

Oneida Business Committee



Executive Session
8:30 a.m. Tuesday, May 8, 2018
Executive Conference Room, 2nd floor, Norbert Hill Center

Regular Meeting
8:30 a.m. Wednesday, May 9, 2018
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. Presentation of \$2,000,000 distribution to the Oneida Nation by Oneida ESC Group, LLC**
Sponsor: Lisa Summers, Secretary, and Ernie Stevens III, Councilman

III. ADOPT THE AGENDA

IV. OATHS OF OFFICE

- A. Oneida Nation School Board** – Shannon Metoxen

V. MINUTES

- A. Approve corrected April 11, 2018, regular meeting minutes**
Sponsor: Lisa Summers, Secretary
- B. Approve April 25, 2018, regular meeting minutes**
Sponsor: Lisa Summers, Secretary

VI. RESOLUTIONS

- A. Adopt resolution entitled Real Property Law Amendments**
Sponsor: David P. Jordan, Councilman

VII. STANDING COMMITTEES**A. COMMUNITY DEVELOPMENT PLANNING COMMITTEE *(No Requested Action)*****B. FINANCE COMMITTEE**

Chair: Trish King, Treasurer

1. Approve April 30, 2018, Finance Committee meeting minutes

C. LEGISLATIVE OPERATING COMMITTEE

Chair: David P. Jordan, Councilman

1. Accept April 18, 2018, Legislative Operating Committee meeting minutes
2. Adopt Leasing law emergency rule # 1 – Residential Leasing

D. QUALITY OF LIFE COMMITTEE *(No Requested Action)***VIII. APPOINTMENTS**

- A. Appoint three (3) applicants to Southeastern Oneida Tribal Services Advisory Board
Sponsor: Tehassi Hill, Chairman

IX. TABLED BUSINESS *(No Requested Action)***X. UNFINISHED BUSINESS *(No Requested Action)*****XI. NEW BUSINESS**

- A. Approve Capital Improvement Process (CIP) concept paper – Cultural Heritage Site Restrooms – CIP # 16-001
Sponsor: Troy Parr, Division Director/Community and Economic Development

XII. TRAVEL**A. TRAVEL REPORTS *(No Requested Action)*****B. TRAVEL REQUESTS**

1. Approve travel request – Councilman Kirby Metoxen – 2018 Native American Tourism of Wisconsin (NATOW) Conference – Hayward, WI – June 10-13, 2018
2. Approve travel request in accordance with § 219.16-1 Oneida Travel and Expense Policy – Four (4) Individuals from each area: Comprehensive Housing Division; Environmental, Health, Safety & Land Division; Oneida Land Commission – 2018 Partners in Action Conference – Milwaukee, WI – July 17-19, 2018

XIII. OPERATIONAL REPORTS *(Scheduled times are subject to change)***A. Accept Public Works Division FY-2018 2nd quarter report (1:30 p.m.)**

Sponsor: Jacque Boyle, Division Director/Public Works

EXCERPT FROM APRIL 25, 2018: Motion by Brandon Stevens to defer the Public Works Division FY-2018 2nd quarter report to the May 9, 2018, regular Business Committee meeting, seconded by Trish King. Motion carried unanimously.

B. Accept Environmental, Health, Safety & Land Division FY-2018 2nd quarter report (2:00 p.m.)

Sponsor: Pat Pelky, Division Director/ Environmental, Health, Safety & Land

C. Accept Comprehensive Housing Division FY-2018 2nd quarter report (2:30 p.m.)

Sponsor: Dana McLester, Division Director/Comprehensive Housing

D. Accept Human Resources Department FY-2018 2nd quarter report (3:00 p.m.)

Sponsor: Geraldine Danforth, Area Manager/Human Resources Department

E. Accept Retail Enterprise FY-2018 2nd quarter report (3:30 p.m.)

Sponsor: Michele Doxtator, Area Manager/Retail Profits

XIV. 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 Frank Vandehei – E-polls****1. Accept financial analysis**

Sponsor: Larry Barton, Chief Financial Officer

B. Schedule Yvonne Metivier petition regarding FY-2019 Wage Increase

Sponsor: Lisa Summers, Secretary

C. Schedule Gladys Dallas petition regarding \$5,000 Per Capita payment

Sponsor: Lisa Summers, Secretary

D. Schedule Frank Vandehei petition regarding E-polls

Sponsor: Lisa Summers, Secretary

E. Reschedule December 9, 2018, special GTC meeting regarding FY-2019 – FY-2021 Budget to December 10, 2018

Sponsor: Trish King, Treasurer

F. Approve Meeting Minutes portion of 2018 Semi-annual GTC meeting materials

Sponsor: Lisa Summers, Secretary

XV. EXECUTIVE SESSION *(Scheduled times are subject to change)***A. REPORTS**

1. **Accept Public Works Division FY-2018 2nd quarter executive report** – Jacque Boyle, Division Director/Public Works **(8:30 a.m.)**

EXCERPT FROM APRIL 25, 2018: Motion by David P. Jordan to defer the Public Works Division FY-2018 2nd quarter executive report to May 9, 2018, regular Business Committee meeting, seconded by Trish King. Motion carried unanimously.
2. **Accept Environmental, Health, Safety & Land Division FY-2018 2nd quarter executive report** – Pat Pelky, Division Director/ Environmental, Health, Safety & Land **(9:00 a.m.)**
3. **Accept Comprehensive Housing Division FY-2018 2nd quarter executive report** – Dana McLester, Division Director/Comprehensive Housing **(9:30 a.m.)**
4. **Accept Human Resources Department FY-2018 2nd quarter executive report** – Geraldine Danforth, Area Manager/Human Resources Department **(10:00 a.m.)**
5. **Accept Retail Enterprise FY-2018 2nd quarter executive report** – Michele Doxtator, Area Manager/Retail Profits **(10:30 a.m.)**
6. **Accept Chief Counsel report** – Jo Anne House, Chief Counsel

B. STANDING ITEMS**1. LAND CLAIMS STRATEGY**

- a) **Defer action plan regarding original records to May 23, 2018, regular Business Committee meeting**
Sponsor: Lisa Summers, Secretary

EXCERPT FROM APRIL 25, 2018: Motion by David P. Jordan to defer the action plan regarding original records to the May 9, 2018, regular Business Committee meeting, seconded by Trish King. Motion carried unanimously.

EXCERPT FROM MARCH 14, 2018: Motion by Jennifer Webster to accept the Land Claims update and the recommendations #1 through #5 included in the update noting that discussion and consideration of item #1.a. be included in the action plan, seconded by Trish King. Motion carried unanimously.

2. ONEIDA GOLF ENTERPRISE CORPORATION – LADIES PROFESSIONAL GOLF ASSOCIATION

- a) **Accept Thornberry Creek LPGA Classic April 2018 report (11:00 a.m.)**
Liaison: Trish King, Treasurer
Submitted by: Josh Doxtator, Chief Operational Officer/Oneida Golf Enterprise Corporation

EXCERPT FROM APRIL 25, 2018: Motion by Kirby Metoxen to defer the Thornberry Creek LPGA Classic April 2018 report to the May 9, 2018, regular Business Committee meeting, seconded by Trish King. Motion carried unanimously.

3. LAND MORTGAGE FUNDS *(No Requested Action)***C. AUDIT COMMITTEE** *(No Requested Action)*

D. TABLED BUSINESS (No Requested Action)**E. UNFINISHED BUSINESS (No Requested Action)****F. NEW BUSINESS**

- 1. Review applications for three (3) vacancies – Southeastern Oneida Tribal Services Advisory Board**
Sponsor: Tehassi Hill, Chairman
- 2. Review Going Long Investor Deck and determine next steps**
Sponsor: Troy Parr, Division Director/Community & Economic Development
- 3. Assign team for tasks related to Strategic Workforce Plan and Triennial Strategic Plan**
Sponsor: Trish King, Treasurer
- 4. Accept DR10 resignation and review OBC Officer recommendation**
Sponsor: Tehassi Hill, Chairman; Brandon Stevens, Vice-Chairman; Lisa Summers, Secretary; and Trish King, Treasurer

XVI. ADJOURN

Posted on the Oneida Nation's official website, www.oneida-nsn.gov, at 4:30 p.m., Friday, May 4, 2018, pursuant to the Open Records and Open Meetings law (§ 107.14.)

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: 5 / 9 / 18

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 Business Committee to accept a \$2 million dollar distribution check presented by Oneida ESC Group, LLC.

3. Supporting Materials

Report Resolution Contract

Other:

1.

3.

2.

4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter: Cathy Bachhuber, Executive Assistant
Your Name, Title / Dept. or Tribal Member

Additional Requestor: Lisa Summers, Secretary
Name, Title / Dept.

Additional Requestor: Chris Cornelius, Executive Assistant
Name, Title / Dept.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 05 / 09 / 18

2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

Administer Oath of Office to Shannon Metoxen for the Oneida Nation School Board.

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: Brooke Doxtator, BCC Supervisor
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 School Board had a vacancy due to a lack of applicants during the 2017 General Election. According to their by-laws

Should a vacancy occur within the School Board, the following activities shall be undertaken to ensure the continuous operation of the Board in its charge to the School and the community:

If the highest non-elected candidate from the most recent election declines the position (there were not enough applicants from the most recent election), the Board shall publish its vacancy in the Kalihwisaks and ask for interested parents or community members. Upon deadline date, the School Board Chairperson will appoint, with School Board ratification, at the next regular School Board meeting.

Per the School Board minutes from April 2, 2018

School Board Chair, Debbie Danforth, appoints Shannon Metoxen to fulfill the parent position vacancy.

Yays for Shannon Metoxen: Melinda K. Danforth, Fred Muscavitch, RC Metoxen, Margaret Ellis, Todd Hill.

Yays for Latsi Hill: Fred Muscavitch, RC Metoxen

Yays for Fern Diamond: None

Yays for Paul Metoxen: None

Yays for Rita Madrid: None

This will be the second attempt to administer Shannon's oath as she was unable to attend the BC Meeting on April 25, 2018.

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

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 05 / 09 / 18

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 April 11, 2018, regular Business Committee meeting minutes, as corrected

3. Supporting Materials

Report Resolution Contract

Other:

1.

3.

2.

4.

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison:

Primary Requestor/Submitter: Submitted by: Lisa Liggins, 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

The Chairman has requested that these minutes be corrected in order to clarify and accurately reflect the first action taken regarding item XV.E.01. Namely, to correct "submitted by the Oneida Personnel Commission" to "submitted by members of the Oneida Personnel Commission".

This correction is being submitted in a timely manner in accordance with the BC Support Office SOP regarding the certification of OBC meeting minutes.

REQUESTED ACTION

Approve the April 11, 2018, regular Business Committee meeting minutes, as corrected

- 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

Redline to approved 4/11/2018 BC meeting minutes

D. TABLED BUSINESS (No Requested Action)**E. UNFINISHED BUSINESS****1. Review Chairman's recommendation regarding concern # 2018-CC-01 and determine next steps (00:10:55); (03:03:00); (03:08:40)**

Sponsor: Tehassi Hill, Chairman

EXCERPT FROM MARCH 28, 2018: (1) Motion by Brandon Stevens to accept concern # 2018-CC-01 in accordance with 105-6.5 of the Comprehensive Policy Governing Boards, Committees, and Commissions, seconded by David P. Jordan. Motion carried unanimously. (2) Motion by Brandon Stevens to defer concern # 2018-CC-01 to the Chairman's Office and for the Chairman to bring back a recommendation to the April 11, 2018, regular Business Committee meeting, seconded by David P. Jordan. Motion carried unanimously.



Motion by Lisa Summers to accept the recommendation of the Chairman and terminate the appointment under the authority of section 105.6-5, based on the documentation submitted by [members of](#) the Oneida Personnel Commission, seconded by Kirby Metoxen. Motion carried unanimously:

Ayes: Daniel Guzman King, Trish King, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Lisa Summers

Not Present: David P. Jordan, Jennifer Webster

Motion by Lisa Summers to defer this item to executive session for discussion, seconded by Kirby Metoxen. Motion carried unanimously:

Ayes: Daniel Guzman King, Trish King, Kirby Metoxen, Ernie Stevens III, Lisa Summers

Not Present: David P. Jordan, Brandon Stevens, Jennifer Webster

Motion by Lisa Summers to adopt resolution 04-11-18-A Dissolution of Personnel Commission, Tolling all Timelines in Personnel Related Matters, and Directing the Development of Emergency Amendments to Existing Laws, seconded by Kirby Metoxen. Motion carried unanimously:

Ayes: Daniel Guzman King, Trish King, Kirby Metoxen, Ernie Stevens III, Lisa Summers

Not Present: David P. Jordan, Brandon Stevens, Jennifer Webster

Motion by Lisa Summers to adopt resolution 04-11-18-B Creation of the Personnel Selection Committee, seconded by Kirby Metoxen. Motion carried unanimously:

Ayes: Daniel Guzman King, Trish King, Kirby Metoxen, Ernie Stevens III, Lisa Summers

Not Present: David P. Jordan, Brandon Stevens, Jennifer Webster

Motion by Lisa Summers that the Secretary coordinate any follow up correspondence regarding these two matters, seconded by Kirby Metoxen. Motion carried unanimously:

Ayes: Daniel Guzman King, Trish King, Kirby Metoxen, Ernie Stevens III, Lisa Summers

Not Present: David P. Jordan, Brandon Stevens, Jennifer Webster

Redline to approved 4/11/2018 BC meeting minutes

Motion by Lisa Summers to go into executive session at 11:38 a.m., seconded by Kirby Metoxen. Motion carried unanimously:

Ayes: Daniel Guzman King, Trish King, Kirby Metoxen, Ernie Stevens III, Lisa Summers

Not Present: David P. Jordan, Brandon Stevens, Jennifer Webster

Motion by Lisa Summers come out of executive session at 5:12 p.m., seconded by Ernie Stevens.

Motion carried unanimously:

Ayes: Daniel Guzman King, Trish King, Kirby Metoxen, Ernie Stevens III, Lisa Summers

Not Present: David P. Jordan, Brandon Stevens, Jennifer Webster

XVI. ADJOURN (03:12:23)

Motion by Ernie Stevens III to adjourn at 5:18 p.m., seconded by Trish King. Motion carried unanimously:

Ayes: Daniel Guzman King, Trish King, Kirby Metoxen, Ernie Stevens III, Lisa Summers

Not Present: David P. Jordan, Brandon Stevens, Jennifer Webster



Minutes prepared by Lisa Liggins, Information Management Specialist

Minutes approved as ~~presented on April 25, 2018~~ corrected on _____.

Lisa Summers, Secretary
ONEIDA BUSINESS COMMITTEE

Oneida Business Committee



Executive Session

8:30 a.m. Tuesday, April 10, 2018

Executive Conference Room, 2nd floor, Norbert Hill Center

Regular Meeting

8:30 a.m. Wednesday, April 11, 2018

BC Conference Room, 2nd floor, Norbert Hill Center

Minutes

EXECUTIVE SESSION

Present: Chairman Tehassi Hill, Vice-Chairman Brandon Stevens, Secretary Lisa Summers, Treasurer Trish King, Council members: Daniel Guzman King, Ernie Stevens III, Kirby Metoxen, Jennifer Webster;

Not Present: Councilmembers: David P. Jordan;

Arrived at: n/a

Others present: Jo Anne House, Lisa Liggins, Larry Barton, Nate King, Brad Toll, Louise Cornelius, Bob Barton;

REGULAR MEETING

Present: Chairman Tehassi Hill, Vice-Chairman Brandon Stevens, Secretary Lisa Summers, Treasurer Trish King, Council members: Daniel Guzman King, Ernie Stevens III, Kirby Metoxen;

Not Present: Councilmembers: David P. Jordan, Jennifer Webster;

Arrived at: n/a

Others present: Jo Anne House, Lisa Liggins, Larry Barton, Nancy Skenandore, Bonnie Pigman, Apache Danforth, Cheyenne Landru, Todd VanDen Heuvel, Nathan King, Brooke Doxtator, Mike Mousseau, Chad Johnson, Kateri Baker, Lorannen Smith, Alissa Santiago, Rosa Laster, Laura Laitinen-Warren, Karen Smith, Gina Buenrostro, Frank Vandehei, Debra Valentino, Kermit Valentino, Jessica Wallenfang, Mike Debraska, RC Metoxen, Candace House, Cathy L. Metoxen, Ed Delgado, Nancy Barton;

I. CALL TO ORDER AND ROLL CALL by Chairman Tehassi Hill at 8:33 a.m.

For the record: Councilman David P. Jordan is on vacation. Councilwoman Jennifer Webster is on approved travel to Indian Health Care Improvement fund (IHCIF) Workgroup Meeting in Denver, CO. Vice-Chairman Brandon Stevens will be leaving this morning on approved travel to Alliance for Boys and Men of Color Equity Summit – Chicago, IL.

II. OPENING by Chairman Tehassi Hill

III. ADOPT THE AGENDA (00:04:08)

Motion by Lisa Summers to adopt the agenda with four (4) requested changes [1) Delete item XV.B.2.a) Accept Oneida Golf Enterprise Corporation April 2018 report; 2) Add item XV.C.7. Accept final Vocational Rehabilitation Job Training performance assurance audit and lift confidentiality requirement; 3) Add item XV.F.4. Review Oneida Airport Hotel Corporation loan request; and 4) take action regarding part one of item XV.E.1. Review Chairman's recommendation regarding concern # 2018-CC-01 and determine next steps immediately following the Oaths of Office], seconded by Daniel Guzman King. Motion carried unanimously:

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

IV. OATHS OF OFFICE administered by Lisa Summers **(00:05:40)**

- A. **Oneida Pow-wow Committee** – Jeremy King (*not present*)
- B. **Anna John Resident Centered Care Community Board** – Candace House
- C. **Oneida Environmental Resource Board** – Megan White (*not present*)
- D. **Oneida Land Commission** – Michael J. Mousseau
- E. **Oneida Personnel Commission** – Donna Richmond (*not present*)
- F. **Oneida Nation Arts Board** – Susan Danforth (*not present*)
- G. **Oneida Airport Hotel Corporation – Board of Directors** – Kateri Baker
- H. **Bay Bancorporation Inc. – Board of Directors** – Todd VanDen Heuvel

V. MINUTES

- A. **Approve March 28, 2018, regular meeting minutes (00:12:04)**
 Sponsor: Lisa Summers, Secretary

Motion by Lisa Summers to approve the March 28, 2018, regular meeting minutes, seconded by Trish King. Motion carried unanimously:

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

VI. RESOLUTIONS (No Requested Action)**VII. STANDING COMMITTEES**

- A. **Community Development Planning Committee (No Requested Action)**
 Chair: Ernie Stevens III, Councilman

B. Finance Committee

Chair: Trish King, Treasurer

*Councilman Ernie Stevens III departs at 9:18 a.m.***1. Approve April 2, 2018, Finance Committee meeting minutes (00:12:34)**

Motion by Daniel Guzman King to approve the April 2, 2018, Finance Committee meeting minutes, seconded by Ernie Stevens III. Motion carried unanimously:

Ayes: Daniel Guzman King, Trish King, Kirby Metoxen, Brandon Stevens, Lisa Summers

Not Present: David P. Jordan, Ernie Stevens III, Jennifer Webster

*Councilman Ernie Stevens III returns at 9:20 a.m.***C. Legislative Operating Committee**

Chair: David P. Jordan, Councilman

1. Accept March 7, 2018, Legislative Operating Committee meeting minutes (00:45:20)

Motion by Lisa Summers to accept the March 7, 2018, Legislative Operating Committee meeting minutes, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: Daniel Guzman King, Trish King, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Lisa Summers

Not Present: David P. Jordan, Jennifer Webster

D. Quality of Life Committee (No Requested Action)

Chair: Brandon Stevens, Vice-Chairman

VIII. APPOINTMENTS**A. Appoint one (1) applicant to Oneida Election Board for remainder of term ending August 31, 2019 (00:45:46); (03:07:02)**

Sponsor: Lisa Summers, Secretary

Motion by Lisa Summers to defer this item to executive session for discussion, seconded by Kirby Metoxen. Motion carried unanimously:

Ayes: Daniel Guzman King, Trish King, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Lisa Summers

Not Present: David P. Jordan, Jennifer Webster

Motion by Ernie Stevens III to repost the vacancy on the Oneida Election Board for remainder of term ending August 31, 2019, seconded by Daniel Guzman King. Motion carried with one abstention:

Ayes: Daniel Guzman King, Trish King, Kirby Metoxen, Ernie Stevens III

Abstained: Lisa Summers

Not Present: David P. Jordan, Brandon Stevens, Jennifer Webster

IX. TABLED BUSINESS (No Requested Action)**X. UNFINISHED BUSINESS (No Requested Action)**

XI. NEW BUSINESS

Vice-Chairman Brandon Stevens departs for approved travel at 9:40 a.m.

Councilman Kirby Metoxen departs at 9:41 a.m.

Councilman Kirby Metoxen returns at 9:44 a.m.

A. Approve allocating 431 Hillcrest Drive garage space for use by Yukwatsistayl (00:48:34)

Sponsor: Trish King, Treasurer

Motion by Kirby Metoxen to support the efforts of Yukwatsistayl to obtain the lease for the garage space with the Oneida Land Commission, seconded by Trish King. Motion carried unanimously:

Ayes: Daniel Guzman King, Trish King, Kirby Metoxen, Ernie Stevens III, Lisa Summers

Not Present: David P. Jordan, Brandon Stevens, Jennifer Webster

Secretary Lisa Summers departs at 10:17 a.m.

Secretary Lisa Summers returns at 10:28 a.m.

B. Approve Presenting Partner level sponsorship of \$10,000 for 2018 Native American Tourism of Wisconsin Conference (01:36:23)

Sponsor: Kirby Metoxen, Councilman

Motion by Lisa Summers to send the 2018 Native American Tourism of Wisconsin Conference sponsorship request to the Finance Committee to come back with a recommendation on a sponsorship level and dollar amount, seconded by Kirby Metoxen. Motion carried unanimously:

Ayes: Daniel Guzman King, Trish King, Kirby Metoxen, Ernie Stevens III, Lisa Summers

Not Present: David P. Jordan, Brandon Stevens, Jennifer Webster

Councilman Ernie Stevens III departs at 10:31 a.m.

Councilman Kirby Metoxen departs at 10:31 a.m.

Councilman Kirby Metoxen returns at 10:35 a.m.

Councilman Ernie Stevens III returns at 10:37 a.m.

XII. TRAVEL**A. TRAVEL REPORTS****1. Approve travel report – Secretary Lisa Summers and Treasurer Trish King – 11th Annual Tribal Casino & Hotel Development Conference – Temecula, CA – March 25-28, 2018 (01:57:31)**

Motion by Kirby Metoxen to approve the travel report for Secretary Lisa Summers and Treasurer Trish King regarding travel to the 11th Annual Tribal Casino & Hotel Development Conference – Temecula, CA – March 25-28, 2018, seconded by Daniel Guzman King. Motion carried unanimously:

Ayes: Daniel Guzman King, Trish King, Kirby Metoxen, Ernie Stevens III, Lisa Summers

Not Present: David P. Jordan, Brandon Stevens, Jennifer Webster

B. TRAVEL REQUESTS**1. Approve travel request – Secretary Lisa Summers – 2018 Partners in Action – Milwaukee, WI – July 17-19, 2018 (02:04:35)**

Motion by Lisa Summers to approve the travel request for up to three (3) Oneida Business Committee members to attend the 2018 Partners in Action – Milwaukee, WI – July 17-19, 2018, seconded by Kirby Metoxen. Motion carried unanimously:

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

2. Approve travel request – Treasurer Trish King – Tribal Tax Advisory Committee – Washington DC – May 6-8, 2018 (02:06:20)

Motion by Kirby Metoxen to approve the travel request for Treasurer Trish King to attend the Tribal Tax Advisory Committee – Washington DC – May 6-8, 2018, noting the dates may change with the final agenda, seconded by Lisa Summers. Motion carried unanimously:

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

3. Approve travel request – Vice-Chairman Brandon Stevens – Haskell Spring Board of Regents Meeting – Lawrence, KS – May 15-18, 2018 (02:13:43)

Motion by Trish King to approve the travel request for Vice-Chairman Brandon Stevens to attend the Haskell Spring Board of Regents Meeting – Lawrence, KS – May 15-18, 2018, seconded by Kirby Metoxen. Motion carried with one abstention:

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

4. Enter e-poll results into the record in accordance with OBC SOP entitled Conducting Electronic Voting:

Sponsor: Lisa Summers, Secretary

a) Approved travel request – Councilman David P. Jordan – 36th NAFOA Annual Conference – New Orleans, LA – April 22-25, 2018 (02:20:11)

Motion by Kirby Metoxen to enter the e-poll results into the record in accordance with OBC SOP entitled Conducting Electronic Voting regarding the approved travel request for Councilman David P. Jordan to attend the 36th NAFOA Annual Conference – New Orleans, LA – April 22-25, 2018, seconded by Trish King. Motion carried unanimously:

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

XIII. OPERATIONAL REPORTS (No Requested Action)

XIV. GENERAL TRIBAL COUNCIL**A. Petitioner Yvonne Metivier – Treatment Clinic**

EXCERPT FROM FEBRUARY 28, 2018: Motion by Jennifer Webster to acknowledge receipt of petition; to send the verified petition to the Law, Finance, Legislative Reference, and Direct Report Offices' for legal, financial, legislative, and administrative analyses; to direct the Law, Finance, and Legislative Reference Office to submit their analyses to the Secretary within 60 days with a progress report to be submitted within 45 days; to direct the Direct Report Offices to submit administrative analyses to Secretary within 30 days, seconded by Brandon Stevens. Motion carried unanimously.

Councilman Kirby Metoxen departs at 10:58 a.m.
Councilman Kirby Metoxen returns at 11:02 a.m.

1. Accept legislative analysis 45-day status update (02:21:06)

Sponsor: David P. Jordan, Councilman

Motion by Lisa Summers to accept the legislative analysis 45-day status update, seconded by Kirby Metoxen. Motion carried unanimously:

Ayes: Daniel Guzman King, Trish King, Kirby Metoxen, Ernie Stevens III, Lisa Summers

Not Present: David P. Jordan, Brandon Stevens, Jennifer Webster

2. Accept legal analysis 45-day status update (02:34:12)

Sponsor: Jo Anne House, Chief Counsel

Motion by Lisa Summers to accept the legal analysis 45-day status update, seconded by Kirby Metoxen. Motion carried unanimously:

Ayes: Daniel Guzman King, Trish King, Kirby Metoxen, Ernie Stevens III, Lisa Summers

Not Present: David P. Jordan, Brandon Stevens, Jennifer Webster

3. Accept financial analysis 45-day update (02:34:47)

Sponsor: Larry Barton, Chief Financial Officer

Motion by Lisa Summers to accept the financial analysis 45-day status update, seconded by Kirby Metoxen. Motion carried unanimously:

Ayes: Daniel Guzman King, Trish King, Kirby Metoxen, Ernie Stevens III, Lisa Summers

Not Present: David P. Jordan, Brandon Stevens, Jennifer Webster

B. Approve four (4) actions re Petitioner Yvonne Metivier – FY 2019 Wage Increase (02:39:10)

Sponsor: Lisa Summers, Secretary

Motion by Lisa Summers to acknowledge receipt of petition, seconded by Brandon Stevens. Motion carried unanimously, seconded by Kirby Metoxen. Motion carried unanimously:

Ayes: Daniel Guzman King, Trish King, Kirby Metoxen, Ernie Stevens III, Lisa Summers

Not Present: David P. Jordan, Brandon Stevens, Jennifer Webster

Motion by Lisa Summers to send the verified petition to the Law, Finance, Legislative Reference, and Direct Report Offices' for legal, financial, legislative, and administrative analyses, seconded by Kirby Metoxen. Motion carried unanimously:

Ayes: Daniel Guzman King, Trish King, Kirby Metoxen, Ernie Stevens III, Lisa Summers

Not Present: David P. Jordan, Brandon Stevens, Jennifer Webster

Motion by Kirby Metoxen to direct the Law, Finance, and Legislative Reference Office to submit their analyses to the Secretary within 60 days with a progress report to be submitted within 45 days, seconded by Ernie Stevens III. Motion carried unanimously:

Ayes: Daniel Guzman King, Trish King, Kirby Metoxen, Ernie Stevens III, Lisa Summers

Not Present: David P. Jordan, Brandon Stevens, Jennifer Webster

Motion by Kirby Metoxen to direct the Direct Report Offices to submit administrative analyses to Secretary within 30 days, seconded by Lisa Summers. Motion carried unanimously:

Ayes: Daniel Guzman King, Trish King, Kirby Metoxen, Ernie Stevens III, Lisa Summers

Not Present: David P. Jordan, Brandon Stevens, Jennifer Webster

C. Approve May 12, 2018, reconvened GTC meeting notice and addendum (02:51:52); (03:07:40)

Sponsor: Lisa Summers, Secretary

Motion by Lisa Summers to defer this item to caucus, seconded by Daniel Guzman King. Motion carried unanimously:

Ayes: Daniel Guzman King, Trish King, Kirby Metoxen, Ernie Stevens III, Lisa Summers

Not Present: David P. Jordan, Brandon Stevens, Jennifer Webster

Motion by Lisa Summers to approve the May 12, 2018, reconvened GTC meeting notice and addendum with the identified and noted changes, seconded by Ernie Stevens III. Motion carried unanimously:

Ayes: Daniel Guzman King, Trish King, Kirby Metoxen, Ernie Stevens III, Lisa Summers

Not Present: David P. Jordan, Brandon Stevens, Jennifer Webster

XV. EXECUTIVE SESSION**A. REPORTS****1. Accept Chief Counsel report – Jo Anne House, Chief Counsel (02:58:57)**

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

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

2. Accept special Intergovernmental Affairs and Communications report – Nathan King, Director/ Intergovernmental Affairs and Communications (02:59:20)

Motion by Lisa Summers to accept the special Intergovernmental Affairs and Communications report and approve the Director's recommendation listed in the report, seconded by Kirby Metoxen. Motion carried unanimously:

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

B. STANDING ITEMS**1. LAND CLAIMS STRATEGY (No Requested Action)****2. ONEIDA GOLF ENTERPRISE CORPORATION – LADIES PROFESSIONAL GOLF ASSOCIATION****a) ~~Accept Oneida Golf Enterprise Corporation April 2018 report (Not Submitted)~~**

Item deleted at the adoption of the agenda

3. LAND MORTGAGE FUNDS**a) Accept update to Chief Financial Officer recommendation (02:59:51)**

Motion by Lisa Summers to accept the Chief Financial Officer recommendation as presented, seconded by Kirby Metoxen. Motion carried unanimously:

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

C. AUDIT COMMITTEE

Sponsor: David P. Jordan, Councilman

1. Accept February 15, 2018, Audit Committee meeting minutes (03:00:26)

Motion by Lisa Summers to accept the February 15, 2018, Audit Committee meeting minutes, seconded by Ernie Stevens III. Motion carried unanimously:

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

2. Accept final Oneida Police Department performance assurance audit and lift confidentiality requirement (03:00:44)

Motion by Kirby Metoxen to accept the final Oneida Police Department performance assurance audit and lift the confidentiality requirement, seconded by Lisa Summers. Motion carried unanimously:

Ayes: Daniel Guzman King, Trish King, Kirby Metoxen, Ernie Stevens III, Lisa Summers

Not Present: David P. Jordan, Brandon Stevens, Jennifer Webster

3. Accept final Tsyunhehkwa performance assurance audit and lift confidentiality requirement (03:01:03)

Motion by Lisa Summers to accept the final Tsyunhehkwa performance assurance audit and lift the confidentiality requirement, seconded by Kirby Metoxen. Motion carried unanimously:

Ayes: Daniel Guzman King, Trish King, Kirby Metoxen, Ernie Stevens III, Lisa Summers

Not Present: David P. Jordan, Brandon Stevens, Jennifer Webster

4. Accept Four Card Poker rules of play audit and lift confidentiality requirement (03:01:20)

Motion by Daniel Guzman King to accept the Four Card Poker rules of play audit and lift the confidentiality requirement, seconded by Lisa Summers. Motion carried unanimously:

Ayes: Daniel Guzman King, Trish King, Kirby Metoxen, Ernie Stevens III, Lisa Summers

Not Present: David P. Jordan, Brandon Stevens, Jennifer Webster

5. Accept final Gaming Custodial performance assurance audit and lift confidentiality requirement (03:01:42)

Motion by Kirby Metoxen to accept the final Gaming Custodial performance assurance audit and lift the confidentiality requirement, seconded by Daniel Guzman King. Motion carried unanimously:

Ayes: Daniel Guzman King, Trish King, Kirby Metoxen, Ernie Stevens III, Lisa Summers

Not Present: David P. Jordan, Brandon Stevens, Jennifer Webster

6. Accept final Custodial performance assurance audit and lift confidentiality requirement (03:02:04)

Motion by Kirby Metoxen to accept the final Custodial performance assurance audit and lift the confidentiality requirement, seconded by Lisa Summers. Motion carried unanimously:

Ayes: Daniel Guzman King, Trish King, Kirby Metoxen, Ernie Stevens III, Lisa Summers

Not Present: David P. Jordan, Brandon Stevens, Jennifer Webster

7. Accept final Vocational Rehabilitation Job Training performance assurance audit and lift confidentiality requirement (03:02:31)

Motion by Lisa Summers to accept the final Vocational Rehabilitation Job Training performance assurance audit and lift the confidentiality requirement, seconded by Kirby Metoxen. Motion carried unanimously:

Ayes: Daniel Guzman King, Trish King, Kirby Metoxen, Ernie Stevens III, Lisa Summers

Not Present: David P. Jordan, Brandon Stevens, Jennifer Webster

D. TABLED BUSINESS (No Requested Action)**E. UNFINISHED BUSINESS****1. Review Chairman's recommendation regarding concern # 2018-CC-01 and determine next steps (00:10:55); (03:03:00); (03:08:40)**

Sponsor: Tehassi Hill, Chairman

EXCERPT FROM MARCH 28, 2018: (1) Motion by Brandon Stevens to accept concern # 2018-CC-01 in accordance with 105-6.5 of the Comprehensive Policy Governing Boards, Committees, and Commissions, seconded by David P. Jordan. Motion carried unanimously. (2) Motion by Brandon Stevens to defer concern # 2018-CC-01 to the Chairman's Office and for the Chairman to bring back a recommendation to the April 11, 2018, regular Business Committee meeting, seconded by David P. Jordan. Motion carried unanimously.

Motion by Lisa Summers to accept the recommendation of the Chairman and terminate the appointment under the authority of section 105.6-5, based on the documentation submitted by members of the Oneida Personnel Commission, seconded by Kirby Metoxen. Motion carried unanimously:

Ayes: Daniel Guzman King, Trish King, Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Lisa Summers

Not Present: David P. Jordan, Jennifer Webster

Motion by Lisa Summers to defer this item to executive session for discussion, seconded by Kirby Metoxen. Motion carried unanimously:

Ayes: Daniel Guzman King, Trish King, Kirby Metoxen, Ernie Stevens III, Lisa Summers

Not Present: David P. Jordan, Brandon Stevens, Jennifer Webster

Motion by Lisa Summers to adopt resolution 04-11-18-A Dissolution of Personnel Commission, Tolling all Timelines in Personnel Related Matters, and Directing the Development of Emergency Amendments to Existing Laws, seconded by Kirby Metoxen. Motion carried unanimously:

Ayes: Daniel Guzman King, Trish King, Kirby Metoxen, Ernie Stevens III, Lisa Summers

Not Present: David P. Jordan, Brandon Stevens, Jennifer Webster

Motion by Lisa Summers to adopt resolution 04-11-18-B Creation of the Personnel Selection Committee, seconded by Kirby Metoxen. Motion carried unanimously:

Ayes: Daniel Guzman King, Trish King, Kirby Metoxen, Ernie Stevens III, Lisa Summers

Not Present: David P. Jordan, Brandon Stevens, Jennifer Webster

Motion by Lisa Summers that the Secretary coordinate any follow up correspondence regarding these two matters, seconded by Kirby Metoxen. Motion carried unanimously:

Ayes: Daniel Guzman King, Trish King, Kirby Metoxen, Ernie Stevens III, Lisa Summers

Not Present: David P. Jordan, Brandon Stevens, Jennifer Webster

F. NEW BUSINESS**1. Approve USDOT Partnership Agreement – file # 2018-0267 (03:03:40)**

Sponsor: David P. Jordan, Councilman

Motion by Lisa Summers to approve the USDOT Partnership Agreement – file # 2018-0267, seconded by Ernie Stevens III. Motion carried unanimously:

Ayes: Daniel Guzman King, Trish King, Kirby Metoxen, Ernie Stevens III, Lisa Summers

Not Present: David P. Jordan, Brandon Stevens, Jennifer Webster

2. Approve limited waiver of sovereign immunity – LexisNexis Time Matters annual maintenance agreement – file # 2018-0323 (03:04:03)

Sponsor: Jo Anne House, Chief Counsel

Motion by Kirby Metoxen to approve a limited waiver of sovereign immunity for the LexisNexis Time Matters annual maintenance agreement – file # 2018-0323, seconded by Lisa Summers. Motion carried unanimously:

Ayes: Daniel Guzman King, Trish King, Kirby Metoxen, Ernie Stevens III, Lisa Summers

Not Present: David P. Jordan, Brandon Stevens, Jennifer Webster

3. Review application(s) for one (1) vacancy – Oneida Election Board – remainder of term ending August 31, 2019 (03:04:28); (03:10:56)

Sponsor: Lisa Summers, Secretary

Motion by Lisa Summers to defer this item to executive session for discussion, seconded by Ernie Stevens III. Motion carried unanimously:

Ayes: Daniel Guzman King, Trish King, Kirby Metoxen, Ernie Stevens III, Lisa Summers

Not Present: David P. Jordan, Brandon Stevens, Jennifer Webster

Motion by Daniel Guzman King to accept the discussion regarding the applications for one (1) vacancy – Oneida Election Board – remainder of term ending August 31, 2019, as information, seconded by Ernie Stevens III. Motion carried one abstention:

Ayes: Daniel Guzman King, Trish King, Kirby Metoxen, Ernie Stevens III

Abstained: Lisa Summers

Not Present: David P. Jordan, Brandon Stevens, Jennifer Webster

4. Review Oneida Airport Hotel Corporation loan request (03:04:53); (03:11:52)

Sponsor: Trish King, Treasurer

Motion by Ernie Stevens III to defer this item to executive session for discussion, seconded by Kirby Metoxen. Motion carried unanimously:

Ayes: Daniel Guzman King, Trish King, Kirby Metoxen, Ernie Stevens III, Lisa Summers

Not Present: David P. Jordan, Brandon Stevens, Jennifer Webster

Motion by Lisa Summers to adopt resolution 04-11-18-C Capital Contribution to the Oneida Airport Hotel Corporation of \$1.7 Million, seconded by Ernie Stevens III. Motion carried unanimously:

Ayes: Daniel Guzman King, Trish King, Kirby Metoxen, Ernie Stevens III, Lisa Summers

Not Present: David P. Jordan, Brandon Stevens, Jennifer Webster

Motion by Lisa Summers to go into executive session at 11:38 a.m., seconded by Kirby Metoxen. Motion carried unanimously:

Ayes: Daniel Guzman King, Trish King, Kirby Metoxen, Ernie Stevens III, Lisa Summers

Not Present: David P. Jordan, Brandon Stevens, Jennifer Webster

Motion by Lisa Summers come out of executive session at 5:12 p.m., seconded by Ernie Stevens.

Motion carried unanimously:

Ayes: Daniel Guzman King, Trish King, Kirby Metoxen, Ernie Stevens III, Lisa Summers

Not Present: David P. Jordan, Brandon Stevens, Jennifer Webster

XVI. ADJOURN (03:12:23)

Motion by Ernie Stevens III to adjourn at 5:18 p.m., seconded by Trish King. Motion carried unanimously:

Ayes: Daniel Guzman King, Trish King, Kirby Metoxen, Ernie Stevens III, Lisa Summers

Not Present: David P. Jordan, Brandon Stevens, Jennifer Webster

Minutes prepared by Lisa Liggins, Information Management Specialist
Minutes approved as corrected on _____.

Lisa Summers, Secretary
ONEIDA BUSINESS COMMITTEE

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 05 / 09 / 18

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 April 25, 2018, regular Business Committee meeting minutes

3. Supporting Materials

Report Resolution Contract

Other:

1. <input type="text" value="4/25/18 regular BC meeting minutes DRAFT"/>	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: Lisa Liggins, 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, April 24, 2018

Executive Conference Room, 2nd floor, Norbert Hill Center

Regular Meeting

8:30 a.m. Wednesday, April 25, 2018

BC Conference Room, 2nd floor, Norbert Hill Center

Minutes**EXECUTIVE SESSION**

Present: Chairman Tehassi Hill, Treasurer Trish King, Council members: David P. Jordan, Daniel Guzman King, Ernie Stevens III;

Not Present: Secretary Lisa Summers, Councilwoman Jennifer Webster;

Arrived at: Vice-Chairman Brandon Stevens at 8:39 a.m., Councilman Kirby Metoxen at 8:58 a.m.;

Others present: Jo Anne House, Lisa Liggins, Ralinda Ninham-Lamberies, Laura Laitinen-Warren, George Skenandore, Kris Hill, Joanie Buckley, Troy Parr, Marc Schaffer, Nate King, Phil Wisneski, Chantré Smith, Jim Bittorf, Bobbi Webster, Debbie Danforth;

REGULAR MEETING

Present: Chairman Tehassi Hill, Vice-Chairman Brandon Stevens, Treasurer Trish King, Council members: David P. Jordan, Kirby Metoxen, Ernie Stevens III;

Not Present: Secretary Lisa Summers, Council members: Daniel Guzman King, Jennifer Webster;

Arrived at: n/a

Others present: Jo Anne House, Lisa Liggins, Geraldine Danforth, Nic Reynolds, Ralinda Ninham-Lamberies, Rae Skenandore, Barb Truttmann, Wayne Verheyen, Lambert Metoxen, Frank Cornelius, Richard Charniak, Christine Joly, Suzanne Lindberg, Mary Cowman, Louise Cornelius, Fawne Rasmussen, Theresa Torrez, Pamela Ninham, Theresa Murphy, Lee Ann Schuyler, Michelle Reed, Doreen Zayas, Georgianna Mielke, Tammy Umentum, Pat Lasilla, Dale Webster, Laura Manthe, Chad Wilson, Jessica Wallenfang, Bonnie Pigman, Ashley Blaker, Chris Johnson, Clorissa Santiago, Jen Falck, P. Melchert, Elijah Metoxen, Matt J. Denny, Brent Truttmann, Paul Witek, Susan White, Laura Cornelius, Carole Liggins, Dylan Benton, Dellora Cornelius, Carol Elm, Chris Cornelius, Nancy Barton, Cathy L. Metoxen, Brad Graham, William Graham, George Skenandore, Joanie Buckley, Richard Elm-Hill, Michelle Danforth-Anderson, Dawn Walschinski, Troy Parr, James Petitjean, Marlon Skenandore, Eugene Schubert, Laura Laitinen-Warren;

I. CALL TO ORDER AND ROLL CALL by Chairman Tehassi Hill at 8:32 a.m.

For the record: Secretary Summers and Councilwoman Jennifer Webster are on approved travel to the 2018 Tribal Self-Governance Annual Conference in Albuquerque, NM. Councilman Daniel Guzman King is on approved travel to the U.S.E.P.A. Region 5 Tribal Operations Committee Meeting in New Buffalo, MI.

DRAFT**II. OPENING** by Chairman Tehassi Hill**A. Special Recognition for years of service – Twenty-two (22) Oneida Nation employees (00:03:26)**

Sponsor: Geraldine Danforth, Area Manager/HRD

Special Recognition by Ralinda Ninham-Lamberies of Rae Skenandore (25 years of service); Special Recognition by Barb Truttmann of Wayne Verheyen (25 years of service); Special Recognition by Lambert Metoxen and Frank Cornelius of Richard Charniak, Christine Joly, Suzanne Lindberg, and Mary Cowman (25 years of service); Special Recognition by Louise Cornelius of Fawne Rasmussen (25 years of service); Special Recognition by Theresa Torrez and Pamela Ninham of Theresa Murphy (25 years of service); Special Recognition by Lee Ann Schuyler and Michelle Reed of Doreen Zayas (25 years of service); Special Recognition by Georgianna Mielke of Tammy Umentum (25 years of service); Special Recognition for the following individuals who could not be present: Jeffrey Prevost (35 years of service), Lori McNichols (25 years of service), Robert Appel (25 years of service), Richard King (25 years of service), Kerry Manthe (25 years of service), Tammy Rahmlow (25 years of service), Sandra Zuelke (25 years of service), James Powless (25 years of service), Lynn Szczepanski (25 years of service), Michael Jourdan (25 years of service), Luann King-Skenandore (25 years of service), James Burke (25 years of service);

III. ADOPT THE AGENDA (00:30:24)

Motion by Brandon Stevens to adopt the agenda with one (1) requested addition [item VI.I. Adopt resolution entitled Creation of the Business Unit 'Tribal Action Plan – Office' in the FY2018 Budget and Approving Allocation of Funding for that Purpose], seconded by Trish King. Motion carried unanimously:

Ayes: David P. Jordan, Trish King, Kirby Metoxen, Brandon Stevens, Ernie Stevens III

Not Present: Daniel Guzman King, Lisa Summers, Jennifer Webster

IV. OATHS OF OFFICE administered by Vice-Chairman Brandon Stevens (00:30:58)

- A. Oneida Nation Arts Board** – Susan Danforth
- B. Oneida Environmental Resource Board** – Megan White
- C. Oneida Pow-wow Committee** – Jeremy King
- D. Oneida Nation School Board** – Shannon Metoxen (*not present*)

V. MINUTES**A. Approve April 11, 2018, regular meeting minutes (00:34:01)**

Sponsor: Lisa Summers, Secretary

Motion by Trish King to approve the April 11, 2018, regular meeting minutes, with one noted correction [Page 2, under item III. Adopt the Agenda, correct "approve the agenda" to "adopt the agenda"], seconded by Kirby Metoxen. Motion carried with one abstention:

Ayes: Trish King, Kirby Metoxen, Brandon Stevens, Ernie Stevens III

Abstained: David P. Jordan

Not Present: Daniel Guzman King, Lisa Summers, Jennifer Webster

DRAFT**VI. RESOLUTIONS****A. Adopt resolution entitled Proclamation of Appreciation (00:34:55)**

Sponsor: Kirby Metoxen, Councilman

Motion by Kirby Metoxen to adopt resolution 04-25-18-A Proclamation of Appreciation, seconded by Trish King. Motion carried unanimously:

Ayes: David P. Jordan, Trish King, Kirby Metoxen, Brandon Stevens, Ernie Stevens III

Not Present: Daniel Guzman King, Lisa Summers, Jennifer Webster

B. Adopt resolution entitled Older Americans Month 2018 (00:42:38)

Sponsor: George Skenandore, Division Director/Governmental Services

Motion by Brandon Stevens to adopt resolution 04-25-18-B Older Americans Month 2018, seconded by David P. Jordan. Motion carried unanimously:

Ayes: David P. Jordan, Trish King, Kirby Metoxen, Brandon Stevens, Ernie Stevens III

Not Present: Daniel Guzman King, Lisa Summers, Jennifer Webster

C. Adopt resolution entitled Contribution to the Experience Greater Green Bay (00:43:25)

Sponsor: Nathan King, Director/ Legislative Affairs

Motion by David P. Jordan to adopt resolution 04-25-18-C Contribution to the Experience Greater Green Bay, seconded by Kirby Metoxen. Motion carried unanimously:

Ayes: David P. Jordan, Trish King, Kirby Metoxen, Brandon Stevens, Ernie Stevens III

Not Present: Daniel Guzman King, Lisa Summers, Jennifer Webster

D. Adopt resolution entitled Military Service Employee Protection Act Emergency Amendments (00:44:09)

Sponsor: David P. Jordan, Councilman

Motion by David P. Jordan to adopt resolution 04-25-18-D Military Service Employee Protection Act Emergency Amendments, seconded by Ernie Stevens III. Motion carried unanimously:

Ayes: David P. Jordan, Trish King, Kirby Metoxen, Brandon Stevens, Ernie Stevens III

Not Present: Daniel Guzman King, Lisa Summers, Jennifer Webster

E. Adopt resolution entitled Oneida Judiciary Rules of Civil Procedure Emergency Amendments (00:55:06)

Sponsor: David P. Jordan, Councilman

Motion by Brandon Stevens to adopt resolution 04-25-18-F Oneida Judiciary Rules of Civil Procedure Emergency Amendments, seconded by Ernie Stevens III. Motion carried unanimously:

Ayes: David P. Jordan, Trish King, Kirby Metoxen, Brandon Stevens, Ernie Stevens III

Not Present: Daniel Guzman King, Lisa Summers, Jennifer Webster

DRAFT**F. Adopt resolution entitled Oneida Personnel Policies and Procedures Emergency Amendments (00:45:43)**

Sponsor: David P. Jordan, Councilman

Motion by David P. Jordan to adopt resolution 04-25-18-E Oneida Personnel Policies and Procedures Emergency Amendments, seconded by Kirby Metoxen. Motion carried unanimously:

Ayes: David P. Jordan, Trish King, Kirby Metoxen, Brandon Stevens, Ernie Stevens III

Not Present: Daniel Guzman King, Lisa Summers, Jennifer Webster

G. Adopt resolution entitled Employee Protection Policy Emergency Amendments

Sponsor: David P. Jordan, Councilman (00:58:10)

Motion by Kirby Metoxen to adopt resolution 04-25-18-G Employee Protection Policy Emergency Amendments, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: David P. Jordan, Trish King, Kirby Metoxen, Brandon Stevens, Ernie Stevens III

Not Present: Daniel Guzman King, Lisa Summers, Jennifer Webster

H. Adopt resolution entitled Transition Plan for the Transfer of Hearing Authority from the Personnel Commission to the Judiciary – Trial Court (00:59:52)

Sponsor: David P. Jordan, Councilman

Motion by Brandon Stevens to adopt resolution 04-25-18-H Transition Plan for the Transfer of Hearing Authority from the Personnel Commission to the Judiciary – Trial Court, noting the addition of the appropriate resolution numbers in whereas number seven (7) and noting the date to be inserted into the final resolve is May 11, 2018, seconded by Ernie Stevens III. Motion carried unanimously:

Ayes: David P. Jordan, Trish King, Kirby Metoxen, Brandon Stevens, Ernie Stevens III

Not Present: Daniel Guzman King, Lisa Summers, Jennifer Webster

Councilman Ernie Stevens III departs 10:05 a.m.

Councilman Ernie Stevens III returns 10:07 a.m.

I. Adopt resolution entitled Creation of the Business Unit 'Tribal Action Plan – Office' in the FY2018 Budget and Approving Allocation of Funding for that Purpose (01:08:46)

Sponsor: Trish King, Treasurer

Motion by Trish King to adopt resolution 04-25-18-I Creation of the Business Unit 'Tribal Action Plan – Office' in the FY2018 Budget and Approving Allocation of Funding for that Purpose, seconded by Kirby Metoxen. Motion carried unanimously:

Ayes: David P. Jordan, Trish King, Kirby Metoxen, Brandon Stevens, Ernie Stevens III

Not Present: Daniel Guzman King, Lisa Summers, Jennifer Webster

DRAFT**VII. STANDING COMMITTEES****A. COMMUNITY DEVELOPMENT PLANNING COMMITTEE**

Chair: Ernie Stevens III, Councilman

1. Accept March 8, 2018, Community Development Planning Committee meeting minutes (01:41:27)

Motion by David P. Jordan to accept the March 8, 2018, Community Development Planning Committee meeting minutes, seconded by Trish King. Motion carried unanimously:

Ayes: David P. Jordan, Trish King, Kirby Metoxen, Brandon Stevens, Ernie Stevens III

Not Present: Daniel Guzman King, Lisa Summers, Jennifer Webster

B. FINANCE COMMITTEE

Chair: Trish King, Treasurer

1. Approve April 20, 2018, Finance Committee meeting minutes (01:41:53)

Motion by David P. Jordan to approve the April 20, 2018, Finance Committee meeting minutes, seconded by Kirby Metoxen. Motion carried unanimously:

Ayes: David P. Jordan, Trish King, Kirby Metoxen, Brandon Stevens, Ernie Stevens III

Not Present: Daniel Guzman King, Lisa Summers, Jennifer Webster

C. LEGISLATIVE OPERATING COMMITTEE

Chair: David P. Jordan, Councilman

1. Accept April 2, 2018, Legislative Operating Committee meeting minutes (01:42:13)

Motion by David P. Jordan to accept the April 2, 2018, Legislative Operating Committee meeting minutes, seconded by Trish King. Motion carried unanimously:

Ayes: David P. Jordan, Trish King, Kirby Metoxen, Brandon Stevens, Ernie Stevens III

Not Present: Daniel Guzman King, Lisa Summers, Jennifer Webster

2. Accept June 18, 2018, special GTC meeting materials – Employment Law (01:45:14)

Motion by Ernie Stevens III to accept the June 18, 2018, special GTC meeting materials – Employment Law, seconded by David P. Jordan. Motion carried unanimously:

Ayes: David P. Jordan, Trish King, Kirby Metoxen, Brandon Stevens, Ernie Stevens III

Not Present: Daniel Guzman King, Lisa Summers, Jennifer Webster

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

3. Adopt Domestic Animals law rule # 1 – Licensing Fees, Fines and Penalties (01:48:14)

Motion by David P. Jordan to adopt Domestic Animals law rule # 1 – Licensing Fees, Fines and Penalties, seconded by Ernie Stevens III. Motion carried unanimously:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Ernie Stevens III

Not Present: Daniel Guzman King, Trish King, Lisa Summers, Jennifer Webster

DRAFT**D. QUALITY OF LIFE COMMITTEE**

Chair: Brandon Stevens, Vice-Chairman

1. Accept March 15, 2018, Quality of Life Committee meeting minutes (01:50:06)

Motion by David P. Jordan to accept the March 15, 2018, Quality of Life Committee meeting minutes, seconded by Brandon Stevens. Motion carried unanimously:

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

VIII. APPOINTMENTS (No Requested Action)**IX. TABLED BUSINESS (No Requested Action)****X. UNFINISHED BUSINESS (No Requested Action)****XI. NEW BUSINESS**

Treasurer Trish King returns at 10:26 a.m.

A. Approve Capital Improvement Process (CIP) concept paper – ORCOA/ONCOA Elders Memorial Garden – CIP # 18-004 (01:50:32)

Sponsor: Troy Parr, Division Director/Community and Economic Development

Motion by David P. Jordan to approve the Capital Improvement Process (CIP) concept paper regarding the ORCOA/ONCOA Elders Memorial Garden – CIP # 18-004, seconded by Kirby Metoxen. Motion carried unanimously:

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

Councilman Kirby Metoxen departs at 10:42 a.m.

Councilman Kirby Metoxen returns at 10:44 a.m.

B. Review DarJune Foundation Inc. request and determine next steps (01:56:38)

Sponsor: Daniel Guzman King, Councilman

Motion by Brandon Stevens to support the efforts of DarJune Foundation Inc, support the Oneida Land Commission lease approval¹ on March 23, 2018, and request Risk Management to review for any liability concerns, seconded by Trish King. Motion carried unanimously:

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

¹ A lease was not approved by the Oneida Land Commission on March 23, 2018, but rather support of a one (1) year pilot project was given. Oneida Land Commission meeting minutes are available for review in accordance with §107.7 of the Open Records and Open Meetings law.

DRAFT**C. Approve OBC SOP entitled Employee Incentive Distribution for Business Committee Direct Reports and approve associated forms (02:20:18)**

Sponsor: Tehassi Hill, Chairman; Brandon Stevens, Vice-Chairman; Lisa Summers, Secretary; and Trish King, Treasurer

Motion by Trish King to approve the OBC SOP entitled Employee Incentive Distribution for Business Committee Direct Reports and approve the associated forms, seconded by Kirby Metoxen. Motion carried unanimously:

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

XII. TRAVEL**A. TRAVEL REPORTS (No Requested Action)****B. TRAVEL REQUESTS**

Councilman Ernie Stevens III departs at 11:06 a.m.

1. Approve travel request – Secretary Lisa Summers and one (1) BC Staff – Tribal Caucus and Inter-Tribal Criminal Justice Council Meeting – Hayward, WI – May 23-24, 2018 (02:33:52)

Motion by David P. Jordan to approve the travel request for Secretary Lisa Summers and one (1) BC Staff to attend the Tribal Caucus and Inter-Tribal Criminal Justice Council Meeting – Hayward, WI – May 23-24, 2018, seconded by Trish King. Motion carried unanimously:

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

(02:50:35)

Motion by David P. Jordan to recess at 11:23 a.m. and to reconvene at 1:30 p.m., seconded by Trish King. Motion carried unanimously:

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

Called to order by Chairman Tehassi Hill at 1:30 p.m.

Roll call for the record:

Present: Chairman Tehassi Hill, Vice-Chairman Brandon Stevens, Treasurer Trish King, Council members: David P. Jordan, Kirby Metoxen, Ernie Stevens III;

DRAFT**XIII. OPERATIONAL REPORTS****A. Accept Comprehensive Health Division FY-2018 2nd quarter report (02:51:13)**

Sponsor: Dr. Ravinder Vir, Division Director/Comprehensive Health Medical and Debra Danforth, Division Director/Comprehensive Health Operations

Motion by David P. Jordan to accept the Comprehensive Health Division FY-2018 2nd quarter report, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: David P. Jordan, Trish King, Kirby Metoxen, Brandon Stevens, Ernie Stevens III

Not Present: Daniel Guzman King, Lisa Summers, Jennifer Webster

B. Accept Governmental Services Division FY-2018 2nd quarter report (03:23:37)

Sponsor: George Skenandore, Division Director/Governmental Services

Motion by David P. Jordan to accept the Governmental Services Division FY-2018 2nd quarter report, seconded by Kirby Metoxen. Motion carried unanimously:

Ayes: David P. Jordan, Trish King, Kirby Metoxen, Brandon Stevens, Ernie Stevens III

Not Present: Daniel Guzman King, Lisa Summers, Jennifer Webster

C. Accept Internal Services Division FY-2018 2nd quarter report (03:49:15)

Sponsor: Joanie Buckley, Division Director/Internal Services

Motion by David P. Jordan to accept the Internal Services Division FY-2018 2nd quarter report, seconded by Brandon Stevens. Motion carried unanimously:

Ayes: David P. Jordan, Trish King, Kirby Metoxen, Brandon Stevens, Ernie Stevens III

Not Present: Daniel Guzman King, Lisa Summers, Jennifer Webster

D. Accept Community and Economic Development Division FY-2018 2nd quarter report (04:24:24)

Sponsor: Troy Parr, Division Director/Community and Economic Development

Motion by David P. Jordan to accept the Community and Economic Development Division FY-2018 2nd quarter report, seconded by Ernie Stevens III. Motion carried unanimously:

Ayes: David P. Jordan, Trish King, Kirby Metoxen, Brandon Stevens, Ernie Stevens III

Not Present: Daniel Guzman King, Lisa Summers, Jennifer Webster

Motion by Brandon Stevens to adopt resolution 04-25-18-J the Community and Economic Development Division FY-2018 2nd quarter report, seconded by Kirby Metoxen. Motion carried with one opposed:

Ayes: Trish King, Kirby Metoxen, Brandon Stevens, Ernie Stevens III

Opposed: David P. Jordan

Not Present: Daniel Guzman King, Lisa Summers, Jennifer Webster

For the record: Councilman David P. Jordan stated I do support the efforts to move forward and the direction to grow hemp; I just personally don't think that we are ready for this growing season. Thank you.

Councilman Ernie Stevens III departs at 3:56 p.m.

DRAFT**E. Accept Public Works Division FY-2018 2nd quarter report (05:16:00)**

Sponsor: Jacque Boyle, Division Director/Public Works

Motion by Brandon Stevens to defer the Public Works Division FY-2018 2nd quarter report to the May 9, 2018, regular Business Committee meeting, seconded by Trish King. Motion carried unanimously:

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

XIV. GENERAL TRIBAL COUNCIL**A. Petitioner Yvonne Metivier – Treatment Clinic**

EXCERPT FROM APRIL 11, 2018: (1) Motion by Lisa Summers to accept the legislative analysis 45-day status update, seconded by Kirby Metoxen. Motion carried unanimously. (2) Motion by Lisa Summers to accept the legal analysis 45-day status update, seconded by Kirby Metoxen. Motion carried unanimously. (3) Motion by Lisa Summers to accept the financial analysis 45-day status update, seconded by Kirby Metoxen. Motion carried unanimously.

EXCERPT FROM FEBRUARY 28, 2018: Motion by Jennifer Webster to acknowledge receipt of petition; to send the verified petition to the Law, Finance, Legislative Reference, and Direct Report Offices' for legal, financial, legislative, and administrative analyses; to direct the Law, Finance, and Legislative Reference Office to submit their analyses to the Secretary within 60 days with a progress report to be submitted within 45 days; to direct the Direct Report Offices to submit administrative analyses to Secretary within 30 days, seconded by Brandon Stevens. Motion carried unanimously.

1. Accept legislative analysis (02:39:52)

Sponsor: David P. Jordan, Councilman

Motion by Brandon Stevens to accept the legislative analysis and to accept the update regarding legal analysis, financial analysis, and meeting materials, seconded by David P. Jordan. Motion carried unanimously:

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

2. Accept update regarding legal analysis, financial analysis, and meeting materials (02:39:52)

Sponsor: Lisa Summers, Secretary

Motion by Brandon Stevens to accept the legislative analysis and to accept the update regarding legal analysis, financial analysis, and meeting materials, seconded by David P. Jordan. Motion carried unanimously:

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

DRAFT**B. Approve four (4) actions re Petitioner Gladys Dallas – \$5,000 Per Capita payment
(02:40:25)**

Sponsor: Lisa Summers, Secretary

Motion by David P. Jordan to acknowledge receipt of petition submitted by Gladys Dallas re: \$5,000 Per Capita payment; to send the verified petition to the Law, Finance, Legislative Reference, and Direct Report Offices' for legal financial, legislative, and administrative analyses; to direct the Law, Finance, and Legislative Reference Office to submit their analyses to the Secretary within 60 days with a progress report to be submitted within 45 days; and to direct the Direct Report Offices to submit administrative analyses to Secretary within 30 days, seconded by Kirby Metoxen. Motion carried unanimously:

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

Councilman Ernie Stevens III returns at 11:12 a.m.

XV. EXECUTIVE SESSION**A. REPORTS**

1. **Accept Comprehensive Health Division FY-2018 2nd quarter executive report – Dr. Ravinder Vir, Division Director/Comprehensive Health Medical and Debra Danforth, Division Director/Comprehensive Health Operations (02:44:29)**

Motion by Brandon Stevens to accept the Comprehensive Health Division FY-2018 2nd quarter executive report, seconded by Kirby Metoxen. Motion carried unanimously:

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

2. **Accept Governmental Services Division FY-2018 2nd quarter executive report – George Skenadore, Division Director/Governmental Services (02:45:08)**

a) Discuss FY-2018 Rites of Passage budgetary concern

Motion by Trish King to accept the Governmental Services Division FY-2018 2nd quarter executive report, seconded by Ernie Stevens III. Motion carried unanimously:

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

3. **Accept Internal Services Division FY-2018 2nd quarter executive report – Joanie Buckley, Division Director/Internal Services (02:45:33)**

Motion by Kirby Metoxen to accept the Internal Services Division FY-2018 2nd quarter executive report, seconded by Brandon Stevens. Motion carried unanimously:

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

DRAFT

4. Accept Community and Economic Development Division FY-2018 2nd quarter executive report – Troy Parr, Division Director/Community and Economic Development **(02:45:51)**

Motion by Kirby Metoxen to accept the Community and Economic Development Division FY-2018 2nd quarter executive report, seconded by David P. Jordan. Motion carried unanimously:

Ayes: David P. Jordan, Trish King, Kirby Metoxen, Brandon Stevens, Ernie Stevens III

Not Present: Daniel Guzman King, Lisa Summers, Jennifer Webster

5. Defer Public Works Division FY-2018 2nd quarter executive report to May 9, 2018, regular Business Committee meeting – Jacque Boyle, Division Director/Public Works **(02:46:12)**

Motion by David P. Jordan to defer the Public Works Division FY-2018 2nd quarter executive report to the May 9, 2018, regular Business Committee meeting, seconded by Trish King. Motion carried unanimously:

Ayes: David P. Jordan, Trish King, Kirby Metoxen, Brandon Stevens, Ernie Stevens III

Not Present: Daniel Guzman King, Lisa Summers, Jennifer Webster

6. Accept Chief Counsel report – Jo Anne House, Chief Counsel **(02:46:33)**

Motion by Kirby Metoxen to accept the Chief Counsel report dated April 24, 2018, seconded by David P. Jordan. Motion carried unanimously:

Ayes: David P. Jordan, Trish King, Kirby Metoxen, Brandon Stevens, Ernie Stevens III

Not Present: Daniel Guzman King, Lisa Summers, Jennifer Webster

7. Accept Chief Financial Officer April 2018 report – Larry Barton, Chief Financial Officer **(02:46:46)**

Motion by David P. Jordan to accept the Chief Financial Officer April 2018 report, seconded by Trish King. Motion carried unanimously:

Ayes: David P. Jordan, Trish King, Kirby Metoxen, Brandon Stevens, Ernie Stevens III

Not Present: Daniel Guzman King, Lisa Summers, Jennifer Webster

8. Accept Intergovernmental Affairs and Communications April 2018 report – Nathan King, Director/ Legislative Affairs **(02:47:03)**

Motion by Kirby Metoxen to accept the Intergovernmental Affairs and Communications April 2018 report, seconded by David P. Jordan. Motion carried unanimously:

Ayes: David P. Jordan, Trish King, Kirby Metoxen, Brandon Stevens, Ernie Stevens III

Not Present: Daniel Guzman King, Lisa Summers, Jennifer Webster

DRAFT**B. STANDING ITEMS****1. LAND CLAIMS STRATEGY**

- a) **Defer action plan regarding original records to May 9, 2018, regular Business Committee meeting (02:47:20)**

Sponsor: Lisa Summers, Secretary

EXCERPT FROM MARCH 14, 2018: Motion by Jennifer Webster to accept the Land Claims update and the recommendations #1 through #5 included in the update noting that discussion and consideration of item #1.a. be included in the action plan, seconded by Trish King. Motion carried unanimously.

Motion by David P. Jordan to defer the action plan regarding original records to the May 9, 2018, regular Business Committee meeting, seconded by Trish King. Motion carried unanimously:

Ayes: David P. Jordan, Trish King, Kirby Metoxen, Brandon Stevens, Ernie Stevens III

Not Present: Daniel Guzman King, Lisa Summers, Jennifer Webster

2. ONEIDA GOLF ENTERPRISE CORPORATION – LADIES PROFESSIONAL GOLF ASSOCIATION

- a) **Accept Thornberry Creek LPGA Classic April 2018 report (02:47:47)**

Liaison: Trish King, Treasurer

Submitted by: Josh Doxtator, Chief Operational Officer/Oneida Golf Enterprise Corporation

Motion by Kirby Metoxen to defer the Thornberry Creek LPGA Classic April 2018 report to the May 9, 2018, regular Business Committee meeting, seconded by Trish King. Motion carried unanimously:

Ayes: David P. Jordan, Trish King, Kirby Metoxen, Brandon Stevens, Ernie Stevens III

Not Present: Daniel Guzman King, Lisa Summers, Jennifer Webster

3. LAND MORTGAGE FUNDS (No Requested Action)**C. AUDIT COMMITTEE (No Requested Action)****D. TABLED BUSINESS (No Requested Action)**

DRAFT**E. UNFINISHED BUSINESS****1. Defer close-out report regarding complaint # 2017-DR11-01 to May 23, 2018, regular Business Committee meeting (02:48:13)**

Sponsor: Brandon Stevens, Vice-Chairman; Jennifer Webster, Councilwoman

EXCERPT FROM MARCH 14, 2018: Motion by Kirby Metoxen to defer the close-out report regarding complaint # 2017-DR11-01 until the April 25, 2018, regular Oneida Business Committee meeting, seconded by David Jordan. Motion carried unanimously.

EXCERPT FROM DECEMBER 27, 2017: Motion by Kirby Metoxen to defer the follow-up or close-out report regarding Complaint # 2017-DR11-01 for thirty (30) days, seconded by Ernie Stevens III. Motion carried unanimously.

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

EXCERPT FROM SEPTEMBER 13, 2017: 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.

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 David P. Jordan to defer the close-out report regarding complaint # 2017-DR11-01 to the May 23, 2018, regular Business Committee meeting, seconded by Kirby Metoxen. Motion carried unanimously:

Ayes: David P. Jordan, Trish King, Kirby Metoxen, Brandon Stevens, Ernie Stevens III

Not Present: Daniel Guzman King, Lisa Summers, Jennifer Webster

2. Accept 45-day update regarding complaint # 2018-DR04-01 (02:48:34)

Sponsor: Brandon Stevens, Vice-Chairman; Kirby Metoxen and Ernie Stevens III, Councilmen

EXCERPT FROM MARCH 28, 2018: Motion by Jennifer Webster to assign Councilman Kirby Metoxen to the OBC Sub-committee to investigate complaint # 2018-DR04-01 and to remove Councilman David P. Jordan from the Sub-committee, seconded by David P. Jordan. Motion carried with one abstention.

EXCERPT FROM MARCH 14, 2018: Motion by David P. Jordan to assign Vice-Chairman Brandon Stevens, Councilmen David Jordan, and Ernie Stevens III to investigate complaint # 2018-DR04-01, seconded by Kirby Metoxen. Motion carried unanimously.

Motion by David P. Jordan to accept the 45-day update regarding complaint # 2018-DR04-01, seconded by Ernie Stevens III. Motion carried unanimously:

Ayes: David P. Jordan, Trish King, Kirby Metoxen, Brandon Stevens, Ernie Stevens III

Not Present: Daniel Guzman King, Lisa Summers, Jennifer Webster

DRAFT**3. Accept 45-day update regarding complaint # 2018-DR11-01 (02:48:55)**

Sponsor: Brandon Stevens, Vice-Chairman; Trish King, Treasurer; Ernie Stevens III, Councilman

EXCERPT FROM MARCH 14, 2018: Motion by Kirby Metoxen to assign Vice-Chairman Brandon Stevens, Treasurer Trish King, and Councilman Ernie Stevens III to investigate complaint # 2018-DR11-01, seconded by Jennifer Webster. Motion carried unanimously.

Motion by Ernie Stevens III to accept the 45-day update regarding complaint # 2018-DR11-01, seconded by Kirby Metoxen. Motion carried unanimously:

Ayes: David P. Jordan, Trish King, Kirby Metoxen, Brandon Stevens, Ernie Stevens III

Not Present: Daniel Guzman King, Lisa Summers, Jennifer Webster

F. NEW BUSINESS**1. Approve pursuing Tax Code drafting contract and approve Economic Diversification and Community Development fund use – Tax Code drafting contract – \$26,000 (02:49:16)**

Sponsor: Ernie Stevens III, Councilman

Motion by Kirby Metoxen to direct the Community and Economic Development Division Director to provide a recommendation regarding the use of Economic Diversification and Community Development funds to be presented at the May 15, 2018, Business Committee Work Session and defer this item to that Business Committee Work Session for further discussion, seconded by David P. Jordan. Motion carried unanimously:

Ayes: David P. Jordan, Trish King, Kirby Metoxen, Brandon Stevens, Ernie Stevens III

Not Present: Daniel Guzman King, Lisa Summers, Jennifer Webster

2. Review OBC SOP entitled Employee Incentive Distribution for Business Committee Direct Reports and associated forms (02:49:57)

Sponsor: Tehassi Hill, Chairman; Brandon Stevens, Vice-Chairman; Lisa Summers, Secretary; and Trish King, Treasurer

Motion by David P. Jordan to accept the discussion regarding the OBC SOP entitled Employee Incentive Distribution for Business Committee Direct Reports and the associated forms, as information, seconded by Kirby Metoxen. Motion carried unanimously:

Ayes: David P. Jordan, Trish King, Kirby Metoxen, Brandon Stevens, Ernie Stevens III

Not Present: Daniel Guzman King, Lisa Summers, Jennifer Webster

XVI. ADJOURN (05:18:27)

Motion by David P. Jordan to adjourn at 3:58 p.m., seconded by Brandon Stevens. Motion carried unanimously:

Ayes: David P. Jordan, Trish King, Kirby Metoxen, Brandon Stevens

Not Present: Daniel Guzman King, Ernie Stevens III, Lisa Summers, Jennifer Webster

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 5 / 9 / 18

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 Real Property Amendments for adoption.

3. Supporting Materials

Report Resolution Contract

Other:

1. <input type="text" value="Adoption packet"/>	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
 Oneida-nsn.gov



TO: Oneida Business Committee
 FROM: David P. Jordan, LOC Chairperson
 DATE: May 9, 2018
 RE: Real Property Law Amendments

Please find the following attached backup documentation for your consideration of the proposed amendments to the Real Property law:

1. Resolution: Real Property Law Amendments
2. Statement of Effect: Real Property Law Amendments
3. Real Property Law Amendments Fiscal Impact Statement
4. Real Property Law Amendments Legislative Analysis
5. Real Property Law Amendments Law Draft (Redline to current)
6. Real Property Law Amendments Law Draft (Clean)

Overview

This resolution adopts amendments to the Real Property law. These amendments will:

- Transfer residential leasing responsibilities from Land Management to the Comprehensive Housing Division; and
- Clarify that jurisdiction under the law applies to all Tribal fee land and not just fee land within the Reservation. This language was revised to clarify and affirm the Oneida Land Commission's authority over such land.
- Incorporate minor drafting style changes that do not affect the content of the law.

These attached amendments make changes to two sections of the law that were adopted on February 8, 2017, but have not yet gone into effect. The following timeline is provided to assist in explaining these changes:

February 8, 2017 – OBC adopted amendments to the Real Property Law, which, among other things, removed several types of provisions so that those requirements could be placed in other laws or rules instead. In the adopting resolution, the OBC directed that all of these amendments would go into effect on June 25, 2017, in order to give the various entities time to place those requirements into the other laws/rules. Two of the sections that would have most of their provisions removed from the Real Property law were:

1. **Leasing.** The amendments deleted most of the provisions governing leasing from the Real Property law, because the Nation had adopted a separate Leasing law to govern leasing, and those requirements belonged in the new Leasing law. The new Leasing law required approval from the Secretary of the Interior before it could go into effect.
2. **Probate.** The amendments deleted most of the provisions governing probate from the Real Property law, and required Land Management and the Land Commission to

promulgate rules governing probate, instead. (This was done so that the law would not need to be amended every time the requirements for probate needed to be changed).

However, if the Real Property law amendments went into effect before the new Leasing law was effective, it would have resulted in a gap – the leasing provisions would have been taken out of the Real Property law, meaning there would be very little Tribal law in effect to govern leasing, until the Leasing Law was approved and became effective.

To avoid this result, BC Resolution #2-08-17-A adopted the amendments to the Real Property Law, but also added that the existing leasing requirements would remain in the Real Property law until the Leasing Law went into effect – then, the amendments that removed most of the requirements from the Leasing section of the Real Property Law would go into effect.

June 14, 2017 – The Real Property law amendments were set to go into effect in 11 days, which would have removed most of the provisions governing probate. However, the Land Commission and Land Management needed additional time to develop and promulgate the rules governing probate. This meant that on June 25, when the amended Real Property law went into effect, there would not be any provisions in law or in rule that governed probate.

To prevent this, the OBC adopted BC 6-14-17-A, which allowed the probate provisions to remain in the Real Property law until the probate rules had been promulgated and gone into effect. Then, they would be removed and the amended language adopted on February 8, 2017, would go into effect for that section.

June 25, 2017. The amendments to the Real Property law went into effect, but because the Leasing Law and rules governing probate had not yet gone into effect, the amendments to those two sections of the law did not go into effect, and the old language remained in place.

November 1, 2017. The LOC received a request to make additional amendments to the Real Property Law - to transfer residential leasing responsibilities from Land Management to the Comprehensive Housing Division; and to clarify and affirm the authority of the Land Commission by stating that the jurisdiction of the Real Property law applies to all Tribal fee land and not just fee land within the Reservation.

May 9, 2018. The Leasing law has been approved by the Secretary of the Interior and becomes effective on May 19, 2018. When this happens, the temporary leasing language will be removed from the Leasing law, and the amendments adopted by the OBC on February 8, 2017 will go into effect.

If the OBC adopts these proposed new amendments at the May 9, 2018 meeting, then they will also go into effect on May 19, 2018.

- These proposed new amendments do not affect the original language governing leasing, that are temporarily in effect in the Real Property law.
- These proposed new amendments change the language adopted by the OBC on February 8, 2017, by transferring the responsibility for administering and processing all residential leasing of Tribal land, from Land Management to the Comprehensive Housing Division.

At this time, the Land Management and the Land Commission rules governing probate have still not gone into effect, so the original language governing probate will remain in the Real Property law until that happens. Once probate rules have gone into effect, the amended language adopted by the OBC on February 8, 2017, which removes most of the probate provisions from the Real Property Law, will go into effect.

- These proposed new amendments do not affect the original language governing probate that is temporarily in effect in the Real Property law.
- These proposed new amendments do not change the amended language adopted by the OBC on February 8, 2017, except to change “Division of Land Management” to “Land Management.”

In accordance with the Legislative Procedures Act, a public meeting on the proposed law was held on January 11, 2018, with a comment period closing on January 18, 2018. Due to the inadvertent posting of the incorrect Public Meeting time on the website, the public meeting was held at 12:15 p.m. and then re-opened at 1:00 p.m. The only public comment received related to the definition of Land Management; and to address this, the law was amended to no longer refer to Land Management as a “Division”.

Requested Action

Approve the Resolution: Real Property Law Amendments

Oneida Nation

Post Office Box 365

Phone: (920)869-2214

Oneida, WI 54155



BC Resolution # _____
Real Property Law Amendments

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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, the Oneida Business Committee adopted the current Real Property Law by resolution BC-5-29-96-A; and has adopted amendments through resolutions BC-3-01-06-D, BC-04-28-10-E, BC-02-25-15-C, BC-05-13-15-B; BC-2-8-17-A and BC-6-14-17-A; and

WHEREAS, it is necessary to update this law to transfer residential leasing responsibilities to the Comprehensive Housing Division; and

WHEREAS, it is necessary to update this law to clarify that jurisdiction under the law applies to all Tribal fee land and not just fee land within the Reservation; and

WHEREAS, a public meeting on these proposed amendments was held on January 11, 2018 in accordance with the Legislative Procedures Act.

NOW THEREFORE BE IT RESOLVED, that the Real Property law amendments are hereby adopted.

BE IT FURTHER RESOLVED, that these amendments shall not affect the provisions of sections 601.8 that are currently in effect until probate rules are promulgated and effective; in accordance with resolution BC-06-14-17-A.



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



Statement of Effect

Real Property Law Amendments

Summary

This resolution adopts amendments to the Real Property law (the “Law”) which:

- Transfer residential leasing responsibilities to the Comprehensive Housing Division, and
- Clarify that jurisdiction under the law applies to all Tribal fee land - not just fee land within the Reservation

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

Analysis by the Legislative Reference Office

The Real Property law was originally adopted by Business Committee resolution #5-29-96-A, with additional amendments adopted in 2006, 2010 and 2015.

Currently, the Law identifies Land Management as the party responsible for managing residential leases. However, those responsibilities have been transferred to the recently established Comprehensive Housing Division. These amendments reflect that transfer of responsibilities.

Currently, the law establishes jurisdiction over various types of lands; including Tribal fee land within the Reservation. To ensure the broadest exercise of the Nation’s sovereign authority, these proposed amendments expand that jurisdictional authority to cover all Tribal fee land regardless of where it is located.

As required by the Legislative Procedures Act, a public meeting was held for these amendments on January 11, 2018, with the LOC accepting public comments through January 18, 2018. The only comment received was a statement made during the public meeting regarding the definition for Land Management. To address that comment, the term “Division of Land Management” was shortened to “Land Management” throughout the law.

These attached amendments make changes to two sections of the law that were adopted on February 8, 2017, but have not yet gone into effect. The following timeline is provided to assist in explaining these changes:

February 8, 2017 – OBC adopted amendments to the Real Property Law, which, among other things, removed several types of provisions so that those requirements could be placed in other laws or rules instead. In the adopting resolution, the OBC directed that all of these amendments would go into effect on June 25, 2017, in order to give the various entities time to place those requirements into the other laws/rules. Two of the sections that would have most of their provisions removed from the Real Property law were:

1. **Leasing.** The amendments deleted most of the provisions governing leasing from the Real Property law, because the Nation had adopted a separate Leasing law to govern leasing, and those requirements belonged in the new Leasing law. The new Leasing law required approval from the Secretary of the Interior before it could go into effect.
2. **Probate.** The amendments deleted most of the provisions governing probate from the Real Property law, and required Land Management and the Land Commission to promulgate rules governing probate, instead. (This was done so that the law would not need to be amended every time the requirements for probate needed to be changed).

However, if the Real Property law amendments went into effect before the new Leasing law was effective, it would have resulted in a gap – the leasing provisions would have been taken out of the Real Property law, meaning there would be very little Tribal law in effect to govern leasing, until the Leasing Law was approved and became effective.

To avoid this result, BC Resolution #2-08-17-A adopted the amendments to the Real Property Law, but also added that the existing leasing requirements would remain in the Real Property law until the Leasing Law went into effect – then, the amendments that removed most of the requirements from the Leasing section of the Real Property Law would go into effect.

June 14, 2017 – The Real Property law amendments were set to go into effect in 11 days, which would have removed most of the provisions governing probate. However, the Land Commission and Land Management needed additional time to develop and promulgate the rules governing probate. This meant that on June 25, when the amended Real Property law went into effect, there would not be any provisions in law or in rule that governed probate.

To prevent this, the OBC adopted BC 6-14-17-A, which allowed the probate provisions to remain in the Real Property law until the probate rules had been promulgated and gone into effect. Then, they would be removed and the amended language adopted on February 8, 2017, would go into effect for that section.

June 25, 2017. The amendments to the Real Property law went into effect, but because the Leasing Law and rules governing probate had not yet gone into effect, the amendments to those two sections of the law did not go into effect, and the old language remained in place.

November 1, 2017. The LOC received a request to make additional amendments to the Real Property Law - to transfer residential leasing responsibilities from Land Management to the Comprehensive Housing Division; and to clarify and affirm the authority of the Land Commission by stating that the jurisdiction of the Real Property law applies to all Tribal fee land and not just fee land within the Reservation.

May 9, 2018. The Leasing law has been approved by the Secretary of the Interior and becomes effective on May 19, 2018. When this happens, the temporary leasing language will be

removed from the Leasing law, and the amendments adopted by the OBC on February 8, 2017 will go into effect.

If the OBC adopts these proposed new amendments at the May 9, 2018 meeting, then they will also go into effect on May 19, 2018.

- These proposed new amendments do not affect the original language governing leasing, that are temporarily in effect in the Real Property law.
- These proposed new amendments change the language adopted by the OBC on February 8, 2017, by transferring the responsibility for administering and processing all residential leasing of Tribal land, from Land Management to the Comprehensive Housing Division.

At this time, the Land Management and the Land Commission rules governing probate have still not gone into effect, so the original language governing probate will remain in the Real Property law until that happens. Once probate rules have gone into effect, the amended language adopted by the OBC on February 8, 2017, which removes most of the probate provisions from the Real Property Law, will go into effect.

- These proposed new amendments do not affect the original language governing probate that is temporarily in effect in the Real Property law.
- These proposed new amendments do not change the amended language adopted by the OBC on February 8, 2017, except to change “Division of Land Management” to “Land Management.”

Additional minor changes were made to ensure consistency with the current drafting style and standards. These changes did not affect the content of the law.

Conclusion

Adoption of this resolution would not conflict with any of the Nation’s laws.

HANDOUT

FINANCE ADMINISTRATION

Fiscal Impact Statement



MEMORANDUM

DATE: April 30, 2018

FROM: Rae Skenandore, Financial Management Analyst

TO: Larry Barton, Chief Financial Officer
Ralinda Ninham-Lamberies, Assistant Chief Financial Officer

RE: **Fiscal Impact of the Amendments to the Real Property Law**

I. Estimated Fiscal Impact Summary

Legislation: Amendments to the Real Property Law		
Implementing Agency	Comprehensive Housing Division Land Management Oneida Land Commission	
Estimated time to comply	In accordance with the Legislative Procedures Act (LPA)	
Estimated Impact	Current Fiscal Year	10 Year Estimate
Total Estimated Fiscal Impact	\$147,409	\$1,474,090

II. Background

A. Legislative History

The Real Property Law was adopted by BC resolution BC-5-29-96-A and last amended by BC resolution BC-02-25-15-C, BC-05-13-15-B, and BC-02-08-17-A

III. Summary of Content

A. Transfer residential leasing from the Division of Land Management to the newly developed Comprehensive Housing Division. A restructuring and reorganization of personnel accompanied this transfer of responsibilities.

B. A definition for Land Management was added to state the Division within the Nation responsible for maintaining the Oneida Nation Register of Deeds, entering into and administering agricultural and commercial leases on behalf of the Nation, processing

trust land transactions and land acquisition transactions, and for fulfilling other responsibilities as identified within this Law. The Legislative analysis states that the Division of Land Management was updated to Land Management to reflect current business practices. Land Management is no longer a division and has been restructured and moved under Environmental Health, Safety, and Land.

C. The definition for Tribal fee land was updated to remove “within the Reservation” to clarify that the Law applies to lands held in fee status both inside and outside of the Reservation. Clarify that this law applies to all Tribal fee land, not just fee land within the Reservation; affirming the Oneida Land Commission’s authority over Tribal fee land regardless of where it is located.

D. Other minor revisions were made to reflect current drafting and formatting standards.

According to the information provided by the Oneida Human Resources Department, the restructuring of these two areas impact approximately 14 positions. One new position was added and 11 title changes. Of the 11 title changes, eight (8) title reassignments resulted in grade changes. Of the eight (8) grade changes, only two (2) did not result in a change to wages.

The amendments to the Law are the reflection of the changes within the organization in the development of the Comprehensive Housing Division and the restructuring of Land Management. With a new position added and the title and grade changes that resulted in increases, there is approximately \$147,409 fiscal impact. It is unclear if these increases were included in the Fiscal Year 2018 budget.

IV. Methodology and Assumptions

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.

Finance does NOT identify the source of funding for the estimated cost or allocate any funds to the legislation.

The analysis was completed based on the information provided as of the date of this memo.

V. Financial Impact

Approximately \$147,409 in Fiscal Year 2018 and \$1,474,090 over the next 10 years.

VI. 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.



Real Property Amendments Legislative Analysis

SECTION 1. BACKGROUND

REQUESTER: Krystal L. John and Rae Skenandore	SPONSOR: Ernest Stevens III	DRAFTER: Taniquelle Thurner	ANALYST: Maureen Perkins
Intent of the Amendments	Transfer residential leasing responsibilities from Land Management to the Comprehensive Housing Division and clarify that jurisdiction under the law applies to all Tribal fee land and not just fee land within the Reservation – which will clarify and affirm the Oneida Land Commission’s authority over such land.		
Purpose of the Law	To provide regulations and procedures for the transfer, control and management of the territory within the Reservation and all Tribal land; to integrate these regulations and procedures with the real property laws and practices of other federal and state sovereigns which may hold jurisdiction within the Reservation; and to establish licensing and certification requirements for the Nation’s employees dealing with real property transactions [see 601.1-1].		
Entities Affected by the Amendments	Comprehensive Housing Division, Oneida Land Commission, Land Management		
Affected Legislation	Mortgage and Foreclosure law, Land Ordinance, Leasing law, Landlord-Tenant law, Eviction and Termination law, Public Use of Tribal Land law, Oneida Land Commission bylaws		
Enforcement/Due Process	All involuntary transfers of title require a Judiciary hearing [see 601.7-3]. Land Management shall process and administer probate estates and, where necessary, shall refer probate estates to the Oneida Judiciary for formal administration [see 601.8-1]. The Judiciary shall hear and administer disputed probate estates or matters requiring appointment of a guardian ad litem and shall have all the above powers conferred upon the Land Management in such cases [see 601.8-2].		
Public Meeting	A public meeting was held January 11, 2018.		

SECTION 2. LEGISLATIVE DEVELOPMENT

- 1
- 2 **A.** The current amendments are proposed to transfer residential leasing responsibilities from Land
- 3 Management to the newly established Comprehensive Housing Division and to clarify jurisdiction
- 4 under the law applies to all Tribal fee land and not just fee land within the Reservation; which will
- 5 clarify and affirm the Oneida Land Commission’s authority over all fee land outside of the
- 6 Reservation.
- 7 **B.** The Leasing Law was approved by the Secretary of the US Department of the Interior on 4/19/18
- 8 and becomes effective on 5/19/18. Provision 601.9 related to leasing becomes effective on 05/19/18
- 9 with the effective date of the Leasing Law.

SECTION 3. CONSULTATION

- 10
- 11 **A.** The Oneida Law Office, the Comprehensive Housing Division, Land Management and the Oneida
- 12 Land Commission were consulted in the development of these amendments.
- 13
- 14

SECTION 4. PROCESS

- 15
- 16 **A.** The amendments clarify the jurisdiction of the Oneida Land Commission as the decision making
- 17 authority with respect to all fee land, including fee land outside of the Reservation. The law also

18 transfers the responsibility of residential leasing from Land Management and places it with the newly
19 created Comprehensive Housing Division.

20 **B.** The emergency amendments were added to the Active Files List on November 1, 2017 with Ernest
21 Stevens III as the sponsor. On November 15, 2017 the emergency status was removed but the
22 amendments remain classified as a high priority.

23

24 **SECTION 5. CONTENTS OF THE LEGISLATION**

25 **A.** (1) The definition for the Comprehensive Housing Division was amended to:

26

- the division within the Nation under the direction of the Comprehensive Division Director
27 which consists of all residential services offered by the Nation, including but not limited
28 to, all rental programs, the rent-to-own programs, and the residential sales and mortgages
29 programs *[see 601.3-1(c)]*.

30 (2) The footnote for the OBC resolution defining the Comprehensive Housing Division was deleted
31 *[see footnote on page 2]*.

32 (3) A definition for Land Management was added:

33

- the entity within the Nation responsible for maintaining the Oneida Nation Register of
34 Deeds, entering into and administering agricultural and commercial leases on behalf of the
35 Nation, processing trust transactions and land acquisition transactions, and for fulfilling
36 other responsibilities as identified within this law *[see 601.3-1(k)]*.

37 (4) The Division of Land Management was updated to Land Management to reflect current business
38 practices.

39 (5) The definition for Tribal fee land was updated to remove “within the Reservation” to clarify that
40 the law applies to lands held in fee status both inside and outside of the Reservation *[see 601.3-*
41 *1(w)]*.

42 (6) Other minor revisions were made to reflect current drafting and formatting standards.

43

44 **SECTION 6. INTENT OF AMENDMENTS**

45 **A.** The purpose of the amendments is to clarify the decision making authority of responsible entities of
46 the Nation:

- 47
 - The Oneida Land Commission with respect to all fee land; including fee land outside the
48 Reservation; and
 - The Comprehensive Housing Division with respect to residential leasing.
 - Land Management with respect to maintaining the Oneida Nation Register of Deeds, entering
51 into and administering agricultural and commercial leases on behalf of the Nation, and
52 processing trust transactions and land acquisition transactions.

53

54 **SECTION 7. EFFECT OF AMENDMENTS ON EXISTING LEGISLATION**

55 **A.** The amendments add the Leasing law to the list of laws the Comprehensive Housing Division is
56 required to follow with respect to the administration and processing of residential leases; in addition,
57 all corresponding rules of all applicable laws was added *[see 601.12-1]*.

58 **B.** Resolution BC-06-14-17-A adopted amendments to section 601.8, which govern probate.
59 However, those amendments do not go into effect until probate rules are promulgated and
60 effective.

61 **C.** Resolution BC-02-08-17-A adopted amendments to section 601.9, which governs leasing.
62 Those amendments will go into effect on May 19, 2018, when the Leasing law becomes
63 effective.

64

65 **SECTION 8. EFFECTS ON EXISTING RIGHTS, PRIVILEGES, OR** 66 **OBLIGATIONS**

- 67 A. The current proposed amendments do not impact existing rights, privileges, benefits or obligations.
- 68 B. The proposed amendments will affect the current application process with respect to residential leases.
- 69 The Comprehensive Housing Division will be the entity responsible for processing residential leases.
- 70

71 **SECTION 9. ENFORCEMENT**

- 72 A. The proposed amendments do not change enforcement of this law.
- 73

74 **SECTION 10. ACCOUNTABILITY**

- 75 A. The Comprehensive Housing Division and the Oneida Land Commission will be accountable for
- 76 implementation and operation of the current amendments of this law.

77

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For OBC Consideration
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Title 6. Property and Land – Chapter 601
REAL PROPERTY
Tok[^]ske Kayanl[^]hsla Tsi[>] Ni[>]yohuntsya⁼#
The real/certain laws of the territory of the nation

601.1. Purpose and Policy	601.7. Title Transfer
601.2. Adoption, Amendment, Repeal	601.8. Probate
601.3. Definitions	601.9. Leasing of Real Property
601.4. General Provisions	601.10. Records
601.5. Holding of Ownership	601.11. Real Estate Education Requirements and Certifications
601.6. Legal Descriptions	601.12. Organization

601.1. Purpose and Policy

601.1-1. *Purpose.* The purpose of this law is to provide regulations and procedures for the transfer, control and management of the territory within the Reservation and all ~~tribal~~Tribal land; to integrate these regulations and procedures with the real property laws and practices of other federal and state sovereigns which may hold jurisdiction within the Reservation; and to establish licensing and certification requirements for the Nation's employees dealing with real property transactions.

601.1-2. *Policy.* It is the policy of the Nation to set out the responsibilities and expectations for persons purchasing and/or managing real property on behalf of the Nation and/or within the Reservation and to provide real property holder's rights and responsibilities. In addition, it is the Nation's policy that probated estates shall be settled expeditiously and without undue delay.

601.2. Adoption, Amendment, Repeal

601.2-1. This law was adopted by the Oneida Business Committee by resolution BC-5-29-96-A and amended by resolutions BC-3-01-06-D, BC-04-28-10-E, BC-02-25-15-C, BC-05-13-15-B and BC-02-08-17-A and.

601.2-2. This law may be amended or repealed by the Oneida Business Committee pursuant to the procedures set out in the Legislative Procedures Act.

601.2-3. 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.

601.2-4. 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. ~~Provided that, the Land Ordinance is applicable only to valid land assignments existing as of January 1, 2016 and is hereby repealed upon the expiration of the last existing land assignment.~~

601.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.

601.3. Definitions

601.3-1. ~~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, subject to 601.4-5.~~

(a) "Broker" means a person who acts as an agent and negotiates the sale, purchase or rental of real property on behalf of others for a fee.

(b) "Certified ~~Survey~~survey Map~~map~~" means a map which provides the legal description of real property and is officially filed and approved by the county, Tribal or municipal governments.

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- 37 | (c) “Comprehensive Housing Division” means the division within the Nation under the
38 | direction of the Comprehensive Housing Division Director which consists of all
39 | residential services offered by the Nation, including but not limited to, all rental
40 | programs, the rent-to-own program, and the residential sales and mortgages programs. ~~the~~
41 | ~~entity responsible for housing matters as defined by Oneida Business Committee~~
42 | ~~Resolution.~~⁺
- 43 | (d) “Easement” means a real property right to cross or otherwise utilize the land of
44 | another for a specified purpose.
- 45 | (e) “Estate” means a person’s interest in real property or other property.
- 46 | (f) “Fiduciary” means a person required to act for the benefit of another person on all
47 | matters within the scope of their relationship and by such a relationship owes another
48 | duties of good faith, trust, confidence and candor. For the purposes of this law, both
49 | brokers and salespersons are “fiduciaries.”
- 50 | (g) “Guardian ~~Ad ad Litem~~ litem” means a guardian appointed by the Judiciary on behalf
51 | of an incompetent or minor party.
- 52 | (h) “Individual ~~Fee fee Land~~ land” means real property held in fee status by an individual
53 | or group of individuals.
- 54 | (i) “Individual ~~Trust trust Land~~ land” means individual Tribal land held in trust by the
55 | United States of America for the benefit of a Tribal member.
- 56 | (j) “Judiciary” means the judicial system that was established by Oneida General Tribal
57 | Council resolution GTC-01-07-13-B to administer the judicial authorities and
58 | responsibilities of the Nation.
- 59 | (k) “Land Management” means the entity within the Nation responsible for maintaining
60 | the Oneida Nation Register of Deeds, entering into and administering agricultural and
61 | commercial leases on behalf of the Nation, processing trust transactions and land
62 | acquisition transactions, and for fulfilling other responsibilities as identified within this
63 | law.
- 64 | ~~(k)~~ “Land ~~Use use License~~ license” means an agreement entered into by the Nation
65 | providing a party the right to occupy and/or utilize a specified piece of Tribal land for a
66 | specific purpose and a specific duration, which may require the Nation to be compensated
67 | for such use.
- 68 | ~~(m)~~ “Leasehold ~~Mortgage~~ mortgage” means a mortgage, deed of trust, or other
69 | instrument that pledges a lessee’s leasehold interest as security for a debt or other
70 | obligation owed by the lessee to a lender or other mortgagee.
- 71 | ~~(n)~~ “Nation” means the Oneida Nation.
- 72 | ~~(o)~~ “Personal ~~Representative~~ representative” means a person to whom authority to
73 | administer a decedent’s estate have been granted by ~~the Division of~~ Land Management or
74 | the Judiciary.
- 75 | ~~(p)~~ “Probate” or “Administration” means any proceeding relating to a decedent’s estate,
76 | whether there is or is not a will.
- 77 | ~~(q)~~ “Real ~~Property~~ property” means land and anything growing on, attached to, or
78 | erected on the land, excluding anything that may be severed without injury to the land.

⁺ See BC Resolutions 08-10-16 L, 10-12-16 B and 10-12-16 D defining the Comprehensive Housing Division for purposes of the Mortgage and Foreclosure law, Eviction and Termination law and Landlord-Tenant law respectively.

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(~~qr~~) “Reservation” means all the property 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.

(~~rs~~) “Restricted ~~Fee-fee Status~~status” means an interest in real property which includes a provision in the deed or will that, upon the happening or failure to happen of a certain event, the title of the purchaser or devisee ~~will~~shall be limited, enlarged, changed or terminated.

(~~st~~) “Rule” means a set of requirements, including fee schedules, enacted by the Comprehensive Housing Division, ~~Division of~~ Land Management, Oneida Planning Department and/or the Oneida Land Commission in accordance with the Administrative Rulemaking law, based on authority delegated in this law in order to implement, interpret and/or enforce this law.

(~~tu~~) “TAAMS” (Trust Asset and Accounting Management System) means the Bureau of Indian Affairs system for maintaining and tracking land title documents and all legal documents relating to land transactions.

(~~uv~~) “Title ~~Status-status Report~~report” means a report issued by the Bureau of Indian Affairs after a title examination which shows the proper legal description of a tract of Tribal land; current ownership, including any applicable conditions, exceptions, restrictions or encumbrances on records; and whether the land is in unrestricted, restricted, trust, or other status as indicated by the records in a Land Titles and Records Office.

(~~vw~~) “Tribal ~~Fee-fee Land~~land” means ~~Tribal~~ land held in fee status by the Nation ~~within the Reservation~~.

(~~wxy~~) “Tribal ~~Land~~land” means Tribal fee land and Tribal trust land.

(~~xyw~~) “Tribal ~~Member~~member” means an individual who is an enrolled member of the Nation.

(~~yzx~~) “Tribal ~~Trust-trust Land~~land” means the surface estate of land or any interest therein held by the United States in trust for the Nation; land held by the Nation subject to federal restrictions against alienation or encumbrance; land reserved for federal purposes; and/or land held by the United States in trust for the Nation under Section 17 of the Indian Reorganization Act, 25 U.S.C §477, et. seq.

601.4. General Provisions

601.4-1. *-Applicable Real Property.* -The provisions of this law extend to all Tribal member’s individual fee land and Tribal member’s individual trust land within the Reservation boundaries and all Tribal land.

601.4-2. *-Tribal Land Base.* ~~The Division of~~ Land Management shall administer all transactions which add real property to the Tribal land base under the provisions of this law.

601.4-3. *-Sale of Tribal Land Prohibited.* -The sale of Tribal land is specifically prohibited by this law, unless the intent of the transaction is the consolidation or partition of Tribal trust land and/or individual trust land.

601.4-4. *New Land Assignments Prohibited.* -The Nation may not acknowledge any new land assignments. -Further, in order to be eligible for a Tribal loan issued against a real property interest held as a land assignment, the land assignment shall first be converted to a residential lease.

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124 | 601.4-5. ~~Wisconsin Probate Code and its Related Chapters.~~ -In instances where the Nation
125 lacks definition, procedure, or legal precedent in a probate matter, the Nation shall use
126 Wisconsin's Probate Code and its related chapters for guidance.

127 | 601.4-6. ~~Wisconsin Real Property Law.~~ -The Nation shall follow all applicable portions of the
128 Wisconsin Real Property ~~Law~~ law when acquiring individual fee land.

129 | 601.4-7. ~~No Waiver of Sovereign Immunity.~~ -Nothing in this law may be construed as a waiver
130 of the Nation's sovereign immunity.

131

132 **601.5. Holding of Ownership**

133 601.5-1. Interests in real property by more than one (1) person may be held in the following
134 ways:

135 | (a) *Joint Tenancy with the Right of Survivorship.* -Pursuant to this ownership mechanism
136 each owner has an equal, undivided interest in the real property. -When an owner dies,
137 his/her share is divided among the remaining owners; the last living owner owns the
138 entire property.

139 | (1) Real property owned by married persons is held under this mechanism unless
140 they have executed a valid marital property agreement specifically stating that the
141 real property in question is held as tenants in common.

142 | (b) *Tenancy in Common.* -Pursuant to this ownership mechanism each owner has a
143 percentage of divided interest in the real property. -When an owner dies, his/her interest
144 is divided among his/her devisees or heirs.

145 | (1) Real property owned by more than one (1) person, other than married persons,
146 is owned under this mechanism unless a deed or transfer document specifically
147 states the real property is held as joint tenants with rights of survivorship.

148

149 **601.6. Legal Descriptions**

150 601.6-1. The legal description for any real property transferred under this law shall be derived
151 from a certified survey map or survey completed by a registered land surveyor according to
152 | currently accepted minimum industry standards for property surveys. - If the plat of survey
153 changes the legal description of the certified survey map for the same piece of property, the
154 certified survey map's legal description shall be used on transfer documents along with the
155 survey description, which shall be designated as "Also Known As ..." Section, township, range
156 and fourth principal meridian shall be included in all legal descriptions.

157 601.6-2. Every land survey shall be made in accordance with the county register of deeds'
158 | records for fee land, and in accordance with the Oneida Nation Register of Deed~~s~~' records for
159 Tribal ~~Trust-trust Lands-lands~~ and ~~Individual-individual Trust-trust Landslands~~. The surveyor
160 shall acquire data necessary to retrace record title boundaries such as deeds, maps, certificates of
161 title, title status reports, Tribal leases, Tribal home purchase agreements, center line and other
162 boundary line locations.

163 601.6-3. Legal descriptions defining land boundaries shall be complete, providing unequivocal
164 identification of line or boundaries.

165 601.6-4. All surveys prepared for the Nation shall comply with survey requirements outlined in
166 the Wisconsin Administrative Code, Chapter A-E7 and indicate setbacks, building locations and
167 encroachments, as applicable.

168 601.6-5. Legal descriptions shall be used on transfer documents formalizing a purchase, real
169 estate sale, lease, foreclosure, probate transfer, trust acquisition and Tribal resolutions.

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170 601.6-6. When real estate is listed, noticed and/or advertised as available for sale, rent or lease
171 to Tribal members, the address is an adequate legal description of the real property.
172

173 **601.7. Title Transfer**

174 601.7-1. *Trust Acquisition.* ~~The Division of~~ Land Management shall use title companies duly
175 registered with the Department of Interior and approved by the ~~Division of~~ Land Management to
176 update abstracts or provide title insurance on real property scheduled for trust acquisition.

177 (a) Title companies shall follow general guidelines provided by the federal government
178 in terms of form, content, period of search, destroyed or lost records and abstracter's
179 certificate.

180 (b) When researching land title for real property within the Reservation which is being
181 considered for trust acquisition, ~~the Division of~~ Land Management ~~staff~~ shall request the
182 title company to search the title back to the original allottee, in order to ~~assure~~ ensure that
183 patents or Indian deeds were legally issued.

184 (c) Any valid liens or encumbrances shown by the commitment for title insurance shall
185 be eliminated before the title is transferred into trust.

186 (d) After land is in trust both a title search of county records and a title status report
187 requested by ~~the Division of~~ Land Management from the Bureau of Indian Affairs shall
188 verify all valid encumbrances, if any, on the title. For the purposes of this section, a valid
189 encumbrance is one that has been preapproved, in writing, by ~~the Division of~~ Land
190 Management based on a standard operating procedure that is effective upon approval by
191 the Oneida Land Commission.

192 (e) ~~Division of~~ Land Management applications to convert Tribal fee land into Tribal trust
193 land require an Oneida Land Commission resolution approving the ~~said~~ conversion.

194 601.7-2. *Deeds.* A deed is the formal document used by the ~~Division of~~ Land Management to
195 transfer title from one (1) party to another.

196 (a) A valid deed shall:

197 (1) Be in writing;

198 (2) Identify the grantor (seller) and grantee (buyer);

199 (3) Provide the legal description of the real property;

200 (4) Identify the interest conveyed, as well as any conditions, reservations,
201 exceptions, or rights of way attached to the interest;

202 (5) Be signed by or on behalf of each of the grantors (sellers);

203 (6) Be signed by or on behalf of each spouse of each of the grantors (sellers), if
204 applicable; and

205 (7) Be delivered to the grantee (buyer).

206 (b) In addition to the requirements listed in section 601.7-~~32~~(a), a deed prepared for trust
207 acquisition shall include:

208 (1) The federal authority for trust acquisition;

209 (2) Any exceptions or exclusions from the State of Wisconsin's fees or other
210 transfer requirements;

211 (3) The approximate acreage of the real property being transferred to trust; and

212 (4) The authority and signature of the appropriate Department of Interior official
213 who accepts the real property into trust.

214 (c) A deed transferring fee simple title shall be recorded in the appropriate register of
215 deeds office, provided that, once the real property is in trust, the title shall be recorded

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216 with the Oneida Nation Register of Deeds and the Bureau of Indian Affairs Land Titles
217 and Records Office.

218 601.7-3. *Involuntary Transfer of Title.* All involuntary transfers of title require a hearing and
219 order from the Judiciary, and may occur in the following ways:

220 (a) *Eminent Domain.* Eminent domain is the right of the Nation's government to acquire
221 Tribal member individual fee land within the Reservation for public uses without the
222 consent of private owners.

223 (1) For the purposes of this section, public uses include, but are not limited to,
224 environmental protection, streets, highways, sanitary sewers, public utility/sites,
225 waste treatment facilities and public housing.

226 (2) Prior to exercising eminent domain, the Nation shall first attempt to negotiate
227 an agreeable taking by making an offer to purchase based on an appraisal of the
228 real property. The appraisal amount may be based on an appraisal provided by
229 the Nation. In the event the property owner objects to the Nation's appraisal, they
230 may obtain an independent appraisal at their own cost. For the purposes of this
231 section, an appraisal means process for estimating a piece of real property's value.

232 (3) The Nation's exercise of eminent domain may be appealed to the Judiciary.

233 (b) *Foreclosure.* Foreclosures may occur subject to the Mortgage and Foreclosure law
234 when a Tribal member ceases payment on a leasehold mortgage.

235 (c) *Tribal Land Consolidation.* Section 207 of the Indian Land Consolidation Act
236 (Pub.L. No. 97-459, 96 Stat. 2515, and amended on October 30, 1984 by Pub.L. No. 98-
237 608, 98 Stat. 3171) is incorporated into this law, which provides a mechanism for real
238 property within the Reservation to escheat, or pass, to the Nation.

239 (1) Pursuant to section 207 of the Indian Land Consolidation Act, an ownership
240 interest in real property escheats, or passes, to the Nation under the following
241 circumstances, provided that the Nation shall provide just compensation for the
242 interest:

243 (A) The real property is within the Reservation boundaries;

244 (B) The decedent's ownership in the given parcel of land is two percent
245 (2%) or less of the total acreage; and

246 (C) The interest is incapable of earning one hundred dollars (\$100.00) in
247 any one (1) of the five (5) years immediately following the decedent's
248 death.

249 (2) A decedent's heirs may appeal a land consolidation under this section to the
250 Judiciary.

251 (3) Land consolidation is subject to the probate requirements, as included in this
252 law and accompanying rules.

253 (d) *Transferring Interests Inherited by Non-Tribal Members.* If the owner of an interest
254 of real property which is held in trust or restricted fee status located within the
255 Reservation devises such interest to a non-Tribal member, the Nation may acquire the
256 ~~said~~ interest by paying the fair market value of the interest determined as of the date of
257 the decedent's death. Such transfer is effective upon receipt of an order transferring
258 inherited interests from the Judiciary pursuant to section 205 of the Indian Land
259 Consolidation Act.

260 (1) An order transferring inherited interests may not be granted if:

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261 (A) While the decedent's estate is pending, the non-Indian devisee
262 denounces his or her interest in favor of a Tribal member person;
263 (B) The interest is part of a family farm that is devised to a member of the
264 immediate family of the decedent, provided that such a restriction shall be
265 recorded as part of the deed relating to the interest involved; or
266 (C) The devisee agrees in writing that the Nation may acquire the interest
267 for fair market value only if the interest is offered for sale to a person or
268 entity that is not a member of the immediate family of the owner of the
269 interest.

270 | (e) *Easements for Landlocked Properties.* ~~The Division of~~ Land Management and the
271 Oneida Land Commission shall jointly develop rules regarding requests for easements for
272 landlocked properties.

273 | 601.7-4. ~~Division of~~ Land Management shall work with the Oneida Law Office in order to
274 pursue an involuntary transfer of title.
275

276 | **601.8. Probate**

277 | 601.8-1. ~~The Division of~~ Land Management shall process and administer probate estates and,
278 where necessary, shall refer probate estates to the Oneida Judiciary for formal administration.
279 | ~~The Division of~~ Land Management and the Oneida Land Commission shall jointly create any
280 rules necessary to administer probate estates. ~~The Division of~~ Land Management shall:

- 281 (a) Process applications for probate administration;
282 (b) Receive proof of heirship demonstrating a party is entitled to receive an intestate
283 decedent's property pursuant to applicable laws and rules;
284 (c) Receive consent to serve forms and in undisputed matters, issue domiciliary letters;
285 (d) Require and receive affidavits of service;
286 (e) Receive waiver and consent to probate administration forms and any related
287 affidavits;
288 (f) Issue notice to creditors of the probate's administration, receive creditor claims for
289 consideration and settlement, and issue discharge of creditors when appropriate;
290 (g) Receive and process all estate inventories;
291 (h) Receive and process, when possible, land transactions in accordance with this law and
292 receive proof of recording documents;
293 (i) Receive estate receipts;
294 (j) In undisputed matters, receive and process statement of personal representative to
295 close estate and issue discharge of personal representative; and
296 (k) Refer disputed matters to the Judiciary, transfer probate and related documents, and
297 participate in the Judiciary's proceedings as necessary.

298 601.8-2. The Judiciary shall hear and administer disputed probate estates or matters requiring
299 appointment of a guardian ad litem and shall have all the above powers conferred upon ~~the~~
300 ~~Division of~~ Land Management in such cases. ~~In addition, the Judiciary shall hear and administer~~
301 probate estates in which ~~the Division of~~ Land Management seeks appointment as a personal
302 representative.
303

304 | **601.9. Leasing of Real Property**

305 | 601.9-1. ~~The~~ In accordance with the Leasing law, ~~the Division of~~ Land Management shall
306 administer and process all leasing of Tribal land for ~~residential,~~ agricultural and commercial

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307 | purposes and the Comprehensive Housing Division shall administer and process all leasing of
308 | Tribal land for residential purposes~~in accordance with the Leasing law.~~ –The Leasing law
309 | definition of Tribal land does not include Tribal fee land; however, pursuant to this law, ~~the~~
310 | ~~Division of Land Management~~ the responsible parties designated herein shall administer and
311 | process ~~all~~ leases of both Tribal fee land and Tribal trust land in accordance with the Leasing
312 | law. ~~lasting longer than one (1) year that are not made as part of the homeownership program~~
313 | ~~using federal funding in accordance with the Leasing law.~~

314

315 | **601.10. Records**

316 | 601.10-1. *Purpose.* ~~The Division of~~ Land Management shall oversee the administration of the
317 | Oneida Nation Register of Deeds which shall accept and record documents related to real
318 | property located within the Reservation, as well as documents related to and all Tribal fee land,
319 | regardless of where it is located.

320 | 601.10-2. *Types of Records.* The Oneida Nation Register of Deeds may only accept documents
321 | that provide evidence of activities affecting real property title, preserve the record of a title
322 | document and give constructive notice of changes to a title document. Further, ~~said~~ such
323 | documents shall be originals, signed duplicates or certified copies. The following documents
324 | may be accepted by the Oneida Nation Register of Deeds.

325 | (a) Deeds;

326 | (b) Probate orders;

327 | (c) Mortgages and other valid liens;

328 | (d) Easements, covenants, and restrictions;

329 | (e) Certified survey maps and plats of survey;

330 | (f) Patents;

331 | (g) Declarations of involuntary transfer or taking;

332 | (h) Satisfactions;

333 | (i) Leases made pursuant to the Leasing law;

334 | (j) Home ownership agreements made pursuant to the Landlord-Tenant law;

335 | (k) Marriage agreements; and

336 | (l) Correction of title defects.

337 | 601.10-3. *Accessibility.* The Oneida Nation Register of Deeds shall provide open access to land
338 | records and title documents.

339 | 601.10-4. *Trust Land.* All documents pertaining to Tribal trust land and ~~Individual~~ individual
340 | trust land shall be recorded with the Oneida Nation Register of Deeds and the Bureau of Indian
341 | Affairs Land Titles and Records Office.

342 | 601.10-5. *Tribal Seal.* The Nation's Secretary shall provide ~~the Division of~~ Land Management
343 | with the Nation's seal to be used to authenticate documents which are certified by the Oneida
344 | Nation Register of Deeds.

345

346 | **601.11. Real Estate Education Requirements and Certifications**

347 | 601.11-1. *Wisconsin Real Estate Education and Exam Required.* All persons engaging in the
348 | acquisition of Tribal fee land on behalf of the Nation, specifically those performing real estate
349 | closings, shall pass the Wisconsin Real Estate License Exam. Such persons are not required to
350 | obtain a Wisconsin Real Estate License, but ~~are required to~~ shall fulfill the pre-license education
351 | requirement, pass the licensing exam and fulfill a minimum of twelve (12) hours or four (4)
352 | courses of continuing education requirements as required of Wisconsin real estate licensees. –The

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353 | ~~Division of~~ Land Management ~~Director~~ director shall select which continuing education courses
354 | are required and the Oneida Law Office shall provide the ~~Director~~ director with a
355 | recommendation.- In addition to Wisconsin's minimum education requirements as applied to the
356 | Nation's real estate employees in this law, ~~the Division of~~ Land Management shall require such
357 | employees to attend real estate training specific to the Nation's goals and unique positions as the
358 | Oneida Law Office shall offer on an as-needed basis.

359 | (a) While Wisconsin real estate law allows persons engaged in the sale of real estate to
360 | earn a commission, persons acquiring Tribal fee land on behalf of the Nation are regular
361 | employees of the Nation and, therefore, shall waive any commission for which they
362 | might otherwise be eligible.

363 | (b) It is critical to the Oneida Nation's goal to reacquire property within the original
364 | Reservation boundaries to have employees educated and experienced in executing real
365 | estate transactions.- Accordingly, ~~the Division of~~ Land Management shall employ a
366 | minimum of one (1) employee whose primary focus is real estate acquisitions and shall
367 | ensure that a minimum of two (2) employees are educated and trained as backups to the
368 | primary.

369 | 601.11-2. *TAAMS Certification Required.* -All persons responsible for encoding leasing
370 | information shall obtain a TAAMS certification, which includes, but is not limited to, the
371 | following positions:

372 | (a) Residential and Commercial Leasing Specialists;

373 | (b) Land Title and Trust Manager; and

374 | (c) Title Examiner.

375 | 601.11-3. *Fiduciary Responsibility.* All persons engaged in the buying or selling of Tribal land
376 | shall, at all times, act as a fiduciary to the Nation. Further, all such persons shall comply with all
377 | applicable Tribal and federal laws.

378 | **601.12. Organization**

380 | 601.12-1. *Comprehensive Housing Division.* The Comprehensive Housing Division shall
381 | oversee all residential transactions, ~~excluding residential leases,~~ within the Reservation and shall
382 | process and administer ~~said such~~ transactions using the applicable of the Landlord-Tenant law,
383 | the Mortgage and Foreclosure law, the Leasing law and/or the Eviction and Termination law;
384 | including any corresponding rules. -In addition, the Oneida Land Commission and the
385 | Comprehensive Housing Division shall exercise joint rulemaking authority to provide process
386 | requirements, including but not limited to advertising, notice, prequalification, and selection, that
387 | apply in all circumstances when the Nation is selling a residential property.

388 | 601.12-2. *Oneida Land Commission.* The Oneida Land Commission is comprised of seven (7)
389 | elected Tribal members and shall:

390 | (a) Interpret the provisions of this law and create policy to guide ~~the Division of~~ Land
391 | Management in implementing the same;

392 | (b) Approve or deny all easements and land use licenses;

393 | (c) Review and adopt ~~the Division of~~ Land Management's standard operating procedures
394 | for entering into agriculture and commercial leases pursuant to the Leasing law;

395 | (d) Approve or deny all acquisition of Tribal land;

396 | (e) Allocate and assign land uses to all Tribal land, except those uses governed by the
397 | Public Use of Tribal Land law, based on the Land Use Technical Unit rules which the

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398 Oneida Planning Department shall develop in collaboration with affected Oneida
399 divisions and departments and the Oneida Land Commission; and
400 (f) Name all buildings, roads, parks and the like on Tribal land.
401 601.12-3. ~~Division of Land Management.~~ ~~The Division of~~ Land Management shall implement
402 this law in accordance with the policy directives provided by the Oneida Land Commission. ~~The~~
403 ~~Division of~~ Land Management shall:
404 (a) Forward requests for easements and land use licenses to the Oneida Land
405 Commission based on the easement and land use license rules jointly developed by ~~the~~
406 ~~Division of~~ Land Management and the Oneida Land Commission;
407 (b) Administer and oversee the Oneida Nation Register of Deeds;
408 (c) Enter into and administer ~~residential,~~ agricultural and commercial leases pursuant to
409 the Leasing law and the Eviction and Termination law and any corresponding rules;
410 (d) Prepare title reports and process trust transactions; and
411 (e) Process land acquisition transactions as approved by the Oneida Land Commission.
412

413 *End.*

414

416

417 Adopted ~~BC-05-29-96-A~~

418 Amended-BC-~~03-01-06-D~~

419 Amended-BC-04-28-10-E

420 Amended ~~BC-02-25-15-C~~

421 Amended-BC-05-13-15-B

422 Amended-BC-02-08-17-A

423 Amended- BC-06-14-17-A (Temporary Amendments)

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Title 6. Property and Land – Chapter 601
REAL PROPERTY
Tok[^]ske Kayanl[^]hsla Tsi[>] Ni[>]yohuntsya[≠]#
The real/certain laws of the territory of the nation

601.1. Purpose and Policy	601.7. Title Transfer
601.2. Adoption, Amendment, Repeal	601.8. Probate
601.3. Definitions	601.9. Leasing of Real Property
601.4. General Provisions	601.10. Records
601.5. Holding of Ownership	601.11. Real Estate Education Requirements and Certifications
601.6. Legal Descriptions	601.12. Organization

601.1. Purpose and Policy

601.1-1. *Purpose.* The purpose of this law is to provide regulations and procedures for the transfer, control and management of the territory within the Reservation and all Tribal land; to integrate these regulations and procedures with the real property laws and practices of other federal and state sovereigns which may hold jurisdiction within the Reservation; and to establish licensing and certification requirements for the Nation's employees dealing with real property transactions.

601.1-2. *Policy.* It is the policy of the Nation to set out the responsibilities and expectations for persons purchasing and/or managing real property on behalf of the Nation and/or within the Reservation and to provide real property holder's rights and responsibilities. In addition, it is the Nation's policy that probated estates shall be settled expeditiously and without undue delay.

601.2. Adoption, Amendment, Repeal

601.2-1. This law was adopted by the Oneida Business Committee by resolution BC-5-29-96-A and amended by resolutions BC-3-01-06-D, BC-04-28-10-E, BC-02-25-15-C, BC-05-13-15-B and BC-02-08-17-A and _____.

601.2-2. This law may be amended or repealed by the Oneida Business Committee pursuant to the procedures set out in the Legislative Procedures Act.

601.2-3. 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.

601.2-4. 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. Provided that, the Land Ordinance is applicable only to valid land assignments existing as of January 1, 2016 and is hereby repealed upon the expiration of the last existing land assignment.

601.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.

601.3. Definitions

601.3-1. 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, subject to 601.4-5.

(a) "Broker" means a person who acts as an agent and negotiates the sale, purchase or rental of real property on behalf of others for a fee.

(b) "Certified survey map" means a map which provides the legal description of real property and is officially filed and approved by the county, Tribal or municipal governments.

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- 36 (c) “Comprehensive Housing Division” means the division within the Nation under the
37 direction of the Comprehensive Housing Division Director which consists of all
38 residential services offered by the Nation, including but not limited to, all rental
39 programs, the rent-to-own program, and the residential sales and mortgages programs.
40 (d) “Easement” means a real property right to cross or otherwise utilize the land of
41 another for a specified purpose.
42 (e) “Estate” means a person’s interest in real property or other property.
43 (f) “Fiduciary” means a person required to act for the benefit of another person on all
44 matters within the scope of their relationship and by such a relationship owes another
45 duties of good faith, trust, confidence and candor. For the purposes of this law, both
46 brokers and salespersons are “fiduciaries.”
47 (g) “Guardian ad litem” means a guardian appointed by the Judiciary on behalf of an
48 incompetent or minor party.
49 (h) “Individual fee land” means real property held in fee status by an individual or group
50 of individuals.
51 (i) “Individual trust land” means individual Tribal land held in trust by the United States
52 of America for the benefit of a Tribal member.
53 (j) “Judiciary” means the judicial system that was established by Oneida General Tribal
54 Council resolution GTC-01-07-13-B to administer the judicial authorities and
55 responsibilities of the Nation.
56 (k) “Land Management” means the entity within the Nation responsible for maintaining
57 the Oneida Nation Register of Deeds, entering into and administering agricultural and
58 commercial leases on behalf of the Nation, processing trust transactions and land
59 acquisition transactions, and for fulfilling other responsibilities as identified within this
60 law.
61 (l) “Land use license” means an agreement entered into by the Nation providing a party
62 the right to occupy and/or utilize a specified piece of Tribal land for a specific purpose
63 and a specific duration, which may require the Nation to be compensated for such use.
64 (m) “Leasehold mortgage” means a mortgage, deed of trust, or other instrument that
65 pledges a lessee’s leasehold interest as security for a debt or other obligation owed by the
66 lessee to a lender or other mortgagee.
67 (n) “Nation” means the Oneida Nation.
68 (o) “Personal representative” means a person to whom authority to administer a
69 decedent’s estate have been granted by Land Management or the Judiciary.
70 (p) “Probate” or “Administration” means any proceeding relating to a decedent’s estate,
71 whether there is or is not a will.
72 (q) “Real property” means land and anything growing on, attached to, or erected on the
73 land, excluding anything that may be severed without injury to the land.
74 (r) “Reservation” means all the property within the exterior boundaries of the
75 Reservation of the Oneida Nation, as created pursuant to the 1838 Treaty with the Oneida
76 7 Stat. 566, and any lands added thereto pursuant to federal law.
77 (s) “Restricted fee status” means an interest in real property which includes a provision
78 in the deed or will that, upon the happening or failure to happen of a certain event, the
79 title of the purchaser or devisee shall be limited, enlarged, changed or terminated.
80 (t) “Rule” means a set of requirements, including fee schedules, enacted by the
81 Comprehensive Housing Division, Land Management, Oneida Planning Department

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82 and/or the Oneida Land Commission in accordance with the Administrative Rulemaking
83 law, based on authority delegated in this law in order to implement, interpret and/or
84 enforce this law.

85 (u) “TAAMS” (Trust Asset and Accounting Management System) means the Bureau of
86 Indian Affairs system for maintaining and tracking land title documents and all legal
87 documents relating to land transactions.

88 (v) “Title status report” means a report issued by the Bureau of Indian Affairs after a title
89 examination which shows the proper legal description of a tract of Tribal land; current
90 ownership, including any applicable conditions, exceptions, restrictions or encumbrances
91 on records; and whether the land is in unrestricted, restricted, trust, or other status as
92 indicated by the records in a Land Titles and Records Office.

93 (w) “Tribal fee land” means land held in fee status by the Nation.

94 (x) “Tribal land” means Tribal fee land and Tribal trust land.

95 (y) “Tribal member” means an individual who is an enrolled member of the Nation.

96 (z) “Tribal trust land” means the surface estate of land or any interest therein held by the
97 United States in trust for the Nation; land held by the Nation subject to federal
98 restrictions against alienation or encumbrance; land reserved for federal purposes; and/or
99 land held by the United States in trust for the Nation under Section 17 of the Indian
100 Reorganization Act, 25 U.S.C §477, et. seq.

101 102 **601.4. General Provisions**

103 601.4-1. *Applicable Real Property*. The provisions of this law extend to all Tribal member’s
104 individual fee land and Tribal member’s individual trust land within the Reservation boundaries
105 and all Tribal land.

106 601.4-2. *Tribal Land Base*. Land Management shall administer all transactions which add real
107 property to the Tribal land base under the provisions of this law.

108 601.4-3. *Sale of Tribal Land Prohibited*. The sale of Tribal land is specifically prohibited by this
109 law, unless the intent of the transaction is the consolidation or partition of Tribal trust land and/or
110 individual trust land.

111 601.4-4. *New Land Assignments Prohibited*. The Nation may not acknowledge any new land
112 assignments. Further, in order to be eligible for a Tribal loan issued against a real property
113 interest held as a land assignment, the land assignment shall first be converted to a residential
114 lease.

115 601.4-5. *Wisconsin Probate Code and its Related Chapters*. In instances where the Nation lacks
116 definition, procedure, or legal precedent in a probate matter, the Nation shall use Wisconsin’s
117 Probate Code and its related chapters for guidance.

118 601.4-6. *Wisconsin Real Property Law*. The Nation shall follow all applicable portions of the
119 Wisconsin Real Property law when acquiring individual fee land.

120 601.4-7. *No Waiver of Sovereign Immunity*. Nothing in this law may be construed as a waiver of
121 the Nation’s sovereign immunity.

122 123 **601.5. Holding of Ownership**

124 601.5-1. Interests in real property by more than one (1) person may be held in the following
125 ways:

126 (a) *Joint Tenancy with the Right of Survivorship*. Pursuant to this ownership mechanism
127 each owner has an equal, undivided interest in the real property. When an owner dies,

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128 his/her share is divided among the remaining owners; the last living owner owns the
129 entire property.

130 (1) Real property owned by married persons is held under this mechanism unless
131 they have executed a valid marital property agreement specifically stating that the
132 real property in question is held as tenants in common.

133 (b) *Tenancy in Common*. Pursuant to this ownership mechanism each owner has a
134 percentage of divided interest in the real property. When an owner dies, his/her interest is
135 divided among his/her devisees or heirs.

136 (1) Real property owned by more than one (1) person, other than married persons,
137 is owned under this mechanism unless a deed or transfer document specifically
138 states the real property is held as joint tenants with rights of survivorship.
139

140 **601.6. Legal Descriptions**

141 601.6-1. The legal description for any real property transferred under this law shall be derived
142 from a certified survey map or survey completed by a registered land surveyor according to
143 currently accepted minimum industry standards for property surveys. If the plat of survey
144 changes the legal description of the certified survey map for the same piece of property, the
145 certified survey map's legal description shall be used on transfer documents along with the
146 survey description, which shall be designated as "Also Known As ..." Section, township, range
147 and fourth principal meridian shall be included in all legal descriptions.

148 601.6-2. Every land survey shall be made in accordance with the county register of deeds'
149 records for fee land, and in accordance with the Oneida Nation Register of Deeds' records for
150 Tribal trust lands and individual trust lands. The surveyor shall acquire data necessary to retrace
151 record title boundaries such as deeds, maps, certificates of title, title status reports, Tribal leases,
152 Tribal home purchase agreements, center line and other boundary line locations.

153 601.6-3. Legal descriptions defining land boundaries shall be complete, providing unequivocal
154 identification of line or boundaries.

155 601.6-4. All surveys prepared for the Nation shall comply with survey requirements outlined in
156 the Wisconsin Administrative Code, Chapter A-E7 and indicate setbacks, building locations and
157 encroachments, as applicable.

158 601.6-5. Legal descriptions shall be used on transfer documents formalizing a purchase, real
159 estate sale, lease, foreclosure, probate transfer, trust acquisition and Tribal resolutions.

160 601.6-6. When real estate is listed, noticed and/or advertised as available for sale, rent or lease
161 to Tribal members, the address is an adequate legal description of the real property.
162

163 **601.7. Title Transfer**

164 601.7-1. *Trust Acquisition*. Land Management shall use title companies duly registered with
165 the Department of Interior and approved by the Land Management to update abstracts or provide
166 title insurance on real property scheduled for trust acquisition.

167 (a) Title companies shall follow general guidelines provided by the federal government
168 in terms of form, content, period of search, destroyed or lost records and abstracter's
169 certificate.

170 (b) When researching land title for real property within the Reservation which is being
171 considered for trust acquisition, Land Management shall request the title company to
172 search the title back to the original allottee, in order to ensure that patents or Indian deeds
173 were legally issued.

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174 (c) Any valid liens or encumbrances shown by the commitment for title insurance shall
175 be eliminated before the title is transferred into trust.

176 (d) After land is in trust both a title search of county records and a title status report
177 requested by Land Management from the Bureau of Indian Affairs shall verify all valid
178 encumbrances, if any, on the title. For the purposes of this section, a valid encumbrance
179 is one that has been preapproved, in writing, by Land Management based on a standard
180 operating procedure that is effective upon approval by the Oneida Land Commission.

181 (e) Land Management applications to convert Tribal fee land into Tribal trust land
182 require an Oneida Land Commission resolution approving the conversion.

183 601.7-2. *Deeds.* A deed is the formal document used by the Land Management to transfer title
184 from one (1) party to another.

185 (a) A valid deed shall:

186 (1) Be in writing;

187 (2) Identify the grantor (seller) and grantee (buyer);

188 (3) Provide the legal description of the real property;

189 (4) Identify the interest conveyed, as well as any conditions, reservations,
190 exceptions, or rights of way attached to the interest;

191 (5) Be signed by or on behalf of each of the grantors (sellers);

192 (6) Be signed by or on behalf of each spouse of each of the grantors (sellers), if
193 applicable; and

194 (7) Be delivered to the grantee (buyer).

195 (b) In addition to the requirements listed in section 601.7-2(a), a deed prepared for trust
196 acquisition shall include:

197 (1) The federal authority for trust acquisition;

198 (2) Any exceptions or exclusions from the State of Wisconsin's fees or other
199 transfer requirements;

200 (3) The approximate acreage of the real property being transferred to trust; and

201 (4) The authority and signature of the appropriate Department of Interior official
202 who accepts the real property into trust.

203 (c) A deed transferring fee simple title shall be recorded in the appropriate register of
204 deeds office, provided that, once the real property is in trust, the title shall be recorded
205 with the Oneida Nation Register of Deeds and the Bureau of Indian Affairs Land Titles
206 and Records Office.

207 601.7-3. *Involuntary Transfer of Title.* All involuntary transfers of title require a hearing and
208 order from the Judiciary, and may occur in the following ways:

209 (a) *Eminent Domain.* Eminent domain is the right of the Nation's government to acquire
210 Tribal member individual fee land within the Reservation for public uses without the
211 consent of private owners.

212 (1) For the purposes of this section, public uses include, but are not limited to,
213 environmental protection, streets, highways, sanitary sewers, public utility/sites,
214 waste treatment facilities and public housing.

215 (2) Prior to exercising eminent domain, the Nation shall first attempt to negotiate
216 an agreeable taking by making an offer to purchase based on an appraisal of the
217 real property. The appraisal amount may be based on an appraisal provided by the
218 Nation. In the event the property owner objects to the Nation's appraisal, they

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219 may obtain an independent appraisal at their own cost. For the purposes of this
220 section, an appraisal means process for estimating a piece of real property's value.
221 (3) The Nation's exercise of eminent domain may be appealed to the Judiciary.
222 (b) *Foreclosure.* Foreclosures may occur subject to the Mortgage and Foreclosure law
223 when a Tribal member ceases payment on a leasehold mortgage.
224 (c) *Tribal Land Consolidation.* Section 207 of the Indian Land Consolidation Act
225 (Pub.L. No. 97-459, 96 Stat. 2515, and amended on October 30, 1984 by Pub.L. No. 98-
226 608, 98 Stat. 3171) is incorporated into this law, which provides a mechanism for real
227 property within the Reservation to escheat, or pass, to the Nation.
228 (1) Pursuant to section 207 of the Indian Land Consolidation Act, an ownership
229 interest in real property escheats, or passes, to the Nation under the following
230 circumstances, provided that the Nation shall provide just compensation for the
231 interest:
232 (A) The real property is within the Reservation boundaries;
233 (B) The decedent's ownership in the given parcel of land is two percent
234 (2%) or less of the total acreage; and
235 (C) The interest is incapable of earning one hundred dollars (\$100) in any
236 one (1) of the five (5) years immediately following the decedent's death.
237 (2) A decedent's heirs may appeal a land consolidation under this section to the
238 Judiciary.
239 (3) Land consolidation is subject to the probate requirements, as included in this
240 law and accompanying rules.
241 (d) *Transferring Interests Inherited by Non-Tribal Members.* If the owner of an interest
242 of real property which is held in trust or restricted fee status located within the
243 Reservation devises such interest to a non-Tribal member, the Nation may acquire the
244 interest by paying the fair market value of the interest determined as of the date of the
245 decedent's death. Such transfer is effective upon receipt of an order transferring inherited
246 interests from the Judiciary pursuant to section 205 of the Indian Land Consolidation Act.
247 (1) An order transferring inherited interests may not be granted if:
248 (A) While the decedent's estate is pending, the non-Indian devisee
249 denounces his or her interest in favor of a Tribal member person;
250 (B) The interest is part of a family farm that is devised to a member of the
251 immediate family of the decedent, provided that such a restriction shall be
252 recorded as part of the deed relating to the interest involved; or
253 (C) The devisee agrees in writing that the Nation may acquire the interest
254 for fair market value only if the interest is offered for sale to a person or
255 entity that is not a member of the immediate family of the owner of the
256 interest.
257 (e) *Easements for Landlocked Properties.* Land Management and the Oneida Land
258 Commission shall jointly develop rules regarding requests for easements for landlocked
259 properties.
260 601.7-4. Land Management shall work with the Oneida Law Office in order to pursue an
261 involuntary transfer of title.
262

263 **601.8. Probate**

264 601.8-1. Land Management shall process and administer probate estates and, where necessary,
265 shall refer probate estates to the Oneida Judiciary for formal administration. Land Management
266 and the Oneida Land Commission shall jointly create any rules necessary to administer probate
267 estates. Land Management shall:

- 268 (a) Process applications for probate administration;
269 (b) Receive proof of heirship demonstrating a party is entitled to receive an intestate
270 decedent's property pursuant to applicable laws and rules;
271 (c) Receive consent to serve forms and in undisputed matters, issue domiciliary letters;
272 (d) Require and receive affidavits of service;
273 (e) Receive waiver and consent to probate administration forms and any related
274 affidavits;
275 (f) Issue notice to creditors of the probate's administration, receive creditor claims for
276 consideration and settlement, and issue discharge of creditors when appropriate;
277 (g) Receive and process all estate inventories;
278 (h) Receive and process, when possible, land transactions in accordance with this law and
279 receive proof of recording documents;
280 (i) Receive estate receipts;
281 (j) In undisputed matters, receive and process statement of personal representative to
282 close estate and issue discharge of personal representative; and
283 (k) Refer disputed matters to the Judiciary, transfer probate and related documents, and
284 participate in the Judiciary's proceedings as necessary.

285 601.8-2. The Judiciary shall hear and administer disputed probate estates or matters requiring
286 appointment of a guardian ad litem and shall have all the above powers conferred upon Land
287 Management in such cases. In addition, the Judiciary shall hear and administer probate estates in
288 which Land Management seeks appointment as a personal representative.
289

290 **601.9. Leasing of Real Property**

291 601.9-1. In accordance with the Leasing law, Land Management shall administer and process
292 all leasing of Tribal land for agricultural and commercial purposes and the Comprehensive
293 Housing Division shall administer and process all leasing of Tribal land for residential purposes.
294 The Leasing law definition of Tribal land does not include Tribal fee land; however, pursuant to
295 this law, the responsible parties designated herein shall administer and process leases of both
296 Tribal fee land and Tribal trust land in accordance with the Leasing law.
297

298 **601.10. Records**

299 601.10-1. *Purpose.* Land Management shall oversee the administration of the Oneida Nation
300 Register of Deeds which shall accept and record documents related to real property located
301 within the Reservation, as well as documents related to all Tribal fee land, regardless of where it
302 is located.

303 601.10-2. *Types of Records.* The Oneida Nation Register of Deeds may only accept documents
304 that provide evidence of activities affecting real property title, preserve the record of a title
305 document and give constructive notice of changes to a title document. Further, such documents
306 shall be originals, signed duplicates or certified copies. The following documents may be
307 accepted by the Oneida Nation Register of Deeds.

- 308 (a) Deeds;

- 309 (b) Probate orders;
- 310 (c) Mortgages and other valid liens;
- 311 (d) Easements, covenants, and restrictions;
- 312 (e) Certified survey maps and plats of survey;
- 313 (f) Patents;
- 314 (g) Declarations of involuntary transfer or taking;
- 315 (h) Satisfactions;
- 316 (i) Leases made pursuant to the Leasing law;
- 317 (j) Home ownership agreements made pursuant to the Landlord-Tenant law;
- 318 (k) Marriage agreements; and
- 319 (l) Correction of title defects.

320 601.10-3. *Accessibility*. The Oneida Nation Register of Deeds shall provide open access to land
321 records and title documents.

322 601.10-4. *Trust Land*. All documents pertaining to Tribal trust land and individual trust land
323 shall be recorded with the Oneida Nation Register of Deeds and the Bureau of Indian Affairs
324 Land Titles and Records Office.

325 601.10-5. *Tribal Seal*. The Nation's Secretary shall provide Land Management with the
326 Nation's seal to be used to authenticate documents which are certified by the Oneida Nation
327 Register of Deeds.

328

329 **601.11. Real Estate Education Requirements and Certifications**

330 601.11-1. *Wisconsin Real Estate Education and Exam Required*. All persons engaging in the
331 acquisition of Tribal fee land on behalf of the Nation, specifically those performing real estate
332 closings, shall pass the Wisconsin Real Estate License Exam. Such persons are not required to
333 obtain a Wisconsin Real Estate License, but shall fulfill the pre-license education requirement,
334 pass the licensing exam and fulfill a minimum of twelve (12) hours or four (4) courses of
335 continuing education requirements as required of Wisconsin real estate licensees. The Land
336 Management director shall select which continuing education courses are required and the
337 Oneida Law Office shall provide the director with a recommendation. In addition to Wisconsin's
338 minimum education requirements as applied to the Nation's real estate employees in this law,
339 Land Management shall require such employees to attend real estate training specific to the
340 Nation's goals and unique positions as the Oneida Law Office shall offer on an as-needed basis.

341 (a) While Wisconsin real estate law allows persons engaged in the sale of real estate to
342 earn a commission, persons acquiring Tribal fee land on behalf of the Nation are regular
343 employees of the Nation and, therefore, shall waive any commission for which they
344 might otherwise be eligible.

345 (b) It is critical to the Oneida Nation's goal to reacquire property within the original
346 Reservation boundaries to have employees educated and experienced in executing real
347 estate transactions. Accordingly, Land Management shall employ a minimum of one (1)
348 employee whose primary focus is real estate acquisitions and shall ensure that a
349 minimum of two (2) employees are educated and trained as backups to the primary.

350 601.11-2. *TAAMS Certification Required*. All persons responsible for encoding leasing
351 information shall obtain a TAAMS certification, which includes, but is not limited to, the
352 following positions:

- 353 (a) Residential and Commercial Leasing Specialists;
- 354 (b) Land Title and Trust Manager; and

355 (c) Title Examiner.

356 601.11-3. *Fiduciary Responsibility*. All persons engaged in the buying or selling of Tribal land
357 shall, at all times, act as a fiduciary to the Nation. Further, all such persons shall comply with all
358 applicable Tribal and federal laws.

359

360 **601.12. Organization**

361 601.12-1. *Comprehensive Housing Division*. The Comprehensive Housing Division shall
362 oversee all residential transactions within the Reservation and shall process and administer such
363 transactions using the applicable of the Landlord-Tenant law, the Mortgage and Foreclosure law,
364 the Leasing law and/or the Eviction and Termination law; including any corresponding rules. In
365 addition, the Oneida Land Commission and the Comprehensive Housing Division shall exercise
366 joint rulemaking authority to provide process requirements, including but not limited to
367 advertising, notice, prequalification, and selection, that apply in all circumstances when the
368 Nation is selling a residential property.

369 601.12-2. *Oneida Land Commission*. The Oneida Land Commission is comprised of seven (7)
370 elected Tribal members and shall:

371 (a) Interpret the provisions of this law and create policy to guide Land Management in
372 implementing the same;

373 (b) Approve or deny all easements and land use licenses;

374 (c) Review and adopt Land Management's standard operating procedures for entering
375 into agriculture and commercial leases pursuant to the Leasing law;

376 (d) Approve or deny all acquisition of Tribal land;

377 (e) Allocate and assign land uses to all Tribal land, except those uses governed by the
378 Public Use of Tribal Land law, based on the Land Use Technical Unit rules which the
379 Oneida Planning Department shall develop in collaboration with affected Oneida
380 divisions and departments and the Oneida Land Commission; and

381 (f) Name all buildings, roads, parks and the like on Tribal land.

382 601.12-3. *Land Management*. Land Management shall implement this law in accordance with
383 the policy directives provided by the Oneida Land Commission. Land Management shall:

384 (a) Forward requests for easements and land use licenses to the Oneida Land
385 Commission based on the easement and land use license rules jointly developed by Land
386 Management and the Oneida Land Commission;

387 (b) Administer and oversee the Oneida Nation Register of Deeds;

388 (c) Enter into and administer agricultural and commercial leases pursuant to the Leasing
389 law and the Eviction and Termination law and any corresponding rules;

390 (d) Prepare title reports and process trust transactions; and

391 (e) Process land acquisition transactions as approved by the Oneida Land Commission.

392

393 *End.*

394

395

396

397 Adopted-BC-05-29-96-A

398 Amended-BC-03-01-06-D

399 Amended-BC-04-28-10-E

400 Amended-BC-02-25-15-C

401 Amended-BC-05-13-15-B

402 Amended-BC-02-08-17-A

403 Amended-BC-06-14-17-A (Temporary Amendments)

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 5 / 09 / 18

2. General Information:

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

[Empty text box]

Agenda Header: Standing Committees

Accept as Information only

Action - please describe:

BC approval of Finance Committee Meeting Minutes of April 30, 2018

[Empty text box]

3. Supporting Materials

Report Resolution Contract

Other:

1. FC E-Poll approving 4/30/18 Minutes

3. [Empty text box]

2. FC Mtg Minutes of 4/30/18

4. [Empty text box]

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution

Budgeted - Grant Funded

Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Trish King, Tribal Treasurer

Primary Requestor: Denise Vigue, Executive Assistant to the CFO /Finance Administration
Your Name, Title / Dept. or Tribal Member

Additional Requestor: _____
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

Oneida Business Committee approval is required to approve all Finance Committee meeting actions as the FC is a standing committee of the OBC.

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

ONEIDA NATION

P.O. Box 365



Oneida, WI 54115

MEMORANDUM

TO: Finance Committee
CC: Business Committee
FR: Denise Vigue, Executive Assistant
DT: May 1, 2018
RE: E-Poll Results of: FC Meeting Minutes of April 30, 2018

An E-Poll vote of the Finance Committee was conducted to approve the April 30, 2018 Finance Committee meeting minutes. The results of the completed E-Poll are as follows:

E-POLL RESULTS:

There was a Majority 4 YES votes from Jennifer Webster, Shirley Barber, Chad Fuss, and Daniel Guzman King to approve the April 30, 2018 Finance Committee Meeting Minutes. Larry Barton abstained as he chaired the meeting and Patrick Stensloff did not vote.

The minutes will be placed on the next BC agenda of May 9, 2018 for approval and the next Finance Committee agenda of May 14, 2018 to ratify this E-Poll action.

Yaw^ko

* Per the Finance Committee By-Laws Article III-Meetings, 3-4 Quorum. Four (4) members of the Finance Committee shall constitute a quorum & 3-6 Voting. (d) The Finance Committee shall act by a majority of vote of the quorum present at any meeting.

ONEIDA FINANCE COMMITTEE**FC WORK MEETING****April 30, 2018 – 9:00 A.M.****BC Executive Conference Room****FC REGULAR MEETING****April 30, 2018 – 10:00 A.M.****BC Executive Conference Room****REGULAR MEETING MINUTES - DRAFT****FC Work Meeting:**

Larry Barton, CFO/FC Vice-Chair

Jennifer Webster, BC Council Member

Daniel Guzman King, BC Council Member

Chad Fuss, AGGM-Finance (Gam. Alt)

Shirley Barber, FC Elder Member

Excused: Patricia King, Treasurer/FC Chair and Patrick Stensloff, Purchasing Director**Others Present:** Mitch Metoxen and Denise Vigue, taking notes**FC Regular Meeting:**

Larry Barton, CFO/FC Vice-Chair

Jennifer Webster, BC Council Member

Daniel Guzman King, BC Council Member

Chad Fuss, AGGM-Finance (Gam. Alt)

Shirley Barber, FC Elder Member

Excused: Patricia King, Treasurer/FC Chair and Patrick Stensloff, Purchasing Director**Others Present:** Jared Skenadore, Tim Skenandore, David Emerson, Curt Summers, James Bittorf and Denise Vigue, taking minutes

- I. **Call to Order:** The Regular Meeting was called to order by the FC Vice Chair at 10:00 A.M.
- II. **Approval of Agenda:** APRIL 30, 2018
Motion by Chad Fuss to approve the FC meeting agenda of April 30, 2018 with two ADD On's under the Community Fund and three ADD On's under New Business. Seconded by Jennifer Webster. Motion carried unanimously.
- III. **Approval of Minutes:** APRIL 20, 2018 (Approved via E-Poll on 4/21/18)
Motion by Chad Fuss to ratify the FC E-Poll action taken on 4/21/18 approving the 4/20/18 Finance Committee Meeting Minutes. Seconded by Daniel Guzman King. Motion carried unanimously.
- IV. **Tabled Business:** No Tabled Business
- V. **Capital Expenditures:**
 1. **VERTIV – UPS system replacement** Amount: \$75,901.00
Tim Skenandore, Gaming – Facilities

Tim Skenandore was present to discuss this request: it is for the lifecycle replacement to the generator; some parts that are now obsolete broke down; he worked with Central Purchasing on the sole source as this vendor also has all the maintenance and service agreements related to this system; there is CapEx Committee sign off in packets.

Motion by Jennifer Webster to approve the VERTIV-UPS system replacement from Gaming's Capital Expenditure in the amount of \$75,901.00. Seconded by Daniel Guzman King. Motion carried unanimously.

VI. Community Fund:

REPORTS:

1. CF Update Report for May 2018

Denise J. Vigue, Finance

Motion by Jennifer Webster to accept as FYI the Community Fund Update Report for May 2018. Seconded by Chad Fuss. Motion carried unanimously.

REQUESTS:

1. **Annual WI Indian Golf Assn Tournament** Amount: \$750.00
Racquel Hill, Event Organizer

The requestor was not present, but the Finance Committee noted that this organization has been provided funds in the past; for such community events it was agreed to pay the golf venue directly to offset player fees and associated expenses.

Motion by Jennifer Webster to approve from the Community Fund the golf course fees going directly to the golf course for the Annual Wisconsin Indian Golf Association Tournament in the amount of \$750.00. Seconded by Shirley Barber. Motion carried unanimously.

2. **De Pere Youth Rapides Soccer League fees** Amount: \$58.50
Margaret Vanden Heuvel

Motion by Chad Fuss to approve from the Community Fund the De Pere Youth Rapides Soccer League fees for the son of the requestor in the amount of \$58.50. Seconded by Jennifer Webster. Motion carried unanimously.

3. **Tough Mudder Run - Registration** Amount: \$67.86
Desiree Danforth

It was noted that there are several different race distances and that is why there is a difference in costs between this and the following two requests.

Motion by Jennifer Webster to approve from the Community Fund the registration fees for the Tough Mudder Run in the amount of \$67.86. Seconded by Shirley Barber. Motion carried unanimously.

4. **Tough Mudder Run - Registration** Amount: \$90.86
Tonya Webster

Motion by Chad Fuss to approve from the Community Fund the registration fees for the Tough Mudder Run in the amount of \$90.86. Seconded by Daniel Guzman King. Motion carried unanimously.

- 5. Tough Mudder Run - Registration** Amount: \$90.86
Falicia Kirby

Motion by Jennifer Webster to approve from the Community Fund the registration fees for the Tough Mudder Run in the amount of \$90.86. Seconded by Daniel Guzman King. Motion carried unanimously.

- 6. UWGB Summer Music Camp fees** Amount: \$250.00
Michelle Paider for son, Trent

Motion by Chad Fuss to approve from the Community Fund the UWGB Summer Music Camp fees for the son of the requestor in the amount of \$250.00. Seconded by Jennifer Webster. Motion carried unanimously.

- 7. Youth Golf Tournament(s) fees** Amount: \$500.00
Shoney Skenandore for daughter, Skye

Motion by Shirley Barber to approve from the Community Fund the Youth Golf Tournaments registration fees for the daughter and son of the requestor in the amount of \$500.00 each. Seconded by Chad Fuss. Motion carried unanimously.

- 8. Youth Golf Tournament(s) fees** Amount: \$500.00
Shoney Skenandore for son, Jamozzy

- See Motion in Community Fund Request #7.

- 9. Matt Skenadore Memorial Basketball Tournament** Amount: \$750.00
Judith Skenadore, Event Organizer

Jared Skenadore was present to discuss this annual charitable event with much of the proceeds going to the American Heart Association; this is their 18th Year with a good turn out each ranging from 7-12 teams participating; the product is used as a fundraiser as is a 50/50 raffle; other costs include the referee fees that are over a thousand dollars.

Motion by Jennifer Webster to approve from the Community Fund the referee fees for the Matt Skenadore Memorial Basketball Tournament in the amount of \$750.00 and the Product request for 25 Cases of Coca-Cola for fundraising at the event. Seconded by Shirley Barber. Motion carried unanimously.

- 10. Matt Skenadore Memorial Basketball Tournament** Amount: 25 Cases
Judith Skenadore, Event Organizer

- See Motion in Community Fund Request #9.

- 11. Team Scennie WI Lacrosse registration** Amount: \$500.00
Curt Summers for son, Royce

Curt Summers was present to discuss this and the following request for his two sons to participate in the Wisconsin Lacrosse team; costs are for registration and there are other associated expenses that cannot all be covered by the family without this assistance.

Motion by Chad Fuss to approve from the Community Fund the Team Scennie WI Lacrosse registration costs for the two (2) sons of the requestor in the amount of \$500.00 each. Seconded by Daniel Guzman King. Motion carried unanimously.

- 12. Team Scennie WI Lacrosse registration** Amount: \$500.00
Curt Summers for son, Curtiss, Jr.

- See Motion in Community Fund Request #11.

- 13. SoonWarren Art Workshop registration** Amount: \$500.00
Christine Klimmek

Motion by Jennifer Webster to approve from the Community Fund the SoonWarren Art Workshop registration fees in the amount of \$500.00. Seconded by Shirley Barber. Motion carried unanimously.

- 14. Team Scennie WI Lacrosse registration** Amount: \$500.00
Kelly Johnson for son, Devin

Motion by Daniel Guzman King to approve from the Community Fund the Team Scennie WI Lacrosse registration costs for the three (3) sons of the requestor in the amount of \$500.00 each. Seconded by Chad Fuss. Motion carried unanimously.

- 15. Team Scennie WI Lacrosse registration** Amount: \$500.00
Kelly Johnson for son, Jonas

- See Motion in Community Fund Request #14.

- 16. Team Scennie WI Lacrosse registration** Amount: \$500.00
Kelly Johnson for son, Dakota

- See Motion in Community Fund Request #14.

- 17. ADD On: Erwin Cottrell Memorial Golf Tournament** Amount: \$750.00
Louis Cottrell, Event Co-Organizer

It was noted this the same criteria as with CF #1 will be applied to pay the amount directly to the golf venue to assist in offsetting total costs for the event.

Motion by Jennifer Webster to approve from the Community Fund the golf course fees going directly to the golf course for the Annual Erwin Cottrell Memorial Golf Tournament in the amount of \$750.00. Seconded by Chad Fuss. Motion carried unanimously.

- 18. ADD On: Team Scennie WI Lacrosse registration** Amount: \$500.00
Richard Summers Jr. for son Richard III

Motion by Jennifer Webster to approve from the Community Fund the Team Scennie WI Lacrosse registration costs for the son of the requestor in the amount of \$500.00. Seconded by Shirley Barber. Motion carried unanimously.

VII. NEW BUSINESS:

- 1. Bally Conversions** Amount: \$53,910.00
David Emerson, Gaming – Slots

David Emerson was present to explain this request: the conversions are software changes and cosmetic changes to existing slot games; the conversions are routinely done to replace games that are slowing down or no longer played with newer games, this come from the Slots Operations budget and is over the Purchasing threshold amount so it needs FC approval.

Motion by Jennifer Webster to approve the Bally Conversions for the Gaming Slots Department in the amount of \$53,910.00. Seconded by Daniel Guzman King. Motion carried unanimously.

- 2. ADD On: FY18 PO Increase – Hoxie Associates** Amount: \$20,000.00
James Bittorf, Oneida Law Office

Attorney Bittorf was present to explain the need for these three PO requests for increases; all three are related to litigation activities related to the Big Apple Fest and suit against the town of Hobart.

Motion by Jennifer Webster to approve this and the following two requests for PO increases in the amounts as requested. Seconded by Chad Fuss. Motion carried unanimously.

- 3. ADD On: FY18 PO Increase – Hansen Reynolds** Amount: \$200,000.00
James Bittorf, Oneida Law Office

- See Motion in New Business Request #2.

- 4. ADD On: FY18 PO Increase – ArLinda Locklear** Amount: \$100,000.00
James Bittorf, Oneida Law Office

- See Motion in New Business Request #2.

VIII. EXECUTIVE SESSION: No Requests

IX. FOLLOW UP: None

X. FYI and/or THANK YOU: None

XI. ADJOURN: Motion by Chad Fuss to adjourn. Seconded by Daniel Guzman King. Motion carried unanimously. Time: 10:45 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: May 1, 2018

Oneida Business Committee's FC Minutes Approval Date: _____

Oneida Business Committee Agenda Request

1. Meeting Date Requested: ___ 05 /09/18 ___

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 April 18, 2018 Legislative Operating Committee 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
Oneida-nsn.gov



LEGISLATIVE OPERATING COMMITTEE MEETING MINUTES

Business Committee Conference Room-2nd Floor Norbert Hill Center

April 18, 2018

9:00 a.m.

Present: David P. Jordan, Daniel Guzman King, Jennifer Webster, Kirby Metoxen

Excused: Ernest Stevens III

Others Present: Brandon Wisneski, Clorissa Santiago, Tani Thurner, Jen Falck, Ed Delgado, Laura Laitinen-Warren, Lee Cornelius

I. Call to Order and Approval of the Agenda

David P. Jordan called the April 18, 2018 Legislative Operating Committee meeting to order at 9:00 a.m.

Motion by Jennifer Webster to adopt the agenda with the deletion of the Internal Audit Amendments and the Employment Law; seconded by Kirby Metoxen. Motion carried unanimously.

II. Minutes to be Approved (3:07-3:30)

April 2, 2018 LOC minutes

Motion to approve the April 2, 2018 LOC minutes by Daniel Guzman King, seconded by Jennifer Webster; motion carried with Kirby Metoxen abstaining.

III. Current Business

1. ~~Internal Audit Amendments~~

2. ~~Employment Law~~

3. Petition – Metivier: Treatment Clinic (1:40 – 2:28)

Motion by Kirby Metoxen to approve and send to the Oneida Business Committee next week; seconded by Jennifer Webster. Motion carried unanimously.

IV. New Submissions

1. Oneida Personnel, Policies and Procedures (2:29 – 3:19)

Motion by Daniel Guzman King to add to the Active Files List as a high priority with David P. Jordan as the sponsor; seconded by Jennifer Webster. Motion carried unanimously.

2. Military Service Employee Protection Act (3:21- 3:47)

Motion by Kirby Metoxen to add to the Active Files list as a high priority with David P. Jordan as the Sponsor; seconded by Daniel Guzman King. Motion carried unanimously.

V. Additions

Legislative Operating Committee Meeting Minutes of April 18, 2018

Page 1 of 2

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

VI. Administrative Updates**1. LOC FY 18 2nd Quarter Report (3:49 – 7:02)**

Motion by Jennifer Webster to approve LOC FY 18 2nd Quarter Report and forward to the Oneida Business Committee; seconded by Daniel Guzman King. Motion carried unanimously.

**note for the record: add the reason why LOC meetings were cancelled and why there wasn't a quorum.

2. Rules of Civil Procedure (7:03 - 8:55)

Motion by Kirby Metoxen to approve the Rules of Civil Procedure to Emergency Amendment as a high priority with the same sponsor; seconded by Jennifer Webster. Motion carried unanimously.

3. Employee Protection Policy (8:55 -9:36)

Motion by Jennifer Webster to change the status to Emergency Amendment; seconded by Daniel Guzman King. Motion carried unanimously.

VII. Executive Session**VIII. Adjourn**

Motion by Kirby Metoxen to adjourn at 9:09 a.m.; seconded by Daniel Guzman King. Motion carried unanimously.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 05 / 09 / 18

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 the Leasing Law Emergency Rule #1

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: Clorissa N. Santiago, LRO Staff Attorney
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.

MEMORANDUM

TO: Legislative Operating Committee
FROM: Dana McLester, CHD Division Director
DATE: April 19, 2018
RE: Emergency Rule – Residential Leasing

The Leasing law received approval from the Secretary of the Interior and was posted on the Federal Register on April 19, 2018. In accordance with BC Resolution # 10-26-16-C, the effective date of the Leasing law will be May 19, 2018. The Residential Leasing rule, which is associated with the Leasing law, is currently going through the normal rulemaking procedures. A timeline for the rule is as follows:

- March 8, 2018 – The Comprehensive Housing Division addressed the draft of the rule with the Oneida Business Committee at a work meeting.
- March 9, 2018 – The Comprehensive Housing Division met with the Legislative Operating Committee to obtain input on the draft.
- March 12, 2018 – The completed draft went to the Oneida Land Commission for required joint approval.
- March 16-27, 2018 – The Comprehensive Housing Division worked with the Oneida Law Office to revise the draft based on a number of questions and concerns brought forth by the Oneida Land Commission.
- April 9, 2018 – The revised draft was approved by the Oneida Land Commission.
- April 10, 2018 – A request was made for the Legislative Reference Office to complete a Statement of Effect by April 20, 2018.
- May 3, 2018 – Notice for the rule will be published in the Kalihwisaks.
- May 17, 2018 – Public Meeting.
- May 19, 2018 – Leasing law will go into effect.
- May 24, 2018 – Public comment period for the rule will expire and the rest of the normal rulemaking procedures will need to occur.

Pursuant to sections 106.10-1(a) and (b) of the Administrative Rulemaking law, an emergency situation exists that requires the enactment of a rule for the immediate preservation of the general welfare of the Reservation population. Without a rule addressing residential leasing, the Comprehensive Housing Division will not have the set of requirements necessary to enter into residential leases in accordance with the Leasing law. This could negatively impact the Reservation population's ability to secure affordable shelter which would in turn affect the ability to permit self-sufficiency and stability. This enactment is required sooner than would be possible under the normal rulemaking procedures, which are currently underway.

The Comprehensive Housing Division believes that pursuing an emergency rule is preferable to attempting to delay the effective date of the Leasing law.

Please contact me with any questions you may have regarding the emergency rule.

Emergency Rule



Title 6. Property and Land – Chapter 602

LEASING LAW

Rule # 1 – Residential Leasing

- 1.1. Purpose and Policy
- 1.2. Adoption and Authority
- 1.3. Definitions
- 1.4. Residential Lease Eligibility, Cost, Duration, and Application
- 1.5. Application Review and Residential Lease Approval
- 1.6. Residential Lease by Guardian
- 1.7. Residential Lease Transfer
- 1.8. Residential Sublease
- 1.9. Residential Lease Termination
- 1.10 Compensation for Improvements Upon Residential Lease Termination
- 1.11 Residential Leasing Actions

1.1. Purpose and Policy

1.1-1. *Purpose.* The purpose of the Residential Leasing rule is to expand upon the information provided in the Leasing Law regarding eligibility, administration, inheritability, and enforcement related to residential leases.

1.1-2. *Policy.* The policy behind the Residential Leasing program is to provide Tribal member's with access to Tribal land for the purpose of homeownership through policies that build strong, safe, and healthy Oneida neighborhoods and provide a consistent and fair process by which residential lease applications will be reviewed and residential leases awarded.

1.2. Adoption and Authority

1.2-1. This rule was jointly adopted by the Comprehensive Housing Division and the Oneida Land Commission in accordance with the Administrative Rulemaking law.

1.2-2. This rule may be amended or repealed by the joint approval of the Comprehensive Housing Division and Land Commission pursuant to the procedures set out in the Administrative Rulemaking law.

1.2-3. Should a provision of this rule or the application of this rule to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this rule which are considered to have legal force without the invalid portions.

1.2-4. In the event of a conflict between a provision of this rule and a provision of another rule, internal policy, procedure, or other regulation; the provisions of this rule controls.

1.2-5. This rule supersedes all prior rules, regulations, internal policies or other requirements relating to the Leasing Law.

1.3. Definitions

1.3-1. This section governs the definitions of words and phrases used within this rule. All words not defined herein are to be used in their ordinary and everyday sense.

- (a) "CHD" means the Nation's Comprehensive Housing Division.
- (b) "Department" means the CHD's Residential Leasing Department.
- (c) "Descendant" means the son or daughter of an enrolled Tribal member.
- (d) "Fee Land" means land held in fee status by the Nation.¹

¹ Although the Real Property law indicates that leases for tribal fee land will follow the procedures set forth in the Leasing Law, CHD shall not record residential leases for fee land with the Land Title Records Office as that office only accepts recordings pertaining to trust land.

Emergency Rule

- (e) “Guardian” means a person who has been appointed by a court of competent jurisdiction to be legally responsible for someone who is unable to manage their own affairs, particularly for minors and/or persons declared legally incompetent.
- (f) “Improvement” means buildings, other structures, and associated infrastructure attached to land.
- (g) “Lessee” means the party to an executed and effective residential lease.
- (h) “Nation” means the Oneida Nation.
- (h) “Premises” means the real property subject to a residential lease.
- (i) “Residential Lease” means the legal document issued by the Nation pursuant to the Leasing Law and this rule which establishes a lessee’s right to occupy Tribal land for residential purposes.
- (j) “Tribal land” means fee land and/or trust land.
- (k) “Tribal Member” means an individual who is an enrolled member of the Nation.
- (l) “Trust land” means the surface estate of land or any interest therein held by the United States in trust for the Nation; land held by the Nation subject to federal restrictions against alienation or encumbrance; land reserved for federal purposes; and/or land held by the United States in trust for the Nation under Section 17 of the Indian Reorganization Act, 25 U.S.C §477, et. seq.
- (m) “Ward” means a person under the care and control of a guardian appointed by a court of competent jurisdiction, usually due the person’s status as a minor or a declaration of legal incompetence.

1.4. Residential Lease Eligibility, Cost, Duration, and Application

1.4-1. *Eligibility.* In order for an applicant to be eligible to enter a residential lease, the applicant must satisfy all of the following:

- (a) Be a Tribal member. Non-Tribal members may be a party to a residential lease under the following circumstances:
 - (1) The non-tribal member is married to a Tribal member party to the residential lease;
 - (2) The non-tribal member spouse is awarded the residential lease through a legal separation or divorce judgment;
 - (3) The Oneida Land Commission has approved the CHD to enter a residential lease with a non-Tribal member party;
 - (4) The non-Tribal member is a descendant or other individual that inherited the residential leasehold interest; or
 - (5) as otherwise specified in this rule.
- (b) Have a maximum of two (2) residential leases provided that a second residential lease is only permitted in circumstances where any required residential subleasing meets the requirements provided in this rule.
- (c) Either:
 - (1) Be in good standing with any mortgage/encumbrance upon the improvements which would be subject to the residential lease; or
 - (2) Demonstrate financial ability to secure improvements upon the premises.

1.4-2. *Residential Lease Cost and Duration.* Unless approved otherwise by the Oneida Land Commission, the initial residential lease term shall be for a period of fifty (50) years with one (1) twenty-five (25) year extension available for a maximum term of seventy-five (75) years.

- (a) Tribal members and non-Tribal members who qualify under sections 1.4-1(a)(1), (2),

Emergency Rule

(4), or (5) of this rule shall pay a non-refundable residential lease cost prior to execution of the lease of three dollars (\$3.00) per year plus an administrative fee of twenty-five dollars (\$25.00).

(b) Where the lessee is a non-Tribal member that enters into a residential lease pursuant to section 1.4-1(a)(3) of this rule, the cost of the residential lease is as follows:

(1) *Fair Market Value*. Non-Tribal members shall pay a one-time twenty-five dollar (\$25.00) administrative fee plus an annual rate which is the lesser of one thousand five hundred dollars (\$1,500.00) and fair market value of the premises. Payment for residential lease costs may be paid up front or broken down into monthly or quarterly payments.

(A) For the purposes of this section, fair market value is determined by dividing the current appraised value of the premises (excluding any improvements) by fifty (50), which represents the standard residential lease term of fifty (50) years.

(B) Once the annual fair market value is set, it shall be locked in for the term of the residential lease.

(C) Where an updated appraisal is required to calculate the current fair market value, lessee shall pay CHD's cost of appraisal, provided that CHD shall select the appraisal provider.

1.4-3. *Application*. In order to apply for a residential lease, applicants shall submit to the Department a residential lease application, which CHD shall make available in hard copy format at CHD and on its website. When submitting the application, applicants shall submit a copy of their Tribal or state identification card as applicable and, if married, a certified copy of the marriage certificate.

1.5. Application Review and Residential Lease Approval

1.5-1. *Application Review*. Upon receipt of a residential lease application, the Department shall:

(a) Initiate the National Environmental Protection Act (NEPA) and cultural reviews required by the Leasing Law with the Environment, Health, Safety and Land Division and the Cultural Heritage Department respectively;

(b) Pull the legal description for the proposed residential lease premises from the title report, if available, and if not, from the warranty deed, including any potential amendments thereto, with the assistance of the Environment, Health, Safety and Land Division as may be needed;

(c) Pull the legal description for the proposed residential lease premises from the survey map;

(d) Confirm the proposed residential lease premises' legal description in the title report/warranty deed and the legal description in the survey match one another. In the event the legal descriptions do not match, the Department shall use the legal description from the most recent document;

(e) Confirm that the minimum terms and conditions required by the Leasing Law are included in the proposed residential lease; and

(f) If any exceptions have been granted by the Oneida Land Commission, confirm such exceptions with a copy of the Oneida Land Commission minutes.

1.5-2. *Residential Lease Approval*. The CHD shall create a checklist for residential lease review. Upon the Department's completion of the checklist, the Department shall forward the residential lease application, residential lease, and associated review documents to the

Emergency Rule

Department's Area Manager for review and approval.

(a) Should the Area Manager approve the satisfaction of the checklist and the residential lease, the Area Manager shall forward the residential lease application, residential lease, and associated review documents to the CHD Director for signature of the residential lease on behalf of the Nation.

(b) Upon signature on behalf of the Nation, the Department shall schedule a meeting with the lessee to review the residential lease terms and to facilitate signature of the lessee, provided that the residential lease may not be signed until the cost of the residential lease has been paid with receipt documented in the residential lease file.

(c) The CHD shall provide the Oneida Land Commission with a quarterly report listing approved residential leases.

1.6. Residential Lease by Guardian

1.6-1. CHD shall permit a guardian to enter a residential lease on behalf of a ward who has either not yet reached the age of majority or who has been deemed incompetent provided that:

(a) The ward must meet the eligibility requirements contained in section 1.4-1 of this rule;

(b) The guardian must provide the Department with a copy of the order appointing them as guardian issued by a court of competent jurisdiction;

(c) The residential lease must require the guardian to provide any updates regarding the scope and status of the guardianship; and

(d) The residential lease must either stay in the name of the ward or transfer to the ward in the event the guardianship is terminated.

1.7. Residential Lease Transfer

1.7-1. *Residential Lease Transfer Outside of Death.* Transfer of a residential lease outside of death may only occur either if all parties involved in the transfer approve of said transfer in writing or if an order from a court of competent jurisdiction requires transfer of the residential lease to an eligible party as defined by this rule.

(a) *Mortgaged Premises.* If the premises is mortgaged, all mortgage parties on the residential lease must remain on the residential lease. Mortgage parties may be removed from the residential lease only if action is taken to remove a party or the parties from the mortgage.

(b) *Residential Lease Transfer Process.* In order to initiate a residential lease transfer, the requesting party must submit a transfer application, which CHD shall make available in-person at CHD and electronically on its website, and pay the twenty-five dollar (\$25.00) transfer fee.

1.7-2. *Residential Lease Transfer Upon Death of Lessee.* Where the lessee dies before the end of the residential lease, the residential lease may be transferred either in reliance on an executed residential lease successor designation form or upon an order from either the Nation's probate hearing body or court of competent jurisdiction assigning the leasehold interest to an eligible heir.

(a) *Eligible Successors.* Unless approved otherwise by the Oneida Land Commission, when assigning a leasehold interest, whether through a successor designation form or a will/probate, in order to be eligible, the successor must meet the requirements of section 1.4-1 of this rule. If the successor has not yet reached the age of majority at the time the lessee becomes deceased, the successor will be required to enter a residential lease by

Emergency Rule

guardian until he/she reaches eighteen (18) years of age.

(1) *Successor Designation Form.* CHD shall make successor designation forms available in-person at CHD and electronically on its website. Executing a successor designation form demonstrates intent of the lessee to remove the residential leasehold interest from the estate's probate assets in order to shorten and simplify the transfer process to an eligible successor upon the death of a lessee. Successor designation forms are only available to lessees where the premises is not subject to a mortgage. If a mortgage is entered after executing a successor designation form and the mortgage is not satisfied at the time the lessee dies, the successor designation form shall be invalid.

(A) The successor designation form shall provide an opportunity for the lessee to name up to a maximum of a three (3) successors.

(B) Upon death of a lessee with a successor designation form on file, the Department shall contact the named successors in the order designated by the lessee and shall inform them of their option to accept the leasehold interest, either for the purpose of personal occupancy or for sale of the residence.

(2) *Probate.* Lessees may also chose to transfer a residential leasehold interest upon their death by having it go through the probate process. The probate process will be used to assign a leasehold interest where there is no valid successor designation form on file or where a successor designation form is on file but a will has been executed after the successor designation form was executed which includes the residential leasehold interest. Where the premises is on trust land, the estate must use the Nation's probate process, whereas a premises on fee land may either be handled through the Nation's or the State of Wisconsin's probate process.

(3) *No Eligible Successors.* Where there are no eligible successors to the residential leasehold interest, the CHD shall terminate the residential lease and shall issue payment to the lessee's estate for any improvements upon the premises in accordance with section 1.10 of this rule. The leasehold interest shall then revert to CHD.

(b) *Married Persons.* When a Tribal member spouse predeceases the term of the residential lease:

(1) If both married parties are parties to the residential lease, the remaining lessee shall continue in effect undisturbed; or

(2) If only the deceased Tribal member was a party to the residential lease and the residential lease was not amended to include the spouse, the CHD, absent a valid marital property agreement stating otherwise, will consider the residential lease marital property and the spouse may sign on to the residential lease.

1.8. Residential Sublease

1.8-1. *Eligibility.* In order to enter a residential sublease agreement, the party assuming the premises through the sublease must meet the eligibility requirements contained in section 1.4-1 of this rule.

1.8-2. *Approval of CHD and Lender Required.* Approval of CHD and, if the premises is subject to a mortgage also the lender, is required prior to entering any sublease agreement.

1.8-3. *Sublessee to Consent to Terms of Residential Lease.* In order to enter a sublease

Emergency Rule

agreement, the sublessee shall consent to the terms of the residential lease provided that the parties to the sublease agreement may negotiate payment provisions differing from payment terms included in the residential lease.

1.8-4. *Original Lessee Remains Responsible.* In terms of residential lease enforcement and compliance with the residential lease, the original lessee shall at all times remain responsible for ensuring compliance with the terms of the residential lease and any and all enforcement actions taken by CHD and/or the Nation shall be taken against the original lessee. Any dispute as to who is responsible for the non-compliance constitutes a private dispute between the sublease parties and shall exclude CHD and the Nation as a party to the dispute.

1.9. Residential Lease Termination

1.9-2. *Termination.* Any termination of a residential lease is subject to requirements of the Eviction and Termination law and shall require CHD to compensate the lessee for any improvements located upon the premises upon said termination in accordance with section 1.10 of this rule.

1.10. Compensation for Improvements Upon Residential Lease Termination

1.10-1. Any time CHD terminates a residential lease which has improvements fixed to the premises, the Nation shall provide the lessee/lessee's estate with compensation for said improvements upon termination.

(a) *Determining Compensation Amount.* The amount of compensation required for any improvements fixed to the premises shall be calculated using a current appraisal of the improvements only and deducting the following from the appraisal value:

- (1) The cost to satisfy any mortgage/encumbrance upon the premises and/or improvements;
- (2) The cost of the appraisal and home inspection, provided that CHD shall select the service providers;
- (3) The cost to bring the improvements to a minimal health and safety standard in accordance with the determination of the Zoning Department and/or the home inspection; and
- (4) Any debts and/or other administrative costs owed to the Nation by the lessee.

1.11 Residential Leasing Actions

1.11-1. The Oneida Judiciary is granted jurisdiction to hear complaints filed regarding actions taken pursuant to this rule.

1.11-2. No administrative hearing body, including a board, committee or commission, is authorized to hear a complaint regarding actions taken pursuant to this rule.

1.11-3. In regards to taking actions authorized under this rule, complaints filed with the Oneida Judiciary shall name the CHD's Residential Leasing Department.

End.

Original effective date:

Summary Report for Residential Leasing (Emergency Rule)

Original effective date: N/A

Amendment effective date: N/A

Name of rule: Residential Leasing

Name of law being interpreted: Leasing Law

Rule number: 1

Other laws or rules that may be affected: N/A

Brief summary of the proposed rule: The purpose of this rule is to expand upon the information provided in the Leasing Law regarding eligibility, administration, inheritability, and enforcement related to residential leases.

Statement of Effect: Obtained after requesting from the Legislative Reference Office.

Financial Analysis: See Attached.



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



Statement of Effect

Leasing Law Rule No.1 – Residential Leasing

Summary

Leasing Law Rule No. 1 – Residential Leasing expands upon the information provided in the Leasing Law regarding eligibility, administration, inheritability, and enforcement related to residential leases.

Submitted by: Clorissa N. Santiago, Staff Attorney, Legislative Reference Office

Date: April 20, 2018

Analysis by the Legislative Reference Office

The Leasing law (“the Law”) was adopted by the Oneida Business Committee by resolution BC-05-13-15-C, amended by resolution BC-10-26-16-C, and is set to become effective thirty (30) calendar days after approval by the Secretary of the Interior. The Law was approved by the Secretary of Interior and published on the Federal Register on April 19, 2018.

The Law was adopted for the purpose of setting forth the Nation’s authority to issue, review, approve and enforce leases, in addition to meeting the requirements of the Helping Expedite and Advance Responsible Tribal Home Ownership Act of 2012 (HEARTH Act) by establishing a process under which the Nation will be able to approve leases on tribal land without additional approval of the Secretary of the Interior. [6 O.C. 602.1-1].

The Law delegates administrative rulemaking authority to Land Management and the Oneida Land Commission as authorized by the Administrative Rulemaking law.

The Law defines Land Management as the Division of Land Management or other entity responsible for entering into leases of tribal land. [6 O.C. 602.3-1(i)]. In regards to residential leases, the Comprehensive Housing Divisions has been the entity delegated the responsibility for entering into leases of tribal land.

The Law requires parties interested in obtaining a residential lease document to submit an application to Land Management pursuant to the rules which Land Management and the Oneida Land Commission shall jointly develop. [6 O.C. 602.5-1]. Land Management is delegated the responsibility to develop, while the Oneida Land Commission is delegated the responsibility to approve, the format and requirements set out in the lease document applications for different types of leases, as well as additional procedures and processes to be followed when offering and awarding lease documents. [6 O.C. 602.5-1(a)].

The Law also allows for Land Management and the Oneida Land Commission to jointly develop rules requiring administrative fees for costs associated with issuing a lease document, or conducting any other administrative transaction. [6 O.C. 602.10-5].

In regards to enforcement, Land Management is delegated all powers necessary and proper to enforce the lease terms, the Law and any rules developed pursuant to the Law, including, but not limited to, the power to enter the premises, assess penalties, assess late payments and cancel leases. [6 O.C. 602.11-1].

The Leasing Law Rule No. 1 – Residential Leases (“the Rule”) expands upon the information provided in the Leasing Law regarding eligibility, administration, inheritability, and enforcement related to residential leases for the purpose of providing Tribal member’s with access to Tribal land for the purpose of homeownership through policies that build strong, safe, and healthy Oneida neighborhoods and provide a consistent and fair process by which residential lease applications will be reviewed and residential leases awarded. [see Rule section 1.1-1 and 1.1-1].

The Rule was jointly adopted by the Comprehensive Housing Division and the Oneida Land Commission. The Rule provides for the following:

- Residential lease eligibility, cost, duration and application [see Rule 1.4];
- Application review and residential lease approval [see Rule 1.5];
- Residential lease by guardian [see Rule 1.6];
- Residential lease transfer [see Rule 1.7];
- Residential sublease [see Rule 1.8];
- Residential lease termination [see Rule 1.9];
- Compensation for improvements upon residential lease termination [see Rule 1.10]; and
- Residential leasing actions [see Rule 1.11].

The provisions of the Rule do not exceed the rulemaking authority granted under the law, as required by the Administrative Rulemaking law. [1 O.C. 106.4-1].

Conclusion

There are no legal bars to adopting the Leasing Law Rule No. 1 – Residential Leases.

**Financial Analysis for Residential Leasing Rule (Comprehensive Housing Division)
EMERGENCY RULE**

Type of Cost	Description/Comment	Dollar Amount
Start Up Costs	Would be absorbed within the current budget.	\$0
Personnel	N/A	\$0
Office	N/A	\$0
Documentation Costs	N/A	\$0
Estimate of time necessary for an individual or agency to comply with the rule after implementation	One week.	\$0
Other, please explain	N/A	\$0
Total Cost (Annual)		\$0

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 05 / 09 / 18

2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

Appoint three (3) applicants to the Southeastern Wisconsin Oneida Tribal Services Advisory Board.

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: Brooke Doxtator, Board, Committee and Commissions Supervisor
Your Name, Title / Dept. or Tribal Member

Additional Requestor: Laura Laitinen-Warren
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.

Oneida Business Committee Agenda Request

6. Cover Memo:

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

Three (3) Vacancies were posted for the SEOTS Board, to complete terms ending February 28, 2020.

The application deadline was April 13, 2018 and seven (7) applications were received for the following individuals:

Michael Coleman, Arthur Elm III, Josefina Garcia-Mondragon, Naomi Cordova, Natysha Reed, Phillip Schmeling, and Tracie Sparks.

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

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

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

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 05 / 09 / 18

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 CIP Concept Paper for Cultural Heritage Site Restrooms CIP #16-001.

3. Supporting Materials

Report Resolution Contract

Other:

1. <input type="text" value="#16-001 Concept Paper"/>	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: Paul Witek, Engineering Director - Senior Architect/Engineering Dept.
Your Name, Title / Dept. or Tribal Member

Additional Requestor: _____
Name, Title / Dept.

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

Oneida Business Committee Agenda Request

6. Cover Memo:

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

Purpose:

The project team is seeking approval of the project's Capital Improvement Process (CIP) Concept Paper. see attached.

Background:

The purpose of this project is to construct a bathroom facility at the Cultural Heritage Site. The site is used for bus tours, daily visitors and special events.

Approval of the project's CIP Concept Paper will allow the project to proceed into the next phase of the process, completing a CIP Package. The CIP Package would be brought forward for approval before the project could proceed.

Action Requested:

1. Approve CIP Concept Paper for project #16-001 Cultural Heritage Site Restrooms.

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

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

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

CAPITAL IMPROVEMENT PROCESS (CIP) – CONCEPT PAPER
 For
Cultural Heritage Site Restrooms
 CIP #16-001

February 4, 2016

I. Purpose:

- A. In order to continue the development of the Oneida Cultural Heritage site we need to accommodate our guest with code compliant toilet facilities that meet their health and safety needs. The current use of porta potties are not meant to be used year around.

II. Project Analysis

- A. Project Description: The construction of a Mens, Womans and unisex toilet facility will accommodate our guest who visit the site through Bus Tours, are daily visitors, and visit yearly events such as the Big Apple Fest. The facility will also house a small storage facility.

B. Assumptions:

1. That the Tribal organization will support the project moving forward.
2. Funding will remain available for developing the project.

C. Operational Impact:

1. Development of another building requiring organization support will require additional coordination from DPW, Custodial, Utilities, and possibly Conservation etc. A full evaluation will be included in the project's CIP Package.

- D. Organizational Goals: The project would support the following goals and objectives of the 2008 Comprehensive Plan for the Oneida Reservation and its 2014 update:

sk<n<<kahak (“peace/well it will become” – SOCIAL WELLNESS)

GOAL 1: Ensure overall wellness for **latiksa>shu ha tsi Niyole lotikst^**
hokú ha (“children as far as the old people”).

Tsi>Niyukwalihot< (“our ways” - CULTURE)

Objective

- 1.1 Preserve Oneida culture and language ayukwatenhotukwathat slay<táke (“we (all) should have a key”).

<yehya> tuhslay<tehliahake (“someone will be educated” - **EDUCATION**)*Objective*

- 1.2 Provide the highest quality education system.

atá kali tatsla (“health/liveliness” - **HEALTHCARE**)*Objective*

- 1.3 Improve physical and mental health of the Oneida community.

luwatiya> takenhas (“they help them” - **HUMAN DEVELOPMENT**)*Objective*

- 1.4 Improve quality of life through social programming.

III. Market

- A. Market Served: Guests of the Oneida Cultural Heritage Site.
- B. Competition: N/A

IV. Potential Risk:

- A. Failure to hold events due to improper toilet facilities. Porta Potties are meant for one time events where there is no Public Toilet Facilities available.
- B. Failure to meet and fulfill the Comprehensive Plan’s goals and objectives supported by this project.

V. Potential Investment

- A. Funding Sources: Potential funding sources for this project include:
 1. CIP Budget - \$191,000 included in approved FY2016 CIP Budget.
- B. Development Costs: This project will not require any funding for completing the project’s CIP Package if the Concept Paper is approved.
- C. Construction Cost Target:
 1. Construction cost is targeted to be in the \$115 - \$120 Per square foot range for the building only. Site work, soft and miscellaneous costs, furniture, fixtures, equipment, and contingency are in addition to this construction cost.
 2. The project’s CIP Package will identify the total project budget estimate.



Capital Improvement Process (CIP) Client Division Director Approval Form

To: George C. Skenandore, GSD Director
Kristine Hill, Cultural Heritage, Area Manager

From: Wayne Metoxen - Project Manager

Date: April 25, 2018

Re: Cultural Heritage Site Restrooms

I have reviewed the attached Capital Improvement Process (CIP) document identified below for the above noted project and approve of the project moving into the next phase of the CIP Process

CIP Concept Paper – dated: February 4, 2016

CIP Package – dated:

George C. Skenandore, Governmental Services Division
Director

Date

Form CIP-05
Rev. April 11, 2017
Rev. April 25, 2018

Oneida Business Committee Travel Request

1. **OBC Meeting Date Requested:** 5 / 9 / 18 e-poll requested

2. General Information:

Event Name: 2018 Native American Tourism of Wisconsin (NATOW) Conference

Event Location: LCO, WI Attendee(s): Kirby Metoxen

Departure Date: Jun 10, 2018 Attendee(s):

Return Date: Jun 13, 2018 Attendee(s):

3. Budget Information:

Funds available in individual travel budget(s)

Unbudgeted

Grant Funded or Reimbursed

Cost Estimate: \$210.00

4. Justification:

Describe the justification of this Travel Request:

Councilman Kirby Metoxen is the representative and liaison to the NATOW (Native American Tourism of Wisconsin) board. NATOW conference is June 11-13, 2018. The NATOW organization is covering the cost for hotel and registration.

The NATOW conference will provide insight on the latest trends impacting Wisconsin's tourism which also impacts the Oneida Nation tourism. This conference will provide an opportunity to discover new tribal tourism destinations, accommodations and experiences. Attending the conference will also provide an opportunity to network with industry professionals. I will be able to get first hand insight on one of the largest growing and in demand forms of tourism, Agri-tourism.

5. Submission

Sponsor: Kirby Metoxen, Councilmember

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



Native American Tourism Of Wisconsin

The Official Guide to Native American Communities in Wisconsin

NATOW

[About Us](#) [Tribes](#) [Attractions](#) [Explore Native Wisconsin](#) [Resources](#) [Events](#) [Contact Us](#)

2018 Native Tourism Conference

HOME » 2018 NATIVE TOURISM CONFERENCE

2018 Native Tourism Conference

NATOW tourism conference and golf outing fundraiser will be hosted by:

The Lac Courte Orielles Band of Lake Superior Chippewa at the
Sevenwinds Casino Lodge & Conference Center

June 11, 12, and 13, 2018

Book your room now:

Room Block: NATOW

Sevenwinds Lodge – 1.800.LCO.LODG or 715.634.8574

Agricultural Tourism ~ Sustainability & Growth

We invite you to learn about Agricultural Tourism and other trends in Native tourism.

Register Online

[Online Conference Registration](#)

[Online Golf Registration](#)

[Online Sponsorship Form](#)

[NATOW Conference 2018](#)

AGENDA – TENTATIVE AND SUBJECT TO CHANGES

Monday, June 11 – Annual NATOW Golf Outing at Big Fish Golf Club

14122 True North Ln. Hayward, WI 54843

8 am	Registration and Coffee (Sponsorship Opportunity)
10 am	Shotgun Start (Lunch served on course)
4 pm	Golf Awards Banquet (Sponsorship Opportunity)
3 pm – 7 pm	Woodland Indian Art Show and Exhibition opens
5 pm – 7 pm	Conference Pre-Registration opens

Tuesday, June 12

6 am	N8V Dance Fitness by Michelle Reed
7 am	Registration

8 am Networking Continental Breakfast (Sponsorship Opportunity)
Woodland Indian Art Show and Exhibition opens

8:30 am Opening Ceremony
Welcoming Addresses and State of the Industry

9:30 – 10 am General Session – Keynote TBA
10 Break (Sponsorship Opportunity)
10:15 Morning Breakout Session #1 – White Corn Cultivation
Morning Breakout Session #2 – Panel on Hemp
Morning Breakout Session #3 – Wi Dept of Tourism Programs

11:45 Break (Sponsorship Opportunity)

Noon Lunch – Sponsored by 2019 Host Tribe

1:15 – 2 pm NATOW Gets Real – Emerson R. Vallo, AIANTA, Southwest Region Representative, Pueblo of Acoma Tribal Member

2 pm Break (Sponsorship Opportunity)

2:15 – 3:45 pm Afternoon Breakout Session #1 – TBA
Afternoon Breakout Session #2 – Panel on Wild Rice
Afternoon Breakout Session #3 – Marketing 101

3:45 pm Break (Sponsorship Opportunity)
3:45 – 4 pm NATOW Gets Real – Chairman Ernie Stevens Jr., NIGA

4 pm – Final comments to close training

6 pm Evening Dinner
8pm Recognition of New Officers
Pioneer of Tourism Award
Cultural Presentation

Evening Entertainment

Wednesday, June 13

6 am NBV Dance Fitness by Michelle Reed
8am Depart for FAM tour of Lac Courte Oreilles destinations
12 pm Official Send Off with box lunches

Who should attend:

- Tribal leadership
- Tribal planners
- Tribal conservation departments
- Tribal environmental departments
- Hospitality and casino professionals
- Chambers
- Vendors

Why you should attend:

- Gain insight into the latest trends impacting Wisconsin's tourism.
- Discover new tribal tourism destinations, accommodations and experiences.
- Network with industry professionals.
- Experience tribal tourism firsthand throughout the Lac Courte Oreilles Community.

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 05 / 09 / 18

2. General Information:

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

[Empty text box]

Agenda Header: Travel Request

Accept as Information only

Action - please describe:

Motion to approve 12 attendees from 3 different areas to the 2018 BIA Partners in Action Conference. The conference is free. Self-governance grant funds will be used for the mileage, hotel, and per diem.

3. Supporting Materials

Report Resolution Contract

Other:

1. Memo with Director approval

3. DRAFT agenda

2. PIA flyer

4. [Empty text box]

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Patrick Pelky, Division Director/DOLM

Primary Requestor/Submitter: Nicole Rommel, Land Management
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:

Memo is attached with the request description and Director approval.

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

Environmental, Health, Safety & Land Division



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

MEMORANDUM

TO: Pat Pelky, Environmental, Health, Safety, and Land Director
 FROM: Nicole Rommel, Finance and Records Area Manager *NR*
 SUBJECT: Partners in Action Conference – July 17-July 19, 2018
 DATE: May 1, 2018

This memo is regarding the annual Partners in Action Conference July 17, 2018 through July 19, 2018. This year the conference is being held at the Potawatomi Casino and Hotel in Milwaukee, WI.

The request is for a total of 12 employees from 3 different areas to attend. The areas are Comprehensive Housing Division, Environmental, Health, Safety, and Land, and the Oneida Land Commission. Many of the employees have been requested to attend by the BIA.

The BIA highly recommends attendance at this conference. The requestors on the list below complete processes and make decisions that directly impact Oneida Community members that have an interest in trust land.

The costs will come from the Estate Planning Self-Governance BIA grant funds, Fund Unit #5275820.

	<u>Name of Attendees</u>	<u>Department</u>
1	Amanda Thayer	Comprehensive Housing Division
2	Brian Moreno	Comprehensive Housing Division
3	Dana McLester	Comprehensive Housing Division
4	Michelle Hill	Comprehensive Housing Division
5	Carla Clark	Environmental, Health, Safety, and Land
6	Diane Wilson	Environmental, Health, Safety, and Land
7	Lauren Hartman	Environmental, Health, Safety, and Land
8	Sandra Wondra	Environmental, Health, Safety, and Land
9	Becky Webster	Oneida Land Commission
10	Jenny Hill	Oneida Land Commission
11	Julie Barton	Oneida Land Commission
12	Rae Skenandore	Oneida Land Commission

Each of these individuals stands to benefit from the presentations of the BIA Trust and Indian Services programs as the services they provide are on Trust land. The 7th Annual Partners in Action Conference will bring Department of the Interior representatives from the central office, region and agency levels, and tribe and tribal leaders together, to participate and share their knowledge and expertise regarding federal trust and Indian services programs, issues, and initiatives.

Partners In Action Agenda 2018

July 17-19
Potawatomi Hotel and Casino
Milwaukee, WI

Monday July 16, 2018

4:00pm – 8:00pm **ONSITE REGISTRATION & EARLY CHECK-IN** *MAIN HALL*

Tuesday July 17, 2018

7:00am – 8:30am **ONSITE REGISTRATION & CHECK-IN** *MAIN HALL*

8:30am – 10:15am **OPENING CEREMONY** *GRAND BALLROOM*
Color Guard, Opening Prayer, Invocation
Welcoming & Senior Leadership
Legislative & Legal Updates

10:15am – 10:30am **BREAK**

10:30am – 12:00pm Breakout sessions TRACK 1A *BREAKOUT ROOMS 1-8*
(Topics covered in Breakout sessions include Budget, Child Welfare, Climate Change, Emergency Preparedness, Environmental, Natural Resources, Forestry/ Fire, Gaming, Human Services, Justice & Safety, Office of Hearings & Appeals, Probate & Estates, Property, Realty, Roads, Tribal Courts, Youth Initiatives, and more.)

12:00pm – 1:30pm **LUNCH ON YOUR OWN**

1:30pm – 3:00pm Breakout sessions TRACK 1B *BREAKOUT ROOMS 1-8*

3:00pm – 3:15pm **BREAK**

3:15 – 5:00pm Breakout sessions TRACK 1C *BREAKOUT ROOMS 1-8*

End Day 1

Wednesday July 18, 2018

8:00am – 8:20am **RECAP BRIEFING** *GRAND BALLROOM*
Updates & Announcements

Partners In Action Agenda 2018

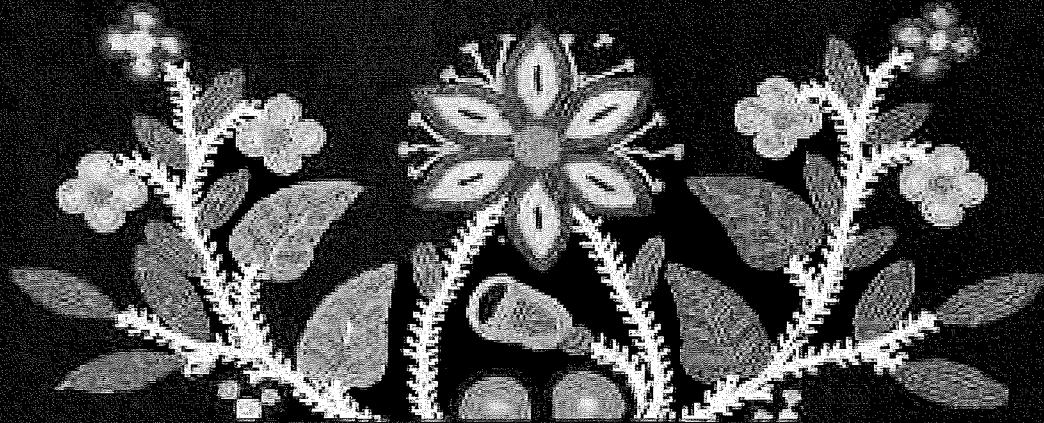
Wednesday July 18, 2018 Continued

8:30am – 10:00am	Breakout sessions TRACK 2A	<i>BREAKOUT ROOMS 1-8</i>
10:00am – 10:15am	BREAK	
10:15am – 12:00pm	Breakout sessions TRACK 2B	<i>BREAKOUT ROOMS 1-8</i>
12:00pm – 1:30pm	LUNCH ON YOUR OWN	
1:30pm – 3:00pm	Breakout sessions TRACK 2C	<i>BREAKOUT ROOMS 1-8</i>
3:00pm – 3:15pm	BREAK	
3:15pm – 5:00pm	Breakout sessions TRACK 2D	<i>BREAKOUT ROOMS 1-8</i>
End Day 2		

Thursday July 19, 2018

8:00am – 8:20am	RECAP BRIEFING Updates & Announcements	<i>GRAND BALLROOM</i>
8:30am – 10:00am	Breakout sessions TRACK 3A	<i>BREAKOUT ROOMS 1-8</i>
10:00am – 10:15am	BREAK	
10:15am – 11:45am	Breakout sessions TRACK 3B	<i>BREAKOUT ROOMS 1-8</i>
11:45am – 12:30pm	CLOSING CEREMONY Announcements Color Guard, Closing Prayer, Invocations	<i>GRAND BALLROOM</i>

End of Conference

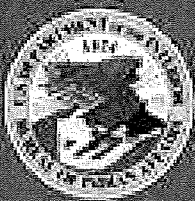


7th Annual
2018 PARTNERS
IN ACTION
CONFERENCE

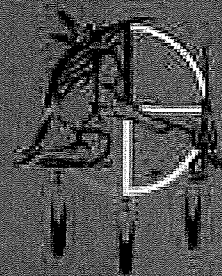
“New Horizons, Honored Past”

DATE: July 17 – 19, 2018
VENUE: Potawatomi Casino and
Hotel - 1721 W Canal St,
Milwaukee, WI 53233I

Special Lodging Rate:
\$119 per night
1-800-729-7244
Mention “BIA 2018 Partners
In Action Conference”



**Hosted by the Bureau of Indian
Affairs- Midwest Region and
Forest County Potawatomi
Community**



Oneida Business Committee Agenda Request

1. Meeting Date Requested: ~~04 / 25 / 18~~ ^{05 / 09 / 18} EXCERPT FROM APRIL 25, 2018: Motion by Brandon Stevens to defer the Public Works Division FY-2018 2nd quarter report to the May 9, 2018, regular Business Committee meeting, seconded by Trish King. Motion carried unanimously.

2. General Information:

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

[Empty box for session details]

Agenda Header: 2nd Quarter Report

Accept as Information only

Action - please describe:

Approve Division of Public Works 2nd Quarter Report

3. Supporting Materials

Report Resolution Contract

Other:

1. 2nd Quarter Report 3. [Empty]

2. [Empty] 4. [Empty]

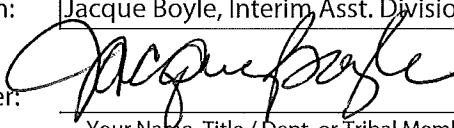
Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution Budgeted - Grant Funded Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Jacque Boyle, Interim Asst. Division Director/Development Operations

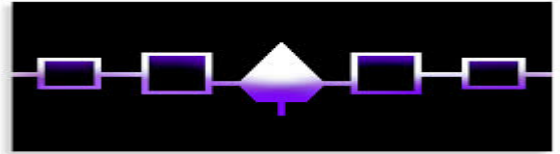
Primary Requestor/Submitter: 
Your Name, Title / Dept. or Tribal Member

Additional Requestor: _____
Name, Title / Dept.

Additional Requestor: _____
Name, Title / Dept.



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



ONEIDA NATION DIVISION OF PUBLIC WORKS



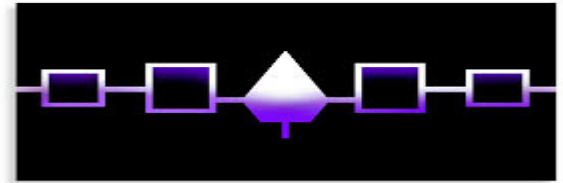
2018

2nd Quarter Report





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Automotive & Fleet Mgt.

The most important provisions for the Oneida Nation is safe operations of vehicles used for the Nation's business to remain operational to their full potential. This is done by scheduled maintenance and repairs of departmental vehicles.

Community Wells & Septic, Plumbing

To upgrade the standard of living by providing complying Septic Systems and potable water supply from Private Wells. To be the first line of defense again disease prevention.

Custodial

The DPW custodial department maintains all non-gaming Oneida Nation occupied buildings in a clean, sanitized, and safe environment through teamwork, communication, and quality customer service.

Facilities, Maintenance

The facilities department provides preventative and regular maintenance, remodeling, fire and security monitoring, event coordination, and departmental moves for 80+ buildings and their departments.

Grounds Keeping

The overall maintenance of all of the Oneida Nation's grounds, roads, landscaping, and 24 hour snow removal along with Tribally owned roads is the mission of the Grounds Keeping Department.

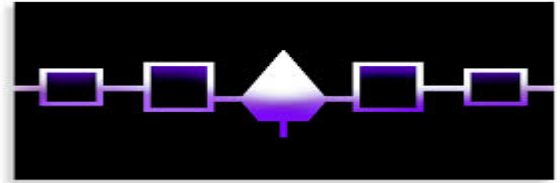
Utilities

Provide safe drinking water and environmentally safe wastewater treatment and septage removal. Provide billing for sewer and water, septic removal and refuse/ recycling services.

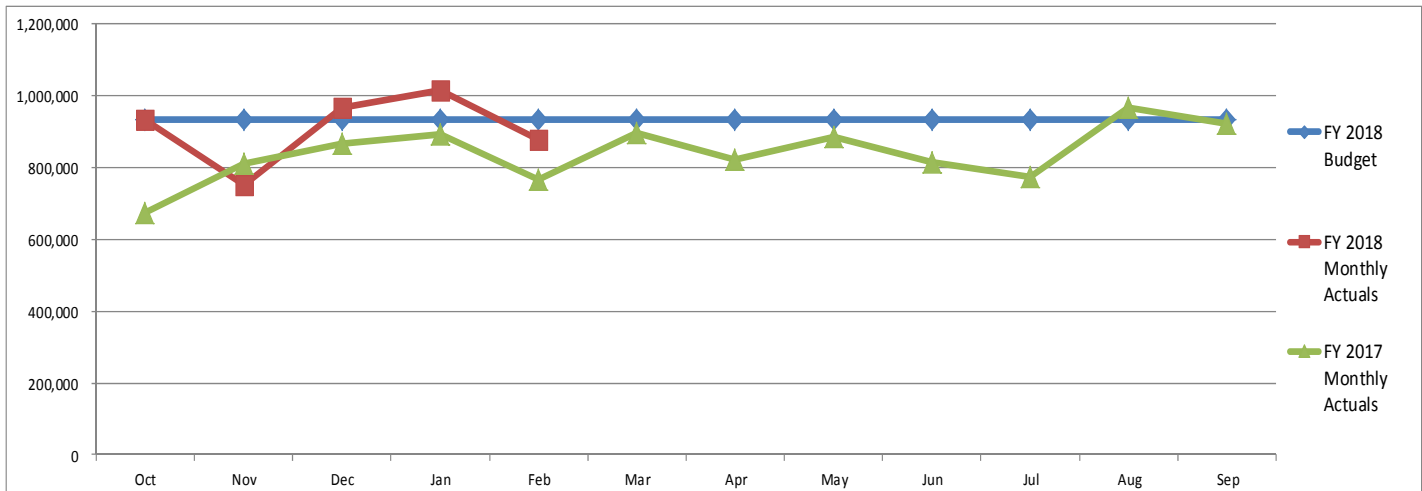




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Division of Public Works Consolidated Budget versus Actuals

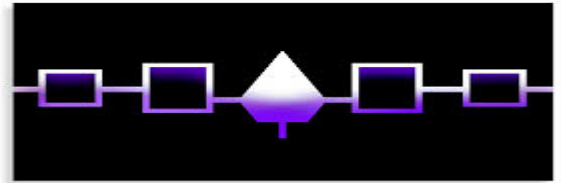


- YTD Actuals as of February are at a \$128,949 positive variance versus YTD Budget. This is approximately a 2.7% YTD variance.
- Major contributing factors to the positive variance are vacant positions and medical leaves.
- Reorganization efforts have created shared positions, efficiencies, and increased or improved services. Vacant Administrative positions are not being reposted at this time and existing personnel are sharing duties.





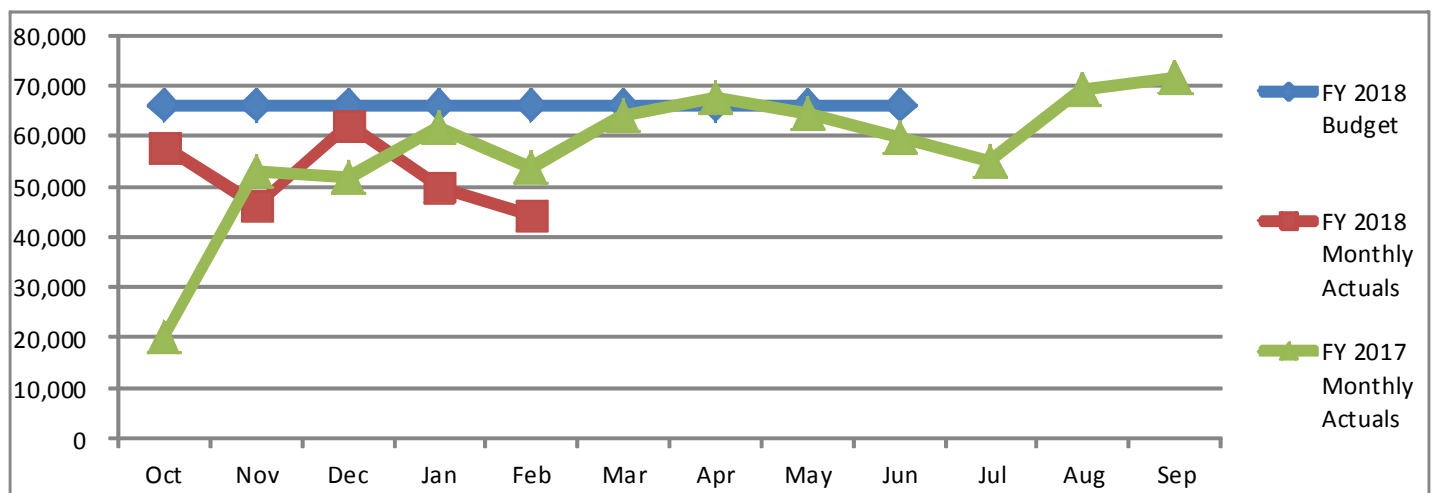
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Division of Public Works

Administration

The Department of Public Works Administration provides services and support for all of DPW business units and internal and external customers. Administration provides budget and financial support services, continuous improvement, customer services, fleet vehicle services, human resources services, safety awareness, and training.



Initiating and completing capital expenditure projects has been a major focus for DPW 2nd quarter. The major projects that have either been completed or are in progress include:

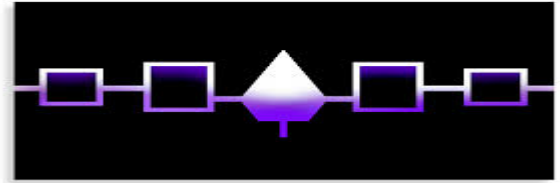
- NHC—Installation of new electrical distribution and service change.
- Turtle—Planning of summer projects to include HVAC upgrade, lighting upgrade, and restroom remodels for Handicap accessibility.
- NHC—Planning of summer projects to include flooring replacement and lighting upgrades.
- NHC—Boiler replacement in old MIS wing
- Various—updating HVAC controls and door controllers

DPW staff all completed blood borne pathogen training that was offered by Employee Health Services, employees attending O'Academy training through HRD, Electrical training completed on ARC Flash, electrical codes, and solar panels. Plumbing related training completed on digger's hotline process and plumbing codes.





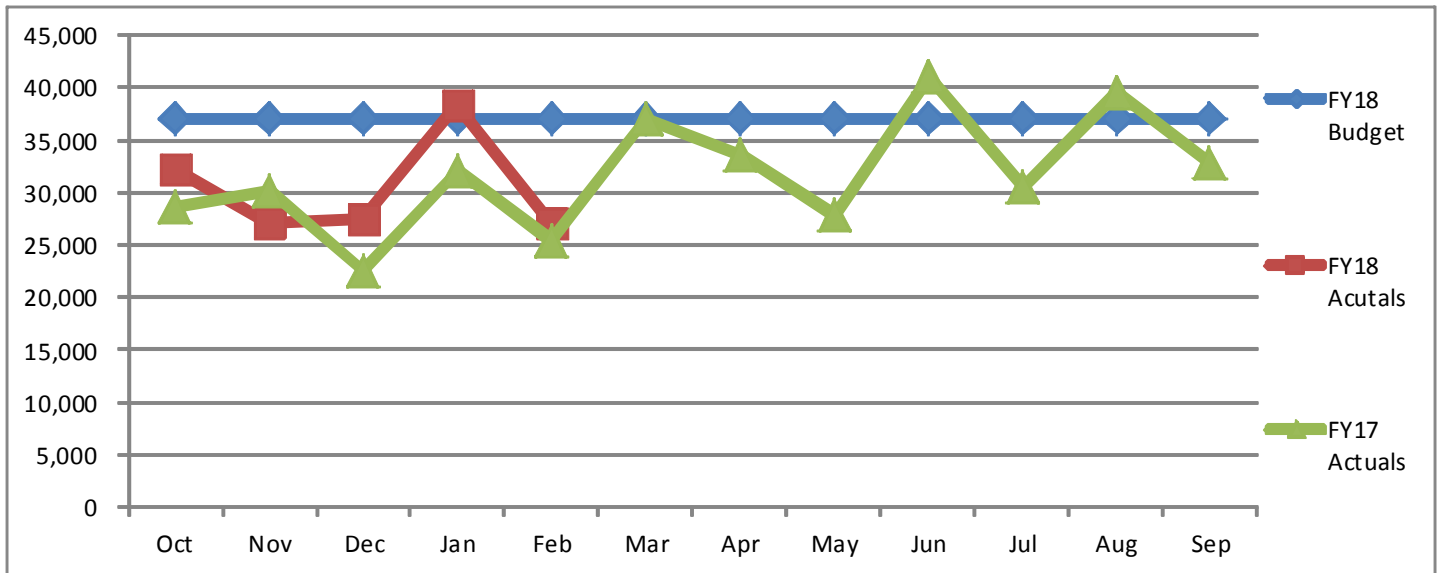
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Automotive Department

MISSION STATEMENT

The Division of Public Works Automotive Department is to provide professional and quality service with all Tribal businesses in maintenance and repairs of all Tribal vehicles in order for the Oneida Nation to remain successful. The Automotive Department’s purpose is to schedule and maintain Tribal owned vehicles and equipment, and to ensure that the vehicles are in safe and operational condition.



2nd Quarter Services

Automotive Work Orders Completed 2nd Qtr.: 281

Projects: Archibus for Inventory and Supplies 85% complete

Vehicle Requests: 69

Fleet Detailing: 161

Detail Prep coverage for Front Desk: 14

Fleet Management Projects

Capex Purchases: Front End Loader, Back Hoe, and Skid Steers

Vehicle Repairs (Incidents): \$1,288.01

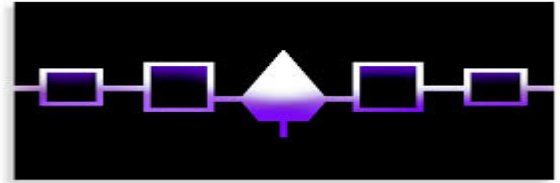
Bids Out: Five (5) additional vehicles for replacement



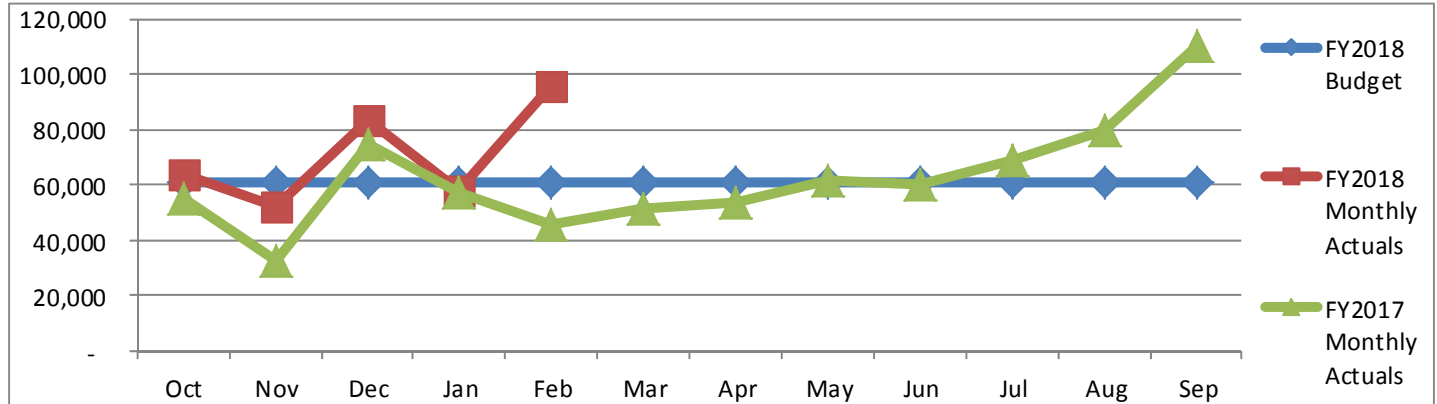


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Community



Wells and Septic, Plumbing



Projects

Description	Status
IHS Project BE-15-J50	4 New Applicants
IHS Project BE-15-J50	7 New HBO Sites on Beechtree Lane (no applicants yet)
IHS Project BE-12-G98	Start in Spring
POWTS Improvement & Inventory	Started 49 POWTS Evaluation Sites

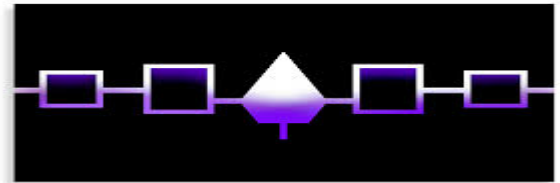
Program Alignment Summary

Alignment	Description	Status
Commitment to Building a Responsible Nation	CWS & Plumbing Repairs for: . Septic Systems . Water Supply/Well Repairs . Inside Plumbing Repairs	49 Homes
Commitment to Building a Responsible Nation	Engineering CIP Projects . HUD Uskah Village Building #3 , #4 . Oneida Nation Cemetery	Uskah Village inside plumbing (toilets, sinks & showers) Conservation has taken over checking well
Commitment to Building a Responsible Nation	Tribal Building Facilities Plumbing projects, repairs and services	35 Building Work Orders
Commitment to Building a Responsible Nation	Elder Services Comprehensive Housing Division Sites	27 Elder Homes 22 CHD Homes

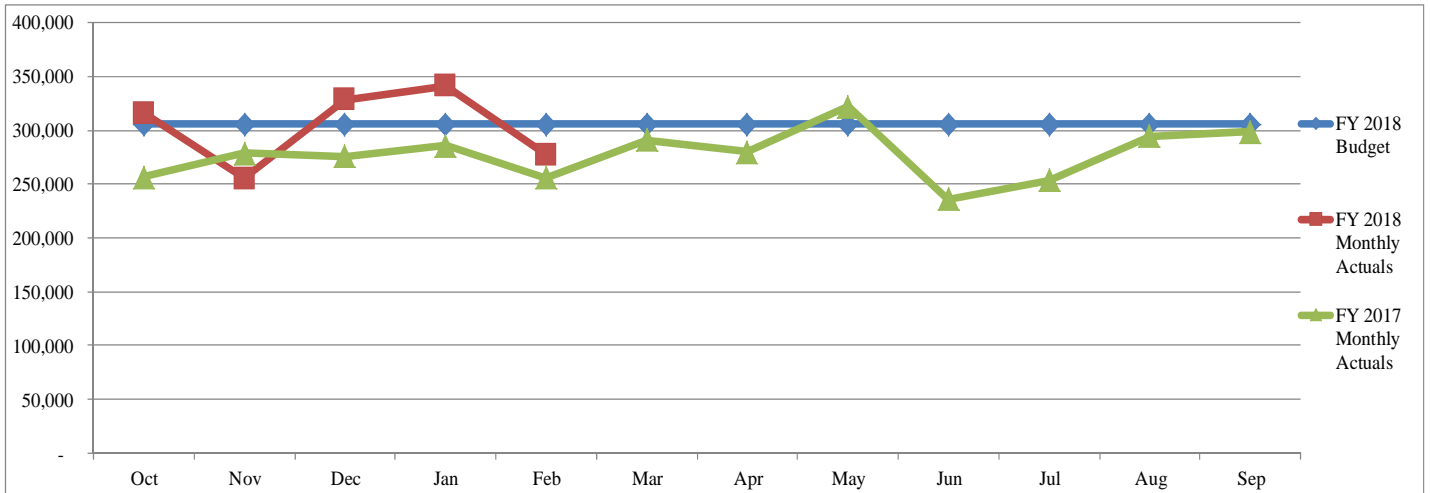




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Custodial Department



Projects/Services

Description/Project

Status

Retail Outlet Flooring

Added 3rd shift crew to do Retail outlets

Define Building Cleaning Standards

Implemented building checklists

Upgrade Equipment

Working with vendors to identify equipment that work best for particular situations

Custodial Audit

Final Audit Report completed

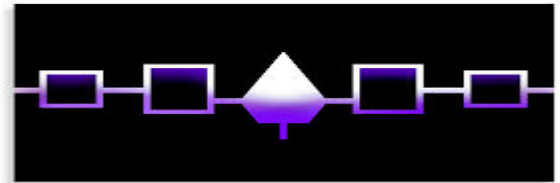
Improve Efficiencies

Custodial team identifying areas where processes can be more efficient for supply deliveries, mop cleaning and rotation, and maintaining appropriate inventories.

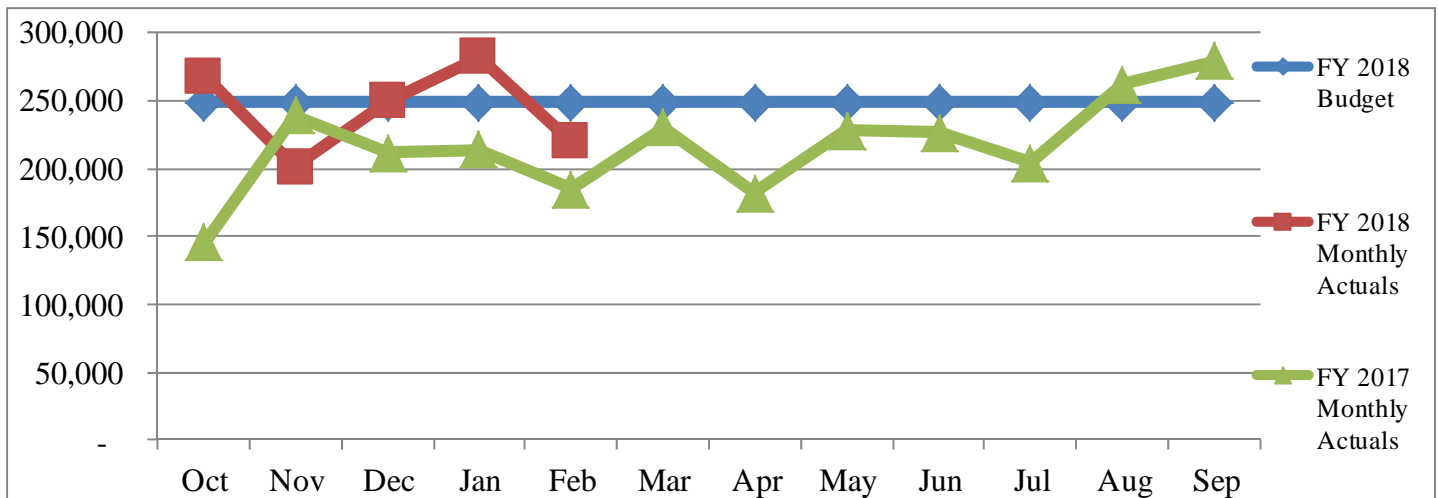




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Facilities Department



Program Alignment Summary

Alignment

Description

Completed

Committing to building a Responsible Nation

Working with Oneida Fire Department to schedule building tours and install Knox boxes for emergency access to buildings.

Met with Fire Chief and firemen. Updating building information and contacts for them. They are obtaining priority list for Fire Department Knox boxes.

Committing to building a Responsible Nation

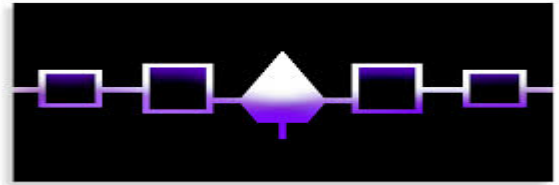
Scheduling of inspections for fire alarm systems and sprinkler systems. Also scheduled boiler inspections, elevator inspections, cross connection devices, and generators.

Completed all inspections that were scheduled to be done this quarter.





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Facilities Department Work Orders Completed 1st Quarter: 648

Completed Work Orders

January 2017	February 2018	March 2018
477	305	291

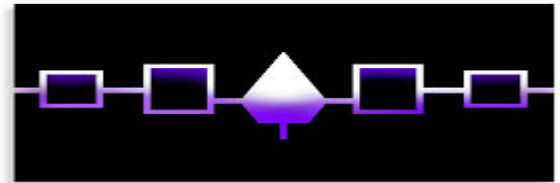
Initiatives and Projects

- ◆ BIE on requirements, deferred maintenance and projects.
- ◆ Land Management Boiler
- ◆ Temporary power installation for bridge and tree lighting
- ◆ Bay Bank—Air Handler Unit replacement RFP
- ◆ Food Distribution electrical for walk in cooler installation
- ◆ Health Center Boiler Installation
- ◆ Solar Deployment Project training and inspections
- ◆ Automotive and Custodial Inventory system to ARCHIBUS
- ◆ NHC emergency lighting, upgrade to LED lighting in corridor and law wing
- ◆ Four Paths Project— assist with refrigeration equipment, security systems, HVAC, review electrical design
- ◆ Assisting with Early Head Start CIP Addition Project
- ◆ Permitting training for low voltage projects
- ◆ Health Center dental LED lighting, bollard lighting

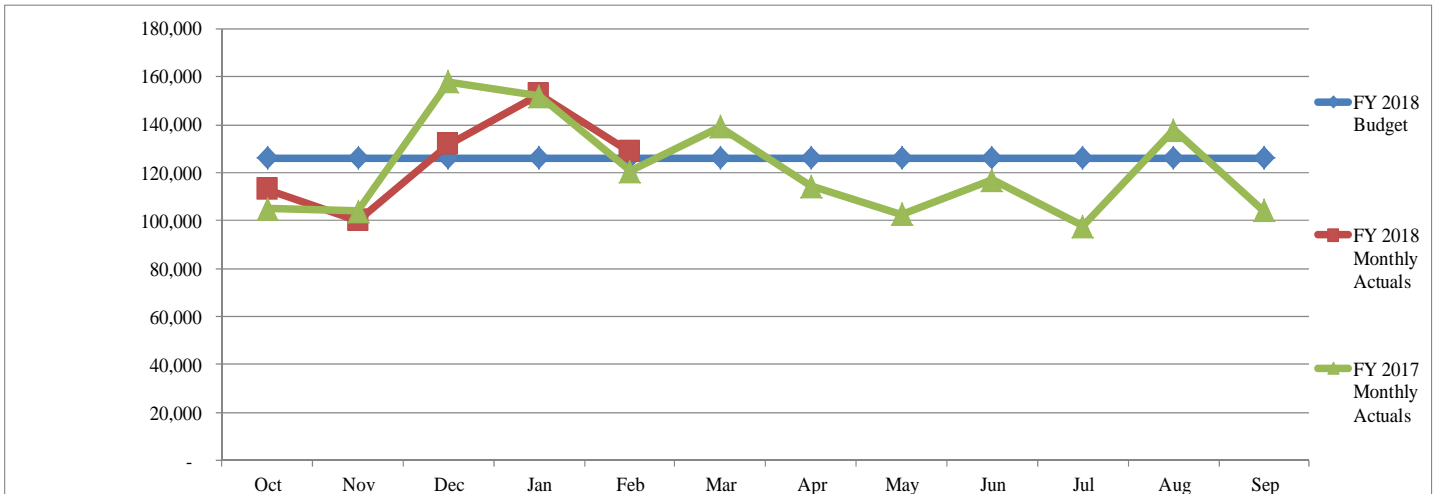




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Grounds Keeping Department



Projects/Services

Project/Services	Status
Work Orders Completed	13
Demolition	Planning and Scheduling
Snow Removal	On-going throughout April, 2018

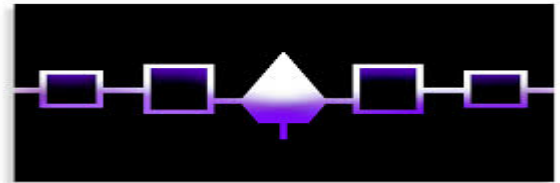
Program Alignment Summary

Alignment	Description	Status
Committing to building a Responsible Nation	Outside of Building Evaluations	Complete
Committing to building a Responsible Nation	Site Maps	Completed Site Maps for snow removal and lawn care.

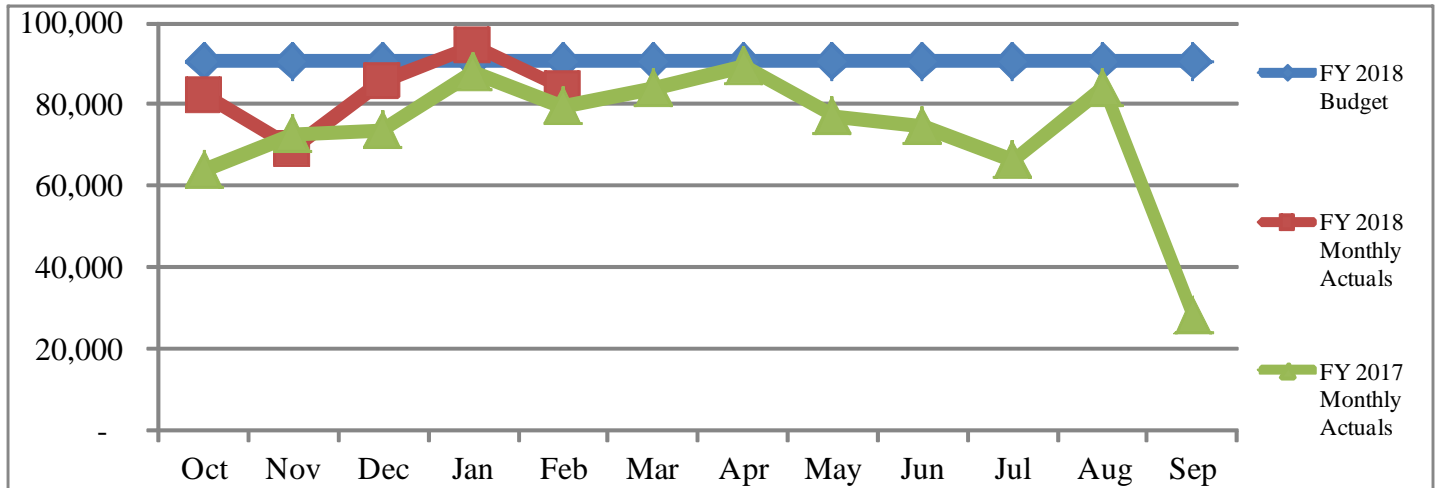




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Utilities Department



Services Provided

	1 st QTR	2 nd QTR	3 rd QTR	4 th QTR
Work Orders Complete	72	68		
Locate Requests-Diggers Hotline	127	44		
Septic Pumping	128	148		
Non Payment Disconnections (April 1 st - October 31 st only)	0	0		
Garnishment Action 1 st Notice		31		
Garnishment Action 2 nd Notice		7		
Garnishment Action 3 rd notice and Kali Posting				
Disconnection Notice Letters-sent UPS		50		

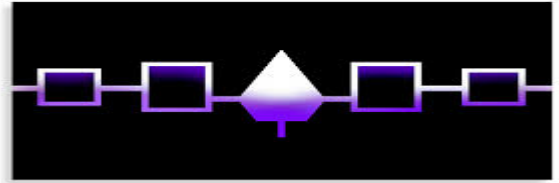
Program Alignment Summary

Alignment	Description	Completed
Committing to building a Responsible Nation	Public Water Legal Mandate/ Regulatory Compliance	EPA and Oneida Nation’s Public Water and Wastewater required weekly sampling and testing were completed and in compliance for the 4th Quarter.





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Utilities Department

Other Statics

Water Customers Total:	661	Sewer Customers Total:	586
Residential	608	Residential	535
Commercial	18	Commercial	19
Internal Public Gov't	35	Internal Public Gov't	32

Refuse/Recycling customers - 976

Lift Stations – 13

Grinder Pumps - 2

Pump Houses - 5

WWTP - 1

Sandhill Circle Wastewater Plant-1 Sandfilter

Site 1 & 2 Water Booster Station – 1 that serves Site 2

Rolling Hills Water Tower

Hwy 54 Water Tower

Utilities Department

Projects

Community Wells, Pumphouses and Water Main Loop- IHS Project BE-12-G87-Pilot test to start early spring 2018

Water Loss Mitigation-IHS Project BE-15-164—Still monitoring

I & I Study (Infiltration and Inflow) IHS Project BE-15-J62—Bid Awarded and started 3-28-19

Hwy 54 Water Cap Ex Painting Project - Completed



Oneida Business Committee Agenda Request

1. Meeting Date Requested: 5 / 23 / 18

2. General Information:

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

Agenda Header:

Accept as Information only

Action - please describe:

Environmental, Health, Safety & Land Division 2nd Quarter

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.



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FY2018
Second Quarter Report
Oneida Environmental, Health, Safety & Land Division
May 1, 2018

Overall Impressions of the Second Quarter

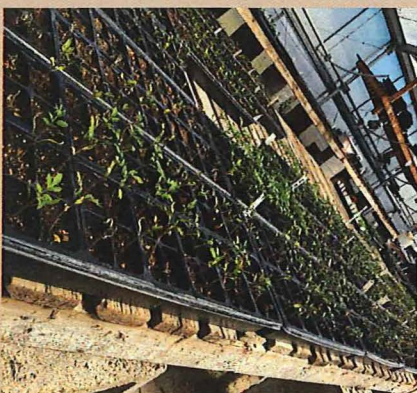
In the second quarter of FY2018, Environmental, Health ,Safety and Land Division (EHS&LD) has combined our two Divisional Reports into one as approved by the Business Committee. We have taken over management of Tsyunhehkw^ Farm in March and are looking at improving the site and services. The Division applied for several projects grants in this quarters round of funding from the Great Lakes Restoration Initiative.

Moving Toward the Strategic Plan: How EHS&LD contributes...

Advancing Onʘyoteʘa:ká Principles	<ul style="list-style-type: none"> • Our culture is tied to the land (Turtle Clan) and protecting the environment. UIC wells can pollute underground sources of drinking water and the identification of them is a first step to protecting that resource • Working towards strengthening Oneida values related to healthy waters in community by presenting and teaching • Staff assisted Tsyunhehkw^ Farm with multiple projects. Continue to work on transition of farm to EHSL division.
Exercising Sovereignty	<ul style="list-style-type: none"> • Conservation utilized data from the annual deer harvest to work with the WDNR to develop a conceptual framework for the health and quality of deer herd. Meeting to determine sex ratios, deer densities, and pre-hunt populations for Oneida Reservation. • Demonstrating EHSLD ability to Federally inspect UST facilities within the Oneida Reservation Wrote environmental administrative orders on newly acquired properties, offered compliance assistance to the Oneida Casino and Travel Center regarding non-compliance concerns with the underground gasoline tanks and reviewed standard operating procedures for the inventory of underground injection control wells • Storm water regulatory activities and demonstration of jurisdiction • Worked with legal and financial consultants and internal professionals to address issues associated with the solar deployment project • By implementing our Federal Probates and running the recording office, we show that our Tribe is able to care for itself where land is concerned.
Improving Organizational Changes	<ul style="list-style-type: none"> • Continue to work directly with BC members to advance the nations goals through projects and presentations. • Encourage participation in the development of a Land Information Management System project – held meetings with each Division/Department in the scope of work to identify area priorities that can be incorporated into the project • The identification of possible UIC sites improves organizational change because it encourages evolution of documentation. Evaluation of whether or not our data inventories are efficient and if they will survive modern technological turnover. • Taking on management responsibilities at Tsyunhehkwa with the organizational shift and looking to improve site and services. • Processed a Service Line Agreement to WPS to upgrade the electrical service at the Civic Center.

<p>Promoting Positive Community Relations</p>	<ul style="list-style-type: none"> • Annual Hunter Safety class was taught with 40 participants • Efforts to ensure that the Nation’s fisheries are beneficial to the membership The Oneida Lake has an established management plan for the site, which includes an opening and closing schedule, to limit vandalism or unwanted behavior at the Lake. • Environmental Division will host the 19th annual Youth & Elder Fishing Day on Saturday June 2, 2018. • Social media outreach to encourage personal responsibility and positive outdoor recreational experiences. • Assisted 4H group with aerial photo request for their garden. • Continue to provide input on options for public facing, non-sensitive Nation land information. • Meetings to make sure that any big projects have some sort of community outreach plan • Staff attended the Oneida Fishing opener • Staff drafted and submitted Kaliwihaks articles; and presented to BC. • Staff volunteered time at Tsyunhehk[^] Farm assisting with transplanting to prepare for the Community Seed and Plant Distribution May 20 • Preparing vacant residential lots for leasing by tribal members. • Finalized a Temporary Limited Easement to the City of Greenfield for roadway improvement in front of the SEOTS property • Assisting Tribal Members Probate their loved ones Estates, either through our office or the state. Assist in walking through the state process Probates. • Continue to encourage personal responsibility and tree planting by ordering trees for Oneida Earth Day tree give away event on May 19.
<p>Inspiring Yukwatsistay[^] (Our fire, our spirit within each one of us)</p>	<ul style="list-style-type: none"> • Scheduled a tobacco burning for prior to any land working for Tsyunhehk[^] Farm for the community garden and white corn areas to encourage staff and carry out our responsibilities to the land.
<p>Encouraging Tsi[?] NiyukwalihoT[^]A (We have everything here to sustain us)</p>	<ul style="list-style-type: none"> • Assisting EHSLD and Internal Services staff with UAS (DRONE) training. • Continue to bring in large amounts of outside funding to keep protecting and restoring Oneida Nation waters without the use of Tribal contribution. • Promoting local stability and sustainability in a volatile economy by adopting an Energy Plan.

Promoting Positive Community Relations



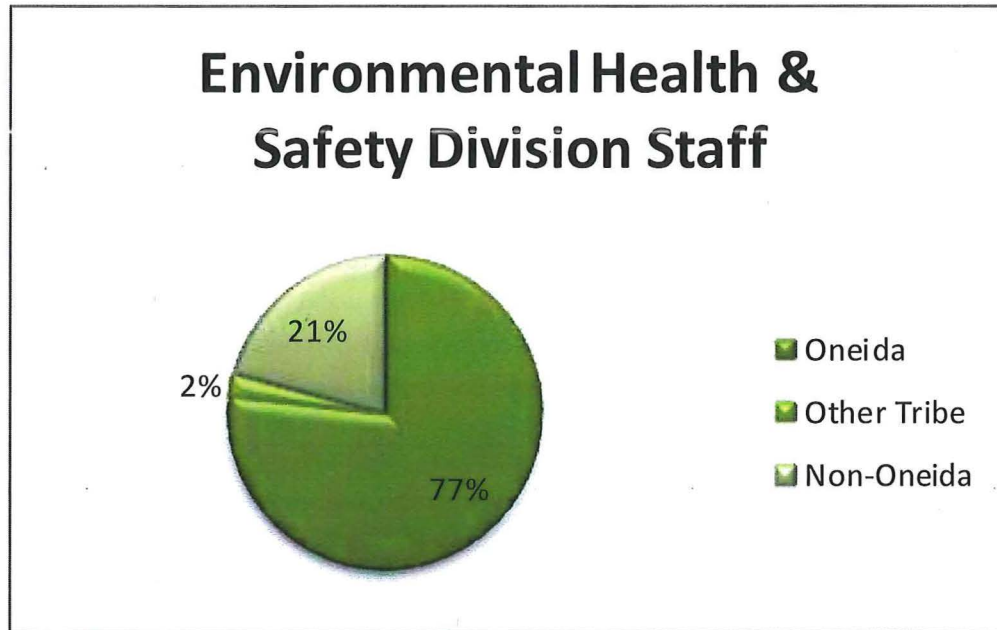
Staff and community volunteered their time at the Tsyunhehk[^] Farm to help transplant hundreds of seedlings to prepare for the Community Seed & Plant Distribution May 20.



Personnel

Time-Off Accrual Management

We have 8 employees over the 200 hours for vacation and personal time accruals. These employees are encouraged to take time off monthly by their supervisor and to review their hours on the Employee Self Services computer site.

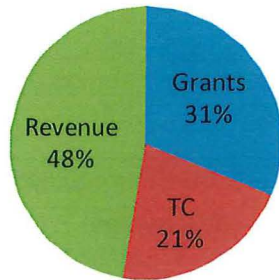


Oneida Nation was recognized for habitat restoration work by Wisconsin Pheasants Forever & Quail Forever at their 2018 Consortium & Convention on January 13th in Green Lake, WI. Chairman Hill and Division Director Pat Pelky attended to accept the Faces of Wisconsin Award on behalf of Oneida Nation.

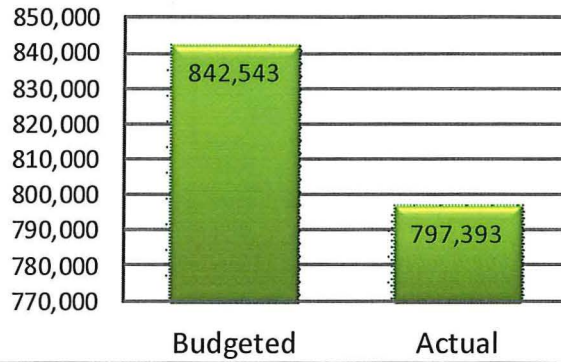


Quarter Two Budget Update

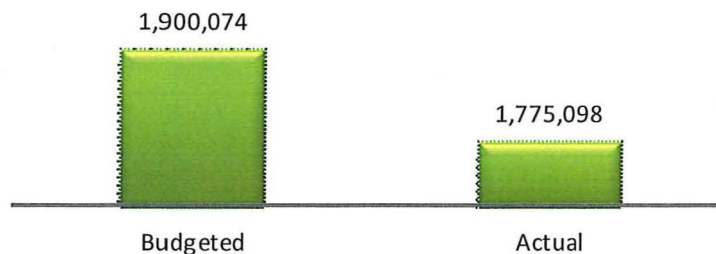
**EHS&L 2nd Quarter Funding for
Period Ending 3/31/18**



**EHSD has a Positive Variance
for Period Ending 3/31/17**



**Land Management had a
Negative Variance for Period
Ending 3/31/18**



Grants Applied for in the Second Quarter of FY18		
Agency	Activities	Amount
EPA	Develop a database tool to collect, store, analyze and geographically view the results of compliance assistance offerings and inspections of underground storage tanks and to have it available on a mobile application	\$170,000
Fund for Lake Michigan	These are the remaining funds needed to complete the Silver Creek Stream Restoration Project	\$206,000
BIA	To reduce phosphorus and sediment through cover crop, rotational grazing and other BMPs	\$416,250
BIA Fisheries, Wildlife & Recreation Endangered Species Program	To collect baseline data on salamander, wood turtle and bat populations in order to prioritize areas in need of restoration or conservation	62,170
BIA- GLRI – Foundations for Future Restoration	To conduct a statistical analysis and assessment of our water quality data to understand the current status and historic trends	20,000
BIA-GLRI – Tribal Species Protection & Restoration:	To conduct an intensive fishery survey and habitat assessment of Trout Creek to maximize potential for success of brook trout	25,000
NACWA & nrda	For acquisition of properties for reimbursement and for protection the designated area.	\$1,000,000

ACQUISITIONS

Date	Property Address	Acre- age	Use
10/31/2017	1223 Crestwood Dr.	0.22	HIP-RES
11/3/2017	4319 N. Pine Tree	3.51	HIP-RES
11/29/2017	231 Seminole Ln	0.28	HIP-RES
12/22/2017	2760 Independence Dr	0.25	HIP-RES
1/19/2018	1156 & 160 Riverdale, 4045 Hillcrest	65.7	RES
1/22/2018	W127 & W140 Service Road	0.99	RES & COMM
1/31/2018	760 Airport Drive	11.18	COMM-BUS DISTRICT
2/8/2018	3011 West Point Road	0	Reacquisition
2/28/2018	1200 Eldora Lane	0.23	HIP-RES
2/28/2018	2660 Shagbark	0.3	HIP-RES
2/28/2018	W230 Blk County Road V. V.	37.01	Agricultural
3/16/2018	220 Seminole Lane	0.33	HIP-RES

Travel & Training

EH&S Division Travel for 2nd Quarter

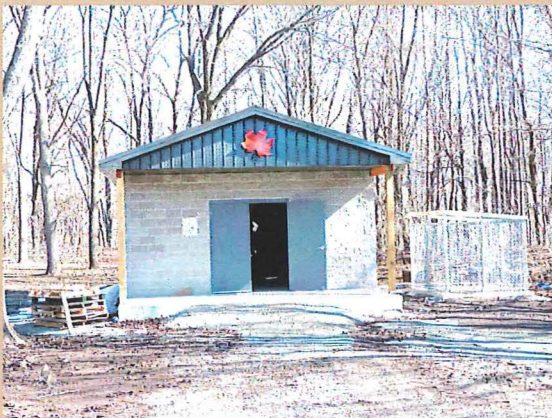
Staff	Event	Location	Cost
Env Compliance Coordinator	Tribal Env Information Exchange Conference	Tucson, AZ	Expense Free
Env Compliance Coordinator	Tribal Waste & Response Asst Program Steering Committee	Washington DC	Expense Free
Env Compliance Coordinator	Tribal Env Program Mgmt & RTOC Meeting	Chicago IL	407.9
Water Resources Specialist	Region 5 & Tribal Water Quality Standard Meeting	Chicago IL	\$653.42
Water Resources Specialist	Tribal Env Program Mgmt & RTOC Meeting	Chicago IL	\$716.86
Water Resources Supervisor	Tribal Env Program Mgmt & RTOC Meeting	Chicago IL	\$719.66
EHS&L Division Director	WTCAC Meeting	Delton, WI	Expense Free
Project Manager	Better Buildings: better Business Conference	Wisconsin Dells, WI	\$799.65
Council Member	Tribal Env Program Mgmt & RTOC Meeting	Chicago IL	796.84
Council Member	Tribal Env Program Mgmt & RTOC Meeting	Chicago IL	490.24
Env Area Manager	Tribal Env Program Mgmt & RTOC Meeting	Chicago IL	716.86
Env Compliance Inspector/ Specialist	Tribal Env Program Mgmt & RTOC Meeting	Chicago IL	716.86
Env Compliance Inspector/ Specialist	Enforcement Training for Regulatory Program Staff	Rothschild WI	146.5

Notable Accomplishments for the Second Quarter:

- The Conservation Department, completed forty-one community work request for this quarter. Eighty-two trees were harvested for timber utilization within the community. A contracted outside vendor was required for eight work request that require specialized equipment, and harvested sixteen trees, . Conservation delivered eighty-two loads of firewood for the Elderly as a supplemental heating option and responded to seven Community wood deliveries for Funerals and ceremonies. Three woodchip loads were delivered to community households.
- Conservation staff responded to violation reports and resulted in the following: one complaint of non-tribal fishing at Oneida Lake, Fifty contacts made with Wardens during patrols and complaint calls resulting in no citations or warnings issued.
- The invasive Species Program acquired equipment to support invasive species mapping DJI Phantom 4 Pro+ and Pix4D Drone software
- Leading a team to explore how the Nations Information Management Systems can effectively communicate between one another and be integrated on a mapping (GIS) platform
- Underground Injection Wells (UIC) program development. Creating a tribal standard operating procedure (SOP) for identifying potential UIC sites and uploading UIC windshield survey data to the Oneida Property Profile database. . The inventory is a source of information about potential sources of pollution on the Oneida Nation reservation. The SOP helps to maintain the accuracy of this information.

Second Quarter Accomplishments Contd.

- Several staff attended and presented at Region 5 Tribal Environmental Program Managers Conference.
- Water Impact on Public Health class taught by Tribal Sanitarian on 1/29/2018 had 40 participants.
- Review of Domestic Animal Ordinance.
- Edits of Food Code and plan in place of current food code amendments/rules we would like to see made.
- Educational class taught on pet care was attended by four community members.
- Completing the Sugar Shack for the high school. It was a push to get all equipment installed before the start of tapping season in mid March. But we accomplished the goal.
- Worked on getting cost share contracts with the NRCS to help fund the building project at the state farm. Applied for grants for the upcoming field season though the BIA-GLRI.
- Took over management of the Tsyunhehkwa cattle herd. Working with the Tsyunhehkwa Farm in collaborating duties/responsibilities.
- Indoor Air Quality Complaints and Asbestos Inspections.
- Submission of three grant proposals for projects that (if granted) will strengthen efforts to protect and conserve wildlife and water quality.
- Hiring of a new Oneida Forester after the retirement of the Forester in quarter one.
- Transition of Oneida Forester work duties, separating trails manager out and planning for Earth Day tree giveaway.
- Relaunch of Energy Team to discuss projects and new technologies, plan for Energy Security Plan updates, discuss latest DOE NOFA, introduce MTERA;
- Commissioned two solar deployment project systems;
- Resolution to recognize MTERA and assign staff for board member positions
- Initiated hemp research as potential crop and marketed product.
- Processed the property taxes. Paid the 1st half of the 2017 property taxes by the due date. \$941,213.40.
- Worked with CHD on processing tax reimbursements from lessees and sending out 1098 forms.
- Leased vacant commercial space to NIGA and Sterling Nunies
- Acquisition update: we are currently at approximately 26,929.39 acres that we currently own. This is 42% of the reservation. We have accepted offers on 21.9 acres in Hobart and 2.19 acres in the Town of Oneida. Along with these acquisitions, we have 2 HIPS closings confirmed. Since the program began in FY 16 we have closed on 32 HIPS.



Advancing On'áyo'te'a'ká Principles

Finishing up the maple sugar camp in quarter 2 including a recognition of partners and maple leaf signs installation, wood storage area, and equipment installation. The new camp was used this spring to boil down maple sap and a handshake ceremony was done by ONHS for partners.



Plans for FY18 Third Quarter

- Planning for the upcoming Spring Turkey season, which will be opening on April 7, 2018 and run through May 27, 2018. Department staff will be out afield, monitoring Sportsmen that are attempting to harvest their birds. The spring fishing season is upon us with the upcoming quarter. The Oneida Lake has an established management plan for the site, which includes an opening and closing schedule, to limit vandalism or unwanted behavior at the Lake.
- UST Program will be hosting a UST Bootcamp at the Radisson in Oneida 4/3-4/5
- Oneida was asked to provide UST training in Tulsa, Ok 4/24-4/26
- OCAP will host Cathodic Protection Training 5/1-5/3
- EHSLD will work with WTCAC to host a seasonal worker to continue Invasive Species control work in Oneida
- Sharing the results of the Information Management Discovery Phase to staff and establishing next steps
- Create a hazard assessment to rank potential UIC sites and create public outreach material. The outreach material will assist residents in knowing if they need to take further action related to owning or operating a site that may have a UIC.
- Getting ready to restore Silver Creek from Florist Drive to County U and to also construct the Community Trail along that same route.
- Analysis of domestic animal bite information
- Improving our pet safety database to incorporate bite reports and dangerous animal tracking
- Planning for tree planting at the beach area of Lake Oneida.
- Demolition projects in "downtown Oneida" Deconstruction will help the community and organization plan and implement the goals for the new downtown region at Cty U and Service Rd.
- Finishing up installing waterlines at Tsyunhehkwa^, ONF, Robertson Grazing, and the State Farm; Planting pastures at Tsyunhehkwa^; Managing the rotational grazing at Tsyunhehkwa^.
- Hiring of a site supervisor trainee for the Tsyunhehkwa^ Farm.
- Finishing up installing waterlines at ONF, Robertson Grazing, and the State Farm.
- Worked with Wisconsin Judicare to bring the Will Caravan to the Oneida Reservation to provide services of Last Will and Testament, and various Power of Attorney documents for Finance and Medical to the Oneida Membership.
- Land reached 10,000 total documents recorded in the Register of Deed, over 1,000 probate cases total (closed and pending)
- Continue to evaluate and improve systems at Tsyunhehkwa Farm
- Provide outreach events to Oneida community:
 - Seed & Plant Distribution May 20 Planning and assistance at Tsyunhehkwa Farm
 - Oneida Earth day event tree distribution at Oneida Lake on May 19
 - Youth & Elder Fishing Day at Osnuhsa lake on June 2.
- Current Provide industrial hygiene services in the areas of indoor air quality, water damage, mold, asbestos, and lead (Pb) and occupational exposure to known or potential hazards local or regional collaborations
- Surface water monitoring begins in April, with some revisions to the Monitoring Strategy that will better focus our data collection efforts. complete the upload of our historic WQ data to the AWQMS data management system and will begin entering new data into the system.
- Working with the CEC to plan a fall and spring foraging classes for tribal members to be offered in FY19.

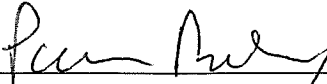
Plans for FY18 Third Quarter Continued

- Finalize agreements with Wisconsin Public Service and commission remaining buildings in the Solar Deployment Project
- Finalize edition 2 of the Oneida Nation Strategic Energy Work Plan.
- Develop a hemp strategy.
- Tribal rulemaking for processing easements, service line agreements, and land use licenses thereby enhancing our tribal legislative process.
- Contract to facilitate the repairs to our New York homes and the proper demolition of the farm buildings that are beyond their economic value. Prepare for future land use decision.
- Finish 4 projects working with CHD as part of the transition. Update the Commercial and Agricultural processes.
- The biggest components are moving of Employee Services out and lease the property to an outside company for outside revenues to lease the premises.
- Cleaning up the Register of Deeds area and inputting data into that program.

Current Local or Regional Collaborations

WDNR, Tribal Waste and Response Steering Committee, US EPA Tribal Environmental Information Exchange Network partners, EPA Developers Guild, EPA TRI Workgroup, , EPA Tribal Environmental Program Managers planning, Tribal Brownfield 128(a), BIA, WTCAC, Lake Michigan Regional Invasive Species Consortium, The Nature Conservancy, Brown County LCO, Outagamie County LCO, WDNR, UWGB, USGS, USFWS, NEW Waters, NRCS, Outagamie County LCD, Tilth Agronomy, BIA, DATP EPA Region 5, Wisconsin DNR, Wisconsin Department of Health, Northern Pike & Tributary Group, Oneida Adventures (planning meeting) WDNR Green Bay Fisheries staff, Midwest Tribal Energy Resource Association, National Renewable Energy Laboratory, SunVest Solar, Current Electric, Green Bay Metropolitan Sewage District, Department of Energy, Resource Conservation & Development, Ater Wynne LLP, Wisconsin Public Service, WE Energies, Constellation Energy, Renew Wisconsin, Energy Bank, Oneida Nation High School, City of Milwaukee Sustainability Office, City of Green Bay official, City of Greenfield contractor, New York asbestos inspector, NY home repair vendor, BIA Realty Staff and Office of the Special Trustee staff, WE Energies and WPS representatives

Report Prepared By:

 May 1, 2018

Sylvia Cornelius, Eco Services Department Manager

Brenda Skenandore May 1, 2018

Brenda Skenandore, Executive Assistant

Report Reviewed By:

 May 1, 2018

Patrick Pelky, Environmental Health Safety & Land
Division Director

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 05 / 09 / 18

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 Comprehensive Housing Division
Oneida Nation Housing Programs



COMPREHENSIVE HOUSING DIVISION
FY 2018 2nd QTR REPORT
January-March 2018

Dana McLester
Comprehensive Housing
Division Director

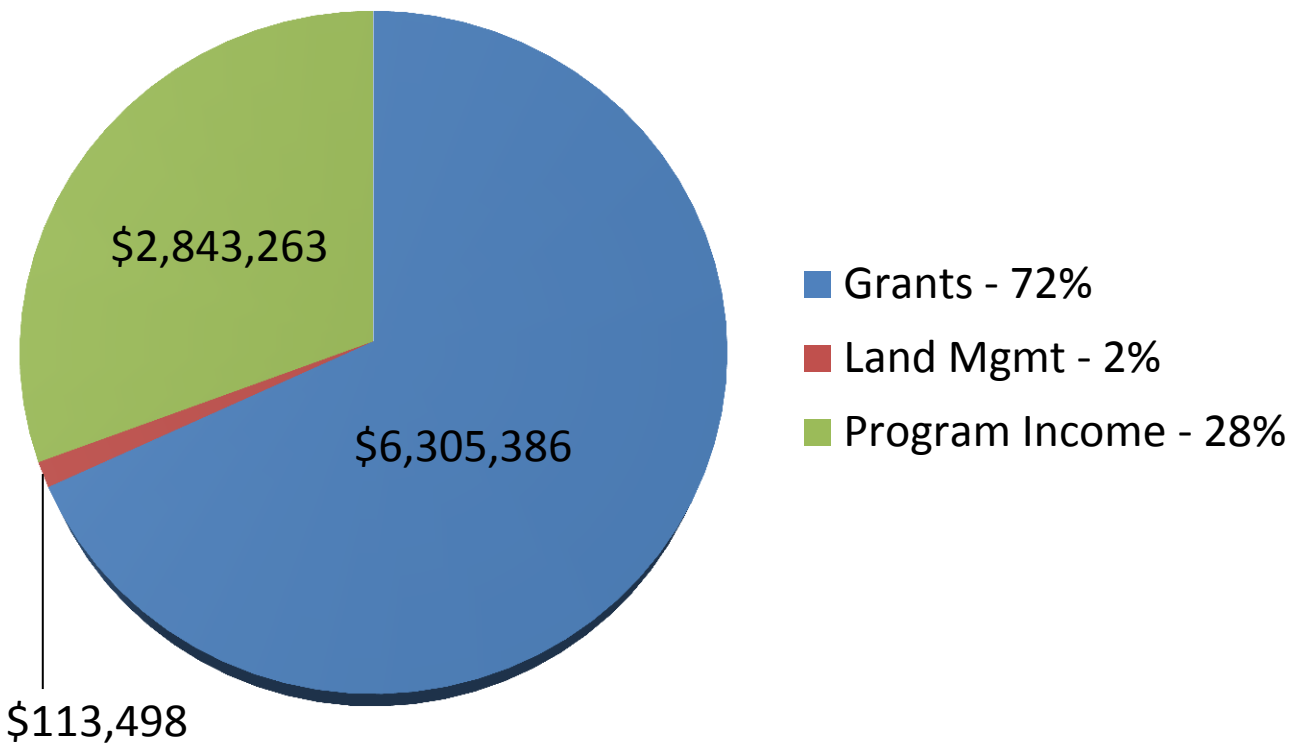
The Comprehensive Housing Division consists of all residential services offered by the Nation, including all rental programs, the rent-to-own program, and the residential sales and mortgages.

Departments within the Comprehensive Housing Division

- Finance and Administration
- Resident Services
- Maintenance
- Residential Development
- Community Outreach
- Rehabilitation & Modernization
- Residential Sales & Mortgages
- Residential Leasing

FY 2018 Budget Revenues

Total \$9,262,147



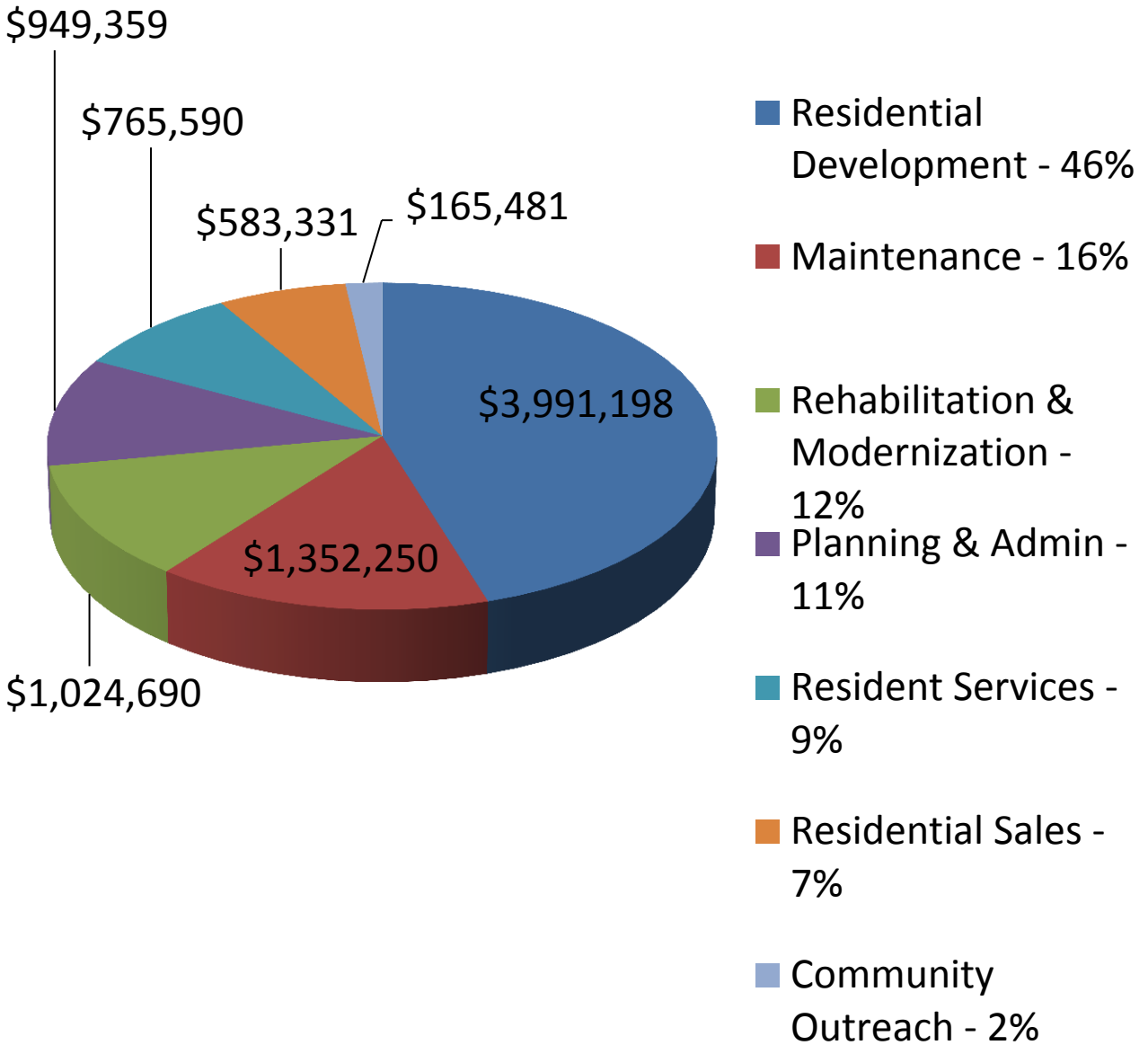
Program Income Includes:

- Rental Income
- Administration Fees
- Interest Income
- Miscellaneous Income
 - Launderette
- Other Charges for Services
 - Work Order Charges
 - Utility Charges

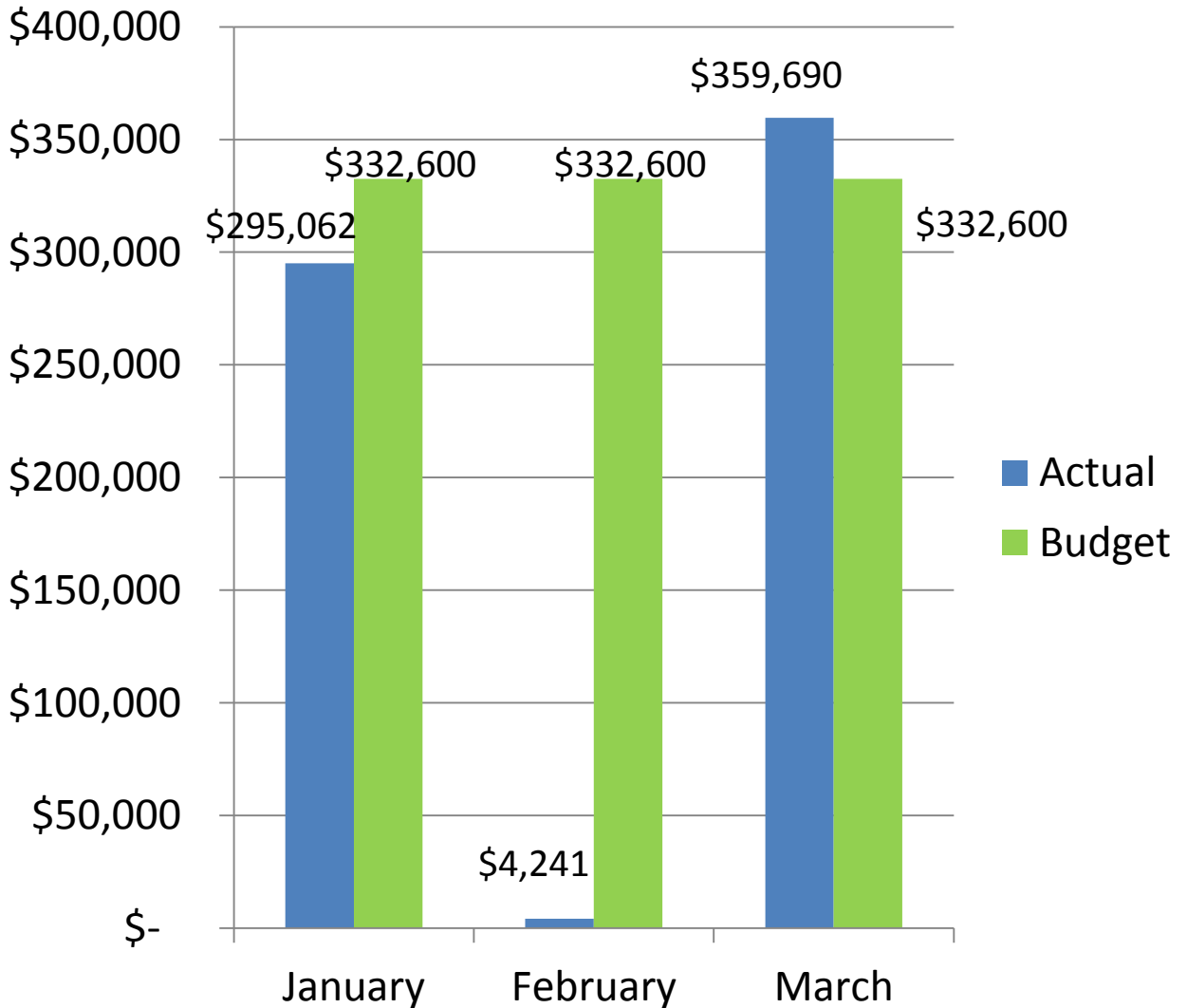
Grants:

- Indian Housing Block Grant
- HUD-VASH
 - Veteran Affairs Supportive Housing

FY 2018 Budgeted Expenditures Total \$8,831,899



Residential Development Total Expenditures - \$658,994.00

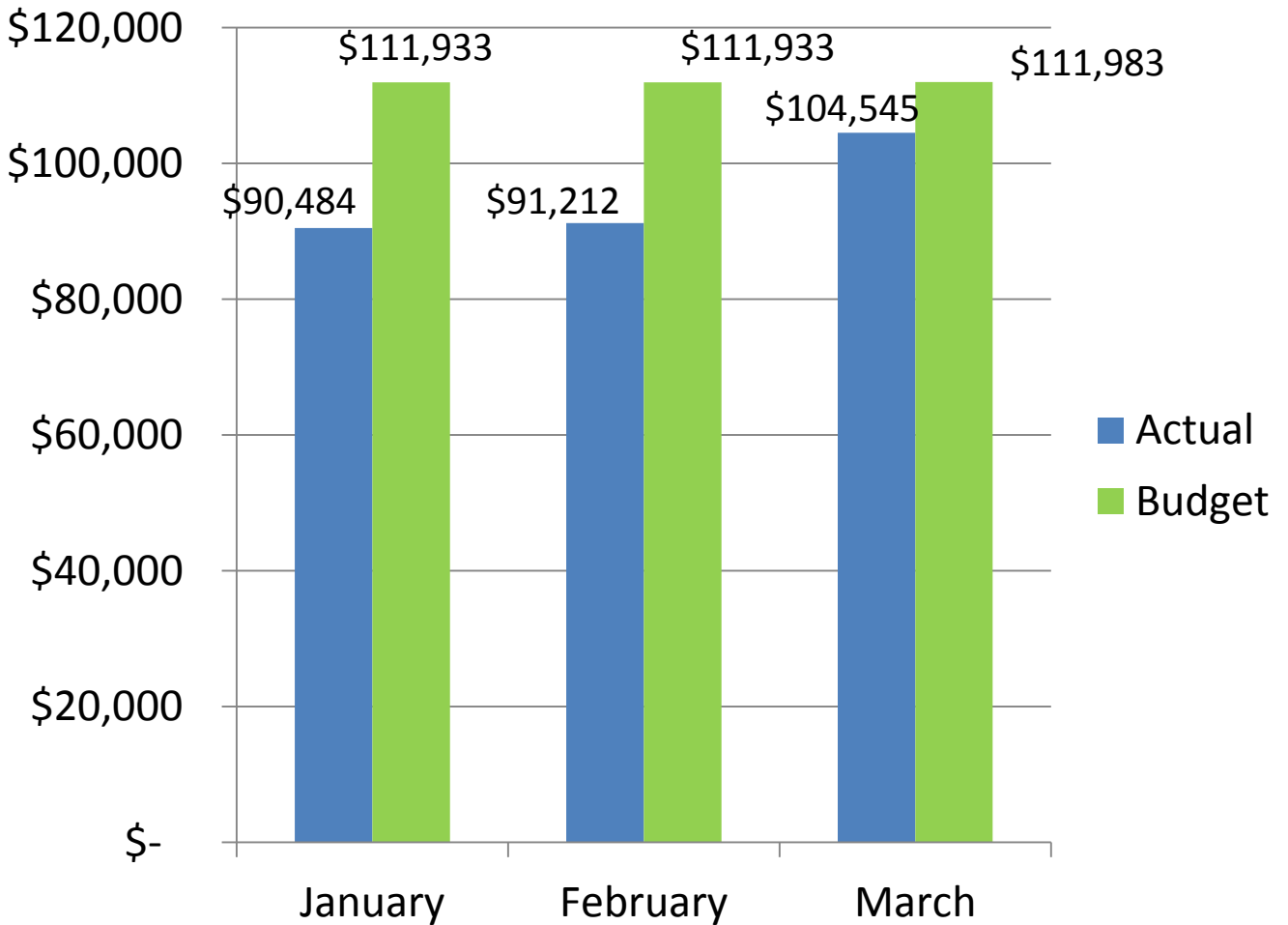


Town House #3 is 10% Complete
Town House #4 is 70% Complete

There is a timing difference between when the work is completed and the submission of invoices for payment from the general contractors.

Maintenance

Total Expenditures - \$286,241



Occupancy Rate – 94%

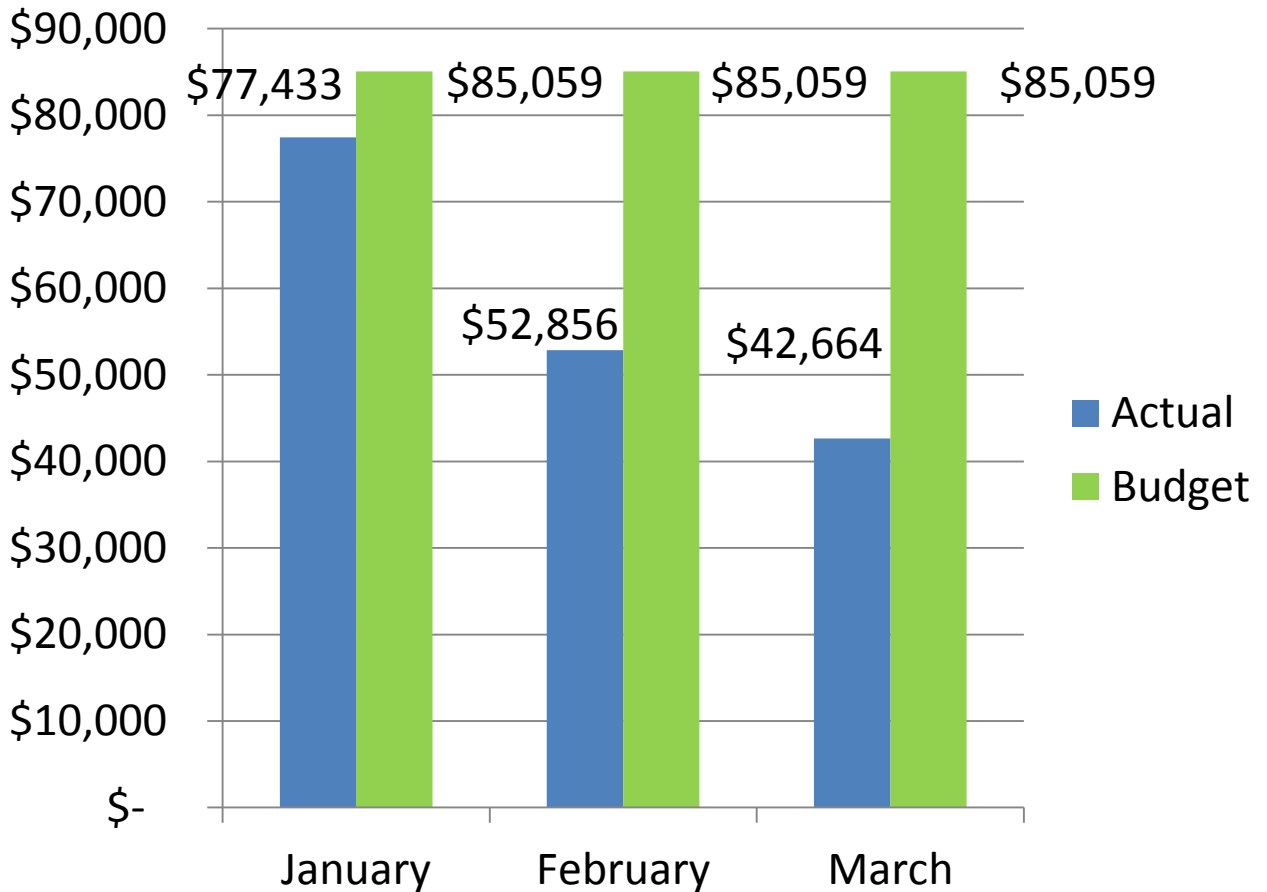
Total Tenant Move-outs – 20

Total Tenant Move-ins – 10

Work Orders – 320

Expenses include daily work orders and preparing a unit for occupancy.

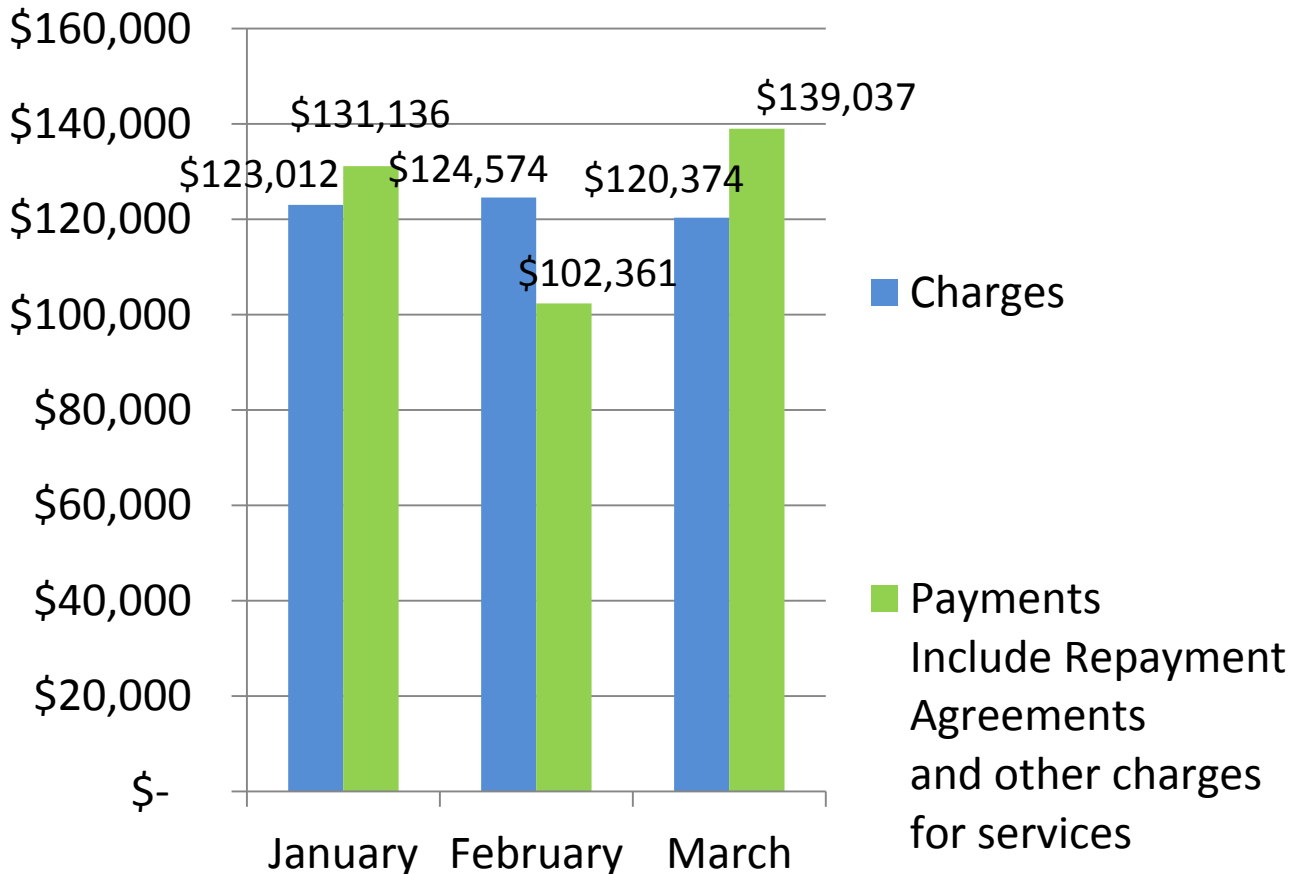
Rehabilitation & Modernization Total Expenditures - \$172,953



Work Orders for Annual Inspections – 70
Floor Installation – 7 Units
Roofs Replaced – 1 Unit

Resident Services

Rental & Rent-to-Own Receivables



Outstanding Accounts Receivable Balances: \$21,993.52

Rental – 52 Accounts

Rent-to-Own – 5 Accounts

Current Wait List of 135 applicants are maintained for the Income Based and Elder Rental Programs. The General Rental program units are advertised as available.

Collections:

- The Comprehensive Housing Division's collection efforts focus on unpaid balances from past rental and homeownership tenants.
- Unpaid balances consist of one or combination of the following:
 - Unpaid Rent
 - Green Bay Water Utility tax liens, unpaid by tenant
 - Property Damage

Collection Challenges

- Repayment agreements are established in effort to provide tenants an opportunity to avoid termination and eviction due to breach of the rental agreement. A tenant repeated request for "a chance" and their promise to pay can accumulate total arrears.
- Tenant habits of heavily relying on per capita and/or tax returns to pay rent develop poor payment habits while being in breach of the rental agreement.
- Tenant habits of heavily relying on assistance from program providers develop poor payment habits while being in breach of the rental agreement and utility service providers.

Working with Tenants

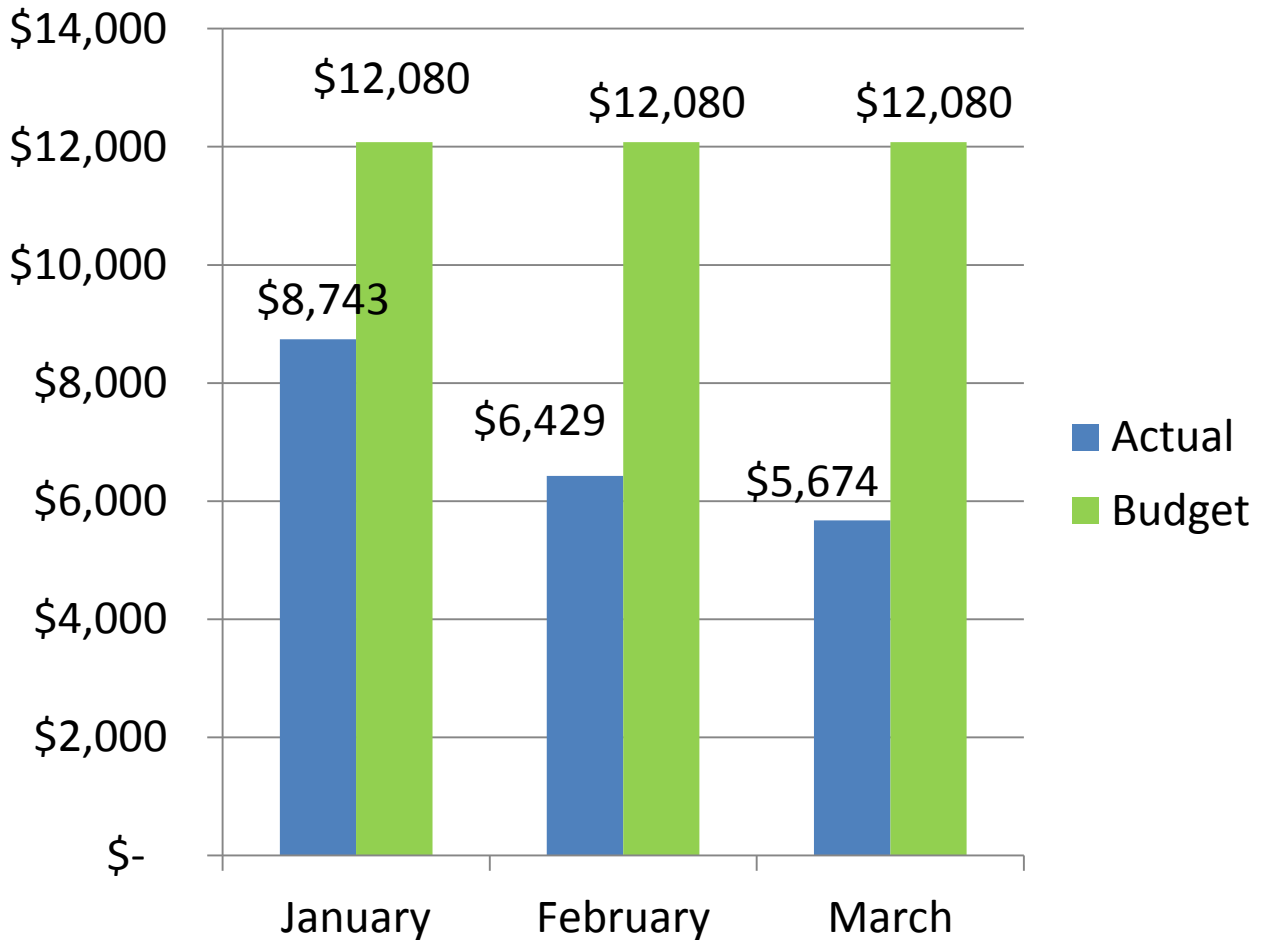
- Warning letters are issued when a tenant falls behind or has an unpaid balance
- A meeting is established to discuss the situation and hear the tenants plans of action
- CHD refers tenants to program providers that may provide assistance
 - Community Support
 - Utility Assistance
 - Temporary Assistance for Needy Families (TANF)
 - Budgeting at Community Education Center (CEC)
- CHD Resident Services Staff offers basic budgeting when possible and also refers tenant to local agencies that offer budget training
- Repayment Agreement are established
 - Weekly Installments
 - Per Capita (when applicable)
 - Tax Returns (when applicable)

Concerning Tenant Matters

- Unpaid rent and/or utilities continue to be the primary reason for involuntary termination of CHD Rental Agreements. Social concerns are often a significant part of noncompliance of the rental agreement, which places the agreement at risk and in some cases results in eviction
- The reasons behind an eviction are often complete, comprising of multiple compliance concerns with CHD having provided ample opportunity for tenants to make choices necessary to avoid eviction.
- CHD continues to work with other departments and internal referrals to CHD's Community Outreach Supervisor & Caseworker in effort to guide tenants to resources that may assist the tenant with the necessary training, education, or counseling needed to make decisions to avoid placing their housing at risk of termination.

Community Outreach

Total Expenditures - \$20,846.00



The Community Outreach Program is currently being redefined to maximize our resource and optimize our programming to better serve the Oneida Community. Program focus: Crime Prevention, Drug Abuse Prevention, Cultural Development, and Family Development.

Residential Sales & Mortgages

- There is a moratorium on TLC Loans.
- New Loans:
VET TLC - \$46,000

TYPE	TOTAL # OF LOANS	TOTAL LOAN RECEIVABLE
TRIBAL LOAN CREDIT (TLC)	291	\$19,451,044.73
THRIL	24	\$ 258,105.61
VET-TRIBAL LOAN CREDIT	83	\$ 5,762,134.04
TOTAL	398	\$25,471,284.38

Vacant Residential Sale Units				
Address	Original Acquired Date	Ownership Transferred to Comprehensive Housing	Projected Completion Date	Estimated Repair Costs
2418 Ironwood Drive	1/27/2014	10/1/2017	6/1/2018	\$ 15,000.00
2534 Laredo Lane	7/30/2014	10/1/2017	8/1/2018	\$ 43,500.00
N7074 Seminary Road	11/15/2016	10/1/2017	FY 2019	\$ 53,500.00
4362 Hillcrest	9/8/2016	10/1/2017	FY 2019	\$ 35,000.00
W1709 County G	11/1/2013	10/1/2017	FY 2019	\$ 59,000.00
2458 County Road EE	8/1/2013	10/1/2017	FY 2019	\$ 45,000.00
Total				\$ 251,000.00
				11

Residential Leases

- Total Residential Leases – 721
 - New Residential Leases – 7

- Total HBO Sites Offered – 45
 - Current Advertised HBO Sites - 7
 - Beech Tree Lane Lot 1
 - Beech Tree Lane Lot 2
 - Beech Tree Lane Lot 3
 - Beech Tree Lane Lot 4
 - Beech Tree Lane Lot 5
 - Beech Tree Lane Lot 6
 - Beech Tree Lane Lot 7

Oneida Business Committee Agenda Request

1. Meeting Date Requested: 05 / 09 / 18

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:

Geraldine R. Danforth 5/1/18

Primary Requestor:

Your Name, Title / Dept. or Tribal Member

Additional Requestor:

Name, Title / Dept.

Additional Requestor:

Name, Title / Dept.



**Human Resources Department (HRD)
2nd QUARTER REPORT January
March - FY'18**



*HR Administrative Staff at Skenandoah Complex:
Geraldine Danforth- HRD Area Manager, Maureen
Metoxen- Executive Assistant, Administrative Assistants –
Megan White, Yasiman Metoxen, Gina Jasmer*

Budget: HRD submitted the following budget for FY' 18:

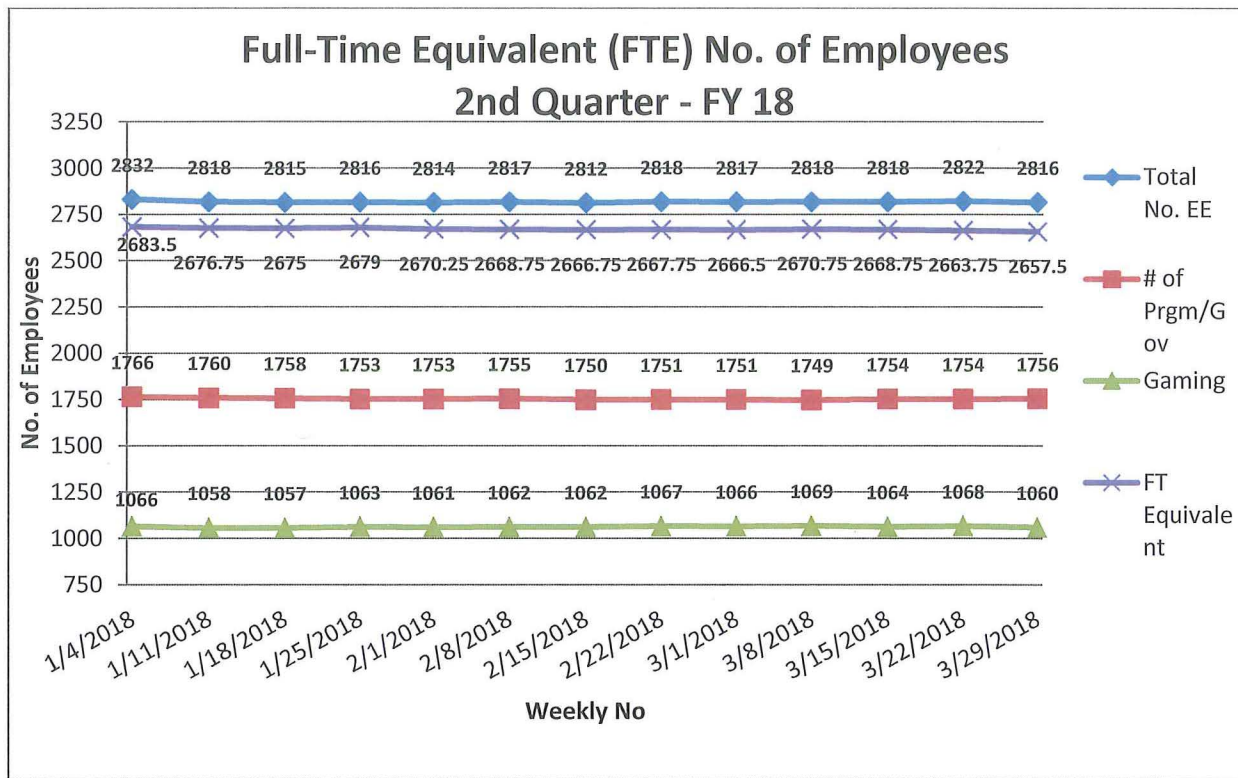
Department	Budget Amount	Funding Source	Spending YTD	Variance
HRD	\$2,618,067	Indirect Cost	\$ 1,225,042	\$1,393,028
Employee Assistance	214,023	Tribal Contribution	\$ 108,315	\$ 105,708
Workforce Development	256,345	Grant 79% & TC	\$ 106,283	\$ 150,062
Student Intern Program	625,852	Tribal Contribution	\$ 85,671	\$ 114,465
Employee Incentive & Testing	23,028	Tribal Contribution	\$ 4,290	\$ 18,738

- Human Resources budget is \$83,991 under budget. This is in part due to two vacancies
- The Employee Incentive and Testing budget is used to recognize employees who have 25, 30, 35, and 40 or more years of service (YOS) with a YOS gift. This quarter we have given out twenty-two (22) blankets for YOS and zero (0) blankets for Retirement with 25 or more YOS.



The Oneida Nation proudly recognized 22 tribal employees for their years of service to the nation during the April 25 Oneida Business Committee (OBC) meeting. Each of the employees recognized received a formal letter of commendation as well as a Pendleton Blanket for their dedication to the Oneida Nation. Recognized for 25 years of service were (front row): **Doreen Zayas, Mary Cowman, Fawne Rasmussen.** Back row: **Theresa Murphy, Christine Joly, Suzanne Lindberg, Rick Charniak, Wayne Verheyen, Rae Skenandore, Tammy Umentum.** Not pictured: **Jeffrey Prevost (35 years), Lori McNichols (25), Robert Appel (25), Richard King (25), Kerry Manthe (25), Tammy Rahmlow (25), Sandra Zuelke (25), James Powless (25), Lynn Szczepanski (25), Michael Jourdan (25), Luanne King-Skenandore (25), James Burke (25).**

- Student Intern College Graduates. In FY'18, five additional positions were added for a total of 10 positions. Five graduates are nearing their first year of the program. Supervisors are required to complete a job description for us to post and attract college graduates looking to gain work experience in their field of study. Currently there is one college graduate that
- Employment Levels for Full-Time Equivalent Employees (FTE) report is a weekly communication to the direct reports on the number of FTE's. The chart below represents for the first quarter, the total number of employees, the full-time equivalent number of employees, the number of Program/government employees and the number of Gaming's employees.
 - To calculate "Full-time Equivalent employees,"
 - The full-time employees are counted as one position each.
 - The half-time employees are counted as each position X .75 or divided in half.
 - The part-time employees are counted as each position X .50
 - The lay-off, sub-reliefs, and leave of absence are not counted.



Employee Vacation and Personal Time Accruals 2nd Quarter 2018 FY 18

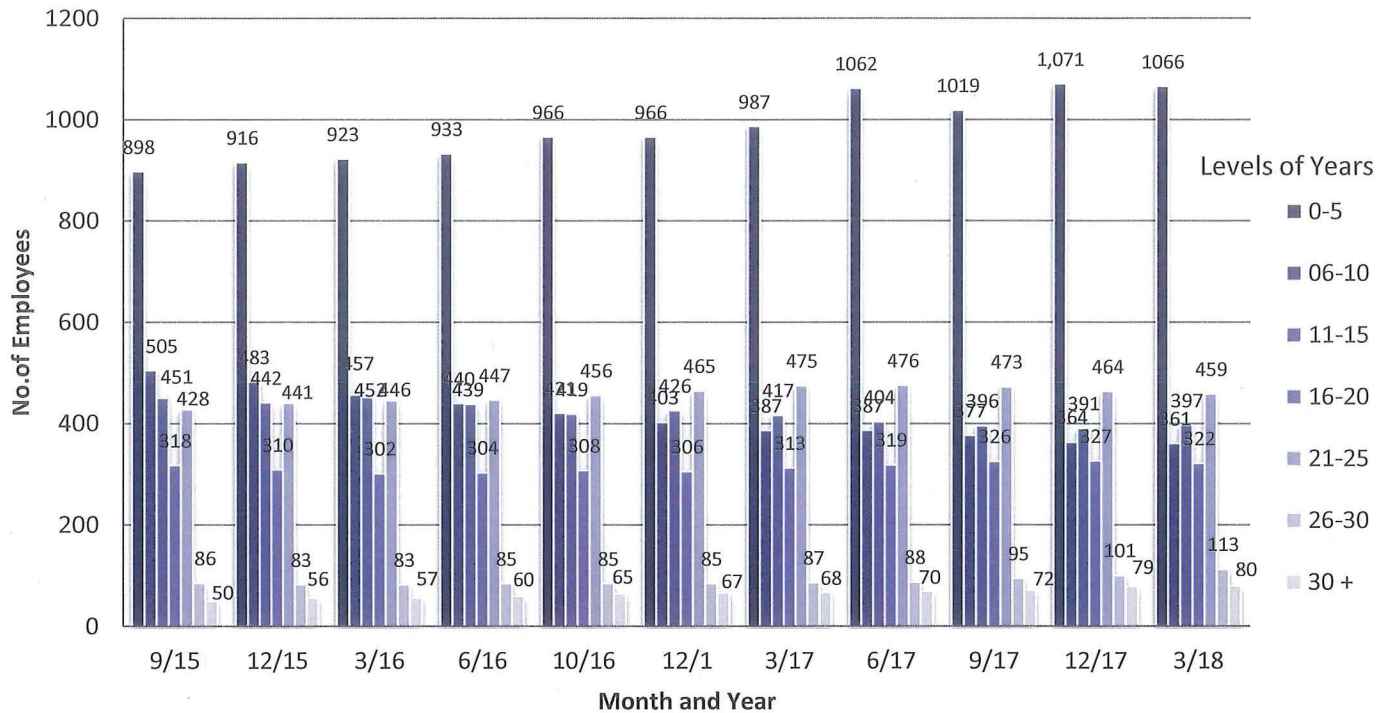
	Sep-14	Sep-15	Sep-16	Sep-17	Oct-17	Dec-17	Mar-18
Total EE's	2608	2623	2,639	2683	2680	2724	2719
Total Hours	260,572	263,529	264,422	255,165	257,302	267,908	269,584
Total Payout	\$5,271,854	\$5,412,394	\$5,793,148	\$5,782,351	\$5,935,470	\$6,172,289	\$6,185,739
No. of EE's @ Max	29	30	42	19	24	45	43
280 Hours	\$202,833	\$261,496	\$331,728	\$183,315	\$201,918	\$447,552	\$387,188
Avg Hours	99.91	100.47	100.2	95.10	96.01	98.35	99.15
Avg Payout	\$2,021	\$2,063	\$2,195	\$2,155	\$2,215	\$2,266	\$2,275
				0.71%	0.90%	1.65%	1.58%

Vacation and Personal Time Accruals – 2nd Quarter – FY 18

The accruals chart for the 2nd quarter show:

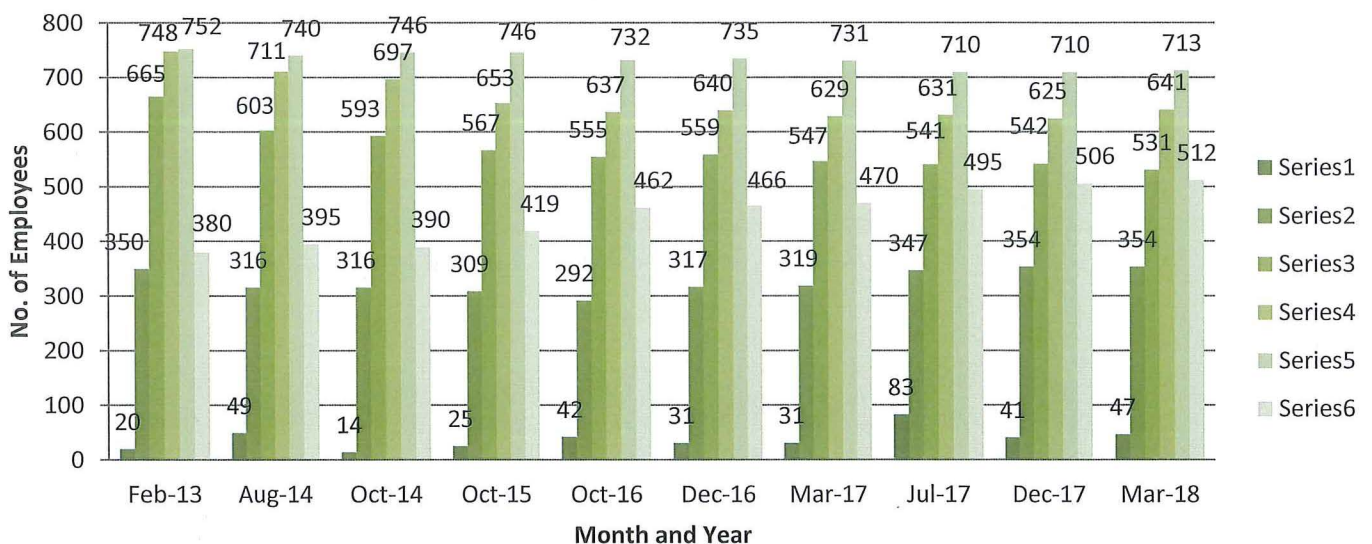
- Employees At maximum of 280 hours are at 1.58% or 43 employees.
- The accrual payouts have increased by \$1,676 from the previous quarter.

Years of Service 2nd Quarter - FY 18

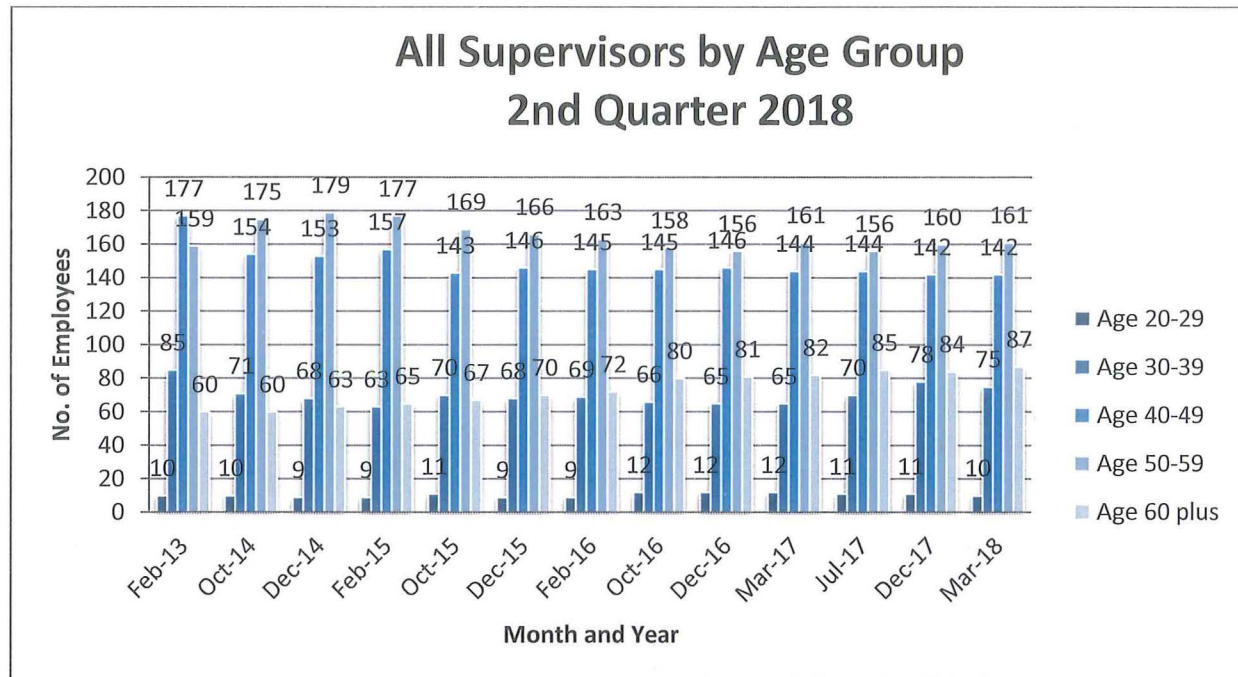


In comparing the longevity of the employees from 2015 to 2018, the long-term employees in the 30 plus, years of service has increased by 30 employees. The 26-30 years has increased by 27 employees. The Tribe continues to hire new employees while the long-term employees continue to be employed.

All Employees by Age Group 2nd Quarter 2018



This chart represents all 2798 employees of the Nation. The trend is steady for most age groups. The age group of 60 and over have gone from 380 in 2013 to 512 in 2018.

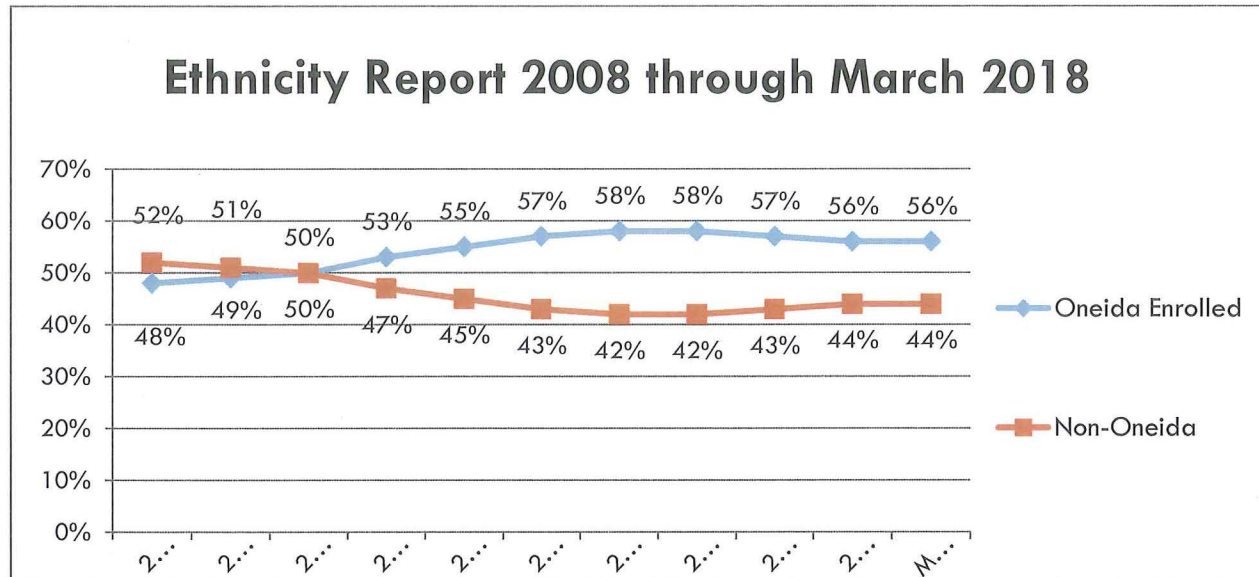


Currently, there are 475 supervisors; in 2013 there were 491, decrease of 16 supervisors. Of the 475 supervisors, 33.89% of the supervisors are in the age group 50-59, of which 128 are Oneida. Supervisors in the 60 plus age group are at 18.32% of the total supervisors, of which 71 are Oneida. Succession planning is needed to ensure the critical positions will have a replacement.

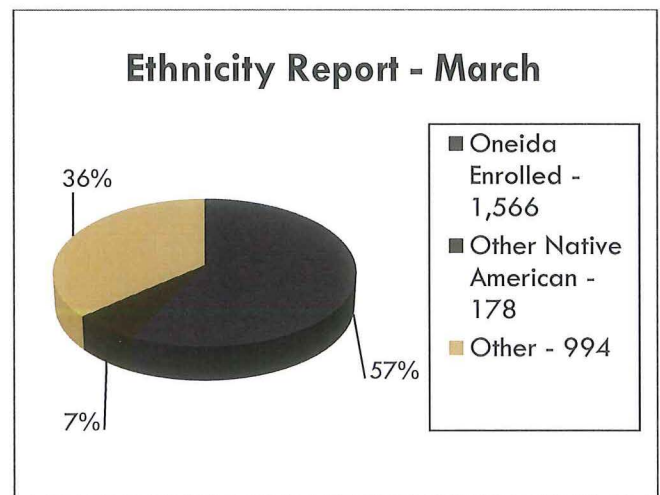
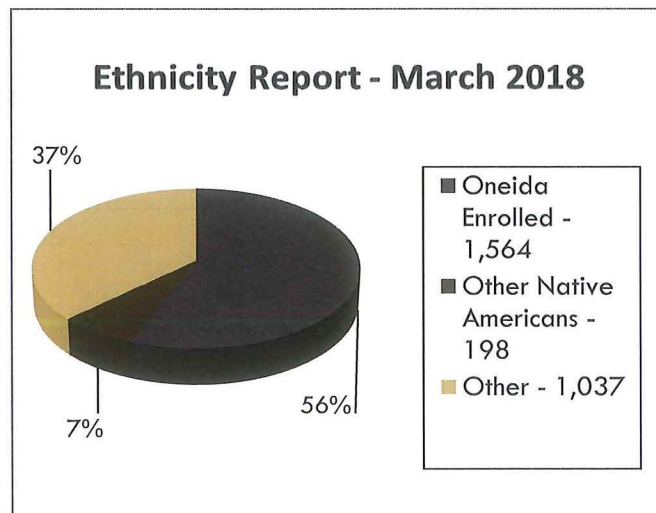
Talent Management and HR GLOBAL

The process has begun to bring in the **Talent Management Module**. HR will be considering implementing HR Global because the Talent Management module cannot be implemented with HR’s current system. The team who is working on the project include: Dave Cluckey-MIS, Geraldine Danforth-HRD, Melinda Danforth-HRD, Mike Sampo-MIS, and Jim Wildenberg-MIS. The team will be drafting a project plan to bring forward to the OBC in the near future.

COMPENSATION AND HIRING – Marianne Close-Comp and Hiring Director, Katrina Snyder-Sr. HR Generalist, Lisa Hock-HR Generalist, Wanita Decorah-HR Generalist, Jenny Garcia-HR Generalist, Katrina Mungo-HR Generalist, Peril Huff-HR Generalist, Candace House-HR Assistant



Ethnicity Reports



The Ethnicity report for March 2018 indicates a decrease in the number of Enrolled Oneida members by -2 and an increase in Native American by +20 and an increase in Others by +43 in comparison to March 2017.

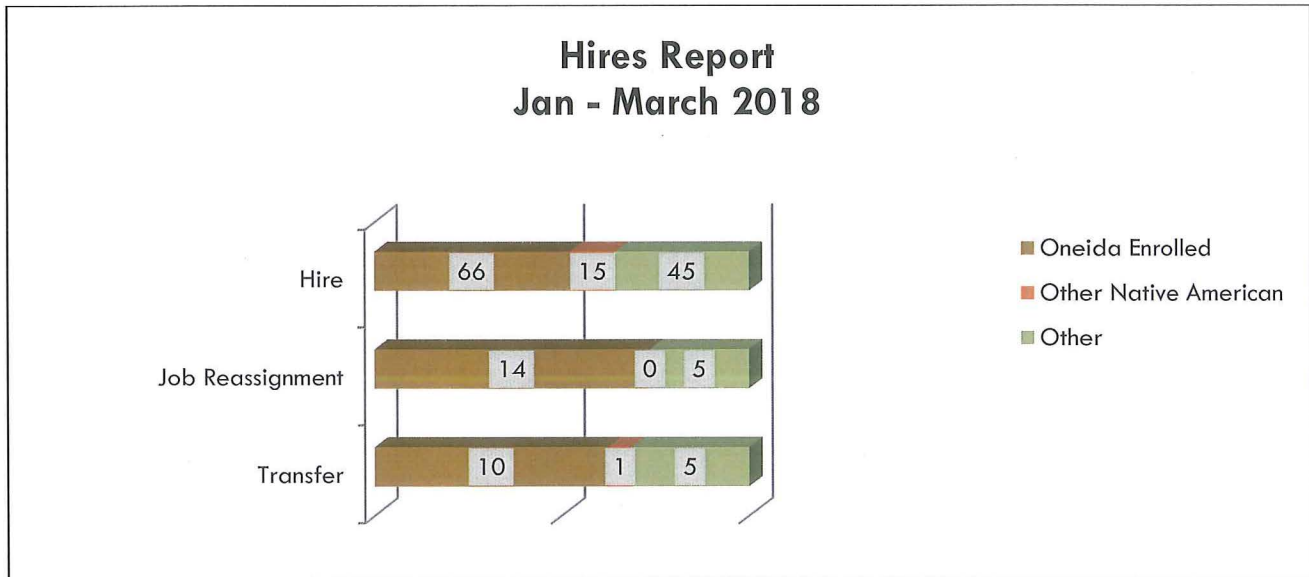
	<u>2017</u>	<u>2018</u>	<u>Difference</u>
Enrolled Oneida	1,566	1564	-2
Native American	178	198	+20
Other	994	1037	+43

Increase in Number of Employees. There were 2,738 employees in March 2017 and 2,799 employees in March 2018. This is an increase of 61 employees in comparison to the previous year.



For Jan - March 2017

- 66% of all hires were filled with enrolled Oneida Tribal members.
- 80% of all job reassignments were filled with enrolled Oneida Tribal members.
- 78% of all transfers were filled with enrolled Oneida Tribal members.



For Jan-March 2018

- 52% of all hires were filled with enrolled Oneida Tribal members.
- 74% of job reassignments were filled with enrolled Oneida Tribal members.
- 63% of transfers were filled with enrolled Oneida Tribal members.

Job Postings

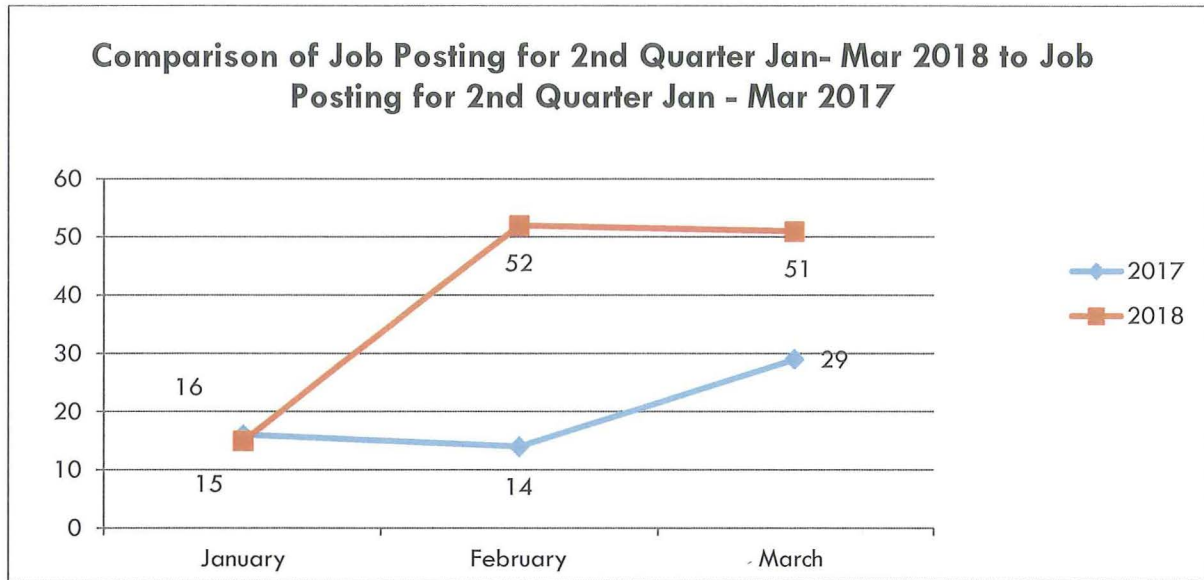
Job Postings by Division for January, February and March 2017				
Division	Jan	Feb	March	TOTAL
Gaming	3	5	8	16
Comprehensive Health	2	1	7	10
Development	2	0	0	2
Land Management	0	0	0	0
Environmental Health & Safety	0	0	0	0
Internal Services	0	2	2	4
Enterprise	1	3	3	7
Finance (CFO)	0	0	0	0
Non-Divisional	0	2	3	5
Governmental Services	8	1	6	15
Total	16	14	29	59

There were a total of 59 jobs posted in January through March of 2017

Job Postings by Division for January, February and March 2018				
Division	Jan	Feb	March	TOTAL
Gaming	2	5	9	16
Comprehensive Health	3	6	19	30
Comprehensive Housing	0	0	1	1
Development – Community & Economic	0	0	0	0
Development - DPW	0	0	3	4
Internal Services	0	3	2	5
Enterprise	0	1	0	1
Finance (CFO)	0	2	1	3
Environmental Health, Safety and Land	0	0	2	2
Governmental Services	0	22	6	28
Non-Divisional	8	12	8	28
TOTAL	15	52	51	118

The above report for Jan – Mar 2018 postings reflects the new or updated divisions of Comprehensive Housing Development – Community & Economic and Development – DPW and also Environmental Health, Safety and Land. The job posts doubled in comparison to this same time frame in 2017.

Job Postings Comparison

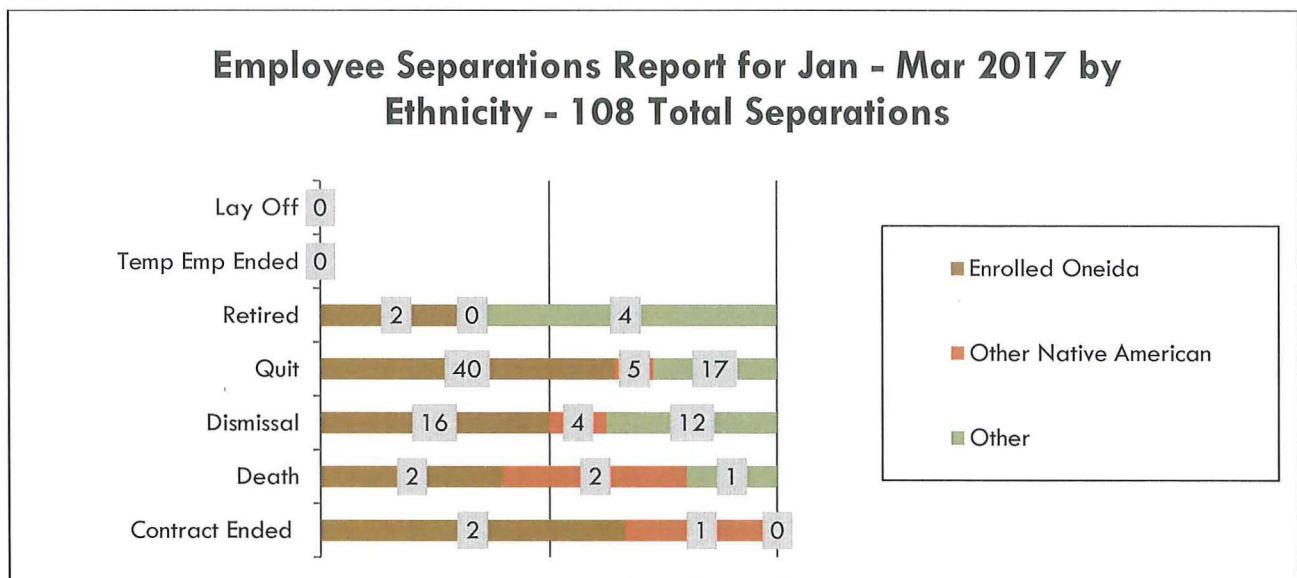


Post Graduate Program and Summer Student Intern Program

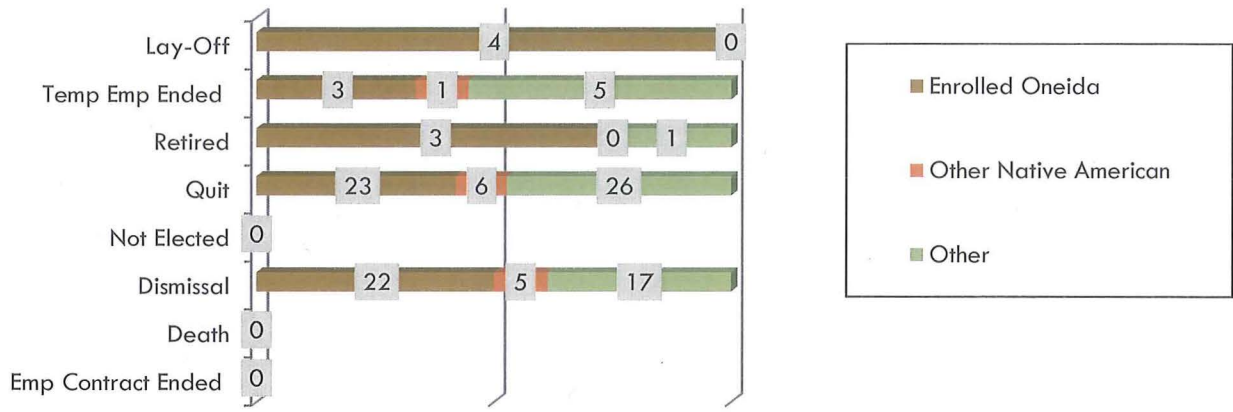
There were 45 Student Intern Position Descriptions posted on the HR Website. There are a total of 25 student interns budgeted and the pay will be \$12.00/hour (increase from \$10.10/hour) The closing date for accepting applications has been extended to May 4th.

Three (3) post graduate positions are posted for Joint Marketing in the Public Affairs Department, Media Specialist in the Inter-Governmental Affairs Department and Training & Organizational Development Specialist in the Human Resources Department. These will remain on hold until the May 23rd BC meeting.

Employee Separations Reports

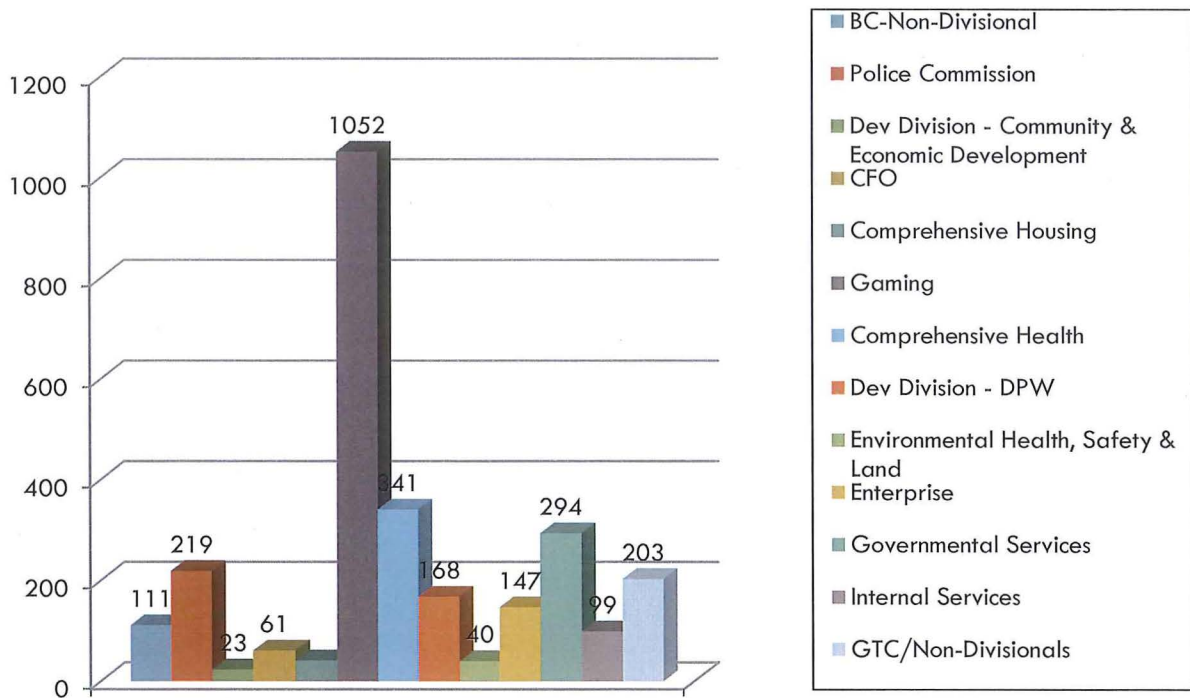


Employee Separations Report Jan - Mar 2018 by Ethnicity - 115 Total Separations

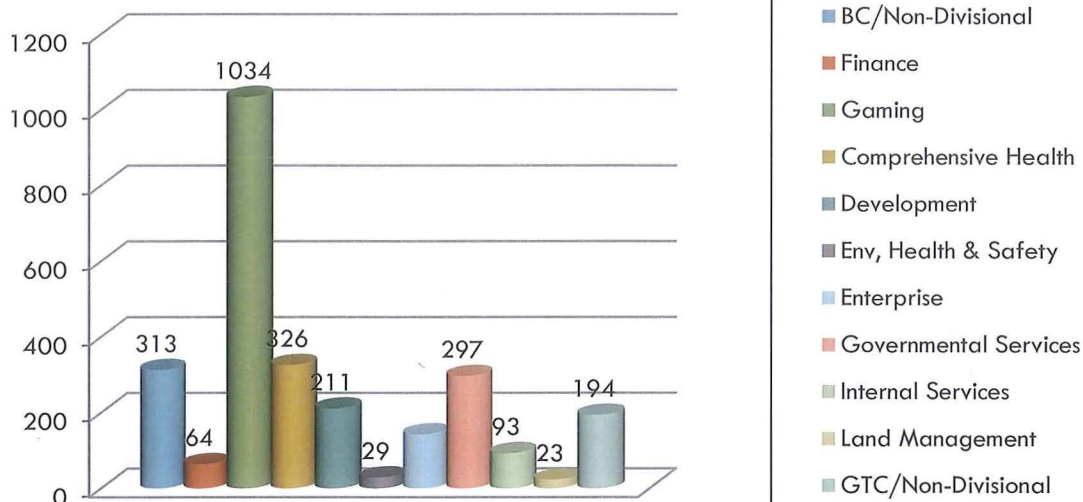


There were a total of 115 Separation for the period of January through March 2018 in comparison with 108 employee separation during the same period the previous year.

Number of Employees within Each Division/Non Division March 2018 - 2,799 Total Employees



Number of Employees within Each Division/Non Division March 2017 - 2,727 Total Employees



WORKFORCE DEVELOPMENT - *Victrietta Hensley-WFD Manager, Teresa Schuman-WFD Specialist, Renita Hernandez-WFD Specialist, Paula Ninham-WFD Trainee, Presley Cornelius-WFD Trainee.*

Workforce Development Report for January, February and March 2018				
	January	February	March	TOTAL
TrANS	1	17	10	28
Job Readiness Boot Camp	0	0	0	0
OutStanding Applicant	0	0	0	0
NWTC	15	0	0	15
Youth Employment Solution Success	5	0	0	5
Supportive Services	34	27	31	92
Mock Interviews	10	2	7	19
Presentations	4	4	6	14
Client Outreach	37	46	228	311
Collaboration with partners	12	8	14	34
Total	118	104	296	518

During the 2nd Quarter, Workforce Development did outreach to a total of 311 clients and 34 partners. Our Vision is to **Build a Strong Oneida Workforce** and our project has two (2) objectives :

Objective 1: By October 2018, we will build an Oneida workforce by providing classes and training that will increase the knowledge, skill set, employability and earning potential for 180 Oneida community members

Objective 2: By October 2018, build both internal and external partnerships with employers and colleges to help 120 program participants obtain full-time employment within the community. During this past quarter the staff attended: Green Bay Area Workforce Development and Regional WFD meeting to include program recruit at Job Fairs, Presentations on job readiness for Native students in Green Bay area schools; collaborated with opportunities for our target clientele (homeless, unemployed and under employed); provided Job Readiness Boot Camp. We continue to review resumes, provide mock interviews, and assist with tools and clothing for new job placements; the team facilitated providing Youth Education Success Solutions training to the Youth-At-Risk. We provided assistance to Center for Self Sufficiency and worked with Recruitment firms RCL and Career Builders. The team facilitated and chose departments to participate in the College Prep Program and Provided Relocation Assistance.

Transportation Alliance for New Solutions (TrANS) Program:

Collaborated in their graduation completion hire graduates and hiring rate is 90% placement. Received a plaque for Hall of Fame Inductee for partnership with TrANS.

1) Assist clients that were in need of tools and clothing for starting their new job.

NWTC Partnerships:

1) Forklift Certification – Classes were cancelled by NWTC

2) Participated in the recruitment of Certified Nursing Assistants to vacant position within the Oneida Nation.

Assisted clients with scrubs, watches, stethoscopes etc.

4) Collaborate on classes and training which may help the Nation fill employment gaps.

FVTC Partnership:

We are currently working with 3-6 students to enroll in the CDL Program.

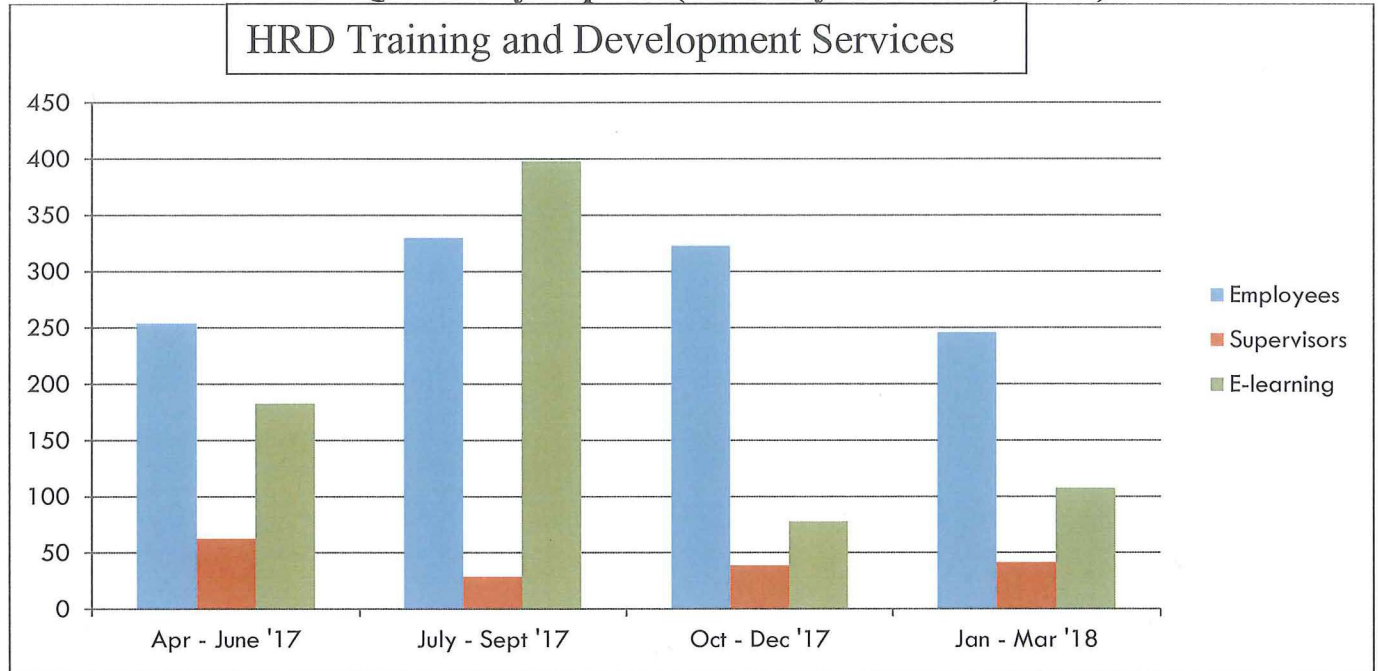
School Partnerships:

We recruited 10-15 students to participate in job readiness classes; classes will start again in March.

WFD advertises on our Facebook page: current job openings, job fairs, tips on how to present yourself for a job interview, as well as what employers want in an employee.

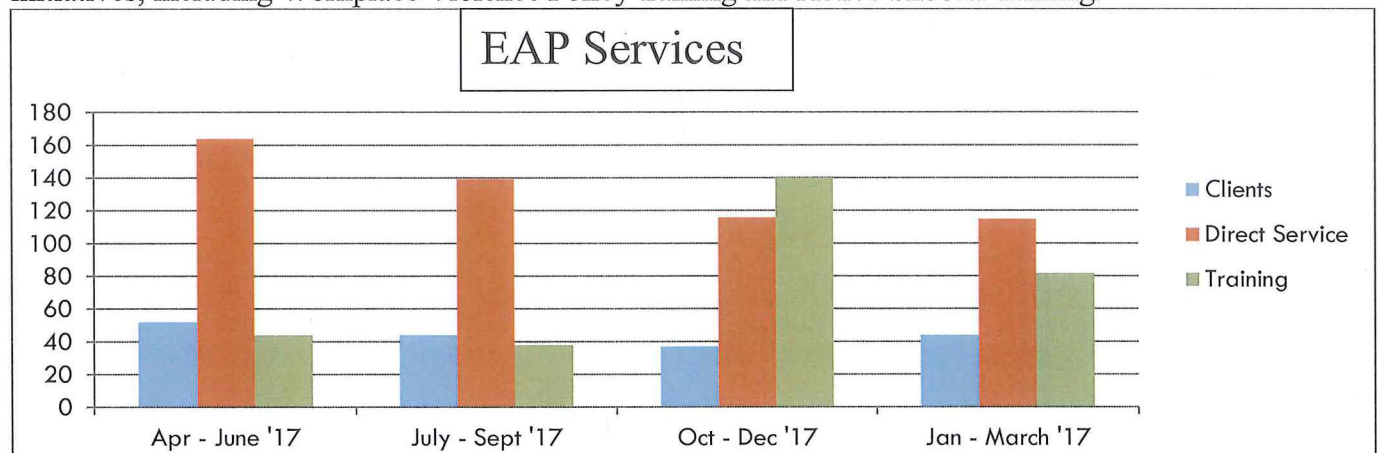
TRAINING AND DEVELOPMENT - *Nicolas Reynolds-Training & Development Director, Barb Kolitsch-Sr. Training Specialist, Regina Robinson-Sr. Training Specialist, Shannon Stone-Sr. Training Specialist, Megan White-Administrative Assistant*

HRD T&D Quarterly report (January - March, 2018)



Training & Development Updates:

The O'cademy Employee and Leadership Development Program continues to demonstrate value for existing and future leaders. Attendees continue to share their experiences implementing concepts learned in class. With over half of our scheduled sessions completed, we are beginning to gather data and prepare for O'cademy moving into FY2019. We also are continuing to work with supervisors and managers to reach 100% compliance on several org-wide training initiatives, including Workplace Violence Policy training and Active Shooter training.



EAP Training includes: Book Clubs, Brown Bag lunch topics, Grief Circle.

* DAFWP Return to Work Agreements First violation – 2, Second violations – 0.

EAP Updates:

EAP, with the assistance of the MIS Department, has successfully upgraded their client management software. The new software has gone live, giving EAP the ability to better track, analyze, and serve their customers. RAS presentations provided by EAP have been relocated to the EAP Cottage following the closing of the Employee Services Building.

HUMAN RESOURCES INFORMATION SYSTEMS

(HRIS)/RECORDS - *Melinda K. Danforth-HRIS Manager, Terry Skenandore-HRIS Specialist, Vicki Cornelius-Records Technician, Mitchell Skenandore-Records Technician.*

The team consists of Melinda K. Danforth-HRIS Manager, Terry Skenandore-HRIS Specialist and Vicki Cornelius-Records Technician.

We ensure the HRIS Systems and applications, such as Supervisor Inquiry, Self-Service, Internal Reference Directory and Workforce Detail support the needs of the Human Resources Department. Enter all personnel data into the HR/Payroll System (Infinium), provide personnel data reports (Cognos) to management, complete verification of employment and unemployment requests and oversee the Human Resources personnel files (OnBase).

Assisted with the re-organization of Community & Economic Development Division; Involved in a variety of meetings with MIS regarding Talent Management and Global HR systems and Testing the utilization of Time Off Requests via Employee Self Service.

Functions	Jan	Feb	Mar	Total
HR/Payroll Entry Transactions	1030	535	1334	2899
Employee Self-Service Entries	82	69	31	182
Employment Verifications	172	164	168	504

EMPLOYEE INSURANCES – *Josh Cottrell-Employee Insurance Manager, Kimberly Schultz-Insurance Specialist, Kristin Jorgenson-Insurance Specialist, Gina Jasmer-HR Assistant*

During the second quarter of FY18:

- The 1094C/1095C statements were filed electronically with the IRS. The filing was accepted with errors. Those errors are being reviewed and a second file will be submitted to the IRS.
- Oneida transitioned 401k platforms with the current 401k administrator, Transamerica. Employee Insurance continues to monitor and address any issues that may have resulted with the transition.

Upcoming Items:

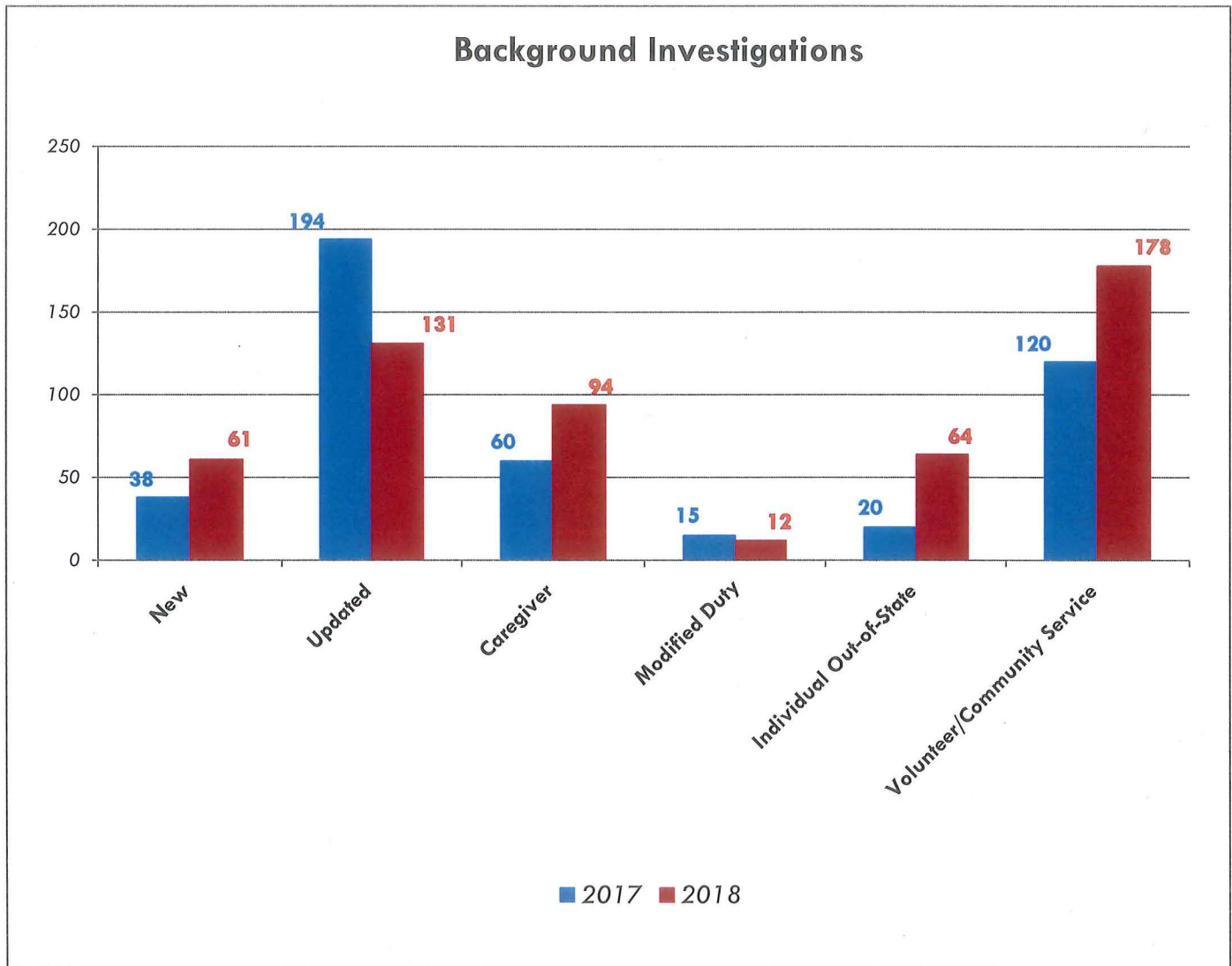
- Working on educational materials to be sent to employees in relation to Voluntary Benefits, 401k, and other miscellaneous benefits related items.
- Monitoring the implementation of HR Global and the impact to Employee Insurance.

Insurance Requests Processed – Second Quarter FY18		
Type of Requests	# of Requests Processed	
	Second Quarter	FY18
Leaves/Return to Work	191	339
Applications, Insurance Changes, Beneficiary, etc.	157	361
Disability	46	83
RAS Completions	89	334
Wellness Incentives	183	420
Note: This is not a complete listing of requests and does not take into account phone calls, walk-ins, emails, terms, 401k and other miscellaneous requests.		

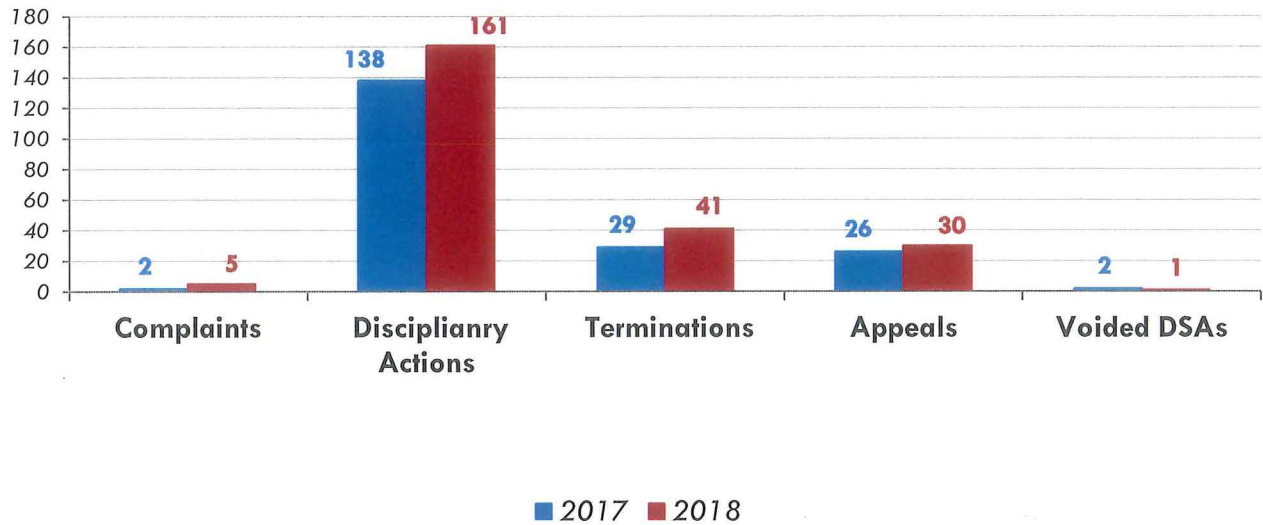
MONTHLY INSURANCE COUNT – MARCH 2018			
Breakdown	Employee Count	Breakdown	Employee Count
401K (Pre-Tax)	1,634	Medical – Single	909
Roth (After Tax)	187	Medical - Limited Family	479
LIF52 (\$50,000 Life Insurance)	2,616	Medical – Family	606
Short Term Disability	2,166	Total Medical	1,994
Long Term Disability	2,144	Vision - Single	802
Delta Dental – Single	711	Vision - Limited Family	532
Delta Dental- Limited Family	480	Vision - Family	711
Delta Dental - Family	631	Total Vision	2,118
Total Delta Dental	1,822	There are currently 1,211 employees receiving a premium adjustment on their medical premium based upon their HRA/RAS.	
Dental Associates – Single	146	There are currently 258 employees receiving the non-participant rate for not having an HRA done.	
Dental Associates – Limited Family	69		
Dental Associates - Family	97		
Total Dental Associates	312		

EQUAL EMPLOYMENT OPPORTUNITY DEPARTMENT (EEO)

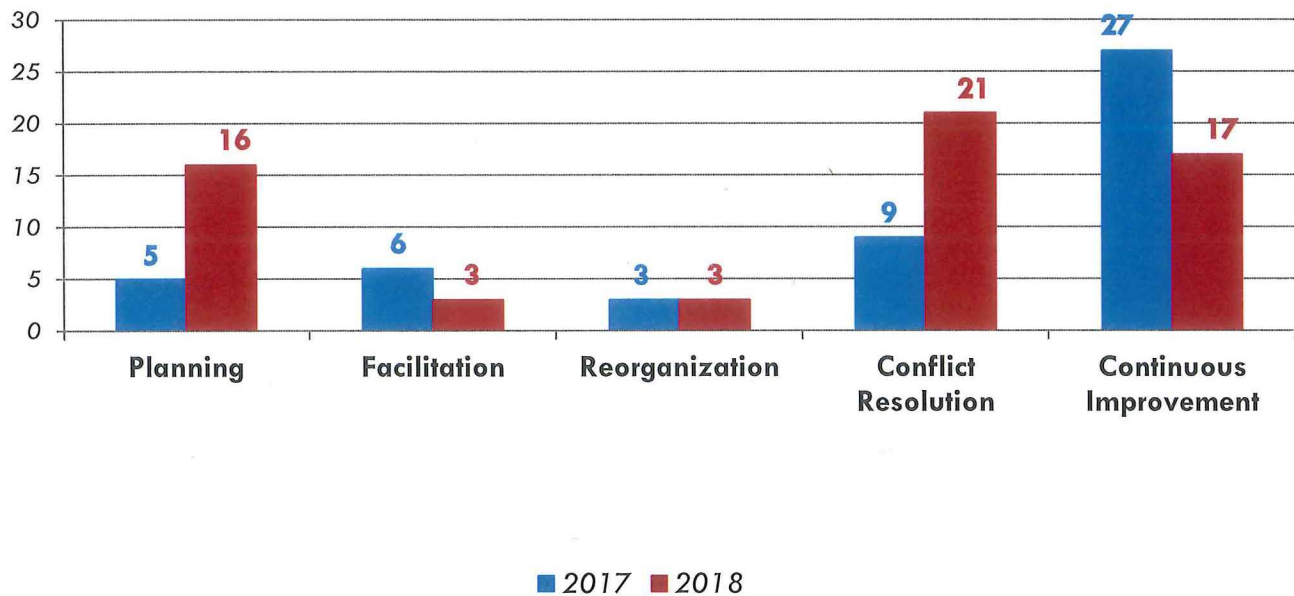
Matthew J. Denny-EEO Director, Rita Reiter-EEO Officer, Terry Hetzel-Continuous Improvement Mediator, Kendall Barton-Background Investigations Manager, Barb Ninham-Investigator, Laurie Metoxen-Investigator



Equal Employment Opportunity (EEO)



Continuous Improvement Mediation (CIMS)



Oneida Business Committee Agenda Request

1. Meeting Date Requested: 5/ / 9 / 18

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 Retail Report

Oneida Nation
Green Bay, WI

2nd Quarter FY 18
January 1, 2018-March 31, 2018

The following is a brief update on projects and happenings within Retail and is not meant to cover the day to day detail, but an overview of Oneida Retail Enterprise activities.



A good mind. A good heart. A strong fire



Vision Statement


A Nation of strong families built on
Tsi' niyukwalihotx and a
strong economy



Mission Statement

"To generate profit for the prosperity of the
Oneida Tribe"

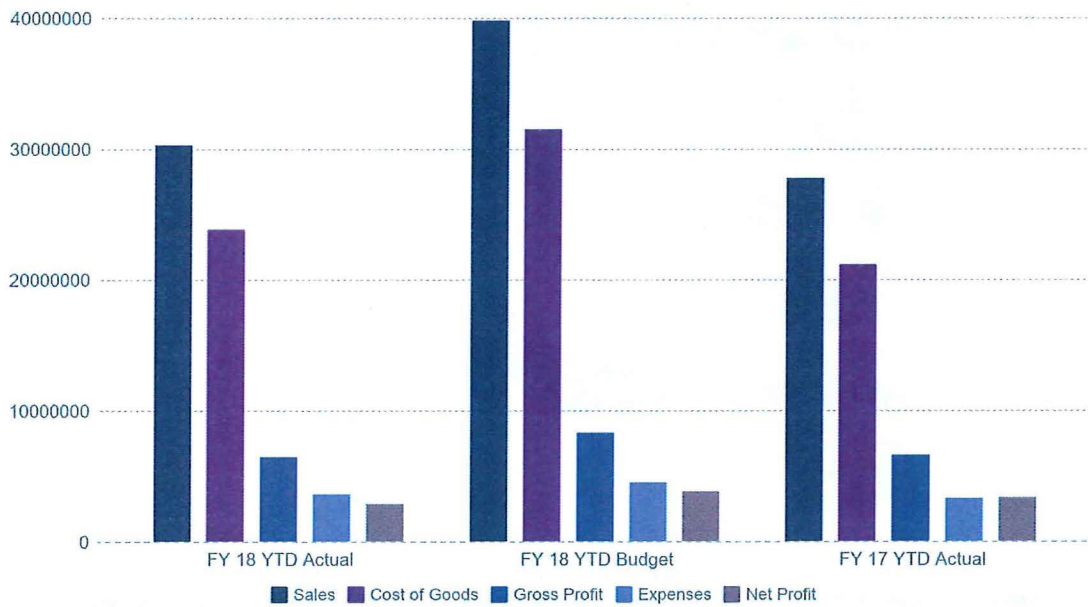


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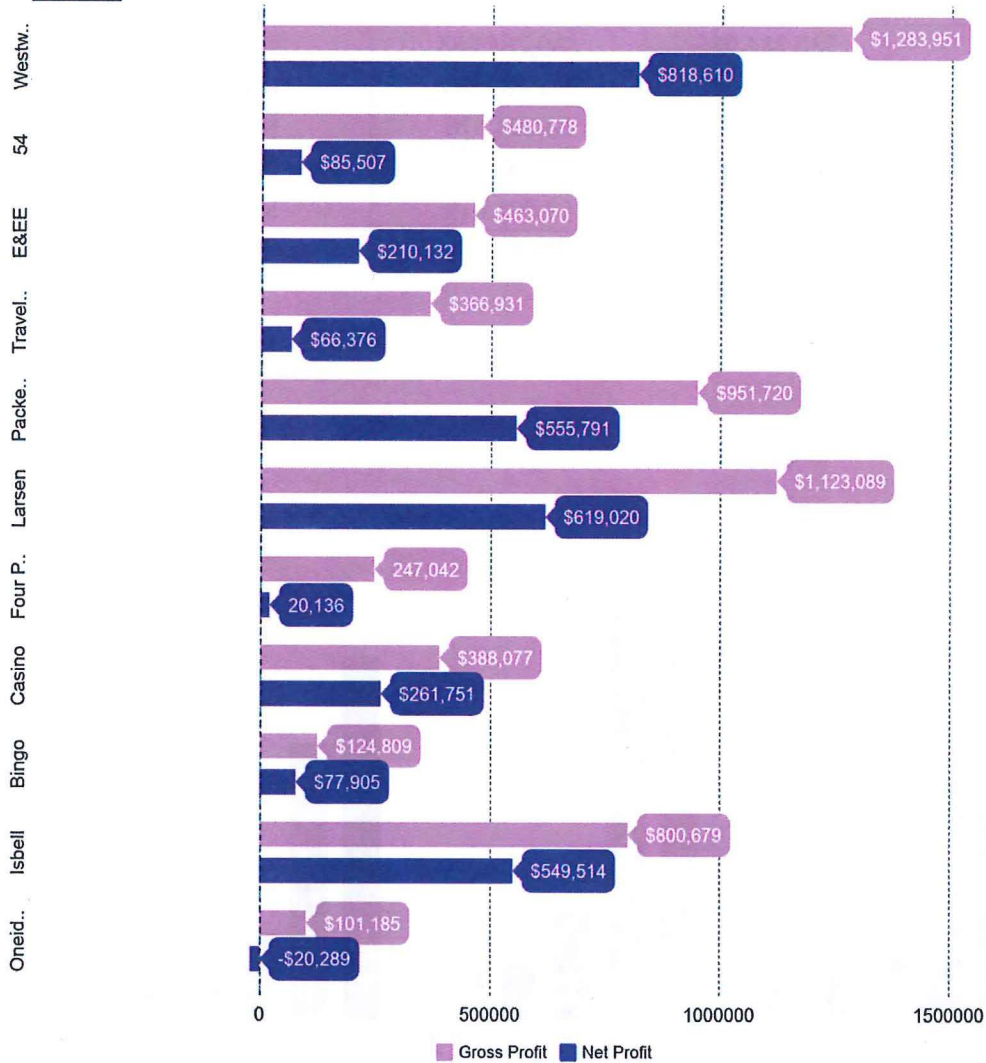
1 Qtr. 2 FY 2018 Profit & Loss Statements

Actual vs. Budget Comparison	FY 18 Actual YTD	FY 18 Budget YTD	FY 17 Actual YTD
Sales	\$30,284,086	\$39,784,063	\$27,732,601
Cost of Goods	\$23,837,288	\$31,489,587	\$21,130,835
Gross Profit	\$6,446,798	\$8,294,476	\$6,601,766
Expenses	\$3,600,192	\$4,492,657	\$3,281,968
Net Profit	\$2,846,606	\$3,801,819	\$3,319,798



2

YTD Gross Profit vs. Net Profit by Location



\$

Westwind has been #1 in sales, gross profit & net profit for over 20 years.

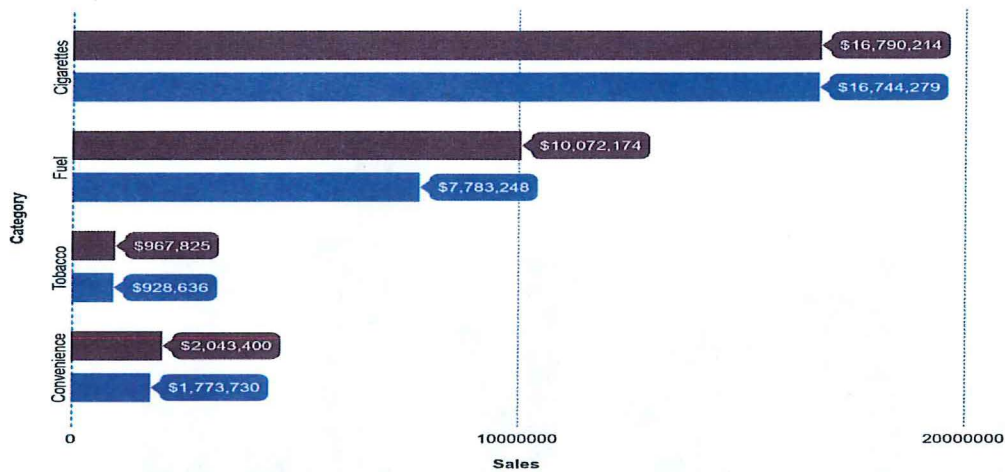
Westwind sells the most cigarettes followed by Larsen & Packerland

\$

Gross Profit %

- Westwind - 21.78%
- Larsen - 19.29%
- 54 - 16.35%
- Casino - 28.76%
- Four Paths - 14.21%
- E&EE - 22.16%
- Bingo - 33.46%
- Travel Center - 30.00%
- Isbell - 28.71%
- Packerland - 23.05%
- Oneida Market - 29.85%

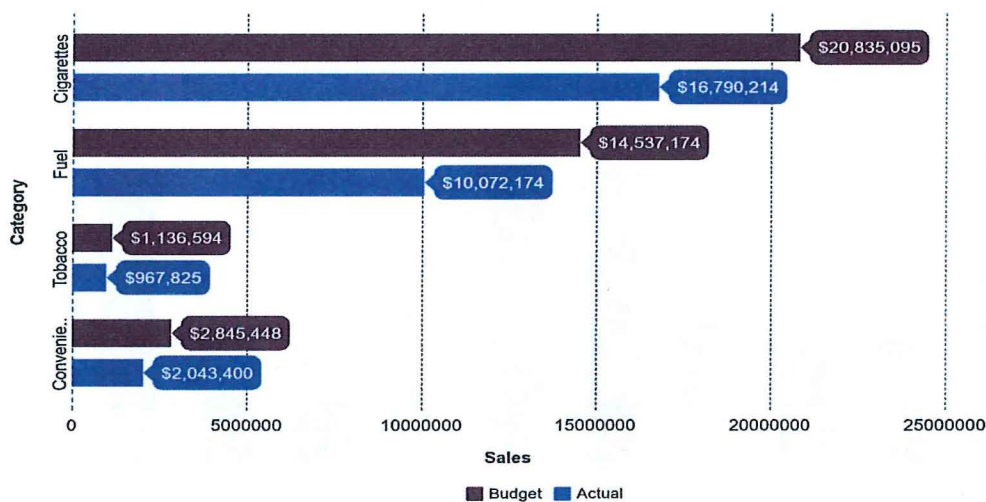
2 YTD Sales by Category YOY



\$ Cigarettes continue to dominate sales & gross profit. Followed by Mobile branded fuel.

\$ Cigarettes GP% - 28.59%
 Fuel GP% - 5.49%
 Tobacco GP% - 32.42%
 Convenience GP% - 29.96%
 Overall GP% - 21.28%

2 YTD Sales by Category Actual vs Budget



\$ Actual Sales is behind budget \$9,449,977
 Actual Sales is up \$2,551,485 or 9.20% YOY

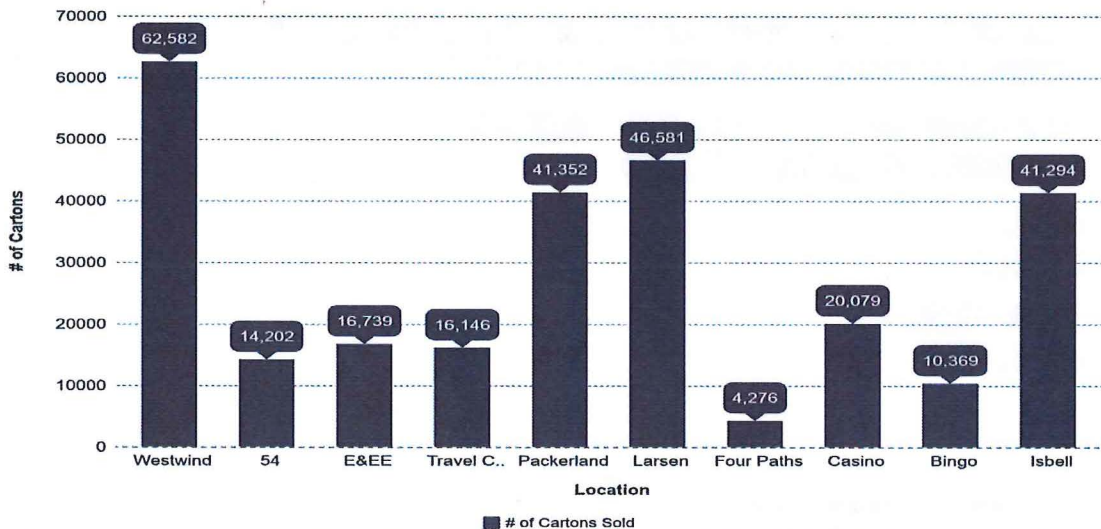
2

YTD FY 18 Alcohol Sales By Location



2

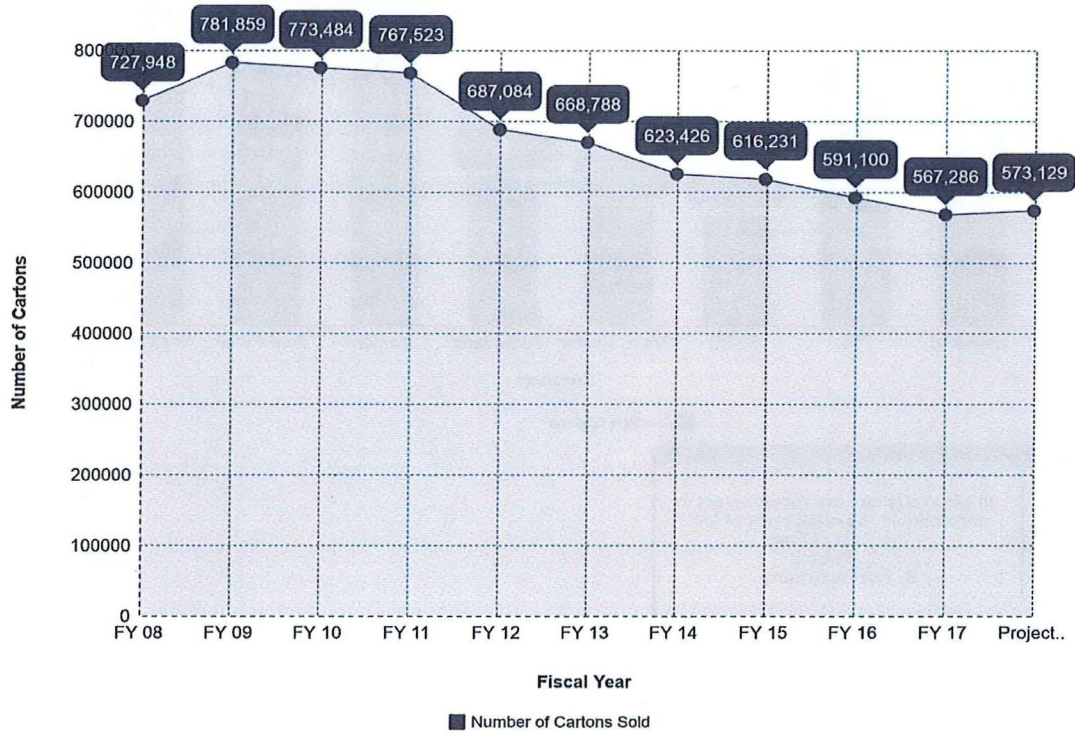
YTD Carton Sales by Location



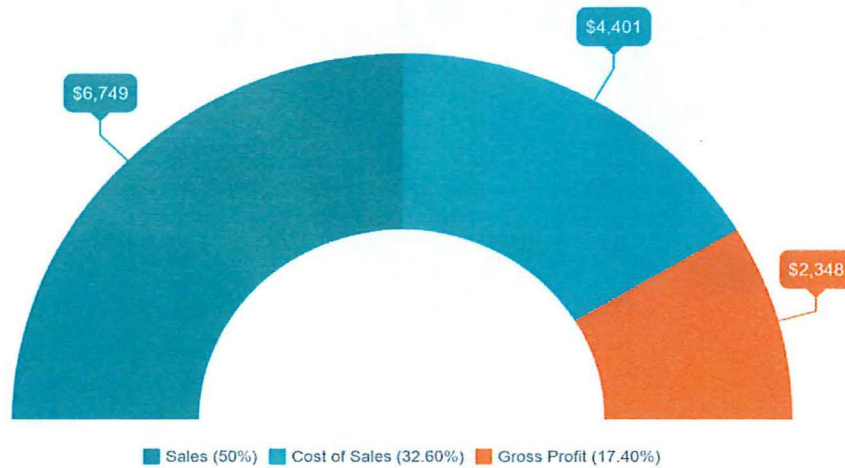
\$ The average convenience store sells 106 cartons per week (S. Abraham & Sons) in the state of Wisconsin.

\$ FY 2018 Weekly Average
 Westwind 2,407 avg 54 546 avg
 E&EE 643 avg Isbell 1,588
 Larsen 1,791 avg Packerland 1,590 avg
 Four Paths 285 avg Casino 772 avg
 Bingo 399 avg Travel Center 621 avg

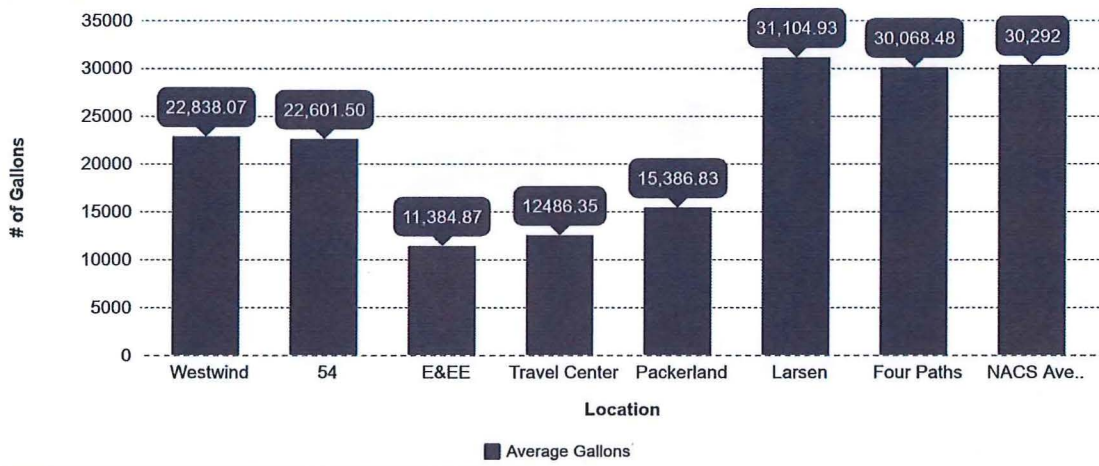
2 YTD Ten Year Carton Sales



2 Qtr. 2 FY 18 Import Tobacco Sales



2 Qtr. 2 Average Gallons Per Week

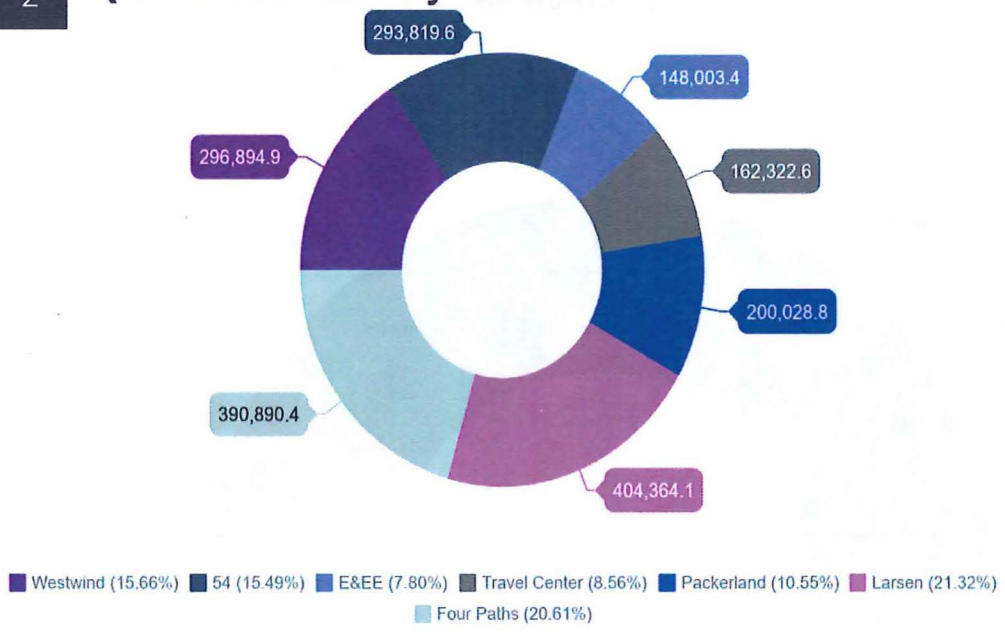


\$

In general, there are three factors in determining the retail price of fuel:

1. Cost of Fuel
2. Pricing
3. Fuel in Ground

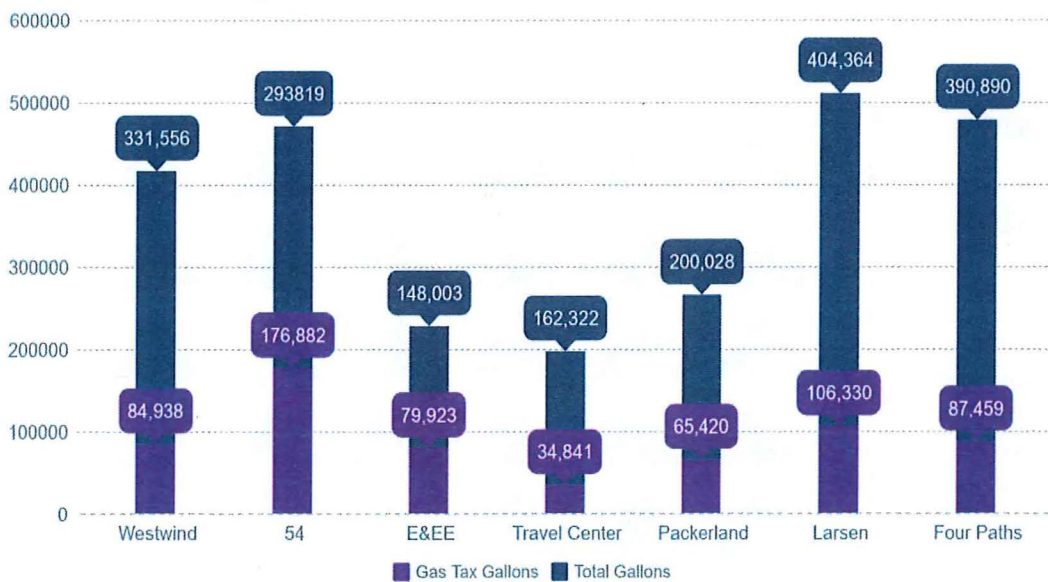
2 Qtr 2 Gallon Sales By Location



2 Qtr 2 On-Reservation Tax vs Off-Reservation By Location



2 Qtr 2 Gas Tax Gallons Compared to Total Gallons By Location

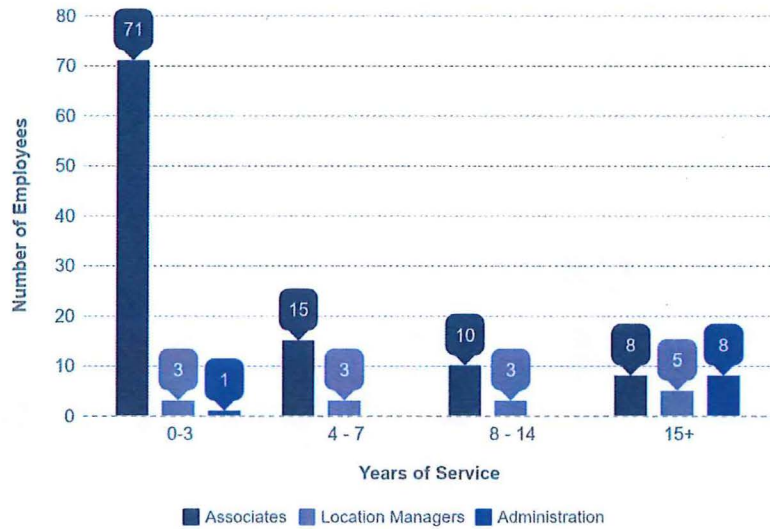


3 Retail Employees Years of Service




On December 31, 2017, there were 127 Retail Employees with an average of 6 years of service.

Vacation Accruals 5,189
PT Accruals 3,215
Total Accruals 8,404



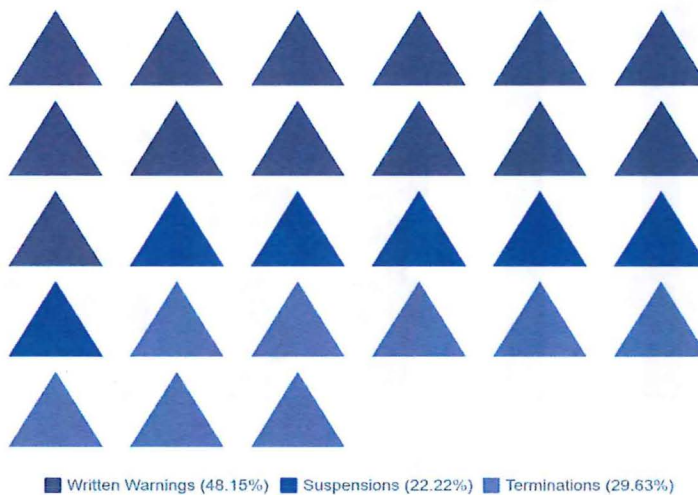
3 Retail Employees Disciplinary Actions



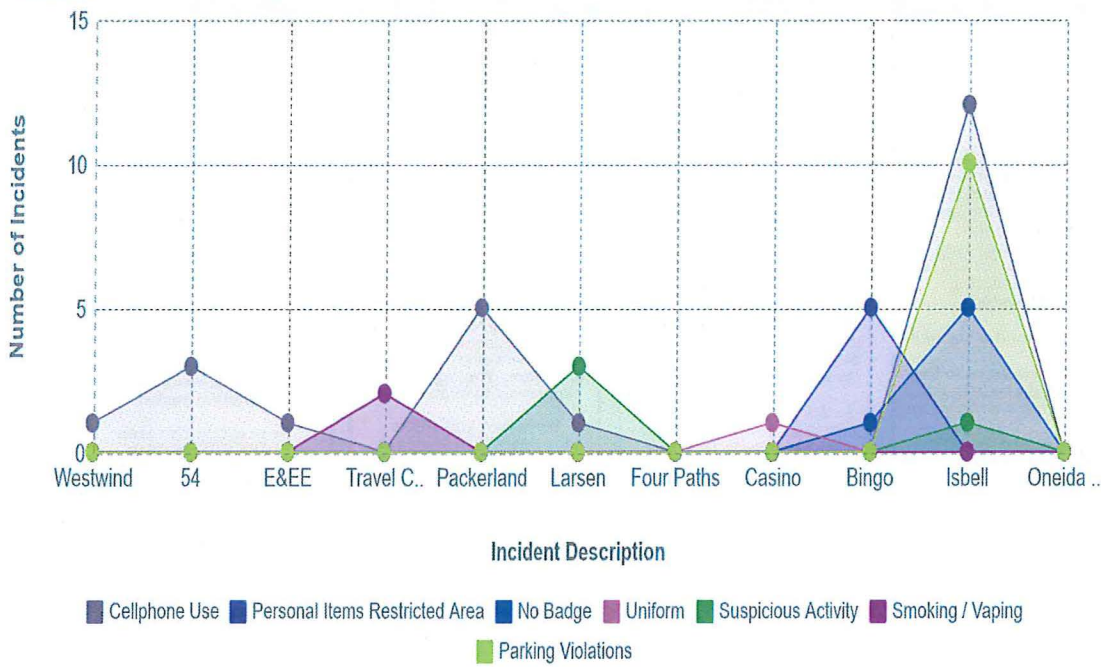
Written Warnings
Attendance 9
Work Performance 2
Personal Actions 2

Suspensions
Attendance 5
Personal Actions 1

Terminations
Attendance 8



4 Internal Security Incident Reports





Violations

- Cellphone Use 23
- Personal Item Restricted area 5
- No Badge 6
- Uniform 1
- Suspicious Activity 6
- Smoking/Vaping 2
- Parking Violation 10
- Total Violations 53**



Violations By Location

- Westwind 1
- 54 3
- E&EE 1
- Travel Center 4
- Packerland 5
- Larsen 4
- Four Paths 0
- Casino 1
- Bingo 6
- Isbell 28
- Oneida Market 0

5

General Updates

Operations Update

Increased water levels cause pressure on the fill/spill containment sump and the vapor - adaptor area. Plan of Action for OCTC water impacting Fuel System

1. Utilize monitoring well
2. Monitor water level from top of tank grade and water in monitoring well to grade.
3. Agreement for water sampling with Robert E Lee & Associates
4. Continued work with Environmental

Operations Update

Increased Security of sharps at all locations with help of DPW

1. New "sharps" containers that are more secure.
2. New safety equipment implemented along with a detailed business process to keep employees safe.
3. All "sharps" found on site are documented and sent to Michele Doxtator for final reporting to TAP.

Gas Drive-Off SOP

The Gas Drive Off SOP implementation has continued.

Focus continues with Theft Prevention at all locations.

A "banned" SOP has been written to include consequences for the customers who are repeat offenders. Waiting for final approvals to implement.

Work with MIS on the documentation of all gas drive-offs from Internal Security, Locations, Retail Admin and Central Accounting to be centralized and easy to use.

Oneida Rewards Program

ORE is working with Excentus on a rewards program to be used across all locations with similar parameters as the Open Roads Rewards program.

This program will have the same capabilities of current program. Will be able to process gas tax transactions, vendor deals and market basket.

The program has been tested and has been successful at one location. The costs associated and contract are currently being negotiated.

6

Marketing Updates

Diamonds for Dollars

The next recipient of the Diamonds for Dollars fundraising effort by Oneida Retail will be Woodland Indian Art, Inc.

The event will run Mary 7 - 27, 2018.

\$1 and \$5 Diamonds will be sold across all locations.

New Tobacco Vendor

In the final process of bringing in a new tobacco vendor that has guaranteed sales, a wider variety of products and will supply some equipment for merchandising.

The vendor was recommended to ORE by Thornberry Creek.

Oneida Four Paths

The Four Paths' Grand Opening occurred March 13-16.

Promotions were held each day including a special mailer to 4,000 households in the area to promote the event.

Titletown partnered with ORE to incentivize customers to buy products and car washes.

Bi-Monthly Retail Newsletter

The Marketing Manager and Employee Relations Manager are working on a bi-monthly newsletter to help bridge the communication between Retail Administration and the Retail Locations.

It includes updates, reminders, birthdays, anniversaries, promotions, mark your calendar dates and much more.

Thank you for reading the report, should you have any questions please feel free to call me at 920.496.7301 or by email at mdoxtat3@oneidanation.org.

XIV. GENERAL TRIBAL COUNCIL

This section of the agenda contains information for Tribal Members only. Please visit the Business Committee Support Office on the second floor of the Norbert Hill Center with Tribal I.D. to obtain full packet materials.

Materials may also be obtained after logging into the Tribal Members only portal at <https://oneida-nsn.gov/members-only/gtcportal/bc-meeting-materials-for-members-only/>

For any questions, please call the Business Committee Support Office at (920)869-4364 or send an email to TribalSecretary@oneidanation.org. Thank you.

XV. EXECUTIVE SESSION

This section of the agenda contains items held in executive session pursuant to the Open Records and Open Meetings Law.