

# Oneida Business Committee



Executive Session  
9:30 a.m. Tuesday, August 21, 2018  
Executive Conference Room, 2nd floor, Norbert Hill Center

Regular Meeting  
8:30 a.m. Wednesday, August 22, 2018 and  
BC Conference Room, 2nd floor, Norbert Hill Center

## Agenda

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To get a copy of the agenda, go to: [oneida-nsn.gov/government/business-committee/agendas-packets/](http://oneida-nsn.gov/government/business-committee/agendas-packets/)

### I. CALL TO ORDER AND ROLL CALL

### II. OPENING

- A. Recognition of Comprehensive Health Division – Certificate of CDC Full Recognition  
Sponsor: Jennifer Webster, Councilwoman

### III. ADOPT THE AGENDA

### IV. OATHS OF OFFICE

- A. Oneida Police Commission – Michele Doxtator  
B. Oneida Pow Wow Committee – Trista Cornelius-Henrickson

### V. MINUTES

- A. Approve August 8, 2018, regular meeting minutes  
Sponsor: Lisa Summers, Secretary

### VI. RESOLUTIONS

- A. Adopt resolution entitled The Oneida Retail Enterprise, Oneida Casino Travel Center will be selling alcohol beverages in accordance with the Oneida ALCOHOL BEVERAGE LICENSING LAW  
Sponsor: Larry Barton, Chief Financial Officer
- B. Adopt resolution entitled The Oneida Retail Enterprise, Oneida Nation Four Paths will be selling alcohol beverages in accordance with the Oneida ALCOHOL BEVERAGE LICENSING LAW  
Sponsor: Larry Barton, Chief Financial Officer

- C. **Adopt resolution entitled The Oneida Retail Enterprise, Oneida One Stop – Larsen will be selling alcohol beverages in accordance with the Oneida ALCOHOL BEVERAGE LICENSING LAW**  
Sponsor: Larry Barton, Chief Financial Officer
- D. **Adopt resolution entitled The Oneida Retail Enterprise, Oneida One Stop – Packerland will be selling alcohol beverages in accordance with the Oneida ALCOHOL BEVERAGE LICENSING LAW**  
Sponsor: Larry Barton, Chief Financial Officer
- E. **Adopt resolution entitled The Oneida Retail Enterprise, Oneida One Stop – E & EE will be selling alcohol beverages in accordance with the Oneida ALCOHOL BEVERAGE LICENSING LAW**  
Sponsor: Larry Barton, Chief Financial Officer
- F. **Adopt resolution entitled The Oneida Retail Enterprise, Oneida One Stop – Westwind will be selling alcohol beverages in accordance with the Oneida ALCOHOL BEVERAGE LICENSING LAW**  
Sponsor: Larry Barton, Chief Financial Officer
- G. **Adopt resolution entitled The Oneida Airport Hotel Corporation will be selling alcohol beverages in accordance with the Oneida ALCOHOL BEVERAGE LICENSING LAW**  
Sponsor: Larry Barton, Chief Financial Officer
- H. **Adopt resolution entitled The Three Clans Airport, LLC will be selling alcohol beverages in accordance with the Oneida ALCOHOL BEVERAGE LICENSING LAW**  
Sponsor: Larry Barton, Chief Financial Officer
- I. **Adopt resolution entitled The Oneida Golf Enterprise Corporation for Thornberry Creek at Oneida will be selling alcohol beverages in accordance with the Oneida ALCOHOL BEVERAGE LICENSING LAW**  
Sponsor: Larry Barton, Chief Financial Officer
- J. **Adopt resolution entitled The Oneida Casino – West Mason Casino will be selling alcohol beverages in accordance with the Oneida ALCOHOL BEVERAGE LICENSING LAW**  
Sponsor: Larry Barton, Chief Financial Officer
- K. **Adopt resolution entitled The Oneida Bingo & Casino will be selling alcohol beverages in accordance with the Oneida ALCOHOL BEVERAGE LICENSING LAW**  
Sponsor: Larry Barton, Chief Financial Officer
- L. **Adopt resolution entitled FY 2018 Midwest Region Geographic Information System Project Bureau of Indian Affairs**  
Sponsor: Patrick Pelky, Division Director/Environmental, Health, Safety & Land

## VII. **STANDING COMMITTEES**

A. **COMMUNITY DEVELOPMENT PLANNING COMMITTEE** *(No Requested Action)*

B. **FINANCE COMMITTEE**

Chair: Trish King, Treasurer

1. **Approve August 13, 2018, Finance Committee meeting minutes**

**C. LEGISLATIVE OPERATING COMMITTEE**

Chair: David Jordan, Councilman

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

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

- A. Approve travel report – Councilwoman Jennifer Webster – DOI Self-Governance Advisory Committee/IHS Tribal Self Governance Advisory Council (SGAC/TSGAC) 2018 3rd Quarter meeting – Washington DC – July 17-19, 2018

**IX. TRAVEL REQUESTS**

- A. Approve travel requests – Councilwoman Jennifer Webster – Tribal Self Governance Advisory Committee meetings
1. Strategy session – St. Paul, MN – September 10-13, 2018
  2. 4<sup>th</sup> quarterly meeting – Washington DC – September 30-October 5, 2018
  3. 1<sup>st</sup> quarterly meeting – Washington DC – January 21-25, 2019
  4. 2<sup>nd</sup> quarterly meeting – Washington DC – March 25-29, 2019
  5. Annual consultation conference – Traverse City, MI – April 20-26, 2019
  6. 3<sup>rd</sup> quarterly meeting – Washington DC – July 15-19, 2019
  7. Strategy session – To be determined – September 9-13, 2019
  8. 4<sup>th</sup> quarterly meeting – Washington DC – September 30-October 4, 2019
- B. Approve travel request – Secretary Lisa Summers – Tribal Caucus and Inter-tribal Criminal Justice Council meeting – Turtle Lake, WI– September 26-27, 2018
- C. Approve travel request – Councilman Ernie Stevens – A Tribute to Survival, DNR State-Tribal Consultation, GLITC, and 2018 Indian Summer Festival – Milwaukee, WI– September 5-9, 2018
- D. Approve travel request – Vice-Chairman Brandon Stevens – Mentoring Our Own Native Students (MOONS) 2018 – Lawrence, KS – September 19-21, 2018
- E. Approve travel request in accordance with § 219.16-1 – Seven (7) Oneida Nation School System staff – BIE-FACE SRCL Grant Implementation Training – Ft. Lauderdale, FL – September 24-27, 2018
- F. Approve travel request in accordance with § 219.16-1 – Four (4) Oneida Language Department staff – Kaliwiyo Ceremonies – Hogansburg, NY – September 28-October 5, 2018
- G. Approve travel request in accordance with § 219.16-1 – Four (4) Oneida Language Department apprentices – Kaliwiyo Ceremonies – Hogansburg, NY – September 28-October 5, 2018

**X. NEW BUSINESS****A. CIP # 16-001 – Approve two (2) actions**

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

**B. Accept 2018 Special Election final report and declare official results**

Sponsor: Racquel Hill, Chair/Oneida Election Board

**C. Approve attorney contract and limited waiver of sovereign immunity – Fredericks Peebles & Morgan LLP – file # 2018-0951**

Sponsor: Todd Hill, Chair/Oneida Nation School Board

**D. Approve terms of use and limited waiver of sovereign immunity – Odysseyware – file # 2018-0925**

Sponsor: Todd Hill, Chair/Oneida Nation School Board

**E. Approve exception to resolution # BC-09-27-17-D – cancel December 27, 2018, regular Oneida Business Committee meeting**

Sponsor: Lisa Summers, Secretary

**XI. GENERAL TRIBAL COUNCIL** *(To obtain a copy of Members Only materials, visit the BC Support Office, 2nd floor, Norbert Hill Center and present Tribal I.D. card or go to <https://goo.gl/uLp2jE>)***A. Approve notice and materials for September 24, 2018, tentatively scheduled special General Tribal Council meeting**

Sponsor: Trish King, Treasurer

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

- 1. Accept Bay Bancorporation, Inc. FY-2018 3<sup>rd</sup> quarter executive report** – Jeff Bowman, President/Bay Bank *(9:30 a.m.)*
- 2. Accept Oneida ESC Group, LLC FY-2018 3<sup>rd</sup> quarter executive report** – Jacquelyn Zalim, Chair/OESC Board of Managers *(10:00 a.m.)*
- 3. Accept Oneida Seven Generation Corporation FY-2018 3<sup>rd</sup> quarter executive report** – Pete King III, Agent/OSGC *(10:30 a.m.)*
- 4. Accept Oneida Airport Hotel Corporation FY-2018 3<sup>rd</sup> quarter executive report** – Robert Barton, President/OAHC *(11:00 a.m.)*
- 5. Accept Chief Financial Officer August 2018 report** – Larry Barton, Chief Financial Officer
- 6. Accept Intergovernmental Affairs and Communications August 2018 report** – Tehassi Hill, Chairman
- 7. Accept Chief Counsel report** – Jo Anne House, Chief Counsel

**B. STANDING ITEMS**

1. **LAND CLAIMS STRATEGY** *(No Requested Action)*
2. **ONEIDA GOLF ENTERPRISE CORPORATION – LADIES PROFESSIONAL GOLF ASSOCIATION** *(No Requested Action)*
3. **LAND MORTGAGE FUNDS** *(No Requested Action)*
4. **SERVICE ELIGIBILITY SUB-COMMITTEE** *(No Requested Action)*

**C. AUDIT COMMITTEE**

Chair: David Jordan, Councilman

1. **Accept Judiciary – Appellate and Trial Court performance assurance audit and lift confidentiality requirement**

*EXCERPT FROM AUGUST 8, 2018: Motion by Lisa Summers to defer the Judiciary – Appellate and Trial Court performance assurance audit to the August 22, 2018, regular Business Committee meeting, seconded by David P. Jordan. Motion carried unanimously.*

*EXCERPT FROM JULY 25-26, 2018: Motion by Kirby Metoxen to defer the Judiciary – Appellate and Trial Court performance assurance audit to the August 8, 2018, regular Business Committee meeting, seconded by Ernie Stevens III. Motion carried unanimously.*

2. **Accept Judiciary – Family Court performance assurance audit and lift confidentiality requirement**

*EXCERPT FROM AUGUST 8, 2018: Motion by Lisa Summers to defer the Judiciary – Family Court performance assurance audit to the August 22, 2018, regular Business Committee meeting, seconded by Ernie Stevens III. Motion carried unanimously.*

*EXCERPT FROM JULY 25-26, 2018: Motion by Kirby Metoxen to defer the Judiciary – Family Court performance assurance audit to the August 8, 2018, regular Business Committee meeting, seconded by Trish King. Motion carried unanimously.*

3. **Accept Audit Committee FY-2018 3<sup>rd</sup> quarter report** *(11:30 a.m.)*
4. **File # 401-EA – Review preliminary audit**

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

1. **Accept 2018 4<sup>th</sup> quarter long-term incentive matrix for all Direct Reports to the Oneida Business Committee**  
Sponsor: Tehassi Hill, Chairman; Brandon Stevens, Vice-Chairman; Lisa Summers, Secretary; Trish King, Treasurer
2. **File # ED18-005 – Determine next steps**  
Sponsor: Troy Parr, Division Director/Community & Economic Development
3. **Approve 130 new enrollments and one (1) relinquishment**  
Sponsor: Barbara Webster, Chair/Trust Enrollment Committee

4. **Approve research project entitled "Oral Histories of Tribal Food Sovereign Movement Organizing," UW-Madison IRB # 2018-0983 and associated correspondence**  
Sponsor: Jo Anne House, Chief Counsel
5. **Approve research project entitled "Examining the Effect of School Leadership Styles Have on Student Achievement Growth in Elementary Schools in Wisconsin" and associated correspondence**  
Sponsor: Jo Anne House, Chief Counsel
6. **Approve limited waiver of sovereign immunity – LexisNexis Time Matters annual maintenance agreement – file # 2018-1022**  
Sponsor: Jo Anne House, Chief Counsel

### **XIII. ADJOURN**

Posted on the Oneida Nation's official website, [www.oneida-nsn.gov](http://www.oneida-nsn.gov), at 1:00 p.m., Friday, August 17, 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: 08 / 22 / 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:

To recognize the Oneida Comprehensive Health Division on earning CDC Full Recognition for their Diabetes Prevention Program.

**3. Supporting Materials**

Report  Resolution  Contract

Other:

1.

3.

2.

4.

Business Committee signature required

**4. Budget Information**

Budgeted - Tribal Contribution  Budgeted - Grant Funded  Unbudgeted

**5. Submission**

Authorized Sponsor / Liaison:

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

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

## Oneida Business Committee Agenda Request

### 6. Cover Memo:

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

Purpose: To give formal recognition to Tina Jorgenson, Stefanie Reinke, Dawn Krines-Glatt, Tek Skenandore, and Sarah Phillips.

Background: On July 30, 2018, Tina Jorgensen was notified by the Department of Health & Human Services, Centers for Disease Control and Prevention that the Oneida Comprehensive Health Division earned CDC Full Recognition for their Diabetes Prevention Program.

Tribal Health Liaison, Councilwoman Jennifer Webster, wants the Comprehensive Health Division staff to be formally recognized at the Regular BC meeting for their success in the Diabetes Prevention Program.

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](mailto:BC_Agenda_Requests@oneidanation.org)





## DEPARTMENT OF HEALTH &amp; HUMAN SERVICES

Public Health Service

Centers for Disease Control  
and Prevention

Tina Jorgensen  
Oneida Comprehensive Health Division (6731106)  
525 Airport Dr.  
Oneida , WI 54155  
Delivery Mode - In Person

Dear Tina Jorgensen,

It is my pleasure to congratulate you and Oneida Comprehensive Health Division on earning CDC Full Recognition for your diabetes prevention program (expiring 5/31/2020). This designation is reserved for programs that have effectively delivered a quality, evidence-based program that meets all of the standards for CDC recognition. The sustained success of your lifestyle change program makes an invaluable contribution to the prevention of type 2 diabetes, both in your community and nationally. We appreciate your participation in the National Diabetes Prevention Program and we are committed to working with you to do everything we can to ensure your continued success as a critical member of our national effort.

As the Director of the Diabetes Prevention Recognition Program, it is immensely gratifying to see the science of diabetes prevention being implemented to improve the public's health. You and your colleagues should be extremely proud of this accomplishment. It is programs like yours that are turning the tide in the fight against the epidemic of type 2 diabetes. Thank you for all that you are doing and for your commitment to reducing the preventable burden of diabetes in the U.S.

Sincerely,

A handwritten signature in cursive script that reads "Ann Albright".

Ann Albright, PhD, RDN  
Director, Division of Diabetes Translation  
National Center for Chronic Disease Prevention and Health Promotion  
Centers for Disease Control and Prevention

# Certificate of CDC Full Recognition



## National Diabetes Prevention Program

### Recognition

*Presented to*

**Oneida Comprehensive Health Division**

**Oneida , WI**

Valid through May 31 2020

A handwritten signature in black ink that reads "Ann Albright".

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**Ann Albright, PhD, RDN**

Director, Division of Diabetes Translation  
National Center for Chronic Disease Prevention and Health  
Promotion  
Centers for Disease Control and Prevention



### Oneida Business Committee Agenda Request

1. Meeting Date Requested: 08 / 22 / 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 Michele Doxtator for the Oneida Police Commission

**3. Supporting Materials**

Report  Resolution  Contract

Other:

1.

3.

2.

4.

Business Committee signature required

**4. Budget Information**

Budgeted - Tribal Contribution  Budgeted - Grant Funded  Unbudgeted

**5. Submission**

Authorized Sponsor / Liaison:

Primary Requestor/Submitter: 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:

There were two (2) applicants for one (1) vacancy on the Oneida Police Commission.

On August 8, 2018 the Oneida Business Committee appointed Michele Doxtator to the remainder of a term ending July 31, 2021.

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](mailto:BC_Agenda_Requests@oneidanation.org)

### Oneida Business Committee Agenda Request

1. Meeting Date Requested: 08 / 22 / 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 Trista Cornelius-Henrickson for the Oneida Pow Wow Committee

**3. Supporting Materials**

Report  Resolution  Contract

Other:

1.

3.

2.

4.

Business Committee signature required

**4. Budget Information**

Budgeted - Tribal Contribution  Budgeted - Grant Funded  Unbudgeted

**5. Submission**

Authorized Sponsor / Liaison:

Primary Requestor/Submitter: 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:

There were five (5) applicants for one (1) vacancy on the Oneida Pow Wow Committee.

On August 8, 2018 the Oneida Business Committee appointed Trista Cornelius-Henrickson.

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](mailto:BC_Agenda_Requests@oneidanation.org)

### Oneida Business Committee Agenda Request

1. Meeting Date Requested: 08 / 22 / 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 August 8, 2018, regular Business Committee meeting minutes

3. Supporting Materials

Report  Resolution  Contract

Other:

1. <input type="text" value="8/18/18 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, August 7, 2018**  
**Executive Conference Room, 2nd floor, Norbert Hill Center**

**Regular Meeting**  
**8:30 a.m. Wednesday, August 8, 2018 and**  
**BC Conference Room, 2nd floor, Norbert Hill Center**

**Minutes****EXECUTIVE SESSION**

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

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

**Arrived at:** n/a

**Others present:** Jo Anne House, Larry Barton, Lisa Liggins, Laura Laitinen-Warren, Pat Pelky, Dana McLester, Michele Doxtator, Troy Parr, JJ Keegan, Loucinda Conway, Josh Doxtator, Justin Fox, Teo Sodeman, Jon-Paul Genet;

**REGULAR MEETING**

**Present:** Chairman Tehassi Hill, Secretary Lisa Summers, Council members: Daniel Guzman King, David P. Jordan, Kirby Metoxen, Ernie Stevens III;

**Not Present:** Vice-Chairman Brandon Stevens, Treasurer Trish King, Councilwoman Jennifer Webster;

**Arrived at:** n/a

**Others present:** Jo A. House, Larry Barton, Lisa Liggins, Mike Debraska (via Polycom), Debbie Danforth, Geraldine Danforth, Melissa Skenandore, Jennifer Hill Kelley, Ralinda Ninham-Lamberies, Clorissa Santiago, Jolene Hensberger, Sharon Mousseau, Cathy L. Metoxen, Michele Doxtator, Josh Doxtator, Justin Fox, Elroy King, Pat Pelky, Dana McLester, Nic Reynolds, Josh Cottrell, Nancy Barton, Jeffrey Carlson, Donna Vanark, Misty Jordan, Sarah Underdahl, Jason Doxtator, Lee Thomas, Andy Cornelius, Blair Braaten, Sandra Skenadore;

**I. CALL TO ORDER AND ROLL CALL** by Chairman Tehassi Hill at 8:31 a.m.

For the record: Vice-Chairman Brandon Stevens, Treasurer Trish King, and Councilwoman Jennifer Webster are out on pre-planned vacation.

**II. OPENING** administered by tribal member Artley Skenandore**A. Special Recognition for years of service – Oneida Nation employees**

Sponsor: Geraldine Danforth, Area Manager/Human Resources Department

*Special Recognition by Debra Danforth of Jeffrey Carlson (25 years of service); Special Recognition by Misty Jordan of Donna Vanark (25 years of service); Special Recognition by Jason Doxtator of Sarah Underdahl (25 years of service); Special Recognition by Ralinda Ninham-Lamberies of Lee Thomas (25 years of service); Special Recognition by Blair Braaten of Andy Cornelius (25 years of service); Special Recognition by Jennifer Hill Kelley of Sandra Skenadore (25 years of service); Special Recognition for the following individuals who could not be present: Shawn Legare (25 years of service); Carol Baumgart (25 years of service); Sandra Kossow (25 years of service); Maurice Reed (25 years of service); Laurel Meyerspooner (25 years of service); Jeffrey Sot (25 years of service); Georgia Stevens (25 years of service); Carlos Cornelius (25 years of service);*



**DRAFT****III. ADOPT THE AGENDA (00:27:26)**

Motion by Ernie Stevens III to adopt the agenda with two (2) changes [1) delete item IV.A. Oath of Office for Oneida ESC Group, LLC – Board of Managers, it is already completed; 2) correct reference number for item XIV.F.4. Approve employment contract for DR10 to file #2018-0958], seconded by Lisa Summers. Motion carried unanimously:

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

**~~IV. OATHS OF OFFICE~~**

~~A. Oneida ESC Group, LLC – Board of Managers – John Breuninger~~

*Item deleted at the adoption of the agenda*

**V. MINUTES**

**A. Approve July 25-26, 2018, regular meeting minutes (00:29:08)**

Sponsor: Lisa Summers, Secretary

Motion by David P. Jordan to approve the July 25-26, 2018, regular meeting minutes, seconded by Kirby Metoxen. Motion carried unanimously:

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

**VI. RESOLUTIONS**

**A. Adopt resolution entitled Continuing Budget Resolution - Fiscal Year 2019 (00:29:32)**

Sponsor: Trish King, Treasurer

Motion by Lisa Summers to adopt resolution 08-08-18-A Continuing Budget Resolution - Fiscal Year 2019, seconded by Daniel Guzman King. Motion carried unanimously:

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

**VII. STANDING COMMITTEES**

**A. COMMUNITY DEVELOPMENT PLANNING COMMITTEE (No Requested Action)**

*Councilman Ernie Stevens III departs at 9:28 a.m.*

**DRAFT****B. FINANCE COMMITTEE**

Chair: Trish King, Treasurer

**1. Approve August 1, 2018, Finance Committee meeting minutes (00:59:38)**

Motion by Lisa Summers to approve the August 1, 2018, Finance Committee meeting minutes, seconded by David P. Jordan. Motion carried unanimously:

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

**C. LEGISLATIVE OPERATING COMMITTEE**

Chair: David Jordan, Councilman

**1. Accept July 18, 2018, Legislative Operating Committee meeting minutes (01:00:00)**

Motion by Lisa Summers to approve the July 18, 2018, Legislative Operating Committee meeting minutes, seconded by Daniel Guzman King. Motion carried unanimously:

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

**D. QUALITY OF LIFE COMMITTEE (No Requested Action)****VIII. APPOINTMENTS****A. Review Chairman's recommendation and determine next steps regarding one (1) Oneida Police Commission vacancy (01:00:23)**

Sponsor: Tehassi Hill, Chairman

*EXCERPT FROM JULY 25-26, 2018: 1) Motion by Lisa Summers to defer this item to later on the agenda, after executive session, seconded by Jennifer Webster. Motion carried unanimously. 2) Motion by David P. Jordan to defer to the review of the Chairman's recommendation regarding one (1) Oneida Police Commission vacancy to the August 8, 2018, regular Business Committee meeting, seconded by Kirby Metoxen. Motion carried unanimously.*

Motion by Lisa Summers to accept the Chairman's recommendation and appoint Michele Doxtator to the Oneida Police Commission, seconded by Kirby Metoxen. Motion carried unanimously:

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

**B. Review Chairman's recommendation and determine next steps regarding one (1) Oneida Pow-wow Committee vacancy – term ending February 29, 2020 (01:01:07)**

Sponsor: Tehassi Hill, Chairman

Motion by David P. Jordan to accept the Chairman's recommendation and appoint Trista Cornelius-Henrickson to the Oneida Pow-wow Committee for a term ending February 29, 2020, seconded by Daniel Guzman King. Motion carried unanimously:

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

**DRAFT****IX. TABLED BUSINESS****A. Accept Oneida Nation School Board SOP entitled ONSS Contracted Employee Indirect Compensation: Unused Personal Leave and Vacation Time (formerly entitled ONSS Employee Indirect Compensation: Trade Back for Cash) (01:01:40)**

Sponsor: Todd Hill, Chair/Oneida Nation School Board

EXCERPT FROM JULY 25-26, 2018: 1) Motion by David P. Jordan to take this item from the table, seconded by Brandon Stevens. Motion carried with one abstention. 2) Motion by Lisa Summers to table this item until a red-line version and a summary of the changes can be brought back, seconded by Kirby Metoxen. Motion carried with one opposed.

EXCERPT FROM JUNE 27, 2018: Motion by Lisa Summers to table this item until the Oneida Nation School Board comes back with proposed resolutions to the concerns that were addressed here today, seconded by Kirby Metoxen. Motion carried unanimously.

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

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

Motion by Daniel Guzman-King to accept the Oneida Nation School Board SOP entitled ONSS Contracted Employee Indirect Compensation: Unused Personal Leave and Vacation Time, noting the SOP has been reviewed by the Oneida Business Committee, seconded by Lisa Summers. Motion carried unanimously:

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

*Councilman Ernie Stevens III returns at 9:35 a.m.*

**X. TRAVEL REPORTS****A. Approve travel report – Councilman Kirby Metoxen – 2018 Native American Tourism of Wisconsin (NATOW) Conference – Hayward, WI – June 10-13, 2018 (01:08:23)**

Motion by David P. Jordan to approve the travel report from Councilman Kirby Metoxen regarding the 2018 Native American Tourism of Wisconsin (NATOW) Conference in Hayward, WI – June 10-13, 2018, seconded by Lisa Summers. Motion carried with one abstention:

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

**DRAFT****XI. TRAVEL REQUESTS****A. Enter e-poll results into the record in accordance with OBC SOP entitled Conducting Electronic Voting:**

Sponsor: Lisa Summers, Secretary

**1. Approved travel request in accordance with § 219.16-1 – Four (4) Language House Department staff – Great Law Recital – Niagara, NY – August 12-20, 2018 (01:08:54)**

Motion by Daniel Guzman King to enter the e-poll results into the record in accordance with OBC SOP entitled Conducting Electronic Voting regarding the approved travel request for four (4) Language House Department staff to attend the Great Law Recital in Niagara, NY – August 12-20, 2018, seconded by David P. Jordan. Motion carried with two opposed:

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

**XII. NEW BUSINESS****A. Determine distribution – fifty (50) 2018 Indian Horse Relay tickets (01:09:40)**

Sponsor: Lisa Summers, Secretary

Motion by David P. Jordan to distribute the fifty (50) 2018 Indian Horse Relay tickets using First come, first serve, seconded by Kirby Metoxen. Motion withdrawn.

Motion by Lisa Summers to transfer the fifty (50) 2018 Indian Horse Relay tickets to Joint Marketing, seconded by Daniel Guzman King. Motion carried unanimously:

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

**XIII. REPORTS****A. OPERATIONAL****1. Accept Environmental, Health, Safety & Land Division FY-2018 3<sup>rd</sup> quarter report (01:13:30)**

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

Motion by Ernie Stevens III to extend the comment period for Nancy Barton for an additional two (2) minutes, seconded by Lisa Summers. Motion carried with one opposed:

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

Motion by David P. Jordan to accept the Environmental, Health, Safety & Land Division FY-2018 3<sup>rd</sup> quarter report, seconded by Daniel Guzman King. Motion carried unanimously:

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

*Secretary Lisa Summers departs at 1:50 p.m.*

*Secretary Lisa Summers returns at 1:52 p.m.*

**DRAFT****2. Accept Comprehensive Housing Division FY-2018 3<sup>rd</sup> quarter report (01:31:15)**

Sponsor: Dana McLester, Division Director/Comprehensive Housing

Motion by David P. Jordan to accept the Comprehensive Housing Division FY-2018 3<sup>rd</sup> quarter report, seconded by Lisa Summers. Motion carried unanimously:

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

Not Present: Trish King, Brandon Stevens, Jennifer Webster

**3. Accept Human Resources Department FY-2018 3<sup>rd</sup> quarter report (01:39:02)**

Sponsor: Geraldine Danforth, Area Manager/Human Resources Department

Motion by David P. Jordan to accept the Human Resources Department FY-2018 3<sup>rd</sup> quarter report, seconded by Daniel Guzman King. Motion carried unanimously:

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

Not Present: Trish King, Brandon Stevens, Jennifer Webster

*Councilman Kirby Metoxen departs at 2:20 p.m.*

**4. Accept Retail Enterprise FY-2018 3<sup>rd</sup> quarter report (01:55:02)**

Sponsor: Michele Doxtator, Area Manager/Retail Profits

Motion by Lisa Summers to accept the Retail Enterprise FY-2018 3<sup>rd</sup> quarter report, seconded by David P. Jordan. Motion carried unanimously:

Ayes: Daniel Guzman King, David P. Jordan, Ernie Stevens III, Lisa Summers

Not Present: Trish King, Kirby Metoxen, Brandon Stevens, Jennifer Webster

**B. CORPORATE BOARDS****(02:21:47)**

Motion by Lisa Summers to recess for ten (10) minutes at 2:39 p.m., seconded by Ernie Stevens III.

Motion carried unanimously:

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

Not Present: Trish King, Brandon Stevens, Jennifer Webster

*Called to order by Chairman Tehassi Hill at 2:50 p.m.*

*Roll call for the record:*

*Present: Chairman Tehassi Hill, Secretary Lisa Summers, Council members: Daniel Guzman King, David P. Jordan, Kirby Metoxen, Ernie Stevens III;*

**2. Accept Oneida Golf Enterprise Corporation FY-2018 3<sup>rd</sup> quarter report (02:22:25)**

Sponsor: Josh Doxtator, COO/Oneida Golf Enterprise Corporation

Motion by David P. Jordan to accept the Oneida Golf Enterprise Corporation FY-2018 3<sup>rd</sup> quarter report, seconded by Lisa Summers. Motion carried unanimously:

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

Not Present: Trish King, Brandon Stevens, Jennifer Webster

**DRAFT****XIV. EXECUTIVE SESSION (01:13:13)**

Motion by Lisa Summers to go into executive session at 9:45 a.m., seconded by Kirby Metoxen. Motion carried unanimously:

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

*The Oneida Business Committee, by consensus, took a two (2) hour recess at 11:36 a.m.*

*Called to order by Chairman Tehassi Hill at 1:32 p.m.*

*Roll call for the record:*

*Present: Chairman Tehassi Hill, Secretary Lisa Summers, Council members: Daniel Guzman King, David P. Jordan, Kirby Metoxen, Ernie Stevens III;*

Motion by David P. Jordan to come out of executive session at 1:32 p.m., seconded by Ernie Stevens III. Motion carried unanimously:

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

*Meeting continues with XIII. Reports.*

**A. REPORTS**

**1. Accept Environmental, Health, Safety & Land Division FY-2018 3<sup>rd</sup> quarter executive report – Pat Pelky, Division Director/Environmental, Health, Safety & Land (02:05:23)**

Motion by Lisa Summers to accept the Environmental, Health, Safety & Land Division FY-2018 3<sup>rd</sup> quarter executive report, seconded by David P. Jordan. Motion carried unanimously:

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

**2. Accept Comprehensive Housing Division FY-2018 3<sup>rd</sup> quarter executive report – Dana McLester, Division Director/Comprehensive Housing (02:05:47)**

Motion by David P. Jordan to accept the Comprehensive Housing Division FY-2018 3<sup>rd</sup> quarter executive report, seconded by Lisa Summers. Motion carried unanimously:

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

**3. Accept Human Resources Department FY-2018 3<sup>rd</sup> quarter executive report – Geraldine Danforth, Area Manager/Human Resources Department (02:06:04)**

Motion by Lisa Summers to accept the Human Resources Department FY-2018 3<sup>rd</sup> quarter executive report, seconded by Ernie Stevens III. Motion carried unanimously:

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

**DRAFT**

- 4. Accept Retail Enterprise FY-2018 3<sup>rd</sup> quarter executive report** – Michele Doxtator, Area Manager/Retail Profits **(02:06:19)**

Motion by Lisa Summers to accept the Retail Enterprise FY-2018 3<sup>rd</sup> quarter executive report, seconded by Daniel Guzman King. Motion carried unanimously:

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

- 5. Accept Oneida Golf Enterprise Corporation FY-2018 3<sup>rd</sup> quarter executive report** – Josh Doxtator, COO/Oneida Golf Enterprise Corporation **(02:06:37)**

Motion by Ernie Stevens III to accept the Oneida Golf Enterprise Corporation FY-2018 3<sup>rd</sup> quarter executive report, seconded by Lisa Summers. Motion carried unanimously:

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

*Councilman Kirby Metoxen returns at 2:27 p.m.*

- 6. Accept Chief Counsel report** – Jo Anne House, Chief Counsel **(02:06:54)**

Motion by David P. Jordan to accept the Chief Counsel report dated August 7, 2018, seconded by Ernie Stevens III. Motion carried unanimously:

Ayes: Daniel Guzman King, David P. Jordan, Kirby Metoxen, Ernie Stevens III, Lisa Summers  
Not Present: Trish King, 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 Thornberry Creek LPGA Classic August 2018 report** **(02:07:20)**

Sponsor: Josh Doxtator, COO/Oneida Golf Enterprise Corporation

Motion by Daniel Guzman King to accept the Thornberry Creek LPGA Classic August 2018 report, seconded by Ernie Stevens III. Motion carried with one abstention:

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

- 3. LAND MORTGAGE FUNDS** *(No Requested Action)*
- 4. SERVICE ELIGIBILITY SUB-COMMITTEE** *(No Requested Action)*

**DRAFT****C. AUDIT COMMITTEE**

Chair: David Jordan, Councilman

**1. Accept June 14, 2018, Audit Committee meeting minutes (02:08:11)**

*EXCERPT FROM JULY 25-26, 2018: Motion by Kirby Metoxen to defer the June 14, 2018, Audit Committee meeting minutes to the August 8, 2018, regular Business Committee meeting, seconded by Trish King. Motion carried unanimously.*

Motion by Lisa Summers to accept the June 14, 2018, Audit Committee meeting minutes, seconded by Kirby Metoxen. Motion carried unanimously:

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

Not Present: Trish King, Brandon Stevens, Jennifer Webster

**2. Accept Business Committee Credit Card Activity operational audit and lift confidentiality requirement (02:08:26)**

*EXCERPT FROM JULY 25-26, 2018: Motion by David P. Jordan to defer the Business Committee Credit Card Activity operational audit to the August 8, 2018, regular Business Committee meeting, seconded by Kirby Metoxen. Motion carried unanimously.*

Motion by Lisa Summers to accept the Business Committee Credit Card Activity operational audit and lift the confidentiality requirement allowing tribal members to view the audit, seconded by David P. Jordan.

Motion carried unanimously:

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

Not Present: Trish King, Brandon Stevens, Jennifer Webster

Motion by Lisa Summers to request the Audit Committee to complete the appropriate next steps regarding the recovery of the personal expenditures noting that updates will be brought back as needed via the Chief Counsel report, seconded by David P. Jordan. Motion carried unanimously:

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

Not Present: Trish King, Brandon Stevens, Jennifer Webster

**3. Accept Judiciary – Appellate and Trial Court performance assurance audit and lift confidentiality requirement (02:09:17)**

*EXCERPT FROM JULY 25-26, 2018: Motion by Kirby Metoxen to defer the Judiciary – Appellate and Trial Court performance assurance audit to the August 8, 2018, regular Business Committee meeting, seconded by Ernie Stevens III. Motion carried unanimously.*

Motion by Lisa Summers to defer the Judiciary – Appellate and Trial Court performance assurance audit to the August 22, 2018, regular Business Committee meeting, seconded by David P. Jordan. Motion carried unanimously:

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

Not Present: Trish King, Brandon Stevens, Jennifer Webster



**DRAFT****4. Accept Judiciary – Family Court performance assurance audit and lift confidentiality requirement (02:09:47)**

*EXCERPT FROM JULY 25-26, 2018: Motion by Kirby Metoxen to defer the Judiciary – Family Court performance assurance audit to the August 8, 2018, regular Business Committee meeting, seconded by Trish King. Motion carried unanimously.*

Motion by Lisa Summers to defer the Judiciary – Family Court performance assurance audit to the August 22, 2018, regular Business Committee meeting, seconded by Ernie Stevens III. Motion carried unanimously:

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

Not Present: Trish King, Brandon Stevens, Jennifer Webster

**D. TABLED BUSINESS (No Requested Action)****E. UNFINISHED BUSINESS****1. Complaint # 2018-DR11-02**

Sponsor: Tehassi Hill, Chairman; Brandon Stevens, Vice-Chairman; Lisa Summers, Secretary

*EXCERPT FROM JULY 25-26, 2018: Motion by Kirby Metoxen to defer the 45-day update regarding complaint # 2018-DR11-02 to the August 8, 2018, regular Business Committee meeting, seconded by David P. Jordan. Motion carried unanimously.*

*EXCERPT MAY 23, 2018: Motion by David P. Jordan to accept complaint # 2018-DR11-02 as having merit and assign Chairman Tehassi Hill, Vice-Chairman Brandon Stevens, and Secretary Lisa Summers to complete the investigation process in accordance with the OBC Standard Operating Procedure, seconded by Daniel Guzman King. Motion carried unanimously.*

**a) Accept 45-day update (02:10:15)**

Motion by Lisa Summers to accept the 45-day update regarding complaint # 2018-DR11-02, seconded by Kirby Metoxen. Motion carried unanimously:

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

Not Present: Trish King, Brandon Stevens, Jennifer Webster

**b) Accept written report and determine next steps (02:10:41)**

Motion by Lisa Summers to accept the written report, approve recommended actions, and direct a BC Officer follow-through with the employee regarding complaint # 2018-DR11-02, seconded by David P. Jordan. Motion carried unanimously:

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

Not Present: Trish King, Brandon Stevens, Jennifer Webster

**DRAFT****2. Complaint # 2018-DR04-01 – Accept written report and determine next steps (02:11:13)**

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

*EXCERPT FROM JULY 25-26, 2018: Motion by Kirby Metoxen to defer the written report regarding complaint # 2018-DR04-01 to the August 8, 2018, regular Business Committee meeting, seconded by David P. Jordan. Motion carried unanimously.*

*EXCERPT FROM APRIL 25, 2018: Motion by David P. Jordan to accept the 45-day update regarding complaint # 2018-DR04-01, seconded by Ernie Stevens III. Motion carried unanimously.*

*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 Kirby Metoxen to accept the written report, approve recommended actions, and direct that a BC Officer follow-up with the employee regarding complaint # 2018-DR04-01, seconded by Lisa Summers. Motion carried unanimously:

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

Not Present: Trish King, Brandon Stevens, Jennifer Webster

**3. Review application(s) for one (1) vacancy – Oneida Police Commission – remainder of term ending July 31, 2021 (02:11:45)**

Sponsor: Tehassi Hill, Chairman

*EXCERPT FROM JULY 25-26, 2018: Motion by David Jordan to defer the review of the application(s) for one (1) vacancy – Oneida Police Commission – remainder of term ending July 31, 2021, to the August 8, 2018, regular Business Committee meeting, seconded by Kirby Metoxen. Motion carried unanimously.*

Motion by David P. Jordan to accept the discussion regarding the application(s) for one (1) Oneida Police Commission vacancy as information, seconded by Lisa Summers. Motion carried unanimously:

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

Not Present: Trish King, Brandon Stevens, Jennifer Webster

**4. Adopt resolution entitled Regarding Pardon of Joslin Skenandore (02:12:08)**

Sponsor: Lisa Summers, Secretary

*EXCERPT FROM JULY 25-26, 2018: Motion by David P. Jordan to defer the resolution entitled Regarding Pardon of Joslin Skenandore to the August 8, 2018, regular Business Committee meeting, seconded by Kirby Metoxen. Motion carried unanimously.*

Motion by Kirby Metoxen to adopt resolution 08-08-18-B Regarding Pardon of Joslin Skenandore, seconded by Lisa Summers. Motion carried unanimously:

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

Not Present: Trish King, Brandon Stevens, Jennifer Webster

**DRAFT****F. NEW BUSINESS****1. Approve limited waiver of sovereign immunity – Apptricity Corporation SaaS Subscription license agreement – file # 2018-0562 (02:12:37)**

Sponsor: Louise Cornelius, Gaming General Manager

Motion by David P. Jordan to approve a limited waiver of sovereign immunity for the Apptricity Corporation SaaS Subscription license agreement – file # 2018-0562, seconded by Kirby Metoxen.

Motion carried unanimously:

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

Not Present: Trish King, Brandon Stevens, Jennifer Webster

**2. File # ED18-002 – Approve three (3) actions (02:13:16)**

Sponsor: Troy Parr, Division Director/Community &amp; Economic Development

Motion by Lisa Summers to accept the final report regarding file # ED18-002, seconded by Ernie Stevens III. Motion carried unanimously:

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

Not Present: Trish King, Brandon Stevens, Jennifer Webster

Motion by Lisa Summers to accept the recommendations included in the memorandum from the Community & Economic Development Division Director dated August 7, 2018, seconded by Ernie Stevens III. Motion carried unanimously:

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

Not Present: Trish King, Brandon Stevens, Jennifer Webster

**3. Approve attorney contract and limited waiver of sovereign immunity – Andrus Intellectual Property Law, LLP – file # 2018-0942 (02:14:06)**

Sponsor: Jo Anne House, Chief Counsel

Motion by Kirby Metoxen to approve the attorney contract and a limited waiver of sovereign immunity for Andrus Intellectual Property Law, LLP – file # 2018-0942, seconded by David P. Jordan. Motion carried unanimously:

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

Not Present: Trish King, Brandon Stevens, Jennifer Webster

**4. Approve employment contract for DR10 – file # 2018-0958 (02:14:46)**

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

Motion by David P. Jordan to approve employment contract for DR10 – file # 2018-0958, seconded by Kirby Metoxen. Motion carried with one abstention:

Ayes: Daniel Guzman King, David P. Jordan, Kirby Metoxen, Ernie Stevens III,

Abstained: Lisa Summers

Not Present: Trish King, Brandon Stevens, Jennifer Webster

**DRAFT**

- 5. Review application(s) for one (1) vacancy – Oneida Pow-wow Committee – term ending February 29, 2020 (02:15:16)**  
Sponsor: Tehassi Hill, Chairman

Motion by Lisa Summers to accept the discussion regarding the application(s) for one (1) Oneida Pow-wow Committee vacancy as information, seconded by Kirby Metoxen. Motion carried unanimously:

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

- 6. Community Complaint/Concern # 2018-CC-02 – Review and determine next steps (02:15:47)**  
Sponsor: Lisa Summers, Secretary

Motion by Kirby Metoxen to forward community complaint/concern # 2018-CC-02 to the Governmental Services Division Director, seconded by Daniel Guzman King. Motion carried unanimously:

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

Motion by Lisa Summers that this item also be forwarded to the Finance Committee for a summary of what led up to this person receiving their funds and that the summary be provided to the Governmental Service Division Director to be used in their investigation, seconded by Daniel Guzman King. Motion carried unanimously:

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

- 7. Review draft Oneida Business Committee FY-2019 budgets and make appropriate adjustments (02:16:52)**  
Sponsor: Trish King, Treasurer

Motion by Lisa Summers to accept the discussion regarding the Oneida Business Committee FY-2019 budgets as information, seconded by David P. Jordan. Motion carried unanimously:

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

Motion by Lisa Summers to approve the adjustments listed in the memorandum dated August 8, 2018, seconded by Ernie Stevens III. Motion carried unanimously:

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

**DRAFT****8. Enter e-poll results into the record in accordance with OBC SOP entitled Conducting Electronic Voting:**

Sponsor: Lisa Summers, Secretary

**a) Approved Legislative Reference Office staff attorney contract – file # 2018-0869 – David P. Jordan, Councilman (02:21:09)**

Motion by David P. Jordan to enter the e-poll results into the record in accordance with OBC SOP entitled Conducting Electronic Voting regarding the approved Legislative Reference Office staff attorney contract – file # 2018-0869, seconded by Ernie Stevens III. Motion carried unanimously:

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

Not Present: Trish King, Brandon Stevens, Jennifer Webster

**XV. ADJOURN (02:25:34)**

Motion by Ernie Stevens III to adjourn at 2:53 p.m., seconded by David P. Jordan. Motion carried unanimously:

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

Not Present: Trish King, Brandon Stevens, Jennifer Webster

### Oneida Business Committee Agenda Request

1. Meeting Date Requested: 8 / 22 / 18

**2. General Information:**

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

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

Agenda Header:

Accept as Information only

Action - please describe:

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

**3. Supporting Materials**

Report  Resolution  Contract

Other:

1.

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 Licensing Division

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

DATE: **August 8, 2018**  
TO: **Oneida Business Committee**  
RE: **Alcohol License – Approval Needed**  
FROM: **Tonya Webster, Oneida License Department**

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

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

**Oneida Retail Enterprise Oneida Casino Travel Center** is ready to receive approval from the Oneida Business Committee.

Thank You

## Oneida Business Committee Agenda Request

### 6. Cover Memo:

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

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

- 1) Save a copy of this form for your records.
- 2) Print this form as a \*.pdf *OR* print and scan this form in as \*.pdf.
- 3) E-mail this form and all supporting materials in a **SINGLE** \*.pdf file to: [BC\\_Agenda\\_Requests@oneidation.org](mailto:BC_Agenda_Requests@oneidation.org)



# Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

**BC Resolution # \_\_\_\_\_**

**The Oneida Retail Enterprise, Oneida Casino Travel Center will be selling alcohol beverages in accordance with the Oneida ALCOHOL BEVERAGE LICENSING LAW**

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

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

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

**WHEREAS,** the Oneida Business Committee may grant a license to sell alcohol beverages through a resolution pursuant to Article 507.4-2 of the Oneida Alcohol Beverage Licensing Law; and

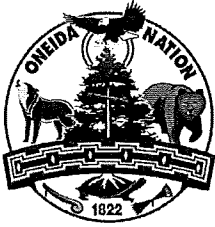
**WHEREAS,** the Oneida Casino Travel Center, by Oneida Retail Enterprise, has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the Town of Pittsfield; and

**WHEREAS,** the Oneida Retail Enterprise has requested the Oneida Business Committee grant it a license to sell alcohol at the Oneida Casino Travel Center; and

**WHEREAS,** the Oneida Licensing Department has reviewed the Oneida Casino Travel Center's renewal application along with all required documents, and has determined they are in compliance for renewal.

**NOW THEREFORE BE IT RESOLVED:** that the Oneida Retail Enterprise, Oneida Casino Travel Center may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law and the prevailing laws of the local municipality, the Town of Pittsfield, WI, to be issued by the Oneida Licensing Department and shall, in accordance with section 507.4-4(a), run concurrent with the license issued by the municipality.

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



### **Statement of Effect**

*The Oneida Retail Enterprise, Oneida Casino Travel Center Will Be Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law*

### **Summary**

The resolution permits the Oneida Licensing Department to issue a license to the Oneida Retail Enterprise - Oneida Casino Travel Center to sell alcohol beverages in accordance with the Nation's Alcohol Beverage Licensing law and the prevailing laws of the local municipality, the Town of Pittsfield, Wisconsin.

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

*Date: August 7, 2018*

### **Analysis by the Legislative Reference Office**

The Nation's Alcohol Beverage Licensing law ("the Law") was adopted with the purpose of governing the sale of alcohol beverages by businesses owned by the Nation or incorporated under the laws of the Nation, on all land within the exterior boundaries of the Oneida Nation Reservation and any lands added thereto pursuant to federal law.

The Law sets forth requirements for an application for a license to sell alcohol beverages by the Nation, including the procurement of a license to sell alcohol by the local municipality. [5 O.C.507.4-1]. The Oneida Licensing Department has reviewed the Oneida Retail Enterprise - Oneida Casino Travel Center renewal application for an alcohol beverage license along with all required documents and has determined the Oneida Retail Enterprise - Oneida Casino Travel Center is in compliance for licensure.

The law requires that the Oneida Licensing Department not issue any licenses for selling alcohol beverages until adoption of a resolution by the Oneida Business Committee granting such license. [5 O.C. 507.4-2]. This resolution requests the Oneida Business Committee to grant a license to sell alcohol at the Oneida Casino Travel Center by the Oneida Retail Enterprise – Oneida Casino Travel Center.

The license issued by the Oneida Licensing Department shall run concurrent with the license issued by the Town of Pittsfield. [5 O.C. 507.4-4(a)].

### **Conclusion**

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

### Oneida Business Committee Agenda Request

1. Meeting Date Requested: 8 / 22 / 18

**2. General Information:**

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

Other - Oneida Alcohol License Renewal - approval needed for Oneida Four Paths

Agenda Header: New Business

Accept as Information only

Action - please describe:

Approval Needed for an Oneida Alcohol License Renewal - Oneida Four Paths

**3. Supporting Materials**

Report  Resolution  Contract

Other:

- 1. Memo
- 2. Statement of Effect
- 3.
- 4.

Business Committee signature required

**4. Budget Information**

Budgeted - Tribal Contribution  Budgeted - Grant Funded  Unbudgeted

**5. Submission**

Authorized Sponsor / Liaison: Larry Barton, Chief Financial Officer

Primary Requestor/Submitter: Tonya Webster, License Administrator  
Your Name, Title / Dept. or Tribal Member

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

## Oneida Business Committee Agenda Request

### 6. Cover Memo:

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

Looking for approval to grant Oneida Four Paths their annual Oneida Alcohol License.

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



# Oneida Licensing Division

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

DATE: **August 8, 2018**  
TO: **Oneida Business Committee**  
RE: **Alcohol License – Approval Needed**  
FROM: **Tonya Webster, Oneida License Department**

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

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

**Oneida Nation Four Paths** is ready to receive approval from the Oneida Business Committee.

Thank You

# Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

## BC Resolution # \_\_\_\_\_

**The Oneida Retail Enterprise, Oneida Nation Four Paths will be selling alcohol beverages in accordance with the Oneida ALCOHOL BEVERAGE LICENSING LAW**

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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 may grant a license to sell alcohol beverages through a resolution pursuant to Article 507.4-2 of the Oneida Alcohol Beverage Licensing Law; and

**WHEREAS,** the Oneida Nation Four Paths, by Oneida Retail Enterprise, has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the City of Green Bay; and

**WHEREAS,** the Oneida Retail Enterprise has requested the Oneida Business Committee grant it a license to sell alcohol at the Oneida Nation Four Paths; and

**WHEREAS,** the Oneida Licensing Department has reviewed the Oneida Nation Four Path's renewal application along with all required documents, and has determined they are in compliance for renewal.

**NOW THEREFORE BE IT RESOLVED:** that the Oneida Retail Enterprise, Oneida Nation Four Paths may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law and the prevailing laws of the local municipality, the City of Green Bay, WI, to be issued by the Oneida Licensing Department and shall, in accordance with section 507.4-4(a), run concurrent with the license issued by the municipality.



Oneida Nation  
Oneida Business Committee  
Legislative Operating Committee  
PO Box 365 • Oneida, WI 54255-0365  
Oneida-nsn.gov



### **Statement of Effect**

*The Oneida Nation Four Paths Will Be Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law*

### **Summary**

The resolution permits the Oneida Licensing Department to issue a license to the Oneida Nation Four Paths to sell alcohol beverages in accordance with the Nation's Alcohol Beverage Licensing law and the prevailing laws of the local municipality, the City of Green Bay, Wisconsin.

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

*Date: August 7, 2018*

### **Analysis by the Legislative Reference Office**

The Nation's Alcohol Beverage Licensing law ("the Law") was adopted with the purpose of governing the sale of alcohol beverages by businesses owned by the Nation or incorporated under the laws of the Nation, on all land within the exterior boundaries of the Oneida Nation Reservation and any lands added thereto pursuant to federal law.

The Law sets forth requirements for an application for a license to sell alcohol beverages by the Nation, including the procurement of a license to sell alcohol by the local municipality. [5 O.C. 507.4-1]. The Oneida Licensing Department has reviewed the Oneida Nation Four Paths renewal application for an alcohol beverage license along with all required documents and has determined the Oneida Nation Four Paths is in compliance for licensure.

The law requires that the Oneida Licensing Department not issue any licenses for selling alcohol beverages until adoption of a resolution by the Oneida Business Committee granting such license. [5 O.C. 507.4-2]. This resolution requests the Oneida Business Committee to grant a license to sell alcohol at the Oneida Nation Four Paths.

The license issued by the Oneida Licensing Department shall run concurrent with the license issued by the City of Green Bay. [5 O.C. 507.4-4(a)].

### **Conclusion**

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

### Oneida Business Committee Agenda Request

1. Meeting Date Requested: 8 / 22 / 18

**2. General Information:**

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

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

Agenda Header:

Accept as Information only

Action - please describe:

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

**3. Supporting Materials**

Report  Resolution  Contract

Other:

1.

3.

2.

4.

Business Committee signature required

**4. Budget Information**

Budgeted - Tribal Contribution  Budgeted - Grant Funded  Unbudgeted

**5. Submission**

Authorized Sponsor / Liaison:

Primary Requestor/Submitter:   
Your Name, Title / Dept. or Tribal Member

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.



## Oneida Business Committee Agenda Request

### 6. Cover Memo:

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

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

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



# Oneida Licensing Division

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

DATE: **August 8, 2018**  
TO: **Oneida Business Committee**  
RE: **Alcohol License – Approval Needed**  
FROM: **Tonya Webster, Oneida License Department**

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

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

**Oneida Retail Enterprise Oneida One-Stop – Larsen** is ready to receive approval from the Oneida Business Committee.

Thank You

# Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

## BC Resolution # \_\_\_\_\_

**The Oneida Retail Enterprise, Oneida One Stop – Larsen will be selling alcohol beverages in accordance with the Oneida ALCOHOL BEVERAGE LICENSING LAW**

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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 may grant a license to sell alcohol beverages through a resolution pursuant to Article 507.4-2 of the Oneida Alcohol Beverage Licensing Law; and

**WHEREAS,** the Oneida One Stop – Larsen, by Oneida Retail Enterprise, has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the City of Green Bay; and

**WHEREAS,** Oneida Retail Enterprise has requested the Oneida Business Committee grant it a license to sell alcohol at the Oneida One Stop – Larsen; and

**WHEREAS,** the Oneida Licensing Department has reviewed Oneida One Stop – Larsen's renewal application along with all required documents, and has determined they are in compliance for renewal.

**NOW THEREFORE BE IT RESOLVED:** that the Oneida Retail Enterprise, Oneida One Stop – Larsen, may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law and the prevailing laws of the local municipality, the City of Green Bay, WI, to be issued by the Oneida Licensing Department and shall, in accordance with section 507.4-4(a), run concurrent with the license issued by the municipality.



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



### **Statement of Effect**

*Oneida Retail Enterprise Oneida One Stop – Larsen Will Be Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law*

### **Summary**

The resolution permits the Oneida Licensing Department to issue a license to the Oneida Retail Enterprise Oneida One Stop – Larsen to sell alcohol beverages in accordance with the Nation's Alcohol Beverage Licensing law and the prevailing laws of the local municipality, the City of Green Bay, Wisconsin.

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

*Date: August 7, 2018*

### **Analysis by the Legislative Reference Office**

The Nation's Alcohol Beverage Licensing law ("the Law") was adopted with the purpose of governing the sale of alcohol beverages by businesses owned by the Nation or incorporated under the laws of the Nation, on all land within the exterior boundaries of the Oneida Nation Reservation and any lands added thereto pursuant to federal law.

The Law sets forth requirements for an application for a license to sell alcohol beverages by the Nation, including the procurement of a license to sell alcohol by the local municipality. [5 O.C. 507.4-1]. The Oneida Licensing Department has reviewed the Oneida Retail Enterprise Oneida One Stop – Larsen renewal application for an alcohol beverage license along with all required documents and has determined the Oneida Retail Enterprise Oneida One Stop – Larsen is in compliance for licensure.

The law requires that the Oneida Licensing Department not issue any licenses for selling alcohol beverages until adoption of a resolution by the Oneida Business Committee granting such license. [5 O.C. 507.4-2]. This resolution requests the Oneida Business Committee to grant a license to sell alcohol at the Oneida Retail Enterprise Oneida One Stop – Larsen.

The license issued by the Oneida Licensing Department shall run concurrent with the license issued by the City of Green Bay. [5 O.C. 507.4-4(a)].

### **Conclusion**

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

### Oneida Business Committee Agenda Request

1. Meeting Date Requested: 8 / 22 / 18

**2. General Information:**

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

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

Agenda Header:

Accept as Information only

Action - please describe:

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

**3. Supporting Materials**

Report  Resolution  Contract

Other:

- 1.  3.
- 2.  4.

Business Committee signature required

**4. Budget Information**

Budgeted - Tribal Contribution  Budgeted - Grant Funded  Unbudgeted

**5. Submission**

Authorized Sponsor / Liaison:

Primary Requestor/Submitter: Tonya Webster, License Administrator  
Your Name, Title / Dept. or Tribal Member

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

## Oneida Business Committee Agenda Request

### 6. Cover Memo:

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

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

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



# Oneida Licensing Division

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

DATE: **August 8, 2018**  
TO: **Oneida Business Committee**  
RE: **Alcohol License – Approval Needed**  
FROM: **Tonya Webster, Oneida License Department**

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

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

**Oneida Retail Enterprise Oneida One-Stop – Packerland** is ready to receive approval from the Oneida Business Committee.

Thank You

# Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

## BC Resolution # \_\_\_\_\_

**The Oneida Retail Enterprise, Oneida One Stop – Packerland will be selling alcohol beverages in accordance with the Oneida ALCOHOL BEVERAGE LICENSING LAW**

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

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

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

**WHEREAS,** the Oneida Business Committee may grant a license to sell alcohol beverages through a resolution pursuant to Article 507.4-2 of the Oneida Alcohol Beverage Licensing Law; and

**WHEREAS,** the Oneida One Stop – Packerland, by Oneida Retail Enterprise, has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the Village of Ashwaubenon; and

**WHEREAS,** the Oneida Retail Enterprise has requested the Oneida Business Committee grant it a license to sell alcohol at the Oneida One Stop – Packerland; and

**WHEREAS,** the Oneida Licensing Department has reviewed Oneida One Stop – Packerland's renewal application along with all required documents, and has determined they are in compliance for renewal.

**NOW THEREFORE BE IT RESOLVED:** that the Oneida Retail Enterprise, Oneida One Stop – Packerland may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law and the prevailing laws of the local municipality, the Village of Ashwaubenon, WI, to be issued by the Oneida Licensing Department and shall, in accordance with section 507.4-4(a), run concurrent with the license issued by the municipality.

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



### **Statement of Effect**

*The Oneida Retail Enterprise, Oneida One Stop – Packerland Will Be Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law*

### **Summary**

The resolution permits the Oneida Licensing Department to issue a license to the Oneida Retail Enterprise Oneida One Stop – Packerland to sell alcohol beverages in accordance with the Nation's Alcohol Beverage Licensing law and the prevailing laws of the local municipality, the Village of Ashwaubenon, Wisconsin.

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

*Date: August 7, 2018*

### **Analysis by the Legislative Reference Office**

The Nation's Alcohol Beverage Licensing law ("the Law") was adopted with the purpose of governing the sale of alcohol beverages by businesses owned by the Nation or incorporated under the laws of the Nation, on all land within the exterior boundaries of the Oneida Nation Reservation and any lands added thereto pursuant to federal law.

The Law sets forth requirements for an application for a license to sell alcohol beverages by the Nation, including the procurement of a license to sell alcohol by the local municipality. [5 O.C. 507.4-1]. The Oneida Licensing Department has reviewed the Oneida Retail Enterprise Oneida One Stop – Packerland renewal application for an alcohol beverage license along with all required documents and has determined the Oneida Retail Enterprise Oneida One Stop – Packerland is in compliance for licensure.

The law requires that the Oneida Licensing Department not issue any licenses for selling alcohol beverages until adoption of a resolution by the Oneida Business Committee granting such license. [5 O.C. 507.4-2]. This resolution requests the Oneida Business Committee to grant a license to sell alcohol at the Oneida Retail Enterprise Oneida One Stop – Packerland.

The license issued by the Oneida Licensing Department shall run concurrent with the license issued by the Village of Ashwaubenon. [5 O.C. 507.4-4(a)].

### **Conclusion**

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

### Oneida Business Committee Agenda Request

1. Meeting Date Requested: 8 / 22 / 18

2. General Information:

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

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

Agenda Header: New Business

Accept as Information only

Action - please describe:

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

3. Supporting Materials

Report  Resolution  Contract

Other:

1. Memo

3. \_\_\_\_\_

2. Statement of Effect

4. \_\_\_\_\_

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution  Budgeted - Grant Funded  Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Larry Barton, Chief Financial Officer

Primary Requestor/Submitter: Tonya Webster, License Administrator  
Your Name, Title / Dept. or Tribal Member

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

## Oneida Business Committee Agenda Request

### 6. Cover Memo:

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

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

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



# Oneida Licensing Division

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

DATE: **August 8, 2018**  
TO: **Oneida Business Committee**  
RE: **Alcohol License – Approval Needed**  
FROM: **Tonya Webster, Oneida License Department**

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

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

**Oneida Retail Enterprise Oneida One-Stop – E & EE** is ready to receive approval from the Oneida Business Committee.

Thank You

# Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

## BC Resolution # \_\_\_\_\_

**The Oneida Retail Enterprise, Oneida One Stop – E & EE will be selling alcohol beverages in accordance with the Oneida ALCOHOL BEVERAGE LICENSING LAW**

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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 may grant a license to sell alcohol beverages through a resolution pursuant to Article 507.4-2 of the Oneida Alcohol Beverage Licensing Law; and

**WHEREAS,** the Oneida One Stop – E & EE, by Oneida Retail Enterprise, has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the Town of Oneida; and

**WHEREAS,** the Oneida Retail Enterprise has requested the Oneida Business Committee grant it a license to sell alcohol at the Oneida One Stop – E & EE; and

**WHEREAS,** the Oneida Licensing Department has reviewed Oneida One Stop – E & EE's Renewal application along with all required documents, and has determined they are in compliance for renewal.

**NOW THEREFORE BE IT RESOLVED:** that the Oneida Retail Enterprise, Oneida One Stop – E & EE may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law and the prevailing laws of the local municipality, the Town of Oneida, WI, to be issued by the Oneida Licensing Department and shall, in accordance with section 507.4-4(a), run concurrent with the license issued by the municipality.



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



### **Statement of Effect**

*Oneida Retail Enterprise Oneida One Stop – E & EE Will Be Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law*

### **Summary**

The resolution permits the Oneida Licensing Department to issue a license to the Oneida Retail Enterprise Oneida One Stop – E & EE to sell alcohol beverages in accordance with the Nation's Alcohol Beverage Licensing law and the prevailing laws of the local municipality, the Town of Oneida, Wisconsin.

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

*Date: August 7, 2018*

### **Analysis by the Legislative Reference Office**

The Nation's Alcohol Beverage Licensing law ("the Law") was adopted with the purpose of governing the sale of alcohol beverages by businesses owned by the Nation or incorporated under the laws of the Nation, on all land within the exterior boundaries of the Oneida Nation Reservation and any lands added thereto pursuant to federal law.

The Law sets forth requirements for an application for a license to sell alcohol beverages by the Nation, including the procurement of a license to sell alcohol by the local municipality. [5 O.C. 507.4-1]. The Oneida Licensing Department has reviewed the Oneida Retail Enterprise Oneida One Stop – E & EE renewal application for an alcohol beverage license along with all required documents and has determined the Oneida Retail Enterprise Oneida One Stop – E & EE is in compliance for licensure.

The law requires that the Oneida Licensing Department not issue any licenses for selling alcohol beverages until adoption of a resolution by the Oneida Business Committee granting such license. [5 O.C. 507.4-2]. This resolution requests the Oneida Business Committee to grant a license to sell alcohol at the Oneida Retail Enterprise Oneida One Stop – E & EE.

The license issued by the Oneida Licensing Department shall run concurrent with the license issued by the Town of Oneida. [5 O.C. 507.4-4(a)].

### **Conclusion**

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

### Oneida Business Committee Agenda Request

1. Meeting Date Requested: 8 / 22 / 18

**2. General Information:**

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

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

Agenda Header:

Accept as Information only

Action - please describe:

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

**3. Supporting Materials**

Report  Resolution  Contract

Other:

1.  3.

2.  4.

Business Committee signature required

**4. Budget Information**

Budgeted - Tribal Contribution  Budgeted - Grant Funded  Unbudgeted

**5. Submission**

Authorized Sponsor / Liaison:

Primary Requestor/Submitter:   
Your Name, Title / Dept. or Tribal Member

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

## Oneida Business Committee Agenda Request

### 6. Cover Memo:

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

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

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





# Oneida Licensing Division

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

DATE: **August 8, 2018**  
TO: **Oneida Business Committee**  
RE: **Alcohol License – Approval Needed**  
FROM: **Tonya Webster, Oneida License Department**

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

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

**Oneida Retail Enterprise Oneida One-Stop – Westwind** is ready to receive approval from the Oneida Business Committee.

Thank You

# Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

## BC Resolution # \_\_\_\_\_

**The Oneida Retail Enterprise, Oneida One Stop – Westwind will be selling alcohol beverages in accordance with the Oneida ALCOHOL BEVERAGE LICENSING LAW**

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

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

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

**WHEREAS,** the Oneida Business Committee may grant a license to sell alcohol beverages through a resolution pursuant to Article 507.4-2 of the Oneida Alcohol Beverage Licensing Law; and

**WHEREAS,** the Oneida One Stop – Westwind, by Oneida Retail Enterprise, has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the City of Green Bay; and

**WHEREAS,** the Oneida Retail Enterprise has requested the Oneida Business Committee grant it a license to sell alcohol at the Oneida One Stop – Westwind; and

**WHEREAS,** the Oneida Licensing Department has reviewed Oneida One Stop – Westwind's renewal application along with all required documents, and has determined they are in compliance for renewal.

**NOW THEREFORE BE IT RESOLVED:** that the Oneida Retail Enterprise, Oneida One Stop – Westwind, may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law and the prevailing laws of the local municipality, the City of Green Bay, WI, to be issued by the Oneida Licensing Department and shall, in accordance with section 507.4-4(a), run concurrent with the license issued by the municipality.

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



### **Statement of Effect**

*The Oneida Retail Enterprise Oneida One Stop – Westwind Will Be Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law*

### **Summary**

The resolution permits the Oneida Licensing Department to issue a license to the Oneida Retail Enterprise Oneida One Stop – Westwind to sell alcohol beverages in accordance with the Nation's Alcohol Beverage Licensing law and the prevailing laws of the local municipality, the City of Green Bay, Wisconsin.

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

*Date: August 7, 2018*

### **Analysis by the Legislative Reference Office**

The Nation's Alcohol Beverage Licensing law ("the Law") was adopted with the purpose of governing the sale of alcohol beverages by businesses owned by the Nation or incorporated under the laws of the Nation, on all land within the exterior boundaries of the Oneida Nation Reservation and any lands added thereto pursuant to federal law.

The Law sets forth requirements for an application for a license to sell alcohol beverages by the Nation, including the procurement of a license to sell alcohol by the local municipality. [5 O.C. 507.4-1]. The Oneida Licensing Department has reviewed the Oneida Retail Enterprise Oneida One Stop – Westwind renewal application for an alcohol beverage license along with all required documents and has determined the Oneida Retail Enterprise Oneida One Stop – Westwind is in compliance for licensure.

The law requires that the Oneida Licensing Department not issue any licenses for selling alcohol beverages until adoption of a resolution by the Oneida Business Committee granting such license. [5 O.C. 507.4-2]. This resolution requests the Oneida Business Committee to grant a license to sell alcohol at the Oneida Retail Enterprise Oneida One Stop – Westwind.

The license issued by the Oneida Licensing Department shall run concurrent with the license issued by the City of Green Bay. [5 O.C. 507.4-4(a)].

### **Conclusion**

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

### Oneida Business Committee Agenda Request

1. Meeting Date Requested: 8 / 22 / 18

**2. General Information:**

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

Other - Oneida Alcohol License Renewal - approval needed for the Oneida Airport Hotel C

Agenda Header:

Accept as Information only

Action - please describe:

Approval Needed for an Oneida Alcohol License Renewal - The Oneida Airport Hotel Corporation d/b/a Radisson Hotel & Conference Center

**3. Supporting Materials**

Report  Resolution  Contract

Other:

1.  3.

2.  4.

Business Committee signature required

**4. Budget Information**

Budgeted - Tribal Contribution  Budgeted - Grant Funded  Unbudgeted

**5. Submission**

Authorized Sponsor / Liaison:

Primary Requestor/Submitter:   
Your Name, Title / Dept. or Tribal Member

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

## Oneida Business Committee Agenda Request

### 6. Cover Memo:

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

Looking for approval to grant the Oneida Airport Hotel Corporation d/b/a Radisson Hotel & Conference Center their annual Oneida Alcohol License

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



# Oneida Licensing Division

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

DATE: **August 8, 2018**  
TO: **Oneida Business Committee**  
RE: **Alcohol License – Approval Needed**  
FROM: **Tonya Webster, Oneida License Department**

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

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

**The Oneida Airport Hotel Corporation** is ready to receive approval from the Oneida Business Committee.

Thank You

# Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

## BC Resolution # \_\_\_\_\_

### The Oneida Airport Hotel Corporation will be selling alcohol beverages in accordance with the Oneida ALCOHOL BEVERAGE LICENSING LAW

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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 may grant a license to sell alcohol beverages through a resolution pursuant to Article 507.4-2 of the Oneida Alcohol Beverage Licensing Law; and

**WHEREAS,** the Oneida Airport Hotel Corporation has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the Village of Ashwaubenon, WI; and

**WHEREAS,** the Oneida Airport Hotel Corporation has requested the Oneida Business Committee grant it a license to sell alcohol at the Radisson Hotel & Conference Center; and

**WHEREAS,** the Oneida Licensing Department has reviewed Oneida Airport Hotel Corporation's renewal application along with all required documents, and has determined they are in compliance for renewal.

**NOW THEREFORE BE IT RESOLVED:** that the Oneida Airport Hotel Corporation may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law and the prevailing laws of the local municipality, the Village of Ashwaubenon, WI, to be issued by the Oneida Licensing Department and shall, in accordance with section 507.4-4(a), run concurrent with the license issued by the municipality.



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



### **Statement of Effect**

*The Oneida Airport Hotel Corporation Will Be Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law*

### **Summary**

The resolution permits the Oneida Licensing Department to issue a license to the Oneida Airport Hotel Corporation to sell alcohol beverages at the Radisson Hotel and Conference Center in accordance with the Nation's Alcohol Beverage Licensing law and the prevailing laws of the local municipality, the Village of Ashwaubenon, Wisconsin.

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

*Date: August 7, 2018*

### **Analysis by the Legislative Reference Office**

The Nation's Alcohol Beverage Licensing law ("the Law") was adopted with the purpose of governing the sale of alcohol beverages by businesses owned by the Nation or incorporated under the laws of the Nation, on all land within the exterior boundaries of the Oneida Nation Reservation and any lands added thereto pursuant to federal law.

The Law sets forth requirements for an application for a license to sell alcohol beverages by the Nation, including the procurement of a license to sell alcohol by the local municipality. [5 O.C. 507.4-1]. The Oneida Licensing Department has reviewed the Oneida Airport Hotel Corporation renewal application for an alcohol beverage license along with all required documents and has determined the Oneida Airport Hotel Corporation is in compliance for licensure.

The law requires that the Oneida Licensing Department not issue any licenses for selling alcohol beverages until adoption of a resolution by the Oneida Business Committee granting such license. [5 O.C. 507.4-2]. This resolution requests the Oneida Business Committee to grant a license to sell alcohol at the Radisson Hotel and Conference Center by the Oneida Airport Hotel Corporation.

The license issued by the Oneida Licensing Department shall run concurrent with the license issued by the Village of Ashwaubenon. [5 O.C. 507.4-4(a)].

### **Conclusion**

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



### Oneida Business Committee Agenda Request

1. Meeting Date Requested: 8 / 22 / 18

2. General Information:

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

Other - Oneida Alcohol License Renewal - approval needed for the Three Clans's Airport d.

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: Tonya Webster, License Administrator  
Your Name, Title / Dept. or Tribal Member

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

## Oneida Business Committee Agenda Request

### 6. Cover Memo:

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

Looking for approval to grant The Three Clans Airport d/b/a Wingate by Wyndham their annual Oneida Alcohol License

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



# Oneida Licensing Division

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

DATE: **August 8, 2018**  
TO: **Oneida Business Committee**  
RE: **Alcohol License – Approval Needed**  
FROM: **Tonya Webster, Oneida License Department**

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

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

**The Three Clan's Airport** is ready to receive approval from the Oneida Business Committee.

Thank You

# Oneida Nation

Post Office Box 365

Phone: (920)869-2214

Oneida, WI 54155



**BC Resolution # \_\_\_\_\_**

**The Three Clans Airport, LLC will be selling alcohol beverages in accordance with the Oneida ALCOHOL BEVERAGE LICENSING LAW**

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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 may grant a license to sell alcohol beverages through a resolution pursuant to Article 507.4-2 of the Oneida Alcohol Beverage Licensing Law; and

**WHEREAS,** the Three Clans Airport, LLC, has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the Village of Ashwaubenon, WI; and

**WHEREAS,** the Three Clans Airport, LLC has requested the Oneida Business Committee grant it a license to sell alcohol at The Wingate By Wyndham Green Bay; and

**WHEREAS,** the Oneida Licensing Department has reviewed the Three Clans Airport, LLC's renewal application along with all required documents, and has determined they are in compliance for renewal.

**NOW THEREFORE BE IT RESOLVED:** that the Three Clans Airport, LLC may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law and the prevailing laws of the local municipality, the Village of Ashwaubenon, WI, to be issued by the Oneida Licensing Department and shall, in accordance with section 507.4-4(a), run concurrent with the license issued by the municipality.



Oneida Nation  
 Oneida Business Committee  
 Legislative Operating Committee  
 PO Box 365 • Oneida, WI 54455-0365  
 Oneida-nsn.gov



### **Statement of Effect**

*The Three Clans Airport, LLC Will Be Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law*

### **Summary**

The resolution permits the Oneida Licensing Department to issue a license to the Three Clans Airport, LLC to sell alcohol beverages at The Wingate by Wyndham Green Bay in accordance with the Nation's Alcohol Beverage Licensing law and the prevailing laws of the local municipality, the Village of Ashwaubenon, Wisconsin.

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

*Date: August 7, 2018*

### **Analysis by the Legislative Reference Office**

The Nation's Alcohol Beverage Licensing law ("the Law") was adopted with the purpose of governing the sale of alcohol beverages by businesses owned by the Nation or incorporated under the laws of the Nation, on all land within the exterior boundaries of the Oneida Nation Reservation and any lands added thereto pursuant to federal law.

The Law sets forth requirements for an application for a license to sell alcohol beverages by the Nation, including the procurement of a license to sell alcohol by the local municipality. [5 O.C. 507.4-1]. The Oneida Licensing Department has reviewed the Three Clans Airport, LLC renewal application for an alcohol beverage license along with all required documents and has determined the Three Clans Airport, LLC is in compliance for licensure.

The law requires that the Oneida Licensing Department not issue any licenses for selling alcohol beverages until adoption of a resolution by the Oneida Business Committee granting such license. [5 O.C. 507.4-2]. This resolution requests the Oneida Business Committee to grant a license for the Three Clans Airport, LLC to sell alcohol at The Wingate by Wyndham Green Bay.

The license issued by the Oneida Licensing Department shall run concurrent with the license issued by the Village of Ashwaubenon. [5 O.C. 507.4-4(a)].

### **Conclusion**

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

### Oneida Business Committee Agenda Request

1. Meeting Date Requested: 8 / 22 / 18

**2. General Information:**

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

Other - Oneida Alcohol License Renewal - approval needed for Thornberry Creek at Oneida

Agenda Header:

Accept as Information only

Action - please describe:

Approval Needed for an Oneida Alcohol License Renewal - Thornberry Creek at Oneida

**3. Supporting Materials**

Report  Resolution  Contract

Other:

1.  3.

2.  4.

Business Committee signature required

**4. Budget Information**

Budgeted - Tribal Contribution  Budgeted - Grant Funded  Unbudgeted

**5. Submission**

Authorized Sponsor / Liaison:

Primary Requestor/Submitter: Tonya Webster, License Administrator  
Your Name, Title / Dept. or Tribal Member

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

## Oneida Business Committee Agenda Request

### 6. Cover Memo:

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

Looking for approval to grant Thornberry Creek at Oneida their annual Oneida Alcohol License

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



# Oneida Licensing Division

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

DATE: **August 8, 2018**  
TO: **Oneida Business Committee**  
RE: **Alcohol License – Approval Needed**  
FROM: **Tonya Webster, Oneida License Department**

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

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

**The Oneida Golf Enterprises for Thornberry Creek at Oneida is ready to receive approval from the Oneida Business Committee.**

Thank You



# Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

## BC Resolution # \_\_\_\_\_

**The Oneida Golf Enterprise Corporation for Thornberry Creek at Oneida will be selling alcohol beverages in accordance with the Oneida ALCOHOL BEVERAGE LICENSING LAW**

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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 may grant a license to sell alcohol beverages through a resolution pursuant to Article 507.4-2 of the Oneida Alcohol Beverage Licensing Law; and

**WHEREAS,** the Oneida Golf Enterprise Corporation for Thornberry Creek at Oneida has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the Village of Hobart, WI; and

**WHEREAS,** the Oneida Golf Enterprise Corporation has requested the Oneida Business Committee grant it a license to sell alcohol at Thornberry Creek at Oneida; and

**WHEREAS,** the Oneida Licensing Department has reviewed Oneida Golf Enterprise Corporation for Thornberry Creek at Oneida's renewal application along with all required documents, and has determined they are in compliance for renewal.

**NOW THEREFORE BE IT RESOLVED:** that the Oneida Golf Enterprise Corporation for Thornberry Creek at Oneida may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law and the prevailing laws of the local municipality, the Village of Hobart, WI, to be issued by the Oneida Licensing Department and shall, in accordance with section 507.4-4(a), run concurrent with the license issued by the municipality.



Oneida Nation  
Oneida Business Committee  
Legislative Operating Committee  
PO Box 365 • Oneida, WI 54155-0365  
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### **Statement of Effect**

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

### **Summary**

The resolution permits the Oneida Licensing Department to issue a license to the Oneida Golf Enterprises for Thornberry Creek at Oneida to sell alcohol beverages in accordance with the Nation's Alcohol Beverage Licensing law and the prevailing laws of the local municipality, the Village of Hobart, Wisconsin.

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

*Date: August 72, 2018*

### **Analysis by the Legislative Reference Office**

The Nation's Alcohol Beverage Licensing law ("the Law") was adopted with the purpose of governing the sale of alcohol beverages by businesses owned by the Nation or incorporated under the laws of the Nation, on all land within the exterior boundaries of the Oneida Nation Reservation and any lands added thereto pursuant to federal law.

The Law sets forth requirements for an application for a license to sell alcohol beverages by the Nation, including the procurement of a license to sell alcohol by the local municipality. [5 O.C. 507.4-1]. The Oneida Licensing Department has reviewed the Oneida Golf Enterprises for Thornberry Creek at Oneida renewal application for an alcohol beverage license along with all required documents and has determined the Oneida Golf Enterprises for Thornberry Creek at Oneida is in compliance for licensure.

The law requires that the Oneida Licensing Department not issue any licenses for selling alcohol beverages until adoption of a resolution by the Oneida Business Committee granting such license. [5 O.C. 507.4-2]. This resolution requests the Oneida Business Committee to grant a license to sell alcohol at Thornberry Creek at Oneida by the Oneida Golf Enterprises for Thornberry Creek at Oneida.

The license issued by the Oneida Licensing Department shall run concurrent with the license issued by the Village of Hobart. [5 O.C. 507.4-4(a)].

### **Conclusion**

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

### Oneida Business Committee Agenda Request

1. Meeting Date Requested: 8 / 8 / 18

**2. General Information:**

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

Other - Oneida Alcohol License Renewal - approval needed for the West Mason Street Cas

Agenda Header:

Accept as Information only

Action - please describe:

Approval Needed for an Oneida Alcohol License Renewal - West Mason Street Casino

**3. Supporting Materials**

Report  Resolution  Contract

Other:

- 1.  3.
- 2.  4.

Business Committee signature required

**4. Budget Information**

Budgeted - Tribal Contribution  Budgeted - Grant Funded  Unbudgeted

**5. Submission**

Authorized Sponsor / Liaison:

Primary Requestor/Submitter: Tonya Webster, License Administrator  
Your Name, Title / Dept. or Tribal Member

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

## Oneida Business Committee Agenda Request

### 6. Cover Memo:

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

Looking for approval to grant The West Mason Street Casino their annual Oneida Alcohol License

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



# Oneida Licensing Division

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

DATE: **August 8, 2018**  
TO: **Oneida Business Committee**  
RE: **Alcohol License – Approval Needed**  
FROM: **Tonya Webster, Oneida License Department**

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

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

**The Oneida Casino – West Mason Casino** is ready to receive approval from the Oneida Business Committee.

Thank You

# Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

## BC Resolution # \_\_\_\_\_

### **The Oneida Casino – West Mason Casino will be selling alcohol beverages in accordance with the Oneida ALCOHOL BEVERAGE LICENSING LAW**

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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 may grant a license to sell alcohol beverages through a resolution pursuant to Article 507.4-2 of the Oneida Alcohol Beverage Licensing Law; and

**WHEREAS,** the Oneida Casino – West Mason Casino, has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the City of Green Bay; and

**WHEREAS,** the Oneida Casino – West Mason Casino has requested the Oneida Business Committee grant it a license to sell alcohol at the Oneida Casino – West Mason Casino; and

**WHEREAS,** the Oneida Licensing Department has reviewed Oneida Casino – West Mason Casino's renewal application along with all required documents, and has determined they are in compliance for renewal.

**NOW THEREFORE BE IT RESOLVED:** that the Oneida Casino – West Mason Casino may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law and the prevailing laws of the local municipality, the City of Green Bay, WI, to be issued by the Oneida Licensing Department and shall, in accordance with section 507.4-4(a), run concurrent with the license issued by the municipality.



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



### **Statement of Effect**

*The Oneida Casino - West Mason Casino Will Be Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law*

### **Summary**

The resolution permits the Oneida Licensing Department to issue a license to the Oneida Casino - West Mason Casino to sell alcohol beverages in accordance with the Nation's Alcohol Beverage Licensing law and the prevailing laws of the local municipality, the City of Green Bay, Wisconsin.

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

*Date: August 7, 2018*

### **Analysis by the Legislative Reference Office**

The Nation's Alcohol Beverage Licensing law ("the Law") was adopted with the purpose of governing the sale of alcohol beverages by businesses owned by the Nation or incorporated under the laws of the Nation, on all land within the exterior boundaries of the Oneida Nation Reservation and any lands added thereto pursuant to federal law.

The Law sets forth requirements for an application for a license to sell alcohol beverages by the Nation, including the procurement of a license to sell alcohol by the local municipality. [5 O.C. 507.4-1]. The Oneida Licensing Department has reviewed the Oneida Casino - West Mason Casino renewal application for an alcohol beverage license along with all required documents and has determined the Oneida Casino - West Mason Casino is in compliance for licensure.

The law requires that the Oneida License Department not issue any licenses for selling alcohol beverages until adoption of a resolution by the Oneida Business Committee granting such license. [5 O.C. 507.4-2]. This resolution requests the Oneida Business Committee to grant a license to sell alcohol at the Oneida Casino - West Mason Casino.

The license issued by the Oneida Licensing Department shall run concurrent with the license issued by the City of Green Bay. [5 O.C. 507.4-4(a)].

### **Conclusion**

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

### Oneida Business Committee Agenda Request

1. Meeting Date Requested: 8 / 22 / 18

**2. General Information:**

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

Other - Oneida Alcohol License Renewal - approval needed for Oneida Main Casino

Agenda Header: New Business

Accept as Information only

Action - please describe:

Approval Needed for an Oneida Alcohol License Renewal - Oneida Main Casino

**3. Supporting Materials**

Report  Resolution  Contract

Other:

1. Memo

3.

2. Statement of Effect

4.

Business Committee signature required

**4. Budget Information**

Budgeted - Tribal Contribution  Budgeted - Grant Funded  Unbudgeted

**5. Submission**

Authorized Sponsor / Liaison: Larry Barton, Chief Financial Officer

Primary Requestor/Submitter: Tonya Webster, License Administrator  
Your Name, Title / Dept. or Tribal Member

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.



### Oneida Business Committee Agenda Request

**6. Cover Memo:**

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

Looking for approval to grant Oneida's Main Casino their annual Oneida Alcohol License

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



# Oneida Licensing Division

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

DATE: **August 8, 2018**  
TO: **Oneida Business Committee**  
RE: **Alcohol License – Approval Needed**  
FROM: **Tonya Webster, Oneida License Department**

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

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

**The Oneida Bingo & Casino** is ready to receive approval from the Oneida Business Committee.

Thank You

# Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

**BC Resolution # \_\_\_\_\_**

**The Oneida Bingo & Casino will be selling alcohol beverages in accordance with the Oneida ALCOHOL BEVERAGE LICENSING LAW**

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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 may grant a license to sell alcohol beverages through a resolution pursuant to Article 507.4-2 of the Oneida Alcohol Beverage Licensing Law; and

**WHEREAS,** the Oneida Bingo & Casino, has satisfied the requirements of the Oneida Alcohol Beverage Licensing Law, including the procurement of a license to sell alcohol by the local municipality, the Village of Ashwaubenon; and

**WHEREAS,** the Oneida Bingo & Casino has requested the Oneida Business Committee grant it a license to sell alcohol at the Oneida Bingo & Casino; and

**WHEREAS,** the Oneida Licensing Department has reviewed Oneida Bingo & Casino's renewal application along with all required documents, and has determined they are in compliance for renewal.

**NOW THEREFORE BE IT RESOLVED:** that the Oneida Bingo & Casino may sell alcohol beverages in accordance with the Oneida Alcohol Beverage Licensing Law and the prevailing laws of the local municipality, the Village of Ashwaubenon, WI, to be issued by the Oneida Licensing Department and shall, in accordance with section 507.4-4(a), run concurrent with the license issued by the municipality.



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



### **Statement of Effect**

*The Oneida Bingo and Casino Will Be Selling Alcohol Beverages in Accordance with the Oneida Alcohol Beverage Licensing Law*

### **Summary**

The resolution permits the Oneida Licensing Department to issue a license to the Oneida Bingo and Casino to sell alcohol beverages in accordance with the Nation's Alcohol Beverage Licensing law and the prevailing laws of the local municipality, the Village of Ashwaubenon, Wisconsin.

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

*Date: August 7, 2018*

### **Analysis by the Legislative Reference Office**

The Nation's Alcohol Beverage Licensing law ("the Law") was adopted with the purpose of governing the sale of alcohol beverages by businesses owned by the Nation or incorporated under the laws of the Nation, on all land within the exterior boundaries of the Oneida Nation Reservation and any lands added thereto pursuant to federal law.

The Law sets forth requirements for an application for a license to sell alcohol beverages by the Nation, including the procurement of a license to sell alcohol by the local municipality. [5 O.C. 507.4-1]. The Oneida Licensing Department has reviewed the Oneida Bingo and Casino renewal application for an alcohol beverage license along with all required documents and has determined the Oneida Bingo and Casino is in compliance for licensure.

The law requires that the Oneida Licensing Department not issue any licenses for selling alcohol beverages until adoption of a resolution by the Oneida Business Committee granting such license. [5 O.C. 507.4-2]. This resolution requests the Oneida Business Committee to grant a license to sell alcohol at the Oneida Bingo and Casino.

The license issued by the Oneida Licensing Department shall run concurrent with the license issued by the Village of Ashwaubenon. [5 O.C. 507.4-4(a)].

### **Conclusion**

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

### Oneida Business Committee Agenda Request

1. Meeting Date Requested: 08 / 22 / 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:

Adoption and approval of a grant application resolution.

**3. Supporting Materials**

Report  Resolution  Contract

Other:

1.

3.

2.

4.

Business Committee signature required

**4. Budget Information**

Budgeted - Tribal Contribution  Budgeted - Grant Funded  Unbudgeted

**5. Submission**

Authorized Sponsor / Liaison:

Primary Requestor/Submitter: Victoria Flowers, Environmental Compliance Coordinator  
Your Name, Title / Dept. or Tribal Member

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

# Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

**BC Resolution # \_\_\_\_\_**  
**FY 2018 Midwest Region Geographic Information System Project**  
**Bureau of Indian Affairs**

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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 Nation has determined that the overall goal of the Nation is to protect, maintain and improve the standard of living and the environment in which the Oneida people live; and

**WHEREAS,** the Oneida Environmental Health, Safety and Land Division is the provider of services that preserve, restore and enhance our environment, and protect and educate its people consistent with the culture, vision and priorities of the Oneida Nation. Their mission is to strengthen and protect our people, reclaim our land, and enhance the environment by exercising our sovereignty; and

**WHEREAS,** the Oneida Nation understands there is a need to standardize previously collected environmental project data in order to be compatible with our upgraded system. Information such as project area polygons, digital aerial photos and other temporal and spatial data, when properly organized and displayed on a Geographic Information System platform reveals long-term outcomes of projects. This is a powerful tool to demonstrate to aid in the resource management and identify areas of need. A properly managed and developed GIS platform and backend database, facilitates the successful exchange of data for trust managed resources; and

**WHEREAS,** the Oneida Nation supports the proposed Geographic Information System Project; and

**NOW THEREFORE BE IT RESOLVED,** that the Oneida Nation authorizes and supports the submission of a grant application to the Bureau of Indian Affairs – Midwest Region for a GIS Platform Project in the amount of \$30,000.

### Oneida Business Committee Agenda Request

1. Meeting Date Requested: 8 / 22 / 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:

BC approval of Finance Committee Meeting Minutes of August 13, 2018

**3. Supporting Materials**

Report  Resolution  Contract

Other:

1.

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Business Committee signature required

**4. Budget Information**

Budgeted - Tribal Contribution  Budgeted - Grant Funded  Unbudgeted

**5. Submission**

Authorized Sponsor / Liaison:

Primary Requestor: Denise Vigue, Executive Assistant 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](mailto: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:** Aug. 14, 2018  
**RE:** E-Poll Results of: FC Meeting Minutes of Aug. 13, 2018

An E-Poll vote of the Finance Committee was conducted to approve the Aug. 13, 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 Larry Barton, Jennifer Webster, Patrick Stensloff, and Chad Fuss to approve the Aug. 13, 2018 Finance Committee Meeting Minutes.

The minutes will be placed on the next BC agenda of Aug. 22, 2018 for approval and the next Finance Committee agenda of Sept 4, 2018 to ratify this E-Poll action.

Yaw^ko

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\* 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

August 13, 2018 – 9:00 A.M.  
 BC Executive Conference Room

### FC REGULAR MEETING

August 13, 2018 – 10:00 A.M.  
 BC Executive Conference Room

## REGULAR MEETING MINUTES

---

### FC Work Meeting:

Patricia King, Treasurer /FC Chair

Jennifer Webster, BC Council Member

Patrick Stensloff, Purchasing Director

**Excused:** Daniel Guzman King, BC Council Member

**Others Present:** and Denise Vigue, taking notes

Larry Barton, CFO/FC Vice-Chair

Chad Fuss, AGGM Finance (Gam. Alt)

Shirley Barber, FC Elder Member

### FC Regular Meeting:

Patricia King, Treasurer /FC Chair

Jennifer Webster, BC Council Member

Patrick Stensloff, Purchasing Director

**Excused:** Daniel Guzman King, BC Council Member

**Others Present:** Linda Jenkins, Sharon Mousseau, Sandra M. Schuyler, Catherine Hurth, James Bittorf and Denise Vigue, taking minutes

Larry Barton, CFO/FC Vice-Chair

Chad Fuss, AGGM Finance (Gam. Alt)

Shirley Barber, FC Elder Member

- I. **CALL TO ORDER:** The regular meeting was called to order by the FC Chair at 10:00 A.M.
- II. **APPROVAL OF AGENDA: AUGUST 13, 2018**  
 Motion by Jennifer Webster to approve the FC meeting agenda of August 13, 2018 with three Late ADD ON's under Capex #1 and under New Business #5 & #6 and one Emergency ADD ON under Executive Session. Seconded by Patrick Stensloff. Motion carried unanimously.
- III. **APPROVAL OF MINUTES: AUGUST 1, 2018 (Approved via E-Poll on 07/02/18)**  
 Motion by Patrick Stensloff to ratify the FC E-Poll action taken on 8/2/18 approving the 8/1/18 Finance Committee meeting minutes. Seconded by Jennifer Webster. Motion carried unanimously.
- IV. **TABLED BUSINESS:** No Tabled Business
- V. **CAPITAL EXPENDITURES:**
  1. **LATE ADD: Northeast Asphalt-Contract Amendment** Amount: \$19,320.00  
 Tim Skenandore, Gaming – Facilities  
 There was a change order for payment of additional gravel in the paving project at the Oneida One Stop Location; this was a replacement project and all work has now been completed.  
  
 Motion by Jennifer Webster to approve the amendment for the Northeast Asphalt contract change order in the amount of \$19,320.00. Seconded by Patrick Stensloff. Motion carried unanimously.

**VI. DONATIONS:****REPORT:****1. Donation Update Report for August 2018**

Denise J. Vigue, Finance

There was one correction noted in the narrative and back up regarding the upcoming request; it is for \$1,500 not \$2,500 as what is stated on the report. There was also a suggestion of changing percentage amounts for FY19 and minor changes in the Donation Policy which were also reviewed and approved.

Motion by Chad Fuss to approve the August 2018 Finance Committee Donation line Update Report with corrections as noted and changes to the FY19 Donation Policy as noted above. Seconded by Shirley Barber. Motion carried unanimously.

**REQUEST(S):****1. Oneida Sportsmen's Club – Annual Fall Banquet** Amount: \$1,500.00

Jeff Skenandore, OSC President

Motion by Larry Barton to approve from the Finance Committee's FY18 Donation Line \$1,500.00 to the Oneida Sportsmen's Club for meal costs at their Annual Fall Banquet in October. Seconded by Shirley Barber. Motion carried unanimously.

**VII. NEW BUSINESS:****1. Financial Update Reports from Northern Trust and 4 Fires**

Terry Cornelius, CFA

Terry Cornelius was present and provided management handouts from Northern Trust and for the Residence Inn Marriott for period ending June 30, 2018. The title was corrected in these minutes to indicate there were two different Financial Update Reports being presented. Terry led the FC through each report highlighting the performance of each money manager as well as the hotel and noted that for the year to date, the managers have outperformed all their specific indices and that the hotel is a very good investment in terms of profits received which surpasses the initial investing capital; of which all profits received go back into the Nation's General Fund. He also noted that all managed funds are investment funds tied to tribal mandates and or per GTC resolutions and are also reported within the Treasurer's Report.

Motion by Patrick Stensloff to approve the Northern Trust Financial Update report as summarized by the CFA. Seconded by Shirley Barber. Larry Barton abstained. Motion carried.

Motion by Jennifer Webster to accept the 4-Fires Update report as summarized by the CFA. Seconded by Patrick Stensloff. Larry Barton abstained. Motion carried.

**2. Husch Blackwell – FY18 PO Increase**

Amount: \$50,000.00

James Bittorf, Law Office

James Bittorf was present to discuss the two requests for PO increases due to the nature of the work each is performing on behalf of the Oneida Nation; depending on how long the cases continue they might have to ask for another increase sometime later.

Motion by Chad Fuss to approve the Husch Blackwell and Kilpatrick Townsend FY18 Purchase Order increases in the amount of \$50,000.00 each. Seconded by Patrick Stensloff. Motion carried unanimously.

- 3. Kilpatrick Townsend – FY18 PO Increase** Amount: \$50,000.00  
James Bittorf, Law Office

-See Motion in NB Request #2.

- 4. Everi – Title 31 Tracking Software** Amount: \$274,855.00  
Chad Fuss, Gaming Administration

Chad Fuss explained how Gaming performed a comprehensive RFP not based solely on the price; this is a compliance related purchase of software; presently tracking is done manually, this will provide better accuracy and save time.

Motion by Larry Barton to approve the Title 31 Tracking Software purchase from Everi in the amount of \$274,855.00 contingent upon receiving the Legal Review. Seconded by Jennifer Webster. Motion carried unanimously.

- 5. ADD On: Lamers Bus, Inc- FY18 PO Increase** Amount: \$10,656.69  
Sharon Mousseau, OTSS

Sharon Mousseau and Linda Jenkins were present and explained the PO increase is due to unforeseen additional expenses of obtaining a handicap access bus for a student, gas price increases, and additional fees when children are not met by their parents as required otherwise they will not be dropped off but returned to school; it is that returned trip that is the additional expense.

Motion by Jennifer Webster to approve the Lamers Bus, Inc. FY18 Purchase Order increase in the amount of \$10,656.69. Seconded by Patrick Stensloff. Motion carried unanimously.

- 6. ADD On: Oneida Generations - FY19 Blanket PO** Amount: \$440,157.00  
David Emerson, Gaming – Slots

This is the yearly fee for leasing at the Oneida Travel Center location.

Motion by Larry Barton to approve the Oneida Generations FY19 Blanket Purchase Order in the amount of \$440,157.00. Seconded by Patrick Stensloff. Motion carried unanimously.

#### VIII. EXECUTIVE SESSION:

- 1. Emergency ADD On: Independent Contract - Amendment (#2012-1259)**  
Sandra Schuyler, Special Diabetes Program –OCHC

Motion by Jennifer Webster to move into Executive Session. Seconded by Shirley Barber. Motion carried unanimously. Time: 10:12 A.M.

Motion by Larry Barton to come out of Executive Session. Seconded by Patrick Stensloff. Motion carried unanimously. Time: 10:27 A.M.

Motion by Chad Fuss to approve the Amendment to Independent Contract #2012-1259 provided the Finance Committee receives the Legal Review; and then it can be sent to the BC for an Emergency E-Poll. Seconded by Shirley Barber. Motion carried unanimously.

**Chad Fuss was excused at 10:40 A.M.**

**IX. FOLLOW UP:****1. Draft Education Endowment – ONSS**

Patricia King, Treasurer

Motion by Larry Barton to send the Education Endowment –ONSS resolution forward in the process for a public hearing. Seconded by Shirley Barber. Motion carried unanimously.

**X. OTHER:****1. FC Third Quarter Report to the OBC**

Larry Barton, CFO, &amp; Denise J. Vigue, Finance

Motion by Jennifer Webster to approve the Finance Committee's Third Quarter Report and to forward it to the Tribal Secretary's Office. Seconded by Patrick Stensloff. Motion carried unanimously.

**2. Community Fund FY 2019 Forms /Packets**

Denise J. Vigue, Finance

There was discussion in the FC Work Meeting that made changes to the CF SOP's so these forms will also have to be updated and all brought back to the next FC meeting.

Motion by Larry Barton to defer the FY19 Community Fund forms and packets for Funding and Product until the next FC meeting. Seconded by Jennifer Webster. Motion carried unanimously.

**XI. FYI and/or Thank You: None****XI. ADJOURN:** Motion by Shirley Barber to adjourn. Seconded by Larry Barton. Motion carried unanimously. Time: 11:24 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:* August 14, 2018

*Oneida Business Committee's FC Minutes Approval Date:* \_\_\_\_\_

### Oneida Business Committee Agenda Request

1. Meeting Date Requested: 8 / 22 / 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.

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2.

4.

Business Committee signature required

**4. Budget Information**

Budgeted - Tribal Contribution  Budgeted - Grant Funded  Unbudgeted

**5. Submission**

Authorized Sponsor / Liaison:

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

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

## Oneida Business Committee Agenda Request

### 6. Cover Memo:

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

- 1) Save a copy of this form for your records.
- 2) Print this form as a \*.pdf *OR* print and scan this form in as \*.pdf.
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 Legislative Operating Committee  
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[Oneida-nsn.gov](http://Oneida-nsn.gov)



## LEGISLATIVE OPERATING COMMITTEE MEETING MINUTES

Business Committee Conference Room-2<sup>nd</sup> Floor Norbert Hill Center

August 1, 2018

9:00 a.m.

**Present:** David P. Jordan, Kirby Metoxen, Ernest Stevens III, Jennifer Webster

**Excused:** Daniel Guzman King

**Others Present:** Kristen Hooker, Brandon Wisneski, Maureen Perkins, Clorissa Santiago, Jennifer Falck, Lee Cornelius, Bonnie Pigman, Leyne Orosco, Debra Danforth, Ed Delgado

### I. Call to Order and Approval of the Agenda

David P. Jordan called the August 1, 2018 Legislative Operating Committee meeting to order at 9:00 a.m.

Note: Jennifer Falck introduced Kristen Hooker as the new Drafting Attorney for the Legislative Reference Office.

Motion by Ernest Stevens III to adopt the agenda; seconded by Jennifer Webster. Motion carried unanimously.

### II. Minutes to be Approved (1:28 - 1:51)

#### July 18, 2018 LOC Minutes

Motion by Kirby Metoxen to approve the July 18, 2018 LOC meeting minutes and forward to the Oneida Business Committee for consideration; seconded by Ernest Stevens III. Motion carried unanimously.

### III. Current Business

### IV. New Submissions

#### 1. Petition: G. Dallas - \$5000 Payment (1:53 – 2:41)

Motion by Jennifer Webster to add the Petition: G. Dallas \$5000 Payment to the active files list as a high priority with David P. Jordan as the sponsor; seconded by Kirby Metoxen. Motion carried unanimously.

#### 2. Petition: L. Dallas – Medicare Part B Premium Payment (2:43 -4:48)

Motion by Jennifer Webster to add the Petition L. Dallas Medicare Part B Premium Payment to the active Files list as a high priority with Jennifer Webster as the sponsor; seconded by Kirby Metoxen. Motion carried unanimously.

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

Legislative Operating Committee Meeting Minutes of August 01, 2018

Page 1 of 2





**V. Additions****VI. Administrative Items****1. LOC FY18 3rd Quarter Report** *(4:50 – 36:17)*

Motion by Ernest Stevens III to approve the LOC FY18 3rd Quarter Report and forward to the Oneida Business Committee for consideration; seconded by Kirby Metoxen. Motion carried unanimously.

**VII. Executive Session****VIII. Adjourn**

Motion by Kirby Metoxen to adjourn the August 1, 2018 Legislative Operating Committee meeting at 9:36 a.m.; seconded by Ernest Stevens III. Motion carried unanimously.

### Oneida Business Committee Agenda Request

1. Meeting Date Requested: 8 / 22 / 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 Leasing Law Rule #- Residential Leasing for adoption

**3. Supporting Materials**

Report  Resolution  Contract

Other:

1. <input type="text" value="Leasing Law Rule #1 Certification 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 Business Committee Agenda Request

### 6. Cover Memo:

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

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



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, Legislative Operating Committee Chairman  
DATE: August 22, 2018  
RE: Certification of Leasing Law Rule No. 1 – Residential Leasing

A handwritten signature in black ink, appearing to read 'David P. Jordan', is written over the 'FROM' line of the header.

The Legislative Operating Committee (LOC) reviewed and certified the Leasing Law Rule No. 1 – Residential Leasing on August 15, 2018.

The Leasing law delegates rulemaking authority to the Comprehensive Housing Division and the Oneida Land Commission for the purpose of further clarifying residential leasing requirements.

The Leasing Law Rule No. 1 – Residential Leasing presented for consideration by the Oneida Business Committee is the permanent rule proposed to be adopted to replace the emergency rule which was adopted by the Oneida Business Committee on May 9, 2018.

**Requested Action**

Consider the adoption of the Leasing Law Rule No. 1 – Residential Leasing.

Jo Anne House, PhD | Chief Counsel  
James R. Bittorf | Deputy Chief Counsel

Patricia M. Stevens Garvey  
Kelly M. McAndrews  
Michelle L. Gordon  
Krystal L. John  
Robert J. Collins, II

Law Office



## M E M O R A N D U M

**TO:** Legislative Operating Committee

**FROM:** Krystal L. John, Staff Attorney

**DATE:** August 8, 2018

**SUBJECT:** Request for Certification of Procedural Compliance  
Leasing Law Rule #1 – Residential Leasing

---

The Comprehensive Housing Division (CHD) and the Oneida Land Commission are exercising their joint rulemaking authority to further clarify residential leasing requirements pursuant to the Leasing law. This rule is the permanent rule proposed to be adopted to replace the emergency rule.

In addition to the notices required under the Administrative Rulemaking law, the CHD also sent the public meeting packet to all current residential lease holders. We received numerous oral comments – mostly seeking clarification – and no written comments. CHD has also sent the public meeting transcript and comment review memo to all those in attendance at the meeting. The chart below provides a timeline outlining compliance with the Administrative Rulemaking process.

<b>Rulemaking Timeline</b>	
<b>Required Action</b>	<b>Date Completed</b>
Public Meeting notice for the rule is posted in the Kalihwisaks (see page 33) and on the Oneida Register	May 3, 2018
Public Meeting held	May 17, 2018
Public Comment Period closed	May 24, 2018

The following attachments are included for your review:

1. Leasing Law Rule No. 1 – Residential Leasing
2. CHD Director Approval
3. Oneida Land Commission Minutes approving the Leasing Law
4. Summary Report
5. Financial Analysis
6. Statement of Effect
7. Copy of Public Meeting Published in the Kalihwisaks – Page 35 of the May 3, 2018 issue
8. Public Meeting Packet
9. Sign in sheet from the May 17, 2018 Public Meeting
10. Public meeting transcription from the May 17, 2018 Public Meeting
11. Public Meeting Comment Review Memo
12. Leasing Law Rule No. 1 – Residential Leasing – redline to public meeting draft

Following certification and Oneida Business Committee adoption, this rule shall become effective immediately.

# **Leasing Law Rule No. 1 – Residential Leasing**



## 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

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#### 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.

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#### 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.

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#### 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.<sup>1</sup>

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<sup>1</sup> 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.

- 49 (e) “Guardian” means a person who has been appointed by a court of competent  
 50 jurisdiction to be legally responsible for someone who is unable to manage their own  
 51 affairs, particularly for minors and/or persons declared legally incompetent.  
 52 (f) “Improvement” means buildings, other structures, and associated infrastructure  
 53 attached to land.  
 54 (g) “Lessee” means the party to an executed and effective residential lease.  
 55 (h) “Nation” means the Oneida Nation.  
 56 (h) “Premises” means the real property subject to a residential lease.  
 57 (i) “Residential Lease” means the legal document issued by the Nation pursuant to the  
 58 Leasing Law and this rule which establishes a lessee’s right to occupy Tribal land for  
 59 residential purposes.  
 60 (j) “Tribal land” means fee land and/or trust land.  
 61 (k) “Tribal Member” means an individual who is an enrolled member of the Nation.  
 62 (l) “Trust land” means the surface estate of land or any interest therein held by the  
 63 United States in trust for the Nation; land held by the Nation subject to federal  
 64 restrictions against alienation or encumbrance; land reserved for federal purposes; and/or  
 65 land held by the United States in trust for the Nation under Section 17 of the Indian  
 66 Reorganization Act, 25 U.S.C §477, et. seq.  
 67 (m) “Ward” means a person under the care and control of a guardian appointed by a court  
 68 of competent jurisdiction, usually due the person’s status as a minor or a declaration of  
 69 legal incompetence.  
 70

#### 71 **1.4. Residential Lease Eligibility, Cost, Duration, and Application**

72 1.4-1. *Eligibility.* In order for an applicant to be eligible to enter a residential lease, the  
 73 applicant must satisfy all of the following:

74 (a) Be a Tribal member. Non-Tribal members may be a party to a residential lease under  
 75 the following circumstances:

- 76 (1) The non-tribal member is married to a Tribal member party to the residential  
 77 lease;  
 78 (2) The non-tribal member spouse is awarded the residential lease through a legal  
 79 separation or divorce judgment;  
 80 (3) The Oneida Land Commission has approved the CHD to enter a residential  
 81 lease with a non-Tribal member party;  
 82 (4) The non-Tribal member is a descendant that inherited the residential leasehold  
 83 interest; or  
 84 (5) as otherwise specified in this rule.

85 (b) Have a maximum of two (2) residential leases provided that a second residential lease  
 86 is only permitted in circumstances where any required residential subleasing meets the  
 87 requirements provided in this rule.

88 (c) Either:

- 89 (1) Be in good standing with any mortgage/encumbrance upon the improvements  
 90 which would be subject to the residential lease; or  
 91 (2) Demonstrate financial ability to secure improvements upon the premises.

92 1.4-2. *Residential Lease Cost and Duration.* Unless approved otherwise by the Oneida Land  
 93 Commission, the initial residential lease term shall be for a period of fifty (50) years with one (1)  
 94 twenty-five (25) year extension available for a maximum term of seventy-five (75) years.

95 (a) Tribal members and non-Tribal members who qualify under sections 1.4-1(a)(1), (2),



96 (4), or (5) of this rule shall pay a non-refundable residential lease cost prior to execution  
97 of the lease of three dollars (\$3.00) per year plus an administrative fee of twenty-five  
98 dollars (\$25.00).

99 (b) Where the lessee is a non-Tribal member that enters into a residential lease pursuant  
100 to section 1.4-1(a)(3) of this rule, the cost of the residential lease is as follows:

101 (1) *Fair Market Value.* Non-Tribal members shall pay a one-time twenty-five  
102 dollar (\$25.00) administrative fee plus an annual rate which is the lessor of one  
103 thousand five hundred dollars (\$1,500.00) and fair market value of the premises.  
104 Payment for residential lease costs may be paid up front or broken down into  
105 monthly or quarterly payments.

106 (A) For the purposes of this section, fair market value is determined by  
107 dividing the current appraised value of the premises (excluding any  
108 improvements) by fifty (50), which represents the standard residential  
109 lease term of fifty (50) years.

110 (B) Once the annual fair market value is set, it shall be locked in for the  
111 term of the residential lease.

112 (C) Where an updated appraisal is required to calculate the current fair  
113 market value, lessee shall pay CHD's cost of appraisal, provided that CHD  
114 shall select the appraisal provider.

115 1.4-3. *Application.* In order to apply for a residential lease, applicants shall submit to the  
116 Department a residential lease application, which CHD shall make available in hard copy format  
117 at CHD and on its website. When submitting the application, applicants shall submit a copy of  
118 their Tribal or state identification card as applicable and, if married, a certified copy of the  
119 marriage certificate.  
120

## 121 **1.5. Application Review and Residential Lease Approval**

122 1.5-1. *Application Review.* Upon receipt of a residential lease application, the Department shall:

123 (a) Initiate the National Environmental Protection Act (NEPA) and cultural reviews  
124 required by the Leasing Law with the Environment, Health, Safety and Land Division  
125 and the Cultural Heritage Department respectively;

126 (b) Pull the legal description for the proposed residential lease premises from the title  
127 report, if available, and if not, from the warranty deed, including any potential  
128 amendments thereto, with the assistance of the Environment, Health, Safety and Land  
129 Division as may be needed;

130 (c) Pull the legal description for the proposed residential lease premises from the survey  
131 map;

132 (d) Confirm the proposed residential lease premises' legal description in the title  
133 report/warranty deed and the legal description in the survey match one another. In the  
134 event the legal descriptions do not match, the Department shall use the legal description  
135 from the most recent document;

136 (e) Confirm that the minimum terms and conditions required by the Leasing Law are  
137 included in the proposed residential lease; and

138 (f) If any exceptions have been granted by the Oneida Land Commission, confirm such  
139 exceptions with a copy of the Oneida Land Commission minutes.

140 1.5-2. *Residential Lease Approval.* The CHD shall create a checklist for residential lease  
141 review. Upon the Department's completion of the checklist, the Department shall forward the  
142 residential lease application, residential lease, and associated review documents to the

143 Department's Area Manager for review and approval.

144 (a) Should the Area Manager approve the satisfaction of the checklist and the residential  
145 lease, the Area Manager shall forward the residential lease application, residential lease,  
146 and associated review documents to the CHD Director for signature of the residential  
147 lease on behalf of the Nation.

148 (b) Upon signature on behalf of the Nation, the Department shall schedule a meeting with  
149 the lessee to review the residential lease terms and to facilitate signature of the lessee,  
150 provided that the residential lease may not be signed until the cost of the residential lease  
151 has been paid with receipt documented in the residential lease file.

152 (c) The CHD shall provide the Oneida Land Commission with a quarterly report listing  
153 approved residential leases.  
154

### 155 **1.6. Residential Lease by Guardian**

156 1.6-1. CHD shall permit a guardian to enter a residential lease on behalf of a ward who has  
157 either not yet reached the age of majority or who has been deemed incompetent provided that:

158 (a) The ward must meet the eligibility requirements contained in section 1.4-1 of this  
159 rule;

160 (b) The guardian must provide the Department with a copy of the order appointing them  
161 as guardian issued by a court of competent jurisdiction;

162 (c) The residential lease must require the guardian to provide any updates regarding the  
163 scope and status of the guardianship; and

164 (d) The residential lease must either stay in the name of the ward or transfer to the ward  
165 in the event the guardianship is terminated.  
166

### 167 **1.7. Residential Lease Transfer**

168 1.7-1. *Residential Lease Transfer Outside of Death.* Transfer of a residential lease outside of  
169 death may only occur either if all parties involved in the transfer approve of said transfer in  
170 writing or if an order from a court of competent jurisdiction requires transfer of the residential  
171 lease to an eligible party as defined by this rule.

172 (a) *Mortgaged Premises.* If the premises is mortgaged, all mortgage parties on the  
173 residential lease must remain on the residential lease. Mortgage parties may be removed  
174 from the residential lease only if action is taken to remove a party or the parties from the  
175 mortgage.

176 (b) *Residential Lease Transfer Process.* In order to initiate a residential lease transfer,  
177 the requesting party must submit a transfer application, which CHD shall make available  
178 in-person at CHD and electronically on its website, and pay the twenty-five dollar  
179 (\$25.00) transfer fee.

180 1.7-2. *Residential Lease Transfer Upon Death of Lessee.* Where the lessee dies before the end  
181 of the residential lease, the residential lease may be transferred either in reliance on an executed  
182 residential lease successor designation form or upon an order from either the Nation's probate  
183 hearing body or court of competent jurisdiction assigning the leasehold interest to an eligible  
184 heir.

185 (a) *Eligible Successors.* Unless approved otherwise by the Oneida Land Commission,  
186 when assigning a leasehold interest, whether through a successor designation form or a  
187 will/probate, in order to be eligible, the successor must meet the requirements of section  
188 1.4-1 of this rule. If the successor has not yet reached the age of majority at the time the  
189 lessee becomes deceased, the successor will be required to enter a residential lease by

190 guardian until he/she reaches eighteen (18) years of age.

191 (1) *Successor Designation Form.* CHD shall make successor designation forms  
192 available in-person at CHD and electronically on its website. Executing a  
193 successor designation form demonstrates intent of the lessee to remove the  
194 residential leasehold interest from the estate's probate assets in order to shorten  
195 and simplify the transfer process to an eligible successor upon the death of a  
196 lessee. Successor designation forms are only available to lessees where the  
197 premises is not subject to a mortgage. If a mortgage is entered after executing a  
198 successor designation form and the mortgage is not satisfied at the time the lessee  
199 dies, the successor designation form shall be invalid.

200 (A) The successor designation form shall provide an opportunity for the  
201 lessee to name up to a maximum of a three (3) successors.

202 (B) Upon death of a lessee with a successor designation form on file, the  
203 Department shall contact the named successors in the order designated by  
204 the lessee and shall inform them of their option to accept the leasehold  
205 interest, either for the purpose of personal occupancy or for sale of the  
206 residence.

207 (2) *Probate.* Lessees may also chose to transfer a residential leasehold interest  
208 upon their death by having it go through the probate process. The probate process  
209 will be used to assign a leasehold interest where there is no valid successor  
210 designation form on file or where a successor designation form is on file but a  
211 will has been executed after the successor designation form was executed which  
212 includes the residential leasehold interest. Where the premises is on trust land,  
213 the estate must use the Nation's probate process, whereas a premises on fee land  
214 may either be handled through the Nation's or the State of Wisconsin's probate  
215 process.

216 (3) *No Eligible Successors.* Where there are no eligible successors to the  
217 residential leasehold interest, the CHD shall terminate the residential lease and  
218 shall issue payment to the lessee's estate for any improvements upon the premises  
219 in accordance with section 1.10 of this rule. The leasehold interest shall then  
220 revert to CHD.

221 (b) *Married Persons.* When a Tribal member spouse predeceases the term of the  
222 residential lease:

223 (1) If both married parties are parties to the residential lease, the remaining lessee  
224 shall continue in effect undisturbed; or

225 (2) If only the deceased Tribal member was a party to the residential lease and the  
226 residential lease was not amended to include the spouse, the CHD, absent a valid  
227 marital property agreement stating otherwise, will consider the residential lease  
228 marital property and the spouse may sign on to the residential lease.  
229

### 230 **1.8. Residential Sublease**

231 1.8-1. *Eligibility.* In order to enter a residential sublease agreement, the party assuming the  
232 premises through the sublease must meet the eligibility requirements contained in section 1.4-1  
233 of this rule.

234 1.8-2. *Approval of CHD and Lender Required.* Approval of CHD and, if the premises is subject  
235 to a mortgage also the lender, is required prior to entering any sublease agreement.

236 1.8-3. *Sublessee to Consent to Terms of Residential Lease.* In order to enter a sublease

237 agreement, the sublessee shall consent to the terms of the residential lease provided that the  
238 parties to the sublease agreement may negotiate payment provisions differing from payment  
239 terms included in the residential lease.

240 1.8-4. *Original Lessee Remains Responsible.* In terms of residential lease enforcement and  
241 compliance with the residential lease, the original lessee shall at all times remain responsible for  
242 ensuring compliance with the terms of the residential lease and any and all enforcement actions  
243 taken by CHD and/or the Nation shall be taken against the original lessee. Any dispute as to  
244 who is responsible for the non-compliance constitutes a private dispute between the sublease  
245 parties and shall exclude CHD and the Nation as a party to the dispute.  
246

#### 247 **1.9. Residential Lease Termination**

248 1.9-2. *Termination.* Any termination of a residential lease is subject to requirements of the  
249 Eviction and Termination law and shall require CHD to compensate the lessee for any  
250 improvements located upon the premises upon said termination in accordance with section 1.10  
251 of this rule.  
252

#### 253 **1.10. Compensation for Improvements Upon Residential Lease Termination**

254 1.10-1. Any time CHD terminates a residential lease which has improvements fixed to the  
255 premises, the Nation shall provide the lessee/lessee's estate with compensation for said  
256 improvements upon termination.

257 (a) *Determining Compensation Amount.* The amount of compensation required for any  
258 improvements fixed to the premises shall be calculated using a current appraisal of the  
259 improvements only and deducting the following from the appraisal value:

- 260 (1) The cost to satisfy any mortgage/encumbrance upon the premises and/or  
261 improvements;  
262 (2) The cost of the appraisal and home inspection, provided that CHD shall select  
263 the service providers;  
264 (3) The cost to bring the improvements to a minimal health and safety standard in  
265 accordance with the determination of the Zoning Department and/or the home  
266 inspection; and  
267 (4) Any debts and/or other administrative costs owed to the Nation by the lessee.  
268

#### 269 **1.11 Residential Leasing Actions**

270 1.11-1. The Oneida Judiciary is granted jurisdiction to hear complaints filed regarding actions  
271 taken pursuant to this rule.

272 1.11-2. No administrative hearing body, including a board, committee or commission, is  
273 authorized to hear a complaint regarding actions taken pursuant to this rule.

274 1.11-3. In regards to taking actions authorized under this rule, complaints filed with the Oneida  
275 Judiciary shall name the CHD's Residential Leasing Department.  
276

277 *End.*

278  
279 \_\_\_\_\_  
280 Original effective date:

# **Comprehensive Housing Division and Oneida Land Commission Approvals**

Oneida Comprehensive Housing Division  
Oneida Nation Housing Programs



## MEMORANDUM

**TO:** Rae Skenandore, Land Commission Chair  
**FROM:** Dana McLester, CHD Division Director *DM*  
**DATE:** May 22, 2018  
**RE:** Residential Leasing Rule#1

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The Comprehensive Housing Division has had an opportunity to review the comments provided by the Public Hearing held on May 17<sup>th</sup>, 2018 and written comment period. Based on the comments presented no changes have been made. Please see the attached Residential Leasing Rule#1 certification packet for approval as part of the rule making process.

Please contact me with any questions you may have regarding the rules.



**ONEIDA LAND COMMISSION MEETING MINUTES**  
**Land Management Conference Room**  
**May 30, 2018 5:00 p.m.**

- I. Called to Order** by Chairperson Rae Skenandore at 5:02 pm.  
**Present:** Chairperson Rae Skenandore, Vice Chairperson Racquel Hill, Secretary Julie Barton, Commissioners: Rebecca Webster and Mike Mousseau  
**Excused:** Jennifer Hill and Lloyd Powless  
**Others:** Sheila Huntington, Carla Clark, Lisa Rauschenbach, Scott Denny, Sue Doxtator, Louis Cottrell, Leanne Doxtater, Krystal John, Michelle Hill
- II. Adoption of Agenda - Motion** by Racquel Hill to approve the agenda with the following additions:  
X.c.iii. – 02201802RES  
X.c.iv – 05201801RES  
X.e.i. – 05201801A  
X.e.ii. – 05201802A  
seconded by Rebecca Webster. Motion carried
- III. Reading of Minutes**
- a. 2018 03 05 Land Commission Meeting**  
*Motion* by Racquel Hill to approve; seconded by Michael Mousseau. Motion carried.
  - b. 2018 03 12 Land Commission Meeting**  
*Motion* by Racquel Hill to approve; seconded by Michael Mousseau. Motion carried.
  - c. 2018 03 20 Land Commission Meeting**  
*Motion* by Racquel Hill to approve; seconded by Michael Mousseau. Motion carried
  - d. 2018 03 22 Land Commission Meeting**  
*Motion* by Racquel Hill to approve; seconded by Michael Mousseau. Motion carried
- IV. Tabled Business – None**
- V. Old Business**
- a. Quarterly Report**  
Chair provided the report submitted for January – March 2018.  
*Motion* by Racquel Hill to accept as FYI; seconded by Julie Barton. Motion carried.
- VI. New Business**
- a. GTC Semi Annual Report**  
Chair provided the 2018 semi-annual report. The stipend portion wasn't filled in correctly. Should have number of meetings not the total amount of stipends paid.

- Motion* by Michael Mousseau for retro approval with change to the number amounts of meetings; seconded by Julie Barton. Motion carried.
- b. Carol Metoxen Probate**  
*Motion* by Racquel Hill to approve contingent upon legal review; seconded by Michael Mousseau. Motion carried
- c. Agriculture Leasing Rule**  
*Motion* by Racquel Hill to first defer these back to Land Management and Community and Economic Development to work both on the Agriculture and Commercial leasing Rules and for Land to work with individual tribal farmers and to set a special meeting date for June 18<sup>th</sup> at 5:00 p.m. and to include TAP as first item on the agenda seconded by Julie. Motion carried.
- d. Commercial Leasing Rule**  
*Motion* by Racquel Hill to first defer these back to Land Management and Community and Economic Development to work both on the Agriculture and Commercial leasing Rules and for Land Management staff to work with individual Tribal farmers and to set a special meeting date for June 18<sup>th</sup> at 5:00 p.m. and to include TAP as first item on the agenda seconded by Julie. Motion carried.
- e. Conflict of Interest Forms**  
Request received by BC Secretary for all individuals on any board, committee, or commission to complete and submit for each one serving on. This was FYI and no action needed.
- f. Advertising Rule**  
*Motion* by Rebecca Webster to approve the SOP for advertising homes for sale by owner; seconded by Michael Mousseau. Motion carried.
- g. Rule #1 General Rental Program**  
*Motion* by Rebecca Webster to request Comprehensive Housing Department to modify section 1.4-3 to allow for potential tenants to have an agreement with utility providers for amounts over \$200.00 provided the utility provider agrees to continue to provide service and in section 1.4-2 those amounts will be included in the debt to income ratio and to approve the public meeting date of June 21<sup>th</sup>; seconded by Racquel Hill. Motion carried.
- h. Rule #1 Mortgage Programs, Guidelines**  
*Motion* by Racquel Hill to modify Debt to Income Ratio section to require Land Management to bring the Debt to Income Ratio at a minimum every three years for Land Commission consideration and to be modified by resolution only and to change the circumstances related to medical for the different process to any unforeseen circumstances; seconded by Rebecca Webster. Motion carried
- i. Rule #1 Residential Leasing**



**Motion** by Racquel Hill to forward to the Legislative Operating Committee (LOC) for certification; seconded by Julie Barton. Motion carried

**VII. Reports - None**

**a. Planning – None**

**b. Zoning**

**i. Update – Verbal**

Need hearing date for the Green Valley subdivision.

**Motion** by Rebecca Webster to schedule a public meeting at 4:30 p.m. for June 25, 2018; seconded by Julie Barton. Motion carried.

**Subsequent motion** by Racquel Hill to direct Land Management staff to present a list rotating list of Commissioners for Public Meetings/Hearings and notify the hearing officers for the 25<sup>th</sup>; seconded by Mike Mousseau. Motion carried.

**c. Residential Leasing – None**

**d. CDPC Minutes – None**

**VIII. Other Business – None**

**IX. Additions – None**

**Motion** by Racquel Hill to go into Executive Session at 6:46 p.m.; seconded by Michael Mousseau. Motion carried.

**Motion** by Racquel Hill to come out of Executive Session at 7:42 p.m.; seconded by Michael Mousseau. Motion carried.

**X. Executive Session**

**a. Acquisition budget**

**i. Acquisition Ending April 2018**

**Motion** by Racquel Hill to accept as FYI; seconded by Mike Mousseau. Motion carried unanimously.

**b. HIP**

**i. 05201803H**

**Motion** by Racquel Hill to approve 05201803H Residential Lease assignment of the lease contingent all HIP rules and parameters having been met along with a commitment letter from the bank and resolution 06-05-18-A; seconded by Julie Barton. Motion carried.

**ii. 02201804H Final Report**

**Motion** by Racquel Hill to approve the final report and to have land management staff to contact accounting on way to record that is more suitable for the Land Commission; seconded by Michael Mousseau. Motion carried.

**c. Acquisitions**

# **Summary Report, Financial Analysis & Statement of Effect**

**Summary Report for Residential Leasing**

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.

**Financial Analysis for Residential Leasing Rule (Comprehensive Housing Division)**

<b>Type of Cost</b>	<b>Description/Comment</b>	<b>Dollar Amount</b>
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 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].

# **Public Meeting Notice & Public Meeting Packet**

hwisaks.com

## Minutes

May 3, 2018 • A'hsá Niwáks

ge 31/April 11, 2018 OBC

ESS

*OT Partnership Agreement*  
1267

P. Jordan, Councilman

Summers to approve the  
Partnership Agreement – file #  
2018-0323, seconded by Ernie Stevens III.  
Motion carried unanimously.*Waiver of sovereign im-*  
*munity for Nexus Time Matters annu-*  
*al agreement – file # 2018-*The House, Chief Counsel  
Kirby Metoxen to approve a  
waiver of sovereign immunity for  
Nexus Time Matters annual main-  
tenance – file # 2018-0323, sec-  
onded by Lisa Summers. Motion carried*vacation(s) for one (1) vacan-*  
*cy board – remainder*  
*of August 31, 2019*

Lisa Summers, Secretary

Summers to defer this item  
for discussion, seconded  
by Ernie Stevens III. Motion carriedDaniel Guzman King to accept  
the applications for  
Oneida Election Board –  
ending August 31, 2019,

## Residential biologist hopes to study mussels in Green Bay

Vis. (AP) ~  
Freshwater mussels are  
considered the most im-  
periled animal group in the  
world, over 70 percent of  
them are in decline,” he  
said.Weinzinger is hoping to  
secure a grant from the de-  
partment’s Office of Great  
Waters to conduct a survey  
on the types and numbers of  
mussels in Green Bay and  
the Lower Fox River. Biolo-  
gists are lacking knowledge  
about what mussels are in  
the water, he said.“We want to find out what  
kind of habitats (the mus-  
sels) are currently occupy-  
ing,” Weinzinger said.  
The department is cur-  
rently studying mussels in  
the Wolf River and the Wis-consin River with the help  
of the Wisconsin Mussel  
Monitoring program. The  
program encourages people  
to get involved in mussel  
conservation by taking  
photos of mussels they see in  
the wild and submitting them  
with descriptions to a web-  
site.“Volunteers in past inven-  
tory surveys have cataloged  
seven species in Green Bay  
but we don’t know how  
many, we don’t know the  
densities and we don’t know  
exactly where they occur,”  
Weinzinger said.Weinzinger hopes to be-  
gin the survey this summer  
if he gets department ap-  
proval.4. Review Oneida Airport Hotel Corpora-  
tion loan request

Sponsor: Trish King, Treasurer

Motion by Ernie Stevens III to defer this  
item to executive session for discussion,  
seconded by Kirby Metoxen. Motion car-  
ried unanimously.Motion by Lisa Summers to adopt resolu-  
tion 04-11-18-C Capital Contribution to the  
Oneida Airport Hotel Corporation of \$1.7  
Million, seconded by Ernie Stevens III.  
Motion carried unanimously.

### XVI. ADJOURN

Motion by Ernie Stevens III to adjourn at  
5:18 p.m., seconded by Trish King. Motion  
carried unanimously.*Minutes prepared by Lisa Liggins, Informa-*  
*tion Management Specialist**Minutes approved as presented on April 25,*  
*2018.**Lisa Summers, Secretary***ONEIDA BUSINESS COMMITTEE**

### NOTICE OF

# PUBLIC MEETING

TO BE HELD

May 17, 2018 at 1:30 p.m.

IN THE

**Business Committee Conference Room**In accordance with the Administrative Rulemaking Law, the  
Comprehensive Housing Division and Oneida Land Commission are holding  
a Public Meeting to gather feedback from the community regard-  
ing the following rule(s).

## TOPIC: Residential Leasing

**This is a proposal to adopt a rule to expand upon the infor-**  
**provided in the Leasing Law regarding eligibility, administrat-**  
**ability, and enforcement related to residential leases.**To obtain copies of the Public Meeting documents for this meeting,  
please visit [www.oneida-nsn.gov/Register/PublicMeeting](http://www.oneida-nsn.gov/Register/PublicMeeting)

## PUBLIC COMMENT PERIOD OPEN UNTIL May 24, 2018

During the Public Comment Period, all interested parties are invited to  
submit written comments and/or a transcript of any testimony or  
comments made during the Public Meeting. These may be submitted to  
the Comprehensive Housing Division by U.S. mail, intercity mail,  
mail or fax.**Comprehensive Housing Division**

PO Box 68

Oneida, WI 54155

Email: [Comprehensive\\_Housing\\_Division@oneidana.gov](mailto:Comprehensive_Housing_Division@oneidana.gov)

Telephone: (920) 869-2227

NOTICE OF  
**PUBLIC MEETING**

TO BE HELD

**May 17, 2018 at 1:30 p.m.**

IN THE

**Business Committee Conference Room**

In accordance with the Administrative Rulemaking Law, the Comprehensive Housing Division and Oneida Land Commission are hosting this Public Meeting to gather feedback from the community regarding the following rule(s).

**TOPIC: Residential Leasing**

This is a proposal to adopt a rule to expand upon the information provided in the Leasing Law regarding eligibility, administration, inheritability, and enforcement related to residential leases.

To obtain copies of the Public Meeting documents for this proposal, please visit [www.oneida-nsn.gov/Register/PublicMeetings](http://www.oneida-nsn.gov/Register/PublicMeetings).

**PUBLIC COMMENT PERIOD  
OPEN UNTIL May 24, 2018.**

During the Public Comment Period, all interested persons may submit written comments and/or a transcript of any testimony/spoken comments made during the Public Meeting. These may be submitted to the Comprehensive Housing Division by U.S. mail, interoffice mail, e-mail or fax.

**Comprehensive Housing Division**

PO Box 68

Oneida, WI 54155

Email: [Comprehensive\\_Housing\\_Division@oneidanation.org](mailto:Comprehensive_Housing_Division@oneidanation.org)

Telephone: (920) 869-2227





## Title 6. Property and Land – Chapter 602 LEASING LAW

### Rule # 1 – Residential Leasing

- 1.1. Purpose and Policy
- 1.2. Adoption and Authority
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- 1.4. Residential Lease Eligibility, Cost, Duration, and Application
- 1.5. Application Review and Residential Lease Approval
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- 1.11 Residential Leasing Actions

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#### 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.

27

#### 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.

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#### 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.<sup>1</sup>

48

<sup>1</sup> 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.

- 49 (e) “Guardian” means a person who has been appointed by a court of competent  
50 jurisdiction to be legally responsible for someone who is unable to manage their own  
51 affairs, particularly for minors and/or persons declared legally incompetent.  
52 (f) “Improvement” means buildings, other structures, and associated infrastructure  
53 attached to land.  
54 (g) “Lessee” means the party to an executed and effective residential lease.  
55 (h) “Nation” means the Oneida Nation.  
56 (i) “Premises” means the real property subject to a residential lease.  
57 (i) “Residential Lease” means the legal document issued by the Nation pursuant to the  
58 Leasing Law and this rule which establishes a lessee’s right to occupy Tribal land for  
59 residential purposes.  
60 (j) “Tribal land” means fee land and/or trust land.  
61 (k) “Tribal Member” means an individual who is an enrolled member of the Nation.  
62 (l) “Trust land” means the surface estate of land or any interest therein held by the  
63 United States in trust for the Nation; land held by the Nation subject to federal  
64 restrictions against alienation or encumbrance; land reserved for federal purposes; and/or  
65 land held by the United States in trust for the Nation under Section 17 of the Indian  
66 Reorganization Act, 25 U.S.C §477, et. seq.  
67 (m) “Ward” means a person under the care and control of a guardian appointed by a court  
68 of competent jurisdiction, usually due the person’s status as a minor or a declaration of  
69 legal incompetence.  
70

#### 71 **1.4. Residential Lease Eligibility, Cost, Duration, and Application**

72 1.4-1. *Eligibility.* In order for an applicant to be eligible to enter a residential lease, the  
73 applicant must satisfy all of the following:

74 (a) Be a Tribal member. Non-Tribal members may be a party to a residential lease under  
75 the following circumstances:

- 76 (1) The non-tribal member is married to a Tribal member party to the residential  
77 lease;  
78 (2) The non-tribal member spouse is awarded the residential lease through a legal  
79 separation or divorce judgment;  
80 (3) The Oneida Land Commission has approved the CHD to enter a residential  
81 lease with a non-Tribal member party;  
82 (4) The non-Tribal member is a descendant or other individual that inherited the  
83 residential leasehold interest; or  
84 (5) as otherwise specified in this rule.

85 (b) Have a maximum of two (2) residential leases provided that a second residential lease  
86 is only permitted in circumstances where any required residential subleasing meets the  
87 requirements provided in this rule.

88 (c) Either:

- 89 (1) Be in good standing with any mortgage/encumbrance upon the improvements  
90 which would be subject to the residential lease; or  
91 (2) Demonstrate financial ability to secure improvements upon the premises.

92 1.4-2. *Residential Lease Cost and Duration.* Unless approved otherwise by the Oneida Land  
93 Commission, the initial residential lease term shall be for a period of fifty (50) years with one (1)  
94 twenty-five (25) year extension available for a maximum term of seventy-five (75) years.

95 (a) Tribal members and non-Tribal members who qualify under sections 1.4-1(a)(1), (2),

96 (4), or (5) of this rule shall pay a non-refundable residential lease cost prior to execution  
97 of the lease of three dollars (\$3.00) per year plus an administrative fee of twenty-five  
98 dollars (\$25.00).

99 (b) Where the lessee is a non-Tribal member that enters into a residential lease pursuant  
100 to section 1.4-1(a)(3) of this rule, the cost of the residential lease is as follows:

101 (1) *Fair Market Value.* Non-Tribal members shall pay a one-time twenty-five  
102 dollar (\$25.00) administrative fee plus an annual rate which is the lessor of one  
103 thousand five hundred dollars (\$1,500.00) and fair market value of the premises.  
104 Payment for residential lease costs may be paid up front or broken down into  
105 monthly or quarterly payments.

106 (A) For the purposes of this section, fair market value is determined by  
107 dividing the current appraised value of the premises (excluding any  
108 improvements) by fifty (50), which represents the standard residential  
109 lease term of fifty (50) years.

110 (B) Once the annual fair market value is set, it shall be locked in for the  
111 term of the residential lease.

112 (C) Where an updated appraisal is required to calculate the current fair  
113 market value, lessee shall pay CHD's cost of appraisal, provided that CHD  
114 shall select the appraisal provider.

115 1.4-3. *Application.* In order to apply for a residential lease, applicants shall submit to the  
116 Department a residential lease application, which CHD shall make available in hard copy format  
117 at CHD and on its website. When submitting the application, applicants shall submit a copy of  
118 their Tribal or state identification card as applicable and, if married, a certified copy of the  
119 marriage certificate.  
120

## 121 **1.5. Application Review and Residential Lease Approval**

122 1.5-1. *Application Review.* Upon receipt of a residential lease application, the Department shall:

123 (a) Initiate the National Environmental Protection Act (NEPA) and cultural reviews  
124 required by the Leasing Law with the Environment, Health, Safety and Land Division  
125 and the Cultural Heritage Department respectively;

126 (b) Pull the legal description for the proposed residential lease premises from the title  
127 report, if available, and if not, from the warranty deed, including any potential  
128 amendments thereto, with the assistance of the Environment, Health, Safety and Land  
129 Division as may be needed;

130 (c) Pull the legal description for the proposed residential lease premises from the survey  
131 map;

132 (d) Confirm the proposed residential lease premises' legal description in the title  
133 report/warranty deed and the legal description in the survey match one another. In the  
134 event the legal descriptions do not match, the Department shall use the legal description  
135 from the most recent document;

136 (e) Confirm that the minimum terms and conditions required by the Leasing Law are  
137 included in the proposed residential lease; and

138 (f) If any exceptions have been granted by the Oneida Land Commission, confirm such  
139 exceptions with a copy of the Oneida Land Commission minutes.

140 1.5-2. *Residential Lease Approval.* The CHD shall create a checklist for residential lease  
141 review. Upon the Department's completion of the checklist, the Department shall forward the  
142 residential lease application, residential lease, and associated review documents to the

143 Department's Area Manager for review and approval.

144 (a) Should the Area Manager approve the satisfaction of the checklist and the residential  
145 lease, the Area Manager shall forward the residential lease application, residential lease,  
146 and associated review documents to the CHD Director for signature of the residential  
147 lease on behalf of the Nation.

148 (b) Upon signature on behalf of the Nation, the Department shall schedule a meeting with  
149 the lessee to review the residential lease terms and to facilitate signature of the lessee,  
150 provided that the residential lease may not be signed until the cost of the residential lease  
151 has been paid with receipt documented in the residential lease file.

152 (c) The CHD shall provide the Oneida Land Commission with a quarterly report listing  
153 approved residential leases.  
154

### 155 **1.6. Residential Lease by Guardian**

156 1.6-1. CHD shall permit a guardian to enter a residential lease on behalf of a ward who has  
157 either not yet reached the age of majority or who has been deemed incompetent provided that:

158 (a) The ward must meet the eligibility requirements contained in section 1.4-1 of this  
159 rule;

160 (b) The guardian must provide the Department with a copy of the order appointing them  
161 as guardian issued by a court of competent jurisdiction;

162 (c) The residential lease must require the guardian to provide any updates regarding the  
163 scope and status of the guardianship; and

164 (d) The residential lease must either stay in the name of the ward or transfer to the ward  
165 in the event the guardianship is terminated.  
166

### 167 **1.7. Residential Lease Transfer**

168 1.7-1. *Residential Lease Transfer Outside of Death.* Transfer of a residential lease outside of  
169 death may only occur either if all parties involved in the transfer approve of said transfer in  
170 writing or if an order from a court of competent jurisdiction requires transfer of the residential  
171 lease to an eligible party as defined by this rule.

172 (a) *Mortgaged Premises.* If the premises is mortgaged, all mortgage parties on the  
173 residential lease must remain on the residential lease. Mortgage parties may be removed  
174 from the residential lease only if action is taken to remove a party or the parties from the  
175 mortgage.

176 (b) *Residential Lease Transfer Process.* In order to initiate a residential lease transfer,  
177 the requesting party must submit a transfer application, which CHD shall make available  
178 in-person at CHD and electronically on its website, and pay the twenty-five dollar  
179 (\$25.00) transfer fee.

180 1.7-2. *Residential Lease Transfer Upon Death of Lessee.* Where the lessee dies before the end  
181 of the residential lease, the residential lease may be transferred either in reliance on an executed  
182 residential lease successor designation form or upon an order from either the Nation's probate  
183 hearing body or court of competent jurisdiction assigning the leasehold interest to an eligible  
184 heir.

185 (a) *Eligible Successors.* Unless approved otherwise by the Oneida Land Commission,  
186 when assigning a leasehold interest, whether through a successor designation form or a  
187 will/probate, in order to be eligible, the successor must meet the requirements of section  
188 1.4-1 of this rule. If the successor has not yet reached the age of majority at the time the  
189 lessee becomes deceased, the successor will be required to enter a residential lease by

190 guardian until he/she reaches eighteen (18) years of age.

191 (1) *Successor Designation Form.* CHD shall make successor designation forms  
192 available in-person at CHD and electronically on its website. Executing a  
193 successor designation form demonstrates intent of the lessee to remove the  
194 residential leasehold interest from the estate's probate assets in order to shorten  
195 and simplify the transfer process to an eligible successor upon the death of a  
196 lessee. Successor designation forms are only available to lessees where the  
197 premises is not subject to a mortgage. If a mortgage is entered after executing a  
198 successor designation form and the mortgage is not satisfied at the time the lessee  
199 dies, the successor designation form shall be invalid.

200 (A) The successor designation form shall provide an opportunity for the  
201 lessee to name up to a maximum of a three (3) successors.

202 (B) Upon death of a lessee with a successor designation form on file, the  
203 Department shall contact the named successors in the order designated by  
204 the lessee and shall inform them of their option to accept the leasehold  
205 interest, either for the purpose of personal occupancy or for sale of the  
206 residence.

207 (2) *Probate.* Lessees may also chose to transfer a residential leasehold interest  
208 upon their death by having it go through the probate process. The probate process  
209 will be used to assign a leasehold interest where there is no valid successor  
210 designation form on file or where a successor designation form is on file but a  
211 will has been executed after the successor designation form was executed which  
212 includes the residential leasehold interest. Where the premises is on trust land,  
213 the estate must use the Nation's probate process, whereas a premises on fee land  
214 may either be handled through the Nation's or the State of Wisconsin's probate  
215 process.

216 (3) *No Eligible Successors.* Where there are no eligible successors to the  
217 residential leasehold interest, the CHD shall terminate the residential lease and  
218 shall issue payment to the lessee's estate for any improvements upon the premises  
219 in accordance with section 1.10 of this rule. The leasehold interest shall then  
220 revert to CHD.

221 (b) *Married Persons.* When a Tribal member spouse predeceases the term of the  
222 residential lease:

223 (1) If both married parties are parties to the residential lease, the remaining lessee  
224 shall continue in effect undisturbed; or

225 (2) If only the deceased Tribal member was a party to the residential lease and the  
226 residential lease was not amended to include the spouse, the CHD, absent a valid  
227 marital property agreement stating otherwise, will consider the residential lease  
228 marital property and the spouse may sign on to the residential lease.  
229

### 230 **1.8. Residential Sublease**

231 1.8-1. *Eligibility.* In order to enter a residential sublease agreement, the party assuming the  
232 premises through the sublease must meet the eligibility requirements contained in section 1.4-1  
233 of this rule.

234 1.8-2. *Approval of CHD and Lender Required.* Approval of CHD and, if the premises is subject  
235 to a mortgage also the lender, is required prior to entering any sublease agreement.

236 1.8-3. *Sublessee to Consent to Terms of Residential Lease.* In order to enter a sublease

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237 agreement, the sublessee shall consent to the terms of the residential lease provided that the  
238 parties to the sublease agreement may negotiate payment provisions differing from payment  
239 terms included in the residential lease.

240 1.8-4. *Original Lessee Remains Responsible.* In terms of residential lease enforcement and  
241 compliance with the residential lease, the original lessee shall at all times remain responsible for  
242 ensuring compliance with the terms of the residential lease and any and all enforcement actions  
243 taken by CHD and/or the Nation shall be taken against the original lessee. Any dispute as to  
244 who is responsible for the non-compliance constitutes a private dispute between the sublease  
245 parties and shall exclude CHD and the Nation as a party to the dispute.  
246

#### 247 **1.9. Residential Lease Termination**

248 1.9-2. *Termination.* Any termination of a residential lease is subject to requirements of the  
249 Eviction and Termination law and shall require CHD to compensate the lessee for any  
250 improvements located upon the premises upon said termination in accordance with section 1.10  
251 of this rule.  
252

#### 253 **1.10. Compensation for Improvements Upon Residential Lease Termination**

254 1.10-1. Any time CHD terminates a residential lease which has improvements fixed to the  
255 premises, the Nation shall provide the lessee/lessee's estate with compensation for said  
256 improvements upon termination.

257 (a) *Determining Compensation Amount.* The amount of compensation required for any  
258 improvements fixed to the premises shall be calculated using a current appraisal of the  
259 improvements only and deducting the following from the appraisal value:

- 260 (1) The cost to satisfy any mortgage/encumbrance upon the premises and/or  
261 improvements;  
262 (2) The cost of the appraisal and home inspection, provided that CHD shall select  
263 the service providers;  
264 (3) The cost to bring the improvements to a minimal health and safety standard in  
265 accordance with the determination of the Zoning Department and/or the home  
266 inspection; and  
267 (4) Any debts and/or other administrative costs owed to the Nation by the lessee.  
268

#### 269 **1.11 Residential Leasing Actions**

270 1.11-1. The Oneida Judiciary is granted jurisdiction to hear complaints filed regarding actions  
271 taken pursuant to this rule.

272 1.11-2. No administrative hearing body, including a board, committee or commission, is  
273 authorized to hear a complaint regarding actions taken pursuant to this rule.

274 1.11-3. In regards to taking actions authorized under this rule, complaints filed with the Oneida  
275 Judiciary shall name the CHD's Residential Leasing Department.  
276

277 *End.*

278  
279 Original effective date: *Effective Date of Leasing Law*  
280

**Summary Report for Residential Leasing**

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)**

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

# **Public Meeting Sign-In Sheet & Transcript**

# COMPREHENSIVE HOUSING DIVISION

## RESIDENTIAL LEASING RULE PUBLIC MEETING

Business Committee Conference Room-2<sup>nd</sup> Floor Norbert Hill Center

May 17, 2018 1:30 p.m.



# ONEIDA

### Residential Leasing Rule PUBLIC MEETING SIGN IN SHEET

	Name: (Print clearly)	Email Address / Phone #	Department/Roll #	Oral Testimony (Y) or (N)
1.	<del>DARRLEH</del> Barbara Freeman	barb.freeman@icloud.com 920-965-9384		
2.	Brian Jasmer	2069 Candleway 920-309-6572		
3.	Douglas, I. Skerandore	920-676-2608		
4.	Marcia Danforth	920-370-5527		
5.	Sara Skerandore	920-333-2221		
6.	Dustin Skerandore	920-333-2221		
7.	Lynn <sup>M</sup> Medoan	920-499-9332		
8.	Brenda L. Vanden Langenberg	W. 1520 Town Rd 920-833-6028		
9.	Edward J. DeLoe	530-8180 920-5308180		
10.	Rae Skerandore		Finance	N
11.	Maddyn Genskow	920-599-1234	949	Y
12.	Sheena Danforth	920-3272817	ICW/10269	

Robert Smith

## Comprehensive Housing Division



**Comprehensive Housing Division Public Meeting**  
**Rule #1 – Residential Leasing Rule – Public Meeting Transcript**  
Business Committee Conference Room-2<sup>nd</sup> Floor Norbert Hill Center  
May 17, 2018 1:30pm

**Present on behalf of CHD:** Lisa Rauschenbach, Area Manager Finance and Administration; Krystal John, Attorney

**Lisa Rauschenbach:** Good afternoon, my name is Lisa Rauschenbach, I am, um, the Area Manager over Finance and Residential at the Comprehensive Housing Division. I am opening up the public meeting for the Residential Leasing Law. Rules. Sorry. Um, in accordance with the Administrative Rulemaking Law, the Comprehensive Housing Division and the Oneida Land Commission are hosting this public meeting to gather feedback from the community regarding the following rules.

Residential Leasing-this a proposal to adopt a rule to expand upon the information provided in the leasing law regarding eligibility, administration, inheritability, and enforcement related to residential leases.

**Krystal John:** All information related to obtaining the rules available on the Oneida Register. The public comment period is open today for um verbal comments here, and open for written comments until May 24, 2018. During the public comment period any interested parties may submit written comments and or a transcript of any testimony or spoken comments made during the public meeting. They may be submitted to the Comprehensive Housing Division at the address provided on the public meeting notice. Um But this public meeting is going to do is going to accept comments. We aren't here to answer questions or provide discussion but we will respond to each and every comment and questions through written notice to the parties who make the comments. So if you have questions or comments again then this is your opportunity to ask them to provide the comments and you will receive a written response from the Comprehensive Housing Division. So if you would like to line up at the microphone um if you would like to make a comment it will be recorded so that we are able to respond to you.

**Robert Smith:** Yeah in the a letter that we got from um Michelle it said that this was going to be, that this was a draft. Is that right?

**Krystal John:** Yes.

**Robert Smith:** And in the document we got it said that this Rule was jointly adopted by the Comprehensive Housing Authority. So is this rule already made or are we commenting on a draft?

**Krystal John:** the rule has been adopted by on an emergency basis by the Business Committee so that there are is a rule available to govern with the law. But before it becomes adopted on a permanent basis we're required to follow the process of the Administrative Rulemaking Law. Which means we have to open it up to comment. The reason why it's stated in there is because when the law is adopted those

are the adopting parties so it is a draft. And there is no permanent rule in place until after the public meeting's been concluded and the Business Committee adopts it in a permanent basis.

**Robert Smith:** And that's on the 25<sup>th</sup>?

**Krystal John:** No, the comment closes on the 24<sup>th</sup>. And it's not scheduled yet because prior to taking it to the Business Committee, we would have to respond to any of the comments we receive here today and decide whether or not we want to make any changes to the rule based on any feedback received. So that process is open-ended as to when the rule is required to come back. It would first have to go to the Legislative Operating Committee to say that the process of the Administrative Rulemaking Law was followed, and then to the Business Committee for adoption.

**Robert Smith:** Ok under definition 1.3(d) it says fee land. Means land is held in fee status by the Nation. Is that taxable or what is the tax status on that?

**Krystal John:** All fee land is taxable.

**Robert Smith:** It is taxable?

**Krystal John:** Yes.

**Robert Smith:** And the tribe is paying the tax on it?

**Krystal John:** It depends. But if that's your question that you want to submit then you can leave it for the microphone, leave it on the record and we will respond, like I said in writing, because its depends on a case by case basis.

**Robert Smith:** Well when this law goes into effect, those of us that are already on fee land are we grandfathered in? I mean are there going to be fees for, I think they mentioned \$3 a year or \$25 and change?

**Krystal John:** Ok so, I'm going to try and get away from answering each questions because that's were going to respond in written comments but to lay the ground work but I will um respond to that. Any of you that have a residential lease, the terms of your lease are already locked in because that's a signed document between you and the tribe. So to the extent that this would change any terms of your lease would require you to sign a new document, an amended document. So without that amendment these would only apply to only new residential leases. Not to leases that the tribe has already signed with people.

**Robert Smith:** Ok, I'm a little bit confused about a non-Indian. A just who does that a include. If you're non-Oneida and you're not on the roll...

**Krystal John:** If that's your question then we will respond to all questions in writing. So I think we answered some general questions but the rest of the questions are will be responded to in writing.

**Robert Smith:** Well I mean um something that might not happen is if an Oneida married an Oneida from New York or Canada would they be considered a non-Indian?

**Krystal John:** Again we will respond to all of the questions in writing, but right now I would just turn your attention to the definition to tribal members on line 61.

**Robert Smith:** Ok so you said for a non-Indian, they would have to pay a fee of \$1500 a year? Or to some calculation of as to what the land is worth I mean the property?

**Krystal John:** That is what appears in the rule currently, yes.

**Robert Smith:** When would that start, at the time of the lease?

**Krystal John :** It depends on the circumstances that arise that give rise to that, so that why we're not here answering questions today, we are here accepting questions and we'll respond in writing to all of your questions so that we're able to explain all situations that might give rise to the need to pay that fee. Whether it be the time you are entering a residential lease, whether circumstances change in the parties to the residential lease are all non-tribal and all of the varying ways that you may reach that circumstance. So again we are here today to take questions and feedback and we will respond to all of your questions and feedback in writing before the rule becomes effective.

**Robert Smith:** Okay, my question is then, what is the rationale, what is the line of thinking for charging non-Indians \$1500?

**Krystal John:** Okay, thank you for your question we'll respond in writing. Do you have any other questions?

**Robert Smith:** Yeah but, it doesn't seem like I'm getting anywhere. If you had um, if you wanted to give up a lease, and that would be Oneida tribe by the improvements on the land?

**Krystal John:** We'll accept the questions and again we will have to respond in writing. If you want to stay after the meeting, we can have a discourse but purpose of this meeting is to collect feedback and take questions. So, while we're on record, going to receive questions and feedback. If you want to stay after we can have an open discussion about what's in here but you will also get all your responses in writing. So in order to satisfy the requirements of the Administrative Rulemaking Law, we're here to accept your comments and feedback. And then like I said after well we can have a discussion and we can stay with you afterwards but the purpose right now while we're on the record is the accept your comments and your questions.

**Robert Smith:** It was my understanding that you could only have one lease at a time. And yet this rule says that it would be possible under certain circumstance to have two leases.

**Krystal John:** It does say that.

**Robert Smith:** And a that would be if you are subleasing one of the properties and then you can apply for another lease?

**Krystal John:** Yes, it says that in the rule.

**Robert Smith:** That's all.

**Krystal John :** Thank you. Again we'd be happy if you want to stay after we can have a little more fluid discussion with you. I don't want you to be discouraged from asking your questions I just want to be clear that while we're on the record that we are accepting comments and feedback and we can have a more fluid discussion. Any other, does anyone else want to leave a comment or question for the record? You can come right up to the microphone.

**Ed Delgado:** Um comment. Ah, this last we almost lost a tribal member. I want to tell you about that tribal member and why I feel it is relevant here. I first met this tribal member picketing the Fort Howard dump over there on Airport Drive all by himself ten, fifteen years ago. I thought, wow he's pretty courageous. This is a man who lives in a small house, very small. Has a wood burning stove, ah he's not poor, but he wants to live that way because that's the way he feels that he should live. I looked at that as the person who respects his environment. Pretty much like he was doing at Fort Howard. He's a single man, kids are grown, that's all he needs. Doesn't want large, to leave a large footprint on on our earth. He's also a man who drives an electric car. Ah again, respecting our mother earth. Um, everything he's done is I've seen has been about him being an Oneida Indian. Proud of it and practicing it. Um, this Hearth Act allows for tribes to have more sovereignty. I would hope that as we utilize this that if we live by it. We live a little bit more according to how this Oneida man lives, respecting our earth, living with it, and treating it well. Um, because we don't do that. Ah, we don't treat our earth that well. And I hope that we do. I also thought that the idea of having two residential leases, I would question that big time. Unless there's a real good reason and that's one of the reasons why I wanted to speak or did speak. What is the reason? We know very little about this. I got a phone call two hours ago saying you should go up there. Ah, something to do with tribal membership, how we use the land, ah, had to do with taxes too. That the Hearth Act maybe an encouragement for the tribes to start charging our tribal members taxes on their land. Um, maybe it's outrageous, maybe ah, it's a good question because nobody is telling us. We know little, very little about this issue. And I think people of importance, people with authority, people with knowledge on this subject, should inform the membership more about what it's about before we start writing laws about it. Thank you very much.

**Krystal John:** Thank you. Would anyone else like to leave a comment or ask a question or provide feedback? If you could just state your name for the record also.

**Dustin Skenandore:** Hello, my name is Dustin Skenandore. Um I just have a few questions um surrounding 1.4-1, 2 um not really anything concerning about 1.4-3. Um, my question is, and it's just a point of clarification, um, starting at line 95 through line 98 it says um non-tribal members who qualify under sections 1.4a 1, 2, 4 or 5. Um they only have to pay the administrative fee of \$25. Um, looking at point (b)(1) concerning the \$1500, my understanding is that it only applies to non-enrolled or non-tribal



members. Um, who fall under section 1-4(a)(3) Um, I just want to make sure that's correct so spouses of tribal members who were awarded of the residential lease through legal separation or divorce judgment are not subject to the \$1500 annual fee? Um, and also what circumstances would a non-tribal member be subject to that? And that's all.

**Krystal John :** Okay, thank you. Does anyone else have any comments or feedback? Questions? You can come right up to the microphone. Please state your name for the record.

**Sarah Skenandore:** This is Sarah Skenandore. I know it's really confusing to read this language and tell kinda what do I owe, what's going on, what's going to be the cost? To me as an individual that's what a lot of people are interested in. So my comment is, if you get a couple scenarios out there and say if you had an enrolled tribal member in the Oneida Nation of Wisconsin who married to an enrolled tribal member from New York what would they pay if they were on a residential lease? So I think if you had a bunch of scenarios like that, instead of under this circumstance, this law means, this is what you would pay, I bet that would be super helpful. So that's the only comment that I have. And I have had that young gentleman translate the thing to me so. Okay, thank you.

**Krystal John:** Thank you.

**Rae Skenandore:** Looking. I'm sorry Rae Skenandore. Um, I'm looking for some clarifications of language, and again you could answer this at your discretion, it's um, line 85 through 87 which is 1.4-1(b) Have a maximum of two (2) residential leases provided that a second residential lease is only permitted in the circumstances where any required residential subleasing meets the requirements in this rule. This section is very confusing. I can't understand if I have one lease than I can have a sublease or I can actually have two residential leases at the same time? And I thought maybe some of this was due to the HIP Program where people had to move out and not have a lease and move into a new home but I don't know if this satisfies that issue? It's it's just really confusing language and I I don't understand it. So if that can be clarified. Um, when you review the responses I'd appreciate it.

**Krystal John:** Thank you. Can you please state your name for the record.

**Douglas Skenandore:** My name is, my name is Douglas Skenandore. My number is 5024. Um, I guess I have a few comments. Um, as far as a charging monies and stuff, in my particular case, a my great, great grandfather, Joshua Skenandore, he came over here from upstate New York. And he received an assignment. And a I have the a about 2 acres of the original assignment. And that that that land was you know assigned, you know, with no fees, and you know this, and as it went through the generations, I guess it went from Joshua to Eli Skenandore. From Eli Skenandore to a Walter Skenandore. From Walter Skenandore to James Skenandore. And from James Skenandore to Douglas Skenandore, that's me. And so a I had heard somebody saying that they was going to change the inheritance of that. And I I would not like to see that changed at all. Because ah when you have your inheritance that's how, you know, how it generally goes is it stays in the family. And the other um thing it does is to promotes to, you know to marry within the Oneida Nation. Because a bottom line is that if you not enroll tribal members and you cannot, you know, inherit that. And that's how it should be. But ah, but as far as

charging, you know a tax, a lot of our elders, you know, have hard enough time, you know, making just it day by day, with social security and stuff. So to add on a ah tax or a fee, that would be a, that would be out of the question. Unless perhaps they gave them, gave them a a a what do they call that, you know, when you a, an exemption. So um, so that would be a good idea, you know if they feel they have to tax our people or charge a lease, lease lands. Um, make sure that, you know, that they can afford it. And if they cannot afford it, then there should be an exemption, you know, for them. And a, the assignments and stuff I guess is no more assignments so it's the lease stuff. But a, I would like to see them a a lease out the the land being leased out does it go by a case by case basis or do they have a set amount of acreage? I suppose you can't answer that neither huh?

**Krystal John:** Like I said, if you stay afterwards we'll provide some answers. We'll verbally talk about the questions that were asked here today but I want to let you know that they'll all also be provided in writing.

**Douglas Skenandore:** Okay, thank you.

**Krystal John:** Were there any other questions, comments, or feedback? Please move to the microphone and state you name for the record.

**Madelyn Gensko:** Madelyn, Madelyn Gensko. You know, it doesn't, is it really, I don't know if they can hear me back there. Seems like the volume isn't up, can you turn the volume up so people can hear what you say? I I don't even hear myself. How about you guys back there can you hear me? Okay, okay. You know I'm really concerned about this, especially when it's combined in the paper about that Hearth, that what is it, Hearth Act? On a page 8, um, and this Hearth Act, it talks about um, like um, this guy, he's the um, Assistant Duty Assistant Secretary for the Bureau of Indian Affairs. And um, he's affecting our leasing codes and it says um, a you know, this will strengthen our ability to exercise jurisdiction and control to remote, no, to promote responsible economic and social development on the Oneida Nation lands. And it says it was passed in April. Okay, and but it does, now it's in National Register. Um, in there on the fourth column down by the bottom, it says um, Oneida Nation trust lands or, it's a big or, are restricted land by implementing leasing regulations that specifically meet our needs and we can do this in a more efficient and expeditious manner. We no longer have to wait for years to have the BIA approval, okay. One thing I'm worried about with this new leasing thing, right now you're talking about residential, okay. But I know that um, Loretta Metoxen's daughter, the judge, Denise Beans. She did a, um what do you call it, a one of those a things they put when they vote. Um, it's a like a you can vote if you like that. And she talked about charging a seat tax on all the airplanes that come into Austin Straubel. To me if they start that they are going to start a war. And we are going to lose. We will be the losers. Because we, we might be powerful but we aren't as powerful as they are. And all of Green Bay and all of the Fox Valley. We are not as powerful as they are, and we will lose if we start that battle. I don't know what that woman is doing on our our court making decisions on our people. Um, and as we, you know, I I'm really concerned because I have heard rumors that there's a plan, to eventually tax our people for for the homes that they live in. And I know people think that you can't do that but I know um when you got this Hearth Act, you can do anything you want. And I know that a, for

example, um I bought, I purchased a cemetery to for four graves at the Oneida Methodist cemetery. And all of a sudden, that the a group over there, they made a rule that even if you are a member, you, I would have to pay more. Like hundreds of dollar more than, and I already bought it. But I can I can't do a darn thing about it because I have no control. That church has control. I even called state officials. I have no control. Even though I already paid for it. They have control. And that's what I'm concerned about our tribe. If this Hearth Act means that um, even though people have signed agreements, that you can come up with new agreements and throw everything out. And to me that that's, this Hearth Act, gives that potential, okay. And I think that there are people who really are opposed to casino gambling. They want to shut the casino down, charge our people to taxes to pay for a for for whatever it goes on in this reservation. And I um, I I'm really concerned about that. And I know there's a long-term scheme going on here, I know that. I talk to enough people to know that. And um, so I I um, I'm wondering if this is going to be recorded. Can we purchase the recording of what is said here?

**Krystal John:** The transcripts will be available in the public meeting packet.

**Madelyn Gensko:** Your transcript. But that's what you say I said. Can we purchase a recording?

**Krystal John:** You would need to make the request to Open Record's open meeting law. You would have to request that from the Comprehensive Housing Division.

**Madelyn Gensko:** Say that again more slowly.

**Krystal John:** I said you would need to make that request in accordance with the Open Records and Open Meetings Law. And you can make that request to the Comprehensive Housing Division.

**Madelyn Gensko:** I go to the Comprehensive Housing Division?

**Krystal John:** Correct. Because they are the custodian of these records.

**Madelyn Gensko:** Okay. Now that's another thing. I heard a a rep, I got a rep-, complaint yesterday from an Oneida who lives over the a at the elderly complex, okay. And um, like the the dryer wasn't working.

**Krystal John:** Madelyn, that would be a residential rental, this is for Residential Leasing Rules. Can you please narrow your comments to leases.

**Madelyn Gensko:** I know, I know. But the thing of it is you guys put that all under that one one label. I don't think the general tribal council really gave you permission, a the Business Committee commission permission to do that. They're doing all kinds of stuff that they don't have the right to do. Any why is it all of sudden you are spring all of this stuff on us. We didn't even have time to review it. Why is that?

**Krystal John:** Madelyn, the public meeting met the requirements for the public meeting notice adopted by the Administrative Rulemaking Law. It's been posted on their register and every person that has a residential lease was forwarded a copy of the rule and the public meeting notice, which goes above and beyond the requirements of that rule.

**Madelyn Gensko:** So, Douglas Skenandore did you get a copy of that?

**Douglas Skenandore:** Yes I did.

**Madelyn Gensko:** Okay, well I'm wondering, the rest of these people do you guys all live on tribal land? Any of you live on tribal land? And you all got a copy of it? Okay. Did you understand it? Do you feel you did? Some, okay. Okay. Okay. Okay you you're going to get a copy in writing of what everything that everyone said.

**Krystal John:** Yes. Yes.

**Madelyn Gensko:** So whatever I said is going to go in the Kalihwisaks or where is it going to go?

**Krystal John:** It will be submitted as part of the Administrative Record for the rulemaking. It will be included in the Legislative Operating Committee packet and as long as well as the Business Committee packet get when the rule gets adopted.

**Madelyn Gensko:** Where? Who can get that?

**Krystal John:** Anyone who is available to have the Business Committee packet will be able to receive that.

**Madelyn Gensko:** So you gotta go to the Business Committee meeting to get it?

**Krystal John:** Or you can request it from the Comprehensive Housing Division.

**Madelyn Gensko:** Okay. Where are they located?

**Krystal John:** They are located on Commissioner Street.

**Lisa Rauschenbach:** 2913 Commissioner.

**Madelyn Gensko:** Commissioner, that is?

**Krystal John:** The former Oneida Housing Authority building.

**Madelyn Gensko:** Okay. When will that be available?

**Krystal John:** There's no set date. We need to collect all of the comments. And it depends on how many comments we receive. And then we'll formulate all of the answers in writing and we will review anything that was feedback and not a question and determine whether or not, based on the feedback amendments will be made to the rule. So there is not a set timeline.

**Madelyn Gensko:** Well, I know that, you know, even when this has been brought up in GTC. I heard some comment that, you know, they were just going to do that for people who had businesses on the reservation but that's just for starters. I believe that your intention is to have all, anybody who lives on the reservation, pay taxes to the Oneida government. That is the plan. It's what I believe it to be.

But it's just like that frog that slowly gets cooked in water and it doesn't realize that it's too late to jump out of the pot before it's too far cooked.

**Krystal John:** Thank you. Does anyone else have any comments, questions or feedback? Seeing nobody else that would like to give comments, questions, or feedback, I'm going to stop the recording and we can start having a more fluid discussion.

###



# **Public Meeting Comment Response Memo**

## Comprehensive Housing Division



**Comprehensive Housing Division Public Comment Response Memorandum  
Rule #1 – Residential Leasing Rule**

**QUESTION 1: Is the rule we are commenting on still a draft?**

**Robert Smith:** Yeah in the a letter that we got from um Michelle it said that this was going to be, that this was a draft. Is that right?

**Robert Smith:** And in the document we got it said that this Rule was jointly adopted by the Comprehensive Housing Authority. So is this rule already made or are we commenting on a draft? [When will the final draft be approved?]

**Response:** The rule has been adopted by on an emergency basis by the Business Committee so that there a rule was available to govern when the law became effective on May 19, 2018. Before the rule is able to be adopted on a permanent basis, the Comprehensive Housing Division (CHD) is required to follow the process of the Administrative Rulemaking Law, which includes opening the rule up for public comment and responding to the comments received. The reason why it's stated in the rule that "[t]his rule was jointly adopted by the Comprehensive Housing Division and the Oneida Land Commission in accordance with the Administrative Rulemaking law," is because that is required language in the rule template prepared by the Legislative Reference Office and if required to be filled out with the authorized parties to make the rule.

The comment period for this rule closes on May 24, 2018. A permanent rule cannot become effective until:

- (a) all comments have been responded to;
- (b) the CHD and Oneida Land Commission (OLC) approve the rule for adoption with any revisions that may be included;
- (c) the Legislative Operating Committee (LOC) confirms that the rule process has complied with the procedural requirements of the Administrative Rulemaking law and is within the scope of delegated rulemaking authority; and
- (d) the Oneida Business Committee (OBC) approves the rule.

Because it is unknown how long it may take to respond to comments based on the volume received and/or to get onto the agendas of the OLC, LOC and OBC, there is no set effective date yet for the final rule, but it will be noticed when approved by the OBC.

**QUESTION 2: Is fee land taxable and who pays the taxes?**

**Robert Smith:** Ok under definition 1.3(d) it says fee land. Means land is held in fee status by the Nation. Is that taxable or what is the tax status on that? And the tribe is paying the tax on it?

**Response:** All fee land is taxable. When there is a residential lease on fee land, the lease splits the tax responsibility between the Nation and the lessee with the Nation paying the taxes attributable to the value of the land and the lessee paying the taxes attributable to the value of improvements (i.e. your house).

**QUESTION 3: Does the Nation plan to start charging Lessee's taxes on their land/homes?**

**Ed Delgado:** I got a phone call two hours ago saying you should go up there. Ah, something to do with tribal membership, how we use the land, ah, had to do with taxes too. That the Hearth Act maybe an encouragement for the tribes to start charging our tribal members taxes on their land. Um, maybe it's outrageous, maybe ah, it's a good question because nobody is telling us. We know little, very little about this issue. And I think people of importance, people with authority, people with knowledge on this subject, should inform the membership more about what it's about before we start writing laws about it. Thank you very much.

**Madalyn Genskow:** ...one thing I'm worried about with this new leasing thing, right now you're talking about residential, okay. But I know that um, Loretta Metoxen's daughter, the judge, Denise Beans. She did a, um what do you call it, a one of those a things they put when they vote. Um, it's a like a you can vote if you like that. And she talked about charging a seat tax on all the airplanes that come into Austin Straubel. To me if they start that they are going to start a war. And we are going to lose. We will be the losers. Because we, we might be powerful but we aren't as powerful as they are. And all of Green Bay and all of the Fox Valley. We are not as powerful as they are, and we will lose if we start that battle. I don't know what that woman is doing on our our court making decisions on our people. Um, and as we, you know, I I'm really concerned because I have heard rumors that there's a plan, to eventually tax our people for for the homes that they live in. And I know people think that you can't do that but I know um when you got this Hearth Act, you can do anything you want ... And I think that there are people who really are opposed to casino gambling. They want to shut the casino down, charge our people to taxes to pay for a for for whatever it goes on in this reservation. And I um, I I'm really concerned about that. And I know there's a long-term scheme going on here, I know that. I talk to enough people to know that. ... Well, I know that, you know, even when this has been brought up in GTC. I heard some comment that, you know, they were just going to do that for people who had businesses on the reservation but that's just for starters. I I believe that your intention is to have all, anybody who lives on the reservation, pay taxes to the Oneida government. That is the plan. It's it's what I believe it to be. But it's just like that frog that slowly gets cooked in water and it doesn't realize that it's too late to jump out of the pot before it's too far cooked.

**Doug Skenandore:** ... But ah, but as far as charging, you know a tax, a lot of our elders, you know, have hard enough time, you know, making just it day by day, with social security and stuff. So to add on a ah tax or a fee, that would be a, that would be out of the question. Unless perhaps they gave them, gave them a a a what do they call that, you know, when you a, an exemption. So um, so that would be a good idea, you know if they feel they have to tax our people or charge a lease, lease lands. Um, make sure that, you know, that they can afford it. And if they cannot afford it, then there should be an exemption, you know, for them. And a, the assignments and stuff I guess is no more assignments so it's



the lease stuff. But a, I would like to see them a a lease out the the land being leased out does it go by a case by case basis or do they have a set amount of acreage? I suppose you can't answer that neither huh?

**Response:** Nothing in this rule or the leasing law includes a tax imposed by the Nation and there is no plan for the Nation to begin imposing a tax on leased land or improvements upon leased land.

#### **QUESTION 4: Will fees change for existing lease holders?**

**Robert Smith:** Well when this law goes into effect, those of us that are already on fee land are we grandfathered in? I mean are there going to be fees for, I think they mentioned \$3 a year or \$25 and change?

**Madalyn Genskow:** And I know that a, for example, um I bought, I purchased a cemetery to for four graves at the Oneida Methodist cemetery. And all of a sudden, that the a group over there, they made a rule that even if you are a member, you, I would have to pay more. Like hundreds of dollar more than, and I already bought it. But I can I can't do a darn thing about it because I have no control. That church has control. I even called state officials. I have no control. Even though I already paid for it. They have control. And that's what I'm concerned about our tribe. If this Hearth Act means that um, even though people have signed agreements, that you can come up with new agreements and throw everything out. And to me that that's, this Hearth Act, gives that potential, okay.

**Response:** The new fees in the rule only apply to new leases. In accordance with the HEARTH ACT, the Leasing law and corresponding rules are not able to retroactively modify the terms and/or conditions of leases entered prior to the effective date of the Leasing law.

#### **QUESTION 5: Tribal members and non-Indians**

**Robert Smith:** Ok, I'm a little bit confused about a non-Indian. And just who does that a include. If you're non-Oneida and you're not on the roll...Well I mean um something that might not happen is if an Oneida married an Oneida from New York or Canada would they be considered a non-Indian?

**Response:** There are two categories of lessees under the rule. There are tribal members and all others. Tribal members are defined as members of the Oneida Nation (of Wisconsin only) and do not include Oneidas from New York or Canada.

#### **QUESTION 6: Fees for non-Indians**

**Robert Smith:** ... for a non-Indian, they would have to pay a fee of \$1500 a year? Or to some calculation of as to what the land is worth I mean the property? When would that start, at the time of the lease? Okay, my question is then, what is the rational, what is the line of thinking for charging non-Indians \$1500?

**Dustin Skenandore:** Hello, my name is Dustin Skenandore. Um I just have a few questions um surrounding 1.4-1, 2 um not really anything concerning about 1.4-3. Um, my question is, and it's just a

point of clarification, um, starting at line 95 through line 98 it says um non-tribal members who qualify under sections 1.4a 1, 2, 4 or 5. Um they only have to pay the administrative fee of \$25. Um, looking at point (b)(1) concerning the \$1500, my understanding is that it only applies to non-enrolled or non-tribal members. Um, who fall under section 1-4(a)(3) Um, I just want to make sure that's correct so spouses of tribal members who were awarded of the residential lease through legal separation or divorce judgment are not subject to the \$1500 annual fee? Um, and also what circumstances would a non-tribal member be subject to that? And that's all.

**Sara Skenandore:** This is Sarah Skenandore. I know it's really confusing to read this language and tell kinda what do I owe, what's going on, what's going to be the cost? To me as an individual that's what a lot of people are interested in. So my comment is, if you get a couple scenarios out there and say if you had an enrolled tribal member in the Oneida Nation of Wisconsin who married to an enrolled tribal member from New York what would they pay if they were on a residential lease? So I think if you had a bunch of scenarios like that, instead of under this circumstance, this law means, this is what you would pay, I bet that would be super helpful. So that's the only comment that I have. And I have had that young gentleman translate the thing to me so. Okay, thank you.

**Response:** In circumstances where a non-Indian is part of the community and on the lease through marriage or a descendant through inheritance, the standard fee structure will apply. The increased fee of the lesser of \$1,500 a year or market value only applies when Land Commission directly approves a lease to a non-member who would otherwise be ineligible. The rationale for the increased fee is that we strive to reserve the Nation's land for the use and betterment of Oneida families. When a lease is entered with a non-Indian that is not connected to our community, the Nation should be compensated for the full value of the lease, which, in turn, allows us to use those revenues to continue providing opportunities for Oneida families.

The table below summarizes various circumstances that may arise and the fee that applies.

	Standard rate of \$3 per year.	Increased rate = Lesser of \$1500 & market value
Tribal member married to a non-member and tribal member dies.	X	
Tribal member dies and passes the lease on to a descendant.	X	
Land Commission wants to make a strategic purchase and the non-Indian owner will only sell if they can continue to reside on the property.		X
Tribal member parent enters lease with descendant child and tribal member dies.	X	
Tribal member divorces non-member and through divorce the non-member is awarded the residence.	X	
Non-member remains in lease after death/divorce of Tribal member and remarries to another non-member.	X	

**QUESTION 7: Does the Nation buy back improvements when a lessee cancels a lease?**

**Robert Smith:** If you had um, if you wanted to give up a lease, and that would be Oneida tribe by the improvements on the land?

**Response:** A tribal member wishing to cancel their residential lease may offer the improvements to the Nation, but nothing in the rules or the lease requires the Nation to purchase said improvements.

**QUESTION 8: When can you have two leases?**

**Robert Smith:** It was my understanding that you could only have one lease at a time. And yet this rule says that it would be possible under certain circumstance to have two leases. And a that would be if you are subleasing one of the properties and then you can apply for another lease?

**Rae Skenandore:** Looking. I'm sorry Rae Skenandore. Um, I'm looking for some clarifications of language, and again you could answer this at your discretion, it's um, line 85 through 87 which is 1.4-1(b) Have a maximum of two (2) residential leases provided that a second residential lease is only permitted in the circumstances where any required residential subleasing meets the requirements in this rule. This section is very confusing. I can't understand if I have one lease than I can have a sublease or I can actually have two residential leases at the same time? And I thought maybe some of this was due to the HIP Program where people had to move out and not have a lease and move into a new home but I don't know if this satisfies that issue? It's it's just really confusing language and I I don't understand it. So if that can be clarified. Um, when you review the responses I'd appreciate it.

**Ed Delgado:** ...I also thought that the idea of having two residential leases, I would question that big time. Unless there's a real good reason and that's one of the reasons why I wanted to speak or did speak. What is the reason? We know very little about this...

**Response:** Under the rule you can have two leases at any time – provided that you would have to be eligible to enter each lease. While the Homeownership through Independent Purchase Program (HIPP) was a consideration, we also considered instances where a Tribal member already owns a home and inherits a property from a family member. The only limitation included is that if the Tribal member choses to sublease one of the properties, any such subleasing must conform to the minimum requirements of the rule.

**QUESTION 8: Inheritance**

**Douglas Skenandore:** My name is, my name is Douglas Skenandore. My number is 5024. Um, I guess I have a few comments. Um, as far as a charging monies and stuff, in my particular case, a my great, great grandfather, Joshua Skenandore, he came over here from upstate New York. And he received an assignment. And a I have the a about 2 acres of the original assignment. And that that that land was you know assigned, you know, with no fees, and you know this, and as it went through the generations, I guess it went from Joshua to Eli Skenandore. From Eli Skenandore to a Walter Skenandore. From Walter Skenandore to James Skenandore. And from James Skenandore to Douglas Skenandore, that's

me. And so a I had heard somebody saying that they was going to change the inheritance of that. And I I would not like to see that changed at all. Because ah when you have your inheritance that's how, you know, how it generally goes is it stays in the family. And the other um thing it does is to promotes to, you know to marry within the Oneida Nation. Because a bottom line is that if you not enroll tribal members and you cannot, you know, inherit that. And that's how it should be.

**Response:** This rule does not have the capacity to modify the inheritance of properties that have already been conveyed through inheritance. This rule would make it an option for future lessees and/or lessees who wish to amend their leases to incorporate into an amended lease the new rules provisions allowing a lessee to pass their leasehold interest on to a descendant, where this rule defines descendant as the "son or daughter of an enrolled Tribal member." Section 1.3-1(c).

### **QUESTION 9: Transcripts and recording of public hearing**

**Madelyn Gensko:** And um, so I I um, I'm wondering if this is going to be recorded. Can we purchase the recording of what is said here?

**Response:** The transcripts will be available in the packet presented for LOC certification and OBC approval and with the Comprehensive Housing Division. If you would like the recording and not just the transcript, you would need to make that request through the Open Records Open Meetings law. You can make that request to the Comprehensive Housing Division, as they are the custodian of the records.

### **QUESTION 10: Public meeting process**

#### ***Public Meeting Notice***

**Madelyn Genskow:** ... Any why is it all of sudden you are spring all of this stuff on us. We didn't even have time to review it. Why is that?

**Response:** The public meeting met the requirements for the public meeting notice adopted by the Administrative Rulemaking Law. It's been posted on the register and in the Kalihwisaks and every person that has a residential lease was provided a copy of the rule and the public meeting notice, which goes above and beyond the requirements of the Administrative Rulemaking law.

#### ***Public Meeting Responses***

**Madelyn Genskow:** Okay, well I'm wondering, the rest of these people do you guys all live on tribal land? Any of you live on tribal land? And you all got a copy of it? Okay. Did you understand it? Do you feel you did? Some, okay. Okay. Okay. Okay you you're going to get a copy in writing of what everything that everyone said.... So whatever I said is going to go in the Kalihwisaks or where is it going to go? Where? Who can get that? ... When will that be available?

**Response:** All of the comments provided are documented in the transcript and responded to in this public comment response memo. The CHD has committed to issuing these responses to all those in attendance at the public meeting and all those who submitted written comments. In addition, the public comment response memo will be submitted as part of the Administrative Record when

certification is requested of the LOC and adoption is requested of the OBC. Anyone with access to the LOC and/or OBC agendas and packets will have access to this public comment response memo.

#### **QUESTION 11: Maximum acreage**

**Douglas Skenandore:** And a, the assignments and stuff I guess is no more assignments so it's the lease stuff. But a, I would like to see them a a lease out the the land being leased out does it go by a case by case basis or do they have a set amount of acreage? I suppose you can't answer that neither huh?

**Response:** Neither the Leasing law or these rules currently identify a maximum acreage requirement for residential leases – provided that there is a maximum acreage provided in the HIPPP rule.

#### **GENERAL COMMENTS:**

**Ed Delgado:** Um comment. Ah, this last we almost lost a tribal member. I want to tell you about that tribal member and why I feel it is relevant here. I first met this tribal member picketing the Fort Howard dump over there on Airport Drive all by himself ten, fifteen years ago. I thought, wow he's pretty courageous. This is a man who lives in a small house, very small. Has a wood burning stove, ah he's not poor, but he wants to live that way because that's the way he feels that he should live. I looked at that as the person who respects his environment. Pretty much like he was doing at Fort Howard. He's a single man, kids are grown, that's all he needs. Doesn't want large, to leave a large footprint on on our earth. He's also a man who drives an electric car. Ah again, respecting our mother earth. Um, everything he's done is I've seen has been about him being an Oneida Indian. Proud of it and practicing it. Um, this Hearth Act allows for tribes to have more sovereignty. I would hope that as we utilize this that if we live by it. We live a little bit more according to how this Oneida man lives, respecting our earth, living with it, and treating it well. Um, because we don't do that. Ah, we don't treat our earth that well. And I hope that we do.

**Madelyn Gensko:** Madelyn, Madelyn Gensko. You know, it doesn't, is it really, I don't know if they can hear me back there. Seems like the volume isn't up, can you turn the volume up so people can hear what you say? I I don't even hear myself. How about you guys back there can you hear me? Okay, okay. You know I'm really concerned about this, especially when it's combined in the paper about that Hearth, that what is it, Hearth Act? On a page 8, um, and this Hearth Act, it talks about um, like um, this guy, he's the um, Assistant Deputy Assistant Secretary for the Bureau of Indian Affairs. And um, he's affecting our leasing codes and it says um, a you know, this will strengthen our ability to exercise jurisdiction and control to remote, no, to promote responsible economic and social development on the Oneida Nation lands. And it says it was passed in April. Okay, and but it does, now it's in National Register. Um, in there on the fourth column down by the bottom, it says um, Oneida Nation trust lands or, it's a big or, are restricted land by implementing leasing regulations that specifically meet our needs and we can do this in a more efficient and expeditious manner. We no longer have to wait for years to have the BIA approval, okay.

**Madelyn Gensko:** Okay. Now that's another thing. I heard a a rep, I got a rep-, complaint yesterday from an Oneida who lives over the a at the elderly complex, okay. And um, like the the dryer wasn't working.

**Madelyn Gensko:** I know, I know. But the thing of it is you guys put that all under that one one label. I don't think the general tribal council really gave you permission, a the Business Committee commission permission to do that. They're doing all kinds of stuff that they don't have the right to do.

**Response:** The general comments did not request clarification or present questions. There are no recommended revisions or additional responses based on these comments.

**Leasing Law Rule No. 1 –  
Residential Leasing  
Redline to Public Meeting Draft**



## 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.<sup>1</sup>

<sup>1</sup> 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.



49 (e) "Guardian" means a person who has been appointed by a court of competent  
50 jurisdiction to be legally responsible for someone who is unable to manage their own  
51 affairs, particularly for minors and/or persons declared legally incompetent.

52 (f) "Improvement" means buildings, other structures, and associated infrastructure  
53 attached to land.

54 (g) "Lessee" means the party to an executed and effective residential lease.

55 (h) "Nation" means the Oneida Nation.

56 (h) "Premises" means the real property subject to a residential lease.

57 (i) "Residential Lease" means the legal document issued by the Nation pursuant to the  
58 Leasing Law and this rule which establishes a lessee's right to occupy Tribal land for  
59 residential purposes.

60 (j) "Tribal land" means fee land and/or trust land.

61 (k) "Tribal Member" means an individual who is an enrolled member of the Nation.

62 (l) "Trust land" means the surface estate of land or any interest therein held by the  
63 United States in trust for the Nation; land held by the Nation subject to federal  
64 restrictions against alienation or encumbrance; land reserved for federal purposes; and/or  
65 land held by the United States in trust for the Nation under Section 17 of the Indian  
66 Reorganization Act, 25 U.S.C §477, et. seq.

67 (m) "Ward" means a person under the care and control of a guardian appointed by a court  
68 of competent jurisdiction, usually due the person's status as a minor or a declaration of  
69 legal incompetence.

#### 71 **1.4. Residential Lease Eligibility, Cost, Duration, and Application**

72 1.4-1. *Eligibility.* In order for an applicant to be eligible to enter a residential lease, the  
73 applicant must satisfy all of the following:

74 (a) Be a Tribal member. Non-Tribal members may be a party to a residential lease under  
75 the following circumstances:

76 (1) The non-tribal member is married to a Tribal member party to the residential  
77 lease;

78 (2) The non-tribal member spouse is awarded the residential lease through a legal  
79 separation or divorce judgment;

80 (3) The Oneida Land Commission has approved the CHD to enter a residential  
81 lease with a non-Tribal member party;

82 (4) The non-Tribal member is a descendant ~~or other individual~~ that inherited the  
83 residential leasehold interest; or

84 (5) as otherwise specified in this rule.

85 (b) Have a maximum of two (2) residential leases provided that a second residential lease  
86 is only permitted in circumstances where any required residential subleasing meets the  
87 requirements provided in this rule.

88 (c) Either:

89 (1) Be in good standing with any mortgage/encumbrance upon the improvements  
90 which would be subject to the residential lease; or

91 (2) Demonstrate financial ability to secure improvements upon the premises.

92 1.4-2. *Residential Lease Cost and Duration.* Unless approved otherwise by the Oneida Land  
93 Commission, the initial residential lease term shall be for a period of fifty (50) years with one (1)  
94 twenty-five (25) year extension available for a maximum term of seventy-five (75) years.

95 (a) Tribal members and non-Tribal members who qualify under sections 1.4-1(a)(1), (2),

96 (4), or (5) of this rule shall pay a non-refundable residential lease cost prior to execution  
97 of the lease of three dollars (\$3.00) per year plus an administrative fee of twenty-five  
98 dollars (\$25.00).

99 (b) Where the lessee is a non-Tribal member that enters into a residential lease pursuant  
100 to section 1.4-1(a)(3) of this rule, the cost of the residential lease is as follows:

101 (1) *Fair Market Value.* Non-Tribal members shall pay a one-time twenty-five  
102 dollar (\$25.00) administrative fee plus an annual rate which is the lessor of one  
103 thousand five hundred dollars (\$1,500.00) and fair market value of the premises.  
104 Payment for residential lease costs may be paid up front or broken down into  
105 monthly or quarterly payments.

106 (A) For the purposes of this section, fair market value is determined by  
107 dividing the current appraised value of the premises (excluding any  
108 improvements) by fifty (50), which represents the standard residential  
109 lease term of fifty (50) years.

110 (B) Once the annual fair market value is set, it shall be locked in for the  
111 term of the residential lease.

112 (C) Where an updated appraisal is required to calculate the current fair  
113 market value, lessee shall pay CHD's cost of appraisal, provided that CHD  
114 shall select the appraisal provider.

115 1.4-3. *Application.* In order to apply for a residential lease, applicants shall submit to the  
116 Department a residential lease application, which CHD shall make available in hard copy format  
117 at CHD and on its website. When submitting the application, applicants shall submit a copy of  
118 their Tribal or state identification card as applicable and, if married, a certified copy of the  
119 marriage certificate.  
120

## 121 **1.5. Application Review and Residential Lease Approval**

122 1.5-1. *Application Review.* Upon receipt of a residential lease application, the Department shall:

123 (a) Initiate the National Environmental Protection Act (NEPA) and cultural reviews  
124 required by the Leasing Law with the Environment, Health, Safety and Land Division  
125 and the Cultural Heritage Department respectively;

126 (b) Pull the legal description for the proposed residential lease premises from the title  
127 report, if available, and if not, from the warranty deed, including any potential  
128 amendments thereto, with the assistance of the Environment, Health, Safety and Land  
129 Division as may be needed;

130 (c) Pull the legal description for the proposed residential lease premises from the survey  
131 map;

132 (d) Confirm the proposed residential lease premises' legal description in the title  
133 report/warranty deed and the legal description in the survey match one another. In the  
134 event the legal descriptions do not match, the Department shall use the legal description  
135 from the most recent document;

136 (e) Confirm that the minimum terms and conditions required by the Leasing Law are  
137 included in the proposed residential lease; and

138 (f) If any exceptions have been granted by the Oneida Land Commission, confirm such  
139 exceptions with a copy of the Oneida Land Commission minutes.

140 1.5-2. *Residential Lease Approval.* The CHD shall create a checklist for residential lease  
141 review. Upon the Department's completion of the checklist, the Department shall forward the  
142 residential lease application, residential lease, and associated review documents to the

143 Department's Area Manager for review and approval.

144 (a) Should the Area Manager approve the satisfaction of the checklist and the residential  
145 lease, the Area Manager shall forward the residential lease application, residential lease,  
146 and associated review documents to the CHD Director for signature of the residential  
147 lease on behalf of the Nation.

148 (b) Upon signature on behalf of the Nation, the Department shall schedule a meeting with  
149 the lessee to review the residential lease terms and to facilitate signature of the lessee,  
150 provided that the residential lease may not be signed until the cost of the residential lease  
151 has been paid with receipt documented in the residential lease file.

152 (c) The CHD shall provide the Oneida Land Commission with a quarterly report listing  
153 approved residential leases.  
154

### 155 **1.6. Residential Lease by Guardian**

156 1.6-1. CHD shall permit a guardian to enter a residential lease on behalf of a ward who has  
157 either not yet reached the age of majority or who has been deemed incompetent provided that:

158 (a) The ward must meet the eligibility requirements contained in section 1.4-1 of this  
159 rule;

160 (b) The guardian must provide the Department with a copy of the order appointing them  
161 as guardian issued by a court of competent jurisdiction;

162 (c) The residential lease must require the guardian to provide any updates regarding the  
163 scope and status of the guardianship; and

164 (d) The residential lease must either stay in the name of the ward or transfer to the ward  
165 in the event the guardianship is terminated.  
166

### 167 **1.7. Residential Lease Transfer**

168 1.7-1. *Residential Lease Transfer Outside of Death.* Transfer of a residential lease outside of  
169 death may only occur either if all parties involved in the transfer approve of said transfer in  
170 writing or if an order from a court of competent jurisdiction requires transfer of the residential  
171 lease to an eligible party as defined by this rule.

172 (a) *Mortgaged Premises.* If the premises is mortgaged, all mortgage parties on the  
173 residential lease must remain on the residential lease. Mortgage parties may be removed  
174 from the residential lease only if action is taken to remove a party or the parties from the  
175 mortgage.

176 (b) *Residential Lease Transfer Process.* In order to initiate a residential lease transfer,  
177 the requesting party must submit a transfer application, which CHD shall make available  
178 in-person at CHD and electronically on its website, and pay the twenty-five dollar  
179 (\$25.00) transfer fee.

180 1.7-2. *Residential Lease Transfer Upon Death of Lessee.* Where the lessee dies before the end  
181 of the residential lease, the residential lease may be transferred either in reliance on an executed  
182 residential lease successor designation form or upon an order from either the Nation's probate  
183 hearing body or court of competent jurisdiction assigning the leasehold interest to an eligible  
184 heir.

185 (a) *Eligible Successors.* Unless approved otherwise by the Oneida Land Commission,  
186 when assigning a leasehold interest, whether through a successor designation form or a  
187 will/probate, in order to be eligible, the successor must meet the requirements of section  
188 1.4-1 of this rule. If the successor has not yet reached the age of majority at the time the  
189 lessee becomes deceased, the successor will be required to enter a residential lease by

190 guardian until he/she reaches eighteen (18) years of age.

191 (1) *Successor Designation Form.* CHD shall make successor designation forms  
192 available in-person at CHD and electronically on its website. Executing a  
193 successor designation form demonstrates intent of the lessee to remove the  
194 residential leasehold interest from the estate's probate assets in order to shorten  
195 and simplify the transfer process to an eligible successor upon the death of a  
196 lessee. Successor designation forms are only available to lessees where the  
197 premises is not subject to a mortgage. If a mortgage is entered after executing a  
198 successor designation form and the mortgage is not satisfied at the time the lessee  
199 dies, the successor designation form shall be invalid.

200 (A) The successor designation form shall provide an opportunity for the  
201 lessee to name up to a maximum of a three (3) successors.

202 (B) Upon death of a lessee with a successor designation form on file, the  
203 Department shall contact the named successors in the order designated by  
204 the lessee and shall inform them of their option to accept the leasehold  
205 interest, either for the purpose of personal occupancy or for sale of the  
206 residence.

207 (2) *Probate.* Lessees may also chose to transfer a residential leasehold interest  
208 upon their death by having it go through the probate process. The probate process  
209 will be used to assign a leasehold interest where there is no valid successor  
210 designation form on file or where a successor designation form is on file but a  
211 will has been executed after the successor designation form was executed which  
212 includes the residential leasehold interest. Where the premises is on trust land,  
213 the estate must use the Nation's probate process, whereas a premises on fee land  
214 may either be handled through the Nation's or the State of Wisconsin's probate  
215 process.

216 (3) *No Eligible Successors.* Where there are no eligible successors to the  
217 residential leasehold interest, the CHD shall terminate the residential lease and  
218 shall issue payment to the lessee's estate for any improvements upon the premises  
219 in accordance with section 1.10 of this rule. The leasehold interest shall then  
220 revert to CHD.

221 (b) *Married Persons.* When a Tribal member spouse predeceases the term of the  
222 residential lease:

223 (1) If both married parties are parties to the residential lease, the remaining lessee  
224 shall continue in effect undisturbed; or

225 (2) If only the deceased Tribal member was a party to the residential lease and the  
226 residential lease was not amended to include the spouse, the CHD, absent a valid  
227 marital property agreement stating otherwise, will consider the residential lease  
228 marital property and the spouse may sign on to the residential lease.  
229

### 230 **1.8. Residential Sublease**

231 1.8-1. *Eligibility.* In order to enter a residential sublease agreement, the party assuming the  
232 premises through the sublease must meet the eligibility requirements contained in section 1.4-1  
233 of this rule.

234 1.8-2. *Approval of CHD and Lender Required.* Approval of CHD and, if the premises is subject  
235 to a mortgage also the lender, is required prior to entering any sublease agreement.

236 1.8-3. *Sublessee to Consent to Terms of Residential Lease.* In order to enter a sublease

237 agreement, the sublessee shall consent to the terms of the residential lease provided that the  
238 parties to the sublease agreement may negotiate payment provisions differing from payment  
239 terms included in the residential lease.

240 1.8-4. *Original Lessee Remains Responsible.* In terms of residential lease enforcement and  
241 compliance with the residential lease, the original lessee shall at all times remain responsible for  
242 ensuring compliance with the terms of the residential lease and any and all enforcement actions  
243 taken by CHD and/or the Nation shall be taken against the original lessee. Any dispute as to  
244 who is responsible for the non-compliance constitutes a private dispute between the sublease  
245 parties and shall exclude CHD and the Nation as a party to the dispute.  
246

#### 247 **1.9. Residential Lease Termination**

248 1.9-2. *Termination.* Any termination of a residential lease is subject to requirements of the  
249 Eviction and Termination law and shall require CHD to compensate the lessee for any  
250 improvements located upon the premises upon said termination in accordance with section 1.10  
251 of this rule.  
252

#### 253 **1.10. Compensation for Improvements Upon Residential Lease Termination**

254 1.10-1. Any time CHD terminates a residential lease which has improvements fixed to the  
255 premises, the Nation shall provide the lessee/lessee's estate with compensation for said  
256 improvements upon termination.

257 (a) *Determining Compensation Amount.* The amount of compensation required for any  
258 improvements fixed to the premises shall be calculated using a current appraisal of the  
259 improvements only and deducting the following from the appraisal value:

260 (1) The cost to satisfy any mortgage/encumbrance upon the premises and/or  
261 improvements;

262 (2) The cost of the appraisal and home inspection, provided that CHD shall select  
263 the service providers;

264 (3) The cost to bring the improvements to a minimal health and safety standard in  
265 accordance with the determination of the Zoning Department and/or the home  
266 inspection; and

267 (4) Any debts and/or other administrative costs owed to the Nation by the lessee.  
268

#### 269 **1.11 Residential Leasing Actions**

270 1.11-1. The Oneida Judiciary is granted jurisdiction to hear complaints filed regarding actions  
271 taken pursuant to this rule.

272 1.11-2. No administrative hearing body, including a board, committee or commission, is  
273 authorized to hear a complaint regarding actions taken pursuant to this rule.

274 1.11-3. In regards to taking actions authorized under this rule, complaints filed with the Oneida  
275 Judiciary shall name the CHD's Residential Leasing Department.  
276

277 *End.*

278  
279 

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Original effective date: 05-09-2018

280

### Oneida Business Committee Agenda Request

1. Meeting Date Requested: 08 / 22 / 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: Jessica Wallenfang, Executive Assistant  
Your Name, Title / Dept. or Tribal Member

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

## Oneida Business Committee Agenda Request

### 6. Cover Memo:

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

Purpose: To review and approve the travel report by Councilwoman Webster for travel to Washington, D.C. for Tribal Self-Governance Committee.

Background: As an appointed member to the TSGAC, Councilwoman Webster attend the work group's quarterly meeting. The hotel and airfare for this meeting is reimbursed by TSGAC.

Requested Action: To approve the report.

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

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

3) E-mail this form and all supporting materials in a **SINGLE** \*.pdf file to: [BC\\_Agenda\\_Requests@oneidation.org](mailto:BC_Agenda_Requests@oneidation.org)

# BUSINESS COMMITTEE TRAVEL REPORT



Travel Report for: Jennifer Webster  
 Enter name(s) of other Travelers OR [SPACE BAR] to delete

Enter name(s) of other Travelers OR [SPACE BAR] to delete

Enter name(s) of other Travelers OR [SPACE BAR] to delete

Travel Event: Tribal Self Governance Advisory Committee

Travel Location: Washington DC

Departure Date: 07/16/2018      Return Date: 07/19/2018

Projected Cost: 2067.50      Actual Cost: 2312.95

Date Travel was Approved by OBC: 06/27/2018

## Narrative/Background:

Attended Tribal Self Governance Advisory Committee from July 16-19, 2018. Please note that I was appointed to this committee on March 28, 2018 and travel expenses are reimbursed by the TSGAC. (Attachment 1 - Agenda).

## SGAC:

Tuesday July 17 - The morning was spent in Tribal Caucus reviewing tribes overall frustration with the DOI restructure and how it's being constructed as well as the Strategic Plan. There is a disconnect between the Strategic plan and reorganization. (Attachment 2 - written comments from the group for Acting Assistant Secretary - Indian Affairs John Tahsuda).

AS-IA Nomination for Tara Sweeney of Alaska is to be confirmed soon. Tashuda will be acting until Sweeney is confirmed. (Attachment 3)

## Office of Indian Services Update:

Native American Children Safety Act- Mandated Division of Human Services to come up with Child placement guidance for tribes. Has drafted guidelines with HHS, consultations and were published in May. Currently conducting training sessions.



Indian Employment-Requires all federal agencies to develop MOA to move forward amending 477 Law. Currently still amending MOA. DOI is lead agency and will manage the program.

Status Welfare Assistance Funding Increase - The need has increased. Appropriations increased \$2 million. Increase in Child Assistance payments to \$75 million in FY18.

Legislative Update:

Tribal Labor Sovereignty Act-Passed the house twice in recent years, nearly passed Senate.(Needed 60 votes, had 55 but 4 who supported it were absent). Core issue is Do tribes have authority to regulate own workforce?

TLORA=Tribal Law & Order Reauthorization and Amendments Act- Hoven + Udall trying to make revisions focusing on checkerboard reservations. Will try to move thru Senate first, then House.

Budget Update: 1.3% Increase in FY19, 3.1% In house version. New process change that will require Interior sign off. Want better understanding and transparency of budget process. Tribes also want better communication on what is happening and need more involvement from tribes.

Keeping our Children Safe in Schools- There has been an increase in school threats in Indian Country with six (6) in the past few months. School Resources Officer Program is too small-there are 16 resource officers for all tribes and funding is limited and grants run out. BIA can do training drills in schools. Look for grant opportunities in Office of Justice for school violence prevention programs. COPS program is open to tribes, local and state governments. BIE wants to make sure students are safe and need to make sure safe guards are in place.

OST=Office of Special Trustee- OST has to do Trust Evaluation Systems (TES) and are working on streamlining the process. In the past they would conduct several visits to the reservation and it was costly. OST are now working on using online tools to conduct evaluations and have pilot tribes (Oneida being one of them) on board for the audits with a rollout in September.

TSGAC

Introduction of Jean Carol Hovland as the new Commissioner for Administration for Native Americans (ANA), Dept of Health & Human Services. She would like to visit tribes and see firsthand the success stories of Self Governance. I extended a personal invitation to her to visit Oneida to see our programs.

A review of the 14 active consultations are currently underway:  
Rear Admiral Weahee's term is coming to a close and the group would like to nominate him to continue as he is familiar with tribes and our concerns.

A review of Self Governance conf in ABQ: Had over 900 attendees and 27 sponsors.

Currently in planning stages for 2019 April Conf in Travers City, MI.

OTSG=Office of Tribal Self Governance- is recruiting for deputy director and senior financial analyst positions. Transfer of funds are done timely. Currently have 101 compacts, 74 contracts with 370 tribes with 3 more tribes converting (Winnebago Tribe of Nebraska, Conneville, CA and Samish Indian Nation from Portland).

Budget Update: FY 18 IHS received 5.5 billion total appropriations, that included \$498 Million increase from FY 17. They are currently allocating the 98 increase for current services (federal and tribal pay cost and inflation). Funding for tribal and federal pay cost have been distributed as well as Medical inflation. FY19 5.4 Billion budget has been submitted to congress. SDPI was switched to discretionary by POTUS but was rejected by Congress that made it mandatory. Both house and senate want to restore CHR positions. FY20 budget has completed the tribal process and the workgroup presented their recommendations to HHS in April and the process starts (HHS submits to OMB and goes to congress in Feb).

Legislative Update: Appropriations-12 Appropriations bills. HHS funds public health programs and interior which funds Indian specific including IHS. \$50 million set aside for opioids, targeting reductions of unmet needs and deaths and medical treatment programs through competitive grants. IHS was funded at \$5.5 billion in FY18, which is a 10% above FY17.

IHCIF Workgroup Update: Workgroup completed phase I in May and submitted a report and recommendation to RADM Weahkee in June. Currently sorting thru comments. Phase II plans start in August with completion in December. House recommends \$52 million for IHCIF fund for FY19. Below are items of concern:

- User pop issues- workload, eligibility, quality reporting
- Benchmark-IHCIA services, wrap-around, insurance model
- Local factors-price variation, TSA, travel distances, facility factors
- Alternate Resources-revisit 25% default, better data, Congressional + GAO concerns.

Office of Information Technology Update: Concern not all tribes have Health IT modernizations which effects data counts and LFN (Level of Funding Need). Working on funding for OIT with recommendations form TSGAC, DSTAC, and ISAC and leadership to fund health IT programs to present to HHS for separate line item for FY20 budget.

Please let me know if you need more detail on any of the items.

**Item(s) Requiring Attention:**

[Click here to enter text.](#)

**Requested Action:**

Approve report

# DOI SELF-GOVERNANCE ADVISORY COMMITTEE

c/o Self-Governance Communication and Education  
P.O. Box 1734, McAlester, OK 74501  
Telephone (918) 302-0252 ~ Facsimile (918) 423-7639 ~ Website: [www.tribalselfgov.org](http://www.tribalselfgov.org)

## DOI Self-Governance Advisory Committee and Technical Workgroup

### Quarterly Meeting

Tuesday, July 17, 2018 (8:30 am to 4:30 pm)  
Wednesday, July 18, 2018 (8:30am to 12:45 pm)

#1

**Embassy Suites**  
900 10<sup>th</sup> Street NW  
Washington, DC 20001  
Phone: (202) 739-2001

### AGENDA

Tuesday, July 17, 2018 (8:30am to 4:30pm)

#### Meeting of the SGAC and Technical Workgroup Members

- 
- 8:30 am**     **Tribal Caucus**  
*Facilitated by W. Ron Allen, Chairman/CEO, Jamestown S'Klallam Tribe and Chairman, Department of Interior (DOI) Self-Governance Advisory Committee (SGAC)*
- DOI Strategic Plan (no consultation and material changes)
  - AS-IA Nomination
- 9:30 am**     **Invocation**  
**Roll Call**  
**Introductions – (All Participants and Invited Guests)**
- 9:45 am**     **Opening Remarks**  
*W. Ron Allen, Tribal Chairman/CEO, Jamestown S'Klallam Tribe and Chairman, Self-Governance Advisory Committee (SGAC)*
- SGAC Committee Business**
- Approval of Meeting Minutes (March 27-28, 2018)
- 10:00 am**     **Office of Self-Governance Update**
- OSG Update
- Sharee Freeman, Director, Office of Self-Governance, DOI*
- 10:30 am**     **Office of Indian Services Update**
- Native American Children's Safety Act PL 114-165
  - P.L. 115-93, Indian Employment, Training and Related Services Consolidation Act of 2017 (white House meeting & conference)
- Representative, Office of Indian Services, DOI*
- 11:00 am**     **Legislative Update**
- The Practical Reforms and Other Goals to Reinforce the Effectiveness of Self-Governance and Self-Determination for Indians (Progress) Act – the Title IV amendments, S.2515
  - Tribal Labor Sovereignty Act

- S. 1870, Securing Urgent Resources Vital to Indian Victim Empowerment Act (SURVIVE Act) (Hoeven-R-ND)
- S. 1953, Tribal Law and Order Reauthorization and Amendments Act of 2017 (Hoeven-R-ND) H.R. 3864 (Pearce-R-NM), S. 1895 (Udall-D-NM)
- Native American Housing Assistance and Self-Determination Reauthorization Act of 2017 (may be included in Omnibus)
- Remote Sales Tax Legislation H.R.2193 / Indian Tax Provisions (may be included in the Omnibus)
- Carcieri (Gun Lake Case)
- Farm Bill Reauthorization S.2489
- Tribal Nutrition Improvement Act of 2018 S. 2409
- Department of Transportation – Tribal Transportation Self-Governance Program Negotiated Rulemaking Committee Update

*Geoff Strommer, Partner, Hobbs, Straus, Dean and Walker, LLP*

*Phil Baker-Shenk, Partner, Holland & Knight LLP*

*Lloyd Miller, Partner, Sonosky, Chambers, Sachse, Miller and Monkman, LLP*

**12:00 pm Lunch**

**1:30 pm Budget Update**

- FY2018 Appropriations Update
- FY2019 Budget Status
- FY2020 Budget Formulation & Surveys Update
- Tribal Interior Budget Committee Update
- Identify all Funding Streams for SG Base Funding

*Dave Conner, Director, Natural Resources, Red Lake Band of Chippewa Indians*

*Amber Ebarb, Budget/Policy Analyst, National Congress of American Indians*

*Jeannine Brooks*

**2:15 pm Keeping Our Children Safe in School**

- FY2018 Comprehensive School Safety Initiative US DOJ OJP Update
- Create and Maintain Healthy Learning Environments for kids
- Improve Safety of Schools, Students and Communities
- Addressing School Shootings, Bullying, and Violence

*Tony Dearman, Director, Bureau of Indian Education, DOI (invited)*

*Ahniwake Rose, Executive Director, National Indian Education*

*Association*

**2:30 pm Office of Special Trustee (OST)**

**3:15 pm TBD**

**4:00 pm 2018 Self-Governance Strategy Session Discussion**

**4:15 pm Preparation of Issues to Discuss with John Tahsuda III, Principal Deputy – Indian Affairs, Exercising the Authority of the Assistant Secretary – Indian Affairs**

**4:30 pm Adjourn Meeting**

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Wednesday, July 18, 2018 (8:30 am to 12:45 pm)

**Meeting of the SGAC & Technical Workgroup with Acting Assistant Secretary – Indian Affairs**

**(Only Members of the SGAC and Proxies to be seated at the table)**

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- 8:30 am**      **Welcome & Introductions**  
*W. Ron Allen, Tribal Chairman/CEO, Jamestown S’Klallam Tribe and Chairman, Self-Governance Advisory Committee (SGAC)*
- 8:45 am**      **SGAC Joint Discussion with Acting Assistant Secretary – Indian Affairs**  
*John Tahsuda III, Principal Deputy – Indian Affairs, Exercising the Authority of the Assistant Secretary – Indian Affairs (invited)*  
*Representative, Bureau of Indian Affairs, DOI (invited)*
- Strategic Plan all agencies within DOI
  - BIA Reorganization
  - DOI Budget
  - Follow-up Issues SGAC Quarterly Meeting March 27-28, 2018
  - New Business
- 9:45 am**      **Break**
- 10:00 am**     **SGAC Joint Discussion with Acting Assistant Secretary – Indian Affairs**
- 11:30 pm**     **SGAC Members Executive Session with Acting Assistant Secretary - Indian Affairs**
- 11:30 pm**     **Technical Workgroup Work Session**
- Agenda Topics for March SGAC Quarterly Meeting  
*Jennifer McLaughlin, SGAC, Tribal Technical Co-Chair, Self-Governance Legislative Associate, Jamestown S’Klallam Tribe*  
*Ken Reinfeld, SGAC, Federal Technical Co-Chair, OSG Senior Policy Analyst*
- 12:45 pm**     **Adjourn the SGAC Meeting**

## DOI SELF-GOVERNANCE ADVISORY COMMITTEE

c/o Self-Governance Communication and Education  
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DOI Self-Governance Advisory Committee July Quarterly Meeting  
Embassy Suites DC Convention Center  
900 10<sup>th</sup> Street, Northwest  
Washington, DC 20001  
Wednesday, July 18, 2018

*For  
John  
Tahsuda*

### Department of Interior Strategic Plan for Fiscal Years 2018-2022

The Department's Strategic Plan for Fiscal Years 2018-2022 is fundamentally flawed because it fails to respect and honor the government-to-government relationship between the Federal Government and Tribal Nations and diminishes Tribal Self-Governance and Self-Determination. In addition, the goals, strategies and performance measures do not recognize Tribes as a priority and are not reflective of the Departments obligation to uphold the treaty and trust responsibility to Tribes.

- Tribes strongly object to the way in which the plan was constructed and the fact that despite numerous requests from Tribes to provide information and input to assist in shaping the Strategic Plan's mission, goals and objectives, the Department essentially ignored the Tribes and developed goals that do not align with the Departments fundamental responsibilities to Tribes.
- The Secretary of Interior must instruct the Department to make Tribes a priority and include Tribal recommendations throughout the plan and across Interior agencies that are more reflective of the Tribes' missions and goals and that honor and respect the government to government relationship and Tribal sovereignty.
- It is striking that the Office of Insular Affairs are more attuned to the principals of Self-Governance and strengthening the capacity of Nations through strategic investments and the provision of technical assistance as opposed to the Departments goals for Tribes that speak to oversight and reducing Federal dependency from a "social welfare" context.
- The trust obligation is not a social welfare program it is a promise between Nations to provide programs and services in perpetuity in exchange for the vast lands and resources Tribes provided to the US.
- GPRA measures do not align with Self-Governance – new measures need to be created.

Tribal Action Item: The Department needs to make sure that the next iteration of the Department's Strategic Plan is more reflective of the Tribes' mission, goals, and objectives by engaging in "meaningful" consultation with Tribes at the outset of the process and adopting provisions that are more reflective of the Federal/Tribal partnership and the agencies responsibility to uphold the treaty and trust responsibilities. The provisions and language used throughout the plan must recognize Tribes as governments and respect their sovereign status by not relegating them to a status that is either on the same level as constituents and/or other stakeholders or that references Tribes as an afterthought. We need to know who is responsible for developing the plan and engage with them on a regular and meaningful basis.

### The Department's Lack of Workforce Planning and Development

The Administration has unilaterally implemented workforce changes without having first conducted a proper assessment of the organizations structure through a systematic process that provides key information about the agencies performance and the identification of areas in need of improvement or how best to achieve efficiencies through a cost benefit analysis. As a result, changes are being made without the Department knowing if they will improve process effectiveness and efficiency or further impede their ability to carry out their treaty and trust responsibility to Tribes.

- Tribes strongly oppose Departmental workforce changes that would impose additional burdens on Tribes or diminish the Tribe's ability to effectively and efficiently deliver programs and services to their communities and citizens.
- Tribes have expressed frustration that the Administration has unilaterally implemented changes without engaging with Tribes through meaningful consultation, such as, transitioning many SES and career employees out into the field, the shifting of Regional Directors, and proposing to set aside \$900,000 for the Reorganization of the BIA. It is absurd to make

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organizational changes without first knowing where you need people or the type of experience and expertise individuals need to properly execute their job duties.

- Regional Directors are well versed in the specific issues that impact the Tribes in the areas they serve and Tribes rely on their expertise. If there are competency issues in some regions you do not fix those issues by taking the regional directors from regions where they are performing well and doing their job. To unilaterally make a decision without first consulting Tribes on how the organizational scheme is working is paternalistic and an affront to the government-to-government relationship.
- Tribes are already experiencing the negative impact of the rushed and ill-planned reorganizational effort of the Department – to provide a few examples - many regions do not have a Regional Director and some regions do not have anyone in a leadership position who is able to make important decisions; funding is not being distributed in a timely manner (some Tribes are still waiting on FY2017 funding) because the lack of staff needed to get the money out to the Tribes; Tribes are missing out on economic development and other opportunities because the Bureau does not have enough staff in place to address the workload; there is a loss of expertise and knowledge because of workforce changes.
- OSG provides a critical role in supporting the operations of Self-Governance Tribes. The Office is currently staffed with fourteen (14) people despite the fact that they serve nearly half of all Tribes across the United States. As the workload and responsibility increases for OSG there needs to be greater attention devoted to whether or not the staffing or funding needs of OSG are sufficient to allow OSG to carry out their responsibilities to the Self-Governance Tribes.
- Every Tribe needs to be consulted before you assign a new Regional Director to a region.
- We strongly object to the Department moving SES/Career staff around every couple of years because we need consistency and people with expertise to carry out their roles and responsibilities.
- The agency is short staffed and these positions need to be filled as soon as possible because it is negatively impacting Tribes.

Tribal Action Item: The Department needs to align workforce planning with the goals of the agency and ensure that the goals promote Self-Governance and Self-Determination. There needs to be a clear perspective for how these changes will empower and strengthen Tribal communities and Tribes need to be included in every level of the decision-making process. The Self-Governance Office needs to be properly staffed and resourced to carry out their mission to Self-Governance Tribes. OSG needs the appointment of a Deputy Director who can assist the Director with the Office of Self-Governance workload and serve as backup in the event of the Director's prolonged absence due to organizational changes or other factors. The Department must engage with the Tribes in the region before appointing a new Regional Director and dispense with any decision that would require the movement of Regional Directors every couple of years because it does not work for Tribes. Department positions need to be filled post haste.

### **Budget**

We are deeply concerned and disappointed by the Administration's proposed \$375 million reduction in FY2018 and \$465 million reduction in 2019, including the elimination of 21 Programs that serve Indian Tribes across the country since many of these eliminated programs were identified by Tribes through the Tribal Interior Budget Council as priorities.

- It is unconscionable to impose budgetary reductions on Tribes who are already severely underfunded. Providing funding to Tribes is a Federal obligation not an entitlement. There are trust and treaty obligations that are not being met when adequate funding is not provided.
- Every line item in the BIA Budget is important to Tribes because it provides funding for core programs. There seems to be a stark contrast between what the Department considers "core programs" or "mission areas" and what the Tribes view as core programs and we hope we can work together to educate this Administration on the importance of providing funding to support these programs and services for Tribes.
- Tribes should be a priority when it comes to funding decisions.

- Tribes already made their contribution to the “balanced budget” with their land and resources which were taken in exchange for the federal provision of programs and services.
- We do not agree with the Department’s position that it should not gather data to support the request for funding for “unfunded obligations” – data drives funding decisions in the federal system. In order to make a case for more funding we need data to support it and it is incumbent upon the Department as our trustee to support the Tribes and assist us with this effort.
- If the Budget Process is simplified by condensing the number of budget categories, the Department should test run a model with the Self-Governance Tribes and TIBC so that we are able to identify our position relative to the simplified process and to ensure that we reserve our right to critique and adjust it. Tribes need to be able to identify and track line items to ensure they are receiving their Tribal shares.

Tribal Action Item: Make Tribes and Tribal programs and services a budget priority throughout the Department of Interior. Ensure Budget Offices are properly staffed and that internal budget processes allow for the timely and efficient distribution of funding to Tribes. We reserve our right to share our view on whether a simplified budget category works for Self-Governance Tribes and to offer up a critique of the proposed changes and to adjust it accordingly if needed. The budget process needs to be transparent and allow Tribes to decide which programs and services to fund as opposed to the Bureau unilaterally deciding how to allocate and obligate the funding.

### **Funding Mechanisms**

The Self-Governance Advisory Committee directed the technical workgroup to conduct a comprehensive analysis of several Indian Affairs programs. The intent of the analysis was to develop a program formula matrix that displays in a simple document the following: how BIA funds are being distributed; identify areas where the formulas and methodologies used by the Department for distribution can be improved by providing recommendations; confirm that Self-Governance Tribes are being properly included in the formulas; and ensure that Self-Governance Tribes are treated on an equal basis with other Tribes.

- In 2012 members of the workgroup met with BIA program representatives to gather and discuss information relative to this exercise.
- Further action on the findings and recommendations need to be completed.

Tribal Action Item: The Department should work with the SGAC to revisit the Funding Program Matrix findings and recommendations and continue the work in order to identify better mechanisms to address the challenges identified.

### **Alaska Land-Into-Trust**

We are alarmed and disturbed by the Administration’s decision to reverse a Solicitor’s Opinion that recognized the sovereign status of Indian Nations in Alaska by allowing them to place land into trust. We have a lot of exploratory questions regarding the Department’s land-into-trust agenda and how the Department views the Secretary’s authority to take land into trust for all Tribes. In addition, we question the intent behind the Department’s decision to consult on Section 16 that allows Tribes to enact constitutions and be recognized.

- What is the Department’s intention on reversing the Solicitor’s decision on land into trust now?
- Why is the Department initiating consultation on Section 16?
- We view this as an affront to Tribal sovereignty and Self-Governance.

Tribal Action Item: Provide Tribes with an explanation as to why the Administration has decided to reverse course on a Solicitor’s Opinion that recognized the sovereign status of Indian Nations in Alaska and to re-imposed restrictions on the Alaska Tribe’s ability to take land into trust and its decision to initiate consultation on Section 16 authority in Alaska. Refrain from taking any action that would impede the rights of the Alaska Tribe’s to take land into trust or to operate their governments similar to other Tribes across the United States.



**Ensure the Tribal Transportation Self-Governance Program is implemented in accordance with the Fast Act, P.L. 114-94**

The Fast Act passed in December 2015 marked the first ever expansion of Self-Governance outside of DOI and HHS. The Department has two representatives on the negotiated rulemaking committee and we urge this Administration to engage with your political counterparts at DOT to complete the regulation development as required by the Fast Act in good faith and in accordance with the law and principals of negotiated rulemaking.

- Under the last Administration, five negotiated rulemaking meetings were held. There was a 13-month hiatus when the new Administration took over so there was no activity at all in 2017 and this loss of time impeded the negotiated rulemaking process and as a result there continues to be challenges.
- There was a 180-day extension allowed per the statute but that time is running out and Tribes are advocating for another Congressional extension in order to complete the important work of this Committee.
- There is a requirement to negotiate in good faith but the protocols are not being adhered to and the Department of Transportation is taking a hard stance that it is their way or no way at all – this is unacceptable and has resulted in a complete impasse and breakdown in the process.
- Have you engaged with your political counterparts at DOT and if not why?

Tribal Action Item: We urge the Department to engage with your political counterparts at DOT and encourage them to refrain from publishing a Notice of Proposed Rulemaking and support the Tribal position and request for an extension of the negotiated rulemaking process on the implementation of Self-Governance at DOT to allow for the negotiations to be conducted in good faith and in accordance with the law.

**Support for Self-Governance throughout the Federal System**

The Indian Self-Determination and Education Assistance Act marked a new era in Indian Policy recognizing the Tribal Nations' inherent authority and right to Self-Govern. This historic legislation marked a turning point in the Tribal/Federal relationship from paternalistic Federal control to increases Tribal control over Federal programs and services.

- The Administration has on numerous occasions vocalized their support for Self-Governance and Tribal leadership wants to work collaboratively with you to further our vision to preserve, protect and advance Tribal sovereignty and self-governance throughout the federal system of government.
- In the past, we have been met with resistance due to agency territorial issues or a lack of knowledge of Self-Governance. How is the Department interfacing with other Departments and agencies on Self-Governance? How are you educating your counterparts on what Self-Governance is about and how successful the program has been?
- Tribal governments are regulators so the competency is there we just need the willingness of our Federal partners to fully embrace Tribal Self-Governance.

Tribal Action Item: Include OSG in all Regional Director meetings so that the Director is privy to information and opportunities that are being shared with the Regional Directors and in turn the OSG Director can share and educate her counterparts on Self-Governance. This will improve collaboration, coordination and communication amongst the Department.

**Office of Justice Services**

The Office of Justice Services is due to receive funding to address the opioid epidemic in Tribal communities. How will this funding be divided up amongst the Tribes?


Tribal Action Item: Direct OJS to engage with the Tribes on the Opioid funding in order to jointly decide how the money should be distributed in accordance with the Congressional directive and needs of the Tribes.

**477 Program**


Self-Governance Tribes comprise over half of the Tribes who are operating 477 programs.

Tribal Action Item: OSG needs to be involved in the Department 477 discussions and meetings and the Department should continue to push back when other agencies request lists of eligible programs – allow Tribes to decide which programs to include.


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 **Self-Governance**


**Office of Self Governance Update – July 2018**



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 **Self-Governance**


**Tara Sweeney- Assistant Secretary—Indian Affairs**



- Ms. Sweeney of Alaska’s Native Village of Barrow and the Iñupiat Community of the Arctic Slope has been confirmed by the Senate on June 28, 2018.

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2/11




## Self-Governance

### Office of Self Governance – Finance

- To date, OSG has received and obligated approximately \$365,828,797 in FY 2018 funding for distribution.

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## Self-Governance

### OSG Finance - FY 2018


Program	Description	Amount
Child Care Development Fund	Discretionary	13,996,767
Community Services Block Grant	Community Services Block Grant	169,724
Child Care Development Fund	Mandatory	9,710,176
Temporary Assistance for Needy Families/Native Employment Works	Temporary Assistance for Needy Families/Native Employment Works	16,351,424
Operation of Indian Programs	2-year	248,931,686



**Self-Governance**

**OSG Finance - FY 2018**

Program	Description	Amount
Operations of Indian Programs – Reimbursables	Great Lakes Restorations	1,386,250
Contract Support Costs	Contract Support Costs	47,263,923
Department of the Interior	Wildland Fire	3,248,252
OST	Real Estate Appraisals	1,023,623
Operation of Indian Programs & Construction	Annual	1,876,522
Construction	Safety of Dams	2,025,123
Department of Transportation	Construction and Planning	19,845,327




**Self-Governance**

**Contract Support Cost (CSC) 2018 Distributions**

- **CSC Total, to date: \$ 46,355,952**

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## Self-Governance

### Contract Support Cost (CSC) 2017 Update

- FY 2017 total need: \$100,973,197
- FY 2017 Overpayments as of September 30, 2017:  
\$33,370 (1 Tribe)

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## Self-Governance

### Contract Support Cost (CSC) 2018 Data Call due August 1, 2018

- In a Dear Tribal Leader Letter dated June 7, 2018, all Self-Governance Tribes are requested to submit information necessary to calculate the Tribe's CSC need no later than August 1, 2018.

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**Self-Governance**

## BIA Road Maintenance Survey

- Tribal Interior Budget Council Sub-Committee on Road Maintenance is seeking information to help improve BIA Roads program
- Survey is being distributed to all tribes and BIA agencies that operate a Road Maintenance program
- OSG Tribes currently have limited participation. The deadline has been extended to September 30, 2018

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**Self-Governance**

## BIA Road Maintenance Survey

- **Instructions:**
  - Respondents will reply to the survey through the Google survey link
  - Some questions may take additional research.
  - All questions or fields will require a response.
  - At the end on page 5, the user must click Submit in order for their response to be saved.
  - Survey must be completed from beginning to end in one sitting.
  - One response per tribe or BIA agency.

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## Self-Governance

### BIA Road Maintenance Survey

- Survey link:  
[https://docs.google.com/forms/d/e/1FAIpQLSf7XwpyQUgfYuATISFCgoolp2Bi9VYqj1FBeGmin1xj1snsjA/viewform?usp=sf\\_link](https://docs.google.com/forms/d/e/1FAIpQLSf7XwpyQUgfYuATISFCgoolp2Bi9VYqj1FBeGmin1xj1snsjA/viewform?usp=sf_link)
- Contact:
  - Daniel Sine, Budget Analyst
    - Phone: (605) 226-7742
    - Email: [daniel.sine@bia.gov](mailto:daniel.sine@bia.gov)
  - Ernest Pourier, Budget Officer
    - Phone: (605) 226-7743
    - Email: [ernestj.pourier@bia.gov](mailto:ernestj.pourier@bia.gov)

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## Self-Governance

### Tribal Transportation Program Compliance Deadline Extension

- The Bureau of Indian Affairs, Tribal Transportation Program, regulations published on November 7, 2016, established a deadline for BIA and Tribes to comply with requirements for collecting and updating data for the National Tribal Transportation Facility Inventory (NTTFI). See 81 FR 78456 (November 7, 2016). 25 CFR §170.443 required Tribes to collect and update data by November 7, 2017, for proposed roads to be added to, or remain in, the NTTFI.
- The interim final rule published on October 31, 2017, changes the compliance date for submission of the data to **November 7, 2019.**

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## Oneida Business Committee Travel Request

1. **OBC Meeting Date Requested:** 08 / 22 / 18  e-poll requested

### 2. General Information:

Event Name: Tribal Self-Governance Advisory Committee (TSGAC)

Event Location: St. Paul, MN & Washington, DC Attendee(s): Jennifer Webster

Departure Date: various dates, see attached calendar Attendee(s):

Return Date: various dates, see attached calendar Attendee(s):

### 3. Budget Information:

Funds available in individual travel budget(s)

Unbudgeted

Grant Funded or Reimbursed

Cost Estimate: 871.00

### 4. Justification:

Describe the justification of this Travel Request:

As the alternate representative for the Bemidji area on the IHS TSGAC, I am respectfully requesting to join my fellow committee members to these very important annual meetings. Oneida representation at these meetings is critical to networking with other Tribes and negotiating with the Federal government to obtain more health care dollars for the Bemidji area.

All the hotel and airfare for 2018-2019 meetings are refundable from Indian Health Services.

Requested Action: To approve travel to attend TSGAC Quarterly Meetings, Consultations and Strategy Sessions in 2018-2019. The dates are 9/11 - 9/12/18 St. Paul, MN; 10/1 - 10/4/18 Washington, D.C.; 1/22 - 1/24/19 Washington, D.C.; 3/26 - 3/28/19 Washington, D.C.; 4/21 - 4/25/19 Traverse City, MI; 7/16 - 7/18/19 Washington, D.C.; 9/10 - 9/12/19 TBD; and 10/1 - 10/3 Washington, D.C..

### 5. Submission

Sponsor: Jennifer Webster, 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



**Jessica L. Wallenfang**

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**Subject:** FW: Self-Governance -Tribal Strategy Session September 10-12, 2018


**From:** Self-Governance Communication & Education [<mailto:tamis@tribalsegov.org>]

**Sent:** Thursday, July 26, 2018 12:08 PM

**To:** Jennifer A. Webster

**Subject:** Join Self-Governance Tribes for the Tribal Strategy Session September 10-12, 2018

***Join Self-Governance Communication & Education for the  
2018 Self-Governance Tribal Strategy Session  
September 10-12, 2018***



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**Experience the Midwest**

Self-Governance Tribal leaders, staff and other representatives are convening at the Doubletree Downtown St. Paul- Owned by the Mille Lacs Band of Ojibwe to:

- Develop stronger messages about Self-Governance.
- Empower new members of Self-Governance to utilize resources available to them, including the wisdom and skills of elders within Self-Governance.
- Establish an active working agenda and strategy to address on Capitol Hill and within the new Administration.

[Register Now](#) and [Book your Room](#) to ensure the best rate.

---

Self-Governance Communication & Education,  
721 S. George Nigh Expressway Suite #2, McAlester, OK 74501

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Sent by [tamis@tribalsegov.org](mailto:tamis@tribalsegov.org) in collaboration with

### 2018 Calendar

<b>Date</b>	<b>Event</b>	<b>Location</b>
January 23-25, 2018	1 <sup>st</sup> Quarterly Meeting	Washington, DC-Embassy Suites DC Convention Center
March 27-29, 2018	2 <sup>nd</sup> Quarterly Meeting	Washington, DC Embassy Suites DC Convention Center
April 22-26, 2018	Tribal Self-Governance Annual Consultation Conference	Albuquerque Convention Center Albuquerque, NM
July 17-19, 2018	3 <sup>rd</sup> Quarterly Meeting	Washington, DC-Embassy Suites DC Convention Center
September 11-12, 2018 (Tentative)	Tribal Self-Governance Strategy Session	Doubletree Downtown St. Paul, Minnesota
October 1-4, 2018	4 <sup>th</sup> Quarterly Meeting	Washington, DC-Embassy Suites DC Convention Center

### 2019 Proposed Calendar

<b>Date</b>	<b>Event</b>	<b>Location</b>
January 22-24, 2019	1 <sup>st</sup> Quarterly Meeting	Washington, DC-Embassy Suites DC Convention Center
March 26-28, 2019	2 <sup>nd</sup> Quarterly Meeting	Washington, DC-Embassy Suites DC Convention Center
April 21-25, 2019	Tribal Self-Governance Annual Consultation Conference	Grand Traverse Resort and Spa, Traverse City, Michigan
July 16-18, 2019	3 <sup>rd</sup> Quarterly Meeting	Washington, DC-Embassy Suites DC Convention Center
September 10-12, 2019	Tribal Self-Governance Strategy Session	TBD
October 1-3, 2019	4 <sup>th</sup> Quarterly Meeting	Washington, DC-Embassy Suites DC Convention Center

**Jennifer A. Webster**

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**From:** Candice E. Skenandore  
**Sent:** Wednesday, March 28, 2018 2:09 PM  
**To:** Jennifer A. Webster; Nathaniel S. King; Christopher G. Johns; Jessica L. Wallenfang; David L. Larson; Debra J. Danforth; Mercie L. Danforth; Jeffrey R. Carlson; Robert J. Collins  
**Subject:** TSGAC

Good Afternoon,

I wanted to inform you that Councilwoman Jenny Webster has been selected to serve as the alternate representative for the Bemidji area on the IHS Tribal Self Governance Advisory Committee (TSGAC).

The annual Self Governance Conference is holding an IHS listening session with RADM Michael Weahkee, acting Director IHS, to listen to any issues tribes may be having in the area of IHS. If you have any issues you want brought to the Acting Director's attention please let me know so I can work with Jenny in getting these issues addressed. The Self Governance Conference is scheduled April 21-26.

I will be back in the office on Monday, April 2. Feel free to contact me with any questions you may have. Congratulations Jenny!

Have a good Easter,  
Candice

## Oneida Business Committee Travel Request

**1. OBC Meeting Date Requested:** 8 / 22 / 18  e-poll requested

### 2. General Information:

Event Name: Tribal Caucus and Inter-Tribal Criminal Justice Council (ITCJC)

Event Location: Turtle Lake, WI Attendee(s): Lisa Summers

Departure Date: Sep 26, 2018 Attendee(s):

Return Date: Sep 27, 2018 Attendee(s):

### 3. Budget Information:

Funds available in individual travel budget(s)

Unbudgeted

Grant Funded or Reimbursed

Cost Estimate: \$ 406.99 ( POV ) / \$262.15 (ON VEH)

### 4. Justification:

Describe the justification of this Travel Request:

Participating at the Tribal Caucus (TC) and the Inter-Tribal Criminal Justice Council (ITCJC) forums allows the Oneida Nation to continue its effort to advance policy items to ensure the sovereignty of our Nation is not diminished, but enhanced. This forum allows the Oneida Nation an opportunity to work with all the other Tribal Nations in Wisconsin on matters that impact our nation(s); by providing an avenue to address State-Tribal concerns.

Secretary Summers is the Oneida Nation primary liaison to the ITCJC (see resolution BC-06-13-18-A). The Tribal Caucus is the "working group" that meets to discuss matters the tribes would like addressed by the Legislative Council. The Mission of the ITCJC is to coordinate, cooperate, and communicate criminal justice matters that affect Tribal communities in Wisconsin and provide solutions that create safer and healthier communities.

Secretary Summers was appointed to serve as a Public Member of the Legislative Council Special Committee on State-Tribal Relations on June 11, 2018. Additionally, the Oneida Nation is one of the primary facilitators at these meetings with the assistance of the Oneida Intergovernmental Affairs and Communications

### 5. Submission

Sponsor: Lisa Summers, Secretary

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

# Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

## **BC Resolution # 06-13-18-A Amending resolution # BC 01-24-18-A Appointment of Liaison Responsibilities for Organization Entities**

- 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 has determined that the appointment of liaisons to various boards, committees, commissions, and organization units fosters communication and understanding between the organization entities and the Oneida Business Committee; and
- WHEREAS,** the Oneida Business Committee adopted resolution # BC 08-30-17-A, which appointed liaison representatives for organization entities for the 2017-2020 term of the Oneida Business Committee;
- WHEREAS,** the Oneida Business Committee adopted resolution # BC 01-24-18-A, which made amendments to the appointed liaison representatives for organization entities for the 2017-2020 term of the Oneida Business Committee;
- WHEREAS,** since the adoption of resolution # BC 01-24-18-A, five (5) additional entities have been identified which would benefit from the appointment of liaison representatives and one (1) entity has been dissolved and no longer requires the appointment of a liaison representative;
- WHEREAS,** the Legislative Operating Committee has requested the removal of any member of the Legislative Operating Committee as liaison to the Judiciary Standing Committee;
- WHEREAS,** the Legislative Operating Committee wishes to reaffirm the separation of powers between the Oneida Judiciary, who is tasked with the application and interpretation of the law, and the Legislative Operating Committee, who is tasked with the responsibility of the development of law;
- NOW THEREFORE BE IT RESOLVED,** that the following liaison appointments are adopted for the 2017-2020 term of the Oneida Business Committee:

BC Resolution # 06-13-18-A  
Amending resolution # BC 01-24-18-A Appointment of Liaison  
Responsibilities for Organization Entities  
Page 5 of 5

W4	Department of Financial Institutions	Patricia King and Ernest Stevens III	OBC
W5	Department of Health Services	Jennifer Webster and Daniel Guzman	OBC
W6	Department of Justice	Lisa Summers	Brandon L. Yellowbird-Stevens
W7	Department of Natural Resources	Ernest Stevens III and Daniel Guzman	OBC
W8	Department of Revenue	Patricia King and Daniel Guzman	OBC
W9	Department of Tourism	Kirby Metoxen	Ernest Stevens III and Jennifer Webster
W10	Department of Transportation	David Jordan	Kirby Metoxen, James Petitjean, and Travis Wallenfang
W11	Department of Workforce Development	Brandon L. Yellowbird-Stevens	OBC
W12	Inter-Tribal Criminal Justice Council	Lisa Summers	OBC
W13	Special Committee on State Tribal Relations	Lisa Summers	Not Applicable
W14	Wisconsin Council on Problem Gambling	Kirby Metoxen	Brandon L. Yellowbird-Stevens
W15	Wisconsin Minority Health Leadership Council	Jennifer Webster	Kirby Metoxen and Daniel Guzman
W16	Wisconsin Tribal Conservation Advisory Council	Ernest Stevens III	Daniel Guzman, Lisa Summers, and Patrick Pelky

### CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum; 6 members were present at a meeting duly called, noticed and held on the 13<sup>th</sup> day of June, 2018; that the forgoing resolution was duly adopted at such meeting by a vote of 5 members for, 0 members against, and 0 members not voting; and that said resolution has not been rescinded or amended in any way.

  
 \_\_\_\_\_  
 Lisa Summers, Secretary  
 Oneida Business Committee

\*According to the By-Laws, Article I, Section 1, the Chair votes "only in the case of a tie."

State of Wisconsin  
JOINT LEGISLATIVE COUNCIL

Co-Chairs

**ROGER ROTH**  
Senate President

**ROBERT BROOKS**  
Assembly Assistant Majority Leader



LEGISLATIVE COUNCIL STAFF  
**Terry C. Anderson**  
*Director*  
**Jessica Karls-Ruplinger**  
*Deputy Director*

June 11, 2018

Ms. Lisa Summers, Secretary  
Oneida Nation  
P.O. Box 365  
Oneida, WI 54155

Dear Ms. Summers:

We are pleased to inform you that the Joint Legislative Council has appointed you to serve as a Public Member of the Legislative Council Special Committee on State-Tribal Relations. The Special Committee is directed to study issues relating to American Indians and the American Indian tribes and bands in this state and develop specific recommendations and legislative proposals relating to these issues. [s. 13.83 (3), Stats.]

A membership list is enclosed. As soon as the first meeting has been scheduled, you will be notified. One hour prior to the first meeting, the Legislative Council will conduct an orientation for all public members. We urge you to attend this orientation.

If you have any questions concerning the work of your committee, please feel free to contact: David Moore, Senior Staff Attorney, and Rachel Snyder, Staff Attorney, at (608) 266-1304.

Thank you for your willingness to serve on the Special Committee. We look forward to receiving the findings and recommendations of your committee.

Sincerely,

Senator Roger Roth, Co-Chair  
Joint Legislative Council

Representative Robert Brooks, Co-Chair  
Joint Legislative Council

RR:RB:jal  
Enclosure

*Supporting Effective Lawmaking Since 1947*

# DRAFT

# Tribal Caucus

## A G E N D A

Date  
September 27, 2018

Time  
9:30 – 12:00 PM

Place of Meeting  
Turtle Lake Casino  
777 Highway 8/63  
Turtle Lake, WI 54889

- ✚ Welcome & Introductions
- ✚ Review of consultation policy template
- ✚ Recap of State-Tribal Relations Meeting
  - Chapter 51
  - Battery to Tribal Court Officers
  - Tribal College
  - Act 31
- ✚ Developing Agendas items for Upcoming State Agency Consultations
  - Recommendations for agenda items
    - October 2, 2018 Sokaogon Chippewa Community
      - Tourism AM
      - DOT PM
    - October 16 Lac du Flambeau
      - DHS 8 am - noon
    - October 17 Lac du Flambeau
      - Dept. of Corrections AM
      - DOA/Revenue 1:00 pm
- ✚ GLITC Update
  - Tana Aguirre, Oneida Local Government Lobbyist
- ✚ Matrix
  - Review and Update
- ✚ Future Meeting Date and Location
  - November , 2018
- ✚ Adjournment



## Oneida Business Committee Travel Request

**1. OBC Meeting Date Requested:** 8 / 22 / 18  e-poll requested

### 2. General Information:

Event Name: Indian Summer & Meetings in Milwaukee (including GLITC)

Event Location: Milwaukee, WI Attendee(s): Ernest L. Stevens III

Departure Date: Sep 5, 2018 Attendee(s):

Return Date: Sep 9, 2018 Attendee(s):

### 3. Budget Information:

- Funds available in individual travel budget(s)  
 Unbudgeted  
 Grant Funded or Reimbursed

Cost Estimate: \$910.00

### 4. Justification:

Describe the justification of this Travel Request:

Mileage .545 x 256 = 139.52  
 Per Diem 64 x 5 days (2 @ 75%) = 288  
 Lodging 120 x 4 nights = 480

Request to attend Indian Summer September 7th - 9th in Milwaukee. Also requesting approval to attend meetings and events scheduled prior to Indian Summer, such as GLITC pending receipt of final agendas.

### 5. Submission

Sponsor: Ernest L. Stevens III, Councilmember

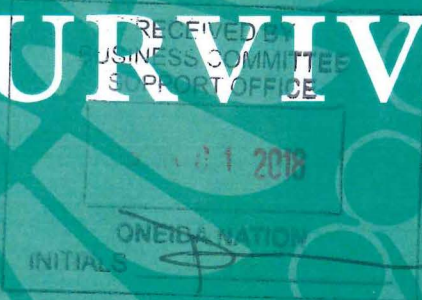
- 1) Save a copy of this form for your records.
- 2) Print this form as a \*.pdf OR print and scan this form in as \*.pdf.
- 3) E-mail this form and all supporting materials in a **SINGLE** \*.pdf file to: BC\_Agenda\_Requests@oneidanation.org





25th Anniversary

# A TRIBUTE TO SURVIVAL



Presented by:



POTAWATOMI  
HOTEL & CASINO®

Co-chairs Museum Trustee

Dr. Lyle A. Ignace and Mark Denning,

along with Museum President Dennis Kois, cordially invite you to join them in celebrating 25 years of the ground-breaking exhibition, *A Tribute to Survival*.

In the fall of 1993, tribal members from across the state joined Milwaukee Public Museum staff to debut a new exhibition celebrating the history and diversity of Wisconsin's tribal nations. Join us as we honor the many people who made *A Tribute to Survival* possible.

Thursday, September 6, 2018

Social: 6-6:30 p.m.

Program: 6:30-7:30 p.m.

Exhibit Viewing: 7:30 p.m.

Milwaukee Public Museum

Uihlein Hall

800 West Wells Street, Milwaukee, WI 53233

*Heavy hors d'oeuvres and beverages will be served.*



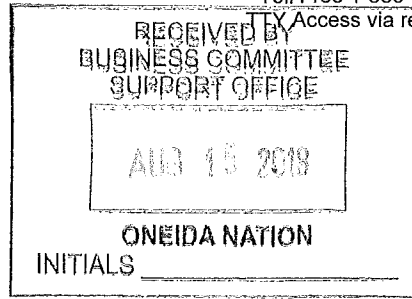
Please RSVP to Aimee Leigh Burmeister by Monday, August 27.

414-278-2748 or burmeistera@mpm.edu

*You and your family are invited to enjoy MPM free of charge prior to event.*

State of Wisconsin  
DEPARTMENT OF NATURAL RESOURCES  
101 S. Webster Street  
Box 7921  
Madison WI 53707-7921

Scott Walker, Governor  
Cathy Stepp, Secretary  
Telephone 608-266-2621  
Toll Free 1-888-936-7463  
TTY Access via relay - 711



TH  
PP  
KA

August 10, 2018

Tehassi Hill  
Chair  
Oneida Nation of Wisconsin  
PO Box 365  
Oneida, WI 54155-0365

Dear Chair Hill,

The Department of Natural Resources is pleased to once again engage with you at our annual tribal consultation. It is scheduled for **Wednesday, September 5, 2018**. We are happy to take this opportunity to discuss items of interest among Wisconsin's eleven Tribal Nations. This consultation will allow us to collectively celebrate our successes and strategically discuss areas identified for improvement. It is our hope that these discussions will continue to strengthen our existing communication between our governments.

**Date:** Wednesday, September 5, 2018  
**Time:** 9:00 am – 12:00pm  
**Host:** Forest County Potawatomi Community  
**Location:** Wgema Campus, 3136 W. Kilbourne Ave, Milwaukee, WI 53213

The Department is committed to continuing our path of understanding and collaboration. We fully recognize and respect the sovereignty of each Tribe, and will continue to work with you on the range of natural resource and environmental programs that we administer. To help us prepare for the consultation, please send us agenda items by August 29<sup>th</sup>. Agenda items can be sent to Shelly Allness who can easily be reached at 608-216-3912 or [michele.allness@wisconsin.gov](mailto:michele.allness@wisconsin.gov).

Thank you for your time and consideration. We appreciate the relationships that have developed between the Department of Natural Resources and the Tribes of Wisconsin, and we look forward to continuing our efforts.

Sincerely,

Daniel L. Meyer  
Secretary

cc: Shelly Allness, DNR Tribal Liaison



INDIAN SUMMER

SEPTEMBER 7 - 9, 2018

TEACHINGS FROM THE  
TURTLE'S BACK

(https://www.faceb

(https://twitter.con

(https://www.yout  
search\_query=indie

FESTIVAL EVENTS

(<http://www.indiansummer.org/schedule-of-events/>)

EDUCATION DAY

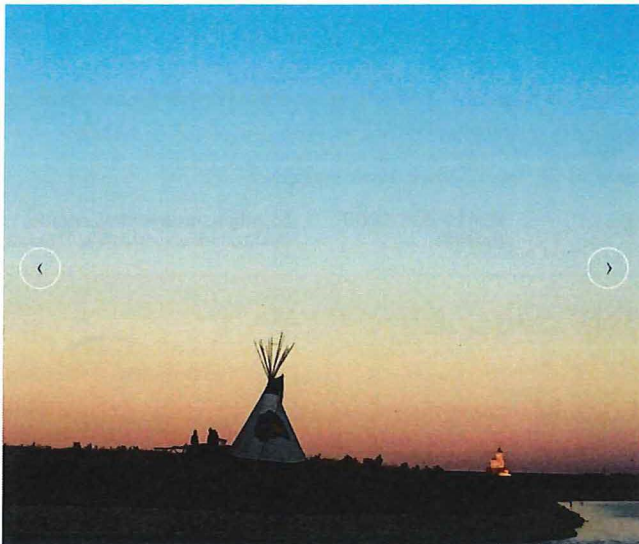
(<http://www.indiansummer.org/education-day/>)

GOLF OUTING

(<http://www.indiansummer.org/golf-outing/>)

WINTER POW WOW

(<http://www.indiansummer.org/winter-powwow/>)



WHAT'S NEW?

Indian Summer Festival  
(<https://facebook.com/210362840321>)  
2 weeks ago

Teachers can still register their classes for Education Day 2018. Friday, September 7 from 9am - 2:30pm the Indian Summer grounds are open exclusively to student groups. There will be hands-on demonstrations, a mini-powwow, lacrosse, exhibits and more showcasing the culture of the tribes of Wisconsin.

Registration form and information is on our website - [indiansummer.org/education-day](http://indiansummer.org/education-day)



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## ABOUT INDIAN SUMMER FESTIVAL

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Organized and Incorporated in 1985 as a 501(c) 3 organization, Indian Summer Inc. was formed for the purpose of organizing and presenting an American Indian ethnic festival at the Summerfest Grounds the weekend after Labor Day each year. The mission of Indian Summer Inc. is to educate, preserve and promote American Indian cultures; showcase the diversity that exists within tribal cultures; provide economic opportunities to our people and strengthen communication and understanding.

Indian Summer Inc., also presents an annual golf outing (<http://www.indiansummer.org/golf-outing/>) to raise funds for the Indian Summer Scholarship, Education Day (<http://www.indiansummer.org/education-day/>) held from 9am to 2pm on Friday of the festival weekend and Winter Pow Wow (<http://www.indiansummer.org/winter-powwow/>) held the second weekend in March at the Wisconsin State Fair Park.



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About (<http://www.indiansummer.org/about/>) Entertainment (<http://www.indiansummer.org/schedule-of-events/>)  
Support (<http://www.indiansummer.org/support-us/>) Sponsors (<http://www.indiansummer.org/sponsors/>)  
Contact (<http://www.indiansummer.org/contact/>) Store (<http://www.indiansummer.org/store/>)  
Calendar (<http://www.indiansummer.org/calendar/>)

P: 414-604-1000  
(tel###)

E: [indiansummer@wi.rr.com](mailto:indiansummer@wi.rr.com)  
(mailto:indiansummer@wi.rr.com)

## Oneida Business Committee Travel Request

1. OBC Meeting Date Requested: 8 / 22 / 18       e-poll requested

### 2. General Information:

Event Name: Mentoring Our Own Native Scientists (MOONS) 2018

Event Location: Lawrence, KS      Attendee(s): Brandon Stevens

Departure Date: Sep 19, 2018      Attendee(s):

Return Date: Sep 21, 2018      Attendee(s):

### 3. Budget Information:

- Funds available in individual travel budget(s)  
 Unbudgeted  
 Grant Funded or Reimbursed

Cost Estimate: \$300

### 4. Justification:

Describe the justification of this Travel Request:

Vice-Chairman Stevens has been invited to speak at the Mentoring Our Own Native Scientists (MOONS) 2018 event that takes place at the Haskell Indian Nations University campus in Lawrence, KS September 19th - 21st, 2018. The cost estimate of \$300 is for a rental vehicle only, all other participation costs for this workshop is fully funded by the National Science Foundation and covers travel, lodging and per diem.

### 5. Submission

Sponsor: Brandon Stevens, Vice-Chairman

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

# KU INSTITUTE FOR POLICY & SOCIAL RESEARCH

The University of Kansas

Jay T. Johnson

Director, Center for Indigenous Research, Science, and Technology (C-FIRST)

April 20, 2018

Dear Brandon Stevens,

We would like to extend to you an **invitation to speak** in a National Science Foundation funded workshop focused on Mentoring Our Own Native Scientists (MOONS). It will take place between **Sept 19-22, 2018** at **Haskell Indian Nations University in Lawrence, Kansas**.

The purpose of the workshop is to discuss solutions to the many challenges Native students face along the academic path toward advanced STEM degrees. This is important because it has been reported by the National Center for Science and Engineering Statistics (2018) that Native students are the only minority group with declining numbers of students in STEM disciplines. The goal is to inform the FIRST (Facilitating Indigenous Research, Science, and Technology) network of scholars currently working to reverse this trend about innovative ideas to aid in their efforts.

We are expecting a group of 40 U.S. and International Indigenous scholars interested in discussing solutions to the many challenges Native students face along the academic path toward advanced STEM degrees including:

- Preparing Native undergraduates for graduate study
- Developing and running a mentoring network
- Creating mentors and advocates
- Working with 'gatekeepers' within academia
- Building alliances with Native organizations

Brandon, we'd like to ask you to present about your work in support of Native American graduate study as a tribal official and Haskell Regent, on an alliance building panel with Kathy DeerInWater from AISES, and Angelique Albert from the American Indian Graduate Center. If you are unable to attend or prefer to not give a presentation, we would appreciate you recommending an alternate speaker whom you believe may be a good match for this topic.

This fully funded invitation covers travel to/from your home to Lawrence, lodging in Lawrence, travel to/from lodging/Haskell, and per diem for travel dates. Please know that in accepting this invitation we ask that you fully engage in the process. We look forward to your response and will send more information to those who accept.

Thank you for considering this offer,

Jay T. Johnson, KU Professor of Geography &  
Daniel R. Wildcat, Haskell Vice President of Academic Affairs



### Oneida Business Committee Agenda Request

1. Meeting Date Requested: 08 / 22 / 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:

Approval is needed for travel request

**3. Supporting Materials**

Report  Resolution  Contract

Other:

1.

3.

2.

4.

Business Committee signature required

**4. Budget Information**

Budgeted - Tribal Contribution  Budgeted - Grant Funded  Unbudgeted

**5. Submission**

Authorized Sponsor / Liaison:

Primary Requestor/Submitter:   
Your Name, Title / Dept. or Tribal Member

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

## Oneida Business Committee Agenda Request

### 6. Cover Memo:

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

In accordance with §219.16-1, Oneida Business Committee approval is needed for travel. The School Board approved the acceptance of the Striving Readers Comprehensive Literacy Grant, which will be the funding source to pay for this travel. If the project is successful, there is potential to receive continued grant funding for up to three (3) years. This grant will also cover the costs of any Substitute Teachers as needed for this travel.

The Oneida Nation School Board approved, in June 2018, the travel for three (3) FACE Staff to attend the National Center for Families Learning Conference September 24-26, 2018.

Per the grant requirements, mandated attendees for the September 27, 2018 Implementation Training for the Striving Reader Comprehensive Literacy Grant consist of the School Administrator, FACE Coordinator, FACE Adult Education Teacher, Face Teacher, FACE Co-Teacher, FACE Parent Educators, and one (1) K-3 Teacher.

The total cost of the travel for the three-day conference and the mandated Implementation Training is \$7,700, which is covered by the grant funds.

- 1) Save a copy of this form for your records.
- 2) Print this form as a \*.pdf *OR* print and scan this form in as \*.pdf.
- 3) E-mail this form and all supporting materials in a **SINGLE** \*.pdf file to: [BC\\_Agenda\\_Requests@oneidation.org](mailto:BC_Agenda_Requests@oneidation.org)



# BIE/FACE SRCL Grant Implementation Training For Striving Reader Comprehensive Literacy (SRCL) Grant Recipients

This training will introduce programs to the NCFL Family Service Learning Model. It will include training on planning, best practices, documentation, and integration. As stated in the SRCL Grant Application, the full team is expected to be present for the training. The full team includes: Administrator, FACE Coordinator, FACE Adult Education Teacher, FACE Preschool Teacher, FACE Preschool Co-teacher, FACE Parent Educators, and one (1) representative teacher from K-3.

Thursday, September 27, 2018  
8:30 a.m. – 4:00 p.m.

\*Must be present for the entire training.

## Location:

Fort Lauderdale Marriott Harbor Beach Resort & Spa  
3030 Holiday Dr.  
Ft. Lauderdale, FL 33316  
954-525-4000

**Please register by Friday, August 31, 2018.**

*For questions about implementation,*  
contact Amanda Evans [aevens@familieslearning.org](mailto:aevens@familieslearning.org).

## *To register, please contact:*

Angel Chichester [achichester@familieslearning.org](mailto:achichester@familieslearning.org) or call 502-584-1133 x132

\*\*The NCFL Conference 2018 is in Ft. Lauderdale, FL, September 24 -26, 2018.

For more information, visit [conference.familieslearning.org](http://conference.familieslearning.org).

The BIE SRCL Grantee Training is in the same hotel on September 27, 2018.

Bureau of Indian Education  
Striving Readers Comprehensive Literacy Grant  
School Year 2018-19

Grant Application Due: Friday, June 25, 2018 – Upload Completed Application in the Native Star FACE (SY18-19) #12 Folder.



(SY18-19) 12--Family  
And Child Education  
(FACE) 0 file(s)

SRCL Applications Reviewed: Monday, June 28, 2018

SRCL Projects Selected and Awarded: Friday, June 30, 2018

SRCL Project Period: July 1, 2018 to June 30, 2019

SRCL Additional Funding up to three years if funds are available beyond the initial funding period and if the school participated in the required activities and submits the required reports meeting all deadlines.

**BIE's Striving Readers Comprehensive Literacy (SRCL) Grant Program** option one purposes are to: (1) engage families and communities in addressing early language development, (2) improve coordination of services in Tribal communities, (3) strengthen transitions from Home Base to preschool, (4) strengthen transitions from early education to primary education, and (5) ensure children have opportunities to learn to read so they can read to learn. FACE site grantees will have the opportunity to achieve these goals through the established process of Family Service Learning.

**Option 1:** Program implementation FACE sites may apply for SRCL funds to enhance transition services Home Base to Pre-K to Kindergarten and Kindergarten to primary grades 1 – 3. Schools will use a developmentally appropriate measure to assess children's readiness for preschool, Kindergarten, and 1<sup>st</sup> grade.

Name of School: Oneida Nation School System – FACE Program

Name of School Official: Sharon (Sheri) A. Mousseau, Superintendent

Email Address of FACE Project Coordinator: [jsummers@oneidanation.org](mailto:jsummers@oneidanation.org) During summer please email [smousseau@oneidanation.org](mailto:smousseau@oneidanation.org) too! \_\_\_\_

Telephone Contact of FACE Project Coordinator: The school main number is: (920)869-1676, ask for Ms. Jackie Summers or Ms. Sheri Mousseau, please

**Application Questions:**

		Yes	No
1	Is the FACE Team fully staffed?	X	
2	Is the FACE administrator fully engaged with the FACE program?	X	
3	The entire FACE team will participate in the Family Service Learning initiative.	X	
4	The FACE staff, a designated elementary school teacher from grades K-3, and the school administration commit to work together and support families throughout the 6-step process for Family Service Learning through SRCL.	X	

5	The FACE staff, the designated elementary school teacher from grades K-3, and the school administrator commit to attend one full day Family Service Learning Implementation training in September 2018 (location to be determined) hosted by NCFL.	X	
6	All FACE and school staff members involved in the Family Service Learning project will share information about the project as well as complete and share applicable assessment data.	X	
7	FACE staff agrees to regular communication, webinar training sessions, and ongoing support from the National Center for Families Learning (NCFL) technical assistance team throughout the project.	X	
8	The FACE program has relationships with community partners who can support our families throughout the established process of the Family Service Learning project.	X	
9	The school will meet the budget requirements and deadlines as stated in the attached budget.	X	
10	Has the FACE program initiated a service project or Family Service Learning project in the past? If yes, describe the past service project or Family Service Learning project your FACE program has initiated in 50 words or less in the text box.	X	
<p><b>“Have Courage and Be Kind”: Oneida FACE’s Anti-Bullying Service Learning 2018:</b>  <b>Oneida FACE staff/parents decided to address bullying issues we have in our community.</b></p> <ul style="list-style-type: none"> <li>• <b>Dinner Theater Family Circle...” Cinderella, Cinderella, What Do You See?” (video on FB page)</b></li> <li>• <b>Kindness Rocks Project to our Oneida Nation (#TheKindnessRocsProject)</b></li> <li>• <b>Mindfulness Initiative for Center Based children.</b></li> </ul>			

### BIE Striving Readers Comprehensive Literacy (SRCL) Grant – Option 1

**Estimated Budget:** Based on receiving \$30,000 for training and delivery of 1-3 FACE Service Learning Projects:

**Time** Outside School Day and/or Classroom Substitutes: \$5,000

**Planning** and Development Meetings with Schools/Families/Partners: \$2,000

**Transportation** for Families to Family Service Learning Events: \$1,800

**Registration** for NCFL Conference for 7 Staff @ \$500 from Each Program Site: \$3,500

**Travel, Lodging, and Per Diem** for 7 Staff from Each Program Site: \$7,700

Costs for Materials, Media and Support Needs for 1-3 Events: \$5,000

National Center Families Learning: Training/Technical Assistance,  
September 2018-June 2019.

Billed directly by NCFL: February 2019 to each grantee for services rendered: \$5,000

**Total: \$30,000**



(<http://conference.familieslearning.org>)

# Register

Regular (3-day) registration: \$499

Daily rates now offered:

- Monday, September 24, 2018: \$230 (includes PNC Grow Up Great@ Welcome Reception)
- Tuesday September 25, 2018: \$260 (includes Banquet)
- Wednesday, September 26, 2018: \$110 (includes Closing Brunch)

[REGISTER](http://www.event.com/d/mgqq2n/4W)

(<http://www.event.com/d/mgqq2n/4W>)

Or click here to download/print the registration form PDF ([http://conference.familieslearning.org/wp/wp-content/uploads/2018/07/2018-Attendee-Registration-Form-fillable\\_7-2-18.pdf](http://conference.familieslearning.org/wp/wp-content/uploads/2018/07/2018-Attendee-Registration-Form-fillable_7-2-18.pdf))

Contact &  
Social

(mailto:info@familieslearning.org) (<http://www.familieslearning.org>) (<https://www.facebook.com/familieslearning>) (<https://twitter.com/familieslearning>)



**CENTER-BASED FACE Technical Assistance Site Visit Summary – 2017-2018**  
National Center for Families Learning

The following summary represents the overall strengths, recommendations/strategies, and concerns observed during the scheduled technical assistance visit. This summary does not replace your technical assistance report. The complete written report and benchmarks will be sent to your program within 45 business days.

<p><b>Program: Oneida Nation</b> <b>Date of Technical Assistance Visit: April 10-11, 2018</b></p>	<p><b>Center-based Technical Assistance Provider: Lynn McGregor</b> <b>Email Address: lmcgregor@familieslearning.org</b></p>
<p><b>Center-based Strengths:</b></p> <ul style="list-style-type: none"> <li>• <b>Language and literacy development:</b> Adult-child interactions are very strong. The learning environment supports children’s talk with frequent conversations between adults and children with a balance of child-talk and teacher-talk. Teachers facilitate turn-taking conversations and expand on conversations with open-ended questions. Teachers are enthusiastic and highly engaged in their interactions with the children.</li> <li>• <b>Engaging instructional practices:</b> Children are engaged throughout the day in active learning that provides experiences across all learning domains. Activities are well-balanced and transitions are smooth allowing for maximum learning opportunities.</li> <li>• <b>Daily routine:</b> The established routine works very well and it is clearly followed with children always having an understanding of what comes next in the day. The routine is posted for children and referred to throughout the day with a marker being moved from one activity to the next by the day’s leader.</li> <li>• <b>Classroom environment:</b> The preschool classroom is large and bright with multiple learning areas that are well-equipped with developmentally appropriate materials. The space and amount of materials in each area is conducive to multiple children as well as children and parents working and playing together.</li> <li>• <b>Preschool PACT Time:</b> Parents are actively engaged in activities with their children and are well supported by the preschool and adult ed staff. Staff provide strong modeling of appropriate adult-child interactions.</li> <li>• <b>Staffing:</b> The program has had a consistent team, particularly in the preschool classroom where the teachers have been on staff for 14 and 16 years. The preschool staff work well with the adult educator and co-coordinator, holding regular meetings and planning together. The staff have a strong understanding of each family and their unique needs. They have built trusting relationships that provide parents with a safe, comfortable place to learn.</li> </ul>	

CENTER-BASED FACE Technical Assistance Site Visit Summary – 2017-2018  
National Center for Families Learning

**Center-based Recommendations & Strategies:**

- Jasmine did a very nice job with the Oneida language lesson, engaging children in total physical response learning. Social dance is also regularly incorporated. Consider more ways to use native language and reflect native culture in the classroom. Play areas and materials can be labeled in both languages, realia can be featured in a culture play area.
- Expand classroom library to incorporate a greater variety of genres and selections. Current classroom library is heavily focused on children's movies and television shows. Consider adding books to each play area. For example, your science area could include non-fiction books related to animals, weather, etc.
- Incorporate more music and songs into daily activities – this can be another way to foster native language and culture.
- Teachers are currently modeling writing and providing relevant writing experiences for children. Build upon these strong practices by adding a variety of writing materials to each play area.
- Ensure that preschool teachers are supporting Parent Time with weekly facilitation on early childhood topics.

Last year's NCFL conference in Tucson had the greatest participation by FACE programs in the conference history. Consider sending staff to this year's conference in Fort Lauderdale in September as a way to provide networking, sharing and learning opportunities with more than 750 participants from a variety of programs across the country.





## Oneida Nation School Board Meeting Minutes

**Date:** Monday, June 25, 2018 [rescheduled from June 4, 2018]

**Time:** 11:45 a.m.

**Place:** O.N.E.S.

The Oneida Nation School Board is committed and accountable to students, parents, families, staff, and community members to provide regulatory oversight for a safe, positive, culturally diverse, holistic, learning atmosphere based on Onayoté a'ka values. We will provide the expectations, resources, and educational opportunities to encourage students to be productive.

**Present:** Todd (Moon) Hill, Fred Muscavitch, Melinda K. Danforth, Rhiannon (RC) Metoxen, Shanna Torres, Melinda J. Danforth [arrived at 12:50 p.m.]

**Excused:** Shannon Metoxen

**Others:** Sheri Mousseau, Artley Skenandore, Yvette Peguero, Tracy Williams, Jolene Hensberger

**Called to order by:** Moon Hill

**Time:** 12:08 p.m.

**Opening by:** Tracy Williams

### I: Approve Agenda

Motion by Fred Muscavitch to approve the agenda. Seconded by Melinda K. Danforth. Motion carried.

### II. Short Program Graduates (invited to July meeting)

### III. Minutes

#### A: Regular Meeting

##### 1. May 7, 2018

Motion by Fred Muscavitch to approve the May 7, 2018 minutes. Seconded by RC Metoxen. Motion carried.

#### B: Special Meetings

##### 1. May 21, 2018

Motion by Fred Muscavitch to approve the May 21, 2018 minutes. Seconded by RC Metoxen. Motion carried.

### IV: E-Polls to Ratify

#### 1. Free Conscious Discipline Training August 21 and 22, 2018 (insufficient votes)

No action taken.

#### 2. Free Conscious Discipline Training August 21 and 22, 2018 (approved) [added on]

Motion by Fred Muscavitch to ratify epoll. Seconded by Melinda K. Danforth. Motion carried.

#### 3. Safety Grant for \$20,000 to upgrade security cameras (approved)[added on]

Motion by Fred Muscavitch to ratify epoll. Seconded by Melinda K. Danforth. Motion carried.

### V: Tabled Business – None

### VI: Standing Agenda Items / Follow-Up

#### A: Standing Agenda Items

##### 1. CIP / High School

Motion by Melinda K. Danforth to defer to July meeting. Seconded by Fred Muscavitch. Motion carried.

##### 2. Athletics – Update by Artley Skenandore

June 26 and 27 is a basketball clinic at ONES. October 8th is a cross-country invitational and includes middle school.

Motion by Melinda K. Danforth to accept the verbal update. Seconded by Fred Muscavitch. Motion carried.

### 3. JOM Program

#### a. Minutes

- i. May 24, 2018
- ii. April 26, 2018
- iii. December 14, 2017

#### b. Budget

#### c. Bylaws – [not submitted]

#### d. How Can JOM Monies Be Utilized (handout)

#### e. Proposed Changes to Regulations for the Johnson-O'Malley Program

Motion by Melinda K. Danforth to accept minutes and information. Seconded by Fred Muscavitch. Motion carried.

### **B: Follow-up**

#### 1. School Board Quarter 2 Report and Semi-Annual Report to OBC (on May 24 BC Agenda and accepted)

Motion by RC Metoxen to accept report. Seconded by Melinda K. Danforth. Motion carried.

#### 2. Educational Leave request to attend UW-Madison Capstone Program:[Deferred until 9/2018]

**[excerpt from August 17, 2017 Minutes]:** Motion by Melinda K. Danforth to defer until September 2018 meeting. Seconded by Fred Muscavitch. Motion carried.

**[excerpt from July 10, 2017 Minutes]:** Motion by Margaret Ellis to accept update and to note agenda that update should be expected after end of program in September 2018. Seconded by RC Metoxen. Motion carried.

**[excerpt from June 5, 2017 Minutes]:** Motion by Melinda K. Danforth to approve request. Seconded by Shanna Torres. Motion carried. Discussion: Request update upon return.

### **VII: New Business**

#### 1. WIAA Senior High Membership Renewal Application for 2018-2019

Motion by Fred Muscavitch to approve renewal application. Seconded by Melinda K. Danforth. Motion carried.

### **VIII: Reports**

#### **A. Superintendent**

#### 1. Request to allow three FACE staff to attend the NCFL Conference in Ft. Lauderdale, FL, Sept 24-26, 2018

Motion by RC Metoxen to approve request for three FACE staff to attend NCFL Conference. Seconded by Melinda K. Danforth. Motion carried.

#### 2. Request to hire two additional K-5 Co-teachers program and one additional K-5 Physical Education Teacher

Motion by Melinda K. Danforth to hire two additional K-5 Co-Teachers and one addition K-5 P.E. Teacher. Seconded by RC Metoxen. Motion carried.

#### 3. Oneida Nation School System Semi-Annual Report (submitted to OBC on May 17, 2018)

Motion by Fred Muscavitch to accept ONSS Semi-Annual Report. Seconded by Melinda K. Danforth. Motion carried.

#### **B. Administrative Staff**

#### 1. Business Manager

#### 2. K-8 Principal

- a. Assistant Principal
- b. Gifted and Talented

#### 3. 9-12 School Principal

#### 4. Language Program

5. Special Education

6. Technology

7. FACE

Motion by Melinda K. Danforth to accept the administrative staff reports. Seconded by RC Metoxen. Motion carried.

**C. FYI only: Monthly School Calendar - None**

**IX: Executive Session**

Motion by Fred Muscavitch to go into executive session at 12:47 p.m. with the presence of Sheri Mousseau and Yvette Peguero. Seconded by RC Metoxen. Motion carried.

Motion by Melinda K. Danforth to come out of executive session at 1:05 p.m. Seconded by RC Metoxen. Motion carried.

1. Monthly School Incident Reports Concern

[MJD arrived at 12:50 p.m.]

Motion by Melinda K. Danforth to put the dates on top of the page to avoid confusion of when incidents occurred. Seconded by RC Metoxen. Motion carried.

Discussion: Yvette Peguero provided an option of submitting SWISS reports but they would not contain any detailed student demographics such as names, etc.

Requesting update at August 2018 meeting to have Culture Keepers assist with hallway duties, etc.

2. Request to hire one language apprentice position.

Motion by Fred Muscavitch to approve the hiring of one language apprentice position. Seconded by RC Metoxen. Motion carried.

3. Election of School Board Officers Vacant Positions (Secretary and Chair)

Motion by RC Metoxen to the voluntary acceptances of Todd (Moon) Hill as Chair; Fred Muscavitch as Vice Chair; and Melinda J. Danforth as Secretary until the newly elected School Board Officer elections in the fall of 2018. Seconded by Melinda K. Danforth. Abstention by Melinda J. Danforth. Motion carried.

**X: ADJOURN**

Motion by RC Metoxen to adjourn at 1:10 p.m. Seconded by Melinda K. Danforth. Motion carried.

Respectfully submitted,

Melinda J. Danforth  
Secretary  
Oneida Nation School Board

Approved: \_\_\_\_\_  
Date

Corrected: \_\_\_\_\_  
Date

### Oneida Business Committee Agenda Request

1. Meeting Date Requested: 08 / 22 / 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:

Approval is needed for travel request

**3. Supporting Materials**

Report  Resolution  Contract

Other:

1.

3.

2.

4.

Business Committee signature required

**4. Budget Information**

Budgeted - Tribal Contribution  Budgeted - Grant Funded  Unbudgeted

**5. Submission**

Authorized Sponsor / Liaison:

Primary Requestor/Submitter:   
Your Name, Title / Dept. or Tribal Member

Additional Requestor:   
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

## Oneida Business Committee Agenda Request

### 6. Cover Memo:

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

In accordance with §219.16-1, Oneida Business Committee approval is needed for travel. The Oneida Language Department Directed obtained School Board approval for the attached request of four (4) Oneida Language Department Staff to attend Kaliwiyo Ceremonies in New York. Staff include the Language Director; Facilitator; Trainee; and Multimedia Specialist. The travel dates are September 28 - October 5, 2018. Funding is unbudgeted tribal contribution to be taken from the Business Unit's account. The Oneida Language Department will further their knowledge, language, and expertise which will increase their ability to be more productive with teaching the Oneida Nation.

- 1) Save a copy of this form for your records.
- 2) Print this form as a \*.pdf *OR* print and scan this form in as \*.pdf.
- 3) E-mail this form and all supporting materials in a **SINGLE** \*.pdf file to: [BC\\_Agenda\\_Requests@oneidation.org](mailto:BC_Agenda_Requests@oneidation.org)



# Oneida Language Department



## Oneida Language Department

### Travel Request

Travel Dates	Location	Purpose	Attendees
September 28, 2018 thru October 5, 2018	Hogansburg, NY	Kaliwiyo Ceremonies	Language Director; Facilitator; Trainee; and Multimedia Specialist  Total of four (4)

**Funding Source: Oneida Language Department Business Unit**



## Oneida Nation School Board Meeting Minutes

**Date:** Monday, August 6, 2018

**Time:** 5:00 p.m.

**Place:** O.N.E.S. Small Gym then move to ONES Library

The Oneida Nation School Board is committed and accountable to students, parents, families, staff, and community members to provide regulatory oversight for a safe, positive, culturally diverse, holistic, learning atmosphere based on Onayoté a'ka values. We will provide the expectations, resources, and educational opportunities to encourage students to be productive.

**Present:** Todd (Moon Hill), Rhiannon (RC) Metoxen, Melinda K. Danforth, Shanna Torres, Melinda J. Danforth

**Excused:** Fred Muscavitch, Shannon Metoxen

**Others:** Sheri Mousseau, Artley Skenandore, Yvette Peguero, Tony Romandine, Tracy Williams, Linda Jenkins, Jolene Hensberger, Amber Sticka, Debbie J. Danforth,

**Called to order by:** Moon Hill

**Time:** 5:10 p.m.

**School Board Mission:** Shanna Torres

### I: Approve Agenda

Motion by RC Metoxen to approve the agenda. Seconded by Melinda K. Danforth. Motion carried.

### II. Short Program Graduates

Motion by RC Metoxen to approve the following Graduates: Melvin Fish, Wesley Jourdan, Ryan King, Kalisa Lyons, Damiano Schwartz, Robert Skenandore, and Cree Tubby. Seconded by Melinda K. Danforth. Motion carried.

### III. Minutes

#### A: Regular Meeting

##### 1. July 2, 2018

Motion by RC Metoxen to approve the July 2, 2018 Minutes. Seconded by Melinda K. Danforth. Motion carried.

#### B: Special Meetings [approve]

##### 1. July 5, 2018

Motion by Melinda K. Danforth to approve the Special Meeting Minutes. Seconded by RC Metoxen. Motion carried.

##### 2. July 19, 2018

Motion by Melinda J. Danforth to approve the July 19, 2018 Minutes. Seconded by Shanna Torres. Motion carried.

### IV: E-Polls to Ratify

##### 1. July 5, 2018 Approval to post job description and hire High School Lang Art Teacher

Motion by Melinda K. Danforth to ratify the July 5, 2018 Epoll. Seconded by RC Metoxen. Motion carried.

##### 2. July 17, 2018 Approval of FACE, Elementary School, and High School Handbooks [approved]

Motion by RC Metoxen to ratify the July 17, 2018 Epolls for Handbooks. Seconded by Melinda K. Danforth. Motion carried.

3. July 17, 2018 Immersion Head Start Language Culture Teacher [approved]

Motion by Melinda J. Danforth to ratify the Immersion Head Start Language Culture Teacher Epoll. Seconded by RC Metoxen. Motion carried.

4. July 26, 2018 Language House Dept.: The Great Law Travel Request [approved] [OBC approved]

a. Request by Melinda K. Danforth to further discuss future travel

Motion by Melinda K. Danforth to move item into Executive Session. Seconded by RC Metoxen. Motion carried.

**V: Tabled Business** [Nothing submitted; no action needed]

**VI: Standing Agenda Items / Follow-Up**

**A: Standing Agenda Items**

1. CIP / High School [no meeting held; no update, no action needed]

2. Subcommittee for Anti-bullying SOP

Motion by Melinda J. Danforth to defer to next month. Seconded by RC Metoxen. Motion carried.

3. JOM Program [at approximately 6:00 p.m.]

Motion by Melinda J. Danforth to defer to next month. Seconded by RC Metoxen. Motion carried.

**B: Follow-up** [Nothing submitted; no action needed]

**C: Deferred Items**

1. Educational Leave request to attend UW-Madison Capstone Program: [Deferred until 9/2018]

**[excerpt from August 17, 2017 Minutes]:** Motion by Melinda K. Danforth to defer until September 2018 meeting. Seconded by Fred Muscavitch. Motion carried.

**[excerpt from July 10, 2017 Minutes]:** Motion by Margaret Ellis to accept update and to note agenda that update should be expected after end of program in September 2018. Seconded by RC Metoxen. Motion carried.

**[excerpt from June 5, 2017 Minutes]:** Motion by Melinda K. Danforth to approve request. Seconded by Shanna Torres. Motion carried. Discussion: Request update upon return.

**VII: New Business**

1. Requesting permission to Conduct Research Study "Examining the Effect School Leadership Styles Have on Student Achievement Growth in Elementary Schools in Wisconsin" submitted by Amber Sticka

Motion by Melinda J. Danforth to approve the request with the recognition to ensure that the School Board has the opportunity to review the data prior to going to the Review Board. Seconded by Melinda K. Danforth. Motion carried.

2. Request for recommendations for Quarterly Report to BC – due date is August 14, 2018

RC Metoxen requests info on dates of when the Tobacco Burning is for the first day of school.

Melinda K. Danforth requests to add in the number of graduates in the quarterly reports.

Melinda J. Danforth requests to add a section in Language Program to add number of enrollment.

Motion by Melinda K. Danforth to conduct an Epoll to review the Quarterly Report. Seconded by RC Metoxen.



Motion carried.

Discussion/Reminder from Debbie Danforth: The Quarterly Reports are about past quarters.

**VIII: Reports**

**A. Superintendent Report**

1. Travel request for additional four (4) staff to attend NCFL Conference

Motion by Melinda K. Danforth to approve the travel request. Seconded by RC Metoxen. Motion carried.

Motion by Melinda K. Danforth to approve the Superintendent Report. Seconded by RC Metoxen. Motion carried.

**B. Administrative Staff reports**

1. Business Manager

2. K-5 Principal

- a. Assistant Principal
- b. Gifted and Talented

3. 6-12 School Principal

- a. Athletic Report

4. Language Program (five travel requests will be emailed as a handout)

- a. Travel request to attend First Nation Development Institute-NLII Conference

Motion by Melinda K. Danforth to approve travel request. Seconded by Shanna Torres

- b. Travel request to attend the Kaliwiyo Ceremonies in New York and Canada

Motion by RC Metoxen to approve the travel request to the Kaliwiyo Ceremonies in New York and Canada. Seconded by Shanna Torres. Motion carried.

5. Special Education

6. Technology

7. FACE

**C. FYI only:** Monthly School Calendar [No submission; no action needed]

Motion by Melinda K. Danforth to accept Admin Reports. Seconded by RC Metoxen. Motion carried.

Motion by Melinda K. Danforth to go into Executive at 6:02 p.m. with presence of Sheri Mousseau, Art Skenandore, and Debbie Danforth. Motion carried.

**IX: Executive Session**

1. #8 SOP: Indirect Compensation – ~~Trade Back for Cash~~ Unused Personal Leave and Vacation Time [tabled by OBC on June 27, 2018], [tabled by OBC on July 25, 2018]

Motion by Melinda K. Danforth to have the School Board Chair contact the School Board Attorney to obtain a supporting statement about breach of contracts, and to request Joanne Harman Curry to contact Joanne House regarding the Breach of Contract so they are on the same page in addition to requesting Melinda J. Danforth to contact Geraldine Danforth to try to work out the breach of contract and to include Artley Skenandore with the documentation, and Geraldine's stance on it if the item is tabled. Seconded by

2. Follow-up Memo from Brandon Stevens, School Board Member Resignation – [accept as FYI]

[RC Metoxen, Sheri Mousseau, Artley Skenandore recused themselves at 6:30 p.m.]

Motion by Melinda J. Danforth to accept Memo as an FYI. Seconded by Melinda K. Danforth. Motion carried.

3. E-MAIL correspondence concerning Proposed Law of Boards, Committees, and Commissions

Motion by Melinda J. Danforth to have School Board Chair contact the School Board Attorney in regard to the Boards, Committees, and Commissions Law. RC Metoxen seconded. Motion carried.

4. Non-reposting of vacant elementary school Administrative Assistant (front desk) Position

Motion by Melinda J. Danforth to request that the front desk position remain open. Seconded by RC Metoxen. Motion carried.

5. Great Law Travel Request

Motion by Melinda J. Danforth to ratify EPoll. Seconded by Melinda K. Danforth. Motion carried.

**X: ADJOURN**

Motion by RC Metoxen at 7:00 p.m. to come out of executive session. Seconded by Melinda J. Danforth. Motion carried.

Motion by RC Metoxen at 7:09 p.m. to adjourn. Seconded by Melinda K. Danforth. Motion carried.

### Oneida Business Committee Agenda Request

1. Meeting Date Requested: 08 / 22 / 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:

Approval is needed for travel request

**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.

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Name, Title / Dept.

## Oneida Business Committee Agenda Request

### 6. Cover Memo:

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

In accordance with §219.16-1, Oneida Business Committee approval is needed for travel. The Oneida Language Department Directed obtained School Board approval for the attached request of four (4) Language Apprentices to attend Kaliwiyo Ceremonies in New York. The travel dates are September 28 - October 5, 2018 and is funded from the awarded ANA Grant. The Language Apprentices will obtain more knowledge and experience that will help increase their ability to teach the Oneida Nation community.

- 1) Save a copy of this form for your records.
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# Oneida Language Department



## Oneida Language Department Travel Request

<b>Travel Dates</b>	<b>Location</b>	<b>Purpose</b>	<b>Attendees</b>
September 28, 2018 thru October 5, 2018	Hogansburg, NY	Kaliwiyo Ceremonies	Four (4) Apprentices

Funding Source: ANA GRANT



## Oneida Nation School Board Meeting Minutes

**Date:** Monday, August 6, 2018

**Time:** 5:00 p.m.

**Place:** O.N.E.S. Small Gym then move to ONES Library

The Oneida Nation School Board is committed and accountable to students, parents, families, staff, and community members to provide regulatory oversight for a safe, positive, culturally diverse, holistic, learning atmosphere based on Onayoté a'ka values. We will provide the expectations, resources, and educational opportunities to encourage students to be productive.

**Present:** Todd (Moon Hill), Rhiannon (RC) Metoxen, Melinda K. Danforth, Shanna Torres, Melinda J. Danforth

**Excused:** Fred Muscavitch, Shannon Metoxen

**Others:** Sheri Mousseau, Artley Skenandore, Yvette Peguero, Tony Romandine, Tracy Williams, Linda Jenkins, Jolene Hensberger, Amber Sticka, Debbie J. Danforth,

**Called to order by:** Moon Hill

**Time:** 5:10 p.m.

**School Board Mission:** Shanna Torres

### **I: Approve Agenda**

Motion by RC Metoxen to approve the agenda. Seconded by Melinda K. Danforth. Motion carried.

### **II. Short Program Graduates**

Motion by RC Metoxen to approve the following Graduates: Melvin Fish, Wesley Jourdan, Ryan King, Kalisa Lyons, Damiano Schwartz, Robert Skenandore, and Cree Tubby. Seconded by Melinda K. Danforth. Motion carried.

### **III. Minutes**

#### **A: Regular Meeting**

##### 1. July 2, 2018

Motion by RC Metoxen to approve the July 2, 2018 Minutes. Seconded by Melinda K. Danforth. Motion carried.

#### **B: Special Meetings [approve]**

##### 1. July 5, 2018

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a. Request by Melinda K. Danforth to further discuss future travel

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**V: Tabled Business** [Nothing submitted; no action needed]

**VI: Standing Agenda Items / Follow-Up**

**A: Standing Agenda Items**

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Motion carried.

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Motion by RC Metoxen to approve the travel request to the Kaliwiyo Ceremonies in New York and Canada. Seconded by Shanna Torres. Motion carried.

5. Special Education

6. Technology

7. FACE

**C. FYI only: Monthly School Calendar [No submission; no action needed]**

Motion by Melinda K. Danforth to accept Admin Reports. Seconded by RC Metoxen. Motion carried.

Motion by Melinda K. Danforth to go into Executive at 6:02 p.m. with presence of Sheri Mousseau, Art Skenandore, and Debbie Danforth. Motion carried.

**IX: Executive Session**

1. #8 SOP: Indirect Compensation – ~~Trade Back for Cash~~ Unused Personal Leave and Vacation Time [tabled by OBC on June 27, 2018], [tabled by OBC on July 25, 2018]

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2. Follow-up Memo from Brandon Stevens, School Board Member Resignation – [accept as FYI]

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4. Non-reposting of vacant elementary school Administrative Assistant (front desk) Position

Motion by Melinda J. Danforth to request that the front desk position remain open. Seconded by RC Metoxen. Motion carried.

5. Great Law Travel Request

Motion by Melinda J. Danforth to ratify EPoll. Seconded by Melinda K. Danforth. Motion carried.

**X: ADJOURN**

Motion by RC Metoxen at 7:00 p.m. to come out of executive session. Seconded by Melinda J. Danforth. Motion carried.

Motion by RC Metoxen at 7:09 p.m. to adjourn. Seconded by Melinda K. Danforth. Motion carried.

## Oneida Business Committee Agenda Request

**1. Meeting Date Requested:** 08 / 22 / 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:

Approval of CIP Package for CIP #16-001 Cultural Heritage Site Restrooms and activation of the approved FY'2016 CIP funds for #16-001 Cultural Heritage Site Restrooms.

**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: James Petitjean, Area Manager/Community Development  
Your Name, Title / Dept. or Tribal Member

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

Additional Requestor: Fawn Cottrell, Contract Processor/Engineering  
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) Package #16-001 and activation of the allocated CIP funding.

Background:

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 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. The Cultural Heritage Restroom facility will be managed by Oneida DPW/Custodial.

The project's CIP Concept Paper was approved by the Business Committee on 5/9/18.

Action Requested:

1. Approval of project #16-001 Cultural Heritage Site Restrooms CIP Package.
2. Activation of \$ 191,000 from the approved FY2016 CIP Budget for CIP #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

# Cultural Heritage Site Restrooms



**CIP #16-001**

**CIP PACKAGE**

**June 13, 2018**

**Project Client: Governmental Services**

**Project Team:**

George Skenandore	Division Director, Governmental Services
Kris Hill	Cultural Heritage, Area Manager
Jeff Witte	Project Planner - Planning Dept.
Wayne Metoxen	Project Manager - Engineering Dept.
Paul J. Witek	Senior Tribal Architect - Engineering Dept.
Dennis Johnson	Community Wells & Septic
Jacque Boyle	Division Director, DPW
Michelle Danforth-Anderson	Director – Marketing & Tourism

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## PROJECT EXECUTIVE SUMMARY

Project Title: Oneida Cultural Heritage Site Restrooms

### 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.

### Management/Business Plan:

Like the Oneida Lake restrooms. The Cultural Heritage Restroom facility will be managed by Oneida DPW/Custodial. No new workers will be needed for this project from Oneida DPW/Custodial. However, operational funds will need to be identified by DPW for supplies, maintenance & utility costs.

A Business plan is not required being the project is not intended to generate revenue.

### Site Selection:

The restrooms will be located on the Cultural Heritage property. See site map located in appendix.

(see page 14 of CIP Package)

**Project Budget Estimate:** (also see page 8 of CIP Package)

Soft & Misc. Costs:	\$43,800
Construction:	\$123,700
Furniture, Fixtures & Equipment (FFE):	\$3,200
Contingency: 12%	\$20,484
<b>Total (rounded):</b>	<b>\$191,000</b>

### Financial Plan:

Project funds have been included in the FY2016 CIP budget.

(see page 10 of CIP Package)

### Communication Plan:

The standard process will be used for communicating the project status to the community.

(see page 11 of CIP Package)



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**I. Needs Assessment and Project Justification**

- A. **Introduction:** 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.
- B. **Present Facilities:** There are no existing restroom facilities on site other than porta potties bought in during special events.
- C. **Problem:** Failure to hold events due to improper toilet facilities. Porta Potties are meant for onetime events where there is no Public Toilet Facilities available.

**II. Business Plan**

- A. The restroom project is not structured to accumulate profits, therefore, a Business Plan is not applicable for this project per the Capital Improvement Process.

**III. Management Plan**

- A. Management

There will be no impact to any Tribal Dept. Management Structure. However, DPW Facilities, Plumbing, Grounds keeping & Custodial well all share responsibility for building maintenance.

Cultural Staff and DPW will each have a key and be responsible for locking and unlocking the facility when appropriate.

B. Organizational Chart

CURRENT  
DIVISION OF PUBLIC WORKS

MARCH 16, 2018

UPDATED 5-24-18

Approximately 180 employees  
(this is highly dependent on the  
Custodial Department)



## C. Staffing, Requestor:

Current staffing will not change as a result of this project.

## D. Staffing, Service Departments: The tribal service departments that are impacted by this project include the following. Their need for additional staffing due to this project is noted:

1. DPW – Facilities (no additional position(s) needed)
2. DPW – Grounds keeping (no additional position(s) needed)
3. Custodial (no additional position(s) needed)
4. MIS (no additional position(s) needed)

**IV. Facility Concept and Space Requirements**

A. The proposed building will be a one-story structure of approximately 562 square feet.

B. Consistent with the Oneida Design Standards, it is our intention to utilize sustainable design principals on this project. Meaning, we will design, construct, and operate the building to minimize negative impacts to the natural environment and health, while optimizing long-term costs.

C. The spaces to be included are:

1 Mens Bathroom	110	Sq Ft with 2 fixtures
1 Womens Bathroom	115	Sq Ft with 2 fixtures
1 Mechanical Room	80	Sq Ft
1 Exterior Storage room	200	Sq Ft for tables, chairs, equipment etc.

Structure Gross Factor	6.06
Building Circulation Gross Factor	<u>50.5</u>

TOTAL GROSS AREA	562	Sq Ft.
------------------	-----	--------

**V. Site Selection Criteria**

A. Restroom will be located on the Cultural Heritage Property. See site map in appendix.

**VI. Environmental**

A. An Environmental Assessment will be initiated once the project has been approved and the design is at a stage where there is sufficient information to request the assessment.

**VII. Budget Estimate****SOFT and MISCELLANEOUS COSTS**

Engineering Dept. Fees		9,700
Architect / Engineer Fees & Reimbursables		14,800
Soil Borings, Testing and Surveys		11,100
Agency Review and Approval Fees		200
Insurance - Builders Risk	covered by property insurance	
Archaeological Survey & Site Monitoring		8,000

Sub-total: 43,800

**CONSTRUCTION**

Utility Relocation/Extension		30,000
General Requirements		6,000
Site Work & Landscape		6,000
Building Construction	SF 562	67,143
Integrated Automation (DDC Controls)		0
	0	0
		0

Sub-total: 109,100

Oneida Preference Amount		0
Sustainable Design Premium	7%	7,637
Inflation Factor: 2 years	3% per year	7,004

Sub-total: 123,700

**FIXTURES, FURNISHINGS AND EQUIPMENT**

Division 10 - Specialties		3,231
Division 11 - Equipment		0
Division 12 - Furnishings		0
Division 27 - Communications		0
Division 28 - Electronic Safety & Security		0

Sub-total: 3,200

TOTAL:		170,700
Contingency:	12.0%	20,500
Finance Costs:	0.0%	0

**ESTIMATED TOTAL PROJECT BUDGET: \$ 191,000**

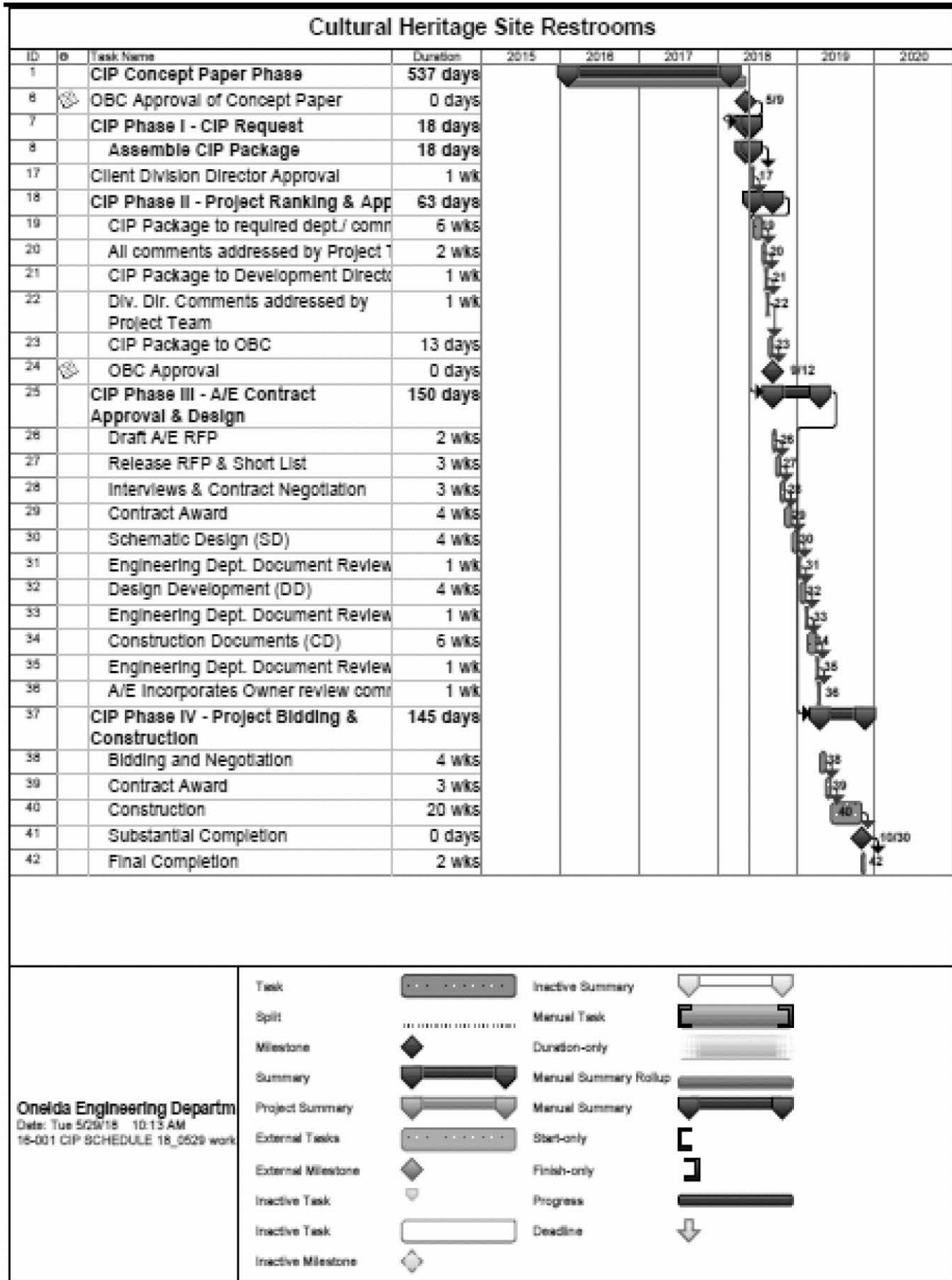
**VIII. Financial Plan**

- A. Tribal Financing: - The project will be funded through the already approved FY-2016 CIP funds.

**IX. Communication Plan**

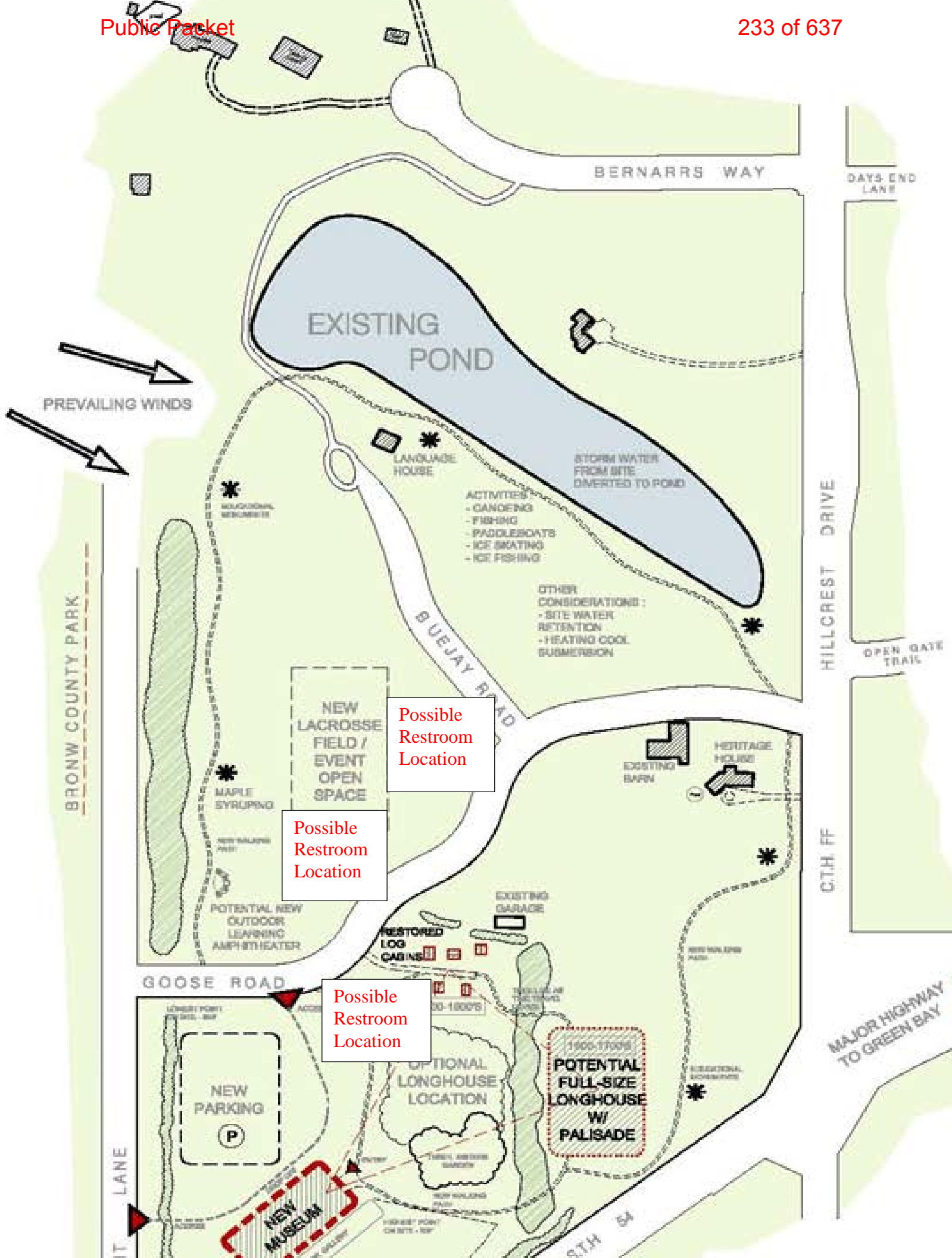
- A. Information included in a communication plan for this project will include:
1. CIP project number
  2. Project title
  3. Project Manager (including: phone, fax numbers and e-mail address)
  4. Project phase (Project will follow the CIP process phases)
  5. % of Phase completed
  6. Brief description of the project scope
  7. Project budget amount
  8. Project schedule
- B. The Project Information will be communicated to the community and staff as follows:
1. Weekly status reports - Monday 8:30 AM at LBDC conference room (Project Manager)
  2. Quarterly reports Tribal publications including: Kalihwisaks (Senior Tribal Architect)
  3. Quarterly reports on Oneida website and on Oneida Intranet (Senior Tribal Architect)
  4. Periodic articles in the Kalihwisaks based upon the specific needs of the project. (Project Manager)

X. Project time line



XI. Appendix





Possible Restroom Location

Possible Restroom Location

Possible Restroom Location

## 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: June 14, 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
- CIP Package – dated: June 13, 2018

**George C. Skenandore**

Digitally signed by George C. Skenandore  
Date: 2018.06.14 14:07:53 -05'00'

George C. Skenandore, Governmental Services Division  
Director

Date

Form CIP-05

# Memo

**To:** Oneida Business Committee

**From:** Wayne Metoxen, Project Manager  
Paul Witek, Engineering Dept. Director-Senior Architect  
Kristine Hill, Area Manager, Cultural Heritage

**CC:** George Skenandore, Division Director, Governmental Services  
Troy Parr-Division Director, Community Development & Economic Development

**Date:** 8/9/2018

**Re:** Cultural Heritage Site Restrooms CIP #16-001

---

The following are the project team's responses to the comments received from the various review entities regarding the Capital Improvement Process (CIP) Package for this project.

## Arts Board

### Comment:

After reading through the proposal, we strongly recommend a gender-neutral restroom and that this restroom also be accessible to differently abled persons. A proposed "unisex" restroom is noted initially, but further down in the reading there is only specs for a men's and women's restrooms. A gender neutral, accessible restroom would signal that we welcome elders, those with disabilities, and those who are transgender to this site. In addition, the board recommends the additional consideration of family needs—baby changing states in each restroom.

### Response:

The project team will ensure a unisex restroom and baby changing stations are part of the overall project. The restrooms are required by building code to be handicap accessible.

**Environmental Health & Safety Division Director**

Comment: None.

Response: N/A

**DPW Facilities Department Director**

Comment: None.

Response: N/A

**Chief Finance Officer**

Comment: None.

Response: N/A

**Land Commission**

Comment: None.

Response: N/A

**Planning Department Director**

Comment: None.

Response: N/A

**Utilities Department Director**

Comment: None.

Response: N/A

**Environmental Resource Board**

Comment: None.

Response: N/A

**Community & Economic Development Director**

Comment: None.

Response: N/A

**CIP BUDGET ACTIVATIONS 2016**

Revised: 01/26/17

Project No.	Project Title	CIP \$ App'd FY 2016	Activated Amount	Date Activation Approved	Unactivated Balance	Notes
13-002	54 One Stop Replacement	395,000	395,000	03/09/16	0	A
14-002	Cemetery Improvements	63,000	63,000	03/09/16	0	A
14-014	Oneida Golf Enterprise Remodel - Phase II	265,000	265,000	07/27/16	0	A
16-001	Cultural Heritage Site - Restrooms	191,000			191,000	A
17-008	One Stop	100,000	100,000	01/16/17	0	A, B
<b>TOTALS:</b>		<b>1,014,000</b>	<b>823,000</b>		<b>191,000</b>	

**Adjustments**


**Notes:**

- A. Funding source: Tribal Contribution
- B. Funding activation through Finance Committee.

## Oneida Business Committee Agenda Request

**1. Meeting Date Requested:** 08 / 22 / 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:

Accept report in compliance with Election Law: 102.11-13. *Declaration of Results*. The Business Committee shall declare the official results of the election and send notices regarding when the swearing in of newly elected officials shall take place within ten (10) business days after receipt of the Final Report

**3. Supporting Materials**

Report  Resolution  Contract

Other:

1.

3.

2.

4.

Business Committee signature required

**4. Budget Information**

Budgeted - Tribal Contribution  Budgeted - Grant Funded  Unbudgeted

**5. Submission**

Authorized Sponsor / Liaison:

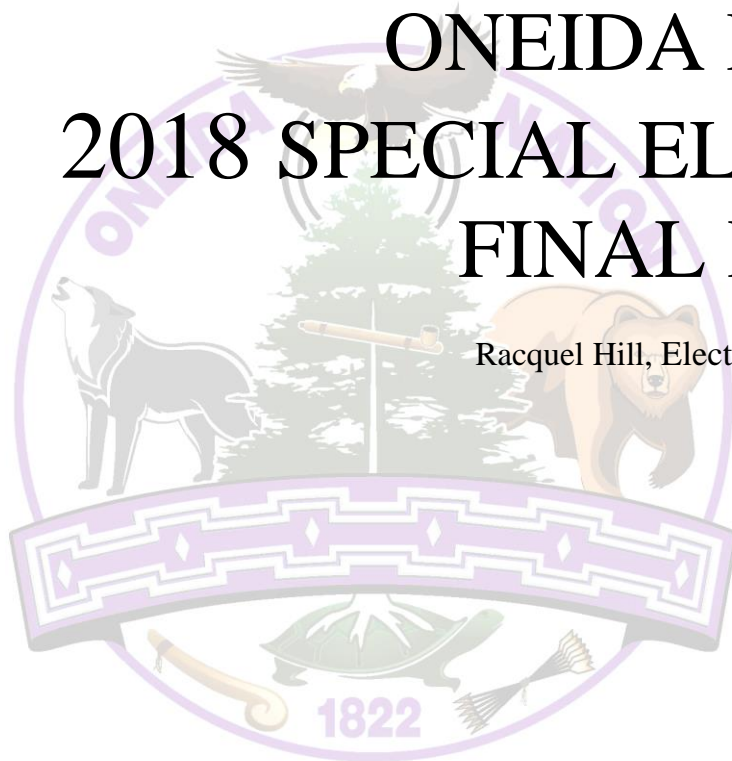
Primary Requestor/Submitter:   
Your Name, Title / Dept. or Tribal Member

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

# ONEIDA NATION 2018 SPECIAL ELECTION FINAL REPORT

Racquel Hill, Election Board Chairperson  
August 15, 2018



## 2018 SPECIAL ELECTION FINAL REPORT

The annual 2018 special election was held on July 14, 2018, at the Ridgeview Plaza – Suite #4 and the South Eastern Oneida Tribal Services (SEOTS) building in accordance with the Oneida Election Law.

Included in the report are: 1) Narrative; 2) Totals and Demographic Breakdowns 3) Final Election Results; 4) Total Election Costs; 5) Issues of Concern for Business Committee to Address; and 6) Requested Action.

### 1. NARRATIVE

The ballot consisted of nominees from the caucus held on Saturday, May 5, 2018 for a multitude of vacancies to fill within the Election Board, Gaming Commission, Land Claims Commission, Land Commission, Oneida Nation Commission on Aging, School Board (At large and parent positions), Trust Enrollment Committee and GTC Legal Resource Center Attorney. There were no nominees or applicants for the attorney position.

There were 850 ballots ordered (Oneida – 700; Milwaukee – 150). The Board counted and double counted to ascertain the ballot count. The flash drives ordered and received worked properly after a test run was conducted; however, the ballot machine at Oneida polling location did not print a zero tape due to an error by Chairperson Hill. On election day, the polls were closed from the test run and re-opened, but the number of test ballots (14) remained on the screen. At the July 25, 2018 Election Board meeting to verify election results, concerns were brought forward regarding the test ballot issue at the Oneida polling location. It was determined at this meeting to consult with the Business Committee liaisons regarding next steps. At the meeting with the liaisons of August 2, 2018, it was determined that the Chairperson inadvertently pushed the closed polls on the screen but not on the machine itself. In her error and on election day, Chairperson Hill explained to the first four (4) voters that there was not a zero tape printed, and they were signing the results of the test ballots and were confirming no ballots were in the machine. They understood and signed the tape. In Milwaukee, a zero tape was printed by the Vice Chairperson had the wrong individuals sign the tape. Election Board members signed the tape rather than voters. Another meeting held on August 9, 2018 to troubleshoot the variances and verify the results. Those are listed below on the 2018 Vote Total Results.

*Corrective action:* Board to include an attachment with a clear and concise way to print the zero tape to the Conducting Elections SOP. This was an isolated incident which proved the printing of the zero tape is critical. Board is aware to be versed in the DS200 ballot machine instructions, the SOPs, and Election Law.

The special election was held on Saturday, July 14, 2018 with the polls being open from 7 a.m. -7 p.m. Tentative results were posted at all prominent locations as defined within the Election Law.

The following individuals were present at the polls for the special election in their official capacity as required by the Oneida Election Law:

#### *Oneida Polling Site:*

Racquel Hill, Chairperson  
Sunshine Wheelock, Secretary  
Tonya Webster, Member  
Stephanie Metoxen, Alternate  
Patricia Moore, Alternate  
Shelly King, Alternate

#### *Milwaukee Polling Site:*

Teresa Schuman, Vice Chairperson  
Tina Skenandore, Member  
Kalene White, Alternate  
Paula Fish, Alternate  
Michelle John, Alternate  
Katherine LaRoque, Alternate



Kelly Danforth, Enrollments Staff  
 Ashley Blaker, Enrollments Staff  
 Latsi Hill, OPD  
 Ralph Powless, OPD

Debra Johnson, Enrollments Staff  
 Eddie Metoxen, OPD

After the close of polls, ballots were counted and double counted as follows:

*Oneida Polling Site*

481\* voted ballots  
 53 spoiled ballots  
 166 unused ballots  
 700 total ballots

*Milwaukee Polling Site*

58 voted ballots  
 5 spoiled ballot  
 87 unused ballots  
 150 total ballots

The ballots were transferred without incident to Records Management and Oneida Police Department for retention as defined by the Election Law Section C. Securing Ballots, 2.10-7. The ballots will be destroyed within thirty (30) calendar days after the election or after the final declaration of official election results occurs, whichever is longer.

## 2. TOTALS AND DEMOGRAPHIC INFORMATION

*Special Election Totals:*

Number of voters: 540\*

Number of spoiled ballots: 58

Male 196 Female 346

Age Groups	18-54	55-64	65-74	75-84	85-94	95+
# of Voters	252	114	114	52	9	1

Demographic information (prepared by Kelly Danforth, Trust Enrollment Department):

On reservation - 422

Brown/Outagamie - 66

Milwaukee - 45

State of WI - 5

Out of state - 4

NOTE: Total number of voter and votes cast was 542; however, two (2) enrollments numbers were inadvertently punched (one (1) in Oneida and one (1) in Milwaukee) that were not able to be removed from the system making it a total of 540. One (1) ballot from Oneida was spoiled due to an over vote and the voter left without correcting, making it a total of 539 votes cast. When this occurred, the poll workers were sure to inform voters to be sure their vote counted before leaving the polling location.

There was one (1) recount requests received and recounts were conducted in accordance with § 2.11-7 of the Oneida Election Law. Results of recounts as follows:

July 19, 2018

	Mark A Powless Sr.	Larry B. Smith	Michael J. Jourdan	Rod Hill	Jason Kurowski	Jodi M. Skenandore	Jonas Hill	Gladys Dallas
Tentative Results	119	49	25	65	37	83	109	52
Recount	116	47	24	63	36	81	109	50

There were no challenges filed.

### 3. FINAL SPECIAL ELECTION RESULTS

Winners are highlighted

ONEIDA NATION 2018 VOTE TOTAL RESULTS									
Original tentative results:									
ELECTION BOARD	ONEIDA	MILW	TOTAL	test ballots	tentive minus test ballots	7/19 Recount	8/09 mach 1	8/09 mach 2	
MIKE DENNY	147	18	165	9	156	156	156	156	
CANDACE (CANDY JOURDAN) HOUSE	159	16	175	8	167	167	167	167	
SHANNON METOXEN	206	26	232	7	225	225	225	225	
MELINDA K. DANFORTH	315	29	344	6	338	338	338	338	
JENNIFER L. HILL	200	32	232	5	227	227	227	227	
VICKI CORNELIUS	193	23	216	4	212	212	212	212	
GLADYS DALLAS	88	20	108	3	105	105	105	105	
<b>GAMING COMMISSION</b>									
MARK A. POWLESS SR.	99	20	119	2	117	117	117	117	
MELISSA ALVARADO (KOEHLER)									
LARRY B. SMITH	49	0	49	2	47	47	47	47	
MICHAEL J. JOURDAN	24	1	25	1	24	24	24	24	
ROD HILL	60	5	65	2	63	63	63	63	
JASON KUROWSKI	34	3	37	1	36	36	36	36	
JODI M. SKENANDORE	79	4	83	2	81	81	81	81	
JONAS HILL	98	11	109	1	108	108	108	108	
GLADYS DALLAS	39	13	52	2	50	50	50	50	
<b>LAND CLAIMS COMMISSION</b>									
DONALD D. MCLESTER	366	36	402	10	392	392	392	392	
DAKOTA A. WEBSTER	352	46	398	9	389	389	389	389	
GLADYS DALLAS	134	21	155	8	147	147	147	147	
<b>LAND COMMISSION</b>									
SHERROLE BENTON	248	27	275	9	266	266	266	266	
MIKE MOUSSEAU	224	20	244	8	236	236	236	236	
DONALD D. MCLESTER	228	17	245	7	238	238	238	238	
DAN HAWK	134	18	152	6	146	146	146	146	
TANYA KRUEGER (SKENANDORE)	187	21	208	5	203	203	203	203	
DAKOTA W. WEBSTER	131	26	157	4	153	153	153	153	
LINDA (BUFFY) DALLAS	161	25	186	3	183	183	183	183	
<b>ONEIDA NATION COMMISSION ON AGING</b>									
RITA MAY SUMMERS	122	14	136	6	130	130	130	130	
VICTRIETTA A. HENSLEY	120	12	132	5	127	127	127	127	
PAT LASSILA	205	15	220	4	216	216	216	216	
LOIS J. POWLESS	213	22	235	6	229	229	229	229	
WINNIFRED (WINNIE) THOMAS	132	18	150	5	145	145	145	145	
MARLENE SUMMERS	205	18	223	4	219	219	219	219	
DONALD D. MCLESTER	80	12	92	5	87	87	87	87	
JULIE BARTON	181	25	206	4	202	202	202	202	
CATHY L. METOXEN	95	22	117	3	114	114	114	114	

ONEIDA SCHOOL BOARD (AT LARGE)									
LISA LIGGINS	383	44	427	14	413	413	413	413	413
TRACY L. METOXEN	355	41	396	13	383	383	383	383	383
ONEIDA SCHOOL BOARD (PARENT)									
<b>DEBRA J. DANFORTH</b>									
MELINDA K. DANFORTH	409	42	451	12	439	439	439	439	439
TRUST ENROLLMENT COMMITTEE									
DEBRA J. DANFORTH	235	25	260	9	251	251	251	251	251
CHAD WILSON	200	29	229	8	221	221	221	221	221
LISA LIGGINS	315	25	340	7	333	333	333	333	333
GERALDINE R. DANFORTH	237	24	261	6	255	255	255	255	255
CATHY L. METOXEN	109	20		5	124	124	124	124	124
TRACY L. METOXEN	130	15	145	4	141	141	141	141	141
GLADYS DALLAS	95	18	113	3	110	110	110	110	110

#### 4. TOTAL COSTS

##### Caucus Expenses:

TYPE	AMOUNT
Printing	\$ 946.82
Stipends	500.00
Total	\$1,446.82

##### Special Election Expenses:

TYPE	AMOUNT
Ballots/Flash Drives	\$ 1,439.48
Printing	1,070.90
Travel	2,952.00
Meals	958.00
Stipends	2,740.00*
Subtotal	9, 160.48
Caucus Total	1,446.82
<b>TOTAL</b>	<b>\$10,607.30</b>

\*This amount includes only the stipends for the prep meeting of July 13 and July 14 election day. Please note there are Election Board meetings called as necessary to prepare for elections.

#### 5. ISSUES OF CONCERN/PARKING LOT ISSUES

- a) Election Law states: *102.10. Tabulating and Securing Ballots Section A. Machine Counted Ballots 102.10-2. At least six (6) Election Board members shall sign the election totals, which shall include the tape signed by the members of the Nation before the polls were opened per section 102.9-3(a).*

Election Board recommends reducing number of Election Board members needed to five (5) in Oneida and four (4) in Milwaukee which will produce a cost savings and eliminate the need for alternates except when needing to replace those Board members needing to recuse themselves or posting for alternates to work shifts on election days.

- b) Language in law regarding recount requests states: *102.11-5. A candidate requests a recount by hand delivering a written request to the office of the Nation's Secretary, or noticed designated agent, within five (5) business days after the election. Why must they be hand delivered?*
- c) Requirements in law re; postings & definition of Prominent Locations: *102.11-2. The Election Board shall post, in the prominent locations, and publish in the Nation's newspaper, the tentative results of an election. 102.3-19. "Prominent locations" shall mean the polling places, main doors of the Norbert Hill Center, main doors of the Oneida Community Library, Tsyunhehkwa Retail Store, the Oneida Community Health Center, the SEOTS building and all One-Stop locations. Why post at all One Stops? Can this be changed due to immediate access offered from utilizing technology?*
- d) Importance of zero tape: The original tentative results included the results of the test ballots. Fortunately, the final results portrayed no impact to the outcome of any of the races. Resolve to ensure this won't occur in the future is that the Board shall include clear, concise and condensed instructions to printing a zero tape on the DS200 ballot machines as attachment to Conducting Elections SOP. In addition, trouble shooting instructions should be developed. Board needs to be sure to have a zero tape printed and signed by appropriate individuals prior to opening the polls. Possible suggestion would be to test the ballot machine and be totally prepared and have the machine ready at the prep meeting. Another possible suggestion is to have a public viewing at the prep meeting before elections showing the printing of the zero tape to be ready for elections the next day. In the future, any areas of issue or concern should be addressed by consensus of the Election Board.
- e) Voter left after putting ballot into the machine; however their ballot was one that was over voted and new ballot not completed. Poll workers asked voters to stay to ensure vote was counted.
- f) Voters requesting signage for polling location. Board to consider this and take possible action for future elections.
- g) Many over votes for one area on ballot. Board to possibly format the ballot differently. A suggestion is to format ballot based on number to choose from either from lowest to highest or vice versa.

## 6. REQUESTED ACTION:

- a) The Election Board hereby respectfully requests the Oneida Business Committee take into consideration the above mentioned issues of concern, and amend the Election Law.
- b) The Election Board also hereby respectfully requests the Oneida Business Committee comply with the Election Law, 102.11-13. Declaration of Results. The Business Committee shall declare the official results of the election and send notices regarding when the swearing in of newly elected officials shall take place within ten (10) business days after receipt of the Final Report.

**ONEIDA ELECTION BOARD SPECIAL MEETING MINUTES  
RIDGEVIEW PLAZA SUITE #4  
AUGUST 15, 2018 @ 5:00 PM**

**Present:** Racquel Hill, Peril Huff, Teresa Schuman (left 6:19 pm), Sunshine Wheelock, (left 6:18 pm), Tonya Webster (arrived 5:03 pm), Stephanie Metoxen, Patricia Moore, Kalene White (arrived 5:02 pm)  
**Other:** BC Chair Tehassi Hill **Excused:** Tina Skenandore

- I. CALLED TO ORDER** by Chairperson Hill at 5:00 pm.
- II. APPROVE/AMEND AGENDA – MOTION** by Peril Huff to approve the agenda with placing New Business E. 2018 Special Election Final Report to the top of the agenda; seconded by Sunshine Wheelock. Motion carried unanimously.
- III. APPROVE/AMEND MINUTES**
- A.** July 11, 2018 Regular Mtg
  - B.** July 13, 2018 Regular Mtg
  - C.** July 19, 2018 Special Mtg
  - D.** July 25, 2018 Special Mtg
  - E.** August 9, 2018 Special Mtg
- MOTION** by Pat Moore to defer III. A through E to the next meeting; seconded by Stephanie Metoxen. Motion carried unanimously.
- IV. OLD BUSINESS - None**
- V. NEW BUSINESS**
- A.** 2018 Election Recap
    - i. Zero Tape (Addressed in Parking Lot & Final Report)
    - ii. Tested Ballots Count (Addressed in Final Report)
    - iii. Lateness – (Want everyone to be mindful to be on time especially on election day.)
    - iv. Hourly Voter Counts – For the record, Teresa Schuman stated this is irrelevant and opposes needing to do. It makes additional stress.
    - v. Over Voted Ballots – Gaming Commission (In Parking Lot)
    - vi. Voter Left Poll – Spoiled Ballot (Addressed in Final Report)
    - vii. Request for Signs (In Parking Lot & in Final Report)
    - viii. Post of Tentative Results (Chair corrected adding disclaimer & re-posted)
    - ix. Campaign Sign Location Issue (Response Received from Zoning)
  - B.** Mileage Request of Chairperson  
Chair requested mileage for the runs of election day and having to re-post the tentative results that included the disclaimer on the day following elections. Amount is \$52.32. **MOTION** by Kalene White to approve; seconded by Tonya Webster. Peril Huff abstained. Motion carried.
  - C.** Parking Lot List of Concerns  
These are issues/concerns that have been kept track of during the 2018 special election processes. **MOTION** by Stephanie Metoxen to have all the additional issues brought forth at meeting tonight included into the updated Parking Lot; seconded by Kalene White. Motion carried unanimously.

**D. Gaming Commission Investigation Information - FYI**

Chair received memo from Gaming Commission Chair this afternoon. Memo shared with the Board to read. Chair responded with asking on behalf of the Board how the Gaming Commission was going to proceed and if the Business Committee had been made aware of it, and whether the OGC would be challenging the outcome of the election based upon this newfound information regarding Mr. Powless as it relates to the Gaming Commission vacancy? This is an issue that has never been brought forth previously, and Chair wanted to be sure that the laws and policies are being followed and unsure how to proceed as far as the 2018 election results are concerned. Gaming Commission Chair responded that the OGC was not challenging the outcome of the election and an internal investigation is taking place and is not yet concluded and believed it was their duty to inform the Election Board of the matter. Election Board does not have any authority to do anything more with the information than to accept as FYI. MOTION by Tonya Webster to accept as FYI; seconded by Stephanie Metoxen. Motion carried unanimously.

**E. 2018 Special Election Final Report**

Chair drafted final report and included with the appointment along with the minutes for Board to review. Chair has requested a place holder for the August 22nd BC meeting and back materials are due on August 16th. Board went through the final report and made some additions:

- To the Narrative Section: At the July 25, 2018 Election Board meeting to verify election results, concerns were brought forward regarding the test ballot issue at the Oneida polling location. It was determined at this meeting to consult with the Business Committee liaisons regarding next steps. At the meeting with the liaisons of August 2, 2018,
- In 5 d: In the future, any areas of issue or concern should be addressed by consensus of the Election Board.

There was discussion on request of Vice Chair to include an opposing statement within the final report. The Election Law was presented on the screen, and it specifically states what is to be in the final report in section 102.11-12. Chairman Hill addressed the role of the Business Committee as it pertains to the Election Law as well (102.11-13. *Declaration of Results*. The Business Committee shall declare the official results of the election and send notices regarding when the swearing in of newly elected officials shall take place within ten (10) business days after receipt of the Final Report.) An option for the Vice Chair would be to include her statement in the minutes and request the minutes be forwarded to the BC along with the submission of the final report. **MOTION** by Stephanie Metoxen to approve the 2018 special election final report and minutes of August 15, 2018 be submitted by Chair or designee to the BC agenda on August 16<sup>th</sup> for the August 22<sup>nd</sup> BC meeting; seconded by Sunshine Wheelock. Motion carried unanimously.

**F. 3<sup>rd</sup> Quarter Report to BC**

Chair drafted report and included with the appointment for Board to review. Chair has requested a place holder for the August 22nd BC meeting and back materials are due on August 16th. Board reviewed the report and made corrections to the last statement which included information from the second quarter. This was corrected to reflect what occurred in third quarter. **MOTION** by Kalene White to approve and Chair or designee to submit the report to the BC agenda August 16th for the August 22nd BC meeting; seconded by Stephanie Metoxen. Peril Huff abstained. Motion carried.

**G. Request to Re-Issue Stipend for Alternate**

Issue with alternate not receiving stipend and it has been determined by Accounting that the check was electronically cash. Chair is requesting to process another stipend for alternate as she has

been waiting this long and has been working with Accounting and doing what has been requested of her as far as following up with police regarding issue of theft/fraud. Discussion as to why hasn't this been forwarded to the Law Office to handle. Chair located e-mail from Accounting and put the attached check onto the screen for Board to review. The routing number where check was deposited is right on the check. Shouldn't be too difficult to determine what account it went into. **MOTION** by Tonya Webster to approve Chair submitting another stipend request for Shelly King; seconded by Pat Moore. Peril Huff abstained. Motion carried.

#### H. FY2019 Budget Verbal Update

Chair attended budget gap meeting of August 14<sup>th</sup>. What the Chair shared at that meeting is per the FYRPA and how Election Board has an annual budget of \$79,000.00. FY 2017 actual budget was approximately \$64,000.00. FY2018 actuals will be greater than that due to needing to have two (2) special elections: December, 2017 (Appellate Court Judge) and July, 2018 (annual special). It is unknown when vacancies need to be filled with an election as it is conjunction with the bylaws of each Board, Committee or Commission. The Election Board budget for FY19 was reduced by \$15,000.00 as there was \$22m deficit to balance the budget at the start of that meeting. Chair will add involvement in the budget processes to the task list for new officers. **MOTION** by Kalene White to accept as FYI; seconded by Tonya Webster. Motion carried unanimously.

#### I. Amendments to Comprehensive Policy Governing Board Committees and Commissions Verbal Update

Then amendments include allowing Boards, Committees, and Commission to be paid stipends for two (2) meetings per month and eliminates special meetings. Chair attended the LOC meeting the morning of August 15<sup>th</sup> to voice concerns that Election Board seems to be the exception to the rule and advised as to why the Election Board has special meetings. Recounts is considered a special meeting for example. Unknown if comments will be taken into consideration. This is on the task list for new officers to be aware of. **MOTION** by Stephanie Metoxen to accept as FYI; seconded by Tonya Webster. Motion carried unanimously.

#### J. Request for Photo

Due to timeliness of request and newly elected needing to be sworn in, the Election Board respectfully declines providing a photo at this time. Chair to provide this statement to requestor.

#### K. Task List for New Officers - FYI

Chair developed a task list for the new officers that includes 12 items relative to new forms to be completed, report due date, shred request info, parking lot issues, budget info, etc.). **MOTION** by Pat Moore to accept as FYI and for Chair to end to Board members for review and possible input; seconded by Kalene White. Motion carried unanimously.

### VI. OTHER CONCERNS/ANNOUNCEMENTS - None

### VII. NEXT MEETING & ADJOURNMENT

A. Next Regular Meeting – Scheduled for August 22<sup>nd</sup> at 5 pm, location TBD.

B. Adjournment- **MOTION** by Kalene White to adjourn at 6:57 pm; seconded by Pat Moore. Motion carried unanimously.

### Oneida Business Committee Agenda Request

1. Meeting Date Requested: 8 / 22 / 18

**2. General Information:**

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

Agenda Header: New Business

Accept as Information only

Action - please describe:

Contract for School Board Attorney - Fredericks, Peebles and Morgan

**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: Brandon Stevens, Vice-Chairman

Primary Requestor/Submitter: Todd Hill, School Board Chair  
Your Name, Title / Dept. or Tribal Member

Additional Requestor: Sharon Mousseau, School Superintendent  
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.



## Oneida Business Committee Agenda Request

### 6. Cover Memo:

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

Section 5.2 Governing Law. regarding Arbitration and Mediation has been present in previous contracts with Fredericks, Peebles and Morgan. This provision is a typical way of keeping disputes out of court whenever possible.

Three bids were not obtained for legal representation for the School Board. Joanne Harmon-Curry of Fredericks, Peebles and Morgan has been the attorney for the Oneida School Board for over 15 years and is very knowledgeable about the Oneida Nations laws, Oneida School Board policies, Oneida Nation School System employment contracts, State of Wisconsin Education laws as well as Federal Special Education laws and requirements.

The cost of going to another vendor would be the loss of the relationship that the School Board has built with their attorney over the years along with the knowledge of the School's policies and procedures, School Board policies and procedures, as well as Oneida Nation Policies and Governing Laws. This loss would take valuable time for another attorney to get up to speed with understanding the Memorandum of Agreement between the School and the Business Committee along with all policies and extensive related knowledge that has been acquired over the years. This loss would be a great detriment to the School System and School Board.

Attorney contracts required Business Committee 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](mailto:BC_Agenda_Requests@oneidanation.org)

**Linda R. Jenkins**

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**From:** Jed Schacht  
**Sent:** Thursday, August 2, 2018 5:10 PM  
**To:** Deborah A. Reiter-Mehojah; Jed Schacht; Linda R. Jenkins; Lisa M. Hill; Sharon A. Mousseau; Susan A. Doxtator  
**Subject:** FW: Fredericks Peebles & Morgan LLP; Our File No. 2018-0951  
**Attachments:** 2018-0951 final approval-152914.PDF

NOTE: REQUIRES BC APPROVAL

Central Purchasing Approval Date: 8/2/18

Reminder Note:

Currently all backup information for your purchases is unavailable for viewing by approvers and other parties that need this information. The hard copy documents will be saved to a common directory before they are moved into OnBase. This will provide everyone access to these materials. The following are examples of items that are appropriate to save in the common directory: registration form, flyer, catalog, contract, bids and quotes, etc. Please include Legal Review cover page.

- o Scan the documents and save them as a pdf. Save the document in the requisitions folder using the Requisition number as the naming convention.
- o OnBase documents can be retrieved directly through logging into OnBase or through Application Enabler (double click on purchase order display screen). These instructions were previously communicated.
- o The contract signature process must occur after the purchase order has been approved and sent by the Purchasing Department.
- o Please include the Sam.gov search results.

---

**From:** Central\_Purchasing\_Contracts  
**Sent:** Thursday, August 02, 2018 2:11 PM  
**To:** Jed Schacht  
**Subject:** FW: Fredericks Peebles & Morgan LLP; Our File No. 2018-0951

**From:** Oneida Law  
**Sent:** Thursday, August 02, 2018 1:14 PM  
**To:** Central\_Purchasing\_Contracts <Central\_Purchasing\_Contracts@oneidanation.org>  
**Subject:** Fredericks Peebles & Morgan LLP; Our File No. 2018-0951

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

TO: Linda R. Jenkins  
School Board

*Use this number on future correspondence:*

FROM: James R. Bittorf, Deputy Chief Counsel

**2018-0951**

DATE: August 2, 2018

RE: Fredericks Peebles & Morgan LLP

Purchasing Department Use

\_\_\_\_\_ **Contract Approved**

\_\_\_\_\_ **Contract Not Approved**

(see attached explanation)

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

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

- ✓ The document is in appropriate legal form. (*Execution is a management decision.*)
- ✓ Attorney contract requires Business Committee approval prior to execution. In addition contract contains a waiver of sovereign immunity. Specifically, Section 5.2 states "that any controversy or claim arising out of or relating to this contract, or the breach thereof, shall be settled by arbitration administered by the American Arbitration Association under its Commercial Arbitration Rules, then in effect unless the parties mutually agree otherwise, and judgment on the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof". If this contract is submitted to the Oneida Business Committee for approval of a limited waiver of sovereign immunity, the following information should be submitted along with the agenda review request and contract.
  1. Was there an attempt to negotiate with the vendor regarding the waiver of sovereign immunity?
  2. Were three bids obtained? If not, why not?
  3. Was any other vendor willing to remove sovereign immunity issues?
  4. What is the cost of going to another vendor?
- ✓ The attached form(s) must be completed, signed by Vendor, and attached to the executed contract. *Please submit a copy of the signed form(s) to this office.*

<input checked="" type="checkbox"/> Conflict of Interest Disclosure	<input type="checkbox"/> Gaming Rider	<input type="checkbox"/> Non-Disclosure
<input type="checkbox"/> HIPAA Business Associate Agreement	<input type="checkbox"/> FOIA	<input type="checkbox"/> Entertainment Rider

**Note: Signature lines must be added for another Business Committee Officer and Chief Counsel.**

A NEW WAY TO SIGN IN - If you already have a SAM account, use your SAM email for login.gov.

Log In  
Login.gov FAQs

ALERT - June 11, 2018: Entities registering in SAM must submit a notarized letter appointing their authorized Entity Administrator. Read our updated FAQs to learn more about changes to the notarized letter review process and other system improvements.

# Entity Dashboard

- Entity Overview
- Entity Registration
  - Core Data
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  - Reps & Certs
  - POCs
- Exclusions
  - Active Exclusions
  - Inactive Exclusions
  - Excluded Family Members

RETURN TO SEARCH

## FREDERICKS PEEBLES & MORGAN LLP

1900 Plaza Dr  
Louisville, CO, 80027-2314 ,  
UNITED STATES

DUNS: 808729995 CAGE Code: 7XM08  
Status: Active

Expiration Date: 08/25/2018  
Purpose of Registration: All Awards

### Entity Overview

#### Entity Registration Summary

Name: FREDERICKS PEEBLES & MORGAN LLP  
Business Type: Business or Organization  
Last Updated By: Debra Foulk  
Registration Status: Active  
Activation Date: 08/29/2017  
Expiration Date: 08/25/2018

#### Exclusion Summary

Active Exclusion Records? No



- Search Records
- Data Access
- Disclaimers
- Check Status
- About
- Privacy Policy
- Help
- FAPIIS.gov
- GSA.gov/IAE
- GSA.gov
- USA.gov

IBM v1.P.16.20180727-0955

WWW7

This is a U.S. General Services Administration Federal Government computer system that is "FOR OFFICIAL USE ONLY." This system is subject to monitoring. Individuals found performing unauthorized activities are subject to disciplinary action including criminal prosecution.

**ONEIDA NATION  
LEGAL SERVICES AGREEMENT**

The Oneida Nation, through the Oneida Nation School Board (hereinafter the “Board”), and the law firm of Fredericks Peebles & Morgan LLP of Louisville, Colorado (hereinafter the “Counsel”), do hereby enter into this Legal Services Agreement as of the date of the execution of this Agreement by all parties, and do hereby agree as follows:

ARTICLE I  
ENGAGEMENT AND TERM

Section 1.1 Engagement. The Board does hereby engage Counsel for the provision to the Board of the legal services described at Article III hereof, and the Counsel does hereby agree to provide such legal services to the Board, all upon the terms, covenants and conditions set forth in this Agreement.

Section 1.2 Termination. The Board or the Counsel may terminate this Agreement at any time at the sole discretion of either party by delivering to the other party a written notice of termination. Such termination shall be effective ten (10) days after receipt of the Notice of Termination. Upon termination, the Board's liability will be limited to the cost of the services performed as of the date of termination, plus expenses incurred.

Section 1.3 Continuance of Agreement. The continuance of this Agreement beyond the limits of funds available to the Board shall be contingent upon the appropriation and availability of necessary funds. The termination of this Agreement for lack of appropriations or the availability of funds shall be without penalty to the Board, subject to compliance with the termination provision of Section 1.2. Counsel shall consult with the Board as to the amount of funds available for services prior to representation.

Section 1.4 Duration of Agreement. Subject to the terms for termination and continuation above, this Agreement shall be in force for twelve (12) months from the date of execution. This contract will be automatically renewed by mutual agreement of the parties if the annual review of the contract terms and conditions are satisfactory to the parties.

ARTICLE II  
PROFESSIONAL AND LEGAL RELATIONSHIPS

Section 2.1 No Employment Relationship. This Agreement does not establish an employer/employee relationship between the Board and the Counsel. This Agreement does, however, establish an attorney/client relationship between the Counsel and the Board.

Section 2.2 Conflict of Interest. Counsel shall execute and maintain on file the Consultant/Contractor Conflict of Interest Disclosure Form (see Attachment A).

Section 2.3 Contact with Legal Department. Counsel agrees to first contact Oneida Tribe's Legal Department prior to undertaking research of Oneida law.

ARTICLE III  
SCOPE OF SERVICES

Section 3.1 Scope of Service. The Counsel will act as legal counsel for the Board to provide to the Board such legal services as may be required by the Board in connection with the fulfillment by the Board of its legal and other obligations and responsibilities under the applicable laws. In providing such services, the Counsel will work with the Board and its staff, as well as other agents of the Board and their staff, as appropriate, to carry out and to provide the legal services contemplated hereunder. The scope of services would not include, and Counsel could not pursue, any claim of the Board against the Business Committee of the Oneida Nation.

Section 3.2 Nature of Services. The legal services contemplated hereunder shall include, but are not limited to, the following:

- a. Review and analysis of applicable federal and state laws and regulations affecting the operation and function of the Board, including without limitation general school law, special education law, labor and employment issues.
- b. Review and analyze such other matters as shall be requested by the Board and advise the Board with respect thereto.
- c. Render and provide such written opinions on such matters as may be specifically requested by the Board.
- d. Attend Board or other meetings related to Board operations and functions as requested by the Board or as otherwise required with reasonable notice.
- e. Render, perform and provide such other and further usual and customary functions as are incidental or necessary to carrying out the scope and nature of the legal services to be provided hereunder.

ARTICLE IV  
COMPENSATION

Section 4.1 Compensation. The Board shall pay the Counsel for services rendered hereunder for services provided by Counsel on an hourly charge basis, based upon the current following fee schedule:

Partners	\$225-265/hour
Associate Attorneys	\$170-215/hour
Law Clerks, Paralegals and Paralegal Interns	\$150-170/hour

This fee schedule is subject to periodic change, but not more frequently than annually and with prior written notice.

Section 4.2 Reimbursable Expenses. In addition to the compensation provided under Section 4.1 hereof, the Counsel shall be entitled to reimbursement for actual out-of-pocket expenses necessarily incurred in connection with the services rendered under this Agreement. Expenses subject to reimbursement include, but are not limited to, duplication, long distance telephone charges, postage and delivery charges, facsimile charges, courier charges, computerized research, and travel expenses. There shall be no reimbursement for normal office overhead expenses. Air travel expenses will be paid only for tourist class rates.

Section 4.3 Administration. All invoices for services rendered under this Agreement shall be documented and itemized. All professional fees will be itemized by service performed, by whom performed, hours expended, rate per hour and date performed. All expenses shall be itemized by purpose, amount and date incurred. Invoices shall be submitted on a monthly basis by Counsel and will be paid within forty-five days from the date of invoice.

Section 4.4 Final Invoice. The Counsel's final invoice for all services rendered under this Agreement shall be submitted no later than sixty (60) days following the close of this Agreement or termination thereof.

Section 4.5 Annual Fees. Annual fees under this contract may not exceed \$80,000. The annual fee amount is based on the annual funding year cycle of July through June. Notwithstanding the foregoing, should the maximum allowable amount in fees be reached, the contract may be returned for review by the Oneida Nation School Board and the Oneida Nation Business Committee for further consideration of additional funding for work to be completed under the contract.

## ARTICLE V MISCELLANEOUS PROVISIONS

Section 5.1 Amendment. No modification, alteration or amendment of this Agreement shall be binding upon the parties until such modification, alteration or amendment is reduced to writing and executed by the parties.

Section 5.2 Governing Law. The laws of the State of Wisconsin shall govern this Agreement. The Board and Counsel shall endeavor to resolve claims, disputes, and other matters in question between them informally. The parties may use mediation when mutually agreeable. When more formal proceedings are required, any controversy or claim arising out of or relating to this contract, or the breach thereof, shall be settled by arbitration administered by the American Arbitration Association under its Commercial Arbitration Rules, then in effect unless the parties mutually agree otherwise, and judgment on the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof. Mediation and/or arbitration shall be held in Brown County, unless another location is mutually agreed upon.

Section 5.3 Captions. The captions or headings in this Agreement are for convenience only and in no way define, limit or describe the scope or intent of any of the provisions of this Agreement.

Section 5.4 Counterparts. This Agreement may be signed in any number of counterparts with the same effect as if signature thereto and hereto were upon the same instrument.

Section 5.5 Severability. If any provision of this Agreement shall be held or deemed to be or shall, in fact, be inoperative or unenforceable as applied in any particular case because it conflicts with any other provision or provisions hereof or any statute, rule or code of professional conduct, or for any other reason; or, if any one or more phrases, sentences, clauses or sections of this Agreement are otherwise held to be invalid, such inoperability, unenforceability or invalidity shall not affect the remaining portions of this Agreement or any part thereof.

Section 5.6 Entire Agreement. This Agreement constitutes the entire agreement of the parties hereto and supercedes any and all representations, commitments, conditions or other agreements made by the parties, either orally or in writing, prior to the execution of this Agreement.

IN WITNESS WHEREOF, the Oneida Nation School Board, the Oneida Nation Business Committee, and the Counsel have each caused this instrument to be signed on its behalf by its duly authorized representatives, effective as of the last dated signature below.

**ONEIDA NATION SCHOOL BOARD**

By: \_\_\_\_\_  
Debbie Danforth, Chairperson  
Oneida Nation Board of Education

Date: \_\_\_\_\_

**ONEIDA NATION BUSINESS COMMITTEE**

By: \_\_\_\_\_  
\_\_\_\_\_, Chairperson  
Oneida Nation Business Committee

Date: \_\_\_\_\_

**FREDERICKS, PEEBLES, & MORGAN LLP**

By: \_\_\_\_\_  
Joanne Harmon Curry  
Fredericks, Peebles & Morgan LLP

Date: \_\_\_\_\_



### Oneida Business Committee Agenda Request

1. Meeting Date Requested: 8 / 22 / 18

2. General Information:

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

[Empty text box]

Agenda Header: New Business

Accept as Information only

Action - please describe:

Contract for Glynlyn Inc. Odysseyware software requires BC approval of a limited waiver of sovereign immunity.

3. Supporting Materials

Report  Resolution  Contract

Other:

1. [Empty text box]

3. [Empty text box]

2. [Empty text box]

4. [Empty text box]

Business Committee signature required

4. Budget Information

Budgeted - Tribal Contribution  Budgeted - Grant Funded  Unbudgeted

5. Submission

Authorized Sponsor / Liaison: Brandon Stevens, Vice-Chairman

Primary Requestor/Submitter: Todd Hill, School Board Chair  
Your Name, Title / Dept. or Tribal Member

Additional Requestor: Sharon Mousseau, School Superintendent  
Name, Title / Dept.

Additional Requestor: \_\_\_\_\_  
Name, Title / Dept.

## Oneida Business Committee Agenda Request

### 6. Cover Memo:

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

The Oneida Nation School System uses the Odysseyware program for credit recovery for students who are credit deficient. Glynlyon is the only company that offers this program so we were not able to negotiate with other vendors.

A request was made to the company to have paragraph 8 of the "terms of use" deleted, however the company's legal department was not able to accommodate our request. This contract requires a limited waiver of sovereign immunity from the Business Committee in order to move forward.

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](mailto:BC_Agenda_Requests@oneidanation.org)

**Linda R. Jenkins**

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**From:** Jed Schacht  
**Sent:** Friday, July 27, 2018 3:22 PM  
**To:** Deborah A. Reiter-Mehojah; Jed Schacht; Linda R. Jenkins; Lisa M. Hill; Sharon A. Mousseau; Susan A. Doxtator  
**Subject:** FW: Odysseyware; Our File No. 2018-0925  
**Attachments:** 2018-0925 Final Approval-152706.PDF

NOTE: REQUIRES BC APPROVAL PER LAW REVIEW

Central Purchasing Approval Date: 7/27/18

Reminder Note:

Currently all backup information for your purchases is unavailable for viewing by approvers and other parties that need this information. The hard copy documents will be saved to a common directory before they are moved into OnBase. This will provide everyone access to these materials. The following are examples of items that are appropriate to save in the common directory: registration form, flyer, catalog, contract, bids and quotes, etc. Please include Legal Review cover page.

- o Scan the documents and save them as a pdf. Save the document in the requisitions folder using the Requisition number as the naming convention.
- o OnBase documents can be retrieved directly through logging into OnBase or through Application Enabler (double click on purchase order display screen). These instructions were previously communicated.
- o The contract signature process must occur after the purchase order has been approved and sent by the Purchasing Department.
- o Please include the Sam.gov search results

---

**From:** Central\_Purchasing\_Contracts  
**Sent:** Friday, July 27, 2018 8:53 AM  
**To:** Jed Schacht  
**Subject:** FW: Odysseyware; Our File No. 2018-0925

**From:** Heidi M. Wennesheimer  
**Sent:** Thursday, July 26, 2018 3:23 PM  
**To:** Central\_Purchasing\_Contracts <Central\_Purchasing\_Contracts@oneidanation.org>  
**Subject:** Odysseyware; Our File No. 2018-0925

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

TO: Sharon Mousseau  
School Administration

*Use this number on future correspondence:*

**2018-0925**

FROM: Patricia M. Stevens Garvey, Staff Attorney *PMB*

DATE: July 26, 2018

RE: Odysseyware

Purchasing Department Use

\_\_\_\_\_ **Contract Approved**

\_\_\_\_\_ **Contract Not Approved**

(see attached explanation)

---

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

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

- ✓ The document is in appropriate legal form. (*Execution is a management decision.*)
- ✓ Requires Business Committee approval prior to execution, pursuant to ¶ 8 of the "terms of use" attached. If this contract is submitted to the Oneida Business Committee for approval of a limited waiver of sovereign immunity, the following information should be submitted along with the agenda review request and contract.
  1. Was there an attempt to negotiate with the vendor regarding the waiver of sovereign immunity?
  2. Were three bids obtained? If not, why not?
  3. Was any other vendor willing to remove sovereign immunity issues?
  4. What is the cost of going to another vendor?

A NEW WAY TO SIGN IN - If you already have a SAM account, use your SAM email for login.gov.

Log In  
Login.gov FAQs

ALERT - June 11, 2018: Entities registering in SAM must submit a notarized letter appointing their authorized Entity Administrator. Read our updated FAQs to learn more about changes to the notarized letter review process and other system improvements.

# Entity Dashboard

- [Entity Overview](#)
- Entity Registration**
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  - ▶ [Assertions](#)
  - ▶ [Reps & Certs](#)
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- Exclusions**
  - ▶ [Active Exclusions](#)
  - ▶ [Inactive Exclusions](#)
  - ▶ [Excluded Family Members](#)

RETURN TO SEARCH

## GLYNLYON, INC.

DUNS: 013314952 CAGE Code: 6MR24  
Status: Active

300 N MCKEMY AVE  
CHANDLER, AZ, 85226-2618,  
UNITED STATES

Expiration Date: 10/18/2018  
Purpose of Registration: All Awards

### Entity Overview

#### Entity Registration Summary

Name: GLYNLYON, INC.  
Business Type: Business or Organization  
Last Updated By: Donna Shank  
Registration Status: Active  
Activation Date: 10/18/2017  
Expiration Date: 10/18/2018

#### Exclusion Summary

Active Exclusion Records? No



IBM v1.P.16.20180727-0955  
WWW7

- Search Records
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- About
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- GSA.gov/IAE
- GSA.gov
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Order Form



300 N. McKemy Avenue, Chandler, AZ 85226

Quote Number: QUO-02184-L1S2H6

Date: 6/15/2018

Order Form Expiration Date: 7/15/2018

Education Consultant	Email	Phone	Fax
Kelly Homeward	khomeward@odysseyware.com	(480) 735-7888	866-465-1954
Contract and Billing Information			
School:	Oneida Nation School District	Contact:	Tony Romandine
Address:	N7125 Seminary Road	Phone:	920-869-1676
Address:	Oneida, WI 54155	Email:	tromand@oneidanation.org
Training Contact:	Tony Romandine	Email:	tromand@oneidanation.org
		Phone:	920-869-1676

Term Start Date	Term End Date
6/1/2018	5/31/2019

Grand Total	
	\$11,800.00
Sales Tax:	%
Total:	\$11,800.00
Notes	
(Addition of 2 concurrent licenses with a cost reduction per license. ) Odysseyware Renewal Package for 14 concurrent licenses and 8 professional development/consulting web hours. Please sign the quote and return for formal invoicing to Kelly Homeward at khomeward@odysseyware.com 480-735-7888 Checks payable to Glynlyon, Inc.	

This License Agreement ("Agreement") is entered into between the Customer named above and Glynlyon, Inc. for the provision of the Service described above and is effective as of the date first stated above. This Agreement is subject to and governed by the Standard Terms and Conditions available at <https://www.odysseyware.com/terms-and-conditions> ("Terms"). The Terms are hereby incorporated and made a part of this Agreement by reference. By its signature below the Customer accepts all terms and conditions of this Agreement and all contents of the Terms and intends to be bound thereby.

By signing and returning the document, the Customer authorizes and acknowledges that Odysseyware will invoice their account the amount identified on the quote, plus any applicable sales tax, in lieu of a purchase order. This Agreement may be signed in digital format which shall be considered an original.

Signature:  
Title:

Date:

## Invoice



Page 1/1

Invoice OW39110076  
Date 7/25/2018

Glynlyon, Inc  
300 N McKemy Ave  
Chandler AZ 85226-2618

Bill To: ONEIDA NATION SCHOOL DISTRICT  
ACCOUNTS PAYABLE  
PO BOX 365  
ONEIDA WI 54155-0365

Ship To: ONEIDA NATION SCHOOL DISTRICT  
ACCOUNTS PAYABLE  
PO BOX 365  
ONEIDA WI 54155-0365

Purchase Order No.	Customer ID	Salesperson ID	Payment Terms	Renewal Date
2018/19 RENEWALS	30004179	Watson	DUE UPON RECEIPT OF INVOICE	6/1/2018
Qty Invoiced	Item Number	Description	Unit Price	Ext. Price
14	20014CC	Full Odysseyware Library (Renewal) - Con	\$700.00	\$9,800.00
8	T10021	Custom Webinar Hours	\$250.00	\$2,000.00

RENEWAL FOR 14 CONCURRENT LICENSES  
8 CUSTOM WEBINAR HOURS OF TRAINING  
EFFECTIVE DATES: 6/1/18 TO 5/31/19  
PAYMENT DUE UPON RECEIPT  
THANK YOU!

**Please make checks payable to: GLYNLYON, INC.**

Subtotal	\$11,800.00
Misc	\$0.00
Tax	\$0.00
Freight	\$0.00
Total	\$11,800.00

Payments made by credit card will be assessed a 3% Processing Fee on the total invoice amount

# TERMS OF USE

By using or allowing others to use the software, materials, interactive features, and website associated with the Odysseyware® website ("Website"), you (the "User") are agreeing to be bound by these legal terms and conditions ("Agreement"). Any person interacting with the Website in any way, including but not limited to students, teachers, administrators, and parents, are Users for the purposes of this Agreement. If you do not agree to the terms and conditions of this Agreement, do not use this Website. If you are dissatisfied with this Website, any Website content, or the terms and conditions of this Agreement, you agree that your sole and exclusive remedy is to discontinue your use of this Website. You acknowledge and accept that your use of this Website is at your sole risk. You represent you have the legal capacity and authority to accept these Legal Terms and Conditions on behalf of yourself or any party you represent. Certain terms of this Agreement may not apply to your use of the Website however all applicable terms are nonetheless binding. As the parent of Odysseyware rightful owner of the Website, Glynlyon, Inc., ("Glynlyon") reserves the right to change or terminate the terms of this Agreement at any time and from time to time without any notice to you by posting said changes on the Odysseyware (<https://www.odysseyware.com/>) website. Any such changes are hereby incorporated into this Agreement by reference as though fully set forth herein.

## A. General Provisions

**1. Indemnification.** You, the User of this Website, agree to indemnify and hold Glynlyon, its subsidiaries, affiliates, and assigns, and each of their directors, officers, agents, contractors, partners and employees, harmless from and against any loss, liability, claim, demand, damages, costs, and expenses, including reasonable attorneys' fees, arising out of this Agreement or in connection with any use of the Website including but not limited to any damages, losses, or liabilities whatsoever with respect to damage to any property or loss of any data arising from the possession, use, or operation of



the Website by the User or any customers, users, students, or others, or arising from transmission of information or the lack thereof connected with the Website described in this Agreement.

**2. Termination.** This Agreement shall remain in effect until terminated. This Agreement may be terminated at Glynlyon's sole discretion and without prior notice, by mutual written agreement between the parties, but not by the User. Glynlyon may suspend or terminate your access to the Website without prior notice and in Glynlyon's sole discretion and Glynlyon shall not be liable for any such suspension, termination, or deletion or its effects, including but not limited to interruption of business or education, loss of data or property, property damage, or any other hardship, losses, or damages. Glynlyon may unilaterally and without notice terminate this Agreement and/or your access to the Website if you or any other person or entity using the Website violates any provision of this Agreement. Glynlyon shall not be liable to you or to any third party for any termination. Upon termination you or any other person or party using the Website shall cease to use the Website at your sole cost and expense.

**3. Updates.** At its option, from time to time, Glynlyon may create updated versions of the Website and may make such updates available to you either for a fee or for free. Unless explicitly stated otherwise, any such updates will be subject to the terms of this Agreement including any amendments to this Agreement, to be determined in Glynlyon's sole discretion.

**4. Proprietary Materials.** All content available through the Website, including designs, text, graphics, pictures, video, information, applications, software, music, sound, and other files, and their selection and arrangement ("Site Content"), as well as all software and materials contained in or related to the Website are protected by copyrights, trademarks, service marks, patents, trade secrets, or other proprietary rights and laws. You hereby agree not to sell, license, rent, modify, distribute, copy, reproduce, transmit, publicly display, publicly perform, publish, adapt, edit, or create derivative works from such content or materials. Systematic retrieval of data or other content from the Website to create or compile, directly or indirectly, a collection,

compilation, recreation, database, or directory of Website materials is prohibited except as provided for herein. Use of Website content or materials for any purpose not expressly provided for herein is prohibited.

**5. Disclaimer of Warranty.** The Website is provided "as is", with all faults and without warranty of any kind. Glynlyon hereby disclaims all warranties with respect to the WEBSITE, either express, implied, or statutory, including but not limited to the implied warranties of merchantability, of satisfactory quality, of fitness for a particular purpose, of accuracy, of quiet enjoyment, and non-infringement of third party rights. Glynlyon does not warrant, guarantee, or make any representations THAT THE CONTENT IS ACCURATE, RELIABLE, OR CORRECT OR THAT IT WILL MEET YOUR NEEDS OR REQUIREMENTS, THAT THE WEBSITE WILL BE AVAILABLE AT ANY PARTICULAR TIME OR LOCATION, THAT ANY DEFECTS OR ERRORS WILL BE CORRECTED, OR THAT THE CONTENT IS FREE OF VIRUSES OR OTHER HARMFUL COMPONENTS. You assume the entire risk as to the quality, results, and performance of the Website as well as the entire risk and cost of all service, repair, or correction. No oral or written information, advice, suggestions, or recommendations given by Glynlyon, its representatives, dealers, distributors, agents, or employees shall create a warranty or in any way increase the scope of this Agreement and you may not rely on any such information, advice, suggestions, or recommendations. Some jurisdictions do not allow the exclusion or limitation of certain warranties or consumer rights so some exclusions and limitations may not apply to you.

**6. Limitation of Liability.** You hereby agree that Glynlyon, its subsidiaries, affiliates, and assigns, and each of their directors, officers, agents, contractors, partners, and employees, shall not be liable to you or any third party for any indirect, special, consequential, or incidental damages including but not limited to damages for loss of funds or property, business interruption, loss of business opportunity, loss of data, or any other hardship, damages, or losses arising out of or related to: the use or inability to use the Website, however caused; unauthorized or accidental access to or alteration of data; statements or conduct of any third party; or any matter relating to the use of the Website; and even if Glynlyon has been advised of the

possibility of such damages. Some jurisdictions do not allow the exclusion or limitation of certain remedies or damages so some exclusions and limitations may not apply to you.

**7. Severability.** If any provision of this Agreement is held to be ineffective, unenforceable, or illegal for any reason, Glynlyon may reform such provision to the extent necessary to make it effective, enforceable, and legal or such provision may be deemed severed and in either case this Agreement with such provision reformed or severed shall remain in full force and effect to the fullest extent permitted by law. Glynlyon's failure to enforce any part or portion of this Agreement shall not be considered a waiver by Glynlyon.

**8. Controlling Law and Controversies.** This Agreement shall be governed by the laws of the State of Arizona and of the United States. You understand and agree that use of the Website may involve interstate data transmissions which may be considered a transaction in interstate commerce under federal law. If any controversy or claim related to this Agreement cannot be solved by negotiation between the parties, the parties hereby agree to attempt in good faith to settle the dispute through mediation administered by a mutually agreed upon mediator in Phoenix, Arizona and in accordance with the Commercial Mediation Rules of the American Arbitration Association. If mediation fails to resolve the dispute, the parties hereby agree that the dispute shall be settled through arbitration administered by a mutually agreed upon arbitrator in Phoenix, Arizona and in accordance with the Commercial Arbitration Rules of the American Arbitration Association. Any decision may award reasonable attorneys' fees to the prevailing party and judgment upon an arbitration decision may be entered in any court otherwise having jurisdiction.

**9. Entire Agreement.** This Agreement constitutes the entire agreement between Glynlyon and the User relating to the subject matter hereof and supersedes all prior understandings, promises, and undertakings, if any, made orally or in writing with respect to the subject matter hereof. You may not assign any portion of this Agreement without Glynlyon's written permission. Glynlyon may assign all or any portion of this Agreement in Glynlyon's sole

discretion. No modification, amendment, waiver, termination, or discharge of any portion of this Agreement shall be binding unless executed and confirmed in writing by Glynlyon.

**10. Export Prohibitions.** Any export or attempt to export the software either partially or in its entirety, related to the Website is governed by United States law and the laws of the jurisdiction in which you reside. Any export of software related to the Website or any portion thereof in any way prohibited by law or regulations issued by agencies of the United States federal government is hereby prohibited. Portions of the Website may include restricted computer software. Neither the Website nor any portion thereof nor the underlying information or technology may be downloaded or otherwise exported or re-exported: (a) Into (or to a national or resident of) any U.S. embargoed country; (b) to anyone on the U.S. Treasury Department's list of Specially Designated Nationals; or (c) to the U.S. Commerce Department's Denied Persons or Entities List or Table of Denial Orders. You hereby represent and warrant that you are not located in or the resident of any such country or on any such list.

## **B. End User Terms and Conditions**

**1. Ownership.** This Website and all associated materials provided by Glynlyon are the solely owned or appropriately licensed property of Glynlyon. The Website is licensed, not sold, to you under the terms of this Agreement. Glynlyon does not sell any title, ownership right, or interest in or to the Website. By using this Website, you are agreeing only to a non-exclusive, nontransferable license to use, according to the terms of this Agreement, the Website and any software programs or other proprietary material of third parties that are incorporated into the Website. Glynlyon reserves and retains all applicable right, title, and interest (including but not limited to copyrights, patents, trademarks, and service marks and other intellectual property rights) in and to the Website and all associated materials. Any remuneration paid for this product constitutes a license fee for the use of the Website.

### **2. Use.**

(a) The copying, reproduction, duplication, translation, reverse engineering, adaptation, decompilation, disassembly, reverse assembly, modification, or alteration of the Website or any portion thereof is expressly prohibited without the prior written consent of Glynlyon except as provided for herein. The merger or inclusion of the Website or any portion thereof with any computer program, and the creation of derivative works or programs from the Website or any portion thereof, is also expressly prohibited without the prior written consent of Glynlyon.

(b) Requests for permission to reproduce, duplicate, adapt, or otherwise exploit any portion of the Website should be submitted in writing to the Glynlyon address listed at the bottom of this Agreement. Any permissions granted shall be in the sole and exclusive discretion of Glynlyon.

(c) Neither the Website nor any part thereof may be rented, leased, sold, assigned, transferred, re-licensed, sub-licensed, or conveyed for any purpose. Any attempted rental, lease, sale, assignment, transfer, re-license, sub-license, conveyance, gift, or other disposition of the Website in violation of this Agreement is null and void. Any act or failure to prevent an act in violation of this Agreement may result in civil and/or criminal prosecution.

(d) Programs or software developed and/or owned by entities other than Glynlyon and included with or incorporated into the Website ("Third Party Software") is subject to and its use is governed by this Agreement. The use of Third Party Software for any purpose other than its intended use in conjunction with the Website is prohibited.

**3. Registration and Identifying Information.** You hereby represent and warrant that any and all information provided by you to Glynlyon shall be complete, true, accurate, and current in all respects and that you shall update any changes to information as soon as such changes occur. As related to your use of the Website, you are responsible for maintaining the confidentiality of your account and password and for restricting access to your computer. You agree to accept responsibility for all activities that occur under your account and password. When providing any identifying information about students or minors, you hereby represent and warrant that you are authorized to provide such information and that you have read and agreed to the terms of the Privacy Policy Included in this Agreement and associated with this Website.

#### **4. Hosting Policy.**

(a) Glynlyon may but is not obligated to provide database services to manage student records solely related to the use and application of the Website ("Hosting Services").

(b) Hosting Services provided by Glynlyon in connection with the purchase and use of the Website are included in any price paid for the Website and Glynlyon is not responsible nor will Glynlyon provide or offer any discounts or credits if you do not have adequate facilities or equipment to utilize the Hosting Services.

(c) You agree to exercise the utmost vigilance and care in protecting all information to be transmitted via Glynlyon's Hosting Services. Glynlyon is not responsible for any lost, stolen, or otherwise mismanaged data transmitted pursuant to this Agreement.

(d) Any and all information transmitted pursuant to this Agreement shall be subject to and covered by the indemnifications, liability limitations, and Privacy Policy included herein.

(e) Glynlyon reserves the right to modify or discontinue, temporarily or permanently, at any time and from time to time, the Hosting Services (or any part thereof) with or without notice. Glynlyon shall not be liable to you, the User, or to any third party for any modification, suspension, or discontinuance of the Hosting Services, for your or any third party's use of the Hosting Services, or for any damages originating therefrom. In no event shall you be entitled to receive a rebate, refund, credit or reduction of any costs or fees which you agreed to pay for the Website.

**5. Third Party Sites and Content.** The Website may contain (or may send you through or to) links to other websites ("Third Party Sites") as well as articles, photographs, text, graphics, pictures, designs, music, sound, video, information, applications, software, and other content or items belonging to or originating from third parties ("Third Party Content"). Glynlyon does not check such Third Party Sites and Third Party Content for accuracy, appropriateness, or completeness and Glynlyon is not responsible for any Third Party Sites accessed through use of the Website or for any Third Party Content posted on, available through, or installed from the Website,

including the content, accuracy, offensiveness, opinions, reliability, privacy practices, or other policies of or contained in the Third Party Sites or the Third Party Content. Inclusion of, linking to, or permitting the use or installation of any Third Party Site or any Third Party Content does not imply approval or endorsement thereof by Glynlyon. Although some computers may employ filtering software to prevent access to certain Third Party Sites, Glynlyon shall have no responsibility or liability whatsoever for any Third Party Sites or Third Party Content accessed through use of the Website.

**6. User Conduct.** You represent, warrant, and agree that no materials of any kind submitted through your account or otherwise created, used, posted, transmitted, or shared by you or others through you on or through the Website will violate or infringe upon the rights of any third party, including copyright, trademark, privacy, publicity, or other personal or proprietary rights; or contain libelous, defamatory, or otherwise unlawful material. You further agree not to use the Website to:

- (a) collect email addresses or other contact information of other users from the Website;
- (b) send unsolicited communications to other users of the Website;
- (c) (a) take any unlawful or unauthorized actions or in any way damage, disable, overburden, or impair the Website or the intellectual property rights owned or licensed by Glynlyon as described elsewhere herein;
- (d) upload, post, transmit, share, store, or otherwise make available any content that Glynlyon deems harmful, threatening, unlawful, defamatory, infringing, abusive, inflammatory, harassing, vulgar, obscene, fraudulent, invasive of privacy or publicity rights, hateful, or racially, ethnically, or otherwise objectionable in Glynlyon's sole discretion;
- (e) misrepresent yourself, your age, or your affiliation with any person or entity;
- (f) upload, post, transmit, share, or otherwise make available any unsolicited or unauthorized advertising, solicitations, promotional materials, "junk mail," "spam," "chain letters," "pyramid schemes," or any other form of solicitation;
- (g) (a) upload, post, transmit, share, store, or otherwise make publicly

- available through the Website any private information of any third party;
- (h) solicit personal information from anyone under 18 or solicit passwords or personally identifying information for commercial, unauthorized, or unlawful purposes;
  - (i) upload, post, transmit, share, or otherwise make available any material that contains software viruses or any other computer code, files, or programs designed to interrupt, destroy, or limit the functionality of any computer software or hardware or telecommunications equipment;
  - (j) intimidate or harass another;
  - (k) upload, post, transmit, share, store, or otherwise make available content that would constitute, encourage, or provide instructions for a criminal offense, violate the rights of any party, or that would otherwise create liability or violate any local, state, national, or international law;
  - (l) use or attempt to use another's account, service, or system or create a false identity on the Website;
  - (m) interfere with or disrupt the Website or servers or networks connected to the Website, or disobey any requirements, procedures, policies, or regulations of networks connected to the Website;
  - (n) upload, post, transmit, share, store, or otherwise make available content that infringes any proprietary rights of any party or defames, slanders, or libels any party, or otherwise violates any law of the United States or the jurisdiction in which you reside;
  - (o) upload, post, transmit, share, store, or otherwise make available content that, in the sole judgment of Glynlyon, is objectionable or which restricts or inhibits any other person from using or enjoying the Website, or which may expose Glynlyon or its users to any harm or liability of any type;
  - (p) facilitate or encourage any violations of this Agreement.

**7. User Content.** You are solely responsible for the profiles (including any name, image, or likeness), messages, notes, text, information, listings, and other content that you upload, publish, or display on or through the Website ("User Content"). Posting, transmitting, or sharing User Content through the



Website that you did not create, that you do not have the rights to, or that you do not have permission to post is prohibited. You understand and agree that Glynlyon may, but is not obligated to, review and may delete or remove (without notice) any User Content in its sole discretion, for any reason or no reason, including User Content that in Glynlyon's sole judgment violates this Agreement or which might be offensive, illegal, or that might violate the rights, harm, or threaten the safety of users or others. You are solely responsible at your sole cost and expense for creating backup copies and replacing any User Content you post or store on the Site or provide to Glynlyon. When you post User Content, you authorize and direct Glynlyon to make such copies thereof as Glynlyon deems necessary in order to facilitate the posting, storage, and use of the User Content. By posting User Content through any part of the Website, you automatically grant, and you represent and warrant that you have the right to grant, to Glynlyon an irrevocable, perpetual, non-exclusive, transferable, fully paid, worldwide license (with the right to sublicense) to use, copy, publicly perform, publicly display, reformat, translate, excerpt (in whole or in part), and distribute such User Content for any purpose, commercial, advertising, or otherwise, on or in connection with the Website or the promotion thereof, to prepare derivative works of, or incorporate into other works, such User Content, and to grant and authorize sublicenses of the foregoing.

**8. Customization Tool.** Through your use of the Website, Glynlyon may provide you access to an application allowing for the creation, modification, and deletion of portions of the Website and its related curriculum ("Customization Tool"). Your use of the Customization Tool is wholly governed by this Agreement. You shall not use the Customization Tool to create any materials which infringe any proprietary rights of any party or defames, slanders, or libels any party, or any content that Glynlyon deems in its sole discretion to be harmful, threatening, unlawful, defamatory, infringing, abusive, inflammatory, harassing, vulgar, obscene, fraudulent, invasive of privacy or publicity rights, hateful, or racially, ethnically, or otherwise objectionable, or otherwise violates any law of the United States or the jurisdiction in which you reside. Glynlyon shall retain all right, title, and interest in and to all materials originally provided as part of the Website. You shall not own any right, title, or interest in or to any material created through

the use of the Customization Tool nor may you rent, lease, sell, assign, transfer, re-license, sub-license, convey, gift, or otherwise dispose of any material created through the use of the Customization Tool. Glynlyon shall own all right, title, and interest in and to any material created through the use of the Customization Tool unless such materials defame, libel, slander, or infringe or otherwise violate the rights of any third party or are unauthorized in Glynlyon's sole discretion. Glynlyon hereby disclaims for all purposes and in all circumstances any responsibility or liability for any materials created through the use of the Customization Tool.

**9. Technical Support.** Glynlyon may provide technical support to you only for your use of the Website. You must have uninterrupted Internet access in order to receive technical support. Under no circumstances is Glynlyon obligated to provide technical support for the following issues:

- (a) Network issues such as Internet Service Providers, spy ware, viruses, loss of communication on the network and similar issues.
- (b) Hardware issues such as switches, hubs, modems, routers, firewalls and similar items.
- (c) Infrastructure issues such as power, electrical, or other instances beyond Glynlyon 's reasonable control.
- (d) Issues not related to the use of the Website, as determined by Glynlyon In Glynlyon 's sole discretion.

### **C. Third Party Notices**

The Website may incorporate or have been created with the use of and in conjunction with Third Party Software. This Third Party Software may only be used in conjunction with the Website and you may not use this Third Party Software for any other purpose or with any other product or service at any time or for any reason.

#### **Glynlyon Contact Information**

Glynlyon, Inc.  
Attn: Legal Department  
300 North McKemy Ave.  
Chandler, AZ 85226

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**877-795-8904**

Contact us (/contact-us)

Customer Support (/customer-support)

Careers (/careers)

System Requirements (/system-requirements)

Florida Disclosure Requirements (/florida)

Privacy Policy (/privacy-policy)


Terms of Use (/terms-of-use)




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 (<https://twitter.com/odysseyware>)

**in** (<https://www.linkedin.com/company/odysseyware-inc->)

 (<https://www.instagram.com/teachodysseyware/>)

 (<https://www.pinterest.com/odysseyware1/>)

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**CONSULTANT/CONTRACTOR  
CONFLICT OF INTEREST  
DISCLOSURE FORM**  
Attachment \_\_\_\_\_

<i>Please Check One</i> Consultant/Contractor _____ is an employee _____ is not an employee
--

I, Charles Mallon, on behalf of Glynlyon, Inc.  
*(Name of Consultant/Contractor)* *(Name of Company, if any)*

(The "Contractor"), declare this to be a full and complete disclosure of all conflicts of interest with the Oneida Tribe of Indians of Wisconsin (The "Oneida Tribe"). Conflict of interest means; any interest, whether it be personal, financial, political, or otherwise, that conflicts with any right of the Oneida Tribe to property, information, or any other right to own and operate its enterprises, free from undisclosed competition or other violation of such rights of the Oneida Tribe. Therefore, I affirm to the best of my knowledge the following:

1. The Contractor is neither presently involved in, nor is it contemplating any legal actions against the Oneida Tribe.
2. The Contractor is not presently involved in any activity or has any outside interests that conflict or suggest a potential conflict with the Oneida Tribe.
3. The Contractor is neither involved in nor does it own any business investments which are related to or connected with the Oneida Tribe, its programs, departments, or enterprises.
4. Neither the Contractor, nor any of its representatives, holds any positions as director or officer in any public or private groups, firms, organizations, or other entities which are substantially or wholly owned by the Oneida Tribe. No representative of the contractor sits on any board, commission, or committee of the Oneida Tribe. No officer or director of the Company has any conflict as defined above.
5. The Contractor is neither applying for, nor receiving, any special services, grants, loans or other programs provided by the Oneida Tribe, and has no pending contracts with the Oneida Tribe, except as herein disclosed and listed below:

(IF NONE, please check  X )

*(Attach additional pages if necessary.)*

During the term of the contract or any extension thereof, I will promptly report any situation which may involve, suggest or appear to suggest any conflict that I may have with the Oneida Tribe. If a conflict arises, I am informed and understand that the Oneida Tribe may in its sole discretion, terminate the contract without obligation to me. Further, failure to report any conflict shall also be cause to terminate my contract.

Signed:

DocuSigned by:  
Charles Mallon  
2887D9B3ADC0466...

Date: 7/24/2018 12:45:59 PM PDT

### Oneida Business Committee Agenda Request

1. Meeting Date Requested: 08 / 22 / 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 an exception to resolution # BC-09-27-17-D and cancel the December 27, 2018, regular OBC meeting

**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\*\*\*

Resolution # BC-09-27-17-D sets the regular meeting schedule of the Oneida Business Committee (OBC) to meet every second and fourth Tuesday of the month at 8:30 a.m. for executive discussion meetings, and to meet every second and fourth Wednesday of the month at 8:30 a.m. for regular meetings.

At the August 14, 2018, BC Work Session, the OBC discussed the 2nd regular OBC meeting of December 2018 which is currently scheduled for Thursday, December 27, 2018, due to the Christmas holiday.

The consensus decision was to cancel this meeting due to scheduled vacations and lack of quorum.

\*\*\*REQUESTED ACTION\*\*\*

Approve an exception to resolution # BC-09-27-17-D and cancel the December 27, 2018, regular OBC meeting

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

# Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

## BC Resolution # 09-27-17-D

### Oneida Business Committee Regular Meeting Schedule for Quarterly Reports

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



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

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

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

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

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

#### CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum; 9 members were present at a meeting duly called, noticed and held on the 27<sup>th</sup> day of September, 2017; that the forgoing resolution was duly adopted at such meeting by a vote of 8 members for, 0 members against, and 0 members not voting; and that said resolution has not been rescinded or amended in any way.

  
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Lisa Summers, Tribal Secretary  
Oneida Business Committee

\*According to the By-Laws, Article I, Section 1, the Chair votes "only in the case of a tie."

## **XI. 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](mailto:TribalSecretary@oneidanation.org). Thank you.*

**X= EXECUTIVE SESSION**

*This section of the agenda contains items held in executive session pursuant to the Open Records and Open Meetings Law.*