

Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Meeting Materials September 27, 2017

Open Session

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the following 374 pages are the Open Session meeting materials presented at a meeting duly called, noticed and held on the 27th 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 26, 2017

Executive Conference Room, 2nd floor, Norbert Hill Center

Regular Meeting

8:30 a.m. Wednesday, September 27, 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

A. Special Recognition – Retirement of Christine Klimmek from Oneida Nation Arts Program after 20+ years of service

Requestor: Beth Bashara, Director/Oneida Nation Arts Program

Sponsor: Jennifer Webster, Councilwoman

III. ADOPT THE AGENDA

IV. MINUTES

A. Approve September 13, 2017, regular meeting minutes

Sponsor: Lisa Summers, Secretary

V. RESOLUTIONS

A. Adopt resolution entitled Resolution Appointing Representative to the Wisconsin Inter Tribal Repatriation Committee

Requestor: Corina Williams, Tribal Historic Preservation Officer/Cultural Heritage Dept.

Sponsor: George Skenandore, Division Director/Governmental Services

B. Adopt resolution entitled Setting the Strategic Plan for the 2017-2020 term of the Oneida Business Committee

Sponsor: Lisa Summers, Secretary; Tracey Cordova, Organizational Development Specialist; JoAnne House, Chief Counsel

C. Adopt resolution entitled Continuing Budget Resolution – Fiscal Year 2018 (Need SOE)

Sponsor: Trish King, Treasurer

- D. Adopt resolution entitled Oneida Business Committee Regular Meeting Schedule for Quarterly Reports**
Sponsor: Lisa Summers, Secretary
- E. Adopt resolution entitled Extension of Effective Date of Amendments to Various Laws – Environmental Resource Board Hearing Body Authority Transfer to Judiciary**
Sponsor: David P. Jordan, Councilman; Legislative Operating Committee Chair
- F. Adopt resolution entitled Reinstating the Oneida Tribal Regulation of Domestic Animals Ordinance on an Emergency Basis, and Delaying the Effective Date of the Domestic Animals law**
Sponsor: David P. Jordan, Councilman; Legislative Operating Committee Chair
- G. Adopt resolution entitled Professional Conduct for Attorneys and Advocates law**
Sponsor: David P. Jordan, Councilman; Legislative Operating Committee
- H. Adopt resolution entitled Defining Comprehensive Housing Division: Landlord-Tenant law, Eviction and Termination law, and the Mortgage and Foreclosure law**
Sponsor: David P. Jordan, Councilman; Legislative Operating Committee Chair

VI. STANDING COMMITTEES

- A. Legislative Operating Committee**
Chair: David P. Jordan, Councilman
 - 1. Accept September 6, 2017, Legislative Operating Committee meeting minutes**
 - 2. Accept 2014-2017 Legislative Operating Committee End of Term report**
- B. Finance Committee**
Chair: Trish King, Treasurer
 - 1. Approve September 18, 2017, Finance Committee meeting minutes**
- C. Quality of Life Committee**
Chair: Brandon Stevens, Vice-Chairman
 - 1. Accept July 31, 2017, Quality of Life Committee meeting minutes**

VII. APPOINTMENTS

- A. Approve recommendation to appoint Tina Moore to Oneida Personnel Commission**
Sponsor: Tehassi Hill, Chairman
- B. Approve recommendation to appoint Sandra Reveles to Oneida Police Commission**
Sponsor: Trish King, Treasurer

VIII. UNFINISHED BUSINESS**A. Approve three (3) actions regarding final close-out report – Cemetery Improvement Project # 14-002 (*This item is scheduled to begin at 11:00 a.m.*)**

Requestor: Paul Witek, Senior Tribal Architect/Engineering Dept.

Sponsor: Troy Parr, Assistant Division Director/Development

EXCERPT FROM JULY 12, 2017: (1) Motion by Lisa Summers to accept the quarterly report regarding Work Plan for Cemetery Improvements Project # 14-002, seconded by Jennifer Webster. Motion carried with one abstention. (2) Amendment to the main motion by Jennifer Webster for a final close-out report, including financials, regarding the Cemetery Improvements Project # 14-002 be submitted to the Oneida Business Committee in sixty (60) days, seconded by Tehassi Hill. Motion carried unanimously.

IX. NEW BUSINESS**A. Approve limited waiver of sovereign immunity – Wisconsin State-Children and Families: Tribal Agreement on Access to eWisACWIS – file # 2017-1041**

Requestors: Jennifer Berg-Hargrove, Director /Family Services; Trina Schuyler, Director/Child Support

Sponsor: George Skenandore, Division Director/Governmental Services

B. Approve limited waiver of sovereign immunity – Gannett Publishing Services – file # 2017-0910

Requestor: Dawn Walschinski, Manager Editor/Kalihwisaks

Sponsor: Joanie Buckley, Division Director/Internal Services

C. Approve climate change survey – file # 2017-1151

Requestor: Jeffrey Mears, Area Management/Environmental Health & Safety

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

D. Approve Amendment VII – Brown County Recycling agreement

Requestor: Amy Spears, Environmental Specialist/Environmental Health & Safety

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

E. Post one (1) vacancy on Oneida Gaming Commission with a term end date of 8/31/22

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

Sponsor: Lisa Summers, Secretary

F. Approve 2018 Reporting Schedule for Oneida Business Committee Direct Reports

Requestor: Heather Heuer, Information Management Specialist/BC Support Office

Sponsor: Lisa Summers, Secretary

G. Approve 2018 Oneida Business Committee Standing Schedule

Requestor: Heather Heuer, Information Management Specialist/BC Support Office

Sponsor: Lisa Summers, Secretary

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

Sponsor: Lisa Summers, Secretary

1. Approval of Oak Haven Fencing LLC. agreement – file # 2017-0954

Requestor: Trish King, Treasurer

X. TRAVEL**A. Travel Reports**

1. **Accept travel report – Councilman Ernest Stevens III – 2017 Indian Summer Festival – Milwaukee, WI – September 8-10, 2017**

B. Travel Requests

1. **Approve travel request in accordance with Travel & Expense Policy – Four (4) Oneida Dental Dept. employees – 2017 Oral Health conference – Stevens Point, WI – October 2-4, 2017**
Requestors: William Stempiski, Director/Dental Dept.; Anna Lemke, Supervisor/Dental Dept.
Sponsor: Debbie Danforth, Division Director/Comprehensive Health-Operations
2. **Approve travel request – Secretary Lisa Summers – Tribal Caucus and Inter-Tribal Criminal Justice Coordinating Council meetings – Wisconsin Dells, WI – September 27-28, 2017**

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

Sponsor: Lisa Summers, Secretary

1. **Accept legislative analysis**
Sponsor: David P. Jordan, Councilman; Legislative Operating Committee Chair
2. **Accept legal progress report**
Sponsor: Jo Anne House, Chief Counsel
3. **Accept financial progress report**
Sponsor: Larry Barton, Chief Financial Officer

EXCERPT FROM JULY 27, 2017: (1) 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. (2) 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. (3) 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. (4) 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.

B. Petitioner Frank Vandehei – Modify or eliminate E-Poll

Sponsor: Lisa Summers, Secretary

1. Accept legislative progress report

Sponsor: David P. Jordan, Councilman; Legislative Operating Committee Chair

2. Accept legal progress report

Sponsor: Jo Anne House, Chief Counsel

3. Accept financial progress report (No submission received)

Sponsor: Larry Barton, Chief Financial Officer

EXCERPT FROM JULY 27, 2017: (1) 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. (2) 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. (3) 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. (4) 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.

C. Petitioner Linda Dallas – 2017 Tri-Annual General Election

Sponsor: Lisa Summers, Secretary

1. Accept legislative progress report

Sponsor: David P. Jordan, Councilman; Legislative Operating Committee Chair

2. Accept financial progress report (No submission received)

Sponsor: Larry Barton, Chief Financial Officer

EXCERPT FROM SEPTEMBER 9, 2017: Motion by Lisa Summers to accept the legal opinion regarding Petitioner Linda Dallas – 2017 Tri-Annual Election, seconded by Kirby Metoxen. Motion carried unanimously.

EXCERPT FROM JULY 27, 2017: (1) 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. (2) Motion by Trish King to send the verified petition to the Law, Finance, Legislative Reference, and Direct Report Offices' for legal financial, legislative, and administrative analyses, seconded by Tehassi Hill. Motion carried unanimously. (3) 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. (4) 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.

D. Petitioner Brad Graham – 2017 Tri-Annual General Election

Sponsor: Lisa Summers, Secretary

1. Accept legal analysis and supplemental materials

Sponsor: Jo Anne House, Chief Counsel

- E. Approve four (4) actions regarding Petitioner Leah Sue Dodge – Law Firm for GTC**
Sponsor: Lisa Summers, Secretary
- F. Approve four (4) actions regarding Petitioner Gina Powless – Banishment Law resolution**
Sponsor: Lisa Summers, Secretary
- G. Approve three (3) actions regarding Petitioner Debra Powless – 2017 Tri-Annual General Election**
Sponsor: Lisa Summers, Secretary
- H. Schedule Special GTC meeting date and time to address one (1) petition submitted by Linda Dallas and one (1) petition submitted by Brad Graham regarding 2017 Tri-Annual General Election**
Sponsor: Lisa Summers, Secretary
- I. Schedule a Special GTC meeting date regarding 2017 Semi-Annual reports and presentations**
Sponsor: Lisa Summers, Secretary

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

A. Reports

- 1. Accept Gaming General Manager report – Louise Cornelius** (*This item is scheduled to begin at 10:15 a.m.*)
- 2. Accept Intergovernmental Affairs & Communications report – Nathan King**
- 3. Accept Chief Counsel report – Jo Anne House**

B. Standing Items

- 1. Land Claims Strategy** (*No Requested Action*)
- 2. Oneida Golf Enterprise – Ladies Professional Golf Association** (*This item is scheduled to begin at 9:30 a.m.*)
Sponsor: Trish King, Treasurer

C. New Business

- 1. Approve final Comprehensive Housing Division Organizational Chart and accept next steps as information** (*This item is scheduled to begin at 8:45 a.m.*)
Sponsor: Dana McLester, Division Director/Comprehensive Housing
- 2. Review resolution entitled Strategic Workforce Planning - Budget - Implementation for Oneida Nation** (*This item is scheduled to begin at 11:00 a.m.*)
Sponsor: Trish King, Treasurer
- 3. Discuss the Nation's Property Tax Liability Threshold and determine the appropriate next steps based on the discussion**
Sponsor: Lisa Summers, Secretary

4. Discuss new directive for DR01 and/or DR21

Sponsor: Lisa Summers, Secretary

5. Review the templates and provide input for changes for Annual and Semi-annual reports

Sponsor: Lisa Summers, Secretary

XIII. ADJOURN

Posted on the Oneida Nation's official website, www.oneida-nsn.gov, at 11:30 a.m., Sunday, September 24, 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 / 27 / 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:

Recognition for Christine Klimmek who is retiring from the Oneida Nation Arts Program after 20+ years of service.

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: Beth Bashara, Director Arts Program
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:

Christine's love and passion for the arts, people, and Oneida helped connect people to their creative spirits and ensuring the mission of the Oneida Nation Arts Program "To promote diverse artistic expressions within the community reflecting our heritage and spirit for future generations. "

Christine Klimmek was one of the founding board members of the Oneida Nation Arts Program. As a founding board member, Christine was instrumental in helping to shape the program and get it off the ground. As a board member, she volunteered to help through staff transitions until in 1996 when she was hired as the program coordinator.

Christine's philosophy is that "everyone is an artist, some are just better than others," a sentiment that has significantly shaped the Arts Program's work in the community. In 1996, with a grant from the Wisconsin Arts Board, she hired master artists in pottery, silver, and basketry to work with apprentices. In following years, she was responsible for bringing many artists into the community to teach traditional and contemporary art classes, including Sam Thomas who taught raised bead work to this community. Those beginning classes have resulted in 100s of people learning Iroquois traditional and contemporary arts over the years. And from those 100s of people, Oneida is rich with local instructors in pottery, raised bead work, silver work, basket making, sewing, and many other crafts and arts.

Christine was also responsible for the Dollars for Arts Program, helping many community members get funding to create cool community arts projects. This included a special award given to Rosemary Hill that brought colored raised beadwork to Oneida, funding for Sharon Sarnowski to paint the turtle calendar for the BC conference room, murals at the Civic Center and Housing site.

Christine's leadership extending into Green Bay with partnerships with UWGB, St Norbert, the Art Garage and other groups in putting on Native exhibits. She was also responsible for helping start the basket guild and continues to support their fine work in the community.

An accomplished artist herself, Christine is skilled in sewing, bead artist, pottery, drawing, and painting. She studies plein aire, painting landscapes around the world in her main artform, water color.

As her license plate says, Arts 24/7 - Christine's devotion to the her community through the arts has help shape this Nation in cultural and creative pride and beauty.

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

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 09 / 27 / 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 September 1st 2017, regular meeting minutes

3. Supporting Materials

Report Resolution Contract

Other:

1. <input type="text" value="September 1<sup>st</sup> 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, 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****Minutes – DRAFT****EXECUTIVE SESSION****Present:** Vice-Chairman Brandon Stevens, Treasurer Trish King, Secretary Lisa Summers, Council members: Kirby Metoxen, Ernest Stevens III;**Not Present:** Chairman Tehassi Hill, Councilman Daniel Guzman King, Councilman David P. Jordan, Councilwoman Jennifer Webster;**Arrived at:** ;**Others present:** Jo Anne House, Larry Barton, Lisa Liggins, Mercie Danforth, Nathan King, Tana Acuirre, Michelle Gordon, Candice Skenandore, Clorissa Santiago;**REGULAR MEETING****Present:** Vice-Chairman Brandon Stevens, Treasurer Trish King, Secretary Lisa Summers, Council members: Kirby Metoxen, Ernest Stevens III;**Not Present:** Chairman Tehassi Hill, Councilman Daniel Guzman King, Councilman David P. Jordan, Councilwoman Jennifer Webster;**Arrived at:** ;**Others present:** Brad Graham, Bill Graham, Jo Anne House, Larry Barton, Jennifer Falck, Candice House, Rob Collins, Ed Delgado, Nancy Barton, Clorissa Santiago, Bonnie Pigman, Chris Johnson, Rhiannon Metoxen, Rosa Laster, Jessica Wallenfang, Cathy Bachhuber, Heather Heuer, Tonya Webster, Lee Cornelius, Sharon Mousseau, Linda Jenkins, Brian Doxtator, Dave Cluckey, Richard Elm-Hill, Dawn Walschinski, Cheryl Stevens, Bill Vervoort, Kerry Metoxen, Michelle Anderson Danforth, Tom Weiss;**I. CALL TO ORDER AND ROLL CALL** by Vice-Chairman Brandon Stevens at 8:49 a.m.

For the record: Chairman Tehassi Hill is out of the office on approved travel to attend a special meeting in Washington D.C. to address the opioid epidemic with the Indian Health Services Director, Human Health Services Secretary, and several congressional representatives. Councilwoman Jennifer Webster and Councilman Daniel Guzman King are out of the office on approved travel to attend the Center for Medicare & Medicaid Services (CMS) meeting in Washington D.C. Councilman David P. Jordan is out of the office on pre-scheduled vacation time.

For the record: Councilman Ernest Stevens III stated I believe Mr. Graham wanted an explanation as to why I was late and I do apologize to the committee, but I believe I've come down with the flu, but we need a quorum today. So I'm here today do this agenda.

DRAFT**II. OPENING** by Tribal Member Curtiss Summers

Vice-Chairman Brandon Stevens reminded the Business Committee and attendees it was the first day of implementing the Oneida Business Committee Meetings Law. Specifically referring to the purpose of the law "is to identify how the Oneida Business Committee will carry out its responsibilities. Meetings of the Oneida Business Committee are for the purpose of conducting the business of the Oneida Nation as delegated to the Oneida Business Committee under the Constitution of the Oneida Nation," and to the public comments section that each individual shall be limited to a speaking time for a maximum of five (5) minutes each per agenda item. The time limit may be extended by request of the individual with approval of the Oneida Business Committee.

III. ADOPT THE AGENDA (00:08:10)

Motion by Lisa Summers to adopt the agenda with the following change: [Add-On Executive Session – New Business item regarding hiring concerns; and note additional back-up was received for Resolution item; and also noting additional background material was received for item V.L. entitled GTC Legal Resource Center attorney job description and approval for nationwide mailing], seconded by Trish King. Motion carried unanimously:

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

IV. MINUTES**A. Approve corrected July 26, 2017, regular meeting minutes (00:11:19)**

Sponsor: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to approve the July 26, 2017, corrected regular meeting minutes, seconded by Trish King. Motion carried with one abstention:

Ayes: Trish King, Ernest Stevens III, Lisa Summers
Abstained: Kirby Metoxen
Not Present: Tehassi Hill, Daniel Guzman King, David P. Jordan, Jennifer Webster

B. Approve August 9, 2017, regular meeting minutes (00:12:42)

Sponsor: Lisa Summers, Tribal Secretary

Motion by Trish King to approve the August 9, 2017, regular meeting minutes, seconded by Kirby Metoxen. Motion carried unanimously:

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

C. Approve August 17, 2017, special meeting minutes (00:14:21)

Sponsor: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to approve the August 17, 2017, regular meeting minutes, seconded by Ernest Stevens III. Motion carried unanimously:

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

DRAFT**D. Approve August 30, 2017, special meeting minutes (00:14:46)**

Sponsor: Lisa Summers, Tribal Secretary

Motion by Trish King to approve the August 30, 2017, special meeting minutes, seconded by Lisa Summers. Motion carried unanimously:

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

V. RESOLUTIONS**A. Adopt resolution regarding Oneida Nation Budget Contingency Plan (00:15:15)**

Sponsor: Trish King, Tribal Treasurer

Motion by Trish King to adopt resolution # 09-13-17-A Adoption of Budget Contingency Plan in Conformance with the Budget Control and Management and Control Law, seconded by Kirby Metoxen. Motion carried unanimously:

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

B. Adopt resolution entitled Oneida Retail Selling Alcohol Beverages in Accordance with Oneida Alcohol Beverage Licensing Law - Oneida Airport Hotel Corp. dba Radisson Inn (00:19:53)

Sponsor: Larry Barton, Chief Financial Officer

Motion by Kirby Metoxen to adopt resolution # 09-13-17-B The Oneida Airport Hotel Corp. d/b/a Radisson Inn Green Bay Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law, noting it is the corrected version, seconded by Trish King. Motion carried with one opposed:

Ayes: Trish King, Kirby Metoxen, Ernest Stevens III
 Opposed: Lisa Summers
 Not Present: Tehassi Hill, Daniel Guzman King, David P. Jordan, Jennifer Webster
 For the record: Secretary Lisa Summers stated I historically oppose these resolutions and I'm going to continue to oppose these resolutions. I do understand the natures of the request and that these are for business related purposes. I just always have not been in favor of our own entities selling alcohol to our own members through our own venues, and I will continue to maintain that position. Thank you, but I do support the businesses, not to be misconstrued from that perspective. Thank you.

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 (00:23:12)

Motion by Trish King to adopt resolution # 09-13-17-C The Three Clans Airport d/b/a Wingate by Wyndham Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law, noting it is the corrected version, seconded by Kirby Metoxen. Motion carried with one opposed:

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

DRAFT**D. Adopt resolution entitled Oneida Retail Selling Alcohol Beverages in Accordance with Oneida Alcohol Beverage Licensing Law - Oneida Bingo & Casino (Main) (00:23:57)**

Sponsor: Larry Barton, Chief Financial Officer

Motion by Kirby Metoxen to adopt resolution # 09-13-17-D Oneida Bingo and Casino (Main) Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law, noting it is the corrected version, seconded by Trish King. Motion carried with one opposed:

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

E. Adopt resolution entitled Oneida Retail Selling Alcohol Beverages in Accordance with Oneida Alcohol Beverage Licensing Law - Oneida Casino Travel Center (00:24:34)

Sponsor: Larry Barton, Chief Financial Officer

Motion by Kirby Metoxen to adopt resolution # 09-13-17- E The Oneida Casino Travel Center Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law, noting it is the corrected version, seconded by Trish King. Motion carried with one opposed:

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

F. Adopt resolution entitled Oneida Retail Selling Alcohol Beverages in Accordance with Oneida Alcohol Beverage Licensing Law - Oneida Golf Enterprise-Thornberry (00:25:14)

Sponsor: Larry Barton, Chief Financial Officer

Motion by Trish King to adopt resolution # 09-13-17-F Oneida Golf Enterprises for Thornberry Creek at Oneida Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law, noting it is the corrected version, seconded by Kirby Metoxen. Motion carried with one opposed:

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

G. Adopt resolution entitled Oneida Retail Selling Alcohol Beverages in Accordance with Oneida Alcohol Beverage Licensing Law - Oneida One Stop-E & EE (00:28:30)

Sponsor: Larry Barton, Chief Financial Officer

Motion by Ernest Stevens III to adopt resolution # 09-13-17-G Oneida Retail Enterprise Oneida One Stop – E & EE Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law, noting it is the corrected version, seconded by Kirby Metoxen. Motion carried with one opposed:

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

H. Adopt resolution entitled Oneida Retail Selling Alcohol Beverages in Accordance with Oneida Alcohol Beverage Licensing Law - Oneida One Stop-Larsen (00:29:12)

Sponsor: Larry Barton, Chief Financial Officer

Motion by Kirby Metoxen to adopt resolution # 09-13-17-H Oneida Retail Enterprise Oneida One Stop – Larsen Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law, noting it is the corrected version, seconded by Ernest Stevens III. Motion carried with one opposed:

Ayes: Trish King, Kirby Metoxen, Ernest Stevens III

DRAFT

Opposed: Lisa Summers
 Not Present: Tehassi Hill, Daniel Guzman King, David P. Jordan, Jennifer Webster

- I. Adopt resolution entitled Oneida Retail Selling Alcohol Beverages in Accordance with Oneida Alcohol Beverage Licensing Law - Oneida One Stop-Packerland (00:29:48)**
 Sponsor: Larry Barton, Chief Financial Officer

Motion by Trish King to adopt resolution # 09-13-17-I Oneida Retail Enterprise Oneida One Stop – Packerland Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law, noting it is the corrected version, seconded by Kirby Metoxen. Motion carried with one opposed:

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

- J. Adopt resolution entitled Oneida Retail Selling Alcohol Beverages in Accordance with Oneida Alcohol Beverage Licensing Law - Oneida One Stop-Westwind (00:30:23)**
 Sponsor: Larry Barton, Chief Financial Officer

Motion by Ernest Stevens III to adopt resolution # 09-13-17-J Oneida Retail Enterprise Oneida One Stop – Westwind Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law, noting it is the corrected version, seconded by Kirby Metoxen. Motion carried with one opposed:

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

- K. Adopt resolution entitled Oneida Retail Selling Alcohol Beverages in Accordance with Oneida Alcohol Beverage Licensing Law - Oneida West Mason St. Casino (00:30:59)**
 Sponsor: Larry Barton, Chief Financial Officer

Motion by Ernest Stevens III to adopt resolution # 09-13-17-K West Mason Street Casino Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law, noting it is the corrected version, seconded by Kirby Metoxen. Motion carried with one opposed:

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

- L. Adopt resolution entitled Legal Resource Center (00:31:40)**
 Sponsor: David Jordan, Councilman; Legislative Operating Committee Chair

Motion by Lisa Summers to adopt resolution # 09-13-17-L Legal Resource Center, noting we received the backup for the job description and the letter to be sent out and that those will be included in the approval, seconded by Ernest Stevens III. Motion carried unanimously:

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

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

Chair: David Jordan, Councilman

1. **Accept August 2, 2017, Legislative Operating Committee meeting minutes (00:35:15)**

Motion by Trish King to accept the August 2, 2017, Legislative Operating Committee meeting minutes, seconded by Lisa Summers. Motion carried unanimously:

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

2. **Accept August 11, 2017, Legislative Operating Committee meeting minutes (00:36:18)**

Motion by Lisa Summers to accept the August 11, 2017, Legislative Operating Committee meeting minutes, seconded by Trish King. Motion carried unanimously:

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

3. **Accept Children's Code Implementation Plan as information (00:36:39)**

Motion by Lisa Summers to accept the Children's Code Implementation Plan as information, seconded by Ernest Stevens III. Motion carried unanimously:

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

4. **Consider Oneida Nation Seal & Flag Rule #1 for adoption (00:57:44)**

Motion by Kirby Metoxen to adopt the Oneida Nation Seal & Flag Rule #1, seconded by Trish King. Motion carried unanimously:

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

B. Finance Committee

Chair: Trish King, Tribal Treasurer

1. **Approve September 5, 2017, Finance Committee meeting minutes (00:59:39)**

Motion by Trish King to approve the September 5, 2017, Finance Committee meeting minutes, seconded by Ernest Stevens III. Motion carried unanimously:

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

DRAFT**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 (1:00:16)**

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.

Motion by Trish King to direct the Governmental Services Division Director, Intergovernmental Affairs & Communications Director, and Retail Profits Area Manager to provide an implementation plan regarding Oneida Public Service Announcements, at the October 17, 2017, Business Committee work meeting, seconded by Kirby Metoxen. Motion carried unanimously:

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

- B. Direct HR Area Manager and Chief Financial Officer to submit completed wage analysis at the October 17, 2017, OBC work meeting (1:13:03)**

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.

Motion by Lisa Summers to direct the Human Resources Area Manager and the Chief Financial Officer to submit completed wage analysis at the October 17, 2017, Business Committee work meeting, seconded by Trish King. Motion carried unanimously:

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

VIII. NEW BUSINESS

- A. Approve 2017 Special Election schedule (1:14:14)**

Sponsor: Tehassi Hill, Tribal Chairman

Motion by Lisa Summers to approve the 2017 Special Election schedule, seconded by Kirby Metoxen. Motion carried unanimously:

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

- B. Approve limited waiver of sovereign immunity - Renaissance Learning Inc. - file # 2017-0786 (1:16:12)**

Sponsor: Brandon Stevens, Tribal Vice-Chairman

Motion by Trish King to approve the limited waiver of sovereign immunity - Renaissance Learning Inc. - file # 2017-0786, seconded by Ernest Stevens III. Motion carried unanimously:

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

DRAFT**C. Delegate a Direct Report to be responsible to work on 2017-2018 United Way Workplace Campaign (1:18:20)**

Sponsor: Lisa Summers, Tribal Secretary

Motion by Ernest Stevens III to defer this item to the next available Business Committee work meeting, seconded by Kirby Metoxen. Motion carried unanimously:

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

Vice-Chairman Brandon Stevens calls for a five (5) minute recess at 10:25 a.m.

Meeting called to order by Vice-Chairman Brandon Stevens calls meeting to order at 10:34 a.m.

Chairman Tehassi Hill, Councilman Daniel Guzman King, Councilman David P. Jordan, and Councilwoman Jennifer Webster not present.

D. Post one (1) vacancy on the Environmental Resource Board with a term expiration date of March 25, 2018 (1:36:18)

Sponsor: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to post this vacancy in accordance with the set schedule, noting it is a three (3) months difference between the vacancy and the posting of the position in the regular schedule, seconded by Trish King. Motion carried unanimously:

Ayes: Trish King, Kirby Metoxen, Ernest Stevens III, Lisa Summers
Not Present: Tehassi Hill, Daniel Guzman King, David P. Jordan, Jennifer Webster
For the record: Councilman Ernest Stevens III stated Cathy had attended the ERB meeting on my behalf to just communicate this and they understand that, they're okay with that if we defer to the (inaudible).

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 (1:39:15)

Sponsor: Lisa Summers, Tribal Secretary

Motion by Kirby Metoxen to enter the 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, seconded by Trish King. Motion carried unanimously:

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

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 (1:40:35)**

Sponsor: Brandon Stevens, Tribal Vice-Chairman

Motion by Kirby Metoxen to approve the travel request - Vice-Chairman Brandon Stevens - 2017 Fall Haskell Board of Regents meeting - Lawrence, KS - October 10-12, 2017, noting the BIE will be covering all of the travel costs; lodging, and airfare, seconded by Trish King. Motion carried with one abstention:

Ayes: Trish King, Kirby Metoxen, Lisa Summers
Abstained: Ernest Stevens III
Not Present: Tehassi Hill, Daniel Guzman King, David P. Jordan, Jennifer Webster

DRAFT

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 (1:41:36)

Sponsor: Brandon Stevens, Tribal Vice-Chairman

Motion by Lisa Summers to approve the travel request - Councilwoman Jennifer Webster - Annual Federal Office of Head Start Tribal Consultation - Anchorage, AK - October 17-20, 2017, noting it is reimbursed by Head Start funds, seconded by Kirby Metoxen. Motion carried unanimously:

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

Motion by Lisa Summers to approve the Head Start Acting Director to attend as a designated technical advisor on behalf of the Oneida Nation with Councilwoman Jennifer Webster for this specific consultation, seconded by Trish King. Motion carried unanimously:

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

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 (1:48:17)

Sponsor: Daniel Guzman King, Councilman

Motion by Trish King to approve the 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, noting the assistant's travel is reimbursed by CMS, seconded by Kirby Metoxen. Motion carried unanimously:

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

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 (1:50:14)

Sponsor: Lisa Summers, Tribal Secretary

Motion by Ernest Stevens III to enter the 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, seconded by Trish King. Motion carried unanimously:

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

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 (1:50:48)

Sponsor: Lisa Summers, Tribal Secretary

Motion by Trish King to enter the 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, seconded by Kirby Metoxen. Motion carried unanimously:

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

DRAFT

- 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 (1:51:19)**

Sponsor: Lisa Summers, Tribal Secretary

Motion by Ernest Stevens III to enter the 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, seconded by Kirby Metoxen. Motion carried unanimously:

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

Motion by Lisa Summers to recess at 11:23 a.m. until 1:30 p.m., seconded by Trish King. Motion carried unanimously:

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

Meeting called to order by Vice-Chairman Brandon Stevens at 1:35 p.m.

Chairman Tehassi Hill, Councilman Daniel Guzman King, Councilman David P. Jordan, and Councilwoman Jennifer Webster not present.

X. OPERATIONAL REPORTS

- A. Accept Internal Services Division FY '17 3rd quarter report (2:37:00)**

Sponsor: Joanie Buckley, Division Director/Internal Services

Motion by Lisa Summers to accept the Internal Services Division FY '17 3rd quarter report, seconded by Kirby Metoxen. Motion carried unanimously:

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

XI. GENERAL TRIBAL COUNCIL

- A. Accept legal opinion regarding Petitioner Linda Dallas: 2017 Tri-Annual General Election (1:52:24)**

Sponsor: Jo Anne House, Chief Counsel

Motion by Lisa Summers to accept the legal opinion regarding Petitioner Linda Dallas: 2017 Tri-Annual General Election, seconded by Kirby Metoxen. Motion carried unanimously:

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

- B. Schedule date and time for 2018 Annual GTC meeting (1:56:23)**

Sponsor: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to schedule the 2018 Annual GTC meeting date on Sunday, January 28, 2018 at 10:00 a.m., seconded by Kirby Metoxen. Motion carried unanimously:

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

DRAFT

Motion by Trish King to reserve Monday, February 19, 2018, at 6:00 p.m. as an alternate date in the event of inclement weather, seconded by Lisa Summers. Motion carried unanimously:

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

Vice-Chairman Brandon Stevens calls for a recess at 11:23 a.m. until 11:30 a.m.

Meeting called to order by Vice-Chairman Brandon Stevens calls meeting to order at 11:30 a.m.

Chairman Tehassi Hill, Councilman Daniel Guzman King, Councilman David P. Jordan, and Councilwoman Jennifer Webster not present.

XII. EXECUTIVE SESSION**A. REPORTS****1. Accept Chief Counsel report (2:26:10)**

Sponsor: Jo Anne House, Chief Counsel

Motion by Lisa Summers to accept the Chief Counsel report dated September 11, 2017, seconded by Trish King. Motion carried unanimously:

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

Motion by Lisa Summers to approve the six (6) actions identified in the Chief Counsel report dated September 11 and 12, 2017, including action regarding file # 2017-1101, seconded by Trish King. Motion carried unanimously:

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

2. Accept Chief Financial Officer report dated September 7, 2017 (2:27:23)

Sponsor: Jo Anne House, Chief Counsel

Motion by Trish King to accept the Chief Financial Officer report dated September 7, 2017, seconded by Kirby Metoxen. Motion carried unanimously:

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

Motion by Lisa Summers to ask Finance to coordinate for Sovereign Finance to come in sometime before the end of the second quarter, seconded by Trish King. Motion carried unanimously:

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

B. STANDING ITEMS**1. Land Claims Strategy (No Requested Action)**

DRAFT**C. UNFINISHED BUSINESS**

1. **Accept recommendation regarding community concern # 2017-CC-11**
Sponsor: Lisa Summers, Tribal Secretary **(2:28:42)**

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.

Motion by Lisa Summers to accept the response regarding community concern # 2017-CC-11 as information; and to direct the Secretary to bring back an SOP to document the recommendation, seconded by Kirby Metoxen. Motion carried unanimously:

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

2. **Review follow-up regarding complaint # 2017-DR11-01 (Not Submitted)**
Sponsors: Brandon Stevens, Tribal Vice-Chairman; Jennifer Webster, Councilwoman **(2:29:23)**

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.

Motion by Lisa Summers to defer the follow-up regarding complaint # 2017-DR11-01 for thirty (30) days, seconded by Trish King. Motion carried unanimously:

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

D. NEW BUSINESS

1. **Approve one-hundred twenty-five (125) new enrollments; and one (1) relinquishment (2:29:44)**
Sponsor: Kirby Metoxen, Councilman

Motion by Lisa Summers to approve the corrected list of one-hundred twenty-five (125) new enrollments; and one (1) relinquishment, seconded by Trish King. Motion carried unanimously:

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

DRAFT

2. **Approve limited waiver of sovereign immunity - Luxottica USA LLC. - file # 2016-0551 (2:30:10)**
Sponsor: Brandon Stevens, Tribal Vice-Chairman

Motion by Kirby Metoxen to approve the limited waiver of sovereign immunity - Luxottica USA LLC. - file # 2016-0551, seconded by Ernest Stevens III. Motion carried unanimously:

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

3. **Approve limited waiver of sovereign immunity - LexisNexis Time Matters Annual Maintenance agreement - file # 2017-1047 (2:30:51)**
Sponsor: Jo Anne House, Chief Counsel

Motion by Lisa Summers to approve the limited waiver of sovereign immunity - LexisNexis Time Matters Annual Maintenance agreement - file # 2017-1047, seconded by Trish King. Motion carried unanimously:

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

4. **Review and determine appropriate next steps regarding Parental Time Policy**
Sponsor: Lisa Summers, Tribal Secretary (2:31:17)

Motion by Kirby Metoxen to forward the policy concern and the process concern to the OBC Officers to complete the requested follow-up with appropriate Direct Reports, seconded by Lisa Summers. Motion carried unanimously:

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

5. **Determine next steps regarding concern # 2017-DR-G-01 (2:32:12)**
Sponsor: Lisa Summers, Tribal Secretary

Motion by Lisa Summers to direct that correspondence from the OBC Officers be sent to the Direct Reports regarding concern # 2017-DR-G-01, seconded by Ernest Stevens III. Motion carried unanimously:

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

6. **Determine next steps regarding concern # 2017-DR-G-02 (2:32:47)**
Sponsor: Lisa Summers, Tribal Secretary

Motion by Kirby Metoxen to direct that correspondence from the OBC Officers be sent to the Direct Reports regarding concern # 2017-DR-G-02, seconded by Lisa Summers. Motion carried unanimously:

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

Motion by Trish King to direct the OBC Officers to meet with the identified Direct Reports regarding concern # 2017-DR-G-02, seconded by Lisa Summers. Motion carried unanimously:

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

DRAFT**7. Approve two (2) actions regarding 161 Agreement (2:33:49)**

Sponsor: Kirby Metoxen, Councilman

Motion by Trish King to accept the update and changes as information, seconded by Ernest Stevens III. Motion carried unanimously:

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

Motion by Lisa Summers to direct the negotiating team, composed of representatives from the Law Office, Governmental Services, and Intergovernmental Affairs & Communications, to begin negotiations with Outagamie County, seconded by Kirby Metoxen. Motion carried unanimously:

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

8. Discuss personnel hiring concerns (Add-on Item) (2:34:52)

Sponsor: Trish King, Tribal Treasurer

Motion by Lisa Summers to accept the personnel hiring concerns as information, seconded by Ernest Stevens III. Motion carried unanimously:

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

XIII. ADJOURN

Motion by Lisa Summers to adjourn at 2:48 p.m., seconded by Trish King. Motion carried unanimously:

Ayes: Trish King, Kirby Metoxen, Ernest Stevens III, Lisa Summers
Not Present: Tehassi Hill, Daniel Guzman King, David P. Jordan, 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 / 27 / 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:

Updated and signed BC resolution for the Wisconsin Inter-Tribal Repatriation Committee

3. Supporting Materials

Report Resolution Contract

Other:

1.

3.

2.

4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter: Corina Williams Tribal Historic Preservation Officer OCHD
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 Wisconsin Inter-Tribal Repatriation Committee a Subcommittee of the Great Lakes Inter-Tribal Council Inc., has, as its mission, to function as a coalition comprised of the Oneida, Menominee, Stockbridge Munsee, Potawatomi, Ojibwa, Ho-Chunk and Sac & Fox Nations for the purpose of identifying and securing a common tribal burial grounds, and to ensure that funerary objects, unassociated funerary items, and human remains are brought back safely and burial place is found for unidentified ancestral remains. such burial grounds will be designated for re interment of ancestral remains currently held in museums and other federal agencies throughout the country which have been categorizes as unidentified and /or unclaimed. Repatriation of said ancestral remains will be conducted in compliance with the Native American Graves Protection and Repatriation Act, P.L. 101-601 or the National Museum of American Indian Act, P.L. 101-185, and Whereas, the Great lakes Inter-Tribal Council, Inc., desires to continue to support the Wisconsin Inter-Tribal Repatriation Committee.

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

Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Resolution

Resolution Appointing Representatives to the Wisconsin Inter Tribal Repatriation Committee

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WHEREAS, the Oneida Nation is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and

WHEREAS, the Oneida General Tribal Council is the governing body of the Oneida Nation; and

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

WHEREAS, On November 16, 1990, President George Bush signed into law P.L. 101-601, the Native American Graves Protection and Repatriation Act; and

WHEREAS, the Oneida Nation has the understanding that with the passage of P.L. 101-601, that social, financial, legal and governmental efforts are needed on our part for the ultimate purpose of returning our ancestors and the repatriation of sacred objects, objects of cultural patrimony, associated and unassociated funerary objects; and

WHEREAS, the historical fact that the On<yote>a-ka have never had the tradition of unearthing ancestral remains or allowing anyone outside the nation or the territories of the Haudenosaunee to be in possession of what we consider sacred objects, associated or unassociated funerary objects or objects of cultural patrimony has compelled us to develop the On<yote>a-ka Repatriation Program and to appoint official contacts to be identified to the National Park Service to conduct business on behalf of the Oneida Nation for the purpose of repatriation under P.L. 101-6-1; and

NOW THEREFORE BE IT RESOLVED, that the Oneida Business Committee appoints the following individuals as a signatory and alternates to represent the interests of the Oneida Nation in the Wisconsin Inter Tribal Repatriation Committee, a subcommittee of the Great Lakes Inter Tribal Council, for the purpose of working in conjunction with the eleven federally recognized nations in Wisconsin on the issue of unidentified, unclaimed human remains held within museums and federal agencies under the jurisdiction of P.L. 101-601:

Signatory Corina Williams _____

Alternate Robert Brown _____

NOW THEREFORE BE IT FINALLY RESOLVED, that the signatory shall have the primary goal of identification of a common burial ground with the eleven federally recognized nations in Wisconsin and reinternment of ancestral remains of native people from the State of Wisconsin.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 09 / 27 / 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:

Adopt resolution entitled Setting the Strategic Plan for the 2017-2020 term of the Oneida Business Committee

3. Supporting Materials

Report Resolution Contract

Other:

1.

3.

2.

4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter: Lisa Liggins, Executive Assistant II
Your Name, Title / Dept. or Tribal Member

Additional Requestor: Tracey Cordova, Organizational Development Specialist
Name, Title / Dept.

Additional Requestor: Jo Anne House, Chief Counsel
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

BACKGROUND

During the week of August 21, 2017, the Oneida Business Committee participated in facilitated strategic planning sessions where broad goals, strategies, and outcomes for the next 3 years were identified.

The attached resolution is exempt from the Statement of Effect requirement as it is support of a cause (see BC resolution 06-01-05-C).

REQUESTED ACTION

Adopt resolution entitled Setting the Strategic Plan for the 2017-2020 term of the Oneida Business Committee

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

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

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

Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

1 **BC Resolution # _____**
 2 **Setting the Strategic Plan for the 2017-2020 term of the Oneida Business Committee**
 3

4 **WHEREAS,** the Oneida Tribe of Indians of Wisconsin is a federally recognized Indian government and
 5 a treaty tribe 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 Tribe of Indians of
 8 Wisconsin, and
 9

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

13 **WHEREAS,** we are a nation of strong families built on Tsi?niyukwalihot? and a strong economy, and,
 14

15 **WHEREAS,** it is our mission to strengthen and protect our people, reclaim our land and enhance the
 16 environment by exercising our sovereignty, and
 17

18 **WHEREAS,** the Oneida Business Committee adopted resolution 11-12-14-B Re-Affirmation of Core
 19 Values, and
 20

21 **WHEREAS,** In August 2017, the Oneida Business Committee participated in facilitated strategic
 22 planning sessions where broad goals, strategies, and outcomes for the next 3 years were
 23 identified, and
 24

25 **WHEREAS,** the strategic planning process includes an environmental scan, focused conversations,
 26 practical visioning, and identifying challenges, and
 27

28 **WHEREAS,** the Oneida Business Committee, as elected officials, willingly offer dedication to their
 29 responsibilities, while respecting the roles of the Oneida Nation Constitution and the
 30 General Tribal Council, and
 31

32 **WHEREAS,** the Strategic Plan for the 2017-2020 term of the Oneida Business Committee are built on
 33 the foundation of:

- 34 • Trust
- 35 • Value-Based Budgeting
- 36 • Sovereignty Protection
- 37 • Change Management
- 38 • Communication

39
 40 **NOW THEREFORE BE IT RESOLVED,** that the Strategic Plan for the 2017-2020 term of the Oneida
 41 Business Committee includes the following six unique broad goals:

- 42 • Advancing On?yote?a-ká principles – helps us to support and sustain our culture
- 43 • Exercising Sovereignty – helps us to strengthen and protect our people, land, and
 44 environment
- 45 • Improving Organizational Changes – promote effective, responsive decision-making, while
 46 providing the opportunity to meet the needs of the Tribal Membership, technology,
 47 customers, economy, and growth

- 48 • Promoting Positive Community Relations – will promote open communication in an
- 49 atmosphere of trust, collaboration, and positive relationships
- 50 • Inspiring Yukwatsístayλ – (Our fire, our spirit within each one of us)
- 51 • Encouraging Tsi?niyukwalihotλ - (We have everything here to sustain us)
- 52

53 **NOW THEREFORE BE IT FURTHER RESOLVED**, that the Oneida Business Committee has identified
54 and agreed upon for itself specific tasks and activities designed to implement these goals from the
55 governmental level and will work collectively with the Direct Reports, support staff, and assistants to meet
56 the goals with a good mind, a good heart, and a strong fire.

57
58 **NOW THEREFORE BE IT FINALLY RESOLVED**, that the Oneida Business Committee support these
59 goals by requesting all direct reports, and all parts of the organization, utilize the concepts as a guide for
60 all organizational needs, actions, planning, and reporting for effective development and measurement.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 09 / 27 / 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:

Adopt Fiscal Year 2018 Continuing Resolution

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:

On September 19, 2016, the General Tribal Council tabled the proposed Fiscal Year 2017 budget resolution. The G.T.C. requested clarification of the June 13, 2016, G.T.C. Per Capita action. The G.T.C. adopted the Fiscal Year 2017 budget resolution on March 27, 2017. (Resolution# GTC-03-27-17-A) The delay of the Fiscal Year 2017 budget adoption created delays within our H.R. Systems, Accounting Systems, as well as CapEx purchases and C.I.P. projects. This in turn delayed operational abilities to implement and finalize the development of the Fiscal Year 2018 budget. The development of the Fiscal Year 2018 budget relies on the final budget numbers from the adopted Fiscal Year 2017 budget.

Requested Action:

Motion to adopt the Fiscal Year 2018 Continuing Resolution.

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

Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Resolution # _-_-_-

Continuing Budget Resolution - Fiscal Year 2018

- 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 General Tribal Council adopted further direction regarding the duties and responsibilities of the Oneida Business Committee in resolution # GTC-2-25-82 and specifically directed the Oneida Business Committee to become "actively involved in the legislative areas such as...Fiscal Plan[ning]" *Resolve # 2*; and
- WHEREAS,** the General Tribal Council adopted further direction regarding the duties and responsibilities of the Oneida Business Committee, and more specifically the Treasurer, through the adoption of 'job descriptions' on July 30, 1990 directing the Treasurer to "review [the] annual budget and make recommendations to the Business Committee, who will submit an annual budget to the General Tribal Council", *Representative Duties (9)*; and
- WHEREAS,** the Oneida Business Committee approved the Treasurer's recommendation regarding the fiscal and financial goals of the Oneida Nation for the following three years by resolution # BC-02-11-15-A, "which supports and enhances efficient and sustainable public financial management which is key to promoting economic sustainability, good governance, social progress and a rising standard of living for all enrolled Oneida[.]" *Resolve #1*; and
- WHEREAS,** the Oneida Business Committee, in resolution # BC-02-11-15-A approved the following financial initiative set forth in *Resolve #1*: "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;" and
- WHEREAS,** the Treasurer has worked with the operations of the Oneida Nation to develop a budget which clearly identifies revenue projections, external funding opportunities, and programming needs in a manner that meets the goals set forth in resolution # BC-02-11-15-A; and
- WHEREAS,** the Treasurer has engaged the operations to present the technical needs of programs, services and enterprises in requests for budget allocations consistent with the 2015 Oneida Business Committee resolution; and
- WHEREAS,** the Treasurer has taken into account the directives of the General Tribal Council, including the most recent directive of June 13, 2016 regarding setting the per capita payment for the next five years, and has guided the development of a balanced budget consistent with the 2015 goals set by the Oneida Business Committee in resolution # BC-02-11-15-A; and
- WHEREAS,** the Oneida Business Committee has been invited to participate in, and been informed of, the budget development processes; and has taken up opportunities to actively participate as well as monitor budget development progress through reporting and meetings, whether formal or informal; and

- WHEREAS,** the Treasurer, in accordance with the responsibilities set forth in the 1982 resolution and the 1990 motion of the General Tribal Council, has set forth the budget development timelines in order to develop a budget for presentation to the General Tribal Council in September 2017; and
- WHEREAS,** the budget for Fiscal Year 2017 was adopted on March 27, 2017, as a result of the delay in regards to question regarding the June 13, 2016, General Tribal Council action on the per capita payment; and
- WHEREAS,** this delay in adoption of the budget, confirmation of the June 2016 per capita action, and implementation of the wage increase included in the Fiscal Year 2017 budget has resulted in a delay in the ability to begin implementation of the budget development process by at least 30 days because existing programs in Human Resources, Payroll and AS400 Accounting will not be available to input budget information; and
- WHEREAS,** these programs in Human Resources, Payroll, and AS400 Accounting are necessary to analyze personnel costs regarding wages, benefits, taxes, and accruals of personal and vacation time, as well as allocation of requested funds to each of the 500 business units and 1000s of individual lines of expenses, which allows the Treasurer, Chief Financial Officer, Assistant Chief Financial Officer, Division Directors, Area Managers and managers to analyze trends in expenses and savings in order to properly prepare and balance the budget; and
- WHEREAS,** the Treasurer, Chief Financial Officer and Assistant Chief Financial Officer have met and discussed options to maintain the timelines for development of the Fiscal Year 2018 budget and could identify no process by which the budget could be developed, analyzed, corrected, and input into the technical programs in time to meet the deadlines to present the Fiscal Year 2018 budget to the General Tribal Council in September 2017; and
- WHEREAS,** the Oneida Business Committee is also monitoring the development of the federal budget which does impact the operations of the Nation through its grant and self-governance funding sources and has identified the potential for the event of a federal government shut down or partial closure through sequestration measures through a failure to adopt a budget or continuing resolution which is also currently estimated to impact the federal government in September 2017 as a result of the interim continuing resolution adopted by Congress and signed by the President; and
- WHEREAS,** the Oneida Business Committee, acting in accordance with its delegated responsibilities, has identified that shutting down government operations (programming and enterprise) is not in the best interests of the Nation or its members, has determined that a Continuing Resolution is necessary to enable the government to operate to continue to meet the needs of the membership; and
- WHEREAS,** the Oneida Business Committee is committed to ensuring that operations of the Oneida Nation continue to protect the health, safety, welfare, and regulatory compliance of the Oneida Nation; and
- WHEREAS,** the Oneida Nation can only operate under an approved budget, whether by a Continuing Budget Resolution or adoption of a budget by the General Tribal Council, and operations of the Oneida Nation need to continue until a budget can be adopted; and
- WHEREAS,** the Treasurer has recommended to the Oneida Business Committee, and the Oneida Business Committee, in accordance with the responsibilities set forth in the 1982 resolution and the 1990 motion of the General Tribal Council, desires to adopt a Continuing Budget Resolution that aligns to the Strategic Direction titled, "Implementing 'Good Governance' Processes" directing operations of the Oneida Nation to continue, and that protects the ability of the General Tribal Council to make budgetary decisions; and
- WHEREAS,** the Treasurer and the Oneida Business encourage all levels of the operations to utilize this resolution, The Oneida Nation Budget Contingency Plan Resolution, # BC-09-13-17-A, and upcoming resolutions regarding Strategic Work Planning/Workforce Level Assessments/FTE Caps and Oneida Business Committee 2017-2020 Strategic Goals in the decision making process.

NOW THEREFORE BE IT RESOLVED, that the Oneida Business Committee adopts this Continuing Budget Resolution for Fiscal Year 2018 and directs that the Oneida Nation shall operate at the Fiscal Year 2017 levels. Operations are directed to use their discretion in approving all expenditures until such time as the budget has been

formally adopted and information regarding the impact of the federal government budgeting processes has been fully identified.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 09 / 27 / 17

2. General Information:

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

[Empty text box]

Agenda Header: Resolutions

[Text box containing "Resolutions"]

Accept as Information only

Action - please describe:

Adopt resolution entitled Oneida Business Committee Regular Meeting Schedule

3. Supporting Materials

Report Resolution Contract

Other:

1. Resolution - Redline version

3. [Illegible text]

2. Resolution - Clean version

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Lisa Summers, Tribal Secretary

Primary Requestor/Submitter: 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*****

Attached you will find the draft 2018 quarterly reports meeting schedule and accompanying draft resolution. Feedback was received from Oneida Nation Corporate Boards regarding the 2017 quarterly reports schedule that more time was needed to finalize financials. In order to accommodate the request, quarterly report meetings will be moved to the Thursday after the second regularly scheduled Business Committee meetings of February, May, August, and November, starting on March 1, 2018.

Note: The conclusion of the Statement of Effect states there a start time for 2018 quarter report meetings was not indicated in line 65. This correction has been made. A redline and clean version have been provided to show this revision.

*****REQUESTED ACTION*****

Adopt resolution entitled Oneida Business Committee Regular Meeting Schedule ~~YadCgSc~~ ~~FWk DM~~ ~~bafe~~

- 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 Nation

Redline Copy

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Phone: (920)869-2214

Oneida, WI 54155



BC Resolution # __-__-__-

Oneida Business Committee Regular Meeting Schedule Z:f Ei Ufhf`mFYdcftg

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- WHEREAS,** the Oneida Nation is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section 1, of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** Article III, Section 3 of the Tribal Constitution provides that "Regular meetings of the Business Committee may be established by resolution of the Business Committee,"; and
- WHEREAS,** with the passage of BC Resolution 7-7-87-A, the Business Committee established a regular meeting schedule to meet of each Tuesday, at 1:30 p.m., and each Friday, at 9:00 a.m.; and
- WHEREAS,** with the passage of BC Resolution 3-25-88-B, the Business Committee modified the regular meeting schedule to meet each Friday, at 9:00 a.m., and held informational meetings the first Monday each month, at 7:00 p.m.; and
- WHEREAS,** with the passage of BC Resolution 4-26-91-A, the Business Committee modified the regular meeting schedule to meet each week on Wednesday, at 9:00 a.m.; and
- WHEREAS,** with the passage of BC Resolution 2-11-04-A, the Business Committee modified the regular meeting schedule to meet every other week on Wednesday, at 9:00 a.m.; and
- WHEREAS,** with the passage of BC Resolution 12-10-08-A, the Business Committee modified the regular meeting schedule to meet every second and fourth Wednesday each month, at 9:00 a.m.; and
- WHEREAS,** with the passage of BC Resolution 06-23-10-E, the Business Committee modified the regular meeting schedule to include executive discussion meetings every second and fourth Tuesday of the month, at 9:00 a.m.; and
- WHEREAS,** with the passage of BC Resolution 11-23-16-C, the Business Committee modified the regular meeting schedule to meet every second and fourth Tuesday of the month at 8:30 a.m. for executive discussion meetings, and to meeting every second and fourth Wednesday of the month at 8:30 a.m. for regular meetings; and
- WHEREAS,** with the passage of BC Resolution 12-27-16-A, the Business Committee modified the regular meeting schedule to meet every second and fourth Wednesday of each month at 8:30 a.m., and for the purpose of addressing quarterly reports, to meet the fourth Thursday of January, April, July, and October at 8:00 a.m.; and

Redline Copy

53 **WHEREAS,** the Business Committee has determined an additional regular meeting is required on a
54 quarterly basis for the purpose of addressing quarterly reports from Boards, Committees
55 and Commissions, Corporate Boards, and Standing Committees of the Business
56 Committee; and

57
58 **WHEREAS,** Oneida Nation Corporate Boards provided feedback from the 2017 quarterly meeting
59 schedule, and indicated additional time was needed for financials to be prepared; and

60
61 **WHEREAS,** the Business Committee has determined this change would better serve the membership
62 of the Oneida Nation and the Business Committee; and

63
64 **NOW THEREFORE BE IT FURTHER RESOLVED,** for the purpose of addressing quarterly reports,
65 regular meetings of the Oneida Business Committee shall be held the Thursday at 8:00 a.m. after the
66 second regularly scheduled Business Committee meetings of February, May, August, and November,
67 starting on March 1, 2018;

68
69 **BE IT FINALLY RESOLVED,** this resolution shall supersede all prior motions, practices or resolutions, in
70 particular BC Resolutions 12-10-08-A, 06-23-10-E, 11-23-16-C, and 12-27-16-A regarding the subject of
71 regular meetings of the Oneida Business Committee.

Oneida Nation

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Oneida, WI 54155



BC Resolution # __-__-__-

Oneida Business Committee Regular Meeting Schedule

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- WHEREAS,** the Oneida Nation is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section 1, of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** Article III, Section 3 of the Tribal Constitution provides that "Regular meetings of the Business Committee may be established by resolution of the Business Committee,"; and
- WHEREAS,** with the passage of BC Resolution 7-7-87-A, the Business Committee established a regular meeting schedule to meet of each Tuesday, at 1:30 p.m., and each Friday, at 9:00 a.m.; and
- WHEREAS,** with the passage of BC Resolution 3-25-88-B, the Business Committee modified the regular meeting schedule to meet each Friday, at 9:00 a.m., and held informational meetings the first Monday each month, at 7:00 p.m.; and
- WHEREAS,** with the passage of BC Resolution 4-26-91-A, the Business Committee modified the regular meeting schedule to meet each week on Wednesday, at 9:00 a.m.; and
- WHEREAS,** with the passage of BC Resolution 2-11-04-A, the Business Committee modified the regular meeting schedule to meet every other week on Wednesday, at 9:00 a.m.; and
- WHEREAS,** with the passage of BC Resolution 12-10-08-A, the Business Committee modified the regular meeting schedule to meet every second and fourth Wednesday each month, at 9:00 a.m.; and
- WHEREAS,** with the passage of BC Resolution 06-23-10-E, the Business Committee modified the regular meeting schedule to include executive discussion meetings every second and fourth Tuesday of the month, at 9:00 a.m.; and
- WHEREAS,** with the passage of BC Resolution 11-23-16-C, the Business Committee modified the regular meeting schedule to meet every second and fourth Tuesday of the month at 8:30 a.m. for executive discussion meetings, and to meeting every second and fourth Wednesday of the month at 8:30 a.m. for regular meetings; and
- WHEREAS,** with the passage of BC Resolution 12-27-16-A, the Business Committee modified the regular meeting schedule to meet every second and fourth Wednesday of each month at 8:30 a.m., and for the purpose of addressing quarterly reports, to meet the fourth Thursday of January, April, July, and October at 8:00 a.m.; and

Clean Copy

53 **WHEREAS,** the Business Committee has determined an additional regular meeting is required on a
54 quarterly basis for the purpose of addressing quarterly reports from Boards, Committees
55 and Commissions, Corporate Boards, and Standing Committees of the Business
56 Committee; and

57
58 **WHEREAS,** Oneida Nation Corporate Boards provided feedback from the 2017 quarterly meeting
59 schedule, and indicated additional time was needed for financials to be prepared; and

60
61 **WHEREAS,** the Business Committee has determined this change would better serve the membership
62 of the Oneida Nation and the Business Committee; and

63
64 **NOW THEREFORE BE IT FURTHER RESOLVED,** for the purpose of addressing quarterly reports,
65 regular meetings of the Oneida Business Committee shall be held the Thursday after the second regularly
66 scheduled Business Committee meetings of February, May, August, and November, starting on March 1,
67 2018;

68
69 **BE IT FINALLY RESOLVED,** this resolution shall supersede all prior motions, practices or resolutions, in
70 particular BC Resolutions 12-10-08-A, 06-23-10-E, 11-23-16-C, and 12-27-16-A regarding the subject of
71 regular meetings of the Oneida Business Committee.



Oneida Nation
 Oneida Business Committee
 Legislative Operating Committee
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Statement of Effect

Oneida Business Committee Regular Meeting Schedule 'lqt 'S wct vgt r' Tgr qt vu

Summary

This Resolution would require that the Oneida Business Committee (OBC) add four additional quarterly meetings to its regular meeting schedule, for the purpose of addressing quarterly reports from Boards, Committees and Commissions, Corporate Boards, and OBC Standing Committees. This change would become effective March 1, 2018.

Submitted by: Tani Thurner, Staff Attorney, Legislative Reference Office

Date Submitted: 9/13/17

Analysis by the Legislative Reference Office

Article III, Section 3 of the Oneida Constitution states that “Regular meetings of the Business Committee may be established by resolution of the Business Committee.” Currently, the OBC holds the following meetings in accordance with previously adopted resolutions:

- Executive discussion meetings every second and fourth Tuesday each month, at 8:30 a.m. (BC-06-23-10-E and 11-23-16-C);
- Regular meetings every second and fourth Wednesday each month, at 8:30 a.m. (BC-12-10-08-A and 11-23-16-C); and
- Regular quarterly meetings - on the fourth Thursday of January, April, July and October at 8:00 a.m. for the purpose of addressing quarterly reports (BC-12-27-16-A).

Under the proposed resolution, the OBC has determined that one additional meeting is necessary each quarter for the purpose of “addressing quarterly reports from Boards, Committees and Commissions, Corporate Boards, and Standing Committees of the Business Committee.” This decision was made based on feedback provided from Oneida Nation Corporate Boards regarding the 2017 quarterly meeting schedule - those Corporate Boards had indicated additional time was needed for financials to be prepared.

Therefore, this resolution would also add four additional regular OBC meetings for the purpose of addressing quarterly reports; to be held the Thursday after the second regularly scheduled OBC meetings in February, May, August and November. This change would go into effect starting on March 1, 2018. The OBC has determined that this change in the regular meeting schedule would better serve the membership of the Oneida Nation and the OBC.

Lastly, the Resolution specifies that it shall supersede all prior motions, practices or resolutions, in particular BC Resolutions 12-10-08-A, 06-23-10-E, 11-23-16-C, and 12-27-16-A, regarding the subject of regular meetings of the Oneida Business Committee.

Conclusion

Unlike previous resolutions, this resolution does not identify what time these new meetings would be held. The Constitution does not require the OBC resolutions to identify the times for holding these meetings.

Adoption of this Resolution does not conflict with any of the Nation’s laws.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 9 / 27 / 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 adoption of Resolution: Reinstating the Oneida Tribal Regulation of Domestic Animals Ordinance on an emergency basis and delaying the effective date of the Domestic Animals law.

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 Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Resolution # _____

Reinstating the Oneida Tribal Regulation of Domestic Animals Ordinance on an Emergency Basis, and Delaying the Effective Date of the Domestic Animals 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,** on June 28, 2017, the Oneida Business Committee adopted amendments to the Domestic Animals law (formerly the Oneida Tribal Regulation of Domestic Animals Ordinance) through the adoption of OBC Resolution #6-28-17-B; and
- WHEREAS,** one of the primary changes made to the law is to transfer hearing body authority from the Environmental Resources Board to the Judiciary; and
- WHEREAS,** the Environmental Resource Board has had various problems preparing for implementation, and has requested additional time to ensure hearing body authority is properly transferred to the Judiciary; and
- WHEREAS,** the Conservation Department has not yet implemented the amended law or issued any citations under that law; and
- WHEREAS,** section 109.9-5 of the Legislative Procedures Act (LPA) authorizes the Oneida Business Committee to temporarily enact an emergency law where necessary for the immediate preservation of the public health, safety, or general welfare of the reservation population and the enactment or amendment of legislation is required sooner than would be possible through the standard legislative process; and
- WHEREAS,** the Oneida Business Committee has determined that it is necessary for the immediate preservation of the public health and safety of the reservation population to postpone implementation of the Domestic Animals law, as adopted by OBC Resolution #6-28-17-B until such time as it can be fully enforced as written.

NOW THEREFORE BE IT RESOLVED, that the effective date of the Domestic Animals law, as adopted by OBC Resolution #6-28-17-B, shall be postponed until January 1, 2018.

NOW THEREFORE BE IT FURTHER RESOLVED, that the Oneida Tribal Regulation of Domestic Animals Ordinance, as adopted by OBC Resolution #6-22-11-G, shall resume effect immediately on an emergency basis; and shall remain in effect until January 1, 2018.

NOW THEREFORE BE IT FURTHER RESOLVED, that the Environmental Resource Board shall proceed with the process of transferring hearing body authority to the Judiciary; and ensure that the transfer is completed by January 1, 2018, when the Domestic Animals law resumes effect.

NOW THEREFORE BE IT FINALLY RESOLVED, that the Environmental Resource Board shall submit a progress report to the Oneida Business Committee at the first (1st) regular OBC meeting in December of 2017, identifying the steps taken to transfer hearing body authority as of that date, and identifying any steps remaining, including but not limited to, any potential issues and assistance that may be needed to ensure the above deadline is met.



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 Oneida Business Committee
 Legislative Operating Committee
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Statement of Effect

Reinstating the Oneida Tribal Regulation of Domestic Animals Ordinance on an Emergency Basis, and Delaying the Effective Date of the Domestic Animals law

Summary

This resolution would delay the effective date of the Domestic Animals law, and reinstate the Tribal Regulation of Domestic Animals Ordinance on an emergency basis until January 1, 2018, so that the Environmental Resource Board has time to complete the steps necessary to transfer its hearing body authority to the Judiciary.

Submitted by: Tani Thurner, Staff Attorney, Legislative Reference Office

Date: September 19, 2017

Analysis by the Legislative Reference Office

During the 2014-2017 term, the Oneida Business Committee (OBC) began the process of transferring the Environmental Resource Board's (ERB's) hearing body authority to the Judiciary. There were several laws that each delegated hearing body authority to ERB, and those laws were all amended to transfer ERB's hearing body authority over to the Nation's Judicial system.

One such law that was amended was the Tribal Regulation of Domestic Animals Ordinance. On June 28, 2017, through OBC Resolution #6-28-17-B; the OBC adopted amendments that re-named that law as the Domestic Animals law, and which made several different changes to the law, including transferring ERB's hearing body authority to the Judiciary. The amended law went into effect immediately.

However, ERB has had some difficulties with preparing for implementation – i.e. completing the transfer of hearing body authority over to the Judiciary. Therefore, ERB has requested additional time before the amended law goes into effect.

In order to ensure that ERB has enough time to complete the transfer of hearing body authority over to the Judiciary, this resolution would:

- Delay the effective date of the Domestic Animals law, so that it would stop being effective, and instead would go into effect on January 1, 2018.
- Immediately reinstate the previous Oneida Tribal Regulation of Domestic Animals Ordinance, as adopted by BC #6-22-11-G; on an emergency basis, meaning it would become effective immediately and would remain in effect until January 1, 2018.
- Direct ERB to proceed with the process of transferring hearing body authority to the Judiciary, and to ensure that the transfer is completed by January 1, 2018, when the Domestic Animals law goes into effect.

The Conservation Department has not yet implemented the amended law or issued any citations under it; so it does not appear that any person or entity would be affected if the effective date is postponed and the previous law resumes being in effect.

The resolution also requires ERB to submit a progress report to the OBC at the first regular OBC meeting in December. In that progress report, ERB must identify:

- The steps that ERB has taken to transfer its hearing body authority, and
- Any steps that remain to be taken; along with any potential issues or assistance that may be needed to ensure the January 1, 2018 deadline is met.

Conclusion

This resolution does not conflict with any of the Nation's laws.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 9 / 27 / 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 adoption of Resolution: Extension of the Effective Date of Amendments to Laws that Transfer Hearing Body Authority from the Environmental Resources Board to the Judiciary.

3. Supporting Materials

Report Resolution Contract

Other:

1. <input type="text" value="Resolution and SOE"/>	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: Jennifer Falck, LRO Director
Your Name, Title / Dept. or Tribal Member

Additional Requestor: _____
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.

Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Resolution # _____

Extension of the Effective Date of Amendments to Various Laws – Environmental Resource Board Hearing Body Authority Transfer to Judiciary

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, On July 26, 2017, as part of an effort to standardize and streamline all of the Nation's hearing responsibilities; the Oneida Business Committee adopted amendments to various laws of the Nation which transfer the Environmental Resource Board's original hearing body authority and responsibilities to the Oneida Judiciary, including:

- Well Abandonment Law Amendments (BC#7-26-17-A)
- Tribal Environmental Response Law Amendments (BC#7-26-17-B)
- On-Site Waste Disposal Law Amendments (BC#7-26-17-C)
- Public Use of Tribal Land Law Amendments (BC#7-26-17-D)
- All-Terrain Vehicle Law Amendments (BC#7-26-17-E)
- Hunting, Fishing and Trapping law amendments (BC#7-26-17-F) (these amendments also clarify the law's Jurisdiction section)
- Water Resources Ordinance amendments (BC#7-26-17-G); and

WHEREAS, the amendments to the laws identified above are scheduled to become effective on October 1, 2017; and

WHEREAS, the Environmental Resource Board has had various problems preparing for implementation, and has requested additional time before these amendments become effective.

NOW THEREFORE BE IT RESOLVED, the effective date of the amendments to the Well Abandonment law; Tribal Environmental Response law, On-Site Waste Disposal Ordinance, Public Use of Tribal Land law, All-Terrain Vehicle law, Hunting, Fishing and Trapping law and Water Resources Ordinance; as stated in those resolutions adopted on July 26, 2017, is hereby extended from October 1, 2017 to January 1, 2018.



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



Statement of Effect

Extension of the Effective Date of Amendments to Various Laws – Environmental Resource Board Hearing Body Authority Transfer to Judiciary

Summary

This resolution extends the effective date of amendments to various laws of the Nation, which transfer hearing body authority from the Environmental Resource Board to the Oneida Judiciary.

Submitted by: Tani Thurner, Staff Attorney, Legislative Reference Office

Analysis by the Legislative Reference Office

This resolution extends the effective date of the amendments for various laws, which were adopted by the Oneida Business Committee and scheduled to become effective on October 1, 2017, including:

- Well Abandonment Law Amendments (BC#7-26-17-A)
- Tribal Environmental Response Law Amendments (BC#7-26-17-B)
- On-Site Waste Disposal Law Amendments (BC#7-26-17-C)
- Public Use of Tribal Land Law Amendments (BC#7-26-17-D)
- All-Terrain Vehicle Law Amendments (BC#7-26-17-E)
- Hunting, Fishing and Trapping Law Amendments (BC#7-26-17-F)
- Water Resources Ordinance Amendments (BC#7-26-17-G).

On July 26, 2017, the Oneida Business Committee adopted amendments to each of the laws listed above, which would transfer Environmental Resource Board's original hearing body authority and responsibilities to the Oneida Judiciary. The Hunting, Fishing and Trapping law amendments also clarify the law's "Jurisdiction" section." The adopting resolutions stated that these amendments would go into effect on October 1, 2017.

However, this resolution states that the Environmental Resource Board has had various problems preparing for implementation, and has requested additional time before the amendments to these laws go into effect. This resolution would extend the effective date an additional three months, so that the laws, as amended, would become effective on January 1, 2018, instead of on October 1, 2017.

Conclusion

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

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 9 / 27 / 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 adoption of Resolution: Professional Conduct for Attorneys and Advocates

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 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 *DJ*
DATE: September 27, 2017
RE: Professional Conduct for Attorneys and Advocates

Please find attached the following for your consideration regarding the Professional Conduct for Attorneys and Advocates law:

1. Resolution: Professional Conduct for Attorneys and Advocates
2. Statement of Effect: Professional Conduct for Attorneys and Advocates
3. Professional Conduct for Attorneys and Advocates (legislative analysis)
4. Professional Conduct for Attorneys and Advocates (clean copy)
5. Professional Conduct for Attorneys and Advocates (fiscal impact statement)

Overview

The attached resolution would adopt the Professional Conduct for Attorneys and Advocates law (Law). The Law governs the professional conduct of attorneys and advocates that appear before the Judiciary and provides clients with an understanding of the level of service to be expected from counsel who represent them before the Judiciary.

On May 1, 2015, the Judiciary adopted Rules of Admission which state that Wisconsin Supreme Court Rule 20, Rules of Professional Conduct, governs profession conduct. As the Wisconsin Supreme Court Rule does not apply to a court where lay advocates are admitted to practice, the Law creates rules that are specific to the current operation of the Judiciary to ensure clients are receiving adequate representation. The Law addresses a number of topics including but not limited to: competence, scope of representation, diligence, fees, confidentiality, conflict of interest, and candor and impartiality toward the Judiciary. The Law also identifies what a client can do if they allege that counsel has acted negligently or in violation of a duty and directs the Judiciary when complaints are filed regarding any disciplinary actions pertaining to the Law.

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*. The public meeting comment period regarding the Law closed on July 27, 2017. The Legislative Operating Committee considered the public comments on August 2, 2017, and necessary revisions were incorporated in the Law. 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: Professional Conduct for Attorneys and Advocates

1 **BC Resolution # _____**
2 **Professional Conduct for Attorneys and Advocates law**

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,** the Oneida General Tribal Council created the Judiciary through Resolution GTC-
15 01-07-13-B and the Oneida Business Committee created the Family Court
16 through Resolution BC-05-08-13-A; and

17
18 **WHEREAS,** the Oneida Judiciary Rules of Civil Procedure allows a party to be represented by
19 an attorney or advocate that is admitted to practice law before the Judiciary; and

20
21 **WHEREAS,** the Oneida Judiciary Rules of Admission adopted Wisconsin Supreme Court Rule
22 20, Rules of Professional Conduct for Attorneys; and

23
24 **WHEREAS,** the proposed Law would create rules governing the professional conduct both of
25 attorneys and advocates that are specific to the Oneida Judiciary to ensure clients
26 are receiving adequate representation including provisions regarding recourse for
27 inadequate services rendered by practicing attorneys and advocates; and

28
29 **WHEREAS,** a public meeting was held on July 20, 2017, in accordance with the Legislative
30 Procedures Act and the comments that were received were considered on August
31 2, 2017.

32
33 **NOW THEREFORE BE IT RESOLVED,** that the Professional Conduct for Attorneys and
34 Advocates law is hereby adopted.

35
36
37
38



Oneida Nation
 Oneida Business Committee
 Legislative Operating Committee
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Statement of Effect

Professional Conduct for Attorneys and Advocates Law

Summary

This Resolution adopts the Professional Conduct for Attorneys and Advocates law (Law) that governs the conduct of attorneys and advocates that are admitted to practice law before the Judiciary.

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

Analysis by the Legislative Reference Office

This Resolution adopts the Law which governs the professional conduct of attorneys and advocates that appear before the Judiciary and provides clients with an understanding of the level of service to be expected from attorneys and advocates who represent them before the Judiciary.

The Oneida General Tribal Council created the Judiciary through GTC Resolution 01-07-13-B and the Oneida Business Committee created the Oneida Family Court, which is a branch of the Judiciary, through BC Resolution 05-08-13-A. The Judiciary is governed by the Oneida Judiciary Rules of Civil Procedure and other laws which allow a party to be represented by an attorney or advocate that is admitted to practice law before the Judiciary. The Oneida Judiciary Rules of Admission adopted Wisconsin Supreme Court Rule 20, Rules of Professional Conduct, to address professional conduct.

As the Wisconsin Supreme Court Rule does not apply to a court where lay advocates are admitted to practice law, the proposed Law creates rules that are specific to the Oneida Judiciary to ensure clients are receiving adequate representation. The Law addresses a number of topics including but not limited to: competence, scope of representation, diligence, fees, confidentiality, conflict of interest, and candor and impartiality toward the Judiciary. The Law also identifies what a client can do if they allege that counsel has acted negligently or in violation of a duty and directs the Judiciary when complaints are filed regarding any disciplinary actions pertaining to the Law.

On July 20, 2017, the Legislative Operating Committee held a public meeting pursuant to the Legislative Procedures Act. The public meeting comment period regarding the Law closed on July 27, 2017. The Legislative Operating Committee considered the public comments on August 2, 2017, and necessary revisions were incorporated in the Law. In accordance with the Legislative Procedures Act, this Law will become effective ten (10) business days after the date of adoption of the Resolution.

Conclusion

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



Professional Conduct for Attorneys and Advocates Legislative Analysis

SECTION 1. BACKGROUND

REQUESTER: GTC Directive	SPONSOR: David P. Jordan	DRAFTER: Robert J. Collins	ANALYST: Maureen Perkins
Intent of the Law	The intent of this law is to establish rules governing the professional conduct of attorneys and advocates (counsel) who appear before the Judiciary in order to protect the interests of all parties <i>[see 810.1-2]</i> .		
Purpose	To govern the conduct of attorneys and advocates (counsel) that are admitted to practice law before the Judiciary <i>[see 810.1-1]</i> .		
Affected Entities	Judiciary, Legal Resource Center, attorneys and advocates who are admitted to practice before the Judiciary		
Affected Legislation	Legal Resource Center (law), Oneida Judiciary Rules of Evidence, Cannons of Judicial Conduct, Anonymous Letters Policy, Oneida Judiciary Rules of Admission, Oneida Rules of Professional Conduct for Attorneys		
Enforcement/Due Process	A client alleging that counsel was negligent or violated a duty under this law may initiate a civil action by filing a complaint with the Judiciary's Trial Court <i>[see 810.22-1]</i> . Decisions of the Trial Court under this section may be appealed to the Court of Appeals <i>[see 810.22-5]</i> . The Judiciary's Trial Court is granted jurisdiction to hear complaints filed regarding any disciplinary actions pertaining to this law <i>[see 810.23-1]</i> . Decisions of the Trial Court are appealed to the Court of Appeals <i>[see 810.23-6]</i> .		
Public Meeting	A public meeting was held July 20, 2017. Comments were considered by the LOC on August 2, 2017 and directed changes are reflected in this draft.		

SECTION 2. LEGISLATIVE DEVELOPMENT

- A. This law governs the conduct of attorneys and advocates who are admitted and practice before the Judiciary *[see 810.1-1]*. This includes both attorneys and advocates elected to serve in the Legal Resource Center as well as attorneys and advocates who represent clients outside of the center. Domestic violence advocates guardian ad litem are not included in the definition of advocate.
- B. This law benefits the interests of all parties that appear before the Judiciary by subjecting attorneys and advocates to rules governing their professional conduct.

SECTION 3. CONSULTATION

- A. The Oneida Business Committee and the Oneida Judiciary were consulted about the contents of this legislation.
- B. The laws and rules pertaining to the Judiciary were consulted in the drafting of this legislation.

SECTION 4. PROCESS

- A. This law is following the correct legislative process.
- B. This law was added to the Active Files List on 4/5/17 and a public meeting was held 07/20/17. Comments were considered by the LOC on August 2, 2017 and directed changes are reflected in this draft.

SECTION 5. CONTENTS OF THE LEGISLATION**A. Competence**

- Counsel (attorney or advocate) is expected to provide representation that is backed by legal knowledge, skill, thoroughness and preparation [*see 810.4*].

Scope of Representation

- Relationships between a client and counsel are considered privileged once legal services are obtained or performed.
- Counsel will abide by decisions of the client regarding representation.
- Counsel's representation does not constitute endorsement of the client.
- Counsel may limit the scope of representation with client's informed consent.
- Counsel will not advise or assist the client in criminal or fraudulent conduct [*see 810.5*].

Diligence

- Careful, persistent and immediate work is expected of counsel [*see 810.6*]

Communication

- Counsel is expected to [*see 810.7*]:
 - let the client know when informed consent is required by law.
 - consult with the client regarding the possible strategies that can be used in Court.
 - keep the client informed of the status of their case and any decisions that need to be made, as well as complying with requests by the client for information.
 - let the client know when their expectations are beyond what is permitted by law.
 - explain the case to the client so that they understand the decisions regarding representation.

Fees

- Fees must be reasonable considering [*see 810.8-1*]:
 - time and labor required, difficulty of the case, and the skill required.
 - the likelihood that acceptance of the case will prevent counsel from accepting other cases.
 - the price of local legal services.
 - time limitations.
 - the nature and length of the professional relationship with the client.
 - the experience, reputation and ability of counsel.
- The scope of representation and the basis or rate of the fee and expenses must be provided to the client in writing before or close after beginning representation. Any changes must be communicated in writing [*see 810.8-2*].
- Counsel must immediately respond to a client's request for information regarding fees [*see 810.8-3*].

Confidentiality

- Information related to the representation of a client is confidential except as necessary to provide representation [*see 810.9-1*].
- Counsel must reveal information to any party they feel is appropriate related to the representation of a client to prevent the client from committing a criminal or fraudulent act that is likely to result in death or substantial bodily harm or injury to the financial interest or property of another [*see 810.9-2*].

- 61 • Counsel may reveal information to any party they feel is appropriate related to the representation
62 of a client to the extent counsel reasonably believes necessary *[see 810.9-3]*:
63 ○ To secure legal advice about counsel's conduct under this law
64 ○ To establish a claim or defense regarding a controversy between client and counsel
65 ○ To establish a defense to an action seeking to deny admission to practice before the
66 Judiciary
67 ○ To respond to allegations in any proceeding regarding counsel's representation of the
68 client
69 ○ To comply with other laws or court orders
70 ○ To detect and resolve conflicts of interest, but only if the revealed information would not
71 compromise the client-counsel privilege or prejudice the client
72 • Counsel must make reasonable effort to prevent the accidental disclosure or access to client's
73 information *[see 810.9-4]*.

Conflict of Interest

- 75 • Counsel cannot represent a client if representation will negatively affect another client or if
76 representation will be limited by counsel's responsibilities to another client, a former client, a
77 third person or by a personal interest of counsel *[see 810.10-1]*.
78 • Counsel may represent a client if *[see 810.10-2]*:
79 ○ they are able to provide competent and immediate representation to each affected client
80 ○ representation is not prohibited by law
81 ○ representation does not involve a claim by one client against another represented by
82 counsel in any proceeding before the Judiciary
83 ○ each affected client gives written informed consent
84 • Counsel cannot use information related to the representation of a client to their disadvantage
85 without written consent except as permitted or required by this law *[see 810.10-3]*.
86 • Counsel cannot provide the client with any financial assistance related to the representation *[see*
87 *810.10-4]*

Duties to Former Clients

- 89 • Counsel cannot represent a client in the same or related matter as a previous client if it is
90 significantly conflicting to the interests of the former client unless the former client gives
91 informed consent *[see 810.11]*.

Former Judge, Mediator or Peacemaker

- 93 • Counsel cannot represent anyone in connection to a case where counsel participated as a judge,
94 mediator or peacemaker *[see 810.12]*.

Client with Diminished Capacity

- 96 • Counsel must maintain a normal client-counsel relationship with a client with diminished
97 capacity and may request a guardian ad litem for the client *[see 810.13]*.

Declining or Terminating Representation

- 99 • Counsel must decline or withdraw representation if this law is violated, counsel's physical or
100 mental condition significantly impairs their ability to represent the client, or counsel is discharged
101 *[see 810.14-1]*.
102 • Counsel may withdraw representation of a client if *[see 810.14-2]*:
103 ○ it does not affect the interests of the client,
104 ○ the client insists on a course of action that is criminal or fraudulent,

- 105 ○ the client uses counsels services to commit a crime or fraud,
- 106 ○ the client insists on action that counsel considers distasteful or disagrees with,
- 107 ○ the client fails to fulfill an obligation to counsel and has been given reasonable warning
- 108 that counsel will withdraw unless obligation is met,
- 109 ○ the representation will result in an unreasonable financial burden on counsel, or
- 110 ○ other good cause for withdrawal exists.
- 111 • Counsel must follow established notice requirements when terminating representation and must
- 112 continue representation if ordered to do so by the Judiciary [*see 810.14-3*].
- 113 • Counsel must protect client's interests upon terminating representation [*see 810.14-4*].

114 **Duties to Prospective Clients**

- 115 • Counsel must keep information confidential even if a client-counsel relationship does not exist
- 116 unless the client has given written informed consent otherwise or reasonable measures were taken
- 117 to avoid exposure to disqualifying information in determining expected services [*see 810.15*].

118 **Role as Advisor**

- 119 • Counsel may not:
 - 120 ○ knowingly advance a claim outside existing law unless the claim can be supported by
 - 121 good faith argument for an extension, modification or reversal of existing law
 - 122 ○ advance frivolous positions, or
 - 123 ○ injure another with court actions [*see 810.16-2*].
- 124 • Counsel cannot make false statements to a third person or fail to disclose facts to a third person
- 125 when disclosure is necessary to avoid assisting a criminal or fraudulent act by a client [*see*
- 126 *810.16-3*].

127 **Candor and Impartiality toward the Judiciary**

- 128 • Counsel cannot knowingly [*see 810.17-2*]:
 - 129 ○ make or fail to correct false statements previously made to the Judiciary
 - 130 ○ fail to disclose to the Judiciary legal authority in the controlling jurisdiction known to be
 - 131 adverse to the client and not disclosed by opposing counsel
 - 132 ○ offer or fail to correct evidence presented to the Judiciary known to be false.
- 133 • Counsel cannot [*see 810.17-2*]:
 - 134 ○ influence a judge, juror or other court official
 - 135 ○ communicate one sided with a judge during proceeding unless authorized by law or court
 - 136 order or for scheduling purposes if permitted by the court
 - 137 ○ disrupt the Judiciary

138 **Fairness to Opposing Party and Counsel**

- 139 • Counsel cannot [*see 810.18*]:
 - 140 ○ Obstruct access to evidence by another party or destroy evidence or advise or assist
 - 141 another to do so
 - 142 ○ Falsify evidence or advise a witness to provide false testimony
 - 143 ○ Knowingly disobey an obligation established by law or rule, except for open refusal
 - 144 based on an assertion that an obligation doesn't exist
 - 145 ○ Make frivolous discovery requests or fail to comply with discovery requests of opposing
 - 146 party
 - 147 ○ Allude to any matter not reasonably relevant or supported by admissible evidence

- 148 • Counsel cannot communicate about the representation with a person counsel knows is represented
149 by an attorney or advocate unless counsel has consent of the other counsel or is authorized to do
150 so by law or court order *[see 810.18-2]*.
- 151 • Counsel must inform others not represented by an attorney or advocate of their role in
152 representation and correct misunderstandings regarding representation. Counsel cannot give legal
153 advice except to secure counsel *[see 810.18-3]*.

154 **Counsel as Witness**

- 155 • Counsel cannot provide representation at a trial where they are likely to be called as a witness
156 unless *[see 810.19]*:
- 157 ○ The testimony relates to the legal services rendered in the case, or
 - 158 ○ Not doing so would cause hardship for the client.

159 **Admittance to Practice and Disciplinary Matters**

- 160 • Counsel must comply with the Judiciary's Rules of Admission to Practice *[See Judiciary*
161 *Website]* and cannot knowingly make false statements or fail to disclose a fact necessary to
162 correct a mistake or fail to respond for a demand for information regarding admission *[see*
163 *810.20]*.

164 **Misconduct**

- 165 • It is professional misconduct for counsel to *[see 810.21]*:
- 166 ○ Violate or assist or encourage another to violate this law
 - 167 ○ Commit a criminal act unless act has been pardoned
 - 168 ○ Engage in dishonest, fraudulent, deceitful or misrepresentative behavior unless pardoned
 - 169 ○ State or imply an ability to influence a tribal or governmental official to achieve results
 - 170 ○ Violate counsel's oath to Judiciary
 - 171 ○ Fail to cooperate in an investigation of a complaint filed with the Judiciary

172 **Civil Actions for Negligence or Violation of Duty**

- 173 • A client alleging negligence by counsel can file a complaint with the Nation's Trial Court and
174 must prove the following *[see 810.22]*:
- 175 ○ A client-counsel relationship existed
 - 176 ○ Counsel committed acts that were negligent or violated their duty under the law
 - 177 ○ The client suffered actual damages
 - 178 ○ The negligence or violation of duty was the main reason for the damages
 - 179 ○ That the client would have been successful if not for the counsel's negligence
- 180 • The Trial Court will consider the merits of the client's case and if allegations are substantiated the
181 court may issue a written order awarding monetary damages not to exceed five thousand dollars
182 (\$5,000) *[see 810.22-3 and 810.22-4]*.
- 183 • Decisions of the Trial Court are appealable to the Court of Appeals.

184 **Disciplinary Actions**

- 185 • The Trial Court is granted jurisdiction to hear any complaints filed regarding disciplinary actions
186 *[see 810.23-1]*.
- 187 • The Chief Judge of the Trial Court or his or her designee will screen out or take no action on
188 complaints that are frivolous and communicate decisions regarding appeals in writing *[see*
189 *810.23-2]*.
- 190 • Anonymous complaints will be handled according to the Anonymous Letters Policy.

- 191 ○ Anonymous complaints received shall be summarized and forwarded in a confidential
192 manner to the Chief of the Oneida Police Department. The summary must include who
193 received the information, the day, date, and time of receipt and the information received.
194 *[see Anonymous Letters Policy O.C. 307.4-1].*
- 195 • Complaints that move forward will be assigned a judge by the Chief Judge of the Trial Court or
196 his or her designee to preside. The party being accused must receive notice of a hearing and
197 have a chance to respond to the allegations and the complainant must also receive notice of the
198 hearing in order to present their evidence *[see 801.23-3]*. The case can be dismissed if there is
199 not sufficient evidence to substantiate the allegation *[see 810.23-4]*. The presiding judge will
200 determine the disciplinary methods if allegations are substantiated. Outside regulating authority
201 will receive the decision if appropriate *[see 810.23-5]*.
 - 202 • Decisions of the Trial Court under this section are appealable to the Court of Appeals *[see*
203 *810.23-6]*.
- 204 **B.** This legislation is written as simply as the subject matter allows.
205

206 SECTION 6. INTENT

- 207 **A.** The purpose of the law is clearly intended to govern the conduct of attorneys and advocates who are
208 admitted to practice before the Judiciary.
- 209 **B.** This legislation applies to attorneys and advocates who practice before the Judiciary; as well as their
210 clients who have an established set of guidelines to ensure they are receiving adequate representation
211 and a process to follow regarding recourse for inadequate services rendered by practicing attorneys or
212 advocates.
213

214 SECTION 7. EFFECT ON EXISTING LEGISLATION

- 215 **A.** This law does not impact or conflict with any existing laws of the Nation. The following are laws of
216 the Nation are related legislation:
- 217 • Anonymous Letters Policy
 - 218 ○ The law will follow the Anonymous Letter Policy with respect to complaints that are
219 filed anonymously. The Chief Judge may take no action on an anonymous complaint
220 other than fulfilling the requirements of the Nation's Anonymous Letters Policy *[see*
221 *810.23-2(a)]*.
- 222 Attorneys and advocates admitted to practice before the Judiciary shall act in accordance with all
223 existing laws and rules of the Nation that establish guidelines for attorneys and advocates including:
- 224 • The Rules of Civil Procedure *[see Chapter 803]*
 - 225 ○ Establishes the role and responsibilities of attorneys and advocates in civil proceedings
 - 226 • The Rules of Appellate Procedure *[see chapter 805]*
 - 227 ○ Establishes the role and responsibilities of attorneys and advocates in appellate
228 proceedings.
 - 229 • Oneida Judiciary Rules of Evidence *[see Chapter 804]*
 - 230 ○ Establishes the attorney-client and advocate-client relationship
 - 231 • Divorce, Annulment, Legal Separation *[see Chapter 702]*
 - 232 ○ Establishes the role and responsibilities of an attorney or advocate representing a party in
233 divorce, annulment, or legal separation proceedings.

- 234 • Judiciary Rules of Admission [*See Judiciary Website*]
235 ○ Establishes minimum requirements for admission to practice before the Judiciary and to
236 regulate those admitted to practice.

237

238 **B.** There are not any conflicts with existing laws of the Nation.

239

240 **SECTION 8. EFFECTS ON EXISTING RIGHTS, PRIVILEGES, OR** 241 **OBLIGATIONS**

242 **A.** This law codifies the Oneida Judiciary Rules of Professional Conduct; a modified version of
243 Wisconsin Supreme Court Rule 20, Rules of Professional Conduct for Attorneys that is applicable to
244 the Judiciary [*see Judiciary website*]. The Wisconsin Supreme Court rules do not apply to lay
245 advocates.

246 **B.** This law clearly establishes the expectations of attorneys and advocates who practice before the
247 Judiciary and provides clients with an understanding of the level of service to be expected from
248 attorneys and advocates who represent them before the Judiciary.

249

250 **SECTION 9. ENFORCEMENT**

251 **A.** A client alleging that counsel was negligent or violated a duty under this law may initiate a civil action
252 by filing a complaint with the Judiciary's Trial Court [*see 810.22-1*]. Decisions of the Trial Court
253 under this section may be appealed to the Court of Appeals [*see 810.22-5*]. The Judiciary's Trial
254 Court is granted jurisdiction to hear complaints filed regarding any disciplinary actions pertaining to
255 this law [*see 810.23-1*]. Decisions of the Trial Court under this section are appealed to the Court of
256 Appeals [*see 810.23-6*].

257 **B.** The law will be enforced utilizing existing human resources.

258

259 **SECTION 10. ACCOUNTABILITY**

260 **A.** The Judiciary is accountable for implementation and operation of this law.

261 **B.** There are no annual or other reporting requirements to the GTC.

262

263

264

Title 8. Judiciary - Chapter 810**PROFESSIONAL CONDUCT FOR ATTORNEYS AND ADVOCATES****Téhatilhwaskénhas áhatilhwakwalihsyúhake áhatilhwatok/hake laotilhwá'ke***The lawyers/advocates will always straighten out the issues for them to always be certain of their affairs*

810.1. Purpose and Policy	810.13. Client with Diminished Capacity
810.2. Adoption, Amendment, Repeal	810.14. Declining or Terminating Representation
810.3. Definitions	810.15. Duties to Prospective Clients
810.4. Competence	810.16. Role as Advisor
810.5. Scope of Representation	810.17. Candor and Impartiality toward the Judiciary
810.6. Diligence	810.18. Fairness to Opposing Party and Counsel
810.7. Communication	810.19. Counsel as Witness
810.8. Fees	810.20. Admittance to Practice and Disciplinary Matters
810.9. Confidentiality	810.21. Misconduct
810.10. Conflict of Interest	810.22. Civil Actions for Negligence or Violation of Duty
810.11. Duties to Former Clients	810.23. Disciplinary Actions
810.12. Former Judge, Mediator, or Peacemaker	

1
2 **810.1. Purpose and Policy**

3 810.1-1. *Purpose.* The purpose of this law is to govern the conduct of attorneys and advocates
4 that are admitted to practice law before the Judiciary.

5 810.1-2. *Policy.* It is the policy of the Nation that the interests of all parties that appear before
6 the Judiciary are protected. In pursuit of this interest, it is to the benefit of all parties that
7 attorneys or advocates are subject to rules governing their professional conduct.
8

9 **810.2. Adoption, Amendment, Repeal**

10 810.2-1. This law was adopted by the Oneida Business Committee by resolution
11 _____.

12 810.2-2. 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.

15 810.2-3. 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.

18 810.2-4. Should a provision of this law or the application thereof to any person or circumstances
19 be held as invalid, such invalidity shall not affect other provisions of this law which are
20 considered to have legal force without the invalid portions.

21 810.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.

22 810.2-6. Where precedent for any issue under this law has not been established by the Judiciary, the
23 Judiciary and counsel may refer to established Wisconsin or federal case law precedent or laws for
24 guidance. The Wisconsin State Law Library maintains a section on Legal Ethics and Professional
25 Conduct located at <http://wilawlibrary.gov/topics/legalprof/malpractice.php>.
26

27 **810.3. Definitions**

28 810.3-1. This section shall govern the definitions of words and phrases used within this law. All
29 words not defined herein shall be used in their ordinary and everyday sense.

30 (a) "Advocate" means a non-attorney advocate who is admitted to practice law and is
31 presented to the Court as the representative or advisor to a party. "Advocate" shall not
32 mean a domestic violence advocate present in court for the sole purpose of providing
33 support or a guardian ad litem.

For OBC Consideration (Draft 7)

2017 09 13

34 (b) “Attorney” means a person trained and licensed to represent another person in Court,
35 to prepare documents, and to give advice or counsel on matters of law. “Attorney” shall
36 not mean a guardian ad litem.

37 (c) “Counsel” means an attorney or advocate that is admitted to practice before the
38 Judiciary.

39 (d) “Ex Parte” shall mean any contact with the Judge regarding a pending case where the
40 opposing party has not received notice, is not present, and has not consented to the
41 communication.

42 (e) “Judiciary” means the judicial system responsible for applying the laws of the Oneida
43 Nation. The three branches, as identified in resolutions BC-05-08-13-A and GTC 01-07-
44 13-B are the Family Court, Trial Court and Court of Appeals.

45 (f) “Informed consent” means the agreement by a person to a proposed course of conduct
46 after counsel has communicated adequate information and explanation about the material
47 risks of and reasonably available alternatives to the proposed course of conduct.

48 (g) “Preponderance of the evidence” means it is more likely than not that the facts
49 presented are true.

50 (h) “Prospective client” means a person who consults with counsel about the possibility
51 of forming a client-counsel relationship.

52 (i) “Pro Tem Judge” means a decision maker that is not currently seated on the Judiciary,
53 but that is appointed on a temporary (*pro tempore*), case-by-case basis to hear and decide
54 matters in professional conduct panels.

55 (j) “Reasonable” or “reasonably” when used in relation to conduct by counsel means the
56 conduct of a reasonably prudent and competent attorney or advocate.
57

58 **810.4. Competence**

59 810.4-1. Counsel shall provide competent representation to a client. Competent representation
60 requires the legal knowledge, skill, thoroughness, and preparation reasonably necessary for the
61 representation.
62

63 **810.5. Scope of Representation**

64 810.5-1. A client develops a privileged relationship protected by section 810.9 of this law and
65 section 804.8-2 of the Oneida Judiciary Rules of Evidence once they consult with counsel to
66 obtain legal services or once counsel performs legal services for the client. Any professional
67 opinion given by counsel without express disclosure negating a privileged relationship shall
68 create a privileged client-counsel relationship.

69 810.5-2. Counsel shall abide by a client’s decisions concerning the objectives of representation
70 and shall consult with the client as to the means by which they are to be pursued. Counsel may
71 take such action on behalf of the client as is impliedly authorized to carry out the representation.

72 810.5-3. Counsel’s representation of a client, including representation by appointment, does not
73 constitute an endorsement of the client’s political, economic, social or moral views or activities.

74 810.5-4. Counsel may limit the scope of representation if the limitation is reasonable under the
75 circumstances and the client gives informed written consent.

76 810.5-5. Counsel shall not advise a client to engage, or assist a client, in conduct that counsel
77 knows is criminal or fraudulent, but counsel may discuss the legal consequences of any proposed
78 course of conduct with a client and may advise or assist a client to make a good faith effort to
79 determine the validity, scope, meaning, or application of the law.
80

81 **810.6. Diligence**

82 810.6-1. Counsel shall act with reasonable diligence and promptness in representing a client.

83

84 **810.7. Communication**

85 810.7-1. Counsel shall:

86 (a) Promptly inform the client of any decision or circumstance with respect to which the
87 client's informed consent is required by this law;

88 (b) Reasonably consult with the client about the means by which the client's objectives
89 are to be accomplished;

90 (c) Keep the client reasonably informed about the status of the matter;

91 (d) Promptly comply with reasonable requests by the client for information; and

92 (e) Consult with the client about any relevant limitations on counsel's conduct when
93 counsel knows that the client expects assistance not permitted by this law or other laws or
94 rules.

95 810.7-2. Counsel shall explain a matter to the extent reasonably necessary to permit the client to
96 make informed decisions regarding the representation.

97

98 **810.8. Fees**

99 810.8-1. Counsel shall not make an agreement for, charge, or collect an unreasonable fee or an
100 unreasonable amount for expenses. The factors to be considered in determining the
101 reasonableness of a fee include the following:

102 (a) The time and labor required, the novelty and difficulty of the questions involved, and
103 the skill required to perform the legal service properly;

104 (b) The likelihood, if apparent to the client, that the acceptance of the particular
105 employment will prevent other employment by counsel;

106 (c) The fee customarily charged in the locality for similar legal services;

107 (d) The amount involved and the results obtained;

108 (e) The time limitations imposed by the client or by the circumstances;

109 (f) The nature and length of the professional relationship with the client; and

110 (g) The experience, reputation, and ability of the attorney or advocate performing the
111 services.

112 810.8-2. The scope of the representation and the basis or rate of the fee and expenses for which
113 the client will be responsible shall be communicated to the client in writing, before or within a
114 reasonable time after commencing the representation. Any changes in the basis or rate of the fee
115 or expenses shall also be communicated in writing to the client.

116 810.8-3. Counsel shall promptly respond to a client's request for information concerning fees
117 and expenses.

118

119 **810.9. Confidentiality**

120 810.9-1. Counsel shall not reveal information relating to the representation of a client unless the
121 client gives informed consent, except for disclosures that are impliedly authorized in order to
122 carry out the representation.

123 810.9-2. Counsel shall reveal information relating to the representation of a client to the extent
124 counsel reasonably believes necessary to prevent the client from committing a criminal or
125 fraudulent act that counsel reasonably believes is likely to result in death or substantial bodily
126 harm or in substantial injury to the financial interest or property of another.

127 810.9-3. Counsel may reveal information relating to the representation of a client to the extent
128 counsel reasonably believes necessary:

- 129 (a) To prevent reasonably likely death or substantial bodily harm;
130 (b) To prevent, mitigate, or rectify substantial injury to the financial interests or property
131 of another that is reasonably certain to result or has resulted from the client's commission
132 of a crime or fraud in furtherance of which the client has used counsel's services;
133 (c) To secure legal advice about counsel's conduct under this law;
134 (d) To establish a claim or defense on behalf of counsel in a controversy between
135 counsel and the client, to establish a defense to an action seeking to deny admission to
136 practice before the Judiciary, or to respond to allegations in any proceeding concerning
137 counsel's representation of the client;
138 (e) To comply with other laws or court orders; or
139 (f) To detect and resolve conflicts of interest, but only if the revealed information would
140 not compromise the client-counsel privilege or otherwise prejudice the client.
141 810.9-4. Counsel shall make reasonable efforts to prevent the inadvertent or unauthorized
142 disclosure of, or unauthorized access to, information relating to the representation of a client.
143

144 **810.10. Conflict of Interest**

- 145 810.10-1. Counsel, except as provided in 810.10-2, shall not represent a client if the
146 representation involves a conflict of interest. A conflict of interest exists if:
147 (a) The representation of one client will be directly adverse to another client; or
148 (b) There is a significant risk that the representation of one or more clients will be
149 significantly limited by counsel's responsibilities to another client, a former client, a third
150 person, or by a personal interest of counsel.
151 810.10-2. Notwithstanding the existence of a conflict of interest under 810.10-1, counsel may
152 represent a client if:
153 (a) Counsel reasonably believes that counsel will be able to provide competent and
154 diligent representation to each affected client;
155 (b) The representation is not prohibited by law;
156 (c) The representation does not involve the assertion of a claim by one client against
157 another client represented by counsel in the same litigation or other proceeding before the
158 Judiciary; and
159 (d) Each affected client gives informed consent, confirmed in writing signed by the
160 client.
161 810.10-3. Counsel shall not use information relating to representation of a client to the
162 disadvantage of the client unless the client gives informed consent, except as permitted or
163 required by this law.
164 810.10-4. Counsel shall not provide the client with any financial assistance pertaining to the
165 matter for which counsel represents the client.
166

167 **810.11. Duties to Former Clients**

- 168 810.11-1. Counsel who has formerly represented a client in a matter shall not thereafter represent
169 another person in the same or a substantially related matter in which that person's interests are
170 materially adverse to the interests of the former client unless the former client gives informed
171 written consent.
172

173 **810.12. Former Judge, Mediator or Peacemaker**

- 174 810.12-1. Counsel shall not represent anyone in connection with a matter in which counsel
175 participated personally and substantially as a judge, mediator or peacemaker.
176

177 **810.13. Client with Diminished Capacity**

178 810.13-1. When a client's capacity to make adequately considered decisions in connection with
179 a representation is diminished, whether because of minority, mental impairment, or for some
180 other reason, counsel shall, as far as reasonably possible, maintain a normal client-counsel
181 relationship with the client.

182 810.13-2. When counsel reasonably believes that the client has diminished capacity, counsel
183 may request that the court appoint a guardian ad litem for the client.

184

185 **810.14. Declining or Terminating Representation**

186 810.14-1. Counsel shall not represent a client or, where representation has commenced, shall
187 withdraw from the representation of a client if:

188 (a) The representation will result in a violation of this law or any other applicable law or
189 rule governing professional conduct;

190 (b) Counsel's physical or mental condition significantly impairs counsel's ability to
191 represent the client; or

192 (c) Counsel is discharged.

193 810.14-2. Counsel may withdraw from representing a client if:

194 (a) Withdrawal can be accomplished without material adverse effect on the interests of
195 the client;

196 (b) The client persists in a course of action involving counsel's services that counsel
197 reasonably believes is criminal or fraudulent;

198 (c) The client has used the counsel's services to perpetrate a crime or fraud;

199 (d) The client insists upon taking action that counsel considers unacceptable or with
200 which counsel has a fundamental disagreement;

201 (e) The client fails substantially to fulfill an obligation to counsel regarding counsel's
202 services and has been given reasonable warning that counsel will withdraw unless the
203 obligation is fulfilled;

204 (f) The representation will result in an unreasonable financial burden on counsel or has
205 been rendered unreasonably difficult by the client; or

206 (g) Other good cause for withdrawal exists.

207 810.14-3. Counsel must comply with applicable court rules requiring notice to or permission of
208 the Judiciary when terminating a representation. When ordered to do so by the Judiciary,
209 counsel shall continue representation notwithstanding good cause for terminating the
210 representation.

211 810.14-4. Upon termination of representation, counsel shall take steps to the extent reasonably
212 practicable to protect a client's interests, such as giving reasonable notice to the client, allowing
213 time for seeking other counsel, surrendering papers and property to which the client is entitled
214 and refunding any fees not earned.

215

216 **810.15. Duties to Prospective Clients**

217 810.15-1. Even when no client-counsel relationship ensues, counsel who has learned
218 information from a prospective client shall not use or reveal that information learned in the
219 consultation, unless:

220 (a) The affected client and/or the prospective client have given informed written consent;
221 or

222 (b) Counsel who received the information took reasonable measures to avoid exposure to
223 more disqualifying information that was reasonably necessary to determine whether to
224 represent the prospective client.

225

810.16. Role as Advisor

227 810.16-1. In representing a client, counsel shall exercise independent professional judgment and
228 render candid advice. In rendering advice, counsel may refer not only to law but to other
229 considerations such as moral, economic, social, cultural, and political factors that may be
230 relevant to the client's situation.

231 810.16-2. In representing a client, counsel shall not:

232 (a) Knowingly advance a claim or defense that is unwarranted under existing law, except
233 that counsel may advance such claim or defense if it can be supported by good faith
234 argument for an extension, modification, or reversal of existing law;

235 (b) Knowingly advance a factual position unless there is a basis for doing so that is not
236 frivolous; or

237 (c) File an action, assert a position, conduct a defense, delay a trial, or take other actions
238 on behalf of the client when counsel knows or when it is obvious that such an action
239 would serve merely to harass or maliciously injure another.

240 810.16-3. In the course of representing a client, counsel shall not knowingly:

241 (a) Make a false statement of material fact or law to a third person; or

242 (b) Fail to disclose a material fact to a third person when disclosure is necessary to avoid
243 assisting a criminal or fraudulent act by a client.

244

810.17. Candor and Impartiality toward the Judiciary

246 810.17-1. Counsel shall not knowingly:

247 (a) Make a false statement of fact or law to the Judiciary or fail to correct a false
248 statement of material fact or law previously made to the Judiciary by counsel;

249 (b) Fail to disclose to the Judiciary legal authority in the controlling jurisdiction known
250 to the attorney or advocate to be directly adverse to the position of the client and not
251 disclosed by opposing counsel; or

252 (c) Offer evidence that counsel knows to be false. If counsel, counsel's client, or a
253 witness called by counsel has offered material evidence and counsel comes to know of its
254 falsity, counsel shall take reasonable remedial measures, including, if necessary,
255 disclosure to the Judiciary. Counsel may refuse to offer evidence believed to be false.

256 810.17-2. Counsel shall not:

257 (a) Seek to influence a judge, juror, or other court official;

258 (b) Communicate ex parte with a judge during the proceedings unless authorized to do so
259 by law or court order or for scheduling purposes, if permitted by the court; or

260 (c) Engage in conduct intended to disrupt the Judiciary.

261

810.18. Fairness to Opposing Party and Counsel

263 810.18-1. Counsel shall not:

264 (a) Unlawfully obstruct another party's access to evidence or unlawfully alter, destroy,
265 or conceal a document or other material having potential evidentiary value. Counsel shall
266 not advise or assist another person to do any such act;

267 (b) Falsify evidence, advise, or assist a witness to testify falsely;

268 (c) Knowingly disobey an obligation under any applicable law or rule, except for open
269 refusal based on an assertion that no valid obligation exists;

270 (d) In pretrial procedure, make a frivolous discovery request or fail to make reasonably
271 diligent effort to comply with a legally proper discovery request by an opposing party; or

272 (e) In trial, allude to any matter that counsel does not reasonably believe is relevant or
273 that will not be supported by admissible evidence.

274 810.18-2. In representing a client, counsel shall not communicate about the subject of the
275 representation with a person counsel knows to be represented by another attorney or advocate in
276 the matter unless counsel has the consent of the other attorney or advocate or is authorized to do
277 so by law or a court order.

278 810.18-3. In dealing on behalf of a client with a person who is not represented by an attorney or
279 advocate, counsel shall inform such person of counsel's role in the matter. When counsel knows
280 or reasonably should know that the unrepresented person misunderstands counsel's role in the
281 matter, counsel shall make reasonable efforts to correct this misunderstanding. Counsel shall not
282 give legal advice to an unrepresented person other than the advice to secure counsel.

283

284 **810.19. Counsel as Witness**

285 810.19-1. Counsel shall not act as an attorney or advocate at a trial in which counsel is likely to
286 be a necessary witness unless:

- 287 (a) The testimony relates to the nature and value of legal services rendered in the case; or
288 (b) Disqualification of counsel would work substantial hardship on the client.

289

290 **810.20. Admittance to Practice and Disciplinary Matters**

291 810.20-1. Counsel shall comply with the Judiciary's Rules of Admission to Practice.

292 810.20-2. An applicant for admission to practice or counsel in connection with a disciplinary
293 matter, shall not:

- 294 (a) Knowingly make a false statement of material fact; or
295 (b) Fail to disclose a fact necessary to correct a mistake known by the person to have
296 arisen in the matter, or knowingly fail to respond to a lawful demand for information
297 from an admissions or disciplinary authority.

298

299 **810.21. Misconduct**

300 810.21-1. It is professional misconduct for counsel to:

- 301 (a) Violate or attempt to violate this law, knowingly assist or induce another to do so, or
302 do so through the acts of another;
303 (b) Commit a criminal act that reflects adversely on counsel's honesty, trustworthiness,
304 or fitness as counsel in other respects unless such criminal activity has been pardoned or
305 forgiven;
306 (c) Engage in conduct involving dishonesty, fraud, deceit, or misrepresentation unless
307 such conduct is pardoned or forgiven;
308 (d) State or imply an ability to influence improperly a tribal or government agency or
309 official or to achieve results by means that violate any applicable law or rule;
310 (e) Knowingly assist a judge or judicial officer in conduct that is a violation of applicable
311 canons of judicial conduct or other law or rule;
312 (f) Violate the counsel's oath given to the Judiciary; or
313 (g) Fail to cooperate in the investigation of a complaint filed with the Judiciary.

314

315 **810.22. Civil Actions for Negligence or Violation of Duty**

316 810.22-1. A client alleging that counsel was negligent or violated a duty under this law may
317 initiate a civil action by filing a complaint with the Judiciary's Trial Court.

318 810.22-2. In a civil action against counsel for negligence or violation of duty, the client has the
319 burden of proving all of the following:

- 320 (a) A client-counsel relationship existed;
- 321 (b) That counsel committed acts that were negligent or in violation of duty under this
- 322 law;
- 323 (c) That the client suffered actual damages;
- 324 (d) That the negligence or violation of duty was the direct cause of the damages; and
- 325 (e) That, but for the negligence or violation of duty on counsel, the client would have
- 326 been successful in the prosecution or defense of the case.

327 810.22-3. In making a final determination, the Court shall consider what a particular counsel did

328 or failed to do and what a reasonable or prudent counsel would do in the same circumstance.

329 810.22-4. If there is enough evidence to substantiate the allegations by a preponderance of the

330 evidence, the Court shall issue a written order awarding monetary damages to the client not to

331 exceed five thousand dollars (\$5,000).

332 810.22-5. Decisions of the Trial Court under this section may be appealed to the Court of

333 Appeals.

334

335 **810.23. Disciplinary Actions**

336 810.23-1. The Judiciary's Trial Court is granted jurisdiction to hear complaints filed regarding

337 any disciplinary actions pertaining to this law.

338 810.23-2. Complaints of alleged violations of this law may be filed on behalf of the client with

339 the Trial Court or initiated by the Judiciary. All complaints shall be forwarded to the Chief

340 Judge of the Trial Court or his or her designee who may screen out and take no action on

341 complaints which are determined to be frivolous or repetitive on their face. The Chief Judge or

342 his or her designee shall communicate in writing any such decision with the complainant.

343 (a) The Chief Judge or his or her designee may take no action on an anonymous

344 complaint other than fulfilling the requirements of the Nation's Anonymous Letters

345 Policy.

346 810.23-3. If a complaint goes forward, the Chief Judge or his or her designee shall assign a

347 judge to preside over the disciplinary proceedings. Current or pro tem judges are eligible to hear

348 disciplinary matters.

349 (a) The party being accused of the disciplinary violation shall be given notice of a

350 hearing and an opportunity to meaningfully respond to the allegations.

351 (b) The complainant also shall be given notice of any hearings and shall have the right to

352 present evidence.

353 810.23-4. The judge can dismiss the complaint if it appears frivolous or if there is not enough

354 evidence to substantiate the allegations by a preponderance of the evidence.

355 810.23-5. If there is enough evidence to substantiate the allegations by a preponderance of the

356 evidence, the Court shall issue a written disciplinary order.

357 (a) The Court may opt to choose any combination of the following disciplinary methods:

358 (1) Private reprimand;

359 (2) Public reprimand through publication in the Nation's newspaper;

360 (3) Additional training requirements;

361 (4) Monetary fine not to exceed five thousand dollars (\$5,000); or

362 (5) Suspension or revocation of the right to practice before the Judiciary.

363 (b) The Court may also forward their decision to an appropriate outside regulating

364 authority in appropriate situations (e.g. to the State Bar of Wisconsin if counsel is an

365 attorney licensed to practice in Wisconsin).

366 810.23-6. Decisions of the Trial Court under this section are appealed to the Court of Appeals.

367 *End.*

FINANCE ADMINISTRATION
Fiscal Impact Statement



MEMORANDUM

DATE: September 13, 2017
 FROM: RaLinda Ninham-Lamberies, Assistant Chief Financial Officer
 TO: Larry Barton, Chief Financial Officer
 RE: **Financial Impact of the Professional Conduct Law**

I. Estimated Fiscal Impact Summary

Law: Professional Conduct		Draft 7
Implementing Agency	Oneida Judiciary	
Estimated time to comply	30 days after approval to provide appropriate notice	
Estimated Impact	Current Fiscal Year	10 Year Estimate*
Total Estimated Fiscal Impact	\$0	\$0
Revenue and cost considerations	Establishment of fees	
Uncertainties and Unknowns	Number of clients, fees collected, collection method	

II. Background

A. Legislative History

This is a new law. The Public Meeting was held on July 20th, 2017.

B. Summary of Content

The legislation governs the conduct of attorneys and advocates that are admitted to practice law before the Judiciary and includes the following;

1. Requires counsel to provide competent representation.

*Please see the spreadsheet & assumptions for more details on the projections.

2. Defines the scope, diligence, and communication expected from advocates & attorneys.
3. Sets criteria and requirements for fees.
4. Sets expectations of confidentiality, establishes when a conflict of interest arises and when circumstances require a client's consent.
5. Establishes duties to former clients as well as to their former role of Judge, Mediator or Peacemaker.
6. Defines terms to the representation of a client with diminished capacity and defines when and how counsel may decline or terminate representation.
7. Defines duties to prospective clients, counsel's role as advisor, and expectations of candor and impartiality toward the Judiciary.
8. Requires fairness to the opposing party and counsel, prohibits acting as witness and counsel for the same trial, and sets criteria for admittance to practice and disciplinary matters.
9. Lastly, the Law defines what is considered misconduct, civil actions for negligence or violation of duty and disciplinary actions.

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 Professional Conduct for Attorneys and Advocates law states that the attorney and advocate must be admitted to practice law before the Judiciary. To be admitted to practice, advocates must follow the Rules of Admission. The Rules of Admission state the following;

A. The Judiciary hereby adopts Wisconsin Supreme Court Rule 20, Rules of Professional Conduct for Attorneys (the Professional Conduct for Attorneys and Advocates law will require this provision to be deleted from the Rules of Admission).

B. All individuals admitted to practice before the Judiciary, including lay advocates, shall be governed by the Oneida Rules of Professional Conduct for Attorneys.

The Law allows for civil actions for negligence or violation of duty and disciplinary actions including the award of monetary damages to the client not to exceed five thousand dollars (\$5,000). For advocates and attorneys employed by the Legal Resource Center, these awards maybe be covered under the Professional Liability insurance for the Nation. An increase in claims for the Nation, would lead to an increase in cost for this coverage.

The law gives specific criteria for establishing fees for legal services. Finance was informed that the Legal Resource Center would perform legal services free of charge; however the filing fees would be the responsibility of the prospective client. The Legal Resource Center law does not reference waiving or adjusting fees based on income; however, the fees and costs reference are from outside sources the Legal Resource Center does not control. The court does provide an application for a waiver of filing fees based on an individual's financial circumstances.

III. Financial Impact

No fiscal impact.

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.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 9 / 27 / 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 adopting Resolution: Defining Comprehensive Housing Division: Landlord-Tenant law, Eviction & Termination law, and the Mortgage and Foreclosure law

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 Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

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BC Resolution # _____

Defining Comprehensive Housing Division: Landlord-Tenant law, Eviction and Termination law, and the Mortgage and Foreclosure 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 the Landlord-Tenant law with resolution BC-10-12-16-C (and emergency amendments to Landlord-Tenant law with resolutions BC-01-25-17-C and BC-07-26-17-I), adopted the Eviction and Termination law with resolution BC-10-12-16-A, and adopted the Mortgage and Foreclosure law with resolution BC-08-10-16-K; and
- WHEREAS,** the Landlord Tenant law, Eviction and Termination law, and Mortgage and Foreclosure law all assign responsibilities and authorities, including rulemaking authority, to the Comprehensive Housing Division; and
- WHEREAS,** the Landlord-Tenant law defines the Comprehensive Housing Division as the entity responsible for housing matters specifically related to rental agreements as defined by Oneida Business Committee Resolution; and
- WHEREAS,** Oneida Business Committee resolution BC-10-12-16-D defined the Comprehensive Housing Division for the purposes of the Landlord-Tenant law as the Division of Land Management for general rental agreements, the Oneida Housing Authority for income-based rental agreements and Elder Services for rental agreements through the Elder Services program; and
- WHEREAS,** the Eviction and Termination law defines the Comprehensive Housing Division as the entity responsible for housing matters specifically related to contracts governed by this law as defined by Oneida Business Committee Resolution; and
- WHEREAS,** Oneida Business Committee resolution BC-10-12-16-B defined the Comprehensive Housing Division for the purposes of the Eviction and Termination law as Division of Land Management for general residential contracts, the Oneida Housing Authority for income-based residential contracts and Elder Services for residential contracts through the Elder Services program; and
- WHEREAS,** the Mortgage and Foreclosure law defines the Comprehensive Housing Division as the entity responsible for housing matters specifically related to mortgages and foreclosures as defined by Oneida Business Committee Resolution; and

52 **WHEREAS,** Oneida Business Committee resolution BC-08-10-16-L defined the Comprehensive
53 Housing Division for the purposes of the Mortgage and Foreclosure law as the Division of
54 Land Management; and
55

56 **WHEREAS,** when the Oneida Business Committee adopted resolutions BC-10-12-16-D, BC-10-12-
57 16-B, and BC-08-10-16-L the reorganization and creation of the Comprehensive Housing
58 Division was still under development and not currently active; and
59

60 **WHEREAS,** as of October 1, 2017, the Comprehensive Housing Division reorganization will be active
61 and complete encompassing all housing and residential services matters into one central
62 division.
63

64 **NOW THEREFORE BE IT RESOLVED,** that for the purposes of the Landlord-Tenant law, the Eviction
65 and Termination law, and the Mortgage and Foreclosure law the Oneida Business Committee hereby
66 defines the Comprehensive Housing Division as the division within the Oneida Nation under the direction
67 of the Comprehensive Housing Division Director which consists of all residential services offered by the
68 Nation, including but not limited to, all rental programs, the rent-to-own program, and the residential sales
69 and mortgages programs.
70

71 **NOW THEREFORE BE IT FURTHER RESOLVED,** that the footnote contained in the Landlord-Tenant
72 law adopted by resolution BC-10-12-16-C referencing the definition found in resolution BC-10-12-16-D,
73 the footnote contained in the Eviction and Termination law adopted by resolution BC-10-12-16-A
74 referencing the definition found in resolution BC-10-12-16-B, and the footnote contained in the Mortgage
75 and Foreclosure law adopted by resolution BC-08-10-16-K referencing the definition found in resolution
76 BC-08-10-16-L, will all be updated to reference this resolution.
77

78 **NOW THEREFORE BE IT FINALLY RESOLVED,** that the above definition of Comprehensive Housing
79 Division is effective for the purposes of the Landlord-Tenant law, the Eviction and Termination law, and
80 the Mortgage and Foreclosure law October 1, 2017.
81



Oneida Nation
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Legislative Operating Committee
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Statement of Effect

Defining Comprehensive Housing Division: Landlord-Tenant law, Eviction and Termination law, and the Mortgage and Foreclosure law

Summary

This Resolution revises the definition of Comprehensive Housing Division in the Landlord-Tenant law, Eviction and Termination law, and the Mortgage and Foreclosure law.

*Submitted by: Clorissa N. Santiago, Staff Attorney, Legislative Reference Office
September 15, 2017*

Analysis by the Legislative Reference Office

This Resolution defines the Comprehensive Housing Division for the purposes of the Landlord-Tenant law, the Eviction and Termination law, and the Mortgage and Foreclosure law as the division within the Oneida Nation under the direction of the Comprehensive Housing Division Director which consists of all residential services offered by the Nation, including but not limited to, all rental programs, the rent-to-own program, and the residential sales and mortgages programs.

This Resolution also revises the footnote contained in the Landlord-Tenant law adopted by resolution BC-10-12-16-C referencing the definition found in resolution BC-10-12-16-D, the footnote contained in the Eviction and Termination law adopted by resolution BC-10-12-16-A referencing the definition found in resolution BC-10-12-16-B, and the footnote contained in the Mortgage and Foreclosure law adopted by resolution BC-08-10-16-K referencing the definition found in resolution BC-08-10-16-L, to reference the definition found in this resolution this resolution. Revisions to footnotes are not required to following the Legislative Procedures Act.

Conclusion

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

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 9 / 27 / 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 the Legislative Operating Committee's September 6, 2017 meeting minutes

3. Supporting Materials

Report Resolution Contract

Other:

1. 3.

2. 4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter: Jennifer Falck, LRO Director
Your Name, Title / Dept. or Tribal Member

Additional Requestor: _____
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.



Oneida Nation
 Oneida Business Committee
 Legislative Operating Committee
 PO Box 365 • Oneida, WI 54155-0365
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LEGISLATIVE OPERATING COMMITTEE MEETING MINUTES

Business Committee Conference Room-2nd Floor Norbert Hill Center

September 6, 2017

9:00 a.m.

Present: Jennifer Webster, David P. Jordan, Daniel Guzman King, Ernie Stevens III

Excused: Kirby Metoxen

Others Present: Candice Skenandore, Tani Thurner, Clorissa Santiago, Maureen Perkins, Jen Falck, Brandon Stevens, Lee Cornelius, Ed Delgado, Rhiannon Metoxen, Melinda Danforth, Terry Cornelius, Bonnie Pigman, Robert J. Collins, Jo Anne House

I. Call to Order and Approval of the Agenda

David P. Jordan called the September 6, 2017 Legislative Operating Committee meeting to order at 9:00 a.m.

Motion by Jennifer Webster to adopt the agenda with the following changes:

- Delete of the Professional Conduct for Attorneys and Advocates law
- Move the Administrative Updates after the approval of the minutes
- Add items to the Active Files List as the first item under administrative updates; seconded by Ernie Stevens III. Motion carried unanimously.

II. Minutes to be approved

1. August 2, 2017 LOC Meeting Minute

Motion by Ernie Stevens III to approve the August 02, 2017 LOC meeting minutes; seconded by Jennifer Webster. Motion carried unanimously.

2. August 11, 2017 LOC Meeting Minutes

Motion by Daniel Guzman King to approve the August 11, 2017 LOC meeting Minutes; seconded by Jennifer Webster. Motion Carried unanimously.

III. Administrative Updates (2:56-19:16)

1. Add Items to Active Files List

- a. Motion by Jennifer Webster to add Children's Code to the active files list with Kirby Metoxen as the sponsor; seconded by Ernie Stevens III. Motion carried unanimously.
- b. Motion by Jennifer Webster to add Corporate Law to the active files list with Ernie Stevens III and Daniel Guzman King as co-sponsors; seconded by Daniel Guzman King. Motion carried unanimously.
- c. Motion by Jennifer Webster to add GTC Meetings Law to the active files with Daniel Guzman King as the sponsor; seconded by Ernie Stevens III. Motion carried unanimously.

- d. Motion by Jennifer Webster to add Legal Resource Center Law to the active files list with Daniel Guzman King as the sponsor; seconded by Ernie Stevens III. Motion carried unanimously.
- e. Motion by Ernie Stevens III to add Sanctions and Penalties Law to the active files list with Jennifer Webster as the sponsor; seconded by Daniel Guzman King. Motion carried unanimously.
- f. Motion by Ernie Stevens III to add Drug and Alcohol Free law for Officials to the active files list with Jennifer Webster as the sponsor; seconded by Daniel Guzman King. Motion carried unanimously.
- g. Motion by Jennifer Webster to add Professional Conduct for Attorneys and Advocates to the active files list with David P. Jordan as the sponsor; seconded by Daniel Guzman King. Motion carried unanimously.
- h. Motion by Jennifer Webster to add Employment Law to the active files list with Kirby Metoxen as the sponsor; seconded by Ernie Stevens III. Motion carried unanimously.
- i. Motion by Daniel Guzman King to add Community Support Fund to the active files list with David P. Jordan as the sponsor; seconded by Jennifer Webster. Motion carried unanimously.
- j. Motion by Ernie Stevens III to add Landlord-Tenant Law Amendment to the active files list with David P. Jordan as the sponsor; seconded by Jennifer Webster. Motion carried unanimously.
- k. Motion by Jennifer Webster to add Comprehensive Policy Governing Boards, Committees, and Commissions Amendments to the active files list with Jennifer Webster as the sponsor; seconded by Ernie Stevens III. Motion carried unanimously.
- l. Motion by Daniel Guzman King to add Petition: Benton-Change Pre-employment Drug Testing to the active files list with Jennifer Webster as the sponsor; seconded by Ernie Stevens III. Motion carried unanimously.
- m. Motion by Daniel Guzman King to add Petition: Debraska – Health Care Board to the active files list with Jennifer Webster as the sponsor; seconded by Ernie Stevens III. Motion carried unanimously.
- n. Motion by Jennifer Webster to add Petition: Dallas – 2017 Tri-Annual General Election to the active files list with David P. Jordan as the sponsor; seconded by Ernie Stevens III. Motion carried unanimously.
- o. Motion by Ernie Stevens III to add Petition: Graham 2017 General Election to the active files list with David P. Jordan as the sponsor; seconded by Jennifer Webster. Motion carried unanimously.
- p. Motion by Jennifer Webster to add Petition: Delgado – Trust Land Distribution to the active files list with Ernie Stevens III as the sponsor; seconded by Daniel Guzman King. Motion carried unanimously.

- q. Motion by Ernie Stevens III to add Petition: Vandehei – E-polls to the active files list with Daniel Guzman King as the sponsor; seconded by Jennifer Webster. Motion carried unanimously.
- r. Motion by Jennifer Webster to add Industrial Hemp Law to the active files list with Daniel Guzman King as the sponsor; seconded by Ernie Stevens III. Motion carried unanimously.
- s. Motion by Ernie Stevens III to add Criminal Code to the active files list with Daniel Guzman King as the sponsor; seconded by Jennifer Webster. Motion carried unanimously.
- t. Motion by Daniel Guzman King to add Public Peace Law to the active files list with Jennifer Webster as the sponsor; seconded by Ernie Stevens III. Motion carried unanimously.
- u. Motion by Daniel Guzman King to add Tribal Traffic Code to the active files list with Ernie Stevens III as the sponsor; seconded by Jennifer Webster. Motion carried unanimously.
- v. Motion by Daniel Guzman King to add Leasing Law to the active files list with Ernie Stevens III as the sponsor; seconded by Jennifer Webster. Motion carried unanimously.
- w. Motion by Ernie Stevens III to add Code of Ethics Amendments to the active files list with Jennifer Webster as the sponsor; seconded by Daniel Guzman King. Motion carried unanimously.
- x. Motion by Jennifer Webster to add Rules of Civil Procedure Amendments to the active files list with David P. Jordan as the sponsor; seconded by Ernie Stevens III. Motion carried unanimously.
- y. Motion by Daniel Guzman King to add Secured Transactions Law to the active files list with David P. Jordan as the sponsor; seconded by Ernie Stevens III. Motion carried unanimously.
- z. Motion by Ernie Stevens III to add Nonprofit Incorporation Law to the active files list with David P. Jordan as the sponsor; seconded by Jennifer Webster. Motion carried unanimously.
- aa. Motion by Daniel Guzman King to add Research Protection Act to the active files list with Jennifer Webster as the sponsor; seconded by Ernie Stevens III. Motion carried unanimously.
- bb. Motion by Jennifer Webster to add Guardianship Law to the active files list with Kirby Metoxen as the sponsor; seconded by Ernie Stevens III. Motion carried unanimously.
- cc. Motion by Jennifer Webster to add Law Enforcement Ordinance Amendments – Conservation Officers to the active files list with Ernie Stevens III as the sponsor; seconded by Daniel Guzman King. Motion carried unanimously.
- dd. Motion by Jennifer Webster to add Personnel Commission Bylaws Amendments to the active files list with Kirby Metoxen as the sponsor; seconded by Ernie Stevens III. Motion carried unanimously.

- ee. Motion by Daniel Guzman King to add Election Board Bylaws Amendments to the active files list with Kirby Metoxen as the sponsor; seconded by Ernie Stevens III. Motion carried unanimously.
 - ff. Motion by Ernie Stevens III to add Trust/Enrollments Bylaws Amendments to the active files list with Jennifer Webster as the sponsor; seconded by Daniel Guzman King. Motion carried unanimously.
 - gg. Motion by Jennifer Webster to add Land Commission Bylaws Amendments to the active files list with David P. Jordan as the sponsor; seconded by Daniel Guzman King. Motion carried unanimously.
- 2. Oneida Nation Seal and Flag Rule #1 (20:39-23:46)**
Motion by to Jennifer Webster certify the Oneida Nation Seal and Flag Rule #1 and forward to the Oneida Business Committee for consideration of adoption; seconded by Ernie Stevens III. Motion carried unanimously.

IV. Current Business

- 1. Legal Resource Center (24:07-24:29)**
Motion by Ernie Stevens III to approve the public meeting memorandum and send the Legal Resource Center Law to a work meeting; seconded by Daniel Guzman King. Motion carried unanimously.
- 2. Professional Conduct for Attorneys and Advocates – deleted**
- 3. Children’s Code (24:36-39:16)**
Motion by Daniel Guzman King to accept the Children’s Code Implementation Plan as information and forward to the Oneida Business Committee as information; seconded by Ernie Stevens III. Motion carried unanimously.

V. New Submissions

VI. Additions

- 1. ONVAC Bylaws Amendments (39:22-40:22)**
Motion by Daniel Guzman King to add the ONVAC Bylaws Amendments to the active files list as a low priority with Jennifer Webster as the sponsor; seconded by Ernie Stevens III. Motion carried unanimously.
- 2. Petition: Dallas 2017 Tri –Annual General Election (40:24-42:39)**
Motion by Daniel Guzman King to add the Petition: Dallas 2017 Tri-Annual General Election to the active files list as a high priority with David P. Jordan as the sponsor; seconded by Jennifer Webster. Motion withdrawn.

Motion by Jennifer Webster to delete from the agenda; seconded by Daniel Guzman King. Motion carried unanimously.

Note: this was already added to the active files list

3. Petition: Vandehei E-poll Process (40:24-42:39)

Motion by Jennifer Webster to delete from the agenda; seconded by Daniel Guzman King. Motion carried unanimously.

Note: this was already added to the active files list

4. Petition: Graham-2017 General Election (40:24-42:39)

Motion by Jennifer Webster to delete from the agenda; seconded by Daniel Guzman King. Motion carried unanimously.

Note: this was already added to the active files list

5. Hall of Fame (42:42-43:42)

Motion by Daniel Guzman King to add the Hall of Fame Law to the active files list with Ernie Stevens III as the sponsor; seconded by Jennifer Webster. Motion carried unanimously.

Ernie Stevens III noted for the record: Given some community level initiatives somewhat related to this. That if it does become a conflict I will have to remove myself as the sponsor and will have to add someone else if that is still a priority at that time.

VII. Executive Session

VIII. Adjourn

Motion by Ernie Stevens III to adjourn the September 06, 2017 Legislative Operating Committee meeting at 9:44 a.m.; seconded by Daniel Guzman King. Motion carried unanimously.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 9 / 27 / 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:

Accept the 2014-2017 Legislative Operating Committee's End of Term Report

3. Supporting Materials

Report Resolution Contract

Other:

1. <input type="text" value="2014-2017 LOC Report"/>	3. <input type="text"/>
2. <input type="text"/>	4. <input type="text"/>

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter: Jennifer Falck, LRO Director
Your Name, Title / Dept. or Tribal Member

Additional Requestor: _____
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.



Oneida Nation
 Oneida Business Committee
 Legislative Operating Committee
 PO Box 365 • Oneida, WI 54155-0365
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TO: Oneida Business Committee
FROM: David P. Jordan, LOC Chairperson *DS*
DATE: September 5, 2017
RE: LOC End of Term Report

Executive Summary

During the 2014-2017 term, the Legislative Operating Committee (LOC) took on several legislative and administrative items. This report details the LOC's activities, and is based on information from the term's active files list (AFL), which is used to track the LOC's work.

You will find information that provides detail about the legislative proposals processed, as well as comparisons to previous legislative terms. Attached are materials which provide more information and summarize other efforts and accomplishments of the LOC.

A total of 42 new laws were proposed. The LOC adopted 11 of those proposals into law. Twenty of the proposals remained incomplete at the end of the term, and 11 were removed from the AFL based on time, resources, and priorities. The LOC worked on 98 legislative items, and 50 non-legislative items, for a total of 148 items. Non-legislative items included; amending bylaws, certifying rules, processing General Tribal Council (GTC) petitions, approving SOP's for the Legislative Reference Office (LRO), etc.

This report provides data from previous terms. The information should not be used to compare one legislative term to the next. Each term differs in priorities and legislative climate. Staffing and available resources also impact what work is completed and how long each item takes. The data can be used to develop a larger historical perspective of legislation that the Oneida Nation has worked on.

New Law	
New laws adopted	11
New law placed onto AFL and incomplete at end of term	20
New laws placed onto AFL and later removed	11
Total	42
Amendments	
Amendments adopted	35
Amendments placed onto AFL and incomplete at end of term	7
Amendments placed onto AFL and later removed	4
Total	46
Miscellaneous Legislative Items Completed	
	4
Total legislative items	92
Non-Legislative Items	
Bylaw Amendments for Boards, Committees, and Commissions	2
Certified Rules	11

GTC Petitions Processed (or Processing)	24
Administrative Items	3
Legislative Reference Office Administrative Items	10
Total non-legislative items	50
Total legislative and non-legislative items during term	142

Chart 1. illustrates the total number of legislative items per term for the previous three terms. It also indicates how many of the items were completed and how many were not completed. The completion rate for 2008-11 was 58%, for 2011-14 it was 54%, and for 2014-17 the completion rate was 53%. The average length of time it took to complete a new law for this term was 653 days. The average length of time to complete amendments was 328 days.

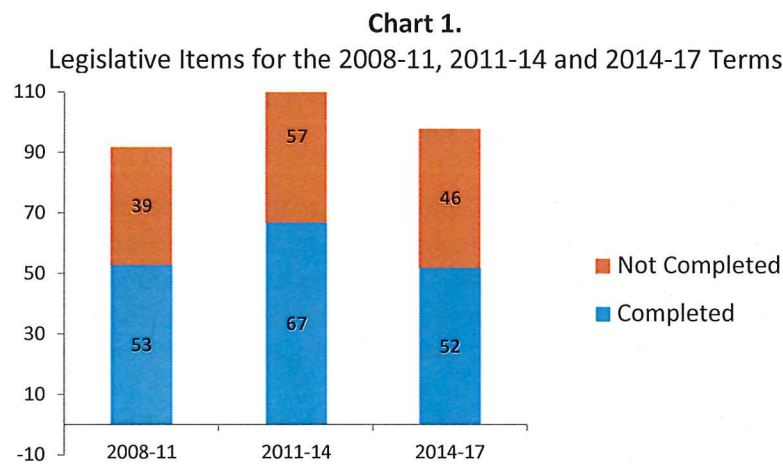
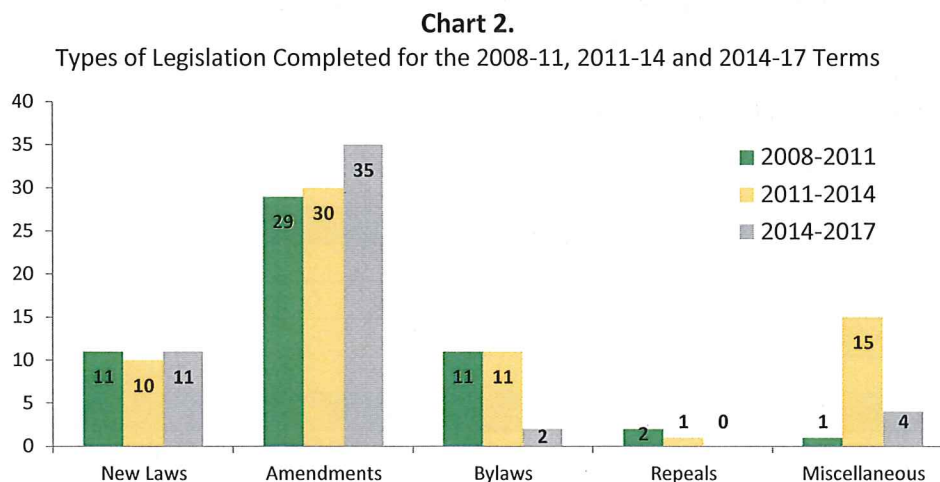


Chart 2. is a breakdown of the types of legislation completed. The average number of new laws adopted in the past three terms is 10.6, and the average number of laws that have been amended is 31.3.



Oneida Code of Laws

The Oneida Code of Laws currently contains 102 laws. One of those laws has been adopted on an emergency basis, and four laws have not yet gone into effect.

One of the major efforts this term was to overhaul and reorganize the Code of Laws. The Code of Laws has been divided into nine “Titles” - and each law is a chapter within a title. The titles are:

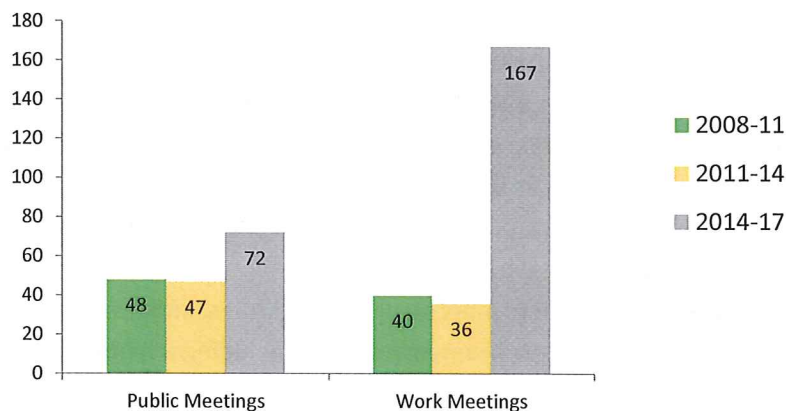
- | | |
|---|-------------------------------------|
| Title 1—Government and Finances | Title 6—Property and Land |
| Title 2—Employment | Title 7—Children, Elders and Family |
| Title 3—Health and Public Safety | Title 8—Judicial System |
| Title 4—Environment & Natural Resources | Title 9—Education |
| Title 5 – Business | |

Public Meetings & Work Meetings

One of the LOC’s goals this term was to increase involvement with the tribal membership and various departments during the legislative development process. Public meetings are required by law, and are designed to collect comment on proposed legislation from the community. Work meetings are usually held with the LOC and tribal departments that may be impacted by proposed legislation.

The LOC held 72 public meetings for legislative proposals (see Attachment B for more information). The 2008-2011 LOC held 47 public meetings, and 48 public meetings were held in the 2011-2014 term. Over 167 work meetings were held this term to discuss policy with tribal members and tribal departments. The Children’s Code held over 36 work meetings with the public, tribal departments, and tribal entities. The previous two terms logged 36 and 40 work meetings respectively.

Chart 3.
Meetings held for the 2008-11, 2011-14 and 2014-17 terms



Emergency Legislation



When the health, safety, or welfare of the Nation is of concern, the Legislative Procedures Act allows laws or amendments to laws to be adopted by the Oneida Business Committee on an emergency basis. Emergency laws are adopted for six months, and may be extended one time for an additional six months. If the new law or amended law is not adopted permanently after that time, the legislation expires or is no longer effective.

The Oneida Business Committee (OBC) adopted 13 items on an emergency basis, and extended 5 of those items for an additional 6 months. Nine of those were replaced by the adoption of permanent amendments. Three emergency-adopted items expired without permanent amendments/adoptions. There are currently two emergency laws in effect;

- 1. Legal Resource Center Law:** On May 24, 2017, the OBC adopted this law on an emergency basis in response to a General Tribal Council motion to establish an office that would provide legal services to tribal members by having the individuals elected in the July 2017 General Election. The emergency adoption is set to expire on November 24, 2017. The 2017-2020 LOC has taken this item up and will move forward with permanent adoption.
- 2. Landlord-Tenant Law:** The OBC adopted emergency amendments to this law on January 25, 2017. They were extended, and will now expire on February 9, 2018, unless permanently adopted. The 2017-2020 LOC has taken this item up and will move forward with permanent adoption.

Oneida Register

The Oneida Register is the web page where all the LOC's work can be found. The web link is located at <https://oneida-nsn.gov/register/>. The Legislative Procedures Act (LPA) requires that the LOC maintain the Oneida Register. The LPA and the Administrative Rulemaking Law identify what must be published on the Oneida Register, including notice of public meetings, public meeting materials, and any adopted rules.

Information found on the Oneida Register includes;

- **Oneida Code of Laws:** all the laws and certified rules.
- **Public Meetings Page:** notice of upcoming public meetings and public comment periods for legislative proposals and rules. This page also includes links to the public meeting materials for all public meetings held during the term. The LOC has also begun publishing the public comment memos for legislative public meetings. This provides browsers to read every comment received for a legislative proposal, as well as the LOC's response to each comment.
- **Legislative Actions Page:** a chronological list of all formal actions taken by the OBC and/or GTC to adopt, amend, or repeal tribal law.
- **Administrative Rulemaking:** a list of all certified rules, and a subpage that provides guidance for authorized agencies as they promulgate rules, including a handbook and templates developed by the Legislative Reference Office.
- **Featured Legislation:** provides detailed information about a specific legislative effort. Currently, this page is highlighting the proposed Employment Law, containing videos from past and current OBC members, links to drafts of the law, and other information.

Rules and Rule Certification

On February 24, 2016, the OBC adopted the Administrative Rulemaking Law. Under the law, entities are delegated specific rulemaking authority, and provided a process to create rules. An important element to this process is the requirement to provide the public with an opportunity to submit comments.

Following the adoption of this law, the Legislative Reference Office developed materials to assist entities with preparing rules, and provide assistance to entities as they develop rules. On August 9, 2017, the OBC adopted amendments to the Administrative Rulemaking Law that require;

- Rules be approved by the OBC before they go into effect.
- Revised requirements whereby an existing rule could be “grandfathered in” and remain effective without requiring certification.

Closing Remarks

In an effort to increase participation and information sharing, the LOC implemented an additional step for public meeting comments. Historically, public comment memos have been drafted in response to public meeting comments- but have not included any detail as to the LOC’s decision regarding a specific comment. Early in 2017, the LOC began including information that reflects their consideration of a specific public comment. This information includes the day the LOC discussed the public comment and if or how the LOC changed the draft law based on the comment. Once finalized, that memo is posted to the Oneida Register- and anyone can read what comments were made, when the LOC discussed the comment, and their response to the comment.

A primary goal for the 2017-2020 term will be to increase participation in our legislative process. We plan to use social media, technology, and community events to collect thoughts and feedback from the public. We are also committed to ensuring that all the departments and experts that should be part of the process are involved.

The 2014-2017 legislative term was successful. Important legislative work was completed that aligns with the Oneida Nation’s vision “A Nation of strong families built on Tsi ʔNiyukwaliho TÁ and a strong economy”. The 2017-2020 LOC will continue to focus on improving public participation and important legislative efforts.

Supplemental information is attached to this report. Please contact me with any questions you may have.

Yawáko.

Attachment A. Brief Summary of Each Item Completed in 2014-2017 Legislative Term

Attachment B. Summary of 72 Public Meetings Held in 2014-2017 Legislative Term

Attachment A
Brief Summary of Each Completed Item in 2014-2017 Legislative Term

Administrative Procedures Act (APA) Amendments

With the adoption of the Judiciary Law, the APA was set to be repealed as of March 1, 2015; but that repeal would have left various tribal hearing bodies without any rules to govern their hearings. Instead of repealing the law, a revised APA was adopted by the OBC on February 24, 2016 to ensure those lower hearing bodies continued to have rules in effect for their hearings.

Administrative Procedures Act Repeal (Misc. item)

When GTC approved amendments to the APA and the adoption of the LPA on January 7, 2013, part of the APA was repealed, and the intent was to repeal the rest of the APA when the Appeals Commission was dissolved on March 1, 2015. Ultimately, the APA was not repealed, but was amended.

Administrative Rulemaking (New Law)

On February 24, 2016, the OBC adopted a new Administrative Rulemaking law, which establishes a consistent process for the adoption of administrative rules by tribal agencies that have been granted rulemaking authority under other tribal laws.

Administrative Rulemaking Amendments

On August 9, 2017, the OBC adopted amendments to the law that:

- Clarify that rules do not conflict or supersede a law, policy, or rule of the Nation or OBC or GTC resolutions
- Add a grandfather clause that allows for current and existing standard operating procedures and policies to remain in effect in some situations, if certain requirements are met.
- Revise notice and public meeting requirements.
- Provide a time limitation for when an authorized agency must submit a proposed rule for certification to the LOC after the public comment period has expired.
- Require the OBC to adopt rules, instead of just requiring rules to be certified by the LOC.
- Clarify what requirements the LOC must ensure are met before certification of the proposed rule.

- Require an authorized agency to conduct a review of each adopted rule every two years after the rule is adopted.

All-Terrain Vehicle Law – Amendments

On July 26, 2017, the OBC adopted amendments to the law which transferred the Environmental Resource Board's hearing body authority to the Judiciary.

Audit Committee Bylaws Amendments

The Audit Committee previously operated under a charter. The charter was revised into bylaws to ensure consistency with all other entities and standing committees. These revised bylaws were approved by the OBC on January 27, 2016.

Audit Law Amendments

On August 9, 2017, the OBC adopted amendments to this law that update the law and provide greater detail regarding the audit process, including:

- Clarifying:
 - the roles and responsibilities related to the internal audit process
 - the difference between an internal and external audit
 - the process for reviewing internal and external audit reports
- Identifying:
 - the primary authority responsible when an internal audit is initiated
 - who can require and enforce management response and action as a result of audit findings
- Enabling management to request a consultation with the Audit Committee to discuss any concerns an entity may have before finalizing an audit report
- Capturing additional functions and purposes of an audit aside from protecting the Nation's assets.

Back Pay Law Amendments

On October 26, 2016 the OBC adopted amendments to:

- Expand the health insurance covered by the Nation during the back pay period to include other insurance benefits such as long-term disability, short-term disability, dental, vision, and life insurance.
- Require a reinstated employee to authorize

Purchased Referred Care to retroactively recover funds from the employee's insurance provider if Purchased Referred Care services were provided to the employee during the back pay period.

- Update the calculation of an employee's back pay award when a fractional week is included in the back pay period.

Business Committee Meetings (New Law)

On July 26, 2017 the OBC adopted this new law, which identifies how the OBC will carry out its responsibilities to conduct the business of the Nation as delegated to the OBC under the Nation's Constitution by the GTC.

Budget Management and Control (New Law)

On February 8, 2017, the OBC adopted this new law to provide consistent requirements for the tribal budget process, establish a procedural framework, and address oversight of tribal expenditures.

Cemetery Law Amendments

On July 26, 2017, the OBC adopted amendments to the Cemetery law which correct the name of the Cemetery and update various provisions, including who is responsible for the cemetery's maintenance.

Child Care Department Consumer Complaint (new law)

On August 9, 2017, the OBC adopted this new law, after a GTC petition was submitted to mandate the OBC review, amend, and implement a new complaint process for consumers of the Oneida Child Care Department (Department). This new law:

- Provides processes for filing complaints against the Department, investigating complaints, determining the severity of a complaint, and appealing investigation outcomes.
- Describes the role/responsibilities of a complaint coordinator
- Describes the types of complaints that may be alleged against the Department.
- Discusses how video surveillance for the Child Care Department will be managed
- Provides requirements for employee self-reporting and mandatory reporting to the OBC
- Requires the development of a parent-teacher organization
- Establishes means for enforcement of this law.

Children's Code (New Law)

On July 26, 2017 the OBC adopted this new law, which recognizes the authority of the Oneida Nation to exercise sovereignty and self-determination by setting forth procedures to provide for the welfare, care, and protection of Oneida children through the preservation of the family unit, allowing the Nation to exercise jurisdiction over children who are in need of protection or services so that the Nation can ensure that child welfare matters involving Oneida children are handled on the Reservation where more family members and Oneida foster homes are located and the traditions and culture of the Nation can be better preserved. This law details the roles and responsibilities of those entities involved in child welfare matters, and the processes which will be followed by the Oneida Family Court, including:

- The roles of the Nation's Indian Child Welfare Department
- The order of placement preferences to be followed when it is necessary to place a child outside of the home under this law
- The process and procedures for a child in need of protection or services proceeding.
- The processes and procedures for adoption, termination of parental rights, and for guardianship for certain children in need of protection or services proceedings.

The adopting resolution also amends the Nation's Indian Child Welfare Act Policy.

Community Support Fund Amendments

On January 11, 2017, the OBC adopted amendments to this law which:

- Clarify that the Fund is a fund of last resort.
- Require applicants to submit additional documentation when requesting assistance from the Fund.
- Remove provisions related to cost-sharing.
- Delegate administrative rulemaking authority to the Social Services Area (or designee), to promulgate additional rules governing the administration of the Community Support Fund.
- Revise the listed categories of things that funding can and cannot be provided for.
- Add timelines and additional details to the appeal process.
- Require case managers to provide a written follow-up for all contact with an applicant.

Conflict of Interest Amendments (I)

This law was amended on February 8, 2017, in response to HUD Site Monitoring Review Finding #1.

The amendments:

- Expand the definition of “conflict of interest”
- Clarify and expand who the Law applies to, so the Law is consistent in its application
- Delegate responsibility to maintain, collect, and distribute conflict of interest disclosure forms to the Nation’s Human Resource Department (HRD) for employees, and the Office of the Nation’s Secretary for officials and political appointees
- Add penalties for failure to disclose a conflict of interest for elected officials, officers, and political appointees.
- Clarify that when a supervisor is provided with credible evidence that an employee failed to disclose a conflict of interest, that employee will be placed on investigative leave, except this Law requires the investigation be completed within 7 days, instead of the previous 15 days.
- Identify Prohibited Activities Resulting from a Disclosed Conflict of Interest.
- Require the Nation’s entities to create standard operating procedures and/or work standards that outline further prohibited activities resulting from a disclosed conflict of interest, and identify ways to alleviate conflicts of interest so that a person is not prohibited from participating in normal activities.

Conflict of Interest Amendments (II)

The OBC adopted additional amendments to the law on June 28, 2017 to:

- establish measures and processes to mitigate the potential for organizational conflicts of interest when any of the Nation’s businesses compete to contract with the Nation;
- Add definitions for “contractor” and “organizational conflict of interest”; and
- Add a section regarding employees who contract with the Nation as independent contractors.

Domestic Animals Law Amendments

On June 28, 2017, the OBC adopted amendments to the law which are intended to protect community members from disease, set minimum standards for treatment of animals, prohibit certain animals from being brought on the Reservation, regulate livestock, and establish consequences for damages caused by domestic animals.

Drug & Alcohol Free Workplace Amendments

On April 12, 2017, the OBC adopted amendments to this law (which were first adopted on an emergency basis) to comply with a change in Federal OSHA regulations. The amendments:

- No longer require all employees to submit to mandatory drug and alcohol testing immediately following a work-related accident.
- Clarify that the law applies to all employees when operating a vehicle owned or rented by the Nation in addition to during working hours and when on-call.
- Clarify that a supervisor’s decision made in regard to reasonable suspicion drug and alcohol testing of an employee is final and non-appealable
- Clarify how diluted drug test results will be handled.

Election Law Amendments

On April 23, 2017, GTC adopted amendments to the Election Law to ensure it reflects the 2015 Oneida Tribal Constitutional Amendments.

Endowment Fund Amendments

On April 12, 2017, the OBC adopted amendments to identify that authorization in a resolution creating an endowment is the equivalent of authority delegated by law, as identified in the Administrative Rulemaking law, for the purposes of developing rules.

Eviction and Termination (New Law)

On October 12, 2016, the OBC adopted this new law which creates a streamlined eviction process and identifies the rights and responsibilities of all parties involved. This law applies to leases held pursuant to the Leasing Law and the Landlord-Tenant Law.

Furlough Policy (New Law)

Adopted in prior terms on an emergency basis, the OBC adopted a permanent Furlough Policy on November 10, 2015. This new law establishes a process allowing tribal employees to be furloughed as a cost-containment measure.

Garnishment Law Amendments

On July 27, 2016, the OBC adopted amendments which enable the Judiciary to include interest when a garnishment is ordered.

Hunting, Fishing and Trapping Law Amendments (I)

On January 25, 2017, the OBC adopted amendments to the law to update and streamline it; removing various requirements from the Law, instead authorizing ERB and the Conservation Department to establish those requirements through the administrative rulemaking process; so that the law does not need to be amended as frequently in the future.

Hunting, Fishing Trapping Amendments (II)

On July 26, 2017, the OBC adopted amendments which transferred the Environmental Resource Board's hearing body authority to the Judiciary.

Investigative Leave Policy Amendments

On June 24, 2015, the OBC adopted amendments which deleted a provision that prohibited the use of investigative leave when a complaint is filed; and that reduce the time period of an investigation from 30 days to 15 days.

Judiciary Law/Transition Plan Emergency Amendments (Miscellaneous Item)

Emergency amendments were adopted by resolution to reduce the number of Trial Court judges and increase the number of Family Court judges, in order to reduce the existing case load.

Landlord-Tenant (New Law)

On October 12, 2016, the OBC adopted this new law that establishes the roles and responsibilities of the tribe as landlord, in residential leases lasting one year or less.

Marriage Law Amendments (I)

On May 27, 2015, the OBC adopted amendments to the Marriage law to allow for same-sex marriage.

Marriage Law Amendments (II)

On May 25, 2016, the OBC adopted additional amendments that allow for the standard waiting period between applying for a license and solemnizing the marriage to be waived; to provide for an administrative fee for amending an application after it has been submitted, and to establish rulemaking authority.

Mortgage and Foreclosure Law (New Law)

On August 10, 2016, the OBC adopted this new law establishing how the tribe deals with mortgages and foreclosures relating to tribal land.

Motor Vehicle Registration Amendments

On April 22, 2015, the OBC adopted amendments to remove the registration prices from the law so they could be established by rule instead. Additional amendments were also made to update the law, which had not been updated since 1999.

Oneida Appeals Commission References Removal (Miscellaneous item)

The LOC amended various laws and policies to replace references to the Oneida Appeals Commission with references to the Oneida Judiciary, in accordance with a GTC directive.

Oneida Nation Gaming Ordinance (ONGO) Amendments

After minor amendments were made to ONGO to replace references to the Oneida Appeals Commission with references to the Judiciary, the adopted amendments were submitted to National Indian Gaming Commission (NIGC) for approval. NIGC returned the proposed amendments with three additional amendments that needed to be made, and then later provided additional feedback which resulted in additional changes. The OBC adopted the amended law on September 9, 2015.

Oneida Seal and Flag (New Law)

On January 11, 2017, the OBC adopted the Oneida Seal and Flag Law. This law was developed after the Oneida Nation Veterans Affairs Committee received complaints about how the tribal flag is displayed. The law also establishes standard protocols for displaying a flag and for those with flag responsibilities, and identifies who has authority to lower a flag to half-staff.

On-Site Waste Disposal Amendments

On July 26, 2017, the OBC adopted amendments to the law which transferred the Environmental Resource Board's hearing body authority to the Judiciary.

Per Capita law Amendments

On February 22, 2017, the OBC adopted amendments based on requests from the Trust Enrollment Department to address various issues, including modifying the frequency of form requirements in elder distributions, and incorporating fees for stop payments and closed bank accounts.

Personnel Policies Re: Job Duties and Work Assignments (Emergency only – Miscellaneous Item)

On September 24, 2014, as a short-term cost-saving measure, the OBC adopted emergency amendments to the Personnel Policies and Procedures, enabling employees to perform job duties outside of their regular assignments. The emergency amendments expired on March 24, 2015, and were not renewed.

Pow-wow Committee Bylaws Amendments

On April 22, 2015, the OBC approved amendments to the Pow-Wow Committee Bylaws which;

- Require a committee member to be a member of a federally-recognized Indian tribe and have Pow-wow knowledge through experience coordinating or participating in a Pow-wow or experience coordinating a community event.
- Require Committee members to follow the Tribe's Code of Ethics and address absences from Committee meetings.

Public Use of Tribal Land Amendments (I)

On December 10, 2014, the OBC adopted amendments to this law to allow Tribal employees who are not Tribal members, and non-Tribal contractors, to access some land that the Law had designated as restricted to Tribal members only.

Public Use of Tribal Land Amendments (II)

On January 13, 2016, the OBC adopted additional amendments which specifically allow the Environmental Resource Board to prescribe permissible and/or prohibited uses for tribal land designated as Oneida Community/Tribal Member/Open Access.

Public Use of Tribal Land Amendments (III)

On July 26, 2017 the OBC adopted amendments to the law which transferred the Environmental Resource Board's hearing body authority to the Judiciary.

Real Property Law Amendments (I)

On May 13, 2015 the OBC adopted amendments to the leasing section of the Real Property law, to ensure consistency with the proposed Leasing Law.

Real Property law Amendments (II)

On February 8, 2017, the OBC adopted amendments that updated the law and removed existing provisions

so that they could instead be established in other laws, such as the new Mortgage and Foreclosure law.

Rules of Appellate Procedure Amendments

On March 25, 2015, the OBC adopted amendments to this law to streamline and improve the appeals process. The amendments:

- Create new definitions and correct inadvertent omissions
- Add a section which requires an Initial Review be conducted by three members of the Court when a Notice of Appeal is filed.
- Allow tracked U.S. or private mail to be used for service
- Clarify Clerk responsibilities regarding the certification of records.
- Increase the time for the Court to complete a case from 120 days to 180 days.
- Give the Court flexibility to allow parties to cite cases during oral argument, even if those cases have not been cited in a brief.

Tribal Environmental Response Amendments

On July 26, 2017, the OBC adopted amendments to the law which transferred the Environmental Resource Board's hearing body authority to the Judiciary. Various other updates were made as well.

Tobacco Ordinance Amendments

On January 25, 2017 the OBC adopted amendments to this law that:

- Remove the requirement that all employees be enrolled members of the Oneida Nation; allowing Oneida Retail locations to employ persons not enrolled in the Nation.
- Replace the term "tobacco outlet" with "Oneida retail location."
- Update the language and format to ensure compliance with drafting style and formatting requirements.

Vehicle Driver Certification and Fleet Management Law Amendments

The OBC adopted this law on June 28, 2017. The law replaces the previous Vehicle Driver Certification and Fleet Management Policies; updating the requirements of both. The law governs the use of Tribal vehicles, and the use of personal vehicles while on Tribal business, for Tribal employees, officials and volunteers.

Vendor Licensing Law Amendments

On October 12, 2016, the OBC adopted amendments that update the law and remove various administrative requirements; and more clearly identify the Licensing Department's administrative rulemaking authority.

Water Resources Amendments

On July 26, 2017, the OBC adopted amendments to this law which transferred the Environmental Resource Board's hearing body authority to the Judiciary.

Well Abandonment Amendments

On July 26, 2017, the OBC adopted amendments to this law which transferred the Environmental Resource Board's hearing body authority to the Judiciary.

Workplace Violence (New Law)

On June 28, 2017, the OBC adopted this new law which is intended to provide a safe and secure environment for employees to work and for conducting business by establishing procedures for addressing workplace violence incidents.



Attachment B.
Summary of 36 Public Meeting Days Held in 2014-2017 Legislative Term

By the end of the 2014-2017 term, 172 people attended 36 public meeting days. A public meeting day can include one or several topics, as indicated by color in the table. Attendance is measured by how many people register on the sign-in sheet during the public meeting day. There were 72 items discussed at the public meeting days. The average number of attendants per meeting day was 4.8.*

#	Public Meeting Day	Name of Legislative Item	# Attended
1	7/20/17	Professional Conduct for Attorneys and Advocates	0
2	7/20/17	Legal Resource Center	"
3	6/29/17	Administrative Rulemaking Amendments	1
4	6/29/17	Child Care Department Consumer Complaint Policy	"
5	6/29/17	GTC Meetings Law	"
6	6/29/17	Comprehensive Policy Governing BCCs	"
7	6/26/17	Administrative Rulemaking Amendments	0
8	6/26/17	Child Care Department Consumer Complaint Policy	"
9	6/26/17	GTC Meetings Law	"
10	6/26/17	Comprehensive Policy Governing BCCs	"
11	6/15/17	ATV Law—ERB HBA Amendments	3
12	6/15/17	Tribal Environmental Response Amendments	"
13	6/15/17	Hunting, Fishing Trapping Law Amendments	"
14	6/15/17	Public Use of Tribal Land Amendments	"
15	6/15/17	Water Resources Ordinance Amendments	"
16	6/15/17	Well Abandonment Law Amendments	"
17	6/15/17	On-Site Waste Disposal Amendments	"
18	6/5/17	Landlord-Tenant Amendments	1
19	6/5/17	Domestic Animals Ordinance Amendments	"
20	6/5/17	Conflict of Interest Amendments	"
21	6/5/17	Audit Law Amendments	"
22	6/5/17	Vehicle Driver Certification and Fleet Management	"
23	5/18/17	Oneida Business Committee meetings law	3
24	5/18/17	Workplace Violence law	"
25	5/4/17	Child Welfare Law (Children's Code)	19
26	3/30/17	Independent Contractor Policy Amendments	11
27	3/30/17	Cemetery Law Amendments	"
28	3/2/17	Drug and Alcohol-Free Workplace Amendments	3
29	2/16/17	Endowments Law Amendments	7
30	1/3/17	Conflict of Interest Amendments	0
31	12/29/16	Oneida Business Committee Meetings Law	3
32	12/15/16	Budget Management & Control	12
33	12/15/16	Hunting, Fishing, Trapping Amendments	"
34	12/15/16	Tobacco Law Amendments	"
35	12/15/16	Per Capita Law Amendments	"
36	12/1/16	Real Property Law Amendments	0
37	12/1/16	Seal and Flag Law	0
38	11/3/16	Community Support Fund Amendments	4

39	10/20/16	Real Property Law	1
40	9/15/16	Election Law Amendments	0
41	8/4/2016	Eviction & Termination Law	1
42	7/21/2016	Landlord-Tenant Law	1
43	7/21/2016	Vendor Licensing Law Amendments	"
44	6/30/2016	Mortgage & Foreclosure Law	1
45	6/16/2016	Per Capita Law Amendments	6
46	6/3/2016	Garnishment Law Amendments	5
47	5/19/2016	Per Capita Law Amendments	6
48	5/19/2016	Leasing Law Amendments	"
49	5/19/2016	Fitness for Duty Amendments	"
50	5/5/2016	Back Pay Policy Amendments	0
51	3/31/2016	Employment Law	13
52	3/17/2016	Marriage Law Amendments	0
53	2/18/2016	Garnishment Law Amendments	6
54	1/7/2016	Administrative Procedures Act Amendments	1
55	1/7/2016	Comprehensive Policy Amendments	"
56	1/7/2016	Administrative Rulemaking Law	"
57	10/29/2015	Higher Education Scholarship Policy	23
58	10/29/2015	Community Support Fund Policy Amendments	"
59	10/29/2015	Removal Law Amendments	"
60	10/29/2015	Public Use of Tribal Land Law Amendments	"
61	10/1/2015	Oneida Flag Policy	5
62	7/30/2015	Oneida Nation Gaming Ordinance Amendments	8
63	4/30/2015	Removal Law Amendments	6
64	4/30/2015	Investigative Leave Policy Amendments	"
65	4/2/2015	Real Property Law Amendments	0
66	4/2/2015	Leasing Law	"
67	4/2/2015	Marriage Law Amendments	"
68	2/19/2015	Motor Vehicle Registration Law Amendments	2
69	2/19/2015	New Law: Vehicle Driver & Fleet Management	"
70	2/5/2015	Rules of Appellate Procedure Amendments	12
71	2/5/2015	Furlough Policy	"
72	11/6/2014	Public Use of Tribal Land Amendments	1
		Total Participants	172
		Average Number of Participants/Meeting Day	4.8

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 09 / 27 / 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:

Primary Requestor:

Your Name, Title / Dept. or Tribal Member

Additional Requestor:
Name, Title / Dept.

Additional Requestor:
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

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. 19, 2017
RE: **E-Poll Results of: FC Meeting Minutes of SEPT. 18, 2017**

An E-Poll vote of the Finance Committee was conducted to approve the Sept. 18, 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, Larry Barton, Daniel Guzman King, Chad Fuss and Patrick Stensloff to approve the Sept. 18, 2017 Finance Committee Meeting Minutes.

The minutes will be placed on the next BC agenda of Sept. 27, 2017 for approval and the next Finance Committee agenda of Oct. 2, 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.



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

ONEIDA FINANCE COMMITTEE
September 18, 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

Others Present: Paul Witek, Nicole Rommel, Michele Doxtator, Marilyn King, Michelle Danforth, Tamara Van Schindle and Denise Vigue, taking minutes

I. CALL TO ORDER: The meeting was called to order by the FC Chair at 10:03 A.M.

II. APPROVAL OF AGENDA: SEPTEMBER 18, 2017

Motion by Chad Fuss to approve the FC meeting agenda of Sept. 18, 2017 with 2 Add On requests under New Business and 1 Add On request under Thank You/FYI. Seconded by Patrick Stensloff. Motion carried unanimously.

III. APPROVAL OF MINUTES: SEPTEMBER 5, 2017 (Approved via E-Poll on 9/6/17)

Motion by Patrick Stensloff to ratify the FC E-Poll action taken on Sept. 6, 2017 approving the Sept. 5, 2017 Finance Committee meeting minutes. Seconded by Jennifer Webster. Motion carried unanimously.

IV. APPROVAL OF SPECIAL E-POLL:

1. FC Special E-Poll Results: Oak Haven Fencing (Approved on 9/13/17)

Patrick noted that there were irregularities with this request so he abstained from the vote and he has also met with the area manager and department to review Purchasing processes and procedures.

Motion by Larry Barton to ratify the FC E-Poll action of Sept. 13, 2017 approving the Oak Haven Fencing contract amount of \$193,913.55. Seconded by Jennifer Webster. Motion carried unanimously.

V. TABLED BUSINESS: No Tabled Business

VI. CAPITAL EXPENDITURES:

1. ColorTech	Amount: \$69,360.00
Michele Doxtator, Retail Enterprise	

This is for LED pricing sign upgrades at several of the One Stops as required; this was in their FY18 budget, but taken out as DPW offered unused funds in their FY17 budget in order for Retail to meet the requirement.

There was concern about the transference of capital expenditures and the reporting to GTC; as this is a requirement the motion should reflect this as a onetime sourcing occurrence and Retail needs to disclose in there quarterly report.

Motion by Larry Barton to approve the request for signage with Color Tech in the amount of \$69,360.00 noting part of funds are from unused capital expenditures from DPW and that this is a onetime transfer occurrence due to compliance requirements. Seconded by Jennifer Webster. Chad Fuss abstained. Motion carried.

VII. DONATIONS:

1. Sept. Donation Update & FY18 Donation Form

Denise Vigue, Finance

Motion by Jennifer Webster to approve the Donation Update Report for September 2017. Seconded by Chad Fuss. Motion carried unanimously.

Motion by Chad Fuss to accept the FY18 Donation Form. Seconded by Larry Barton. Motion carried unanimously.

2. Ohe-lakú Among the Corn Stalks

Amount: \$2,500.00

Requestor: Laura Manthe, Oneida member

There was discussion on if this falls under the Donation Policy or the criteria of the Community Fund; group received funds last year from Donations as they were part of a larger group with a 501 c3 status that had received a grant; cost of event was also discussed; will need to reevaluate status for any future requests.

Motion to approve \$750.00 from the Community Fund for this event. Seconded by Chad Fuss. After discussion the motion was rescinded.

Motion by Jennifer Webster to approve from the Finance Committee Donation Line \$2,250.00 for the Ohe-lakú Among the Corn Stalks event as the local group is operating under a grant provided to the Intertribal Agriculture Council of the Oneida Nation. Seconded by Daniel Guzman King. Motion carried unanimously.

3. Rawhide Youth Education Program

Amount: \$2,500.00

Requestor: Thomas Regan, Int. Executive Director

Motion by Jennifer Webster to approve from the Finance Committee Donation Line \$2,500.00 for the Rawhide Youth Education Program. Seconded by Daniel Guzman King. Motion carried unanimously.

4. Kanatsiohareke Clean Water Project

Amount: \$5,000.00

Requestors: Tom Porter & the Kanatsiohareke Board

There was discussion on the request, the suggestion from the BC, and other departments that could provide goods or services that would better meet the needs of the project. The Treasurer will take the request to the areas that could be of assistance.

Motion by Jennifer Webster to approve from the Finance Committee Donation Line \$2,500.00 and to make a procedural exception to the Donation Policy to provide another \$2,500.00 at the request of the Business Committee for a total of \$5,000.00 to be provided to the Mohawk Community for their water project. Seconded by Daniel Guzman King. Motion carried unanimously.

VIII. NEW BUSINESS:

- 1. FY18 Blanket PO-Broadspire- WC Claims** Amount: \$366,548.00
Robert Keck, Risk Management

Lisa Moore was present to discuss the requests from Risk Management; this request amount is based on current year's expenditures plus a small percentage; this is for the costs of worker's compensation claims paid out; includes payments still being made from previous years.

Motion by Jennifer Webster to approve the FY18 Blanket Purchase Order for Broadspire for Worker's Comp claims in the amount of \$366,548.00. Seconded by Daniel Guzman King. Larry Barton abstained. Motion carried.

- 2. FY18 Blanket PO-Broadspire-WC Admin Fees** Amount: \$60,000.00
Robert Keck, Risk Management

Motion by Jennifer Webster to approve the FY18 Blanket Purchase Order for Broadspire for Worker's Comp Administration Fees in the amount of \$60,000.00. Seconded by Chad Fuss. Larry Barton abstained. Motion carried.

- 3. EMPower, LLC-M3 -FY17 PO Increase** Amount: \$20,000.00
Robert Keck, Risk Management

Lisa explained this is for non-gaming chiropractic services offered; cost benefits and insurance savings were discussed; increase is to pay remainder of FY17 due to increase in hours.

Motion by Jennifer Webster to approve the FY17 Purchase Order increase to EMPower, LLC-M3 in the amount of \$20,000.00. Seconded by Daniel Guzman King. Larry Barton abstained. Motion carried.

- 4. FY18 Blanket PO – EMPower, LLC-M3** Amount: \$100,000.00
Robert Keck, Risk Management

Motion by Jennifer Webster to approve the FY18 Blanket Purchase Order for EMPower, LLC-M3 for health related services in the amount of \$100,000.00. Seconded by Daniel Guzman King. Larry Barton abstained. Motion carried.

- 5. OTIE – Roof Repair @Bay Bank Bldg.** Amount: \$146,000.00
Nicole Rommel, Div. of Land Mgmt.

This was bid out, received three but one was late so this counts as a sole source request; the roof will be metal to extend the life of the roof; there are leaks now that need to be repaired; building is under Land Management.

Motion by Larry Barton to approve the OTIE contract for roof repair/replacement at the Bay Bank Building in the amount of \$146,000.00. Seconded by Daniel Guzman King. Motion carried unanimously.

- 6. FY18 Blanket PO – Steen Macek** Amount: \$180,000.00
Lisa Metoxen, Oneida Printing

Motion by Jennifer Webster to approve the FY18 Blanket Purchase Orders for items #6 though # 9 in the amounts stated. Seconded by Chad Fuss. Motion carried unanimously.

- 7. FY18 Blanket PO – Oneida Post Office** Amount: \$1,200,000.00
Lisa Metoxen, Oneida Printing

- See Motion in NB #6

- 8. FY18 Blanket PO – Pitney Bowes** Amount: \$140,000.00
Lisa Metoxen, Oneida Printing

- See Motion in NB #6

- 9. FY18 Blanket PO – UPS** Amount: \$160,000.00
Lisa Metoxen, Oneida Printing

- See Motion in NB #6

- 10. FY18 Blanket PO – OGC Lease w/7Gens** Amount: \$98,040.00
Shannon Davis, Exec. Asst. – OGC

There was a question if lease payments need to come to the Finance Committee; it was decided that for transparency these can be brought forward in the future as FYI items.

Motion by Larry Barton to approve the FY18 Blanket Purchase Order for lease payments to 7Gens for the OGC space in the amount of \$98,040.00. Seconded by Daniel Guzman King. Motion carried unanimously.

- 11. ADD ON: FY18 Blanket PO – Oneida Food Warehouse Lease w/7Gens** Amount: \$51,000.00
Marilyn King, OFW Manager

Motion by Larry Barton to approve the FY18 Blanket Purchase Order for lease payments to 7Gens for the Oneida Food Warehouse space in the amount of \$51,000.00. Seconded by Jennifer Webster. Motion carried unanimously.

- 12. ADD ON: FC Elder Member Resignation**
Patricia King, Treasurer

A request was received for the resignation of the FC elder member due to current position and conflict with him no to be part of any board, committee or commission.

Motion by Larry Barton to accept the resignation and add to the permanent file. Seconded by Jennifer Webster. Motion carried unanimously.

IX. EXECUTIVE SESSION: None

X. **FOLLOW UP:** None

XI. **FYI and/or THANK YOU:**

1. **ADD ON-FYI: Ashwaubenon Service Agreement**

Paula King Dessart, BC Support Office

Motion by Larry Barton to accept the Ashwaubenon Service Agreement as FYI. Seconded by Jennifer Webster. Motion carried unanimously.

XII. **ADJOURN:** Motion by Jennifer Webster to adjourn. Seconded by Patrick Stensloff.

Motion carried unanimously. Time: 11:49 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: September 19, 2017

Oneida Business Committee's FC Minutes Approval Date: _____

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 9 / 27 / 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:

Motion to accept the July 31, 2017 Quality of Life meeting minutes.

3. Supporting Materials

Report Resolution Contract

Other:

1. <input type="text" value="7/31/17 QOL 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: Cathy Bachhuber, Executive Assistant
Your Name, Title / Dept. or Tribal Member

Additional Requestor: _____
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.



Quality of Life Committee Meeting Minutes for July 31, 2017

Present: Fawn Billie, Committee Chair; Tehassi Hill, Committee Vice-Chair; Lisa Summers, Secretary; Brandon Stevens, Councilmember

Others present: Eric Boulanger, Mandy Schneider, Priscilla Belisle, Racquel Hill, Cathy Bachhuber

I. Call to Order and Roll Call

Meeting called to order by Fawn Billie at 11:05 a.m.

II. Approval of the agenda

Motion by Tehassi Hill to approve the agenda, seconded by Brandon Stevens. Motion carried unanimously.

III. Approval of Meeting Minutes

A. June 15, 2017 Quality of Life meeting minutes

Motion by Tehassi Hill to approve the June 15, 2017 Quality of Life meeting minutes with the addition of a note on the agenda items added, seconded by Brandon Stevens. Ayes: Brandon Stevens, Lisa Summers. Abstention: Tehassi Hill. Motion carried.

IV. Unfinished Business

A. Case Management Strategy – Fawn Billie

Excerpt from June 15, 2017 Quality of Life Meeting: Motion by Trish King to request QOL Chair Fawn Billie to send a memo to the GSD Director and the Comprehensive Health Medical Division Director to request they bring back a plan of action, with a timeline, for the July 13th Quality of Life meeting, seconded by Brandon Stevens. Motion carried unanimously.

Excerpt from May 11, 2017 Quality of Life Meeting: Motion by Trish King for the Governmental Services Division Director and the Comprehensive Health Medical Division Director to work together to identify a team to improve 1) the coordination of care services we already provide 2) customer service and 3) case management, and to bring back to QOL for monthly updates, seconded by Brandon Stevens. Motion carried unanimously.

Excerpt from April 27, 2017 OBC FY'17 2nd Quarter Reports Meeting [IV.D.3. Accept Quality of Life Committee FY '17 2nd quarter report]: Motion by Fawn Billie to accept the Quality of Life Committee FY'17 2nd quarter report; and for the next report to include a timeline of Oneida Services for tribal members, seconded by Brandon Stevens. Motion carried unanimously.

Excerpt from April 20, 2017 Quality of Life Meeting: Motion by Trish King to defer to next month's QOL meeting and invite the GSD Director, seconded by Brandon Stevens. Motion carried unanimously.

Motion by Tehassi Hill to add the Community Health Assessment (CHA) to the May Quality of Life agenda, seconded by Brandon Stevens. Motion carried unanimously.

Excerpt from March 9, 2017 Quality of Life Meeting: Motion by Tehassi Hill to direct the Governmental Services Division Director to provide an update on the services provided and services needed for intake, disability, and/or handicap for the April Quality of Life meeting, seconded by Brandon Stevens. Motion carried unanimously.



Excerpt from January 12, 2017 Quality of Life Meeting: Motion by Tehassi Hill to have the QOL Chair request an update from the Governmental Services Director and the Organization Development Specialist for the next QOL meeting, seconded by Trish King. Motion carried unanimously.

Excerpt from December 8, 2016 Quality of Life Meeting: Motion by Tehassi Hill to have the QOL Chair send a memo [for the next BC work meeting; to the OBC and Tracey Cordova with an update from the QOL. Motion carried unanimously.

Motion by Tehassi Hill to defer to the Governmental Services Division (GSD) Director to include updates in the GSD Quarterly reports, with the understanding the GSD Director's Office will continue to work with the Treasurer's Office, seconded by Lisa Summers. Motion carried unanimously.

B. Tribal Action Plan – Mandy Schneider

Excerpt from June 15, 2017 Quality of Life Meeting: Motion by Trish King to accept the verbal update and have QOL Chair Fawn Billie's office follow up with the transition team to include a Tribal Action Plan (TAP) update, seconded by Brandon Stevens. Motion carried unanimously.

Excerpt from May 11, 2017 Quality of Life Meeting: Motion by Brandon Stevens to accept the verbal update as an FYI, seconded by Trish King. Motion carried unanimously.

Excerpt from April 20, 2017 Quality of Life Meeting: Motion by Trish King to support the TAP Resolution moving forward for BC adoption, seconded by Brandon Stevens. Motion carried unanimously.

Excerpt from March 9, 2017 Quality of Life Meeting: Motion by Tehassi Hill to have the Tribal Action Plan (TAP) team bring back a status and needs report to the April 13th Quality of Life meeting, seconded by Brandon Stevens. Motion carried unanimously.

Motion by Tehassi Hill to accept the update, seconded by Brandon Stevens. Motion carried unanimously.

C. Community Health Assessment (CHA) – Eric Krawczyk

Excerpt from June 15, 2017 Quality of Life Meeting: Motion by Brandon Stevens to accept the Community Health Assessment update and to report results at the next QOL meeting in July, seconded by Trish King. Motion carried unanimously.

Motion by Tehassi Hill to accept the Community Health Assessment Survey Highlights as information, seconded by Lisa Summers. Motion carried unanimously.

D. Drug Identification Training Update – Fawn Billie, Brandon Stevens

i. Drug Identification and Recognition to Support Tribal Justice August 28th – 29 8:00 a.m. – 5:00 p.m.

Motion by Tehassi Hill to accept the updates on the Drug Identification trainings and presentation, seconded by Brandon Stevens. Motion carried unanimously.

ii. Community Drug Awareness Presentation August 28th 6:00 p.m. – 8:00 p.m.

Motion by Tehassi Hill to accept the updates on the Drug Identification trainings and presentation, seconded by Brandon Stevens. Motion carried unanimously.

**V. New Business****VI. Reports****A. QOL End of Term Report Draft Review – Fawn Billie**

Motion by Lisa Summers to accept the report with the addition of a summary of today's discussion regarding the Tribal Action Plan, seconded by Brandon Stevens. Motion carried unanimously.

VII. Additions**VIII. Adjourn**

Motion by Tehassi Hill to adjourn at 12:17 p.m., seconded by Brandon Stevens. Motion carried unanimously.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 09 / 19 / 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 recommendation to appoint Tina Moore to the Oneida Personnel Commission.

3. Supporting Materials

Report Resolution Contract

Other:

1.

3.

2.

4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter: Danelle Wilson, Chairman's Assistant
Your Name, Title / Dept. or Tribal Member

Additional Requestor: _____
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.



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



Memorandum

To: Oneida Business Committee
From: Tehassi Hill, Chairman *T.H.*
Date: September 19, 2017
Re: Oneida Personnel Commission

There are two (2) applicants for one (1) vacancy on the Oneida Personnel Commission. The applicants are:

Tina Moore
Kim Powless

The candidates are qualified to serve. In accordance with Article VI, Section 6-2 of the Comprehensive Policy Governing Boards, Committees, and Commissions, I recommend Tina Moore to be appointed to serve on the Oneida Personnel Commission.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 09 / 27 / 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 recommendation to appoint Sandra Reveles to Oneida Police Commission.

3. Supporting Materials

Report Resolution Contract

Other:

1.

3.

2.

4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter: Danelle Wilson, Chairman's Assistant
Your Name, Title / Dept. or Tribal Member

Additional Requestor: _____
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.



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



Memorandum

To: Oneida Business Committee
From: Trish King, Treasurer *TK*
Date: September 21, 2017
Re: Oneida Police Commission

There are three (3) applicants for one (1) vacancy on the Oneida Police Commission. The applicants are:

Sandra Reveles
Joan McLester
Dale Powless

The candidates are qualified to serve. In accordance with Article VI, Section 6-2 of the Comprehensive Policy Governing Boards, Committees, and Commissions, I recommend Sandra Reveles to be appointed to serve on the Oneida Police Commission.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 9 / 27 / 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:

1. Motion to lift any and all (OBC or other) moratoriums which restrict utilization of the cemetery and for the Tribal Cemetery plots and sections to be utilized or restricted at the discretion of Tribal Cemetery Administrative Authority.
2. OBC support for the recommendations included in this report.
3. Accept report.

3. Supporting Materials

Report Resolution Contract

Other:

1. 3.
2. 4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter: Paul J. Witek, Senior Tribal Architect/ Engineering Dept.
Your Name, Title / Dept. or Tribal Member

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

Additional Requestor: _____
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

STANDING ITEM:

Purpose:

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

Background:

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

On July 12, 2017 the Business Committee accepted the final quarterly report and made a motion to have "... for a final close-out report, including financials, regarding the Cemetery Improvement Project #14-002 be submitted to the Oneida Business Committee in sixty (60) days".

Action Requesting:

1. Motion to lift any and all (OBC or other) moratoriums which restrict utilization of the cemetery and for the Tribal Cemetery plots and sections to be utilized or restricted at the discretion of Tribal Cemetery Administrative Authority.
2. OBC support for the recommendations included in this report.
3. Accept report.

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

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

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



To: Oneida Business Committee

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

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

Date: 9/19/2017

Re: Cemetery Improvements #14-002 – Phase III - Final Report

Background

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

On July 12, 2017 the Business Committee accepted the final quarterly report and made a motion to have *“... for a final close-out report, including financials, regarding the Cemetery Improvement Project #14-002 be submitted to the Oneida Business Committee in sixty (60) days.”*

The Cemetery Working Group (CWG) has been coordinating activities for the cemetery. The group currently includes the following individuals:

Susan White - Trust Enrollment Director	Pat Pelky - Environmental Health Div. Director & Land Management Div. Director
Cheryl Skolaski – Enrollment Director	Nicole Rommel – DOLM Area Manager Finance
Bonnie Pigman – Research Analyst	Troy D. Parr – Community & Economic Development Div. Director
Julie Denny – Burial Program Coordinator	James Petitjean – Assistant Community & Economic Development Div. Director
Carole Liggins – Trust Enrollment Committee Chair	
Technical Team Sub-Group:	
Jacque Boyle – DPW Div. Director	Jeff Witte - Planner
Sheila Huntington - Comm. Leasing Specialist	Dan W. Skenandore – Construction Manager
Dennis Johnson – Community Wells & Septic	Paul J. Witek – Senior Tribal Architect
Steve Linskens - Environmental Project Manager	

Status Summary

This report was prepared by various members of the CWG and includes the subject matter noted below with references to Exhibits containing the backup information:

1. Project Financial Summary – See Exhibit A

- a. For the combination of both projects: Cemetery Storm Water Correction #06-008 and Cemetery Improvements #14-002 totals are summarized as:

	#06-008 (completed: Nov. 2008)	#14-002 (completed: July 2017)	Total:	
Budget Allocated:	\$ 183,848.50	\$ 393,564.73	\$ 577,413.23	Budget
Expenditures:	\$ 183,848.50	\$ 371,619.35	\$ 555,467.85	Expenditure
			\$ 21,945.38	Unobligated balance

2. Cemetery Management Summary – See Exhibit B

- a. Cemetery Law – Chapter 127 – See Exhibit B-01
- i. Adopted: 7/26/17
 - ii. Effective: 8/09/17
- b. Administrative Responsibilities – per 127.4-3, the Division of Land Management (DOLM) is charged with these duties.
- i. Management Transition – DOLM will take over full administrative responsibilities effective October 2, 2017 (see Exhibit B-02).
 - ii. Nicole Rommel at DOLM will be the primary contact person.
- c. Burial Moratorium
- i. Research completed to determine the history of burial moratorium on portions of the cemetery revealed that there is not a moratorium in effect. To avoid any further misunderstandings we are requesting an OBC motion clearing any burial restrictions. (see Exhibit B-03)
 - ii. Suggested motion is:

1. Motion to lift any and all (OBC or other) moratoriums which restrict utilization of the cemetery and for the Tribal Cemetery plots and sections to be utilized or restricted at the discretion of Tribal Cemetery Administrative Authority.

3. Cemetery Use & Expansion Summary – See Exhibit C

- a. **Cemetery Use** - Cemetery Technical Team provided recommendation for utilization on portions of the cemetery. The recommendation includes continuing burials in Sections L thru Q, and R thru W; opening up all of Sections A,B,C,J, & K for burials along with portions of D,E,F, & G. Utilization of remaining portions would be at the discretion of Cemetery Administrative Authority. (see Exhibit C-01)
- b. The CWG is recommending that the next phase of the project (Phase IV) include improvements to the remaining portions of Sections D,E,F & G. Phase IV would be funded by the remaining unobligated Phase III CIP funds with the additional budget need being included in the FY2019 CIP Budget. The Project Budget Estimate for Phase IV is \$208,000.
 - i. It is also recommended that a portion of the current unobligated funding be used to purchase trees. The trees would be purchased through the Conservation Department and planted by them as they have time available.
- c. With the completion of Phase III there now can be the opening of additional plots for burials, it is estimated there is capacity for another 30 to 36 years of burials. With this duration, there is sufficient time to properly evaluate cemetery expansion or adding another cemetery location. (see Exhibit C-02)
- d. **Potential Expansion** - The recommendation is to collect more data from the parcel to the east of the existing cemetery before identifying a location for another cemetery.
 - i. Data collection on all of the existing monitoring wells will continue for five years (until Aug. 2021). Last Data Sheet for monitoring wells, see Exhibit C-03.
 - ii. If the east parcel is not viable, investigation of sites for a new second cemetery will continue.
 1. After a request to the Planning Department for a LUTU analysis, the Planning Department completed a cursory review and identified the following potential properties: (see Exhibit C-04)
 - a. Across the street from (east side) N6723 Seminary Road (LU-0124)
 - b. North of N6690 Seminary Road (LU-0333)
 - c. North of W1074 Fish Creek Road (LU-0335) (other access to the property from west end of Iroquois Drive)

2. These properties are larger parcels than needed for siting a cemetery. The criteria used for identifying a parcel and for future narrowing the site for specific location and layout, include:
 - a. Private/some secluded natural area/aesthetically
 - b. No permanent habitation
 - c. Close road access
 - d. Number of acres to be determined based on future need
 - e. No open or surface water in the area

4. Documentation Summary – See Exhibit D

- a. Project Chronology Report was been kept up to date by the Trust Enrollment Department.
 - i. Report will be maintained by and is available from DOLM.
- b. Notification to community and families of current project completion issued by CWG and was sent out the week of September 18th. (see Exhibit D-01)

5. Next Steps

- a. Moving forward DOLM will be the client for any future projects involving the cemetery.
- b. Continue data collection of the all existing monitoring wells for five years (until Aug. 2021).
 - i. By Conservation Department.
- c. Purchase trees through the Conservation Department and plant them as Conservation has time available.
- d. Request CIP funding in FY2019 for completion of Phase IV.
 - i. By Engineering Department.
- e. Monitor capacity of available burial plots.
 - i. If filling faster than estimated, DOLM will initiate project to address capacity.
- f. In August of 2021, fully review possible cemetery expansion to east.
 - i. DOLM will coordinate convening the Cemetery Technical Team to define specific tasks.
 - ii. If the review determines an expansion is appropriate, DOLM will complete a Capital Improvement Process (CIP) Project to develop expansion.

1. CIP Project will follow established process for approval and funding of project.
- iii. If the review determines an expansion is not appropriate, DOLM will request continued evaluation of possible new second cemetery properties through the LUTU process.
 1. Development of any new parcel will follow the CIP process.

Actions Requested:

1. Motion to lift any and all (OBC or other) moratoriums which restrict utilization of the cemetery and for the Tribal Cemetery plots and sections to be utilized or restricted at the discretion of Tribal Cemetery Administrative Authority.
2. OBC support for the recommendations included in this report.
3. Accept report.

Attachments:

- Exhibit A
- Exhibit B
- Exhibit C
- Exhibit D

EXHIBIT A

9/23/15
10:17:25
PROJECT:

06-008

(001-1201700-008)

ONEIDA NATION
ENGINEERING PROJECT BUDGET HISTORY
Cemetery Storm Water Correction

PAGE 1
EGGVDTSUM EGTVDTB

Proj#	Trans Date	Approved or Transfer Amt	Type	Notes
06-008	1/17/2007	40,000.00	BUDG	CIP FUNDS TRANSFERRED FROM #23-002
06-008	11/21/2007	155,000.00	BUDG	ACTIVATION AND TRANSFER INTO CIP#06-008 FROM #23-002
06-008	4/25/2011	11,151.50-	MOD	BALANCE TRANSFERRED BY FINANCE DEPARTMENT TO GENERAL FUND
		<u>183,848.50</u>		

Proj#	Fiscal Year	Activation Date	Activated Amt	Type	Notes
06-008	2007	1/17/2007	23,000.00	ORIG	
06-008	2007	1/17/2007	17,000.00	ORIG	
06-008	2008	11/21/2007	11,500.00	MOD	
06-008	2008	11/21/2007	16,700.00	MOD	
06-008	2008	11/21/2007	119,200.00	MOD	
06-008	2008	11/21/2007	7,600.00	MOD	
06-008	2011	4/25/2011	11,151.50-	TRAN	BALANCE TRANSFERRED BY FINANCE DEPARTMENT TO GENERAL FUND
		<u>183,848.50</u>			

Balance
to be activated

9/13/17
11:56:03
PROJECT:

14-002 (001-1201500-002)

ONEIDA NATION
ENGINEERING PROJECT BUDGET STATUS REPORT
Cemetery Improvements

PAGE 1
EGGVDTSUM EGTVDTSUM

APPROVED BUDGET 393,564.73
ACTIVATED TO DATE 393,564.73
BALANCE TO BE ACTIVATED

Vendor	Budget Amt	Contract Amt	Thru C.O.#	Pending C.O. Amt	Approved C.O. Amt	Revised Contract Amt	Paid Expenses To Date	P.O. Balance
Soft Costs	121,500.00							
G E I CONSULTANTS INC	59,176.00	1			10,252.00	69,428.00	54,095.27	15,332.73
ONEIDA COMMUNITY WELL & S	4,355.00					4,355.00	4,355.00	
ONEIDA ENGINEERING DEPART	23,600.00					23,600.00	23,600.00	
PROFESSIONAL SERVICE	4,865.00	1			2,845.00	7,710.00	7,710.00	
	<u>91,996.00</u>				<u>13,097.00</u>	<u>105,093.00</u>	<u>89,760.27</u>	
Construction	223,664.32							
ADVANCE CONSTRUCTION INC	237,290.00					237,290.00		237,290.00
ONEIDA IHS WATER & SEWER	19,963.85					19,963.85	19,963.85	
	<u>257,253.85</u>					<u>257,253.85</u>	<u>19,963.85</u>	
FF & E								
Contingency	48,400.41							
Financing Expenses								
	<u>349,249.85</u>				<u>13,097.00</u>	<u>362,346.85</u>	<u>109,724.12</u>	
Project Budget	393,564.73							
Approved Budget	393,564.73							
Funding variance								

These values are owed the vendor, but have not been paid to date. We are working with vendors to get proper invoicing.

Oneida Engineering Department - Additional Expense: \$ 9,272.50

Revised "Paid Expenses To Date": \$ 371,619.35

9/13/17
11:56:03
PROJECT:

14-002

(001-1201500-002)

ONEIDA NATION
ENGINEERING PROJECT BUDGET HISTORY
Cemetery Improvements

PAGE 1
EGGVDTSUM EGTVDTBD

Proj#	Trans Date	Approved or Transfer Amt	Type	Notes
14-002	4/08/2015	25,000.00	BUDG	FY2015 CIP FUNDS
14-002	3/09/2016	63,000.00	BUDG	FY 2016 CIP FUNDS ACTIVATION
14-002	12/14/2015	65,000.00	MOD	TRANSFER OF FUNDING FROM 07-009
14-002	9/28/2016	60,013.32	OTH	TRANSFER 13-005 UNOBLIGATED FUNDS TO 14-002
14-002	9/28/2016	180,551.41	OTH	TRANSFER 13-004 UNOBLIGATED BALANCE TO 14-002
		<u>393,564.73</u>		

Proj#	Fiscal Year	Activation Date	Activated Amt	Type	Notes
14-002	2015	4/08/2015	25,000.00	ORIG	CONSTRUCTION BUDGET
14-002	2014	12/14/2015	48,000.00	MOD	ARCHITECT DESIGN BUDGET
14-002	2014	12/14/2015	8,400.00	MOD	CONTINGENCY BUDGET
14-002	2014	12/14/2015	8,600.00	MOD	ENGINEER SERVICES BUDGET
14-002	2016	3/09/2016	49,800.00	ORIG	CONSTRUCTION BUDGET
14-002	2016	3/09/2016	8,200.00	ORIG	CONTINGENCY BUDGET
14-002	2016	3/09/2016	5,000.00	ORIG	ENG DEPT FEE BUDGET
14-002	2016	9/28/2016	15,800.00	TRAN	A- E FEE BUDGET
14-002	2016	9/28/2016	108,851.00	TRAN	CONSTRUCTION BUDGET
14-002	2016	9/28/2016	31,800.41	TRAN	CONTINGENCY BUDGET
14-002	2016	9/28/2016	24,100.00	TRAN	ENG DEPT FEE BUDGET
14-002	2014	9/28/2016	15,000.00	TRAN	A-E FEE BUDGET
14-002	2014	9/28/2016	40,013.32	TRAN	CONSTRUCTION BUDGET
14-002	2014	9/28/2016	5,000.00	TRAN	ENG DEPT FEE BUDGET
		<u>393,564.73</u>			

Balance
to be activated

EXHIBIT B

Title 1. Government and Finances– Chapter 127
CEMETERY LAW

Tsi? Lotiya?tata Olihwa'ke

The matters concerning when they bury the body

<p>127.1. Purpose and Policy</p> <p>127.2. Adoption, Amendment, Repeal</p> <p>127.3. Definitions</p> <p>127.4. Administration and Authority</p> <p>127.5. Eligibility and Ownership</p>	<p>127.6. Interment and Plots</p> <p>127.7. Disinterment</p> <p>127.8. Prohibited Items and Behavior on Cemetery Grounds</p> <p>127.9. Complaint Process</p>
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127.1. Purpose and Policy

127.1-1. *Purpose.* The purpose of this law is to establish administrative authority for Oneida Nation cemeteries on the Oneida Reservation, establish cemetery maintenance responsibility, govern the sale, transfer and recordkeeping of plots, establish who is eligible for interment, establish a process for disinterment, and delegate authority pursuant to Oneida laws.

127.1-2. *Policy.* It is the policy of the Nation that all enrolled Oneida Nation members, their families and descendants may be interred in an Oneida Nation cemetery.

127.2. Adoption, Amendment, Repeal

127.2-1. This law was adopted by the Oneida Business Committee by resolution BC-5-19-89-E and amended by resolutions BC-6-29-05-A, BC-1-14-09-E, BC-07-23-14-B and BC-07-26-17-L.

127.2-2. This law may be amended or repealed by the Oneida Business Committee and/or the Oneida General Tribal Council pursuant to the procedures set out in the Legislative Procedures Act.

127.2-3. 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.

127.2-4. 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.

127.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.

127.3. Definitions

127.3-1. 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) “Decedent” means a person who has died.

(b) “Descendant” means a person who is not enrolled in the Nation, but is a blood relative in the direct line of descent of an Oneida Nation member.

(c) “Disinterment” means to exhume interred human remains or cremated human remains.

(d) “Disinterment permit” means the form established by Land Management to authorize removal of a human corpse from a grave or tomb.

(e) “Family” means husband, wife, mother, father, son, daughter, brother, sister, grandparent, grandchild, aunt, uncle, niece, nephew, mother-in-law, father-in-law, daughter-in-law, son-in-law, brother-in-law, sister-in-law, step-parent and step-children as established through a certified copy of the original marriage license, foster children, adopted children, kinship and fictive kinship relationships and/or a person who accepts legal responsibility for the decedent.

(f) “Interment” means to bury remains.

- (g) “Judiciary” means the judicial system that was established by Oneida General Tribal Council to administer the judicial authorities and responsibilities of the Oneida Nation.
- (h) “Nation” means the Oneida Nation.
- (i) “Reinterment” means to rebury remains.
- (j) “Remains” means the body of a deceased person, regardless of its state, and includes cremated remains. “Remains” is synonymous and may be used interchangeably with “decedent” and “corpse”.
- (k) “Reservation” means all the lands and waters within the exterior boundaries of the Reservation of the Oneida Nation, as created pursuant to the 1838 Treaty with the Oneida 7 Stat. 566, and any lands added thereto pursuant to federal law.
- (l) “Rule” means a set of requirements, including citation fees and penalty schedules, in accordance with the Administrative Rulemaking law based on authority delegated in this law in order to implement, interpret and/or enforce this law.

127.4. Administration and Authority

127.4-1. The land designation, administrative duties and maintenance responsibilities for the Oneida Sacred Burial Grounds, also known as Tsi’ Tyeya’ Tat’alih and any other cemetery owned by the Nation shall be as provided within this section.

127.4-2. *Land Designation Responsibilities.* The Oneida Land Commission shall designate parcel(s) of land to be used for one (1) or more Oneida Nation cemeteries.

127.4-3. *Administrative Responsibilities.* Land Management shall be responsible for the administrative duties for all Oneida Nation cemeteries. These duties include:

- (a) Issuance of disinterment permits, where appropriate. An approved disinterment permit constitutes authorization to transport the remains and reinter the disinterred remains at an approved location within the boundaries of the Oneida Reservation. If the remains are being transported outside the boundaries of the Oneida Reservation and/or reinterment is occurring at a location outside the boundaries of the Oneida Reservation, other laws may apply and the parties involved are responsible for compliance. Permits shall include:
 - (1) Information that is necessary to identify the decedent;
 - (2) The date and place of death;
 - (3) The current place of interment;
 - (4) The intended place of interment, the name of the person requesting the disinterment; and
 - (5) The name of the person in charge of the disinterment.
- (b) Maintaining vital statistics of decedents interred, disinterred, and/or reinterred in an Oneida Nation cemetery including data derived from certificates death, fetal death reports or related reports, a report for final disposition, authorization for disinterment or reinterment or related judicial order or any other data as determined by Land Management.
- (c) Creating long-term strategic plans for Oneida Nation cemeteries and reporting such information as may be required by the Oneida Business Committee or General Tribal Council.
- (d) Causing portions of land designed to be used for an Oneida Nation cemetery to be surveyed and mapped into plots, drives and walks.
- (e) Maintain records concerning all plots.

- (f) Requesting additional portions of land to be designated for use as an Oneida Nation cemetery, if needed.
- (g) Selling and transferring plots and restricting the use of plots.
- (h) Administering accounting activities related to the sale or transfer of a plot.
- (i) Determining how to utilize gifts to an Oneida Nation cemetery.
- (j) Establishing rules, entering into agreements with person(s) or entities, where needed, in order to carry out their responsibilities under this law.

127.4-4. *Maintenance Responsibilities.* Land Management shall be responsible for cemetery maintenance duties including:

- (a) Maintaining Oneida Nation cemetery grounds.
- (b) Ensuring the appearance of an Oneida Nation cemetery is kept in accordance with any established rules.
- (c) Entering into agreements and communication with person(s) or entities, where needed, in order to meet the maintenance responsibilities.
- (d) Oversight of any position created to care for the cemetery.

127.4-5. *Public Health Emergency and Communicable Diseases.* The Community Public Health Officer shall, in a state of emergency related to public health as duly proclaimed, issue and enforce orders that are reasonable and necessary to provide for the safe disposal of remains in an Oneida Nation cemetery. This includes the power to take possession or control of any remains and make orders specific to embalming, interment, cremation, disinterment, transportation, or other disposal. Additionally, the Community Public Health Officer may:

(a) Determine conditions and order a specific method of disposal of remains in an Oneida Nation cemetery of a decedent who has died of a communicable disease that is dangerous to public health, within a reasonable or necessary timeframe, as determined by the Community Public Health Officer.

(1) The Community Public Health Officer shall provide and maintain a list of communicable diseases and other notifiable conditions to affected departments and the public by request.

(b) Require the labeling of all remains before disposal in an Oneida Nation cemetery with all available identifying information and information concerning the circumstances of death and, in addition, require the remains of a decedent with a communicable disease be clearly tagged to indicate that remains contain a communicable disease and, if known, the specific communicable disease.

(c) Maintain or require the maintenance of a written or electronic record of all remains that are disposed of in an Oneida Nation cemetery, including all available identifying information and information concerning the circumstances of death and disposal. These written and electronic records shall be safeguarded following applicable privacy standards and may only be released in accordance with applicable laws. If it is impossible to identify remains prior to disposal in an Oneida Nation cemetery, the Public Health Office or designee may request that the local coroner or medical examiner obtain any fingerprints, photographs, or identifying dental information, and/ or collect a specimen of deoxyribonucleic acid from the remains and transmit this information to any interested public health authority.

127.4-6. *Other requirements.* Neither this section nor any other section of this law relieves any person from all applicable legal, professional, or other requirements.

127.5. Eligibility and Ownership

127.5-1. *Eligibility.* The following persons may be interred in an Oneida Nation cemetery:

- (a) An Oneida Nation member, his or her family, or descendants.
- (b) Remains that are:
 - (1) Returned to the Nation;
 - (2) Repatriated; or
 - (3) Discovered on the Reservation if Oneida's Cultural Heritage Department, along with any other appropriate Oneida entity has determined that the most suitable place for interment of the remains is an Oneida Nation cemetery.

127.5-2. *Ownership of Plots.* Plots in an Oneida Nation cemetery may be purchased by anyone for individuals eligible to be interred in an Oneida Nation cemetery, as defined in section 127.5-1, but the owner of the plot shall be the individual for whom the plot was purchased, if living, and shall be specified at purchase. Purchase of a plot does not result in any ownership rights in the plot itself, but grants an individual the right to be interred in the plot or determine who will be interred in the plot, subject to the eligibility requirements of this law.

- (a) In the event the owner of a plot becomes ineligible to be interred in an Oneida Nation cemetery, the plot shall be resold to the Nation in accordance with section 127.5-2(c).
- (b) A plot is not inheritable, but may be transferred from the owner to an individual eligible to be interred in an Oneida Nation cemetery. The transfer of a plot from one owner to another shall be processed through Land Management.
- (c) A plot may only be resold by the owner of the plot to the Nation through Land Management. Plots resold to the Nation shall be bought for the original purchase price. The following owners of plots may resell a plot to the Nation:

- (1) Competent individuals who are at least eighteen (18) years of age;
- (2) Individuals who are less than eighteen (18) years of age, with the written permission of the original purchaser of the plot; and
- (3) Incompetent individuals who are at least eighteen (18) years of age, with the permission of their guardian or appropriate power of attorney.

127.6. Interment and Plots

127.6-1. All interments shall be approved by Land Management prior to interment to ensure the health and safety of the public will not be endangered, that the plot is properly marked, and to provide information to any company or contractor providing services for the interment.

- (a) In any case in which a decedent will be buried in an Oneida Nation cemetery, Land Management shall report any known situations involving communicable diseases to Oneida's Community Public Health Officer for investigation. The Community Public Health Officer may determine conditions for disposal of the remains in accordance with section 127.4-5.

127.6-2. No interments will be scheduled on the observance of any Holiday recognized by the Nation.

127.6-3. *Cost of Interment.* All fees for the cost of a plot and/or an interment, or disinterment or re-interment, including all the below listed fees, are the responsibility of the decedent's estate, if any, family assuming responsibility, or other individual assuming legal responsibility for the remains, unless otherwise stated. Land Management shall create rules regarding plot and marking fees.

- (a) Plot fees shall be paid prior to interment.

(b) Marking fees for the plot or monument location shall be assessed and required each time an interment occurs, regardless of container use or method of disposition.

(c) Opening and closing fees shall be determined by the vendor chosen.

(1) Any such vendor is required to have the qualifications and experience to perform opening and closings. Family members or private persons lacking qualifications or experience to perform burial related openings may not perform openings for the burial of caskets.

(d) There shall be no plot fees or marking fees assessed for remains interred in accordance with section 127.7-4. If the Nation or its contracted vendor opens or closes a plot for the interment of human remains in accordance with section 127.7-4, no fees shall be assessed for the opening or closing of the plot.

127.6-4. *Outer Burial Containers.* Outer burial containers, such as liners and vaults, while recommended, are not required for interment. Land Management shall provide information concerning the potential effects if a burial container is not used.

127.6-5. *Division of Plots.* Each plot may only be used for the interment of:

(a) one (1) human corpse;

(b) one (1) human corpse along with the cremated remains of one (1) other decedent; or

(c) the cremated remains of up to four (4) decedents.

127.6-6. *Monuments and Flush Markers.* No more than four (4) monuments or flush markers shall be allowed per plot. If a plot is designated for more than two (2) decedents, only flush markers can be installed outside of the designated headstone area. Land Management shall establish rules regarding maximum height, width and thickness requirements for monuments or flush markers placed at a plot. In addition, Land Management may establish the types of materials that may be used for monuments or flush markers.

(a) No monuments/markers will be installed from November 1st through May 1st.

127.7. Disinterment

127.7-1. Disinterment from an Oneida Nation cemetery may occur pursuant to any of the following; requirements for each are listed below:

(a) Issuance of an Order for Authorization of Disinterment and/or Reinterment by the Oneida Judiciary;

(b) Land Management's issuance of a disinterment permit; or

(c) Reburial required by Land Management in accordance with section 127.7-4. .

127.7-2 Issuance of an Order for Authorization of Disinterment and/or Reinterment by the Oneida Judiciary. The Oneida Judiciary may issue an Order for Authorization for Disinterment and/or Reinterment as follows:

(a) When a petition for an Order for Authorization for Disinterment and/or Reinterment is filed with the Oneida Judiciary, unless a hearing is held determining circumstances exist that would reasonably justify dispensing of the notice requirement, the petitioner shall serve a copy of the Petition for an Order for Authorization for Disinterment and/or Reinterment upon Land Management and all members of the same or a prior class as listed in section 127.7-3(b). A Petition for an Order for Authorization for Disinterment and/ or Reinterment shall include all of the following:

(1) The decedent's name, date of death, and burial location;

(2) The requester's name, address, telephone number, and relationship with the decedent;

(3) The requester's intent to obtain an order of disinterment/reinterment;

- (4) The reason for the disinterment;
 - (5) The location of reinterment and/or certification that the petitioner will have the remains cremated;
 - (6) Individual or entity responsible for the disinterment/reinterment; and
 - (7) That any objections shall be filed with the Judiciary within five (5) business days of the notification, or may be presented at the hearing.
- (b) Unless the Judiciary has found that grounds exist to dispense with Notice requirements, the Judiciary shall set a hearing date on the Petition for Order for Authorization for Disinterment and/or Reinterment at the earliest possible time after the deadline for filing objections has passed and shall issue an Order on the matter within ten (10) days after the hearing. The Judiciary may, for good cause, extend the time for issuance of an Order for an additional ten (10) days. When entering its decision, the Judiciary may also take into consideration:
- (1) The cause and manner of the decedent's death, including whether the Petitioner was convicted for a murder or homicide related offense in connection with the decedent's death;
 - (2) Whether disinterment would create a known public health risk;
 - (3) The decedent's will or other evidence of the decedent's wishes concerning final disposition, if known;
 - (4) Any objections filed with the Judiciary or presented at the hearing;
 - (5) Whether an order of disinterment or similar order from a court other than the Judiciary has been issued;
 - (6) Whether any required permits regarding re-interment have been obtained; or
 - (7) Any other factor requiring consideration.
- (c) The Judiciary may deny the Petition for Order for Authorization for Disinterment and/or Reinterment based solely on an objection to the disinterment either filed or presented by an individual with the same or a higher priority than the requester.
- (d) *Appeals.* An appeal of an Order issued under this section shall be filed with the Judiciary within five (5) business days after the order is issued. The Judiciary may modify the appeal time frame if it is determined exigent circumstances exist requiring more immediate disinterment. If no appeal is filed, disinterment shall take place within sixty (60) days after the deadline for filing an appeal has passed. If an appeal is filed, a stay of the disinterment may be ordered, but only after inquiry into the facts and a finding that based on the facts it is reasonable to stay disinterment pending appeal.
- 127.7-3. *Land Management's issuance of a disinterment permit.* Land Management shall issue a Permit for Disinterment when all of the following occur:
- (a) The person in charge of the disinterment submits a complete Application for Disinterment Permit to Land Management.
 - (b) The person in charge of the disinterment submits a complete Land Management Consent Form, signed by any of the following persons, in the order of priority stated below, when persons in prior classes are not available at the time of application, and in the absence of actual notice of contrary indications by the decedent or actual notice of opposition by a member of the same or a prior class:
 - (1) An individual, as designated in writing by the decedent as listed in the Authorization for Final Disposition;
 - (2) The decedent's spouse;
 - (3) An adult son or daughter of the decedent;

- (4) Either parent of the decedent;
- (5) An adult brother or sister of the decedent;
- (6) A guardian of the person of the decedent at the time of the decedent's death;
- (7) Any other person authorized, under obligation, or agreeing to dispose of the decedent's corpse.

(c) Land Management shall deny the request for a Disinterment Permit when an objection to the disinterment is either filed or presented by an individual with the same or a higher priority than the requester. In such cases, Land Management shall refer the requester to the Judiciary.

127.7-4. *Reinterment by Land Management.* Land Management may reinter or disinter human remains that are interred in an Oneida cemetery in another plot in the same cemetery under the following circumstances:

- (a) Reinterment is necessary to correct a recordkeeping error made by the Nation or its designee when the human remains were first buried; and
- (b) Notification concerning the need for reinterment is made to one of the following, in descending order, by registered mail:
 - (1) The decedent's spouse;
 - (2) An adult son or daughter of the decedent;
 - (3) Either parent of the decedent; or
 - (4) An adult brother or sister of the decedent.

(c) Land Management shall maintain a record of its attempt to provide notification under this section as part of Land Management's permanent records.

127.7-5. The Nation shall be responsible for making all arrangements and incurring all costs associated with disinterment and reinterment due to a recordkeeping error on the Nation's behalf.

127.8. Prohibited Items and Behavior on Cemetery Grounds

127.8-1. Land Management shall promulgate rules concerning the maintenance and appearance of Oneida Nation cemetery grounds which shall be publically posted, including on Oneida Nation cemetery grounds. Land Management shall notify the Environmental Resource Board of the current rules and any changes to such rules.

- (a) Land Management or its designee may remove and dispose of any non-conforming objects from plots and/or cemetery grounds.

127.8-2. In accordance with applicable Oneida law, the Environmental Resource Board shall promulgate rules concerning prohibited uses of Oneida Nation cemetery grounds.

- (a) The Oneida Police Department or Oneida Conservation Department may issue citations for violation of this law or the cemetery rules in accordance with applicable Oneida law.
- (b) Criminal or any other unlawful activity occurring at an Oneida Nation cemetery shall be handled in accordance with applicable law.

127.9. Complaint Process

127.9-1. Any individual may file a complaint with Land Management regarding the implementation and enforcement of this law.

127.9-2. Within five (5) business days of the receipt of a complaint, Land Management shall respond in writing indicating any action taken or planned action to remedy the complaint to the individual that filed the complaint, if the address is known, to the Oneida Land Commission, and to the Environmental Resource Board.

End.

BC-09-02-88-A (Adoption of the Burial Ordinance)
BC-05-19-89-E (Adoption of Burial Ordinance)
BC-02-23-05-F (Emergency Adoption of Amendments)
BC-06-29-05-A (Permanent Adoption of Emergency Amendments)
BC-1-14-09-E (Adoption of Cemetery Law)
BC-10-09-13-B (Adoption of Emergency Amendments)
BC-03-26-14-C (Extension of Emergency Amendments)
BC-07-23-14-B (Adoption of Amendments)
BC-07-26-17-L (Adoption of Amendments)

Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Resolution # 07-26-17-K Cemetery Law Amendments

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 originally adopted the Cemetery Law through resolution BC-09-02-88-A; and

WHEREAS, the Amendments to the Law:

- Acknowledge the Oneida Sacred Burial Grounds, also known as Tsi? Tyeya? Tat'alih, in accordance with the May 11, 2015 resolution of the Oneida Land Commission;
- Delegate Land Management with administrative and maintenance oversight;
- Clarify eligibility for interment and the process for disinterment;
- Delegate the Community Public Health Officer authority over situations involving decedents who have died of communicable diseases, consistent with existing laws;
- Grant rulemaking authority to Land Management, the Environmental Resource Board, and the Community Public Health Officer; and
- Update the complaint process for this Law.

WHEREAS, a public meeting on the proposed Amendments was held on March 30, 2017 in accordance with the Legislative Procedures Act; and the written comment period closed on April 6, 2017. A responsive Public Meeting Comment Review memo was provided for the June 7, 2017 LOC meeting and the LOC accepted the memo and directed minor changes to the draft, which were made; and

NOW THEREFORE BE IT RESOLVED, that the Cemetery Law Amendments are hereby adopted. This Law will become effective Wednesday, August 9, 2017.

CERTIFICATION

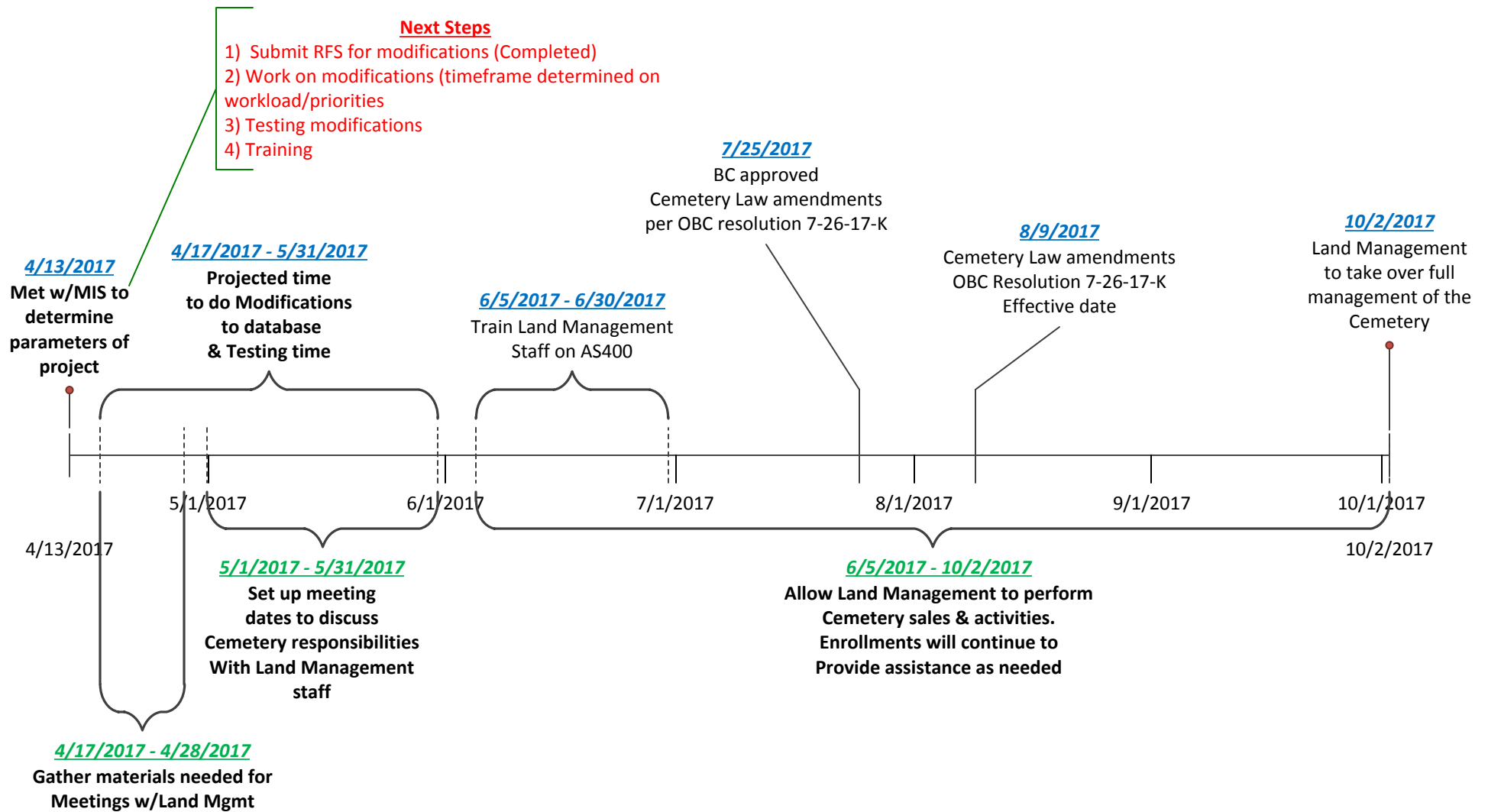
I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum; 9 members were present at a meeting duly called, noticed and held on the 26th day of July, 2017; that the forgoing resolution was duly adopted at such meeting by a vote of 6 members for, 0 members against, and 2 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."

CEMETERY TRANSITION TIMELINE



Prepared by Cheryl Skolaski,
Enrollment Director
Updated 9/6/2017

Trust Enrollment Department

PO Box 365, Oneida WI 54155
(920) 869-6200 * 1-800-571-9902
Fax: (920) 869-2995
TrustEnrollments@oneidanation.org
<https://oneida-nsn.gov/resources/enrollments/>

**MEMORANDUM**

To: Oneida Cemetery Working Group
From: Susan White, Trust Enrollment Director
Date: September 15, 2017
Subject: **Lifting Cemetery Burial Moratorium**

Background – At the CWG meeting on August 8, 2017, I was directed to “Draft suggested BC motion for lifting of burial moratorium.” It seems to have been lifted by the OBC in 2009 and OTEC in 2013, but please review the following research results and recommended motion.

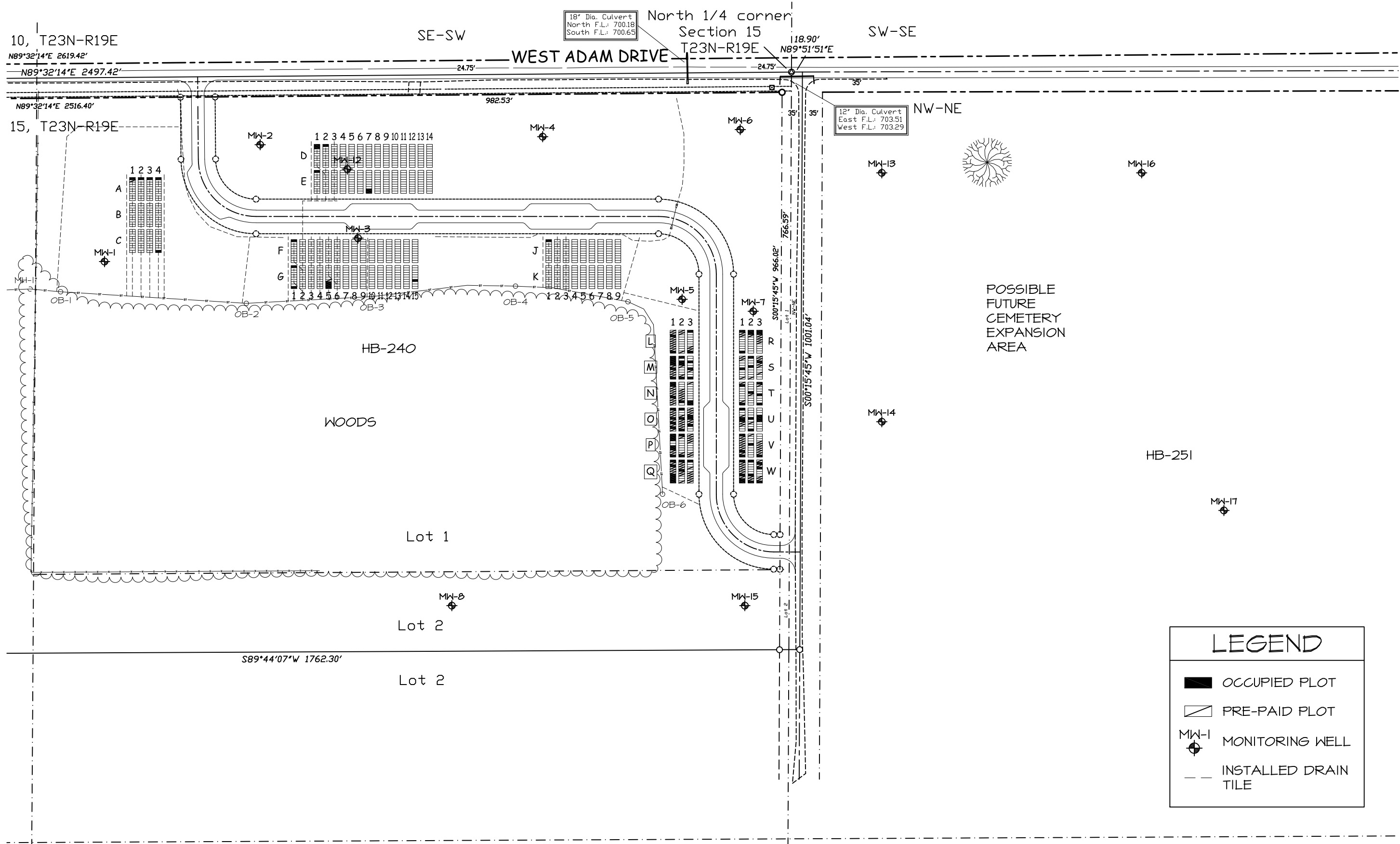
Chronology –

08292006 – Cemetery Board Chair recommending moratorium until water concerns have been resolved.
08302006 – OBC places indefinite moratorium and a lot of delegation to GM, COS, LOC, etc...
01142009 – Oneida Business Committee (OBC) confirmed moratorium still in place.
1202009 – Memo from TroyP to GM recommends OBC lift moratorium with policy of future burials go in sect B and restricting burials in sect A, to be determined case by case by Cemetery Management entity. GM sends recommendation to OBC.
05082009 – Oneida Trust Enrollment Committee (OTEC) requests OBC lift moratorium, eff 6/1/2009.
05272009 – OBC moves to life moratorium, no mention of restrictions for sect A.
01272013 – CWG meeting. PPelky discussed expansion of cemetery. C.) In the meantime, burials will only be in areas previously approved (Longhouse East and West sections....) Discussion on possible moratorium until additional information is researched on ground water issues.
10222013 – OTEC meeting w community members. OTEC motioned to place moratorium on all sales and burials until further notice.
10232013 – OTEC met with OBC and requested OBC support on moratorium and committed technical staff to provide resources and resolve issues for the short and long term. OBC supported. Confirmed moratorium did not apply to plot sales.
10252013 – Special meeting between OTEC subcommittee and task force. A technical team had been developed. Discussion included corrective measures completed in 2006/2007, a communications plan, issues with the movement of the ground/surface water, change name of sections to southern east and west, make upkeep a priority, offer face to face meetings w families, and expansion to the east of the cemetery. The group requested the OTEC to lift the moratorium. Chair to e-poll Committee. No e-poll.
11012013 – Notified all families that initial moratorium was lifted.

Request – There seems to be an understanding among some members of the CWG that there continues to be a current moratorium on where burials may occur. I have not been able to confirm this is current action by the OBC nor the OTEC. Here is the proposed motion for the OBC’s consideration.

“Motion to lift any and all (OBC or other) moratoriums which restrict utilization of the cemetery and for the Tribal Cemetery plots and sections to be utilized or restricted at the discretion of Tribal Cemetery Administrative Authority.”

EXHIBIT C



LEGEND	
	OCCUPIED PLOT
	PRE-PAID PLOT
	MONITORING WELL
	INSTALLED DRAIN TILE

S I T E P L A N
NOT TO SCALE




DEVELOPMENT DIVISION
ENGINEERING DEPT.
ONEIDA, WISCONSIN

EXISTING CONDITIONS OF:
ONEIDA SACRED BURIAL GROUNDS
ONEIDA, WISCONSIN

DATE
9/12/17

PROJECT NO.
14-002

SHEET

C-1

**PRELIMINARY
NOT FOR CONSTRUCTION**

Cemetery Technical Team
Recommendations
9/15/17

Remove plots from plan,
and plant trees in this
area.

Allow burials in plots
in this area.

Phase IV
Improvements area.

A1-1	A2-1	A3-1	A4-1
A1-2	A2-2	A3-2	A4-2
A1-3	A2-3	A3-3	A4-3
A1-4	A2-4	A3-4	A4-4
A1-5	A2-5	A3-5	A4-5
A1-6	A2-6	A3-6	A4-6
A1-7	A2-7	A3-7	A4-7
A1-8	A2-8	A3-8	A4-8
A1-9	A2-9	A3-9	A4-9
A1-10	A2-10	A3-10	A4-10

B1-1	B2-1	B3-1	B4-1
B1-2	B2-2	B3-2	B4-2
B1-3	B2-3	B3-3	B4-3
B1-4	B2-4	B3-4	B4-4
B1-5	B2-5	B3-5	B4-5
B1-6	B2-6	B3-6	B4-6
B1-7	B2-7	B3-7	B4-7
B1-8	B2-8	B3-8	B4-8
B1-9	B2-9	B3-9	B4-9
B1-10	B2-10	B3-10	B4-10

C1-1	C2-1	C3-1	C4-1
C1-2	C2-2	C3-2	C4-2
C1-3	C2-3	C3-3	C4-3
C1-4	C2-4	C3-4	C4-4
C1-5	C2-5	C3-5	C4-5
C1-6	C2-6	C3-6	C4-6
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C1-9	C2-9	C3-9	C4-9
C1-10	C2-10	C3-10	C4-10

D1-1	D2-1	D3-1	D4-1	D5-1	D6-1	D7-1	D8-1	D9-1	D10-1	D11-1	D12-1	D13-1	D14-1
D1-2	D2-2	D3-2	D4-2	D5-2	D6-2	D7-2	D8-2	D9-2	D10-2	D11-2	D12-2	D13-2	D14-2
D1-3	D2-3	D3-3	D4-3	D5-3	D6-3	D7-3	D8-3	D9-3	D10-3	D11-3	D12-3	D13-3	D14-3
D1-4	D2-4	D3-4	D4-4	D5-4	D6-4	D7-4	D8-4	D9-4	D10-4	D11-4	D12-4	D13-4	D14-4
D1-5	D2-5	D3-5	D4-5	D5-5	D6-5	D7-5	D8-5	D9-5	D10-5	D11-5	D12-5	D13-5	D14-5
D1-6	D2-6	D3-6	D4-6	D5-6	D6-6	D7-6	D8-6	D9-6	D10-6	D11-6	D12-6	D13-6	D14-6
D1-7	D2-7	D3-7	D4-7	D5-7	D6-7	D7-7	D8-7	D9-7	D10-7	D11-7	D12-7	D13-7	D14-7
D1-8	D2-8	D3-8	D4-8	D5-8	D6-8	D7-8	D8-8	D9-8	D10-8	D11-8	D12-8	D13-8	D14-8
D1-9	D2-9	D3-9	D4-9	D5-9	D6-9	D7-9	D8-9	D9-9	D10-9	D11-9	D12-9	D13-9	D14-9
D1-10	D2-10	D3-10	D4-10	D5-10	D6-10	D7-10	D8-10	D9-10	D10-10	D11-10	D12-10	D13-10	D14-10

E1-1	E2-1	E3-1	E4-1	E5-1	E6-1	E7-1	E8-1	E9-1	E10-1	E11-1	E12-1	E13-1	E14-1
E1-2	E2-2	E3-2	E4-2	E5-2	E6-2	E7-2	E8-2	E9-2	E10-2	E11-2	E12-2	E13-2	E14-2
E1-3	E2-3	E3-3	E4-3	E5-3	E6-3	E7-3	E8-3	E9-3	E10-3	E11-3	E12-3	E13-3	E14-3
E1-4	E2-4	E3-4	E4-4	E5-4	E6-4	E7-4	E8-4	E9-4	E10-4	E11-4	E12-4	E13-4	E14-4
E1-5	E2-5	E3-5	E4-5	E5-5	E6-5	E7-5	E8-5	E9-5	E10-5	E11-5	E12-5	E13-5	E14-5
E1-6	E2-6	E3-6	E4-6	E5-6	E6-6	E7-6	E8-6	E9-6	E10-6	E11-6	E12-6	E13-6	E14-6
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E1-8	E2-8	E3-8	E4-8	E5-8	E6-8	E7-8	E8-8	E9-8	E10-8	E11-8	E12-8	E13-8	E14-8
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E1-10	E2-10	E3-10	E4-10	E5-10	E6-10	E7-10	E8-10	E9-10	E10-10	E11-10	E12-10	E13-10	E14-10

H1-1	H2-1	H3-1	H4-1	H5-1	H6-1	H7-1	H8-1	H9-1
H1-2	H2-2	H3-2	H4-2	H5-2	H6-2	H7-2	H8-2	H9-2
H1-3	H2-3	H3-3	H4-3	H5-3	H6-3	H7-3	H8-3	H9-3
H1-4	H2-4	H3-4	H4-4	H5-4	H6-4	H7-4	H8-4	H9-4
H1-5	H2-5	H3-5	H4-5	H5-5	H6-5	H7-5	H8-5	H9-5
H1-6	H2-6	H3-6	H4-6	H5-6	H6-6	H7-6	H8-6	H9-6
H1-7	H2-7	H3-7	H4-7	H5-7	H6-7	H7-7	H8-7	H9-7
H1-8	H2-8	H3-8	H4-8	H5-8	H6-8	H7-8	H8-8	H9-8
H1-9	H2-9	H3-9	H4-9	H5-9	H6-9	H7-9	H8-9	H9-9
H1-10	H2-10	H3-10	H4-10	H5-10	H6-10	H7-10	H8-10	H9-10

F1-1	F2-1	F3-1	F4-1	F5-1	F6-1	F7-1	F8-1	F9-1	F10-1	F11-1	F12-1	F13-1	F14-1	F15-1
F1-2	F2-2	F3-2	F4-2	F5-2	F6-2	F7-2	F8-2	F9-2	F10-2	F11-2	F12-2	F13-2	F14-2	F15-2
F1-3	F2-3	F3-3	F4-3	F5-3	F6-3	F7-3	F8-3	F9-3	F10-3	F11-3	F12-3	F13-3	F14-3	F15-3
F1-4	F2-4	F3-4	F4-4	F5-4	F6-4	F7-4	F8-4	F9-4	F10-4	F11-4	F12-4	F13-4	F14-4	F15-4
F1-5	F2-5	F3-5	F4-5	F5-5	F6-5	F7-5	F8-5	F9-5	F10-5	F11-5	F12-5	F13-5	F14-5	F15-5
F1-6	F2-6	F3-6	F4-6	F5-6	F6-6	F7-6	F8-6	F9-6	F10-6	F11-6	F12-6	F13-6	F14-6	F15-6
F1-7	F2-7	F3-7	F4-7	F5-7	F6-7	F7-7	F8-7	F9-7	F10-7	F11-7	F12-7	F13-7	F14-7	F15-7
F1-8	F2-8	F3-8	F4-8	F5-8	F6-8	F7-8	F8-8	F9-8	F10-8	F11-8	F12-8	F13-8	F14-8	F15-8
F1-9	F2-9	F3-9	F4-9	F5-9	F6-9	F7-9	F8-9	F9-9	F10-9	F11-9	F12-9	F13-9	F14-9	F15-9
F1-10	F2-10	F3-10	F4-10	F5-10	F6-10	F7-10	F8-10	F9-10	F10-10	F11-10	F12-10	F13-10	F14-10	F15-10

G1-1	G2-1	G3-1	G4-1	G5-1	G6-1	G7-1	G8-1	G9-1	G10-1	G11-1	G12-1	G13-1	G14-1	G15-1
G1-2	G2-2	G3-2	G4-2	G5-2	G6-2	G7-2	G8-2	G9-2	G10-2	G11-2	G12-2	G13-2	G14-2	G15-2
G1-3	G2-3	G3-3	G4-3	G5-3	G6-3	G7-3	G8-3	G9-3	G10-3	G11-3	G12-3	G13-3	G14-3	G15-3
G1-4	G2-4	G3-4	G4-4	G5-4	G6-4	G7-4	G8-4	G9-4	G10-4	G11-4	G12-4	G13-4	G14-4	G15-4
G1-5	G2-5	G3-5	G4-5	G5-5	G6-5	G7-5	G8-5	G9-5	G10-5	G11-5	G12-5	G13-5	G14-5	G15-5
G1-6	G2-6	G3-6	G4-6	G5-6	G6-6	G7-6	G8-6	G9-6	G10-6	G11-6	G12-6	G13-6	G14-6	G15-6
G1-7	G2-7	G3-7	G4-7	G5-7	G6-7	G7-7	G8-7	G9-7	G10-7	G11-7	G12-7	G13-7	G14-7	G15-7
G1-8	G2-8	G3-8	G4-8	G5-8	G6-8	G7-8	G8-8	G9-8	G10-8	G11-8	G12-8	G13-8	G14-8	G15-8
G1-9	G2-9	G3-9	G4-9	G5-9	G6-9	G7-9	G8-9	G9-9	G10-9	G11-9	G12-9	G13-9	G14-9	G15-9
G1-10	G2-10	G3-10	G4-10	G5-10	G6-10	G7-10	G8-10	G9-10	G10-10	G11-10	G12-10	G13-10	G14-10	G15-10

J1-1	J2-1	J3-1	J4-1	J5-1	J6-1	J7-1	J8-1	J9-1
J1-2	J2-2	J3-2	J4-2	J5-2	J6-2	J7-2	J8-2	J9-2
J1-3	J2-3	J3-3	J4-3	J5-3	J6-3	J7-3	J8-3	J9-3
J1-4	J2-4	J3-4	J4-4	J5-4	J6-4	J7-4	J8-4	J9-4
J1-5	J2-5	J3-5	J4-5	J5-5	J6-5	J7-5	J8-5	J9-5
J1-6	J2-6	J3-6	J4-6	J5-6	J6-6	J7-6	J8-6	J9-6
J1-7	J2-7	J3-7	J4-7	J5-7	J6-7	J7-7	J8-7	J9-7
J1-8	J2-8	J3-8	J4-8	J5-8	J6-8	J7-8	J8-8	J9-8
J1-9	J2-9	J3-9	J4-9	J5-9	J6-9	J7-9	J8-9	J9-9
J1-10	J2-10	J3-10	J4-10	J5-10	J6-10	J7-10	J8-10	J9-10

K1-1	K2-1	K3-1	K4-1	K5-1	K6-1	K7-1	K8-1	K9-1
K1-2	K2-2	K3-2	K4-2	K5-2	K6-2	K7-2	K8-2	K9-2
K1-3	K2-3	K3-3	K4-3	K5-3	K6-3	K7-3	K8-3	K9-3
K1-4	K2-4	K3-4	K4-4	K5-4	K6-4	K7-4	K8-4	K9-4
K1-5	K2-5	K3-5	K4-5	K5-5	K6-5	K7-5	K8-5	K9-5
K1-6	K2-6	K3-6	K4-6	K5-6	K6-6	K7-6	K8-6	K9-6
K1-7	K2-7	K3-7	K4-7	K5-7	K6-7	K7-7	K8-7	K9-7
K1-8	K2-8	K3-8	K4-8	K5-8	K6-8	K7-8	K8-8	K9-8
K1-9	K2-9	K3-9	K4-9	K5-9	K6-9	K7-9	K8-9	K9-9
K1-10	K2-10	K3-10	K4-10	K5-10	K6-10	K7-10	K8-10	K9-10

Allow burials in plots
in this area.

Phase IV
Improvements area.

Allow burials in plots
in this area.

Allow burials in plots
in this area, Restrict to
cremation burials only.

Plots within the Phase IV Improvements area would be restricted from burials at the discretion of the entity responsible for Administrative Responsibilities (per Cemetery Law 127.4-3). Areas would be restricted until such time as Phase IV is completed.

AVAILABLE PLOT SUMMARY**Oneida Sacred Burial Grounds**

Based upon data as of: 9/8/2017

Plot Section	Section Total Plots	Included in Phase IV	Occupied	Pre-Paid	Available for Burial
A,B,C	120	0	5	1	114
D, E	280	217	7	0	56
F,G	300	179	7	1	113
J,K - Full Burial	60	0	1	0	59
J,K - Urn Burial	120	0	0	0	120
L,M,N,O,P,Q	179	0	50	75	54
R,S,T,U,V,W	179	0	37	50	92
TOTALS:	1,238	396	107	127	608

Time to Reach Capacity:Average number of burials per year for last five years: 12.80

Using Available for Burial Plots only:

assuming: 20 burials/ year 30 Approximate
Years

Using Available for Burial & Pre-Paid Plots:

assuming: 20 burials/ year 37 Approximate
Years

At completion of Phase IV:

assuming: 20 burials/ year 20 Additional
Years to above
totals

Data Sheet for:
Cemetery Monitoring Wells
Drain Tile Discharge
Wetland Pond Discharge
Feb, Mar, April & July 2017

Purpose: Evaluate water table
in Oneida Cemetery
Revised: 9/18/2017

Coordinates, Elevations & Depths

Date	Description	Well 1	Well 2	Well 3	Well 4	Well 5	Well 6	Well 7	Well 8
2/20/14	Well Coordinates	238204.121, 2442278.515	238413.961, 2442544.793	238255.165, 2442718.364	238432.610, 2443033.284	238163.590, 2443283.245	238459.255, 2443377.535	238140.114, 2443408.624	237621.570, 2442896.827
3/17/14	Top of well	708.99	707.78	710.65	707.03	708.48	706.11	707.77	707.72
3/17/14	Grade @ Well	707.25	706.77	708.84	705.29	706.56	703.63	705.71	705.58
2/21/17	WL depth & El.	1.46 705.79	0.49 706.28	3.69 705.15	0.56 704.73	5.48 701.08	1.32 702.31	3.94 701.77	3.86 701.72
3/16/17	WL depth & El.	2.86 704.39	1.89 704.88	4.59 704.25	1.46 703.83	5.98 700.58	2.12 701.51	4.74 700.97	4.06 701.52
4/6/17	WL depth & El.	1.96 705.29	0.69 706.08	4.09 704.75	0.46 704.83	5.38 701.18	1.12 702.51	3.64 702.07	3.06 702.52
4/21/17	WL depth & El.	1.06 706.19	0.29 706.48	3.29 705.55	0.66 704.63	4.88 701.68	0.52 703.11	2.44 703.27	2.26 703.32
7/21/17	WL depth & El.	6.96 700.29	5.19 701.58	5.49 703.35	3.56 701.73	6.48 700.08	2.92 700.71	5.14 700.57	5.86 699.72

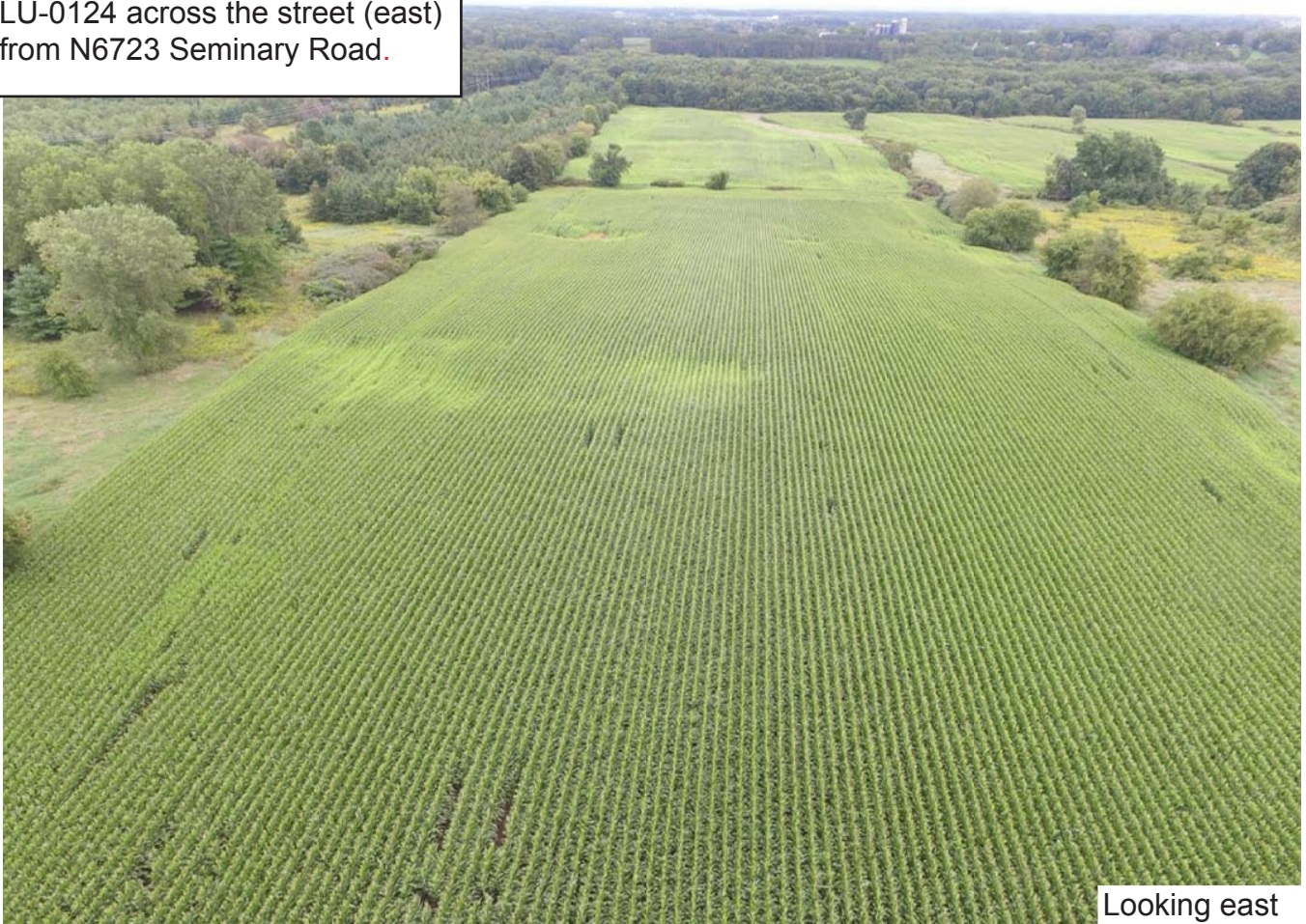
Date	Description	Well 9	Well 10	Well 11	Well 12
2/9/16	Well Coordinates	238245.539, 2443062.181	238210.030, 2442680.817	238289.651, 2442357.365	238367.948, 2442693.990
3/21/16	Top of well	710.40	712.77	713.35	713.07
3/21/16	Grade @ Well	708.31	710.50	710.86	710.48
2/21/17	WL depth & El.	3.31 705.00	6.83 703.67	5.21 705.65	4.11 706.37
3/16/17	WL depth & El.	4.41 703.90	6.43 704.07	4.81 706.05	3.61 706.87
4/6/17	WL depth & El.	3.21 705.10	5.53 704.97	4.11 706.75	3.01 707.47
4/21/17	WL depth & El.	2.71 705.60	5.13 705.37	3.51 707.35	2.61 707.87
7/21/17	WL depth & El.	Removed	Removed	Removed	7.11 703.37

Date	Description	Well 13	Well 14	Well 15	Well 16	Well 17
7/26/16	Northing Easting	238406.73 2443619.66	237981.526 2443619.52	237570.374 2443405.59	238395.647 2444179.95	237532.291 2444419.901
7/26/16	Top of well	708.81	710.18	718.89	705.48	706.56
7/26/16	Grade @ Well	706.30	707.40	716.20	702.60	704.00
2/21/17	WL depth & El.	5.49 700.81	7.02 700.38	13.31 702.89	5.22 697.38	5.84 698.16
3/16/17	WL depth & El.	5.49 700.81	6.52 700.88	13.31 702.89	3.12 699.48	5.44 698.56
4/6/17	WL depth & El.	4.09 702.21	5.82 701.58	13.21 702.99	2.42 700.18	4.74 699.26
4/21/17	WL depth & El.	4.49 701.81	5.72 701.68	13.31 702.89	1.92 700.68	3.94 700.06
7/21/17	WL depth & El.	6.19 700.11	7.12 700.28	13.31 702.89	3.12 699.48	5.94 698.06

DRY

Discharge rate of drain tile		is pond discharging	Comments	Recorded by
Date	GPM	Yes/No	Pond elevation on 6-23-2014 = 700.075	
2/21/17	19.41	Yes	No comments	Chris Jordan
3/16/17	6.60	No record	No comments	Chris Jordan
4/6/17	11.00	YES	No comments	Chris Jordan
4/21/17	33.70	YES	Rain 1" last 2 days	Chris Jordan
7/21/17	3.50	YES	No comments	Dan Fels

LU-0124 across the street (east)
from N6723 Seminary Road.



Looking east

LU-0333 north of N6690
Seminary Road.



Looking east

LU-0335 end of Iroquois Drive.



Looking west

EXHIBIT D

Tsi? Tyeya?tat·alih (Oneida Sacred Burial Ground)

Presented by: Development Division, Planning, Environmental, Engineering, Community Wells & Septic, Land Management, and Trust Enrollment Department.



Project Updates



Cemetery Location

The cemetery is located on the 200 block of West Adam Drive between County Line Road U and South Overland Road.

Project Objective

The Cemetery Working Group was established to develop work plans, timelines, and communication items regarding improvements to the Oneida Sacred Burial Grounds. The group meets for updates and implements the work needed to complete recommendations. This has been a multi-year, multi-phase project contingent upon budget approvals and weather conditions.

Accomplishments

- A Hydrogeologic study was recommended and completed September 20, 2016. The study identified four possible alternatives for expanded use of the site for a cemetery. The options were: Maintain Practices, Raise Surface Elevations, Expand Existing Subsurface Drainage System, or Replace Subsoil with More Permeable Fill. The option chosen was to expand the existing subsurface drainage system which was completed in July 2017.
- The Cemetery Law was amended and approved by the Business Committee on July 26, 2017. The amendments to the Law transfers cemetery responsibilities from the Trust Enrollment Department to the Division of Land Management.

Next Steps

- Present final report to the Business Committee in September 2017.
- Transition Cemetery responsibilities from the Trust Enrollment Department to the Division of Land Management by October 1, 2017.
- Continue to collect/analyze water samples and collect monitoring well data.

Prior to October 1, 2017 contact Trust Enrollment Dept. at 920-869-6200. After October 1, 2017, for more information, contact the Division of Land Management (920) 869-1690 * 1-800-684-1697 or visit DOLM website: <https://oneidanation.org/land/>

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:

Oneida Family Services and Oneida Child Support respectfully request approval to renew the eWISACWIS user agreement.

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 Berg-Hargrove, Family Services Director
Your Name, Title / Dept. or Tribal Member

Additional Requestor: Trina Schuyler, Child Support Director
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 Indian Child Welfare and Oneida Child Support are seeking approval to renew the eWISACWIS user agreement with the Wisconsin Department of Children and Families. This is a agreement that is renewed every 5 years.

eWISACWIS is a database utilized by county/State child welfare agencies for case management purposes. Oneida Indian Child Welfare and Oneida Child Support departments are granted read-only access to review case related information that impact both departments case loads.

The Oneida Law Office has conducted a legal review and determined that approval of a limited waiver of sovereign immunity is required as well as the following questions addressed:

1. Was there an attempt to negotiate with the vendor regarding the waiver of sovereign immunity?

No.

2. Were three bids obtained? If not, why not?

No, only database utilized by they county/State agencies.

3. Was any other vendor willing to remove sovereign immunity issues?

No other vendor.

4. What is the cost of going to another vendor?

No cost associated with read-only access.

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: Jennifer S. Berg-Hargrove
Family Services

Use this number on future correspondence:

FROM: Michelle L. Gordon, Staff Attorney *MG*

2017-1041

DATE: September 1, 2017

RE: Wisconsin State-Children and Families: Tribal
Agreement on Access to eWiSACWIS

<p><i>Purchasing Department Use</i></p> <p>Contract Approved</p> <p>Contract Not Approved <i>(see attached explanation)</i></p>

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

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

- ✓ The document is in appropriate legal form. *(Execution is a management decision.)*
- ✓ Requires Business Committee approval prior to execution, pursuant to Section I which states that the controlling statutory authority is in the Confidentiality Policy which references Wisconsin State Law. Also pursuant to Section VII which subjects a violator of this agreement to the potential of criminal and civil penalties under Wisconsin Law.

If this contract is submitted to the Oneida Business Committee for approval of a limited waiver of sovereign immunity, the following information should be submitted along with the agenda review request and contract.

1. Was there an attempt to negotiate with the vendor regarding the waiver of sovereign immunity?
2. Were three bids obtained? If not, why not?
3. Was any other vendor willing to remove sovereign immunity issues?
4. What is the cost of going to another vendor?

DEPARTMENT OF CHILDREN AND FAMILIES
Division of Safety and Permanence

Tribal Agreement on Access to eWISACWIS

I. Parties to the Agreement

Pursuant to the Confidentiality Policy of the Wisconsin Department of Children and Families (DCF) entitled "Access to eWISACWIS and Information Contained in eWISACWIS" and the controlling statutory authority cited in that policy and other appendices and law, this Agreement is entered into between the Division of Safety and Permanence (hereinafter referred to as the "Custodial Agency") located at 201 E Washington Avenue in the city of Madison and Oneida Nation (hereinafter referred to as the "Accessing Agency") located at P.O. Box 365, Oneida, WI 54155 in the city / town / village of Oneida..

II. Effective Date of the Agreement

This Agreement shall be effective beginning 09/01/2017 (mm/dd/yyyy) and shall remain in effect for a period of 5 years or until 09/01/2022.(mm/dd/yyyy)

III. Relationship of the Parties

The Custodial Agency and the Accessing Agency have established a functional relationship apart from this Agreement via Contract Memorandum of Understanding or Other Agreement which is attached to and is made part of this Agreement. The purpose of that relationship, including job functions, overall scope of responsibilities and type of access are expressly stated in the attachment. The purpose of eWISACWIS access is defined in Appendix A.

Family Services Plan

KIDS User Agreement

IV. Rationale for Access to eWISACWIS

In addition to the formalized relationship between the Custodial Agency and the Accessing Agency identified in Section III of this Agreement, the parties agree that the following criteria for access to eWISACWIS are met:

1. The Accessing Agency, in order to meet its responsibilities under the Wisconsin Indian Child Welfare Act, is required to either view information maintained on eWISACWIS or enter information into eWISACWIS.
2. To accomplish other statutory responsibilities related to child safety, the direct access of the Accessing Agency to eWISACWIS is the most practical approach.

The Division of Safety and Permanence (DSP) in the Wisconsin Department of Children and Families (DCF) reserves the right to deny access for good cause, as determined by the DCF, even if the above criteria are met. In addition, the DCF reserves the right to limit access to certain cases to individuals whose access must be approved by the DCF.

V. Number of Accessing Agency Employees

The total number of employees of the Accessing Agency who, under this Agreement, will be allowed access to eWISACWIS shall not exceed 26 without an amendment to this Agreement. The employees and tribal division / department are identified in Appendix B.

VI. Responsibilities of Accessing Agency

The Accessing Agency shall be required to provide any of its employees, subcontractors, or other individuals under its control training relative to the appropriate use of eWISACWIS. The Accessing Agency shall also be required to provide to any of its employees, subcontractors, or other individuals under its control training relative to the various federal and state statutes and regulations which control access to and release of information contained in eWISACWIS. This training shall be provided to any such employee, subcontractor, or other individual under its control prior to that person's use of eWISACWIS.

VII. General Policies

- Data and other information from eWISACWIS shall be used only for the specific purpose outlined in the relationship document attached to this Agreement.
- Data and other information from eWISACWIS shall be safeguarded and secure from outside access.
- It is the responsibility of the person having access to eWISACWIS under this Agreement to know the purposes for which any data or other information can be used.

VII. General Policies (continued)

- Any printed materials derived from eWISACWIS shall be stored in secure files and data or other information from eWISACWIS shall not be stored in files which are subject to public disclosure.
- Data or other information from eWISACWIS shall not be re-disclosed to any person or agency without the written approval of the Custodial Agency, except as provided in Appendix A for purposes of filing petitions for Tribal or State Court involvement with families as provided under the Indian Child Welfare Act, section 25 U.S.C. 1901-1963 and WI Chapter 48.028, the Wisconsin Indian Child Welfare Act and making recommendations to the Tribal or State Court regarding services to families as provided under the Acts.
- Unauthorized disclosure or other release of data or other information is a violation of the law and may result in criminal and civil penalties and immediate termination of this Agreement.
- Unauthorized access to data or other information maintained in eWISACWIS by a person granted access under this Agreement is a violation of the law and may result in criminal and civil penalties and immediate termination of this Agreement.
- The DCF reserves the right to establish additional policies related to access to eWISACWIS which, upon their publication, shall immediately apply to the Accessing Agency.

VIII. Termination of this Agreement

This Agreement may be terminated at any time by either party with 30 days notice to the other party. In the event that the Division of Safety and Permanence has good cause to believe that the Accessing Agency or any of its employees, subcontractors, or other individuals under its control have violated the applicable laws or this Agreement, the DCF may terminate this Agreement with no advance notice to the Accessing Agency.

IX. Signatures

This Agreement is entered into on behalf of the Custodial Agency (DCF), by:

Name (Type or Print)	Title
SIGNATURE – Custodial Agency Representative	Date Signed (mm/dd/yyyy)

This Agreement is entered into on behalf of the Accessing Agency by:

Name (Type or Print)	Title
SIGNATURE – Accessing Agency Representative	Date Signed (mm/dd/yyyy)

APPENDIX A eWISACWIS Agency Access Agreement

Purpose of eWISACWIS access and specific types of information that may be shared under this Agreement:

See below

The identified Tribal Child Welfare Staff will be provided the ability to read case information and to enter case notes documentation into a county Indian Child Welfare Act (ICWA) case.

Purposes of Tribal Child Welfare Access to eWISACWIS and enter notes to the specific case:

GENERAL APPLICATION

- To confirm that Native American Indian children have been taken into out-of-home placement and ensure that tribal notification required by the Wisconsin Indian Child Welfare Act (WICWA) has occurred.
- To view child welfare case information for children served by County Child Welfare Agencies, the Bureau of Milwaukee Child Welfare, or the Special Needs Adoption Program in cases when WICWA applies or where the Tribe has authority to exercise jurisdiction over the placement of children.
- To view child welfare case information for purposes of filing petitions for Tribal or State Court involvement with families as provided under the WICWA and federal ICWA legislation and making recommendations to the Tribal or State Court regarding services to families.
- To view child welfare case information regarding permanency plans for children and the services provided to families by County Child Welfare Agencies, the Bureau of Milwaukee Child Welfare or the Special Needs Adoption Program in cases where the Tribe has authority to exercise jurisdiction.
- To view child welfare case information for purposes of determining or assisting in the determination of Title IV-E or Medicaid eligibility for children.
- To view child welfare case information involving the Tribe's children and to assist both the county and tribal child welfare staff to ensure safety and achieve permanence for children.

INDEPENDENT LIVING

- To enter information about Independent Living services and outcomes for youth when a tribe is receiving IL funding from DCF or providing IL services with a county.

CHILD SUPPORT

- Access to the eWISACWIS system and eWISACWIS information may be used by Tribal Child Support Agency staff for the following purposes:
 1. Identifying potential fathers and obtaining contact information for establishing paternity;
 2. Preparing paternity judgment cases for court action;
 3. Locating non-custodial parents and identifying possible employment and earnings of child support obligors;
 4. Updating parents' and children's demographic and support collections information;
 5. Directing support to local agencies for out-of-home care cases;
 6. Reconciling payments in Kinship Care or Substitute Care issues.

161 AGREEMENT

- To enter case note documentation regarding face-to-face contact information for children in out-of-home care when the tribe has entered into a 161 Agreement with a county for that responsibility.

Tribal Child Welfare Staff may access all child welfare case information in eWISACWIS needed for the above purposes. Access to child welfare case information and case entry notes is limited to only those cases where one or more of the above conditions apply. In accessing case information, Tribal Child Welfare Staff shall follow the DCF policy regarding notification of the child welfare agency responsible for maintenance of the case record in eWISACWIS. If Tribal Child Welfare Staff need information regarding a case that has been restricted, the staff must contact the child welfare agency that restricted the case for the information. Unauthorized access to cases or failure to follow notification procedures shall result in termination of eWISACWIS access for the affected staff and potentially the Tribal Child Welfare Agency.

Tribal Child Welfare Staff will review the DCF policy entitled "Access to eWISACWIS and Information Contained in eWISACWIS" and complete the DCF-F (CFS-2275) Individual User Agreement. The Tribal Child Welfare Agency shall keep a copy of the signed Individual User Agreement.

Tribal Child Welfare Staff will be provided specific eWISACWIS data reports regarding the placement of Native American Indian children and other child welfare services to Native American Indian children.

Tribal Child Welfare Staff access to the eWISACWIS application and distribution of eWISACWIS data reports will be managed by the Indian Child Welfare Consultant in DCF.

APPENDIX B
eWISACWIS Agency Access Agreement

Persons authorized to have access:

The Accessing Agency designates Jennifer Berg-Hargrove to serve as the coordinator for eWISACWIS access under this Agreement. The address, telephone number, fax number and email address of this individual are as follows:

Address: PO Box 365, Oneida, WI 54155

Telephone No.: 920-490-3876

Fax Number: 920-490-3820

Email address: JHARGROV@oneidanation.org

The following agency staff and designated tribal program / division will have access:

Name of Designated eWISACWIS User	Tribal Program / Division
1. Jennifer Berg-Hargrove	Indian Child Welfare
2. Heather Lee	Indian Child Welfare
3. Kathleen LaPlant	Indian Child Welfare
4. Lea Padron	Child Placement Agency-Foster Care
5. Jodie Skenandore	Indian Child Welfare
6. Alebra Cornelius	Indian Child Welfare
7. Veronica Bruesch	Indian Child Welfare
8. Roxann Pazera	Indian Child Welfare
9. Nasbah Hill	ICW
10. Trina Schuyler	Child Support
11. Lisa Peck	Child Support
12. Jenna Skenandore	Child Support
13. Heather Hoepfner	Child Support
14. Lorraine Frias	Child Support
15. Kimberly Nicholls	Child Support
16. Veronica Guzman	Child Support
17. Vaughn Urbanek	Child Support
18. Anne Kreuzinger	Child Support
19. Stacey Kostki	Child Support
20. Venessa Cardish	Child Support
21. Camille Good eagle	Child Support

+ 5 additional new staff/positions
in Fall 2017

① Child Placement Coordinator ④ ICW workers

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 9 / 27 / 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:

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:

Kalihwisaks Managing Editor Dawn Walschinski respectfully requests that the OBC approve a waiver of sovereign immunity for the FY2018 contract with Gannett. Gannett is the long time printer of the Kalihwisaks and of the two bids received, was the closest geographically to Oneida.
The contract was approved by the Finance Committee on September 5, 2017.

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

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

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

Dawn M. Walschinski

From: Jed Schacht
Sent: Friday, August 04, 2017 1:34 PM
To: Dawn M. Walschinski
Subject: FW: Gannett Publishing Services; Our File No. 2017-0910
Attachments: 2017-0910 final approval-141426.PDF

Follow Up Flag: Follow up
Flag Status: Flagged

Your attached contract has been reviewed and approved by PURCHASING – JED on August 4, 2017.

From: Central_Purchasing_Contracts
Sent: Monday, July 31, 2017 1:51 PM
To: Jed Schacht
Subject: FW: Gannett Publishing Services; Our File No. 2017-0910

From: Oneida Law
Sent: Monday, July 31, 2017 1:44 PM
To: Central_Purchasing_Contracts
Subject: Gannett Publishing Services; Our File No. 2017-0910

ONEIDA LAW OFFICE

CONFIDENTIAL: ATTORNEY/CLIENT WORK PRODUCT

TO: Dawn M. Walschinski
Communications-Public Relations

Use this number on future correspondence:

2017-0910

FROM: Robert J. Collins II, Staff Attorney

DATE: July 28, 2017

RE: Gannett Publishing Services

<i>Purchasing Department Use</i>
<input type="checkbox"/> Contract Approved
<input type="checkbox"/> Contract Not Approved
<i>(see attached explanation)</i>

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

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

- ✓ *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.)*

GANNETT

Publishing Services

3500 N. Executive Drive
 Appleton, WI 54911
 Ph: (920) 996-7249
 Fax: (920) 996-7251
 Email: brosenbe@gannett.com

PUBLICATION: ONEIDA TRIBE KALIHWISAKS

DATE: 6/2/2017

CONTACT: Dawn Walschinski
 CUSTOMER: ONEIDA TRIBE
 ADDRESS: BOX 365
 CITY: ONEIDA, WI 54155

SPECIFICATIONS	# PAGES	FORMAT
	16-64	Tabloid
PAGE SIZE	11 X 10.75	
IMAGE AREA	10" X 9.625"	
QUANTITY	5000, 8700	
PAPER	24.6#	
INK	FULL COLOR ON 24 TAB PAGES (Based on press color position capability)	
INSERTING	\$8/M	
POST PRESS	LABELING	
DELIVERY	ONEIDA POST OFFICE	

PRINTING					
	Tab Page Count	Base Quantity 5,000	Cost Per Th Additional Copies	Base Quantity 8,700	Cost Per Th Additional Copies
	16	\$872.00	\$54.00	\$1,025.00	\$54.00
	20	\$935.00	\$56.00	\$1,099.00	\$56.00
	24	\$1,010.40	\$58.00	\$1,188.40	\$58.00
	28	\$1,082.60	\$60.00	\$1,284.60	\$60.00
	32	\$1,121.60	\$62.00	\$1,367.60	\$62.00
	36	\$1,247.20	\$64.00	\$1,491.20	\$64.00
	40	\$1,286.80	\$66.00	\$1,574.80	\$66.00
	44	\$1,382.40	\$68.00	\$1,691.40	\$68.00
	48	\$1,429.00	\$70.00	\$1,759.00	\$70.00
	56	\$1,584.60	\$74.00	\$1,955.60	\$74.00
	64	\$1,815.20	\$78.00	\$2,228.20	\$78.00
<u>Additional Color Cost/Page</u>					
	BLACK PLUS 3 COLORS	\$62			
* Pricing is valid from 10/01/2017 through 09/30/2018					

POSTPRESS		
LABEL / MAIL	PER / M	Included in cost.
DELIVERY OF MAIL BAGS TO ONEIDA POST OFFICE		Included in cost.

Barbara Rosenberger 06/02/2017
 BARBARA ROSENBERGER
 GENERAL MANAGER

TERMS & CONDITIONS

- 1 All pricing, specifications and schedules are based on the information provided by Customer.
- 2 Acceptance of the work by Printer is based on available production time at the time of sale and Customer's materials submitted in the form and by the deadline stipulated by Printer.
- 3 Receipt of the Customer's materials is Customer's agreement to these terms and conditions.
- 4 Electronic files, preprinted inserts, and other material furnished by the Customer are within Printer's specifications.
- 5 Cancellation only upon 60 days written notice.
- 6 All sales & use tax, excise tax, or similar taxes shall be paid by Customer. Payment is due upon placement of order, unless other payment terms are agreed upon. Delinquent accounts are subject to 10% per annum late fee. All collection fees and legal fees shall be paid by the Customer. Delinquent accounts are subject to suspension or termination of services. Printer shall obtain a security interest in Customer's materials pending payment in full of amounts owed.
- 7 No storage or warehousing of Customer's printed material unless agreed to by Printer.
- 8 Customer will pay for the cost of any paper or other materials expressly ordered for the Customer and any increases in the cost of newsprint or paper and other consumables in connection with the printing services.
- 9 Customer is responsible for overtime incurred when the publication prints on the following holidays: New Years Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving, and Christmas.
- 10 Customer is responsible for additional labor and/or material costs that are a result of: a) Customer's files being delivered to the Printer past the agreed upon schedule, b) files that are out of specification that the Customer request the Printer to correct, or c) out-of-specification materials supplied by the Customer causing Printer's equipment to run below normal operating speeds or malfunction.
- 11 All Customer-furnished materials shall be manufactured, packed and delivered to Printer's specifications.
- 12 Digital files supplied by Customer will be stored until the next issue of Customer's product is printed or for one month, whichever is less. Customer is responsible for maintaining a copy of original electronic files.
- 13 Experimental or preliminary work performed at Customer's request, requiring plates, proofs, presswork and other materials shall be charged at Printer's current rates.
- 14 Printer shall not be liable for any failure, delay, damage or loss occasioned by fires, natural disasters, strikes, labor troubles, mechanical breakdown, government actions, acts or terrorism, or other cause beyond its reasonable control.
- 15 Should the Printer arrange for shipping or warehousing on the Customer's behalf, the Printer shall not be held liable for damage or non-performance by carriers or for damage occurring in public warehouses. All such services are performed at the Customer's risk and expense, and Customer shall reimburse Printer for all costs incurred in performing these services.
- 16 Customer shall indemnify, defend, and hold harmless the Printer and its affiliates (including their directors, officers, agent and employees) from all claims, loss, damages, cost, expense (including attorneys' fees) as a result of actions instituted against the Printer alleging that Customer's publication violates any copyright, trademark, copyright, or any other intellectual property rights of any third party, or that it contains any matter that is libelous or scandalous, or invades any person's right to privacy or other personal rights. Customer agrees, at its expense, to defend any such claim, demand, action or proceeding that may be brought against the Printer. The indemnification obligation shall not terminate.
- 17 The laws of the State of Wisconsin Shall Apply
- 18 Customer, at its own expense, shall maintain insurance to insure its materials while on Printer's premises.
- 19 Printer is not liable to Customer for any direct, indirect, consequential, special, or punitive damages, costs or expenses incurred by Customer, including lost revenue or lost profits, even if Printer has been advised of the possibility thereof.

 Company Name

 Date

 Print Name of Authorized Person

 Authorized Person Signature

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 9 / 27 / 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:

Requesting Approval from Business Committee to approve the attached climate change survey

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: Jeffrey Mears, Environmental Area Manager
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:

We are working with UW-Madison Nelson Institute on a climate change grant and based on that relationship, a graduate student, Robert Gudea, contacted me about doing a climate change survey for his master's thesis.

There are benefits to us and staff here at EHSD have provided input into the survey.


At UW, this has to go through an Institutional Review Board. As part of that process a letter of support/acknowledgment from Oneida was requested.

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

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

TO: Brenda L. Skenandore
Environmental Health & Safety

Use this number on future correspondence:

FROM: Kelly M. McAndrews, Staff Attorney 

2017-1151

DATE: September 19, 2017

RE: Survey

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." You should soon be able to download from the Intranet updated contract forms by navigating to Finance>Purchasing> Contract Documents.*

Background: ESHD has been working with UW Nelson Institute on a climate change. As a result of that work, a graduate student named Robert Gueda contacted EHSD about doing a climate change survey for his masters' thesis. Part of the IRB process requires approval for this involvement/survey and EHSD feels there are benefits to providing input into the survey.

- ✓ The document is in appropriate legal form. (*Execution is a management decision.*). BC approval is required as this is an activity that should be endorsed by the Nation (with proof provided to the student for IRB approval).

##. For the first few questions, please think about your experiences with the weather in Wisconsin over the past few years.

In the past few years, do you think the amount of rain in Wisconsin has...

- ...decreased?
 ...increased?
 ...stayed about the same?
 Not sure

##. In the past few years, do you think the amount of snow in Wisconsin has...

- ...decreased?
 ...increased?
 ...stayed about the same?
 Not sure

##. In your experience, would you say the last few winters in Wisconsin have been...

- ...colder than usual?
 ...warmer than usual?
 ...stayed about the same?
 Not sure

##. In your experience, would you say the last few summers in Wisconsin have been...

- ...colder than usual?
 ...warmer than usual?
 ...stayed about the same?
 Not sure

##. The next questions are about possible economic impacts of severe weather such as flooding, high winds or tornadoes. Thinking about just the last couple of years...

- | | Yes | No |
|--|-----------------------|-----------------------|
| a. ...have you personally experienced economic losses to your <u>business</u> from severe weather? | <input type="radio"/> | <input type="radio"/> |
| b. ...have you personally experienced economic losses to your <u>home</u> from severe weather? | <input type="radio"/> | <input type="radio"/> |
| c. ...have you personally experienced economic losses to your <u>property</u> from severe weather? | <input type="radio"/> | <input type="radio"/> |

##. The next questions are about alternative energy sources, and how these are viewed in the Oneida Nation.

First, how aware would you say you are of current solar or wind energy projects by the Oneida Nation?

- Not at all
- Slightly
- Somewhat
- Very
- Extremely

##. In general, how much do you support investments by the Oneida nation into solar or wind energy projects?

- Not at all
- A little
- Some
- Quite a bit
- A great deal

##. How much would you support the Oneida Nation making investments into solar or wind projects if the result were each of the following outcomes?

Would you support or oppose such investments if...

	Oppose strongly	Oppose somewhat	Oppose a little	Neither support nor oppose	Support a little	Support somewhat	Support strongly
a. ...they ended all energy dependence on the city of Green Bay?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b. ...they partially reduced energy dependence on the city of Green Bay?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
c. ...they were solely under the authority of the Oneida Nation?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
d. ...they were jointly shared between the Oneida Nation and the city of Green Bay?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
e. ...they were jointly shared between the Oneida Nation and other private entities?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
f. ...they were only controlled by private companies outside the Oneida Nation?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

##. Governor Walker signed a bill in April of 2016 that repealed a statewide ban on building new nuclear energy facilities.

If this ban were repealed, how much would you support the use of nuclear power to provide energy to the Oneida Nation?

- Not at all
- A little
- Some
- Quite a bit
- A great deal

##. In the past, the Oneida Nation has obtained some external funding for solar and wind projects.

How much do you support the Oneida Nation continuing to pursue solar or wind projects to power Oneida buildings?

- Not at all
- A little
- Some
- Quite a bit
- A great deal

##. Next, we would like you to think about your opinions regarding investing in wind or solar projects by the Oneida Nation. Overall, do you currently support or oppose Oneida investment in solar or wind energy projects?

- Support
- Oppose → Go to question ##

##. Below is a list of reasons someone might support Oneida investment in solar or wind projects.

How important are each of the following to your overall support of this investment?

	Not at all	A little	Somewhat	Very	Extremely
a. Economic trends are moving away from fossil fuels	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b. Environmental and public health concerns	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
c. Feeling it is the right thing to do morally	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
d. It demonstrates Oneida leadership	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
e. The price of power from renewables like solar or wind energy is dropping	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
f. Renewables like solar or wind energy are becoming more competitive	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
g. Some other reason → Please tell us:	<input style="width: 100%;" type="text"/>				

If you supported investment in wind or solar projects, please go to question X.

##. Below is a list of reasons someone might oppose Oneida investment in wind or solar projects.

How important are each of the following to your overall opposition to this investment?

	Not at all	A little	Somewhat	Very	Extremely
a. We do not have the technological capability to use solar or wind energy	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b. There is not enough solar or wind energy to power the grid	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
c. We do not currently have the technology to store the energy from wind or solar sources	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
d. The Oneida should not invest in solar or wind energy projects	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
f. Some other reason → Please tell us:	<input type="text"/>				

##. Next, we would like you to think about your opinions regarding investing in wind or solar projects in the U.S. in general, rather than specifically for the Oneida Nation. Overall, do you currently support or oppose public investment in solar or wind energy projects in the U.S.?

- Support
- Oppose → Go to question ##

##. Below is a list of reasons someone might support public investment in solar or wind projects in the U.S.

How important are each of the following to your overall support of this investment?

	Not at all	A little	Somewhat	Very	Extremely
a. Economic trends are moving away from fossil fuels	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b. Environmental and public health concerns	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
c. Feeling it is the right thing to do morally	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
d. It demonstrates U.S. leadership	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
e. The price of power from renewables like solar or wind energy is dropping	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
f. Renewables like solar or wind energy are becoming more competitive	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
g. Some other reason → Please tell us:	<input type="text"/>				

If you supported investment in wind or solar projects, please go to question X.

##. Below is a list of reasons someone might oppose public investment in wind or solar projects in the U.S.

How important are each of the following to your overall opposition to this investment?

	Not at all	A little	Somewhat	Very	Extremely
a. We do not have the technological capability to use solar or wind energy	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b. There is not enough solar or wind energy to power the grid	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
c. We do not currently have the technology to store the energy from wind or solar sources	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
d. Government should not invest in solar or wind energy projects	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
f. Some other reason → Please tell us:	<input type="text"/>				

##. Some utility companies allow people to purchase renewable energy for a small fee.

How much would you support a policy where people would be allowed to power their homes with solar or wind energy for a small fee?

- Not at all
- A little
- Some
- Quite a bit
- A great deal

##. How much extra would you be willing to pay to have your home powered by solar or wind generated energy?

- Nothing, or zero dollars extra per month
- 1 to 10 dollars extra per month
- 11 to 20 dollars extra per month
- More than 20 dollars extra per month

##. The next questions are about climate change.

In the next 5 years, how concerned are you that changes in the climate will have a negative impact on...

	Not at all	A little	Somewhat	Very	Extremely
a. ...you and your family?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b. ...the Oneida Nation?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
c. ...Wisconsin?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
d. ...people across the world?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

##. In the next 30 years, how concerned are you that changes in the climate will have a negative impact on...

	Not at all	A little	Somewhat	Very	Extremely
a. ...you and your family?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b. ...the Oneida Nation?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
c. ...Wisconsin?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
d. ...people across the world?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

##. Thinking of life in the state of Wisconsin, to the best of your knowledge, how much of an impact will a changing climate have on...

	No impact	A small impact	A moderate impact	A large impact	An extremely large impact
a. ...availability of culturally significant plants?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b. ...timing of the agricultural growing season?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
c. ...amount of crops produced?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
d. ...drought or water shortages?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
e. ...opportunities to engage in culturally significant activities?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
f. ...illnesses spread by insects like ticks or mosquitoes?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

##. Thinking of the overall climate of the state of Wisconsin, to the best of your knowledge, how much of an impact will a changing climate have on...

	No impact	A small impact	A moderate impact	A large impact	An extremely large impact
a. ...air quality?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b. ...higher likelihood of storms and floods?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
c. ...higher severity of storms and floods?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
d. ...increased likelihood of heatwaves?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

##. In general, do you think that human activity is contributing to climate change?

- Yes
 No

##. For the purposes of this study, we define natural factors as those that include volcanic eruptions, variation in solar radiation, and changes in the earth's orbit. We define human factors as those that include deforestation, byproducts of ranching, and the burning of coal, oil, and natural gas.

Which one of the following best describes the amount of climate change you would estimate is caused by natural or human factors?

- Predominately by natural forces
- Mostly natural forces
- Equally caused by human activity and natural forces
- Mostly human activity
- Predominately by human activity

##. When will the impacts of climate change begin to be felt in Wisconsin?

- Never
- In the next 100 years
- In the next 50 Years
- In the next 25 years
- In the next 10 years
- It already affects us
- Not sure

##. Some cities are adopting policies about climate change adaptation, and how they can be ready to deal with potential issues surrounding climate change.

Which one of the following best describes how much of a priority you think developing a policy about climate change should be for Green Bay?

- It should not be a priority at all
- It should be a priority, but should not be the top priority for Green Bay
- It should be a top priority for Green Bay

##. Which one of the following best describes how much of a priority you think developing a policy about climate change should be for the Oneida Nation?

- It should not be a priority at all
- It should be a priority, but should not be the top priority for the Oneida Nation
- It should be a top priority for the Oneida Nation

##. Which one of the following best describes how much of a priority you think developing a policy about climate change should be for the state of Wisconsin?

- It should not be a priority at all
- It should be a priority, but should not be the top priority for Wisconsin
- It should be a top priority for Wisconsin

##. The last questions are about you.

Are you a member of the Oneida Nation?

- Yes
- No

##. Are you currently or have you been employed by the Oneida Nation in the past year?

- Yes
- No

##. What is the highest level of education you have completed?

- Some high school or less
- Completed high school or obtained GED
- Trade school such as Beauty School or Electrical School
- Some college
- Associate's degree or a 2-year college degree
- Bachelor's degree or a 4-year college degree
- Master's degree
- Advanced degree such as a Ph.D, a Law degree or a Medical degree

##. What is your age?

##. Which of the following describes how you think of yourself?

- Female
- Male
- In another way: Please tell us: →

**Thank you for completing this questionnaire!
Please place it in the postage paid envelope and return it today.**

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 09 / 27 / 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:

Need Signature

3. Supporting Materials

Report Resolution Contract

Other:

1.

3.

2.

4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter:

Your Name, Title / Dept. or Tribal Member

Additional Requestor:

Name, Title / Dept.

Additional Requestor:

Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

The Oneida Nation signed a recycling agreement with Brown County in 2008. Each year Oneida Nation applies for a Wisconsin Department of Natural Resources Responsible Unit recycling grant. As part of the grant application process, to be awarded the consolidation grant, Oneida needs to have a signed agreement yearly. The 2008 recycling agreement is in effect until 2022. The Amendment VIII is simply a reiteration of the 2008 recycling amendment, which gives us the ability to apply for the additional consolidation grant and fulfills the requirement for the signed yearly agreement. This amendment does not change the 2008 agreement.

- 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

BROWN COUNTY RECYCLING AGREEMENT

This contract explains and outlines details pertaining to accepting curbside recycling material as collected by Brown County's communities at the Brown County Material Recovery Facility and/or Material Transfer Facility. Under this Agreement, Brown County will accept, transfer and/or process all curbside recycling delivered to Brown County according to all State Regulations. It is the Understanding that the Contract shall consist of the following details:

It is the intent of Brown County to provide an outlet for the delivery of collected recyclable materials as requested by its partners. Brown County recognizes an option such as this will require a significant financial investment and Brown County communities agree to deliver collected materials to said facility as outlined below.

BROWN COUNTY RESPONSIBILITIES

1. Brown County guarantees that it will provide adequate processing for all such recyclables generated within the Oneida Tribe of Indians of Wisconsin as signed under this Agreement. Upon delivery to, and acceptance by Brown County, title to all such recyclables shall pass from the generator to Brown County.
2. Brown County agrees to accept all materials generated by the Oneida Tribe of Indians of Wisconsin through its residential curbside recycling program. Material may be sorted, collected in a dual stream program or single stream program. These materials as designated by the WDNR in 1995 shall include plastic bottles, aluminum cans, steel cans, glass bottles, paper, etc.

Based on changing market conditions Brown County is able to accept new and different materials in addition to those required by the WDNR. Brown County reserves the right to add or modify the materials it accepts based upon markets available. The County will give 3 (three) months written notice prior to accepting or not accepting a material that is not required by the WDNR.

3. Brown County will provide for delivery of materials a Material Recovery Facility, Material Transfer Facility or other location by contract with a private vendor. Brown County will accept material deliveries from 7:30 am to 4:00 pm Monday - Friday. Brown County will not accept material on days that fall on a national holiday. Brown County will accept materials from 8:00 am to 12:00 pm on the first Saturday following a national holiday that falls on a normal work week day.
4. Brown County agrees to calculate a tip fee based upon operating costs and current market conditions. If at any time the cost of processing materials exceeds revenue, a rate per ton may be assessed to the Oneida Tribe of Indians of Wisconsin. Furthermore if revenues exceed the operational cost Brown County may pay a rate per ton for collected materials.
5. Brown County agrees to provide assistance to its partners for their WDNR Basic Grant reports. Brown County agrees to track data as required by the grant.

Brown County will coordinate Recycling Efficiency Incentive (REI) Grant projects on behalf of all partners that deliver material to Brown County's facility.

BROWN COUNTY RECYCLING AGREEMENT

6. Brown County agrees to provide assistance to its partners for their educational efforts as required by their Responsible Unit status. This assistance may include, but is not limited to, managing the Recycling Hotline, handouts, flyers, press releases and special collection programs.

ONEIDA TRIBE OF INDIANS OF WISCONSIN RESPONSIBILITIES

1. Subject to the terms below, the Oneida Tribe of Indians of Wisconsin will require all its collected recyclables to be delivered to Brown County.
2. The Oneida Tribe of Indians of Wisconsin will ensure that all third party contracts negotiated for the collection and hauling of collected recyclables require delivery of all such material to Brown County.
3. The Oneida Tribe of Indians of Wisconsin shall retain its RU status as defined by the WDNR. The Oneida Tribe of Indians of Wisconsin shall be required to insure it meets all obligations of this status and perform as required tasks such as enforcement, education, etc.
4. The Oneida Tribe of Indians of Wisconsin agrees to take necessary steps to insure high level quality for the material it collects and delivers to Brown County's facility. These steps may include, but are not limited to education, cart/bin inspections, rejecting material curbside, etc.

The Oneida Tribe of Indians of Wisconsin will limit the compaction of its loads by using suitably designed collection routes and appropriately sized collection vehicles.

Brown County reserves the right to reject poor quality loads at the Oneida Tribe of Indians of Wisconsin's expense.

5. The Oneida Tribe of Indians of Wisconsin is responsible for providing all necessary collection carts, bins and vehicles in order to properly manage its recycling collection program.

TERM

1. The Oneida Tribe of Indians of Wisconsin agrees to deliver its collected curbside recyclable material to Brown County's designated facility for a term of fifteen years (January 1, 2008 through December 31, 2022). At the end of the initial fifteen (15) year Operation Term or any renewal thereof, the Operation Term shall automatically renew for an additional five (5) year period unless, at least six (6) months prior to the end of the initial Operating Term or any renewal thereof, the Oneida Tribe of Indians of Wisconsin or Brown County provides the other party with written notice of its intention not to participate further under the terms and conditions of this contract.

BROWN COUNTY RECYCLING AGREEMENT

2. In the event of a conflict of interpretation of this agreement both parties shall agree to use their best efforts to amicably resolve any dispute arising out of, or in any way related to, the interpretation, implementation or performance of this Agreement.
3. This Document does not supersede or supplant any previous agreements or arrangements between the parties.

DISPUTE RESOLUTION

In any case where this Agreement requires that the parties reach agreement on a particular matter and the parties are unable to so agree, either party may invoke the following procedure:

1. The party seeking the resolution of any dispute hereunder will serve written notice on the other party. The notice will identify the specific dispute which the party seeks to have adjudicated and will specify the factual and legal basis for the party's position. The parties agree to meet within 15 days of service of said notice in an effort to resolve the dispute. If the parties agree to seek dispute resolution, service of notice shall not be required.
2. In the event that the dispute is not resolved to the satisfaction of the parties within 30 days of the meeting held pursuant to Section 1, the dispute will be referred to a panel of arbitrators, whose arbitration will be governed by chapter 788, Wisconsin statutes. The arbitration panel will consist of one individual selected by the Tribe and one individual selected by the County. The arbitrators selected by the Tribe and the County will jointly select a third arbitrator. The decision of any two arbitrators will be final and binding on the parties hereto. Each party will pay one half of the costs of arbitration.
3. The County and the Tribe each consent to suit in State or Federal court for enforcement of any arbitration award rendered pursuant to Section 2. The County and Tribe each waive their respective immunities from suit for the limited purpose of allowing enforcement of any arbitration award. The parties agree not to raise the defense of sovereign immunity in any judicial proceeding to enforce an arbitration award.

BROWN COUNTY RECYCLING AGREEMENT

BROWN COUNTY

By: Tom Hinz
Tom Hinz

Its: Executive

Dated: 6/5/08

By: Charles Larscheid
Charles Larscheid

Its: Port & Solid Waste Director

Dated: 5/12/08

By: Darlene Marcelle
Darlene Marcelle

Its: Clerk

Dated: 6-5-08

By: James M. Rasmussen
James Rasmussen

Its: Solid Waste Board Chair

Dated: 5/15/08

ONEIDA TRIBE OF INDIANS

By: [Signature]

Its: _____

Dated: 5/16/08

By: _____

Its: _____

Dated: _____

By: _____

Its: _____

Dated: _____

By: _____

Its: _____

Dated: _____

PORT & RESOURCE RECOVERY DEPARTMENT

Brown County

2561 SOUTH BROADWAY
GREEN BAY, WI 54304

PHONE: (920) 492-4950 FAX: (920) 492-4957

DEAN R. HAEN

DIRECTOR

August 2, 2017

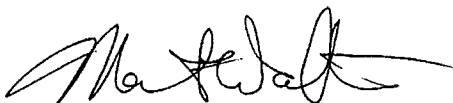
Amy Spears
Oneida Tribe of Indians of WI
PO Box 365
Oneida, WI 54155

Dear Amy,

Enclosed is a copy of Amendment VIII of the Brown County Municipal Recycling Agreement for your signatures. Please print and sign two (2) then return them to us after which we will have them executed and a copy returned for your files. Execution of this amendment ensures your eligibility for the 2018 Wisconsin Recycling Consolidation Grant.

If you should have any additional questions or comments, please contact me at (920) 492-4965 or via email Walter_MA@co.brown.wi.us.

Sincerely,



Mark Walter
Business Development Manager

Enclosures

BROWN COUNTY MUNICIPAL RECYCLING AGREEMENT

AMENDMENT VIII

This amendment is intended to reaffirm the existing language set forth in the Municipal Recycling Agreement in order to establish eligibility for the 2018 Wisconsin Recycling Consolidation Grant.

The existing agreement is a cooperative agreement for the joint provision of recycling services including education and outreach, collection and transport of recyclables to a materials recovery facility, and performing comprehensive program planning.

The following Brown County Municipalities recognize the fact that they are Partner Communities with Brown County in the Municipal Recycling Agreement:

City of Green Bay	Town of Green Bay
City of DePere	Town of Holland
Village of Allouez	Town of Humboldt
Village of Ashwaubenon	Town of Lawrence
Village of Bellevue	Town of Ledgeview
Village of Hobart	Town of Pittsfield
Village of Howard	Town of Rockland
Village of Pulaski	Town of Scott
Village of Suamico	Town of Wrightstown
Village of Wrightstown	Oneida Tribe of Indians of WI

Oneida Tribe of Indians of WI

By: _____

By: _____

Its: _____

Its: _____

Dated: _____

Dated: _____

BROWN COUNTY

By: _____

Its: _____

Dated: _____

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 09 / 27 / 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 Oneida Gaming Commission due to a resignation and finish the term until 08/31/2022.

3. Supporting Materials

Report Resolution Contract

Other:

1.

3.

2.

4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter: Kathleen M. Metoxen, Records Tech II
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 09/07/17 the Oneida Gaming Commission accepted the resignation of Cristina S. Danforth effective 09/25/2017.

In accordance to the Oneida Nation Gaming Ordinance 501.6-13 the Business Committee is to appoint vacancies.

501.6-13. Vacancies. Any vacancy in an unexpired term of office, however caused, must be filled by appointment by the Oneida Business Committee of a person qualified pursuant to sections 501.6-5 and 501.6-6 pursuant to the Comprehensive Policy Governing Boards, Committees and Commissions.

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 Gaming Commission-



Oneida Gaming Commissioner Resignation

Oneida
Gaming
Commission

To: Lee Cornelius, Records Clerk
From: Tamara VanSchyndel, OGC Executive Director
Date: 09/12/17

The Gaming Commission took official action on Friday, September 7, 2017 to accept the resignation of Commissioner Cristina S. Danforth effective Monday, September 25, 2017.

The Gaming Commission would like to initiate the posting of the vacant Commissioner position. Upon closing the posting the Gaming Commission may provide their recommendation of the vacant Commissioner position.

Should you have additional questions please feel free to contact myself or Chairman Matt Denny via phone 497-5850 ext. 5667 or 5659 or via email at Tvanschy@oneidation.org or Mdenny1@oneidation.org.

Thank you,

Tamara VanSchyndel, Executive Director
Oneida Gaming Commission

cc: OGC
OBC
William Cornelius, OGC Legal Counsel

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 09 / 27 / 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 2018 Oneida Business Committee Direct Reports Reporting Schedule

3. Supporting Materials

Report Resolution Contract

Other:

1. <input type="text" value="2018 OBC Direct Reports Reporting Schedule"/>	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: 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

Attached you will find the draft 2018 Oneida Business Committee Direct Reports Reporting Schedule for review and approval.

REQUESTED ACTION

Approve the 2018 Oneida Business Committee Direct Reports Reporting Schedule

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

OBC DIRECT REPORTS 2018 Reporting Schedule

Reporting at regular OBC meetings												
	FY-17 Q1 Report (Oct '17-Dec '17)		FY-17 Q 2 Report (Jan '18-Mar '18)		FY-17 Q 3 Report (Apr '18-Jun '18)		FY-17 Q 4 Report (Jul '18-Sep '18)					
	Submission Deadline	OBC Meeting Date	Submission Deadline	OBC Meeting Date	Submission Deadline	OBC Meeting Date	Submission Deadline	OBC Meeting Date	Submission Deadline	OBC Meeting Date		
Comp. Health	Jan 16	Jan 24	Apr 17	Apr 25	Jul 17	Jul 25	Oct 16	Oct 24				
Development	Jan 16	Jan 24	Apr 17	Apr 25	Jul 17	Jul 25	Oct 16	Oct 24				
Gov't Services	Jan 16	Jan 24	Apr 17	Apr 25	Jul 17	Jul 25	Oct 16	Oct 24				
Retail	Jan 16	Jan 23 & 24	Apr 16 & 17	Apr 25	Jul 16 & 17	Jul 25	Oct 16	Oct 23 & 24				
E.H. & S.	Feb 6	Feb 14	May 1	May 9	Jul 31	Aug 8	Nov 6	Nov 14				
Land	Feb 6	Feb 14	May 1	May 9	Jul 31	Aug 8	Nov 6	Nov 14				
Housing	Feb 6	Feb 14	May 1	May 9	Jul 31	Aug 8	Nov 6	Nov 14				
H.R.	Feb 6	Feb 14	May 1	May 9	Jul 31	Aug 8	Nov 6	Nov 14				
Internal Svc.	Feb 6	Feb 14	May 1	May 9	Jul 31	Aug 8	Nov 6	Nov 14				
Reporting to OBC via written report/e-mail												
Org. Dev. Spec.	Two times each month											
Emerg. Mgmt.	Two times each month											
Reporting at regular OBC meetings in Executive Session Only												
Chief Counsel	Each regular OBC meeting											
I.G.A. & C.	2 nd regular OBC meeting of the month											
	Submission Deadline	OBC Meeting Date	Submission Deadline	OBC Meeting Date	Submission Deadline	OBC Meeting Date	Submission Deadline	OBC Meeting Date	Submission Deadline	OBC Meeting Date	Submission Deadline	OBC Meeting Date
Gaming G.M.	Jan 16	Jan 24	Mar 20	Mar 28	May 15	May 23	Jul 17	Jul 25	Sep 18	Sep 26	Nov 20	Nov 28
C.F.O.	Feb 20	Feb 28	Apr 17	Apr 25	Jun 19	Jun 27	Aug 14	Aug 22	Oct 16	Oct 24	Dec 18	Dec 26

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 09 / 27 / 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 four (4) actions regarding the 2018 Oneida Business Committee (OBC) Standing Schedule

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: 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

Attached you will find the draft 2018 Oneida Business Committee (OBC) Standing Schedule for review.

Please note, a determination will have to be made for the following meetings:

- The 1st Roundtable Discussion of November would conflict with observance of Veteran's Day on Monday, November 12, 2017
- The 2nd Roundtable Discussion of December may conflict with observance of Christmas Eve on Monday, December 24, 2017, when offices close at noon, presuming there may be vacation requests for the first half of the day

The OBC can make a determination on if, and when, to schedule the 1st Roundtable Discussion of November and the 2nd Roundtable Discussion of December.

REQUESTED ACTIONS

- (1) Make a determination for the 1st Roundtable Discussion of November 2018;
- (2) Make a determination for the 2nd Roundtable Discussion of December 2018;
- (3) Approve the 2018 Oneida Business Committee (OBC) Standing Schedule; and
- (4) Forward any revisions to the 2018 Oneida Business Committee (OBC) Standing Schedule to OBC work meetings as information

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

January 2018

BLUE = Meetings of Business Committee and/or Officers
 GREY = Tentative dates of meetings, travel, etc.
 YELLOW = GTC
 RED = Holidays

January 2018							February 2018						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
7	8	9	10	11	12	13	4	5	6	7	8	9	10
14	15	16	17	18	19	20	11	12	13	14	15	16	17
21	22	23	24	25	26	27	18	19	20	21	22	23	24
28	29	30	31				25	26	27	28			

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Dec 31	Jan 1, 18	2	3	4	5	6
Dec 31 - Jan 6		8:00am 4:30pm Holiday-New Year's Day (Offices Closed)	10:00am 12:00pm Finance Committee (ECR) 1:30pm 3:30pm OBC Officers Meeting (ECR)	9:00am 2:00pm LOC (BCCR)	9:00am 12:00pm CDPC (BCCR) 11:00am 12:00pm Agenda Review (ECR)		
	7	8	9	10	11	12	13
Jan 7 - 13		8:30am 9:30am Operational Roundtable (ECR) 10:00am 11:30am FY19 IHP: Planning & Review (ECR)	8:30am 4:30pm BC Executive Session (ECR)	8:30am 4:30pm OBC Regular Session (BCCR)	8:30am 10:30am QoL (ECR) 2:00pm 4:30pm Audit (ECR)		
	14	15	16	17	18	19	20
Jan 14 - 20		10:00am 12:00pm Finance Committee (ECR)	8:30am 4:30pm OBC Work Meeting (ECR)	9:00am 2:00pm LOC (BCCR)	11:00am 12:00pm Agenda Review (ECR)		
	21	22	23	24	25	26	27
Jan 21 - 27		8:30am 9:30am Operational Roundtable (ECR)	8:30am 4:30pm BC Executive Session (ECR)	8:30am 4:30pm OBC Regular Session (BCCR)		8:30am 9:30am Comp. Health Update (ECR) 9:30am 10:30am GSD Update (ECR)	
	28	29	30	31	Feb 1	2	3
Jan 28 - Feb 3	10:00am 2:00pm Annual GTC (Radisson)						

February 2018

BLUE = Meetings of Business Committee and/or Officers
 GREY = Tentative dates of meetings, travel, etc.
 YELLOW = GTC
 RED = Holidays

February 2018						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28			

March 2018						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Jan 28	29	30	31	Feb 1	2	3
Jan 28 - Feb 3							
	4	5	6	7	8	9	10
Feb 4 - 10		10:00am 12:00pm Finance Committee (ECR)	10:00am 12:00pm 1st Qtr Joint: OBC & Judiciary (Judiciary Bl 1:30pm 3:30pm OBC Officers Meeting (ECR)	9:00am 2:00pm LOC (BCCR)	9:00am 12:00pm CDPC (BCCR) 11:00am 12:00pm Agenda Review (ECR)		
	11	12	13	14	15	16	17
Feb 11 - 17		8:30am 9:30am Operational Roundtable (ECR)	8:30am 4:30pm BC Executive Session (ECR)	8:30am 4:30pm OBC Regular Session (BCCR)	8:30am 10:30am QoL (ECR) 2:00pm 4:30pm Audit (ECR)		
	18	19	20	21	22	23	24
Feb 18 - 24		10:00am 12:00pm Finance Committee (ECR) 6:00pm 10:00pm Backup Annual GTC (Radisson)	8:30am 4:30pm OBC Work Meeting (ECR)	9:00am 2:00pm LOC (BCCR)	11:00am 12:00pm Agenda Review (ECR)	8:30am 9:30am Comp. Health Update (ECR) 9:30am 10:30am GSD Update (ECR)	
	25	26	27	28	Mar 1	2	3
Feb 25 - Mar 3		8:30am 9:30am Operational Roundtable (ECR)	8:30am 4:30pm BC Executive Session (ECR)	8:30am 4:30pm OBC Regular Session (BCCR)			

March 2018

BLUE = Meetings of Business Committee and/or Officers
 GREY = Tentative dates of meetings, travel, etc.
 YELLOW = GTC
 RED = Holidays

March 2018						
Su	Mo	Tu	We	Th	Fr	Sa
4	5	6	7	8	1	2
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

April 2018						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Feb 25	26	27	28	Mar 1	2	3
Feb 25 - Mar 3					8:00am 4:30pm 1st Quarter Reports BC Session (BCCR)		
	4	5	6	7	8	9	10
Mar 4 - 10		National RES Conference 3/5-3/8 (Las Vegas, NV)					
		10:00am 12:00pm Finance Committee (ECR)	1:30pm 3:30pm OBC Officers Meeting (ECR)	9:00am 2:00pm LOC (BCCR) 3:00pm 5:00pm 1st Qtr Joint: OBC & LCC (ECR)	9:00am 12:00pm CDPC (BCCR) 11:00am 12:00pm Agenda Review (ECR) 1:30pm 2:00pm 1st Qtr		
	11	12	13	14	15	16	17
Mar 11 - 17		8:30am 9:30am Operational Roundtable (ECR) 10:00am 11:30am FY19 IHP: Planning & Review (ECR)	8:30am 4:30pm BC Executive Session (ECR)	8:30am 4:30pm OBC Regular Session (BCCR)	8:30am 10:30am QoL (ECR) 2:00pm 4:30pm Audit (ECR)		
	18	19	20	21	22	23	24
Mar 18 - 24		10:00am 12:00pm Finance Committee (ECR)	8:30am 4:30pm OBC Work Meeting (ECR)	9:00am 2:00pm LOC (BCCR) 3:00pm 5:00pm 1st Qtr Joint: OBC & Trust Enrollment (ECR)	11:00am 12:00pm Agenda Review (ECR) 5:00pm 7:00pm Bi-Annual Joint: OBC & Land Commission	8:30am 9:30am Comp. Health Update (ECR) 9:30am 10:30am GSD Update (ECR)	
	25	26	27	28	29	30	31
Mar 25 - 31		8:30am 9:30am Operational Roundtable (ECR)	8:30am 4:30pm BC Executive Session (ECR)	8:30am 4:30pm OBC Regular Session (BCCR)		12:00pm 4:30pm Holiday-Good Friday (Offices Closed at Noon)	

April 2018

BLUE = Meetings of Business Committee and/or Officers
 GREY = Tentative dates of meetings, travel, etc.
 YELLOW = GTC
 RED = Holidays

April 2018						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

May 2018						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	
Apr 1 - 7	Apr 1	2	3	4	5	6	7	
		10:00am 12:00pm Finance Committee (ECR)	1:30pm 3:30pm OBC Officers Meeting (ECR)	9:00am 2:00pm LOC (BCCR)	9:00am 12:00pm CDPC (BCCR) 11:00am 12:00pm Agenda Review (ECR)			
Apr 8 - 14	8	9	10	11	12	13	14	
		8:30am 9:30am Operational Roundtable (ECR)	8:30am 4:30pm BC Executive Session (ECR)	8:30am 4:30pm OBC Regular Session (BCCR)	8:30am 10:30am QoL (ECR) 2:00pm 4:30pm Audit (ECR)			
Apr 15 - 21	15	16	17	18	19	20	21	
	NICWA Annual Conference 4/15-4/18 (Anchorage, AK)					11:00am 12:00pm Age		
		Annual NAFOA Conf. 4/16-4/17 (NOLA)		9:00am 2:00pm LOC (B				
	10:00am 12:00pm Finance Committee (ECR)	NIGA Tradeshow & Convention 4/17-4/20 (Las Vegas, NV)						
		8:30am 4:30pm OBC Work Meeting (ECR)						
Apr 22 - 28	22	23	24	25	26	27	28	
	Tribal Self-Gov. Annual Consultation Conference 4/22-4/26 (Albuquerque, NM)						8:30am 9:30am Comp. Health Update (ECR) 9:30am 10:30am GSD Update (ECR)	
	8:30am 9:30am Operational Roundtable (ECR)	8:30am 4:30pm BC Executive Session (ECR)	8:30am 4:30pm OBC Regular Session (BCCR)					
Apr 29 - May 5	29	30	May 1	2	3	4	5	
		10:00am 12:00pm Finance Committee (ECR)						

May 2018

BLUE = Meetings of Business Committee and/or Officers
 GREY = Tentative dates of meetings, travel, etc.
 YELLOW = GTC
 RED = Holidays

May 2018							June 2018						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
6	7	1	2	3	4	5	3	4	5	6	7	1	2
13	14	8	9	10	11	12	10	11	12	13	14	15	16
20	21	15	16	17	18	19	17	18	19	20	21	22	23
27	28	22	23	24	25	26	24	25	26	27	28	29	30

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Apr 29	30	May 1	2	3	4	5
Apr 29 - May 5			10:00am 12:00pm 2nd Qtr Joint: OBC & Judiciary (Judiciary BI) 1:30pm 3:30pm OBC Officers Meeting (ECR)	9:00am 2:00pm LOC (BCCR)	9:00am 12:00pm CDPC (BCCR) 11:00am 12:00pm Agenda Review (ECR)		
	6	7	8	9	10	11	12
May 6 - 12		8:30am 9:30am Operational Roundtable (ECR)	8:30am 4:30pm BC Executive Session (ECR)	8:30am 4:30pm OBC Regular Session (BCCR)	8:30am 10:30am QoL (ECR) 2:00pm 4:30pm Audit (ECR)		
	13	14	15	16	17	18	19
May 13 - 19		10:00am 12:00pm Finance Committee (ECR)	8:30am 4:30pm OBC Work Meeting (ECR)	9:00am 2:00pm LOC (BCCR)	11:00am 12:00pm Agenda Review (ECR)	8:30am 9:30am Comp. Health Update (ECR) 9:30am 10:30am GSD Update (ECR)	
	20	21	22	23	24	25	26
May 20 - 26		8:30am 9:30am Operational Roundtable (ECR)	8:30am 4:30pm BC Executive Session (ECR)	8:30am 4:30pm OBC Regular Session (BCCR)	8:00am 4:30pm 2nd Quarter Reports BC Session (BCCR)	8:00am 4:30pm Holiday-Code Talker's Day (Offices Closed)	
	27	28	29	30	31	Jun 1	2
May 27 - Jun 2		8:00am 4:30pm Holiday-Memorial Day (Offices Closed)					

June 2018

BLUE = Meetings of Business Committee and/or Officers
 GREY = Tentative dates of meetings, travel, etc.
 YELLOW = GTC
 RED = Holidays

June 2018						
Su	Mo	Tu	We	Th	Fr	Sa
3	4	5	6	7	1	2
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

July 2018						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	May 27	28	29	30	31	Jun 1	2
May 27 - Jun 2							
	3	4	5	6	7	8	9
Jun 3 - 9	NCAI Mid-Year Conference 6/3-6/6 (Kansas City, MO)				9:00am 12:00pm CDPC (BCCR)		
		10:00am 12:00pm Finance Committee (ECR)	1:30pm 3:30pm OBC Officers Meeting (ECR)	9:00am 2:00pm LOC (BCCR) 3:00pm 5:00pm 2nd Qtr Joing: OBC & LCC (ECR)	11:00am 12:00pm Agenda Review (ECR) 1:30pm 2:00pm 2nd Qtr Joint: OBC & OG		
	10	11	12	13	14	15	16
Jun 10 - 16		8:30am 9:30am Operational Roundtable (ECR)	8:30am 4:30pm BC Executive Session (ECR)	8:30am 4:30pm OBC Regular Session (BCCR)	8:30am 10:30am QoL (ECR) 2:00pm 4:30pm Audit (ECR)		
	17	18	19	20	21	22	23
Jun 17 - 23		10:00am 12:00pm Finance Committee (ECR)	8:30am 4:30pm OBC Work Meeting (ECR)	9:00am 2:00pm LOC (BCCR)	11:00am 12:00pm Agenda Review (ECR) 3:00pm 5:00pm 2nd Qtr Joint: OBC & Trust Enrollment (EC)	8:30am 9:30am Comp. Health Update (ECR) 9:30am 10:30am GSD Update (ECR)	
	24	25	26	27	28	29	30
Jun 24 - 30		8:30am 9:30am Operational Roundtable (ECR)	8:30am 4:30pm BC Executive Session (ECR)	8:30am 4:30pm OBC Regular Session (BCCR)			

July 2018

BLUE = Meetings of Business Committee and/or Officers
 GREY = Tentative dates of meetings, travel, etc.
 YELLOW = GTC
 RED = Holidays

July 2018						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

August 2018						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Jul 1 - 7	Jul 1	2 10:00am 12:00pm Finance Committee (ECR)	3 9:00am 2:00pm LOC (BCCR) 1:30pm 3:30pm OBC Officers Meeting (ECR)	4 8:00am 4:30pm Holiday-Independence Day (Offices Closed)	5 9:00am 12:00pm CDPC (BCCR) 11:00am 12:00pm Agenda Review (ECR)	6	7
Jul 8 - 14	8	9 8:30am 9:30am Operational Roundtable (ECR)	10 8:30am 4:30pm BC Executive Session (ECR)	11 8:30am 4:30pm OBC Regular Session (BCCR)	12 8:30am 10:30am QoL (ECR) 2:00pm 4:30pm Audit (ECR)	13	14
Jul 15 - 21	15	16 10:00am 12:00pm Finance Committee (ECR)	17 8:30am 4:30pm OBC Work Meeting (ECR)	18 9:00am 2:00pm LOC (BCCR)	19 11:00am 12:00pm Agenda Review (ECR)	20	21
Jul 22 - 28	22	23 8:30am 9:30am Operational Roundtable (ECR)	24 8:30am 4:30pm BC Executive Session (ECR)	25 8:30am 4:30pm OBC Regular Session (BCCR)	26	27 8:30am 9:30am Comp. Health Update (ECR) 9:30am 10:30am GSD Update (ECR)	28
Jul 29 - Aug 4	29	30 10:00am 12:00pm Finance Committee (ECR)	31	Aug 1	2	3	4

August 2018

BLUE = Meetings of Business Committee and/or Officers
 GREY = Tentative dates of meetings, travel, etc.
 YELLOW = GTC
 RED = Holidays

August 2018							September 2018						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4							1
5	6	7	8	9	10	11	2	3	4	5	6	7	8
12	13	14	15	16	17	18	9	10	11	12	13	14	15
19	20	21	22	23	24	25	16	17	18	19	20	21	22
26	27	28	29	30	31		23	24	25	26	27	28	29
							30						

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Jul 29	30	31	Aug 1	2	3	4
Jul 29 - Aug 4				9:00am 2:00pm LOC (BCCR)	9:00am 12:00pm CDPC (BCCR) 11:00am 12:00pm Agenda Review (ECR)		
	5	6	7	8	9	10	11
Aug 5 - 11		8:30am 9:30am Operational Roundtable (ECR) 1:30pm 3:30pm OBC Officers Meeting (ECR)	8:30am 4:30pm BC Executive Session (ECR)	8:30am 4:30pm OBC Regular Session (BCCR)	8:30am 10:30am QoL (ECR) 2:00pm 4:30pm Audit (ECR)		
	12	13	14	15	16	17	18
Aug 12 - 18		10:00am 12:00pm Finance Committee (ECR)	8:30am 4:30pm OBC Work Meeting (ECR)	9:00am 2:00pm LOC (BCCR)	11:00am 12:00pm Agenda Review (ECR) 1:30pm 3:30pm 3rd Qtr Joint: OBC & Judiciary (Judiciary Bl		
	19	20	21	22	23	24	25
Aug 19 - 25		8:30am 9:30am Operational Roundtable (ECR)	8:30am 4:30pm BC Executive Session (ECR)	8:30am 4:30pm OBC Regular Session (BCCR)	8:00am 4:30pm 3rd Quarter Reports BC Session (BCCR)	8:30am 9:30am Comp. Health Update (ECR) 9:30am 10:30am GSD Update (ECR)	
	26	27	28	29	30	31	Sep 1
Aug 26 - Sep 1							

September 2018

BLUE = Meetings of Business Committee and/or Officers
 GREY = Tentative dates of meetings, travel, etc.
 YELLOW = GTC
 RED = Holidays

September 2018							October 2018						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
	2	3	4	5	6	7	8	1	2	3	4	5	6
9	10	11	12	13	14	15	16	17	18	19	20	21	22
23	24	25	26	27	28	29	30	31					

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Aug 26	27	28	29	30	31	Sep 1
8/26 - 31							
	2	3	4	5	6	7	8
9/2 - 7		8:00am 4:30pm Holiday-Labor Day (Offices Closed)	10:00am 12:00pm Finance Committee (ECR) 1:30pm 3:30pm OBC Officers Meeting (EC)	9:00am 2:00pm LOC (BCCR) 3:00pm 5:00pm 3rd Qtr Joining: OBC & LCC (ECR)	9:00am 12:00pm CDPC (BCCR) 11:00am 12:00pm Agenda Review (ECR) 1:30pm 2:00pm 3rd Qtr		
	9	10	11	12	13	14	15
9/9 - 14		8:30am 9:30am Operational Roundtable (ECR)	8:30am 4:30pm BC Executive Session (ECR)	8:30am 4:30pm OBC Regular Session (BCCR)	8:30am 10:30am QoL (ECR) 2:00pm 4:30pm Audit (ECR)		
	16	17	18	19	20	21	22
9/16 - 21		10:00am 12:00pm Finance Committee (ECR)	8:30am 4:30pm OBC Work Meeting (ECR)	NIGA Mid-Year Conference 9/19-9/21 (Las Vegas, NV)			
	23	24	25	26	27	28	29
9/23 - 28		8:30am 9:30am Operational Roundtable (ECR)	8:30am 4:30pm BC Executive Session (ECR)	8:30am 4:30pm OBC Regular Session (BCCR)		8:30am 9:30am Comp. Health Update (ECR) 9:30am 10:30am GSD Update (ECR)	
	30	Oct 1	2	3	4	5	6
9/30 - 10/5							

October 2018

BLUE = Meetings of Business Committee and/or Officers
 GREY = Tentative dates of meetings, travel, etc.
 YELLOW = GTC
 RED = Holidays

October 2018							November 2018						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
7	8	9	10	11	12	13	4	5	6	7	8	9	10
14	15	16	17	18	19	20	11	12	13	14	15	16	17
21	22	23	24	25	26	27	18	19	20	21	22	23	24
28	29	30	31				25	26	27	28	29	30	

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Sep 30	Oct 1	2	3	4	5	6
Sep 30 - Oct 6		NAFOA Fall Finance & Tribal Econ. Conference 10/1 10:00am 12:00pm Finance Committee (ECR)	1:30pm 3:30pm OBC Officers Meeting (ECR)	9:00am 2:00pm LOC (BCCR)	9:00am 12:00pm CDCP (BCCR) 11:00am 12:00pm Agenda Review (ECR)		
	7	8	9	10	11	12	13
Oct 7 - 13		8:30am 9:30am Operational Roundtable (ECR)	8:30am 4:30pm BC Executive Session (ECR)	8:30am 4:30pm OBC Regular Session (BCCR)	8:30am 10:30am QoL (ECR) 2:00pm 4:30pm Audit (ECR)		
	14	15	16	17	18	19	20
Oct 14 - 20		10:00am 12:00pm Finance Committee (ECR)	8:30am 4:30pm OBC Work Meeting (ECR)	9:00am 2:00pm LOC (BCCR)	11:00am 12:00pm Agenda Review (ECR)		
	21	22	23	24	25	26	27
Oct 21 - 27	75th Annual NCAI Convention 10/21-10/26 (Denver, CO)						
		8:30am 9:30am Operational Roundtable (ECR)	8:30am 4:30pm BC Executive Session (ECR)	8:30am 4:30pm OBC Regular Session (BCCR)		8:30am 9:30am Comp. Health Update (ECR) 9:30am 10:30am GSD Update (ECR)	
	28	29	30	31	Nov 1	2	3
Oct 28 - Nov 3							

November 2018

BLUE = Meetings of Business Committee and/or Officers
 GREY = Tentative dates of meetings, travel, etc.
 YELLOW = GTC
 RED = Holidays

November 2018						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

December 2018						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Oct 28	29	30	31	Nov 1	2	3
Oct 28 - Nov 3							
	4	5	6	7	8	9	10
Nov 4 - 10		10:00am 12:00pm Finance Committee (ECR)	10:00am 12:00pm 4th Qtr Joint: OBC & Judiciary (Judiciary Bl) 1:30pm 3:30pm OBC Officers Meeting (ECR)	9:00am 2:00pm LOC (BCCR)	9:00am 12:00pm CDPC (BCCR) 11:00am 12:00pm Agenda Review (ECR)		
	11	12	13	14	15	16	17
Nov 11 - 17	8:00am 4:30pm Holiday-Veteran's Day	8:00am 4:30pm Holiday-Veteran's Day *Observance* (Offices Closed)	8:30am 4:30pm BC Executive Session (ECR)	8:30am 4:30pm OBC Regular Session (BCCR)	8:30am 10:30am QoL (ECR) 2:00pm 4:30pm Audit (ECR)	8:30am 9:30am Comp. Health Update (ECR) 9:30am 10:30am GSD Update (ECR)	
	18	19	20	21	22	23	24
Nov 18 - 24		10:00am 12:00pm Finance Committee (ECR)	8:30am 4:30pm OBC Work Meeting (ECR)	9:00am 2:00pm LOC (BCCR) 11:00am 12:00pm Agenda Review (ECR)	8:00am 4:30pm Holiday-Thanksgiving Day (Offices Closed)	8:00am 4:30pm Holiday-Indian Day (Offices Closed)	
	25	26	27	28	29	30	Dec 1
Nov 25 - Dec 1		8:30am 9:30am Operational Roundtable (ECR)	8:30am 4:30pm BC Executive Session (ECR)	8:30am 4:30pm OBC Regular Session (BCCR)	8:00am 4:30pm 4th Quarter Reports BC Session (BCCR)		

December 2018

BLUE = Meetings of Business Committee and/or Officers
 GREY = Tentative dates of meetings, travel, etc.
 YELLOW = GTC
 RED = Holidays

December 2018							January 2019						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
						1			1	2	3	4	5
2	3	4	5	6	7	8	6	7	8	9	10	11	12
9	10	11	12	13	14	15	13	14	15	16	17	18	19
16	17	18	19	20	21	22	20	21	22	23	24	25	26
23	24	25	26	27	28	29	27	28	29	30	31		
30	31												

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Nov 25	26	27	28	29	30	Dec 1
11/25 - 30							
	2	3	4	5	6	7	8
12/2 - 7		10:00am 12:00pm Finance Committee (ECR)	1:30pm 3:30pm OBC Officers Meeting (ECR)	9:00am 2:00pm LOC (BCCR) 3:00pm 5:00pm 4th Qtr Joint: OBC & LCC (ECR)	9:00am 12:00pm CDPC (BCCR) 11:00am 12:00pm Agenda Review (ECR) 1:30pm 2:00pm 4th Qtr		
	9	10	11	12	13	14	15
12/9 - 14		8:30am 9:30am Operational Roundtable (ECR)	8:30am 4:30pm BC Executive Session (ECR)	8:30am 4:30pm OBC Regular Session (BCCR)	8:30am 10:30am QoL (ECR) 2:00pm 4:30pm Audit (ECR)		
	16	17	18	19	20	21	22
12/16 - 21		10:00am 12:00pm Finance Committee (ECR)	8:30am 4:30pm OBC Work Meeting (ECR)	9:00am 2:00pm LOC (BCCR)	11:00am 12:00pm Agenda Review (ECR) 3:00pm 5:00pm 4th Qtr Joint: OBC & Trust E		
	23	24	25	26	27	28	29
12/23 - 28		12:00pm 4:30pm Holiday-Christmas Eve (Offices Closed at Noon)	8:00am 4:30pm Holiday-Christmas Day (Offices Closed)	8:30am 4:30pm BC Executive Session (ECR)	8:30am 4:30pm OBC Regular Session (BCCR)	8:30am 9:30am Comp. Health Update (ECR) 9:30am 10:30am GSD Update (ECR)	
	30	31	Jan 1, 19	2	3	4	5
12/30 - 1/4							

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 09 / 27 / 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 Oak Haven Fencing LLC agreement - file #2017-0954

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 Thursday, September 14, 2017, at 10:08 a.m., the following E-Poll was conducted:

Summary: The Finance Committee approved, via e-poll, the agreement for the Oak Haven Fencing LLC. O.B.C. approval is required for all Finance Committee meeting actions and as part of the Purchasing process. The timeliness is relevant to the possible ground freezing and compliance with the N.R.C.S. contract. The attached B. C. Agenda Request includes the agreement, for O.B.C. approval, and the Finance Committee e-poll.

For your information, the timeliness of this request for approval is being forwarded to the O.B. C. Officers to address with the appropriate party.

Requested Action: Approve Oak Haven Fencing LLC agreement - file #2017-0954

Deadline for response: Responses are due no later than 6:00 p.m., TODAY, September 14, 2017.

As of the deadline, below are the results:

Support: Brandon Stevens, Patricia King, Daniel Guzman King, David Jordan, Kirby Metoxen, Ernie Stevens III, Jennifer Webster

REQUESTED ACTION

Enter E-Poll results into the record for approval of Oak Haven Fencing LLC agreement - file #2017-0954

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

From: TribalSecretary
Sent: Thursday, September 14, 2017 10:08 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: 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 Oak Haven Fencing LLC agreement - file #2017-0954
Attachments: BCAR Approve Oak Haven Fencing LLC agreement - file #2017-0954.pdf
Importance: High

E-POLL REQUEST

Summary:

The Finance Committee approved, via e-poll, the agreement for the Oak Haven Fencing LLC. O.B.C. approval is required for all Finance Committee meeting actions and as part of the Purchasing process.

The timeliness is relevant to the possible ground freezing and compliance with the N.R.C.S. contract.

The attached B.C. Agenda Request includes the agreement, for O.B.C. approval, and the Finance Committee e-poll.

For your information, the timeliness of this request for approval is being forwarded to the O.B.C. Officers to address with the appropriate party.

Requested Action:

Approve Oak Haven Fencing LLC agreement - file #2017-0954

Deadline for response:

Responses are due no later than **6:00 p.m., TODAY, September 14, 2017.**

Voting:

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

From: TribalSecretary
Sent: Thursday, September 14, 2017 9:35 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: BC_Agenda_Requests; 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 RESULTS: Approve Oak Haven Fencing LLC agreement - file #2017-0954
Attachments: BCAR Approve Oak Haven Fencing LLC agreement - file #2017-0954.pdf
Follow Up Flag: Follow up
Flag Status: Flagged

E-POLL RESULTS

The E-Poll request to approve Oak Haven Fencing LLC agreement - file #2017-0954, **has been approved**. As of the deadline, below are the results:

Support: Brandon Stevens, Patricia King, Daniel Guzman King, David Jordan, Kirby Metoxen, Ernie Stevens III, Jennifer Webster

Lisa Liggins
Assistant to Secretary Summers
Oneida Business Committee



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

office 920.869.4434
cell 920.819.7344
fax 920.869.4040

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

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 09 / 27 / 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:

Motion to approve [unclear] : ShW 8WU[Y >>5 SYdWV Wf Z(X'W \$' #) Z' +' &

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 the 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:

FZW8[S` UW5a__ [ffVWSbbdahWf h[S Vba^fZWSYdWV Wf XadfZWA S] : ShW 8WU[Y >>5z A z4z5zSbbdahS^[e
dVtg[dW XadS^8[S` UW5a__ [ffVWV WV[Y SUf[a` eS` V SebScf aXfZWBgdlZSe[Y bdaUWz
FZWf[W[V[e[dWWS` f fa fZWbaee[T WYdag` V XdWV[Y S` V La_ b[S` UW [fZ fZW@DzEzLa` fdSUz
FZWSffSLZW 4z5z3YVWVS DVtgVf [UgVWefZWSYdWV Wf XadA z4z5zSbbdahS^ S` V fZW8[S` UW5a__ [ffVW
Vba^z

8adkagd[Xad Sf[a` f fZWf[W[V[e aXfZ[e dVtgVf XadSbbdahS^[eTW[Y Xad SdWV fa fZWA 45 AXUWef a
SVVdVei [fZ fZWSbbdahS^fWbSdfkz

Yaw^ko for your time and consideration in this matter.

- 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

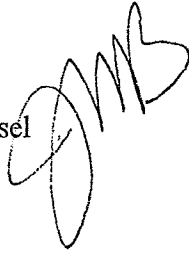
ONEIDA LAW OFFICE
CONFIDENTIAL: ATTORNEY/CLIENT WORK PRODUCT

TO: Brenda Lynn Skenandore
Environmental Health & Safety

Use this number on future correspondence:

2017-0954

FROM: James R. Bittorf, Deputy Chief Counsel



DATE: August 7, 2017

RE: Oak Haven Fencing LLC

Purchasing Department Use

Contract Approved

Contract Not Approved

(see attached explanation)

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

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

- ✓ The document is in appropriate legal form. *(Execution is a management decision.)*

CONSULTANT/CONTRACTOR
CONFLICT OF INTEREST
DISCLOSURE FORM

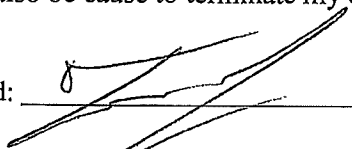
Must Complete
Consultant/Contractor is not an
is/is not
employee of the Oneida Tribe.
(Must include job description if employee of Oneida Tribe.)

I, Timothy Kenbach, on behalf of Oak Haven Fencing LLC
(Name of Consultant/Contractor) *(Name of Company, if any)*

the "Contractor"), declare this to be a full and complete disclosure of all conflicts of interest with the Oneida Tribe of Indians of Wisconsin (The AOneida Tribe@). Conflict of interest means any interest, whether it be personal, financial, political, or otherwise, that conflicts with any right of the Oneida Tribe 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 Tribe. Therefore, I affirm to the best of my knowledge the following:

1. The Contractor is neither presently involved in, nor is it contemplating any legal actions against the Oneida Tribe.
2. The Contractor is not presently involved in any activity or has any outside interests that conflict or suggest a potential conflict with the Oneida Tribe.
3. The Contractor is neither involved in nor does it own any business investments which are related to or connected with the Oneida Tribe, its programs, departments, or enterprises
4. 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 Tribe. No representative of the contractor sits on any board, commission, or committee of the Oneida Tribe. No officer or director of the Company has any conflict as defined above
5. The Contractor is neither applying for, nor receiving, any special services, grants, loans or other programs provided by the Oneida Tribe, and has no pending contracts with the Oneida Tribe, except as herein disclosed and listed below:
(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 Tribe. If a conflict arises, I am informed and understand that the Oneida Tribe 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.

Signed:  Date: 7-19-17

STANDARD CONSTRUCTION AGREEMENT
Construction, Installation, Repair or Remodel Project

This Agreement is entered into by and between the Oneida Nation, whose mailing address is P.O. Box 365, Oneida, Wisconsin, 54155, and

Name:	Oak Haven Fencing, LLC
Address:	W3575 Cumberland Drive Berlin, WI 54923
Federal ID Number:	
Vendor Number:	143954
Project Title:	Oneida Nation Farm Fence and State Farm Fence
Agreement Amount:	\$193,913.55

hereinafter referred to as "Contractor", who hereby mutually agrees as follows:

1. **Definitions.** All words and phrases contained herein shall have the meaning consistent with the *Architect's Handbook of Professional Practice* (Ed. 1996), and the *Glossary of Construction Industry Terms*, unless otherwise defined in this Agreement.
2. **Term.** The Term of this Agreement is from August 21, 2017 to December 29, 2017, and shall be effective upon the signing of both parties.
3. **Commencement of Work.** No work may be commenced and no materials may be ordered under this Agreement until all parties have signed this Agreement, all appropriate approvals have been obtained, and a Purchase Order has been issued. Upon the issuance of the Purchase Order, the Nation will issue a Notice to Proceed to Contractor. Upon receiving a Notice to Proceed, Contractor may commence work under this Agreement. If Contractor orders any materials or supplies prior to receiving a Notice to Proceed, Contractor agrees that it is responsible for all costs related to said materials and supplies until all conditions of this Section have been satisfied.
4. **Compensation and Payment.** The Oneida Nation shall pay Contractor for the timely and satisfactory performance of the work under this Agreement the sum set forth herein ("Contract Sum") specified in Exhibit A, which shall be attached hereto and incorporated by reference. Multiple and partial payments shall be provided for in Exhibit A. All amounts payable by the Oneida Nation to Contractor under this Agreement shall be payable within thirty (30) days of the Oneida Nation's receipt of Contractor's invoice subject, however, to Contractor's complete and proper performance and delivery of all services and deliverables that are the subject of the invoice. The Oneida Nation reserves the right to withhold payment based upon reasonable objection which shall be documented.
5. **Scope of Work.**

a. Contractor shall perform all of the work necessary for the construction, installation, and completion of the project, which is described in Exhibit A. Any and all specifications, drawings, and other documents that may be attached hereto are incorporated by reference (collectively "Agreement documents").

b. Contractor agrees to provide and be responsible for all necessary equipment and tools (collectively "Equipment") required for the performance of work under this Agreement. If it is determined that Contractor will use Oneida Nation's Equipment for any reason, such Equipment shall be identified and specified in a separate document attached to this Agreement and incorporated by reference herein. Where Contractor uses Gaming Facilities Lift Equipment, Contractor shall contact the Gaming Facilities Department and complete a Lift Request Form and Lift Equipment/Operator Inspection Check List. Both forms shall be attached hereto and incorporated by reference herein, with a copy to be provided to the Gaming Facilities Department for record keeping purposes.

c. Contractor agrees that only its employees shall use Oneida Nation's Equipment for any work performed under this Agreement. In Contractor's use of Oneida Nation's Equipment, Contractor warrants and represents that any of its employees who use and operate Oneida Nation's Equipment are properly trained and certified/licensed to use such Equipment. Contractor also warrants and represents that it has sufficient Contractor liability coverage, consistent with the provisions of Section 14, to cover any claims for damages to Gaming Facilities Department Lift Equipment arising from work performed under this Agreement.

d. Where Contractor uses Oneida Nation's Equipment for the performance of work under this Agreement, then Contractor agrees to indemnify and hold Oneida Nation harmless from and against any and all claims for any injuries to Contractor's employees or subcontractor's employees, and any losses or damages to Contractor's property or subcontractor's property.

6. Project Schedule. Contractor shall perform the work under this Agreement in accordance with a Project Schedule submitted to the Oneida Nation, unless determined otherwise between the parties. Where a Project Schedule is submitted, such Project Schedule shall be attached hereto and incorporated by reference, and shall be reviewed at appropriate intervals as determined between the parties. The Project Schedule may be revised as determined between the parties.

7. Changes in the Work.

a. The Oneida Nation may at any time issue a written Change Order and Contractor may at any time request a written Change Order. Any Change Order shall describe the extent or scope of the work changes covered under this Agreement, changes to any drawings, specifications or other description herein, or to change the time of completion. Such Change Order shall be effective upon signature of both parties and Contractor will promptly comply.

b. Upon receipt of a written Change Order, Contractor shall promptly advise the Oneida Nation if the change will affect its cost of work performed under this Agreement. If Contractor anticipates additional costs as a result of the Change Order, Contractor shall provide to the Oneida Nation: 1) a breakdown of estimated costs and changes in the Agreement Sum; and, 2) a written statement of necessary changes in the time of completion.

8. Events of Defaults; Stop Work Orders.

a. Contractor shall pay costs of work as they are incurred. If Contractor fails to pay any costs as they are incurred, Oneida Nation reserves the right to pay such costs directly, and with written notice to Contractor, shall deduct such costs from the Agreement Sum.

b. If Contractor is deficient in performing work under this Agreement, or any materials do not meet specifications, the Oneida Nation shall notify Contractor in writing to remedy the deficiency within ten (10) business days. If Contractor fails to remedy such deficiency within ten (10) business

days, the Oneida Nation shall be entitled to remedy such deficiency and may deduct any cost incurred from the Agreement Sum.

c. If Contractor fails to correct any defective or nonconforming work, or repair or replace any defective materials, or otherwise fails to carry out work as required by the Agreement documents within ten (10) business days as provided in Section 8(b) above, the Oneida Nation reserves the right to issue a written Stop Work Order to Contractor. If a written Stop Work Order is issued, Contractor shall be excused from proceeding with the work so long as such Stop Work Order remains in effect. The Oneida Nation shall notify Contractor in writing when work may be resumed under this Agreement.

d. If Contractor is in substantial and material non-compliance with this Agreement, the Oneida Nation reserves the right to immediately issue a written Stop Work Order to Contractor. Contractor shall be provided reasonable opportunity to come into compliance with this Agreement, at which time the Oneida Nation shall notify Contractor in writing when work may be resumed under this Agreement.

9. Independent Contractor. The Contractor warrants and represents that it carries the appropriate workers compensation policy coverage, consistent with the Oneida Nation's Insurance Requirements, and that no persons employed or performing under the terms of this Agreement are excluded under that coverage. Further, the Contractor agrees to and shall indemnify and hold the Oneida Nation harmless against and from any and all loss, damages or costs incurred for any workers compensation claims including, but not limited to, attorneys' fees. The Contractor shall be responsible for all withholding and any other employment taxes due to any taxing authority.

10. Employees of Contractor.

a. Contractor agrees that all of its officers, employees, agents, directors, and representatives shall not be deemed or construed to be an employee of the Oneida Nation. Contractor further agrees that it and all of its employees waive any and all rights to the Oneida Nation's benefit plans, including but not limited to 401(k), or life or medical insurance plans. Contractor further agrees that it shall not use, or cause to be used, any of Oneida Nation's employees in the course of any work performed under this Agreement.

b. Contractor shall have a qualified Project Manager on the Project site at all times during the Project while work is being performed. The Oneida Nation shall have the right to review the qualifications of Contractor's Project Manager, including by personal interview, and reject the Project Manager at Oneida Nation's discretion. Contractor will not be entitled to additional compensation for replacing Project Manager. Contractor shall not change the Project Manager during the course of the Project without the prior written approval of the Oneida Nation.

11. Materials and Documents; Non-Disclosure.

a. Unless otherwise specified, all materials shall be new and shall meet specifications. Both materials and workmanship shall be of good quality. Upon reasonable request of the Oneida Nation, Contractor shall provide samples or other satisfactory evidence as to the kind and quality of materials to be used in the performance of the work under this Agreement, and shall be documented in writing. All materials furnished by Contractor shall be in accordance with approved samples. Any substitutions require prior written approval by the Oneida Nation consistent with Section 7 above.

b. All plans and specifications prepared by Contractor shall be submitted to the Oneida Nation for written approval before procurement of materials or commencement of work under this Agreement. Contractor will provide copies of all plans and specifications to the Oneida Nation before commencement of work.

c. Unless provided otherwise, all designs, plans, specifications, improvements, inventions, and rights developed by Contractor in the course of performing work under this Agreement will be disclosed to the Oneida Nation and will become the exclusive property of the Oneida Nation. Contractor hereby assigns all rights, title and interest to the Oneida Nation and ownership shall vest in the Oneida Nation. However, where Contractor possesses intellectual property rights or other proprietary rights in any documents or materials used in the performance of this Agreement, such intellectual property and proprietary rights shall be described and identified in a separate written document, which shall be attached hereto and incorporated by reference. The Oneida Nation agrees that where Contractor may use documents and/or materials that are licensed by third parties, contractor shall not be caused to violate any existing agreements in place with such third parties.

d. Contractor will provide to the Oneida Nation all drawings, specifications, electronic media (CAD files), or other documents, whether tracings or originals, which will remain the property of the Oneida Nation. Contractor will not copy or otherwise reproduce any drawings, specifications or documents, except as required during the performance of this Agreement. Any and all reproductions will be returned to the Oneida Nation upon completion or termination of this Agreement.

e. Any information and documents provided to Contractor by the Oneida Nation for purposes of this Agreement shall be treated as confidential and proprietary, and subject to non-disclosure. Any Confidential Information provided to subcontractors shall be on a need to know basis and subject to non-disclosure.

12. Use of Premises.

a. The Oneida Nation and Contractor shall agree in writing upon a designated storage area for Contractor's equipment and materials during performance of this Agreement. If designated storage area is contained, Contractor shall provide appropriate signage as to warnings and safety precautions, unless agreed otherwise between the parties. If Contractor will require additional storage area, or a relocation of storage area, on the Oneida Nation's premises, such changes will be made in writing and approved by the Oneida Nation before moving any equipment and materials to such area.

b. Contractor will perform all work under this Agreement during the hours designated by the Oneida Nation and in such a manner to reasonably avoid inconvenience to the Oneida Nation and not interfere with business operations. Contractor will properly supervise all work performed under this Agreement, and will require all its employees to comply with all applicable rules and regulations. Contractor will take precautions to protect work, property and persons under a reasonable standard of care. Contractor will perform all work in a professional, safe, and workman like manner, in accordance with applicable industry standards, and with due regard to ethical business practices.

13. Indemnification.

a. Contractor shall indemnify and hold harmless the Oneida Nation, its officers, employees, agents, directors, and representatives, in the course of performance of the Contractor's work under this Agreement, from and against any and all claims, of whatever nature, for injuries or losses, or damages arising out of Contractor's or subcontractors negligence, gross negligence, or intentional misconduct, including but not limited to Contractor's breach of this agreement, or the negligence, gross negligence or intentional misconduct of Contractor's or subcontractors officers, employees, agents, directors, and representatives.

b. The Oneida Nation shall indemnify and hold harmless Contractor, its officers, employees, agents, directors, and representatives, from and against any and all claims, of whatever nature, for injuries or losses, or damages arising out of the Oneida Nation's negligence, gross negligence, or intentional misconduct, or the negligence, gross negligence or intentional misconduct of the Oneida Nation's officers, employees, agents, directors, and representatives.

14. Insurance Requirements.

a. Contractor, at its expense, and as a condition of this Agreement, will obtain and maintain sufficient Contractor liability coverage, consistent with the Oneida Nation's Insurance Requirements, to cover any claims for damages, including personal injury and/or death, which may arise from the performance of work under this Agreement. Contractor shall name the Oneida Nation as Additional Insured prior to any work commencing and shall provide documentation verifying the same for a period of one year following substantial completion. Contractor shall provide Certificate of Insurance complying with the coverage limits of the Oneida Nation, which shall be filed directly with Oneida Nation's Risk Management Department.

b. Certificates of Insurance may be subject to the Oneida Nation's Risk Management Department approval for sufficiency of adequate coverage at any time upon reasonable written notice to Contractor. Contractor will provide the Oneida Nation's Risk Management Department at least thirty (30) days advance written notice in the event of cancellation, termination, or material modification of the coverage. Contractor is responsible for obtaining insurance covering their tools, equipment, and materials which are not destined to be incorporated into the final project.

c. Where Contractor fails to be in compliance with any provisions of this Section, the Oneida Nation reserves the right to immediately issue a written Stop Work Order to Contractor consistent with Section 8(d) above. Contractor shall be provided reasonable opportunity to come into compliance with the provisions of this Section, at which time the Oneida Nation shall notify Contractor in writing when work may be resumed under this Agreement. If Contractor is unable to meet the requirements of this Section, the Oneida Nation reserves the right to terminate this contract.

15. Licensing, Permits, and Regulatory/Statutory Requirements.

a. Contractor is required to obtain an Oneida Vendor's License from the Oneida Nation's Licensing Department.

b. Contractor warrants and represents that its employees and all subcontractors shall comply with all applicable laws, rules and regulations for licensing and training as to trade and industry, and that said employees and subcontractors shall maintain licensing requirements for the Term of this Agreement. The Oneida Nation shall have the right to review the license qualifications of Contractor's employees and subcontractors, and to reject any of Contractor's employees or subcontractors at its discretion for non-compliance.

c. If required by applicable laws, rules or regulations, Contractor agrees to obtain all necessary permits from the appropriate licensing authorities and provide all notices required for the performance of this Agreement prior to commencing any work. The Oneida Nation shall have the right to review all permit applications and permits obtained by Contractor for the performance of this Agreement upon request. If Contractor and its employees, or any of its subcontractors, performs any work contrary to applicable laws, rules and regulations, Contractor will be responsible for any costs as a result of non-compliance. If Contractor is unable to obtain the necessary licenses and/or permits required for the performance of this Agreement, the Oneida Nation reserves the right to obtain any necessary licenses and/or permits and deduct those costs from the Sum, and Contractor may proceed with work under this Agreement.

d. Where applicable, Contractor shall make arrangements for public and private locates prior to commencing any work, and shall notify the Oneida Nation of completion of locates with appropriate confirmation numbers on a regular and periodic basis until work is completed. Contractor will be responsible for maintaining documentation of appropriate confirmation numbers, and shall provide such documentation upon the Oneida Nation's request.

e. Contractor agrees to the provisions of the Oneida Indian Preference Law, agrees that compliance is a condition of this Agreement, and agrees that such provisions shall govern the performance of the Contractor under this Agreement. Where Contractor is an Indian Preference

Contractor, as established under Indian Preference guidelines and criteria, any insurance requirements established by the Indian Preference Department shall apply to Indian Preference Contractors performing work under this Agreement. The Indian Preference Department shall have all rights of enforcement as provided under the Oneida Indian Preference Law and subsection (f) below.

f. Where Contractor fails to be in compliance with any provisions of this Section, the Oneida Nation reserves the right to immediately issue a written Stop Work Order to Contractor consistent with Section 8(d) above. Contractor shall be provided reasonable opportunity to come into compliance with the provisions of this Section, at which time the Oneida Nation shall notify Contractor in writing when work may be resumed under this Agreement. If Contractor is unable to meet the requirements of any provisions of this Section, the Oneida Nation reserves the right to terminate this contract.

16. Waste Management and Recycling. The Contractor shall employ processes that ensure the generation of as little waste as possible due to error, poor planning, breakage, mishandling, contamination, or other factors. Contractor shall minimize trash/waste disposal in landfills; reuse, salvage, or recycle as much waste as economically feasible. Contractor shall separate, store, protect, and handle at the site recyclable waste products in order to prevent contamination of materials and to maximize recyclability of materials. Contractor shall arrange for timely pickups from the site or deliveries to recycling facility in order to prevent contamination of recyclable materials. Contractor shall comply with applicable regulatory requirements, including but not limited to Federal, State and local requirements, pertaining to legal disposal of all construction and demolition waste materials. The following may not be disposed of in landfills or by incineration and shall be recycled, salvaged, or reused:

- a. Aluminum and plastic containers.
- b. Corrugated cardboard.
- c. Wood pallets.
- d. Clean dimensional wood.
- e. Metals, including packaging banding, metal studs, sheet metal, structural steel, piping, reinforcing bars, door frames, and other items made of steel, iron, galvanized steel, stainless steel, aluminum, copper, zinc, lead, brass and bronze.

17. Contractor Guarantee. Contractor guarantees to the Oneida Nation that all work performed under this Agreement shall be free from all defects of any kind, nature or description on the date of completion and for a period of one year thereafter. During the period of one year after completion, Contractor agrees to repair/replace any defective work and/or materials at Contractor's expense. Consistent with the statute of limitations, latent defects shall survive the warranty period and Contractor shall be responsible for cure of such defects.

18. Subcontracts.

a. Contractor shall not subcontract any work under this Agreement without the express written consent of the Oneida Nation. If Contractor enters into subcontracts with the Oneida Nation's written consent, Contractor agrees to obtain the contract of any and all subcontractors to be materially and substantially bound by the terms and conditions set forth herein, unless otherwise agreed to by the Oneida Nation in writing. Upon reasonable written request, all subcontractor contracts shall be furnished to the Oneida Nation. This Agreement shall be attached and incorporated into all subcontractor agreements.

b. Contractor is responsible for subcontractor compliance with all insurance requirements set forth in this Agreement. In the event of subcontractor non-compliance, such subcontractor work will not proceed under this Agreement until subcontractor is materially and substantially in compliance

with the terms and conditions of this Agreement, unless otherwise agreed to by the Oneida Nation in writing.

19. Separate Agreements. The Oneida Nation has the right to execute other agreements in connection with the work performed under this Agreement, upon reasonable notice to Contractor. If other Agreements are executed in connection with the work performed under this Agreement, then the Oneida Nation shall coordinate all work between Contractor and other contractors. Contractor and other contractors shall exercise good faith efforts to perform all work under this Agreement.

20. Third Party Warranties. Contractor grants to the Oneida Nation any and all warranties which may exist in favor of Contractor from third party suppliers used by Contractor in performing services under this Agreement, and such warranties shall specify the period of time covered by manufacturer.

21. Force Majeure. If Contractor is delayed in the performance of or completion of the work under this Agreement by labor strikes, lock-outs, unavoidable casualties, or other causes beyond the control of the Contractor and without its fault or negligence, then the time for the performance or completion of said work may be extended for a reasonable period by written agreement between the parties.

22. Dispute Resolution.

a. In the case of any dispute or claim arising out of or relating to this Agreement, or with respect to a breach thereof, the parties first shall seek to resolve such matter amicably through discussions between the parties, then, if necessary, by nonbinding mediation.

b. Disputes, claims, or questions arising from the performance of this Agreement shall be submitted in writing by the initiating party to the receiving party. The receiving party shall render a written response with a reasonable period of time. Upon receipt of the written response, the parties' representative shall meet at a mutually agreeable location to negotiate a settlement between them.

c. Any dispute, claim or other matter in question between the parties shall be subject to mediation upon the written request of either party. However, no demand for mediation of any such dispute, claim or other matter may be made until the earlier of (1) the date on which the receiving party has rendered a written response, or (2) the 10th (tenth) day after the initiating party has presented its documentation to the receiving party or has been given a reasonable opportunity to do so, if the receiving party has not provided a written response by that date.

d. The parties recognize that mediation proceedings are settlement negotiations, and that all offers, promises, conduct and statements, whether written or oral, made in the course of the proceedings, are inadmissible in any court proceeding, to the extent allowed by applicable law. The parties agree to not subpoena or otherwise require the mediator to testify or produce records, notes or work product in any future proceedings, and not recording or written record will be made during any mediation session(s). Evidence that is otherwise admissible or discoverable shall not be rendered inadmissible or non-discoverable as a result of its use in the mediation process. Information disclosed to the mediator in a private caucus shall remain confidential unless the parties authorize disclosure.

e. Upon demand for mediation, the parties shall select a mutually acceptable person or persons to serve as mediator. The mediator will not have any financial or personal interest in the outcome of the mediation and must disclose any circumstances which create a presumption of bias or cause delay in the mediation process.

f. All mediation proceedings shall take place at neutral location unless the parties agree otherwise. The parties will equally share the cost of the mediator. The parties will be responsible for their own reasonable costs related to a mediation proceeding.

23. Termination.

a. Notwithstanding the provisions in Section 14 and 15, if Contractor should fail to make satisfactory progress toward the completion of work under this Agreement, or should fail to make prompt payment for any materials, or to make payment to any subcontractors or labor, or should fail to comply with any applicable laws, rules or regulations, or otherwise violate any other provisions of this Agreement, then the Oneida Nation may immediately terminate this Agreement in part or in whole with written notice to Contractor. In the event of termination, the Oneida Nation may have the work completed by another contractor and may deduct the cost of completing the work from Contractor's Agreement Sum, and Contractor shall not have any further obligations to perform any work under this agreement. All warranties and indemnification shall survive this agreement.

b. Notwithstanding the provisions contained in this section, Oneida Nation shall otherwise have the right to terminate this Agreement with at least ten (10) business days' written notice to Contractor. The Oneida Nation shall then pay Contractor a proportionate amount of the Agreement Sum for the work completed, and Contractor shall not have any further obligations for any work performed under this Agreement.

24. Other Terms and Conditions; Miscellaneous.

a. The failure to insist upon performance of any term or condition of this Agreement, or to exercise any right or remedy shall not constitute a waiver of such term or condition. The waiver of any breach of any provision of this Agreement shall not be deemed a continuing waiver, and no delay in exercise of a right shall constitute a waiver.

b. This Agreement shall be construed and interpreted in accordance with the laws of the project location, without giving effect to any conflicts or choice of law principles. Any rule of construction that a document is to be construed against the drafting party shall not apply.

c. Nothing in this Agreement or attachments shall constitute or be construed as a waiver, express or implied, of the sovereign immunity of the Oneida Nation.

d. Nothing in this Agreement shall be construed to create a partnership or joint venture between the Oneida Nation and Contractor.

e. Contractor may not assign its rights and interests in this agreement without the Oneida Nation's express written consent. Any violation of this provision will be cause for immediate termination of this Agreement.

f. The section headings contained herein are for convenience of reference only and are not intended to define, limit, or describe the scope or intent of any provision of this Agreement. The section headings shall not be used in interpreting this agreement.

g. This Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original and which shall together constitute one and the same Agreement.

h. This Agreement and any attachments hereto constitute the entire understanding and agreement between the parties. No modifications or amendments to this Agreement shall be binding unless made in writing between the parties.

i. The invalidity of any part of this Agreement shall not affect the remaining parts hereof.

j. In the event of any inconsistency or conflict between the Terms and Conditions of this Agreement and any attachments hereto, and any other terms and conditions not contained in this Agreement, this Agreement shall control.

25. Notices. All notices required by this Agreement will be in writing and sent in any commercially reasonable manner, including certified mail, return receipt requested, facsimile, or any other customary means of communication to the other party's representative at the applicable mailing address set forth below. Notices to the Oneida Nation shall be sent to the attention of person named below. Notices to Contractor shall be sent to the attention of the person named below. The effective

date of any Notice shall be the date of personal service or three days after mailing. Any notice given otherwise than in accordance with this Article shall be deemed ineffective. Either party may change representative or address by written notice to the other party.

ONEIDA NATION:

Oneida Nation
Attn: Jonathan Habeck
Project Manager
Post Office Box 365
Oneida, WI 54155

OAK HAVEN FENCING, LLC:

Oak Haven Fencing, LLC
Timothy Leinbach
Owner
W3575 Cumberland Drive
Berlin, WI 54923

IN WITNESS WHEREOF, Oneida Nation and Contractor have executed this Agreement on the date below.

ONEIDA NATION:

By: _____
Jonathan Habeck
Project Manager
Date: _____

CONTRACTOR:

By: _____
Timothy Leinbach
Owner
Date: _____

Environmental Health & Safety Division



A good mind. A good heart. A strong fi

EXHIBIT A
Oak Haven Fencing LLC
Oneida Nation Farm Fencing
And
State Farm Fencing

1. **Purpose & Objectives:** Purpose of this project is to install fencing at both the State Farm and Oneida Nation Farm.
2. **Scope:** See Attachment Construction Plans
3. **Location:** These projects are located at 3101 -3233 N County Line Road, Oneida WI for the State Farm Fencing and N6010 County Road C, Seymour, WI.
4. **Time and Price Commitment: Start Date:** August 21, 2017; **End Date:** December 29, 2017. Total cost of this contract not to exceed \$193,913.55.
5. **Payment Schedule:** Oak Haven Fencing, LLC invoices shall contain all relevant information including, Oneida purchase order numbers and Project Manager's name. All invoices must contain an itemized list of charges. Invoices should be sent to the following address: **Oneida Environmental, Health and Safety Division, Attn: Brenda Skenandore, P.O. Box #365, N7332 Water Circle Place, Oneida, WI, 54155.** All invoice amounts payable to Oak Haven Fencing, LLC under this agreement shall be payable within thirty (30) days of Oneida's receipt of invoice.
6. **Oneida's Role:** All final decisions shall be subject to the approval of Jonathan Habeck, Project Manager.

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 Special E-Poll approving the Oak Haven Fencing Contract with the Environmental Health and Safety Department

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**Finance Administration**

P.O. Box 365 • Oneida, WI 54155

Phone: 920- 869-4325

FAO@oneidanation.org**MEMORANDUM**

To: Oneida Finance Committee
Fr: Denise Vigue, Executive Assistant-Finance
Dt: September 13, 2017
Re: **FC Special E-Poll Results – Oak Haven Fencing**

This Special E-Poll was approved by the Finance Committee on 9/12/17. Request is for:

Approval of Oak Haven Fencing contract in the amount of \$193,913.55 as requested by the Oneida Environmental Health and Safety Department for construction of perimeter and interior fencing for the Oneida Nation Beef Farm and the State Farm grazing projects.

E-POLL RESULTS:

There was a Majority - 4 YES votes from Daniel Guzman King, Chad Fuss, Jennifer Webster and Wesley Martin, Jr. to approve the Oak Haven Fencing contract in the amount of \$193, 913.55.

This concludes the Finance Committee Special E-poll. The information will be forwarded to the Business Committee for official approval. This item will also be placed on the FC agenda of Sept. 18, 2017 to ratify this Special E-Poll action.

Thank You

Finance Committee By-Laws excerpt:

Article III. Meetings

3-6. Voting

(c) Telephone and e-mail polls may be allowed by authority of the (Finance Committee) Chairperson. Polls must be sent to all Finance Committee members with a quorum responding.

Environmental Health & Safety Division



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

To: Treasure

In 2010 President Obama started an initiative for the protections and restoration of waters that flow into the great lakes. This program is called the Great Lakes Restoration Initiative (GLRI). To date the Oneida Non-point program has applied for and received over 2.2 million dollars of GLRI funding and expecting an additional 1.2 million dollars in the next 18 months. Each year the Oneida Non-point Program uses these dollars to help protect the surface waters of the reservation in various forms. One of the largest contributors of pollution to the surface waters of the reservation is poorly managed row cropped fields. One of the best ways to reduce sediment, phosphorus and other agricultural pollution from entering the surface waters is to have a continuous living cover on the land. Well managed rotational grazing allows for the continuous cover of the land while still being utilized, and receiving payment for, under the ag leasing system. The two projects that are up for approval are the phase 3 of the Oneida Nation Farm (ONF) Grazing project and the State Farm Grazing Project.

The ONF Grazing Project will convert 87 acres of previously row cropped farm fields located off of County EE between existing ONF pastures off Vine Rd and County C. These additional grazing lands will help provide enough summer feed for the existing herd size at the ONF while protecting the surface water that runs adjacent to the property. These additional acres will also build efficiency into the ONFs rotation by completing a circle around the existing woods where it currently takes ONF staff 4-5 hours to move cattle from the corner of EE and Vine Rd to the pasture near the intersection of EE and C. The fencing portion of this project will include a 4 strand high tensile exterior fence and break up the interior into smaller paddock with a single strand high tensile wire where the cattle can be easily move every 1-2 days.

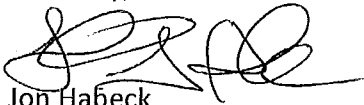
The State Farm Grazing Project was developed and approved by Land Commission to protect the newly developed Trout Creek stream corridor that run though the center of the former state farm property and to utilize the animals to maintain the approved 400 acres 2.2 million dollar contract under the Agricultural Conservation Easement Program (ACEP), wetland and upland complex to the north side of Trout Creek. This project will convert the remaining 520 acres of row crops of the former state farm to grazing. The Deitrich Farm agreed to utilize the land for grazing of their dairy heifers and signed a specific lease saying as much. The fencing portion of this project will include a 4 strand high tensile exterior fence and break up the interior into smaller paddock with a single strand high tensile wire where the cattle can be easily move 12-24 hours. Over \$40,000.00 has already been spent on the project to plant a specific grass mix for grazing over the 520 acres. Without the fence the Dietrich's will not be able follow their grazing lease and thus putting the \$200.00 per acre lease payments in jeopardy this year and next.

Both of these projects have signed Natural Resource Conservation Service (NRCS) contracts, which means Oneida obligated to fix the resource concern of sediment getting into the surface

waters of the reservation that Oneida and the NRCS says exists. With the signed contract the NRCS will help pay for the project and Oneida will receive \$26,773.00 for the fence on the ONF Grazing project and \$131,859.00 on the State Farm Grazing Project. The remain cost will be cover by a grant that the cost of \$6,985.00 for the ONF project and \$28,260.00 for the State Farm project will be cover from a grant received by Oneidas Non-point program through the BIA under the GLRI program.

With these projects, Oneida Nonpoint has small windows within the weather each summer to get the work done. These two projects will take 2-3 months to complete and where we are at now in the calendar year we are looking at the ground possible freezing before the project gets completed if we wait any longer. Resubmitting these projects would jeopardize them getting done before the contract deadline, and would also put the NRCS contract out of compliance by not starting the contract in the first year.

Sincerely,



Jon Habeck

Non-point Field Tech/Project Manager

PO /REQUISITION INFORMATION FORM

VENDOR NAME: Oak Haven Fencing LLC

contract approval
2017-0954**Description (Brief overview of what purchasing)**

We are requesting Oak Haven Fencing for the construction of perimeter and interior fencing for the Oneida Nation Beef Farm and the State Farm grazing projects..

NOTES (are to be included in the Header page):

Justification (assist approvers why purchasing item, general rule to answer WHO, WHAT, WHEN, WHERE, and HOW)	Oak Haven Fencing will be installing perimeter and interior fencing at the Oneida Nation Farm and the State Farm. The dates of this contract are August 21 through December 29, 2017. This will be paid for out of the 2017 GLRI Non-Point Grant.
Budgeted or Unbudgeted	Budgeted
3 bid/GSA – Quotes or GSA contract #	
Sole Source (Explain WHY the 3 bid was not used)	We sent out the Requests for bid to 19 contractors and only received 2 bids back.
Contract Start Date & End Date	August 21 through December 29, 2017
Grant #, if applicable	GLRI Non-Point

DETAIL PAGE INFORMATION:

Item Description (Specific description of what purchasing)	Installation of perimeter and interior fencing at the Oneida Nation Beef Farm and the State Farm.
Name & Title of Person Signing Contract	Jonathan Habeck
Quantity	2 Fencing Projects
Cost per unit	\$ 33,758.55 for the Oneida Nation Beef Fencing \$160.155.00 for the State Farm Fencing
Date Needed (MMDDYYYY)	August 21, 2017
Vendor ID	143954 Oak Haven Fencing, LLC
Deliver to	Brenda Skenandore
Budget Name	GLRI Non- Point

NOTE: If more space is needed for the items, please use the back of this page.

CONTRACT / PURCHASE APPROVAL REQUESTContacts

Date	8/31/17	Requested Review Date	9/5/17
Requestor's Name	Brenda Skenandore	Requestor's Phone #	869-4591
Business Unit Name	GLRI Non-Point	Area Director	Patrick Pelky
Business Unit Number	5230849	Executive Representative	Jonathan Habeck

Description of Contract (Include a summary of the contract as well as benefits associated from the contract)

Oak Haven Fencing LLC requisition is for 2 Fencing Projects. One is for the Oneida Nation Farm and the other is for the State Farm. This will be for installation for the perimeter and interior fencing for both projects.

Terms of the Contract

Supplier Name	Oak Haven Fencing, LLC	Vendor Number	143954
Item(s) Purchased	Fence Installation	Budgeted Purchase	<input checked="" type="radio"/> YES <input type="radio"/> NO
Total Commitment	\$193,913.55	Trade-in / Book Value	<input checked="" type="radio"/> N/A <input type="radio"/>
Shipping Costs	<input checked="" type="radio"/> N/A <input type="radio"/>	Legal Review Number	2017-0954
Contract Start Date	September 11, 2017	Contract End Date	December 29, 2017
Auto-renewal clause	<input type="radio"/> YES <input checked="" type="radio"/> NO	If Yes, Notice Period	
CAP EX Approval	<input type="radio"/> YES <input checked="" type="radio"/> NO <input type="radio"/> DATE	State License Current (Gaming Specific)	<input type="radio"/> YES <input type="radio"/> NO <input checked="" type="radio"/> N/A
CAP EX Line Item		Account Number	001-5230849-100-702125-000

Competitive Bid/Sole Source Justification (Include a summary of the selection criteria if other than price)

	Supplier Name	Bid Amount	Indian Preference	Sole Source
Bidder #1	Oak Haven Fencing, LLC	\$193,913.55		X
Bidder #2	Straight Line Fencing	\$198459.30		
Bidder #3				

Summary of selection criteria or sole source justification: The Requests for bids were sent to 19 Contractors and we only received 2 bids back. Oak Haven Fencing was the low bidder, so we chose them.

Approval / Review Dates	
Legal Review	8/7/17
Purchasing Review	8/7/17
Gaming Commission Review	NA
Cap-Ex Committee Approval	NA
Finance Committee Approval	

*For requests to the FC please refer to the FC FY12 scheduled meeting dates for submission deadlines.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 9 / 20 / 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:

Motion to approve travel report for travel to Indian Summer 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:

Cathy Bachhuber, Executive Assistant

Your Name, Title / Dept. or Tribal Member

Additional Requestor:

Name, Title / Dept.

Additional Requestor:

Name, Title / Dept.

BUSINESS COMMITTEE TRAVEL REPORT



Travel Report for: Ernest L. Stevens III

Travel Event: _____ Indian Summer

Travel Location: _____ Milwaukee, WI

Departure Date: _____ 09/08/2017 Return Date: _____ 09/10/2017

Projected Cost: _____ 669.54 Actual Cost: _____ 500.54

Date Travel was Approved by OBC: _____ 08/30/2017

Narrative/Background:

Attended the Indian Summer opening ceremonies and Tribal Leaders Welcome Reception. Attended Indian Summer events, Oneida Smoke Dancing event, pow wow, and lacrosse.

Item(s) Requiring Attention:

Approve travel and lodging in Milwaukee. Tickets provided.

Requested Action:

Motion to approve travel report for travel to Indian Summer September 8-10, 2017.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 09 / 27 / 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:

Please consider and approve 4 travelers form the Dental Department.

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: Anna Lemke, Dental Supervisor
Your Name, Title / Dept. or Tribal Member

Additional Requestor: Dr. William Stempski, Dental Director
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

See attached memo.

Article XVI. Department Travel

16-1. Departments will limit themselves to three (3) people from the same department to travel to the same conference, workshop, or seminar and are recommended to share any pertinent information they have with others from their department. Special occasions may develop that need additional personnel from the same department to attend, provided that written approval from the General Manager, Gaming General Manager or Oneida Business Committee is needed, with an explanation for the additional personnel. This will exclude departments that need training hours for specific certifications.

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



Memorandum

From: Anna Lemke, Dental Supervisor

To: Oneida Business Committee

CC: Dr. Lisa Frechette, acting Dental Director

Date: 9/12/2017

Subject: Travel Approval for (4) Employees

Justification: 2017 Oral Health Conference is geared toward the growth of intergration between oral health and the current health systems which is in support of the grant we have been awarded by Delta Dental

Estimated Costs:

Per Diem:	\$234.00
Lodging:	\$868.28
Registration:	\$420.00
Gas:	<u>\$60.00</u>
Total	\$1582.28

Destination: Stevens Point, WI
 Departure Date: 10/02/17
 Return Date: 10/4/17

Mailing Address: P.O. Box 365, Oneida, WI 54155
<https://oneida-nsn.gov/resources/health/>

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

525 Airport Rd., Oneida, WI 54155
 2640 West Point Rd., Green Bay, WI 54304
 2901 S. Overland Rd., Oneida, WI 54155
 701 Packerland Dr., Green Bay, WI 54303

Phone: (920) 869-2711 or 1-866-869-2711
 Phone: (920) 490-3790 or 1-888-490-2457
 Phone: (920) 869-2797
 Phone: (920) 405-4492

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

Oneida Business Committee Travel Request

1. OBC Meeting Date Requested: 09 / 27 / 17 e-poll requested

2. General Information:

Event Name: Tribal Caucus and Inter-Tribal Criminal Justice Coordinating Council Meetings

Event Location: Wisconsin Dells, WI Attendee(s): Lisa Summers

Departure Date: Sep 27, 2017 Attendee(s):

Return Date: Sep 28, 2017 Attendee(s):

3. Budget Information:

Funds available in individual travel budget(s)

Unbudgeted

Grant Funded or Reimbursed

Cost Estimate: 300.00

4. Justification:

Describe the justification of this Travel Request:

Both of these areas are assigned liaison responsibilities. Participation at these forums assist in continued efforts to advance policy items the exercise of Oneida's sovereignty goals. Additionally, Oneida is one of the facilitators for the CJCC.

5. Submission

Sponsor: Lisa Summers, Secretary

- 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

Tribal Caucus

AGENDA

Date
September 28, 2017

Time
9:30 AM - Noon

Place of Meeting
Ho-Chunk Gaming
Wisconsin Dells S3214
County Highway BD
Baraboo, WI
Upper Dells C room

+ Welcome & Introductions

+ Act 31

● Brian Jackson, WIEA

Consultation Meetings

● Review of agendas/items of concerns

- Tourism
- WHEDA
- DFI
- DHS
- DOA
- DOR

+ Early notification of proposed legislation & rules

+ Matrix

● Review and Update

+ Discussion on any new proposals

+ Future Meeting Date and Location

- November
- Oneida

+ Location announcement

+ Adjournment

Inter-Tribal Criminal Justice Council

A G E N D A

Date
September 28, 2017
Time
1:00 – 3:00 PM

Place of Meeting
Ho-Chunk Gaming
Wisconsin Dells S3214
County Highway BD
Baraboo, WI
Upper Dells C room

- + Welcome & Introductions
- + Violence Against Women (VAWA) Program and Policy Analyst with the Office of Crime Victim Services
 - o Shira Phelps, Department of Justice
- + Matrix
 - o Review and Update
- + Discussion on any new proposals
- + Future Meeting Date and location
 - o November
 - o Oneida
- + Adjournment

Mission Statement:

To coordinate, cooperate, and communicate criminal justice matters that affect Tribal communities in Wisconsin and provide solutions that create safer and healthier communities.



Statement of Effect

Continuing Budget Resolution – Fiscal Year 2018

Summary

This is a continuing budget resolution, which authorizes the Nation to continue to operate at Fiscal Year 2017 (FY17) levels until General Tribal Council (GTC) adopts the Nation's budget for Fiscal Year 2018 (FY18), which begins October 1, 2017.

While this resolution is in effect, and until the budget is adopted and information regarding the impact of the federal government budgeting process has been fully identified, "operations" are authorized to use their discretion in approving all expenditures.

The resolution also provides direction regarding operations' use of discretion for approving expenditures; by directing employees to this resolution, another adopted resolution, and to upcoming resolutions for guidance.

*Submitted by: Tani Thurner, Staff Attorney, Legislative Reference Office
September 20, 2017*

Analysis by the Legislative Reference Office

Each year, the OBC is responsible for preparing a budget plan for the Nation for the upcoming fiscal year. The budget plan is presented to GTC, which is ultimately responsible for adopting the Nation's budget for each fiscal year.

The Nation can only operate under an approved budget. If GTC does not adopt a budget for a fiscal year before that fiscal year starts, then operations can only continue if a Continuing Budget Resolution is adopted. [See 19th WHEREAS]. This resolution has been prepared to ensure operations continue if GTC does not adopt a FY18 budget for the Nation before October 1, 2017, which is the first day of FY18.

If the Nation does not adopt a budget by October 1, 2017, this Continuing Budget Resolution will go into effect on that date, and will remain in effect until GTC adopts the Nation's FY18 budget.

This FY18 Continuing Budget Resolution:

- Authorizes the Nation to continue to operate at FY17 levels, starting October 1, 2017, until GTC adopts the FY18 budget. Operations must use their discretion in approving all expenditures until a budget is formally adopted and information regarding the impact of the federal government budgeting processes has been fully identified.
- Provides direction regarding operations' use of discretion for approving expenditures; by directing employees to the following for guidance:
 - this resolution
 - the Oneida Nation Budget Contingency Plan Resolution #BC-09-13-17-A
 - upcoming resolutions regarding Strategic Work Planning/Workforce Level Assessments/FTE Caps, and
 - OBC 2017-2020 Strategic Goals in the decision making process.

OBC Responsibilities & Budget Strategy

This resolution identifies various actions taken by GTC which “adopted direction” regarding the duties and responsibilities of the OBC. Throughout the resolution, various actions taken by the Treasurer and/or OBC, are identified as having been taken in accordance with those responsibilities.

This resolution also states that on February 11, 2015 the OBC approved, by resolution, fiscal and financial goals for the Oneida Nation for the following three years. That resolution - among other things - identifies strategic directions, and places an emphasis on sustainability. The resolution identifies actions taken by the Treasurer that align with those strategic directions while developing the proposed FY18 budget; and states that the OBC desires to adopt a Continuing Budget resolution that aligns with one of those strategic directions, titled “Implementing ‘Good Governance’ Processes.”

Identifying Why the FY18 Budget Will Not Be Presented to GTC Before October 1, 2017

This resolution contains various findings that explain why a proposed FY18 budget will not be presented to GTC for adoption before FY18 starts on October 1, 2017. According to the resolution, the Treasurer had established timelines for developing the FY18 budget, to ensure it would be presented to GTC in September of 2017; but those timelines were then delayed due to:

- the June 2016 per capita action and resulting six-month delay in adopting the FY17 budget, and
- implementing the wage increase included in the FY17 budget.

These events caused a delay because they meant that existing programs used by HRD, Payroll and Accounting were unavailable to input budget information. Those programs were necessary to allow the Treasurer, CFO, and various other management personnel to analyze trends in expenses and savings – across 500 business units and thousands of individual lines of expenses - in order to properly prepare and balance a budget for FY18. [11th through 14th *WHEREAS*]

As a result, the Treasurer, CFO and Assistant CFO met and discussed timelines, but could not identify any process by which the budget could be developed, corrected and input into technical programs in time to present a budget to GTC in September 2017. [15th *WHEREAS*]

Conclusion

Adoption of a Continuing Budget Resolution is necessary to allow the Nation to continue operations until a budget for FY 2018 is adopted and it is within the authority of the OBC to take this type of action on an interim basis.

There are no legal bars to adopting this resolution.

ONEIDA LAW OFFICE

CONFIDENTIAL: ATTORNEY/CLIENT WORK PRODUCT

TO: Brenda L. Skenandore
Environmental Health & Safety

Use this number on future correspondence:

FROM: James R. Bittorf, Deputy Chief Counsel

2017-1157

DATE: September 25, 2017

RE: Brown County-Recycling Agreement-Amendment
VIII

JMB

<p><u>Purchasing Department Use</u> Contract Approved Contract Not Approved <i>(see attached explanation)</i></p>

JMB

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

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

- ✓ The document is in appropriate legal form. *(Execution is a management decision.)*
- ✓ Requires Business Committee approval prior to execution.

**BROWN COUNTY MUNICIPAL RECYCLING AGREEMENT
AMENDMENT VIII**

This amendment is intended to reaffirm the existing language set forth in the Municipal Recycling Agreement in order to establish eligibility for the 2018 Wisconsin Recycling Consolidation Grant.

The existing agreement is a cooperative agreement for the joint provision of recycling services including education and outreach, collection and transport of recyclables to a materials recovery facility, and performing comprehensive program planning.

The following Brown County Municipalities recognize the fact that they are Partner Communities with Brown County in the Municipal Recycling Agreement:

City of Green Bay	Town of Green Bay
City of DePere	Town of Holland
Village of Allouez	Town of Humboldt
Village of Ashwaubenon	Town of Lawrence
Village of Bellevue	Town of Ledgeview
Village of Hobart	Town of Pittsfield
Village of Howard	Town of Rockland
Village of Pulaski	Town of Scott
Village of Suamico	Town of Wrightstown
Village of Wrightstown	Oneida Nation

Oneida Nation (formerly the Oneida Tribe of Indians of WI)

By: _____

By: _____

Its: _____

Its: _____

Dated: _____

Dated: _____

BROWN COUNTY

By: _____

Its: _____

Dated: _____

REVISED COPY:
Switched ISD and Retail
schedules to allow time for
Retail to complete financials

OBC DIRECT REPORTS 2018 Reporting Schedule

Reporting at regular OBC meetings												
	FY-17 Q1 Report (Oct '17-Dec '17)		FY-17 Q 2 Report (Jan '18-Mar '18)		FY-17 Q 3 Report (Apr '18-Jun '18)		FY-17 Q 4 Report (Jul '18-Sep '18)					
	Submission Deadline	OBC Meeting Date	Submission Deadline	OBC Meeting Date	Submission Deadline	OBC Meeting Date	Submission Deadline	OBC Meeting Date	Submission Deadline	OBC Meeting Date		
Comp. Health	Jan 16	Jan 24	Apr 17	Apr 25	Jul 17	Jul 25	Oct 16	Oct 24				
Development	Jan 16	Jan 24	Apr 17	Apr 25	Jul 17	Jul 25	Oct 16	Oct 24				
Gov't Services	Jan 16	Jan 24	Apr 17	Apr 25	Jul 17	Jul 25	Oct 16	Oct 24				
Internal Svc.	Jan 16	Jan 24	Apr 17	Apr 25	Jul 17	Jul 25	Oct 16	Oct 24				
E.H. & S.	Feb 6	Feb 14	May 1	May 9	Jul 31	Aug 8	Nov 6	Nov 14				
Land	Feb 6	Feb 14	May 1	May 9	Jul 31	Aug 8	Nov 6	Nov 14				
Housing	Feb 6	Feb 14	May 1	May 9	Jul 31	Aug 8	Nov 6	Nov 14				
H.R.	Feb 6	Feb 14	May 1	May 9	Jul 31	Aug 8	Nov 6	Nov 14				
Retail	Feb 6	Feb 13 & 14	May 1	May 8 & 9	Jul 31	Aug 7 & 8	Nov 6	Nov 13 & 14				
Reporting to OBC via written report/e-mail												
Org. Dev. Spec.	Two times each month											
Emerg. Mgmt.	Two times each month											
Reporting at regular OBC meetings in Executive Session Only												
Chief Counsel	Each regular OBC meeting											
I.G.A. & C.	2 nd regular OBC meeting of the month											
	Submission Deadline	OBC Meeting Date	Submission Deadline	OBC Meeting Date	Submission Deadline	OBC Meeting Date	Submission Deadline	OBC Meeting Date	Submission Deadline	OBC Meeting Date	Submission Deadline	OBC Meeting Date
Gaming G.M.	Jan 16	Jan 24	Mar 20	Mar 28	May 15	May 23	Jul 17	Jul 25	Sep 18	Sep 26	Nov 20	Nov 28
C.F.O.	Feb 20	Feb 28	Apr 17	Apr 25	Jun 19	Jun 27	Aug 14	Aug 22	Oct 16	Oct 24	Dec 18	Dec 26

DRAFT: 2018 OBC Standing Meeting Schedule

HANDOUT FOR ITEM - IX.G.

January 2018

BLUE = Meetings of Business Committee and/or Officers
 GREY = Tentative dates of meetings, travel, etc.
 YELLOW = GTC
 RED = Holidays

January 2018							February 2018						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
7	8	9	10	11	12	13	4	5	6	7	8	9	10
14	15	16	17	18	19	20	11	12	13	14	15	16	17
21	22	23	24	25	26	27	18	19	20	21	22	23	24
28	29	30	31				25	26	27	28			

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Dec 31	Jan 1, 18	2	3	4	5	6
Dec 31 - Jan 6		8:00am 4:30pm Holiday-New Year's Day (Offices Closed)	10:00am 12:00pm Finance Committee (ECR) 1:30pm 3:30pm OBC Officers Meeting (ECR)	9:00am 2:00pm LOC (BCCR)	9:00am 12:00pm CDPC (BCCR) 11:00am 12:00pm Agenda Review (ECR)		
	7	8	9	10	11	12	13
Jan 7 - 13		8:30am 9:30am Operational Roundtable (ECR) 10:00am 11:30am FY19 IHP: Planning & Review (ECR)	8:30am 4:30pm BC Executive Session (ECR)	8:30am 4:30pm OBC Regular Meeting (BCCR)	8:30am 10:30am QoL (ECR) 2:00pm 4:30pm Audit (ECR)		
	14	15	16	17	18	19	20
Jan 14 - 20		10:00am 12:00pm Finance Committee (ECR)	8:30am 4:30pm OBC Work Session (ECR)	9:00am 2:00pm LOC (BCCR)	11:00am 12:00pm Agenda Review (ECR)		
	21	22	23	24	25	26	27
Jan 21 - 27		8:30am 9:30am Operational Roundtable (ECR)	8:30am 4:30pm BC Executive Session (ECR)	8:30am 4:30pm OBC Regular Meeting (BCCR)		8:30am 9:30am Comp. Health Update (ECR) 9:30am 10:30am GSD Update (ECR)	
	28	29	30	31	Feb 1	2	3
Jan 28 - Feb 3	10:00am 2:00pm Annual GTC (Radisson)						

DRAFT: 2018 OBC Standing Meeting Schedule

HANDOUT FOR ITEM - IX.G.

February 2018

BLUE = Meetings of Business Committee and/or Officers
 GREY = Tentative dates of meetings, travel, etc.
 YELLOW = GTC
 RED = Holidays

February 2018							March 2018								
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa		
4	5	6	7	8	1	2	3	4	5	6	7	8	1	2	3
11	12	13	14	15	16	17	11	12	13	14	15	16	17		
18	19	20	21	22	23	24	18	19	20	21	22	23	24		
25	26	27	28				25	26	27	28	29	30	31		

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Jan 28	29	30	31	Feb 1	2	3
Jan 28 - Feb 3							
	4	5	6	7	8	9	10
Feb 4 - 10		10:00am 12:00pm Finance Committee (ECR)	10:00am 12:00pm 1st Qtr Joint: OBC & Judiciary (Judiciary Bl 1:30pm 3:30pm OBC Officers Meeting (ECR)	9:00am 2:00pm LOC (BCCR)	9:00am 12:00pm CDPC (BCCR) 11:00am 12:00pm Agenda Review (ECR)		
	11	12	13	14	15	16	17
Feb 11 - 17		8:30am 9:30am Operational Roundtable (ECR)	8:30am 4:30pm BC Executive Session (ECR)	8:30am 4:30pm OBC Regular Meeting (BCCR)	8:30am 10:30am QoL (ECR) 2:00pm 4:30pm Audit (ECR)		
	18	19	20	21	22	23	24
Feb 18 - 24		10:00am 12:00pm Finance Committee (ECR) 6:00pm 10:00pm Backup Annual GTC (Radisson)	8:30am 4:30pm OBC Work Session (ECR)	9:00am 2:00pm LOC (BCCR)	11:00am 12:00pm Agenda Review (ECR)	8:30am 9:30am Comp. Health Update (ECR) 9:30am 10:30am GSD Update (ECR)	
	25	26	27	28	Mar 1	2	3
Feb 25 - Mar 3		8:30am 9:30am Operational Roundtable (ECR)	8:30am 4:30pm BC Executive Session (ECR)	8:30am 4:30pm OBC Regular Meeting (BCCR)			

DRAFT: 2018 OBC Standing Meeting Schedule

HANDOUT FOR ITEM - IX.G.

March 2018

BLUE = Meetings of Business Committee and/or Officers
 GREY = Tentative dates of meetings, travel, etc.
 YELLOW = GTC
 RED = Holidays

March 2018							April 2018						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
4	5	6	7	8	9	10	1	2	3	4	5	6	7
11	12	13	14	15	16	17	8	9	10	11	12	13	14
18	19	20	21	22	23	24	15	16	17	18	19	20	21
25	26	27	28	29	30	31	22	23	24	25	26	27	28
							29	30					

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Feb 25	26	27	28	Mar 1	2	3
Feb 25 - Mar 3					8:00am 4:30pm 1st Quarter Reports BC Session (BCCR)		
	4	5	6	7	8	9	10
Mar 4 - 10		National RES Conference 3/5-3/8 (Las Vegas, NV)					
		10:00am 12:00pm Finance Committee (ECR)	1:30pm 3:30pm OBC Officers Meeting (ECR)	9:00am 2:00pm LOC (BCCR) 3:00pm 5:00pm 1st Qtr Joint: OBC & LCC (ECR)	9:00am 12:00pm CDPC (BCCR) 11:00am 12:00pm Agenda Review (ECR) 1:30pm 2:00pm 1st Qtr OBC/OGC		
	11	12	13	14	15	16	17
Mar 11 - 17		8:30am 9:30am Operational Roundtable (ECR) 10:00am 11:30am FY19 IHP: Planning & Review (ECR)	8:30am 4:30pm BC Executive Session (ECR)	8:30am 4:30pm OBC Regular Meeting (BCCR)	8:30am 10:30am QoL (ECR) 2:00pm 4:30pm Audit (ECR)		
	18	19	20	21	22	23	24
Mar 18 - 24		10:00am 12:00pm Finance Committee (ECR)	8:30am 4:30pm OBC Work Session (ECR)	9:00am 2:00pm LOC (BCCR) 3:00pm 5:00pm 1st Qtr Joint: OBC & Trust Enrollment (ECR)	11:00am 12:00pm Agenda Review (ECR) 5:00pm 7:00pm Bi-Annual Joint: OBC & Land Commission	8:30am 9:30am Comp. Health Update (ECR) 9:30am 10:30am GSD Update (ECR)	
	25	26	27	28	29	30	31
Mar 25 - 31		8:30am 9:30am Operational Roundtable (ECR)	8:30am 4:30pm BC Executive Session (ECR)	8:30am 4:30pm OBC Regular Meeting (BCCR)		12:00pm 4:30pm Holiday-Good Friday (Offices Closed at Noon)	

DRAFT: 2018 OBC Standing Meeting Schedule

HANDOUT FOR ITEM - IX.G.

April 2018

BLUE = Meetings of Business Committee and/or Officers
 GREY = Tentative dates of meetings, travel, etc.
 YELLOW = GTC
 RED = Holidays

April 2018						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

May 2018						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Apr 1 - 7	Apr 1	2 10:00am 12:00pm Finance Committee (ECR)	3 1:30pm 3:30pm OBC Officers Meeting (ECR)	4 9:00am 2:00pm LOC (BCCR)	5 9:00am 12:00pm CDPC (BCCR) 11:00am 12:00pm Agenda Review (ECR)	6	7
	Apr 8 - 14	8	9 8:30am 9:30am Operational Roundtable (ECR)	10 8:30am 4:30pm BC Executive Session (ECR)	11 8:30am 4:30pm OBC Regular Meeting (BCCR)	12 8:30am 10:30am QoL (ECR) 2:00pm 4:30pm Audit (ECR)	13
Apr 15 - 21		15	16 10:00am 12:00pm Finance Committee (ECR)	17 8:30am 4:30pm OBC Work Session (ECR)	18 9:00am 2:00pm LOC (B)	19 11:00am 12:00pm AgebXU ...FYj JYk 'f97Fk'	20
	Apr 22 - 28	22	23 8:30am 9:30am Operational Roundtable (ECR)	24 8:30am 4:30pm BC Executive Session (ECR)	25 8:30am 4:30pm OBC Regular Meeting (BCCR)	26	27 8:30am 9:30am Comp. Health Update (ECR) 9:30am 10:30am GSD Update (ECR)
Apr 29 - May 5		29	30 10:00am 12:00pm Finance Committee (ECR)	May 1	2	3	4

DRAFT: 2018 OBC Standing Meeting Schedule

HANDOUT FOR ITEM - IX.G.

May 2018

BLUE = Meetings of Business Committee and/or Officers
 GREY = Tentative dates of meetings, travel, etc.
 YELLOW = GTC
 RED = Holidays

May 2018							June 2018						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
6	7	1	2	3	4	5	3	4	5	6	7	1	2
13	14	8	9	10	11	12	10	11	12	13	14	15	16
20	21	22	23	24	25	26	17	18	19	20	21	22	23
27	28	29	30	31			24	25	26	27	28	29	30

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Apr 29 - May 5	Apr 29	30	May 1	2	3	4	5
			10:00am 12:00pm 2nd Qtr Joint: OBC & Judiciary (Judiciary BI) 1:30pm 3:30pm OBC Officers Meeting (ECR)	9:00am 2:00pm LOC (BCCR)	9:00am 12:00pm CDPC (BCCR) 11:00am 12:00pm Agenda Review (ECR)		
May 6 - 12	6	7	8	9	10	11	12
		8:30am 9:30am Operational Roundtable (ECR)	8:30am 4:30pm BC Executive Session (ECR)	8:30am 4:30pm OBC Regular Meeting (BCCR)	8:30am 10:30am QoL (ECR) 2:00pm 4:30pm Audit (ECR)		
May 13 - 19	13	14	15	16	17	18	19
		10:00am 12:00pm Finance Committee (ECR)	8:30am 4:30pm OBC Work Session (ECR)	9:00am 2:00pm LOC (BCCR)	11:00am 12:00pm Agenda Review (ECR)	8:30am 9:30am Comp. Health Update (ECR) 9:30am 10:30am GSD Update (ECR)	
May 20 - 26	20	21	22	23	24	25	26
		8:30am 9:30am Operational Roundtable (ECR)	8:30am 4:30pm BC Executive Session (ECR)	8:30am 4:30pm OBC Regular Meeting (BCCR)	8:00am 4:30pm 2nd Quarter Reports BC Session (BCCR)	8:00am 4:30pm Holiday-Code Talker's Day (Offices Closed)	
May 27 - Jun 2	27	28	29	30	31	Jun 1	2
		8:00am 4:30pm Holiday-Memorial Day (Offices Closed)					

DRAFT: 2018 OBC Standing Meeting Schedule

HANDOUT FOR ITEM - IX.G.

June 2018

BLUE = Meetings of Business Committee and/or Officers
 GREY = Tentative dates of meetings, travel, etc.
 YELLOW = GTC
 RED = Holidays

June 2018						
Su	Mo	Tu	We	Th	Fr	Sa
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

July 2018						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	May 27	28	29	30	31	Jun 1	2
May 27 - Jun 2							
	3	4	5	6	7	8	9
Jun 3 - 9	NCAI Mid-Year Conference 6/3-6/6 (Kansas City, MO)				9:00am 12:00pm CDPC (BCCR)		
		10:00am 12:00pm Finance Committee (ECR)	1:30pm 3:30pm OBC Officers Meeting (ECR)	9:00am 2:00pm LOC (BCCR) 3:00pm 5:00pm 2nd Qtr Joing: OBC & LCC (ECR)	11:00am 12:00pm Agenda Review (ECR) 1:30pm 2:00pm 2nd Qtr Joint: OBC & OG7		
	10	11	12	13	14	15	16
Jun 10 - 16		8:30am 9:30am Operational Roundtable (ECR)	8:30am 4:30pm BC Executive Session (ECR)	8:30am 4:30pm OBC Regular Meeting (BCCR)	8:30am 10:30am QoL (ECR) 2:00pm 4:30pm Audit (ECR)		
	17	18	19	20	21	22	23
Jun 17 - 23		10:00am 12:00pm Finance Committee (ECR)	8:30am 4:30pm OBC Work Session (ECR)	9:00am 2:00pm LOC (BCCR)	11:00am 12:00pm Agenda Review (ECR) 3:00pm 5:00pm 2nd Qtr Joint: OBC & Trust Enrollment (EC)	8:30am 9:30am Comp. Health Update (ECR) 9:30am 10:30am GSD Update (ECR)	
	24	25	26	27	28	29	30
Jun 24 - 30		8:30am 9:30am Operational Roundtable (ECR)	8:30am 4:30pm BC Executive Session (ECR)	8:30am 4:30pm OBC Regular Meeting (BCCR)			

DRAFT: 2018 OBC Standing Meeting Schedule

HANDOUT FOR ITEM - IX.G.

July 2018

BLUE = Meetings of Business Committee and/or Officers
 GREY = Tentative dates of meetings, travel, etc.
 YELLOW = GTC
 RED = Holidays

July 2018							August 2018						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7	5	6	7	1	2	3	4
8	9	10	11	12	13	14	12	13	14	15	16	17	18
15	16	17	18	19	20	21	19	20	21	22	23	24	25
22	23	24	25	26	27	28	26	27	28	29	30	31	
29	30	31											

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	
Jul 1 - 7	Jul 1	2 10:00am 12:00pm Finance Committee (ECR)	3 9:00am 2:00pm LOC (BCCR) 1:30pm 3:30pm OBC Officers Meeting (ECR)	4 8:00am 4:30pm Holiday-Independence Day (Offices Closed)	5 9:00am 12:00pm CDPC (BCCR) 11:00am 12:00pm Agenda Review (ECR)	6	7	
Jul 8 - 14	8	9 8:30am 9:30am Operational Roundtable (ECR)	10 8:30am 4:30pm BC Executive Session (ECR)	11 8:30am 4:30pm OBC Regular Meeting (BCCR)	12 8:30am 10:30am QoL (ECR) 2:00pm 4:30pm Audit (ECR)	13	14	
Jul 15 - 21	15	16 10:00am 12:00pm Finance Committee (ECR)	17 NIGA Legislative Summit (Dates and Location TBD)		18 9:00am 2:00pm LOC (BCCR)	19 11:00am 12:00pm Agenda Review (ECR)	20	21
Jul 22 - 28	22	23 8:30am 9:30am Operational Roundtable (ECR)	24 8:30am 4:30pm BC Executive Session (ECR)	25 8:30am 4:30pm OBC Regular Meeting (BCCR)	26	27 8:30am 9:30am Comp. Health Update (ECR) 9:30am 10:30am GSD Update (ECR)	28	
Jul 29 - Aug 4	29	30 10:00am 12:00pm Finance Committee (ECR)	31	Aug 1	2	3	4	

DRAFT: 2018 OBC Standing Meeting Schedule

HANDOUT FOR ITEM - IX.G.

August 2018

BLUE = Meetings of Business Committee and/or Officers
 GREY = Tentative dates of meetings, travel, etc.
 YELLOW = GTC
 RED = Holidays

August 2018							September 2018						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4							1
5	6	7	8	9	10	11	2	3	4	5	6	7	8
12	13	14	15	16	17	18	9	10	11	12	13	14	15
19	20	21	22	23	24	25	16	17	18	19	20	21	22
26	27	28	29	30	31		23	24	25	26	27	28	29
							30						

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Jul 29	30	31	Aug 1	2	3	4
Jul 29 - Aug 4				9:00am 2:00pm LOC (BCCR)	9:00am 12:00pm CDPC (BCCR) 11:00am 12:00pm Agenda Review (ECR)		
	5	6	7	8	9	10	11
Aug 5 - 11		8:30am 9:30am Operational Roundtable (ECR) 1:30pm 3:30pm OBC Officers Meeting (ECR)	8:30am 4:30pm BC Executive Session (ECR)	8:30am 4:30pm OBC Regular Meeting (BCCR)	8:30am 10:30am QoL (ECR) 2:00pm 4:30pm Audit (ECR)		
	12	13	14	15	16	17	18
Aug 12 - 18		10:00am 12:00pm Finance Committee (ECR)	8:30am 4:30pm OBC Work Session (ECR)	9:00am 2:00pm LOC (BCCR)	11:00am 12:00pm Agenda Review (ECR) 1:30pm 3:30pm 3rd Qtr Joint: OBC & Judiciary (Judiciary Bl		
	19	20	21	22	23	24	25
Aug 19 - 25		8:30am 9:30am Operational Roundtable (ECR)	8:30am 4:30pm BC Executive Session (ECR)	8:30am 4:30pm OBC Regular Meeting (BCCR)	8:00am 4:30pm 3rd Quarter Reports BC Session (BCCR)	8:30am 9:30am Comp. Health Update (ECR) 9:30am 10:30am GSD Update (ECR)	
	26	27	28	29	30	31	Sep 1
Aug 26 - Sep 1							

DRAFT: 2018 OBC Standing Meeting Schedule

HANDOUT FOR ITEM - IX.G.

September 2018

BLUE = Meetings of Business Committee and/or Officers
 GREY = Tentative dates of meetings, travel, etc.
 YELLOW = GTC
 RED = Holidays

September 2018							October 2018						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
2	3	4	5	6	7	8	7	8	9	10	11	12	13
9	10	11	12	13	14	15	14	15	16	17	18	19	20
16	17	18	19	20	21	22	21	22	23	24	25	26	27
23	24	25	26	27	28	29	28	29	30	31			
30													

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Aug 26	27	28	29	30	31	Sep 1
8/26 - 31							
	2	3	4	5	6	7	8
9/2 - 7		8:00am 4:30pm Holiday-Labor Day (Offices Closed)	10:00am 12:00pm Finance Committee (ECR) 1:30pm 3:30pm OBC Officers Meeting (EC)	9:00am 2:00pm LOC (BCCR) 3:00pm 5:00pm 3rd Qtr Joining: OBC & LCC (ECR)	9:00am 12:00pm CDPC (BCCR) 11:00am 12:00pm Agenda Review (ECR) 1:30pm 2:00pm 3rd Qtr OBC/OGC		
	9	10	11	12	13	14	15
9/9 - 14		8:30am 9:30am Operational Roundtable (ECR)	8:30am 4:30pm BC Executive Session (ECR)	8:30am 4:30pm OBC Regular Meeting (BCCR)	8:30am 10:30am QoL (ECR) 2:00pm 4:30pm Audit (ECR)		
	16	17	18	19	20	21	22
9/16 - 21		10:00am 12:00pm Finance Committee (ECR)	8:30am 4:30pm OBC Work Session (ECR)	NIGA Mid-Year Conference 9/19-9/21 (Las Vegas, NV)			
				9:00am 2:00pm LOC (BCCR) 3:00pm 5:00pm 3rd Qtr Joint: OBC & Trust E	11:00am 12:00pm Agenda Review (ECR) 5:00pm 7:00pm Bi-Annual Joint: OBC		
	23	24	25	26	27	28	29
9/23 - 28		8:30am 9:30am Operational Roundtable (ECR)	8:30am 4:30pm BC Executive Session (ECR)	8:30am 4:30pm OBC Regular Meeting (BCCR)		8:30am 9:30am Comp. Health Update (ECR) 9:30am 10:30am GSD Update (ECR)	
	30	Oct 1	2	3	4	5	6
9/30 - 10/5							

DRAFT: 2018 OBC Standing Meeting Schedule

HANDOUT FOR ITEM - IX.G.

October 2018

BLUE = Meetings of Business Committee and/or Officers
 GREY = Tentative dates of meetings, travel, etc.
 YELLOW = GTC
 RED = Holidays

October 2018							November 2018						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
7	8	9	10	11	12	13	4	5	6	7	8	9	10
14	15	16	17	18	19	20	11	12	13	14	15	16	17
21	22	23	24	25	26	27	18	19	20	21	22	23	24
28	29	30	31				25	26	27	28	29	30	

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Sep 30	Oct 1	2	3	4	5	6
Sep 30 - Oct 6		NAFOA Fall Finance & Tribal Econ. Conference 10/1 10:00am 12:00pm Finance Committee (ECR)	1:30pm 3:30pm OBC Officers Meeting (ECR)	9:00am 2:00pm LOC (BCCR)	9:00am 12:00pm CDCP (BCCR) 11:00am 12:00pm Agenda Review (ECR)		
	7	8	9	10	11	12	13
Oct 7 - 13		8:30am 9:30am Operational Roundtable (ECR)	8:30am 4:30pm BC Executive Session (ECR)	8:30am 4:30pm OBC Regular Meeting (BCCR)	8:30am 10:30am QoL (ECR) 2:00pm 4:30pm Audit (ECR)		
	14	15	16	17	18	19	20
Oct 14 - 20		10:00am 12:00pm Finance Committee (ECR)	8:30am 4:30pm OBC Work Session (ECR)	9:00am 2:00pm LOC (BCCR)	11:00am 12:00pm Agenda Review (ECR)		
	21	22	23	24	25	26	27
Oct 21 - 27		8:30am 9:30am Operational Roundtable (ECR)	8:30am 4:30pm BC Executive Session (ECR)	8:30am 4:30pm OBC Regular Meeting (BCCR)	75th Annual NCAI Convention 10/21-10/26 (Denver, CO)		
						8:30am 9:30am Comp. Health Update (ECR) 9:30am 10:30am GSD Update (ECR)	
	28	29	30	31	Nov 1	2	3
Oct 28 - Nov 3							

DRAFT: 2018 OBC Standing Meeting Schedule

HANDOUT FOR ITEM - IX.G.

November 2018

BLUE = Meetings of Business Committee and/or Officers
 GREY = Tentative dates of meetings, travel, etc.
 YELLOW = GTC
 RED = Holidays

November 2018							December 2018						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3							1
4	5	6	7	8	9	10	2	3	4	5	6	7	8
11	12	13	14	15	16	17	9	10	11	12	13	14	15
18	19	20	21	22	23	24	16	17	18	19	20	21	22
25	26	27	28	29	30		23	24	25	26	27	28	29
							30	31					

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Oct 28	29	30	31	Nov 1	2	3
Oct 28 - Nov 3							
	4	5	6	7	8	9	10
Nov 4 - 10		10:00am 12:00pm Finance Committee (ECR)	10:00am 12:00pm 4th Qtr Joint: OBC & Judiciary (Judiciary Bl) 1:30pm 3:30pm OBC Officers Meeting (ECR)	9:00am 2:00pm LOC (BCCR)	9:00am 12:00pm CDPC (BCCR) 11:00am 12:00pm Agenda Review (ECR)		
	11	12	13	14	15	16	17
Nov 11 - 17	8:00am 4:30pm Holiday-Veteran's Day	8:00am 4:30pm Holiday-Veteran's Day *Observance* (Offices Closed)	8:30am 4:30pm BC Executive Session (ECR)	8:30am 4:30pm OBC Regular Meeting (BCCR)	8:30am 10:30am QoL (ECR) 2:00pm 4:30pm Audit (ECR)	8:30am 9:30am Comp. Health Update (ECR) 9:30am 10:30am GSD Update (ECR)	
	18	19	20	21	22	23	24
Nov 18 - 24		10:00am 12:00pm Finance Committee (ECR)	8:30am 4:30pm OBC Work Session (ECR)	9:00am 2:00pm LOC (BCCR) 11:00am 12:00pm Agenda Review (ECR)	8:00am 4:30pm Holiday-Thanksgiving Day (Offices Closed)	8:00am 4:30pm Holiday-Indian Day (Offices Closed)	
	25	26	27	28	29	30	Dec 1
Nov 25 - Dec 1		8:30am 9:30am Operational Roundtable (ECR)	8:30am 4:30pm BC Executive Session (ECR)	8:30am 4:30pm OBC Regular Meeting (BCCR)	8:00am 4:30pm 4th Quarter Reports BC Session (BCCR)		

DRAFT: 2018 OBC Standing Meeting Schedule

HANDOUT FOR ITEM - IX.G.

December 2018

BLUE = Meetings of Business Committee and/or Officers
 GREY = Tentative dates of meetings, travel, etc.
 YELLOW = GTC
 RED = Holidays

December 2018							January 2019						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
						1			1	2	3	4	5
2	3	4	5	6	7	8	6	7	8	9	10	11	12
9	10	11	12	13	14	15	13	14	15	16	17	18	19
16	17	18	19	20	21	22	20	21	22	23	24	25	26
23	24	25	26	27	28	29	27	28	29	30	31		
30	31												

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Nov 25	26	27	28	29	30	Dec 1
11/25 - 30							
	2	3	4	5	6	7	8
12/2 - 7		10:00am 12:00pm Finance Committee (ECR)	1:30pm 3:30pm OBC Officers Meeting (ECR)	9:00am 2:00pm LOC (BCCR) 3:00pm 5:00pm 4th Qtr Joint: OBC & LCC (ECR)	9:00am 12:00pm CDPC (BCCR) 11:00am 12:00pm Agenda Review (ECR) 1:30pm 2:00pm 4th Qtr OBC/OGC		
	9	10	11	12	13	14	15
12/9 - 14		8:30am 9:30am Operational Roundtable (ECR)	8:30am 4:30pm BC Executive Session (ECR)	8:30am 4:30pm OBC Regular Meeting (BCCR)	8:30am 10:30am QoL (ECR) 2:00pm 4:30pm Audit (ECR)		
	16	17	18	19	20	21	22
12/16 - 21		10:00am 12:00pm Finance Committee (ECR)	8:30am 4:30pm OBC Work Session (ECR)	9:00am 2:00pm LOC (BCCR)	11:00am 12:00pm Agenda Review (ECR) 3:00pm 5:00pm 4th Qtr Joint: OBC & Trust E		
	23	24	25	26	27	28	29
12/23 - 28		12:00pm 4:30pm Holiday-Christmas Eve (Offices Closed at Noon)	8:00am 4:30pm Holiday-Christmas Day (Offices Closed)	8:30am 4:30pm BC Executive Session (ECR)	8:30am 4:30pm OBC Regular Meeting (BCCR)	8:30am 9:30am Comp. Health Update (ECR) 9:30am 10:30am GSD Update (ECR)	
	30	31	Jan 1, 19	2	3	4	5
12/30 - 1/4							

HANDOUT FOR OPEN SESSION ITEM - XII.C.2. Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Resolution

Strategic Workforce Planning – Budget – Implementation for Oneida Nation

- 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; and
8
9 **WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section 1,
10 of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
11
12 **WHEREAS,** the General Tribal Council and Oneida Business Committee have supported the goals of
13 Indian preference in employment and adult education to provide employment
14 opportunities for Oneida Nation members since the adoption of the original Constitution in
15 the 1930s; and
16
17 **WHEREAS,** the initial employment opportunities arose from federal grants as well as management of
18 the limited resources of the Oneida Nation regarding land and woodcutting; and
19
20 **WHEREAS,** the Oneida Nation could expand its workforce and provide more opportunities for
21 employment as a result of the development retail stores, bingo, and finally gaming
22 operations which lead to an employee base reaching almost 3000 employees; and
23
24 **WHEREAS,** the Oneida Nation manages its operations based on federal funds through self-
25 governance contracts, grants, gaming revenues, retail revenues, corporate returns to the
26 Oneida Nation, and various program charges; and
27
28 **WHEREAS,** in 2008-2009 the Oneida Nation was affected by the downturn in the economy
29 experienced in the United States through the housing bubble and other financial collapse;
30 and
31
32 **WHEREAS,** Tribal Treasurers and Oneida Business Committees working closely with the program
33 and business operations of the Oneida Nation have worked diligently in reducing the
34 expenditures of the Oneida Nation to better match the reduced revenues from all sources
35 and still make programming, services and employment a priority; and
36
37 **WHEREAS,** the Oneida Business Committee has taken steps to review, re-organize, revise and
38 improve the organizations processes and culture such that on October 22, 2014, the
39 Oneida Business Committee formally approved the Strategic Workforce Planning project
40 and directed quarterly reporting on the status and direction of the project; and
41
42 **WHEREAS,** the Treasurer has notified the Oneida Business Committee of the ongoing budgeting and
43 funding issues surrounding employment levels and the support of the programs and
44 activities of the Oneida Nation and requested support for the three-year budget period
45 from FY 2016 to FY 2018; and
46

HANDOUT FOR OPEN SESSION ITEM - XII.C.2.

47 **WHEREAS,** the Oneida Business Committee adopted resolution # BC-12-09-15-A, *Guidance for*
48 *Implementing Fiscal Year 2012 Budget and Developing Fiscal Year 2017 and Fiscal Year*
49 *2018 Budget*, which adopted the “Four Strategic Directions and Seven Practical Visions”
50 agreed to by the Oneida Business Committee at that time, and many of those goals
51 related to creating a more sustainable future; and
52

53 **WHEREAS,** much of the work regarding sustainability (FY 2015), focused on the initiative set forth in
54 resolution # BC-02-11-15-A, *Budget Initiative for Fiscal Years 2016, 2017, and 2018*,
55 which supported and enhanced “efficient and sustainable public financial management
56 which was considered the key to promoting economic sustainability, good governance,
57 social progress and a rising standard of living for all enrolled Oneidas;” and
58

59 **WHEREAS,** the Treasurer, the Oneida Business Committee and the organization have utilized the
60 above guidance to develop the Oneida Nation’s budget and set goals for Fiscal Year
61 2018 which now require additional focus on right-sizing the organization to meet
62 programming and service demands as well as to work within the financial limits of the
63 Oneida Nation; and
64

65 **WHEREAS,** the Treasurer and the Oneida Business Committee have utilized employment caps, hiring
66 freezes, organizational approves through the executive team and Human Resources
67 Department and other methods to manage the cost of employment in the budget process;
68 and
69

70 **WHEREAS,** the Treasurer has identified that failing to move employment levels to be more in line with
71 financial limitations is necessary to meet budgeting needs in the future; and
72

73 **WHEREAS,** the Oneida Business Committee, in agreement with the Treasurer, has committed to both
74 long term Strategic Workforce Planning, short term workforce levels management, and
75 immediate term employment level caps to better organize the Oneida Nation’s resources
76 applied to employment and programming;
77

78 *Long-Term Planning Goal – Strategic Workforce Planning*

79 **NOW THEREFORE BE IT RESOLVED,** the Oneida Business Committee does hereby recommit to
80 Strategic Workforce Planning defined as a process used to define and optimize a workforce that can
81 execute the organization’s strategies, both today and in the future; strategic workforce planning is an
82 evolutionary process, where the business units within the organization are responsible for workforce
83 talent.
84

85 *Mid-Term Planning Goal – Workforce Level Assessments*

86 **BE IT FURTHER RESOLVED,** that the Oneida Business Committee does hereby commit to annual
87 Workforce Level Assessments, or Role Segmentation, that defines critical, core, supporting and
88 misaligned employment responsibilities within the organization that are rated on contribution and
89 importance in executing the strategies adopted by the Oneida Business Committee at the beginning of
90 this term.
91

92 *Immediate Action Goal – Employment Caps*

93 **BE IT FURTHER RESOLVED,** that until the Strategic Workforce Plans are implemented and Workforce
94 Level Assessments are completed, employee level caps will continue to be adopted for each fiscal year.
95 For fiscal year 2018, the workforce cap is identified as 2700 FTE, which is defined and calculated as
96 follows:

97 The full-time employees are counted as one position each.

98 The half-time employees are counted as each position X .75 or divided in half.

99 The part-time employees are counted as each position X .50.

100 The lay-offs, sub-reliefs and leave of absence are not counted.
101

HANDOUT FOR OPEN SESSION ITEM - XII.C.2.

102 *Reporting Deadlines and Delegated Authorities*

103 **BE IT FURTHER RESOLVED**, the following deadlines and responsibilities are set in place:

- 104 • *Strategic Workforce Plans*: Each Direct Report shall forward to the Organizational Development
- 105 Specialist a status report on their initial Strategic Workforce Plans, which shall include each
- 106 program or business unit, groups of programs or business units, and divisions, by November 1,
- 107 2017.
- 108 • *Workforce Level Assessments*: Each Direct Report shall forward to the Organizational
- 109 Development Specialist the FY2018 assessment by December 1, 2017.
- 110 • *Employee Cap*: The Human Resources Department Area Manager shall:
- 111 ○ report weekly on the FTE levels to all direct reports and to the Oneida Business
- 112 Committee.
- 113 ○ be authorized to place a hold on all position postings when the FTE cap has been met, at
- 114 all levels in the hiring process up to and including prohibition of delivering notice of
- 115 selection of a candidate after interviews; if a hold is placed on all position postings, notice
- 116 shall be provided to all direct reports of such hold, when the hold is likely to be lifted, and
- 117 to work with direct reports on how to respond to employee needs as well as potential
- 118 selected candidates.
- 119 ○ be authorized to grant exceptions to the FTE cap for Retail and Gaming operations to
- 120 hire in the event of the reaching the FTE cap, provided that Workforce Level
- 121 Assessments have been presented and exceptions granted shall be in accordance with
- 122 standard operating procedure "*Employee Full-Time Equivalency Tribal Work Standard.*"
- 123

124 **BE IT FINALLY RESOLVED**, the Oneida Business Committee finally directs that all direct reports are

125 expected to know and understand the objectives and budget initiatives regarding Strategic Workforce

126 Planning and Workforce Level Assessments, to create a more effective workforce based on Strategic

127 Workforce Planning, and to keep all levels of the operations informed regarding budgeting, financial and

128 employment levels of the Oneida Nation.



HANDOUT FOR OPEN SESSION ITEM - XII.C.2.

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



Statement of Effect

Strategic Workforce Planning – Budget – Implementation for Oneida Nation

Summary

This Resolution describes long term Strategic Workforce Planning, short term workforce levels management, and immediate term employment level caps to better organize the Oneida Nation's resources applied to employment and programming.

Submitted by: Clorissa N. Santiago, Staff Attorney, Legislative Reference Office

Date: September 26, 2017

Analysis by the Legislative Reference Office

This Resolution describes the Nation's long term Strategic Workforce Planning, short term workforce levels management, and immediate term employment level caps which will be used to better organize the Oneida Nation's resources applied to employment and programming.

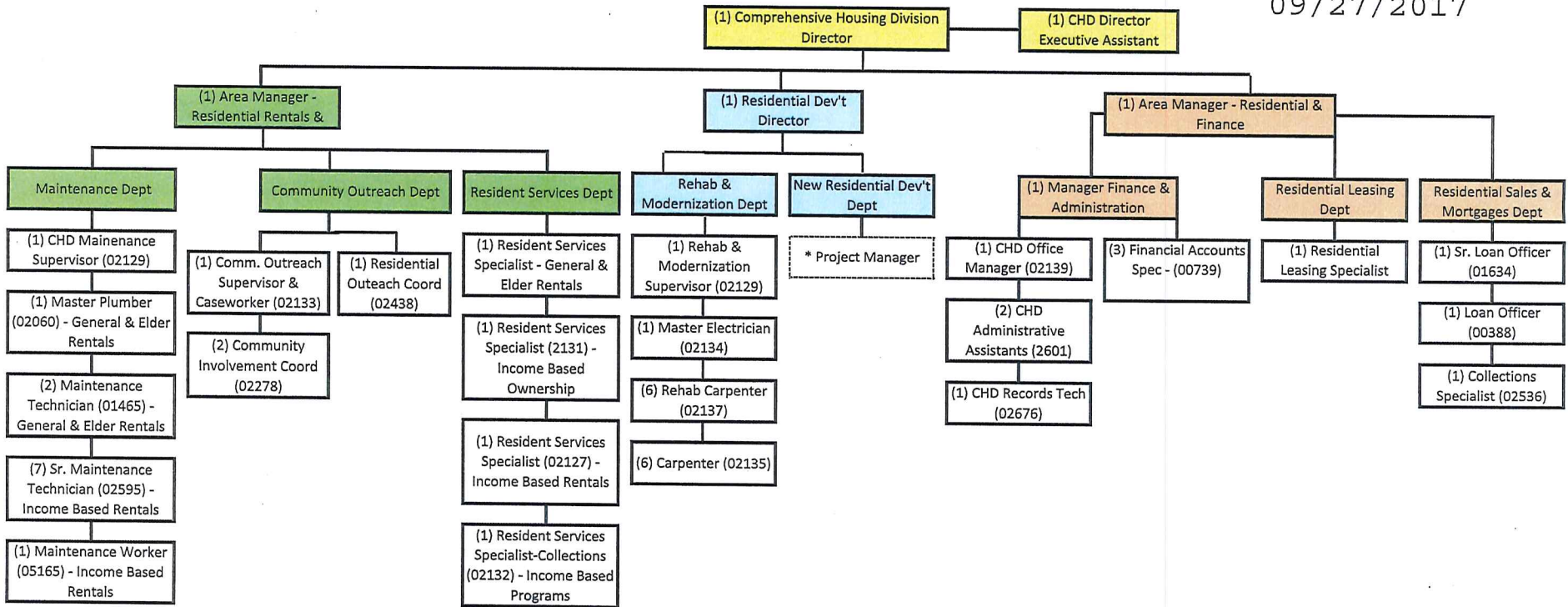
The Resolution sets forth the immediate goal of adopting employee level caps each year until the Strategic Workforce Plans are implemented and the Workforce Level Assessments are completed. The Resolution sets the fiscal year 2018 workforce cap at 2700 Full Time Employees (FTE). Based on information obtained from the Nation's Human Resources Department on September 26, 2017, the workforce of the Nation is currently comprised of 2592 full time employees, 71 half time employees, and 31 part time employees, which would result in a current workforce calculation of 2650.75 FTE.

The Resolution states that the Human Resources Department Area Manager shall be authorized to place a hold on all positions when the FTE cap has been met. If the Nation were to exceed the fiscal year 2018 FTE cap then the Nation's Layoff Policy, which was created to establish a fair, respectful policy for employee layoff and recall which enables Oneida Nation programs and enterprises to operate effectively and efficiently in varying economic conditions, may be utilized.

Conclusion

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

09/27/2017



Oneida Business Committee (OBC) approval of this organizational chart supersedes prior OBC action taken by motion at the November 13, 2013 meeting regarding Oneida Housing Authority management.

Business Committee Meeting
8:30 a.m. Wednesday, September 27, 2017
Thank you for printing clearly

Brad G Johnson

Bill Johnson

Leah Sue Dodge

Frank Cannon

Lori Elm

Nicole Rommel

Troy D. Park

Bonnie Pignatelli

C. J. [Signature]