented the Nation will need more foster homes, as it is the goal of the ICW Department to utilize Oneida foster homes before utilizing foster homes in Brown County and Outagamie County. Currently, recruitment involves presence at community events such as General Tribal Council meetings, advertisements in the Kalihwisaks, collaboration with the State of Wisconsin, various counties, and other tribes on foster home recruitment, and education for the community on the foster care licensing process and what it means to care for a foster child.

Licensing Foster Homes. Beginning immediately, the foster care coordinators shall continue to work on licensing foster homes. Currently, the ICW Department licenses foster homes under Wisconsin licensing guidelines, which allows the Nation to license foster homes both on and off the Reservation. When licensing a foster home the foster care coordinator must check to ensure that all the required documents are available, execute background checks, check sex offender registries and the Department of Justice background checks and registries, complete Federal Bureau of Investigation (FBI) fingerprinting on potential foster homes, check with local police enforcement agencies and Child Protective Services (CPS) to do a check on the potential foster parents anywhere they have lived for the last ten (10) years, check for prior offenses and see if they have been banned from being around children, ensure that potential parents have reviewed the Chap. DCF 56 requirements, ensure pre-placement trainings have been accomplished, and ensure parents have drafted required autobiographies. The next step to licensing a foster home is a home study in which various questionnaires, psych-social evaluations, and interviews with potential parents, other children in the home, and references for the parents are held.

Re-licensing Foster Homes. Beginning immediately, the foster care coordinators shall continue to work on licensing foster homes. Foster homes must be relicensed every two (2) years, and much of the process for licensing foster homes has to occur again.

Maintain Current Placement. Beginning immediately, the foster care coordinators shall continue to work on maintaining those current out-of-home placements that are in foster homes, whether those foster homes are Oneida foster homes, or Brown and/or Outagamie County foster homes.

Kinship Care. Beginning immediately, the foster care coordinators shall continue to work on evaluating and processing kinship care payments. Kinship care works as a preventative method since it allows families to receive support for caring for a relative on a voluntary basis. Before the foster care coordinator can determine if a relative is eligible for voluntary kinship care the foster care coordinator must conduct background checks, hold a home study, and conduct an evaluation of any individual that lives in the residence. Kinship care must be renewed on a yearly basis, and currently about six (6) kinships renewals occur every month. The foster care coordinator is also responsible for processing kinship care checks every month. Currently, the Nation has about fifty-two (52) cases of voluntary kinship care.

Renewal Evaluation. Beginning immediately, the foster care coordinators shall continue processing Kinship care renewals. Kinship care must be renewed on a yearly basis, and currently about six (6) kinships renewals occur every month.

Monthly Reports to State. Beginning immediately, the foster care coordinators shall work on creating monthly reports to the State of Wisconsin regarding foster care.

Maintain Licensing Capabilities. Beginning immediately, the foster care coordinators shall continue maintaining the Nation's licensing capabilities. The foster care coordinator is responsible for all reporting to the State of Wisconsin to ensure that the "child placement agency license" is maintained.

Complying with State Audits. Beginning immediately, the foster care coordinators shall work towards complying with audits from the State of Wisconsin. The State of Wisconsin conducts audits on foster care coordinators, their licensing, and their record keeping every three (3) months.

Provide Foster Care Training. Beginning immediately the foster care coordinators shall provide the developed foster care trainings to both current and potential foster families. The trainings and programs that are developed and provided will pertain to foster care, its processes, and what it means to be a foster parent, so that foster families can gain more knowledge, understanding, and support of the foster care system.

Title IV-E Time Studies. Beginning immediately, the foster care coordinators shall obtain training on Title IV-E time studies and begin conducting Title IV-E time studies when required. Title IV-E of the Social Security Act provides funds for states and tribes to provide foster care, transitional independent living programs for children, guardianship assistance, and adoption assistance for children with special needs.

ONGOING-INTAKE WORKER: PROFESSIONAL DEVELOPMENT TRAINING

Tasks	Today	FY 18 Budget Adoption	Number of Months prior to Implementation													Implementation Date
			15	14	13	12	11	10	9	8	7	6	5	4	3	
ONGOING/INTAKE: PROFESSIONAL DEVELOPMENT TRAINING																
Safety in Child Protective Services: Present Danger																
Safety in Child Protective Services: Impending Danger																
Engaging to Build Trusting Relationships																
Supporting Change Through Engagement																
Case Practice with American Indian Tribes****																
Placement Access																
Initial Assessment																
Ongoing Case Planning																
Trauma Informed Practice																
In the Best Interest of the Child: Making the Most of Family Interaction																
Permanency Roundtable Orientation and Values Training																
Creative Case Planning for Parents with Personality Disorders																
Secondary Traumatic Stress and the Child Welfare Professional																
Wisconsin and National Drug Trends and Dangerous (Illegal) Drug Awareness																
Legal Updates for Juvenile and Children's Law																
Prescription Drug Abuse and Addiction																
Supporting the Educational Needs of Children and Youth																
CANS Case Planning																
Termination of Parental Rights																
Effective Court Room Preparation and Presentation																
Childhood and Adolescent Disorders																

The Wisconsin Child Welfare Professional Development System provides a variety of professional development trainings to those individuals who provide child welfare services in one of the county departments of social/human services in Wisconsin, individuals who provide child welfare services in one (1) of the Indian Child Welfare departments in Wisconsin, and Department of Children and Families and Bureau of Regional Operations staff. The above chart assumes that the Fiscal Year 2018 Budget will be adopted in October 2017, and illustrates the availability of trainings based on that fact.

Safety in Child Protective Services: Present Danger. This is a one (1) day course that looks at recognizing present dangers, and protective planning. ICW intends to look at training opportunities in the greater Fox Valley area, and the above chart reflects such, but the training is available in the following locations on the following dates:

- Appleton March 20, 2018;
- Pewaukee October 10, 2017;

Fond du Lac	November 28, 2017;
Madison	January 17, 2018.
Eau Claire	May 8, 2018;

Safety in Child Protective Services: Impending Danger. This is a two (2) day course that looks at recognizing impending dangers and safety in child protective services. ICW intends to look at training opportunities in the greater Fox Valley area, and the above chart reflects such, but the training is available in the following locations on the following dates:

Appleton	April 5, 2018 - April 6, 2018;
Pewaukee	October 24, 2017 - October 25, 2017;
Fond du Lac	December 19, 2017 - December 20, 2017;
Madison	February 7, 2018 - February 8, 2018;
Eau Claire	May 23, 2018 - May 23, 2018.

Engaging to Build Trusting Relationships. This is a two (2) day course that looks at providing guidance to workers on how to engage families to build trusting relationships. ICW intends to look at training opportunities in the greater Fox Valley area, and the above chart reflects such, but the training is available in the following locations on the following dates:

Appleton	January 9, 2018 – January 10, 2018;
Fond du Lac	October 12, 2017 - October 13, 2017;
Madison	November 16, 2018 – November 17, 2018;
Eau Claire	February 20, 2018 – February 21, 2018.
Pewaukee	April 12, 2018 – April 13, 2018;
Tomah	May 2, 2018 – May 3, 2018.

Supporting Change Through Engagement. This is a two (2) day course that can only be taken after *Engaging to Build Trusting Relationships* is taken. ICW intends to look at training opportunities in the greater Fox Valley area, and the above chart reflects such, but the training is available in the following locations on the following dates:

Appleton	February 7, 2018 – February 8, 2018;
Weston	October 26, 2017 – October 27, 2017;
Fond du Lac	November 7, 2017 – November 8, 2017;
Madison	December 13, 2017 – December 14, 2017;
Eau Claire	March 21, 2018 – March 22, 2018;
Pewaukee	May 23, 2018 – May 24, 2018.

Case Practice with American Indian Tribes. This is a two (2) day course that provides guidance and standards for case practice with American Indian Tribes. ICW intends to look at training opportunities in the greater Fox Valley area, and the above chart reflects such, but the training is available in the following locations on the following dates:

Appleton	June 12, 2018 – June 13, 2018;
Fond du Lac	February 5, 2018 – February 6, 2018;
Eau Claire	January 17, 2018 – January 18, 2018;
Madison	March 20, 2018 – March 21, 2018;

Placement. This is a two (2) day course that provides training on placement. ICW intends to look at training opportunities in the greater Fox Valley area, and the above chart reflects such, but the training is available in the following locations on the following dates:

Appleton	March 15, 2018 – March 16, 2018;
Tomah	November 8, 2017- November 9, 2017;
Weston	December 13, 2017 – December 14, 2017;
Fond du Lac	January 17, 2018 – January 18, 2018;
Madison	May 16, 2018 – May 17, 2018;

Access. This is a one (1) day course that provides training on access. ICW intends to look at training opportunities in the greater Fox Valley area, and the above chart reflects such, but the training is available in the following locations on the following dates:

Appleton	October 26, 2017;
Pewaukee	December 20, 2017;
Eau Claire	February 6, 2018;
Madison	April 4, 2018;
Weston	May 22, 2018.

Initial Assessment. This is a three (3) day course that can only be taken after *Safety in Child Protective Services - Present Danger* and *Safety in Child Protective Services - Impending Danger* foundation courses are completed. This course intends to provide guidance on conducting initial assessments. ICW intends to look at training opportunities in the greater Fox Valley area, and the above chart reflects such, but the training is available in the following locations on the following dates:

Appleton	April 24, 2018 – April 26, 2018;
Pewaukee	December 5, 2017 – December 7, 2017;
Madison	March 6, 2018 – March 8, 2018;
Weston	June 6, 2018 – June 8, 2018.

Ongoing Case Planning. This is a two (2) day course that can only be taken after *Safety in Child Protective Services - Present Danger* and *Safety in Child Protective Services - Impending Danger* foundation courses are completed. This course intends to provide guidance on conducting ongoing case planning. ICW intends to look at training opportunities in the greater Fox Valley area, and the above chart reflects such, but the training is available in the following locations on the following dates:

Appleton	May 9, 2017 – May 10, 2017;
Pewaukee	November 14, 2017 – November 15, 2017;
Madison	February 21, 2018 – February 22, 2018;
Eau Claire	June 13, 2018 – June 14, 2018.

Trauma Informed Practice. This is a two (2) day course that provides training on trauma informed practice. ICW intends to look at training opportunities in the greater Fox Valley area, and the above chart reflects such, but the training is available in the following locations on the following dates:

Appleton	October 17, 2017 – October 18, 2017;
Pewaukee	January 25, 2018 – January 26, 2018;
Weston	January 31, 2018 – February 1, 2018;
Eau Claire	April 10, 2018 – April 11, 2018;
Madison	April 17, 2018 – April 18, 2018.

In the Best Interest of the Child: Making the Most of Family Interaction. This is a new two (2) day course providing training on making the most of family interactions in the best interest of the child. ICW intends to look at training opportunities in the greater Fox Valley area, and the above chart reflects such, but the training is available in the following locations on the following dates:

Appleton	March 6, 2018 – March 7, 2018;
Eau Claire	November 29, 2017 – November 30, 2017;
Madison	June 7, 2018 – June 8, 2018.

Child Adolescent Needs and Strengths (CANS). This is a two (2) day training for the Child Adolescent Needs and Strengths (CANS) tool, which is an assessment strategy that is designed to be used for decision support and outcomes management. The use of the CANS assessment tool will allow ICW to focus on serving children and families, by representing children at all levels of need in the child welfare system. ICW staff will use the CANS assessment to determine the following:

1. the child's mental health needs;

2. the level of need of a child, and the level of placement for the child based on the identified needs and strengths; and

3. a supplemental rate to be included in the foster care reimbursement.

ICW intends to look at training opportunities in the greater Fox Valley area, and the above chart reflects such, but the training is available in the following locations on the following dates:

Appleton	April 18, 2018;
Eau Claire	October 5, 2017;
Pewaukee	February 1, 2018.

Permanency Roundtable Orientation and Values Training. This is a one (1) day special skills and topics training which discusses permanency and values. The training is available in the following locations on the following dates:

Pewaukee	November 9, 2017;
Madison	February 13, 2018;
Eau Claire	May 18, 2018.

Creative Case Planning for Parents with Personality Disorders. This is a one (1) day special skills and topics training which discusses creative case planning methods for those parents who have personality disorders. ICW intends to look at training opportunities in the greater Fox Valley area, and the above chart reflects such, but the training is available in the following locations on the following dates:

Appleton	October 4, 2017;
Eau Claire	April 17, 2018.

Secondary Traumatic Stress and the Child Welfare Professional. This is a one (1) day special skills and topics training which discusses secondary traumatic stress and its effect on child welfare professionals. ICW intends to look at training opportunities in the greater Fox Valley area, and the above chart reflects such, but the training is available in the following locations on the following dates:

Appleton	October 24, 2017;
Hayward	September 19, 2017;
Madison	March 22, 2018.

Wisconsin and National Drug Trends and Dangerous (Illegal) Drug Awareness. This is a one (1) day special skills and topics training which discusses drug trends in Wisconsin and the Nation, and how to bring awareness to dangerous and illegal drugs. This training is especially important because the current drug trends are having a great impact on child welfare matters. ICW intends to look at training opportunities in the greater Fox Valley area, and the above chart reflects such, but the training is available in the following locations on the following dates:

Appleton	December 12, 2017;
Wausau	October 3, 2017;
Eau Claire	November 8, 2017;
Pewaukee	January 12, 2018;
Madison	February 1, 2018.

Legal Updates for Juvenile and Children's Law. This is a one (1) day special skills and topics training which discusses legal updates and interpretations to juvenile and children's law. ICW intends to look at training opportunities in the greater Fox Valley area, and the above chart reflects such, but the training is available in the following locations on the following dates:

Appleton	January 12, 2018;
Eau Claire	October 17, 2017;
Madison	November 1, 2017;
Pewaukee	March 28, 2018;
Wausau	May 1, 2018.

Prescription Drug Abuse and Addiction. This is a one (1) day special skills and topics training which discusses prescription drug abuse and addiction. ICW intends to look at training opportunities in the greater Fox Valley area, and the above chart reflects such, but the training is available in the following locations on the following dates:

Appleton	March 27, 2018;
Madison	December 6, 2017;
Rhineland	April 10, 2018.

Supporting the Educational Needs of Children and Youth. This is a one (1) day special skills and topics training which discusses methods to support the education needs of children and youth. ICW intends to look at training opportunities in the greater Fox Valley area, and the above chart reflects such, but the training is available in the following locations on the following dates:

Appleton	April 10, 2018;
Madison	January 9, 2018;
Eau Claire	May 15, 2018.

CANS Case Planning. This is a one (1) day special skills and topics training which discusses the use of the CANS assessment tool in case planning. ICW intends to look at training opportunities in the greater Fox Valley area, and the above chart reflects such, but the training is available in the following locations on the following dates:

Appleton	April 18, 2018;
Eau Claire	October 5, 2017;
Pewaukee	February, 2018.

Termination of Parental Rights. This is a two (2) day special skills and topics training which discusses the termination of parental rights. ICW intends to look at training opportunities in the greater Fox Valley area, and the above chart reflects such, but the training is available in the following locations on the following dates:

Appleton	June 6, 2018 – June 7, 2018;
Pewaukee	November 30, 2017 - December 1, 2017.

Effective Court Room Preparation and Presentation. This is a two (2) day special skills and topics training which discusses tips and methods for effective court room preparation and presentation. This training is available in the following locations on the following dates:

Madison	September 7, 2017 – September 8, 2017;
Wausau	March 21, 2018 – March 22, 2018.

Childhood and Adolescent Disorders. This is a two (2) day special skills and topics training which discusses childhood and adolescent disorders. This training is available in Madison from September 14, 2017 to September 15, 2017.

ONGOING-INTAKE WORKER: INTERNAL TRAINING

Tasks	Today	FY 18 Budget Adoption	Number of Months prior to Implementation													Implementation Date
			15	14	13	12	11	10	9	8	7	6	5	4	3	
ONGOING/INTAKE: INTERNAL TRAINING																
Children's Code Training																
On the Job Training/Performing																
Court Proceedings Training																
ICW & Client Training																
Cultural Training																
Title IV-E Time Studies Training																

Children's Code Training. At least six (6) months prior to the implementation of the Children's Code the ICW on-going and intake workers shall begin obtaining training on the newly adopted Children's Code. The ICW Department will have to become familiar with all responsibilities, requirements, processes, and procedures within the Children's Code.

On the Job Training/Performing. At least twelve (12) months prior to implementation, but as soon as the new ongoing and intake workers are hired; the ongoing and intake workers will obtain on the job training of all current duties and responsibilities. These duties and responsibilities include, but are not limited to the following:

- Develop positive working relationships, provide support services and needs assessments for families to address safety concerns and to best maintain the family unit
- Maintain a current case plan
- Receive, record and provide information regarding child abuse and neglect to appropriate agencies
- Provide child welfare services and intervene in emergency situations, provide assessment and referral services in emergency situations
- Coordinate required family contact defined in the Children's Code
- Assess the family situation and determine services needed on an ongoing basis
- Provide family support services, primary prevention, and early intervention in child abuse and neglect situations
- Conduct investigations for cases within the Nation's jurisdiction and participate in investigations conducted by county Social Service agencies as required
- Prepare and maintain a current case plan and safety plan for every active case with the family's input
- Attend court hearings and provide court testimony when necessary
- Network with tribal, county, state, federal and private sector services and organizations that serve the children and their families
- Ensure compliance of program with tribal, state, and federal child welfare regulations
- Coordinate Oneida and county foster home placements, including foster care, pre-adoptive guardianships, kinships and report back to judicial agencies
- Arrange, transport, and supervise visits between parents, children, and relatives
- Research family tree and enrollment verification to identify, contact, and investigate potential placements with relatives
- Assure best practice standards are adhered to ensure safety, confidentiality and professionalism

Court Proceedings Training. At least twelve (12) months prior to implementation, but as soon as the new staff members are hired, the ongoing and intake workers can begin obtaining training on court procedures and processes ICW workers will be required to know.

ICW & Client Training. At least six (6) months prior to implementation, but as soon as the new staff members are hired, the additional ongoing and intake workers can begin obtaining general training on the ICW Department and how to foster good relationships with clients.

Cultural Training. At least three (3) months prior to implementation, the intake and ongoing workers shall receive training from the Cultural Facilitator on Oneida culture and traditions, and how culture can be utilized and encouraged through the ICW process.

Title IV-E Time Studies Training. At least twelve (12) months before the implementation of the Children’s Code, but as soon as the additional ongoing and intake workers are hired, the ongoing and intake workers shall obtain training on Title IV-E time studies and begin conducting Title IV-E time studies when required. Title IV-E of the Social Security Act provides funds for states and tribes to provide foster care, transitional independent living programs for children, guardianship assistance, and adoption assistance for children with special needs.

PARALEGAL

Tasks	Today	FY 18 Budget Adoption	Number of Months prior to Implementation													Implementation Date			
			15	14	13	12	11	10	9	8	7	6	5	4	3		2	1	
PARALEGAL																			
Court Room Conduct & Procedures Training																			
Assist Attorney in Developing Legal Documents																			
Children’s Code Training																			
ICW & Client Training																			
Cultural Training																			
Title IV-E Time Studies Training																			

Court Room Conduct & Procedures Training. At least six (6) months prior to implementation, but as soon as the paralegal is hired, the paralegal can begin obtaining training regarding court procedures and processes, and the specific documentation related to those procedures and processes.

Assist Attorney in Developing Legal Documents. At least four (4) months prior to implementation of the Children’s Code, the paralegal can assist the Nation’s Child Welfare Attorney in developing and drafting the various legal documents that will be necessary for the implementation of the Children’s Code. The paralegal may also work with the Oneida Family Court when drafting such documents to ensure the ICW Department’s documents are consistent with the Oneida Family Court’s documents.

Children’s Code Training. At least six (6) months prior to the implementation of the Children’s Code the ICW on-going and intake workers shall begin obtaining training on the newly adopted Children’s Code. The ICW Department will have to become familiar with all responsibilities, requirements, processes, and procedures within the Children’s Code.

ICW & Client Training. At least six (6) months prior to implementation, but as soon as the paralegal is hired, the paralegal can begin obtaining training regarding the specific responsibilities and duties of the position, as well as general trainings on child welfare matters.

Cultural Training. At least three (3) months prior to implementation, the paralegal shall receive training from the Cultural Facilitator on Oneida culture and traditions, and how culture can be utilized and encouraged through the ICW process.

Title IV-E Time Studies Training. At least six (6) months before the implementation of the Children’s Code, but as soon as the paralegal is hired, paralegal shall obtain training on Title IV-E time studies and begin conducting Title IV-E time studies when required. Title IV-E of the Social Security Act provides funds for states and tribes to provide foster care, transitional independent living programs for children, guardianship assistance, and adoption assistance for children with special needs.

PARENTING COORDINATOR

Tasks	Today	FY 18 Budget Adoption	Number of Months prior to Implementation													Implementation Date
			15	14	13	12	11	10	9	8	7	6	5	4	3	
PARENTING COORDINATOR																
Children’s Code Training																
On the Job Training																
Current Job Duties Training/Performing																
ICW & Client Training																
Cultural Training																
Title IV-E Time Studies Training																

Children’s Code Training. At least six (6) months prior to the implementation of the Children’s Code the parenting coordinator shall begin obtaining training on the newly adopted Children’s Code. The ICW Department will have to become familiar with all responsibilities, requirements, processes, and procedures within the Children’s Code.

On the Job Training. At least twelve (12) months before the implementation of the Children’s Code, but as soon as the parenting coordinator is hired, the additional parenting coordinator can begin obtaining on the job training for the current duties and responsibilities assigned to the parenting coordinator.

Current Job Duties Training/Performing. At least twelve (12) months before the implementation of the Children’s Code, but as soon as the parenting coordinator is hired, the additional parenting coordinator can begin obtaining training regarding the specific duties and responsibilities of the parenting coordinator.

ICW & Client Training. At least twelve (12) months before the implementation of the Children’s Code, but as soon as the parenting coordinator is hired, the additional parenting coordinator can begin obtaining general training on the ICW Department and how to foster good relationships with clients.

Cultural Training. At least three (3) months prior to implementation, the parenting coordinator shall receive training from the Cultural Facilitator on Oneida culture and traditions, and how culture can be utilized and encouraged through the ICW process.

Title IV-E Time Studies Training. At least twelve (12) months before the implementation of the Children’s Code, but as soon as the parenting coordinator is hired, the parenting coordinator shall obtain training on Title IV-E time studies and begin conducting Title IV-E time studies when required. Title IV-E of the Social Security Act provides funds for states and tribes to provide foster care, transitional independent living programs for children, guardianship assistance, and adoption assistance for children with special needs.

ONEIDA POLICE DEPARTMENT

Tasks	Today	FY 18 Budget Adoption	Number of Months prior to Implementation													Implementation Date		
			15	14	13	12	11	10	9	8	7	6	5	4	3		2	1
			Outreach to other Law Enforcement Agencies															
Develop Standards on when ICW is Called																		
Enter into MOA w/ ICW																		
Enter into MOA w/ County																		

Outreach to Other Law Enforcement Agencies. Beginning as soon as possible, the Oneida Police Department shall reach out to other law enforcement agencies, specifically those agencies in Brown County and Outagamie County, and inform the agencies that the Oneida Nation will soon be exercising jurisdiction over child welfare cases.

Develop Standards on when ICW is Called. Beginning as soon as possible, the Oneida Police Department shall begin developing standards for their relationship with the Nation’s Indian Child Welfare Department, and when the Oneida Police Department is responsible for communication with the Indian Child Welfare Department to inform them that there might be a child welfare case.

Enter into MOA with ICW. As soon as possible, but at least two (2) months to one (1) month prior to the implementation date of the Children’s Code, the Oneida Police Department shall enter into a memorandum of agreement (MOA) with the Indian Child Welfare Department. The MOA will detail the relationship, roles, and responsibilities of the Oneida Police Department and Indian Child Welfare Department. The MOA will also detail the process by which each department shall communicate with the other.

Enter into MOA with the County. As soon as possible, but at least two (2) months to one (1) month prior to the implementation date of the Children’s Code, the Oneida Police Department may enter into a memorandum of agreement (MOA) with Brown County and/or Outagamie County, if determined necessary. The MOA between the Oneida Police Department and local counties would detail the responsibilities, relationships, and roles of each agency in regard to handling child welfare matters.

ONEIDA CHILD SUPPORT AGENCY

Tasks	Today	FY 18 Budget Adoption	Number of Months prior to Implementation													Implementation Date		
			15	14	13	12	11	10	9	8	7	6	5	4	3		2	1
			Identify Cases that Intersect with ICW															
Collaboration w/ ICW: Case Referrals																		
Develop Communication Process: ICW 161 Agreement: Child Support																		
Enter into MOA w/ ICW																		

Identify Cases that Intersect. From now until implementation of the Children’s Code, the Oneida Child Support Agency shall identify, to the best of their ability, cases that intersect with the Indian Child Welfare Department’s

child welfare cases. This identification can come from how many child support cases involve reimbursement to kinship or foster care costs, and how many referrals are received from the Indian Child Welfare Department.

Collaboration with ICW: Case Referrals. From now until implementation of the Children’s Code, the Oneida Child Support Agency shall collaborate with the Indian Child Welfare Department to determine how case referrals will be made between the two departments, and the communication, roles, responsibilities, and relationship of the two departments.

Develop Communication Process: ICW. From now until approval of the Fiscal Year 2018 Budget, the Oneida Child Support Agency shall develop internal processes and procedures describing how the Oneida Child Support Agency will communicate with the Indian Child Welfare Department.

161 Agreement: Child Support. From now until approval of the Fiscal Year 2018 Budget, the Oneida Child Support Agency shall work with the 161 Agreement sub-committee to address how child support will be referenced and handled in the potential 161 Agreements.

Enter into MOA with ICW. As soon as possible, but at least two (2) months to one (1) month prior to the implementation date of the Children’s Code, the Oneida Child Support Agency shall enter into a memorandum of agreement (MOA) with the Indian Child Welfare Department. The MOA will detail the relationship, roles, and responsibilities of the Oneida Child Support Agency and Indian Child Welfare Department. The MOA will also detail the process by which each department shall communicate with the other, and how cases will be referred between the two departments.

ONEIDA NATION CULTURAL HERITAGE DEPARTMENT

Tasks	Today	FY 18 Budget Adoption	Number of Months prior to Implementation													Implementation Date		
			15	14	13	12	11	10	9	8	7	6	5	4	3		2	1
			HIRING															
Review & Revise Job Descriptions																		
Post Cultural Facilitator (1) Position																		
Hiring Process for Cultural Facilitator (1)																		
Hire Cultural Facilitator (1)																		
Post Cultural Facilitator (2) Position																		
Hiring Process for Cultural Facilitator (2)																		
Hire Cultural Facilitator (2)																		
TRAINING																		
ICW & Client Training																		
Foster Home Training																		
ADDITIONAL DUTIES																		
Develop Cultural Training Plan																		
Provide Cultural Training ICW																		
Provide Cultural Training GALs, Advocates & Court Staff																		
Provide Cultural Training to Foster Homes																		
Provide Cultural Training Parenting Group																		

HIRING

Review & Revise Job Descriptions. Beginning immediately, the Cultural Heritage Department shall review the job descriptions for the Cultural Facilitator positions needed to implement the Children’s Code, and make any necessary revisions to the job descriptions.

Post First Cultural Facilitator Position. At least eight (8) months prior to the implementation of the Children's Code Cultural Heritage will post the first cultural facilitator position and begin searching for potential applicants.

Hiring Process for First Cultural Facilitator. Cultural Heritage will have from eight (8) months to seven (7) months prior to implementation to complete the hiring process for the first cultural facilitator position. The hiring process will include interviews of potential applicants, background checks, negotiations, as well as allotting the potential cultural facilitator enough time to provide proper notice to his or her current employer, if necessary.

Hire First Cultural Facilitator. The first cultural facilitator should begin employment at Cultural Heritage no later than six (6) months prior to implementation date of the Children's Code, but can begin as soon as possible when hired.

Post Second Cultural Facilitator Position. At least two (2) months prior to the implementation of the Children's Code Cultural Heritage will post the second cultural facilitator position and begin searching for potential applicants.

Hiring Process for Second Cultural Facilitator. Cultural Heritage will have from two (2) months to one (1) month prior to implementation to complete the hiring process for the second cultural facilitator position. The hiring process will include interviews of potential applicants, background checks, negotiations, as well as allotting the potential cultural facilitator enough time to provide proper notice to his or her current employer, if necessary.

Hire Second Cultural Facilitator. The second cultural facilitator should begin employment at Cultural Heritage no later than the implementation date of the Children's Code, but can begin as soon as possible when hired.

TRAINING

ICW & Client Training. At least six (6) months prior to implementation, but as soon as the first cultural facilitator is hired, the cultural facilitator can begin obtaining training regarding the specific responsibilities and duties of the position, as well as general trainings on child welfare matters. The second cultural healer will begin obtaining this training at least by the date of implementation, but as soon as the second cultural facilitator is hired.

Foster Home Training. At least six (6) months prior to implementation, but as soon as the first cultural facilitator is hired, the cultural facilitator can begin obtaining training on the foster home process to gain a better understanding of the experiences and expectations of families who go through the foster home process in order to provide better training to families in the future. The second cultural healer will begin obtaining this training at least by the date of implementation, but as soon as the second cultural facilitator is hired.

ADDITIONAL DUTIES

Develop Cultural Training Plan. At least six (6) months prior to implementation, but as soon as the first cultural facilitator is hired, the cultural facilitator can begin developing a cultural training plan. The cultural facilitator will be responsible for providing trainings and services based on Oneida culture and tradition to families, ICW staff, GALs, advocates, Oneida Family Court staff, parenting groups, and foster homes.

Provide Cultural Training ICW. At least one (1) month prior to the implementation of the Children's Code, the cultural facilitator can begin providing training on Oneida culture and traditions to staff from the Indian Child Welfare Department.

Provide Cultural Training GALs, Advocates & Court Staff. At least one (1) month prior to the implementation of the Children's Code, the cultural facilitator can begin providing training on Oneida culture and traditions to guardians ad lite, advocates, and staff at the Oneida Family Court.

Provide Cultural Training to Foster Homes. At least one (1) month prior to the implementation of the Children's Code, the cultural facilitator can begin providing training on Oneida culture and traditions to foster homes that may be housing Oneida children.

Provide Cultural Training Parenting Group. At least one (1) month prior to the implementation of the Children's Code, the cultural facilitator can begin providing training on Oneida culture and traditions to those individuals that participate in the Indian Child Welfare Department's parenting groups.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 9 / 13 / 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:

Consider the Oneida Nation Seal & Flag Rule #1 for adoption

3. Supporting Materials

Report Resolution Contract

Other:

1. 3.

2. 4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter: Jennifer Falck, LRO Director
Your Name, Title / Dept. or Tribal Member

Additional Requestor: _____
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

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

Legislative Operating Committee



Agenda Request Form

- 1) Request Date: August 30, 2017
- 2) Contact Person(s): Lisa Summers, Secretary Dept: Oneida Business Committee
Phone Number: x 4434 Email: lsummer2@oneidanation.org
- 3) Agenda Title: Oneida Nation Seal and Flag Rule #1
- 4) Detailed description of the item and the reason/justification it is being brought before the Committee Pursuant to Section 106.7 of the Administrative Rulemaking Law, the above referenced Rule is being submitted for Certification by the Legislative Operating Committee.

List any supporting materials included and submitted with the Agenda Request Form

- 1) Procedural Timeline memo dated 8/30/17
- 2) Summary Report
- 3) Draft #1 - Approved by Secretary 7/27/2017
- 4) Draft # 1 - for Public Meeting 8/17/2017
- 5) Public Meeting Notice
- 6) Public Meeting Sign-In Sheet
- 7) Approval memo dated 8/30/17
- 8) Public Comments memo dated 8/30/17
- 5) Please List any laws, ordinances or resolution that might be affected:
n/a
- 6) Please List all other departments or person(s) you have brought your concern to:
n/a
- 7) Do you consider this request urgent? Yes No
If yes, please indicate why: _____

I, the undersigned, have reviewed the attached materials, and understand that they are subject to action by the Legislative Operating Committee


Signature of Requester: Lisa Summers

Digitally signed by Lisa Summers
DN: cn=Lisa Summers, o=Oneida Tribe of Indians of WI, ou=Oneida Business Committee, email=lsummer2@oneidanation.org, c=US
Date: 2017.08.30 13:58:40 -0500

Please send this form and all supporting materials to:

LOC@oneidanation.org
or
Legislative Operating Committee (LOC)
P.O. Box 365
Oneida, WI 54155
Phone 920-869-4376

To: Legislative Operating Committee

From: Lisa Summers, Secretary 

Date: August 30, 2017

Re: Procedural Timeline for Proposed Oneida Nation Seal and Flag Law - Rule 1

The purpose of this memorandum is to provide the above referenced proposed Rule's procedural timeline, including the dates the requirements of the Administrative Rulemaking Law were fulfilled.

Background

On January 11, 2017, the Oneida Business Committee adopted the Oneida Seal and Flag Law, which designates the Oneida Nation Secretary as the authorized agency to create rules to govern the placement, maintenance and authorized use of the official Oneida Nation Seal.

The Oneida Nation Secretary is proposing Oneida Nation Seal and Flag Law - Rule 1 which provides additional requirements for the placement, maintenance, and authorized use of the official Oneida Nation Seal, which is reserved to authenticate official governmental documents and actions.

Procedural Timeline

Below is the timeline including the dates the requirements of the Administrative Rulemaking Law were fulfilled.

Procedural Timeline	
January 11, 2017	The Oneida Business Committee adopts the Oneida Seal and Flag Law via the adoption of resolution 01-11-17-C.
March 8, 2017	The Oneida Business Committee grants a 90-day extension to create and make effective rules governing the placements, maintenance, and authorized use of the official Oneida Nation Seal via the adoption of resolution 03-08-17-C.
June 14, 2017	The Oneida Business Committee grants a second 90-day extension to create and make effective rules governing the placements, maintenance, and authorized use of the official Oneida Nation Seal via the adoption of resolution 03-08-17-C.
July 27, 2017	The proposed Rule is finalized by the Oneida Nation Secretary.

July 27, 2017	The proposed Rule is provided to the Legislative Reference Office for a Statement of Effect
July 27, 2017	Information on how the proposed Rule would financially affect their areas is solicited from The Division of Land Management, the Trust Enrollment Department, and the Business Committee Support Office, noting the areas have up to ten (10) business days to respond.
July 27, 2017	The Public Meeting Notice is provided to the Kalihwisaks for publication in the August 3, 2017, issue; confirmation from the Kalihwisaks is received.
July 27, 2017	The Business Committee Support Office and Records Management provide a response to the solicitation of information regarding financial effect of the proposed Rule.
August 1, 2017	The Legislative Reference Office provides the Statement of Effect regarding the proposed Rule.
August 2, 2017	The Division of Land Management provides a response to the solicitation of information regarding financial effect of the proposed Rule.
August 3, 2017	The Trust Enrollment Department provides a response to the solicitation of information regarding the financial effect of the proposed Rule
August 3, 2017	Oneida Register publishes the following: <ol style="list-style-type: none"> 1. Public Meeting Notice, 2. Proposed Rule, and 3. Summary Report: <ol style="list-style-type: none"> a. Name of proposed rule; b. Reference to the Law the rule interprets, along with a list of any other related laws or rules that may affect the rule; c. Brief summary of the rule; d. Statement of Effect from the LRO; and e. Financial Analysis
August 3, 2017	Kalihwisaks publishes the Public Meeting Notice
August 17, 2017	Public Meeting is held; no attendees.
August 24, 2017	Deadline for written comments; none received.
August 24, 2017	Public Comment Period closes. No public comments submitted; therefore, no further changes are considered by the Oneida Nation Secretary.



Summary Report for Oneida Nation Seal and Flag Law – Rule 1

Original effective date: March 12, 2017

Amendment effective date: September 12, 2017

Name of Rule: Oneida Nation Seal and Flag Law – Rule 1

Name of law being interpreted: Oneida Nation Seal and Flag Law

Rule Number: Rule 1

Other Laws or Rules that may be affected: None

Brief Summary of the proposed rule: This rule is to govern the placement, maintenance, and authorized use of the Oneida Nation Seal.

Statement of Effect: See attached

Financial Analysis: See attached



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



Statement of Effect

Oneida Nation Seal and Flag Law Rule No.1 – Placement, Maintenance, and Authorized Use

Summary

This rule governs the placement, maintenance, and authorized use of the Oneida Nation Seal.

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

Analysis by the Legislative Reference Office

The Oneida Nation Seal and Flag law (“the Law”) confers administrative rulemaking authority to the Oneida Nation Secretary as authorized by the Administrative Rulemaking law. [see *Oneida Nation Seal and Flag law section 116.4-4*]. The Law states that the Oneida Nation Secretary shall create rules to govern the placement, maintenance and authorized use of the official Oneida Nation Seal. [see *Oneida Nation Seal and Flag law section 116.4-4*].

Oneida Nation Seal and Flag Law Rule No.1 – Placement, Maintenance, and Authorized Use (“the Rule”) provides additional requirements for the placement, maintenance, and authorized use of the official Oneida Nation Seal, which is reserved to authenticate official governmental documents and actions.

Conclusion

There are no legal bars to adopting Oneida Nation Seal and Flag Law Rule No.1 – Placement, Maintenance, and Authorized Use.

Financial Analysis for Oneida Nation Seal and Flag Law – Rule 1

A written request was sent to the Division of Land Management, the Trust Enrollment Department, the Records Management Department, and the Business Committee Support Office that they provide information about how the rule would financially affect them. Below are the responses received:

Division of Land Management:

It will be a minimal cost, less than \$100.

Trust Enrollment Committee:

1 – desk metal embosser @ 50.00 (includes desk base)

Records Management:

There would be no financial impact.

Business Committee Support Office:

There would be no financial impact.



ONEIDA NATION SEAL AND FLAG LAW

Rule #1 – Placement, Maintenance, and Authorized Use

- 1.1 Purpose and Authority
- 1.2 Adoption, Amendment and Repeal
- 1.3 Definitions
- 1.4 Placement
- 1.5 Maintenance
- 1.6 Authorized Use

1.1 Purpose and Authority

1.1-1. *Purpose.* The purpose of this rule is to govern the placement, maintenance, and authorized use of the official Oneida Nation Seal under the Oneida Nation Seal and Flag Law. The Oneida Nation Seal is reserved for official government documents.

1.1-2. *Authority.* The Oneida Nation Seal and Flag Law delegates rulemaking authority to the Oneida Nation Secretary pursuant to the Administrative Rulemaking law.

1.2. Adoption, Amendment and Repeal

1.2-1. This rule was adopted by the Oneida Nation Secretary in accordance with the procedures of the Administrative Rulemaking law.

1.2-2. This rule may be amended or repealed by the Oneida Nation Secretary and/or the Oneida Business Committee pursuant to the procedures set out in the Administrative Rulemaking law.

1.2-3. Should a provision of this rule or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this rule which are considered to have legal force without the invalid portions.

1.2-4. In the event of a conflict between a provision of this rule and a provision of another rule, internal policy, procedure, or other regulation; the provisions of this rule shall control.

1.2-5. This rule supersedes all prior rules, regulations, internal policies or other requirements relating to the placement, maintenance, and authorized use of the official Oneida Nation Seal.

1.3. Definitions

1.3-1. All words herein shall be used in their ordinary and everyday sense.

1.4. Placement

1.4-1. The following list identifies the requirements that are applicable to the placement of the Oneida Nation Seal:

(a) *Location.* The Oneida Nation Seal location is governed by the Oneida Nation Seal and Flag Law.

(b) *Size.* The Oneida Nation Seal must be of equal or larger size than any other seal or logo with which it is placed.

(c) *Color.* The full color seal is expected to be used if possible. In all other instances, black and white or grey scale is acceptable.

1.5. Maintenance

35 1.5-1. Records Management is responsible to maintain the true and correct version of the Oneida
36 Nation Seal.

37

38 **1.6. Authorized Use**

39 1.6-1. Personal use or that for financial gain is not authorized.

40 1.6-2. Oneida Nation entities that use embossing tools of the Oneida Nation Seal for official
41 government documents must register with the Oneida Nation Secretary as established by an
42 adopted standard operating procedure.

43

44 *End.*

45

Original effective date: <<DATE>> (Certified by LOC on <<DATE>>)



ONEIDA NATION SEAL AND FLAG LAW

Rule #1 – Placement, Maintenance, and Authorized Use

- 1.1 Purpose and Authority
- 1.2 Adoption, Amendment and Repeal
- 1.3 Definitions
- 1.4 Placement
- 1.5 Maintenance
- 1.6 Authorized Use

1.1 Purpose and Authority

1.1-1. *Purpose.* The purpose of this rule is to govern the placement, maintenance, and authorized use of the official Oneida Nation Seal under the Oneida Nation Seal and Flag Law. The Oneida Nation Seal is reserved for official government documents.

1.1-2. *Authority.* The Oneida Nation Seal and Flag Law delegates rulemaking authority to the Oneida Nation Secretary pursuant to the Administrative Rulemaking law.

1.2. Adoption, Amendment and Repeal

1.2-1. This rule was adopted by the Oneida Nation Secretary in accordance with the procedures of the Administrative Rulemaking law.

1.2-2. This rule may be amended or repealed by the Oneida Nation Secretary and/or the Oneida Business Committee pursuant to the procedures set out in the Administrative Rulemaking law.

1.2-3. Should a provision of this rule or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this rule which are considered to have legal force without the invalid portions.

1.2-4. In the event of a conflict between a provision of this rule and a provision of another rule, internal policy, procedure, or other regulation; the provisions of this rule shall control.

1.2-5. This rule supersedes all prior rules, regulations, internal policies or other requirements relating to the placement, maintenance, and authorized use of the official Oneida Nation Seal.

1.3. Definitions

1.3-1. All words herein shall be used in their ordinary and everyday sense.

1.4. Placement

1.4-1. The following list identifies the requirements that are applicable to the placement of the Oneida Nation Seal:

(a) *Location.* The Oneida Nation Seal location is governed by the Oneida Nation Seal and Flag Law.

(b) *Size.* The Oneida Nation Seal must be of equal or larger size than any other seal or logo with which it is placed.

(c) *Color.* The full color seal is expected to be used if possible. In all other instances, black and white or grey scale is acceptable.

1.5. Maintenance

35 1.5-1. Records Management is responsible to maintain the true and correct version of the Oneida
36 Nation Seal.

37

38 **1.6. Authorized Use**

39 1.6-1. Personal use or that for financial gain is not authorized.

40 1.6-2. Oneida Nation entities that use embossing tools of the Oneida Nation Seal for official
41 government documents must register with the Oneida Nation Secretary as established by an
42 adopted standard operating procedure.

43

44 *End.*

45

Original effective date: <<DATE>> (Certified by LOC on <<DATE>>)

NOTICE OF
PUBLIC MEETING
TO BE HELD
Thursday, August 17, at 12:15
IN THE
OBC Executive Conference Room

In accordance with the Administrative Rulemaking Law, the
Oneida Nation Secretary
is hosting this Public Meeting to gather feedback from the community
regarding the following rule(s).

**TOPIC: Oneida Nation Seal and Flag
Rule #1—Placement, Maintenance,
and Authorized Use**

This is a proposal to create a rule which would:

- ◆ Govern the size and color of the Oneida Nation Seal.
- ◆ Establish maintenance responsibilities with Records Management.
- ◆ Govern the authorized use of the official Oneida Nation Seal.

To obtain copies of the Public Meeting documents for this proposal,
please visit www.oneida-nsn.gov/Register/PublicMeetings.

**PUBLIC COMMENT PERIOD
OPEN UNTIL
THURSDAY AUGUST 24, 2017**

During the Public Comment Period, all interested persons may
submit written comments and/or a transcript of any testimony/spoken
comments made during the Public Meeting. These may be submitted to
Oneida Nation Secretary by U.S. mail, interoffice mail, e-mail or fax.

Public Meeting Sign In Sheet


Oneida Nation Seal & Flag Rule #1 - Placement, Maintenance, & Authorized Use

Thursday, August 17, 2017 -- 12:15 p.m. -- OBC Executive Conference Room

	Name	Phone or Email
1		
2		
3		
4		
5		
6		
7		
8		
9		



To: Legislative Operating Committee

From: Lisa Summers, Secretary 

Date: August 30, 2017

Re: Approval of Proposed Oneida Nation Seal and Flag Law - Rule 1

The purpose of this memorandum is to provide documentation of the approval of the above referenced proposed Rule in accordance with Section 106.11-1.(g) of the Administrative Rulemaking Law.

Background

On January 11, 2017, the Oneida Business Committee adopted the Oneida Seal and Flag Law, which designates the Oneida Nation Secretary as the authorized agency to create rules to govern the placement, maintenance and authorized use of the official Oneida Nation Seal.

The Oneida Nation Secretary is proposing Oneida Nation Seal and Flag Law - Rule 1 which provides additional requirements for the placement, maintenance, and authorized use of the official Oneida Nation Seal, which is reserved to authenticate official governmental documents and actions.

Section 106.11-1. of the Administrative Rulemaking Law states that the administrative record shall include, in part:


(g) Minutes from the authorized agency's meeting during which the proposed rule was considered as an agenda item, or, if the authorized agency is not a board, committee or commission, a memo from the authorized agency's highest level of management approving the proposed rule;

Approval of Proposed Oneida Nation Seal and Flag Law - Rule 1

I, Lisa Summers, Secretary of the Oneida Nation, have approved the Proposed Oneida Nation Seal and Flag Law - Rule 1. This memorandum serves as documentation to fulfill the requirements of Section 106.11-1.(g) of the Administrative Rulemaking Law



To: Legislative Operating Committee

From: Lisa Summers, Secretary 

Date: August 30, 2017

Re: Public Comments for Proposed Oneida Nation Seal and Flag Law - Rule 1

The purpose of this memorandum is to provide documentation of the Public Comments for the above referenced proposed Rule in accordance with Section 106.11-1.(h) of the Administrative Rulemaking Law.

Background

On January 11, 2017, the Oneida Business Committee adopted the Oneida Seal and Flag Law, which designates the Oneida Nation Secretary as the authorized agency to create rules to govern the placement, maintenance and authorized use of the official Oneida Nation Seal.

The Oneida Nation Secretary is proposing Oneida Nation Seal and Flag Law - Rule 1 which provides additional requirements for the placement, maintenance, and authorized use of the official Oneida Nation Seal, which is reserved to authenticate official governmental documents and actions.

Section 106.11-1. of the Administrative Rulemaking Law states that the administrative record shall include, in part:

(h) A memorandum provided by the authorized agency containing the public comments that were received, both orally and written, and the authorized agency's response to each comment;

Public Comments for Proposed Oneida Nation Seal and Flag Law - Rule 1

The Public Meeting was held on August 17, 2017. There were no attendees; no oral comments were received.

The deadline to submit written comments was August 24, 2017. No written comments were received.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 09 / 13 / 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 approval of Finance Committee Meeting Minutes of Sept. 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: 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: Sept. 6, 2017
RE: **E-Poll Results of: FC Meeting Minutes of SEPT. 5, 2017**

An E-Poll vote of the Finance Committee was conducted to approve the Sept. 5, 2017 Finance Committee meeting minutes. The results of the completed E-Poll are as follows:

E-POLL RESULTS:

There was a Majority 5 YES votes from Jennifer Webster, Patrick Stensloff, Wesley Martin, Jr., Daniel Guzman King and Chad Fuss to approve the Sept. 5, 2017 Finance Committee Meeting Minutes.

The minutes will be placed on the next BC agenda of Sept. 13, 2017 for approval and the next Finance Committee agenda of Sept. 18, 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
 September 5, 2017 – 10:00 A.M.
 Business Committee Executive Conference Room

REGULAR MEETING MINUTES

FC Members Present:

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

Others Present: Dianne McLester-Heim, Carrie Lindsey, Connie Danforth, Debbie Danforth, Paul Witek, James Petitjean, Frank Cornelius, Michele Doxtator, Linda Jenkins and Denise Vigue, taking minutes

I. **CALL TO ORDER:** The meeting was called to order by the FC Chair at 10:00 A.M.

II. **APPROVAL OF AGENDA:** SEPTEMBER 5, 2017

Motion by Wesley Martin, Jr. to approve the FC meeting agenda of Sept. 5, 2017 with two ADD On's under: X. Follow Up and XI. Other. Seconded by Jennifer Webster. Motion carried unanimously.

III. **APPROVAL OF MINUTES:** JULY 31, 2017 (Approved via E-Poll on 7/31/17)

Motion by Patrick Stensloff to ratify the FC E-Poll action taken on 7/31/17 approving the 7/31/17 Finance Committee meeting minutes. Seconded by Chad Fuss. Motion carried unanimously.

IV. **APPROVAL OF E-POLL:**

1. **FC Special E-Poll Results: Lamers Bus, Inc.- P.O. Increase** (Approved on 8/3/17)

Motion by Jennifer Webster to ratify the FC E-Poll action of Aug. 3, 2017 approving the Lamers Bus, Inc. FY17 Purchase Order increase. Seconded by Chad Fuss. Motion carried unanimously.

V. **TABLED BUSINESS:** No Tabled Business

VI. **CAPITAL EXPENDITURES:**

~~1. **Bally Technologies – System & Shufflers** Amount: \$358,532.40
 Patricia Denny, Gaming – Table Gaming~~

Item not a capital expenditure, moved to New Business #19.

VII. **COMMUNITY FUND:**

1. **CF Update Report – Sept. 2017**

Denise Vigue, Finance

Motion by Wesley Martin, Jr. to approve the Community Fund Update Report for September 2017. Seconded by Jennifer Webster. Motion carried unanimously.

- 2. Oneida Sportsmen's Club-Fall Banquet** Amount: \$750.00
Jeff Skenandore, OSC President

Motion by Jennifer Webster to approve from the Community Fund the Oneida Sportsmen's Club request for \$750.00 that will assist with food costs for the fall banquet. Seconded by Patrick Stensloff. Motion carried unanimously.

- 3. Class Trip to New York fees** Amount: \$200.00
Rachel Otradovec for daughter, Sonja

Motion by Larry Barton to approve from the Community Fund the class trip to New York fees for the daughter of the requestor in the amount of \$200.00. Seconded by Wesley Martin, Jr. Motion carried unanimously.

- 4. Oneida Community Lacrosse fees** Amount: \$200.00
Ann Stingle for son, Gavin

Motion by Larry Barton to approve from the Community Fund the Oneida Community Lacrosse fees for the son of the requestor in the amount of \$200.00. Seconded by Jennifer Webster. Motion carried unanimously.

- 5. Oneida Nation H.S. – Homecoming Lock-In** Amount: 18 Cases
Carol Johnson, ONHS

Motion by Larry Barton to approve from the Community Fund the Coca-Cola product request for the Oneida Nation High School's Homecoming Lock-In in the amount of 18 Cases. Seconded by Jennifer Webster. Motion carried unanimously.

- 6. Harvest Fest** Amount: 25 Cases
Vickie Cornelius, Oneida Cannery

Motion by Wesley Martin, Jr. to approve from the Community Fund the Coca-Cola product request for the Harvest Fest in the amount of 25 Cases. Seconded by Jennifer Webster, Jr. Motion carried unanimously.

VIII. NEW BUSINESS:

- 1. Clarity Care, Inc.** Amount: \$64,605.00
Carrie Lindsey, Consolidated Health, OCHC

Purchase Order increase for remainder of fiscal year costs; they do receive reimbursement back from the State.

Motion by Jennifer Webster to approve the Clarity Care, Inc. contract in the amount of \$64,605.00. Seconded by Chad Fuss. Motion carried unanimously.

- 2. Gannett Publishing Services** Amount: \$57,762.40
Dawn Walschinski, Kalihwisaks

FY18 costs for printing the Kalihwisaks, same amount as last year; discussion over excess copies; Dawn will work with enrollments to make any corrections.

Motion by Wesley Martin, Jr. to approve the Gannett Publishing Services contract in the amount of \$57,762.40. Seconded by Jennifer Webster. Motion carried unanimously.

- 3. Walgreens After hrs. Pharmacy FY17 PO Increase** Amount: \$16,000.00
Dianne McLester-Heim, Consolidated Health-OCHC

Purchase Order increase for remainder of fiscal year costs; discussion of new sections as indicated by the legal review.

Motion by Wesley Martin, Jr. to approve the FY17 Purchase Order increase for Walgreens Pharmacy in the amount of \$16,000.00. Seconded by Jennifer Webster. Motion carried unanimously.

- 4. FY18 Blanket PO – Spectra-Cash & CC** Amount: \$2,200,000.00
Chad Fuss, Gaming – Administration

Gaming receives all cash and credit card purchases from customers in their system; reconciles them in Gaming accounts and reimburses to Spectra for these purchases.

Motion by Wesley Martin, Jr. to approve the FY18 Blanket Purchase Order for Spectra (cash & credit cards) in the amount of \$2,200,000.00. Seconded by Larry Barton. Motion carried unanimously.

- 5. FY18 Blanket PO – Spectra-Comps** Amount: \$850,000.00
Chad Fuss, Gaming – Administration

Promotional events for carded players; Spectra applies discounts & Gaming reimburses Spectra; notation that memo needs to be updated-Chad will send corrected memo.

Motion by Jennifer Webster to approve the FY18 Blanket Purchase Order for Spectra (player comps) in the amount of \$850,000.00. Seconded by Larry Barton. Motion carried unanimously.

- 6. FY18 Blanket PO – Spectra P&L** Amount: \$1,600,000.00
Chad Fuss, Gaming – Administration

Discussion of losses by Spectra verses increase in Gaming profits; analysis provided last year, will rerun them and continue discussion in a future FC work meeting.

Motion by Wesley Martin, Jr. to approve the FY18 Blanket Purchase Order for Spectra (profit/loss) in the amount of \$1,600,000.00. Seconded by Jennifer Webster. Motion carried unanimously.

- 7. FY18 Blanket PO – Badger Liquor** Amount: \$350,000.00
Chad Fuss, Gaming – Administration

Motion by Larry Barton to approve the FY18 Blanket Purchase Orders for items #7 through #11 in the amounts as requested. Seconded by Patrick Stensloff. Motion carried unanimously.

- 8. FY18 Blanket PO – Dean Distributing** Amount: \$575,000.00
Chad Fuss, Gaming – Administration

Motion by Larry Barton to approve the FY18 Blanket Purchase Orders for items #7 through #11 in the amounts as requested. Seconded by Patrick Stensloff. Motion carried unanimously.

- 9. FY18 Blanket PO – General Beverage** Amount: \$450,000.00
Chad Fuss, Gaming – Administration

Motion by Larry Barton to approve the FY18 Blanket Purchase Orders for items #7 through #11 in the amounts as requested. Seconded by Patrick Stensloff. Motion carried unanimously.

- 10. FY18 Blanket PO – Kay Beer Distributing** Amount: \$350,000.00
Chad Fuss, Gaming – Administration

Motion by Larry Barton to approve the FY18 Blanket Purchase Orders for items #7 through #11 in the amounts as requested. Seconded by Patrick Stensloff. Motion carried unanimously.

- 11. FY18 Blanket PO – Triangle Distributing** Amount: \$575,000.00
Chad Fuss, Gaming – Administration

Motion by Larry Barton to approve the FY18 Blanket Purchase Orders for items #7 through #11 in the amounts as requested. Seconded by Patrick Stensloff. Motion carried unanimously.

- 12. FY18 Blanket PO – S Abrahams & Sons** Amount: \$42,000,000.00
Michele Doxtator, Retail Enterprise

Motion by Larry Barton to approve the FY18 Blanket Purchase Orders items #12 through #15 in the amounts as requested. Seconded by Chad Fuss. Motion carried unanimously.

- 13. FY18 Blanket PO – US Ventures** Amount: \$17,000,000.00
Michele Doxtator, Retail Enterprise

Motion by Larry Barton to approve the FY18 Blanket Purchase Orders items #12 through #15 in the amounts as requested. Seconded by Chad Fuss. Motion carried unanimously.

- 14. FY18 Blanket PO – Title Town Oil** Amount: \$6,250,000.00
Michele Doxtator, Retail Enterprise

Motion by Larry Barton to approve the FY18 Blanket Purchase Orders items #12 through #15 in the amounts as requested. Seconded by Chad Fuss. Motion carried unanimously.

- 15. FY18 Blanket PO – Pepsi Cola** Amount: \$500,000.00
Michele Doxtator, Retail Enterprise

Motion by Larry Barton to approve the FY18 Blanket Purchase Orders items #12 through #15 in the amounts as requested. Seconded by Chad Fuss. Motion carried unanimously.

- 16. Lamers Bus, Inc. - 2017-18 contract** Amount: \$380,000.00
Linda Jenkins, Oneida Turtle School

Motion by Larry Barton to approve the Lamers Bus, Inc. contract for 2017-18 in the amount of \$380,000.00 noting funding coming from Bureau of Indian Education. Seconded by Wesley Martin, Jr. Motion carried unanimously.

- 17. OTIE Design Contract-Satellite Pharmacy** Amount: \$79,000.00
Paul Witek, Engineering

Design build contract for satellite pharmacy at AJRCCC; payment through M&I funds through the comprehensive health area.

Motion by Larry Barton to approve the OTIE Design Contract for the Satellite Pharmacy at the AJRCCC in the amount of \$79,000.00. Seconded by Chad Fuss. Motion carried unanimously.

- 18. Northeast Asphalt – Roads** Amount: \$1,410,639.90
James Petitjean, Development Division

B.I. A. funds already secured from past years; this is for roads improvements on all area roads that belong to the Nation; legal review pending and will forward when completed.

Motion by Larry Barton to approve the Northeast Asphalt contract in the amount of \$1,410,639.90 noting this is 100% BIA funded. Seconded by Wesley Martin, Jr. Motion carried unanimously.

- 19. Bally Technologies – System & Shufflers** Amount: \$358,532.40
Patricia Denny, Gaming – Table Gaming

FY18 costs for leased equipment; this is a multi-year contract; will forward legal review.

Motion by Wesley Martin, Jr. to approve the Bally Technologies FY18 cost in the amount of \$358,532.40 contingent upon receiving updated legal review. Seconded by Larry Barton. Motion carried unanimously.

IX. EXECUTIVE SESSION:

- 1. Comprehensive Health Division – (23) FY18 Blanket PO's**
Dr. Ravi Vir & Debbie Danforth, Comp Health Medical & Operations Directors

Motion by Wesley Martin, Jr. to move into Executive Session. Seconded by Patrick Stensloff. Motion carried unanimously. Time: 11:10 A.M.

Motion by Wesley Martin, Jr. to come out of Executive Session. Seconded by Jennifer Webster. Motion carried unanimously. Time: 11:20 A.M.

Motion by Wesley Martin, Jr. to approve the Twenty-Three FY18 Blanket Purchase Orders in the amounts as presented for medical and independent contractors with the minor changes as discussed to comply with the legal reviews. Seconded by Jennifer Webster. Motion carried unanimously.

X. FOLLOW UP:

1. ADD ON: Oneida Nation Contingency Plan

Patricia King, Treasurer

This item was discussed today in the Finance Committee Work Meeting.

Motion by Jennifer Webster make corrections to the plan adding in the tier sections (tiers 3 & 4): *Direct Reports identify and preserve specific core services*. Seconded by Chad Fuss. Motion carried unanimously.

Motion by Jennifer Webster to update the adopting resolution that includes: *Direct Reports are required to develop contingency plans for their respective areas, and update them by March 1st on an annual basis*. Seconded by Wesley Martin, Jr. Motion carried unanimously.

XI. OTHER:

1. Finance Committee Meeting Schedule for FY18-Draft

Denise Vigue, Finance

Motion by Jennifer Webster to approve the FY18 Finance Committee Meeting Schedule and to send out notices/appointments. Seconded by Chad Fuss. Motion carried unanimously.

2. ADD ON: Community Fund – Distribution Amount Change

Finance Committee

This item was discussed today in the Finance Committee Work Meeting.

Motion by Patrick Stensloff to approve the individual distribution amount from \$200 to \$300 for the next three year term. Seconded by Jennifer Webster. Motion carried unanimously.

XII. FYI and/or THANK YOU:

1. FYI: Brown County Service Agreement

Paula King Dessart, BC Support Office

Motion by Larry Barton to accept items 1 & 2 as FYI. Seconded by Wesley Martin, Jr. Motion carried unanimously.

2. FYI: FY18 Community Fund Forms (Funds & Product)

Denise J. Vigue, Finance

Motion by Larry Barton to accept items 1 & 2 as FYI. Seconded by Wesley Martin, Jr.

Motion carried unanimously.

XIII. ADJOURN: Motion by Wesley Martin, Jr. to adjourn. Seconded by Jennifer Webster.

Motion carried unanimously. Time: 11:48 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: Sept. 6, 2017

Oneida Business Committee's FC Minutes Approval Date: _____

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 09 / 13 / 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:

G.S.D. Director, Internal Services Division Director, Intergovernmental Affairs and Communication Director, and Retail Profits Manager to provide a status update.

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: Brian A. Doxtator, Executive Assistant to Tribal Treasurer
Your Name, Title / Dept. or Tribal Member

Additional Requestor: _____
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

BACKGROUND

February 22, 2017

Formulate a cross-functional team to create public service announcements regarding Oneida/Haudenosaunee history, language, and culture

Sponsor: Trish King, Tribal Treasurer

Motion by Jennifer Webster to approve the Treasurer's request to formulate a cross-functional team to create public service announcements regarding Oneida/Haudenosaunee history, language, and culture, seconded by Tehassi Hill. Motion carried unanimously:

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

Not Present: Tina Danforth

Requested Action

1. Accept status update
2. Direct G.S.D. Director, I.G.A.C. Director, Internal Services Division Director, and Retail Profits Manager to provide an implementation plan regarding Oneida Public Service Announcements, at the October 17, 2017, BC Work Meeting

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

**BUSINESS COMMITTEE DIRECTIVE FOR PUBLIC SERVICE ANNOUNCEMENTS
REGARDING ONEIDA/HAUDENOSAUNEE HISTORY,
LANGUAGE, AND CULTURE TEAM MEETING UPDATE
September 8, 2017**

A cross-functional team made up of George Skenandore, Racquel Hill, Joanie Buckley, Reggie Doxtator, Michele Doxtator, Chris Powless, Ernie Stevens III met in June, 2017 to review and discuss: 1) history of the PSA initiative; 2) previous draft plan; 3) similar projects within the organization 4) content and topic ideas; 5) identify resources, projected time frames, and associated costs; and 6) next steps.

The following lists the multitude of ideas for content and topics:

- What Oneida individual (Scott Hill) has done to old bridge in the heart of Oneida is an example of how to bring awareness to importance of caring for our “home”
- Sense of community to instill ownership & pride
- Oneida Lake (garbage issue)
- Geneology
- What do we do well to make it stronger
- Land claims
- Branding
- Boy & the snake story (drugs & alcohol/stealing/etc.) (good twin/bad twin)
- Bicentennial in 5 years
- Indigenous/healthy food (white corn, school system, workshops (salad in a jar, pickling, etc.) etc.
- Elderly services offered for those on and/or off the reservation
 - Add responsibilities and how they change from Mom to Grandma, sister to Auntie, etc.
- Different points of views on different topics ie. Who is an elder?
- Positive spin on addressing entitlement
- Age restrictive products
- Gas drive offs
- How to encourage bystanders
- Solar project – convert to clean energy
- Planning – uses Lucy (little cardboard cutout girl)
 - Possibly have a real Lucy
- Veterans
- We are ALL Oneida
 - Diversity
 - Backgrounds
 - Religion
 - Education
 - Jobs
 - Etc
- This is our community w/ the different age groups

It was discussed that within the PSA, there should be a “call to action” for engagement. A goal the team set was to produce a new PSA on a quarterly basis. However, one of the key players of the team whose expertise is creating videos was elected to the Business Committee. Therefore, it is our hopes that Ernie Stevens III will continue to play a major role in developing the PSAs. One idea the team had is to have each of the Business Committee develop a PSA on a topic of importance to them with the team to aide in the development. A new PSA could be rolled out each month with the team covering the remaining three (3) months.

From that initial meeting in June, the first PSA was developed with the topic being Sense of Community – Oneida Lake. The message within the PSA was how Oneida Lake is for the community’s enjoyment and a natural habitat for various forms of wildlife, but it also reminds to care for Mother Earth and a symbol of our sovereignty that should be cared for and kept clean and be respected and appreciated for the reason it is here. It noted that those violating the Oneida Public Use of Tribal Lands Law will be cited and requested that anyone suspecting any type of wrongdoing to contact the Oneida Police Department. If you have not yet seen the PSA, it can be viewed at: <https://www.youtube.com/watch?v=9WWhfOwjVGI&feature=youtu.be> Unfortunately, this PSA did not get featured or rolled out, but it is ready for next summer.

The next step will be to: 1) Set up a meeting with a new cross-functional team to include representatives of GSD, Multi-Media, Intergovernmental Affairs and Communications, Kalihwisaks, and Business Committee. It is the hopes to have this meeting be scheduled within the next two (2) weeks; and 2) Identify the PSAs that have already been developed to catalogue them and possibly re-use them.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 09 / 13 / 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:

Direct the H.R. Area Manager and Chief Financial Officer (C.F.O.) submit a completed wage analysis at the October 17, 2017, B.C. Work Meeting.

3. Supporting Materials

Report Resolution Contract

Other:

1. <input type="text" value="Memo"/>	3. <input type="text"/>
2. <input type="text"/>	4. <input type="text"/>

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter: Brian A. Doxtator, Executive Assistant to Tribal Treasurer
Your Name, Title / Dept. or Tribal Member

Additional Requestor: _____
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

Background

April 12, 2017

Review request regarding wage adjustment plan for FY 2018 budget planning

Sponsor: Trish King, Tribal Treasurer

Motion by Lisa Summers to accept the Treasurer's draft memorandum dated April 4, 2017; and to accept items for this request as identified in numbers 1-6, 1) being a yes; 2) being a yes, 3) being a no, but to plan for FY 2019; 4) being a yes, 5) being a yes, noting that it will also have to comply with the policies and procedures, and 6) being a yes, seconded by Tehassi Hill. Motion carried unanimously:

Ayes: Tehassi Hill, Trish King, Lisa Summers, Jennifer Webster

Not Present: Tina Danforth, Fawn Billie, David Jordan, Brandon Stevens

Requested Action

Forward Wage Adjustment analysis to B.C. Work Meeting scheduled for October 17, 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 Nation
Oneida Business Committee
PO Box 365 • Oneida, WI 54155-0365
oneida-nsn.gov



Office of the Treasurer

Memorandum

To: Oneida Business Committee
From: Trish King, Treasurer
Date: April 4, 2017
Re: Wage Adjustment Plan

The following wage proposal is provided to the Oneida Business Committee for reconsideration.

History

The Human Resource Department (H.R.D.) provided a wage study to my office in September 2014. The analysis utilized 20% (130 job descriptions) of the tribe's 650 job descriptions, as a basis for the study; 20% is industry standard. The study showed that the Tribe should consider increasing the wage/salary chart by 5%, so that the tribe would again be competitive with the local job market.

At the April 23, 2015, Budget Core meeting, the team dialogued about the wage study analysis substantiating the importance of increasing the "Compensation Highway" by 5% in order to be competitive with the local job market. The Budget Core team also agreed that the Compensation Highway and the adjustment to the current employee's wages would need to be inclusive of the entire workforce as well as be financially sound.

In addition, the Budget Core team supported my office's collaboration with the Human Resources Department to develop a "wage plan" that would be implemented in Fiscal Year 2016 dependent upon General Tribal Council action regarding a G.T.C. petition requesting a \$.99 per hour wage increase to limited employees. On June 1, 2015, the General Tribal Council did direct the O.B.C. to provide employees with a \$.99 @hour increase to employees whose annual income was \$65,000 or less.

The June 1, 2015, G.T.C. action took precedence over the proposed wage plan. The wage plan was then re-assessed and re-titled to "Compensation Plan", which was submitted to the Oneida Business Committee for consideration.



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 Oneida Business Committee
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On May 11, 2016, the Oneida Business Committee accepted the Compensation Plan proposal as information. There were five (5) components to the Compensation Plan:

1. Increase the Oneida Tribal Wage and Salary charts by 5% effective October 1, 2016
2. Approve a minimum wage of \$10.10
3. Approve a 3% wage increase for Fiscal Year 2018 where 1.5% will be used as a Cost-of-Living Adjustment and 1.5% would be based upon performance
4. Approve a 3% wage increase for Fiscal Year 2019 where .5% will be used as a Cost-of-Living Adjustment and 2.5% would be based upon performance
5. Forward the Human Resources Department recommendation for Business

Committee wage increases to July 2016 semi-annual General Tribal Council meeting
 The status of the Compensation Plan is provided within the attached memo dated March 29, 2017, from the H.R. Area Manager. Please note: the G.T.C. did not support a wage increase for the incoming O.B.C.

Next Step

This administration, over two (2) fiscal years, has supported the alignment of our Nation's compensation package to the market. The next logical step is to assess whether the components outlined within the May 11, 2016, Compensation Plan successfully supports the G.T.C. adopted Compensation philosophy. This assessment will need to occur once the Fiscal Year 2017 wage adjustments are complete which is projected to be fully implemented by May 1, 2017.

Therefore, I provide the following recommended actions based upon the following:

1. The Budget Core team had requested wage adjustments to be inclusive and financially sound. In addition, the adopted Compensation Philosophy states, "...the Oneida Tribe is committed to providing a fair and equitable compensation package..."
2. Conservative projections reflect the unpredictable national and political climate

Fiscal Year 2018 Budget Recommended Actions :

1. Direct the Area Manager of Human Resources and C.F.O. to provide a comprehensive wage analysis and assessment as to "what extent" the components within the compensation plan, along with the Nation's compensation package; aligns to the Compensation Philosophy, to be completed for the July 26, 2017 O.B.C. Meeting
2. Approve budgeting \$.30 Cost of Living Adjustment (C.O.L.A.) for eligible employees. Projected cost (Wage and Fringe) is \$1.7M



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3. Approve a gross (up to) \$500.00 bonus, to eligible employees. The bonus shall be based on performance. Projected cost is \$1.4M
4. Approve a \$50.00 Winter Gift package to all employees. Projected Cost is \$135,000.
5. Approve “No Trade-back” for cash
6. Implementation shall begin once the Fiscal Year 2018 budget is adopted by the General Trial Council

The O.B.C.’s support of these proposed actions is imperative at this time so that tribal operations may continue developing their proposed Fiscal Year 2018 budget. All departments, including revenue generators are required to stay within this plan. In addition, the final analysis and assessment of the Nation’s Compensation Package will provide tribal operations ample time to determine wage adjustments for the Fiscal Year 2019 and Fiscal Year 2020 budget planning.

Yaw^ko for your attention in this matter.

Treasurer Patricia King

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 09 / 13 / 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 2017 Special Election schedule

3. Supporting Materials

Report Resolution Contract

Other:

1. <input type="text" value="Memo w/ Timetable"/>	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: Racquel Hill, Election Board Chairperson
Your Name, Title / Dept. or Tribal Member

Additional Requestor: _____
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.

MEMORANDUM

To: General Tribal Council

From: Racquel Hill, Election Board Chairperson *RH*

Date: August 22, 2017

Subject: Recommended Date for 2017 Special Election

The Oneida Election Law 2.9-1 states: *Special Elections shall be set in accordance with 2.12-6. Whereas, 2.12-6 states: Dates of all Special Elections shall be set, as provided for in this law, by the Business Committee as recommended by the Election Board or as ordered by the Judiciary in connection with an election challenge.*

The Election Board has been notified that there is a one (1) vacancy within the Judiciary Court of Appeals and one (1) vacancy for the Supervising Attorney within the newly developed GTC Legal Resource Center. On behalf of the Election Board, formal action was taken at a regular meeting of August 21, 2017 for the Business Committee to approve the recommended following schedule for the 2017 Special Election:

DAY	DATE	TIME	PURPOSE
Saturday	October 14	1:00 p.m.	Caucus
Friday	October 20	4:30 p.m.	Application Deadline
Saturday	December 2	7 am – 7 pm	Special Election
Wednesday	December 27	9:00 am	BC Mtg to Ratify Results

Yaw^ko.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 9 / 13 / 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:

Renaissance Learning Contract - limited waiver of sovereign immunity required BC approval

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: Debra Danforth, School Board Chair
Your Name, Title / Dept. or Tribal Member

Additional Requestor: Sharon Mousseau, School Superintendent
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

Per Oneida Law Office review, Paragraph 12.4 Governing Law requires a limited waiver of sovereign immunity due to the jurisdiction of the Federal Court of Wisconsin. Renaissance Learning is the sole vendor that supplies the Star Reading and Star Math assessments that the school has used for many years. The vendor was not willing to change the contract language that would eliminate the waiver.

- 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: Debbie Reiter-Mehojah
School Administration

Use this number on future correspondence:

2017-0786

FROM: Patricia M. Stevens Garvey, Staff Attorney *PMB*

DATE: July 3, 2017

RE: Renaissance Learning Inc

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:

- ✓ *Please note that all contracts should now be in the name of "Oneida Nation." From the Intranet, please download updated contract forms by navigating to Finance>Purchasing> Contract Documents.*
- ✓ *The document is in appropriate legal form. (Execution is a management decision.)*
- ✓ *Requires Business Committee approval prior to execution, pursuant to ¶ 12,⁴~~5~~ Governing law. Subjecting the Nation to the State and Federal court of Wisconsin is a waiver of Sovereign immunity of the Nation.*

RENAISSANCE®**RENEWAL INVOICE**

Subscription Ends: 6/30/2017

PO Box 8036, Wis. Rapids, WI 54495-8036 - Phone:(800) 338-4204 Fax:(877) 280-7642 Federal I.D. 39-1559474

Oneida Tribe Of Indians Of WI - 154147

PO Box 365

Oneida, WI 54155-0365

Contact: John Bestul - (920) 490-1100

Email: jbestul@oneidanation.org

Created: March 02, 2017

Invoice#: RPRNQ1696171*

Reference ID: 228374

Quote Summary	School Count
Product & Services Total	1
	\$13,160.00
Sales Tax	\$0.00
Grand Total	USD \$13,160.00

Pricing and discounts are subject to change if alterations are made to this quote.

*This invoice may have been previously sent with a different invoice number and reflects changes that may have occurred in the last 30 days.

To place an order, please submit your organization's required purchase order with reference to quote number RPRNQ1696171*

An invoice will be sent upon receipt of your purchase order. Payment is due net 30 days from the invoice date. If your organization does not require a purchase order, please contact our order services team at 877-444-3172 for assistance with placing your order.

Mail: PO Box 8036, Wis. Rapids, WI 54495-8036

Fax: (877)280-7642

Email: electronicorders@renaissance.com

This quote is valid for 30 days. Alterations to this quote will not be honored without Renaissance approval. Tax has been estimated and is subject to change without notice. Unless you provide Renaissance with a valid and correct tax exemption certificate applicable to your purchase of product and the product ship-to location, you are responsible for sales and other taxes associated with this order. Standard payment terms are net 30 days from invoice date.

RENAISSANCE®

RENEWAL INVOICE
 Subscription Ends: 6/30/2017

PO Box 8036, Wis. Rapids, WI 54495-8036 - Phone:(800) 338-4204 Fax:(877) 280-7642 Federal I.D. 39-1559474

Annual Subscription Fees			
Products & Services	Quantity	Unit Price	Total
Accelerated Math Live with 2.0 Student Subscription Renewal	300	\$6.60	\$1,980.00
Accelerated Reader 360 Subscription Renewal	300	\$9.35	\$2,805.00
Star 360 Subscription Renewal	600	\$12.90	\$7,740.00
Annual Subscription Fees Total			USD \$12,525.00

Annual Hosting Services			
Products & Services	Quantity	Unit Price	Total
Annual All Product Renaissance Place Hosting Fee Renewal	1	\$635.00	\$635.00
Annual Hosting Services Total			USD \$635.00

RENAISSANCE[®]

Terms of Service and License

These Terms of Services and License are applicable to any quote issued by Renaissance to Licensee ("Quote") to provide access to the Applications, Hosting Services and Services identified therein. Each Quote shall be deemed to be part of this Agreement and subject to the terms and conditions set forth herein.

1. **Definitions.** Capitalized terms used but not defined herein shall have the meanings assigned to them as set forth in Exhibit A.
2. **License to Applications and Hosting Services**
 - 2.1 **Grant of License.** Subject to Licensee's compliance with the terms and conditions of the Agreement, Renaissance grants Licensee a non-exclusive, non-sublicensable, non-transferable, revocable, limited license, during the Subscription Period, to access and use the Applications and Content provided therein in accordance with Section 2.3 below (the "License").
 - 2.2 **Hosting Services.** Renaissance shall provide Licensee with remote access to the Applications via the Internet (the "Hosting Services") for the Licensed Sites. The Applications will be housed at a Renaissance chosen facility, and will operate on servers determined by Renaissance, which may include servers owned by or leased by Renaissance.
 - 2.3 **Authorized Use.**
 - a. **Student Capacity.** The number of unique students permitted to use the Applications (excluding Renaissance-U) at any Licensed Site is limited to the Student Capacity set forth in the Quote. Circumventing the Student Capacity by any means is a material breach of the Agreement and may result in immediate termination of the Agreement by Renaissance. Student Capacity is allocated when a Licensee student first logs in and performs any activity or when any activity is first assigned to such student. Student Capacity may not be used interchangeably across students and any unused Student Capacity is non-refundable and expires at the end of the applicable Subscription Period. Additional Student Capacity may be purchased by contacting Renaissance and placing an order for the desired incremental capacity amount. Licensee can view allocated Student Capacity and which students are using the allocated Student Capacity under Product Administration in the Applications.
 - b. **Location.** Except as set forth in this Section 2.3(b) or approved in advance by Renaissance, in writing, the Applications can only be accessed and used by Authorized Users at the Licensed Site. Licensee shall not make the Applications available in whole or in part in any networked or time-sharing environment extending beyond the Licensed Site. Notwithstanding anything to the contrary in this Section 2.3(b), the following is permitted for an Authorized User subject to the terms and conditions contained in the Agreement: (i) teacher and administrator access to Renaissance-U and the management feature of the Applications via the Internet is permitted from outside a Licensed Site; (ii) Homebound Student access to the student portion of the Applications via Internet is permitted from such Homebound Student's home using a computer owned or leased by Licensee or such Homebound Student provided Renaissance has given prior written permission; (iii) student and parent access to the Home Connect feature of the Applications via Internet is permitted from such student or parent's home using a computer owned or leased by Licensee, such student or parent and (iv) access to the Applications by Authorized Users at a public library on computers owned or leased by such public library only to the extent the Licensed Site is providing a summer reading program authorized by Licensee through such public library. Licensee shall not make any portion of the Applications accessible to parents or students, which are not specifically intended for parent or student

use, as the case may be, including, but not limited to, the educator and administrator portion of the Applications.

- c. Access. Renaissance shall provide Licensee access to the Applications by the date identified in the Quote. Licensee hereby acknowledges that the Applications are intended for academic practice and assessment only and that the Applications are not intended for the storage or use of any data not related to such purpose including, without limitation, social security numbers, financial account numbers, health information, behavioral records, disciplinary records, driver's license, passport or visa number or credit card data ("Prohibited Data"). Licensee agrees to not input any Prohibited Data into the Applications. Access rights granted to Licensee shall be limited to those access rights necessary to use of the intended functionality of the Applications. Renaissance reserves the right to restrict or prevent access to activities or suspected activities that involve security breaches, hacking, distributed denial of service attacks, or uploading a virus, Trojan horse, time bomb, unauthorized application, or any other harmful form of programming or vandalism.

2.4 Account Set Up.

- a. Renaissance shall create an administrator account to enable Licensee's administrator access the Applications and provide Licensee with the identification number, password, encryption key, or other access codes to access the administrator account (the "Admin Login Information").
- b. Renaissance shall assist Licensee with loading the Licensee Data and creating user names and passwords for each Authorized User to use the Applications (the "Onboarding Services"). To the extent Licensee has purchased any Data Integration Services as identified in the Quote, Renaissance grants Licensee a non-exclusive, non-sublicensable, non-transferable, revocable, limited license, during the Subscription Period, to access and integrate the API provided by Renaissance with Licensee's Student Information System to enable the Applications to obtain and update Licensee Data in the Applications. Any use of

the Applications through the Admin Login Information or any other accounts created by Licensee (collectively, the "Login Information") will be considered use by the Licensee. Licensee agrees not to sell, transfer, or assign its Login Information or allow others to use it except Authorized Users as authorized herein. Licensee agrees to immediately notify Renaissance of any unauthorized use of its Login Information or any other breach of security or confidentiality thereof, and in such event Renaissance shall have the right, without limitation of any other rights under the Agreement, at law or in equity, to terminate the Agreement and/or take any steps necessary to prevent the unauthorized use.

- 2.5 Mobile Applications. Licensee's Authorized Users may have the ability to access some or all of the Applications on mobile devices through Mobile Applications. Licensee acknowledges that prior to accessing Applications via a Mobile Application, Licensee may be required to agree to additional terms, agreements, and licenses ("Mobile App Agreements") provided by Renaissance or a mobile provider. Licensee hereby agrees to accept all responsibility for violations of the terms of such Mobile App Agreements by Licensee's Authorized Users.

- 2.6 Service Level. Renaissance shall use reasonable commercial efforts to ensure that the Hosting Services are Operational at least 99% of each calendar month during the Subscription Period. "Operational" means functioning so as to allow normal operation for Authorized Users to access the Applications hosted on the Hosting Services. Notwithstanding the foregoing, the service level does not apply to any application or service provided by a third party, including, without limitation, Third Party Services, does not include availability impacted by scheduled maintenance or planned updates and is subject to Licensee complying with the system requirements set forth at <http://www.renaissance.com/system-requirements/>.

- 2.7 Third Party Services. The Applications and Hosting Services may operate using third party applications and services obtained separately by Licensee ("Third Party Services"). Renaissance is not responsible for the operation or functionality of such Third Party Services. While Renaissance may

configure its Applications and Hosting Services to operate with Third Party Services, Renaissance cannot and does not guarantee that such Third Party Services will operate correctly or that the Third Party Services will be available during the entire Subscription Period and Renaissance does not endorse the Third Party Services.

2.8 Maintenance. Renaissance reserves the right to update the Applications and Hosting Services and provide maintenance releases related to the Applications and Hosting Services. All updates and maintenance releases that are deployed shall be deemed subject to all applicable terms and conditions in the Agreement. Licensee does not have any right hereunder to receive any new versions of the Applications that Renaissance may, in its sole discretion, release from time to time.

2.9 Technological Changes. As technology advances it becomes necessary for software application providers to discontinue support for older operating systems and third-party applications. It is the responsibility of Licensee to keep its computers, networks, operating systems, and third-party applications up-to-date and functional.

3. Professional Services

3.1 Professional Services. If identified in the Quote, Renaissance will provide the Professional Services identified therein in accordance with terms and conditions set forth in the Agreement including those terms and conditions set forth in Exhibit B attached hereto.

3.2 Quality of Services. Renaissance agrees to perform the Professional Services with care, skill, and diligence, in accordance with the applicable professional standards currently recognized in the educational software applications industry, and shall be responsible for the professional quality and completeness of all Professional Services furnished hereunder.

3.3 Deliverables. Renaissance shall own all right, title and interest in and to all Deliverables and any other work product created in the performance of Professional Services hereunder; provided, however, that Licensee is granted a non-transferable, non-sublicensable, non-exclusive, limited license to use the Deliverables for its internal purposes for the duration of the term of the Subscription Period.

3.4 Reschedule Professional Services. For those Professional Services that require Renaissance to be present at Licensee's facility or any other facility chosen by Licensee, if Licensee reschedules the date for provision of such Professional Services, Licensee shall pay Renaissance a one-time fee equal to \$200 to the extent Renaissance had already booked its travel arrangements.

3.5 Cancellation of Professional Services. Notwithstanding the termination provisions of this Agreement and subject to this Section 3.5, the Parties agree that Licensee only has the right to cancel any particular Professional Service without terminating the Agreement in its entirety by providing Renaissance with written notice prior to Renaissance rendering such Professional Service and no later than the first anniversary of the date identified in the Quote for such Professional Service. If Licensee exercises its right to cancel a Professional Service for which Renaissance has already booked travel, Licensee shall pay Renaissance a one-time cancellation fee of \$750. To the extent the Licensee does not schedule the Professional Services it purchases as identified in the Quote on or prior to the first anniversary of the date identified in the Quote for such Professional Service, Licensee shall have no right to cancel the Professional Service and will have no right to seek a refund from Renaissance.

3.6 Subcontractors. Renaissance may employ third parties to assist with the performance of Professional Services; however, Renaissance is solely responsible for ensuring that any third party performing Professional Services under the Agreement is bound by the obligations of confidentiality and assignment provided herein. Renaissance shall pay all fees, wages, salaries, and other amounts due any third party in connection with Renaissance's performance of its obligations under the Agreement and shall be responsible for all reports and obligations respecting any such third party relating to any taxes, insurance, and similar matters.

4. Fees. Licensee shall pay Renaissance the fees in the amounts specified in the Quote (the "Fees"). Upon Licensee's acceptance of the Quote, Licensee shall submit to Renaissance the fully executed Quote and its purchase order and Renaissance shall issue Licensee an invoice for the Fees. Licensee shall pay the Fees within 30 days of

Renaissance's invoice. Any amounts owed by the Licensee under this Agreement that are not paid when due (and not subject to a good faith dispute), shall bear interest, from the time the payment was due until the time paid, at a rate of 1% per month compounded monthly, or if lower, the highest rate allowed by law. Notwithstanding any language to the contrary contained therein, no terms or conditions stated in a Licensee purchase order or in any other Licensee order documentation shall be incorporated into or form any part of this Agreement and all such terms and conditions shall be null and void. Failure to pay the Fees in accordance with the Agreement shall constitute a material breach by Licensee.

5. Term; Termination; Effect of Termination

5.1 Term. The Agreement shall be effective as the date of set forth in the Quote and continue until the end of the Subscription Period (the "Term").

5.2 Termination.

a. Termination for Convenience. Licensee may terminate the Agreement within 30 days of the start date of the Subscription Period by providing Renaissance with written notice.

b. Termination for Breach. Either party may terminate the Agreement by written notice if the other party fails to cure any material breach within 30 days of receipt of written notice.

c. Termination for Bankruptcy. Either party may terminate the Agreement immediately if any of the following events occur affecting the other party: (a) voluntary bankruptcy or application for bankruptcy; (b) involuntary bankruptcy or application for bankruptcy not discharged within 60 days; (c) appointment of receiver or trustee in bankruptcy for all or a portion of the other party's assets; or (d) an assignment for the benefit of creditors.

5.3 Effect of Expiration or Termination; Survival.

a. Access. Upon expiration or termination of the Agreement for any reason, Licensee access to the Applications, Hosting Services and Services will be discontinued upon the effective date of expiration or termination. Licensee agrees to, and direct its Authorized Users to, cease access of the Applications, Hosting Services and Services and will remove,

and direct its Authorized Users to remove, any Applications components installed on any computers. Licensee shall also return or destroy all materials provided by Renaissance under the Agreement, including any Content, within 30 days of termination or expiration of the Agreement

b. Refunds.

i. If Licensee terminates the Agreement pursuant to Section 5.2(a), (1) Licensee shall be entitled to a refund on all Fees except for any Fees for Professional Services provided prior to the notice of termination and (2) if Renaissance had already booked travel to provide on-site Professional Services prior to the notification of termination, Licensee shall pay Renaissance a cancellation fee equal to \$750.

ii. If Licensee terminates the Agreement pursuant to Section 5.2(b) or (c), Licensee shall be entitled to a refund equal to a prorated amount of the Fees from the date of termination through the end of the Subscription Period.

If the Agreement terminates for any other reason, Licensee shall not be entitled to any refund.

c. Survival. Those provisions that naturally survive termination or expiration of the Agreement shall survive such termination or expiration, including, but not limited to, Sections 5.3, 6-10 and Section 12.

6. Intellectual Property Rights; Ownership

6.1 No Transfer of Ownership. Licensee acknowledges that all Intellectual Property Rights in Renaissance's Marks, the Applications, the Hosting Services, Services and Content as well as any corrections, bug fixes, enhancements, updates or other modifications, including custom modifications thereto whether made by Renaissance or any third party, are owned and retained by Renaissance and the relevant licensors of any embedded Third Party Services. By virtue of the Agreement, no ownership of any Intellectual Rights relating to the Applications, Content, Hosting Services, Services, Renaissance's Marks or other information or material provided by

Renaissance to Licensee is assigned or transferred to Licensee and such Intellectual Property Rights are protected by U.S. and international copyright and other intellectual property laws.

6.2 No Implied Grants. Except as explicitly granted under the Agreement, no other right, license, release, covenant not to sue or other rights or immunities, express or implied, by estoppels or otherwise are granted to any part of the Applications, Content, Hosting Services, Services or Renaissance's Marks.

6.3 Licensee Data. Licensee shall exclusively own all right, title and interest in and to all Licensee Data. Licensee hereby grants to Renaissance a non-exclusive, royalty-free, worldwide license to use, reproduce, adapt, combine with other data, edit and re-format, generate, and store Licensee Data for use in connection with the Applications, Hosting Services and Professional Services for the duration of the Agreement for Renaissance to carry out its rights and obligations hereunder. Licensee hereby further grants to Renaissance an irrevocable, perpetual, non-exclusive, royalty-free, worldwide license to use, reproduce, adapt, combine with other data, edit and re-format, generate, and store any Licensee Data that does not constitute Personally Identifiable Information for any lawful purpose. Licensee covenants that it is responsible for any data, including Licensee Data, submitted via the Applications and to the Hosting Services. Other than as set forth in this Section, Renaissance shall acquire no rights in any Licensee Data. Licensee represents and warrants that it has the right to provide Renaissance with the Licensee Data for the purposes described in the Agreement.

6.4 Renaissance Data. Renaissance collects data and information regarding use of the Applications, Content and Hosting Services related to the operation of the Applications and Hosting Services ("Renaissance Data"). The Renaissance Data is aggregate in form and does not capture Personally Identifiable Information. Licensee acknowledges and agrees that the Renaissance Data is the sole and exclusive property of Renaissance and Renaissance shall be allowed to use, reproduce, adapt, combine with other data, edit, re-format, generate, store, disclose, and exploit any and all Renaissance Data for any lawful purpose.

6.5 Feedback. Licensee (a) shall provide Renaissance with information concerning errors, problems, complaints and other matters related to the Applications, Content and the Services and (b) may provide Licensee's feedback and/or suggestions for improvements to the Applications, Content and Services (collectively, "Feedback"). Licensee acknowledges and agrees that (a) Licensee shall not retain, acquire or assert any Intellectual Property Right or other right, title or interest in or to the Feedback; (b) Renaissance may have development ideas similar to the Feedback; (c) Feedback does not contain Confidential Information or proprietary information of Licensee or any third party; and (d) Renaissance is not under any obligation of confidentiality with respect to the Feedback. In view of the foregoing, Licensee grants Renaissance and its Affiliates an exclusive, transferable, irrevocable, free-of-charge, sublicensable and perpetual right to use Feedback in any manner and for any purpose.

7. Confidential Information. Except as expressly and unambiguously allowed herein, each party agrees that it will hold in confidence and not use or disclose any Confidential Information received from the other party except to the receiving party's employees, affiliates, consultants and advisors who need access to the Confidential Information for the receiving party to exercise its rights or carry out its obligations under the Agreement and who are legally bound to maintain the confidentiality of the Confidential Information. Each party further agrees to use the same means it uses to protect its own confidential and proprietary information, but in any event not less than reasonable means, to prevent disclosure and to protect the confidentiality of Confidential Information received from the other party. Upon termination of this Agreement or upon request of the disclosing party, the receiving party will return to the disclosing party all Confidential Information of such disclosing party, all documents and media containing such Confidential Information and any and all copies or extracts thereof, or certify in writing that all such copies and documents have been destroyed. The foregoing shall not prevent either party from disclosing Confidential Information which belongs to such party or which (i) is in or becomes part of the public domain through no act or omission of the receiving party, (ii) can be demonstrated by the receiving party as

being known to the receiving party previously, (iii) is rightfully obtained by the receiving party from a third party, (iv) is independently developed by the receiving party without use of the other party's Confidential Information, or (v) is required to be disclosed pursuant to a requirement of a governmental agency or law so long as the disclosing party provides the other party with prompt notice of such required disclosure and complies with any protective order imposed on such disclosure.

8. Licensee Data and Personally Identifiable Information.

8.1 Privacy Laws. Each Party shall comply with all applicable federal, state, local, municipal, and foreign laws and regulations applicable to privacy, Personally Identifiable Information or Licensee Data, including, but not limited to, the Children's Online Privacy Protection Act and the Family Educational Rights and Privacy Act (collectively, the "Privacy Laws"). In the event of conflict or uncertainty interpreting the Privacy Laws, a party will resolve the uncertainty or conflict in favor of prohibiting the disclosure of information.

8.2 Notice and Consent. Licensee acknowledges and agrees that the collection, input, use, retention, disposal, and disclosure of any Licensee Data, including Personally Identifiable Information submitted via the Applications to the Hosting Services are controlled solely by Licensee and thus the Licensee is deemed the data controller of the Licensee Data. Licensee represents and warrants it has provided all notices and obtained all consents from the Users (or such User's parent) required under applicable Privacy Laws to collect, use, disclosure and transfer of the Licensee Data, including Personally Identifiable Information contained therein, to Renaissance via the Applications and Hosting Services for Renaissance to collect and use to fulfill its rights and obligations under the Agreement and as set forth in the Privacy Policy.

8.3 Security. Renaissance agrees to develop, implement, maintain and use commercially reasonable administrative, technical and physical security measures to preserve the confidentiality, integrity and availability of all Licensee Data and Personally Identifiable Information stored, managed, retained, accessed or used via the

Applications. Renaissance agrees to perform regular reviews of its protection methods and perform system auditing to maintain protection of its systems.

8.4 Privacy Policy. Each party acknowledges and agrees that Renaissance will use the Licensee Data and any Personally Identifiable Information in accordance with the Agreement and the Privacy Policy. The Parties acknowledge the Privacy Policy may change from time to time and agree to abide by the Privacy Policy as modified.

8.5 Authorized Disclosure of Licensee Data and Personally Identifiable Information. Licensee hereby acknowledges and agrees that Renaissance may disclose Licensee Data, including Personally Identifiable Information, to a third party to the extent such third party is the provider of a Third Party Services or is (a) authorized by Licensee in writing or (b) authorized by Licensee via an Authorized User enabling the data sharing feature from within the Applications (each an "Authorization"). Licensee acknowledges and agrees that each Authorization will result in Licensee electing, in its sole discretion, to transfer (the "Transfer") the Licensee Data, including Personally Identifiable Information, selected by Licensee (the "Disclosed Information") to the recipients that Licensee selects (the "PII Recipients"). Licensee acknowledges that the Disclosed Information may contain Personally Identifiable Information and educational records and may be subject to Privacy Laws and represents and warrants that any Transfer will be in compliance with all applicable Privacy Laws and Licensee's organization's policies. Renaissance Learning makes no warranty (a) that the Disclosed Information is complete and accurate, (b) that the Transfer is in compliance applicable Privacy Laws or Licensee's organization's policies, (c) that the use of the Disclosed Information by the PII Recipient is valid and in compliance with all applicable Privacy Laws and Licensee's organization's policies or (d) that the Disclosed Information will remain secure upon transfer to the PII Recipient and disclaims any responsibility for the Transfer. Licensee acknowledges that the Disclosed Information will be provided on as "as is", "as available" basis.

8.6 Parent Inquiries. Parents may review and amend Licensee Data and any Personally Identifiable

Information by contacting the Licensee and following the Licensee's procedures for amending Licensee Data and Personally Identifiable Information. Licensee shall handle all parents' inquiries and agrees to follow Privacy Laws to amend a student's information. To the extent the Licensee cannot amend the Licensee Data or Personally Identifiable Information, the Licensee may contact Renaissance and Renaissance, with Licensee's express written permission, will make such amendment according to applicable Privacy Laws.

8.7 Notice. Renaissance will notify the Licensee of any unauthorized release of or unauthorized access to Personally Identifiable Information that it becomes aware of within a reasonable amount of time and in accordance with applicable Privacy Laws. The Licensee agrees to provide any and all information needed by Renaissance to comply with Privacy Laws applicable to unauthorized release of or unauthorized access to Personally Identifiable Information, including information it may need (e.g. student addresses) to send breach notifications. Except as required by Privacy Laws or otherwise agreed to by Licensee and Renaissance, Renaissance will not communicate directly with adult students and parents of Licensee's minor students.

8.8 Data Retention. Personally Identifiable Information in Licensee Data is removed from the Applications upon the termination or expiration of the Subscription Period and, if requested in writing by the Licensee, is returned to the Licensee in a standard file format. Licensee Data that does not include Personally Identifiable Information may remain on Renaissance's systems and Renaissance may continue to use that information in accordance with the Agreement. Data removed from the Applications will be removed from Renaissance's primary data center after 30 days and will be removed from all backups within 90 days of the removal from the Applications.

9. Indemnification

9.1 Renaissance Indemnification. Subject to the limitations set forth in Section 9.2, Renaissance agrees to indemnify Licensee against any Actions by a third party alleging that the Applications or Hosting Services, as provided by Renaissance under this Agreement, infringe a United States

copyright, trademark, or patent issued on or before the Effective Date, by paying the amounts Licensee is obligated to pay to the third party in accordance with a final judgement or settlement of the claims. Notwithstanding the foregoing in this Section 9.1, Renaissance shall have no liability and Renaissance's obligations under this Section 9.1 shall not apply if the claim, judgment or settlement is either partially or in whole based on (i) any software, service or other material provided by or on behalf of Licensee, (ii) any modification of the Applications or Hosting Services if such modification is not done by Renaissance or if such modification is done by Renaissance pursuant to Licensee's written instruction, (iii) Licensee continuing any allegedly infringing activity after being notified of any such allegedly infringing activity or after being informed of or provided with modifications that would have avoided the alleged infringement; (iv) any Third Party Services or (v) Licensee's use of the Applications or Hosting Services that is not strictly in accordance with the terms and condition of the Agreement. If the Applications or Hosting Services as provided by Renaissance are found to infringe the rights of a third party and as a result a final injunction is obtained in a competent court against the Licensee's use of the Applications or Hosting Services, or if in Renaissance's opinion, actions are needed to avoid potential infringement, Renaissance may, at its expense and option: (i) procure for Licensee the continued right to the Applications or Hosting Services, (ii) replace or modify the Applications or Hosting Services in whole or in part, with substantially similar, functionally equivalent, non-infringing Applications or Hosting Services, or (iii) if Renaissance is unable to effect the foregoing despite its reasonable efforts, Renaissance may terminate the Agreement or request Licensee to discontinue use of the Applications or Hosting Services in whole or in part, subject to Licensee having a right to terminate the Agreement.

9.2 Licensee Indemnification. Licensee agrees to defend, indemnify, and hold harmless Renaissance, its Affiliates and their respective directors, officers, employees, contractors and agents, from all Losses that result from any third party Action and amounts paid in settlement thereof alleging or relating to claims of Licensee's breach of the Agreement or any violation of the terms of use or

any other agreement governing the use of the Applications, Hosting Services, Services or Content.

9.3 Indemnification Procedure. The indemnification obligations of the parties specified above are subject to the following conditions: the indemnified Party (a) promptly notifies the indemnifying party in writing of the claim, (b) provides exclusive control to indemnifying party to defend and settle the Action at the indemnifying Party's exclusive discretion, (c) agrees to cooperate (at indemnifying party's expense) in good faith with the indemnifying Party in the defense as the indemnifying party may reasonably request, and (d) shall not agree and/or acknowledge any liability or infringement regarding the Applications or Hosting Services.

9.4 Sole Remedy. Notwithstanding anything to the contrary in the Agreement, the indemnity provided in this Section shall be the sole and exclusive remedy for Licensee regarding third party Intellectual Property Rights infringement claims.

10. Limitation of Liability and Disclaimer of Warranties

10.1 Disclaimer of Limited Warranty. EXCEPT AS OTHERWISE PROVIDED IN THE AGREEMENT, THE APPLICATIONS, HOSTING SERVICES, SERVICES AND CONTENT ARE PROVIDED ON AN "AS IS," "AS AVAILABLE" BASIS; RENAISSANCE AND ITS AFFILIATES AND THEIR RESPECTIVE LICENSORS MAKE NO WARRANTY THAT THE APPLICATIONS, HOSTING SERVICES, SERVICES OR CONTENT WILL BE UNINTERRUPTED, SECURE, OR ERROR FREE OR THAT DEFECTS IN APPLICATIONS, HOSTING SERVICES, SERVICES OR CONTENT WILL BE CORRECTED; AND; RENAISSANCE AND ITS AFFILIATES AND THEIR RESPECTIVE LICENSORS SPECIFICALLY DISCLAIM, TO THE MAXIMUM EXTENT PERMITTED BY APPLICABLE LAW, ANY REPRESENTATIONS OR WARRANTIES, EXPRESS, IMPLIED, OR STATUTORY, REGARDING THE APPLICATIONS, HOSTING SERVICES, SERVICES AND CONTENT, INCLUDING ANY IMPLIED WARRANTY OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, NON-INFRINGEMENT, TITLE OR ANY IMPLIED WARRANTIES ARISING FROM COURSE OF DEALING OR PERFORMANCE.

10.2 Limitation of Liabilities.

a. Direct Damages Only. To the maximum extent permitted by law, the liability of Renaissance shall be limited to direct damages only, thus excluding liability for any other damages such as indirect, special, incidental, consequential or punitive damages (including, but not limited to, lost profits, lost data, lost revenue, lost savings and loss of goodwill).

b. Aggregate Liability. To the maximum extent permitted by law, in no event shall Renaissance's aggregate liability with respect to any matters whatsoever arising under or in connection with the Agreement exceed the total fees paid by Licensee to Renaissance under the Agreement within the twelve-month period prior to the date the cause of action giving rise to liability arose. The foregoing liability is cumulative with all payments for claims or damages in connection with the Agreement being aggregated to determine satisfaction of the limit.

c. Third Party Products and Services. Licensee understands that Renaissance is not responsible for and will have no liability for hardware, software or other items or any services provided by any persons other than Renaissance, including, without limitation, Third Party Services.

d. Professional Services. Any liability of Renaissance with respect to the Professional Services or Deliverables will be limited exclusively to correction of such Professional Services or such Deliverables or, if such correction is not possible or impractical, to refund of the pertinent Fees.

e. Economic Basis of Agreement. The parties acknowledge that the fees, the rights granted to each party and the allocation of the risk (as expressed in the indemnities and the limits of warranties, liabilities, damages and remedies) contained in the Agreement reflect the economic basis of the Agreement, in absence of which the Agreement would not have been made.

11. Force Majeure. In the event of an issue that causes either Party's delay or failure to perform its obligations under the Agreement due to acts of

God and natural disasters (each, a "Force Majeure"), the affected Party will: (a) promptly give the other Party notice in writing of the Force Majeure; (b) use all reasonable efforts to mitigate the effects of the Force Majeure upon that Party's performance of its obligations under the Agreement; and (c) promptly resume performance of its obligations after the Force Majeure has passed. Provided a Party affected by a Force Majeure complies with the foregoing, delay or failure to perform its obligations under the Agreement shall not constitute a breach of the Agreement.

Agreement shall be an appropriate state or federal court located in Wisconsin.

12. Miscellaneous

12.1 Entire Agreement. The Agreement, including the Privacy Policy, any and all Quotes and all exhibits and attachments attached hereto, constitutes the entire agreement between the parties and supersedes all previous and/or inconsistent agreements, negotiations, representations and promises, written and oral, regarding the subject matter. No modification, course of conduct, amendment, supplement to or waiver of the Agreement or any provisions hereof shall be binding upon the parties unless made in writing and duly signed by both parties.

12.5 Dispute Resolution. If a dispute arises between the parties relating to the interpretation or performance of the Agreement, the parties agree to hold a meeting, attended by individuals with decision-making authority regarding the dispute, to attempt in good faith, to negotiate a resolution of the dispute prior to pursuing other available remedies.

12.6 Notices. All notices required or permitted under the Agreement shall be in writing and shall be deemed delivered when (a) delivered in person, (b) deposited in the United States mail, postage prepaid, (c) via a recognized national delivery service, such as UPS, FedEx or DHL, or (d) via e-mail, with receipt of confirmation of delivery, addressed to the addresses set forth in the Quote.

12.2 Severability. If any provision of the Agreement shall be held to be invalid or unenforceable for any reason, the remaining provisions shall continue to be valid and enforceable as if such provision had not been set forth herein. The parties agree to substitute for such provision a valid provision that most closely approximates the intent of the severed provision.

12.7 Captions. The captions that head certain Sections and paragraphs in the Agreement are inserted only as a matter of convenience, and in no way define, limit, or extend or interpret the scope of the Agreement or of any particular Section.

12.8 Assignment. The rights and obligations of either party under the Agreement may not be transferred or assigned directly or indirectly without the prior written consent of the other party, except that Renaissance may assign the Agreement without restriction to a successor. Except as otherwise expressly provided herein, the provisions hereof will inure to the benefit of, and be binding upon, the successors, assigns, heirs, executors and administrators of the parties.

12.3 Waiver. A failure of any party to exercise any right given to it hereunder, or to insist upon strict compliance by the other party, of any obligation hereunder, shall not constitute a waiver of the first party's right to exercise such a right, or to exact compliance with the terms hereof. Moreover, waiver by any party of a particular default by another party shall not be deemed a continuing waiver so as to impair the aggrieved party's rights in respect to any subsequent default of the same or a different nature.

12.9 Relationship of the Parties. The parties are independent contractors and not joint venture partners or otherwise Affiliated. Neither party has any right or authority to assume or create any obligations of any kind or to make any representation or warranty on behalf of the other Party, whether express or implied, or to bind the other Party in any respect whatsoever. There are no third-party beneficiaries to the Agreement.

12.4 Governing Law. The Agreement shall be governed by the laws of state of Wisconsin without giving effect to the state's choice of law rules and the exclusive venue for disputes arising out of the

12.10 Limitation of Action. Any action by Licensee in connection with the Agreement must be brought within two years after the cause of action arose or such longer period of time as required by applicable law.

- 12.11 Duplicates, Originals, Counterparts. The Agreement and any Quote may be executed in counterparts, each of which shall be deemed to be an original, but all of which together shall constitute one and the same agreement.
- 12.12 Scanned Documents & Electronic Signatures. Electronic signatures by duly authorized signatories of the parties are valid. Each party may scan and electronically preserve the Agreement and all other documents related to the Agreement. All documents that have been scanned and stored by a party are treated as original documents for all purposes.
- 12.13 Export Law Assurances. Licensee may not use or otherwise export the Applications except as authorized by U.S. law. In particular, but without limitation, the Applications may not be exported (i) into (or to a national or resident of) any U.S. embargoed country (ii) to anyone on the U.S. Treasury Department's list of Specially Designated Nationals or the U.S. Department of Commerce's Table of Denial Orders. By using the Applications, Licensee represents and warrants that Licensee is not located in, under control of, or a national or resident of any such country or on any such list.
- 12.14 Representations. Each party represents and warrants that it has been duly authorized to enter into the Agreement for and on behalf of any person, company, or other entity identified herein.
- 12.15 Equitable Rights. Each party acknowledges that a breach by a party of Section 6 (Intellectual Property Rights; Ownership) or Section 7 (Confidentiality) may cause the non-breaching party irreparable damages, for which an award of damages would not be adequate compensation and agrees that, in the event of such breach or threatened breach, the non-breaching party will be entitled to seek equitable relief, including a restraining order, injunctive relief, specific performance and any other relief that may be available from any court, in addition to any other remedy to which the non-breaching party may be entitled at law or in equity, without the necessity of posting bond. Such remedies shall not be deemed to be exclusive but shall be in addition to all other remedies available at law or in equity, subject to any express exclusions or limitations in the Agreement to the contrary.

EXHIBIT A

Definitions

"Action" shall mean any third party claim, suit, arbitration, action, or proceeding.

"Agreement" means the Quote and these License and Services Terms and Conditions, as amended by the parties.

"Applications" means the commercial software products being provided to Licensee under the Agreement and applicable Quote, including, in all cases, executable program modules thereof, as well as related documentation and computer readable media. The Applications are set forth in the Quote and shall include Application component of Renaissance-U to the extent identified in such Quote.

"Authorized User" means an employee of the Licensed Site (including administrators and teachers), a student enrolled at the Licensed Site or a parent of such student.

"Confidential Information" means all business, technical, and financial information that one party ("receiving party") obtains from the other party ("disclosing party"). Confidential Information of Renaissance includes, but is not limited to, trade secrets, technology, information pertaining to business operations and strategies, information pertaining to pricing and marketing, and any technical information relative to the setup and security of the Application or Hosting Service including, but not limited to, Hosting Service Internet addresses, Login Information, Internet URL's, Virtual Private Network setup and encryption key information.

"Content" means all types of information including, without limitation, text, sound recordings, documentation, photographs, graphics, video, databases or any other compilations rendered available by Renaissance or accessible through the Applications or Deliverables.

"Data Integration Services" means any commercial software products being provided to Licensee under the Agreement and applicable Quote that enables a Licensee to connect the Applications to Licensee's student information system to enable automatic loading and updating of Licensee Data in the Applications.

"Deliverables" means any work product or materials to be developed or delivered by Renaissance in connection with providing the Services to Licensee.

"Homebound Student" means a student of a Licensed Site that cannot attend school due to medical or emotional conditions substantiated by a health care provider.

"Intellectual Property Rights" means all (a) patents, patent disclosures and inventions (whether patentable or not), (b) trademarks, service marks, trade dress, trade names, logos, corporate names and domain names, together with all of the goodwill associated therewith, (c) copyrights and copyrightable works (including Applications), and rights in data and databases, (d) trade secrets, know-how and other confidential information, and (e) all other intellectual property rights, in each case whether registered or unregistered and including all applications for, and renewals or extensions of, such rights, and all similar or equivalent rights or forms of protection in any part of the world.

"Licensed Site" means the physical location of a single school which has purchased Student Capacity for the Applications and identified in the Quote. Multiple schools in one building are each a separate Licensed Site and each must purchase a separate license.

"Licensee" means the entity identified in the Quote.

"Licensee Data" means (a) any information or data that Licensee collects on individual Authorized Users, including, without limitation, personal information (e.g., an Authorized User's name, age, gender, race, place of residence, and other directory information), enrollment information (e.g., the school a student attends, a student's current grade level and years of attendance, the number of days a student was absent), academic information (e.g., the courses a student completed, the test scores and grades a students earned, the academic requirements a student has fulfilled, and education records), and various other forms of data collected and used by such Licensee; (b) any data or outputs, including, but not limited to assignments, assessment and quiz scores, generated from using the Applications (including data or outputs contain with reports generated by the Applications) and (c) Authorized User sign-on information.

"Losses" mean all losses, damages, liabilities, deficiencies, actions, judgments, interest, awards, penalties, fines, costs or expenses of whatever kind, including reasonable attorneys' fees and the cost of

enforcing any right to indemnification hereunder and the cost of pursuing any insurance providers.

"Marks" mean trade names, trademarks, logos and service marks, in all cases, registered or unregistered.

"Mobile Applications" mean applications by which Licensee may have the ability to access some or all of the Applications on mobile devices.

"Personally Identifiable Information" means information about an Authorized User that can be used on its own or with other information to identify, contact, or locate a single individual, including, but not limited to, the following:

- Any information that can be used to distinguish or trace an individual's identify such as full name, social security number, date and place of birth, mother's maiden name, or biometric records;
- Any other information that is linked or linkable to an individual such as medical, educational, financial, and employment information;
- Two or more pieces of information that separately or when linked together can be used to reasonably ascertain the identity of the person.

"Privacy Policy" means the Application and Hosting Privacy Policy set forth on Renaissance's website at <http://www.renaissance.com/wp-content/uploads/2016/10/Renaissance-Applications-Privacy-Policy-92616.pdf> which may be updated from time-to-time by Renaissance in its sole discretion.

"Professional Services" means those professional services identified in the Quote and further described in Exhibit B and any other professional, technical or support services that Renaissance provides to Licensee.

"Renaissance" means Renaissance Learning, Inc., a Wisconsin corporation.

"Services" mean the Onboarding Services and Professional Services.

"Student Capacity" with respect to any Licensed Site, means the maximum number of Licensee students that are authorized to use the Applications during the Subscription Period as set forth in the Quote.

"Subscription Period" means the time period set forth in the Quote during which Licensee has access to the Applications unless the Agreement is terminated earlier in accordance with the Agreement, then the time period shall end as of the date of termination.

EXHIBIT B

Professional Services and Other Terms and Conditions

1. Professional Services

- a. **Onsite Consulting Day:** Renaissance will deliver six-hours of professional development in the form of a seminar for up to 30 participants or an implementation consulting day where Renaissance will work with small groups of participants throughout the school day. Licensee shall provide facilities for its participants that are conducive to adult learning with computer and broadband Internet connection for each participant. Renaissance will tailor the content to the specific needs of the participants, to the extent that the Licensee participates in a pre-planning meeting with Renaissance 4-6 weeks prior to the event. Because travel is booked 4-6 weeks in advance, additional fees may apply for late booking, and last minute rescheduling or cancellation.
- b. **Renaissance-U:** An Application that provides professional development courses via on-demand, online tutorials and live data coaching sessions delivered via webinars. Licensee's administrators have a portal to monitor participant progress through the courses offered. Licensee is responsible for scheduling the coaching sessions and it is recommended that Licensee schedule such sessions periodically during the Subscription Period, ideally after each screening window. Licensee shall provide the facilities for the coaching sessions for its participants that provides participants with a computer, broadband Internet connection, and two-way sound. If a Licensee has multiple Licensed Sites, it must purchase a license to access Renaissance-U for each Licensed Site.
- c. **First-Steps:** A two-month subscription to Renaissance-U plus one planning call and two, 30-minute live data coaching sessions delivered via a webinar. If a Licensee has multiple Licensed Site, it must purchase a license to access First-Steps for each Licensed Site.
- d. **Renaissance Coaching Services:** Renaissance will provide professional development service through live data coaching sessions delivered via a webinar. Licensee is responsible for scheduling the coaching sessions and it is recommended that Licensee schedule such sessions periodically during the Subscription Period, ideally after each screening window. The content of the coaching session will focus on data, but the content can be tailored to the specific needs of the participants, to the extent that Licensee participates in a pre-planning meeting with Renaissance in advance of the coaching session. Licensee shall provide the facilities for the coaching sessions for its participants that provide participants with a computer, broadband Internet connection, and two-way sound.
- e. **Hourly Webinars:** A one-hour webinar related to a specific topic, for up to 30 participants. The content of the webinar will be tailored to the specific needs of the participants, to the extent that Licensee participates in a pre-planning meeting with Renaissance in advance of the webinar. Hourly webinars can be used for Q&A session as well if arranged in advance. Licensee shall provide facilities for the coaching sessions that include a computer for each participant, a broadband Internet connection, and two-way sound.
- f. **Strategic Planning, Monitoring, and Reporting:** District-level service that begins with a planning session with the key Licensee stakeholders to establish the goals for the implementation of Applications and key performance indicators that will indicate progress toward those goals. A strategic plan will be delivered to Licensee, followed by 3 progress reports related to the goals and key performance indicators. Upon delivery of each of the progress reports Licensee may also participate in a 30-minute conversation with Renaissance to review progress and recommendations. A "plus" version of this service is also available that offers the Strategic Planning, Monitoring and Reporting Services and unlimited district-level coaching throughout the Subscription Term.
- g. **Virtual Onsite Seminars:** 90-minute professional development seminars targeted at one specific

topic, for up to 30 participants. Renaissance will facilitate the seminar via remote technology. Licensee is responsible for providing an onsite facilitator who will work with Renaissance to plan the seminar in advance, test the technology, and co-facilitate during the seminar. Licensee must provide a room to host the seminar that offers a computer for each participant with broadband Internet connection, a hard-wired broadband internet connection for the computer that is projecting the online presentation and high-quality two-way sound via the computer microphone and external speakers, or a high-quality speakerphone. Seminars are anticipated to be a two-way live video feed via webcam and/or 3-D Webcam technology; however, should these video technologies not be available or working effectively at the time of the seminar, it will not inhibit the delivery the seminar.

- h. **Project Management:** Project Management services are available for districts that need extra support managing the technical and logistical tasks associate with implementation of the Applications. Services are tailored to Licensee's needs, but typically include an in-person kick off meeting to develop the scope of the project and communication plan. The assigned project manager will serve as the Licensee's single point of contact, provide periodic updates, and oversee Renaissance delivery of the Professional Services purchased by the Licensee in accordance with the project plan.

2. Other Terms and Conditions

- a. **Learning Environment:** Professional development sessions are designed to engage

learners with hands-on experiences in the Applications, customization to group needs, and individualized support. Licensee assumes the responsibility for any diminished quality and/or satisfaction concerns if an appropriate learning setting is not provided by Licensee, including, without limitation, keeping to group size limits provided by Renaissance and providing facilities that meet technology and learning environment requirements.

- b. **Ownership:** All print and digital content provided as a part of the service is the sole property of Renaissance and is deemed Content under the Agreement. Recording or reproduction in any form is not permitted. Renaissance does not provide copies of any of the PowerPoint presentations presented during any seminar, webinar or any other presentation.
- c. **Learning Outcomes:** It is the responsibility of the Licensee to participate in a planning call with Renaissance a minimum of 2 weeks prior to the delivery of the Professional Services to determine the agreed upon learning outcomes. Renaissance will plan the delivery of the Professional Service to meet those pre-determined learning outcomes. At times the needs expressed by the participants of the Professional Services event do not exactly match the learning outcomes identified in the pre-planning meeting. Renaissance will use commercially reasonable efforts to address those needs as time allows, but Renaissance will first focus on fulfilling the learning outcomes agreed to during the pre-planning meeting.

**CONSULTANT/CONTRACTOR
CONFLICT OF INTEREST
DISCLOSURE FORM**

I, Debra C. Schoenick, Vice President of Strategic Support, on behalf of Renaissance Learning, Inc.

the "Contractor"), declare this to be a full and complete disclosure of all conflicts of interest with the Oneida Nation. Conflict of interest means any interest, whether it be personal, financial, political, or otherwise, that conflicts with any right of the Oneida Nation to property, information, or any other right to own and operate its enterprises, free from undisclosed competition or other violation of such rights of the Oneida Nation. Therefore, I affirm to the best of my knowledge the following:

- 1. The Contractor is not an employee of the Oneida Nation. *(Must include job description if employee of the Oneida Nation.)*
- 2. The Contractor is neither presently involved in, nor is it contemplating any legal actions against the Oneida Nation.
- 3. The Contractor is not presently involved in any activity or has any outside interests that conflict or suggest a potential conflict with the Oneida Nation.
- 4. The Contractor is neither involved in nor does it own any business investments which are related to or connected with the Oneida Nation, its programs, departments, or enterprises
- 5. Neither the Contractor, nor any of its representatives, holds any positions as director or officer in any public or private groups, firms, organizations, or other entities which are substantially or wholly owned by the Oneida Nation. No representative of the contractor sits on any board, commission, or committee of the Oneida Nation. No officer or director of the Company has any conflict as defined above
- 6. The Contractor is neither applying for, nor receiving, any special services, grants, loans or other programs provided by the Oneida Nation, and has no pending contracts with the Oneida Nation, except as herein disclosed and listed below:

If NONE, please check

Enter disclosures, if any

(Attach additional pages, if necessary)

During the term of the contract or any extension thereof, I will promptly report any situation which may involve, suggest or appear to suggest any conflict that I may have with the Oneida Nation. If a conflict arises, I am informed and understand that the Oneida Nation may in its sole discretion, terminate the contract without obligation to me. Further, failure to report any conflict shall also be cause to terminate my contract.

Signature: Debra C. Schoenick Date: June 22, 2017

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 9 / 13 / 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:

Delegate a Direct Report to be responsible to work on the United Way Workplace Campaign for the 2017-2018 campaign year.

*This agenda item was delegated to the OBC Regular Meeting due to the inability to complete the BC Officer agenda on 9/5/17.

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: Jessica Wallenfang, Executive Assistant to Councilwoman Jennifer Webster
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:

Purpose: To request a Direct Report to take over the United Way Workplace Campaign

Background:

Since 2008, the OBC has agreed to support the Brown County United Way Workplace Campaign. This was supported due to over 3,000 Tribal members of various tribes have benefitted from utilizing the United Way's programs.

The attached report gives the history of Oneida's participation.

Action Requested:

Delegate responsibility to a Direct Report to work on the United Way Workplace Campaign.

- 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

Summary of Oneida's participation in United Way Workplace Campaign
By Jessica Wallenfang
September 5, 2017

The campaign started in 2009 by the BC directing the GM to participate. The GM then requested the HR Area Manager to volunteer or designate a person to volunteer. Geraldine requested me to volunteer and I accepted. Jacque Gerhardt worked part time at Housing and assisted in the planning of fund raising. That year we raised \$3,377.00.

Excerpt from OBC Regular Meeting of October 1, 2008:

New Business

Patty Hoeft

RE: United Way Workplace Giving

Winnifred Thomas

Campaign presentation & request

Action: *Motion by Patty Hoeft to approve the request for Oneida to join and the 2008 Brown County United Way Workplace Giving Campaign and direct the General Manager to work with United Way to get us to participate in this year's effort, seconded by Kathy Hughes. Motion carried unanimously.*

In 2010, Jacque left the organization so I recruited and led a team of volunteers (8 people) and we named ourselves the CIA (Community Impact Advocates). That year we raised \$5,551.65.

In 2011, some team members left, therefore there were less fundraising events and the team raised \$2,850.00.

From 2012 to current date, \$1,268.27 has been raised by the Parking Spot Raffle at the Skenandoah Complex, which is the only fundraising that has continued. Team members in 2012 & 2013 were Vicki Cornelius and I and in 2014 – 2016 the team members are Vicki, Yaziman Metoxen, and Candy House.

In January 2016, Vicki, Candy House and Yaziman Metoxen met with Julie Koenig, UW Loaned Executive, and discussed a new campaign for this year. Julie also shared fundraising ideas with the team.

I met with Vicky, Candy, Yaz and Wendy August 22, 2016 to create a plan to revive the 2016 Brown County United Way Workplace Campaign. We held a few fundraisers earning approximately \$2,500 for the campaign.

The 2017 campaign is ready to begin, however, a new lead needs to be designated to effectively and successfully fundraise the campaign to it's fullest potential.

From: [Andria Hannula](#)
To: [Jessica L. Wallenfang](#)
Subject: United Way Campaign
Date: Monday, July 03, 2017 11:56:22 AM
Attachments: [image001.png](#)
[image002.png](#)

Hi Jessica,

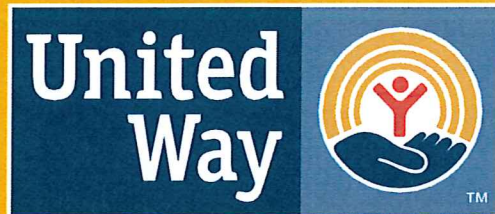
I hope all is well!

This year, Cathy Dworak and Tony Fisher of the Green Bay Packers, are chairing the United Way Campaign. They are offering some great incentives for companies and individuals. This would be a great year to reengage with United Way. Please take a look at the attached incentive sheet, and let me know if we can discuss.

Thank you!

Andria Hannula
VP of Resource Development
& Strategic Communication
P: 920.593.4780 | F: 920.432.7144
[✉ andria@browncountyunitedway.org](mailto:andria@browncountyunitedway.org)
[🌐 www.browncountyunitedway.org](http://www.browncountyunitedway.org)

2017



Brown County United Way

COMPANY INCENTIVES

Companies will have an opportunity to have Super Bowl alumni visit their employees at work or a company event.

AWARD NAME	RULES
MVP	Company with overall highest total giving. (4 alumni)
Rookie of the Year	All first-time companies who donate \$5,000 or more are entered to win. (2 winners)
Most Improved Player – A	Largest year-over-year dollar increase for companies who donate \$50,000 or more.
Most Improved Player – B	Largest year-over-year dollar increase for companies who donate under \$50,000.
Coach of the Year	All companies over 50% employee pledges are entered to win.
All-Pro	All companies that increase overall giving by 10% are entered to win. (2 winners)

INDIVIDUAL INCENTIVES

50 winners and their guest will enjoy dinner at Lambeau Field with current players. Photos and a Q&A session will take place.

NEW DONORS

Gift range: \$50 - \$249 = 1 entry

Gift range: \$250 - \$499 = 2 entries

Gift range: \$500 - \$999 = 3 entries

Gift range: \$1,000+ = 5 entries

EXISTING DONORS WHO MAINTAIN THEIR GIFT OR INCREASE (NO DECREASE)

Gift range: \$50 - \$249 = 1 entry

Gift range: \$250 - \$499 = 2 entries

Gift range: \$500 - \$999 = 3 entries

Gift range: \$1,000+ = 5 entries

Bonus: For every \$100 increase over 2016 gift, additional 1 entry

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 09 / 13 / 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:

Request to post for (1) vacancy on the Environmental Resource Board due to a resignation and finish the term until 3/25/18.

3. Supporting Materials

Report Resolution Contract

Other:

1.

3.

2.

4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution

Budgeted - Grant Funded

Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter: Kathleen M. Metoxen, Executive Tribal Clerk

Your Name, Title / Dept. or Tribal Member

Additional Requestor:

Name, Title / Dept.

Additional Requestor:

Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

On September 7, 2017 the Environmental Resource Board accepted the resignation of Shawn Skenandore.

- 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: 09 / 13 / 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 approval of Option 1: First Come-First Serve for distribution of one-hundred (100) complimentary tickets - Indian Summer Festival - Milwaukee, WI - September 8-10, 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 Thursday, August 31, 2017, at 8:19 a.m., the following E-Poll was conducted:

Summary:

On August 22, 2017, the Business Committee Support Office received one-hundred (100) complimentary tickets to the Indian Summer Festival in Milwaukee, WI, from September 8-10, 2017.

The next Business Committee meeting isn't until after the event occurs. Thus, an E-Poll is being requested. Per the SOP, there are three (3) options for distributing tickets: Random Drawing, First Come-First Serve, or Transfer to Joint Marketing. However, Enrollments and Intergovernmental Affairs & Communications need a minimum of five (5) days notification and arrangement for a random drawing to occur; and winners would need to be contacted to confirm pick-up. That leaves two (2) remaining, feasible options the Business Committee can consider for distribution of the tickets:

5.3.1.2 First come, first serve

5.3.1.2.1 Eligibility criteria for first come, first serve must be determined by the Business Committee (i. e. Tribal members, employees only, elders age 55 and over)

5.3.1.3 Transfer tickets to Joint Marketing

Requested Action:

To approve an option for distribution of one-hundred (100) complimentary tickets – Indian Summer Festival – Milwaukee, WI – September 8-10, 2017:

Option 1: First Come-First Serve (with criteria, if any); OR

Option 2: Transfer to Joint Marketing.

Deadline for response:

Responses are due no later than 4:30 p.m., TODAY, August 31, 2017.

As of the deadline, below are the results:

Option 1 (First Come-First Serve): Tehassi Hill, David Jordan, Kirby Metoxen, Brandon Stevens, Ernest Stevens III, Jennifer Webster

Option 2 (Transfer to Joint Marketing): Lisa Summers

REQUESTED ACTION

Enter E-Poll results into the record for approval of Option 1: First Come-First Serve for distribution of one-hundred (100) complimentary tickets - Indian Summer Festival - Milwaukee, WI - September 8-10, 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: Friday, September 01, 2017 1:32 PM
To: TribalSecretary; Brandon L. Yellowbird-Stevens; Daniel P. Guzman; David P. Jordan; Ernest L. Stevens; Jennifer A. Webster; Kirby W. Metoxen; Lisa M. Summers; Patricia M. King; Ronald W. Hill
Cc: Stephen R. Webster; Kathleen M. Metoxen; Brian A. Doxtator; Cathy L. Bachhuber; Danelle A. Wilson; Jessica L. Wallenfang; Leyne C. Orosco; Lisa A. Liggins; Melinda J. Danforth; Rhiannon R. Metoxen; Rosa J. Laster; BC_Agenda_Requests
Subject: E-POLL RESULTS: Approve distribution option for 100 Indian Summer Tix
Attachments: E-Poll Request - 100 Indian Summer tix.pdf; RE: E-POLL REQUEST: Approve distribution option for 100 Indian Summer Tix
Categories: For Next Mtg

E-POLL RESULTS

The E-Poll request to approve an option for distribution of one-hundred (100) complimentary tickets – Indian Summer Festival – Milwaukee, WI – September 8-10, 2017, **has resulted in the approval of Option 1: First Come-First Serve**. As of the deadline, below are the results:

Option 1 (First Come-First Serve): Tehassi Hill, David Jordan, Kirby Metoxen, Brandon Stevens, Ernest Stevens III, Jennifer Webster

Option 2 (Transfer to Joint Marketing): Lisa Summers

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)



office 920.869.4421
cell 920.471.5002
fax 920.869.4040

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From: TribalSecretary
Sent: Thursday, August 31, 2017 8:19 AM
To: TribalSecretary; Brandon L. Yellowbird-Stevens; Daniel P. Guzman; David P. Jordan; Ernest L. Stevens; Jennifer A. Webster; Kirby W. Metoxen; Lisa M. Summers; Patricia M. King; Ronald W. Hill

Cc: Stephen R. Webster; Kathleen M. Metoxen; Brian A. Doxtator; Cathy L. Bachhuber; Danelle A. Wilson; Jessica L. Wallenfang; Leyne C. Orosco; Lisa A. Liggins; Melinda J. Danforth; Rhiannon R. Metoxen; Rosa J. Laster

Subject: E-POLL REQUEST: Approve distribution option for 100 Indian Summer Tix

Importance: High

E-POLL REQUEST

Summary:

On August 22, 2017, the Business Committee Support Office received one-hundred (100) complimentary tickets to the Indian Summer Festival in Milwaukee, WI, from September 8-10, 2017.

The next Business Committee meeting isn't until after the event occurs. Thus, an E-Poll is being requested. Per the SOP, there are three (3) options for distributing tickets: Random Drawing, First Come-First Serve, or Transfer to Joint Marketing. However, Enrollments and Intergovernmental Affairs & Communications need a minimum of five (5) days notification and arrangement for a random drawing to occur; and winners would need to be contacted to confirm pick-up. That leaves two (2) remaining, feasible options the Business Committee can consider for distribution of the tickets:

5.3.1.2 First come, first serve

5.3.1.2.1 Eligibility criteria for first come, first serve must be determined by the Business Committee (i.e. Tribal members, employees only, elders age 55 and over)

5.3.1.3 Transfer tickets to Joint Marketing

Requested Action:

To approve an option for distribution of one-hundred (100) complimentary tickets – Indian Summer Festival – Milwaukee, WI – September 8-10, 2017:

Option 1: First Come-First Serve (with criteria, if any); OR

Option 2: Transfer to Joint Marketing.

Deadline for response:

Responses are due no later than **4:30 p.m., TODAY, August 31, 2017.**

Voting:

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

Heather Heuer

Information Management Specialist
Business Committee Support Office (BCSO)



office 920.869.4421
cell 920.471.5002
fax 920.869.4040

From: Jennifer A. Webster
Sent: Thursday, August 31, 2017 8:24 AM
To: TribalSecretary; Brandon L. Yellowbird-Stevens; Daniel P. Guzman; David P. Jordan; Ernest L. Stevens; Kirby W. Metoxen; Lisa M. Summers; Patricia M. King; Ronald W. Hill
Cc: Stephen R. Webster; Kathleen M. Metoxen; Brian A. Doxtator; Cathy L. Bachhuber; Danelle A. Wilson; Jessica L. Wallenfang; Leyne C. Orosco; Lisa A. Liggins; Melinda J. Danforth; Rhiannon R. Metoxen; Rosa J. Laster
Subject: RE: E-POLL REQUEST: Approve distribution option for 100 Indian Summer Tix

Support of Option 1: First Come-First Serve (no criteria)

This is the fastest way to tkt's out to community, so families can make plans to attend.

Thanks,

Jenny

From: TribalSecretary
Sent: Thursday, August 31, 2017 8:19 AM
To: TribalSecretary; Brandon L. Yellowbird-Stevens; Daniel P. Guzman; David P. Jordan; Ernest L. Stevens; Jennifer A. Webster; Kirby W. Metoxen; Lisa M. Summers; Patricia M. King; Ronald W. Hill
Cc: Stephen R. Webster; Kathleen M. Metoxen; Brian A. Doxtator; Cathy L. Bachhuber; Danelle A. Wilson; Jessica L. Wallenfang; Leyne C. Orosco; Lisa A. Liggins; Melinda J. Danforth; Rhiannon R. Metoxen; Rosa J. Laster
Subject: E-POLL REQUEST: Approve distribution option for 100 Indian Summer Tix
Importance: High

E-POLL REQUEST

Summary:

On August 22, 2017, the Business Committee Support Office received one-hundred (100) complimentary tickets to the Indian Summer Festival in Milwaukee, WI, from September 8-10, 2017.

The next Business Committee meeting isn't until after the event occurs. Thus, an E-Poll is being requested. Per the SOP, there are three (3) options for distributing tickets: Random Drawing, First Come-First Serve, or Transfer to Joint Marketing. However, Enrollments and Intergovernmental Affairs & Communications need a minimum of five (5) days notification and arrangement for a random drawing to occur; and winners would need to be contacted to confirm pick-up. That leaves two (2) remaining, feasible options the Business Committee can consider for distribution of the tickets:

5.3.1.2 First come, first serve

5.3.1.2.1 Eligibility criteria for first come, first serve must be determined by the Business Committee (i.e. Tribal members, employees only, elders age 55 and over)

5.3.1.3 Transfer tickets to Joint Marketing

Requested Action:

To approve an option for distribution of one-hundred (100) complimentary tickets – Indian Summer Festival – Milwaukee, WI – September 8-10, 2017:

- Option 1: First Come-First Serve (with criteria, if any); OR
- Option 2: Transfer to Joint Marketing.

Deadline for response:

Responses are due no later than **4:30 p.m., TODAY, August 31, 2017.**

Voting:

- 1. Use the voting button above, if available; OR
- 2. Reply with “Option 1” or “Option 2”

Heather Heuer

Information Management Specialist
Business Committee Support Office (BCSO)



office 920.869.4421
cell 920.471.5002
fax 920.869.4040

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Oneida Business Committee Agenda Request

1. Meeting Date Requested: 08 / 30 / 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:

To approve an option for distribution of one-hundred (100) complimentary tickets - Indian Summer Festival - Milwaukee, WI - September 8-10, 2017:

Option 1: First Come-First Serve (with criteria, if any); **OR**
Option 2: Transfer to Joint Marketing

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./BCSO
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 August 22, 2017, the Business Committee Support Office received one-hundred (100) complimentary tickets to the Indian Summer Festival in Milwaukee, WI, from September 8-10, 2017.

The next Business Committee meeting isn't until after the event occurs. Thus, an E-Poll is being requested. Per the SOP, there are three (3) options for distributing tickets: Random Drawing, First Come-First Serve, or Transfer to Joint Marketing. However, Enrollments and Intergovernmental Affairs & Communications need a minimum of five (5) days notification and arrangement for a random drawing to occur; and winners would need to be contacted to confirm pick-up. That leaves two (2) remaining, feasible options the Business Committee can consider for distribution of the tickets:

5.3.1.2 First come, first serve

5.3.1.2.1 Eligibility criteria for first come, first serve must be determined by the Business Committee (i.e. Tribal members, employees only, elders age 55 and over)

5.3.1.3 Transfer tickets to Joint Marketing

REQUESTED ACTION

To approve an option for distribution of one-hundred (100) complimentary tickets – Indian Summer Festival – Milwaukee, WI – September 8-10, 2017:

Option 1: First Come-First Serve (with criteria, if any); OR

Option 2: Transfer to Joint Marketing.

- 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
TICKET DISTRIBUTION FORM

Description of tickets received: Indian Summer Tickets

Date tickets received by the Business Committee Support Office: 8-22-17

Total number of tickets received: 100

Verified by:	<u>Kathleen M. Metoxen</u>	<u>Kathleen M. Metoxen</u>	<u>902</u>
	Printed Name	Signature	Employee #

<u>Stephen Webster</u>	<u>Steve Webster</u>	<u>3694</u>
Printed Name	Signature	Employee #

Source of tickets (i.e. donation, contract sponsorship):

Donation from Indian Summer Festival President John Warren

COMPLIMENTARY TICKET



Indian Summer

FESTIVAL 2017

Language is Culture

ADMIT ONE

Not for Resale No Value

September 8-10

Summerfest Grounds
Henry Maier Festival Park

Rights reserved to refuse admission, not responsible for lost or stolen tickets. Times and programs subject to change without notice. Disorderly conduct could result in ejection or arrest. No carry-ins allowed. Persons entering the grounds hereby consent to the use of their image, likeness or voice for publicity purposes by Indian Summer, Inc., its partners, sponsors or the media.

INDIANSUMMER.ORG

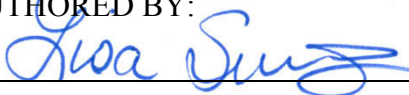
Gate Price: \$15

Elders 60+: \$12 12 and under: FREE

35700



482147319489

<p align="center">ONEIDA TRIBE OF WISCONSIN</p>	<p>TITLE: Ticket Distribution</p>	<p>ORIGINATION DATE: 01/27/2016 REVISION DATE: N/A EFFECTIVE DATE: Upon OBC approval</p>
<p>DEPARTMENT: Oneida Business Committee</p>	<p>APPROVED BY: <i>Oneida Business Committee</i> See Attached OBC meeting minutes</p>	<p>DATE: 01/27/2016</p>
<p>AUTHOR: Lisa Summers, Secretary</p>	<p>AUTHORED BY: </p>	<p>DATE: 01/27/2016</p>

1.0 PURPOSE

- 1.1 Standardize how tickets are distributed by the Oneida Business Committee

2.0 DEFINITIONS

- 2.1 *Alternate* means an individual who receives tickets in the event a winner refuses or does not claim.
- 2.2 *Packers Ticket Drawing Pool* means those Tribal members who provided the required information by June 30 and is the random drawing pool used for a random drawing of Packers Tickets.
- 2.3 *Random Drawing* means an act of choosing the recipients of tickets.
- 2.4 *Random Drawing Pool* means those Tribal members who are at least eighteen (18) years old on or before the date of the random drawing, for a random drawing for anything other than Packers Tickets.
- 2.5 *Secretary* means the current elected Secretary of the Tribe or his or her designee.

3.0 WORK STANDARD

- 3.1 All tickets will be tracked on a Ticket Distribution Form.
- 3.2 For a random drawing:
- 3.2.1 Notice of random drawing will be provided to the Enrollment Department and the Intergovernmental Affairs and Communications Department no less than five (5) business days prior to drawing.
- 3.2.2 A number of alternates equaling no less than two times the number of winners are selected. Alternates are selected from the same random drawing pool and at the same time as the winners.

- 3.3 Where the dates fall on a Saturday, Sunday, or holiday the deadline shall be construed to be the close of business on the following business day.

4.0 PACKERS TICKETS

- 4.1 In the event Packers Tickets are available for Tribal members, the following timelines and procedure will be followed. This procedure applies only to Packers Tickets for preseason games and regular season games.

June 1

- 4.2 BC Support Office sends a mailing to those Tribal members who are at least eighteen (18) years old on or before July 1.
- 4.3 Mailing includes:
- 4.3.1 Notice that a code of conduct is required in order to accept Packers tickets,
 - 4.3.2 Space for Tribal member to provide the required information:
 - 4.3.2.1 Name,
 - 4.3.2.2 Date of birth,
 - 4.3.2.3 Enrollment number, and
 - 4.3.2.4 Telephone number.
 - 4.3.3 Notice that required information must be returned to the BC Support Office no later than June 30 in order to be included in the Packers Ticket Drawing Pool.

July 1

- 4.4 Packers Ticket Drawing Pool is closed and includes only those Tribal members who returned the required information to the BC Support Office by June 30.
- 4.5 Deadline for Joint Marketing to provide notification to the BC Support Office of Packers Tickets available to Tribal members.

5.0 RECEIPTING AND PROCESSING TICKETS

- 5.1 Tickets are received by the Business Committee Support Office (BC Support Office).
- 5.2 BC Support Office:
- 5.2.1 Verifies the number of tickets received by double count.
 - 5.2.2 Completes any applicable paperwork indicating receipt of tickets.
 - 5.2.3 Completes applicable spaces on the Ticket Distribution Form. Ticket

Distribution Form must include:

- 5.2.3.1 Description of tickets received
 - 5.2.3.2 Date tickets received by the BC Support Office
 - 5.2.3.3 Source of tickets (i.e. donation, contract, sponsorship)
 - 5.2.3.4 Date tickets disbursed and to whom
 - 5.2.4 Provides copy of Ticket Distribution Form to the Secretary within one (1) business day.
- 5.3 Secretary adds Ticket Distribution Form to the next Business Committee meeting agenda for the consideration of how tickets will be distributed.
- 5.3.1 Three options for consideration are:
 - 5.3.1.1 Random drawing
 - 5.3.1.1.1 A random drawing may be considered only if adequate time is available for the notification required in 3.2.
 - 5.3.1.2 First come, first serve
 - 5.3.1.2.1 Eligibility criteria for first come, first serve must be determined by the Business Committee (i.e. Tribal members, employees only, elders age 55 and over)
 - 5.3.1.3 Transfer tickets to Joint Marketing
 - 5.3.2 An E-poll may be used (See OBC SOP titled Conducting Electronic Voting (E-polls)).

6.0 **RANDOM DRAWING**

Prepare for random drawing

- 6.1 BC Support Office provides notice to the Enrollment Department of random drawing. Notice must include:
 - 6.1.1 Date of random drawing.
 - 6.1.2 Time of random drawing.
 - 6.1.3 Number of winners needed.
 - 6.1.4 Number of alternates needed.
 - 6.1.5 Criteria for random drawing pool.
- 6.2 BC Support Office provides notice to the Intergovernmental Affairs and Communications Department of random drawing. Notice must include:
 - 6.2.1 Date of random drawing.
 - 6.2.2 Time of random drawing.
 - 6.2.3 Number of winners that will be drawn.
 - 6.2.4 Date and Time winners may begin to claim their tickets.
 - 6.2.5 Deadline by which winners must claim their tickets.
- 6.3 BC Support Office reserves meeting space to conduct the drawing.

Pre-Drawing Activities

- 6.4 BC Support Office ensures equipment is functional in order for the Enrollment Department staff to complete the random drawing.

Post-Drawing Activities

- 6.5 After random drawing is complete, the Enrollment Department staff provides the winner and alternate information to the BC Support Office. This information includes:
 - 6.5.1 Winner/Alternate Names
 - 6.5.2 Winner/Alternate Enrollment Number
 - 6.5.3 Winner/Alternate Address
 - 6.5.4 Winner/Alternate Phone Number
- 6.6 BC Support Office notifies winner by phone.
 - 6.6.1 Winner may accept or refuse/decline.
 - 6.6.2 If winner accepts:
 - 6.6.2.1 See 9.0.
 - 6.6.3 If winner declines tickets or cannot be contacted within three (3) business days from the date of the random drawing:
 - 6.6.3.1 Alternate is notified.
 - 6.6.3.2 If alternate accepts,
 - 6.6.3.2.1 See 9.0.
 - 6.6.3.3 If alternate declines tickets or cannot be contacted within three (3) business days from the date of the random drawing:
 - 6.6.3.3.1 see 6.6.3.1.

7.0 FIRST COME, FIRST SERVE

- 7.1 BC Support Office provides notice to Intergovernmental Affairs and Communications of ticket availability. Notice must include:
 - 7.1.1 Total number of tickets available.
 - 7.1.2 Limit of tickets available per person (i.e. four (4) tickets per person).
 - 7.1.3 Eligibility Criteria determined by the Business Committee in 5.3.1.2.1.
 - 7.1.4 Date and Time tickets may begin to be claimed.
 - 7.1.5 Deadline by which tickets must be claimed.
- 7.2 See 9.0.

8.0 TRANSFER TICKETS TO JOINT MARKETING

- 8.1 BC Support Office:
 - 8.1.1 Contacts Joint Marketing within one (1) business day to arrange transfer of tickets.
 - 8.1.2 Completes Ticket Distribution Form when transfer of tickets is completed.
 - 8.1.3 Files Ticket Distribution Form and forwards a copy to the appropriate party/parties as needed or required by contract or policy.

9.0 DISBURSING TICKETS

- 9.1 Recipient signs Acceptance Receipt and code of conduct agreement, if applicable
- 9.2 BC Support Office
 - 9.2.1 Receives acceptance receipt and code of conduct agreement, if applicable.
 - 9.2.2 Updates Ticket Distribution Form.
 - 9.2.3 Disburses tickets.
 - 9.2.3.1 Tickets may be mailed or picked up.
 - 9.2.4 Files Ticket Distribution Form and forwards a copy to the appropriate party/parties as needed or required by contract or policy.

10.0 UNCLAIMED TICKETS

- 10.1 Any tickets that are unclaimed 48 hours prior to the event will be transferred to Joint Marketing.
- 10.2 See 8.0.

11.0 REFERENCES

- 11.1 Conducting Electronic Voting (E-polls) SOP

12.0 FORMS

- 12.1 Ticket Distribution Form
- 12.2 Acceptance Receipt
- 12.3 Code of Conduct

13.0 FLOW CHART

XIII. NEW BUSINESS

- A. Accept request for Business Committee recognition and award of \$500 Exxon/Mobile Alliance Program grant to each six (6) area schools in cooperation with Oneida One Stops and Oneida Travel Center (00:26:00)**

Sponsor: Michele Doxtator, Area Manager/Retail Profits

Presentation of awards by Michele Doxtator and Angela Parks to Niki Disterhaft (Lannoye Elementary School), Kris Wells (Hillcrest Elementary School), Jamie Kallies (Pioneer Elementary School), Diane Stelmach (Martin Luther King Elementary School), Yvette Peguero (Oneida Nation Elementary School), Sharon Mousseau (Oneida High School).

- B. Approve Ticket Distribution Standard Operating Procedure (4:23:00)**

Sponsor: Lisa Summers, Tribal Secretary

Motion by Tehassi Hill to approve the Ticket Distribution Standard Operating Procedure, seconded by Lisa Summers. Motion carried unanimously:

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

Not Present: Melinda J. Danforth, David Jordan

- C. Approve request to co-host the 2016 Tri-History Conference on June 13-17, 2016 (00:29:22)**

Sponsor: Jennifer Webster, Councilwoman

Motion by Lisa Summers to approve the request to co-host the 2016 Tri-History Conference on June 13-17, 2016, seconded by Fawn Billie. Motion carried with one abstention:

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

XIV. TRAVEL (4:24:32)**A. Travel Reports**

- 1. Accept travel report – Councilwoman Jennifer Webster – 2015 National Indian Head Start Directors Association (NIHSDA)/Office of Head Start (OHS) Tribal Leader Consultation – Sacramento, CA – June 15-17, 2015**

Motion by Lisa Summers to accept the travel report – Councilwoman Jennifer Webster – 2015 National Indian Head Start Directors Association (NIHSDA)/Office of Head Start (OHS) Tribal Leader Consultation – Sacramento, CA – June 15-17, 2015, seconded by Brandon Stevens. Motion carried with one abstention:

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

- 2. Accept travel reports – Secretary Lisa Summers, Councilwoman Jennifer Webster, and Councilman Tehassi Hill – 72nd Annual National Congress of American Indians (NCAI) Conference – San Diego, CA – October 17-24, 2015**

Motion by Fawn Billie to accept the travel reports – Secretary Lisa Summers, Councilwoman Jennifer Webster, and Councilman Tehassi Hill – 72nd Annual National Congress of American Indians (NCAI) Conference – San Diego, CA – October 17-24, 2015, seconded by Brandon Stevens. Motion carried with three abstentions:

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

Oneida Business Committee Travel Request

1. OBC Meeting Date Requested: 9 / 13 / 17 e-poll requested

2. General Information:

Event Name: Haskell Fall Board of Regents Meeting

Event Location: Lawrence, KS Attendee(s): Brandon Stevens

Departure Date: Oct 10, 2017 Attendee(s):

Return Date: Oct 12, 2017 Attendee(s):

3. Budget Information:

- Funds available in individual travel budget(s)
 Unbudgeted
 Grant Funded or Reimbursed

Cost Estimate: \$300

4. Justification:

Describe the justification of this Travel Request:

Vice-Chairman Stevens serves as the Midwest Regent as well as the President of the Haskell Board of Regents, with this relationship Oneida has the ability to affect major changes in education with direct access to the Secretary of the Department of Interior as well as the BIE Director. Continuing membership with the Board will put Oneida at an advantage of being a resource for the Administration in overall Education matters that can positively influence the Oneida Nations Educational needs.

5. Submission

Sponsor: Brandon Stevens, Vice-Chairman

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Brandon L. Yellowbird-Stevens

From: Prue, Stephen <stephen.prue@BIE.EDU>
Sent: Tuesday, August 15, 2017 8:33 AM
To: Brandon L. Yellowbird-Stevens; Clarena Brockie (clarenabrockie@hotmail.com); Connie Reitman (connie.reitman@yahoo.com); David M. Lee (mexifriz@gmail.com); George Tiger (geortg9@aol.com); Gil Vigil; Harold Frazier (haroldcfrazier@yahoo.com); John Bush (johnrezrider@yahoo.com); Robyn K Neswood-Etsitty (Rneswood@gmail.com); Ron Twohatchet (dawestwo@hotmail.com); Victoria Ramos (vramos@sacandfoxcasino.com)
Cc: Deer, Amy
Subject: Fall 2017 Board of Regents Meetings
Importance: High

Greetings everyone,

Tomorrow the Fall 2017 semester begins with our new, transfer and continuing students returning to campus. This means the Fall Regents meeting is just around the corner.

Please let me know as soon as possible you if are planning to attend the October 12-13th meetings. Travel days are Wednesday, October 11th and Saturday, October 14th, unless you wish to leave on Friday. If you plan to send your alternate please indicate as well.

See you soon,

Stephen Prue
Executive Assistant
Haskell Indian Nations University

Phone: (785) 832-6644

Our Mission at Haskell Indian Nations University is to build the leadership capacity of our students by serving as the leading institution of academic excellence, cultural and intellectual prominence, and holistic education that addresses the needs of Indigenous communities.

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Oneida Business Committee Travel Request

1. OBC Meeting Date Requested: 09 / 13 / 17 e-poll requested

2. General Information:

Event Name: Travel Request to attend Annual Tribal Consultation with Office of Head Start

Event Location: Anchorage, AK Attendee(s): Jennifer Webster

Departure Date: October 17, 2017 Attendee(s):

Return Date: October 20, 2017 Attendee(s):

3. Budget Information:

Funds available in individual travel budget(s)

Unbudgeted

Grant Funded or Reimbursed

Cost Estimate: \$2,000 per person

4. Justification:

Describe the justification of this Travel Request:

Purpose: To request to travel to the annual Federal Office of Head Start Tribal Consultation with the acting Director of Head Start.

Background: On August 30, 2017, the OBC was notified by the Governmental Services Division Director that Tribal Consultations for the Office of Head Start must include an elected or official representative of a federally-recognized Tribe. In addition, a designee may be allowed to speak on behalf of the Tribe with the permission of the Government of the Tribe. Jennifer is the liaison for the Oneida Head Start Program and grant funds have been set aside for her to travel through the Head Start program.

Action Requested:

1. Approve Councilwoman Jennifer Webster to travel to Anchorage, AK October 18-20, 2017 for Federal Office of Head Start Tribal Consultation.
2. Approve Tsyohsaht Delgado, to attend as a designated technical advisor to the Tribal Consultation. She is currently the acting Director of Head Start until the position is filled permanently.

5. Submission

Sponsor: Jennifer Webster, Councilmember

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Oneida Business Committee Travel Request

1. OBC Meeting Date Requested: 09 / 13 / 17 e-poll requested

2. General Information:

Event Name: National Indian Health Board's MMPC & Center for Medicare & Medicaid TTAG Meeting

Event Location: Washington D.C.

Attendee(s): Jennifer Webster

Departure Date: Oct 30, 2017

Attendee(s): Daniel Guzman King

Return Date: Nov 3, 2017

Attendee(s): Melinda J. Danforth

3. Budget Information:

Funds available in individual travel budget(s)

Unbudgeted

Grant Funded or Reimbursed

Cost Estimate: \$1500 per person

4. Justification:

Describe the justification of this Travel Request:

The Oneida Business Committee has appointed Tribal Secretary Summers, Councilwoman Jennifer Webster, and Councilman Daniel Guzman-King as the health care liaisons.

CMS TTAG's Bemidji area is currently being represented by former Vice Chairwoman Melinda J. Danforth. In an effort to network with federal health care officials and gain first hand knowledge of the federal health issues TTAG is advancing, the liaisons are respectfully requesting the Business Committee to approve a procedural exception to the Nation's travel policy Section 219.6 to allow Tribal Secretary Summers, Councilwoman Jennifer Webster, Councilman Daniel Guzman and Bemidji area Rep. Melinda J. Danforth to attend the Medicare & Medicaid Policy Committee (MMPC) and Center for Medicare & Medicaid (CMS) Tribal Technical Advisory Group (TTAG) meetings October 30, 2017 through November 3, 2017 in Washington DC.

Note: Melinda's travel including airfare, hotel, per diem and transportation will be reimbursed by CMS.

5. Submission

Sponsor: Daniel Guzman King, Councilmember

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

TTAG Conference Calls and Face to Face Meetings for Remainder of 2017	
The Centers for Medicare & Medicaid Services Tribal Technical Advisory Group (CMS TTAG)	
Date/Event	Location
August 23 – 24, 2017 Face to Face Meeting	National Museum of the American Indian, Fourth & Independence Ave. S.W. Washington, D.C.
September 13, 2017 Conference Call 2:30-4:00 PM EST	Call in number: 1-877-267-1577 Meeting Number: 995 700 203
October 11, 2017 Conference Call 2:30-4:00 PM EST	Call in number: 1-877-267-1577 Meeting Number: 990 432 330
November 1-2, 2017 Face to Face Meeting	National Museum of the American Indian, Fourth & Independence Ave. S.W. Washington, D.C.

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
7500 Security Boulevard, Mail Stop S1-05-06
Baltimore, Maryland 21244-1850



Division of Tribal Affairs/ Intergovernmental & External Affairs Group/ CMCS

**Tribal Technical Advisory Group
Membership**

TTAG Leadership

Chair: Ron Allen (11/03/16)
Co-Chair: Judy Goforth Parker (11/03/16)
Secretary: John Stephens (11/03/16)

Area Office	Representative	Alternate	Technical Advisor
Alaska	Gerald "Jerry" Moses Senior Director, Intergovernmental Affairs Alaska Native Tribal Health Consortium, LIGA Dept. 4000 Ambassador Drive Anchorage, AK 99508 Phone: (907) 729-1900 Email: gmoses@anthc.org	Jim Lamb Director of Revenue Cycle Southcentral Foundation 7033 E. Tudor Rd. Suite 202 Anchorage, AK 99507 Main: 907-729-5453 Direct: 907-830-1111 Email: jlamb@scf.cc	Jim Roberts, Sr. Executive Intergovernmental Affairs Alaska Native Tribal Health Consortium 4000 Ambassador Drive Anchorage, AK 99408 907-729-4546 Email: jcroberts@anthc.org
Albuquerque	VACANT	Dave P. Panana, R.N. BSN Health Center Director Santo Domingo Health Center PO Box 340 Santo Domingo, NM 87052 (505) 465-3060 Email: dpanana@kp-hc.org	
Bemidji	Melinda J. Danforth, Vice Chairwoman Oneida Tribe of Indians of Wisconsin P.O. Box 365 Oneida, WI 54155 (920) 869-4461 mdanforj@oneidanation.org	Linda Triest, Business Office & PRC Manager Hannahville Indian Center N15019 Hannahville B1 Rd Wilson, MI 49896 Phone: 906-723-2520 linda.triest@hichealth.org	Jennifer Dupuis 927Trettel Lane Cloquet, MN 55720 218-879-1227 JenniferDupuis@FDLREZ.COM

Pursuant to section 5006(e)(1) of ARRA, Pub. L. 111-5, the CMS Tribal Technical Advisory Group (TTAG) was codified in accordance with requirements of the charter dated September 30, 2003 and expanded to include a representative of a national urban Indian health organization and a representative of the Indian Health Service.

Area Office	Representative	Alternate	Technical Advisor
Billings	Anna Whiting-Sorrell Confederated Salish and Kootenai Tribes Tribal Health Department P.O. Box 880 St. Ignatius, MT 59865 Phone (406) 745.3525 Cell (406) 261.5524 Email: anna.whitingsorrell@cskthealth.org	VACANT	
California	Mark LeBeau Executive Director, California Rural Indian Health Board, Inc. 4400 Auburn Blvd., 2nd Floor Sacramento, CA 95840 916-929-9761 Fax: 916-929-7246 Email: mark.lebeau@carih.org	Inder Wadhwa, Chief Executive Officer Northern Valley Indian Health 207 Butte Street Willows, CA 95988 (530)896-9400 Email: iwadhwa@nvih.org	
Great Plains Area Office	Jerilyn Church, CEO Great Plains Tribal Chairmen's Health Board 1770 Rand Road Rapid City, SD 57702 Phone: 605-721-1922 Fax: 605-721-1932 Email: jerilyn.church@gptchb.org	Rudy Papakee, MHA Health Director Sac & Fox Tribe 1646 305th St Tama, IA 52339 Phone: 641.484.4094 Email: director.mhc@meskwaki-nsn.gov	
Nashville	Casey Cooper, CEO Cherokee Indian Hospital 1 Hospital Rd, Caller Box C-268, Cherokee, North Carolina, 28719-9253 Phone: 828-497-9163 Email: Casey.Cooper@cherokeehospital.org	Nancy Johnson Alabama Coushatta Tribe of Texas Chief Kina Health Clinic 129 Daycare Road Livingston, Texas 77351 P: 936-563-2058 F: 936-563-2731 Email: njohnson@nsacot.nashville.ihs.gov	Elliott A. Milhollin, Partner T 202.822.8282 F 202.296.8834 HOBBS STRAUS DEAN & WALKER, LLP 2120 L Street NW, Suite 700 Washington, DC 20037 Email: EMilhollin@hobbsstrauss.com

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Area Office	Representative	Alternate	Technical Advisor
Navajo	<p>Russell Begaye, President of the Navajo Nation PO Box 7440, Window Rock, AZ 86515 Phone: (928) 871-7000, Email: russellbegaye@gmail.com</p> <p>Also email these staff members Robert Joe, Chief of Staff OPVP Email: rjoe@navajo-nsn.gov Perry Shirley, Executive Staff Assistant, OPVP Email: pshirley@navajo-nsn.gov</p>	<p>Norman B. Begay, Honorable Delegate of the 23rd Navajo Nation Council PO Box 3390, Window Rock, AZ 86515 Phone: (928) 871-6380, Email: nmbegay@navajo-nsn.gov</p> <p>Also email these staff members Carolyn M. Drouin, Leg Affairs Associate, NNWO Email: cdrouin@nnwo.org Barbara Ahasteen, Sr. Office Specialist, NDOH Email: barbara.ahasteen2@nndoh.org</p>	<p>Dr. Glorinda Segay, Executive Director, Navajo Nation Department of Health PO Box 1390, Window Rock, AZ 86515 Phone: (928) 871-6350 Email: glorinda.segay@nndoh.org</p>
Oklahoma	<p>Judy Goforth Parker {TTAG Co-Chair} Secretary of Health, Chickasaw Nation Department of Health Chickasaw Nation Medical Center 1921 Stonecipher Blvd. Ada, OK 74820 580-436-3980 Email: Judy.parker@chickasaw.net</p>	<p>Melissa Gower, TTAG Alternate for Oklahoma Area, Senior Advisory, Policy Analyst Chickasaw Nation 15242 W. 850 Road Tahlequah, OK 74464 918-207-2043 Email: Melissa.gower@chickasaw.net</p>	
Phoenix	<p>Angie Wilson, Health Director Washoe Tribal Health Center 1559 Watasheamu Rd. Garderville, NV 89460 Phone: 775-265-4215 Fax: 775-265-3429 Email: angie.wilson@washoetribe.us</p>	<p>Jonathan Kitcheyan, Council Member San Carlos Apache Tribe Bylas District P.O. Box "0" San Carlos, AZ 85550 Phone: 928-961-0630 Email: jkitcheyan@hotmail.com</p>	<p>Alida Montiel, Health Systems Director ITCA, Inc., Tribal Health Steering Committee for the Phoenix Area IHS 2214 North Central Avenue Phoenix, AZ 85004 602-258-4822, Ext. 1575 Alida.Montiel@itcaonline.com</p>

Pursuant to section 5006(e)(1) of ARRA, Pub. L. 111-5, the CMS Tribal Technical Advisory Group (TTAG) was codified in accordance with requirements of the charter dated September 30, 2003 and expanded to include a representative of a national urban Indian health organization and a representative of the Indian Health Service.

Area Office	Representative	Alternate	Technical Advisor
Portland	<p>John Stephens, {TTAG Secretary} Social Services Director, Swinomish Indian Tribal Community 11404 Moorage Way LaConner, WA 98257 Phone: (360) 466-7307 Email: jstephens@swinomish.nsn.us</p>	<p>Laura Platero NPAIHB Policy Analyst 2121 SW Broadway, Suite 300 Portland, Oregon 97201 (503) 228-4185 lplatero@npaihb.org</p> <p>Joe Finkbonner NPAIHB Executive Director 2121 SW Broadway, Suite 300 Portland, Oregon 97201 Phone: 503-228-4185 Fax: 503-228-8182 Email: jfinkbonner@npaihb.org</p>	<p>Ed Fox, Ph.D Health Services Director Skokomish Tribe 105 Maple Park Avenue SE Olympia, WA 98501 Phone: 360-490-6277 Email: efox@skokomish.org Email: edfoxphd@icloud.com</p>
Tucson	<p>Daniel Preston III Councilman, San Xavier District Tohono O'odham Legislative Council PO Box 837 Sells, AZ 85634 Phone: 520-993-1398 Email: daniel.preston@tonation-nsn.gov</p>	<p>Anthony J. Francisco Jr. Tohono O'odham Legislative Council Schuk Toak District Representative P.O. Box 837 Sells, Arizona 85634 Office: 520-383-5260 Cell: 520-993-1377 Email: Anthony.Francisco@tonation-nsn.gov</p>	
Tribal Self Governance Advisory Committee (TSGAC)	<p>W. Ron Allen, {TTAG Chair} Tribal Chairman, Jamestown S'Klallam Tribe 1033 Old Blyn Highway Sequim, WA 98382 Phone: 360-681-4621 Email: rallen@jamestowntribe.org</p>	<p>Melanie Fourkiller, Policy Advisor Choctaw Nation Health Services Authority Choctaw Nation of Oklahoma P.O. Box 1210 Durant, OK 74702-1210 Work: (580) 924-8280 Cell: (918) 453-7338 Email: mfourkiller@choctawnation.com</p>	<p>Cyndi Ferguson SENSE Incorporated 1133 – 20th Street NW, Suite 220 Washington, DC 20036-3462 Phone: 202.450.0013 Fax: 603.218.6995 Email: cyndif@senseinc.com</p> <p>Doneg McDonough 3245 Beech St. N.W. Washington, DC 20015 202-486-3343 Email: DonegMcD@Outlook.com</p>

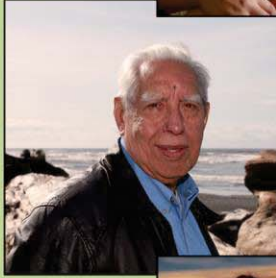
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Area Office	Representative	Alternate	Technical Advisor
National Indian Health Board (NIHB)	Victoria Kitcheyan, Secretary Winnebago Tribe of Nebraska PO Box 687 100 Bluff Ave Winnebago, NE 68071 402-878-2272 Email: tori.kitcheyan@winnebagotribe.com	Devin Delrow Director of Federal Relations National Indian Health Board 910 Pennsylvania Avenue, SE Washington, DC 20003 202.507.4072 Office 202.374.0885 Cell Email: DDelrow@nihb.org	Sarah Freeman Sullivan, MPH Policy Analyst National Indian Health Board 910 Pennsylvania Avenue, SE Washington, DC 20003 202.507.4077 Office 703.203.6460 Cell Email: SFreeman@nihb.org
National Congress of American Indians (NCAI)	Jefferson E. Keel, Lt. Governor of the Chickasaw Nation of Oklahoma Embassy of Tribal Nations 1516 P Street NW Washington, DC 20005 202-466-7767 Email: Lt.GovernorKeel@chickasaw.net CC: Dawnette Weaver -Assistant dawnette.weaver@chickasaw.net	VACANT	
Indian Health Services	Terri Schmidt, RN, Acting Director, Office of Resource Access & Partnerships (ORAP) Indian Health Service 5600 Fischers Lane, Mailstop 10E85C Rockville, MD 20857 301-443-4973 terri.schmidt@ihs.gov	Primary Alternate: Brenda Jeanotte-Smith, Program Analyst Office of Resource Access & Partnerships (ORAP) Indian Health Service 5600 Fischers Lane, Mailstop 10E89D Rockville, MD 20857 301-443-1792 brenda.jeanotte-smith@ihs.gov	

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Area Office	Representative	Alternate	Technical Advisor
National Council of Urban Indian Health	Walter Murillo Chief Executive Officer Native American Community Health Center, Inc. 4041 N. Central Ave, Building C Phoenix, AZ 85012 Phone: (602) 279-5262 Email: wmurillo@nachci.com	Maureen Rosette, J.D. The NATIVE Project 1803 West Maxwell Ave. Spokane, WA 99201 (509) 483-7535 ext. 127 Email: mrosette@nativeproject.org	Francys Crevier, J.D. Policy Analyst & Congressional Relations Liaison 924 Pennsylvania Ave. SE Washington, DC 20003 Office: (202) 544-0344 Cell: (202) 868-3015 Email: Fcrevier@ncuih.org Gregory Smith, Partner Hobbs, Straus, Dean & Walker 2120 L Street, N.W. Suite 700 Washington, D.C. 20037 Tel: 202.822.8282 Fax: 202.296.8834 Email: gsmith@hobbsstraus.com

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Centers for Medicare &
Medicaid Services'
Tribal Technical Advisory Group

American Indian and Alaska Native
Strategic Plan
2013 - 2018

*Revised February 20, 2014
Includes New Addendum*

The 2013-2018 CMS-TTAG AI/AN Strategic Plan covers the time period from Fiscal Year 2013 to Fiscal Year 2017, which begins on October 1, 2013 and ends on September 30, 2018. The CMS Budget Recommendations contained in the plan will be used to inform budget requests beginning Fiscal Year 2014.



Cover and Graphics by Maisie MacKinnon 2013



CMS Tribal Technical Advisory Group

W. Ron Allen, TTAG Vice-Chair
Chairman, Jamestown S'Klallam Tribe
Tribal Self Governance Advisory Committee
Representative

Frances G. Antone
Legislative Council Member, Tohono O'odham
Nation
Tucson Area Representative

Pearl Capoeman-Baller
Quinault Indian Nation
Portland Area Representative

James Crouch
Executive Director, California Rural Indian Health
Board, Inc.
California Area Representative

Valerie Davidson, TTAG Chair
Senior Director of Legal and Intergovernmental
Affairs, Alaska Native Health Consortium
Alaska Area Representative

Juana Majel-Dixon
Secretary, NCAI Executive Committee
National Congress of American Indians
Representative

Judy Goforth Parker, PhD
Administrator, Chickasaw Nation Division of Health
Oklahoma Area Representative

Carl Harper
Director, Office of Resource Access & Partnerships
Indian Health Service Representative

Rex Lee Jim
Vice-President, Navajo Nation
Navajo Area Representative

Richard Narcia
President, Board of Directors, Gila River Indian
Community
Phoenix Area Representative

Marlene Redneck
Northern Cheyenne Tribal Council
Billings Area Representative

Patrick Rock, MD
Executive Director Indian Health Board of
Minneapolis National Council on Urban Indian Health
Representative

H. Sally Smith
Chairman, Bristol Bay Health Area Health
Corporation
National Indian Health Board Representative

Donita Stephens
Finance Director, Choctaw Health Center
Nashville Representative

Alec Thundercloud, MD
Executive Director of Health, Ho-Chunk Nation
Bemidji Representative

Donald Warne, MD, MPH
Senior Policy Analyst, Great Plains Tribal Chairmen's
Health Board
Aberdeen Representative

Albuquerque Representative
Vacant

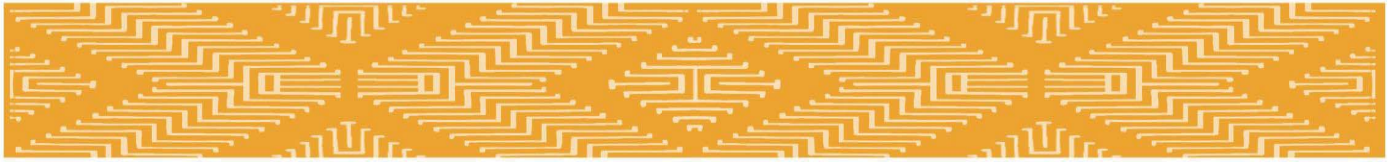


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Dedication

This *CMS American Indian and Alaska Native Strategic Plan* is dedicated to three colleagues whose contributions made the Tribal Technical Advisory Group (TTAG) stronger and more effective.

Robert Dean Moore, Rosebud Sioux (1963 - 2010)

Tribal Council member for the Rosebud Sioux Tribe, Robert Moore was the Aberdeen Area representative to the TTAG. Earlier in his career, as the Indian Affairs staff member for former U.S. Senator Tom Daschle, Robert raised awareness of health disparities and the need for long-term care for Tribal elders. He was a friend and warrior for all throughout Indian communities.

Kristine Anne Locke (1950 - 2012)

Technical Advisor to the Tribal Self Governance Advisory Committee (TSGAC) representative on the TTAG, Kris Locke brought technical expertise, wisdom and experience to the process of defining values and core principles, fostering team work among all participants, and providing technical and program support for TTAG subcommittees. She worked tirelessly on behalf of Tribes and American Indian and Alaska Native people.

Elmer Brewster, MSW, MPH, Paiute (1949 - 2012)

A friend to all who knew him, Elmer Brewster was engaged with the TTAG from its beginning, shared data and information about the costs of Indian health care, advocated for payment systems that were inclusive, and represented the Indian Health Service and the Indian health system honorably.



Executive Summary

- This is the third American Indian and Alaska Native (AI/AN) Strategic Plan for the Centers for Medicare and Medicaid Services (CMS) by the Tribal Technical Advisory Group (TTAG). Update of AI/AN Strategic Plan is urgently needed to address new opportunities and challenges of implementing legislation passed since the last Plan was written, including:
 - American Recovery and Reinvestment Act of 2009 (ARRA)
 - Patient Protection and Affordable Care Act (ACA), which also amended and permanently authorized the Indian Health Care Improvement Act (IHCIA)
- AI/AN Strategic Plan has **five goals that apply to all CMS programs**, including Medicare, Medicaid, CHIP, and Health Insurance Exchanges:
 1. CMS engages in meaningful **consultation** with Tribes and works closely with the TTAG. *(Page 12)*
 2. CMS enacts and implements **policy** through regulation, guidance, review and enforcement to align CMS programs to serve AI/ANs by improving enrollment processes, assuring access to care, having efficient payment systems, and increasing the I/T/U capacity to deliver integrated, comprehensive programs. *(Page 15)*
 3. CMS improves and expands opportunities for development and delivery of **Long Term Services and Support** throughout Indian communities. *(Page 19)*
 4. Through **outreach and enrollment** activities, all I/T/U programs are fully informed about CMS programs and AI/ANs know about benefits to which they are entitled. *(Page 22)*
 5. Develop and improve CMS **data systems to evaluate** and expand the capacity of CMS to serve American Indians and Alaska Natives. *(Page 25)*
- Annual budget for implementing the CMS AI/AN Strategic Plan is \$5.5 million in 2013, \$7.3 million in 2014, \$7.4 million in 2015, and \$4.5 million in the following 3 years. The higher amounts are needed in the next three years to **prepare for 2014** and on-going implementation to assure that AI/ANs benefit from ACA. Budget summary is provided in Appendix A *(Page 28)*.
- AI/AN Strategic Plan serves as an important reference document through the inclusion of Appendix B: **Legal Basis for Special CMS Provisions for American Indians and Alaska Natives**. *(Page 39)*.



Introduction

New developments require strategic response

This is the third *American Indian and Alaska Native Strategic Plan* that the Tribal Technical Advisory Group (TTAG) to the Centers for Medicare and Medicaid Services (CMS) has prepared to help guide Centers for Medicare & Medicaid Services (CMS). The first one was issued for the period of 2005-2010, and the second for the period of 2010-2015. There have been significant changes in the law and in CMS since the most recent strategic plan was issued in 2009, including:

- American Recovery and Reinvestment Act of 2009 (ARRA), P.L. 111-5, February 17, 2009.
- Patient Protection and Affordable Care Act (ACA), P.L. 111-148, March 23, 2010, which also permanently authorized the Indian Health Care Improvement Act (IHCA) by Section 10221.
- CMS Tribal Consultation Policy, signed Nov 17, 2011.
- The Supreme Court of the United States decision on June 28, 2012, that upheld the ACA, but created new challenges in the event that some states choose not to implement Medicaid Expansion.
- A prolonged period of an economic recession that has created pressures on State budgets that affect Medicaid program funding and services.
- Changes in direction by CMS to create a greater emphasis on payment related to quality, integration of services, utilization of electronic methods for enrollment and care management, and greater accountability.

This new *American Indian and Alaska Native Strategic Plan for 2013-2018* is urgently needed to:

- Get ready for 2014 when people will be able to enroll in the new Medicaid Expansion and Health Insurance Exchanges.
- Strengthen primary care networks to prepare for the managed care approaches across all CMS programs by facilitating the integration of Indian health providers, utilizing them as medical homes, acknowledging new provider types and services, and providing adequate payment for services.
- Build capacity for long term care through community based services and support in Tribal communities.
- Implement protections in the law for American Indians and Alaska Natives who enroll in federally-funded health programs.



- Create a partnership between CMS and Tribal governments that provides early discussions of policy development and planning to assure the integration of CMS programs and Indian health programs to create effective processes for enrollment, access to care, care coordination, quality care, and adequate payment for services.
- Reduce health disparities for American Indians and Alaska Natives which are among the worst of any racial or ethnic group in our nation, a condition that can be improved through better integration of the Indian health care system and CMS programs.

CMS programs must reduce health disparities

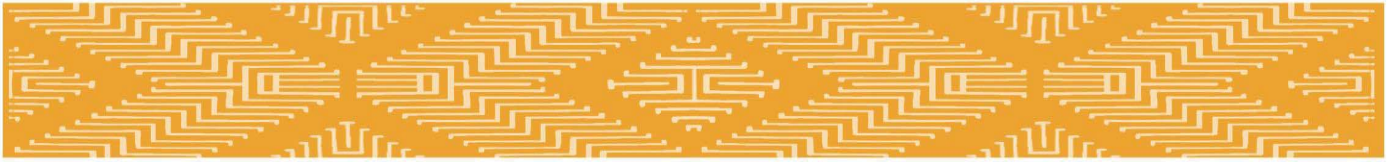
Federal funding for Medicaid, Medicaid Expansion, CHIP, Medicare, and Health Insurance Exchanges is intended to reduce health disparities in our society. At every stage of their lifespan, American Indians and Alaska Natives (AI/AN) have significantly worse health status than the rest of the nation.

A recent analysis of Medicaid data in one state¹ shows that infant mortality among AI/ANs was twice the rate for the Medicaid population as a whole. Compared to the rest of the world, the AI/AN infant mortality rate was higher in that State than such countries as Poland, Slovakia, Estonia, Malaysia, Thailand, and Sri Lanka. Contributing factors included deaths due to Sudden Infant Death Syndrome (SIDS) at a rate 3 times higher among Indians compared to the total Medicaid population, deaths due to injuries at a rate 5 times higher among Indians, and a rate of deaths from complications of pregnancy and delivery 50 percent higher than the total Medicaid population.

Medicaid data from the same state also provided an analysis of the risk factors that lead to poor pregnancy outcomes. Compared to all pregnant women on Medicaid, Indian pregnant women were 2.7 times more likely to have a mental health diagnosis, 3.3 times the rate of alcohol and substance abuse, a 70 percent higher rate of smoking, and a 30 percent higher rate of obesity.

CMS must assure that AI/ANs and Indian Health Service (IHS)/Tribal/and Urban Indian Organization (I/T/U) users are accurately identified in records for Medicaid, Medicare and Health Insurance Exchanges that can be used to calculate health disparities, as well as provide utilization data and performance metrics. In the past, IHS provided health status and health disparity information on a nationwide basis for AI/ANs who are I/T/U users; however, that effort was discontinued in 2007. According to the most recent reports from IHS, AI/ANs die at higher rates than other Americans from tuberculosis (500 percent higher), alcoholism (514 percent higher), diabetes (177 percent

¹ American Indian Health Commission for Washington State, Tribal Maternal and Infant Health Strategic Plan, 2010. Analysis based on 8 years of data by Laurie Cawthon, MD, MPH, Manager of First Steps Data Base in Washington State Department of Social and Health Services.



higher), unintentional injuries (140 percent higher), homicide (92 percent higher) and suicide (82 percent higher).² Current data are needed to know whether interventions, such as enrollment in CMS programs, are effective in changing health outcomes.

A number of factors contribute to persistent disparities in AI/AN health status. American Indians and Alaska Natives have the highest rates of poverty in America, accompanied by high unemployment rates, lower education levels, poor housing, lack of transportation and geographic isolation. All of these factors contribute to insufficient access to health services. American Indians and Alaska Natives continue to experience historical trauma from damaging federal policies, including those of forced removal, boarding schools, and taking of tribal lands, and continuing threats to culture, language, and access to traditional foods.

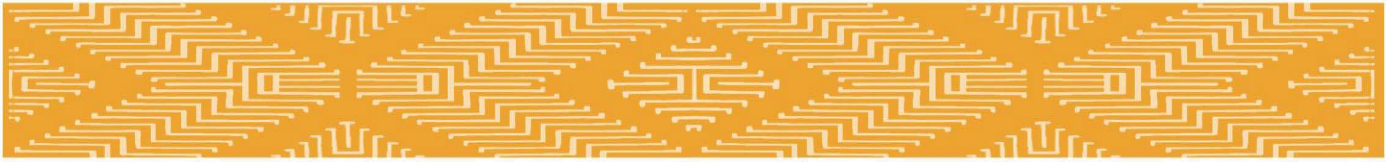
Historic and persistent under-funding of the Indian healthcare system has resulted in problems with access to care, and has limited the ability of the Indian healthcare system to provide the full range of medications and services that could help prevent or reduce the complications of chronic diseases. CMS, IHS and Tribes must work together to help eliminate existing health inequalities. Together we can and must strengthen the ability of Indian health programs to serve as the medical home for AI/ANs, offering culturally competent care with a public health focus, while fulfilling their important role as essential providers for Medicaid, Medicare, and Children Health Insurance programs and the prospective Health Insurance Exchange plans. This plan offers CMS and TTAG a roadmap for making that happen.

The Indian health care system is unique

The United States has acknowledged its special trust responsibility to provide health services to AI/ANs. This responsibility is the direct result of treaties between the United States and Indian Tribes and of executive orders, and has been reaffirmed by judicial decisions, executive orders, and Acts of Congress (see Appendix B, p. 38).

The IHS was created in 1955 to assist the United States to fulfill its obligation to provide health care to AI/ANs. Twenty years later, Congress enacted the Indian Self-Determination and Education Assistance Act of 1975 (P.L. 93-638) to enable Tribes and Tribal Organizations to directly operate health programs that would otherwise be operated by IHS, thereby empowering Tribes to design and operate health programs that are responsive to community needs. Title V of the Indian Health Care Improvement Act of 1976 (P.L. 94-437) (IHCIA) authorized federal funding for urban Indian organizations to provide health

² Website <http://www.ihs.gov/PublicAffairs/IHSBrochure/Disparities.asp>. AI/AN data from 2004-2006 are compared with U.S. All Races data for 2005.



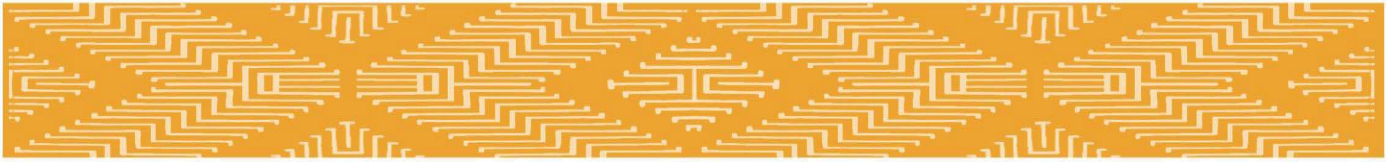
services to AI/ANs, many of whom had been relocated to urban areas by federal relocation programs. Taken together, this complex healthcare delivery system is often referred to as the “I/T/U” (IHS/Tribal/Urban) or Indian healthcare system. A year later, the Congress authorized IHS and tribal health programs to bill Medicare and Medicaid, which expanded the resources available to them to carry out the federal trust responsibility.

Today the Indian healthcare system includes 46 Indian hospitals (1/3 of which are tribally operated) and nearly 630 Indian health centers, clinics, and health stations (80 percent of which are tribally operated). When specialized services are not available at these sites, health services are purchased from public and private providers through the IHS-funded Contract Health Services (CHS) program. Additionally, 34 urban programs offer services ranging from community health to comprehensive primary care.

The I/T/U utilizes a community-based public health model with many approaches that are not found in typical American medical delivery systems. For example, the Indian health programs include public health nursing, outreach workers, prevention services, and even building community water and sanitation services. Indian health programs have pioneered new types of providers, such as community health aides and dental health therapists, as well as new approaches to delivering services in remote rural areas, including telehealth. Tribal governments manage a wide range of services, such as substance abuse treatment, the U.S.D.A. nutrition programs for pregnant women, infants and children (WIC), Senior Centers and elder nutrition sites, rabies vaccinations for dogs, and injury prevention programs, to name just a few. Tribal programs tend to take a more holistic view and utilize indigenous people who speak the local language and live in remote Tribal communities.

Not only does the Indian health system have to deal with health disparities, it’s important to note that the system is also challenged with funding disparities. The IHS Federal Disparity Index (FDI) is used to determine the level of funding for the Indian health system relative to its total need. The FDI compares actual health care costs for an IHS beneficiary to those costs of a beneficiary served in mainstream America. The FDI uses actuarial methods that control for age, sex, and health status to price health benefits for Indian people using the Federal Employee Health Benefits (FEHB) plan, which is then used to make per capita health expenditure comparisons. Based on this model it is estimated that Congress provides direct appropriations to the Indian health system, on average, at approximately 60 percent of its level of need.³ It is these health and funding disparities that exacerbate the challenges in providing health care for AI/AN people.

³ The IHS calculates funding needs for IHS and tribal health programs by “comparing [IHS] funding to the cost of providing medical insurance for [AI/AN] users in a mainstream health insurance plan such as the Federal Employees Health Plan (FEHP).” *Indian Health Manual*, Part 6, Chapter 4, Manual Exhibit 6-4-A. This methodology



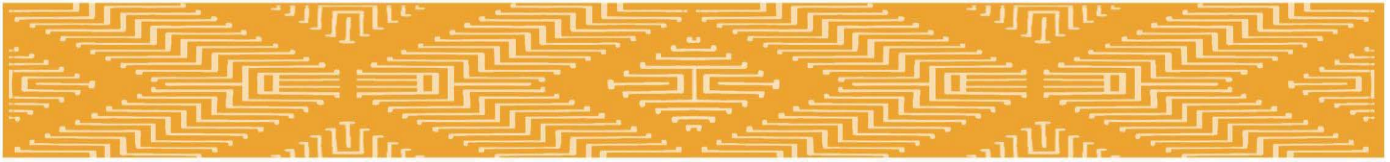
The federal government reimburses States 100 percent for Medicaid services delivered to AI/ANs through IHS and Tribal health programs. States are reimbursed for payments made to Urban Indian Health Programs for Medicaid services provided to AI/ANs on the basis of the state-specific Federal Medical Assistance Percentage (FMAP), which in 2013 varies from a minimum of 50 percent up to 73.43 percent. Many programs operated by the IHS and Tribes use a bundled rate approved by the Office of Management and Budget (OMB) on an annual basis, called the “IHS Reimbursement Rate” or the “IHS encounter rate.” These and other unique circumstances and billing practices are generally not well understood outside the Indian health system. A summary of the legal basis for special CMS provisions for American Indians and Alaska Natives has been updated and presented in Appendix B (page 38). The lack of 100 percent FMAP to States for services provided in Urban Indian Health Programs has precluded these programs from inclusion in the “IHS encounter rate” reimbursement methodology, and hinders the recognition by States of the special obligations owed to urban Indians and Urban Indian Health Programs under Federal law. There is much more work to be done to align the policies, programs, and systems for billing for CMS services in order to ensure that AI/ANs have the health care coverage they are entitled to receive.

Tribal consultation is required for CMS programs

The United States government has a unique legal and political relationship with American Indian and Alaska Native Tribes. This special relationship recognizes Tribes as sovereign nations that retain the inherent right to self-govern, and that interact with the United States on a government-to-government basis. These rights are grounded in the U.S. Constitution and treaties, and are reinforced by judicial precedent and Presidential Executive Orders that direct federal agencies to consult with Tribes on a government-to-government basis. Tribal consultation is an open and continuous exchange of information that leads to mutual understanding and informed decision making between federal agencies and tribal governments. Tribal consultation should occur at the earliest possible point in the policy formulation process, particularly whenever decisions would significantly impact Tribes, would have a substantial compliance cost, or would result in new or changed policies. Both the Department of Health and Human Services (HHS) and CMS have Tribal consultation policies, and CMS is developing procedures to operate those policies. The CMS Tribal Consultation policy calls for an annual review and revisions to update the policy.

The purpose of the first goal of this Strategic Plan is to ensure meaningful consultation with Indian Tribes on policy and programmatic issues including, but not limited to eliminating health disparities of Indians and ensuring access to critical health services, including those made available through Medicare,

is commonly referred to as the Federal Disparity Index (FDI). Available at:
<http://www.ihs.gov/NonMedicalPrograms/Inf/>



Medicaid, CHIP, and Exchange Plans administered by CMS. The involvement of Tribes and the TTAG in the development of CMS policy allows for culturally appropriate approaches resulting in greater access to CMS programs and positive outcomes for Indian people and the health programs operated by the Indian Health Service, Tribes and Tribal Organizations, and urban Indian organizations.

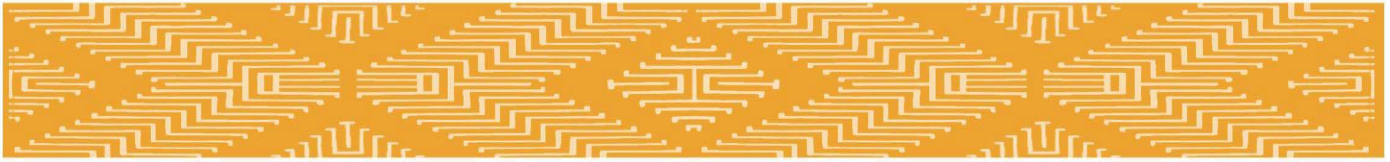
Tribal Technical Advisory Group advises CMS

The Tribal Technical Advisory Group (TTAG) was started by CMS in 2004 as a policy advisory body. In 2009, ARRA Section 5006(e)(1), P.L. 111-5 established the TTAG in law, added new categories of members, and reaffirmed its status as exempt from the Federal Advisory Committee Act (FACA), 5 U.S.C. App. 2

TTAG has 17 members: elected tribal leaders (or their designated employees) selected from the 12 Areas of the IHS, as well as representatives from the National Congress of American Indians (NCAI), the National Indian Health Board (NIHB), the Tribal Self-Governance Advisory Committee (TSGAC), the Indian Health Service, and the National Council of Urban Indian Health (NCUIH). TTAG meetings, subcommittees, and workgroups facilitate the exchange of information and perspectives on the administration of CMS programs and their efficacy in Indian communities. TTAG meetings complement, but do not supplant, tribal consultation processes that take place between CMS and individual Tribes.

Some of the recommendations from the TTAG have been implemented as CMS regulation and policy, and later reaffirmed in federal law. While the TTAG has offered their advice to CMS on a wide range of issues, the following are some of the significant achievements:

- CMS Tribal Consultation Policy is adopted and training is provided for CMS employees to implement it.
- Native American Contacts (NACs) are designated for each Regional Office of CMS.
- Medicaid Administrative Match may be made available by State Medicaid programs to Tribal health programs to provide enrollment assistance.



- Indian Addendum⁴ developed for Medicare Part D to assure participation by I/T/U pharmacies on terms appropriate to their governmental status and statutory protections.
- Successful campaign is initiated to increase AI/AN enrollment in CHIP.
- On April 6, 2012, CMS approved Arizona's request to amend its 1115 demonstration known as the Arizona Health Care Cost Containment System (AHCCCS), which allows the State to offer uncompensated care payments to Indian Health Service and tribally-operated facilities. Under the amended demonstration, IHS and Tribal facilities can begin to claim payments for uncompensated care costs associated with services furnished to individuals with income up to 100 percent of the FPL.
- CMS training is provided to I/T/U in each Area on an annual basis, supplemented by Medicine Dish programs, All Tribes calls, a CMS Day at the NIHB Annual Consumer Conference, CMS sponsorship of a Long Term Care Conference and a website.
- Meaningful use of electronic health records rules are defined and promote I/T/U participation.
- States are required to consult with Tribes and Tribal Organizations on Medicaid State Plans, waivers and the development of health insurance exchanges.
- Regulation tracking process is implemented for AI/AN and I/T/U issues.
- CMS Tribal Affairs Group added staff to address issues.
- Medicaid, CHIP, and Medicare enrollment, service and payment data for AI/AN have been identified and reported .

Collaborative policymaking processes such as those demonstrated by TTAG improve the quality of resultant decisions.

Organization of CMS AI/AN Strategic Plan

⁴ "Indian Addendum" refers to contract terms that are specific to IHS and tribal health programs that was approved by CMS and that Medicare Part D pharmacy plans must include in preferred provider arrangements with IHS and tribal health programs.



This plan is organized to provide a focus on the goals and objectives. Supporting documentation and budget summaries are provided in appendices. There are five overarching goals in this plan that apply to all CMS programs, including Medicare, Medicaid, CHIP, and Health Insurance Exchanges. These are:

Goal 1: CMS engages in meaningful **consultation** with Tribes and works closely with the TTAG.

Goal 2: CMS enacts and implements **policy** through regulation, guidance, review and enforcement to align CMS programs to serve AI/ANs by improving enrollment processes, assuring access to care, having efficient payment systems, and increasing the I/T/U capacity to deliver integrated, comprehensive programs.

Goal 3: CMS improves and expands opportunities for development and delivery of Long Term Services and Support (**LTSS**) throughout Indian communities.

Goal 4: All I/T/U programs are fully informed about CMS programs and AI/ANs know about benefits to which they are entitled.

Goal 5: Develop and improve CMS **data systems to evaluate** and expand the capacity of CMS to serve American Indians and Alaska Natives.

For each goal, a number of objectives are listed with tasks identified that are necessary to achieve each objective.

Budgets for each of the tasks are estimates based on experience and have not been calculated based on actual or projected costs. For items related to policy development, it is assumed that CMS staff is already funded. It should be noted that the budgets do not consider the time and expenses of TTAG members, alternates and their technical advisors who participate in TTAG meetings, subcommittee meetings, teleconferences, and other activities.



Goal 1: CMS will execute its federal trust responsibility to engage in meaningful consultation with Tribes and work closely with the Tribal Technical Advisory Group

Objective 1a – On an annual basis, CMS will engage the TTAG to evaluate and revise the CMS Tribal Consultation Policy

Task 1: Evaluate and revise existing CMS Tribal Consultation Policy, in collaboration with the TTAG and CMS Tribal Affairs Group (TAG), and provide an opportunity for Tribal consultation on the policy.

Task 2: CMS will conduct an annual Tribal Consultation session separate and distinct from the HHS Department-wide and Regional Tribal Consultation session.

Budget request: \$75,000 per year

Task 3: In partnership with TTAG and IHS, CMS will develop a written annual report documenting and evaluating consultation activities, which will be disseminated to partners in the first quarter of each fiscal year. The report will assess both consultation processes and outcomes. This detailed report will be used by TTAG to monitor and evaluate consultation processes and their impact.

Budget request: \$40,000 per year. These funds will be used to support tracking activities by CMS and process evaluations carried out by a qualified tribal consultant/organization, and review of the report with relevant stakeholders.

Objective 1b – In collaboration with the TTAG, CMS will develop mechanisms to involve Tribes in states that have federally-facilitated exchanges and partnership exchanges to assure that I/T/U issues are addressed in the planning, policies, structure, and operations of those exchanges.

Task 1: Beginning in 2012, CMS and TTAG will agree on a list of issues that could affect AI/AN participation in health insurance exchanges and create workgroups that meet regularly to resolve those issues prior to July 2013.

Objective 1c – Each year, CMS will provide financial and administrative support to facilitate the ongoing activities of TTAG, and a sufficient budget to support TTAG activities included in the 2013-2018 Strategic Plan.

Task 1: CMS will fully fund the Tribal Technical Advisory Group, including TTAG travel, per diem, communication needs, basic staffing, and other related expenses for face-to-face meetings up to



three times per year. TTAG serves as a policy advisory body to CMS, providing expertise on policies, guidelines, and programmatic issues affecting the delivery of health care for AI/ANs.

Budget request: \$280,000 per year. Funds will be used to support the travel and per diem expenses of TTAG members three times per year, occasional subcommittee meetings, and the ongoing communication and professional technical assistance needed to support TTAG meetings and activities.

Task 2: CMS will actively seek to recruit AI/ANs for key policy positions, particularly with regard to Indian health care. CMS will develop a personnel succession plan to ensure consistent and competent TAG staffing with expertise in the Indian healthcare system. The personnel succession plan should include recruitment, training, and promotion strategies, particularly for AI/ANs, including internships, cross-training opportunities for IHS employees, recruitment of AI/ANs to serve as Native American Contacts (NACs) in regional offices, and/or providing executive leadership training for AI/ANs in CMS.

Budget request: \$25,000 per year for succession planning and recruiting as needed.

Task 3: The Tribal Affairs Group (TAG) at CMS will report quarterly to TTAG activities and funding for implementation of this Strategic Plan.

Task 4: CMS will retain at least 7 FTE personnel in their TAG who will provide policy and administrative support to TTAG. CMS will hire and retain Native American Contacts in each of its Regional Office locations.

Objective 1d – CMS personnel with the authority to make binding decisions will regularly participate in TTAG meetings, the Annual HHS Budget Consultation session, and HHS regional tribal consultation meetings and listening sessions.

Task 1: On an annual basis, the CMS Administrator, and/or CMS Center and Office Directors, will participate in at least three face-to-face meetings with TTAG, along with other CMS officials with pertinent expertise in the subject matter at hand.

Task 2: Key leadership from CMS Headquarters will attend annual HHS regional tribal consultation meetings and listening sessions.

Objective 1e – CMS will develop a set of standard operating procedures that will be used by the agency to guide administrative decisions regarding Indian health policy.

Task 1: In recognition of the United States trust responsibility described in Appendix B (p. 38), TTAG and the CMS Office of External Affairs will work collaboratively to develop a set of standard operating procedures that can be used by CMS to guide policy formation and Tribal consultation.

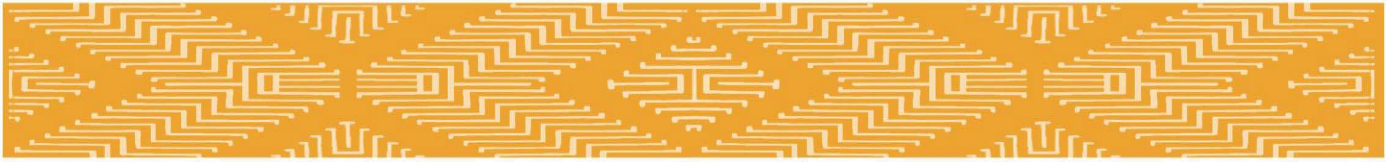


Such procedures should be based on values and principles that promote the federal trust responsibility for health care and Tribal consultation.

Budget request: \$40,000 for the first year to develop the standard operating procedures. Funds will be used to support the completion of this task by a qualified consultant or Tribal Organization, and any partner meetings needed to develop mutually agreed upon standard operating procedures. An additional \$15,000 per year is requested to monitor compliance and evaluate the effectiveness of the standard operating procedures.

Examples of such values and principles include:

- CMS recognizes that the tribal healthcare delivery system is politically, legally, and culturally unique and that policies developed specifically for Indian healthcare can be designed to apply only to Indian health programs, and will not be considered to set precedent for other types of healthcare delivery system.
- It is a well-settled canon of construction that federal laws enacted for the benefit of Indian Tribes are to be given a liberal interpretation, and that doubtful expressions are to be resolved in favor of Indian interests.
- Absent express statutory prohibition, CMS shall engage in Tribal consultation and implement Tribal recommendations made during such consultations, regarding any CMS policies and actions that:
 1. Have Tribal implications, or
 2. Have substantial direct effects on
 - a. one or more Indian Tribes, or
 - b. the relationship between the Federal Government and Indian Tribes, or
 - c. the distribution of power and responsibilities between the Federal Government and Indian Tribes.
- CMS will develop enrollment strategies that maximize AI/AN participation in Medicaid, Medicare, and CHIP, and health insurance exchanges, and will work collaboratively with I/T/Us to carry out identified strategies.



Goal 2: CMS enacts policy through regulation, guidance, review and enforcement to align CMS programs to serve American Indians and Alaska Natives by improving enrollment processes, assuring access to care, having efficient payment systems, and increasing the I/T/U capacity to deliver integrated, comprehensive programs.

Objective 2a – CMS will work with the TTAG to develop a global approach to funding enrollment assistance provided by the I/T/U and eligibility determinations for all CMS supported programs.

Task 1: Evaluate the number of States that are using Medicaid Administrative Match (MAM) to fund enrollment assistance at I/T/Us and the number of I/T/U programs that are receiving this funding, and the best approaches to provide financial support (including expansion of MAM to other I/T/Us and broadening the programs for which its funding can be used) for assisting AI/ANs who use I/T/U programs to enroll in Medicaid, Medicaid Expansion, CHIP, qualified health plans through the health insurance exchange, and other insurance and benefits (including those provided by the Department of Veterans Affairs), and other new approaches for simplifying applications and approvals for enrollment within control of CMS.

Task 2: Develop mechanisms for the I/T/U to receive Navigator or other funding from the federally-facilitated Exchanges, partnership exchanges and state exchanges.

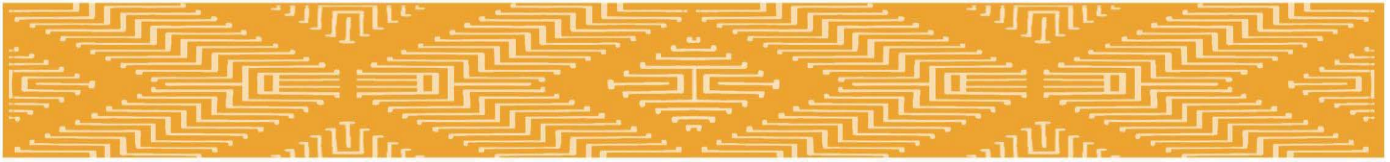
Task 3: Consider alternative sources of funding for the I/T/U to assist AI/ANs to enroll in CMS funded programs, including Medicaid, Medicare, CHIP, and qualified health plans offered through exchanges, including special enrollments that may be offered to eligibles.

Task 4: Streamline systems to offer aggregate payment options and remove any barriers to Tribes and others paying premiums for enrollment in federally-funded programs, including Medicare, Basic Health Plans, and Health Insurance Exchanges.

Objective 2b – To maximize access to care and coordination of services for AI/ANs, CMS will work with the TTAG to develop processes to assure that I/T/Us can choose to be network providers for managed care organizations that deliver services with funding from Medicare, Medicaid, CHIP and Health Insurance Exchanges.

Task 1: CMS will work with the TTAG to develop a prototype Indian Addendum that can be used with managed care provider contracts in all programs of CMS to acknowledge the federal laws that are specific to the I/T/U and that can affect provider contracts.

Task 2: CMS will adopt standards of network adequacy for managed care organizations that are federally-funded (in whole or part) that require inclusion of I/T/Us as sources of care that are geographically accessible and culturally appropriate.



Task 3: CMS will review programs, policies, and payment mechanisms and provide training and technical assistance to assure that each I/T/U can be the medical home for the AI/ANs who use its services.

Task 4: CMS will assure that all AI/ANs who are enrolled in a managed care organization through Medicare, Medicaid, CHIP or Health Insurance Exchanges can be referred to specialty care by I/T/U providers and that the laws and protections regarding deductibles and co-pays for AI/AN are followed.

Objective 2c – CMS will assure that I/T/Us are paid for all services that are covered by CMS supported programs and provided to any AI/AN who is enrolled in Medicaid, Medicaid Expansion, Basic Health Plans, Medicare, and Health Insurance Exchanges.

Task 1: CMS will enforce the laws that assure that I/T/Us are paid for off-plan services delivered by it or an I/T/U provider to an AI/AN enrolled in a federally funded program by

- assuring that this requirement is included in contracts with managed care organizations and preferred provider arrangements,
- providing a point of contact for I/T/U programs that are not able to receive payment for services that have been billed,
- informing the managed care or preferred provider organization of its obligation to pay for these services, and
- cancelling or not renewing contracts with managed care or preferred provider organizations or qualified health plans that do not abide by the applicable statutory and contractual and requirements.

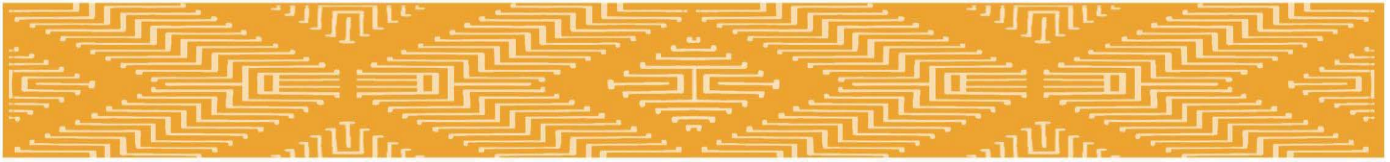
Task 2. CMS will sponsor a conference to engage Tribal technical advisors and others in a better understanding of emerging payment approaches in Medicare and Medicaid, analyze how those approaches may affect I/T/U participation and revenues, and share that information with I/T/U management.

Budget: \$120,000 in 2013.

Task 3: All CMS programs will review their payment policies for telehealth services and work with the TTAG to update those policies to assure that I/T/Us can be paid for telehealth services.

Task 4: CMS will resolve the problem of paying for Medicaid services for AI/AN youth who are receiving treatment and/or enrolled in boarding schools in a state other than where their parents are resident (Across State Borders).

Task 5: CMS will create a workgroup across all CMS programs and with the TTAG to develop criteria for I/T/U providers as distinct provider types for enrollment in Medicare and in State



Medicaid programs in order to achieve greater flexibility for services and distinct payment methodologies.

Objective 2d – The CMS Office for Dual Eligibles will work with a subcommittee of the TTAG to assure that I/T/Us can participate in new approaches for coordinating services to and associated payments for people who are dually eligible for Medicaid and Medicare, and in some cases also eligible for services from the VA.

Task 1: TTAG will form a subcommittee to work with the Office for Dual Eligibles on planning new programs, enrollment policies, and payment approaches appropriate for I/T/Us.

Objective 2e – CMS and the TTAG will work together to assure that AI/AN continue to receive needed services and the I/T/U continues to receive payment for those services In the context of States reforming their Medicaid programs, creating new types of waivers, choosing whether to implement Medicaid Expansion, and eliminating CHIP programs.

Task 1: CMS will provide information and technical assistance to Tribes and States to allow them to adopt the principles and approaches used in the Arizona Medicaid waiver that preserves services for AI/ANs.

Task 2: CMS will notify Tribes affected by State reforms to their Medicaid programs and consult with Tribes as soon as practicable on State Medicaid reform proposals.

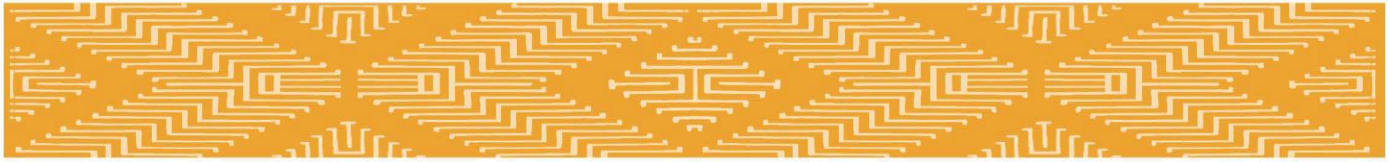
Task 3: CMS will, as a condition of approving any State reform proposal, require the State to design its proposal to ensure continued AI/AN access to existing covered services and I/T/U payment for those services.

Objective 2f – Offices within CMS that are responsible for enforcement and compliance will work with the TTAG to develop approaches for assisting I/T/Us adhere to applicable laws and regulations, to develop adequate compliance systems, and to resolve compliance issues.

Task 1: The CMS TAG will provide training on Indian health care delivery systems to offices responsible for enforcement. Such training will include material regarding the unique legal and regulatory environment in which I/T/Us carry out their programs.

Task 2: CMS will expedite consideration of recommendations regarding Safe Harbors submitted by Tribes and Tribal Organizations to assure that there is appropriate coordination between health care delivery systems without violations of the law.

Task 3: CMS will work with the TTAG to develop appropriate policies for compliance that consider the budgets, size, location, and staffing of I/T/U programs and to develop tiered standards that do not unreasonably take resources from direct patient care to comply with CMS requirements for accountability.



Task 4: CMS will provide training, technical assistance, and funding for systems' improvements to I/T/Us to assist them to comply with policies with regard to disclosure and auditing.

Objective 2g– CMS will facilitate implementation of ARRA Section 5006 that authorizes American Indian Medicaid Managed Care Entities.

Task 1: CMS will sponsor a meeting with Tribes, Tribal Organizations, urban Indian organizations, and others to share information, provide technical assistance, and identify next steps for implementing the creation of American Indian Medicaid Managed Care Entities under Section 5006 of ARRA.

Budget request: \$150,000 per year in 2014 and 2015.

Objective 2h – CMS will create internal processes and funding to facilitate partnerships with Tribes, Tribal Organizations, and urban Indian organizations to work together on new policies and approaches to better align CMS and I/T/U programs.

Task 1: CMS will substantively involve TTAG in administrative, regulatory, and legislative policy questions before the notice of proposed rule-making (NPRM) and provide funding for a policy analyst to track NPRMs, determine whether proposed rules are relevant to Indian health care, provide information to the TTAG about the potential impacts of regulations, track TTAG comments on NPRMs, and track final regulations to see if they have been responsive to TTAG recommendations.

Budget request: \$250,000 per year

Task 2. CMS will create better mechanisms to fund cooperative agreements with Tribes, Tribal Organizations, and urban Indian organizations to provide policy analysis, outreach and education to assist CMS to carry out its mission to improve the health status of AI/ANs through better access to care and quality of care.

Task 3. The CMS Office of Legislation will work with Tribes, Tribal Organizations, and urban Indian organizations on mutually beneficial legislation, including revisions to the Affordable Care Act to clarify the definition of Indian and to address issues related to Medicaid Expansion that were created by the Supreme Court decision.

Task 4. CMS will move the Tribal Affairs Group from the Office of Public Engagement to the Office of the Administrator to more accurately reflect its role in policy development across all CMS agencies.



Goal 3: Improve and expand the development and delivery of Long Term Services and Support throughout Indian communities.

Objective 3a - Develop and maintain an interactive data base of current Long Term Services and Supports (LTSS) provided by the Indian Health Service, tribal health programs, and urban Indian organizations with contact information for the providers. Develop toolkits to assist other health programs to evaluate options and develop similar programs. In addition, CMS working with IHS and the Administration for Community Living (ACL) in HHS will provide technical assistance to I/T/Us developing and taking advantage of these LTSS programs

Task 1: Working with ACL and IHS, CMS will develop and maintain a website that will serve as an AI/AN LTSS portal to:

1. Facilitate a learning community for the sharing of knowledge and expertise among I/T/U health programs by:
 - a. Posting lists of existing programs and contacts for each;
 - b. Posting technical assistance resources, information, and links;
 - c. Hosting web-based seminars and conference calls;
 - d. Posting inventory of State Medicaid Plans and waivers that address LTSS in states where I/T/U programs are located and updating the inventory at least annually;
 - e. Research and post “best practices” and models for successful LTSS programs, including an analysis and description of prior Elder Care Initiative projects;
 - f. Providing information to I/T/Us about training and technical assistance resources and potential funding opportunities.
2. Provide an actively moderated listserv that will make available:
 - a. A forum for communication among CMS, IHS, and ACL with I/T/Us as they develop LTSS; and
 - b. A forum for communication and sharing among I/T/U programs

Budget request: \$125,000 in 2013 and \$100,000 per year in 2014 and 2015.

The website will identify current opportunities and barriers for operation and development of LTSS communities where I/T/U programs operate, and present “best practices” or models of



successful LTSS programs in such locations and information about how I/T/U programs participate in these LTSS programs.

Note: In 2011 the Agency on Aging (AoA), IHS and CMS signed a Memorandum of Understanding (MOU) to establish a coordinated effort between the agencies to develop methods and means for providing technical support to I/T/Us in order to expand development and delivery of LTSS in Indian communities.

Task 2: CMS will work with the TTAG, IHS, and the Administration for Community Living to develop technical assistance materials for I/T/Us that want to develop and take advantage of these LTSS programs.

Objective 3b - CMS will develop an AI/AN *LTSS Delivery Plan* and a *LTSS Roadmap* (formerly Toolkit) for I/T/Us to provide information and guidance to I/T/Us wishing to research the possibilities of implementing LTSS programs in their communities.

Task 1: CMS will work with TTAG and IHS to:

- Assist I/T/Us to assess their current LTSSs and to identify internal and external barriers to optimal operation and expansion;
- Develop an *AI/AN LTSS Service Delivery Plan* containing strategies to overcome existing administrative or regulatory policy barriers for the implementation of LTSS in Indian communities, including practical guidance from I/T/Us that have already developed certain services; and
- Develop recommendations on how to engage States and CMS for financing LTSS in Indian communities.

Task 2: Working with TTAG, IHS, and ACL, CMS will develop a searchable web tool (*LTSS Roadmap*) as a part of the website development in Objective 3a for use by I/T/Us in the development of LTSS programs. The Roadmap will include information on LTSS that are accessible and/or covered under State Plans and waivers, and will include options available to I/T/Us to overcome barriers and improve access to LTSS and financing.

Budget request: \$150,000 per year in 2013, 2014, and 2015.

Objective 3c - Throughout the next five years, CMS and TTAG will work collaboratively to educate tribal leaders about long term care program planning and implementation, particularly regarding services that address the needs of elders, veterans, and persons with disabilities.

Task 1: CMS and TTAG will review annually documents that describe overarching principles and talking-points, regarding the importance of LTSS for AI/ANs in Indian communities and other communities where I/T/Us are located and delivery by I/T/U programs, controlling the cost and



improving the quality of LTSS programs supported with Federal funds, including Medicare and Medicaid.

Task 2: On a quarterly basis, CMS and TTAG will develop audience-specific educational materials for I/T/U leadership and staff that describe strategies to achieve increased access to LTSS in Indian communities and other communities in which I/T/U programs are located and will disseminate these materials to tribal leaders and I/T/U staff.

Budget request: \$100,000 per year. These funds will cover formative research, media design, printing, and dissemination.

Task 3: On an annual basis, CMS will work with TTAG and IHS to identify existing meetings or conferences that are attended by I/T/U leaders and staff, at which workshops or presentations could be provided on LTSS services in Indian communities and other communities in which I/T/U programs are located. When appropriate, experts in this field will provide workshops or presentations.

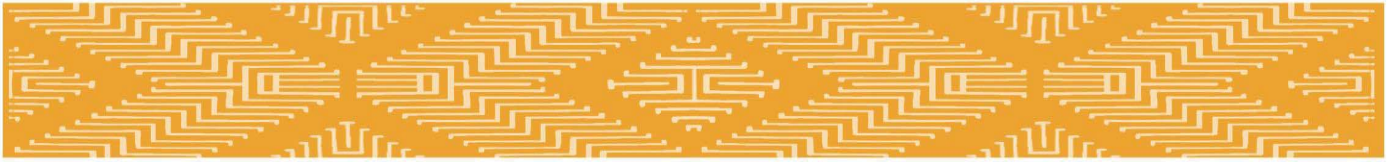
Budget request: \$100,000 per year. These funds will cover travel, per diem, and registration expenses for CMS, Tribal and/or expert presentations at five or more national meetings/conferences.

Task 4: ACL, IHS, and CMS will jointly develop and support an annual *AI/AN LTSS Conference* for experts to provide education on LTSS and allow I/T/U LTSS programs to share their experiences, showcase best practices, and enhance the LTSS' learning network.

Budget request: \$200,000 per year in 2013, 2014, and 2015. These funds will cover conference planning, facility costs, speaker fees, travel, and registration expenses for a national AI/AN LTSS conference.

Task 5: From 2013-2017, CMS will fund a resource center to build capacity for LTSS for 15 Tribes, by assisting them with planning and development grants, and providing teams of experts to evaluate their existing LTSS, developing specific steps to integrate and expand necessary LTSS, and providing program specific assistance in overcoming barriers to accomplishing the steps.

Budget request: \$300,000 in 2013; \$1.5 million per year in 2014 and 2015



Goal 4: Every Indian Health Service, tribal and urban Indian health program is fully informed about CMS programs and every American Indian and Alaska Native knows about the benefits to which they are entitled.

Objective 4a – Maintain effective communications between CMS and Tribes and I/T/U health programs.

Task 1: CMS will work with the TTAG and its Outreach & Education subcommittee to design and implement a communications plan each year that facilitates a better understanding of CMS programs among I/T/U providers.

Budget request: \$25,000 per year

Task 2: CMS will use national Indian organizations such as the National Indian Health Board (NIHB), the National Congress of American Indians (NCAI), National Council of Urban Indian Health (NCUIH), and the Tribal Self-Governance Advisory Committee (TSGAC) to share CMS information with Tribal governments and I/T/U health programs via established communication channels, such as newsletters, websites, e-mails, and meetings.

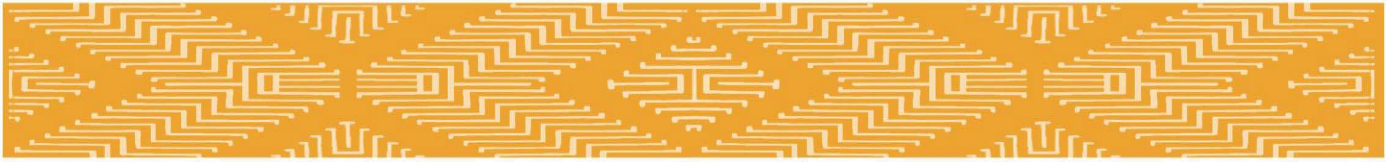
Budget request: \$150,000 per year. Funds will be used to sponsor national and regional Tribal Organizations to disseminate CMS information via established communication channels.

Task 3: At the request of area and national Indian organizations, CMS will participate in tribal meetings, such as: the CMS Day at the National Indian Health Board's Annual Consumer Conference; the annual meetings for the National Congress of American Indians, Tribal Self Governance, Direct Service Tribes, and Urban Indian Clinics; meetings of Area Indian Health Boards; and tribal consultation meetings.

Budget request: \$150,000 in 2013, \$175,000 in 2014, \$175,000 in 2015. Funds will be used for sponsorship and to support registration, exhibit costs, and travel expenses.

Task 4: CMS should contract with Area Indian Health Boards and other organizations of I/T/U programs to publicize CMS trainings and provide travel assistance for tribal participation in regional trainings.

Budget request: \$240,000 in 2013, \$240,000 in 2014, \$250,000 in 2015. Funds will be used by regional and national tribal organizations to publicize CMS meetings and facilitate tribal participation in regional trainings.



Objective 4b – Provide information, training, and capacity building assistance to the I/T/U regarding CMS programs.

Task 1: In collaboration with TTAG, CMS will develop and implement an annual training plan for I/T/U providers using appropriate Information Technology (IT) communication systems, such as webinars, Medicine Dish programs, YouTube videos, and other social media.

Budget request: \$100,000 in 2013, \$150,000 in 2014, \$200,000 in 2015.

Task 2: CMS will hold 20 training meetings per year to provide information about Medicare, Medicaid, CHIP, and Health Insurance Exchanges to I/T/U employees to improve their provision of CMS services and increase enrollment of AI/AN beneficiaries.

Budget request: \$750,000 per year. These funds will be used to contract with Area Health Boards to hold annual trainings and meetings for I/T/U employees.

Task 3: CMS will develop, maintain, and update web based manual of CMS policies and guidance that are specifically related to AI/AN and the I/T/U.

Budget request: \$100,000 in 2013, \$125,000 in 2014, and \$150,000 in 2015.

Task 4: *All Tribes Calls* will be scheduled by TAG specifically for issues related to Indian healthcare at least 6 times per year, with TTAG assisting in developing topics for the calls.

Budget request: \$100,000 per year.

Task 5: CMS and its contractors will provide tribal-specific ICD-10 training in each of the 12 Areas of the Indian Health Service, and other coding training as needed.

Budget request: \$200,000 in 2013, \$750,000 in 2014, \$850,000 in 2015.

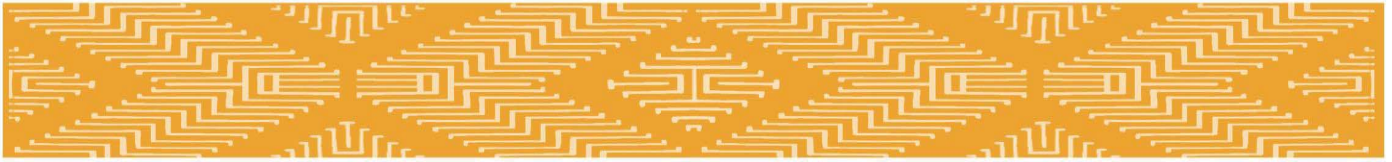
Objective 4c – Provide training and technical assistance for I/T/U programs to maximize enrollment of eligible AI/ANs in Medicaid, Medicaid Expansion, Medicare, CHIP, and Health Insurance Exchanges.

Task 1: CMS will provide training and technical assistance to I/T/Us and States to improve access to sustainable sources of compensation for I/T/Us to provide enrollment assistance to AI/ANs for CMS programs, such as Medicaid Administrative Match (MAM), and Navigator funding for Exchange enrollment.

Budget request: \$100,000 per year.

Task 2: CMS will provide training and technical assistance to I/T/Us and States to increase utilization by I/T/Us of electronic enrollment applications and determinations, and new approaches to simplification of enrollment processes.

Budget request: \$500,000 per year.



Task 3: CMS, in collaboration with TTAG, will develop a simple and practical handout for use by I/T/U personnel, States, and other entities providing enrollment assistance to AI/ANs that explains the special provisions they qualify for because of their status as AI/ANs in CMS programs.

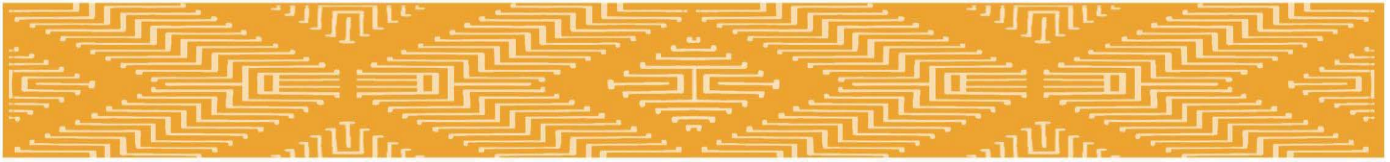
Budget request: \$125,000 in 2013, \$200,000 in 2014, \$125,000 in 2015.

Objective 4d – Provide materials and marketing designed to inform American Indians and Alaska Natives about CMS programs for which they may be eligible.

Task 1: CMS will develop, design, produce, and disseminate materials that are culturally appropriate and effective in AI/AN communities, with an emphasis on the new Medicaid Expansion and Health Insurance Exchanges, by:

- Hiring graphic artists who are AI/AN
- Developing a television campaign with AI/AN images and messages that are appropriate for people using Indian health programs
- Developing radio programs for tribal radio stations
- Placing materials in effective communication channels
- Translating materials as needed

Budget request: \$500,000 per year.



Goal 5: Develop and Improve CMS data systems to evaluate and expand the capacity of CMS to serve American Indians and Alaska Natives.

Objective 5a – CMS will create data systems that identify AI/AN appropriately to assure that they are provided the benefits and protections under laws and regulations (such as waiver of co-payments and deductibles) under Medicaid, CHIP, Basic Health Plans, and Health Insurance Exchanges.

Task 1: CMS and TTAG will create a joint workgroup on Data and Policy to assure that AI/AN provisions of ARRA and ACA, as well as other laws and regulations, are implemented in the eligibility and enrollment processes, including designating and implementing the federal data hub for eligibility; to assure that computer systems used by providers flag AI/AN cost sharing protections; and to appropriately designate AI/ANs for reporting and performance metrics, including assessing levels of enrollment.

Task 2: Twice a year CMS will hold a day of meetings at CMS central offices in Baltimore for TTAG Data and Policy Subcommittee members to exchange information with key CMS staff in policy implementation, data systems, and innovations to understand the changes that are occurring with the implementation of health care legislation and how they could affect AI/AN enrollment and I/T/U provider participation in CMS programs.

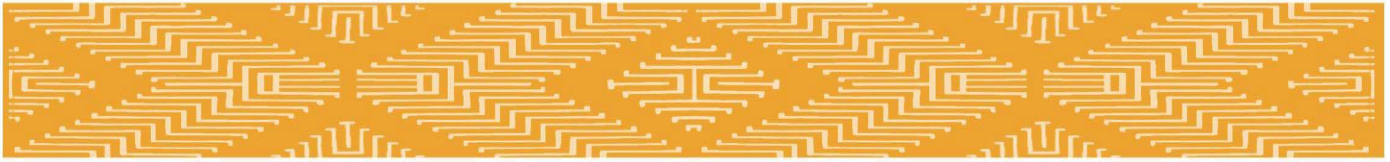
Task 3: The attendees will make recommendations to the CMS TTAG regarding approaches needed to change CMS and other data collection systems for implementation of health care legislation and suggest topics on the effects on AI/AN and I/T/U for follow-up.

Task 4: Make the CMS data and any findings from the data systems available online, in presentations at AI/AN and CMS conferences, and in reports, so that AIAN stakeholders can use the data and findings.

Budget request: \$150,000 per year for Objective 5a.

Objective 5b – Develop and improve data for AI/AN populations within and outside of the IHS healthcare delivery system that can be used to evaluate CMS program enrollment, health care delivery, outcomes, and payments across states and IHS Areas during the implementation of ACA, CHIPRA, ARRA, and any subsequent health care policy changes.

Task 1: Establish baseline enrollment rates in CMS programs and federally facilitated Health Insurance Exchanges for AI/ANs and monitor changes in the rates.



Task 2: Establish baseline usage indicators for CMS program health care services used by AI/ANs and monitor changes in the usage.

Task 3: Determine health outcomes in CMS programs of care for AI/ANs.

Task 4: Establish baseline CMS program payments for health care for AI/ANs and monitor changes in the payments.

Task 5: Make the evaluation data sets and findings available online, in presentations at AI/AN and CMS conferences, and in reports, so that AIAN stakeholders can use the data and findings.

Budget request: \$300,000 per year for Objective 5b.

Objective 5c – Produce an AI/AN CMS Data Symposium on the impact of the implementation of ACA, CHIPRA, ARRA, and any subsequent health care policy changes on AI/AN and I/T/U providers.

Task 1: CMS will sponsor a one-day Data and Policy Conference bringing together experts in demographic, services, and policy analysis from outside CMS to better understand the impacts of the legislative health care reforms relevant to AI/AN and I/T/U providers.

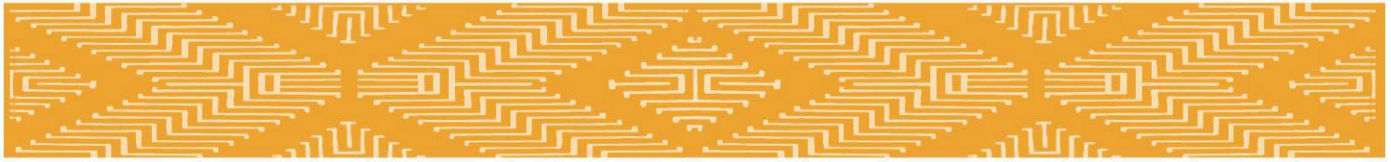
Task 2: Conduct conference planning sessions with CMS staff, and secure the necessary personnel, materials, facilities, and equipment to accomplish the tasks needed to plan, prepare, and execute the Conference including making site arrangements for the event and travel arrangements for speakers.

Task 3: Provide brief descriptions of three research projects that could be carried out using the American Indian specific data developed to date that might have utility to Tribes, IHS funded health providers, state Medicaid programs or Health Benefit Exchanges.

Task 4: Provide a technical writer for the symposium who shall prepare a draft Data Symposium Summary report within 4 weeks after the event.

Task 5: Make summaries of the presentations available online and in a report, so that AI/AN and CMS stakeholders can benefit from the data and findings.

Budget request: \$50,000 for one conference.



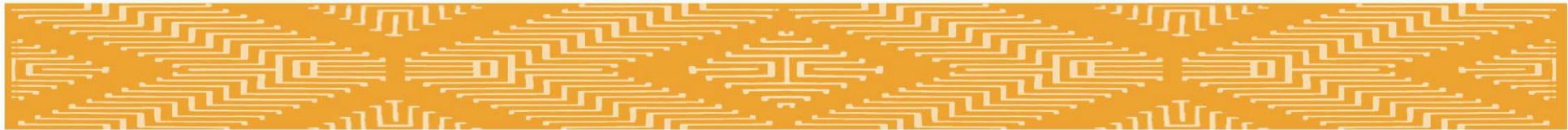
Objective 5d – CMS and TTAG annually will update and review its AI/AN research and evaluation plan to better track and evaluate CMS program services and policy impacts on AI/ANs and ITUs.

Task 1: CMS will work with the TTAG and its subcommittees, Tribal Epidemiology Centers, and the HHS Health Research Advisory Committee for AI/ANs (HRAC) to update the plan to identify additional data development and analysis work.

Task 2: Carry out additional data development and analysis activities that are of high impact or of a time sensitive nature.

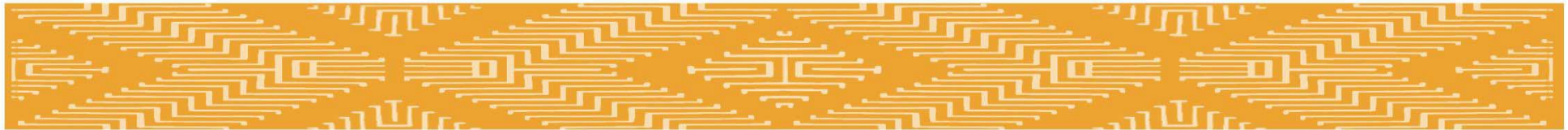
Budget request: \$75,000 per year for objective 5d.



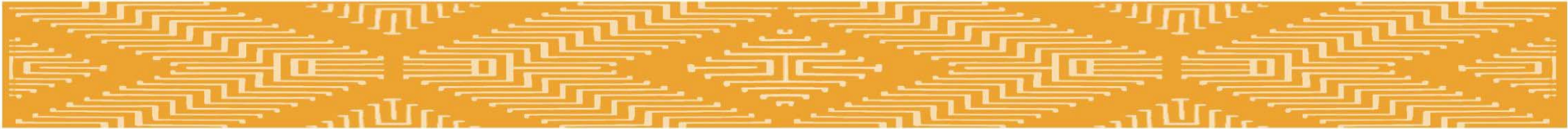


APPENDIX A: PLAN SUMMARY AND BUDGET

Goal 1: CMS engages in meaningful consultation with Tribes and work closely with the Tribal Technical Advisory Group (TTAG).						
Objectives & Tasks	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018
Objective 1a – On an annual basis, CMS will engage the TTAG to evaluate and revise the CMS Tribal Consultation Policy						
Task 1: Evaluate and revise existing CMS Tribal Consultation Policy, in collaboration with the TTAG and CMS Tribal Affairs Group (TAG), and provide an opportunity for Tribal consultation on the policy.	✓	✓	✓	✓	✓	✓
Task 2: Conduct an annual Tribal Consultation session.	75,000	75,000	75,000	75,000	75,000	75,000
Task 3: Written annual report documenting and evaluating consultation activities disseminated to partners in the first quarter of each fiscal year to assess both consultation processes and outcomes.	40,000	40,000	40,000	40,000	40,000	40,000
Objective 1b – In collaboration with the TTAG, CMS will develop mechanisms to involve tribes in states that have federal-facilitated exchanges and partnership exchanges to assure that I/T/U issues are addressed in the planning, policies, structure, and operations of those exchanges.						
Task 1: Beginning in 2012, health insurance exchanges workgroups that meet regularly to resolve issues.	✓	✓	✓	✓	✓	✓
Objective 1c – Each year, CMS will provide financial and administrative support to facilitate the ongoing activities of TTAG, and a sufficient budget to support TTAG activities included in the 2013-2018 Strategic Plan.						
Task 1: CMS will fully fund the Tribal Technical Advisory Group.	280,000	280,000	280,000	280,000	280,000	280,000



Task 2: CMS will actively seek American Indians and Alaska Natives to hire for key policy positions.	25,000	25,000	25,000	25,000	25,000	25,000
Task 3: The Tribal Affairs Group at CMS will report quarterly to TTAG activities and funding for implementation of this Strategic Plan	✓	✓	✓	✓	✓	✓
Task 4: CMS will retain at least 7 FTE personnel in the Tribal Affairs Group.	✓	✓	✓	✓	✓	✓
Objective 1d – CMS personnel with the authority to make binding decisions will regularly participate in TTAG meetings, the Annual DHHS Budget Consultation session, and DHHS regional tribal consultation meetings and listening sessions.						
Task 1: On an annual basis, the CMS Administrator, the CPC Director, the CMM Director, and the CMSO Director will participate in at least 3 face-to-face meetings with TTAG, along with other CMS officials.	✓	✓	✓	✓	✓	✓
Task 2: Key leadership from CMS Headquarters will attend annual DHHS regional tribal consultation meetings and listening sessions.	✓	✓	✓	✓	✓	✓
Objective 1e – By fiscal year 2013, CMS will develop a set of standard operating procedures that will be used by the agency to guide administrative decisions regarding Indian health policy						
Task 1: TTAG and the CMS Office of External Affairs will develop standard operating procedures that can be used by CMS to guide policy formation and Tribal consultation.	40,000	15,000	15,000	15,000	15,000	15,000
SUBTOTAL	460,000	435,000	435,000	435,000	435,000	435,000

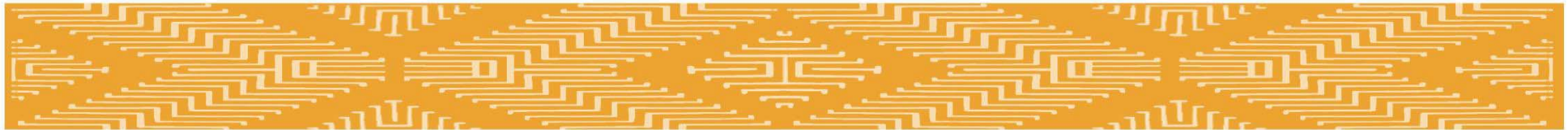


Goal 2: CMS enacts and implements policy through regulation, guidance, review and enforcement to align CMS programs to serve AI/AN by improving enrollment processes, assuring access to care, having efficient payment systems, and increasing the I/T/U capacity to deliver integrated, comprehensive programs.

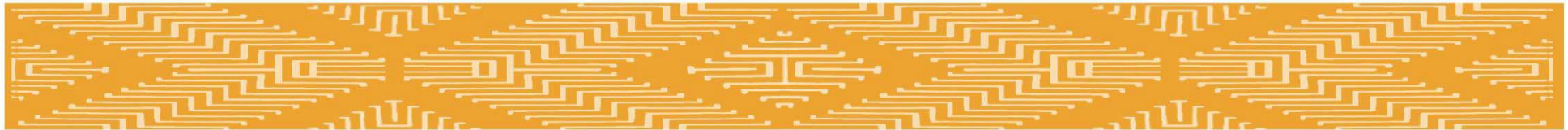
Objective 2a – CMS will work with the TTAG to develop a global approach to funding enrollment assistance provided by the I/T/U and eligibility determinations for all CMS programs.

Task 1: Evaluate the number of States and Tribes using MAM to fund enrollment assistance and other approaches for assisting AI/AN who use I/T/U facilities to enroll in CMS programs through the health insurance exchange websites, and ways to simplifying applications and approvals for enrollment.	✓	✓	✓	✓	✓	✓
Task 2: Develop mechanisms for the I/T/U to receive Navigator or other funding from the Federally-facilitated Exchanges, the partnership exchanges and the state exchanges.	✓	✓	✓	✓	✓	✓
Task 3: Consider alternative sources of funding for the I/T/U to assist AI/AN to enroll in CMS funded programs, including Medicaid, Medicare and dual eligibles.	✓	✓	✓	✓	✓	✓
Task 4: Streamline systems to offer aggregate payment options and remove any barriers to Tribes and others paying premiums for enrollment in CMS programs.	✓	✓	✓	✓	✓	✓

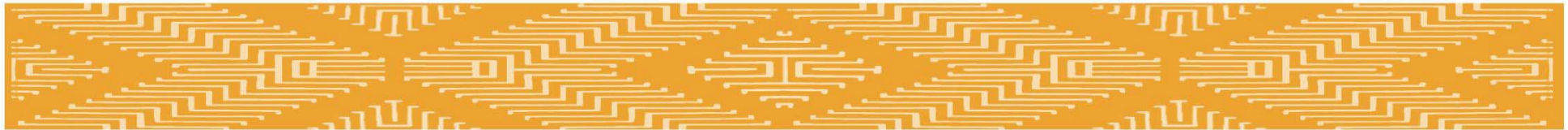
Objective 2b – To maximize access to care and coordination of services for AI/ANs, CMS will work with the TTAG to develop processes to assure that the I/T/U can choose to be network providers for managed care organizations that deliver services with funding from Medicare, Medicaid, CHIP and Health Insurance Exchanges.



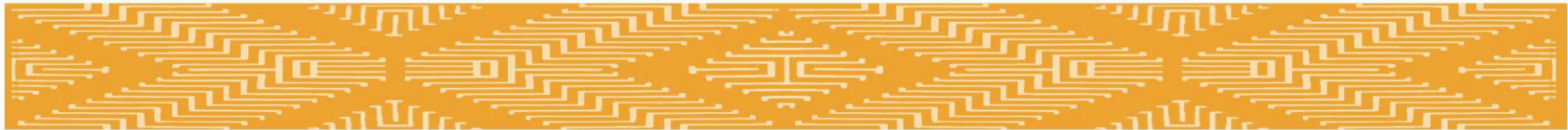
Task 1: Develop a prototype Indian Addendum that can be used with managed care provider contracts in all CMS programs.	✓	✓	✓	✓	✓	✓
Task 2: Adopt network adequacy standards to include I/T/U for managed care organizations funded through CMS programs.	✓	✓	✓	✓	✓	✓
Task 3: Review programs, policies, payment mechanisms and provide training and technical assistance to assure that the I/T/U can be the medical home for AI/AN who use their services.	✓	✓	✓	✓	✓	✓
Task 4: Assure that AI/AN who are enrolled in managed care organization through CMS programs can be referred to specialty care by I/T/U providers and that the laws and protections regarding deductibles and co-pays for AI/AN are followed.	✓	✓	✓	✓	✓	✓
Objective 2c – CMS will assure that the I/T/U is paid for all services provided that are covered by CMS programs for all AI/AN who are enrolled in Medicaid, Medicaid Expansion, Basic Health Plans, Medicare, and Health Insurance Exchanges.						
Task 1: CMS enforces the law that assures that the I/T/U is paid for off-plan services by managed care organizations with CMS funding.	✓	✓	✓	✓	✓	✓
Task 2: CMS will sponsor a conference to engage Tribal technical advisors and others on emerging payment approaches, analyze how those approaches may affect I/T/U, and share that information.	120,000	0	0	0	0	0
Task 3: All CMS programs will review their payment policies to assure that the I/T/U can be paid for telehealth services delivered to AI/AN.	✓	✓	✓	✓	✓	✓



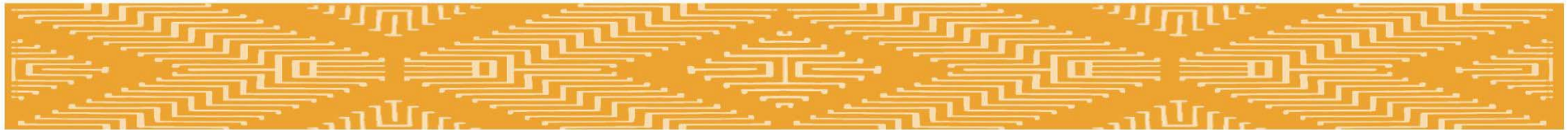
Task 4: CMS will pay for Medicaid services for AI/AN youth who are receiving treatment and/or enrolled in boarding schools in a different state from their parents (A/K/A Across State Borders).	✓	✓	✓	✓	✓	✓
Task 5: CMS will create a workgroup across all agencies and with the TTAG to develop criteria for I/T/U providers as distinct provider types for enrollment in Medicare and Medicaid.	✓	✓	✓	✓	✓	✓
Objective 2d – The Office for Dual Eligibles will work with a subcommittee of the TTAG to assure that there is integration of the Indian health system in new approaches for coordinating services and payments for people who are eligible for Medicaid and Medicare, and in some cases also eligible for services from the VA.						
Task 1: Workgroup on policy and data to implement AI/AN provisions of ARRA and ACA on eligibility and enrollment, federal data hub, and computer systems used by providers to flag AI/AN cost sharing protections, and performance metrics.	✓	✓	✓	✓	✓	✓
Objective 2e – CMS and the TTAG will work together to assure that AI/AN continue to receive needed services and the I/T/U continues to receive payment for those services in the context of States reforming their Medicaid programs, creating new types of waivers, choosing whether to implement Medicaid Expansion, and eliminating CHIP programs.						
Task 1: Information and technical assistance to Tribes and States to adopt principles and approaches used in Arizona Medicaid waiver to preserve services for AI/AN.	✓	✓	✓	✓	✓	✓
Task 2: Notify Tribes about State Medicaid reforms and consult with them.	120,000	0	0	0	0	0
Task 3: State Medicaid reform proposals approval contingent on continued services for AI/AN from I/T/U, and payment for those services.	✓	✓	✓	✓	✓	✓



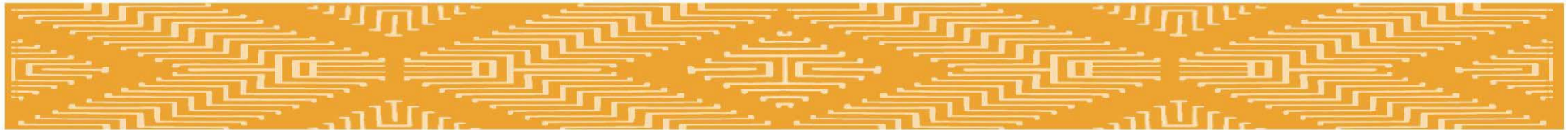
Objective 2f – Offices within CMS that are responsible for enforcement and compliance will work with the TTAG to develop reasonable approaches for assuring that I/T/U adheres to laws and regulations.						
Task 1: Training on Indian health care delivery systems to CMS offices responsible for enforcement.	✓	✓	✓	✓	✓	✓
Task 2: Expedite consideration of recommendations regarding Safe Harbors submitted by Tribes and Tribal Organizations.	✓	✓	✓	✓	✓	✓
Task 3: Develop appropriate policies for compliance with tiered standards that consider the budgets, size, location and staffing of I/T/U facilities.	✓	✓	✓	✓	✓	✓
Task 4: Training, technical assistance, and funding for systems improvement to the I/T/U to comply with policies on disclosure and auditing.	✓	✓	✓	✓	✓	✓
Objective 2g – CMS will facilitate ARRA Section 5006 that authorizes American Indian Medicaid Managed Care Entities.						
Task 1: Sponsor a meeting on the creation of American Indian Medicaid Managed Care Entities under Section 5006 of ARRA.	0	150,000	150,000	0	0	0
Objective 2h – CMS will create internal processes and funding to facilitate partnerships with Tribes and Tribal organizations to work together on new policies and approaches to better align CMS and I/T/U programs.						
Task 1: Maintain funding for regulation review.	250,000	250,000	250,000	250,000	250,000	250,000
Task 2: Create better mechanisms to fund cooperative agreements with Tribes and Tribal Organizations.	✓	✓	✓	✓	✓	✓



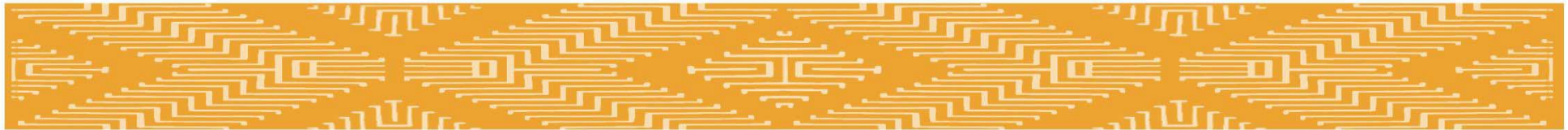
Task 3: The CMS Office of Legislation will work with Tribes on mutually beneficial legislation, including revisions to ACA to clarify the definition of Indian and to address issues related to Medicaid Expansion.	✓	✓	✓	✓	✓	✓
Task 4: Move the CMS Tribal Affairs Group from the Office of Public Engagement to the Office of the Administrator.	✓	✓	✓	✓	✓	✓
SUBTOTAL	490,000	400,000	400,000	250,000	250,000	250,000
Goal 3: CMS Improves and expands the development and delivery of Long Term Services and Support (LTSS) throughout Indian communities.						
Objective 3a - Develop and maintain an interactive data base of current Long Term Services and Supports (LTSS) provided by the Indian Health Service (IHS), tribal health programs, and urban Indian health programs (I/T/U) with contact information for the providers. Develop tool kits to assist other health programs to evaluate options and develop similar programs. In addition, CMS working with IHS and the Administration for Community Living (ACL) in HHS will provide technical assistance to I/T/Us developing and taking advantage of these LTSS programs						
Task 1: Working with ACL and IHS, CMS will develop and maintain a website that will serve as an AI/AN LTSS portal.	125,000	100,000	100,000	0	0	0
Task 2: CMS will work with the TTAG, IHS and ACL to develop technical assistance materials for I/T/U.	✓	✓	✓	✓	✓	✓
Objective 3b - CMS will develop an AI/AN LTSS Delivery Plan and a LTSS Roadmap (formerly Toolkit) for Indian communities to provide information and guidance to I/T/Us wishing to research the possibilities of implementing LTSS programs in their communities.						
Task 1: Assist I/T/Us to assess their current LTSSs, develop an AI/AN LTSS Service Delivery Plan, and develop recommendations to engage States and CMS for financing LTSS in Indian communities.	✓	✓	✓	✓	✓	✓



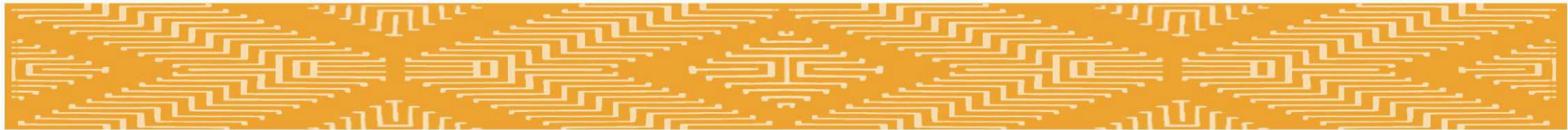
Task 2: Develop a searchable web tool (LTSS Roadmap) as a part of the website development.	150,000	150,000	150,000	0	0	0
Objective 3c- Throughout the next five years, CMS and TTAG will work collaboratively to educate tribal leaders about long term care program planning and implementation, particularly regarding services that address the needs of elders, veterans, and persons with disabilities.						
Task 1: Annually review documents for I/T/U that describe principles and talking-points about the importance of LTSS, controlling costs, and improving quality.	✓	✓	✓	✓	✓	✓
Task 2: Quarterly development and dissemination of audience-specific educational materials for I/T/U leadership and staff that describe strategies to achieve increased access to LTSS in Indian communities.	100,000	100,000	100,000	100,000	100,000	100,000
Task 3: Annually identify existing meetings or conferences attended by I/T/U leaders and provide presentations there on LTSS services in Indian communities.	100,000	100,000	100,000	100,000	100,000	100,000
Task 4: Support annual AI/AN LTSS Conference.	200,000	200,000	200,000	0	0	0
Task 5: Fund a resource center to build capacity for LTSS for 15 Tribes.	300,000	1,500,000	1,500,000	0	0	0
SUBTOTAL	975,000	2,150,000	2,150,000	200,000	200,000	200,000



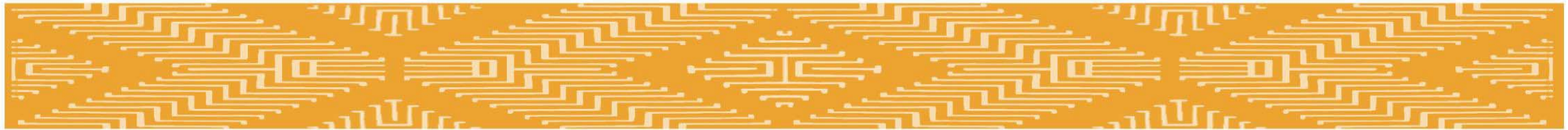
Goal 4: Every I/T/U facility is fully informed about CMS programs and every AI/AN knows about benefits to which they are entitled.						
Objective 4a – Maintain effective communications between CMS and Tribes.						
Task 1: Design and implement annual communications plan that facilitates a better understanding of CMS programs among I/T/U providers.	25,000	25,000	25,000	25,000	25,000	25,000
Task 2: CMS will use tribal organizations to share CMS information with Tribes via established communication channels.	150,000	150,000	150,000	150,000	150,000	150,000
Task 3: At the request of tribal organizations, CMS will participate in tribal meetings.	150,000	175,000	175,000	175,000	175,000	175,000
Task 4: CMS should contract with Area Indian Health Boards and other Tribal organizations to publicize CMS trainings and provide travel assistance for Tribal participation in regional trainings.	240,000	240,000	250,000	250,000	250,000	250,000
Objective 4b – Provide information, training and capacity building assistance to the I/T/U regarding CMS programs.						
Task 1: Develop and implement annual training plan for I/T/U providers using appropriate Information Technology (IT) communication systems.	100,000	150,000	200,000	200,000	200,000	200,000
Task 2: Hold 20 training meetings per year to provide information about CMS programs to I/T/U employees.	750,000	750,000	750,000	750,000	750,000	750,000
Task 3: Develop, maintain and update web based manual of CMS policies and guidance specifically related to AI/AN and the I/T/U.	100,000	125,000	150,000	100,000	100,000	100,000



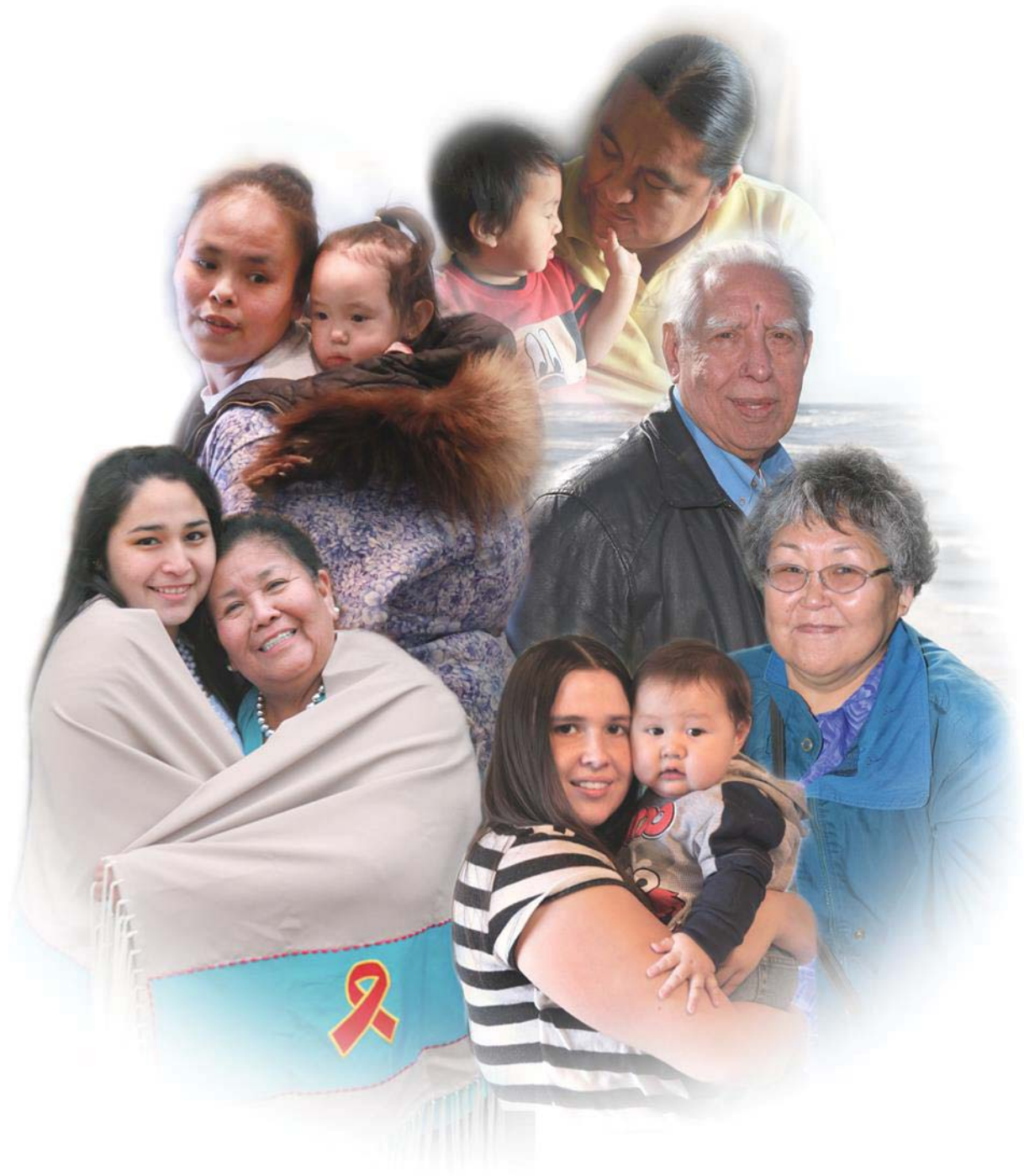
Task 4: All Tribes Calls related to Indian healthcare at least 6 times per year.	100,000	100,000	100,000	100,000	100,000	100,000
Task 5: Tribal-specific ICD-10 training in each of the 12 Areas of the IHS.	200,000	750,000	850,000	200,000	200,000	200,000
Objective 4c – Provide training and technical assistance for I/T/U facilities to maximize enrollment of eligible AI/AN in Medicaid, Medicaid Expansion, Medicare, CHIP and Health Insurance Exchanges.						
Task 1: Training and technical assistance to I/T/U and States to identify enrollment assistance funding for CMS programs.	100,000	100,000	100,000	100,000	100,000	100,000
Task 2: Training and technical assistance to I/T/U and States to increase use of electronic enrollment applications and determinations, and simplification of enrollment processes.	500,000	500,000	500,000	500,000	500,000	500,000
Task 3: Develop a simple and practical handout for enrollment assistance that explains the special provisions for AI/ANs in CMS programs.	125,000	200,000	125,000	0	0	0
Objective 4d – Provide materials and marketing designed to inform AI/AN consumers about CMS programs for which they may be eligible.						
Task 1: CMS will develop, design, produce and disseminate create materials that are culturally appropriate and effective in AI/AN communities, with an emphasis on the new Medicaid Expansion and Health Insurance Exchanges.	500,000	500,000	500,000	500,000	500,000	500,000
SUBTOTAL	3,040,000	3,765,000	3,875,000	3,050,000	3,050,000	3,050,000



Goal 5: Develop and improve CMS data systems to evaluate and expand the capacity of CMS to serve American Indians and Alaska Natives.						
Objective 5a – CMS will create data systems that identify AI/AN appropriately to assure that they are provided the benefits and protections under law and regulations (such as waiver of co-payments and deductibles) under Medicaid, Basic Health Plans, and Health Insurance Exchanges.						
Task 1: Workgroup on policy and data to implement AI/AN provisions of ARRA and ACA on eligibility and enrollment, federal data hub, and computer systems used by providers to flag AI/AN cost sharing protections, and performance metrics.	✓	✓	✓	✓	✓	✓
Task 2: Twice a year CMS will hold a day of meetings at CMS for TTAG Data and Policy Committee members to exchange information with key CMS staff. Attendees will make recommendations to the CMS TTAG and suggest topics for follow-up. Presentations at AI/AN and CMS conferences, and in reports.	150,000	150,000	150,000	150,000	150,000	150,000
Objective 5b – Develop and improve data for the AI/AN populations within and outside of the IHS healthcare delivery system that can be used to evaluate CMS program enrollment, health care delivery, outcomes and payments across states and IHS Areas during the implementation of ACA, CHIPRA, ARRA and any subsequent health care policy changes.						
Task 1: Establish baseline enrollment rates for AI/ANs and monitor changes.	✓	✓	✓	✓	✓	✓
Task 2: Establish baseline usage indicators for AI/ANs and monitor changes.	✓	✓	✓	✓	✓	✓
Task 3: Determine health outcomes for AI/ANs in CMS programs.	✓	✓	✓	✓	✓	✓
Task 4: Establish baseline CMS program payments for health care for AI/AN and monitor changes.	✓	✓	✓	✓	✓	✓
Task 5: Make evaluation data sets and findings available online, in presentations at AI/AN and CMS conferences, and in reports.	300,000	300,000	300,000	300,000	300,000	300,000



Objective 5c – Produce an AI/AN CMS Data Symposium on the impact of the implementation of ACA, CHIPRA ARRA and any subsequent health care policy changes on AI/AN and I/T/U providers.						
Task 1: Sponsor AI/AN Data and Policy Conference.	✓	✓	✓	✓	✓	✓
Task 2: Conduct conference planning sessions with CMS staff, and secure the necessary personnel, materials, facilities and equipment to accomplish the tasks needed to plan, prepare and execute the Conference including making site arrangements for the event and travel arrangements for speakers.	✓	✓	✓	✓	✓	✓
Task 3: Provide brief descriptions of three research projects that could be carried out using AI/AN specific data.	✓	✓	✓	✓	✓	✓
Task 4: Technical writer for the symposium shall prepare Data Symposium Summary.	✓	✓	✓	✓	✓	✓
Task 5: Make summaries of the presentations available online, and in a report.	50,000	0	0	0	0	0
Objective 5d – CMS and TTAG annually will update and review its AI/AN research and evaluation plan to better track and evaluate CMS program services and policy impacts on AI/AN's and ITU's.						
Task 1: CMS will work with the TTAG and its Sub Committees, Tribal Epidemiology Centers, and the DHHS Health Research Advisory Committee for AI/AN (HRAC) to update the plan to identify additional data development and analysis work.	✓	✓	✓	✓	✓	✓
Task 2: Carry out additional data development and analysis activities that are of high impact or of a time sensitive nature.	75,000	75,000	75,000	75,000	75,000	75,000
SUB-TOTAL	575,000	525,000	525,000	525,000	525,000	525,000
GOAL TOTALS	5,540,000	7,275,000	7,385,000	4,460,000	4,460,000	4,460,000





Appendix B: Legal Basis for Special CMS Provisions for American Indians and Alaska Natives

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I. Introduction

There is a special relationship between the United States and Indian Tribes that creates a trust responsibility toward Indian people regarding health care. The existence of this truly unique obligation supplies the legal justification and moral foundation for health policy making specific to American Indians and Alaska Natives (AI/ANs) – with the objectives of enhancing their access to health care and overcoming the chronic health status disparities of this segment of the American population.

It is beyond question that the obligation to carry out the trust responsibility to Indians applies to all agencies of the federal government – including the Centers for Medicare & Medicaid Services (CMS) – as evidenced by Presidential Executive Orders and Special Memoranda.⁶ Furthermore, with regard to health care for AI/ANs, federal law assigns comprehensive duties to the Secretary of the Department of Health and Human Services (HHS) in order to achieve the goals and objectives established by Congress for Indian health. The trust responsibility, and laws enacted pursuant thereto, provides ample authority for the Secretary – whether acting through the Indian Health Service (IHS), CMS, or other agency of HHS – to take pro-active efforts to achieve the Indian health objectives Congress has articulated.

⁵ The initial version of this Appendix D appeared in the first Strategic Plan submitted to CMS in 2005 by the CMS Tribal Technical Advisory Group. In that submission, the author acknowledged the Northwest Portland Area Indian Health Board (NPAIHB) and its member tribes for their generous support of the author's earlier work which provided foundation for that paper. That earlier paper, titled "The Federal Trust Responsibility: Justification for Indian-Specific Health Policy," was presented at the National Roundtable on the Indian Health System and Medicaid Reform sponsored by the NPAIHB at the Urban Institute on August 31, 2005. This Appendix D has been updated to reflect significant Indian-specific health policy legislative and administrative actions that have occurred since it was originally drafted. The authors would like to thank the United South and Eastern Tribes, Inc. for its generous support in updating this Appendix D.

⁶ See, e.g., Exec. Order No. 13175, 65 Fed. Reg. 67249 (Nov. 6, 2000) *reprinted in* 2000 U.S.C.C.A.N. at B77; White House Memorandum for Heads of Executive Departments and Agencies, Nov. 5, 2009; Dep't of Health and Human Services Tribal Consultation Policy (Dec. 14, 2010); Centers for Medicare and Medicaid Services Tribal Consultation Policy (Nov. 17, 2011); *Cramer v. United States*, 261 U.S. 219 (1923).



HHS and CMS both recognize this authority in their tribal consultation policy:

Since the formation of the Union, the United States (U.S.) has recognized Indian Tribes as sovereign nations. A unique government-to-government relationship exists between Indian Tribes and the Federal Government and this relationship is grounded in the U.S. Constitution, numerous treaties, statutes, Federal case law, regulations, and executive orders that establish and define a trust relationship with Indian Tribes. This relationship is derived from the political and legal relationship that Indian Tribes have with the Federal Government and is not based upon race. This special relationship is affirmed in statutes and various Presidential Executive Orders ...⁷

While CMS often looks to the Social Security Act for authority, the historic and complex body of federal Indian law and case law applies throughout the federal government to all agencies, including CMS. The intent of this paper is to provide a brief summary of federal Indian law that is most relevant to current and future regulations and guidance regarding participation of Indians and the Indian health system in Medicare, Medicaid, Child Health Insurance Programs, and health insurance exchanges.


II. The United States has a Trust Responsibility to Indians

A. Origins of the trust responsibility to Indians

The federal trust responsibility to Indians, and the related power to exercise control over Indian affairs in aid of that responsibility, is rooted in the United States Constitution – most significantly the Indian Commerce Clause, the Treaty Clause, and the exercise of the Supremacy Clause.⁸ The Constitution contains no explicit language that defines the trust relationship. Rather, the parameters of the trust responsibility have evolved over time through judicial pronouncements, treaties, Acts of Congress, Executive Orders, regulations, and the ongoing course of dealings between the federal government and Indian tribal governments.

⁷ Dep't of Health and Human Services Tribal Consultation Policy (Dec. 14, 2010), at 1; Centers for Medicare and Medicaid Services Tribal Consultation Policy (Nov. 17, 2011), at 1.

⁸ *Morton v. Mancari*, 417 U.S. 535, 551-552 (1974) ("The plenary power of Congress to deal with the special problems of Indians is drawn both explicitly and implicitly from the Constitution itself."); *McClanahan v. Arizona State Tax Comm'n*, 411 U.S. 164, 172, n.7 (1973); see also TASK FORCE No. 9, VOL. 1, AMERICAN INDIAN POLICY REVIEW COMM'N 31 (1976) (explaining the origins of Constitutional power to regulate Indian affairs as flowing from Congress's treaty making powers, powers to regulate commerce with Indian tribes, and its authority to withhold appropriations); FELIX S. COHEN, HANDBOOK OF FEDERAL INDIAN LAW 418-423 (2005); Reid Payton Chambers, *Judicial Enforcement of the Federal Trust Responsibility to Indians*, 27 STAN. L. REV. 1213, 1215-1220 (1975).



The earliest formal dealings between the federal government and Indian Tribes were undertaken through treaty-making. From the United States' perspective, treaty objectives were essentially two-fold: cessation of hostilities to achieve and maintain public peace, and acquisition of land occupied by tribal members. Tribes doubtless had a peace-making motive as well, but in return for the vast tracts of land they relinquished to the more powerful federal government, Tribes also obtained the promise – expressed or implied – of support for the social, educational, and welfare needs of their people, including health care. These treaties/promises were the first expression of the federal government's obligation to Indian tribes.

The initial express recognition that a trust responsibility existed came from the courts. In the landmark case of *Cherokee Nation v. Georgia*, 30 U.S. 1 (1831), Chief Justice John Marshall established the legal foundation for the trust responsibility by describing Indian Tribes as “domestic dependent nations” whose relationship with the United States “resembles that of a ward to his guardian.” *Id.* At 17. That theme – and the duty of the federal sovereign to Indian Tribes – carried forward some 50 years later when, in *United States v. Kagama*, 118 U.S. 375, 384 (1886), the Supreme Court acknowledged that Tribes are under the protection and care of the United States:

From their very weakness and helplessness, so largely due to the course of dealing of the federal government with them, and the treaties in which it has been promised, there arises the duty of protection, and with it the power [of protection].⁹

Through nearly two centuries of case law, the courts have extensively examined the parameters of the trust responsibility to Indians, frequently in the context of whether the federal government has the authority to perform an action and whether there are limitations on the exercise of Congressional power over Indian affairs. While Congress has plenary authority over Indian matters through the Constitution, the “guardian-ward” relationship articulated by Chief Justice Marshall requires that federal actions be beneficial, or at least not harmful, to Indian welfare. This is not to say, however, that the United States has always acted honorably toward Indians throughout its history.¹⁰ Nonetheless, the fact that our government has failed in some instances to act in an honorable manner

⁹ See also *Board of County Commissioners of Creek County v. Seber*, 318 U.S. 705, 715 (1943) (“Of necessity the United States assumed the duty of furnishing . . . protection [to Indian tribes] and with it the authority to do all that was required to perform that obligation . . .”).

¹⁰ An example is unilateral abrogation of Indian treaties by Congress. See, e.g., *Lone Wolf v. Hitchcock*, 187 U.S. 553 (1903).

toward Indians does not and should not absolve the more powerful sovereign from its responsibility to carry out its obligations honorably.


B. “Indian” as a *political* rather than a *racial* classification: Indian-specific lawmaking and the “rationally related” standard of review

In pursuit of its authority under the Constitution and the trust responsibility, Congress has enacted Indian-specific laws on a wide variety of topics¹¹ as well as included Indian-specific provisions in general laws to address Indian participation in federal programs.¹² In the landmark case of *Morton v. Mancari*, 417 U.S. 535 (1974), the Supreme Court set out the standard of review for such laws – the “rational basis” test. In *Mancari*, the Court reviewed an assertion by non-Indians that the application of Indian preference in employment at the Bureau of Indian Affairs (as ordered in the Indian Reorganization Act¹³) was racially discriminatory under the then-recently amended civil rights law which prohibited racial discrimination in most areas of federal employment.

¹¹ See, e.g., Indian Health Care Improvement Act, 25 U.S.C. § 1601, *et seq.*; Indian Self-Determination and Education Assistance Act, 25 U.S.C. §450, *et seq.*; Indian Education Act, 20 U.S.C. §7401, *et seq.*; Tribally Controlled Schools Act, 25 U.S.C. §2501, *et seq.*; Tribally Controlled College or University Assistance Act, 25 U.S.C. §1801, *et seq.*; Native American Housing Assistance and Self-Determination Act, 25 U.S.C. §4101, *et seq.*; Indian Child Welfare Act, 25 U.S.C. §1901, *et seq.*; Indian Child Protection and Family Violence Prevention Act, 25 U.S.C. §3201, *et seq.*; Indian Employment, Training, and Related Services Demonstration Act, 25 U.S.C. §3401, *et seq.*

¹² See, e.g., 42 U.S.C. §1395qq (eligibility of IHS/tribal facilities for Medicare payments); 42 U.S.C. §1396j (eligibility of IHS/tribal facilities for Medicaid payments); 42 U.S.C. §1397bb(b)(3)(D) (assurance of CHIP services to eligible low-income Indian children); Elementary and Secondary Education Act, as amended, 20 U.S.C. §6301, *et seq.* (funding set-asides throughout this law for the benefit of children enrolled in the Bureau of Indian Affairs school system); Impact Aid Program, 20 U.S.C. §7701, *et seq.* (federal aid to public school districts for Indian children living on Indian lands); Carl D. Perkins Vocational and Applied Technology Education Act, 20 U.S.C. §§2326 and 2327 (funding set-aside for Indian vocational education programs and tribal vocational Institutions); Higher Education Act, 20 U.S.C. §1059c (funding for tribally-controlled higher education institutions); Individuals with Disabilities Education Act, 20 U.S.C. §1411(c) (funding set-aside for Bureau of Indian Affairs schools); Head Start Act, 42 U.S.C. §9801, *et seq.* (includes funding allocation for Indian tribal programs and special criteria for program eligibility); Federal Highway Act, 23 U.S.C. §101, *et seq.* (1998, 2005, 2008 and 2012 amendments include funding set-asides for Indian reservation roads programs and direct development of regulations through Negotiated Rulemaking with tribes); American Recovery and Reinvestment Act of 2009, P.L. 111-5 (Feb. 17, 2009) (§5006 making amendments to the Social Security Act to provide various protections for Indians under Medicaid and CHIP, discussed below); Patient Protection and Affordable Care Act, P.L. 111-148 (Mar. 23, 2010) (various Indian specific provisions, discussed below).

¹³ 25 U.S.C. §461, *et seq.* The Indian hiring preference appears at 25 U.S.C. §472.



While the Supreme Court's civil rights jurisprudence has generally applied strict scrutiny when reviewing classifications based on race, color, or national origin,¹⁴ in *Mancari* the Court determined that this test was not appropriate when reviewing an Indian employment preference law. Indeed, the Court declared that the practice under review was not even a "racial" preference. Rather, in view of the unique historic and political relationship between the United States and Indian Tribes, the Court characterized the preference law as *political* rather than *racial*, and said that "[a]s long as the special treatment [for Indians] can be tied rationally to the fulfillment of Congress' unique obligation toward the Indians, such legislative judgments will not be disturbed." *Id.* At 555. The Court found that hiring preferences in the federal government's Indian service were intended "to further the Government's trust obligation toward the Indian tribes," to provide greater participation in their own self-government, and "to reduce the negative effect of having non-Indians administer matters that affect Indian tribal life" in agencies, such as the BIA, which administer federal programs for Indians. *Id.* At 541-542 (emphasis added).¹⁵

Once the link between special treatment for Indians as a political class and the federal government's unique obligation to Indians is established, "ordinary rational basis scrutiny applies to Indian classifications just as it does to other non-suspect classifications under equal protection analysis." *Narragansett Indian Tribe v. National Indian Gaming Comm'n.*, 158 F.3d 1335, 1340 (D.C. Cir. 1998).

The Indian hiring preference sanctioned by the Court in *Mancari* is only one of the many activities the Court has held are rationally related to the United States' unique obligation toward Indians. The Court

¹⁴ The Supreme Court has interpreted Title VI to allow racial and ethnic classifications only if those classifications are permissible under the Equal Protection Clause. *Regents of Univ. of Cal. v. Bakke*, 438 U.S. 265, 287 (1978). In this regard, the Court has also stated that "all racial classifications, imposed by whatever federal, state, or local governmental actor, must be analyzed by a reviewing court under strict scrutiny. In other words, such classifications are constitutional only if they are narrowly tailored measures that further compelling governmental interests." *Adarand Constructors, Inc. v. Peña*, 515 U.S. 200, 227 (1995).

¹⁵ Indian Preference provisions are not limited to the BIA, and have been applied in a variety of federal programs for the benefit of Indians. Section 7 of the Indian Self Determination Act, for example, establishes a broad federal policy of providing hiring, training, and contracting preferences for Indians in contracts or grants with Indian organizations across all federal agencies. 25 U.S.C. § 450e(b). Indian preference provisions are also found in other statutes. *See, e.g.*, 42 U.S.C. § 9839(h) (establishing an Indian hiring preference at American Indian Programs Branch of Head Start Bureau); 20 U.S.C. § 3423c(c) (establishing an Indian employment preference in the Office of Indian Education in the Department of Education). *See also Preston v. Heckler*, 734 F.2d 1359 (9th Cir. 1984) (Indian Preference Act requires Secretary of HHS to adopt standards for evaluating qualifications of Indians for employment in the Indian Health Service that are separate and independent from general civil service standards).

has upheld a number of other activities singling out Indians for special or preferential treatment, *e.g.*, the right of for-profit Indian businesses to be exempt from state taxation, *Moe v. Confederated Salish & Kootenai Tribes*, 425 U.S. 463, 479-80 (1976); fishing rights, *Washington v. Washington State Commercial Passenger Fishing Vessel Ass'n*, 443 U.S. 658, 673 n.20 (1979); and the authority to apply federal law instead of state law to Indians charged with on-reservation crimes, *United States v. Antelope*, 430 U.S. 641, 645-47 (1977). The Court in *Antelope* explained its decisions in the following way:

The decisions of this Court leave no doubt that federal legislation with respect to Indian tribes, although relating to Indians as such, *is not based upon impermissible racial classifications*. Quite the contrary, classifications singling out Indian tribes as subjects of legislation are expressly provided for in the Constitution and supported by the ensuing history of the Federal Government's relations with Indians.

Antelope, 430 U.S. at 645 (emphasis added).

The courts continue to acknowledge the special political status of Indians and to uphold legislation singling out Indians on that basis. *See, e.g., Am. Fed'n of Gov't Employees, AFL-CIO v. United States*, 330 F.3d 513, 522-23 (D.C. Cir. 2003) (finding outsourcing preference for Indian-owned firms was rationally related to the legitimate legislative purpose of promoting the economic development of federally recognized Tribes and their members); *United States v. Wilgus*, 638 F.3d 1274, 1287-88 (10th Cir. 2011) (upholding exception to the Bald Eagle Protection Act for Indian tribal members to possess eagle feathers).

III. Congress's Recognition of the Federal Trust Responsibility in Health Laws

Since the early part of the 20th century, Congress has enacted a number of laws that authorize, direct, and fund the provision of health care services to Indian people.¹⁶ Here we focus on the most significant legislative enactments intended to ensure access of Indian people to federally-assisted health care programs and to enhance the viability of Indian Health Service and tribal programs that serve the Indian population.

A. The Indian Health Care Improvement Act

¹⁶ *See, e.g., Snyder Act*, 25 U.S.C. § 13; *Johnson-O'Malley Act*, 25 U.S.C. § 452; *Transfer Act*, 42 U.S.C. § 2001, *et seq.* (transferred responsibility for Indian health to Public Health Service); annual appropriations to the Indian Health Service included in the Interior and Related Agencies Appropriations Acts.

The Indian Health Care Improvement Act (IHCIA)¹⁷ was originally enacted in 1976 as Public Law 94-437. It brought statutory order and direction to the delivery of federal health services to Indian people. Its legislative history catalogued the deplorable conditions of Indian health that demanded legislative attention: inadequate and under-staffed health facilities; improper or non-existent sanitation facilities; prevalence of disease; poor health status; inadequate funding;¹⁸ low enrollment of Indians in Medicare, Medicaid, and Social Security; serious shortage of health professionals, including Indian health professionals; and the need for health care for Indian people who had moved from reservations to urban areas. The legislation addressed each of these deficiencies through focused titles: Manpower; Health Services; Health Facilities (including sanitation facilities); Access to Medicare and Medicaid; Urban Indian Health; and a feasibility study for establishing an American Indian School of Medicine.¹⁹

The IHCIA has been periodically reauthorized and amended since 1976. In 2010, the law was comprehensively amended and authorized as a permanent law of the United States.²⁰ Throughout its history, the IHCIA has contained an unequivocal recognition of the United States' responsibility to improve the health of Indian people, to provide federal health services to this population, and to foster maximum Indian participation in health care program management. The 2010 amendments reiterated and reinforced these federal commitments through the following provisions:

Congressional Findings

The Congress finds the following:

- (1) Federal health services to maintain and improve the health of the Indians are consonant with and required by the Federal Government's historical and unique legal relationship with, and resulting responsibility to, the American Indian people.
- (2) A major national goal of the United States is to provide the resources, processes, and structure that will enable Indian tribes and tribal members to obtain the quantity and quality of health care services and

¹⁷ 25 U.S.C. §1601, *et seq.* The Indian Health Care Improvement Act was amended and permanently reauthorized by Section 10221 of the Patient Protection and Affordable Care Act, P.L. 111-148 (Mar. 23, 2010).

¹⁸ The House Interior and Insular Affairs Committee noted that per capita spending on Indian health in 1976 was 25 percent less than the average American per capita amount. H.R. REP. No. 94-1026, pt. I, at 16 (1976), *reprinted in* 1976 U.S.C.C.A.N. 2652, 2655. According to the U.S. Commission on Civil Rights, IHS per capita spending for Indian medical care in 2003 was 62 percent lower than the U.S. per capita amount. U.S. Commission on Civil Rights, *Broken Promises: Evaluating the Native American Health Care System* (Sept. 2004), at 98.

¹⁹ The IHCIA was later amended to include formal establishment of the Indian Health Service as an agency of DHHS. Pub. L. No. 100-713 (1988). The IHS establishment is codified at 25 U.S.C. § 1661.

²⁰ Sec. 10221 of the Patient Protection and Affordable Care Act, P.L. 111-148 (Mar. 23, 2010).



opportunities that will eradicate the health disparities between Indians and the general population of the United States.

- (3) A major national goal of the United States is to provide the quantity and quality of health services which will permit the health status of Indians to be raised to the highest possible level and to encourage the maximum participation of Indians in the planning and management of those services.
- (4) Federal health services to Indians have resulted in a reduction in the prevalence and incidence of preventable illnesses among, and unnecessary and premature deaths of, Indians.
- (5) Despite such services, the unmet health needs of American Indian people are severe and the health status of the Indians is far below that of the general population of the United States.²¹

Declaration of National Indian Health Policy

Congress declares that it is the policy of this Nation, in fulfillment of its special trust responsibilities and legal obligations to Indians –

- (1) to ensure the highest possible health status for Indians and urban Indians and to provide all resources necessary to effect that policy;
- (2) to raise the health status of Indians and urban Indians to at least the levels set forth in the goals contained within the Healthy People 2010 initiative or successor objectives;
- (3) to ensure maximum Indian participation in the direction of health care services so as to render the persons administering such services and the services themselves more responsive to the needs and desires of Indian communities;
- (4) to increase the proportion of all degrees in the health professions and allied and associated health professions awarded to Indians so that the proportion of Indian health professions in each Service are raised to at least the level of that of the general population;
- (5) to require that all actions under this chapter shall be carried out with active and meaningful consultation with Indian tribes and tribal organizations, and conference with urban Indian organizations, to implement this chapter and the national policy of Indian self-determination;
- (6) to ensure that the United States and Indian tribes work in a government-to-government relationship to ensure quality health care for all tribal members; and
- (7) to provide funding for programs and facilities operated by Indian tribes and tribal organizations in amounts that are not less than the amounts provided to programs and facilities operated directly by the Service.²²

It is important to note that these expressions of policy, obligation, and objectives apply to the federal government as a whole. The Act reposes responsibility for their implementation in the Secretary of Health and Human Services. While the Indian Health Service has first-line responsibility for administering the Indian health system, the Secretary of HHS remains the official with ultimate responsibility to see that programs are performed as directed and the objectives established by Congress are achieved. Thus, the obligation to exercise the trust responsibility for Indian health, to implement the expressed policies, and to achieve the stated goals extend to the Centers for Medicare & Medicaid Services, as an agency of HHS.

²¹ 25 U.S.C. §1601.

²² 25 U.S.C. §1602.



B. Statutory Authority for Participation in Medicare and Medicaid

In the 1976 IHCA, Congress amended the Social Security Act to extend to Indian health facilities the authority to collect Medicare and Medicaid reimbursements. Prior to these amendments, the IHS, as a federal agency, was not permitted to claim reimbursements from Medicare and Medicaid.

- Sec. 1880²³ made IHS hospitals (including those operated by Indian Tribes²⁴) eligible to collect Medicare reimbursement.
- Sec. 1911²⁵ made IHS and tribal facilities eligible to collect reimbursements from Medicaid
- An amendment to Sec. 1905(b)²⁶ applied a 100 percent federal medical assistance percentage (FMAP) to Medicaid services provided to an Indian by an IHS or tribally-operated facility.

Sections 1880 and 1911 were intended to bring additional revenue into the Indian health system in order to address the deplorable condition of Indian health facilities, many of which were in such a poor state they were unable to achieve accreditation. The application of a 100 percent FMAP to the Medicaid-covered services provided by these facilities was made in express recognition of the federal government's treaty obligations for Indian health. The Committee of jurisdiction observed that since the United States already had an obligation to pay for health services to Indians as *IHS beneficiaries*, it was appropriate for the U.S. to pay the full cost of their care as *Medicaid beneficiaries*.²⁷ This action is consistent with the status of AI/ANs as a *political* designation.

Through amendments to Sec. 1880 made in 2000, 2003 and 2010, IHS and tribal hospitals and clinics are authorized to collect reimbursements for all Medicare Part A and Part B services. As health care

²³ 42 U.S.C. §1395qq.

²⁴ Tribes and tribal organizations are authorized to operate IHS-funded hospitals and clinics through contracts and compacts issued pursuant to the Indian Self-Determination and Education Assistance Act, 25 U.S.C. § 450, *et seq.*

²⁵ 42 U.S.C. §1396j.

²⁶ 42 U.S.C. §1396d(b).

²⁷ H.R. REP. No. 94-1026, pt. III, at 21 (1976), as reprinted in 1976 U.S.C.C.A.N. 2782, 2796.

providers, IHS and tribal health programs are authorized to collect reimbursements under Medicare Parts C and D, as well.²⁸

C. Statutory Authority for Participation in CHIP

IHS and tribal health providers are authorized to collect payments when providing services to individuals enrolled in the Children's Health Insurance Program (CHIP).²⁹ To assure that low-income Indian children who are CHIP-eligible are not overlooked, Congress, when creating the program in 1997, expressly required States to describe in their State plans the procedures they will use to assure access for these children.³⁰

D. Indian-Specific Provisions Designed to Ensure Indian Access to Medicaid, Medicare and CHIP


Since early 2009, Congress has added several significant provisions to Titles XIX and XXI of the Social Security Act that give voice to the federal government's unique responsibility to Indian people and the need to remove barriers to their participation in Medicaid and CHIP, especially when AI/ANs eligible for those programs receive services from Indian health providers. We highlight these actions below.

- *Proof of Citizenship for Medicaid Enrollment.* In the Deficit Reduction Act of 2005 (DRA), Congress directed that on and after July 1, 2006, persons who apply to enroll or renew enrollment in Medicaid must provide documentary proof of identity and U.S. citizenship, and identified the types of documents that would be acceptable proof. Indian health advocates feared – correctly, as it turns out – that many AI/ANs would not possess sanctioned documentation of their status as U.S. citizens. Recognizing the barrier this presented for Indian access to Medicaid and CHIP, in 2009 Congress amended these requirements to designate documents issued by a federally-recognized Indian Tribe evidencing an individual's membership, enrollment in, or affiliation with such Tribe as satisfactory evidence of U.S.

²⁸ In fact, Congress expressly authorized the Secretary of HHS to issue standards to assure access by pharmacies operated by the IHS, tribes and urban Indian organizations to the Medicare Part D prescription drug benefit (42 U.S.C. §1395w-104(b)(1)(C)(iv)), and required the Secretary to establish procedures (including authority to waive requirements) to assure participation by these pharmacies in the transitional assistance feature of the temporary discount drug program. 42 U.S.C. §1395w-141(g)(5)(B). Congress added language in the Affordable Care Act to allow Indian patients to qualify for the catastrophic coverage phase of the Part D program. 42 U.S.C. §1395w-102(b)(4)(C).

²⁹ 42 U.S.C. §2105(c)(6)(B); *see also* 25 U.S.C. §1647a.

³⁰ 42 U.S.C. §2103(a)(3)(D).



citizenship.³¹ Significantly, Congress gave tribal documentation “tier I” status – the same as a U.S. passport. Individuals presenting tribal affiliation documentation would not be required to present any additional identity documentation.

This legislative action recognizes not only the historic reality that Indian people were the original occupants of the North American continent, it also implements in the clearest possible way the policy of maintaining a government-to-government relationship with Indian Tribes. It also demonstrates respect for the sovereignty of Tribes both to determine tribal membership and to issue legal documents. As a practical matter, amending the law to order acceptance of tribal documentation underscores Congress’s recognition of its continued responsibility to enact Indian-specific legislation when needed to assure full access to federal programs.

- Medicaid Premium and Cost-Sharing Protections. Pursuant to an amendment to Medicaid made in 2009, States are prohibited from imposing any premium or cost-sharing on an Indian for a covered service provided by the IHS, a health program operated by an Indian Tribe, Tribal Organization or urban Indian organization, or through referral under contract health services.³²
- Disregard of Certain Indian Property from Resources for Medicaid and CHIP Eligibility. In 2009, Congress amended the Medicaid and CHIP laws to exempt from the resources calculation certain enumerated types of Indian property. Primarily, the excluded property is of a type that flows to an individual Indian by virtue of his/her membership in a Tribe.³³
- Medicaid Estate Recovery Protections. In an express endorsement of a provision in the CMS State Medicaid Manual, in 2009 Congress statutorily exempted certain Indian-related income, resources and property held by a deceased Indian from the Medicaid estate recovery

³¹ 42 U.S.C. §1396b(x)(3)(B), as added by Sec. 211 of the Children’s Health Insurance Program Reauthorization Act of 2009 (P.L. 111-3) (Feb. 4, 2009).

³² 42 U.S.C. §§1396o(j) and 1396o-1(b)(3)(vii), as added by Sec. 5006(a) of the American Recovery and Reinvestment Act of 2009 (P.L. 111-5) (Feb. 17, 2009). In recognition of the trust responsibility, Indian children have been exempt from cost-sharing in the CHIP program pursuant to regulation at 42 C.F.R. §457.535.

³³ 42 U.S.C. §§1396a(ff) and 1397gg(e)(1)(H), as added by Sec. 5006(b) of the American Recovery and Reinvestment Act of 2009 (P.L. 111-5) (Feb. 17, 2009).

requirement.³⁴ The objective of the Manual and statutory protection was to remove a disincentive to enrollment for Indian people eligible for Medicaid.


- *Special Indian-specific Rules for Medicaid Managed Care.* In 2009, Congress removed several barriers to full and fair participation of Indian people and Indian health providers in Medicaid programs operated through managed care entities. This gave an Indian Medicaid enrollee the option to select an Indian health program as his/her primary care provider, and directed that Indian health providers (IHS, tribal, and urban Indian organization programs) be paid at a rate not less than that of the managed care entity's network provider.³⁵ These changes were needed to overcome the reluctance of managed care entities to admit Indian health providers to their networks and to reimburse them for services provided to Indian Medicaid enrollees.
- *Authority for Tribal Medicaid Administrative Match.* Federal funds may not be used to meet State matching requirements, except as authorized by Federal law. In 2005, CMS issued a State Medicaid Director letter that permits Indian Tribes and Tribal Organizations to certify funds received under the Indian Self-Determination and Education Assistance Act as public expenditures to be used as the non-Federal share of expenditures to fulfill State matching requirements for administrative claiming activities under the Medicaid program. These activities include, among other things, outreach and application assistance for Medicaid enrollment and activities that ensure appropriate utilization of Medicaid services by Medicaid beneficiaries.

E. Solicitation of Input from Indian Health Programs.

In recognition of the need to assure that impacts on the unique Indian health system by proposed changes in Medicare, Medicaid, and CHIP are fully evaluated, Congress placed in the Social Security Act a requirement for prior notice to and solicitation of input from IHS, tribal health programs, and urban

³⁴ 42 U.S.C. §1396p(b)(3)(B), as added by Sec. 5006(c) of the American Recovery and Reinvestment Act of 2009 (P.L. 111-5) (Feb. 17, 2009).

³⁵ 42 U.S.C. §1396u-2(h), as added by Sec. 5006(d) of the American Recovery and Reinvestment Act (P.L. 111-5) (Feb. 17, 2009).



Indian organizations. On the federal level, this requirement is to be carried out by CMS through maintenance of the Tribal Technical Advisory Group originally chartered by the agency in 2003.³⁶

States are required to solicit advice from IHS and tribal health programs and urban Indian organizations within their borders prior to submission of any state plan amendments, waiver requests, and demonstration projects to CMS.³⁷

F. Cap on Rates Charged for Contract Health Services.

Modeling on the Medicare Provider Agreement provision that caps the amount a hospital can charge for services purchased by the Department of Veterans Affairs, in 2003 Congress enacted a similar limitation on the amount a Medicare participating hospital may charge for services purchased by Indian health programs operated by the IHS, Tribes, and Tribal Organizations, and urban Indian organizations (I/T/Us). As a condition for participation in Medicare, such hospitals must accept patients referred by I/T/Us in accordance with the admission practices, payment methodology, and payment rates set forth in Secretarial regulations, and may accept no more than the payment rates set by the Secretary.³⁸ This statutory rate cap is often referred to by the shorthand “Medicare-like rates.”

In regulations issued by IHS and CMS in 2007, the maximum amount a Medicare hospital is permitted to accept for a service purchased by an I/T/U is the applicable Medicare rate.³⁹

These statutory and regulatory actions are intended to enable I/T/Us to achieve greater economies for the services they must purchase for their Indian patients with funds appropriated for contract health services.

³⁶ 42 U.S.C. §1320b-24, as added by Sec. 5006(e)(1) of the American Recovery and Reinvestment Act (P.L. 111-5) (Feb. 17, 2009). The maintenance of the Tribal Technical Advisory Group does not substitute for government-to-government consultation with tribes.

³⁷ 42 U.S.C. §§1396a(a)(73) and 1397gg(e)(1)(C), as added by Sec. 5006(e)(2) of the American Recovery and Reinvestment Act (P.L. 111-5) (Feb. 17, 2009).

³⁸ 42 U.S.C. §1395cc(a)(1)(U), as added by the Medicare Modernization Act of 2003 (P.L. 108-173).

³⁹ 72 Fed. Reg. 30706 (June 4, 2007), adding Subpt. D to 42 C.F.R. Part 136, and adding §489.29 to 42 C.F.R. Part 489. These regulations became effective on July 5, 2007.



G. Indian-Specific Provisions Designed to Ensure Indian Access to the Health Insurance Exchanges

The Patient Protection and Affordable Care Act (ACA) was enacted by Congress in 2010 in order to reform the health insurance market and make health insurance more accessible and affordable for all Americans. It imposes a responsibility on most Americans to acquire or maintain health insurance coverage, and contains a number of provisions intended to strengthen health insurance consumer protections and enhance the health care workforce. Congress included a number of provisions designed to ensure that Indians could take advantage of the new reforms. We highlight several of these below.

- *Exemption from Penalty for Failure to Comply with the Individual Mandate.* Although Congress designed the law to make nearly all Americans responsible for acquiring or maintaining acceptable levels of health insurance coverage, Congress specifically exempted members of Indian Tribes from the tax penalty for failure to obtain acceptable coverage.⁴⁰ This provision is based on the theory that the United States is responsible for providing health care to Indians, but it has failed to supply an acceptable package of benefits through the Indian Health Service. Having failed in that responsibility, it would violate the trust responsibility to require Indians to pay for non-IHS coverage or be assessed a tax penalty for failing to do so.
- *Cost-Sharing Protections for Indians Enrolled in a Health Insurance Exchange Plan.* The Affordable Care Act prohibits assessment of any cost-sharing for any service provided by an Indian health provider to an AI/AN enrolled in an Exchange plan. Furthermore, no cost sharing may be assessed by non-Indian health providers to an AI/AN enrolled in such a plan if the individual receives services through an Indian health provider or through contract health services. Indians with income below 300 percent of the Federal Poverty Level do not have cost sharing in the private sector even if they do not have a referral from an Indian health provider. The Secretary of HHS is responsible for paying the Exchange plan the additional actuarial cost that results from these cost-sharing protections.⁴¹
- *Special enrollment periods for AI/AN.* The ACA provides special enrollment periods for AI/ANs for health insurance exchanges. This is another measure to provide access to this important source of funding for the I/T/U.

⁴⁰ 26 U.S.C. §5000A(e)(3).

⁴¹ 42 U.S.C. §18071(d).

These provisions are designed to reduce the costs for AI/ANs to access the Exchange plans and to provide incentives for them to do so, as well as to increase the likelihood that I/T/Us will receive payments from health insurance exchange plans for services they provide to AI/Ans.

IV. Executive Branch Recognition of the Federal Trust Responsibility in Administering Federal Health Programs

A. Executive Branch Administration of the Trust Responsibility

The Executive Branch is responsible for carrying out the federal trust responsibility to provide health care to Indians. The federal government's general trust duty to provide social services and its duty as a trustee to protect and manage Indian trust property are different types of duties and thus are treated differently by the courts.⁴² Courts have generally been reluctant to impose liability for the federal government's failure to provide social services under the general trust relationship.⁴³ One notable exception is the case of *Morton v. Ruiz*⁴⁴ where the Supreme Court said the Bureau of Indian Affairs erred in refusing to provide welfare benefits to unemployed Indians who lived off, but near, their reservation. The Court reiterated that the "overriding duty of our Federal Government [is] to deal fairly with Indians wherever located", and that BIA's failure to publish eligibility criteria through Administrative Procedure Act regulations was not consistent with the "distinctive obligation of trust incumbent upon the Government in its dealings" with Indians.⁴⁵


The IHCIA policy statements quoted above expressly recognize a trust responsibility to maintain and improve the health of Indians, and establish a national policy to assure the highest possible health status to Indians, as well as to provide all resources necessary to effect that policy. While currently there may be no available mechanism to enforce these policies judicially, this does not make them meaningless. They establish the goals, which the Executive Branch – particularly the Department of Health and Human Services – must strive to achieve as it implements federal law. In fact, they justify – indeed, require – the Executive Branch to be proactive and use its resources "to assure the highest possible health status for Indians and urban Indians and to provide all resources necessary to effect

⁴² *Seminole Nation v. United States*, 316 U.S. 286, 297 (1942).

⁴³ *See, e.g., Gila River Pima-Maricopa Indian Community v. U.S.*, 427 F.2d 1194 (Ct.Cl. 1970), *cert. denied*. 400 U.S. 819 (1970).

⁴⁴ 415 U.S. 199 (1974).

⁴⁵ *Id.* at 236. *See also* Chambers, note 2, *supra*, at 1245-46 (arguing that courts should apply the trust responsibility as a "fairness doctrine" in suits against the United States for breach of a duty to provide social services).



that policy.” 25 U.S.C. §1602(1). The Executive Branch has a dual duty – to carry out the policy established by Congress in federal law, and to perform the United States’ trust responsibility to Indians in accord with the Congressionally-established standard.

Indian people take the United States at its word when reading the policy statement in the IHCIA, and have a right to expect its trustee to achieve the goal of assuring them the highest possible health status. As stated by Justice Black in his lament over the U.S. breaking faith with Indians, “Great nations, like great men, should keep their word.”⁴⁶

B. CMS Administration of the Trust Responsibility

As part of DHHS, and as an agency required to implement statutory provisions intended to benefit Indian health, CMS should affirmatively advance policy objectives as set out by Congress in the IHCIA when making Indian-related decisions in the Medicare and Medicaid programs. The trust responsibility and the federal laws enacted to carry it out not only permit CMS to treat AI/ANs served by the Indian health system as unique Medicare and Medicaid consumers entitled to special treatment, they require it.


CMS shares the responsibility to carry out the policy goals established by Congress in the IHCIA. Both the HHS and CMS tribal consultation policies recognize “the unique government to government” relationship between the United States and Tribes, as well as the trust responsibility “defined and established” by “the U.S. Constitution, numerous treaties, statutes, Federal case law, regulations, and executive orders.”⁴⁷ One manifestation of this trust responsibility is CMS’s recognition that “CMS and Indian Tribes share the goals of eliminating health disparities for American Indians and Alaska Natives (AI/AN) and of ensuring that access to Medicare, Medicaid, the Children’s Health Insurance Program (CHIP), and Exchanges is maximized.”⁴⁸ Through its consultation policy, CMS has committed to consulting with Indian Tribes when developing policy that may affect Indians.

CMS has exercised its authority to administer federal health care programs and interpret the statutes within its jurisdiction in a manner that assures access by Indian people and participation by the unique Indian health delivery system. In recent decades, CMS (previously HCFA) has taken steps to carry out

⁴⁶ *Federal Power Comm’n v. Tuscarora Indian Nation*, 362 U.S. 99, 142 (1960) (Black, J., dissenting),

⁴⁷ Centers for Medicare & Medicaid Services Tribal Consultation Policy (Nov. 17, 2011), at 1; U.S. Dep’t of Health and Human Services Tribal Consultation Policy (Dec. 14, 2010), at 1.

⁴⁸ Centers for Medicare & Medicaid Services Tribal Consultation Policy (Nov. 17, 2011), at 2.



the trust responsibility to Indians in its administration of the Medicare, Medicaid, and CHIP programs. Each was a rational exercise of the agency's authority and fully justified by the United States' special obligations to Indian Tribes.

A summary of these actions follows:

- *Authority for Tribal Facilities to Bill Medicaid at the Same Rate as IHS Facilities.* In 1996, through a Memorandum of Agreement with IHS, HCFA re-interpreted the term "facility of the Indian Health Service" in Section 1911 (Medicaid) to allow a tribally-owned facility operated under an ISDEAA agreement to elect designation as a "facility of the Indian Health Service." Previously, HCFA had interpreted the term "facility of the Indian Health Service" to include only facilities actually owned or leased by IHS. The MOA enabled these tribally-owned facilities to bill Medicaid at the annually-established Medicaid billing rates for IHS facilities and applied the 100 percent FMAP to Medicaid services provided by such facilities.
- *Exemption of IHS and Tribal Clinics from the Outpatient Prospective Payment System.* In 2002, the Director of the Center for Medicare agreed to continue the exemption of IHS and tribal clinics from the Outpatient Prospective Payment System.
- *CMS has Broadly Defined the Hospital Services that are Subject to the Medicare-like Rates Cap.* In 2007, CMS issued regulations implementing Section 506 of the Medicare Modernization Act to require all Medicare-participating hospitals to accept Medicare-like rates when providing services to I/T/U beneficiaries. The final regulations broadly defined hospital and critical access hospital services subject to the rule to include inpatient, outpatient, skilled nursing facilities, and any other service or component of a hospital. 42 C.F.R. §136.30; 42 C.F.R. §489.29.
- *IHS and Tribal Facility Participation in Medicaid.* The 1996 IHS/HCFA MOA incorporated the regulatory policy that states must accept as Medicaid providers IHS facilities that meet state requirements, but these facilities are not required to obtain a state license. 42 C.F.R. §431.110. Thus, it applied this regulatory policy to tribally-owned facilities. Congress converted this policy into law for all federally-funded health programs serving AI/AN in the 2010 amendments to the Indian Health Care Improvement Act.⁴⁹

⁴⁹ 25 U.S.C. §1647a.



- *Cost-Sharing Protections for Indian Children in CHIP.* In 1999, HCFA issued guidance, followed by a proposed rule, that prohibits states from imposing any cost-sharing on AI/AN children under CHIP, citing the unique federal relationship with Indian Tribes. This rule was subsequently promulgated in final form. 42 C.F.R. §457.535. This HCFA regulation reflects the agency's interpretation of how best to carry out the statutory provision requiring states to demonstrate how they will assure CHIP access for eligible Indian children. 42 U.S.C. §1397bb(b)(3)(D). In 2000, HCFA announced that the policy prohibiting cost sharing for Indian children under CHIP would be extended to Section 1115 Medicaid demonstration projects and stated the agency would no longer approve Section 1115 projects that impose such cost-sharing. 66 Fed. Reg. 2490, 2526 (Jan. 11, 2001).
- *State-Tribal Consultation on Medicaid Programs.* In 2001, CMS issued a policy statement that requires states to consult with Tribes within their borders on Medicaid waiver proposals and waiver renewals before submitting them to CMS.⁵⁰ Congress subsequently made this consultation requirement statutory, adding State Plan Amendments and demonstration projects as requisite subjects of tribal consultation.⁵¹ CMS informed the States of this consultation requirement on several occasions and codified the 2001 policy statement.⁵² In May of 2012, CMS announced that it would not accept the waiver applications submitted by New Mexico and Kansas until they met the tribal consultation requirements.
- *CMS Tribal Technical Advisory Group.* In 2003, CMS chartered a Tribal Technical Advisory Group comprised of tribal officials and tribal employees to advise the agency on Medicare, Medicaid, and CHIP issues that impact Indian health programs. CMS's foresight was met with approval by Congress, which granted the TTAG explicit statutory status in 2009 and added representatives of the IHS and urban Indian organizations to the TTAG's membership. 42 U.S.C. §1320b-24.
- *Indian Health Addendum Required for Medicare Part D Pharmacy Contracts.* When implementing the Medicare Part D drug benefit, CMS recognized that special terms and conditions in pharmacy contracts would be needed to assure that IHS, tribal, and urban Indian

⁵⁰ Letter from Health Care Fin. Admin. To State Medicaid Directors (July 17, 2001)
<http://downloads.cms.gov/cmsgov/archived-downloads/SMDL/downloads/smd071701.pdf>.

⁵¹ 42 U.S.C. §§1396a(a)(73) and 1397gg(e)(1)(C), as added by Sec. 5006(e)(2) of the American Recovery and Reinvestment Act (P.L. 111-5) (Feb. 17, 2009).

⁵² CMS SMD #09-003 (June 17, 2009); CMS SMDL #10-001 (Jan. 22, 2010); 77 Fed. Reg. 11678 (Feb. 27, 2012).

organization pharmacies would be able to participate in the Part D program. The agency requires Part D plans to include the CMS-approved text of an Indian Health addendum in contracts offered to those pharmacies. 42 C.F.R. §423.120(a)(6). The addendum addresses several aspects of federal law and regulations applicable to those pharmacies, such as Federal Tort Claims Act coverage (obviating the need for privately-purchased professional liability insurance).⁵³

- *Approval of Indian-specific State Medicaid Plan Provision.* In April of 2012, CMS approved an Arizona Medicaid waiver request through which several optional Medicaid services can continue to be covered at IHS and tribal facilities, although they are otherwise discontinued from coverage in the State's plan. When these services are provided to Indian patients at IHS and tribal facilities, the 100 percent FMAP continues to apply. This action is a significant acknowledgement by CMS that it has the authority and the obligation to carry out its trust responsibility for Indian health.

Carrying out the trust responsibility to Indians in these and other ways coincides with and compliments CMS's stated program objectives.

V. The Unique Nature of the Indian Health System

The IHS-funded system for providing health services to AI/ANs is one-of-a kind; it is unlike any other mainstream health delivery system. In fact, the federal government created and designed the system in use today for the specific purpose of serving Indian people in the communities in which they live. Overall, the Indian health programs have a community-based approach and seek to provide culturally-appropriate services. As demonstrated in this Plan, the IHS system was created for Indian people as a political class, not as a racial group. These circumstances require unique rules and policies from CMS to enable IHS-funded programs to fully access Medicare, Medicaid, and CHIP and to achieve the agency's health disparities elimination objective.

We outline below some of the unique circumstances of this health system and of Indian Tribes that have been established or recognized by federal law and regulations:

- *Limited service population.* The IHS health care system is not open to the public. It is established to serve AI/AN beneficiaries who fall within the eligibility criteria established by the

⁵³ The text of the Addendum is included in the Medicare program's solicitation for applications for new cost plan sponsors. See, e.g., "Medicare Prescription Drug Benefit, Solicitation for Applications for New Cost Plan Sponsors, 2012 Contract Year," at 131.



IHS. See 42 C.F.R. §136.12.⁵⁴ The IHS estimates the service population served by IHS and tribally-operated programs in more than 30 states is approximately 2.1 million AI/Ans.

- *No cost assessed to patients.* IHS serves AI/AN beneficiaries without cost. For several years, Congress reinforced this policy with language in the annual IHS appropriations act that prohibited the agency to charge for services without Congressional consent.⁵⁵ IHS services at no cost to the Indian patient remains IHS policy today. Some members of Congress have described the IHS as a pre-paid health plan – pre-paid with land ceded by Tribes to the U.S. government.
- *Indian preference in employment.* Indian preference in hiring applies to the Indian Health Service. 42 C.F.R. §136.41-.43.⁵⁶ Such preference also applies to tribally-operated programs through the requirement that, to the greatest extent feasible, preference for training and employment must be given to Indians in connection with administration of any contract or grant authorized by any federal law to Indian organizations or for the benefit of Indians. 25 U.S.C. §450e(b).
- *Only Tribes have rights under ISDEAA.* Indian Tribes (and Tribal Organizations sanctioned by one/more Tribes) – and only those entities – can elect to directly operate an IHS-funded program through a contract or compact from the Indian Health Service issued pursuant to the Indian Self-Determination and Education Assistance Act (ISDEAA). 25 U.S.C. §450 *et seq.* The tribal operator receives the program funds the IHS would have used and additional funding for administrative costs. A tribal operator directly hires its staff and has the authority to re-design the program(s) it offers.
- *Federal Tort Claims Act coverage.* Pursuant to federal law, tribal health programs and their employees are covered by the Federal Tort Claims Act (FTCA). 25 U.S.C. §450f, note. For this

⁵⁴ Under certain circumstances non-Indians connected with an Indian beneficiary (such as minor children and spouses) can receive services as beneficiaries. Other non-Indians may receive services in carefully defined circumstances, but are liable for payment. See 25 U.S.C. §1680c.

⁵⁵ See, e.g., Pub. L. No. 104-134, 110 Stat. 1321-190 (April 26, 1996).

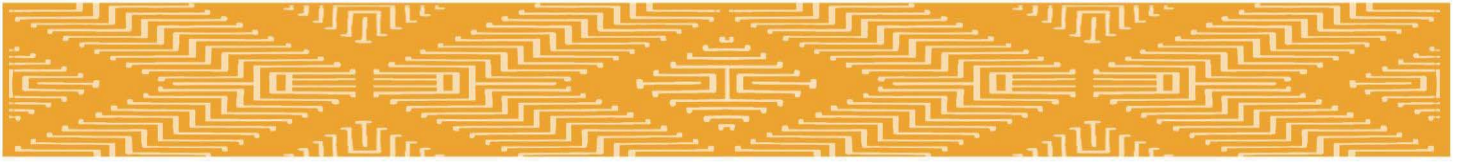
⁵⁶ See also *Preston v. Heckler*, 734 F.2d 1359 (9th Cir. 1984) (upholding the Indian Health Service's Indian employment preference).



reason, it is often unnecessary for Tribes to purchase liability insurance for the health services they operate with federal funding.

- *Use of HHS personnel.* To help staff their programs, Tribes and Tribal Organizations are authorized by law to utilize employees of HHS under Intergovernmental Personnel Act assignments and commissioned officers of HHS under Memoranda of Agreement. 25 U.S.C, §450i.
- *Creation of specific health care providers.* Federal law has created health care delivery providers found only in the Indian health care system. See Community Health Representative Program, 25 U.S.C. §1616; Community Health Aide Program (CHAP) for Alaska, 25 U.S.C. §1616/. The Alaska Medicaid Plan reimburses Indian health programs for covered services provided by CHAPs in Alaska. Through a 2010 amendment to the IHCA, the Secretary is authorized to implement a CHAP program for Tribes in the lower 48 states.
- *IHS as payer of last resort.* A longstanding IHS regulation makes IHS programs the payer of last resort for eligible Indian beneficiaries, notwithstanding any state or local law to the contrary. 42 C.F.R. §136.61. Congress has made this payer of last resort status a statutory requirement for IHS, tribal, and urban Indian organization programs.⁵⁷
- *IHS-specific Medicare and Medicaid reimbursement rates.* On an annual basis, the IHS (in consultation with CMS) establishes the rates at which Medicare outpatient and Medicaid inpatient and outpatient services provided to eligible Indians shall be reimbursed to IHS facilities. See, e.g., 77 Fed. Reg. 33470 (June 6, 2012). This is an all-inclusive encounter rate which is unique to Indian health care. Tribal clinics may instead elect to bill for services as a Federally Qualified Health Center (FQHC).
- *100 Percent Federal Medical Assistance Percentage.* The cost of Medicaid covered services provided to AI/ANs in IHS and tribal facilities are reimbursed to the States at 100 percent FMAP in recognition that the responsibility for Indian health care is a federal obligation. Sec. 1905(b) of SSA; 42 U.S.C. §1396d(b).

⁵⁷ 25 U.S.C. §1623(b), as added by Sec. 2901(b) of the Affordable Care Act (P.L. 111-148) (Mar. 23, 2010).



- *No U.S. right of recovery from Tribes.* If an Indian Tribe (or a Tribal Organization sanctioned by one/more Tribes) has a self-insured health plan for its employees, the United States is prohibited by law from recovering from that plan the cost of services provided unless the sponsoring Tribe/Tribal Organization expressly authorizes such recovery. 25 U.S.C. §1621e(f).
- *Indian Tribes are governments.* Upon achieving federal recognition, an Indian Tribe is acknowledged to be and is treated as a *government* by the United States. The U.S. deals with Indian Tribes on a government-to-government basis that is recognized in Executive Orders and consultation policies adopted by federal agencies.⁵⁸ Indian Tribes determine their own governmental structure. They are not required to follow the U.S. model of separate legislative, executive, and judicial branches.
- *State law does not apply.* By virtue of the Supremacy Clause, state laws generally do not apply to the IHS system.⁵⁹ The Supreme Court has recognized that Indian tribal governments are not subject to state laws, including tax laws, unless those laws are made expressly applicable by federal law. *See, e.g., McClanahan v. Arizona State Tax Comm'n*, 411 U.S. 1641 (1973). Indian tribal governments are not political subdivisions of states. Tribal facilities and their employees may not be required to have state licensure to perform their duties.
- *Federal trust responsibility.* The United States has a trust responsibility to Indian Tribes (described above).
- *Tribal sovereign immunity.* Indian tribal governments enjoy sovereign immunity except vis-à-vis the United States government, the superior sovereign. *See, e.g., United States v. United States Fidelity & Guaranty Co.*, 309 U.S. 506 (1940).

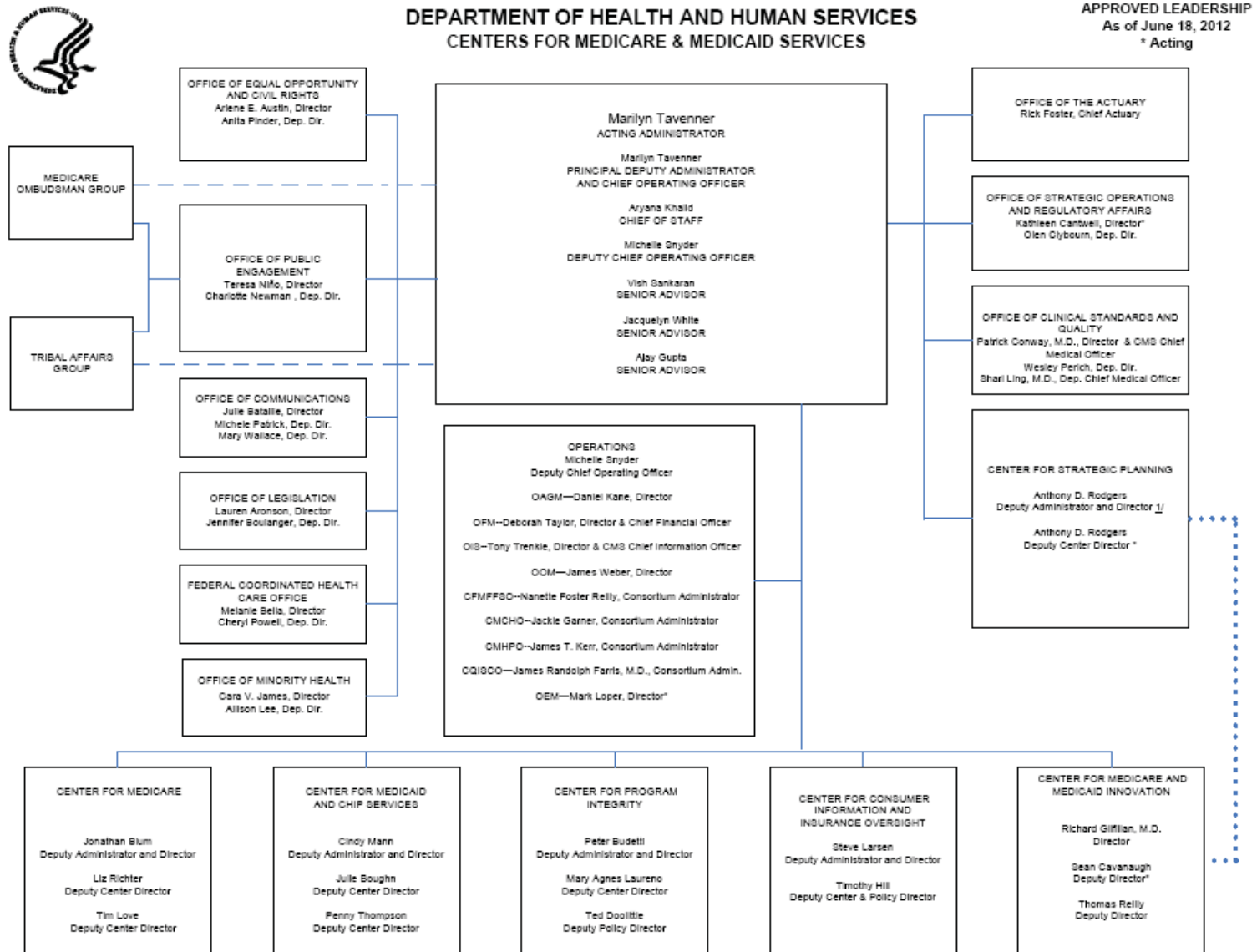
⁵⁸ *See, e.g.*, Exec. Order No. 13175, "Consultation and Coordination with Indian Tribal Governments (Nov. 9, 2000) (issued by President Clinton and subsequently endorsed by Presidents George W. Bush and Barack Obama); White House Memorandum for Heads of Executive Departments and Agencies, Nov. 5, 2009 (President Obama endorsement); Dep't of Health and Human Services Tribal Consultation Policy (Dec. 14, 2010); Centers for Medicare and Medicaid Services Tribal Consultation Policy (Nov. 17, 2011).

⁵⁹ For example, Section 408 of the IHCA provides that an entity operated by IHS, an Indian tribe, tribal organization or urban Indian organization that meets state requirements for licensure must be accepted as a provider but is not required to obtain a state license. 25 U.S.C. §1647a.



In sum, an Indian Tribe that has elected to directly operate its health care program can simultaneously serve in several capacities: as a sovereign government; as beneficiary of IHS-funded health care; as a direct provider of health care (including the right of recovery from third party payers); as administrator of a health program with responsibilities for advising its patients about eligibility for Medicare, Medicaid, and CHIP; and as a sponsor of a health insurance plan for its employees (and the payor under such a plan if it is a self-insured plan). CMS must take these multiple roles into account and fashion special policies to effectively implement Medicare, Medicaid, and CHIP in Indian communities in ways that assure full access by Indian beneficiaries and IHS/tribal providers.

APPENDIX C: CMS ORGANIZATION CHART



^{1/} Deputy Administrator and Director oversees the State Innovations Group

Appendix D: Common Terms & Acronyms

Agencies referenced are in CMS unless otherwise indicated*

ACA	Patient Protection and Affordable Care Act (P.L. 111-148)	I/T/U	Health care services operated by the IHS, Tribes and urban Indian clinics
AI/AN	American Indians and Alaska Natives	IHCIA	Indian Health Care Improvement Act (P.L. 94-437)
ACL	Administration for Community Living (in HHS)	IHS	Indian Health Service (federal agency in DHHS)
ARRA	American Recovery and Reinvestment Act of 2009 (P.L. 111-5)	LTSS	Long Term Services and Support
CCIIO	Center for Consumer Information and Insurance Oversight	MA	Medicare Advantage (managed care plan)
CHS	Contract Health Services, (IHS program to purchase services)	MAM	Medicaid Administrative Match
CHIP	Child Health Insurance Program	MOA	Memorandum of Agreement
CHIPRA	Children's Health Insurance Program Reauthorization Act of 2009 (P.L. 111-3)	NAC	Native American Contact in CMS Regional Offices
CMCS	Center for Medicaid and CHIP Service	NIHB	National Indian Health Board
CMM	Center for Medicare Management	OGC	Office of General Counsel
CMMI	Center for Medicare and Medicaid Innovation	Part A	Medicare inpatient coverage
CMS	Centers for Medicare & Medicaid Services	Part B	Medicare outpatient coverage
CMSO	Center for Medicaid and State Operations	Part C	Medicare managed care plans, also called Medicare Advantage
DHHS	Department of Health and Human Services	Part D	Medicare prescription drug benefit
FFE	Federally-facilitated Exchange	TAG	Tribal Affairs Group
FMAP	Federal Medical Assistance Percentage (for Medicaid)	TTAG	Tribal Technical Advisory Group
FQHC	Federally Qualified Health Centers	Title XVIII	Medicare, Social Security Act
HHS	Department of Health and Human Services*	Title XIX	Medicaid, Social Security Act
		Title XXI	Children's Health Insurance Program , Social Security Act



Acknowledgements

This *American Indian and Alaska Native Strategic Plan, 2013-2018* was developed by the CMS Tribal Technical Advisory Group (TTAG) with assistance from the Northwest Portland Area Indian Health Board (NPAIHB). Funding for this project was provided by CMS through an Interagency Agreement with the Indian Health Service and a subcontract from the National Indian Health Board (NIHB).

This plan was developed over a period of six months, beginning in June 2012. The TTAG Strategic Plan Subcommittee met in-person and by conference call to develop new goals, objectives, and tasks. TTAG's subcommittees for Tribal Consultation, Long Term Care, Data, and Outreach & Education provided essential input related to their visions for future activities and outcomes. TTAG approved the plan for nationwide tribal comment and review in September 2012. The TTAG approved this final version of the plan at their face-to-face meeting in Washington, DC, on November 14, 2012.

This is the third AI/AN Strategic Plan developed by TTAG. Each plan has built on the work of the preceding plan, although much of the background information in previous plans has been dropped from this version to make it shorter. The first plan, for the period 2005-2010, was developed under the TTAG Strategic Plan Chairmanship of Margaret Terrance, Nashville Area Representative to TTAG, and was staffed by Mim Dixon, consultant. The second plan, for the period from 2010- 2015, was developed under the TTAG Strategic Plan Subcommittee, chaired by the Honorable W. Ron Allen, Chair of the Jamestown S'Klallam Tribe, and Tribal Self-Governance Advisory Committee representative to the TTAG. The staff for the second plan included Craig Carter, Stephanie Craig Rushing and Jim Roberts from NPAIHB, as well as Kitty Marx and Caitlin Wesaw who were then at NIHB.

TTAG would like to thank the many people in CMS who participated in interviews and provided their insights for the development of this plan. While we are keeping their names and comments confidential, we hope they will see the wisdom they shared reflected on these pages. Mim Dixon and Jim Roberts staffed this plan, with assistance from Lisa Griggs (NPAIHB), Tyra Baer (NIHB), and Liz Heintzman (NIHB).

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 09 / 13 / 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 approved travel request - Chairman Tehassi Hill - Democratic National Committee (DNC) Native American Roundtable - Washington D.C. - September 12-13, 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: Tehassi Hill, Tribal Chairman
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, August 23, 2017, at 1:13 p.m., the following E-Poll was conducted:

Summary:

Chairman Hill has been invited to Washington D.C., Sept. 13, 2017, to attend a Native American Roundtable. This will be the first tribal meeting that Chairman Perez and the new DNC leadership will be hosting as part of our broader effort to make sure that tribes have at seat at the table and the opportunity to be key partners in the rebuilding of the Democratic Party. Vice-Chairman Stevens is aware of this travel date and will be chairing the OBC meeting scheduled for that day.

Justification for E-Poll: To secure the lowest airfare possible. The next regular scheduled OBC meeting does not occur until September 13th, the date of the travel request.

Requested Action:

Approve travel request – Chairman Tehassi Hill – Democratic National Committee (DNC) Native American Roundtable – Washington D.C. – September 12-13, 2017.

Deadline for response:

Responses are due no later than 1:10 a.m., Thursday, August 24, 2017.

As of the deadline, below are the results:

Support: David Jordan, Daniel Guzman King, Patricia King, Kirby Metoxen, Brandon Stevens, Lisa Summers, 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 - Chairman Tehassi Hill - Democratic National Committee (DNC) Native American Roundtable - Washington D.C. - September 12-13, 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: Wednesday, August 30, 2017 9:45 AM
To: TribalSecretary; Brandon L. Yellowbird-Stevens; Daniel P. Guzman; David P. Jordan; Jennifer A. Webster; Kirby W. Metoxen; Lisa M. Summers; Patricia M. King; Ronald W. Hill
Cc: Debbie J. Melchert; Brian A. Doxtator; Cathy L. Bachhuber; Danelle A. Wilson; Jessica L. Wallenfang; Leyne C. Orosco; Lisa A. Liggins; Melinda J. Danforth; Rhiannon R. Metoxen; Rosa J. Laster; BC_Agenda_Requests
Subject: E-POLL RESULTS: Approve travel request - TH - DNC NA Roundtable - DC - 9/12-13/17
Attachments: DNC epoll request.pdf; RE: E-POLL REQUEST: Approve travel request - TH - DNC NA Roundtable - DC - 9/12-13/17; Re: E-POLL REQUEST: Approve travel request - TH - DNC NA Roundtable - DC - 9/12-13/17
Categories: For Next Mtg

E-POLL RESULTS

The E-Poll request to approve the travel request for Chairman Tehassi Hill to attend the Democratic National Committee (DNC) Native American Roundtable in Washington D.C. from September 12-13, 2017, **has been approved**. As of the deadline, below are the results:

Support: David Jordan, Daniel Guzman King, Patricia King, Kirby Metoxen, Brandon Stevens, Lisa Summers, 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.

Heather Heuer

Information Management Specialist
Business Committee Support Office (BCSO)



office 920.869.4421
cell 920.471.5002
fax 920.869.4040

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From: TribalSecretary
Sent: Wednesday, August 23, 2017 1:13 PM
To: TribalSecretary; Brandon L. Yellowbird-Stevens; Daniel P. Guzman; David P. Jordan; Jennifer A. Webster; Kirby W. Metoxen; Lisa M. Summers; Patricia M. King; Ronald W. Hill
Cc: Debbie J. Melchert; Brian A. Doxtator; Cathy L. Bachhuber; Danelle A. Wilson; Jessica L. Wallenfang; Leyne C. Orosco; Lisa A. Liggins; Melinda J. Danforth; Rhiannon R. Metoxen; Rosa J. Laster

Subject: E-POLL REQUEST: Approve travel request - TH - DNC NA Roundtable - DC - 9/12-13/17

Importance: High

E-POLL REQUEST

Summary:

Chairman Hill has been invited to Washington D.C., Sept. 13, 2017, to attend a Native American Roundtable. This will be the first tribal meeting that Chairman Perez and the new DNC leadership will be hosting as part of our broader effort to make sure that tribes have at seat at the table and the opportunity to be key partners in the rebuilding of the Democratic Party. Vice-Chairman Stevens is aware of this travel date and will be chairing the OBC meeting scheduled for that day.

Justification for E-Poll: To secure the lowest airfare possible. The next regular scheduled OBC meeting does not occur until September 13th, the date of the travel request.

Requested Action:

Approve travel request – Chairman Tehassi Hill – Democratic National Committee (DNC) Native American Roundtable – Washington D.C. – September 12-13, 2017.

Deadline for response:

Responses are due no later than **1:10 a.m., Thursday, August 24, 2017.**

Voting:

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

Heather Heuer

Information Management Specialist
Business Committee Support Office (BCSO)



office 920.869.4421

cell 920.471.5002

fax 920.869.4040

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From: Lisa M. Summers
Sent: Wednesday, August 23, 2017 1:52 PM
To: TribalSecretary; Brandon L. Yellowbird-Stevens; Daniel P. Guzman; David P. Jordan; Jennifer A. Webster; Kirby W. Metoxen; Patricia M. King; Ronald W. Hill
Cc: Debbie J. Melchert; Brian A. Doxtator; Cathy L. Bachhuber; Danelle A. Wilson; Jessica L. Wallenfang; Leyne C. Orosco; Lisa A. Liggins; Melinda J. Danforth; Rhiannon R. Metoxen; Rosa J. Laster
Subject: Re: E-POLL REQUEST: Approve travel request - TH - DNC NA Roundtable - DC - 9/12-13/17

Support due to airline costs fluctuating.

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: TribalSecretary <TribalSecretary@oneidanation.org>
Date: 8/23/17 1:12 PM (GMT-06:00)
To: TribalSecretary <TribalSecretary@oneidanation.org>, "Brandon L. Yellowbird-Stevens" <bstevens@oneidanation.org>, "Daniel P. Guzman" <dguzman@oneidanation.org>, "David P. Jordan" <djordan1@oneidanation.org>, "Jennifer A. Webster" <JWEBSTE1@oneidanation.org>, "Kirby W. Metoxen" <KMETOX@oneidanation.org>, "Lisa M. Summers" <lsummer2@oneidanation.org>, "Patricia M. King" <tking@oneidanation.org>, "Ronald W. Hill" <rhill7@oneidanation.org>
Cc: "Debbie J. Melchert" <DMELCHER@oneidanation.org>, "Brian A. Doxtator" <bdoxtat2@oneidanation.org>, "Cathy L. Bachhuber" <cbachhub@oneidanation.org>, "Danelle A. Wilson" <dwilson1@oneidanation.org>, "Jessica L. Wallenfang" <JWALLENF@oneidanation.org>, "Leyne C. Orosco" <lorosco@oneidanation.org>, "Lisa A. Liggins" <lliggins@oneidanation.org>, "Melinda J. Danforth" <mdanforj@oneidanation.org>, "Rhiannon R. Metoxen" <rmetoxe2@oneidanation.org>, "Rosa J. Laster" <rlaster@oneidanation.org>
Subject: E-POLL REQUEST: Approve travel request - TH - DNC NA Roundtable - DC - 9/12-13/17

E-POLL REQUEST

Summary:

Chairman Hill has been invited to Washington D.C., Sept. 13, 2017, to attend a Native American Roundtable. This will be the first tribal meeting that Chairman Perez and the new DNC leadership will be hosting as part of our broader effort to make sure that tribes have at seat at the table and the opportunity to be key partners in the rebuilding of the Democratic Party. Vice-Chairman Stevens is aware of this travel date and will be chairing the OBC meeting scheduled for that day.

Justification for E-Poll: To secure the lowest airfare possible. The next regular scheduled OBC meeting does not occur until September 13th, the date of the travel request.

Requested Action:

From: David P. Jordan
Sent: Wednesday, August 23, 2017 1:29 PM
To: TribalSecretary; Brandon L. Yellowbird-Stevens; Daniel P. Guzman; Jennifer A. Webster; Kirby W. Metoxen; Lisa M. Summers; Patricia M. King; Ronald W. Hill
Cc: Debbie J. Melchert; Brian A. Doxtator; Cathy L. Bachhuber; Danelle A. Wilson; Jessica L. Wallenfang; Leyne C. Orosco; Lisa A. Liggins; Melinda J. Danforth; Rhiannon R. Metoxen; Rosa J. Laster
Subject: RE: E-POLL REQUEST: Approve travel request - TH - DNC NA Roundtable - DC - 9/12-13/17

Support

But make sure we have a quorum I am out that whole week out of state on vacation.

Sent from my U.S. Cellular® Smartphone

----- Original message -----

From: TribalSecretary <TribalSecretary@oneidanation.org>
Date: 8/23/17 1:12 PM (GMT-06:00)
To: TribalSecretary <TribalSecretary@oneidanation.org>, "Brandon L. Yellowbird-Stevens" <bstevens@oneidanation.org>, "Daniel P. Guzman" <dguzman@oneidanation.org>, "David P. Jordan" <djordan1@oneidanation.org>, "Jennifer A. Webster" <JWEBSTE1@oneidanation.org>, "Kirby W. Metoxen" <KMETOX@oneidanation.org>, "Lisa M. Summers" <lsummer2@oneidanation.org>, "Patricia M. King" <tking@oneidanation.org>, "Ronald W. Hill" <rhill7@oneidanation.org>
Cc: "Debbie J. Melchert" <DMELCHER@oneidanation.org>, "Brian A. Doxtator" <bdoxtat2@oneidanation.org>, "Cathy L. Bachhuber" <cbachhub@oneidanation.org>, "Danelle A. Wilson" <dwilson1@oneidanation.org>, "Jessica L. Wallenfang" <JWALLENF@oneidanation.org>, "Leyne C. Orosco" <lorosco@oneidanation.org>, "Lisa A. Liggins" <liggins@oneidanation.org>, "Melinda J. Danforth" <mdanforj@oneidanation.org>, "Rhiannon R. Metoxen" <rmetoxe2@oneidanation.org>, "Rosa J. Laster" <rlaster@oneidanation.org>
Subject: E-POLL REQUEST: Approve travel request - TH - DNC NA Roundtable - DC - 9/12-13/17

E-POLL REQUEST

Summary:

Chairman Hill has been invited to Washington D.C., Sept. 13, 2017, to attend a Native American Roundtable. This will be the first tribal meeting that Chairman Perez and the new DNC leadership will be hosting as part of our broader effort to make sure that tribes have at seat at the table and the opportunity to be key partners in the rebuilding of the Democratic Party. Vice-Chairman Stevens is aware of this travel date and will be chairing the OBC meeting scheduled for that day.

Oneida Business Committee Travel Request

1. OBC Meeting Date Requested: 09 / 13 / 17 e-poll requested

2. General Information:

Event Name: Democratic National Committee Native American Roundtable

Event Location: Washington, DC Attendee(s): Tehassi Hill

Departure Date: Sep 12, 2017 Attendee(s):

Return Date: Sep 13, 2017 Attendee(s):

3. Budget Information:

- Funds available in individual travel budget(s)
 Unbudgeted
 Grant Funded or Reimbursed

Cost Estimate: _____

4. Justification:

Describe the justification of this Travel Request:

Chairman Hill has been invited to Washington DC, Sept. 13, 2017 to attend a Native American Roundtable. This will be the first tribal meeting that Chairman Perez and the new DNC leadership will be hosting as part of our broader effort to make sure that tribes have at seat at the table and the opportunity to be key partners in the rebuilding of the Democratic Party. Vice-Chairman Stevens is aware of this travel date and will be chairing the OBC meeting scheduled for that day.

Justification for E-Poll: To secure the lowest airfare possible. The next regular scheduled OBC meeting does not occur until September 13th, the date of the travel request.

5. Submission

Sponsor: Tehassi Hill, Chairman

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



The Democratic National Committee

cordially invites you to a

Native American Roundtable

with special guests

TOM PEREZ

Chair, Democratic National Committee

KEITH ELLISON

Deputy Chair, Democratic National Committee
US Representative (MN-05)

GRACE MENG

Vice-Chair, Democratic National Committee
US Representative (NY-06)

and

JESS O'CONNELL

CEO, Democratic National Committee

Wednesday, September 13th | 9:30 – 11:00 A.M. ET
DNC Headquarters, Wasserman Room
430 South Capitol Street SE 20003

Click Here to RSVP:

<http://my.democrats.org/page/s/dnc-native-american-roundtable>

For questions, please contact PaaWee Rivera at RiveraP@dnc.org.

This invitation is non-transferable and closed to the Press.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 09 / 13 / 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 approved travel request - Councilwoman Jennifer Webster and Councilman Daniel Guzman King - Centers for Medicare & Medicaid Services (CMS) meeting - Washington D.C. - September 12-14, 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: Requestor: Jennifer Webster, Councilwoman
Your Name, Title / Dept. or Tribal Member

Additional Requestor: Requestor: Daniel Guzman King, Councilman
Name, Title / Dept.

Additional Requestor: Submitted by: Heather Heuer, Info. Mgmt. Spec./BC Support Office
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

BACKGROUND

On Tuesday, September 5, 2017, at 10:29 a.m., the following E-Poll was conducted:

Summary:

The purpose of this E-poll is for the Oneida Business Committee to approve two (2) OBC members, Jennifer Webster and Daniel Guzman-King, to travel to Washington, D.C. from September 12- 14, 2017, to meet with the Centers for Medicare & Medicaid Services (CMS). This travel needs to be approved by e-poll because the travel dates are prior to the soonest OBC Regular Meeting for approval.

It is important that Oneida leadership and experts travel to meet with CMS regarding the tribal waivers to ensure our citizens and clients receive the best health care options possible.

Requested Action:

Approve travel request – Councilwoman Jennifer Webster and Councilman Daniel Guzman King – Centers for Medicare & Medicaid Services (CMS) meeting – Washington D.C. – September 12-14, 2017

Deadline for response:

Responses are due no later than 10:25 p.m., TONIGHT, September 5, 2017.

As of the deadline, below are the results:

Support: Daniel Guzman King, David Jordan, Kirby Metoxen, Ernest Stevens III, Lisa Summers

REQUESTED ACTION

Enter E-Poll results into the record for approved travel request - Councilwoman Jennifer Webster and Councilman Daniel Guzman King - Centers for Medicare & Medicaid Services (CMS) meeting - Washington D.C. - September 12-14, 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: 09 / 13 / 17 e-poll requested

2. General Information:

Event Name: Travel Request to meet with Centers for Medicare & Medicaid Services (CMS)

Event Location: Washington, DC 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: \$1,200 per person

4. Justification:

Describe the justification of this Travel Request:

It is important that Oneida leadership and experts travel to meet with CMS regarding the tribal waivers to ensure our citizens and clients received the best health care options possible.

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

Oneida Business Committee
Jennifer Webster



To: Oneida Business Committee
From: Jennifer Webster
Date: September 1, 2017
Re: E-poll Request: Two (2) OBC to Travel to Washington, DC on 9/13/17

Summary

The purpose of this e-poll is for the Oneida Business Committee to approve two (2) OBC members, Jennifer Webster and Daniel Guzman-King, to travel to Washington, DC from September 12 – 14, 2017 to meet with the Centers for Medicare & Medicaid Services (CMS). This travel needs to be approved by e-poll because the travel dates are prior to the soonest OBC Regular Meeting for approval.

It is important that Oneida leadership and experts travel to meet with CMS regarding the tribal waivers to ensure our citizens and clients received the best health care options possible.

Requested Action

Approve Jennifer Webster and Daniel Guzman-King, to travel to Washington, DC between September 12 – 14, 2017 to meet with the Centers for Medicare & Medicaid Services (CMS).

Deadline for Response

Wednesday, September 6, 2017

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 09 / 13 / 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 - Treasurer Trish King - 2017 Native American Finance Offers Association (NAFOA) Fall Finance & Tribal Economies conference - Tulsa, OK - October 1-4, 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
Your Name, Title / Dept. or Tribal Member

Additional Requestor: Submitted by: Heather Heuer, Info. Mgmt. Spec./BC Support Office
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

BACKGROUND

On Monday, August 14, 2017, at 11:04 a.m., the following E-Poll was conducted:

Summary:

The fall Native American Finance Officers Association (NAFOA) conference is an opportunity to meet with tribal leaders, federal agencies, and accounting professionals to discuss important issues facing Indian Country. The two-day conference offers a number of educational sessions and two general sessions made up of industry-leading expert panelists.

Justification for E-Poll: To secure the lowest airfare costs possible. The next regular OBC meeting isn't until September 13th and it is anticipated prices will significantly increase by that time.

Requested Action:

Approve travel request – Treasurer Trish King – 2017 NAFOA Fall Finance & Tribal Economies conference – Tulsa, OK – October 1-4, 2017.

Deadline for response:

Responses are due no later than 11:00 p.m. TONIGHT, August 14, 2017.

As of the deadline, below are the results:

Support: David Jordan, Trish King, Kirby Metoxen, Ernie Stevens III, Lisa Summers, 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 the approved travel request - Treasurer Trish King - 2017 Native American Finance Officers Association (NAFOA) Fall Finance & Tribal Economies conference - Tulsa, OK - October 1-4, 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: Tuesday, August 15, 2017 10:42 AM
To: TribalSecretary; Ernest L. Stevens; Brandon L. Yellowbird-Stevens; David P. Jordan; Jennifer A. Webster; Kirby W. Metoxen; Lisa M. Summers; 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; Melinda J. Danforth; Rhiannon R. Metoxen; Rosa J. Laster; Debbie J. Melchert; BC_Agenda_Requests
Subject: E-POLL RESULTS: Approve travel request – TK – NAFOA Fall conference – Tulsa, OK – October 1-4, 2017
Attachments: E-Poll request - TK - NAFOA - Tulsa - Oct 1-4.pdf; Re: E-POLL REQUEST: Approve travel request – TK – NAFOA Fall conference – Tulsa, OK – October 1-4, 2017; RE: E-POLL REQUEST: Approve travel request – TK – NAFOA Fall conference – Tulsa, OK – October 1-4, 2017
Categories: For Next Mtg

E-POLL RESULTS

The E-Poll request to approve the travel request for Treasurer Trish King to attend the 2017 NAFOA Fall Finance & Tribal Economies conference in Tulsa, OK from October 1-4, 2017, **has been approved**. As of the deadline, below are the results:

Support: David Jordan, Trish King, Kirby Metoxen, Ernie Stevens III, Lisa Summers, 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.

Heather Heuer

Information Management Specialist
Business Committee Support Office (BCSO)



office 920.869.4421
cell 920.471.5002
fax 920.869.4040

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From: TribalSecretary
Sent: Monday, August 14, 2017 11:04 AM
To: Ernest L. Stevens; TribalSecretary; Brandon L. Yellowbird-Stevens; David P. Jordan; Jennifer A. Webster; Kirby W. Metoxen; Lisa M. Summers; 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;

Melinda J. Danforth; Rhiannon R. Metoxen; Rosa J. Laster; Debbie J. Melchert

Subject: E-POLL REQUEST: Approve travel request – TK – NAFOA Fall conference – Tulsa, OK – October 1-4, 2017

Importance: High

E-POLL REQUEST

Summary:

The fall Native American Finance Officers Association (NAFOA) conference is an opportunity to meet with tribal leaders, federal agencies, and accounting professionals to discuss important issues facing Indian Country. The two-day conference offers a number of educational sessions and two general sessions made up of industry-leading expert panelists.

Justification for E-Poll: To secure the lowest airfare costs possible. The next regular OBC meeting isn't until September 13th and it is anticipated prices will significantly increase by that time.

Requested Action:

Approve travel request – Treasurer Trish King – 2017 NAFOA Fall Finance & Tribal Economies conference – Tulsa, OK – October 1-4, 2017.

Deadline for response:

Responses are due no later than **11:00 p.m. TONIGHT, August 14, 2017.**

Voting:

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

Heather Heuer

Information Management Specialist

Business Committee Support Office (BCSO)



office 920.869.4421

cell 920.471.5002

fax 920.869.4040

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From: Lisa M. Summers
Sent: Monday, August 14, 2017 12:23 PM
To: TribalSecretary; Ernest L. Stevens; Brandon L. Yellowbird-Stevens; David P. Jordan; Jennifer A. Webster; Kirby W. Metoxen; 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; Melinda J. Danforth; Rhiannon R. Metoxen; Rosa J. Laster; Debbie J. Melchert
Subject: Re: E-POLL REQUEST: Approve travel request – TK – NAFOA Fall conference – Tulsa, OK – October 1-4, 2017

Support due to securing cheapest airline costs.

----- Original Message -----

Subject: E-POLL REQUEST: Approve travel request – TK – NAFOA Fall conference – Tulsa, OK – October 1-4, 2017

From: TribalSecretary <TribalSecretary@oneidanation.org>

Date: Aug 14, 2017, 11:03 AM

To: "Ernest L. Stevens" <esteven4@oneidanation.org>, TribalSecretary <TribalSecretary@oneidanation.org>, "Brandon L. Yellowbird-Stevens" <bstevens@oneidanation.org>, "David P. Jordan" <djordan1@oneidanation.org>, "Jennifer A. Webster" <JWEBSTE1@oneidanation.org>, "Kirby W. Metoxen" <KMETOX@oneidanation.org>, "Lisa M. Summers" <lsummer2@oneidanation.org>, "Patricia M. King" <tking@oneidanation.org>, "Ronald W. Hill" <rhill7@oneidanation.org>

E-POLL REQUEST

Summary:

The fall Native American Finance Officers Association (NAFOA) conference is an opportunity to meet with tribal leaders, federal agencies, and accounting professionals to discuss important issues facing Indian Country. The two-day conference offers a number of educational sessions and two general sessions made up of industry-leading expert panelists.

Justification for E-Poll: To secure the lowest airfare costs possible. The next regular OBC meeting isn't until September 13th and it is anticipated prices will significantly increase by that time.

Requested Action:

Approve travel request – Treasurer Trish King – 2017 NAFOA Fall Finance & Tribal Economies conference – Tulsa, OK – October 1-4, 2017.

Deadline for response:

Responses are due no later than **11:00 p.m. TONIGHT, August 14, 2017.**

Voting:

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

From: Melinda J. Danforth
Sent: Monday, August 14, 2017 2:59 PM
To: TribalSecretary; Ernest L. Stevens; Brandon L. Yellowbird-Stevens; David P. Jordan; Jennifer A. Webster; Kirby W. Metoxen; Lisa M. Summers; 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; Rhiannon R. Metoxen; Rosa J. Laster; Debbie J. Melchert
Subject: RE: E-POLL REQUEST: Approve travel request – TK – NAFOA Fall conference – Tulsa, OK – October 1-4, 2017

For the record, Daniel does not currently have an email with which he can vote from. He will have access some time tomorrow.

Melinda J. Danforth, Executive Assistant

To Councilman Daniel Guzman-King

Oneida Nation
P.O. Box 365
Oneida, WI 54155

Work Phone: (920) 869-4461
Cell Phone: (920) 562-0290
Fax: (920) 869-4040



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

From: Melinda J. Danforth
Sent: Monday, August 14, 2017 2:46 PM
To: TribalSecretary; Ernest L. Stevens; Brandon L. Yellowbird-Stevens; David P. Jordan; Jennifer A. Webster; Kirby W. Metoxen; Lisa M. Summers; 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; Rhiannon R. Metoxen; Rosa J. Laster; Debbie J. Melchert
Subject: RE: E-POLL REQUEST: Approve travel request – TK – NAFOA Fall conference – Tulsa, OK – October 1-4, 2017

Daniel supports.

Melinda J. Danforth, Executive Assistant

To Councilman Daniel Guzman-King

Oneida Nation
P.O. Box 365
Oneida, WI 54155

Work Phone: (920) 869-4461

Oneida Business Committee Travel Request

1. OBC Meeting Date Requested: 08 / 14 / 17 e-poll requested

2. General Information:

Event Name: N.A.F.O.A. 2017 Fall Finance & Tribal Economies Conference

Event Location: Tulsa, Oklahoma Attendee(s): Trish King

Departure Date: Oct 1, 2017 Attendee(s):

Return Date: Oct 4, 2017 Attendee(s):

3. Budget Information:

- Funds available in individual travel budget(s)
 Unbudgeted
 Grant Funded or Reimbursed

Cost Estimate: \$1,300

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:

The fall conference is an opportunity to meet with tribal leaders, federal agencies, and accounting professionals to discuss important issues facing Indian Country. The two-day conference offers a number of educational sessions and two general sessions made up of industry-leading expert panelists.

***Justification for E-Poll: To secure the lowest airfare costs possible. The next regular OBC meeting isn't until September 13th and it is anticipated prices will significantly increase by that time.

5. Submission

Sponsor: Trish King, Tribal Treasurer

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

Member Tribe Registration Form

2017 Fall Finance & Tribal Economies Conference



Indian Country's Leading Economic & Financial Gathering

October 2-3, 2017

Registrant Information:

Name:

Member Tribe/Tribal Business Subsidiary:

Title:

Email:

Address:

Phone Number:

Emergency Contact Name and Phone Number:

Registration Information:

As a benefit of being a Member Tribe of NAFOA, your tribe receives a complimentary registration, after the first paid registration to the conference. The registration includes admittance to all education sessions, social functions, breakfasts, and lunches. You can check Member Tribe status here <https://nafoa.org/tribes>.

- Member Tribe or ANC – 1st, 3rd, and subsequent registrations** **\$400.00**
Councilmember or Employee of a Tribe or Tribal Enterprise
- Member Tribe or ANC – 2nd registration** **\$ 0.00**
Councilmember or Employee of a Tribe or Tribal Enterprise
- Optional Education Donation** **\$ 25.00**
I would like to make a donation of \$25 or other amount _____ to support Native American students participating in NAFOA education programs.
- Closing Reception**
Please indicate if you will attend the closing reception on **Tuesday, October 3rd**.
There is no fee to attend, but pre-registration is required.

**Early Registration (prices above) ends September 1, 2017. After that date, add \$100.00.*

Payment Information:

Credit Card



Credit Card Number

CVV Code

Expiration

 MM/YY

Name on Card

Credit Card Billing Address:

City:

State:

Zip Code:

Phone:

Please email scanned form to Missy@nafoa.org. If paying by check, please make check payable to NAFOA, and mail to: 1101 30th Street, NW, Suite 500, Washington, DC 20007.

Cancellation Policy:

Registration fees (minus a \$50 processing fee) will be refunded if a written cancellation notice is received by September 1, 2017. After this date, a credit will be held to attend a 2018 NAFOA Conference. For more information regarding refunds, complaints and/or program cancellation policies, please email Registrations@nafoa.org.



2017 Fall Finance & Tribal Economies Conference

River Spirit Casino Resort

October 2-3, 2017

Travel & Hotel Information

1101 30th Street, NW, Suite 500, Washington, DC 20007

Host Hotel Information

River Spirit Casino Resort

Rate: \$129 per night

8330 Riverside Parkway, Tulsa, OK 74137

(888) 748-3731

<http://www.riverspirittulsa.com/>

For reservations -

<https://res.windsurfercrs.com/ibe/details.aspx?propertyid=14651&nights=1&checkin=09/29/2017&group=5315407>

Airport Information

Tulsa International Airport

<https://www.tulsaairports.com/>

Hotel Parking Information

Parking Information

- The River Spirit Casino Resort offers complimentary parking.

Driving Directions to Hotel

From Tulsa International Airport (TUL)

- Start out going east on E Apache St toward North 75th East Ave.
- Take the 1st right onto North 75th East Ave.
- Take a slight right onto Airport Dr.
- Turn right onto East Virgin St.
- Merge onto OK-11 E/Gilcrease Expy E via the ramp on the left toward I-244/Tulsa/Joplin.
- Merge onto I-244 E/US-412 E/Crosstown Expy E via the exit on the left toward US-169/Joplin.
- Take Exit 13B to merge onto US-169 S/Mingo Valley Expressway South.
- Merge onto I-44 W/OK-66 W.
- Take Exit 226A toward Riverside Dr.
- Merge onto East Skelly Dr.
- Turn left onto Riverside Dr.
- Riverside Dr. becomes Riverside Pkwy.



River Spirit Casino Resort
Tulsa, Oklahoma

- > ONLINE AGENDA (</events/2017-fall-finance-tribal-economies-conference/agendas>)
- > MEMBER TRIBE REGISTRATION FORM ([/documents/Member Tribe Reg Form Fall 2017.pdf](/documents/Member%20Tribe%20Reg%20Form%20Fall%202017.pdf))
- > REGISTER ONLINE (<http://www.cvent.com/d/d5qdhx>)
- > REGISTER BY MAIL ([/documents/Registration Form Fall 2017.pdf](/documents/Registration%20Form%20Fall%202017.pdf))
- > CPE FAQs ([/documents/CPE FAQs Fall 2017.pdf](/documents/CPE%20FAQs%20Fall%202017.pdf))
- > SAMPLE JUSTIFICATION LETTER ([/documents/2017F Sample Justification Letter.docx](/documents/2017F%20Sample%20Justification%20Letter.docx))
- > TRAVEL & HOTEL INFORMATION ([/documents/Tulsa - Hotel and Travel Information.pdf](/documents/Tulsa%20-%20Hotel%20and%20Travel%20Information.pdf))
- > SPONSOR EXHIBITOR PROSPECTUS ([/documents/2017 NAFOA Sponsorship Levels.pdf](/documents/2017%20NAFOA%20Sponsorship%20Levels.pdf))
- > SESSION SUGGESTION FORM ([/documents/2017 NAFOA Session Request Form.pdf](/documents/2017%20NAFOA%20Session%20Request%20Form.pdf))

2017 Fall Finance & Tribal Economies Conference

October 1-3, 2017

8:00 AM - 5:00 PM

We look forward to seeing you October 2-3, 2017, for NAFOA's 2017 Fall Finance & Tribal Economies Conference at the River Spirit Casino Resort in Tulsa, OK. The fall conference is an opportunity to meet with tribal leaders, federal agencies, and accounting professionals to discuss important issues facing Indian Country. The two-day conference offers a number of educational sessions and two general sessions made up of industry-leading expert panelists.

The Member Tribe Meeting/Reception will be held on Sunday, October 1 from 5:00 p.m. to 7:00 p.m.

For member tribes that would like to take advantage of the complimentary registration, please download and fill out this form (<https://nafoa.org/documents/Member%20Tribe%20Reg%20Form%20Fall%202017.pdf>) to register. All other Member Tribe registrations can be made online.

For more information, please contact Missy Hurley, Events and Project Manager at missy@nafoa.org (<mailto:missy@nafoa.org>).

If you are interested in sponsorship opportunities, please contact Michelle Taunton at michelle@nafoa.org (<mailto:michelle@nafoa.org>) or 202-853-0405.

Register Now (<https://www.cvent.com/d/d5qdhx/4W>)

Event Management Software (<http://www.cvent.com/en/event-management-software/>)
powered by Cvent

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Dorsey & Whitney LLP

**FAEGRE BAKER
DANIELS**

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LLP

KeyBank
Use the red key.

KeyBank Native
American Financial
Services

PT

PNC Be



Growing Tribal Economies. Strengthening Tribal Finance.

Donate (/donate)



1101 30th Street, NW Suite 500
Washington, DC 20007
info@nafoa.org (<mailto:info@nafoa.org>)

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Oneida Business Committee Agenda Request

1. Meeting Date Requested: 08 / 09 / 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:

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:  7/31/17

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 purpose of the attached report is for the Internal Services Division 3rd quarter (April-June 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@oneidation.org



INTERNAL SERVICES DIVISION

Third Quarter Report FY17
 April, May, June



- MGMT INFORMATION SERVICES (MIS)
- GRANTS
- TSYUNHEHKWA
- OCIFS
- Pantry
- KALIHWSAKS
- TOURISM
- PRINT & MAIL CENTER
- Employee Advocacy

This is the time to take advantage of warmer weather and we are busy with outdoor events. While some departments are continuing their work not directly affected by the weather conditions, such as the Kalihwisaks, Tsyunhehkwa and Tourism take advantage of the late spring and summer months to compress their projects into these six months to generate various activities for events within our community.

Tsyunhehkwa had another successful Seed and Plant distribution on May 14th – with even higher attendance than other years. The staff took on the challenge, and developed several activities, including training on raised gardens, a children’s activity table for the little ones, and over 130 plant packages sold and distributed. This was a very nice way to celebrate Earth Day. Several other Experiential Learning sessions such as gardening workshops and food nutrition (by a group of our elders) was offered during these months, funded by Blooming Prairie grant and First Nations Development Institute. We continue to have external guests to see our projects such as Thunder Valley from South Dakota (March 11) and UW-Stevens Point students to see our aquaponics system, and other areas related to our integrated agricultural system.

The Farmers Market season started June 22, with another record attendance n June with 902 customers. It is amazing how dedicated our vendors are to being part of this community effort. We hope that the write-ups in the Kalihwisaks are helping to promote the activities for a healthy community. And we thank all the community members who contribute to the Oneida Food Pantry. The team sets up at the GTC meetings.

The Print & Mail operations printed 3.2 million pages in 17 days for GTC Semi-Annual meeting notice. The staff took on the challenge and met the deadline, working tirelessly for that period. They seem to have the system for GTC mailers down to a science, knowing how many hours each mailing will take. UPS has been very helpful in picking up the GTC mailings in waves to meet mailing deadlines.

We hope that many had the opportunity to enjoy the Veterans B-B-Q contest, which is one of their community outreach activities. There was a great turnout, to the point that they may have outgrown their location. They were also involved in the LPGA, as were many others – as volunteers, attendees, or helping at booths at the Oneida Village. *Kudos to Thornberry and their team for such an outstanding event! We continue to hear so many positive comments.*

Goal #1	Enhance Oneida Brand as a Strong Nation
Advancing On^yote?aka Principles	<i>Continue on the Longhouse development. Plan for various activities with Tourism, and touches on the reservation that promote our ways and our brand. Support the Government efforts with the various GTC mailings from the Print & Mail Center</i>
Goal #2	Promote Agriculture and a mindset for healthy foods for the community
Advancing On^yote?aka Principles	<i>Complete the Local Food Producers Promotion grant with various entrepreneur trainings to members of this community. Continue with trainings on food production.</i>
Goal #3	Strengthen operational performance through technology
Implementing Good Governance Processes	<i>Collaborative efforts among various departments and divisions on consolidation of systems, including the surveillance system solution for the Nation.</i>

MIS Quarterly Report – April - June 2017

Strategy #1 Deliver Business Technology Solutions

- The Surveillance Project continues to progress. The network design was completed this past quarter. Though the achievement isn't highly visible or sexy, it is a milestone project activity that will affect the entire performance, functionality and manageability of the surveillance environment. The project outcome is to establish a standard surveillance solution for the Nation, provide state of the art monitoring for Gaming, Retail and OPD, and provide a path for future expansion.
- Gaming MIS completed an upgrade to all point of sale devices within the Gaming BINGO environment moving closer to full EMV compliance within the Gaming Division. EMV (Europay, MasterCard, and Visa) is the current technical standard for processing payment via smart payment cards (chipped credit cards). This was a coordinated effort between MIS and our business partners Shift4 and Planet Bingo. The change improves the overall security and confidence for Gaming customers who process their transactions with credit cards.



Strategy #2 Promote Information Sharing & Collaboration

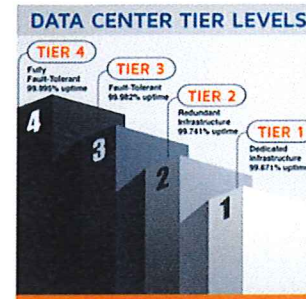
- Continued to extend the use and application of the OnBase system into new areas. The effort associated with agenda management for the OBC is in a "soft" rollout and testing. The plan is to have the system ready for production as the new OBC takes office. OnBase, the Nation's content management solution, has greatly enhanced how documents are captured, stored and accessed. The system has not only improved the effectiveness and efficiency for document handling for numerous Oneida business operations but has advanced the Nation's paper reduction strategies.





Strategy #3 Optimize Use of Resources

- The Tier IV project recently (7/23) completed a significant milestone with the upgrade to a more redundant power supply for the Skenandoah Data Center. The effort has been planned for more than a year and would not have had the success if not for the dedication and skill of those involved. A special thank you and recognition goes to Kevin Rentmeester and his team whose contributions cannot be overstated.
- The MIS department completed negotiations with our primary cellular provider, Celcom. Terms of the new agreement provide for greater support and customer service from the vendor while reducing our average monthly cost. Currently the Nation has approximately 390 business cell phones and another 45 broadband devices that have Celcom subscriptions. The expense prior to the new contract was about \$22,000/mo. Our monthly expense is now approximately \$18,000 for an anticipated \$48,000 annual savings.



MIS Goals for FY'17

Strategy #1 Deliver Business Technology Solutions

Develop mobile app's that support the goals and objectives associated with Oneida Language Preservation and On^yote?a.ka principles.

Strategy #2 Promote Information Sharing & Collaboration

Leverage the recent deployment of Passport (POS) solution within the Retail environment. This activity is in alignment with the Nation's 4 Strategic Directions, specifically a commitment to building a responsible Nation.

Strategy #3 Optimize Use of Resources

Phase I of the Surveillance project will be completed. The outcome will support the standardization of the Nation's surveillance environment while enhancing the Nation's overall security posture.



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



GRANTS OFFICE QUARTERLY REPORT – JULY 2017

- **Strategy 1: Enhance tribal services with external funding(both new and continuation)**
 - ❖ Keeping ahead of our current goals with a total of \$5.5 million in external funding going thru this office so far this FY17.
 - Examples are:
 - Intertribal Buffalo Council/Herd Development Grant - \$37,500, no match
 - EPA/Great Lakes Sediment Reduction grant - \$150,000
 - DHHS Family Services/Head Start & Early Head Start - \$217,162
 - ❖ We had a total of \$7.95 million in pending grants for the FY.

- **Strategy 2: Become a resource for a 1-stop shop for funding/grant data and services.**
 - ❖ Provided assistance for various programs and enhanced their ability to obtain external funding.
 - ❖ Maintaining tribe-to-tribe, grantor-to-grantee, and other relationships to increase our opportunities.
 - ❖ Maintaining a database that includes all funded, denied, and pending grants.
 - ❖ Maintaining a database of all information that relates to grant data including statistical data.
 - ❖ Developed a database of all grant opportunities sent out with responses from programs to assure programs are taking advantage of such services.

- **Strategy 3: Enhance tribal and community efforts in fundraising thru the development of a 7871 fund unit.**
 - ❖ Uploading of OYLI website has begun and is currently being developed by Stellar Blue Technologies. Website mock up looks great.
 - ❖ OYLI Board is fully operating with 7 newly appointed Board members with great backgrounds and experience. Advisory Board will also be developed. Working on SOPs and processes/policies.
 - ❖ The OYLI collaborated with the LPGA in providing volunteer time for the concessions. Total sales were \$74,000 with 8% or a total of \$5,920 going to the OYLI to be distributed to four groups who volunteered based on hours put in.



OCIFS (Oneida Community Integrated Food Systems) Achievements:

➤ **Strategy #1 Educate the Oneida community about food, agricultural opportunities, nutrition and health risks**

-Set up Experiential Learning sessions (53 people participated) and provided material for the gardening workshops held at Tsyunhehkwa’s Seed and Plant Distribution on Saturday, May 13th.



Gardening workshop

- Completed 2 Nutrition Educational workshops for the Oneida community (32 people participated) through the assistance of the First Nations Development Institute FDIPR Nutrition Education \$20,000 grant.

Experiential Learning sessions

- Completed 2 gardening workshops for the Oneida community (49 people participated) through the First Nations grant and the Blooming Prairie Foundation grant.

- Assisted in mapping out the schedule for the garden tilling services for the community members that signed up at the **Tsyunhehkwa** Farm.

*** Promote education through Agri-Tourism efforts**

- Toured the Thunder Valley Development Corporation at the **Tsyunhehkwa** Farm on April 11.

- Toured UW-Stevens Point students the food producing and food related entities: Orchard, Buffalo, **Tsyunhehkwa** Farm, and Oneida Market on May 23.



Youth Day on the Farm

*** Share through educational forums –**

- Youth Day on the Farm, had 37 youth from the Oneida Turtle School go to the Apple Orchard, buffalo overlook, and then do hands on activities at the Oneida Nation Farm.

- Completed writing health, food, diet and farmers market articles that were used as on the OCIFS page in the Kalihwisaks newspaper (completed 3 articles)

Strategy #2 Integrate Oneida and locally produced foods into the Oneida community and institutions -

- Facilitated the 4-H Brat Booth meeting, where we had 14 community members attend and learn the skills necessary to run the booth during the farmers market as an entrepreneur project to raise income.

- Painted the Oneida Falling Leaves 4-H brat booth, sealed all the Oneida Farmers Market picnic tables and maintenance the two generators for the season.

- Attended the CHIP group meeting where the two Green Bay Farmers Markets, LIVE54218 and Oneida Farmers' Market in collaborating on various grant projects.

- Met w/ FM SNAP & WIC Program Sub-Committee to discuss how to expand this program in the Oneida, Green Bay and neighboring Farmers Markets.

- Started the Oneida Farmers Market season on June 22. We had 902 customers attend in June.



Emergency Food Pantry

3rd Quarter Report 2017



The 3rd Quarter completes the Oneida Emergency Food Pantry's 6th month in operation. We served 834 clients and distributed 7,406 pounds of food during the 26 days available for food pick up during the quarter. We processed 65 bulk donations and continue to see support from individuals, community groups and Oneida entities; General Tribal Counsel, Oneida Nation High School, Green Bay Cheer, Comprehensive Health, and Joint Marketing to name a few. In collaboration with Economic Support we are able to identify specific client causes to food emergencies. Our staff is diligent about tracking food within our program. In efforts to off-set tribal contribution for food purchases, we applied for our first grant at Brown County United Way. – Emergency Food and Shelter Program Phase 34.

Q3 Donations Collected

9,379 Lbs. + 70%

Q3 Food Purchased

\$2582.44 -39%

2,367 Lbs. -37%

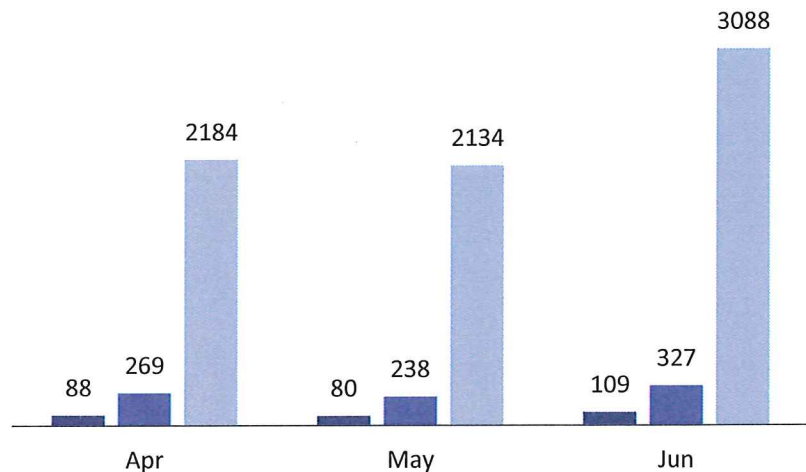
Q3 Food Waste

792 Lbs. + 171 %

Q3 Food Re-Donated

2435 Lbs. +170%

■ Food Packages ■ Clients ■ Pounds of Food



Strategic Goals

Establish the Emergency Food Pantry

- Food Pantry Operations Manual in progress
- Establish Social Media Account

Build an Effective Food Network that Sustains the Food Program

- Increase local business donor base

Increase Community Engagement

- Volunteer opportunities
- Planning for 2018 school food drives





ONEIDA Tourism Quarterly Report – Apr – Jun. 2017

Strategy 1: Develop Cultural Tourism

Long House – Contract set for trusses for the Long House to be installed
 Veterans Wall – A plan is in place to grow flowers to begin to populate the Veterans wall.
 Amphitheater/Visitor Center – on hold, due to lack of funding.

Strategy 2: Build Partnerships – Miss Oneida Pageant was hosted at Thornberry Creek at Oneida on June 21, 2017.

Strategy 3: Drive traffic to the Oneida Reservation

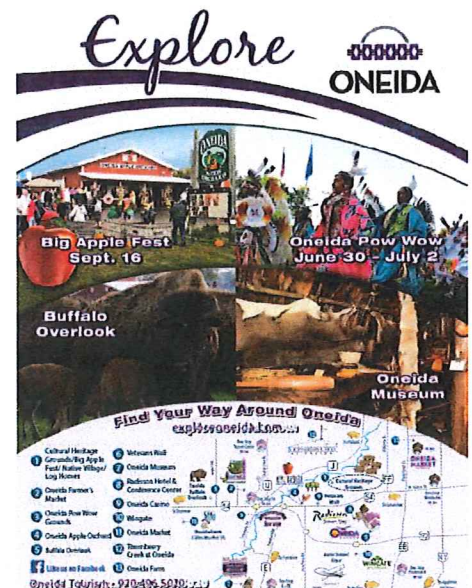
- The following conferences/trade shows Oneida Tourism was a part of Apr/Circle WI, Wausau Business Expo, AETC, May/GB Business Expo, Kenosha Welcome Center, June/International Pow Wow
- ExploreOneida.com has been uploaded with changes.
- Hosted an event with the WI Historical Society featuring documents from the first Oneidas who traveled to WI. May
- Reservation Tours

2017	607 people YTD
2016	2883 people
2015	2899 people



Strategy 4: Maximize Media

- Shot first interview with Gordon McLester for a documentary on the Oneida Elder Interview project.
- Partnering with the Elder Center to develop a video on elder services that will be grant funded.
- Work continued on the LFPP video (in fine cut stage)
- Continue to post events and features of different parts of the reservation.
- Facebook likes 40 posts, 163,927 YTD reached, 2,088 likes:
 Total Page Likes 3,851, Following 3,813





Graphics * Print * Media * Mail

Quarterly Report: Apr – June 2017

Strategy 1: Improve Infrastructure

- Training materials on variable data being created for Mail Center.
- Receive quotes on 3 pieces of equipment needed for operation.

Strategy 2: Increase sales

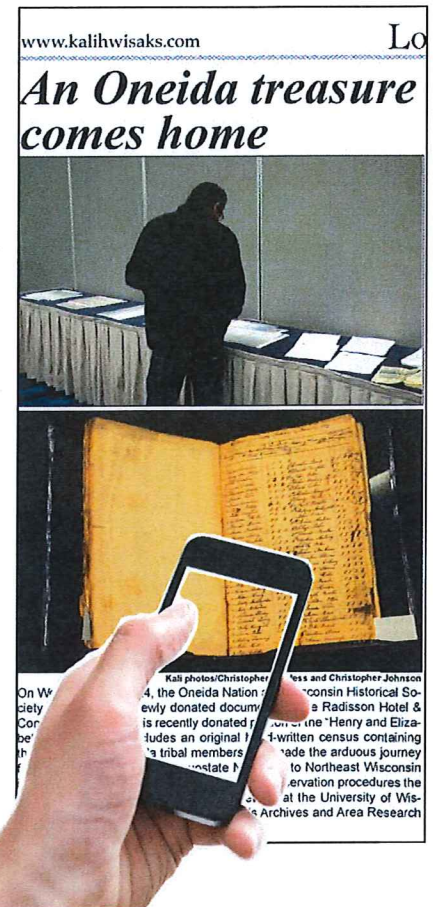
- Printing operation printed 3.2 million copies in 17 days for GTC Semi-Annual meeting notice. YTD sales in June 2017 exceed total FY16 sales.
- Researching new wide format printer for possible addition to site capacity.
- Found Website designer to pair up with for a service offering

Strategy 3: Improve Brand/Image

- Slow roll out of Big Bear Media
- Panels designed for LPGA Tourism Booth to showcase graphic design

Strategy 4: Improve Department Efficiencies

- Monday morning meeting improving communications between the different areas
- Test out Layar App (Augmented Reality) with first Video/Newspaper/graphics project. WI Historical Society event.





EMPLOYEE ADVOCACY DEPARTMENT
SKENANDOAH COMPLEX
Green Bay, WI
920-496-5318 920-496-7000

Employee Advocacy Department
April - June 2017
3rd Quarterly Report

The Employee Advocacy Department (EAD) continues its efforts to create a positive organizational culture through better communication. Our goal is to work towards a healthy respectful environment; rather than a litigious one.

We have been successful in mediating and settling the majority of cases, which in turn, saves the Tribe the costs associated with formal hearings.

April – June - EAD had thirty-four (34) new employment issues (in addition to those carried over from the previous quarter.)

- * 11 cases involved disciplinary notices that were represented at area manager level.
- * 17 work-related complaints
- * 2- referrals to ERRs

- * OPC/Judiciary Activity: 0

- * OPC Activity – 0

Our goal is to not only prevent cases from progressing to the OPC & Judiciary, but to decrease the number of disciplinary notices issued and the number of work-related complaints filed. We are attempting to do that through negotiation, settlement, and, most importantly through education and communication.

We fielded 37 calls w/general employee-related inquiries.

EAD received seven (7) inquiries regarding issues unrelated to employment (Codicils, Power of Attorney, community member complaint.) We provided referrals and/or forms and website links for additional information.

Oneida Veterans Dept.

Mission: Provide Quality Services and Assistance in the Delivery of Entitlements and Benefits due our Oneida Nation Veterans and their Families.

3rd Quarter Report	Clientele visits – 868	2nd Quarter Visits – 858	Change - +10
--------------------	---------------------------	--------------------------------	--------------

3rd Quarter Highlights

• Calls Received	1015
• New Clients	4
• Other Tribes	26
• VA Disability Claims	38
• Community Utilization Of Veterans Building	51 Days

One of Oneida's Veteran Departments Major Initiative is Improving Customer Service and our Clientele numbers maintain approx. 289 visits per month.

Another major initiative that we, the Oneida Veteran Dept. are working on is an end for Homeless Veterans in Oneida. Currently working with the Dept. of Veteran Affairs HUD/VASH Case Manager and OHA. 19 veterans have met the VA criteria and have been awarded Rent Vouchers and 8 have been housed to date, last quarter we had 3 housed. Oneida was awarded 20 Vouchers in 01/2016.

Oneida Nation Veteran Dept. supports the Nation's Initiative Alignments, specifically Community Development. Our Dept. sponsors a community B-B-Q contest and this year's contest had a great turnout to the point the Radisson would like to get involved. Our all veterans meeting in May had a presentation on Dementia, thanks to Elderly Services and a presentation on Estate Planning to include POA's for Healthcare.

The Oneida Nation Veterans Department main service is VA Disability Compensation/Pension claims. Awards this quarter total, in **Retro payments** the sum of **\$117,649**, last quarter was **\$137,947**. Monthly VA disability/pension checks, which total **\$11,526**, last quarter was **\$10,274**.

Kalihwisaks 1st Quarter Report

April – June 2017

Achievements

- Printed six issues – April 6, 2017, April 20, 2017, May 4, 2017, May 18, 2017, June 1, 2017 and June 15, 2017. (Advancing Oneyote?a.ka Principles)
- Printed a Candidate Forum for Oneida Business Committee candidates in the April 20, May 18 and June 1 issues. Candidates were invited to submit a photo and 250 word essay to be printed free of charge. (Implementing Good Governance Process)
- We printed 32 paid political ads for the 2017 General Election along with several voting and forum notices, as well as the primary results.
- Covered events such as the unveiling of the Jeffery Skenandore memorial stone, purchase of Grand Central Station, updates to Oneida Lake, LPGA updates, Oneida’s new aquaponics project and General Tribal Council meetings (Advancing Oneyote?a.ka Principles).
- Printed Oneida Business Committee meeting minutes, board postings, public hearing notices, and legal notices. (Implementing Good Governance Process)
- Worked with other departments such as SEOTS, OCIFS, Adventures, Culture, ONAP, OCEC, and OFF to create monthly pages to share their news and events. (Advancing Oneyote?a.ka Principles)
- Worked with Communications to produce weekly “This Week in Oneida” video. (Advancing Oneyote?a.ka Principles)

Goals for FY2017

- New photo contest limited to pictures taken on the Oneida Reservation
- Expand our media platforms to include phone apps, online payments, more online content



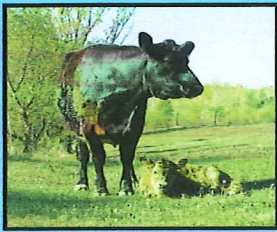
Tony Kuchma at aquaponics green house



Experiential Learning Site Training Sessions

October 3rd • 1:30 pm to 4:30 pm

TRACK 1

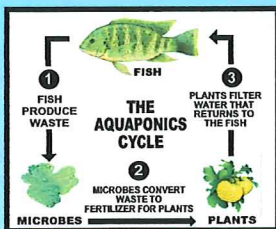


Managed Grazing

In this experiential learning session, you will learn how to get started with a managed grazing plan, including pasture size and layout, fencing and watering systems and how to out-winter cattle in the inclement weather of Wisconsin. The session will showcase the Galloway breed, how to handle them, and how to create paddocks/pastures. The field walk will show you how to move the animals to new pasture, what feeds to supplement in winter, and a herd tracking system from birth to market. During this experiential learning session at the organic farm, you will be able to see the production of the traditional white corn, the poultry, and the chicken processing facility.

Location: Tsyunhehkwā Organic Farm

TRACK 2



Aquaponics

This system is the perfect “synergy” of growth and consumption; and at the center of sustainable agriculture practices. Raising fish and plants in a recirculating system, year round, is the approach for those with limited agricultural lands, and with inclement weather conditions. This experiential learning session will discuss the establishment of an aquaponics food production system, capable of annually producing 860 lbs. of fish and 6,900 – 11,500 heads of greens (or other vegetables) to supply fresh produce year round; as another source to increase your food production for your community.

Location: Veterans Building

TRACK 3



Apple Production, Processing, and Outreach

This experiential learning exposes you to both agricultural practices as well as processing and an agri-tourism event, to connect to your consumers and community with fun activities. Participants will be exposed to the various aspects of developing and managing an apple orchard, from the selection of trees for planting, the caring, and pest management. After harvesting, you will learn how to process apples into chips. Finally, you will learn about community outreach through two agri-tourism approaches: a “pick-ur-own” model, and the Apple Fest, a multi-tiered model. USDA/Value-Added Producer initiative

Location: Oneida Apple Orchard

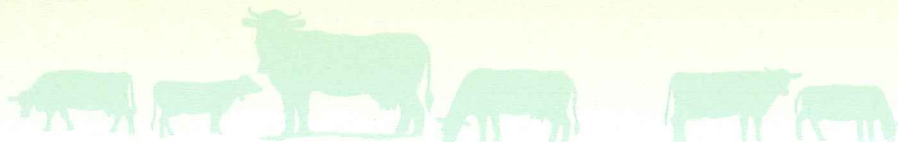
TRACK 4



Tributary Restoration

Historically, agricultural practices in this area did not take into account ecological function in streams and wetlands. Clearing of the forested corridors and natural vegetation along streams, ditching, tiling in order to farm in wet areas resulted in degraded conditions in streams like Trout Creek. You will hear about the rationale and the steps taken on this large restoration project where 56 acres of buffers were created, 8.7 acres of associated wetlands were restored, approximately 3700 feet of stream was re-meandered, and 23,930 trees and 6,035 shrubs were planted.

Location: Trout Creek



Oneida Nation

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Oneida, WI 54155

BC Resolution

Adoption of Budget Contingency Plan in Conformance with the Budget Control and Management and Control Law

- 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-10-08-08-A, *Adopting Expenditure Authorization and Reporting Requirements*, which set forth requirements for reporting to the General Tribal Council regarding expenditures and budget related actions; and
- WHEREAS,** the Oneida Business Committee adopted resolution # BC-02-11-15-A, *Budget Initiative for Fiscal Years 2016, 2017, and 2018*, which identified the goals of “promoting economic stability, good governance, social progress and a rising standard of living for all enrolled Oneidas” and set the following budget goal:
The end in mind is “Sustainability.” Assessment guidelines will be the path for the Tribal organization to develop a Fiscal Year 2016 budget so that we may begin to implement strategies for growth in Fiscal Year 2017 and Fiscal Year 2018 to support the Oneida Tribe overall, *Resolve #1*; and
- WHEREAS,** the Oneida Business Committee has continued to support the assessment, implement, and review by adoption of resolutions regarding the budget development such as resolution # BC-12-09-15-A, *Guidance for Implementing Fiscal Year 2016 Budget and Developing Fiscal Year 2017 and Fiscal Year 2018 Budget*,
that tribal operations, at all levels, are expected to know and understand the objectives and budget initiatives for guiding actions during Fiscal Year 2016 and developing the Fiscal Year 2017 and 2018 budgets; and more specifically tribal operations are directed to create a more effective workforce based on Strategic Workforce Planning proposal as approved by the Oneida Business Committee on October 22, 2014, *Resolve #1*
the Oneida Business Committee continues to support Fiscal Year 2017 as a “Year of Action” and directs the organization to continue implementing their Fiscal Year 2016 transition and efficiency plans, while focusing on Community Development, New Revenues, Reducing Debt, and Improving Employment Programs, *Resolve # 2*; and
- WHEREAS,** the Oneida Business Committee recommitted to development of a budget and finance law for the Oneida Nation to guide how budgets are developed and expenditures are authorized; and

HANDOUT FOR ITEM - V.A.

BC Resolution _____

Adoption of Budget Contingency Plan in Conformance with the Budget Control and Management and Control Law
Page 2 of 2

WHEREAS, the Oneida Business Committee adopted resolution # BC-02-08-17-C, *Adoption of the Budget Management and Control Law*, with an implementation date of October 1, 2017, which sets forth directives and guidance regarding short term and long term financial planning through budgeting and contingency planning; and

WHEREAS, the Budget Management and Control Law, in section 121.4-3, requires the development of a Budget Contingency Plan “which provides a strategy for the Nation to respond to extreme financial distress that could negatively impact the Nation;” and

WHEREAS, the Treasurer has worked with the Chief Financial Officer, the Assistant Chief Financial Officer, Division Directors, and the Finance Committee to identify contingency planning options and goals to present to the Oneida Business Committee for review and approval to comply with section 121.4-3 in anticipation of the implementation date of the Budget Management and Control Law; and

NOW THEREFORE BE IT RESOLVED, Tribal operations are required to develop contingency plans for their respective areas, and update them by the first (1st) of March on an annual basis. Contingency plans shall be developed by Tribal operations and by each subsection of the operations supervised by the direct report or appropriate Chairperson of Tribal Boards, Committees, and Commissions. Each direct report or appropriate Chairperson shall be responsible for receiving, reviewing, approving, and maintaining the contingency plans for each subsection of the operations supervised by the direct report or appropriate Chairperson. Direct reports or appropriate Chairperson shall submit their high-level contingency plans to the officers of the Oneida Business Committee.

BE IT FURTHER RESOLVED, the Oneida Business Committee does hereby adopt the attached *Budget Contingency Plan*.



Statement of Effect

Adoption of Budget Contingency Plan in Conformance with the Budget Management and Control Law

Summary

This resolution adopts a Budget Contingency Plan for the Nation, as required by the Budget Management and Control Law. The resolution also requires individual Tribal operations to develop contingency plans, which must be updated annually.

Submitted by: Taniquelle Thurner, Staff Attorney, Legislative Reference Office

Analysis by the Legislative Reference Office

On February 8, 2017, the Oneida Business Committee (OBC) adopted a new law - the Budget Management and Control (Law) through the adoption of OBC resolution BC-02-08-17-C. The Law goes into effect on October 1, 2017.

Although the Law is not yet effective, this Budget Contingency Plan is being adopted to satisfy requirements identified in that Law. Specifically, the Law requires the development of a Budget Contingency Plan “which provides a strategy for the Nation to respond to extreme financial distress that could negatively impact the Nation.” Through this resolution, the OBC is adopting a Budget Contingency Plan as required by the Budget Management and Control law.

Budget Management and Control Law Requirements

The Law requires the OBC to work with the Chief Financial Officer (CFO), executive managers, and managers, to create a Budget Contingency Plan which provides a strategy for the Nation to respond to extreme financial distress that could negatively impact the nation.

The Budget Contingency Plan requirements, found in section 121.4-3 of the law, make the OBC responsible for:

- Adopting a Budget Contingency Plan, and any amendments thereto, by resolution. The Law broadly identifies various cost saving tools that may be used as part of the plan; as long as they are in compliance with the Nation’s laws; “specifically” employment laws/rules/policies.
- Determining when the Nation is under extreme financial distress – examples are identified in the law.
- Maintaining a Permanent Executive Contingency Account, to be used to prevent default on debt and sustain operations during extreme financial distress. The funds in this account can only be used for specific categories of expenditures, as set out in the law, and only to the extent that alternative funding sources are unavailable.

Proposed Resolution and Budget Contingency Plan

This proposed resolution would do two things:

- 1) Adopt an attached Budget Contingency Plan (Plan), and
- 2) Require Tribal operations to develop contingency plans for their respective areas, and update them by the first of March on an annual basis.

Adopting the attached Budget Contingency Plan

The Law requires that the Plan must provide “a strategy for the Nation to respond to extreme financial distress that could negatively impact the Nation.” Much the attached Plan provides that strategy by identifying philosophies, overarching goals and “fundamentals”; as well as some specific requirements, which include:

- A tiered system. The Law states that, as part of the Plan, the OBC “may require stabilization funds, reductions of expenditures, furloughs and other cost saving tools.” The proposed Plan does not identify what specific cost-saving tools will be implemented, but establishes a tiered plan based on revenue reductions, which must be done “with the advisement of the CFO’s Office”. The OBC must adopt a separate resolution for each level of the tiered system.
 - Tier 1 – If revenues decrease by 1%, then the actions that will be taken include “delaying expenses”, and “deferment.”
 - Tier 2 – If revenues decrease by 2%, then the actions taken will include “cost containments” (but the plan does not identify or specific cost containment action).
 - Tier 3 - If revenues decrease by 3%, then Tribal Operations must identify and preserve specific core services.
 - Tier 4 - If revenues decrease by 4%, then Tribal Operations and the OBC must identify and preserve specific core services.
 - Tier 5 - If revenues decrease by 5%, then the OBC must identify mandatory cuts across the Nation.
- A budget reduction communications process – i.e. for notifying employees and the community when budget reductions actions are implemented.
- Operating Expenditure Reduction measures will be based on priorities (safety, then health, then regulatory). Capital Improvement (CI) Plan Projects needed to maintain existing infrastructure will have a higher priority (although the plan does not identify what “a higher priority” means, exactly); and Capital Expenditures and IT & Technology projects are identified as priority.
- The Finance Office must provide ongoing reporting and monitoring on a quarterly basis or more frequently if the need arises.
- Tribal Operations must identify expenditure reduction options that are realistic and ongoing, reflect the least service impacts, and maintain essential needs.

Section 121.4-3(c) of the Law identifies that grant funds are exempt from the requirements of the Budget Contingency Plan and any cost containment initiatives. Although the Plan does not specifically address or exempt grant funds, any actions taken in accordance with the Plan would still be required to exempt grant funds, in accordance with the Law.

Requiring Tribal Operations to Develop Contingency Plans

The resolution would also require Tribal Operations to develop contingency plans for their respective areas, and update them by the first of March on an annual basis. The Budget Management and Control Law does not address separate contingency plans being developed for separate Tribal Operations, so this would be a new requirement.

In addition to requiring Tribal Operations to develop contingency plans, the resolution also requires contingency plans to be developed by each subsection of the operations supervised by a direct report (to the OBC) or the appropriate chairperson of Tribal Boards, Committees and

Commissions. The resolution requires each direct report or appropriate chairperson to be responsible for receiving, reviewing, approving, and maintaining the contingency plans for each subsection that s/he supervises, and requires those direct reports/chairpersons to submit their high-level contingency plans to the officers of the Oneida Business Committee.

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 # Leave this line blank

The Oneida Airport Hotel Corp. d/b/a Radisson Inn Green Bay Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law

- WHEREAS,** the Oneida Nation is a federally recognized Indian government, a treaty tribe recognized by the laws of the United States; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS,** the Oneida Business Committee has been delegated authority under Article IV, Section 1 of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** the Oneida Business Committee may grant a license to sell alcohol beverages through a resolution pursuant to Article ~~507~~.4-2 of the Oneida Alcohol Beverage Licensing Law; and
- WHEREAS,** the Oneida Airport Hotel Corp. dba Radisson Inn Green Bay, has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the Village of Ashwaubenon, WI; and
- WHEREAS,** Oneida Airport Hotel Corp has requested the Oneida Business Committee grant it a license to sell alcohol at the Radisson Inn Green Bay; and
- WHEREAS,** the Oneida License Department has reviewed the Radisson Inn Green Bay's renewal application along with all required documents, and have determined they are in compliance for renewal; and
- NOW, THEREFORE, BE IT RESOLVED,** that Oneida Airport Hotel Corporation d/b/a Radisson Inn Green Bay may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law, and the prevailing laws of the local municipality, the Village of Ashwaubenon, WI, to be issued by the Oneida License Department.

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Oneida Nation

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Oneida, WI 54155

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- WHEREAS,** the Oneida Business Committee may grant a license to sell alcohol beverages through a resolution pursuant to Article 507.4-2 of the Oneida Alcohol Beverage Licensing Law; and
- WHEREAS,** the Oneida Airport Hotel Corp. dba Radisson Inn Green Bay, has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the Village of Ashwaubenon, WI; and
- WHEREAS,** Oneida Airport Hotel Corp has requested the Oneida Business Committee grant it a license to sell alcohol at the Radisson Inn Green Bay; and
- WHEREAS,** the Oneida License Department has reviewed the Radisson Inn Green Bay's renewal application along with all required documents, and have determined they are in compliance for renewal; and

NOW, THEREFORE, BE IT RESOLVED, that Oneida Airport Hotel Corporation d/b/a Radisson Inn Green Bay may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law, and the prevailing laws of the local municipality, the Village of Ashwaubenon, WI, to be issued by the Oneida License Department.

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Oneida, WI 54155

BC Resolution # Leave this line blank

The Three Clans Airport d/b/a Wingate by Wyndham will be selling alcohol beverages in Accordance with the Oneida Alcohol Beverage Licensing Law

- WHEREAS,** the Oneida Nation a federally recognized Indian government, a treaty tribe recognized by the laws of the United States; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS,** the Oneida Business Committee has been delegated authority under Article IV, Section 1 of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** the Oneida Business Committee may grant a license to sell alcohol beverages through a resolution pursuant to Article 507.4-2 of the Oneida Alcohol Beverage Licensing Law; and
- WHEREAS,** the Three Clans Airport d/b/a Wingate by Wyndham has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the Village of Ashwaubenon, WI; and
- WHEREAS,** Oneida Airport Hotel Corp has requested the Oneida Business Committee grant it a license to sell alcohol at the Wingate By Wyndham; and
- WHEREAS,** the Oneida License Department has reviewed the Three Clans Airport d/b/a Wingate By Wyndham renewal application along with all required documents, and have determined they are in compliance for renewal; and

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NOW, THEREFORE, BE IT RESOLVED, that Three Clans Airport d/b/a Wingate By Wyndham may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law, and the prevailing laws of the local municipality, the Village of Ashwaubenon, WI, to be issued by the Oneida License Department.

Oneida Nation

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Oneida, WI 54155

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The Three Clans Airport d/b/a Wingate by Wyndham will be selling alcohol beverages in Accordance with the Oneida Alcohol Beverage Licensing Law

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

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

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

WHEREAS, the Oneida Business Committee may grant a license to sell alcohol beverages through a resolution pursuant to Article 507.4-2 of the Oneida Alcohol Beverage Licensing Law; and

WHEREAS, the Three Clans Airport d/b/a Wingate by Wyndham has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the Village of Ashwaubenon, WI; and

WHEREAS, Oneida Airport Hotel Corp has requested the Oneida Business Committee grant it a license to sell alcohol at the Wingate By Wyndham; and

WHEREAS, the Oneida License Department has reviewed the Three Clans Airport d/b/a Wingate By Wyndham renewal application along with all required documents, and have determined they are in compliance for renewal; and

NOW, THEREFORE, BE IT RESOLVED, that Three Clans Airport d/b/a Wingate By Wyndham may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law, and the prevailing laws of the local municipality, the Village of Ashwaubenon, WI, to be issued by the Oneida License Department.

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Oneida, WI 54155

**BC Resolution # Leave this line blank
Oneida Bingo and Casino (Main) Selling Alcohol Beverages in Accordance
with the Oneida Alcohol Beverage Licensing Law**

- WHEREAS,** the Oneida Nation is a federally recognized Indian government, a treaty tribe recognized by the laws of the United States; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS,** the Oneida Business Committee has been delegated authority under Article IV, Section 1 of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** the Oneida Business Committee may grant a license to sell alcohol beverages through a resolution pursuant to Article 507.4-2 of the Oneida Alcohol Beverage Licensing Law; and
- WHEREAS,** the Oneida Bingo & Casino, has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the Village of Ashwaubenon; and
- WHEREAS,** the Oneida Bingo & Casino has requested the Oneida Business Committee grant it a license to sell alcohol at the Casino; and
- WHEREAS,** the Oneida License Department has reviewed Oneida Bingo & Casino's application along with all required documents, and have determined they are in compliance for renewal; and
- NOW, THEREFORE, BE IT RESOLVED,** the Oneida Bingo & Casino (Main) sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law and the prevailing laws of the local municipality, the Village of Ashwaubenon, WI, to be issued by the Oneida License Department.

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Oneida Nation

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Oneida, WI 54155

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- WHEREAS,** the Oneida Business Committee has been delegated authority under Article IV, Section 1 of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** the Oneida Business Committee may grant a license to sell alcohol beverages through a resolution pursuant to Article 507.4-2 of the Oneida Alcohol Beverage Licensing Law; and
- WHEREAS,** the Oneida Bingo & Casino, has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the Village of Ashwaubenon; and
- WHEREAS,** the Oneida Bingo & Casino has requested the Oneida Business Committee grant it a license to sell alcohol at the Casino; and
- WHEREAS,** the Oneida License Department has reviewed Oneida Bingo & Casino's application along with all required documents, and have determined they are in compliance for renewal; and

NOW, THEREFORE, BE IT RESOLVED, the Oneida Bingo & Casino (Main) sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law and the prevailing laws of the local municipality, the Village of Ashwaubenon, WI, to be issued by the Oneida License Department.

Oneida Nation

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Oneida, WI 54155

BC Resolution # Leave this line blank

The Oneida Casino Travel Center Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law

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

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

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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

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WHEREAS the Oneida Business Committee may grant a license to sell alcohol beverages through a resolution pursuant to Article ~~507~~.4-2 of the Oneida Alcohol Beverage Licensing law; and

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WHEREAS the Oneida Casino Travel Center, by Oneida Retail Enterprise, has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the Town of Pittsfield; and

WHEREAS the Oneida Retail Enterprise has requested the Oneida Business Committee grant Oneida Retail a license to sell alcohol at the Oneida Casino Travel Center; and

WHEREAS the Oneida License Department has reviewed Oneida Travel Center's Renewal application along with all required documents, and have determined they are in compliance for renewal; and

NOW THEREFORE BE IT RESOLVED, that Oneida Retail Enterprise, Oneida Casino Travel Center, may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law and the prevailing laws of the local municipality, the Town of Pittsfield, WI to be issued by the Oneida License Department.

Oneida Nation

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Oneida, WI 54155

**BC Resolution # Leave this line blank
The Oneida Casino Travel Center Selling Alcohol Beverages in
Accordance with the Oneida Alcohol Beverage Licensing Law**

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 may grant a license to sell alcohol beverages through a resolution pursuant to Article 507.4-2 of the Oneida Alcohol Beverage Licensing law; and

WHEREAS the Oneida Casino Travel Center, by Oneida Retail Enterprise, has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the Town of Pittsfield; and

WHEREAS the Oneida Retail Enterprise has requested the Oneida Business Committee grant Oneida Retail a license to sell alcohol at the Oneida Casino Travel Center; and

WHEREAS the Oneida License Department has reviewed Oneida Travel Center's Renewal application along with all required documents, and have determined they are in compliance for renewal; and

NOW THEREFORE BE IT RESOLVED, that Oneida Retail Enterprise, Oneida Casino Travel Center, may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law and the prevailing laws of the local municipality, the Town of Pittsfield, WI to be issued by the Oneida License Department.

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Oneida, WI 54155

BC Resolution # Leave this line blank

Oneida Golf Enterprises for Thornberry Creek at Oneida Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law

- | **WHEREAS,** the Oneida Nation is a federally recognized Indian government, a treaty tribe recognized by the laws of the United States; and Deleted: .

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

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

- | **WHEREAS,** the Oneida Business Committee may grant a license to sell alcohol beverages through a resolution pursuant to Article 507.4-2 of the Oneida Alcohol Beverage Licensing Law; and Deleted: 59

- WHEREAS,** the Oneida Golf Enterprises for Thornberry Creek At Oneida, has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the Village of Hobart; and

- WHEREAS,** Oneida Golf Enterprises has requested the Oneida Business Committee grant it a license to sell alcohol at the Thornberry Creek; and

- | **WHEREAS,** the Oneida License Department has reviewed Oneida Thornberry Creek's Renewal application along with all required documents, and have determined they are in compliance for renewal; and Deleted:

- | **NOW, THEREFORE, BE IT RESOLVED,** that Oneida Golf Enterprises for Thornberry Creek may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law and the prevailing laws of the local municipality, the Village of Hobart, WI, to be issued by the Oneida License Department.

Oneida Nation

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Oneida, WI 54155

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- WHEREAS,** the Oneida Business Committee may grant a license to sell alcohol beverages through a resolution pursuant to Article 507.4-2 of the Oneida Alcohol Beverage Licensing Law; and
- WHEREAS,** the Oneida Golf Enterprises for Thornberry Creek At Oneida, has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the Village of Hobart; and
- WHEREAS,** Oneida Golf Enterprises has requested the Oneida Business Committee grant it a license to sell alcohol at the Thornberry Creek; and
- WHEREAS,** the Oneida License Department has reviewed Oneida Thornberry Creek's Renewal application along with all required documents, and have determined they are in compliance for renewal; and

NOW, THEREFORE, BE IT RESOLVED, that Oneida Golf Enterprises for Thornberry Creek may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law and the prevailing laws of the local municipality, the Village of Hobart, WI, to be issued by the Oneida License Department.

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Oneida, WI 54155

BC Resolution # Leave this line blank

Oneida Retail Enterprise Oneida One Stop – E & EE Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law

- WHEREAS,** the Oneida Nation is a federally recognized Indian government, a treaty tribe recognized by the laws of the United States; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS,** the Oneida Business Committee has been delegated authority under Article IV, Section 1 of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** the Oneida Business Committee may grant a license to sell alcohol beverages through a resolution pursuant to Article 507.4-2 of the Oneida Alcohol Beverage Licensing Law; and
- WHEREAS,** the Oneida One Stop – E & EE, by Oneida Retail Enterprise, has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the Town of Oneida; and
- WHEREAS,** Oneida Retail Enterprise has requested the Oneida Business Committee grant it a license to sell alcohol at the Oneida One Stop – E & EE; and
- WHEREAS,** the Oneida License Department has reviewed Oneida One Stop – E & EE's Renewal application along with all required documents, and have determined they are in compliance for renewal; and

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NOW, THEREFORE, BE IT RESOLVED, that Oneida Retail Enterprise, Oneida One Stop – E & EE, may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law and the prevailing laws of the local municipality, the Town of Oneida, WI, to be issued by the Oneida License Department.

Oneida Nation

Redline Copy

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

**BC Resolution # Leave this line blank
Oneida Retail Enterprise Oneida One Stop – E & EE Selling Alcohol Beverages in Accordance
with the Oneida Alcohol Beverage Licensing Law**

- WHEREAS,** the Oneida Nation is a federally recognized Indian government, a treaty tribe recognized by the laws of the United States; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS,** the Oneida Business Committee has been delegated authority under Article IV, Section 1 of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** the Oneida Business Committee may grant a license to sell alcohol beverages through a resolution pursuant to Article 507.4-2 of the Oneida Alcohol Beverage Licensing Law; and
- WHEREAS,** the Oneida One Stop – E & EE, by Oneida Retail Enterprise, has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the Town of Oneida; and
- WHEREAS,** Oneida Retail Enterprise has requested the Oneida Business Committee grant it a license to sell alcohol at the Oneida One Stop – E & EE; and
- WHEREAS,** the Oneida License Department has reviewed Oneida One Stop – E & EE's Renewal application along with all required documents, and have determined they are in compliance for renewal; and

NOW, THEREFORE, BE IT RESOLVED, that Oneida Retail Enterprise, Oneida One Stop – E & EE, may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law and the prevailing laws of the local municipality, the Town of Oneida, WI, to be issued by the Oneida License Department.

Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Resolution # Leave this line blank

Oneida Retail Enterprise Oneida One Stop – Larsen Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law

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 may grant a license to sell alcohol beverages through a resolution pursuant to Article 507.4-2 of the Oneida Alcohol Beverage Licensing Law; and

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WHEREAS, the Oneida One Stop – Larsen, by Oneida Retail Enterprise, has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the City of Green Bay; and

WHEREAS, Oneida Retail Enterprise has requested the Oneida Business Committee grant it a license to sell alcohol at the Oneida One Stop - Larsen; and

WHEREAS, the Oneida License Department has reviewed Oneida One Stop – Larsen's Renewal application along with all required documents and have determined they are in compliance for renewal; and

NOW, THEREFORE, BE IT RESOLVED, that Oneida Retail Enterprise, Oneida One Stop – Larsen, may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law and the prevailing laws of the local municipality, the City of Green Bay, WI, to be issued by the Oneida License Department.

Oneida Nation

Clean Copy

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Resolution # Leave this line blank

Oneida Retail Enterprise Oneida One Stop – Larsen Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law

- 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 may grant a license to sell alcohol beverages through a resolution pursuant to Article 507.4-2 of the Oneida Alcohol Beverage Licensing Law; and
- WHEREAS,** the Oneida One Stop – Larsen, by Oneida Retail Enterprise, has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the City of Green Bay; and
- WHEREAS,** Oneida Retail Enterprise has requested the Oneida Business Committee grant it a license to sell alcohol at the Oneida One Stop - Larsen; and
- WHEREAS,** the Oneida License Department has reviewed Oneida One Stop – Larsen's Renewal application along with all required documents and have determined they are in compliance for renewal; and

NOW, THEREFORE, BE IT RESOLVED, that Oneida Retail Enterprise, Oneida One Stop – Larsen, may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law and the prevailing laws of the local municipality, the City of Green Bay, WI, to be issued by the Oneida License Department.

Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Resolution # Leave this line blank

Oneida Retail Enterprise Oneida One Stop – Packerland Selling Alcohol Beverages in Accordance With the Oneida Alcohol Beverage Licensing Law

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 may grant a license to sell alcohol beverages through a resolution pursuant to Article ~~507~~.4-2 of the Oneida Alcohol Beverage Licensing Law; and

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WHEREAS, the Oneida One Stop - Packerland, by Oneida Retail Enterprise, has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the Village of Ashwaubenon; and

WHEREAS, Oneida Retail Enterprise has requested the Oneida Business Committee grant it a license to sell alcohol at the Oneida One Stop - Packerland; and

WHEREAS, the Oneida License Department has reviewed Oneida One Stop – Packerland’s Renewal application along with all required documents, and has determined they are in compliance for renewal; and

NOW, THEREFORE, BE IT RESOLVED, that Oneida Retail Enterprise, Oneida One Stop – Packerland, may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law and the prevailing laws of the local municipality, the Village of Ashwaubenon, WI, to be issued by the Oneida License Department.

Oneida Nation

Clean Copy

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Resolution # Leave this line blank

Oneida Retail Enterprise Oneida One Stop – Packerland Selling Alcohol Beverages in Accordance With the Oneida Alcohol Beverage Licensing Law

- 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 may grant a license to sell alcohol beverages through a resolution pursuant to Article 507.4-2 of the Oneida Alcohol Beverage Licensing Law; and
- WHEREAS,** the Oneida One Stop - Packerland, by Oneida Retail Enterprise, has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the Village of Ashwaubenon; and
- WHEREAS,** Oneida Retail Enterprise has requested the Oneida Business Committee grant it a license to sell alcohol at the Oneida One Stop - Packerland; and
- WHEREAS,** the Oneida License Department has reviewed Oneida One Stop – Packerland’s Renewal application along with all required documents, and has determined they are in compliance for renewal; and
- NOW, THEREFORE, BE IT RESOLVED,** that Oneida Retail Enterprise, Oneida One Stop – Packerland, may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law and the prevailing laws of the local municipality, the Village of Ashwaubenon, WI, to be issued by the Oneida License Department.

Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Resolution # Leave this line blank

Oneida Retail Enterprise Oneida One Stop - Westwind Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law

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 may grant a license to sell alcohol beverages through a resolution pursuant to Article 507.4-2 of the Oneida Alcohol Beverage Licensing Law; and

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WHEREAS, the Oneida One Stop – Westwind by Oneida Retail Enterprise, has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the City of Green Bay; and

WHEREAS, Oneida Retail Enterprise has requested the Oneida Business Committee grant it a license to sell alcohol at the Oneida One Stop – Westwind; and

WHEREAS, the Oneida License Department has reviewed Oneida One Stop – Westwind's Renewal application along with all required documents, and have determined they are in compliance for renewal; and

NOW, THEREFORE, BE IT RESOLVED, that Oneida Retail Enterprise, Oneida One Stop – Westwind, may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law and the prevailing laws of the local municipality, the City of Green Bay, WI, to be issued by the Oneida License Department.

Oneida Nation

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Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Resolution # Leave this line blank

Oneida Retail Enterprise Oneida One Stop - Westwind Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law

- 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 may grant a license to sell alcohol beverages through a resolution pursuant to Article 507.4-2 of the Oneida Alcohol Beverage Licensing Law; and
- WHEREAS,** the Oneida One Stop – Westwind by Oneida Retail Enterprise, has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the City of Green Bay; and
- WHEREAS,** Oneida Retail Enterprise has requested the Oneida Business Committee grant it a license to sell alcohol at the Oneida One Stop – Westwind; and
- WHEREAS,** the Oneida License Department has reviewed Oneida One Stop – Westwind’s Renewal application along with all required documents, and have determined they are in compliance for renewal; and

NOW, THEREFORE, BE IT RESOLVED, that Oneida Retail Enterprise, Oneida One Stop – Westwind, may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law and the prevailing laws of the local municipality, the City of Green Bay, WI, to be issued by the Oneida License Department.

Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

**BC Resolution # Leave this line blank
West Mason Street Casino Selling Alcohol Beverages in Accordance
with the Oneida Alcohol Beverage Licensing Law**

- 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 may grant a license to sell alcohol beverages through a resolution pursuant to Article ~~507~~.4-2 of the Oneida Alcohol Beverage Licensing Law; and
- WHEREAS,** the West Mason Street Casino, has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the City of Green Bay; and
- WHEREAS,** the West Mason St Casino has requested the Oneida Business Committee grant it a license to sell alcohol at the Casino; and
- WHEREAS,** the Oneida License Department has reviewed the West Mason's Street's application along with all required documents, and have determined they are in compliance for renewal; and

NOW, THEREFORE, BE IT RESOLVED, the West Mason Street Casino may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law and the prevailing laws of the local municipality, the City of Green Bay, WI, to be issued by the Oneida License Department.

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Oneida Nation

Clean Copy

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

**BC Resolution # Leave this line blank
West Mason Street Casino Selling Alcohol Beverages in Accordance
with the Oneida Alcohol Beverage Licensing Law**

- 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 may grant a license to sell alcohol beverages through a resolution pursuant to Article 507.4-2 of the Oneida Alcohol Beverage Licensing Law; and
- WHEREAS,** the West Mason Street Casino, has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the City of Green Bay; and
- WHEREAS,** the West Mason St Casino has requested the Oneida Business Committee grant it a license to sell alcohol at the Casino; and
- WHEREAS,** the Oneida License Department has reviewed the West Mason's Street's application along with all required documents, and have determined they are in compliance for renewal; and

NOW, THEREFORE, BE IT RESOLVED, the West Mason Street Casino may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law and the prevailing laws of the local municipality, the City of Green Bay, WI, to be issued by the Oneida License Department.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 09 / 13 / 17

2. General Information:

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

[Empty text box]

Agenda Header: Standing Committees

[] Accept as Information only

[X] Action - please describe:

Requesting the Oneida Business Committee's approval of the GTC Legal Resource Center Attorney job description and authorization to have a nationwide mailout of the recruitment letter.

3. Supporting Materials

[] Report [] Resolution [] Contract

[X] Other:

1. Draft Job Description - Attorney 3. [Empty text box]

2. Draft Nationwide Mailout Recruitment Letter 4. [Empty text box]

[] Business Committee signature required

4. Budget Information

[X] Budgeted - Tribal Contribution [] Budgeted - Grant Funded [] Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Brandon Stevens, Vice-Chairman

Primary Requestor/Submitter: Your Name, Title / Dept. or Tribal Member

Additional Requestor: Name, Title / Dept.

Additional Requestor: Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

Background

On November 14, 2016 GTC directed the Business Committee;

“Motion by Gina Powless to direct the OBC to establish a legal office consisting of advocates and an advising attorney for GTC, and be elected at the 2017 General Election, to represent employees employed by Oneida Nation, and Tribal enrolled members that have any type of litigation at the Oneida Judiciary, and to retain legal counsel specifically for GTC to advise during duly called GTC meetings, this office will not report to the OBC, but to GTC on an Annual and Semi-Annual schedule. Seconded by Robert Steffes. Motion carried by hand count: 827 support; 201 opposed; 80 abstentions

Amendment to the main motion by Linn Cornelius to revise the timeframe to the 2017 General Election. Seconded by Don Miller. Motion carried by show of hands

Amendment to the main motion by Linda Dallas to have training on a bi-annual basis that includes but is not limited to training in Judiciary laws, processes, procedures, and tribal laws that apply to it (representation of matters in front of the judiciary), to be opened to all Tribal Members; and to begin FY2018. Seconded by Brad Graham. Motion carried by show of hands.”

On February 24, 2017 the Oneida Business Committee held a Special BC meeting to address several issues relating to the development of the infrastructure of the GTC Legal Resource Office. Subsequently, the Election Board was notified of the positions and the positions were listed on the 2017 General Election vacancy list that was noticed to Oneida tribal members prior to the election caucus. The Election Board received no applicants for the position of GTC Supervising Attorney.

On June 28, 2017 the Business Committee directed that the job description be changed to remove any supervisory responsibilities over the GTC advocates in the GTC Legal Resource Center.

During the new Business Committee administration transition, the LOC recognized that the GTC Legal Resource Law and the GTC Legal Resource Center attorney job description were in conflict, thus requiring additional revisions to the job description. Attached is the updated job description for your consideration.

I would also request the Business Committee consider sending a nationwide mail-out to Oneida enrolled tribal members. The letter is attached for your consideration.

Action requested:

1. Approve the GTC Legal Resource Center Attorney Job description
2. Authorize the nationwide mail-out of the recruitment letter for this position

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

HANDOUT FOR ITEM - V.L.

APPLY IN PERSON AT:

Human Resources Department
909 Packerland Drive
Green Bay, WI 54303



OR MAIL TO:

Human Resources Department
P.O. Box 365
Oneida, WI 54155-0365

Phone: (920) 496-7900

Fax: (920) 496-7490

APPLY ONLINE AT:

<http://oneida-nsn.gov>

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

JOB DESCRIPTION

POSITION TITLE: Attorney (Elected Position)
POSITION NUMBER: 02731
DEPARTMENT: General Tribal Council Legal Resource Center
LOCATION: N7210 Seminary Rd Oneida WI
DIVISION: Non-Divisional
RESPONSIBLE TO: General Tribal Council
SALARY: E08 \$69,901/Annually (NEGOTIABLE DEPENDING ON EDUCATION & EXPERIENCE)
(Employees will receive 5% below the negotiated pay rate during their probationary status.)
CLASSIFICATION: Exempt
POSTING DATE:
CLOSING DATE:
Transfer Deadline:
Proposed Start Date: As Soon As Possible

EQUAL EMPLOYMENT OPPORTUNITY STATEMENT

The Oneida Nation does not discriminate on the basis of race, color, national origin, sex, religion, age or disability status in employment or the provision of services. However, individuals of Indian ancestry and Veterans will be given preference by law in initial employment or re-employment.

POSITION SUMMARY

The position will provide legal representation for the General Tribal Council at General Tribal Council meetings. This position will also manage the Legal Resource Center. Continuation of this position is contingent upon funding allocations.

DUTIES AND RESPONSIBILITIES:

1. Advise the General Tribal Council during all General Tribal Council meetings.
2. Follow through on all work assigned by General Tribal Council. This may include written or verbal legal opinions on Tribal laws or GTC action, parliamentary procedures, etc.
3. Research legal questions, analyze problems and prepare correspondence to include legal opinions for review by General Tribal Council.
4. Manage the operation, activities, policies and procedures of the Legal Resource Center.
5. Oversee and provide work assignments to Advocates of the Legal Resource Center.
6. Create and establish standards concerning the training and continued education for the Advocates.
7. Supervise, assign duties to, and coordinate the activities of staff to include evaluations, scheduling, disciplinary actions, hiring, training, orientation, coaching, and employee motivation.
8. Manage and submit annual budget for consideration by the General Tribal Council.
9. Provide annual and semi-annual reports to General Tribal Council.
10. Represent the Legal Resource Center at functions and meetings where appropriate.
11. Maintain the integrity of the legal process by acting ethically and honestly both in private and in public and maintaining the strictest of confidentiality.
12. Remain informed about changes to Tribal, State and Federal Laws, and state and federal court and administrative hearing body decisions that may impact Indian country.
13. Develop standard operating procedures to ensure confidentiality and accommodate the handling of potential conflicts of interest by the Legal Resource Center.
14. Promulgate rules establishing how clients apply for the Legal Resource Center's services.
15. Provide bi-annual training for all Tribal members to include but not limited to training on the Oneida Code of Laws and the Judiciary's processes and procedures.
16. Travel as needed and/or required.

HANDOUT FOR ITEM - V.L.

17. Works with the Oneida Law Office as needed/required.
18. The above duties and responsibilities are not an all inclusive list but rather a general representation of the duties and responsibilities associated with this position. The duties and responsibilities will be subject to change based on General Tribal Council Directives.

PHYSICAL REQUIREMENTS/WORK ENVIRONMENT:

1. Work is generally performed in an office setting with a moderate noise level.
2. A Tuberculosis (TB) Screening and/or TB Skin Test is required within thirty (30) days of employment and annually thereafter as required.

STANDARD QUALIFICATIONS:

1. Knowledge and/or training in Indian Law, conflict resolution, mediation and negotiations.
2. Knowledge and experience working in the area of Indian law. Knowledge of its ramifications on practice within local, state and federal courts and agencies.
3. Knowledge and experience in general practice and litigation.
4. Skill in operating various word-processing, spreadsheets, and database software programs in a Windows environment.
5. Ability to present a professional appearance and demeanor as a representative of the Oneida Nation.
6. Ability to communicate effectively with others both orally and in writing.
7. Ability to develop and maintain professional relationships with a variety of individuals and groups in a complex, multi-cultural environment.
8. Must be willing and able to obtain additional education and training.
9. Must pass a background security check with the Oneida Nation in order to meet the Employment Eligibility Requirements, Tribal/State Compact and/or Oneida Nation Gaming Ordinance as they pertain to the position. A temporary license or Gaming License issued by the Oneida Gaming Commission is required as a condition of employment and continuing employment within the Oneida Nation's Gaming Division.
10. A valid driver's license, reliable transportation, and insurance. Must obtain a Wisconsin driver's license within thirty (30) days of employment if applicant has an out-of-state driver's license. Must be authorized as eligible to operate a personal and Tribal vehicle under the Oneida Nation's Vehicle Drivers Policy prior to actual start date. Must maintain driver's eligibility as a condition of employment.
11. Must adhere to strict confidentiality in all matters. **(Must sign a confidentiality statement prior to employment.)**

PREFERRED QUALIFICATIONS:

Applicants please clearly state on the application/resume if you meet these qualifications.

1. Knowledge of the Oneida Community, its history, culture and government.
2. Knowledge of Oneida tribal laws.
3. Knowledge of legislative and administrative processes.

MINIMUM QUALIFICATIONS:

Applicants please clearly state how you meet these qualifications on the application/resume.

1. **Must be an enrolled member of the Oneida Nation.**
2. Must be 21 years of age or older on the date of the election.
3. Juris Doctorate from an accredited law school and two (2) years of experience practicing law; or combination of education/experience may be considered.
4. Be licensed to practice Law in the State of Wisconsin and in good standing with the Wisconsin Bar Association.

ITEMS TO BE SUBMITTED:

1. **Must provide a copy of diploma, license, degree or certification upon employment.**

Dear Oneida Nation Tribal Member,

The Oneida Nation is pleased to recruit for the position of Attorney for the GTC Legal Resource Center. The attorney for the GTC Legal Resource Center is an elected position that reports directly to the General Tribal Council. Below are the details of the position.

Attorney – GTC Legal Resource Center

Position Summary: The attorney reports directly to the General Tribal Council and will have duties related to the GTC Legal Resource Center and also will provide the General Tribal Council with legal representation at all General Tribal Council meetings.

Number of Positions: 1

Term Length: 4 years

Qualifications:

- Must be an Oneida enrolled member
- Must be 21 years or older
- Juris Doctorate from an accredited law school and two (2) years of previous successful experience practicing law. Combination of education and experience may be considered
- Current Licensure to practice Law in the State of Wisconsin and in good standing with the Wisconsin Bar Association.
- Comply with the Judiciary Rules of Admission (applicant would need to be admitted to practice before the Judiciary prior to becoming a candidate)

The Oneida Nation will be holding a Special Election on December 2, 2017 and we encourage our qualified enrolled tribal members to consider being elected to this position. Attached you will find the Election timeline as provided by the Oneida Election Board.

You will be offered an excellent fringe benefit package to include medical, dental, vision, short/long term disability, 401K and free life insurance.

We encourage you to view the Oneida Nation at <http://oneida-nsn.gov>. Take a tour of the web site and view the Historical Perspective, Culture and Traditions, information about the

HANDOUT FOR ITEM - V.L.

Government, Community Services, History of Homelands, and Employment which provides available job openings, job descriptions in their entirety, and an application for employment.

If you should have any questions, please contact Vice Chairman Brandon Stevens at (920) 869-4364.

Sincerely,

Oneida Business Committee

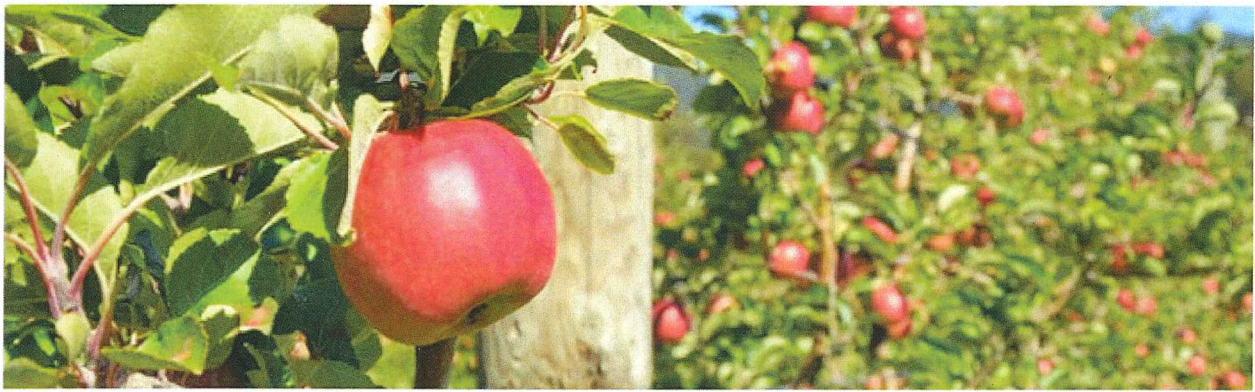
DRAFT

Explore



Big Apple Fest
Oneida, Wisconsin

AGRITOURISM CASE STUDY





Big Apple Fest is a family event in Oneida, Wisconsin sponsored by the Oneida Tourism Department, Oneida Cultural Heritage Department, Oneida Nation Apple Orchard, and Tsyunhehkwa Retail store.

The Big Apple Fest highlights Oneida Culture and History in a fun and inviting fall festival where most of the activities are free. Folks tour Oneida's five fully-restored historic log homes, play games, see live animals, ride horse-drawn wagons and are entertained by Rhea the Trick Horse. Food is available through vendors and the farmer's market. Big Apple Fest visitors hop on a shuttle from Cultural Heritage to the orchard to pick their own apples.

The focus of this case study is on the development and growth of Big Apple Fest. Big Apple Fest occurs the third Saturday in September and is planned and operated by the Oneida Tourism Department. The Big Apple Fest is going into its 8th year and each year it grows in attendance.

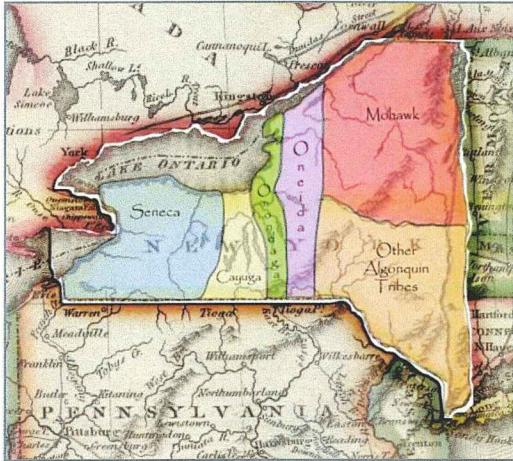
Michelle Danforth

Oneida Nation Marketing & Tourism Director



A Brief History of the Oneida Nation

The Oneida Nation reservation is located in Northeast Wisconsin just west of Green Bay. There are 17,147 enrolled citizens with approximately 3,100 living on or near the reservation. Because it is a “checkerboard” reservation, Oneida is a mix of urban, suburban and rural lands. Oneida has developed land for economic and housing needs, and has also taken steps to preserve and restore wetlands and forests.



Originally part of the Iroquois Confederacy, the Oneyote?a:ka – People of the Standing Stone (Oneida) lived in what is now central New York State. Oneida historically was a matriarchal society with three clans: turtle, bear and wolf. Clans and kinship were passed down through the mother’s side of the family, and the women were in charge of agriculture and choosing chiefs. Our traditional crops were the Three Sisters: Corn, Beans and Squash. The Oneida supported the colonists against the British during the American Revolutionary War. However, in 1823, after the war, Oneidas were pressured by land speculators to move to what was known as the Michigan Territory.

Many of the Oneida carried on their livelihood of farming on the 65,400-acre reservation. The Dawes Act of 1887 divided the reservation into individual allotments for Oneida citizens. Eventually, a majority of the acreage was sold or lost to unpaid taxes.

In 1934, the federal government reversed the allotment policy under the Indian Reorganization Act. The Oneida wrote a new constitution and reorganized their tribal government in 1936, and purchased 1270 acres of land the following year.

In 1976, Oneida citizens, Sandra Ninham and Alma Webster, started holding bingo games to help pay for the utilities at the new Oneida Civic Center. Eventually, as Indian gaming expanded, Oneida was able to use gaming funds to purchase more lands within the borders of its 65,400-acre reservation including an apple orchard and the Cultural Heritage grounds.

Today, the Oneida people work to preserve their language and culture through the Oneida Nation School System, Oneida Language House, and by using cultural iconography in Reservation signs and media. The Oneida Nation is comprised of 2,800+ employees and has over 200 funded business units. Accomplishments include two large gaming facilities, hotels, bingo, and a golf course. The Oneida have also established a health center, nursing home, elder center, police department, judicial court, two libraries, and Big Bear Media Center to name a few more.



Thinking Big Works

In 2009, the Cultural Heritage Department aimed to create several annual historical events to promote culture and history. We were looking to create an experience to remind folks that 1) the Oneida people came from the New York territory, "The Big Apple"; and 2) that Oneida apple orchards were burned down after the Revolutionary War in retribution for standing with the colonists. The event would also nurture relationships between Oneida and Non-Oneidas. Big Apple Fest emerged to meet these needs.



Overcoming Obstacles

One of the barriers the Cultural Heritage Department faced was funding. The Oneida General Manager reviewed the event proposal and supported the effort with \$5,000—enough money to pilot the event. During the planning process, we realized location was also a barrier. Cultural Heritage, located on Highway 54 at the edge of Green Bay is 1.5 miles away from the Apple Orchard. Shuttle buses would eventually carry attendees back and forth.



Cultural Heritage aimed to attract 500 attendees. The 2009 event included farm animals, a horse-drawn wagon, a log restoration project, old-time fishing, a couple of games for kids, and an apple pie contest. Heritage Hill, a local living history attraction, donated time period clothing from the late 1800s to early 1900s.

Funds were used for signage—to purchase plywood and cut out big wooden apples, golf carts, portable toilets, and pay other outside vendors. Donations of soda and water came from Coca-Cola. Departments collaborated to share resources: tents were borrowed from the Housing Department; trash and recycling bins and picnic tables were loaned from the Conservation Department; tables and chairs were also borrowed from the Department of Public Works; the Library pitched in to create games and crafts for kids.



Paid and unpaid promotions of the event included ads in the tribal newspaper, posters to tribal departments and a press release to local media. Flyers were sent to a few elementary schools in the area to invite students to Education Days, scheduled the Friday before Big Apple Fest. Kids came out in five school buses. Over 1,000 people showed up for the first annual event—exceeding expectations. Average product sales for a weekend at the apple orchard were approximately \$2,300. Big Apple Fest earned the same amount in a single day!

Building Annual Momentum

In its 2nd year, Big Apple Fest expenses grew by \$1,000 due to the purchase of reusable signage. Promotional materials increased to 3,600 flyers to local Green Bay and Oneida schools and 400 printed event cards. As a promotional tactic, caramel apples were sent to the news stations a week prior to the event. A portion of funding was used to purchase t-shirts for volunteers and workers during the event. Because the need for security grew, we added 3 security guards to support traffic control and included first responder preparations. This would be the last year of Education Days due to time constraints of staff. However, other areas of the event were gaining momentum bringing our total attendance for the second year to over 1,500 people.



In 2011, the Big Apple Fest was brought under the Oneida Tourism Department and an infusion of funding was provided to take the event to the next level. The Oneida Tourism Department received room tax dollars as a base for their overall departmental funding. The total budget was now \$10,000. Rhea the Trick Horse became the new main attraction and the logistics of the event doubled with a professional tent company, 2 horse-drawn wagons, the Oneida Farmer's Market addition, and increased horse and wagon demonstrations. The signage was bigger and better. More security and workers for traffic control and demonstrations were required. Shuttles were added with service to the apple orchard from the Cultural Heritage grounds. Promotional materials included 5,000 school flyers to elementary schools. In the third year of the event the attendance was close to 3,000 people. Over 50 pies were entered in the pie contest. Noteworthy challenges: we were running out of parking at both locations, cars parking on the highway, long lines at 7 food vendors, and the Apple Orchard ran out of bags. The pie contest judges almost passed out from tasting 50 pies!



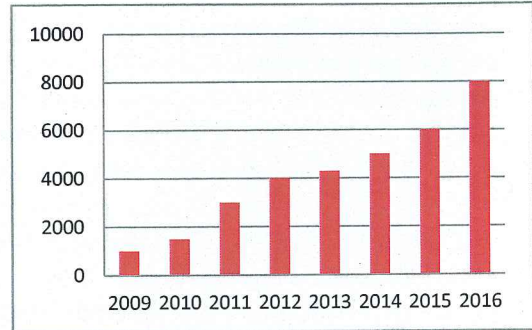
In 2012 attendance increased to over 4,000 people. A second parking area was created on the Cultural Heritage grounds. Entertainment for families brought Rhea the Trick Horse and Koko the One Trick Mule back. Promotional materials included 6,100 flyers to schools. Oneida apples were featured on Living with Amy, the Fox 11 website. Eight-second pump ads were played at two of the most popular One Stop gas stations and ads were placed in the Green Bay Press Gazette and on WFRV (CBS) channel.

In 2014, Koko the One Trick Mule was popular with kids attending the event. The addition of the Jazmine and Lexus King, who offered barrel racing demonstrations and rope tricks brought a new level of showmanship to the event. Apple sales at the orchard set a new record of \$7,700 for one day!

Attendance grew in 2015, surpassing 6,000 attendees. Big Apple Fest continued to grow with over 8,000 attendees in 2016. The average \$3,000 per weekend in Apple Orchard sales jumped to over \$15,000, a 36% increase since 2014. This does not include the overall gross sales generated at the Apple Orchard over the entire apple-picking season.

Moving Forward as a Community

Over the past eight years, Big Apple Fest has averaged an 87% annual increase in attendance and collected \$50,000 in sales. Families of all sizes commonly travel to the event from within a 45-mile radius. An all ages crowd includes grandparents, parents, and children. Attendees are Native and non-Native. With ever increasing attendance at Big Apple Fest, increased funds are required. We credit our success to working together and staying true to our vision.



The "Big Apple Fest" Brand

Our brand is as bold as the red apple. We are family-friendly with our bright red and shades of green. The Iroquois sky domes add an Oneida touch to the design. Icons display key characteristics of our event. Maps help the audience explore the grounds.

BIG APPLE FEST
SATURDAY, SEPTEMBER 16
 10 am - 4 pm
 Oneida Apple Orchard and Cultural Heritage
 1 mile west of Green Bay on Hwy. 54
FREE ADMISSION

Apple Orchard 920-469-2468 (info/entry)
 Pick Your Own: \$1.00/lb Honey Crisp, \$1.25/lb Honey Crisp, \$1.00/lb other varieties
 Oneida Cultural Heritage: Farmer's Market, Log Homes, Luncheon, Food, Apple Pie Contest

Featuring:
 Pick Your Own Apples • Horse and Wagon Rides • Oneida Longhouse • Historical Log Home Tours • Best Apple Pie Contest • Live Music • Petting Zoo • Oneida Community Library Kids Zone • Variety of Food Vendors • Oneida Farmer's Market • Chewy Rope Tricicles • Nick's Kids Show • Caramel Apple • Apple Cider Press • Cider Tasting & More...

Pie Contest
 Grand Champion \$250 • 2nd Place \$150
 3rd Place \$100 • Best in Show \$200
 Best Apple Dessert \$200
 For more details call 496-5020
 All entries must register by 1 PM day of the event.

Information: 920.494.4006 or www.exploreoneida.com

Poster

BIG APPLE FEST
SATURDAY, SEPTEMBER 20
 Oneida Apple Orchard and Cultural Heritage Grounds
 3976 W Mason St., & 3703 Hillcrest Dr., Green Bay, WI
 (920) 496-5020

FREE Admission

- Horses
- Wagon Rides
- Farm Animals
- Farmer's Market
- Apple Pie Contest
- Family Fun

oneida.tourism exploreoneida.com

Event Fan

BIG APPLE FEST
SATURDAY, SEPTEMBER 17
 10 am - 4 pm
 Oneida Apple Orchard and Oneida Cultural Heritage
 1 mile west of Green Bay on Hwy. 54
FREE ADMISSION

\$250 Best Apple Pie Contest

HORSE AND WAGON RIDES

OLD TIME GAMES & FARMER'S MARKET

Event Card

BIG APPLE FEST
SATURDAY, SEPT. 17
 10 am - 4 pm
 Oneida Apple Orchard and Cultural Heritage
 1 mile west of Green Bay on Hwy. 54
FREE ADMISSION
www.exploreoneida.com
 INFORMATION: 496.5020

\$250 Best Apple Pie Contest

HORSE & WAGON RIDES

Convenient Trolley Rides To All Locations

LIKE Facebook ONEIDA TOURISM

Website Slider

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HORSE & WAGON RIDES

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LIKE Facebook ONEIDA TOURISM

Social Media Ad



Event Logo

Tips for Starting a Grassroots Event

1. Pick the Right Date

Start planning 9 months to a year in advance. Search the web for all the events happening in your area on the possible dates so you are not competing with an established event.

2. Develop a Unique Concept

Big Apple Fest was selected based on its association with Oneida's history in New York. Bring together different aspects of your community to create something intriguing.

3. Set Realistic Volunteer & Attendance Goals

Recruit volunteers in your family and friends. Volunteers can help you promote by word-of-mouth and decrease the time it takes to set up and take down.

4. Brainstorm to Borrow

Big Apple Fest sourced tents, a generator, bingo, hay bales, straw, corn stalks, goats, horses, garbage bins and picnic tables. Many of the resources came from internal Oneida tribal departments and Non-profits.

5. Develop a Budget

List all the costs associated with your event. Costs may include on-site restrooms, trash and recycling, tables & chairs, sound & music, golf carts for transport, location fee & permits, entertainment, supplies. Consider a small contingency fund. You might offset costs by charging a parking fee.

6. Outreach is Key

Promotional materials can range from posters and postcards to social media, radio and TV ads. For Big Apple Fest, school fliers were the most effective way to bring in families from our surrounding community.

7. Secure Sponsorships

Tribal sponsors and enterprises can help pay for your event. Contact local companies who align with your concept and check out your local Convention and Visitors Bureau. Search for local tourism grants or other tribal grants.

8. Develop a Traffic Plan

Visualize the type of experience you want your guests to have from the moment they arrive at your event. How will they know where to go?

9. Prioritize Safety & Security

Make sure you have enough trained staff or volunteers standing by for a health emergency. Include first aid kits and supplies for emergencies.

10. Develop a Brand

Create a cohesive look and feel for your event. Good design will generate excitement and communicate to people what they can expect.

